

Licensing Policy 2020

- Licensing Policy 2020
- Licensing Act 2003

LONDON BOROUGH OF EALING



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great place

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This policy is made by Ealing Council under the following statutes:

- Licensing Act 2003 (Licensing Policy)
- Gambling Act 2005 (Gambling Licensing Policy)

The policies provide frameworks for the operation of the licensing regimes, assist applicants when making applications and guide the council and relevant committees when making licensing decisions. Revisions to the policies and their publication were approved by the council on 21 July 2020. These policies are operative from 27 July 2020.

Section 1 – Licensing Background and Approach in Ealing

The policies have been refreshed for 2020 and take into account the current profile of Ealing and the future aspirations and development plans for the Borough. These elements have informed parts of the policy.

Section 2 – Licensing Policy 2020

The Licensing Policy 2020 is the council's statement of principles under Section 5 of the Licensing Act 2003 which it will apply when exercising its functions under the Act.

For any queries regarding these policies please contact the Licensing Team via licensing@ealing.gov.uk, Licensing Team, Ealing Council, Perceval house, 14-16 Uxbridge Road, Ealing , W5 2HL, or 020 8825 6655.

Foreword

The proposed 2020 London Borough of Ealing Licensing Policies enable the responsible licensing authority to influence the shape of our neighbourhoods and town centres. Informed by local needs, changing developments and circumstances we aim to enhance and sustain our local environments.

The communities in Ealing are one of the most diverse in the UK. This is reflected in a wide offer of activities from licensed premises. The policies will enable opportunities for developments and investment across the borough.

Following professional sector research, statutory public consultation and stakeholder engagement significant new and revised policies in the London Borough of Ealing are proposed including:

- Newly designated and extended Special Area Policy locations for off-licensed premises which will permit the licensing authority to consider appropriate applications and conditions for licensed premises predicated on statutory licensing objectives.
- Promotion of an enhanced art and culture led licensable activities.
- Determination that the appropriate number of licensed sexual entertainment establishments be set at zero.

The licensing policies promote opportunities, flexibility, and freedoms whilst creating an accountable and responsible policy framework for operators to provide a suitable offer that will have a minimal negative impact on thriving neighbourhoods.

Our ambition is to balance the needs of residents which may conflict with business operators and growth. We promote people's right to peace and quiet in their homes and neighbourhoods free from criminal and antisocial behaviours.

The open implementation of these policies support all the licensing regimes' statutory duties and will benefit all interests across the borough.

Councillor Anthony Kelly, Chair, Licensing Committee

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1.0 INTRODUCTION

Integrating the Council's Plans to adopt a Strategic Approach

1.1 These licensing policies for 2020 integrate with the Council's strategies for the development of Ealing's economy and town centres and fit with the Council's overall strategic vision for Ealing as a great place to live, work and visit. Applicants are encouraged to make applications which will further this strategic vision, and support achievement of the objectives of the Council's key strategies.

1.2 Strategies and Plans with which this Licensing Policy integrates include (but are not limited to) the following:

- The Council's Corporate Plan 2018-2022 sets out how elected Members' policy commitments will be delivered and is available on the Council's website at https://www.ealing.gov.uk/info/201033/council_and_local_decisions/300/council_plan .
- The Night Time Economy Strategy, which is in its first draft, focuses on strengthening and enabling a vibrant and resilient night time economy, for the benefit of residents, visitors and local businesses.
- The Safer Ealing Partnership Strategy focuses on keeping residents safe, preventing harm and addressing crime and anti-social behaviour and is available on the Council's website at https://www.ealing.gov.uk/info/201046/decision_making/350/local_strategic_partnership/6..

Shaping an Effective Night Time Economy in Ealing

1.3 One of the key Strategies which has helped to shape and inform the refresh of the policies is Ealing's Night Time Economy (NTE) Strategy (2019). The Ealing NTE

Strategy sets a strategic direction for the future shape and development of the borough's night-time offer. The four main objectives of the Strategy are 1) to help enable a thriving local Night Time Economy, 2) to deliver Members' policy commitments relating to the NTE and connected policy areas, 3) to fulfil the Council's duties to keep residents safe, 4) to make Ealing a better place to live and visit and enrich community life.

1.4 The NTE Strategy sets out some strategic principles designed to inform and shape decision-making and strategic commissioning, as well as the approach to regeneration, enforcement and partnership working. Those principles are designed to help facilitate and enable the development of a Night Time Economy in Ealing which is family friendly, flexible, future-focused and fair to communities, residents, visitors and local businesses.

1.5 It is important that the objectives of these policies and the goals of the Ealing NTE Strategy are aligned. To help achieve this alignment, the same extensive evidence review used to help shape the goals and objectives of the NTE Strategy has also fed into the refresh of the 2020 licensing policies.

1.6 One of the areas of policy concern shared between the NTE Strategy and the objectives of the council as Licensing Act 2003 Licensing Authority is that in relation to licensing premises to sell alcohol. Alcohol-led pubs and clubs in town centres have traditionally attracted younger customers, generally between the ages of 18 to 25. It is recognised that these premises can make a valuable contribution to the vitality and viability of town centres: they provide places for people to meet, interact and enjoy themselves in the borough. However, they have the potential to cause problems such as anti-social behaviour, crime, noise and the detriment of the street environment. It is the shared goal of the Licensing Authority and the Council in delivering its NTE Strategy to help enhance the benefits of a vibrant night time offer, including the benefits brought by pubs and clubs, whilst minimising the potential negative effects on the local population, including potential alcohol-related harm, crime and anti-social behaviour.

1.7 The Ealing Night Time Economy Strategy (2019) aims to enhance the vibrancy of Ealing at night, whilst minimising the issues that can occur in premises where alcohol is sold, there is therefore a preference in this refreshed Policy for license applications for seated premises where food and drink is consumed by table service such as restaurants and street cafes. This is to encourage a wider age range and attract older people and families with young children into the town centres late at night. Experience has shown that the presence of a wider age mix can help to reduce antisocial behaviour and improve people's perception of safety when out late at night.

