If you require further information about this agenda please contact: Bill Lee on 020 8583 2068 or email at william.lee@hounslow.gov.uk.

LICENSING PANEL

A meeting of the Licensing Panel will be held in Committee Room 3, Civic Centre, Lampton Road, Hounslow on Tuesday, 4 December 2018 at 7:30 pm

MEMBERSHIP

Three full members of the Licensing Committee

AGENDA

1 Appointment of Chair

Licensing Act 2003 - Consideration of representations and objections

2 Club K, 236a High Street, Hounslow (Pages 1 - 46)
   Application for the variation of a premises licence.

Reference documents to assist the Panel's consideration of cases

3 Order of Business (Page 47)
4 Procedure for the conduct of Panel hearings. (Pages 48 - 55)
5 Hounslow Licensing Policy (Pages 56 - 105)

guidance leaflet for objectors

DECLARING INTERESTS

Committee members are reminded that if they have a pecuniary interest in any matter being discussed at the meeting they must declare the interest and not take part in any discussion or vote on the matter.

Alan Adams, Interim Chief Executive
London Borough of Hounslow, Civic Centre, Lampton Road, Hounslow TW3 4DN

Published on 19 November 2018
Licensing Panel – 4th December 2018

APPLICATION FOR THE GRANT OF A PREMISES LICENCE UNDER S 34 LICENSING ACT 2003

Report by: Director of Housing, Planning and Communities Department

Summary

Members are requested to determine an application for the variation of a premises licence in respect of Club K, 236a High Street, Hounslow, having regard to representations received and the requirement to promote the four licensing objectives.

1.0 RECOMMENDATIONS

The following options are open to the Panel;

(i) To grant the application in full and on the terms and conditions contained within the application to include any applicable mandatory conditions.
(ii) To grant the application as above, modified to such an extent as considered appropriate to satisfy any relevant representations and promote the licensing objectives; or
(iii) To reject the application in whole or in part.

2.0 APPLICATION

2.1 A premises licence is required in respect of any premises where it is intended to conduct one or more of the four licensable activities, these being:

- The sale of alcohol
- The supply of alcohol (in respect of a club)
- Regulated entertainment
- The provision of late night refreshment

2.2 This application has been submitted by H Properties Limited, in respect of Club K, 236a High Street, Hounslow, TW3 1HB.

2.3 The applicant is proposing to vary the hours for licensable activity in relation to the following:

- **Supply of alcohol for consumption on the premises:**
  Monday to Wednesday & Sunday, 11:00 to 02:30am
  Thursday to Saturday, 11:00 to 03:30am

- **Live music, Recorded music, Performance of dance, Anything of a similar description (Indoors):**
  Monday to Wednesday & Sunday, 11:00 to 03:00am
  Thursday to Saturday, 11:00 to 04:00am
• **Late night refreshment (Indoors):**
  Monday to Wednesday & Sunday, 23:00 to 03:00am
  Thursday to Saturday, 23:00 to 04:00am

• **Hours premises are open to the public:**
  Monday to Wednesday & Sunday, 08:00 to 03:00am
  Thursday to Saturday, 08:00 to 04:00am

2.4 The application has been properly made and all procedures correctly followed. The application has been attached as Appendix A & A1.

3.0 **BACKGROUND AND HISTORY OF PREMISES**

3.1 The premises are currently licensed for the following activities and hours:

- **Supply of alcohol for consumption on the premises:**
  Monday to Sunday 08:00 to 02:30am

- **Live Music, Recorded Music, dancing and anything of a similar description:**
  Monday to Sunday 08:00 to 03:00am

- **Late Night Refreshment:**
  Monday to Sunday 23:00 to 03:00am

- **The opening hours of the premises**
  Monday to Sunday 08:00 to 03:00am

3.2 The premises are situated in an area of mixed residential and commercial properties.

3.3 There are previous summary reviews submitted by the Metropolitan Police with the following outcomes.

**Summary reviews:**

On the 1st April 2016 the Licensing Panel met to consider whether interim steps should be applied to the licence. The panel decided to suspend the licence.

On the 7th April 2016 the Panel decided to lift the suspension and to impose the conditions that were volunteered at the hearing by Mr Rai, pending the full review of the premises licence scheduled to be heard on 26 April 2016:

On the 26th April 2016 the Panel were satisfied that additional conditions to the premises licences would enable the licensing objectives to be met.

To summarise the conditions are as follows:-

1. No externally promoted events are to be held at the premises. Should any such event be allowed entry must be by a ticket purchased in advance only. The licensee may still apply for TENs in respect of external promotions.
2. There shall be no entry to the premises after 1.30am
3. The sale of alcohol shall terminate at 2.30am
4. The premises shall close at 3.00am
5. There be a minimum of four security staff outside the premises from 3.00am for a period of 30 minutes in order to assist in dispersal
6. There be training for all staff and managers on licensing law and conflict management. This shall take place annually with the first being by 1 August 2016.
On the 21st December 2016 this was the final review hearing of an application for a summary review of the premises licences in line with section 53A of the Licensing Act 2003, which was served on the London Borough of Hounslow by the Metropolitan Police following an incident on 26 November 2016 outside the premises. The Panel noted evidence from the police regarding that incident.

In line with the procedure set out in the Licensing Act 2003, a meeting of the Licensing Panel was held on 02 December 2016 when the Panel decided to implement an interim step pursuant to S53B of the Licensing Act 2003. The interim step that was implemented was the suspension of both Premises Licences with immediate effect. Following that meeting representations were made against the suspension of the premises licences by the Premises Licence Holder. A hearing duly took place within 48 hours of the receipt of that application, on 08 December 2016, when the Panel decided to lift the suspension of the licences pending a full review on 21 December.

Concerning the incident of 26 November, when a large crowd gathered outside the premises around 03:30, the Premises Licence Holder accepted that there had been a crowd but denied that all had been customers of Club K or that the incident itself amounted to serious disorder. While that was a relevant issue when considering whether a summary review ought to have been brought, it was not relevant to the review hearing except that the general seriousness of the incident had to be considered. It was not the Panel’s task to make any judgement on the guilt or innocence of anyone involved in the incident but to decide what was appropriate to promote the licensing objectives, in this instance public safety and the prevention of crime and disorder.

The police made reference to previous incidents and it was noted that the decision of the Panel that heard the original review on 24 April 2016 was subject to appeal to the Magistrates’ Court and due to be heard in January 2017. The Panel did not prejudge that appeal but looked to promote the licensing objectives.

The Panel heard that the licensee and police had agreed terms and it was made clear that they would continue to discuss issues, especially in relation to the forthcoming appeal. The Council’s Licensing Manager considered that it was not necessary or appropriate to impose any additional conditions beyond those added on 26 April and so he asked the Panel to take no action regarding this review, but to leave the decision of 26 April 2016 to stand.

Applications for the variation of the licence:

On 4th September 2017 the applicant submitted an application for the variation of the premises licence proposing to vary the hours for licensable activities until 04:00 Monday - Sunday and to vary the opening hours until 04:30 Monday-Sunday. On 26th October 2017 the applicant withdrew the application.

On 2nd March 2018 the applicant submitted an application for the variation of the premises licence proposing to vary the hours for licensable activities, until 03:30 Thursday to Saturday for alcohol sales, Thursday to Saturday 04:00 for the others and to vary the opening hours until 04:00 Thursday to Saturday.

At the Licensing Panel on 24th April 2018 the panel refused the application, as they were not satisfied that the proposed variation of the Licence would not add to the cumulative impact in relation to one or more of the licensing objectives, especially in this area of the High Street that appeared to be more prone to incidents of anti-social behaviour and street drinking then the other end of Hounslow High Street. The Panel was also concerned about what appeared to be a failure by the Applicant to fully comply with their
current licence conditions, which was important to ensure the licensing objectives were being met.

4.0 OPERATING SCHEDULE

4.1 The operating schedule is completed by the applicant and contains additional measures to illustrate how they propose to promote the four licensing objectives as required by the Licensing Act 2003.

The four licensing objectives are:

- Prevention of crime and disorder
- Prevention of public nuisance
- Public safety
- Protection of children from harm

The measures proposed in the application are listed in paragraphs 4.2 to 4.6 (inclusive) and will be attached as conditions to any licence as may be granted, where this is either an enforceable condition or does not repeat a provision of any other legislation. Conditions have been highlighted in bold italics for the avoidance of doubt.

Anything in non-italics is a direct quote from the application and will not form conditions on any licence. The proposed conditions (in bold italics) have been re-worded in accordance with the Council’s licensing policy to ensure they are both measurable and therefore enforceable.

4.2 The prevention of crime and disorder

Please see appendix A1

4.3 Public safety

Please see appendix A1

4.4 The prevention of public nuisance

Please see appendix A1

4.5 The protection of children from harm

Please see appendix A1

4.6 General-applying to all objectives:

The premises fall within a Special Policy area. The Premises Licence Holder believes that it can demonstrate that the permanent extension of hours will not add to the cumulative impact within Central Hounslow.

The Premises Licence Holder has consulted at length with the Police and Licensing Authority and has drawn up a revised set of conditions which are appended to this application. In addition, the Premises Licence Holder has agreed to fund the removal/relocation of bench seating outside the premises, which has been a focal point for ASB by non-customers.
The Premises Licence Holder has used Temporary Events Notices to extend the hours of operation and has followed the same operating policies and procedures each time. These have been operated without incident.

5.0 STATEMENT OF LICENSING POLICY

5.1 The following extracts from the Council’s statement of licensing policy are brought to the general attention of members:

(3.1) When considering applications, the Licensing Authority will have regard to:
- The Licensing Act 2003 and relevant regulations;
- Government guidance issued under section 182 of the Licensing Act 2003;
- Any supporting regulations (as may be issued and/or amended by the Secretary of State from time to time); and
- This Statement of licensing policy

Applicants should also have regard to these documents when preparing their application.

(3.2) Each application will be considered individually on its own merits. This policy does not undermine the rights of any person to make an application under the Act for a variety of permissions or the right of any person to make representations or seek a review of a licence or certificate where the Act permits this.

(5.1) When determining applications, the Council will take into account the operating schedule submitted by the applicant, the suitability of the premises for the intended use, any cumulative impact policy which may be in effect and any representations received as a result of the consultation process.

(12.3) Should issues not be addressed within the operating schedule to the satisfaction of any responsible authority, resulting in representations being made, further appropriate conditions may be placed on licences. These conditions may be drawn from the local pool of licensing conditions (see Appendix B) or maybe specially formulated to be relevant to a particular situation. Conditions will only relate to matters which the licensee can be expected to control and will relate to the premises themselves, the immediate vicinity around the premises and will focus on the impact of those activities on those living, working or otherwise engaged in the area concerned. The licensing regime exists to ensure that licensed premises and events within the terms of the Act are regulated so that they are both safe and cause a minimum of disturbance.

(12.4) Conditions will only be placed on licences if they are considered appropriate to meet the licensing objectives. Duplication caused by licence conditions that are dealt with by means of other legislation, for example health and safety at work or fire safety, will be avoided. Conditions will only be attached to premises licences and club premises certificates that are appropriate for the promotion of the licensing objectives if not already provided for in other legislation. However, certain safety legislation includes exemptions because it is assumed that licensing controls will provide the appropriate coverage. In such cases conditions will be imposed that are considered appropriate.

(12.5) The Licensing Authority acknowledges that the licensing function cannot be used for the general control of anti-social behaviour of individuals once beyond the direct control of the licensee of any premises concerned. However, it should be noted that the licensee bears a degree of responsibility for persons not only in but also around the immediate vicinity of the premise, when those persons are either entering or exiting the licensed premise, or are loitering within the boundary of the premise.
Other mechanisms may be utilised where appropriate to tackle unruly or unlawful behaviour of customers when beyond the control of the individual Public house, club or business that holds the licence, certificate or authorisation concerned. These include:

- Planning controls;
- Positive measures to create a safe and clean town environment in partnership with local businesses, transport operators and other departments of the local authority;
- The provision of CCTV surveillance in and around the Borough, provision of public conveniences, street cleaning and litter patrols;
- Powers of the local authority or police to designate parts of the Borough as areas where alcohol may not be consumed publicly;
- Police enforcement of the general law concerning disorder and anti-social behaviour, including the issuing of fixed penalty notices;
- The prosecution of any personal licence holder or member of staff at such premises that is selling alcohol to people who are drunk;
- The confiscation of alcohol from adults and children in designated areas;
- Police and local authority powers to close down instantly for up to 24 hours any licensed premises or temporary events on grounds of disorder, the likelihood of disorder, or noise emanating from the premises that is causing a nuisance; and
- The power of the police, other responsible authorities or local residents and businesses to seek a review of the licence or certificate in question.

Many of these activities are channelled through the community safety partnership that takes a wider view of such problems on a Borough wide basis.

(13.1) Cumulative Impact is the potential impact on the promotion of the licensing objectives of a significant number of licensed premises concentrated in one area. The cumulative impact of licensed premises on the promotion of the licensing objectives is a proper matter for the licensing authority to consider in developing its licensing policy statement.

(13.2) Cumulative Impact Policies (CIP’s) may relate to premises licensed to carry on any licensable activity, including the sale of alcohol for consumption on or off the premises (or both) and the provision of late night refreshment. This includes fast food outlets which are not licensed to sell alcohol.

(13.4) In 2015, the Council identified Hounslow and North West Isleworth as an area which was suffering adversely from the number of licensed premises in a specified area. After an extensive evidence gathering process and consultation with both residents and local businesses, a special policy was adopted by borough council in July 2015. The policy is set out at Appendix C of the policy. The special policy will be reviewed regularly.

(13.5) The special policy takes the form of a presumption that applications for new premises licences and variations of existing licences will be refused if relevant representations are received. To rebut this presumption an applicant will have to address the issues raised in the special policy in their operating schedule and demonstrate that operation of the premises will not add to the cumulative impact. The existence of a special policy does not mean that a responsible authority or other person need not make representations about an application. Should no representations be received then the application will be granted in the normal way under delegated authority. If representations are received, then the licensing subcommittee will consider if there are any grounds to justify a departure from its special policy in the light of the individual circumstances of the application.
6.0 CONSULTATION

6.1 The application has been advertised by the applicant with a display notice at the premises and the publication of a newspaper advertisement as required by statute. In line with standard procedure and in addition to the requirements of the Act, the licensing authority has notified residents and businesses in the immediate vicinity (50 metre radius of the premises) that the application has been submitted.

6.2 The appropriate ward and neighbouring ward councillors and responsible authorities have been consulted. The responsible authorities are; Metropolitan Police, London Fire Brigade, Licensing Team, Pollution Control, Health and Safety Team, Planning Department, Children’s Services, Trading Standards, Food Safety, Public Health and the Home Office.

6.3 Of those consultees identified in paragraph 6.2, there have been eight representations.

   The representation submitted on behalf of the Police and that of the Licensing Enforcement Officer, indicates the premises have been cooperative and compliable with both parties. They have submitted representations to enable them to address the panel if required.

   The representation submitted by a Councillor on behalf of residents’ voices concerns that the granting of the application could increase anti-social behaviour in the immediate vicinity of the premises.

   There have been five representations submitted in support of the application from other persons.

   The representations have been attached as Appendix B, B1 & B2.

6.4 Copies of both this report and the representations received have been sent to the applicant.

6.5 Those making representation have been informed of the time and date of the Licensing Panel meeting and have been informed of their right to attend.

6.6 Representations must be relevant to one or more of the four licensing objectives and must relate to concerns related to the subject premises specifically and not to the area as a whole, unless clear evidence (on the balance of probabilities) can be provided to show that concerns raised do/will relate directly to the inability of the premises to promote the licensing objectives.

7.0 LEGAL CONSIDERATIONS

7.1 Conditions may only be attached to the grant of a licence where they are deemed appropriate for the promotion of the licensing objectives. They must be proportionate and not duplicate any existing provisions contained in other legislation. The justification behind a refusal or the attachment of conditions must be given to the applicant.

7.2 There is a right of appeal to the Magistrates Court by any party aggrieved by any decision of the Panel.

8.0 EQUALITIES ISSUES

8.1 This has been considered in the drafting of this report in line with guidance and the Council’s Licensing Policy. There are no specific issues arising in relation to this application.
**Background Papers:**

**This report has been or is due to be considered by:**
Licensing Panel

**This report is relevant to the following wards/areas:**
Hounslow Central
Application to vary a premises licence under the Licensing Act 2003

PLEASE READ THE FOLLOWING INSTRUCTIONS FIRST

Before completing this form please read the guidance notes at the end of the form. If you are completing this form by hand please write legibly in block capitals. In all cases ensure that your answers are inside the boxes and written in black ink. Use additional sheets if necessary.

You may wish to keep a copy of the completed form for your records.

I/We H Properties Limited

(Insert name(s) of applicant)

being the premises licence holder, apply to vary a premises licence under section 34 of the Licensing Act 2003 for the premises described in Part 1 below

<table>
<thead>
<tr>
<th>Premises licence number</th>
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<td>H00760</td>
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Part 1 – Premises Details

<table>
<thead>
<tr>
<th>Postal address of premises or, if none, ordnance survey map reference or description</th>
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<tbody>
<tr>
<td>Club K</td>
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<td>236a High Street</td>
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<table>
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<tr>
<th>Post town</th>
<th>Hounslow</th>
<th>Postcode</th>
<th>TW3 1HB</th>
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<tr>
<th>Telephone number at premises (if any)</th>
<th>0208 570 1306</th>
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<tr>
<td>Non-domestic rateable value of premises</td>
<td>£19250</td>
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Part 2 – Applicant details

<table>
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<tr>
<th>Daytime contact telephone number</th>
<th>As above</th>
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<tbody>
<tr>
<td>E-mail address (optional)</td>
<td>Onkar Rai <a href="mailto:osr339@yahoo.co.uk">osr339@yahoo.co.uk</a></td>
</tr>
<tr>
<td>Current postal address if different from premises address</td>
<td>As above</td>
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Part 3 - Variation

Please tick as appropriate
Do you want the proposed variation to have effect as soon as possible? ✗Yes □No

If not, from what date do you want the variation to take effect? □DD □MM □YYYY

Do you want the proposed variation to have effect in relation to the introduction of the late night levy? (Please see guidance note 1) □Yes ✗No

Please describe briefly the nature of the proposed variation (Please see guidance note 2)

1) To vary the hours for licensable activities to commence from 11:00 Monday-Sunday
2) To vary the hours for licensable activities until 04:00 the following morning Thursday-Saturday (sale of alcohol until 03:30);
3) To vary closing hours until 04:00 the following morning Thursday-Saturday; and
4) To replace existing conditions with those appended to this application.

If your proposed variation would mean that 5,000 or more people are expected to attend the premises at any one time, please state the number expected to attend:
Part 4 Operating Schedule

Please complete those parts of the Operating Schedule below which would be subject to change if this application to vary is successful.

<table>
<thead>
<tr>
<th>Provision of regulated entertainment (Please see guidance note 3)</th>
<th>Please tick all that apply</th>
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<tbody>
<tr>
<td>a) plays (if ticking yes, fill in box A)</td>
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<td>b) films (if ticking yes, fill in box B)</td>
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<td>c) indoor sporting events (if ticking yes, fill in box C)</td>
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<td>d) boxing or wrestling entertainment (if ticking yes, fill in box D)</td>
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<td>e) live music (if ticking yes, fill in box E)</td>
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<td>f) recorded music (if ticking yes, fill in box F)</td>
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<td>g) performances of dance (if ticking yes, fill in box G)</td>
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<tr>
<td>h) anything of a similar description to that falling within (e), (f) or (g) (if ticking yes, fill in box H)</td>
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**Provision of late night refreshment** (if ticking yes, fill in box I) ☒

**Supply of alcohol** (if ticking yes, fill in box J) ☒

In all cases complete boxes K, L and M
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**Will the performance of live music take place indoors or outdoors or both – please tick (please read guidance note 4)**

Indoors [x]

Outdoors [ ]

Both [ ]

**State any seasonal variations for the performance of live music (please read guidance note 6)**

**Non standard timings. Where you intend to use the premises for the performance of live music at different times to those listed in the column on the left, please list (please read guidance note 7)**

**Please give further details here (please read guidance note 5)**

No change to existing hours on Sunday-Wednesday.
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### Performances of dance
Standard days and timings (please read guidance note 8)

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**Will the performance of dance take place indoors or outdoors or both – please tick**

- [ ] Indoors
- [ ] Outdoors
- [ ] Both

**Please give further details here** (please read guidance note 5)

No change to existing hours on Sunday-Wednesday.

**State any seasonal variations for the performance of dance**

(please read guidance note 6)

**Non standard timings. Where you intend to use the premises for the performance of dance at different times to those listed in the column on the left, please list** (please read guidance note 7)
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Please give a description of the type of entertainment you will be providing.

