

The London Borough of Hounslow

Licensing Act 2003

Statement of Licensing Policy

2025

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This Statement of Licensing Policy (the Policy) is effective from 27th October 2025.

However, the Licensing Authority may also publish an updated Policy at any time within the five years. For confirmation of the current Policy, you can contact licensing@hounslow.gov.uk

1 PURPOSE AND SCOPE

1. The purpose of this Statement of Licensing Policy ('the Policy') is to set out the principles to be applied when considering licence applications under the Licensing Act 2003 ('the Act') by The London Borough of Hounslow. (Within the Policy "The Licensing Authority" is used when explicitly concerning licensing matters and "the Council" is used when concerning the Council's broader remit and responsibilities).
2. The Policy has been prepared having regard to the Licensing Act 2003, other Acts of Parliament which have since amended any elements of the 2003 Act and the Guidance issued by the Home Office under Section 182 of the Act.
3. The Policy is designed to reflect local circumstances and characteristics whilst promoting the four licensing objectives which are at the overriding principles of the Act: These are:
 - Prevention of crime and disorder
 - Public safety
 - Prevention of public nuisance
 - Protection of children from harm.
4. It should be noted that the four licensing objectives are of equal importance and therefore each of these will be considered by the Licensing Authority with equal weight.
5. Under the Act, the Licensing Authority is responsible for determining a range of licence application types. These include premises licences, club premises certificates, personal licences, provisional statements, review applications and temporary event notices (TENs) that receive objections (i.e., negative representations).
6. The Policy covers all premises within the Hounslow Council boundary where any of the following licensable activities under the 2003 Act take place:
 - Sale or supply of alcohol
 - Regulated entertainment
 - The provision of late-night refreshment
 - Supply of alcohol in qualifying clubs.
7. Where licensable activities under the 2003 Act are provided, they can be authorised by way of one of the following forms of authorisation:
 - *Premises Licences* - These authorise the holder to use the premises for one or more licensable activities.

- *Club Premises Certificates* - These authorise qualifying clubs to use the premises for one or more licensable activities (known as 'qualifying club activities').
- *Temporary Event Notices* - These authorise an individual to use the premises identified in the temporary event notice (TEN) for one or more licensable activities for a period of up to 168 hours for 499 persons or less on the premises at any given time (subject to other conditions being met – see TENs section).

2 REVIEW OF THE LICENSING POLICY

8. The Act requires that the Licensing Authority reviews its statement of licensing policy at *least* every five years. When reviewing the Policy, it must also be consulted upon.
9. The Council recognises the important role that 'responsible authorities' (see Glossary), the licensed trade, residents and other stakeholders play in influencing the Policy.
10. Under s5 of the Act, consultation on the Policy must take place with (but is not limited to):
 - The Police
 - The Fire Authority
 - The Director of Public Health
 - Such persons as the Council considers to be representative of holders of premises licences issued by the Council
 - Such persons as the Council considers to be representative of holders of club premises certificates issued by the Council
 - Such persons as the Council considers to be representative of holders of personal licences issued by the Council
 - Such persons as the Council considers to be representative of businesses and residents in its area.
11. The Council will give due weight to the views of those consulted, making appropriate amendments to the Policy accordingly. In determining what weight to give to consultation responses, the following factors will be considered:
 - a) Who made the representation (what was their expertise or interest)
 - b) What the motivation was for their views
 - c) How many other people expressed the same or similar views
 - d) How far representations related to matters the Council should include in its Policy.

12. In-between formal reviews the Council will keep the Policy and its supporting data under review to ensure that it is fit for purpose. Should circumstances change materially, the Council will be prepared to review the Policy earlier than the five year limit in to better promote the licensing objectives.

3 LOCAL CONTEXT

3.1 About Hounslow

13. The London Borough of Hounslow is made up of an area of 56 square kilometres in which over 920 licensed premises are currently authorised under the Act. Of these, around 40 are club premises' certificates. Around 5,600 personal licences have also been issued by the Licensing Authority under the Licensing Act 2003.
14. According to the most recent Census, Hounslow's population has increased from around 254,000 in 2011 to almost 288,200 in 2021. This is an increase of 13.5%, the fifth largest of the 33 London boroughs.¹ This is relevant because as its population grows and changes, the borough's licensed economy will also need to change to support that growth, whilst still promoting the licensing objectives.
15. The five main towns in the Borough are Hounslow, Brentford, Chiswick, Isleworth and Feltham. The Borough has several smaller centres including Cranford, Heston, Hanworth and Bedfont. All these centres have different characteristics (in demographic terms, as well as the number and type of licensed premises located in each).
16. The Council has set out its vision for these places within its *Future Borough Strategy 2018-35*.² Whilst, the Licensing Authority will always treat each licence application on its own merits, it will be mindful of how any application supports (or otherwise) the delivery of its future vision.

3.2 The London Borough of Hounslow Council

17. The Council's vision for Hounslow is set out in the *Future Borough Strategy 2018-35*:
"The borough of Hounslow will be a destination where people choose to live, remain, work, play and visit. It will remain a Borough made up of distinct and prosperous places, each retaining its own unique character, function and history. Our communities

¹ <https://www.ons.gov.uk/visualisations/censuspopulationchange/E09000018/>

² *Future Borough Strategy 2018-2035*, London Borough of Hounslow, 2015

and the individuals within will be safe, healthy, happy, connected and able to achieve their ambitions by being in the Borough”.³

18. The Council is ambitious for Hounslow and is delivery focused. It has been recognised for delivering for residents when it was awarded Council of the Year in 2021.⁴ Its resolve to create a fair, green, and more equal borough has only strengthened during the difficult economic times we face. The Borough’s licensed economy must support (and not impede) this drive and we will do all we can to support well-run licensed premises and high quality licence applications that promote the licensing objectives.
19. In consultation with the community and its partners, Hounslow has developed and adopted several strategies, policies and plans that set out how it intends to achieve the vision contained in *Future Borough Strategy 2018-35*. Those policies and strategies which are relevant to this licensing policy are set out in the next section.

4 INTEGRATION OF LICENSING WITH OTHER POLICIES

4.1 Introduction

20. The Licensing Authority will seek to secure the proper integration of this Statement of Licensing Policy with other relevant strategies such as those for crime prevention and public safety, planning, cultural, gambling and public health.
21. Whilst the Licensing Authority seeks the integration of this Policy with other strategies, the Authority also makes a firm commitment to avoid duplication with other regulatory regimes, so far as is possible.
22. Located in the *Appendices* is a non-exhaustive list of other relevant legislation that licence applicants are advised to review when preparing their application.

4.2 Hounslow Community Safety Strategy

23. Our vision is to work with our communities to keep Hounslow a low crime borough and a safe place to live, work, study and visit.⁵ Hounslow Council’s *Safer Communities Strategy* sets out how the Council is making this aspiration a reality. For further information on safer communities please see the accompanying *Licensing Resources* appendix.

³ As above, p7

⁴ *Ambitions for Hounslow: Corporate Plan 2022-2026*, London Borough of Hounslow, 2022, p4

⁵ *Safer Communities Strategy 2024-2027*, London Borough of Hounslow, 2024, p1

24. The Licensing Authority seeks to provide an effective and supportive licensing service to assist well-run licensed premises and responsible applicants. We also take a reasonable, proportionate and targeted enforcement approach to licensees that fail to promote the four licensing objectives and as a result are negatively impacting community safety.
25. The Metropolitan Police Service provides Hounslow with a neighbourhood policing resource and a dedicated police licensing function. Working in close conjunction with the Licensing Authority they hold licensees to account, challenge new licence applications where necessary and ensure that relevant but robust licence conditions are agreed when a licence is granted or reviewed, and that licensees are then compliant with these conditions.
26. There are several schemes led by the licensed trade itself that aim to make licensed premises and our town centres safer. Pubwatch is one of these and there are currently six active Pubwatch schemes in the London Borough of Hounslow. These are in Brentford, Chiswick, Feltham, Heston, Hounslow and Isleworth. The Licensing Authority would welcome further Pubwatch schemes across the Borough. Once an applicant has applied for a licence and it has been issued, a Licensing Officer will be in contact regarding the local Pubwatch scheme in the area.
27. The Council wants to lead with the heart to make sure all women and girls feel safe in their homes, open spaces and licensed venues across Hounslow.⁶ There is a strong role for licensed premises to play in reducing VAWG. The Council is very clear that any harassment or violence against women and girls (VAWG) is totally unacceptable, and the Council has a dedicated VAWG Strategy to tackle this.

For further information on VAWG resources please see the *Licensing Resources* section within the *Appendices*.