1.8 Ealing is a borough with many cultural strengths these need to be built on to raise the profile of Ealing as a creative centre, increase opportunities for residents and visitors and stimulate the local economy. In line with the objectives of the NTE Strategy, the Licensing Authority will work to help build on and enhance Ealing's current arts, culture and leisure offer. Ealing's summer festival in Walpole Park attracts over 125,000 people and features a range of events such as Jazz, Blues, Opera, world music and culture, comedy as well as various fringe events. The London 'Mela' in Southall Park is also held in Ealing and provides a mix of contemporary, classical and new music, arts and dance and a children's area. It is a celebration of South Asian culture.

1.9 The Council has already licensed its own local town halls in Ealing, Acton and Greenford, some of its community centres and a significant number of parks and open spaces. This has helped to promote opportunities for a diverse programme of entertainment and leisure activities organised by both the Council's own events team and by private hire of these facilities to a wide range of groups. The Council is keen to encourage cultural and family friendly events allowing all ages to be catered for.

1.10 The Ealing Night Time Economy Strategy (2019) sets out clear objectives to promote a stronger arts and cultural focus and is keen to promote the growth of theatre, cinema and leisure events. To help support achievement of this objective, there is therefore a preference in this refreshed Policy for applications for licences

from businesses and premises which help to enable a thriving arts, culture and leisure offer in the borough.

1.11 The Licensing Authority will monitor the impact of Licensing on regulated entertainment particularly live music and dancing. See 2.159 for details of how this will be carried out. If there is an indication that such events are being unreasonably deterred by Licensing requirements, the Policy will be revisited with a view to addressing this.

Regeneration and Planning, and Ealing's Local Plan

1.12 The Planning and Compulsory Purchase Act 2004 requires the Council to prepare a development plan for the borough. This is called the Local Plan. The Local Plan is a collection of documents that sets out how the borough will develop up to 2026. It must be in conformity with the London Plan that is produced by Mayor of London. The existing development plan for Ealing currently comprises the following documents, together with an associated Adopted Policies Map:

- London Plan
- Development (or Core Strategy) DPD, April 2012
- Development Sites DPD, December 2013
- Development Management DPD, December 2013
- Joint West London Waste Plan, July 2015
- Planning for Schools DPD, May 2016

The Local Plan encourages Policies which seek to support and promote successful and vibrant town centres where a variety of uses. Specific planning policies in Ealing's Development Management documentation also seek to avoid over-concentration of a particular use type where this use may erode local amenity by nature of that concentration. This includes reference to night time uses. Advice from licensing officers will be taken as a primary source of evidence of overconcentration for all types of licensed uses and premises that are subject to planning applications. The London Plan and Local Plan will be taken into account when determining planning applications relating to such

uses submitted to the Council. The full Local Plan and associated Development Management documentation can be found at:

https://www.ealing.gov.uk/info/201164/local_plans

1.13 The Licensing Authority will monitor the impact of Licensing on regulated entertainment particularly live music and dancing. See 2.159 for details of how this will be carried out. If there is an indication that such events are being unreasonably deterred by Licensing requirements, the Policy will be revisited with a view to addressing this.

The Safer Ealing Partnership (SEP) Strategy

1.14 The Licensing Authority works in strategic partnership with several statutory bodies, business and voluntary sector organisations to help make Ealing a better place to live, work and visit. As stated in the Community Strategy for the borough, “Ealing will be a borough of opportunity, where people enjoy living in clean, green and cohesive neighbourhoods, as part of a community where they are able to be safe, healthy and prosperous”.

1.15 The Licensing Authority works in close partnership with members of the borough’s statutory Crime and Disorder Reduction Partnership, the Safer Ealing Partnership (SEP). The SEP works to deliver the Safer Ealing Partnership Strategy, which sets out 4 strategic priorities for reducing crime and anti-social behaviour in the borough. One of these key strategy priorities focuses on tackling drugs, alcohol and substance misuse. Representatives from the SEP will report on progress with delivery of the SEP strategic priorities on a regular basis to meetings of the Licensing Committee. These reports help to form part of the Licensing Authority’s approach to monitoring the impact of its Policies.

Ealing’s Alcohol Strategy

1.16 The Licensing Authority works in close partnership with members of the borough’s statutory Crime and Disorder Reduction Partnership, the Safer Ealing Partnership (SEP). The SEP works to deliver the Safer Ealing Partnership Strategy,

which sets out 4 strategic priorities for reducing crime and anti-social behaviour in the borough. One of these key strategy priorities focuses on tackling drugs, alcohol and substance misuse. Representatives from the SEP will report on progress with delivery of the SEP strategic priorities on a regular basis to meetings of the Licensing Committee. These reports help to form part of the Licensing Authority's approach to monitoring the impact of its Policies.

1.17 The combined impact of the Ealing Alcohol Strategy, and the SEP's strategic approach to tackling harm, crime and anti-social behaviour arising from problematic alcohol consumption has helped to inform the refresh of this Policy, particularly in relation to assessment of Cumulative Impact areas, and recommendations around extension of Special Policy Areas.

1.18 The review of data sets referred to in paragraph 1.29 supports retention of Special Policies in Ealing, Acton and Southall established in 2015, and implementation of additional Special Policies in Elthorne, Greenford Broadway and an extension of the SPA established in Acton.

1.19 Following a review of current and trend data relating to alcohol-related crime and anti-social behaviour, public perceptions of safety and well-being, and ambulance call-outs for alcohol-related harm, moving forward the Licensing Authority will now adopt Special Policies in the following Areas:

- Ealing Town Centre (existing)
- Acton Town Centre (existing)
- Southall Town Centre (existing)
- Elthorne (new)
- Greenford Broadway (new)

The specific geographical boundaries showing where the Special Policies will apply are shown in Figures 3 to 7.