**Will this entertainment take place indoors or outdoors or both — please tick** (please read guidance note 4)
- Indoors [x]
- Outdoors [ ]
- Both [ ]

Please give further details here (please read guidance note 5)

State any seasonal variations for entertainment of a similar description to that falling within (e), (f) or (g) (please read guidance note 6)

Non standard timings. Where you intend to use the premises for the entertainment of a similar description to that falling within (e), (f) or (g) at different times to those listed in the column on the left, please list (please read guidance note 7)
<table>
<thead>
<tr>
<th>Day</th>
<th>Start</th>
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<th>Indoons</th>
<th>Outdoors</th>
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<tr>
<td>Sun</td>
<td>23:00</td>
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</tr>
</tbody>
</table>

**Will the provision of late night refreshment take place indoors or outdoors or both – please tick** (please read guidance note 4)

- **Indoors** ☒
- **Outdoors** ☐
- **Both** ☐

**Please give further details here** (please read guidance note 5)

No change to existing hours on Sunday-Wednesday.

**State any seasonal variations for the provision of late night refreshment** (please read guidance note 6)

**Non standard timings. Where you intend to use the premises for the provision of late night refreshment at different times, to those listed in the column on the left, please list** (please read guidance note 7)
### Supply of alcohol

**Standard days and timings (please read guidance note 8)**

<table>
<thead>
<tr>
<th>Day</th>
<th>Start</th>
<th>Finish</th>
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</thead>
<tbody>
<tr>
<td>Mon</td>
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<td>03:30</td>
</tr>
<tr>
<td>Sun</td>
<td>11:00</td>
<td>02:30</td>
</tr>
</tbody>
</table>

**Will the supply of alcohol be for consumption – please tick (please read guidance note 9)**

- [ ] On the premises
- [ ] Off the premises
- [ ] Both

**State any seasonal variations for the supply of alcohol** (please read guidance note 6)

**Non-standard timings. Where you intend to use the premises for the supply of alcohol at different times to those listed in the column on the left, please list** (please read guidance note 7)

### K

**Please highlight any adult entertainment or services, activities, other entertainment or matters ancillary to the use of the premises that may give rise to concern in respect of children (please read guidance note 10).**

None
<table>
<thead>
<tr>
<th>Day</th>
<th>Start</th>
<th>Finish</th>
</tr>
</thead>
<tbody>
<tr>
<td>Mon</td>
<td>08:00</td>
<td>03:00</td>
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<tr>
<td>Tue</td>
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</tr>
<tr>
<td>Sun</td>
<td>08:00</td>
<td>03:00</td>
</tr>
</tbody>
</table>

State any seasonal variations (please read guidance note 6)

Non standard timings. Where you intend the premises to be open to the public at different times from those listed in the column on the left, please list (please read guidance note 7)

Please identify those conditions currently imposed on the licence which you believe could be removed as a consequence of the proposed variation you are seeking.

A revised set of conditions which will replace the existing conditions, is appended.
Please tick as appropriate

- I have enclosed the premises licence
- I have enclosed the relevant part of the premises licence

If you have not ticked one of these boxes, please fill in reasons for not including the licence or part of it below

Reasons why I have not enclosed the premises licence or relevant part of premises licence.

An updated premises licence has not been sent to us since the last application.
Describe any additional steps you intend to take to promote the four licensing objectives as a result of the proposed variation:

a) General – all four licensing objectives (b, c, d and e) (please read guidance note 11)

The premises falls within a Special Policy area. The Premises Licence Holder believes that it can demonstrate that the permanent extension of hours will not add to the cumulative impact within Central Hounslow.

The Premises Licence Holder has consulted at length with the Police and Licensing Authority and has drawn up a revised set of conditions which are appended to this application. In addition, the Premises Licence Holder has agreed to fund the removal/relocation of bench seating outside the premises, which has been a focal point for ASB by non-customers.

The Premises Licence Holder has used Temporary Events Notices to extend the hours of operation and has followed the same operating policies and procedures each time. These have been operated without incident.

b) The prevention of crime and disorder

See above

c) Public safety

See above

d) The prevention of public nuisance

See above

e) The protection of children from harm
Checklist:

Please tick to indicate agreement

- I have made or enclosed payment of the fee; or
- I have not made or enclosed payment of the fee because this application has been made in relation to the introduction of the late night levy.
- I have sent copies of this application and the plan to responsible authorities and others where applicable.
- I understand that I must now advertise my application.
- I have enclosed the premises licence or relevant part of it or explanation.
- I understand that if I do not comply with the above requirements my application will be rejected.

IT IS AN OFFENCE, UNDER SECTION 158 OF THE LICENSING ACT 2003, TO MAKE A FALSE STATEMENT IN OR IN CONNECTION WITH THIS APPLICATION. THOSE WHO MAKE A FALSE STATEMENT MAY BE LIABLE ON SUMMARY CONVICTION TO A FINE OF ANY AMOUNT.

Part 5 – Signatures (please read guidance note 12)

Signature of applicant (the current premises licence holder) or applicant’s solicitor or other duly authorised agent (please read guidance note 13). If signing on behalf of the applicant, please state in what capacity.

<table>
<thead>
<tr>
<th>Signature</th>
<th>Gordon Dadds</th>
</tr>
</thead>
<tbody>
<tr>
<td>Date</td>
<td>17 October 2018</td>
</tr>
<tr>
<td>Capacity</td>
<td>Solicitors for the Applicant</td>
</tr>
</tbody>
</table>

Where the premises licence is jointly held, signature of 2nd applicant (the current premises licence holder) or 2nd applicant’s solicitor or other authorised agent (please read guidance note 14). If signing on behalf of the applicant, please state in what capacity.

<table>
<thead>
<tr>
<th>Signature</th>
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<tbody>
<tr>
<td>Date</td>
</tr>
<tr>
<td>Capacity</td>
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</tbody>
</table>
Annex 2 - Conditions consistent with the Operating Schedule

Management and Staffing

1. Where the licence holders are a body corporate or unincorporated body any change in director, company secretary is to be notified to the licensing authority, in writing within fourteen days of such change. Such written details as the licensing authority may require in respect of any new director, company secretary are to be furnished within fourteen days of a written request made by the licensing authority.

2. The name of the person responsible for the management of the premises shall be permanently displayed within the premises and shall be readily visible at all times.

3. The licence holder shall maintain a daily register. It must record the name of any person who is to be responsible for managing the premises in his/her absence and the names of all those employed at the premises. The register is to be completed each day within 1 hour of the premises opening for business and is to be available for inspection by the Police and by any authorised officer of the Council.

4. All staff must undergo a strict policy of vetting to verify their age and a written record must be kept of their details, which must be made available to a Constable or authorise officer of the licensing authority upon request.

5. All staff responsible for selling alcohol shall receive regular training in the Licensing Act 2003. Written records of this training shall be retained and made available to Police and Council officers on request.

6. There shall be a personal licence holder on duty on the premises at all times when the premises are open to the public and authorised to sell alcohol and this individual must supervise the bar areas. This individual will also be responsible for supervising the refusal of service log which must be operated by the venue.

7. On any occasion which is promoted in some form by an outside promoter, where entry is either free, by invitation, pay on the door or by ticket, the premises licence holder shall be required to provide to police with full details of the event 14 days before.

8. The venue shall operate a "welfare officer" scheme whereby the welfare officer will interact with customers, monitor levels of intoxication, manage unattended property and, where necessary, advise patrons regarding the venue’s "behave or be banned" scheme. In relation to the "behave or be banned scheme", the personal data of selected individuals shall be uploaded to the computerized database, restricting their future access to the venue.
9. The premises license holder or a nominate representative of the premises, will join or be a member of any local pub watch or similar scheme should one exist.

**Entry to the Premises and Last Entry**

10. Customers are only to use the main entrance. No fire exit is to be used other than in an emergency and any such incident must be recorded in the incident log.

11. There is to be a roller shutter door (or similar non perforated door) fitted to the main entrance that is level with the building line. This door is to be lowered and lock fast at all times the premises is closed to the public.

12. The premises shall install and maintain a computer based identification entry system. The details of all persons, including staff are to be passed through the system prior to being permitted entry to the premises. The provision and maintenance of such equipment shall be to the reasonable satisfaction of Metropolitan Police Service. The details of all persons recorded by the system are to be made available to police upon request for the provision of preventing and detecting crime.

13. All persons entering or re-entering the premises shall be searched by an SIA trained member of staff monitored by the premises CCTV system. The search will include a pat down search including the use of a metal detector wand of both male and female customers plus a full search of any bags.

14. A cloakroom policy shall be in place to ensure that all outdoor coats are handed in upon entry

15. Last Entry to the premises shall be 3:00am save for staff and pre-booked performers. In both cases evidence of employment or bookings must be produced to police or council upon request.

16. After 3.00am the front door of the premises will be closed and display signage clearly stating 'Strictly no admission after 3.00am. All advertising material including social media will state a last entry time of 3.00a.m

**Noise Limiter**

17. A noise limiting device must be installed and must operate at all times regulated entertainment takes place at the premises. The device must be of a type, in a location and set at a level approved in writing by the appropriate
officer of the Council.

**Smoking**

18. All patrons wishing to smoke on the premises must be directed by signage and staff to use the designated smoking area to the rear of the premises.

**Use of Polycarbonate Glasses**

19. Polycarbonate/plastic drink ware is to be used by all patrons. Except for bottles supplied to private tables by waiter service and are monitored by security staff at all times.

**CCTV**

20. The premises shall install and maintain a comprehensive CCTV system as per the minimum requirements of the Metropolitan Police and Council Licensing Officer(s). All entry and exit points will be covered enabling frontal identification of every person entering in any light condition. The CCTV system shall continually record whenever persons are on the premises. All recordings shall be stored for a minimum period of 31 days with date and time stamping. Recordings shall be made available immediately upon the request of Police or authorized officer throughout the preceding 31 day period. The CCTV system should be updated and maintained according to police recommendations.

21. A staff member who is conversant with the operation of the CCTV system shall always be on the premises when the premise is open. This staff member must be able to show a Police or authorized Council Officer recent data or footage with the absolute minimum of delay when requested.

22. The premises shall prominently display signage at all entrances informing customers: -
   a. All persons entering this premise are liable to be searched.
   b. Agreement to search is a condition of entry. If persons do not consent, entry will be refused.
   c. Police may be called if drugs or weapons are found.
   d. CCTV is in operation throughout these premises and is made available to the police.
   e. Any person found carrying weapons or illegal drugs will be permanently excluded and the police may be informed.
   f. Management reserve the right to refuse entry.
   g. The customer may be subject to a further search as a condition to remain on the premises.

**Children and Young Persons**

23. No persons under the age of 18 are permitted in these premises after 2300hrs.
24. A proof of age scheme, such as Challenge 25, shall be operated at the premises where the only acceptable forms of identification are (recognised photographic identification cards, such as a driving license or passport I holographically marked PASS scheme identification cards)

Door Supervision and Incident Management

25. A minimum of 2 door supervisors will be on duty from the time the club opens until 23.00hrs. From 23.00hrs to midnight 3 door staff. From midnight a minimum of 4 door staff to be on duty for a maximum of 160 customers - plus 1 extra security staff for every 100 extra customers until 30 minutes after close of business.

26. A hand written bound (not loose leaf) incident book is always to be kept and maintained on the premises. Records in the book shall be kept on the premises for a minimum of one year and made available on request to an authorized officer of the Council or the Police, which will record the following:

a. All crimes reported to the venue.
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<table>
<thead>
<tr>
<th>Full Name and contact details</th>
<th>License Number</th>
<th>Time on Duty</th>
<th>Time off Duty</th>
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30. Each door staff will be in direct contact with each other via an independent two-way radio system operated within the premises.

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**Venue Closing Procedures**

32. The premises shall operate a dispersal policy which shall be agreed with the Police and Licensing Authority. All staff shall be trained in its implementation. Training records shall be kept in accordance with Condition 5 above.

33. The dispersal of customers from the premises must be managed in accordance with the following:
   - Clear and legible notices must be prominently displayed at the exit requesting customers to respect residents and leave the area quietly.
   - Public announcements requesting customers to leave quietly to minimize disturbance to nearby residents
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b. All ejections of patrons.
c. Any complaints received.
d. Any incidents of disorder.
e. All seizures of drugs or offensive weapons.
f. Any faults in the CCTV system or searching equipment or ID scanning equipment.
g. Any refusal of the sale of alcohol. The log should include the date and time of the refused sale and the name of the member of staff who refused the sale.
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28. Where the venue operates any VIP areas, each area will have 1 extra SIA door supervisor. All staff engaged outside the entrance of the premises, or supervising or controlling queues, shall wear high visibility yellow jackets or vests.

29. There will be register held at the premises which every door supervisor will be required to complete. The register will be available for inspection by the Police, and authorized officers of the Local Authority

   **Full Name and contact details**
   **License Number**
   **Time on Duty**
   **Time off Duty**

30. Each door staff will be in direct contact with each other via an independent two-way radio system operated within the premises.

31. Any persons being ejected from the venue must have any property booked into the cloakroom returned to them prior to or at the time of ejection - or as soon as practicable.

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   - Clear and legible notices must be prominently displayed at the exit requesting customers to respect residents and leave the area quietly.
• Public announcements requesting customers to leave quietly to minimize disturbance to nearby residents
• A 30-minute period prior to closing where music volume is reduced / lighting increased / alcohol sales cease
• There must be a minimum of four security staff outside the premises from close of premises for a period of 30 minutes in order to assist in dispersal.
### LICENSING AUTHORITY
Licensing Act 2003

### REPRESENTATION FORM FROM RESPONSIBLE AUTHORITIES

**Responsible Authority (please delete as applicable):**
Police

<table>
<thead>
<tr>
<th>Your Name</th>
<th>PC Steve Pellowe 1121WA</th>
</tr>
</thead>
<tbody>
<tr>
<td>Job Title</td>
<td>Licensing Constable</td>
</tr>
<tr>
<td>Postal and email address</td>
<td>Hounslow Police Station, 5 Montague Road, Hounslow, TW4 1LB <a href="mailto:steven.pellowe@met.police.uk">steven.pellowe@met.police.uk</a></td>
</tr>
<tr>
<td>Contact telephone number</td>
<td>0208 247 6387</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>Name of the premises you are making a representation about</th>
<th>Club K</th>
</tr>
</thead>
<tbody>
<tr>
<td>Address of the premises you are making a representation about</td>
<td>236a, High Street, Hounslow, TW3 1HB</td>
</tr>
</tbody>
</table>

**Which of the four licensing Objectives does your representation relate to?**

<table>
<thead>
<tr>
<th>Yes</th>
<th>Please detail the evidence supporting your representation. Or the reason for your representation.</th>
</tr>
</thead>
<tbody>
<tr>
<td>No</td>
<td>Please use separate sheets if necessary</td>
</tr>
</tbody>
</table>

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Appendix B
To prevent crime and disorder

On 26th April 2016 a Licensing Sub Committee review hearing was held at The Civic Centre, Hounslow due to incidents occurring inside the premises of Club K and outside during dispersal. Stringent conditions were endorsed by the committee members which included a reduction in both opening and licensing hours.

Since the implementation of the conditions and reduction in hours, the owner, Mr. Onkar has worked tirelessly to change the image of Club K. Having worked closely with him during this time I believe that he has succeeded. There has been a dramatic fall in crime emanating from within the premises and outside during dispersal. Club K is the only late night premises on the borough, and so when incidents do occur it draws a lot of attention from the police and the licensing authority. However to put these incidents into some sort of perspective, Club K has a footfall of approximately 1000 people over the three days in which they are open each week. Which is approximately 50,000 attendees per year. Over the last six months there have been eleven recorded crimes that mention Club K as the venue. Upon further scrutiny (poor initial recording) there have only been two recorded crimes within the premises and three which have occurred outside. None of which have resulted in a prosecution.

Due to the proximity of Club K at Bell Corner (which for some reason attracts night time economy revellers) it is blamed for all recorded crime and incidents requiring police attendance. When such incidents happen and those involved have their details taken by the police, I contact Mr. Onkar who runs their details through his ID Scan system. This will then verify if those involved have attended Club K. As a result of this working relationship we have been able to prove at least 3 allegations of GBH that have occurred nearby have not stemmed from persons attending Club K.

On 8th of October 2018 Paul Richards (LBH licensing) and I carried out a full licensing inspection at Club K which they passed without an advisory.

On 2nd November 2018 police officer's from the Metropolitan Police's Central Licensing team attended Club K and delivered the most up to date licensing training to the owner and his managers. This included the new Welfare & Vulnerability Engagement (WAVE) training. This outlines the responsibilities that the DPS and all staff have towards their customers. This training will be delivered in house to all staff.

The Metropolitan Police Service have met with the applicant and his legal representative during the consultation period. We agree with the proposed conditions along with the bespoke dispersal policy.

However the applicant's premises falls within the Cumulative Impact Study Zone which effects not only new premises licence applications but also variations to existing licences. This was a study compiled by the London Borough of Hounslow in 2015 to assist with the reduction of crime, disorder and public nuisance associated with licensed premises.
In addition to the CIZ, Club K falls within the recently signed off Public Space Protection Order (PSPO). Powers under this legislation enables the police and LBH enforcement officers to stop drinking and confiscate alcohol within the controlled area. This is enforceable by means of a fixed penalty notice if required.

Due to the Licensing Sub Committee making the decision to impose conditions back in 2016 and that the premises falls within the CIZ we believe it only right and proper that they make the decision on this variation application.

<table>
<thead>
<tr>
<th>Public safety</th>
<th>No</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>34</td>
</tr>
<tr>
<td>Suggested conditions that could be added to the licence to remedy your representation or other suggestions you would like the Licensing Sub Committee to take into account. Please use separate sheets where necessary and refer to checklist.</td>
<td></td>
</tr>
<tr>
<td>---</td>
<td></td>
</tr>
<tr>
<td>I have enclosed the last six months crime stats which include Club K in the search result.</td>
<td></td>
</tr>
</tbody>
</table>

Signed: PC Steven Pellowe 1121 WA  
Date: 03/11/2018

Please return this form along with any additional sheets to: The Licensing Team or email to licensing@hounslow.gov.uk. The form must be returned within the Statutory Period, for more details please check with the Licensing Team on 0208 583 4711.
Summaries lifted directly from crime reports (apologies for grammar)

CRIS TX/0514852/18

**Classification**
S020/05-SUBSTANT./Sexual Assault On a Female

**Event Date**
SUNDAY 08/07/2018 02:35 to SUNDAY 08/07/2018 02:40

**Venue**
O/S Club K, 236 A, HIGH STREET, HOUNSLOW, MIDDLESEX, TW3 1HB

At approximately 0220 hours on the 8/7/2018 all of the VIWs have been out for the evening in CLUB K HOUNSLOW HIGH STREET. They have left the club and made their way out onto the HIGH STREET and sat down on the benches opposite the club. The VIWs have been approached by SUS1 and 2 respectively who have initially appeared friendly and engaged with the VIWs about the results of the world cup. After some time the SUS have started to become over familiar and sexualized towards the VIWs, in particular VIW1 and 2. SUS 2 has leaned in towards VIW 1 and attempted to place his face in her cleavage but has been stopped by VIW1. SUS 1 has brushed his hand up against the left breast of VIW2 over clothing before also being challenged by VIW and repelled. VIWs have then come to HOUNSLOW police station to report the matter. Officers have proceeded out onto HOUNSLOW HIGH STREET and identified the SUS who have then made off along GROVE ROAD in the direction of BENSON CLOSE before being lost by officers. Victims later decided not to pursue matter so file closed. NFA

CRIS TX/0512582/18

**Classification**
S105/01-SUBSTANT./Common Assault

**Event Date**
SATURDAY 09/06/2018 02:25 to SATURDAY 09/06/2018 02:30

**Venue**
O/S Club K 236A, HIGH STREET, HOUNSLOW, MIDDLESEX, TW3 1HB

This incident relates to an incident whereby the victim has been punched and pushed by an unknown suspect outside CLUB K, HOUNSLOW HIGH STREET. The victim has not been injured as a result of this assault. Officers have been flagged down by a member of the public stating that he had witnessed a male assault victim. Officers have approached victim who was heavily intoxicated and was not making much sense. Victim could not provide a description of who had assaulted him. After looking through CCTV the assault was not captured, file closed lack of evidence. NFA
Classification /Wounding Amounting to GBH or Inflicting GBH (Inflicting Bodily Harm with or Without Weapon)

Event Date Sunday 15th July 2018 03.05hrs

Venue O/S Club K 236A, HIGH STREET, HOUNSLOW, MIDDLESEX, TW3 1HB

On SUNDAY 15th JULY 2018 at around 0304 hours HOUNSLOW CCTV captured a fight taking place outside K CLUB on HOUNSLOW HIGH STREET involving 4 males. RAZVAN was one of the males involved in the fight and had been knocked out unconscious during the incident. Police arrive do scene at 0308 hours and found RAZVAN surrounded by security staff and a large group of males. RAZVAN had visited the club with his friends from Romania that currently reside in the UK. All the males were extremely intoxicated and were highly emotional.