28. We also know that members of our Lesbian, Gay, Bi-sexual, Transgender and Queer+ (LGBTQ+) community, as well as women with learning and physical disabilities, and migrant women are particularly vulnerable to violence against women and girls. We want to help all our communities feel safe and welcome when they go out in Hounslow.⁷
29. As part of this commitment, the Council is a signatory of the London's Night Women's Safety Charter. This is particularly relevant to licensed premises and the night-time economy.

⁶ *Hounslow Violence Against Women and Girls Plan 2023-2026*, London Borough of Hounslow, 2023, p2

⁷ As above.

For further information on the Charter please see the *Licensing Resources* section within the *Appendices*.

30. Hounslow is also a 'White Ribbon' town, and we are therefore committed to signing the pledge to encourage ALL men and boys to call out and speak up to prevent violence and abuse against women and girls. This is particularly relevant to licensed premises and the night-time economy.

For further information on the White Ribbon' please see the *Licensing Resources* section within the *Appendices*

31. The Licensing Authority strongly encourages all licensees to review their processes and policies to ensure that they support the reduction of VAWG and create safer and more welcoming premises for everybody. This in turn will help promote the licensing objectives of both *crime and disorder* and *public safety*.

4.3 The Hounslow Local Plan

4.3.1 Context

23. Legally, the planning system is separate to that of the licensing regime. However, it is increasingly important that they work together if the Council is to deliver the *Future Borough Strategy*. The Council therefore encourages applicants to carefully consider the Borough's *Local Plan 2015-2030*⁸ when formulating their licence application.
24. Hounslow's *Local Plan 2015-30* sets out a vision for how Hounslow and its town centres will develop to 2030. It contains several policies to guide and manage development within the borough which are relevant to licensed premises and these are summarised below.
25. The Council welcomes investment into existing and new licensed premises that will provide for our existing and new residents, whilst enhancing and diversifying the evening and night-time offer. In particular, the Council encourages venues that are food-led, family entertainment, and provide arts and culture.
26. However, regardless of the kind of venue, licence applications must still be able to show how they are able to promote the four licensing objectives and will not add to the existing problems the Borough faces, particularly around any locations where a Cumulative Impact Assessment (CIA) has been published by the Authority (see *Cumulative Impact* section later in this Policy).

⁸ *Hounslow Local Plan 2015-2030: Volume One*, London Borough of Hounslow, 2015

4.3.2 Planning policy C14: Arts, culture, sports and tourism

27. The arts, cultural, sport and tourism sectors have a significant role to play in raising the London Borough of Hounslow profile and improving its competitiveness, whilst also providing employment, creative and leisure opportunities for residents and visitors. It is therefore important that this Policy supports the appropriate development of this sector.
28. The Council will plan for, invest in, and facilitate development of a network of culture and leisure offerings which cater for the Borough's increased population and their needs. The Council will achieve this by:
 - (a) Supporting the delivery of new culture and leisure facilities as identified through the *Hounslow Culture and Leisure Strategy*;
 - (b) Supporting the improvement and upgrade of existing culture and leisure facilities;
 - (c) Allocating sites to deliver new culture and leisure facilities within the borough, and where necessary, securing the re-provision of existing leisure and cultural facilities in more appropriate locations.⁹

4.3.3 Planning policy TC2: Town centres

29. Town centres are central to the Hounslow *Local Plan*, and therefore “*will become hubs of cultural, leisure, community and retail activity that support the growing population*”. Town centres will also be promoted as locations for economic growth and to do business.
30. Growth will be prioritised firstly in Hounslow (Metropolitan) Town Centre and Brentford (District) Town Centre, and then later in the smaller town centres, where accessibility is greatest and shops and services are necessary for successful communities and quality of life. They will provide opportunities for business services and for business to take place outside of the normal workplace hours.¹⁰

Hounslow

31. The *Local Plan* sets out how the Central Hounslow district will benefit from significant residential growth, predominantly on brownfield sites in and around the High Street. This growth will be supported by a coordinated regeneration program of substantial public and private sector investment, which will help to transform the high street into a prosperous 24 hour town centre community.¹¹

⁹ As above, p187

¹⁰ As above ,p19

¹¹ As above, p46

32. The High Street will recapture its civic role with the relocation of Hounslow Council offices which will help strengthen it as a place to do business, network, meet friends, shop and live, supported by a transformed public realm and new cultural and leisure attractions.¹²

Brentford

33. The *Local Plan* sets out how growth in Brentford will maximise its waterside environments, historic buildings, the 'Golden Mile', and many cultural and recreational assets. Development proposals will be expected to respond to the negative issues and respect and enhance the established character.¹³
34. To support a growing retail offer, the Council wishes to introduce a mix of leisure, entertainment and cultural uses which promote greater use of the canal side, primarily on the Brentford Waterside site to the south of Brentford High Street.¹⁴

Chiswick

35. The *Local Plan* sets out how Chiswick will continue to be a much-loved neighbourhood characterised by its low-rise, compact grid pattern nestled along the River Thames. It is well-known for its heritage assets such as Hogarth House and Chiswick House as well as its leafy streets, riverfront walks, collection of pubs and its thriving High Road.
36. Development proposals will be expected to respect and respond to this established character in a sensitive, thoughtful, yet contemporary manner. The Council expects applicants to support the diverse mix of local independent shops and businesses and be mindful of the significant density of licensed premises already operating here.¹⁵

Hounslow West

37. The distinction between Hounslow Central and Hounslow West is subtle, though the cluster of restaurants, shops and cafes in and around Hounslow West Underground Station has a distinct character which differs from the busier and more built-up Hounslow town centre to the east. Protecting the vibrant collection of shops, restaurants and cafes along Bath Road is an important objective of the *Local Plan*.¹⁶

¹² As above, p46

¹³ As above, p40

¹⁴ As above, p40

¹⁵ As above, p38

¹⁶ As above, p48

Feltham

38. Feltham is an important subregional hub for employment, retail and leisure and continues to be a major focus for regeneration both in the borough and in Greater London as a whole. The *Local Plan* sets out how Feltham town centre, which continues to perform strongly, will see modest retail and leisure growth, building on and adding to its existing character, particularly on peripheral sites where more scope exists for redevelopment.¹⁷

Cranford and Heston

39. Once two separate villages, Cranford and Heston are today merged, with swathes of inter-war and post-war housing bisected by busy highways. The denser historic cores of Heston Lane and Cranford High Street/Bath Road provide a mix of retail, business and civic uses.
40. The *Local Plan* sets out how Cranford and Heston will continue to be a residential district that will see small infill development and that the Council wishes to protect local shopping centres, including Heston village and Bath Road in Cranford.¹⁸ Applicants should be mindful of the existing high density of often late operating off-licences in these two areas that already contribute to problems faced by residents.

4.4 Hounslow Statement of Gambling Licensing Principles

41. Some premises that provide licensable activities under the Licensing Act 2003 also provide activities licensable under the Gambling Act 2005. The Authority has a separate *Statement of Gambling Licensing Principles* and reference should be made to that statement to identify the inter-relationship between the two licensing frameworks.

For further information on the Licensing Authority's *Statement of Gambling Licensing Principles* see the *Licensing Resources* section in the *Appendices*.

4.5 Partnership working

42. The Authority welcomes licensed premises and the evening and night-time economy where it contributes to the vitality and vibrancy of its town centres. However, the Authority believes licensed premises should not unduly detract from the local residential amenity (i.e. the licensing objective of *public nuisance*). The Council will continue to work in partnership with the police, residents, businesses, licensees and other regulatory

¹⁷ As above, p48

¹⁸ As above, p54

agencies towards safeguarding the quality of life for residents, and the creation of a safer and more pleasant environment for all.

43. Council departments and partners, such as neighbourhood enforcement, community safety, trading standards, public health, children's services, planning enforcement, as well as the Metropolitan Police Service and the London Fire Brigade, all work together to address any negative impacts of licensed premises and the evening and night-time economy through their regular intelligence meetings, as well as multi-agency joint enforcement operations.