1.20 The effect of adopting a Special Policy is to create a rebuttable presumption that applications for the grant or variation of premises licences or club premises certificates which are likely to add to the existing cumulative impact will normally

be refused or subject to certain limitations, following relevant representations, unless the applicant can demonstrate in the operating schedule that there will be no negative cumulative impact on one or more of the licensing objectives. Applicants should give consideration to potential cumulative impact issues when setting out the steps they will take to promote the licensing objectives in their application.

1.21 This presumption does not relieve responsible authorities (or any other persons) of the need to make a relevant representation, referring to information which had been before the licensing authority when it developed its statement of licensing policy, before a licensing authority may lawfully consider giving effect to its special policy. If there are no representations, the licensing authority must grant the application in terms that are consistent with the operating schedule submitted.

Figure 1: Map showing the 23 wards of the Borough



Borough Demographics

1.22 Ealing is made up of seven areas: Acton, Ealing, Greenford, Hanwell, Northolt, Perivale and Southall. Together, they make a vibrant and diverse community; and

provide a wide array of shopping, housing and stunning parks. The borough has more than 13,000 businesses and excellent and growing transport links - Heathrow Airport and central London are minutes away.

1.23 There are 19 major open space areas in Ealing, which are designated green belt or metropolitan open land areas and a total of 8.4 square kilometres of parks and green spaces. (15% of the total borough area) There are 10 miles of canals in the borough as well as the rivers Brent and Crane and other smaller rivers and streams. The Council has designated 30 conservation areas, whilst over 500 buildings are listed as having special architectural or historic interest.

1.24 The estimated population for Ealing was 342,000 in 2018. Ealing is the fourth largest of London's 32 boroughs and the City of London in terms of population and, like much of London it is densely populated and busy. Ealing has the characteristics of both inner London to the east of the borough and outer London towards the west of the borough. Ealing has one of the most diverse populations in the country, with over 50% of its population belonging to BAME groups. Identified communities include Afghan, Indian, Japanese, Pakistani, Portuguese, Polish, Somali amongst others; it also has the fifth highest child population in London. Ealing also has a slightly younger than average population, a slightly more males than females.

1.25 Despite having many areas of affluence within the borough, Ealing has proportionally more deprived areas than the England average, including parts of Southall, Acton and Northolt. There are typically significant inequalities in health outcomes between affluent and deprived communities. For example, deprived areas suffer relatively higher levels of premature mortality, hospital admissions, teenage pregnancy and road traffic accidents linked to greater levels of alcohol consumption.

Profile of Night-time economy in Ealing

1.26 Some parts of Ealing already have reasonably vibrant night time economies. Businesses operating at night in Ealing, Acton and Southall town centres offer a range of food, drink and entertainment venues. By contrast, the north of the

Borough (particularly Northolt, Greenford and Perivale) features mainly residential suburban areas with lower concentrations of pubs, bars and restaurants, but some instances, relatively higher prevalence of off-licences. Venues which operate cater more for local communities typically have earlier closing times.

1.27 As part of the development of Ealing's Night Time Economy (NTE) Strategy (2019), research and consultation was carried out to gain a better understanding of the current composition of Ealing's Night Time Economy, relative to that of comparable areas in London. The research carried out showed that:

- Ealing's Night Time Economy has grown considerably in recent years, and the borough currently has the 3rd largest number of businesses operating at night across all sectors and industries, excluding Westminster and Camden
- Growth in employment in night time culture and leisure has been lower in Ealing than in London as a whole. However,
- Growth in night time activities which enable access to culture, leisure and wider night time activities has been greater in Ealing than in London as a whole, and
- Growth in the number of employees working in 24-hour health and personal social services has been greater in Ealing than in London as a whole.
- A smaller proportion of Ealing's NTE is made up of "*night time culture and leisure activities*" than the London average
- In Ealing, night time culture and leisure are a smaller proportion of the NTE than for all other West London neighbours' NTEs (except Hounslow, and Brent, which has a roughly comparable proportion)
- Ealing's NTE is driven by a higher proportion of "*activities that enable wider night time social and economic activities*" than the London average

1.28 Ealing's NTE expansion over the last ten years has been greater than the average for London but in sectors and activities which enable access to a range of NTE activities. These "enabling activities" mainly focus on transport, logistics, industries which supply businesses operating at night. At the same time, Ealing's growth in night time culture and leisure employment has been significantly lower than for London as a whole. Taken together, these results could indicate that

Ealing's NTE is enabling access to night time culture and leisure services in other parts of London. These findings have helped to shape the Ealing Night Time Economy Strategy, which sets priorities for the future direction and growth of the borough's Night Time Economy.

Profile of Licensed (Licensing Act 2003) Premises in Ealing

1.29 There are around 1060 licensed premises in Ealing, which applies to licences for alcohol sales, entertainment (such as music, dancing, sport, films and theatre), and late-night refreshment (the sale of hot food/ drink between 11pm – 5am). This covers premises such as; pubs, nightclubs, off-licences, restaurants, late night take-a-ways, shisha bars, convenience stores and supermarkets.

Table 1: Licensed Premises in Ealing Borough: types and volume (April 2019)

Premises	Number
Cinema/ Theatre/ Performance	8
Hotels	22
Large Off-licences/ Supermarkets	53
Late night Takeaway	64
Members Clubs/ Sports grounds/ Parks	59
Pubs and Nightclubs	115
Restaurants/ Café	236
Schools/ Churches/ Halls	6
Services catering/ distribution/ manufacturing	17
Small Off-licences/ Convenience stores	367
Other/ Unknown	119

1.30 The number of licensed premises has increased by around 12% since the policy was last reviewed in October 2015. There have also been noticeable changes in the numbers of premises by type. The largest increase by type of premises is Restaurants and Cafes (30%). Late-Night Takeaways and Pubs and Nightclubs have decreased by 26% and 17% respectively.