None of Razvan friends could provide details of the other group that were involved and could not describe the male that had assaulted Razvan. Razvan did not know how the assault had occurred and was not sure if he was punched, kicked or hit with an object. RAZVAN did not know who else was involved in the fight. The crime is confirmed but the victim declines or is unable to support further police action to identify the offender. NFA

Classification SUBSTANT./Assaults Occasioning Actual Bodily Harm

Event Date Saturday 25th August 2018 02.40hrs

Venue Club K 236A, HIGH STREET, HOUNSLOW, MIDDLESEX, TW3 1HB

Victim is reporting an assault that took place in K CLUB HIGH STREET HOUNSLOW on 25/08/2018, she wants no police action, only for the incident to be recorded. Victim states that she was with viw2, standing next to some sofas at the right hand side of the club, with there handbags and jackets on the edge of the sofa, viw2 pointed out to victim that the suspect laying on the sofa was putting his feet on there jackets and handbags, suspect then began gesturing for victims to move out of his way, victim then suggested to her a friend that they should collect there handbags and jacket, so she picked up her property at that point the suspect
kicked victim on the bag and again told her to move. Victim asked the suspect why he had kicked her, and again the suspect told her to move, victim then approached a bouncer and told him what had happened, but the bouncer did not speak to the suspect. A friend of the suspect then approached victim and told her that the suspect was sorry, victim then took a discreet photo of the suspect and showed it to the manager and told him what had happened, the manager told her that he would escort the suspect out of the club and ban him. NFA

CRIS TX 0520693/18

Classification SUBSTANT/Wounding Amounting to GBH or Inflicting GBH
(Inflicting Bodily Harm with or Without Weapon)

Event Date 23rd September 2018

Venue Club K 236A, HIGH STREET, HOUNSLOW, MIDDLESEX, TW3 1HB

Victim attended station office to make a report after police and LAS was called by the staff at K - CLUB, HOUNSLOW. Victim states that he was K - CLUB with his friends and work colleagues, he had quite a bit of drink (4-5 beers + vodka), he is intoxicated and adds that he was dancing when 4-5 people attacked him and start punching him. He doesn't know them and he did not say anything to them. He did not see their faces. Victim states that he was punched by 5 suspects, and he fell on the floor and got up and they punched him again and he fell onto the floor, he remember falling on the floor 3 times. He adds that security staff then intervened then stopped the suspects. He is not happy that that security did not do their job to stop the fight immediately and they did not detain the suspects.

I have been not been able to get in contact with the victim on the phone number provided and the home address given is incorrect. The crime report will therefore be closed until a victim comes forward to substantiate the allegation.

Outcome 14
Evidential difficulties victim based – named suspect not identified – The crime is confirmed but the victim declines or is unable to support further police action to identify the offender NFA
LICENSING AUTHORITY
Licensing Act 2003

REPRESENTATION FORM FROM RESPONSIBLE AUTHORITIES

Responsible Authority – Licensing Enforcement

<table>
<thead>
<tr>
<th>Your Name</th>
<th>Paul Richards</th>
</tr>
</thead>
<tbody>
<tr>
<td>Job Title</td>
<td>Licensing Enforcement Officer</td>
</tr>
<tr>
<td>Postal and email address</td>
<td>L B Hounslow Civic Centre- Pink Zone</td>
</tr>
<tr>
<td>Contact telephone number</td>
<td>0208 583 6725</td>
</tr>
</tbody>
</table>

Name of the premises you are making a representation about | Club K
Address of the premises you are making a representation about | 236a, High Street, Hounslow, TW3 1HB

| Which of the four licensing Objectives does your representation relate to? | Yes  
<table>
<thead>
<tr>
<th></th>
<th></th>
</tr>
</thead>
<tbody>
<tr>
<td>To prevent crime and disorder</td>
<td>Y</td>
</tr>
</tbody>
</table>

I am the Licensing Enforcement Officer for London Borough of Hounslow. I submit this representation on behalf of the Licensing Authority acting as a Responsible Authority.

On Monday 8th October 2018, a full Premises Licence Inspection was carried out at Club K, conducted by myself and Steve Pellowe the Licensing Police. Every Licensing Condition was examined which they passed without any issues.

On Friday 2nd November 2018 Officer’s from the Metropolitan Police’s Central Licensing Team delivered a Licensing Training Session to the Management Team of Club K.

This included the new Welfare & Vulnerability Engagement (WAVE) Training. This training session outlines the responsibilities that a DPS and all Staff should have towards their customers. This training will be undertaken in house to all their current staff and will be part of the induction to any new members that may start.

I believe that the amended Licensing Conditions and Dispersal Policy, submitted by the Applicant are appropriate and proportionate this with type of venue. These Conditions and Dispersal Policy were drafted and agreed in collaboration of the Management Team of Club K, the Police and myself.

Club K is situated at the junction of High Street Hounslow and Bell Road. This location seems to become a meeting point for groups of people during the day and throughout the night and often, these groups of people are the cause for Anti Social Behaviour issues.

The Door Supervisors are often called upon to assist with ASB issues or disturbances within close proximity of the premises. They provide information to the Police which assists with any
enquiries. Club K's cooperation with the Police has assisted with the Police proving allegations of GBH offences. .

Having a presence of SIA Staff at the front of these premises, in the High Street for an addition 1 hour on the Mornings of a Friday, Saturday and Sunday, could be a visual deterrent, which promotes the Four Licensing Objective.

This Premises is situated within the Cumulative Impact Zone
The Special Licensing Policy For Hounslow and North-West Isleworth, states that an Applications for new premises licences, club premises certificates or any variations to premises licences or club premises certificates within Hounslow and North-West Isleworth, that are likely to add to the existing cumulative impact will normally be refused where a relevant representation has been made, unless the applicant can demonstrate that there will be no negative cumulative impact on one or more of the four licensing objectives.

I believe that the Management Team of Club K has demonstrated to me, that with their Management Plan will have no negative cumulative impact on one or more of the four licensing objective. If this Application is granted, the agreed Conditions should be if they were to be attached as Annex 2 - Conditions consistent with the Operating Schedule.

<table>
<thead>
<tr>
<th>Public safety</th>
<th>Y</th>
</tr>
</thead>
<tbody>
<tr>
<td>To prevent public nuisance</td>
<td>Y</td>
</tr>
<tr>
<td>To protect children from harm</td>
<td>Y</td>
</tr>
</tbody>
</table>

Suggested conditions that could be added to the licence to remedy your representation or other suggestions you would like the Licensing Sub Committee to take into account. Please use separate sheets where necessary and refer to checklist.

Signed: P Richards  
Date: 14th November 2018

Please return this form along with any additional sheets to: The Licensing Team or email to licensing@hounslow.gov.uk. The form must be returned within the Statutory Period, for more details please check with the Licensing Team on 0208 4711.
Hi Nicola

I strongly object to extending hours and sale of alcohol to CLUB K as we have seen over the past years it has created a lot of anti-social behaviour, disruption, caous and danger to our residents of whom, most are worried and at risk of going near this place. Our high street is open to all and this place limits the safety of our people.

Kind regards
Cllr Shaida Mehrban

15.11.2018
Hello Team,

My name is Klausen and I reside in Swindon. I work for Zurich in Swindon and often travel to Hounslow on weekends to catch up with close pals here.

I was introduced to Club K back in 2005 through common friend and found the place very happening in all means. Location is great plus there is a hotel close by and makes it easy to stay over for the weekend.

I am now 1 of the customer almost every 2 weeks and feel its a good meeting place for all our friends. The staff is great and good music too.

I wish them all the best in everything they do.

Kind regards

Klausen Dias

This email has been scanned prior to entering the London Borough of Hounslow’s network.
Dear Team,

My name is Fayzel Ribeiro and I currently stay in Swindon. I have hosted shows in Club K since I find the nightclub very well equipped with staff security and rest of the things needed for a perfect night out.

I have been to the club on several occasion and witnessed myself everyone having a really good time. They have been doing really well in catering to different communities of people and the djs that are booked are very talented too.

I wish them my extended support in all means

Thanks
Fayzel Ribeiro
Hello Team

My name is Flacid and I stay in Wembley and work for Kolak snacks company. I have had the pleasure to visit Club K last year and ever since then I often visit them. My friends even host events with them since it's a great venue.

They really look after every customer to detail and are very strict with their policies. I even had the opportunity to play as a DJ once for my mates event and it was a very successful event. Thanks to the mgmt at the club for looking after everything so professionally.

I look forward to being their regular customer as usual as I am right now and see it grow in all means and even have more clubs under their branding.

Best,
Flacid Mendes
Hello Team

My name is Julita and I stay in Wembley and work for Kolak snacks company. I have had the pleasure to visit Club K last year and ever since then I often visit them. My friends even host events with them since it's a great venue.

They really look after every customer to detail and are very strict with their policies. I even had the opportunity to play as a DJ once for my mates event and it was a very successful event. Thanks to the mgmt at the club for looking after everything so professionally.

I look forward to be their regular customer as usual as I am right now and see it grow in all means and even have more clubs under their branding.

Best,
Julita Witkowska

This email has been scanned prior to entering the London Borough of Hounslow's network.
Dear Team,

I am Werner Fernandes and I stay in Hayes. I currently work for Sheraton Heathrow and normally on every weekend I visit Club K with my work mates. This place gives us all the good vibes after a stressful day at work on weekends. A good place to hang out with friends even on days off. The staff members are really polite and the security guys are really alert for every single thing noticed.

It's the only club that we have in this area which is closer to us and above all it's a good one to enjoy on weekends.

With regards
Werner Fernandes

Sent from my iPhone

This email has been scanned prior to entering the London Borough of Hounslow's network.
**Order of Business**

The Panel will follow the order of business set out below unless the Chair decides it would help the proper consideration of the representations to vary that order:

<table>
<thead>
<tr>
<th></th>
<th>Panel</th>
<th>Elect Chair</th>
</tr>
</thead>
<tbody>
<tr>
<td>2</td>
<td>Chair</td>
<td>Introduce Panel and Officers. Announce agenda item. Determines who will speak and notes names. Explains order of business.</td>
</tr>
<tr>
<td>3</td>
<td>Officer presenting</td>
<td>Reads out particulars of application.</td>
</tr>
<tr>
<td>4</td>
<td>Chair</td>
<td>Asks applicant if they agree the circumstances.</td>
</tr>
<tr>
<td>5</td>
<td>Other Persons</td>
<td>State name &amp; address (if not previously done) and advise Panel of objections or reasons for supporting the application. NB “Other Persons” refers to those members of the public who have submitted a valid written representation entitling them to speak at the hearing.</td>
</tr>
<tr>
<td>6</td>
<td>Members Officer Applicant</td>
<td>Question those making representations on substance of representations.</td>
</tr>
<tr>
<td>7</td>
<td>Chair</td>
<td>Asks applicant if they wish to respond.</td>
</tr>
<tr>
<td>8</td>
<td>Applicant</td>
<td>Confirms name and address and addresses Panel about application.</td>
</tr>
<tr>
<td>9</td>
<td>Members Officer Other Persons</td>
<td>Question applicant on substance of their submission. Chair to ensure that question/answer sessions do not develop into general discussion.</td>
</tr>
<tr>
<td>10</td>
<td>Chair</td>
<td>Asks those making representations if they have any final comments before a decision is taken. Asks applicant if they have any final comments before a decision is taken.</td>
</tr>
<tr>
<td>11</td>
<td>Officer presenting</td>
<td>Advises Panel on procedures and options open to them.</td>
</tr>
<tr>
<td>12</td>
<td>Members</td>
<td>Discuss the issues raised and make a decision. (retiring to a separate room if necessary)</td>
</tr>
<tr>
<td>13</td>
<td>Chair</td>
<td>Advise applicant of decisions.</td>
</tr>
<tr>
<td>14</td>
<td>Officer presenting</td>
<td>Advise applicant that decision will be confirmed in writing along with any rights of appeal.</td>
</tr>
</tbody>
</table>
Licensing Panel Procedure

1.1 The decision making process under the Licensing Act 2003 is administered in the London Borough of Hounslow by the Licensing Committee. This Committee delegates its authority to a Licensing Panel and to Officers of the Council according to the table attached at annex (a). Each Licensing Panel consists of three members drawn from the membership of the Licensing Committee. The quorum is two members.

1.2 The Committee through the Licensing Panels, is also designated to determine applications for licences, permits and registrations that fall within the remit of the Street Management and Public Protection Department. In these cases the order of business in annex (c) shall be followed and the principles of natural justice will be applied.

1.3 Members of the Licensing Panel will not determine applications that relate to premises in the ward they represent.

1.4 Members will be present throughout all of a hearing.

1.5 In carrying out its functions the Panel must have regard to the principles of natural justice. This means any party making an application or representation has the right to be present, a right to be aware of any relevant representations, a right to address the panel and a right to be given the reasons for a decision of the panel, especially when an application has been refused.

1.6 Panel members must be independent and have no prejudicial interest in any application before them. Regard must be given to the Council's code of conduct.

2 Before a Panel hearing

2.1 Timescales are set giving a maximum period for the determination of an application and also for notice to be given of the hearing to interested parties. Documents that have to be given to the applicant are also specified. These are summarised in annex (b).

2.2 The Licensing Authority will arrange for applications for matters listed in column A of annex (b) to be heard within the time limit set out in column B of annex (b). Notice of the hearing will be given to those persons listed in column D within the time scale set out in column C.

2.3 The notice of hearing will include details of the rights of parties to attend the hearing, address the panel, give information and call witnesses, the consequences if a party does not attend or is not represented, the procedure followed at the hearing and any point about which the Licensing Authority wants clarification. Documents as set out in column E of annex (b) will be included. The parties will also be informed of the requirement for them to notify the Licensing Authority if they are attending the hearing and the details of any witnesses they are intending to call.

2.4 A panel hearing may be dispensed with if all parties agree that it is unnecessary and it will then be dealt with under delegated authority.

2.5 A party may withdraw a representation by giving 24 hours notice to the Authority, or by doing so orally at the hearing.
3 The hearing

3.1 The Licensing Authority may extend time limits for a specified period if this is felt to be in the public interest. Notice will be given to all parties. The hearing may be adjourned to a specific date or additional specified dates. The Licensing Authority will notify all the parties concerned. Time limits will not be extended in the case of applications during the transitional period where there is no application to vary the licence(s).

3.2 All panel hearings will be held in public, this does not preclude the Authority from excluding the public from the hearing if it deems that this is in the public interest. In this context the word ‘public’ includes a party and any person assisting a party.

3.3 A party to the hearing may be represented by any person.

3.4 At the hearing a party is entitled to give further information or call witnesses in support of their application, ask questions of any other party and to address the panel.

3.5 The panel may take into account documentary or other evidence produced by a party either before the hearing or with consent of all the other parties at the hearing.

3.6 Members of the panel may ask questions of any party or witness.

3.7 The panel shall disregard any representation, notice or evidence produced by a party which is not relevant to their application, representation or notice and the promotion of the licensing objectives, and in relation to a notice given by a Chief Officer of Police, the crime prevention objective.

3.8 If a party informs the authority that he does not intend to attend or be represented the hearing may proceed in his absence. If a party fails to attend without giving notice the panel may adjourn the hearing to a specified date if it deems this to be in the public interest or hold the hearing in the party’s absence.

3.9 When a party does not attend a hearing the panel must consider the application, representation or notice made by the party.

3.10 If a hearing is adjourned to a specified date all parties shall be notified by the authority of the details of the new hearing.

3.11 At the hearing the panel will follow a fixed order of business, appendix (c). The Chair of the panel may vary this if it is felt that it is in the interests of natural justice for all the parties.

3.12 At the hearing a party is entitled to give further information, call witnesses in support of their application, to ask questions of any other party and to address the panel. If, in the opinion of the panel time limits need to be set to allow all parties time to exercise their rights, each party shall receive an equal maximum period of time.

3.13 In the case of applications that are subject to multiple similar representations the Authority will, as far as possible endeavour to seek a representative(s) from those making representations to address the Panel.

3.14 The panel may require any person attending the hearing who in their opinion is behaving in a disruptive manner to leave the hearing and may refuse to readmit that person or to permit them to return on such conditions as the panel may specify.
3.15 Any such person may before the end of the hearing submit in writing any information that they would have been entitled to give orally had they not been required to leave.

3.16 If, during the course of a hearing or immediately prior to the hearing a party makes a major variation to an application or an operating schedule, the panel may, in the interests of natural justice adjourn the hearing to allow any other party to be re-consulted on the variation.

3.17 In the following cases:
- counter notice following Police objection to a temporary event notice,
- review of premises licence following closure order,
- determination of application for conversion of an existing licence,
- determination of application for conversion of an existing club certificate,
- determination of application by holder of a justices licence for grant of personal licence
the panel must make its determination at the end of the hearing.

3.18 Normally the panel will endeavour to make their determination at the end of the hearing whenever possible, however they may delay their decision up to five working days after the hearing beginning with the day of the hearing or the last day on which the hearing was held, as may possibly occur in a case where there is a significant amount of evidence.

3.19 The deliberations of the panel will be held in private.

3.20 When giving their decision the Panel will give the reasons for the decision, these will be confirmed in writing.

4 After the hearing

4.1 The Authority shall keep a permanent and intelligible record of the hearing for a period of six years from the date of the determination, or in the case of any appeal the disposal of the appeal whichever is the later.

4.2 Any irregularity resulting from a failure to comply with this procedure or the regulations governing hearings made under the Licensing Act 2003 before the panel has made a determination, shall not render the proceedings void.

4.3 If any such irregularity should occur, the panel may, if it thinks that any person has been prejudiced as a result of the irregularity take such steps as it thinks fit to cure the irregularity before reaching its determination.

4.4 The Authority may correct any clerical errors in any document recording the determination of the panel that result from an accidental slip or omission.

4.5 Any notices produced by the Authority must be given in writing, they may be transmitted by electronic means if the text of the notice is received in a legible form and is capable of being reproduced in written form and used for subsequent reference. The addressee must have agreed that the notice may be received electronically and a written copy must be sent forthwith.