4.6 Public health

44. Public health bodies were retrospectively made Responsible Authorities under the Licensing Act 2003 in April 2012. Although public health is not a licensing objective, health-related data (e.g., alcohol-related violence injuries, acute alcohol intoxication) can be used to track the impact of licensed premises on the four licensing objectives and thus ensure that appropriate and robust measures are in place to promote the objectives.
45. Alcohol is significantly associated with high levels of hospital admissions due to injury, intoxication and violence. The Council takes the reduction of alcohol-related *crime and disorder* extremely seriously and it is expected that licence applicants will demonstrate in their licence application and operating schedule how they will also do this.
46. Public Health England publishes updated Local Alcohol Profiles for England (LAPE).¹⁹ A snapshot of the LAPE for the London Borough of Hounslow, prepared by the Public Health Team at Hounslow, is shown below. The key issues can be summarised as follows.
47. For alcohol related mortality (2022), the Hounslow rate was 34.4 deaths per 100,000 population. This is slightly higher than the regional (i.e. London) rate of 33.4 deaths per 100,000 population, placing Hounslow 15th highest of London's 33 boroughs.
48. In terms of the mortality rate specifically for liver disease, the last data published was for 2017-19. The Hounslow average was 10.8 per 100,00 population, slightly lower than the London average of 12.2 deaths per 100,000 population.
49. Potential years of life lost due to alcohol-related ill health for males in Hounslow (2022) was 908 per 100,000 population. This is lower than the London average of 1,211 per 100,000 population.

¹⁹ <https://www.gov.uk/government/statistics/local-alcohol-profiles-for-england-lape-july-2021-update>

50. Potential years of life lost due to alcohol-related ill health for females in Hounslow (2022) was 423 per 100,000 population, lower than the London average of 536 per 100,000 population.
51. The rate of alcohol specific hospital admissions in Hounslow (2021/22) were 785 per 100,000 population, higher than the regional average of 626 per 100,000 population and placing Hounslow 6th highest in London.
52. Hounslow's Public Health Team will also:
 - Identify and interpret health data and evidence to support this Licensing Policy,
 - Make relevant representations to the Council relating to new applications and major licence variations,
 - Request that the Council review an existing licence should there be concerns that it is negatively affecting the public health aspect of one or more of the licensing objectives,
 - Make representations to the Council regarding the potential cumulative impact of an application,
 - Provide information to help identify any areas of emerging cumulative impact.

4.7 Drugs in licensed premises

53. Illegal drugs and psychoactive substances, including nitrous oxide (NOx), all pose significant challenges to the promotion of the licensing objectives.
54. A zero-tolerance policy is regarded as best practice regarding the use of illegal drugs, in any licensed premises.
55. The Licensing Authority expects a documented policy where there is a risk of illegal drugs, psychoactive substances, or NOx use. The policy, as a minimum, needs to set out how these substances will be prevented from entering the premises, what action the venue will take should anyone be caught with them on the premises, and how the drugs will be disposed of.
56. The Licensing Authority considers that, specifically, nightclubs and other late-night venues should pay very close attention to, and have comprehensive plans to address, these risks. But it may also be appropriate for other licensed premises to do so.

57. For best practice on dealing with illegal drugs in venues, the Night-Time Industries Association offers free guidance and training resources. A link to this can be found in the accompanying *Licensing Resources* section of the *Appendices*.
58. Relevant approaches to eliminating drug selling and use could include, but are not limited to, the following:
- The use of toilet attendants or regular documented toilet checks.
 - Searches of the premises.
 - Training of staff in drug awareness to identify and prevent the supply and use of illegal drugs and psychoactive substances withing a premises
 - Medical provision and welfare arrangements for dealing with drug use.
 - Signage and welfare information in the venue.
 - Physical and design measures to deter drug use on the premises.

4.8 Spiking and welfare in licensed premises

59. Licensees should consider what action will be taken to prevent the ‘spiking’ of drinks at premises, i.e., where drugs or alcohol are illegally added to someone’s drink without them knowing. Alcohol is the commonest substance used to spike drinks.
60. Safety measures licensed premises can take regarding spiking and reducing vulnerability can include, but are not limited to:
- Training staff to spot spiking behaviors.
 - Deploying in-venue publicity materials to ensure customers remain vigilant.
 - Providing WAVE (welfare and vulnerability engagement) and active bystander training for staff.
 - Operating the Ask for Angela campaign.
 - Providing a safe space for welfare or first aid while getting further help.
 - Planning so that vulnerable customers have safe transport home and are provided with medical assistance if needed.
61. WAVE and Ask for Angela training is provided within Hounslow by the Police Licensing department. They actively welcome requests for information and advice from licensed premises that want to create safer venues for their customers.

62. For further information on best practice in relation to spiking, the Night Time Industries Association, the Government and the Metropolitan Police Service all offer free guidance. (See the *Licensing Resources* section in the *Appendices* for further information).

4.9 Core licensing hours

4.9.1 Context

63. The Council supports the principle of flexibility in its approach to licensing hours. The hours for licensable activity will always reflect the individual merits of the application and any relevant representations received, as well as the most important consideration: to promote the licensing objectives.
64. However, the Council is also mindful that the Borough is one of the most densely populated in the country with large numbers of residential premises often close to areas of commercial activity as well as other mixed-use neighbourhoods. The Council will therefore take an approach to licensing hours that seeks to balance the needs of the licensed trade whilst protecting residential amenity to promote the licensing objectives.
65. These hours are called 'Core Hours' and when they were introduced by the Authority, it aligned them – broadly - with the hours of activity that were deregulated by other legislative measures, such as the Live Music Act 2012 and the Deregulation Act 2015. The hours are also based on the Authority's own experiences since the commencement of the Licensing Act in 2005, as activities during these times are generally considered to be acceptable to most stakeholders in the Borough.
66. The Licensing Authority will therefore have a strong expectation that applicants seeking a licence outside of the core hours will provide detailed evidence as to how their application will *not* harm the licensing objectives.
67. For example, there is longstanding evidence that the Borough suffers from considerable public nuisance linked to street drinking and this often starts early in the morning. As such, a premises, for example an off-licence, wishing to sell alcohol before the core hours commence, would need to provide a compelling case explaining why it would not compromise the licensing objectives.
68. Another example would be if a request is made for later hours on the basis that the premises will be operating as a restaurant. In this case the Council would expect the premises to be that of a genuine restaurant, with background music only, with alcohol being ancillary to a full table meal and with seated waiter/waitress table service. It is

expected that the premises will have a dedicated floor space for a kitchen and food preparation.

69. However, it should be noted that some activity and any associated hours may be deemed inappropriate in certain circumstances and in certain areas of the Borough as *public nuisance* to residents is more likely to occur at night and earlier in the morning.

4.9.2 The Core Hours

70. The Core Hours for licensable activity in Hounslow that will generally be authorised, (subject to the applicant complying with the general principles of effective licensed premises management and promoting the four licensing objectives), are as follows:

- Monday to Thursday 09:00 to 23:00hrs
- Friday and Saturday 09:00 to 00:00hrs
- Sunday 10:00 to 22:30hrs.

(Note. Hours may be more restrictive dependent on the character of the area and if the individual circumstances require it).

71. Later hours may be considered where the applicant has identified any risk that may undermine the promotion of the licensing objectives and has put in place robust measures to mitigate those risks.
72. This Core Hours policy also applies to those who are making an application within any published Cumulative Impact Assessment (CIA) Area (see the *Cumulative Impact* section in this Policy). However, in this case, the applicant must have already demonstrated that the proposed activity or operation of the premises will promote the licensing objectives by *not* adding to any cumulative impact that is already being experienced.

4.9.3 Alcohol sales for consumption off the premises

73. Evidence from the police and public health suggests that the availability of alcohol from premises authorised to sell alcohol for consumption off the premises has had a negative impact on the promotion of the licensing objectives in the Borough, particularly in areas where there are clusters of such premises.
74. There are serious concerns that alcohol sales of this nature are more likely to lead to the harmful misuse of alcohol and to incidents of anti-social behaviour (*public nuisance*), such as street drinking, littering, public place vomiting, urination and defecation, as well as harassment of other public space users.

75. Research commissioned by the Council showed that the Borough appears to have a proliferation of convenience stores/supermarkets that are licensed to sell alcohol until the early hours of the morning (some 24hrs). Many of these are located near to hotspots for street drinking detritus and drug paraphernalia and high profile cleansing 'grotspots'.
76. Hours for the supply of alcohol off the premises will generally be restricted to between 09:00hrs and 23:00hrs, although each application will be considered on its merits.

4.9.4 The sale of alcohol

77. The *National Alcohol Harm Reduction Strategy* identifies several priorities which licensing authorities should consider when making decisions on relevant licence applications.
78. In conducting its licensing function, the Licensing Authority will be mindful of relevant guidance, and it advises applicants to read this prior to applying for a licence. Useful examples of this type of guidance includes the following:
 - *Code of Practice on the Naming, Packaging and Promotion of Alcoholic Drinks* (published by The Portman Group).
 - *Responsible Retail Guidance* (published by the Retail of Alcohol Standards Group).
 - *Proxy Purchasing Guidance* (published by the Retail of Alcohol Standards Group).
 - *Guidance for On-line Retailers of Alcohol* (published by the Retail of Alcohol Standards Group).
 - *Best Practice for Rapid Delivery Services Delivering Age Restricted Products* (published by the Retail of Alcohol Standards Group).
79. Links to best practice on the responsible sale of alcohol can found in the *Licensing Resources* section of the *Appendices*.