1.31 The number of off-licence premises has increased significantly since the Licensing Policy was last reviewed in 2015, from 385 to 482. Figure 1 below shows the total breakdown of the number of off-licences across the borough:

Figure 2: Off-licences in Ealing Borough (2019)

Ward	Number of Off Licenses (2019)	2018 pop projections	Quotient	Rate per 1000 residents	Square Kilometres	No of off licenses per sqkm
Acton Central	31	15804	15.804	1.961529	1.775	17.4648
Cleveland	14	14901	14.901	0.939534	2.232	6.2724
Dormers Wells	11	14229	14.229	0.773069	2.259	4.86941
Ealing Broadway	29	15546	15.546	1.865432	1.857	15.6166
Ealing Common	10	14071	14.071	0.710682	2.14	4.6729
East Acton	36	19660	19.66	1.831129	4.272	8.42697
Elthorne	29	16058	16.058	1.805953	2	14.5
Greenford Broadway	36	18340	18.34	1.962923	2.522	14.2744
Greenford Green	29	14546	14.546	1.993675	3.381	8.57734
Hanger Hill	15	16022	16.022	0.936213	3.274	4.58155
Hobbayne	10	14376	14.376	0.695604	2.208	4.52899
Lady Margaret	13	13733	13.733	0.946625	1.539	8.44704
North Greenford	22	14897	14.897	1.476807	3.248	6.7734
Northfield	23	13671	13.671	1.682393	1.535	14.9837
Northolt Mandeville	13	15533	15.533	0.836928	2.752	4.72384
Northolt West End	17	14898	14.898	1.141093	3.548	4.79143
Norwood Green	14	14473	14.473	0.967318	3.794	3.69004
Perivale	17	15586	15.586	1.090722	3.365	5.05201
South Acton	21	17417	17.417	1.205719	1.719	12.2164
Southall Broadway	20	13584	13.584	1.47232	1.622	12.3305
Southall Green	32	16290	16.29	1.964395	1.585	20.1893
Southfield	18	13754	13.754	1.30871	1.435	12.5436
Walpole	18	13394	13.394	1.343885	1.466	12.2783
(blank)	4					
Grand Total	482					

Figure 2 shows that the seven areas in the Borough with the highest numbers of off-licences are:

- Greenford Broadway (36)
- East Acton (36)
- Southall Green (32)
- Acton Central (31)
- Greenford Green (29)
- Ealing Broadway (29)
- Elthorne (29)

1.32 In terms of concentration of off-licence premises per square km, the highest concentrations are as follows:

- Southall Green (20 off-licence premises per sqkm)
- Acton Central (17 off-licence premises per sqkm)
- Ealing Broadway (15 off-licence premises per sqkm)

- Northfield (14.9 off-licence premises per sqkm)
- Elthorne (14.5 off-licence premises per sqkm)

Review of Evidence Relating to Special Policy Areas

1.33 Government Guidance defines ‘cumulative impact’ as the potential impact on the promotion of the licensing objectives of a significant number of licensed premises concentrated in one area. This is considered to be a proper matter for a Licensing Authority to consider in developing its Licensing Policy statement.

1.34 Based on the evidence which informed the previous Licensing Policy, the Licensing Authority adopted in 2015 a Special Policy relating to cumulative impact in the following areas:

- Ealing Town Centre
- Acton Town Centre
- Southall Town centre

1.35 Special Policies Areas were adopted in the established areas because those areas are being disproportionately affected by criminality, nuisance and alcohol related London Ambulance Service (LAS) call outs compared to other parts of the borough.

1.36 In reviewing the borough’s Special Policy Areas, the local authority has conducted a comprehensive review of cumulative impact across the borough. Qualitative and quantitative data and evidence from several sources has been analysed in order to assess cumulative impact and identify areas that merit application of a Special Area Policy. Data and evidence sources include:

- Met Police – data in relation to crime and antisocial behaviour in the borough
- London Ambulance Service – particularly data in relation to call-outs owing to alcohol and substance misuse
- Other NHS and Public Health data – including the Borough Public Health Profile quantifies issues such as alcohol-related harm and hospital admissions relative to UK and London averages

- Night Time Economy (NTE) Strategy dataset – a specially commissioned dataset which helps to define and measure the borough’s NTE, which can be referenced to ensure the policy supports and considers the vision and objectives set out within the Night Time Economy Strategy
- Park Guard data – used to help profile issues relating to crime and anti-social behaviour in parks and open spaces including crime and ASB which can be attributed to excessive alcohol consumption and substance misuse
- Locally held data by regulatory services – in order to identify and track the volume and location of licensed premises, any issues with licensed premises, help assess cumulative impact
- PSPO dataset – composite dataset including outcomes from the extensive public PSPO consultation carried out in 2019
- Additional public consultation data relating to the draft Licensing Policy

1.37 It is clear from a review of the evidence and datasets that alcohol-related crime, anti-social behaviour and harm is of concern to residents across Ealing Borough. It is the aim of this Licensing Policy to adopt an approach moving forward which addresses these concerns robustly, and in a manner which does not cut across but enhances the objectives of the Night Time Economy Strategy.

1.38 According to the Evidence Base for the Night Time Economy Strategy (2019), there has been an increase between 2017 and 2018 in the number of crime incidences at night occurring in certain licensed premises including Pubs (53.3% increase) and Supermarkets (20.8%). Further to the development of the NTE Strategy, and as part of the refresh of this Licensing Policy, the pattern and prevalence of off-licences in the borough has been reviewed. The number of off-licence premises has increased significantly since the Licensing Policy was last reviewed in 2015, from 385 to 482. Studies have shown that the number of off-licences in an area is a factor in prevalence of street drinking. Local data shows that there are incidences of alcohol-related crime and ASB occurring in parks and open spaces in the borough in close proximity to off-licence premises.