4.6 In the case of any electronic transmission the notice shall be deemed to have been effected when it is received.
Annex (a)

All licences will be determined in accordance with the following table:

<table>
<thead>
<tr>
<th>Matter to be dealt with</th>
<th>Full Committee</th>
<th>Licensing Panel</th>
<th>Officer</th>
</tr>
</thead>
<tbody>
<tr>
<td>Review of Statement of Licensing Policy. Receipt of annual report of licences issued.</td>
<td>In all cases</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Receipt of other relevant reports</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Application for personal licence</td>
<td></td>
<td>If a representation made</td>
<td>If no representation made</td>
</tr>
<tr>
<td>Application for personal licence with unspent convictions</td>
<td></td>
<td>All cases</td>
<td></td>
</tr>
<tr>
<td>Application for premises licence/club premises certificate</td>
<td></td>
<td>If a representation made</td>
<td>If no representation made</td>
</tr>
<tr>
<td>Application for provisional statement</td>
<td></td>
<td>If a representation made</td>
<td>If no representation made</td>
</tr>
<tr>
<td>Application to vary premises licence/club premises certificate</td>
<td></td>
<td>If a representation made</td>
<td>If no representation made</td>
</tr>
<tr>
<td>Application to vary designated premises licence holder</td>
<td></td>
<td>If a Police representation</td>
<td>All other cases</td>
</tr>
<tr>
<td>Request to be removed as designated premises licence holder</td>
<td></td>
<td></td>
<td>All cases</td>
</tr>
<tr>
<td>Application for transfer of premises licence</td>
<td></td>
<td>If a Police representation</td>
<td>All other cases</td>
</tr>
<tr>
<td>Application for interim authorities</td>
<td></td>
<td>If a Police representation</td>
<td>All other cases</td>
</tr>
<tr>
<td>Applications to review premises/club premises certificate</td>
<td></td>
<td>All cases</td>
<td></td>
</tr>
<tr>
<td>Decision on whether a complaint is irrelevant, frivolous, vexatious etc</td>
<td></td>
<td>All cases</td>
<td></td>
</tr>
<tr>
<td>Decision to object when local authority is a consultee and not the lead authority</td>
<td></td>
<td>All cases</td>
<td></td>
</tr>
<tr>
<td>Determination of a Police representation to a temporary event notice</td>
<td></td>
<td>All cases</td>
<td></td>
</tr>
<tr>
<td>A</td>
<td>B</td>
<td>C</td>
<td>D</td>
</tr>
<tr>
<td>---</td>
<td>---</td>
<td>---</td>
<td>---</td>
</tr>
<tr>
<td><strong>Provision under which hearing is to be held.</strong></td>
<td><strong>Period of time within which hearing must be held</strong></td>
<td><strong>Period of time within which interested parties must be notified of hearing</strong></td>
<td><strong>Persons to whom notice of hearing has to be given</strong></td>
</tr>
<tr>
<td>Section 18(3)(a) Determination of application for premises licence</td>
<td>20 working days from the end of the period of consultation</td>
<td>10</td>
<td>The person who has made the application</td>
</tr>
<tr>
<td>Section 31(3)(a) Determination of application for a provisional statement</td>
<td>20 working days from the end of the period of consultation</td>
<td>10</td>
<td>The person who has made the application</td>
</tr>
<tr>
<td>Section 35(3)(a) Determination of application to vary premises licence</td>
<td>20 working days from the end of the period of consultation</td>
<td>10</td>
<td>The person who has made the application</td>
</tr>
<tr>
<td>Section 39(3)(a) Determination of application to vary premises licence to specify individual as premises supervisor</td>
<td>20 working days from the end of the period of consultation</td>
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<td>The holder of the premise licence who has made the application Metropolitan Police Service The proposed individual referred to in the application.</td>
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<td><strong>Provision under which hearing is to be held.</strong></td>
<td><strong>Period of time within which hearing must be held</strong></td>
<td><strong>Period of time within which interested parties must be notified of hearing</strong></td>
<td><strong>Persons to whom notice of hearing has to be given</strong></td>
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<tr>
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<td>Premises user Metropolitan Police Service</td>
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<td>The person who has made the application Metropolitan Police Service</td>
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<td>Period of time within which interested parties must be notified of hearing</td>
<td>Persons to whom notice of hearing has to be given</td>
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* These documents are in addition to a notice explaining the following:
  * the rights of a party provided for in regulations 15 and 16
  * the consequences if a party does not attend or is not represented
  * the procedure to be followed at the hearing
  * any particular points on which the authority considers that it will want clarification at the hearing from a party
**Annex (c)**

### Order of Business

The Panel will follow the order of business set out below unless the Chair decides it would help the proper consideration of the representations to vary that order:

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<td><strong>Elec Chair</strong></td>
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<td>2</td>
<td><strong>Chair</strong></td>
<td>Introduce Panel and Officers. Announce agenda item. Determines who will speak and notes names. Explains order of business.</td>
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<tr>
<td>3</td>
<td><strong>Officer presenting</strong></td>
<td>Reads out particulars of application.</td>
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<td>4</td>
<td><strong>Chair</strong></td>
<td>Asks applicant if they agree the circumstances.</td>
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<td>5</td>
<td><strong>Those making objections</strong></td>
<td>State name &amp; address (if not previously done) and advise panel of objections.</td>
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<td>6</td>
<td><strong>Members Officers Applicant</strong></td>
<td>Question those making objections on substance of representations.</td>
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<td>7</td>
<td><strong>Chair</strong></td>
<td>Asks applicant if they wish to respond.</td>
</tr>
<tr>
<td>8</td>
<td><strong>Applicant</strong></td>
<td>Confirms name and address and addresses Panel about application.</td>
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<td>9</td>
<td><strong>Members Officers Objectors</strong></td>
<td>Question applicant on substance of their submission. Chair to ensure that question/answer sessions do not develop into general discussion.</td>
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<td>10</td>
<td><strong>Chair</strong></td>
<td>Asks those making representations if they have any final comments before a decision is taken. Asks applicant if they have any final comments before a decision is taken.</td>
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<tr>
<td>11</td>
<td><strong>Officer presenting</strong></td>
<td>Advises Panel on procedures and options open to them.</td>
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<td>12</td>
<td><strong>Members</strong></td>
<td>Discuss the issues raised and make a decision. (retiring to a separate room if necessary)</td>
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<td>13</td>
<td><strong>Chair</strong></td>
<td>Advise applicant of decisions.</td>
</tr>
<tr>
<td>14</td>
<td><strong>Officer presenting</strong></td>
<td>Advise applicant that decision will be confirmed in writing along with any rights of appeal.</td>
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2015 -2020
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1.0 Introduction

1.1 The London Borough of Hounslow is the Licensing Authority under the Licensing Act 2003 (the Act). The Licensing Authority and must have regard to this policy when carrying out its functions under the Act.

1.2 The Act requires that the Licensing Authority must publish this statement of licensing policy. This policy will be used as a guide when making decisions regarding licensing matters such as determining applications for licences.

1.3 The Licensing Authority makes this statement of licensing policy in accordance with Section 5 of the Act.

1.4 The original Statement of Licensing policy came into force on 23 November 2004 and remained in force for the maximum period of three years. The policy has been subsequently reviewed on two previous occasions.

1.5 This amended version of the policy is the third such review of the policy, which was adopted by borough council on 24th November 2015. In accordance with the Act, the policy may remain in effect for a period not exceeding 5 years. All reviews will be subject to further consultation with all stakeholders and any revised policy will be published.

1.6 The revised policy has been subject to consultation. The following have been consulted:

- The Metropolitan Police;
- The London Fire Brigade;
- The Planning Authority;
- Public Health
- London Borough of Hounslow departments responsible for, health and safety, food safety, pollution control, trading standards and children’s services

Representatives of holders of premises licences, personal licences, club premises certificates and businesses or residents in the Borough have also been consulted.

A public consultation for an 8 week period was also carried out and full details of the proposed changes to the policy were published on the London Borough of Hounslow’s dedicated consultations web pages.

All replies received to the consultation were considered before the policy was finalised and approved.

1.7 The Licensing Authority will seek to implement this policy in a positive way with an aim of improving the quality of life for local businesses, residents and visitors to the London Borough of Hounslow. We are keen to encourage licensed premises that
act in accordance with the licensing objectives and act in an inclusive way for the whole community.

| 1.8 | We also aim to target, with enforcement action, any premises that are associated with crime and disorder, threaten public safety, generate public nuisance or threaten the wellbeing of our children. This policy along with other local strategies and initiatives will be used to control the negative impacts that licensed premises can cause such as increased crime and noise. |
| 1.9 | **The London Borough of Hounslow Corporate Plan 2014-19**  
The Corporate Plan sets out the strategic vision and the Executive’s over-arching ambitions. A key theme is making Hounslow a safer borough by reducing crime and anti-social behaviour, and tackling drug and alcohol misuse that can lead to crime.  
The Plan sets objectives to:  
- Work to prevent and reduce the harm caused by drug and alcohol misuse.  
- Continue to reduce antisocial behaviour and take action against problem premises.  
- Prosecute businesses selling unsafe and counterfeit products  
The principles set out in the Corporate Plan have been actively considered when developing this policy. |
| 1.10 | The Licensing Authority has taken full account of the guidance issued by the Secretary of State under Section 182 of the Act. Consideration has also been given to the provisions of the European Convention on Human Rights, The Equality Act 2010 and the provisions of the Crime and Disorder Act 1998. |
| 2.0 | **Purpose** |
| 2.1 | The Act provides a clear focus on the promotion of four statutory licensing objectives. The Licensing Authority must have regard to these four objectives when undertaking its various licensing functions and must ensure that they are promoted. The four licensing objectives are:  
- The prevention of crime and disorder;  
- Public safety;  
- The prevention of public nuisance;  
- The protection of children from harm;  
Each objective is of equal importance and they are the only matters that the Licensing Authority is permitted to have regard to when making determination on licensing applications. |
| 2.2 | This policy has four main purposes:  
1. To inform elected members of the Licensing Committee of the powers attributed to them by the Act and to highlight the boundaries within which to make decisions. |
2. To inform applicants of the parameters within which the Licensing Authority will make decisions and how licensed premises are likely to be able to operate within the borough.

3. To inform residents and businesses of the considerations which the Licensing Authority will take when making licensing decisions.

4. To inform Responsible Authorities of their powers under the Act to promote the four licensing objectives.

| **2.3** | The Act has created a number of licensable activities for which it will be the responsibility of this Authority to accept applications, issue relevant licences and to enforce the requirements of the Act in relation to those activities, in line with the four licensing objectives. The licensable activities are:

1. The Sale by retail of alcohol;

2. The supply of alcohol by or on behalf of a club to, or to the order of, a member of the club;

3. The provision of regulated entertainment in the presence of an audience meaning:
   - Exhibition of film
   - Performance of plays
   - Indoor sporting events
   - Boxing or wrestling
   - Live music
   - Recorded Music
   - Performance of Dance
   - Anything of a similar description

4. The provision of late night refreshment;

5. Any licensable activity provided on a temporary basis (Temporary Event Notices).

| **3.0** | **Applications**

| **3.1** | When considering applications the Licensing Authority will have regard to:

- The Licensing Act 2003 and relevant regulations;
- Government guidance issued under section 182 of the Licensing Act 2003;
- Any supporting regulations (as may be issued and/or amended by the Secretary of State from time to time); and
- This Statement of Licensing policy

Applicants should also have regard to these documents when preparing their application.
3.2 Each application will be considered individually on its own merits. This policy does not undermine the rights of any person to make an application under the Act for a variety of permissions or the right of any person to make representations or seek a review of a licence or certificate where the Act permits this.

3.3 Without prejudice to the right of any person to submit an application at any time, applicants are encouraged to discuss their proposals in advance with the Police. It may be beneficial to draw on the experience of the Police in relation particularly to the prevention of crime and disorder. Whilst there is no obligation on the part of the applicant to accept any advice or proposed condition requested by the Police (any conditions must be proportionate and appropriate), it remains that should there be areas of agreement between the two parties a representation from the Police would be less likely and (in the absence of any other representations) would lead to a speedier determination of the licence application.

3.4 When making an application, applicants should have regard to the local area and reflect this in their operating schedule.

3.5 Variations
Premises should not be altered in such a way as to make it impossible to comply with an existing licence condition without first seeking a variation of the premises licence proposing the deletion of the condition in question. The applicant will need to propose in a new operating schedule reflecting the proposed alteration to the premises what alternative steps he or she intends to take (if any) to promote the licensing objectives. The application for variation will enable the responsible authorities with expertise in licensing matters to consider whether the proposal is acceptable.

3.6 Particular scrutiny will be given to applications for a variation where there has been a proven history of non-compliance at the premises.

4.0 Representations

4.1 The Act describes two groups that may make representations to applications. These groups are “Responsible Authorities” and “Other Persons”.

4.2 Other persons means any individual, body, organisation, group, association or business who is, or is likely to be, affected by the operation of a licensed premises. Other persons do not need to live within the vicinity of the premises to make a representation. However, the Licensing Authority will consider the location of the person making the representation when deciding what weight to allocate to the representation.

4.3 Any representation must be relevant, meaning that it must relate to one or more of the licensing objectives. All representations will be considered on their merits unless the authority deems that a representation is vexatious, frivolous or (in the case of a review) a repetition. In relation to applications for reviews a repetitious representation is one that is identical or substantially similar to grounds for review specified in an earlier application for review made in respect of the same premises that has already been determined by the Council.

4.4 Any representation must be received within the prescribed consultation period allocated to an application (28 days for new, variation and review applications). Any representations not received within the specified time will be invalidated and returned. It is the responsibility of the person making the representation to ensure
that their representation is received on time. Representations may be hand delivered in writing to the Civic Centre, posted to the Civic Centre or sent by email to licensing@hounslow.gov.uk. We are unable to accept verbal representations over the telephone.

4.5 Copies of representations, including the name, address and contact details of the person making the representation will be sent to the applicant. We are unable to accept anonymous representations.

4.6 Petitions will only be accepted where each individual person who signs the petition provides their full name and address. Each page of the petition should clearly state the details of the application for which the petition relates to and what the purpose of the petition is (to refuse a new licence for example).

5.0 Determining Applications

5.1 Premises Licences

When determining applications, the Council will take into account the operating schedule submitted by the applicant, the suitability of the premises for the intended use, any cumulative impact policy which may be in effect and any representations received as a result of the consultation process.

5.2 When considering any application, the licensing Authority will so far as possible avoid duplication with other regulatory regimes and does not intend to use the Licensing Act to achieve outcomes that can be achieved by other legislation.

In particular the licensing functions will be carried out separately from the Council’s functions as the Planning Authority. However, it will normally be expected that applications for premises licences in respect of permanent commercial premises should normally be from businesses with the appropriate planning consent for the property concerned (other permissions, such as permission of the premises owner, may be applicable to licensed premises and applicants are expected to ensure that such permissions are obtained where appropriate).

5.3 Applications relating to premises will be made by a person who is, or who proposes to be carrying on the business involving the use of the premises. A person can include a company. All applications for licences and variations of licences are subject to a consultation process, the following will be consulted:

- Ward Councillors;
- Ward Councillors of adjoining wards if premises are adjacent to ward boundaries
- The Metropolitan Police;
- The London Fire and Emergency Planning Authority;
- Local residents in the vicinity of the premises;
- Neighbouring Boroughs should the premises be adjacent to a Borough boundary;
- Appropriate Council departments;
- Any other group the Council considers appropriate;

5.4 The applicant for any premises licence is responsible for placing an advertisement
at the premises and in a local newspaper, the Council will advertise the application on the Council website. The law requires that the notice on the premises must be on pale blue paper of at least A4 in size, the writing must be of font size 16 or equivalent and that it must be clearly visible from the outside of the premises. The newspaper advertisement must appear in a local newspaper circulating in the area within 10 working days starting on the day after submission of the application to this authority. At the end of the consultation process, the application will be determined. If no representations have been made then an officer of the Council will determine the application under delegated authority and the licence will be granted in line with the application and operating schedule. If there are representations, the application will be determined by the Licensing Panel. The Council may consider representations based on the impact of the promotion of the licensing objectives in the Borough generally, and on the grant of the particular application before them.

5.6 Where representations are made to a particular application, either from a responsible authority about a proposed operating schedule or from an “other person” that relates to the licensing objectives, a hearing will be held at which the applicant and those making representation will have the opportunity to comment on the representations made.

5.7 In all cases, applicants and those making representation in respect of applications made to the licensing authority have a right of appeal to the Magistrates’ Court against the decisions of the Authority. Any appeal must be lodged within 21 days of the date upon which written notice of the decision is given by the licensing authority.

5.8 Guidance is available for applicants, which sets out the details of the application process, having regard to the Licensing Act 2003, the regulations, statutory guidance and local practice and procedures. It should be noted that incomplete applications will not be accepted but will be returned with an explanation as to why it is incomplete.

5.9 Guidance is equally available for those wishing to make representation or to call a review of an existing licence.

5.10 Minor Variations

Minor variations will be considered in respect of minor changes to the plan, structure or layout of a premises, small changes to licensing hours, the removal or addition of conditions where appropriate, the removal or addition of licensable activities to the scope of the licence (where permitted by legislation) and any other minor matter where it is considered that the application does not adversely impact on one or more of the licensing objectives.

5.11 A simplified process will be adopted for minor variations. The licensing authority will consult with any relevant responsible authority that it deems appropriate (if any) and any representations from them will be considered. Whilst each application will be considered on its individual merits, it will be normal practice to refuse an application in favour of a full variation should any representations be received, unless agreement can be reached which satisfies the representation. In the absence of any representation the minor variation would normally be granted provided that there is no likelihood of any adverse effect on the licensing
5.12 **Personal Licences**

Applicants for personal licences are required to submit their application in accordance with the Licensing Act 2003 (personal licence) Regulations 2005, which requires that they submit two (passport style) photographs, one of which must be endorsed by a solicitor, notary, person of standing in the community or any other professional person, with a statement to verify the likeness to the applicant. A statement of criminal convictions and a basic disclosure certificate (or similar) which does not exceed 30 days since issue must also be submitted along with the original copy of the Level 2 certificate for personal licence holders.

5.13 Personal licence holders must notify the licensing authority, as soon as practicably possible of any change of address and/or any relevant or foreign conviction.

5.14 When authorising members of staff to sell alcohol on their behalf, whilst not a legal requirement, personal licence holders are advised that it may be considered good practice to issue such authorisation in writing and to keep a record of both the authorisation and any training that has been provided.

5.15 Following recent deregulation, the ten year validity period for a personal licence has now been repealed. Currently, a personal licence is valid indefinitely or until such a time as it is surrendered by the licence holder or suspended / revoked by a Magistrates’ Court. Any person who currently holds a personal licence which displays an expiry date are advised to disregard this date. There is no need to return the licence to the licensing authority for the date to be removed.

6.0 **Promoting the Four Licensing Objectives**

6.1 The promotion of the four objectives is fundamental to the Act. Every applicant for a premises licence will be required to provide a fully completed, detailed operating schedule. This schedule will be in the prescribed format. By completing this operating schedule, applicants will demonstrate that they have considered strategies that will lead to fulfilment of the licensing objectives. The schedule will contain the following information:

- The licensable activities to be conducted on the premises
- The times during which these activities will take place (including any differing times during holiday periods or during particular seasons if it is likely that times would be different);
- Any other times when the premises will be open to the public;
- If alcohol is to be supplied for consumption on the premises, the name and address of the designated premises supervisor;
- Whether alcohol will be supplied for consumption on or off the premises;
- What steps the applicant will take to promote the four licensing objectives;
- Any other details set out from time to time in regulations issued by the Secretary of State.

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

6.3 The most appropriate means for an applicant to assess what measures are needed to promote the licensing objectives would be by completion of a risk assessment. The operating schedule forms the basis of any conditions placed on any licence issued. It also provides valuable information to responsible authorities and other persons to assist in their assessment of the impact of any licensed activity on the licensing objectives and provides information as to how the applicant will address these issues. It could therefore, form the basis of any decision to submit representation against the application. For this reason, although the Licensing Authority recognise that a risk assessment cannot be demanded (other than where required by other legislation) it would be in the applicants interest to provide the fullest possible detail in the operating schedule, for which a full risk assessment would provide confirmation that the applicant has seriously considered the issues and is aware of his/her duty to promote the licensing objectives at all times, but more importantly is aware of how this may be best achieved.

One example of where a risk assessment is required under separate legislation is under the Regulatory Reform (Fire Safety) Order 2005, which requires that a fire safety risk assessment must be recorded and made available for inspection. The fire service would normally expect this information to be made available on application for a premises licence.

6.4 Applicants have primary responsibility for their own particular premises and will be expected to address all aspects relevant to the individual style and characteristics of their premises and events.

6.5 Guidance is offered below as to possible control measures, which may assist applicants in formulating their operating schedule. Given the earlier acknowledgement of the numbers of different types of premises, it should be noted that these measures are by no means to be considered an exhaustive list. Many control measures achieve more than one objective but have not necessarily been repeated under each objective. Similarly applicants will not be expected to list a control measure more than once in their operating schedule.

6.6 Additional measures may need to be considered on an occasional or specific basis such as when a special event (e.g. popular live band) or promotion (e.g. during major sporting occasions) is planned, which is intended or likely to attract a larger audience, or audiences of a different nature, which may have significant impact on the achievement of the licensing objectives. Where applicable, reference must be made in an applicant’s operating schedule to such occasions, which should highlight the additional measures that are planned in order to achieve the licensing objectives.
6.7 The Licensing Authority considers the effective and responsible management of the premises, instruction, training and supervision of staff and the adoption of best practice to be amongst the most essential control measures for the achievement of the licensing objectives. For this reason, these measures should be specifically considered and addressed within an applicant’s operating schedule.

6.8 Whilst it is acknowledged that the setting of occupancy limits for a premises is not a requirement, this is considered to be an essential factor in effective achievement of the licensing objectives in relation to premises other than those licensed primarily for the consumption or sale of food and for sale of alcohol for consumption ‘off’ the premises. In relation therefore to relevant premises operating on the basis of selling alcohol for consumption ‘on’ the premises and/or providing a high level of regulated entertainment and for specific types of occasional events, the Licensing Authority will expect that the issue of occupancy capacity is considered and, where appropriate, addressed. Within the operating schedule and in appropriate instances a voluntary maximum occupancy capacity would be considered ‘good practice’.