4.10 Pavement licences

80. The Council wishes to respond appropriately to applications from licensed premises, such as public houses, bars and restaurants, who wish to serve food and drink in areas adjacent to or immediately outside their premises.
81. It is important that any pavement licences granted promote the four licensing objectives and do not impact negatively on nearby residential and business amenity. Approvals may also be required from the planning and highway authorities.

82. For further information on Hounslow's *Pavement Licensing Policy* - with details on how to apply - please see the *Licensing Resources* section in the *Appendices*.

4.11 Late Night Levy

83. The Late Night Levy ('the Levy') is a discretionary power originally granted to local authorities under the *Police Reform and Social Responsibility Act 2011*. It enables authorities to charge an additional fee to those premises that are licensed to sell or supply alcohol late at night as a means of raising a contribution towards the costs of policing the night-time economy.
84. Legislative changes were made to the Levy in 2017. These included allowing licensing authorities to apply the Levy to late night refreshment (i.e. fast food) premises and to specific geographies in their area.
85. Currently the Hounslow does not have, nor does it intend to introduce, a Late Night Levy.

4.12 Early Morning Restrictions Orders

86. Early Morning Restrictions Orders (EMROs) are a discretionary power first published under section 172A of the *Licensing Act 2003* (but enabled in the *Police Reform and Social Responsibility Act 2011*).
87. EMROs enable licensing authorities to restrict sales of alcohol with the aim of tackling high levels of alcohol-related *crime and disorder* and *public nuisance*. The EMRO may be applied to the whole or part of the Licensing Authority area and, if relevant, on specific days and at specific times. A statutory process must be undertaken before it is introduced, and the Licensing Authority must be satisfied that such an order would be appropriate to promote the licensing objectives.
88. Currently the Licensing Authority has not introduced, nor has the intention to introduce, an EMRO.

4.13 Public Space Protection Order

89. The *Anti-social Behaviour, Crime and Policing Act 2014* allowed councils to consult on introducing a Public Space Protection Order (PSPO). A PSPO is a tool that councils can use to restrict certain activities in the public realm which are giving rise to crime and anti-social behaviour.

90. In 2022, in response to a significant issue with street drinking, Hounslow Council introduced a PSPO: *The Public Spaces Protection Order, Borough Wide 2022: Alcohol* (or 'the Order'). The Order came into force on 1st April 2022 for a duration of three years, after which it may be renewed.
91. The Order is intended to prevent the escalation of more serious crimes being committed and people not feeling safe and being harassed in public spaces. It also contributes to keeping public spaces clean.
92. However, rather than seeing the order as solely an enforcement mechanism, with communication, signage, and awareness campaigns, it is a key component in supporting the Council's preventative approach to keeping the borough safe.
93. The effect of the Order is to impose the following conditions in the demarcated public space:
- Condition A.* Prohibition of alcohol consumption in the restricted area, any person who, without reasonable excuse, consumes alcohol, or anything which a constable or authorised person reasonably believes to be alcohol, having been required to stop by a constable or an authorised person, commits an offence.
- Condition B.* Surrender of alcohol in the restricted area, any person who, without reasonable excuse, refuses to hand over any container (open or closed) which is believed to contain alcohol, when required to do so by a constable or an authorised person, commits an offence.
94. Further details on the Hounslow Alcohol PSPO can be found in the Licensing Resources section of the *Appendices*.

4.14 Equalities Act 2010

95. Applicants and licensees should make themselves familiar with their responsibilities under the Equalities Act 2010 and relevant guidance for businesses, which can be found on the Equality and Human Rights Commission website: www.equalityhumanrights.com
96. In carrying out its functions under the Licensing Act 2003, the Licensing Authority will be mindful of its duties under the Equality Act 2010 "*to have due regard to*" the need to eliminate discrimination, advance equality of opportunity and foster good relations regarding age, disability, gender reassignment, pregnancy and maternity, race, religion or belief, sex and sexual orientation.

5 THE FOUR LICENSING OBJECTIVES

- 97. Each of the four licensing objectives that are at the heart of the Licensing Act 2003 are of equal importance.
- 98. The Licensing Authority expects applicants to risk assess their proposals and put forward measures aimed at promoting the four licensing objectives.

5.1 Prevention of crime and disorder

- 99. The Licensing Authority will consider the following: whether the proposal includes satisfactory measures to mitigate any risk of the proposed operation contributing to *crime and disorder* within the premises or making an unacceptable contribution to levels of *crime and disorder* in the vicinity.

5.2 Public safety

- 100. The Licensing Authority will consider whether the necessary and satisfactory risk assessments have been undertaken, the management procedures put in place and any relevant certification produced to demonstrate that the public safety will be ensured both on and in the vicinity of the premises.

5.3 Prevention of public nuisance

- 101. The Licensing Authority will consider whether the applicant has addressed the potential for *public nuisance* arising from the characteristics and style of the proposed activity and identified the appropriate steps to reduce the risk of *public nuisance* occurring from the premises or in its vicinity.

5.4 Protection of children from harm

- 102. The Licensing Authority will consider whether the applicant has identified and addressed any risks with the aim of protecting children from harm when on or in the vicinity of the premises.

6 APPLYING FOR A LICENCE OR CERTIFICATE

6.1 Introduction

103. In determining a premises licence or club premises certificate application, the overriding principle will be that each application will be determined on its own merits, having regard to the promotion of the licensing objectives and considering this Policy and the Guidance issued under Section 182 of the Act. Where it is necessary to depart from the Guidance or this Policy, the Licensing Authority will give clear reasons for doing so.

6.2 The application process

104. All applications for premises licences or club premises certificates, variations and provisional statements must be submitted in accordance with the Act and its accompanying Section 182 Guidance.
105. As part of the application process there is a requirement for the submission of an 'Operating Schedule'. The Licensing Authority will normally expect the operating schedule to have regard to the nature of the area where the premises is situated, the type of premises concerned, the licensable activities to be provided, operational procedures, and the needs of the local community in addressing the four licensing objectives.
106. It is critical that licence applicants show how they will promote the four licensing objectives in their application. Failing to do this is one of the most common reasons that an application will be rejected.
107. Applicants are legally required to give notice of their application in two ways, by displaying a blue notice at the premises for a period of 28 days and placing a notice in a local newspaper. Each notice must clearly state the date by which representations must be received, where the application can be viewed in full and where any representations must be sent.
108. Further information on applying for a premises or personal licence can be found below:
<https://www.hounslow.gov.uk/alcohol-premises-licensing/apply-premises-licence>

6.3 Representations

109. Representations to a licence application can include those that are in support of it, as well as objections.

110. Representations may be received from the Responsible Authorities and by other persons (as defined by the 2003 Act). Elected members may make representations themselves, or on behalf of residents or the applicant. In these cases, the elected member cannot take part in the decision process.
111. Guidance on submitting a representation is available on the Council's website or by contacting the Licensing Service.
112. Members of the public who wish to submit a representation regarding an application need to be aware that once submitted to the Licensing Authority it will become a public document. As required by legislation, their representation will be made available to the applicant, including name and address, and will also be included in any report that is presented at a Licensing Sub-Committee hearing.
113. If this is an issue, they may contact a local representative such as a ward councillor, parish or town councillor, or any other locally recognised body - such as a resident association - about submitting the representation on their behalf. The Licensing Authority cannot accept anonymous representations.
114. Relevant representations are representations as defined by Section 18 of the Act as:
 - a) About the likely effect of the application on the promotion of the licensing objectives.
 - b) Which have not been withdrawn and, in the case of representations made by other persons, are not, in the Licensing Authority's opinion, irrelevant, frivolous or vexatious.
115. It is imperative that any resident, Responsible Authority or other relevant party making a representation about a licence application does so by showing how it will either promote or harm one or more of the four Licensing Objectives.
116. The Licensing Authority must, and will, exclude any representation that is not explicitly linked to one or more of the Licensing Objectives.
117. Unless relevant representations are received from Responsible Authorities and / or other persons, licences will be granted on the terms set out in the application. There is no provision for the Licensing Authority to impose conditions (other than Mandatory Conditions under the Licensing Act 2003 – see below) on a licence / club premises certificate arising from an uncontested application (other than those proposed by the applicant themselves).
118. All representations must be received within the prescribed window and in writing. ('Writing' includes email representations to the Licensing Authority).
119. For more information on the Mandatory Conditions, see the accompanying *Appendices*.