1.39 Between April 2018 and March 2019, Park Guard data shows that 233 incidents classified as “street drinking” took place across the borough’s parks and open spaces. This accounts for 160 cases without further incident beyond street drinking and 73 cases in which further incident occurred. Table 2 below shows the geographical profile of these incidents.

Table 2: Reported street drinking incidents across Ealing borough’s parks and open spaces April 2018 – March 2019

Town	Cases with further incident	Cases without further incident
Acton	1	11
Borough	4	2
Ealing	0	4
Greenford	10	22
Hanwell	7	15
Northolt	0	2
Southall	45	85
West Ealing	6	19
Grand Total	73	160

1.40 The data shows that the towns in which street drinking related incidents in parks and open spaces is most prevalent in:

- a. Southall (130)
- b. Greenford (32)
- c. West Ealing (25)
- d. Hanwell (22)
- e. Acton (12)

1.41 Across Ealing Borough there are currently 958 premises licences, which authorise the sale of alcohol. Amongst this figure, off-licences account for 51% (488 premises). Since 2012 there has been an average increase of 24% in the number of off-licences across the borough. The top five wards across the borough with the highest concentration of off-license premises are:

- Southall Green (20.2 per km²)
- Acton Central (18.6 per km²)
- Ealing Broadway (15.6 per km²)
- Elthorne (15.0 per km²)
- Northfield (15.0 per km²)

Greenford Broadway shows the highest total number of off-license premises (36) with a concentration of (14.3 per km²)

1.43 When reviewing the concentration of premises by Lower Super Output Area (LSOA), six areas showed as having a concentration greater than 50 premises per km².

- Two areas were found in Acton, both overlapping with the previously established Acton SPA.
- One area within Southall Broadway and located within the previously established Southall SPA
- Three areas found within Hanwell, Walpole Ward and West Ealing - not within any of the SPAs established prior to this Policy.

1.44 2018/19 crime data shows that 464 alcohol related offences were reported to the police. 73% (340) occurred during the night (6pm to 5:59am) and 40% (186) over the weekend.

1.45 When mapping the crime data across the borough, the greatest prevalence of alcohol related offences take place within the Ealing, Acton and Southall SPAs established previously. Most prominently in Southall and Ealing, although additional areas of prevalence can be seen in Walpole, Elthorne and Lady Margaret.

1.46 2018/19 London Ambulance data shows a total of 2641 ambulance vehicle attendances for alcohol related incidents. When considering the concentration of attendances, six areas had more than 250 per km²:

- South Acton (608.59 per km²)
- Acton (587.93 per km²)

- Elthorne (401.50 per km²)
- Southall Broadway (290.86 per km²)
- Southall Green (260.70 per km²)
- Ealing Broadway (251.81 per km²)

1.47 A comprehensive review of all relevant available data sets relating to the greatest concentrations of alcohol-related crime, ASB, public nuisance, public safety and well-being suggest a concentration of issues in the following areas:

- Ealing Broadway
- Acton central (including parts of South Acton)
- Southall Broadway (including parts of Southall Green)
- Elthorne
- Greenford Broadway (including parts of Lady Margaret and Greenford Green)

Consultation on a Borough-Wide Public Spaces Protection Order (PSPO)

1.48 The Licensing Authority recognises that SPAs alone do not provide a long-term solution to anti-social outdoor drinking. For this reason, consultation has recently completed on a borough-wide Public Spaces Protection Order (PSPO), which if implemented will enable the Licensing Authority to take a reasonable, proportionate and targeted approach to any issues relating to alcohol-related crime and ASB wherever they occur across the borough.

1.49 The Council conducted a public consultation for a borough wide PSPO in July 2019. This consultation surveyed a total of 1420 responses. When cross referenced with areas highlighted within other data sets, there were a high number of responses in Central Ealing (highest at 356), Acton, Greenford, Hanwell and West Ealing. Southall showed as having to lowest number of responses (65).

1.50 When asked as to which behaviours they feel is a problem in their local area, only 4% of respondents did not believe that anti-social street drinking was a problem in their local area, with 52% experiencing this behaviour at least one per

week. 70% of respondents described “street drinking while engaged in anti-social behaviour” as either a “very big problem” (40%) or “fairly big problem” (30%). When surveyed as to whether they feel safe within their local area, 58% of respondents felt safe during the day, whilst 57% felt unsafe during the night.

1.51 Outcomes from the 2019 review of evidence relating to SPAs established in 2015, including outcomes from the public consultation on establishment of a borough-wide PSPO, have informed the changes made in this Licensing Policy. Details are set out in Section 2: The Licensing Policies.