6.9 When determining capacity in line with 6.8 (above), important factors would include the design and layout of the premises and the size and number of exits within recommended travel distances. Other factors to be considered could include:

- The nature of the premises or event;
- The nature of the licensable activities being provided;
- The provision or removal of such items as temporary structures, such as stages or furniture;
- The number of staff available to supervise customers both ordinarily and in the event of an emergency;
- The usual average age of customers
- The attendance by customers with disabilities, or who’s first language is not English;
- Availability of suitable and sufficient sanitary accommodation; and
- The nature and provision of facilities for ventilation

6.10 The agreement to a capacity for a premises or events should not be interpreted as a requirement to also provide permanent monitoring arrangements such as door staff, attendance clickers or maintenance of attendance records. The Licensing Authority recognises that the person in charge at the premises can often readily assess the occupancy level of the premises without resort to such measures. However, where the capacity is likely to be reached (such as on known busy evenings) and particularly where a special event or promotion is planned, the applicant will be expected to detail the additional arrangements that will be put in place to ensure that the capacity of the premises is not exceeded. Equally this does not remove the requirement for the applicant to consider the use of door staff or for a responsible authority to make representation to that issue on the basis of fact and in appropriate and proportionate circumstances. In such cases if agreement cannot be reached between applicant and the responsible authority concerned, the matter would be determined by members of the licensing panel, who would assess the individual circumstances of the matter based on its
individual merits.

6.11 Event Risk Assessments

It should be noted that currently neither Disc Jockeys nor events promoters are licensed or regulated in any way. Whilst it is not suggested that there is a general concern over such persons there have been documented cases of issues, which have breached the licensing objectives. The adequate control of persons providing a service of this type under the terms of a premises licence is the responsibility of the licence holder. In order that the licence holder may maintain full control of such events and minimise any risks in relation to the breach of any licensing objective applicants are encouraged to consider the merits of completing both pre and post event risk assessments (details of which may be obtained from the police licensing section at Hounslow Police Station) in relation to any large scale or substantial forms of regulated entertainment.

7.0 Prevention of Crime and Disorder

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

7.2 When addressing the issue of crime and disorder, the applicant should be able to demonstrate that those factors that impact on crime and disorder have been considered. These factors include:

- Underage drinking;
- Drunkenness on the premises;
- Public drunkenness;
- Drugs;
- Violent behaviour; and
- Anti-social behaviour

7.3 Examples of control measures are highlighted below, to assist applicants, who may need to take account of them in their operating schedule, having regard to their particular type of premises and/or activities:

- Effective and responsible management of the premises;
- Training and supervision of staff;
- Adoption of best practice guidance (e.g. safer clubbing, the national alcohol harm reduction strategy toolkit and other voluntary codes of practice, including those relating to drinks promotions);
- Acceptance of accredited 'proof of age' cards e.g. PASS and/or passports and photographic drivers' licences;
- Incident and refusal books kept and maintained on the premises;
- Membership of the “Reducing the Strength” scheme;
- Provision of effective CCTV in and around the premises;
- Employment of Security Industry Agency (SIA) door staff;
- Provision of polycarbonate drinking vessels;
- Provision of secure deposit boxes for confiscated items (‘sin bins’) such as drugs weapons etc;
- Provision of litter bins;
- Provision of security measures such as outside lighting; and
- Membership of local ‘pubwatch’ schemes or similar

7.4 Off Licences, shops, supermarkets and stores selling alcohol for consumption off the premises potentially have a high risk of crime and disorder as well as being targeted as an easy premises from where to acquire alcohol. Such premises can contribute to antisocial behaviour and disorder through the consumption of alcohol on the street and in open spaces by groups of drinkers, through the sale of alcohol to children, and through the sale of alcohol to street drinkers and persons who are already drunk.

7.5 It is important that staff working at off licences are suitably trained in their responsibilities under the Act and can discharge their duties in full compliance with the licence conditions and requirements of the Act. This includes the ability to competently check a customer’s age with acceptable forms of identification where appropriate. The Licensing Authority will particularly consider the following matters where they are material to the individual application:

- The likelihood of any violence, public order, disorder or policing problem if the licence is granted;
- The measures taken to control admission to the premises, and to take reasonable steps to prevent the occurrence of crime and disorder and public nuisance immediately outside the premises, where and to the extent that these matters are within their control;
- Past conduct and prior history of complaints against the premises;
- Whether a dispersal policy has been prepared to minimize the potential for disorder as customers leave the premises; and
- Any relevant representations.

7.6 It is recommended that applicants discuss the crime prevention procedures in their premises with the Metropolitan Police Licensing Officer and the Licensing Authority before making a formal application.

7.7 The Licensing Authority is aware of the link between the supply of discounted alcohol and incidents of alcohol related disorder as well as the impact that excessive consumption of alcohol or binge drinking can have on public health and will consider whether any additional measures or restrictions can be placed on alcohol sales to prevent binge drinking and promote ‘sensible drinking’

7.8 Conditions relating to the provision of door supervisors and security teams may be valuable in:

- preventing the admission and ensuring the departure from the premises of the drunk and disorderly, without causing further disorder;
- keeping out excluded individuals (subject to court bans or imposed by the licence holder);
- searching and excluding those suspected of carrying illegal drugs, or carrying offensive weapons; and
- maintaining orderly queuing outside of venues prone to such queuing.

Where door supervisors conducting security activities are to be a condition of a licence, conditions may also be needed to deal with the number of supervisors required, the displaying of name badges, the carrying of proof of registration, where and at what times they should be stationed on the premises, and whether at least one female supervisor should be available (for example, if female customers are to be the subject of body searches). Door supervisors also have a role to play in ensuring public safety.

### 7.9

The presence of CCTV cameras can be an important means of deterring and detecting crime at, and immediately outside, licensed premises. Conditions should not just consider a requirement to have CCTV on the premises, but also the precise siting of each camera, the requirement to maintain cameras in working order, and to retain recordings for an appropriate period of time.

The police should provide individuals conducting risk assessments when preparing operating schedules with advice on the use of CCTV to prevent crime.

### 7.10

It may be appropriate at some premises for notices to be displayed that warn customers of the prevalence of crime that may target them. For example, in certain areas, a condition attached to a premises licence or club premises certificate might require the displaying of notices at the premises which warn customers about the need to be aware of pickpockets or bag snatchers, and to guard their property. Similarly, it may be appropriate for notices to be displayed that advise customers not to leave bags unattended because of concerns about terrorism. Consideration could be given to a condition requiring a notice to display the name of a contact for customers if they wish to report concerns.

### 7.11

This authority supports the national pubwatch scheme. Such schemes are voluntary (unless there is a specific licence condition that makes membership obligatory) as they are organised by licence holders themselves to share good practice and intelligence information, thus promoting due diligence.

### 8.0  Public Safety

#### 8.1

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

#### 8.2

When addressing the issue of public safety, an applicant will be expected to demonstrate that those factors that impact upon the standards of public safety have been considered. These may include:

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

### 8.3

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

- Suitable and sufficient risk assessments;
- Effective and responsible management of the premises;
- Provision of a sufficient number of people employed or engaged to secure the safety of the premises and its patrons;
- Appropriate instruction, training and supervision of those employed or engaged to secure the safety of the premises and its patrons;
- Adoption of best practice guidance;
- Provision of effective CCTV in and around the premises;
- Provision of polycarbonate drinking vessels;
- Implementation of crowd management measures; and
- Proof of regular testing (and certification where appropriate) of procedures, appliances, systems etc. pertinent to safety.

### 8.4

It should be noted that in the context of promoting public safety, this relates to the physical safety of those using the premises and not public health, although there may be an incidental public health effect from some conditions designed to promote public safety.

### 8.5

It should be noted that conditions relating to public safety should be those that are appropriate, in the particular circumstances of any individual premises or club premises, and should not duplicate other requirements of the law. Equally, the attachment of conditions to a premises licence or club premises certificate will not in any way relieve employers of the statutory duty to comply with the requirements of other legislation including the Health and Safety at Work etc. Act 1974, associated regulations and especially the requirements under the Management of Health and Safety at Work Regulations 1999 and the Fire Precautions (Workplace) Regulations 1997 to undertake risk assessments. Employers should assess the risks, including risks from fire, and take measures appropriately to avoid and control these risks. Conditions enforcing those requirements would therefore be inappropriate.

### 8.6

Fire safety guides are available to assist with the completion of operating schedules and may be found at:

https://www.gov.uk/government/collections/fire-safety-law-and-guidance-
The significant findings of a Fire Risk assessment would consist of:

- A list of the fire hazards as identified by the risk assessment
- The control measures put in place to remove or mitigate the hazards presented
- Details of the persons affected by the hazards within the premises
- Details of the actions to be taken in the event of a fire or the actuation of a fire alarm (emergency plan)
- Individual roles and responsibilities

### 8.7 Glasses containing drinks may be used as weapons during incidents of disorder and in un-toughened form, can cause very serious injuries. Consideration could therefore be given to conditions requiring the use of polycarbonate (or similar) containers where considered appropriate. Location and style of the venue and the activities carried on there would be particularly important in assessing whether a condition is appropriate. For example, the use of glass containers on the terraces of some outdoor sports grounds may obviously be of concern, and similar concerns may also apply to indoor sports events such as boxing matches. Similarly, the use of polycarbonate containers during the televising of live sporting events, such as international football matches or “high risk” matches, when high states of excitement and emotion fuelled by alcohol might arise, may be an appropriate condition.

It should be noted that the use of polycarbonate or paper drinks containers may also be relevant as measures appropriate to promote public safety.

### 8.8 Although most commonly made a condition of a licence on public safety grounds, consideration should also be given to conditions which set capacity limits for licensed premises or clubs where it may be appropriate to prevent overcrowding which can lead to disorder and violence. Where such a condition is considered appropriate, consideration should also be given to whether door supervisors would be needed to ensure that the numbers are appropriately controlled.

### 9.0 Prevention of Public Nuisance

### 9.1 Licensed premises have a significant potential to adversely impact upon communities through public nuisances that arise from their operation. This Authority wishes to maintain and protect the amenity of residents and businesses from the potential consequence of the operation of a licensed premise whilst balancing this with the recognition of the valuable cultural, social and economic importance that such premises provide.

### 9.2 It is the intention of this Authority to interpret ‘public nuisance’ in its widest sense, taking into account such issues as noise, light, odour, litter and anti-social behaviour, where these matters impact upon those living, working or otherwise engaged in normal activity in a particular area.

### 9.3 It should be noted that provisions of the Environmental Protection Act 1990 and the Noise Act 1996 provide some protection to the general public from the effects of
noise nuisance. In addition, the provisions of the Licensing Act 2003 enable a police officer or council officer to close down licensed premises and premises carrying on temporary permitted activities that are causing nuisance resulting from noise emanating from the premises. These matters should be considered before deciding whether or not conditions are appropriate for the prevention of public nuisance.

9.4 It should be clear to applicants that the Licensing Authority will normally apply stricter conditions, including controls on licensing hours, where licensed premises are in residential areas and where relevant representations have been received.

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

9.6 When addressing the issue of the prevention of public nuisance, the applicant must demonstrate to the licensing authority that those factors, which impact upon the likelihood of public nuisance, have been considered. These may include:
   - The location of the premises and its proximity to residential and other noise sensitive premises such as hospitals, hospices and places of worship;
   - The hours of opening, particularly between 23.00 hours and 07.00 hours;
   - The nature of activities to be provided, including whether those activities are of a temporary or permanent nature and whether they are to be held inside or outside the premises;
   - The design and layout of the premises and in particular the presence of noise limiting features;
   - The occupancy capacity of the premises;
   - The availability of public transport;
   - ‘Wind down period’ between the end of licensable activities and the closure of the premises;
   - Last time of admission; and
   - Fly posting
   - Any concerns / representations raised by the Pollution Control team

9.7 The following examples of control measures are given to assist applicants who may need to take account of them in their operating schedule, having regard to their particular type of premises and/or activities:
   - Effective and responsible management of premises;
   - Appropriate instruction, training and supervision of those employed or engaged to prevent incidents of public nuisance e.g. to ensure customers leave quietly;
   - Control of operating hours for all or parts (e.g. Gardens) of the premises, including such matters as deliveries;
   - Adoption of best practice guidance;
   - Installation of sound proofing, air conditioning, acoustic lobbies and sound limitation devises;
   - The steps taken or proposed to be taken by the applicant to prevent
disturbance by customers arriving at or leaving the premises. This will usually be of greater importance late at night and/or in the early hours of the morning. However nuisance can arise at any time of the day or night;

- Liaison with public transport providers;
- The level of likely disturbance from associated vehicular and pedestrian movement to and from the premises;
- The delivery and collection areas and delivery/collection times;
- Siting of external lighting, including security lighting;
- Management arrangements for the collection and disposal of litter;
- The history of previous nuisance complaints proved against the premises, particularly where statutory notices have been served on the present licence holder;
- The generation of odour, e.g. from the preparation of food;
- Provision of details pertaining to local taxi or private hire companies; and
- Effective ventilation systems to prevent nuisance from odour

| 9.8 | Noise may often be created by patrons and/or their modes of transport arriving and leaving licensed premises, or from machinery or vehicles belonging to the licence holders business, refuse collection and deliveries. Discarding of wrappers, bottles, cans and general litter may also present problems in relation to particular premises. Whilst not in themselves a licensable activity, there may be occasion (such as in residential areas) where these factors are taken into account as part of the determination process and conditions may be imposed. |
| 9.9 | Following implementation of the Health Act (referred to in more detail at Section 22.0) no person is permitted to smoke inside any substantially enclosed licensed premises (subject to the provisions of the health Act) and as such is required to smoke outside. The licensing authority will consider any representation relating to noise, antisocial behaviour or smoke drift associated with this activity in relation to any licensed premises and will consider any appropriate and proportionate conditions on an individual basis. |
| 9.10 | In order to prevent breaches of the Health Act 2006, the licensing authority may attach conditions to a premises licence to restrict the sale of tobacco, shisha tobacco and shisha pipes at certain premises. |
| 10.0 | **Protection of Children from harm** |
| 10.1 | The general relaxation within the Act that gives accompanied children greater access to licensed premises is a positive step aimed at bringing about social change in family friendly leisure. It is hoped that family friendly premises will thrive, but the risk of harm to children remains of paramount importance, clearly placing additional responsibilities upon licence holders. However, it is also recognised that parents and other ‘accompanying’ adults also have responsibilities in this area. |
| 10.2 | It should be noted that it is unlawful under the 2003 Act to permit unaccompanied children under the age of 16 to be present on premises exclusively or primarily used for supply of alcohol for consumption on those premises under the |
authorisation of a premises licence, club premises certificate or a temporary event notice when open for the purposes of being used for the supply of alcohol for consumption there. In addition, it is an offence to permit the presence of children under 16 who are not accompanied by an adult between midnight and 5am at all premises supplying alcohol for consumption on those premises under the authorisation of any premises licence, club premises certificate or temporary event notice. Conditions duplicating these provisions are, therefore, inappropriate.

10.3 Within this objective is included the protection of children from moral, psychological and physical harm and in relation to the exhibition of films, transmission of programmes or videos or provision of certain other types of regulated entertainment, this includes the protection of children from exposure to strong language and sexual expletives. There are certain circumstances where children are more vulnerable with their needs therefore, requiring special consideration. Such circumstances would include topless bar staff, striptease, lap, table or pole dancing, performances involving feigned violence, feigned or actual sexual acts or entertainment involving strong and offensive language. This vulnerability includes their susceptibility to suggestion, peer group influences, inappropriate example and the unpredictability of their age and the lack of understanding of danger.

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

10.5 No policy can anticipate every situation and therefore, when addressing the issue of protecting children from harm, the applicant must demonstrate that those factors that impact on harm to children have been considered. Areas that will give rise to particular concern to the licensing authority in respect of children are:
- Where entertainment or services of an adult or sexual nature are provided;
- Where there have been convictions, Fixed Penalty Notices (FPNs) or cautions for serving alcohol to minors or premises with a reputation for under-age drinking;
- With a known association for drug taking or dealing;
- Where there is a strong element of gambling on the premises; and
- Where the supply of alcohol for consumption on the premises is the exclusive or primary purpose of the services provided at the premises.
- There have been representations from police, the local Safeguarding Children Board, trading standards or other relevant agency / representative.

10.6 The following are examples of possible control measures, although are not exhaustive and not relevant in all cases. They are considered however, to be amongst the most essential measures that applicants should take account of in their operating schedule, having regard to their particular type of premises and/or activities:
- Effective and responsible management of premises;
- Provision of a sufficient number of people employed or engaged to secure protection of children from harm;
- Appropriate instruction, training and supervision of those employed or engaged to secure protection of children from harm;
- Staff attendance at an accredited “Do You Pass” training scheme;
- Adoption of best practice guidance;
- Limitations on the hours when children may be present in all parts of the premises;
- Limitations or exclusions by age when certain activities are taking place;
- Imposition of requirements for children to be accompanied by adults;
- Acceptance of accredited proof of age schemes such as “Challenge 25” or photographic identification such as passports and ‘new type’ driving licences;
- Refusals books to record all refused sales of alcohol to those who are presumed to be underage;
- Measures to ensure children do not purchase, acquire or consume alcohol; and
- Measures to ensure children are not exposed to violence or disorder.

10.7 There are provisions in the Act that allow the presence of children on premises where alcohol is supplied. However, this does not mean that children are to be admitted automatically to any premises or to be automatically banned. Children will not be prevented from entering premises unless it is to prevent physical, moral or psychological harm. The Act introduces a number of offences dealing with the supply of alcohol to an individual anywhere who is under the age of 18.

10.8 The Licensing Committee may impose conditions that are considered reasonable. Where no licensing restriction is appropriate, access for children will remain a matter for the discretion of the individual licensee or club, to be addressed in the operating schedule.

10.9 Licensees of all premises supplying alcohol are encouraged to adopt a policy of requiring proof of age where there is any doubt about the age of any person attempting to purchase alcohol, accepting such documents as passports, driving licences and accredited proof of age schemes such as PASS or similar schemes. The scheme endorsed by the London Borough of Hounslow is “Challenge 25”. Licensees are also encouraged to display prominently signs displaying information that under 18’s will not be served alcohol and that those who appear under 25 will be asked to prove their age.

10.10 The Council will carry out a proactive programme of test purchases of alcohol across the Borough in all types of premises. Any reports received concerning under age sales of alcohol will be investigated.

10.11 The Council requires all operators of cinemas to comply with the classification systems for films administered by the British Board of film Classification and to ensure that procedures are in place to achieve compliance with the age classification system in existence at any time. The Council accepts the BBFC classification and does not review film classifications.

10.12 At regulated public entertainments intended especially for children, the presence of an appropriate number of adult staff will be required, the number of which will be set by formula.
<table>
<thead>
<tr>
<th>11.0</th>
<th><strong>Promotion of other strategies</strong></th>
</tr>
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<tbody>
<tr>
<td>11.1</td>
<td>The Equality Act 2010 obliges public authorities to have due regard to the need to eliminate unlawful discrimination and to promote equality of opportunity and good relations between persons of different groups. The council has an Equal Opportunities Policy and this revised Statement of Licensing Policy will be monitored for any adverse impact on the promotion of opportunities for all.</td>
</tr>
<tr>
<td>11.2</td>
<td>The council will ensure its various strategies and policies are joined up to achieve the licensing objectives in the interests of clarity for applicants and effective determination.</td>
</tr>
<tr>
<td>11.3</td>
<td><strong>Reducing the Strength</strong></td>
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<td></td>
<td>The licensing authority in collaboration with the Metropolitan Police, Public Health and Community Safety support the London Borough of Hounslow “Reduce the Strength” campaign. The campaign aims to restrict the availability of beer, lager and cider which has an ABV of 6% or above.</td>
</tr>
<tr>
<td>11.4</td>
<td>Businesses are encouraged to sign up to the scheme and promotional posters and window stickers can be obtained from the licensing team free of charge.</td>
</tr>
<tr>
<td>11.5</td>
<td>Applicants for new or variation applications which include a request to sell alcohol for consumption off the premises are encouraged to include membership of the scheme within their operating schedule. Details of the wording of a suitable condition can be viewed in local pool of licence conditions at Appendix B.</td>
</tr>
<tr>
<td>11.6</td>
<td>Where applicants do not propose membership of the scheme within their operating schedule and there is evidence of street drinking within the vicinity of the premises, the licensing panel may, if appropriate, attach a condition prohibiting the sale of beer, lager or cider with an ABV equal to or exceeding 6%.</td>
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<tr>
<td>12.0</td>
<td><strong>Conditions</strong></td>
</tr>
<tr>
<td>12.1</td>
<td>In addition to the original mandatory conditions imposed upon the introduction of the Act, Schedule 4 of the Policing and Crime Act 2009 amended the Act to give the Secretary of State the power to impose new mandatory licensing conditions in relation to the supply of alcohol under the authority of a premises licence or club premises certificate. All mandatory licensing conditions apply to all existing and future premises licences which authorise the sale or supply of alcohol. These conditions override any conditions already included in a premises licence or club premises certificate, so far as they are identical to the existing conditions or inconsistent with, and more onerous than, the existing conditions. The new conditions will apply to every licence and certificate authorising the sale or supply of alcohol from the date that they come into force.</td>
</tr>
<tr>
<td>12.2</td>
<td>Licensing is concerned with the appropriate control of licensed premises, qualifying clubs, temporary events and the people who manage them or hold personal licences within the terms of the 2003 Act. Where relevant representations are made, the Licensing Authority will seek to make objective judgements as to whether it may be appropriate to attach conditions to various authorisations to secure achievement of the licensing objectives. Any conditions arising from the operating schedule or as a result of representations will primarily focus on the direct impact of the activities taking place at licensed premises and members of the public living, working or otherwise engaged in normal activity in the area concerned</td>
</tr>
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and will cover matters that are within the control of individual licensees.