6.4 Determination of applications

- 120. The Licensing Authority will consider each application on its own merits whilst having regard to the Act, the Section 182 guidance and this policy.
- 121. Any delegated decision made by the Licensing Authority will be carried out in accordance with the Scheme of Delegation (see *Appendices*).
- 122. Applications where there are relevant representations will be dealt with by a Licensing Sub-Committee, unless the Licensing Authority, the applicant and everyone who has made representations agree that a hearing is unnecessary.
- 123. Where possible, officers from the Licensing Authority will act to mediate between applicants and persons making relevant representations to resolve issues, thereby preventing unnecessary hearings.

6.5 Composition of a Licensing Sub-Committee

- 124. A Licensing Sub-Committee shall comprise of any three elected members who serve on the Licensing Committee.
- 125. The Council's Code of Conduct requires Elected Members to register and declare their financial and other interests and sets out consequences for the Member's participation in the decision-making process in respect of an application, in the light of those interests.
- 126. Members will also disqualify themselves if the application relates to a premises within their ward.

7 INFORMATION FOR APPLICANTS

7.1 Specific policy considerations

- 127. The Policy does not prevent an applicant's right to apply under the Act for a variety of permissions; nor does it override the right of any person to make representations on an application or seek a review of a premises licence or club premises certificate.
- 128. The Licensing Authority cannot reject an application for a premises licence or club premises certificate, or impose conditions, unless relevant representations are made.
- 129. The measures to be taken by the applicant should be proportionate to the level of risk; for example, a busy town centre nightclub or late-night bar will be expected to take substantially more precautions than a small local restaurant.

130. Where insufficient detail is provided in the application to satisfy the Responsible Authorities and other persons, this is likely to lead to representations being made.
131. The Act requires certain mandatory conditions to be attached to licences. The mandatory conditions override any pre-existing conditions and do not have to be specifically included on licences authorising the sale of alcohol for consumption on the premises. These mandatory conditions can be found in the *Appendices*.
132. Where an application has generated a negative representation (i.e. and objection), the Licensing Authority must be satisfied that it is appropriate to attach conditions, other than those volunteered under the Operating Schedule or the Mandatory Conditions.
133. The Licensing Authority will not implement standard conditions and will, as far as possible, avoid the attachment of conditions that duplicate other regulatory regimes.
134. Where appropriate, the Licensing Authority will attach individual and tailored conditions to a licence that are reasonable, proportionate but not over-burdensome. These must be robust enough to promote the licensing objectives and will be related only to those matters under the direct control of the licence holder.
135. When preparing or considering applications, applicants, Responsible Authorities, objectors and the Licensing Authority should refer to the pool of Model Conditions included in the *Appendices* to this Policy. These are not mandatory conditions but a pool of possible conditions and suggested wording that cover a range of operational issues. The application of one or more of these conditions (or modified versions therefore) to a licence - where relevant and appropriate - may assist in demonstrating that the operation of a licence will not undermine the licensing objectives.
136. The list of Model Conditions will be updated, as appropriate, to assist anyone involved in the licence application or licence review process. The date of any update will be indicated on each relevant appendix.

7.2 General principles

137. The general principles will normally be applied in each case where the Licensing Authority is considering an application for a premises licence, club premises certificate, variations to those or a provisional statement.
138. Applicants should note that Operating Schedules that are lacking in detail are more likely to be refused, have hours restricted, or have conditions attached to them by the Licensing Authority or by any of the Responsible Authorities.

139. The Licensing Authority also strongly encourages applicants to demonstrate:

- a) That they understand the nature of the locality in which the premises are to operate and that this has been taken into consideration whilst preparing the Operating Schedule.
- b) Where the application is for evening and night-time activity, that the proposal reflects the Council's aspiration to diversify the Borough's offer, whilst at the same time promoting the licensing objectives.

7.3 Management competence

140. A critical element of the proper control of a licensable activity (and a premises where such activity is provided) is good management of those activities and the premises generally. Conversely, poor management can undermine the licensing objectives. As such, the Licensing Authority urges all involved in providing such activities and managing such premises to consider what skills and competencies are appropriate in the safe delivery of regulated activities and secure these. This applies to managers, musicians, DJs, door staff, bar staff, performers and contractors as well as everyone associated with the licensable activities.
141. Good management also extends to the appropriate advertising of events and premises users, and licensees are expected to ensure responsible advertising content as part of their role.
142. Whilst it is acknowledged that there is no statutory bar to a Designated Premises Supervisor (DPS) holding this role in more than one premises, the Licensing Authority does not endorse this approach as the norm. The Authority envisages that a designated premises supervisor will be in day-to-day management control of a premises, and this may be undermined if they hold this role at more than one premises. Where this is proposed, applicants should address the issue of day-to-day control in support of the licensing objectives.
143. In premises where the sale by retail of alcohol is permitted it is important that clear direction is given to those undertaking such sales. Whilst retail sales of alcohol must be authorised by the designated premises supervisor or a personal licence holder, it is recommended as part of good management that such authorisation is committed to writing. This should enable the designated premises supervisor or personal licence holder to reinforce the personal responsibility on the person being authorised (including in relation to preventing under age sales).

144. The Licensing Authority expects that this approach will be identified by applicants for premises licences in their Operating Schedules. Applicants for community premises (exempt from the requirement for designated premises supervisors) and club premises certificate holders are also urged to provide written authorisation to those permitted to supply alcohol under their respective licences / certificates.
145. Where appropriate, the Licensing Authority will expect the necessary risk assessments to have been undertaken and the management procedures put in place to demonstrate that the public will be kept safe both on and in the vicinity of the premises. Where necessary, this may also extend to the measures to ensure the safety of people when leaving the premises, ensuring the presence of trained first aiders on the premises and appropriate first aid kits.
146. Where relevant, applicants should also pay particular attention to demonstrate how they will limit the potential for noise from entertainment and persons using external areas affecting those members of the public living or working in the vicinity where licensable activity is proposed to take place, particularly at the most sensitive times (between 11:00pm and 07.00am).
147. Where issues are identified with the poor management of a licensed premises which have the potential for undermining the licensing objectives, the Licensing Authority sees the advantage of a Management Action Plan endorsed by the Authority itself and other relevant Responsible Authorities. These can provide a flexible approach to respond to immediate issues and then for specific measures to be adjusted once improved management can be demonstrated. This can often be a remedial step that may prevent more draconian action being taken by the Authority under the powers of the Licensing Act.
148. For further information on noise management please see the *Licensing Resources* section of the accompanying *Appendices*

7.4 External areas and outdoor and major events

149. The Council is aware of the popularity of external areas and outdoor events. These include beer gardens, terraces, street parties, events in one of Hounslow's parks or open spaces or car parks and industrial spaces, pop-ups or activity on private land awaiting development. These activities can further add to Hounslow's rich cultural heritage, diversity and help bring our communities together.
150. For application for Temporary Event Notices (TENs) and for applying for one, please see the later TENs section.

151. If you are considering holding an event in one of Hounslow Council's parks or public spaces, then you will find all the information to apply, including supportive policies and the portal to review your existing application by visiting the link below:

<https://app1.apply4.com/eventapp/uk/hounslow/>

152. Applicants should note the Council's notice periods when applying to hold an event in one of Hounslow's parks or public spaces. These are as follows:

- An event with attendance of 0-499: a minimum of 2 months' notice.
- An event with attendance of 500-4,999: a minimum of 4-6 months' notice.
- An event with attendance of 5,000: a minimum of 8 months' notice.

If the event includes the sale of alcohol, major funfair rides, has an impact on traffic, generates noise or potential disruption, the Council requires for a minimum of 8 months' notice.

153. Hounslow Council already holds its own premises licences which authorise regulated entertainment in several of its parks and open spaces. These licences have been granted with control measures attached, including limited hours of activity, restricted numbers of events annually and other steps appropriate for the promotion of the licensing objectives. These existing licences are further supported by the work of the Hounslow Events Team who can be contacted at **events@hounslow.gov.uk**.
154. By their very nature, outdoor activities can be the source of *public nuisance* because of noise and disturbance. The Licensing Authority will expect applicants to have assessed the impact that any proposed external areas or outdoor activity may have on any of the licensing objectives and identify the measures they will put in place to mitigate this impact.
155. The Licensing Authority will normally restrict external areas and outdoor activity to between 08:00hrs and 22:00hrs unless the applicant can demonstrate that comprehensive control measures have been implemented which will ensure the promotion of the licensing objectives, particularly the *public nuisance* objective.
156. Notwithstanding any proposed control measures, the Licensing Authority may restrict the hours and/or activity further to promote the licensing objectives.