Figure 3. Map of Ealing Special Policy Area

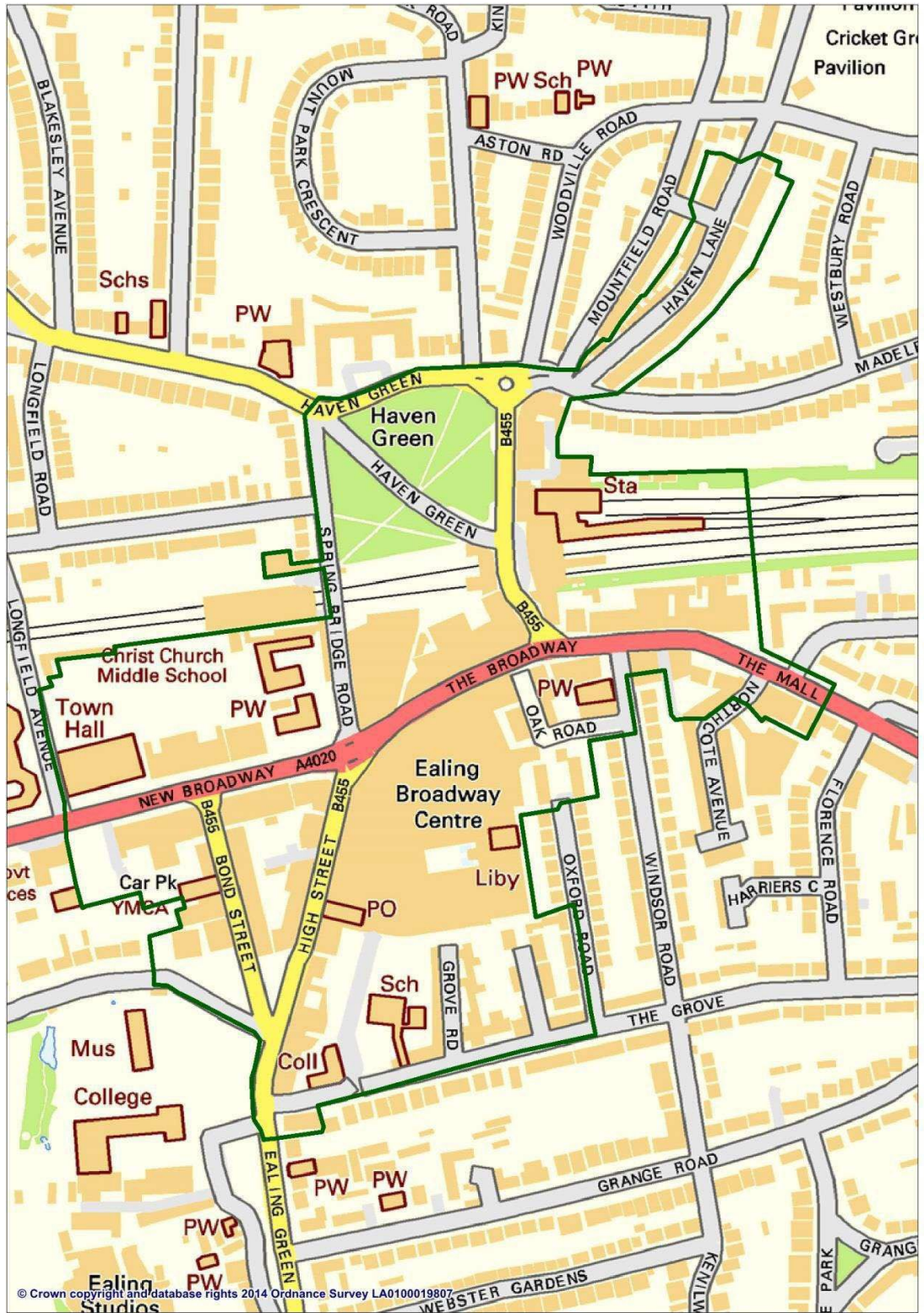


Figure 4. Map of Acton Special Policy Area

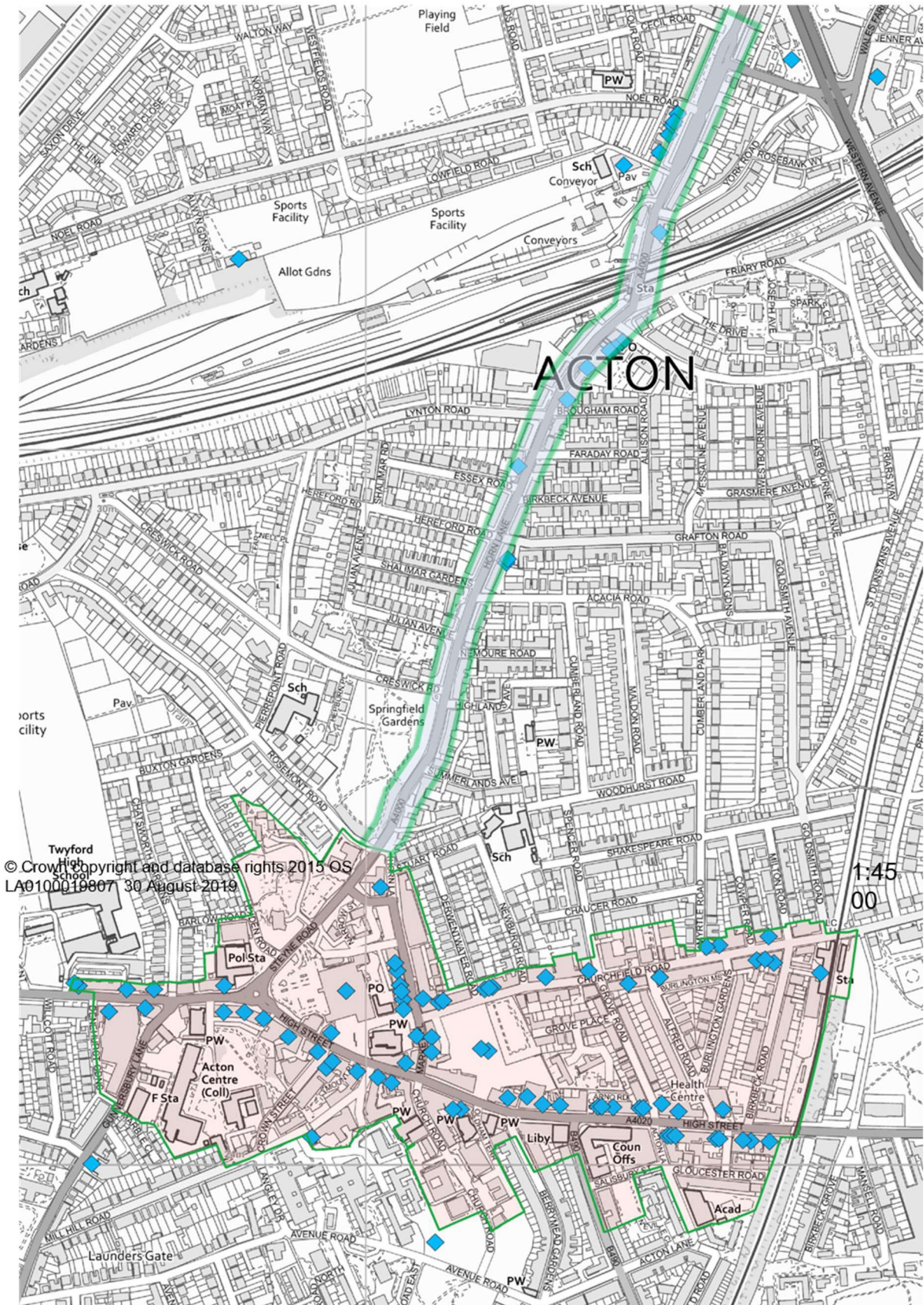


Figure 5. Map of Southall Town Centre Special Policy Area.