**12.3** Should issues not be addressed within the operating schedule to the satisfaction of any responsible authority, resulting in representations being made, further appropriate conditions may be placed on licences. These conditions may be drawn from the local pool of licensing conditions (see Appendix B) or may be specially formulated to be relevant to a particular situation. Conditions will only relate to matters which the licensee can be expected to control and will relate to the premises themselves, the immediate vicinity around the premises and will focus on the impact of those activities on those living, working or otherwise engaged in the area concerned. The licensing regime exists to ensure that licensed premises and events within the terms of the Act are regulated so that they are both safe and cause a minimum of disturbance.

**12.4** Conditions will only be placed on licences if they are considered appropriate to meet the licensing objectives. Duplication caused by licence conditions that are dealt with by means of other legislation, for example health and safety at work or fire safety, will be avoided. Conditions will only be attached to premises licences and club premises certificates that are appropriate for the promotion of the licensing objectives if not already provided for in other legislation. However, certain safety legislation includes exemptions because it is assumed that licensing controls will provide the appropriate coverage. In such cases conditions will be imposed that are considered appropriate.

**12.5** The Licensing Authority acknowledges that the licensing function cannot be used for the general control of anti-social behaviour of individuals once beyond the direct control of the licensee of any premises concerned. However, it should be noted that the licensee bears a degree of responsibility for persons not only in but also around the immediate vicinity of the premise, when those persons are either entering or exiting the licensed premise, or are loitering within the boundary of the premise.

Other mechanisms may be utilised where appropriate to tackle unruly or unlawful behaviour of customers when beyond the control of the individual Public house, club or business that holds the licence, certificate or authorisation concerned. These include:

- Planning controls;
- Positive measures to create a safe and clean town environment in partnership with local businesses, transport operators and other departments of the local authority;
- The provision of CCTV surveillance in and around the Borough, provision of public conveniences, street cleaning and litter patrols;
- Powers of the local authority or police to designate parts of the Borough as areas where alcohol may not be consumed publicly;
- Police enforcement of the general law concerning disorder and anti-social behaviour, including the issuing of fixed penalty notices;
- The prosecution of any personal licence holder or member of staff at such premises that is selling alcohol to people who are drunk;
- The confiscation of alcohol from adults and children in designated areas;
- Police and local authority powers to close down instantly for up to 24 hours
any licensed premises or temporary events on grounds of disorder, the likelihood of disorder, or noise emanating from the premises that is causing a nuisance; and
- The power of the police, other responsible authorities or local residents and businesses to seek a review of the licence or certificate in question.

Many of these activities are channelled through the community safety partnership that takes a wider view of such problems on a Borough wide basis.

| 12.6 | If an applicant volunteers a restriction or prohibition in their operating schedule or following a relevant representation, this will become a condition attached to any licence or certificate issued and will be enforceable as such. |
| 12.7 | The Licensing Authority recognises that all applications should be considered on their own merits and any conditions imposed must be tailored to that individual premises. This will avoid the implementation of disproportionate and burdensome conditions. Standard conditions other than mandatory conditions, will be avoided and no condition will be imposed that cannot be shown to be appropriate for the promotion of the licensing objectives. However, a condition whether volunteered or otherwise, must be measurable and as such the Licensing Authority may alter the wording of a condition to make it such (without changing the context of the condition) and will keep a bank of worded conditions that may be used in respect of a premises if and when such a condition is considered appropriate to meet one or more of the licensing objectives. |

### 13.0 Cumulative Impact

13.1 Cumulative Impact is the potential impact on the promotion of the licensing objectives of a significant number of licensed premises concentrated in one area. The cumulative impact of licensed premises on the promotion of the licensing objectives is a proper matter for the licensing authority to consider in developing its licensing policy statement.

13.2 Cumulative Impact Policies (CIP’s) may relate to premises licensed to carry on any licensable activity, including the sale of alcohol for consumption on or off the premises (or both) and the provision of late night refreshment. This includes fast food outlets which are not licensed to sell alcohol.

13.3 The absence of a special policy in any area of the borough does not prevent any responsible authority or other person making representations on an application for the grant or variation of a licence on the grounds that the premises will give rise to a negative cumulative impact on one or more the licensing objectives.

13.4 In 2015, the Council identified Hounslow and North West Isleworth as an area which was suffering adversely from the number of licensed premises in a specified area. After an extensive evidence gathering process and consultation with both residents and local businesses, a special policy was adopted by borough council in July 2015. The policy is set out at Appendix C. The special policy will be reviewed regularly.
13.5 The special policy takes the form of a presumption that applications for new premises licences and variations of existing licences will be refused if relevant representations are received. To rebut this presumption an applicant will have to address the issues raised in the special policy in their operating schedule and demonstrate that operation of the premises will not add to the cumulative impact. The existence of a special policy does not mean that a responsible authority or other person need not make representations about an application. Should no representations be received then the application will be granted in the normal way under delegated authority. If representations are received then the licensing sub-committee will consider if there are any grounds to justify a departure from its special policy in the light of the individual circumstances of the application.

13.6 A special policy will not be used to revoke an existing licence should a request for a review be received.

14.0 **Licensing Hours**

14.1 The 2003 Act gives the licensing authority power to make decisions about the hours during which premises can conduct licensable activities as part of the implementation of its licensing policy statement.

14.2 Licensing authorities are best placed to make decisions about appropriate opening hours in their areas based on their local knowledge and in consultation with responsible authorities. This licensing authority will not impose predetermined licensed opening hours. However we are aware of growing problems within the borough which are a direct result of the availability of alcohol both early in the morning and late at night. The evidence for this conclusion is clearly documented in the Cumulative Impact Study which was conducted in 2015. Applicants wishing to provide alcohol before 10am and after 10pm, regardless of where the premises is located in the borough, are expected to detail in their operating schedule how the early or late operation of their business will not add to the current problem. The licensing authority will give individual consideration to the merits of each application.

14.3 We acknowledge the that the guidance issued under Section 182 of the Licensing Act 2003 states that Shops, stores and Supermarkets should normally be free to provide sales of alcohol for consumption off the premises at any times when the retail outlet is open for shopping unless there are good reasons, based on the licensing objectives, for restricting those hours.

14.4 This licensing authority would define a “good reason” as an evidentially based representation from a responsible authority or other person which details problems in a particular area which are contrary to the promotion of the licensing objectives. In addition, evidence of street drinking, alcohol related antisocial behaviour, public nuisance and alcohol abuse will also be viewed as a “good reason” to depart from the guidance issued under section 182.

14.5 The Council is aware of the increased risk of antisocial behaviour and public nuisance in areas close to public transport links (such as underground stations or bus stops). Applicants will be expected to address this risk in their operating schedule, particularly if the proposal is to sell alcohol for consumption off the premises before 10am or after 10pm, or if the application is to licence a takeaway for late night refreshment.
14.6 Restrictions could be appropriate on the times when certain licensable activities take place even though the premises may be open to the public at such times. For example, the playing of recorded music after a certain time might be prohibited, even though other licensable activities are permitted to continue.

14.7 Restrictions might be appropriate on the parts of premises that might be used for certain licensable activities at certain times. For example, while the provision of regulated entertainment might be permitted while the premises are open to the public or members and their guests, regulated entertainment might not be permitted in garden areas of the premises after a certain time.

15.0 Temporary Event Notices (TEN’s)

15.1 Certain small scale events (no more than 499 people at a time and lasting for no more than 168 hours) do not need a licence providing a minimum of 10 working days notice is given to the police and the Licensing Authority. The annual allowance covered by a Temporary Event Notice in relation to a single premises is 21 days. The Police and the Council’s Pollution Control team can object to Temporary Event Notices if the event is likely to undermine the licensing objectives. If an objection is received, a hearing will be held by the Licensing Panel to determine the application.

15.2 Where it is not possible to give ten full working days notice of an event, the Act allows event organisers to submit up to 10 “late notices” per year if they hold a personal licence and 2 “late notices” if they do not hold a personal licence. These “late notices” can be submitted to the Licensing Authority, Police and Pollution Control between 5 and 9 days before the event. There is no provision for notices given with less than 5 working days notice. It should be noted that if either the Police or the Council’s Pollution Control team submits an objection to a late notice, there will be no hearing and the application will be automatically refused. In these instances the Council will issue a counter notice prohibiting licensable activities for the duration of the TEN.

16.0 Larger Events

16.1 For licensable events where the capacity exceeds 499 a premises licence will need to be applied for. A premises licence can be time limited so that it is only in effect for the duration of the event.

16.2 Applications for large events will be scrutinised by the Safety Advisory Group (SAG) as well as the licensing authority. The SAG will consist of officers from Responsible Authorities such as the Police, Pollution Control, Food Safety, Fire Authority, and may include officers from other relevant departments and agencies such as the London Ambulance Service, Transport for London (TFL) and Highways.

16.3 The SAG allows officers to question applicants about the operation of their event to ensure it will be a “safe” event, and will minimise disruption to traffic management and nuisance. The SAG will not determine licence applications but may recommend conditions be attached to a licence. The Licensing Authority will expect applicants and organisers of large temporary events to produce a satisfactory event management plan for their event and to comply with any
recommendations made by the group.

| 16.4 | Applicants may notify the SAG of an event or a proposed event that maybe organised in the future by emailing: [SAG@Hounslow.gov.uk](mailto:SAG@Hounslow.gov.uk). |
| 17.0 | **Enforcement** |
| 17.1 | The Council has established protocols with the Police and London Fire and Emergency Planning Authority on enforcement matters. These include: |
| | • Agreement on enforcement action |
| | • Agreement on joint inspection work |
| | • Intelligence lead targeting of high risk premises |
| | Inspection work is risk assessment based, with higher risk premises receiving greater attention and low risk premises, which are well run, receiving proportionally less attention. |
| 17.2 | Premises that produce disorder, threaten public safety, generate public nuisance or threaten the wellbeing of our children will be targeted for enforcement action. |
| 17.3 | The Licensing Authority will use a range of sanctions such as letters of warning, simple cautions, Fixed Penalty Notices (FPNs), closure notices and legal proceedings. |
| 17.4 | Any enforcement action taken will be in accordance with the Council’s Enforcement Policy. |
| 18.0 | **Reviews** |
| 18.1 | At any stage, following the grant of a premises licence, a Responsible Authority or any other persons, may apply for a licence to be reviewed because of a matter arising at the premises in connection with any of the four Licensing Objectives. |
| 18.2 | A licence will be reviewed where it is alleged that the Licensing Objectives are not being promoted and there is evidence to show this. The Licensing Authority will regard applications for the review of any premises licence particularly seriously where they involve evidence of: |
| | • Use of licensed premises for the sale and distribution of drugs and the laundering of drugs money; |
| | • Use of licensed premises for the sale and distribution of illegal firearms; |
| | • Evasion of copyright in respect of pirated or unlicensed films and music; |
| | • Underage purchase and consumption of alcohol; |
| | • Use of licensed premises for prostitution or the sale of unlawful pornography; |
| | • Serious risks to children; |
| | • Use of licensed premises for unlawful gaming and gambling; |
| | • Use of licensed premises as a base for organised criminal activity; |
| | • Use of licensed premises for the organisation of racist, homophobic, sexual abuse, attacks or any discriminatory behaviour; |
| | • Use of licensed premises for the sale of duty evaded tobacco, alcohol or goods; |
| | • The use of licensed premises for the sale of stolen goods; |
| | • Incidents of disorder; |
| | • Instances of public nuisance where warnings have been disregarded; |
• Serious risks to public safety which the management is unable or unwilling to correct;
• Frequently operating outside permitted hours or repeatedly breaching conditions (particularly those which have been attached by a licensing panel as a result of previous review hearing).

In instances where a review meets the criteria of being particularly serious, the licensing panel will consider the strongest most appropriate action, including revocation in the first instance.

<table>
<thead>
<tr>
<th>18.3</th>
<th>At a review hearing the committee can make the following decisions:</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>• Modify the conditions of the premises licence;</td>
</tr>
<tr>
<td></td>
<td>• Exclude a licensable activity from the scope of the licence;</td>
</tr>
<tr>
<td></td>
<td>• Remove the designated premises supervisor;</td>
</tr>
<tr>
<td></td>
<td>• Suspend the licence for up to three months;</td>
</tr>
<tr>
<td></td>
<td>• Revoke the licence.</td>
</tr>
<tr>
<td></td>
<td>• Take no action at all</td>
</tr>
</tbody>
</table>

19.0 **Nudity and Adult Entertainment**

19.1 Whilst applicants are at liberty to make an application in respect of any type of licensable activity, including any form of regulated entertainment, there are certain types of entertainment where greater consideration and stronger controls may be appropriate. Such activities would certainly include any form of nudity and/or adult entertainment.

19.2 There is provision within the application form under section ‘N’ to highlight ‘any adult entertainment or services or other entertainment ancillary to the use of the premises that may give rise to concern in respect of children’. If confirmed in this box that no such entertainment is to take place, this will be entered as a condition on any licence issued. If no answer is given in box ‘N’ the situation is not as clear, this Authority has considered this matter and intends to treat such applications as below.

19.3 It is essential that such activity although not automatically precluded should, if offered be adequately controlled. Therefore, for the avoidance of doubt and to avoid any circumventing of the law in this respect, when no answer is given in box ‘N’ in respect of applications that include regulated entertainment of any description, the sale of alcohol for consumption on the premises and/or late night refreshment, this will be treated as if there is to be no such activity and there will be a condition placed on the licence that no such activity or entertainment will be permitted.

19.4 If a ‘yes’ answer is given in box ‘N’ the applicant will be expected to outline specifically the nature of the regulated entertainment and to address all potential issues in the operating schedule as well as proposing measures relevant to each of the licensing objectives in order to control the effects of the activity on all objectives but with particular regard to the protection of children from harm. Any licence issued will permit only those activities that have been specifically addressed in the application.
This authority has adopted the provisions of the Local Government (Miscellaneous Provisions) Act 1982 (LG (MP) 82) for the licensing of sex establishments including sexual entertainment venues (SEVs). A consequence of this is that ‘regulated entertainment’ under the Licensing Act 2003 will no longer include sexual entertainment as defined under the terms of (LG (MP) 82) and if such activities are to be offered a separate SEV licence will be required.

**20.0 Authorisation**

**20.1** The Designated Premises Supervisor in a premises that is concerned with the sale of alcohol whether in respect of ‘off’ sales or ‘on’ sales carries direct responsibility for all sales at any time within the licensed premises.

**20.2** There is currently no requirement (unless a specific condition on the premises licence, following a licensing panel hearing or voluntary proposal in the operating schedule of the application) that the Designated Premises Supervisor or any other Personal Licence holder should be present at all or at any particular times. In the event of the absence of such authorised person(s) regardless of the length of absence, it is a requirement that authorisation must be passed down to those who sell alcohol at or from the premises. For the purpose of proof that such authorisation has been given and equally in order to show due diligence should such cause arise, it is strongly recommended that such authorisation should not be verbal, but given in writing to each person so authorised and that if required this should be available to be produced to any authorised officer upon request.

**20.3** In respect of a private members’ club, where alcohol is supplied by or to the order of a member, there is no Designated Premises Supervisor or Personal Licence holder, however, any supply of alcohol by non-members or minors should be specifically authorised and again it is strongly recommended that such authorisation should be given in writing where appropriate.

**21.0 Non-Standard Hours**

**21.1** Since the implementation of the Licensing Act there have been many applications where it appears that the applicant requests a specified number of events where no dates or times are given e.g. ‘on 12 occasions per year’ or ‘on one weekend per month’ etc. Such events are not measurable and provide difficulty in assessing their impact upon the licensing objectives and hence in ascertaining what if any conditions are relevant.

**21.2** For the above reason applicants are advised that additional days should be clearly identified with dates and/or times which will allow proper consideration of their impact on the licensing objectives and permit their inclusion specifically on any licence issued.

**21.3** Although every application will be treated on its own merits, it will not be normal practice to accept applications with such ambiguous specifications. There exists a system of Temporary event notices to allow for the conduct of any unusual, ‘one off’ or unforeseen events.

**22.0 Smoking – Health Act 2006**
22.1 From 1 July 2007 it is illegal to smoke in virtually all enclosed public places and workplaces in England. The ban includes offices, factories, shops, pubs, clubs, bars, restaurants and public transport.

22.2 Businesses are required as from 1 July 2007 to display signs at entrances to premises. The signs are available from the department of health at www.smokefreeengland.co.uk/stayinformed or by calling 0800 169 1697.

22.3 A likely impact of the public places smoking restriction under the Health Act 2006 is that customers wishing to smoke may be attracted to premises that have 'beer gardens' or designated outside areas. There is likely therefore, to be more drinking outside of licensed premises. Although smoking is not a licensable activity, it may clearly at times be associated with a licensable activity i.e. sale of alcohol and may be viewed as an area which requires consideration of possible control measures in the interests of avoidance of public nuisance.

22.4 There may be occasions where licensees are required (following representation or application for review) to control areas/hours for such activity and/or have conditions imposed upon their licence if this is deemed proportionate and appropriate in meeting one or more of the licensing objectives and in particular that of the prevention of public nuisance.

23.0 **Administration, Exercise and delegation of Functions**

23.1 All Licences will be determined in accordance with the following table:

<table>
<thead>
<tr>
<th>Matter to be dealt with</th>
<th>Full Committee</th>
<th>Licensing Panel</th>
<th>Officer</th>
</tr>
</thead>
<tbody>
<tr>
<td>Review of Statement of Licensing Policy, receipt of annual report and other relevant reports.</td>
<td>In all Cases</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Application for a personal licence</td>
<td></td>
<td>If a representation is made.</td>
<td>If no representations are made.</td>
</tr>
<tr>
<td>Application for a premises licence or a club premises certificate</td>
<td></td>
<td>If a representation is made.</td>
<td>If no representations are made.</td>
</tr>
<tr>
<td>Application to vary an existing premises licence or club premises certificate</td>
<td></td>
<td>If a representation is made.</td>
<td>If no representations are made.</td>
</tr>
<tr>
<td>Application for minor variation of a premises</td>
<td></td>
<td></td>
<td>In all cases.</td>
</tr>
<tr>
<td>Licence or Club Premises Certificate</td>
<td>Application to vary the designated premises supervisor (DPS)</td>
<td>If a Police representation is received</td>
<td>All other cases</td>
</tr>
<tr>
<td>-------------------------------------</td>
<td>-------------------------------------------------------------</td>
<td>---------------------------------------</td>
<td>----------------</td>
</tr>
<tr>
<td>Requests to be removed as DPS</td>
<td></td>
<td></td>
<td>All cases</td>
</tr>
<tr>
<td>Application for transfer of a personal licence</td>
<td>If a Police representation</td>
<td>All other cases</td>
<td></td>
</tr>
<tr>
<td>Application for interim authorities</td>
<td>If a Police representation</td>
<td>All other cases</td>
<td></td>
</tr>
<tr>
<td>Applications to review premises licences and club premises certificates</td>
<td>All cases</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Decisions on whether a complaint is irrelevant, frivolous or vexatious etc.</td>
<td>All cases</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Decision to object when licensing authority is acting in its capacity as a responsible authority</td>
<td>All cases</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Determination of a Police representation to a Temporary Event Notice</td>
<td>All Cases</td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

All applications will be considered in accordance with any statutory framework. Applications will only be accepted if they contain all required information and have been correctly made. Any application that falls short of the requirements will be returned to the applicant for correction or addition.
## Appendix A
### Current Mandatory Conditions

<table>
<thead>
<tr>
<th>Mandatory Condition</th>
<th>Applicable to</th>
</tr>
</thead>
<tbody>
<tr>
<td>No supply of alcohol may be made under the premises licence –</td>
<td>Any premises licence or which authorises the sale of alcohol.</td>
</tr>
<tr>
<td>(a) at a time where there is no designated premises supervisor in respect of the premises licence, or</td>
<td></td>
</tr>
<tr>
<td>(b) at a time when the designated premises supervisor does not hold a personal licence or his personal licence is suspended.</td>
<td></td>
</tr>
<tr>
<td>Every supply of alcohol under the premises licence must be made or authorised by a person who holds a personal licence</td>
<td></td>
</tr>
<tr>
<td>(1) The responsible person must ensure that staff on relevant premises do not carry out, arrange or participate in any irresponsible promotions in relation to the premises.</td>
<td>Any premises licence or club premises certificate which authorises the sale of alcohol for consumption on the premises.</td>
</tr>
<tr>
<td>(2) In this paragraph, an irresponsible promotion means any one or more of the following activities, or substantially similar activities, carried on for the purpose of encouraging the sale or supply of alcohol for consumption on the premises—</td>
<td></td>
</tr>
<tr>
<td>(a) games or other activities which require or encourage, or are designed to require or encourage, individuals to—</td>
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</tr>
<tr>
<td>(i) drink a quantity of alcohol within a time limit (other than to drink alcohol sold or supplied on the premises before the cessation of the period in which the responsible person is authorised to sell or supply alcohol), or</td>
<td></td>
</tr>
<tr>
<td>(ii) drink as much alcohol as possible (whether within a time limit or otherwise);</td>
<td></td>
</tr>
<tr>
<td>(b) provision of unlimited or unspecified quantities of alcohol free or for a fixed or discounted fee to the public or to a group defined by a particular characteristic in a manner which carries a significant risk of undermining a licensing objective;</td>
<td></td>
</tr>
<tr>
<td>(c) provision of free or discounted alcohol or any other thing as a prize to encourage or reward the purchase and consumption of alcohol over a period of 24 hours or less in a manner which carries a significant risk of undermining a licensing objective;</td>
<td></td>
</tr>
<tr>
<td>(d) selling or supplying alcohol in association with promotional posters or flyers on, or in the vicinity of, the premises which can reasonably be considered to condone, encourage or glamorise anti-social behaviour or to refer to the effects of drunkeness in any favourable manner;</td>
<td></td>
</tr>
</tbody>
</table>
(e) dispensing alcohol directly by one person into the mouth of another (other than where that other person is unable to drink without assistance by reason of disability).