7.5 Hounslow Safety Advisory Group (SAG)

157. The Council welcomes professionally and safely operated cultural, musical and festival events to the borough.

158. It is the policy of Hounslow Council to uphold the highest possible standards of public safety at public events within the Borough and to encourage the wellbeing of the public at these events. To aid in this the London Borough of Hounslow operates a Safety Advisory Group (SAG) for public events. It does this in partnership with other public agencies to offer specialist advice to event organisers to ensure high standards of health and safety at their events. The SAG exists as an advisory role to event organisers and is not responsible for the organisation of the events.
159. If a major event is to be staged under an existing premises licence, then it will be subject to the conditions and Operating Schedule of those premises, albeit early contact with the Hounslow Council's Safety Advisory Group - to allow the Responsible Authorities to plan for the event - is essential.
160. If the applicant for a major event wishes to stage this at a currently unlicensed building or outdoor space that requires a licence, the Licensing Authority strongly encourages early pre-application discussions with both the Licensing Service and the Hounslow Safety Advisory Group.
161. For further information on the Safety Advisory Group, please see the accompanying *Appendices*.

7.6 Planning

7.6.1 Context

162. The Licensing Authority recognises that the licensing process should not be seen as a re-run of the planning process and that there should be a legal separation between the planning and licensing systems. However, there is a natural overlap between the two regimes, particularly where the reduction of *crime and disorder* and *public nuisance* as well as promoting *public safety* are concerned.
163. Applicants for a premises licence need to be aware that the granting of a licence under the Act does not negate the need to obtain planning permission. Premises operating in breach of planning permission may be liable to prosecution or other enforcement measures under planning law. Applicants are therefore recommended to obtain the correct planning permission for the use of premises they seek to operate.
164. There will be circumstances when, as a condition of planning permission, a terminal hour has been set for the use of premises. Where these hours differ from the hours authorised under the licence, the operator will need to abide by the earlier closing time.

165. Licence applications should *normally* be from premises where:
- a) The activity to be authorised by the licence is a lawful planning use or is a deemed permitted development pursuant to the General Permitted Development Order (1995) as amended.
 - b) The hours sought do not exceed those authorised by any planning permission.
166. The Licensing Authority may consider the lack of planning permission or an established lawful use in deciding whether there is likely to be any harm to the licensing objectives.
167. For further information on obtaining the correct planning consents, please see below:
https://www.hounslow.gov.uk/info/20035/planning_permission

7.6.2 'Agent of change' principle

168. The agent of change principle is both a planning principle and now a licensing one. First introduced in the *National Planning Policy Framework* (version 2) in 2018, and which is incorporated into the *Hounslow Local Plan*, it is also now to be found in the S182 Guidance that accompanies the Licensing Act 2003.
169. Agent of change is intended to place the burden of mitigating any 'change' (resulting from a planning application) on the individual or organisation (the 'agent') who is making that application. The following paragraph explains how this principle is intended to work.
170. The Licensing Act 2003 *Section 182 Guidance* (December 2023, p126) sets out the context of agent of change and how it should be considered by planning applicants.
- "Where there is an application for planning permission, the National Planning Policy Framework expects new development can be integrated effectively with existing businesses and community facilities (such as places of worship, pubs, music venues and sports clubs). Existing businesses and facilities should not have unreasonable restrictions placed on them as a result of development permitted after they were established. Where the operation of an existing business or community facility could have a significant adverse effect on new development (including changes of use) in its vicinity, the applicant (or 'agent of change') should be required by the local planning authority to provide suitable mitigation before the development has been completed."*
171. Whilst it applies to all land uses, the driving force behind the government introducing the agent of change principle (to both planning and licensing) has been to support licensed venues, particularly grassroots live music venues, historic pubs and LGBTQI+ premises,

many of which have been forced to close over the past decade, typically when new urban residents have complained about noise from longstanding venues.

172. In Hounslow, where there are existing cultural assets in mixed-use areas with sensitive uses in proximity, including existing residential development, applying the 'agent of change' principle will therefore be crucial to the ongoing viability of some of cultural assets and will help to ensure that mixed-use areas function successfully.

7.7 Wholesale of alcohol

173. The sale of alcohol in wholesale quantities to the public is a licensable activity under the Licensing Act 2003. A premises licence and a designated premises supervisor who holds a personal licence are required for such transactions to take place lawfully.

7.8 Internet and mail order sales

174. A premises licence will be required for a warehouse or storage facility for alcohol. However, the call centre where the order was placed will *not* require authorisation. The Licensing Authority expects that the application will include procedures for ensuring that sales of alcohol are not made to persons under 18 years of age.

7.9 Film classification

175. Where a premises licence authorises the exhibition of films, the licence must include a condition requiring the admission of children to films to be restricted in accordance with either:
- The BBFC classification,
 - Or where the film is not classified by the BBFC, any recommendations made by the Licensing Authority.
176. In accordance with the guidance issued under Section 182 of the Licensing Act 2003, the Licensing Authority shall concern itself primarily with the *protection of children from harm* when classifying films. It will not use its powers to censor films save where there is clear cause to believe this is required to promote the licensing objectives.
177. The Licensing Authority considers the classification system used by the BBFC to be nationally understood and accepted. It will, therefore, use this system as a reference point for determining its recommendation(s) on the restriction of access of children to the film(s). However, it should be noted that the Licensing Authority is not obliged to follow these guidelines.

178. In the instance where a film has no classification then before it can be screened a request for certification can be made to the Licensing Authority. The request should be made at least 21 days in advance of the proposed screening date and submitted to the Licensing Team. Requests should include:
- a. A physical copy of the film or link to a viewable copy online. (Please ensure this does not require joining any website to view the film(s)).
 - b. Applicants will provide the Licensing Authority with comprehensive details of the measures which will be implemented throughout the exhibition of film to ensure that the correct audience is able to view the film.
179. Where the Licensing Authority itself is to classify a film, the Authority expects that:
- a. A synopsis of the exhibition shall be sent to the Licensing Authority 21 days in advance, where possible, of any exhibition, detailing any potentially controversial issues which could affect the classification given to the film such as theme, swearing, violence, imitable techniques, horror, drugs, nudity, and anything considered over 18 – R18 for example.
 - b. The details of any existing classification issued by an existing classification body be provided, whether within or outside the UK.
 - c. Any child safeguarding and age verification measures which will be applied are included.
 - d. A synopsis identifying the material within the film considered by the exhibitor to be likely to have a bearing on the age limit for the audience for exhibition of the film.
 - e. Such recommendation as may have been made by the filmmaker upon age limit for the intended audience for exhibition of the film proposal of age restriction by the applicant.
180. For further information contact the Licensing Team at licensing@hounslow.gov.uk.

7.10 Deregulation of entertainment

181. The Legislative Reform (Entertainment Licensing) Order 2014 and Deregulation Act 2015 deregulated some of the licensable activities previously regulated under the Licensing Act 2003. This is in addition to the deregulation created by the Live Music Act 2012.
182. Some of the activities which *may* no longer require authorisation are:
- a) Exhibitions of films where they are incidental to another activity which is exempt from licensing.

- b) 'Not-for-profit' film exhibitions between 08:00 and 23:00hrs on any day held in community premises provided that the audience size is no more than 500 and the organiser gets consent from the person who is responsible for the premises and ensures that age classification ratings are complied with.
- c) A performance of amplified live music or playing of recorded music between 08:00hrs and 23:00hrs on any day on premises authorised to sell alcohol for consumption on the premises, provided that the audience size is no more than 500.
- d) A performance of amplified live music or playing of recorded music between 08:00hrs and 23:00hrs on any day in a religious venue, community hall, or other similar community premises, that is not licensed to sell alcohol, provided that the audience size is no more than 500 and the organiser obtains consent from the person responsible for the premises.
- e) A performance of amplified live music or playing of recorded music between 08:00hrs and 23:00hrs on any day at the non-residential premises of a local authority, a school or a hospital provided that the audience size is no more than 500 and the organiser gets consent from the local authority or the school or the health care provider for the hospital.