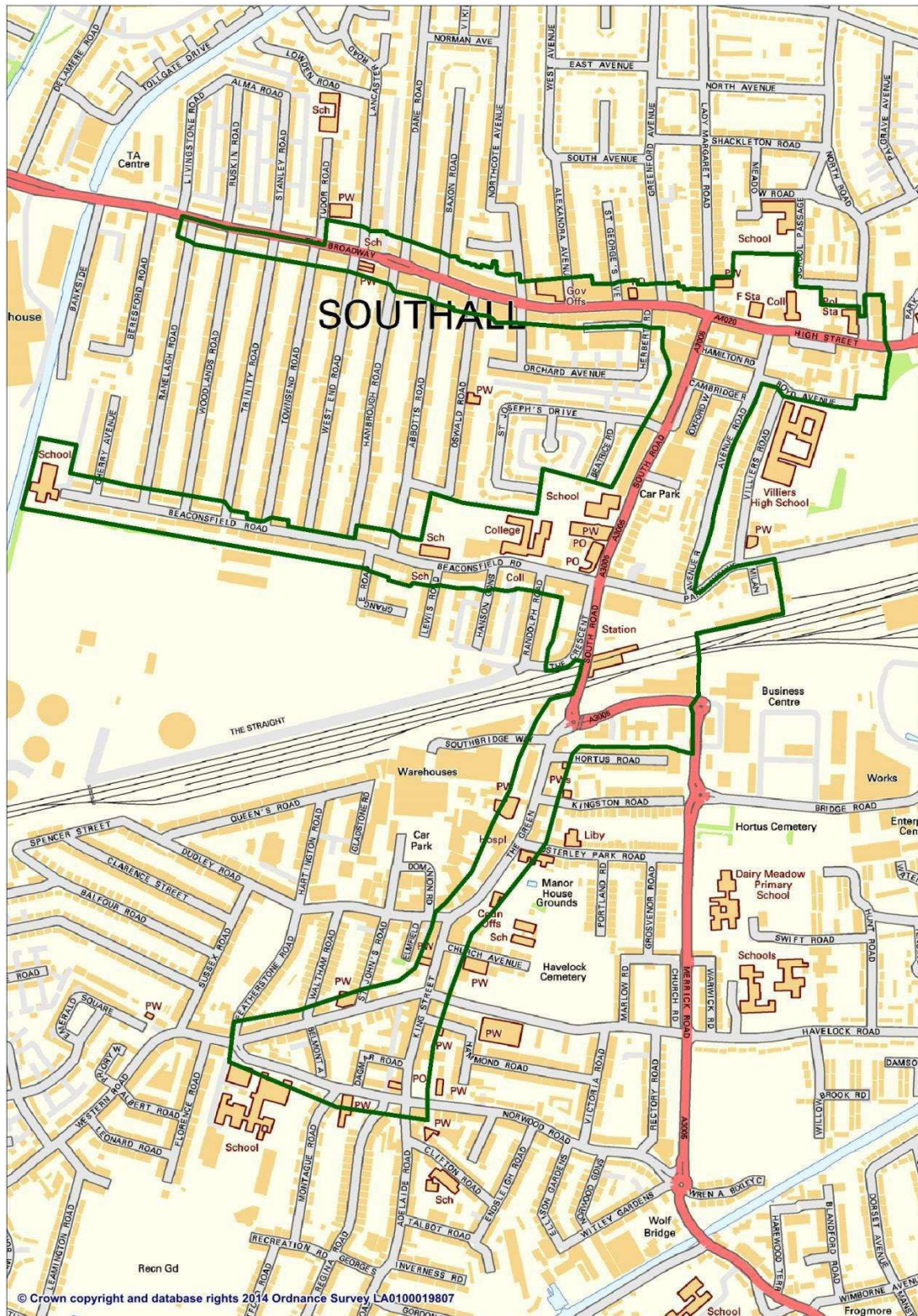
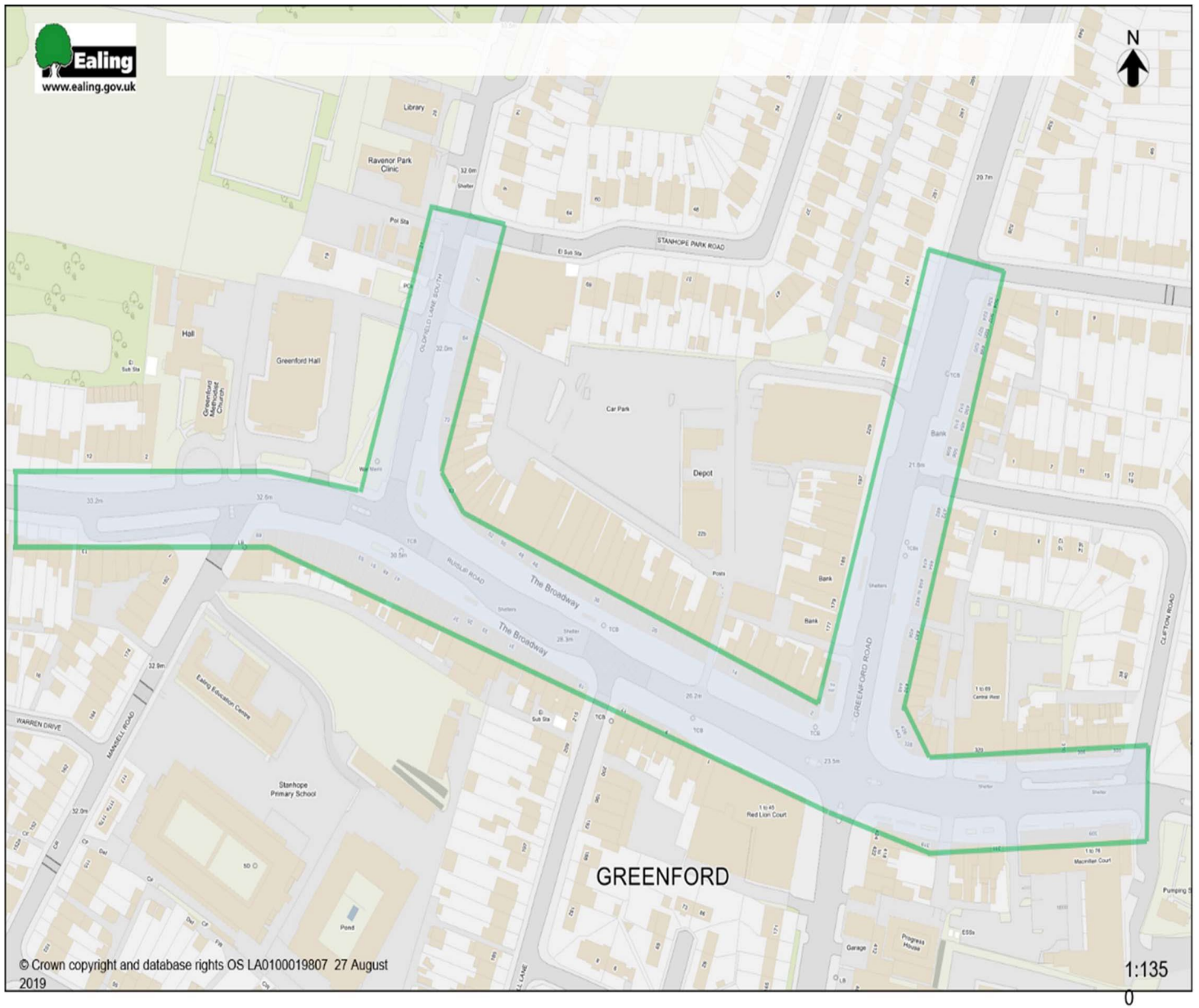