The responsible person shall ensure that free potable water is provided on request to customers where it is reasonably available.

Any premises licence or club premises certificate which authorises the sale of alcohol for consumption on the premises.

(i) The premises licence holder or club premises certificate holder must ensure that an age verification policy is adopted in respect of the premises in relation to the sale or supply of alcohol.

Any premises licence or club premises certificate which authorises the sale of alcohol.

(ii) The designated premises supervisor in relation to the premises licence must ensure that the supply of alcohol at the premises is carried on in accordance with the age verification policy.

Any premises licence or club premises certificate which authorises the sale of alcohol.

(iii) The policy must require individuals who appear to the responsible person to be under 18 years of age (or such older age as may be specified in the policy) to produce on request, before being served alcohol, identification bearing their photograph, date of birth and either—

(a) a holographic mark, or  
(b) an ultraviolet feature.

The responsible person must ensure that—

(a) where any of the following alcoholic drinks is sold or supplied for consumption on the premises (other than alcoholic drinks sold or supplied having been made up in advance ready for sale or supply in a securely closed container) it is available to customers in the following measures—

(i) beer or cider: ½ pint;  
(ii) gin, rum, vodka or whisky: 25 ml or 35 ml; and  
(iii) still wine in a glass: 125 ml;  

(b) these measures are displayed in a menu, price list or other printed material which is available to customers on the premises; and  

(c) where a customer does not in relation to a sale of alcohol specify the quantity of alcohol to be sold, the customer is made aware that these measures are available.

(1) A relevant person shall ensure that no alcohol is sold or supplied for consumption on or off the premises for a price which is less than the permitted price.

Any premises licence or club premises certificate which authorises the sale of alcohol for consumption on the premises.

(2). For the purposes of the condition set out in paragraph 1—

(a) “duty” is to be construed in accordance with the Alcoholic Liquor...
Duties Act 1979;

(b) “permitted price” is the price found by applying the formula—
\[ P = D + (D \times V) \]

where—
(i) \( P \) is the permitted price,
(ii) \( D \) is the amount of duty chargeable in relation to the alcohol as if the duty were charged on the date of the sale or supply of the alcohol, and
(iii) \( V \) is the rate of value added tax chargeable in relation to the alcohol as if the value added tax were charged on the date of the sale or supply of the alcohol;

(c) “relevant person” means, in relation to premises in respect of which there is in force a premises licence—

(i) the holder of the premises licence,
(ii) the designated premises supervisor (if any) in respect of such a licence, or
(iii) the personal licence holder who makes or authorises a supply of alcohol under such a licence;

(d) “relevant person” means, in relation to premises in respect of which there is in force a club premises certificate, any member or officer of the club present on the premises in a capacity which enables the member or officer to prevent the supply in question; and

(e) “value added tax” means value added tax charged in accordance with the Value Added Tax Act 1994.

(3) Where the permitted price given by Paragraph (b) of paragraph 2 would (apart from this paragraph) not be a whole number of pennies, the price given by that sub-paragraph shall be taken to be the price actually given by that sub-paragraph rounded up to the nearest penny.

(4) (i) Sub-paragraph (2) applies where the permitted price given by Paragraph (b) of paragraph 2 on a day (“the first day”) would be different from the permitted price on the next day (“the second day”) as a result of a change to the rate of duty or value added tax.

(ii) The permitted price which would apply on the first day applies to sales or supplies of alcohol which take place before the expiry of the period of 14 days beginning on the second day.

(1) The supply of alcohol for consumption off the premises must be made at a time when the premises are open for the purposes of supplying alcohol, in accordance with the club premises certificate, to members of the club for consumption on the premises.
(2) Any alcohol supplied for consumption off the premises must be in a sealed container.

(3) Any supply of alcohol for consumption off the premises must be made to a member of the club in person.

### Exhibition of Films

Admission of children must be restricted in accordance with any recommendation made by the film classification body specified in the licence

Or

where the licensing authority has notified the holder of the licence that it considers a classification or an alternative classification is necessary then admission of children must be restricted in accordance with any recommendation made by that licensing authority

In this section-

"children" means persons aged under 18; and

"film classification body" means the person or persons designated as the authority under section 4 of the Video Recordings Act 1984 (c.39) (authority to determine suitability of video works for classification).

### Door Supervisors

Where a premises licence includes a condition that at specified times one or more individuals must be at the premises to carry out a security activity, each such individual must be licensed by the Security Industry Authority.

| Any premises licence or club premises certificate which authorises the exhibition of films. | Any premises licence or club premises certificate which includes a condition relating to door supervisors / security. |
## Prevention of Crime and Disorder

<table>
<thead>
<tr>
<th>Prevention of Crime and Disorder</th>
</tr>
</thead>
<tbody>
<tr>
<td>Appropriate signage will be displayed, in a prominent position, informing customers they are being recorded on CCTV.</td>
</tr>
<tr>
<td>The premises shall install and maintain a comprehensive CCTV system which records 24 hours a day. All entry and exit points will be covered enabling frontal identification of every person entering in any light conditions.</td>
</tr>
<tr>
<td>All CCTV recordings shall be stored for a minimum period of 31 days and all recordings will be stamped with the correct date and time. Viewing of recordings shall be made available, subject to Data Protection legislation, immediately upon the request of Police or an authorised council officer.</td>
</tr>
<tr>
<td>A staff member from the premises who is conversant with the operation of the CCTV system shall be on the premises at all times when the premises are open. This staff member must be able to provide a police or authorised council officer copies of recent CCTV images or data with the minimum of delay when requested.</td>
</tr>
<tr>
<td>Notices shall be displayed throughout the premises to advise customers of the potential for thefts and to keep their valuables safe.</td>
</tr>
<tr>
<td>The premises shall operate a zero tolerance policy to drug use and posters shall be prominently displayed to this effect. All staff shall be trained in the implementation of the venue’s drugs policy.</td>
</tr>
<tr>
<td>Toilet cisterns shall be provided with sloping lids or similar to discourage drug use.</td>
</tr>
<tr>
<td>Any drugs confiscated from customers shall be stored in a locked and secure container and the Police shall be notified as soon as reasonably practicable.</td>
</tr>
<tr>
<td>Alcoholic and soft drinks shall be served in polycarbonate containers.</td>
</tr>
<tr>
<td>The licence holder shall actively participate in any local Pubwatch scheme.</td>
</tr>
<tr>
<td>The premises shall be a member of any local radio scheme that allows them to be in contact with other venues in the local area.</td>
</tr>
<tr>
<td>An incident log book will be maintained by the premises that details incidents of note that occur in the premises. This shall include refused sales, disorder, and ejections as a minimum. The log book shall be kept on the premises and be available for inspection at all times the premises is open, and management shall regularly check the book to ensure all staff are using it.</td>
</tr>
<tr>
<td>A metal detection device shall be randomly used by door supervisors to search patrons for weapons.</td>
</tr>
<tr>
<td>A search arch shall be used at the entrance to the premises to detect customers who may be carrying weapons.</td>
</tr>
<tr>
<td>Bag clips shall be made available on all tables.</td>
</tr>
<tr>
<td>------------------------------------------------</td>
</tr>
<tr>
<td>A cloakroom or similar facility shall be available for customers to leave their belongings.</td>
</tr>
<tr>
<td>The premises will not sell any beer, lager, or cider that is equal to or greater than 6% ABV. For the avoidance of doubt, this does not include specialist products from craft or microbreweries or limited edition / seasonal products (e.g. Christmas gift packs), subject to Police and Local Authority discretion.</td>
</tr>
<tr>
<td>No sales of single cans of beer, lager or cider.</td>
</tr>
<tr>
<td>There will be at least one personal licence holder on duty at all times that the premises are open and selling alcohol.</td>
</tr>
<tr>
<td>All staff responsible for selling alcohol shall receive regular training in the Licensing Act 2003. Written records of this training shall be retained and made available to Police and Council officers on request.</td>
</tr>
<tr>
<td>A minimum of (insert number) door supervisors shall be on duty on the premises during the hours of (insert times) on (insert days of week).</td>
</tr>
<tr>
<td>All door supervisors, and other persons engaged at the premises, for the purpose of supervising or controlling queues or customers, must wear [high visibility jackets or vests or armbands].</td>
</tr>
<tr>
<td>Door supervisors must be provided with radios to enable them to contact each other and the duty manager at the premises.</td>
</tr>
<tr>
<td>Where SIA registered door supervisors are used at the premises, a record must be kept of their SIA registration number and the dates and times when they are on duty.</td>
</tr>
<tr>
<td>The premises shall operate a dispersal policy and all staff shall be trained in its implementation.</td>
</tr>
<tr>
<td>The premises licence holder must submit to the relevant police officer [insert contact details] a completed risk assessment form as prescribed at least 14 days before any event that is:</td>
</tr>
<tr>
<td>• promoted / advertised to the public at any time before the event; and</td>
</tr>
<tr>
<td>• features DJ's, MCs or equivalent performing to a recorded backing track; and</td>
</tr>
<tr>
<td>• runs anytime between the hours of [insert hours]</td>
</tr>
<tr>
<td>Random searches shall be undertaken of customers entering the premises between the hours of (insert times) and prominent signage provided to this effect.</td>
</tr>
<tr>
<td>Door supervisors shall be provided with radios to enable them to contact each other and the duty manager at the premises.</td>
</tr>
<tr>
<td>No customer will be permitted to enter or re-enter the premises between the hours of [specify] save for persons who have temporarily left the premises (e.g. to smoke).</td>
</tr>
<tr>
<td>All sealed containers of alcoholic drinks offered for sale for consumption off the premises must be clearly labelled or marked with the name and postcode of the premises.</td>
</tr>
</tbody>
</table>

**Prevention of Public Nuisance**

Between [specified times] no customer will be permitted to enter or leave the premises by means of [specified entrances].

Any queue [in a designated queuing area] to enter the premises must be supervised at all times.
Customers permitted to temporarily leave and then re-enter the premises to smoke must be restricted to a designated smoking area defined as [specify location / mark on plan]. No more than [insert number] of customers will be permitted to remain in the designated smoking area at any one time.

No deliveries or collections relating to licensable activities at the premises will take place between the hours of [insert hours].

The dispersal of customers from the premises must be managed in accordance with the following:

- Clear and legible notices must be prominently displayed at all exits requesting customers to respect local residents and leave the area quietly.
- Public announcements requesting customers to leave quietly to minimise disturbance to nearby residents
- A [specify minutes] period where [music volume is reduced / lighting increased / alcohol sales cease]

The location and orientation of loudspeakers must be as specified on the attached premises plan.

An [acoustic lobby / acoustic door / acoustic curtains / acoustic door seals / automatic door closer] must be installed [specify the location / define on plan].

All external windows and doors must be kept shut at all times when regulated entertainment is being provided. Doors may be opened for normal entrance and egress of people but must be shut immediately thereafter.

A noise limiting device must be installed and must operate at all times regulated entertainment takes place at the premises. The device must be of a type, in a location and set at a level [specify if known] [approved in writing by the appropriate officer of the Council].

Only the Premises Licence Holder and the Designated Premises Supervisor shall have access to the noise limiting device.

No more than [insert number] customers will be permitted to enter or remain in [define outdoor area(s)] of the premises at any one time, between the hours of [specify].

The use of the garden/external area shall cease after (insert time) hours on (insert days of the week).

The tables and chairs outside the premises shall be brought inside at (insert time).

Staff shall regularly supervise the pavement area outside the premises to ensure customers are not blocking pavements or causing nuisance to neighbouring premises.

Clear and legible notices must be prominently displayed at any area used for smoking requesting customers to respect the needs of local residents and use the area quietly.
A direct telephone number for the duty manager must be prominently displayed where it can conveniently be read from the exterior of the premises by the public. The telephone must be manned at all times the premises is open for licensable activities.

At [specify times] [specify areas] outside the premises, including [specify areas] must be swept and/or washed, and litter and sweepings collected and stored [specify storage and collection].

Where the premises provide late night refreshments for consumption off the premises sufficient waste bins must be provided at or near the exits, to enable the disposal of waste

Empty bottles which have been collected must be placed into locked bins

Notices will be prominently displayed in the premises requesting customers to leave quietly and respect the residential nature of the area.

Persons wishing to leave the premises to smoke shall not be permitted to take drinks outside with them.

External lighting for the premises shall be turned off after the premises are closed to the public.

**Public Safety**

Any [designated] queuing area must be within suitable barriers.

No more than [insert number] customers will be permitted on the premises at any one time.

“Clickers” or other devices shall be used by door staff to monitor the number of persons present on the premises at any one time.

Customers will not be permitted to remove from the premises any drinks supplied by the premises (alcoholic or otherwise) in open containers

Drinks must only be served in polycarbonate/plastic containers.

Empty bottles which have been collected must be placed into locked bins.

The premises will be adequately ventilated in all areas to which the staff and public have access.

The Licence Holder shall not permit the use of special effects, except with the prior consent of the Licensing Authority, which may be subject to additional conditions if appropriate to promote the public safety objective.

Any special effects or mechanical installation shall be arranged and stored so as to minimise any risk to the safety of the audience, performers and staff. Special effects include:

- Dry ice machines and cryogenic fog
- Smoke machines and fog generators
- Pyrotechnics, including fireworks
- Real flame
- Firearms
• Motor vehicles
• Strobe lighting
• Lasers
• Explosives and highly flammable substances.

Exit doors shall be checked before opening each day to ensure they function satisfactorily.

Means of escape shall be maintained unobstructed, immediately available and clearly identifiable.

Customers shall not be permitted to sit or stand in gangways or aisles or in any position that will impede means of escape from the premises.

**Protection of Children from Harm**

No person under the age of [insert age] years of age is permitted to enter or remain on the licensed premises when alcohol is being sold or supplied.

No person under the age of 18 will be permitted to enter or remain on the premises when any “specified activity” is taking place.

• Specified activities are:
  • ‘Any live performance; or
  • Any live display of nudity;
  • Which is of such a nature that, ignoring financial gain, it must reasonably be assumed to be provided solely or principally for the purpose of sexually stimulating any member of the audience (whether by verbal or other means).

• Display of nudity means
  • In the case of a women, exposure of her nipples, pubic area, genitals or anus; and
  • In the case of a man, exposure of his pubic area, genitals or anus,

• NB – The audience can consist of one person.

There shall be no external advertisement at the premises for adult entertainment

A challenge 25 proof of age scheme shall operate at the premises. Signage shall be displayed advising customers that the scheme is in place. All staff authorised to sell alcohol will be trained in the Challenge 25 scheme and this training will be documented to include the date the training was given, the name of the person who gave the training, the person who received the training and signatures by both trainer and trainee.

Posters shall be displayed in prominent positions around the till advising customers of the Proof of Age policy in force at the premises.

A refusals book shall be kept at the premises to record details of all refusals to sell alcohol. This
<table>
<thead>
<tr>
<th><strong>book</strong> shall contain the date and time of the incident, a description of the customer, the name of the staff member who refused the sale, and the reason the sale was refused. The book shall be made available to Police and authorised Council officers on request.</th>
</tr>
</thead>
<tbody>
<tr>
<td>The Designated Premises Supervisor shall regularly check the refusals book to ensure it is being consistently used by all staff.</td>
</tr>
</tbody>
</table>

**Other (may relate to any of the licensing objectives or be premises type specific)**

| At any wrestling or other entertainments of a similar nature, members of the public must not occupy any seat within [specify distance] of the ring. |
| The event will operate fully in accordance with the Event Management Plan. The Event Management Plan will be provided to the Hounslow Safety Advisory Group at least 60 days in advance of the event each year and must be approved by the Safety Advisory Group before the event can take place. |
| Admission to the licensed premises shall be restricted to Members of the Club and their bona fide guests. |
| No person shall be admitted to the premises without an interval of at least 48 hours between application for membership and admission. |
| Only one guest per member shall be permitted. |
| No more than three guests per member shall be admitted to the club, and details of all guests shall be recorded on site and to be made available to Police immediately upon request on any given night that they visit the premises. |
| Members and guests shall be required to "sign in" when entering the premises. |
| Any book used for the signing in of members and guests shall be kept on the premises at all times and made available on request to Police and authorised Council officers. |
| Alcohol may be sold at any time to hotel guests for consumption on the premises. |
| Alcohol shall only be sold to non-hotel residents from the hours of (insert times) on (insert days of the week) and during the following times to persons attending bona fide private functions at the hotel (insert days and times). |
| Where rooms at the premises are let to individuals or groups for private hire, a hire agreement shall be in place that includes an outline of the conditions on the Premises Licence (or Club Premises Certificate) and clearly states the responsibilities of the hirer in respect of upholding such conditions. |
Appendix C

SPECIAL LICENSING POLICY FOR HOUNSLOW AND NORTH-WEST ISLEWORTH

1. The Council has decided to introduce a special policy relating to cumulative impact (as provided by the Secretary of State in the Guidance issued under 182 of the Licensing Act 2003 (paragraphs 13.19 to 13.38) and the Council’s own statement of Licensing Policy (paragraphs 11.1 to 11.6)) to the Hounslow and North-West Isleworth area (being the area outlined and all premises which have a principal form of access onto the outlined area on the attached map).

2. “Cumulative impact” means the potential impact on the promotion of the licensing objectives of a significant number of premises concentrated in one area.

3. Hounslow and North West Isleworth has been identified as being adversely affected in terms of the licensing objectives because of the cumulative impact of licensed premises. There is evidence that the cumulative impact includes serious problems of crime, disorder, public nuisance and risks to public safety and children. Having regards to the evidence, the Licensing Authority has been satisfied that it is appropriate to include an approach to cumulative impact. The evidence for this special policy may be viewed on request at the Council Offices.

4. Applications for new premises licences, club premises certificates or any variations to premises licences or club premises certificates within Hounslow and North-West Isleworth that are likely to add to the existing cumulative impact will normally be refused where a relevant representation has been made, unless the applicant can demonstrate that there will be no negative cumulative impact on one or more of the four licensing objectives. Accordingly, the presumption for refusal in this policy is not absolute and the circumstances of each application will be considered where a relevant representation has been made.

5. The presumption of refusal does not relieve responsible authorities or any other person of the need to make a relevant representation. Applicants will need to address the special policy issues in their operating schedules. If there are no representations the licensing authority must grant the licence in terms consistent with the operating schedule.

6. The cumulative impact policy will apply to any category of premises which requires a licence under the Licensing Act 2003.

7. The cumulative impact policy will be kept under review by the Licensing Authority.
Appendix D
Theatres, cinemas, concert halls and similar places

In addition to the points made in Annex E, there are particular matters in the context of public safety and fire safety that should be considered in connection with theatres and cinemas. The principle remains that conditions must be appropriate and should be established through risk assessment and standardised conditions should be avoided. The points which follow are for consideration and do not represent a mandatory list.