7.11 Right to work

- 183. The commencement of the Immigration Act 2016 made it a requirement for licensing authorities to be satisfied that an applicant has the right to work in the UK. An application made by someone who is not entitled to work in the UK must be rejected.
- 184. Licences must not be issued to people who are illegally present in the UK, who are not permitted to work, or who are permitted to work but are subject to a condition that prohibits them from doing work relating to the carrying on of a licensable activity.
- 185. A premises or personal licence issued in respect of an application made on or after 6th April 2017 will lapse if the holder's permission to live or work in the UK comes to an end.
- 186. The application for personal and premises licences must submit one of the documents listed in Annex A of the Home Office's Employer right to work checks supporting guidance (<https://www.gov.uk/government/publications/right-to-work-checks-employers-guide>) with their application, to show that they have the right to work in the UK and to undertake work in a licensable activity.

7.12 Sexual entertainment

187. Adult Sexual Entertainment Venues (or SEVs) in the London Borough of Hounslow are controlled under the provisions of Schedule 3 of the Local Government (Miscellaneous Provisions) Act 1982. The Licensing Authority has a policy for the regulation of Sexual Entertainment Venues and that policy should be referred to in respect of those venues.
188. The Council has previously determined that the number of sexual establishments in the London Borough of Hounslow should be nil (0) in each ward, meaning that no SEV licences will be issued in the borough.
189. Premises where entertainment of a sexual nature is provided on an infrequent basis can be exempt from the requirement for SEV licensing under the 1982 Act. The infrequent basis is defined as:
- No relevant entertainment has been provided on more than 11 occasions within a 12-month period.
 - No such occasion has begun within a period of one month beginning with the end of the previous occasion.
 - No such occasion has lasted longer than 24 hours.
190. Accordingly, lap dancing, striptease and other forms of adult entertainment may still be provided and authorised by the Licensing Act 2003, provided they remain exempt in accordance with the above criteria.
191. When a licensing application under the Licensing Act 2003 is received in respect of premises for sexual entertainment on an infrequent basis, such as lap dancing or pole dancing, the Licensing Authority may have regard to where the premises are located. For example, if they are located near to any locations for children's activities: such as schools, youth clubs or nurseries. As with any licence, each application will be considered on its own merits and only within the context of the four licensing objectives.
192. For any premises with any activity or entertainment (whether regulated entertainment or not) of a clearly adult / sexual nature, there should be a strong presumption against permitting any access for children under 18 years.
193. Schedule 7 of the Policing and Crime Act 2009 amended the Licensing Act 2003 to ensure that any premises for which a SEV licence is required does *not* also require a premises licence or club premises certificate for the providing sexual entertainment under the Licensing Act 2003. However, in practice, this will mean that *most* lap dancing clubs and similar venues will require both an SEV licence and a Premises Licence or Club

Premises Certificate for the sale of alcohol and should it want to provide other types of entertainment regulated under the Act.

194. For further information on SEV licences in Hounslow, please see the *Licensing Resources* section in the *Appendices*.

7.13 Children

195. In certain circumstances, where children will be present at a licensed premises, the Licensing Authority expects responsible adults to be present to control children's access and to ensure their safety. Measures must be taken to protect children from hazards and risks such as gambling, drugs, entertainment of an adult nature and incidents of violence or disorder, as well as preventing underage alcohol sales.
196. There are a range of approaches which the Licensing Authority may consider for limiting the access of children where they may be at risk of harm, which include, but are not limited to:
- a) A limit on the hours when children may be present.
 - b) Limitation or exclusion when certain activities are taking place.
 - c) Requirement to be accompanied by an adult.
 - d) Limited access to parts of the premises.
 - e) Excluding persons who are under 18 years from the premises when any licensable activities are taking place.
197. The Licensing Authority will not seek to limit the access of children to any premises unless it is appropriate for the prevention of physical, moral or psychological harm. In all other cases it will be left to the discretion of the licensee.
198. The Licensing Authority will expect cinemas to stipulate that children will be restricted from viewing age-restricted films classified according to the recommendations of the British Board of Film Classification. Similarly, theatre productions should be suitable for the audience present with consideration given in advance to the content and nature of the production.
199. Where an authorisation for the sale or supply of alcohol is in place, there is a requirement for the mandatory condition in relation to age verification to be attached. The Licensing Authority supports the promotion of 'Challenge 25' schemes, but also recommends additional measures be put in place. Examples of these include, but are not limited to:

- Regular documented staff training.
 - Relevant notices to be displayed.
 - The use of a register to record refusals of alcohol sales.
200. In recent years, there have been incidents recorded of child sexual exploitation (CSE) and child criminal exploitation (CCE) taking place in licensed premises or in the vicinity of licensed premises. The Licensing Authority will work via existing partnerships, including the licensed trade, to ensure that any concerns in relation to CSE / CCE can be tackled appropriately.
201. For further information on protecting children from harm and Challenge 25, please see the *Licensing Resources* section in the *Appendices*.

7.14 Counter terrorism

202. Crowded places, such as bars, pubs, nightclubs, music venues, concerts and festivals, have been targets of terrorist activity. The National Counter Terrorism Security Office and the Government have produced guidance and training for operators of venues and crowded places giving advice on how to reduce the threat of attack. Licence applicants and existing licence / club premises certificate holders are strongly encouraged to have regard to this guidance in the design and operation of their premises or events and festivals.
203. When considering how to reduce the risk of a terror attack, the threat level should always be taken into consideration, especially when:
- a) Events or festivals are taking place which attract large numbers of visitors to the Borough.
 - b) National and international sporting events are taking place and are televised in licensed premises.
204. In 2022 the Home office, in its consultation on the Protect Duty, pledged to consider legislative approaches requiring venue operators to consider the risk of terrorist attacks, and to take proportionate and reasonable measures to protect the public.
205. Links to range of Counter Terrorism resources and training, as well as progress on *Draft Terrorism (Protection of Premises) Bill*, commonly known as 'Martyn's Law', can be found in the *Licensing Resources* section of the *Appendices*.

7.15 Vicinity

206. The Licensing Act 2003 envisages that holders of authorisations should be responsible for matters that they control. As such, the Act is not a mechanism for the general control of *crime and disorder* and *public nuisance* by individuals once they are beyond the immediate vicinity of the individual licensed or club premises holding the relevant licence.

7.16 The Licensing Authority as a ‘responsible authority’

207. The Act enables the Licensing Authority to act itself as a Responsible Authority. These powers have been delegated to officers within the Council’s Licensing Service. Officers may choose to intervene where they consider it appropriate for the promotion of the licensing objectives without having to wait for representations from other Responsible Authorities.
208. An example of such a situation may be an application in an area suffering from the negative impact from many licensed premises and as a result officers may have concerns about additional harm from any new or extended licence. As such, they may make a representation to that effect. Another example might be an application which is received from a premises which has a history of complaints, and thus any extension of the hours or increased in the capacity may undermine the licensing objectives. Again, licensing officers may make a representation to that effect.
209. The Council, as Licensing Authority, has taken steps to achieve a line of separation between those officers processing licence applications and those making representations. The officer presenting any licence application to a Licensing Sub-Committee will be different from the officer acting as the Responsible Authority.

8 CUMULATIVE IMPACT

210. The ‘cumulative impact’ of licensed premises on the promotion of the licensing objectives is a proper matter for the Licensing Authority to consider in its Statement of Licensing Policy. Cumulative Impact Assessments (CIAs) were given a legal status through primary legislation when the *Police and Crime Act 2017* (which amended the Licensing Act 2003) came into force on 6th April 2018.
211. Even if the individual premises are well run, the clustering of premises in a particular area, as well as their type, clientele, capacity and operating hours can lead to that area becoming ‘saturated’ and this may result in negative impacts on the licensing objectives.

212. Examples of cumulative impact may include, but are not limited to, shouting, screaming, fast food and street drinking littering, vomiting and urinating, often late into the night, as well as violence hotspots, drunken individuals in the highway or criminal damage to property.
213. If the Authority feels that the cumulative impact of a clustering of licences premises is harming one or more of the licensing objectives, then it can gather evidence of any these problems and publish this for public consultation. If, after consultation, the Authority decides to publish a Cumulative Impact Assessment (for one or more areas in the borough), it should be seen by applicants and other parties as setting down a 'strong statement of intent' about its approach to considering applications for the grant or variation of premises licences or club premises certificates in the area or areas described.
214. However, despite publishing a Cumulative Impact Assessment, each application will still be considered on its own merits, and the Authority *may* grant a licence application inside a CIA Area if the applicant can demonstrate in their operating schedule and licence conditions that they are able to promote the licensing objectives within that CIA Area.
215. The following, though important considerations, are unlikely to be sufficient to demonstrate that an application will not add to existing cumulative impact being experienced in a CIA Area:
- The quality and track record of the management.
 - That the applicant effectively operates a premises like that being applied for elsewhere.
 - The good character of the applicant.
 - The extent of any variation sought.
216. If an applicant can demonstrate to the Authority that they can promote the licensing objectives inside the CIA Area in their application and operating schedule, then the Core Hours Policy set out in would still apply.
217. The authority is of the opinion that it would be very difficult for an application inside a CIA Area to demonstrate how it could operate beyond core hours whilst still promoting the licensing objectives and thus not add to existing cumulative impact. However, as with all licence applications, the Authority will consider each on its own merits.
218. It should be noted that inside a Cumulative Impact Assessment Area, unless *relevant* representations are received, applications for new licences / certificates or material variations to existing licences / certificates will still be granted as per the application.

219. The Authority also notes the relevant section in the Act's S.182 Guidance where it states that the absence of a Cumulative Impact Assessment being published does not prevent relevant representations being made in relation to negative cumulative impact on one or more of the licensing objectives.
220. However, if a representation is to be made with regards to negative cumulative impact outside of any published CIA Area, the Authority expects relevant evidence to be provided to demonstrate the licensing objectives are already being undermined due to negative cumulative impact.
221. Cumulative Impact Assessments, if published, must be reviewed at least every three years. Because this cycle is shorter than the maximum five year review cycle of this Statement of Licensing Policy, any CIAs that have been published by the Authority will be found on the Council's licensing pages at the link below.

<https://www.hounslow.gov.uk/homepage/182/licensing>

9 TEMPORARY EVENT NOTICES

222. In most circumstances the Council welcomes events in the borough which are adding to its culture and community, and which are safety operated and well-managed. Temporary Events Notices (TENs) are a light-touch method by which licensable activities can be authorised to take place without the need for a premises licence or club premises certificate.
223. Advance notice must be given to the Police, Council's Environmental Protection and the Licensing Authority when applying for a TEN.
224. The Police and Environmental Protection are the only parties that can object to a TEN. Whilst both parties can object on the grounds of any of the licensing objectives, the Police will tend to focus on *crime and disorder*, whilst the Council's Environmental Protection service will consider if there is a risk to the prevention of *public nuisance* objective.
225. The role of the Licensing Authority is to ensure that the statutory limits for the giving of TENs in a calendar year by an individual and the restriction of the number of TENs in respect of a particular premises are not exceeded. The Police and Council Environmental Protection remain the enforcement authorities and may monitor any event.
226. The Licensing Authority has a *strong preference* for premises users to provide notice of TEN events at least four weeks prior to the start date of the activity.

227. There is provision in the Guidance for the submission of 'Late TENS'. These have a shorter deadline than a regular TEN. The Licensing Authority discourages the use of Late TENS and encourages submission in good time ahead of the temporary event.
228. The use of a Late TEN for significant public events would likely concern the Council and the Police as it may be a sign of poor management competence. As a result, it may increase the chance of an objection being raised on the grounds of the event being a risk to the *crime and disorder* and / or *public nuisance* licensing objectives.
229. Details on the numbers of TENS and Late TENS that can be given in respect of premises and individual applicants in any calendar year, as well as the number of days prior to the event by which they must be submitted, can be found on the Council's website and at the gov.uk website. These limits are set nationally through legislation, not by the Licensing Authority.
230. When considering an objection to a TEN the Licensing Authority will:
- a) Expect that any existing conditions will be maintained (where relevant) in circumstances where an event is to take place at a premises that has an existing authorisation.
 - b) Assess any history of complaints because of licensable activity that may or may not have been authorised by a TEN.
 - c) Consider the track record of the premises user.
 - d) Consider any other control measures proposed to mitigate the objection.
231. More information on applying for a TEN in Hounslow can be found below:
https://www.hounslow.gov.uk/info/20193/alcohol_and_premises_license/2046/temporary_event_notice_tens

10 PERSONAL LICENCES

232. The supply of alcohol under a premises licence / club premises certificate must be made by, or authorised by, a person who holds a personal licence. The Act requires any sale made when the personal licence holder is not present to have been authorised by a personal licence holder.
233. Where an applicant has been convicted of a relevant offence, foreign offence, immigration offence or has been required to pay an immigration penalty, the Police will be provided with a copy of the application. If the Police object to the grant of the licence, the matter will be referred to a Licensing Sub-Committee for determination.

234. The Licensing Authority will consider whether a refusal of the licence is appropriate for the promotion of the *crime and disorder* licensing objective and will consider:

- a) The seriousness and relevance of any conviction(s).
- b) The period that has elapsed since committing the offence(s).
- c) Any mitigating circumstances that assist in demonstrating that the *crime and disorder* objective will not be undermined.

11 ENFORCEMENT, REVIEWS AND SUSPENSIONS

11.1 Enforcement

235. The Licensing Authority aims to offer a graduated approach to enforcement.

236. The Licensing Authority will inspect premises using a targeted risk-based approach. For example, inspections will not be undertaken routinely but when and if they are judged necessary. This is to ensure that resources are used efficiently and can be effectively concentrated on premises most likely to lead to the undermining of the licensing objectives.

11.2 Licence reviews

11.2.1 Reviews of licences and certificates

237. Responsible Authorities and other persons can apply to the Licensing Authority to review a premises licence or club premises certificate where problems appear to be arising at the premises in relation to any of the licensing objectives.

238. A licence review can be applied for at any stage following the grant of a premises licence or club premises certificate. In every case, an evidential basis for the allegations made will need to be submitted to the Licensing Authority.

239. In the first instance, the Licensing Authority is required to consider whether the representation made is:

- Irrelevant to the licensing objectives.
- Is *frivolous, vexatious or repetitious*.

240. The Guidance recommends that more than one review on similar grounds originating from other persons should not generally be permitted within a twelve-month period, except in exceptional or compelling circumstances, or where it arises following a closure order.

241. In addition, a review will normally follow:

- a) Any action by the Police to close the premises for up to 24 hours on grounds of disorder, or noise nuisance.
- b) Any formal enforcement action by the Council.
- c) Any action taken by the Immigration Authority.

242. The Licensing Authority can exercise a range of powers when dealing with a review. In cases where the licensing objective of *crime and disorder* is being seriously undermined, it is expected that revocation of the premises licence, even in the first instance, will be seriously considered.

11.2.2 Summary reviews

243. Where a licensed premises appears to be associated with serious crime, serious disorder or both, the Police can apply for a 'summary', or 'expedited', review of the premises licence. Within 48 hours of receipt of that application the Licensing Authority must consider whether it is appropriate to take interim steps pending the determination of a review of the licence. Within 28 days after the day of its receipt, a full review hearing must be held.

244. Interim steps could include:

- a) The modification of the conditions of the premises licence.
- b) The exclusion of the sale of alcohol by retail from the scope of the licence.
- c) The removal of the designated premises supervisor (DPS) from the licence.
- d) The suspension of the licence.

245. If the holder of the premises licence makes, and does not withdraw, representations against any interim steps taken by the Licensing Authority, the Licensing Authority must, within 48 hours of the receipt of the representations, hold a hearing to consider those representations.

12 DEFINITIONS AND INTERPRETATION

246. Unless the context indicates otherwise, words used in this Policy have the same meaning as in the Licensing Act 2003. For convenience, a Glossary of these terms has been included in the *Appendices*, but in the event of any inconsistency between these definitions and the Act, the provisions of the Licensing Act 2003 will prevail.

247. This Policy is intended to be indicative only and does not limit the issues that may be considered by the Licensing Authority nor action taken by the Authority.
248. Nothing in this Policy should be interpreted as an indication that any requirement of licensing or other law may be overridden.
249. This Policy is not legal advice on the requirements of the Act or other legal requirements and may not be relied on for that purpose. All prospective applicants, licensees, those with a registrable interest in a premises, Responsible Authorities and other interested parties are strongly advised to seek their own independent legal advice.

13 CONTACT DETAILS

250. For information on licensing and the application process please visit the licensing pages on the Licensing Authority's website:

<https://www.hounslow.gov.uk/alcohol-premises-licensing/apply-premises-licence>
251. If you wish to discuss this Policy, you can email Hounslow's Licensing Team at

licensing@hounslow.gov.uk
252. Current contact details for the Responsible Authorities are shown in the *Appendices* to this Policy. They are not considered part of the Policy itself and therefore may be updated from time to time.
253. Information on the Licensing Act 2003 and the statutory guidance issued under Section 182 of that Act is available from the following link:

<https://www.gov.uk/guidance/alcohol-licensing>