Premises used for closely seated audiences

Attendants

- The number of attendants on each floor in a closely seated auditorium should be as set out on the table below:
- Attendants shall not be engaged in any duties that would hinder the prompt discharge of their duties in the event of an emergency or entail their absence from that floor or auditorium where they are on duty.
- Any attendant shall be readily identifiable to the audience (but this need not entail the wearing of a uniform).
- The premises shall not be used for a closely seated audience except in accordance with seating plan(s), a copy of which is available at the premises and shall be shown to any authorised person on request.
- No article shall be attached to the back of any seat that would reduce the clear width of seatways or cause a tripping hazard or obstruction.
- A copy of any certificate relating to the design, construction and loading of any temporary seating shall be kept available at the premises and shall be shown to any authorised person on request.

<table>
<thead>
<tr>
<th>Number of members of the audience present on a floor</th>
<th>Minimum number of attendants required to be present on that floor</th>
</tr>
</thead>
<tbody>
<tr>
<td>1 – 100</td>
<td>One</td>
</tr>
<tr>
<td>101 – 250</td>
<td>Two</td>
</tr>
<tr>
<td>251 – 500</td>
<td>Three</td>
</tr>
<tr>
<td>501 – 750</td>
<td>Four</td>
</tr>
<tr>
<td>751 -1000</td>
<td>Five</td>
</tr>
</tbody>
</table>

And one additional attendant for each additional 250 persons (or part thereof)

Standing and sitting in gangways etc.

- Sitting on floors shall not be permitted except where authorised in the premises licence or club premises certificate.
- Waiting or standing shall not be permitted except in areas designated in the premises licence or club premises certificate.

In no circumstances shall anyone be permitted to sit in any gangway;
stand or sit in front of any exit;
stand or sit on any staircase including any landings.

Drinks
Except as authorised by the premises licence or club premises certificate, no drinks shall be
sold to or be consumed by a closely seated audience except in plastic and paper containers.

Balcony Fronts
Clothing or other objects shall not be placed over balcony rails or upon balcony fronts.

Special effects
Any special effects or mechanical installation should be arranged and stored so as to minimise
any risk to the safety of the audience, the performers and staff.

Special effects include:
• dry ice machines and cryogenic fog;
• smoke machines and fog generators;
• pyrotechnics, including fireworks;
• real flame;
• firearms;
• motor vehicles;
• strobe lighting;
• lasers (see HSE Guide The Radiation Safety of lasers used for display purposes [HS(G)95]
  and BS EN 60825: Safety of laser products);
• explosives and highly flammable substances.

In certain circumstances, it may be appropriate to require that certain special effects are only
used with the prior notification of the licensing authority.

Scenery
Any scenery should be maintained flame-retardant.

Safety curtain
Where a safety curtain is provided, it should be arranged so as to protect the audience from the
effects of a fire or smoke on stage for sufficient time to enable the safe evacuation of the auditorium.

Where a stage with a proscenium arch is not equipped with a safety curtain, any curtains provided
between the stage and the auditorium should be heavyweight and be made of non-combustible
material or inherently or durably treated flame-retardant fabric.

Ceilings
All ceilings in those parts of the premises to which the audience are admitted should be inspected
by a suitably qualified person who will decide when a further inspection would be appropriate and
a certificate concerning the condition of the ceilings forwarded to the licensing authority.
Seating
Where the potential audience exceeds 250 all seats in the auditorium should, except in boxes accommodating not more than 8 persons, be either securely fixed to the floor or battened together in lengths of not fewer than four or more than twelve.

Premises used for film exhibitions

Attendants – premises without a staff alerting system
Where the premises are not equipped with a staff alerting system the number of attendants present should be as set out in the table below:

<table>
<thead>
<tr>
<th>Number of members of the audience present on the premises</th>
<th>Minimum number of attendants required to be on duty</th>
<th>Minimum number of other staff on the premises who are available to assist in the event of an emergency</th>
</tr>
</thead>
<tbody>
<tr>
<td>1 – 250</td>
<td>Two</td>
<td>One</td>
</tr>
<tr>
<td>And one additional attendant for each additional 250 members of the audience present (or part thereof)</td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

Where there are more than 150 members of an audience in any auditorium or on any floor At least one attendant shall be present in any auditorium or on any floor

Attendants – premises with a staff alerting system
Where premises are equipped with a staff alerting system the number of attendants present should be as set out in the table below:

Staff shall not be considered as being available to assist in the event of an emergency if they are:
- the holder of the premises licence or the manager on duty at the premises;
- a member of staff whose normal duties or responsibilities are likely to significantly affect or delay his response in an emergency situation;
- a member of staff whose usual location when on duty is more than 60 metres from the location to which he is required to go on being alerted to an emergency situation.
- Attendants shall as far as reasonably practicable be evenly distributed throughout all parts of the premises to which the public have access and keep under observation all parts of the premises to which the audience have access.

The staff alerting system shall be maintained in working order.

<table>
<thead>
<tr>
<th>Number of members of the audience present on the premises</th>
<th>Minimum number of attendants required to be on duty</th>
<th>Minimum number of other staff on the premises who are available to assist in the event of an emergency</th>
</tr>
</thead>
<tbody>
<tr>
<td>1 – 500</td>
<td>Two</td>
<td>One</td>
</tr>
<tr>
<td>501 – 1000</td>
<td>Three</td>
<td>Two</td>
</tr>
<tr>
<td>1001 – 1500</td>
<td>Four</td>
<td>Four</td>
</tr>
<tr>
<td>1501 or more</td>
<td>Five plus one for every 500 (or part thereof) persons over 2000 on the premises</td>
<td>Five plus one for every 500 (or part thereof) persons over 2000 on the premises</td>
</tr>
</tbody>
</table>
Minimum lighting

The level of lighting in the auditorium should be as great as possible consistent with the effective presentation of the film; and the level of illumination maintained in the auditorium during the showing of films would normally be regarded as satisfactory if it complies with the standards specified in BS CP 1007 (Maintained Lighting for Cinemas).

Flammable films

No flammable films should be allowed on the premises without the prior notification of the licensing authority/fire authority.

Age restrictions – cinemas

The Secretary of State considers that, in addition to the mandatory condition imposed by virtue of section 20, requiring the admission of children to films to be restricted in accordance with recommendations given either by a body designated under section 4 of the Video Recordings Act 1984 or by the licensing authority itself, conditions restricting the admission of children to film exhibitions should include:

- a condition that where the licensing authority itself is to make recommendations on the admission of children to films, the cinema or venue operator must submit any film to the authority that it intends to exhibit 28 days before it is proposed to show it. This is to allow the authority time to classify it so that the premises licence holder is able to adhere to any age restrictions then imposed;
- a condition that when films are classified, by either the film classification body as specified in the licence or the licensing authority, they should be classified in the following way:
  - U – Universal. Suitable for audiences aged four years and over.
  - PG – Parental Guidance. Some scenes may be unsuitable for young children.
  - 12A – Passed only for viewing by persons aged 12 years or older or persons younger than 12 when accompanied by an adult.
  - 15 – Passed only for viewing by persons aged 15 years and over.
  - 18 – Passed only for viewing by persons aged 18 years and over.

that conditions specify that immediately before each exhibition at the premises of a film passed by the British Board of Film Classification there shall be exhibited on screen for at least five seconds in such a manner as to be easily read by all persons in the auditorium a reproduction of the certificate of the Board or, as regards a trailer advertising a film, of the statement approved by the Board indicating the classification of the film;

- a condition that when a licensing authority has made a recommendation on the restriction of admission of children to a film, notices are required to be displayed both inside and outside the premises so that persons entering can readily be made aware of the classification attached to any film or trailer. Such a condition might be expressed in the following terms:

  “Where a programme includes a film recommended by the licensing authority as falling into the 12A, 15 or 18 category no person appearing to be under the age of 12 and unaccompanied, or under 15 or 18 as appropriate, shall be admitted to any part of the programme; and the licence
holder shall display in a conspicuous position a notice in the following terms –

**PERSONS UNDER THE AGE OF [INSERT APPROPRIATE AGE] CANNOT BE ADMITTED TO ANY PART OF THE PROGRAMME**

Where films of different categories form part of the same programme, the notice shall refer to the oldest age restriction.

This condition does not apply to members of staff under the relevant age while on-duty provided that the prior written consent of the person’s parent or legal guardian has first been obtained.”

**Theatres**

The admission of children to theatres, as with other licensed premises, is not expected to normally be restricted unless it is appropriate to promote the licensing objective of the protection of children from harm. However, theatres may be the venue for a wide range of activities. The admission of children to the performance of a play is expected to normally be left to the discretion of the licence holder and no condition restricting the access of children to plays should be attached. However, theatres may also present entertainment including, for example, variety shows, incorporating adult entertainment. A condition restricting the admission of children in such circumstances may be appropriate. Entertainment may also be presented at theatres specifically for children (see below).

Licensing authorities are also expected to consider whether a condition should be attached to a premises licence which requires the presence of a sufficient number of adult staff on the premises to ensure the well being of children present on the premises during any emergency.

**Performances especially for children**

Where performances are presented especially for unaccompanied children in theatres and cinemas conditions are anticipated to be needed which require an attendant to be stationed in the area(s) occupied by the children, in the vicinity of each exit, provided that on each level occupied by children the minimum number of attendants on duty should be one attendant per 50 children or part thereof.

Licensing authorities are expected, having regard to any representations made by responsible authorities on the issue, to also consider whether or not standing should be allowed. For example, there may be reduced risk for children in the stalls than at other levels or areas in the building.

**Children in performances**

There are many productions each year that are one-off shows where the cast is made up almost entirely of children. They may be taking part as individuals or as part of a drama club, stage school or school group. The age of those involved may range from 5 to 18. The Children (Performances) Regulations 1968 as amended set out requirements for children performing in a show. Licensing authorities should familiarise themselves with the requirements of these Regulations and not duplicate any of these requirements. However, if it is appropriate to consider
imposing conditions, in addition to these requirements, for the promotion of the protection of children from harm then the licensing authority should consider the matters outlined below.

- **Venue** – the backstage facilities should be large enough to accommodate safely the number of children taking part in any performance.

- **Fire safety** – all chaperones and production crew on the show should receive instruction on the fire procedures applicable to the venue prior to the arrival of the children.

- **Special effects** – it may be inappropriate to use certain special effects, including smoke, dry ice, rapid pulsating or flashing lights, which may trigger adverse reactions especially with regard to children.

- **Care of children** – theatres, concert halls and similar places are places of work and may contain a lot of potentially dangerous equipment. It is therefore important that children performing at such premises are kept under adult supervision at all times including transfer from stage to dressing room and anywhere else on the premises. It is also important that the children can be accounted for at all times in case of an evacuation or emergency.

This policy should be read in conjunction with the Guidance issued under section 182 of the Licensing Act 2003 published by the Home Office, available at [http://www.gov.uk](http://www.gov.uk)

Any queries about this policy should be addressed to:

The Licensing Manager  
London Borough of Hounslow  
REDe  
The Civic Centre  
Lampton Road  
Hounslow  
Middlesex  
TW3 4DN

020 8583 2465

licensing@hounslow.gov.uk
Licensing Panels
Putting forward your views on Licensing Applications to the new Licensing Panels

Hounslow
1. **Background - What does the Licensing Act 2003 do?**

The Licensing Act 2003 comes into full force in November 2005, marking the end of the old licensing regime. It changes the licensing systems for liquor, public entertainment and late night refreshments into a single licensing system. The Council now becomes the licensing authority for premises licences for functions and liquor, taking this responsibility over from magistrates’ courts.

In the meantime all licensees who wish to operate after November 2005 must apply to the borough’s new Licensing Authority, Hounslow Council, to convert their existing licences. This period is referred to as the transition period.

The Act sets out licensing objectives that must be promoted by Hounslow Council and licensees. These are:

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

Hounslow has adopted a new Statement of Licensing Policy to meet the requirements of the Licensing Act 2003. Anyone who wants a licence under the new act must refer to this when applying. If you would like to request a hard copy of the full Statement of Licensing Policy, please contact the licensing team on 020 8583 5144, email: licensing@hounslow.gov.uk

2. **What is the effect of the Licensing Act 2003 on existing licences?**

One licence, a ‘premises licence’, is all that is needed to supply alcohol, regulated entertainment and late night refreshment. Applications for these licences will be granted unless a representation (e.g. objection) about that licence application is made by an ‘interested party’ (for example a resident or business) or a ‘responsible authority’ (for example the police or fire authority). In this case, the local authority’s Licensing Committee or Licensing Panels will hold a hearing. At that hearing they will consider the application and the representation and then grant, modify or reject the application, taking into account the Licensing Objectives.

In contrast to the old licensing system (where a licence must be renewed each year), under the new licensing regime a licence is granted for the life of the premises, instead of the yearly renewal process. If there are problems with a licence, then a licence can be reviewed. The Council has new Licensing Panels, which are empowered to carry out the hearings for the licences. They will hear all applications for licences where representations have been received.

3. **Licensing Panels - How are licensing applications considered?**

This leaflet sets out the procedure for the Licensing Panels when sitting to determine applications.

4. **Putting forward your views**

When Licensing Officers receive a licensing application, they consult those people and groups who appear to be most affected and also publicise the application in various ways. If you are
affected, you are asked to send in your comments within 28 days of the date when the application was given to the Authority. There are some exceptions to this, for example where it is a case of a review of a premises licence following a closure order (different rules apply for this unusual situation).

If no comments are received from any Interested Party or Responsible Authority, no hearing will take place and the application must be granted.

5. What happens if I decide to object to the application?

If you decide to send in written objections, the Licensing Team will assess them to see if they are relevant representations. For a representation to be relevant, it must deal with the effect of the application on the promotion of the four licensing objectives. It must not be frivolous, vexatious or repetitive and must have been delivered to the Council within the 28-day consultation period. However, if all the parties agree that there is no need for a hearing, officers will make a decision on the application and all parties will be informed of this decision.

6. Procedure before the hearing

Where a hearing is necessary, the applicant and all those who have made valid objections are informed in advance of the date, time and place of the hearing. These parties will also be provided with information on their rights and the consequences of not attending or not being represented at the hearing. The information will also detail the procedure that will be followed at the hearing and any points on which the Authority may want further clarification. Anyone who receives a notice of a hearing must inform the Licensing Officer whether they intend to attend or will be represented. They may also indicate whether they consider a hearing to be unnecessary. If a party wants to call a witness, they must indicate this, giving the name of that person and a brief description of the points that they want to raise. This information should be sent to the Committee Clerk, Committee Services Section, London Borough of Hounslow, Civic Centre, Lampton Road, Hounslow TW3 4DN. A decision on whether the person can speak will be made by the Licensing Panel at the beginning of the hearing.

7. Agenda

An agenda for the hearing will be available five clear* working days before the hearing (*not including the day of despatch, the day of the meeting, Saturdays, Sundays or bank holidays). It will set out the date, time and venue. The agenda will be available on the internet at www.hounslow.gov.uk.

8. What does the report on the application contain?

- a description of the application;
- letters from the people who were consulted about the application and replied;
- representations from any other agencies e.g. police, fire, noise pollution team
- any conditions recommended by the officers; and
- the relevant policy framework for the type of establishment

9. What happens if I wish to withdraw my comments?

Valid representations may be withdrawn up to 24 hours before the hearing or orally at the hearing. This can be done by notifying the Committee Clerk in writing.

10. What happens if I am unable to attend the hearing?
If an interested party has told the authority that they will not be coming to the hearing, the Panel may go ahead in their absence. If someone has said that they will be attending but does not do so, the Panel can either adjourn the hearing to a specified date, or hold the hearing in their absence. If the Panel adjourns the hearing all the parties will be told of the date, time and place to which it has been adjourned.

11. **What are the rules on speaking at the meeting?**

An interested party attending the hearing can be represented by someone else, provided that they have given notice. If one of your local councillors is a Member of the Panel, you should not lobby them directly, as this could prejudice their position.

In the case of applications that are subject to multiple similar representations the Authority will, as far as possible endeavour to seek a representative(s) from those making similar representations to address the Panel.

The Panel can require anyone attending the hearing who is being disruptive to leave the hearing and can refuse to let that person return, or let them return subject to conditions. Anyone who has been required to leave can, before the end of the hearing, submit in writing any information that they would have given verbally if they had they not been asked to leave.

12. **Is there a time limit for the Hearing?**

The Panel can extend the time limits for consideration of an application if it considers this to be necessary but cannot extend the time limit past the deadline for the application to be decided on. If it does extend the time limit, it must let all parties know how long the extension is and the reasons for it. The Panel or the officers of the Authority can adjourn a hearing to another date or arrange for a hearing on additional dates, if this is necessary to consider any representations or notice made by a party. If it does this, it must let all the parties know the additional date(s).

14. **Changes to the application**

If, during the course of a hearing or immediately prior to the hearing a party makes a major variation to an application or an operating schedule, the panel may, in the interests of natural justice adjourn the hearing to allow any other party to be re-consulted on the variation.

13. **What is the Procedure at the Hearings?**

The Licensing Panel is not a court, and every effort is made to keep the proceedings as informal as possible. It is important that the hearing follows a particular order, to make sure that all parties have a chance to be heard. Anyone who has given notice that they wish to speak should make themselves known to the Committee Clerk when they arrive for the meeting.

14. **Order of business**

The Panel will follow the order of business set out below unless the Chair decides it would help the proper consideration of the representations to vary that order:

<p>| | |</p>
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<tbody>
<tr>
<td>1</td>
<td>Panel Elect Chair</td>
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<tr>
<td>2</td>
<td>Chair Introduce Panel and Officers. Announce agenda item. Determines who will speak and notes names. Explains order of business.</td>
</tr>
<tr>
<td>3</td>
<td>Officer presenting Reads out particulars of application</td>
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<td>4</td>
<td>Chair Asks officers if there written representations where the authors are not attending</td>
</tr>
<tr>
<td>5</td>
<td>Officer presenting Introduces written representations</td>
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</tbody>
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ции человека?

- **Как я могу узнать о решениях Панели?**

  Обычно Панель принимает решение на конце слушания, если это возможно, однако они могут отложить решение до пяти рабочих дней после слушания. Делегаты Панели будут вести себя в приватном порядке. Когда они будут давать решение, Панель будет объяснить причины. Все стороны будут уведомлены в письменной форме.

- **Имеется ли запись о том, что произошло на заседании?**

  Решения Панели будут опубликованы на сайте Совета в течение 3 дней. Полные протоколы заседания обычно доступны на интернете (www.hounslow.gov.uk) в течение трех недель или могут быть получены от Клерка Совета.

- **Во время заседания посещают ли члены участок?**

  Панель может отложить решение на предмет посещения места для уточнения некоторых аспектов проекта. Это происходит очень редко.

- **Сколько длится слушание?**

  Одно дело должно занять не более часа. Однако может быть больше одного дела на одном заседании. Если все дело не будет завершено на конце заседания, оно будет перенесено на другое заседание и все стороны будут уведомлены о том, на каком заседании оно будет продолжено.

- **Дополнительные советы**

  Если вы хотите выступить на заседании, вы должны прийти примерно за десять минут до начала заседания, чтобы сделать себя известным Клерку, который направит вас на свое место. Клерк также ответит на ваши вопросы, касающиеся того, что произойдет на заседании. Каждый, кто хочет выступить на заседании, должен вести себя в позитивном стиле и только говорить, когда вызовет вас Клерк. Дополнительные документы могут только распространяться на заседании, если все стороны согласны. Если любая сторона не согласится, Панель откажется принимать дополнительный материал.
Communications on matters not yet on the agenda should be sent to the Licensing Manager, Street Management and Public Protection Department, London Borough of Hounslow, Civic Centre, Lampton Road, Hounslow TW4 3DN. Tel: 020 8583 5144 Email: licensing@hounslow.gov.uk

21. **Can I appeal against the Licensing Panel’s decision?**

Applicants and objectors or persons who have submitted relevant comments on the application, have a right of appeal to the Magistrates Court. You must give notice of your appeal within 21 days of the letter notifying you of the decision on the application by sending it to the magistrates court.

22. **Your views**

Committee Services is responsible for the official meetings of the Council. If you have a question about any of the hearings or about the procedures followed at the hearing, please contact the Committee Clerk whose name and telephone number appears on the front of the agenda. We always welcome comments and suggestions on how we might improve our services.

23. **What should I do if I am unhappy with one of your services?**

If you are unhappy, you should speak or write to the:

**Head of Customer Services & Performance Management**
Street Management and Public Protection Department

Or

**Committee Services Manager**
Committee Services

at London Borough of Hounslow, Civic Centre, Lampton Road, Hounslow TW4 3DN