Figure 6. Map of Elthorne Special Policy Area



Figure 7. Map of Greenford Broadway Special Policy Area



Gambling Premises Local Profiles: hotspots of recorded crime, vulnerable people and vulnerable places

1.52 In the London Borough of Ealing there are currently 82 betting shops, 6 Adult Gaming Centres and 1 Bingo Hall (see Appendix 5). These premises pose potential risks to those who reside and work within the borough, in terms of associated crime and also in terms of 'problem gambling'. Problem gambling is commonly defined as gambling to a degree that compromises, disrupts or damages family, personal or recreational pursuits.

1.53 Using national estimates of the population who are likely to be problem gamblers and research carried out in February 2019 by the Gambling Commission, it can be estimated that some 2,400 Ealing Borough residents may have an explicit and significant problem with gambling. The demographics of the Borough residents indicate that the true number of problem gamblers may be higher than the national average, as there is a higher than average number of people in specific groups more likely (at the national level, according to research) to have problems with gambling. For example, in Ealing, by comparison with the average, there are:

- Slightly higher proportions of people with violent episodes of mental health problems
- Higher proportions of single men and
- Higher proportions of people with BAME backgrounds.

1.54 There are also associations between gambling and homelessness and debt; the number of homeless households is over-represented in Ealing Borough and the total value of Ealing County Court judgements is relatively high. It is therefore probable that Ealing Borough residents are at a greater risk of experiencing problem gambling than average.

1.55 Various types of gambling behaviour are associated with problem gambling. Problem gamblers are likely to participate in a range of gambling forms, and most likely to participate in spread betting; poker in pubs or clubs; betting exchanges;

and to use machines in bookmakers. Information about the prevalence of problem gambling amongst people who use adult gaming centres is not currently available. However, 7.2% of those who use machines in bookmakers are estimated to be problem gamblers against just 3.4% of those who play bingo. Around 5.8% of those betting on sports events (not online) are estimated to be problem gamblers.

1.56 Gambling premises crime hotspots are evident around West Ealing; Broadway; Acton High Street; around the junction of Greenford Road and Ruislip Road; and around Ealing Broadway tube station. There are also hotspots on the junction of Southall Broadway and South Road; Kings Street in Southall.

1.57 Approximately one third of all the crime in gambling premises is classified as *Violence against the Person* (257, 36%), with a further third (243, 34%) being *Criminal Damage*. The remainder is *Theft and Handling* (12%), *Robbery* (6%), *Burglary* (3%) and *Drugs/ Fraud or Forgery/ Other* (9%). Violence and drug related crime is however a higher proportion of all recorded gambling premises crime in Southall.

1.58 This Authority expects applicants to fully explain in their applications how their proposal will not exacerbate any problems to individuals living in the vicinity or exacerbate any ASB problems within the vicinity generally. Applicants will be expected to tailor their application, and have policies, procedures and control measures to mitigate any risks. They should have the appropriate numbers of trained staff, and propose licence conditions, to cater for the local area in which they propose to run their business.

1.59 Applicants should also be aware of areas with concentrations of hostels and other types of accommodation for vulnerable people. Where they propose to make an application for the new grant of a premises licence, or a variation to an existing licence, in such areas they should explain fully in their risk assessments how they will mitigate any risks of operating gambling premises in close proximity to concentrations of housing for vulnerable people.

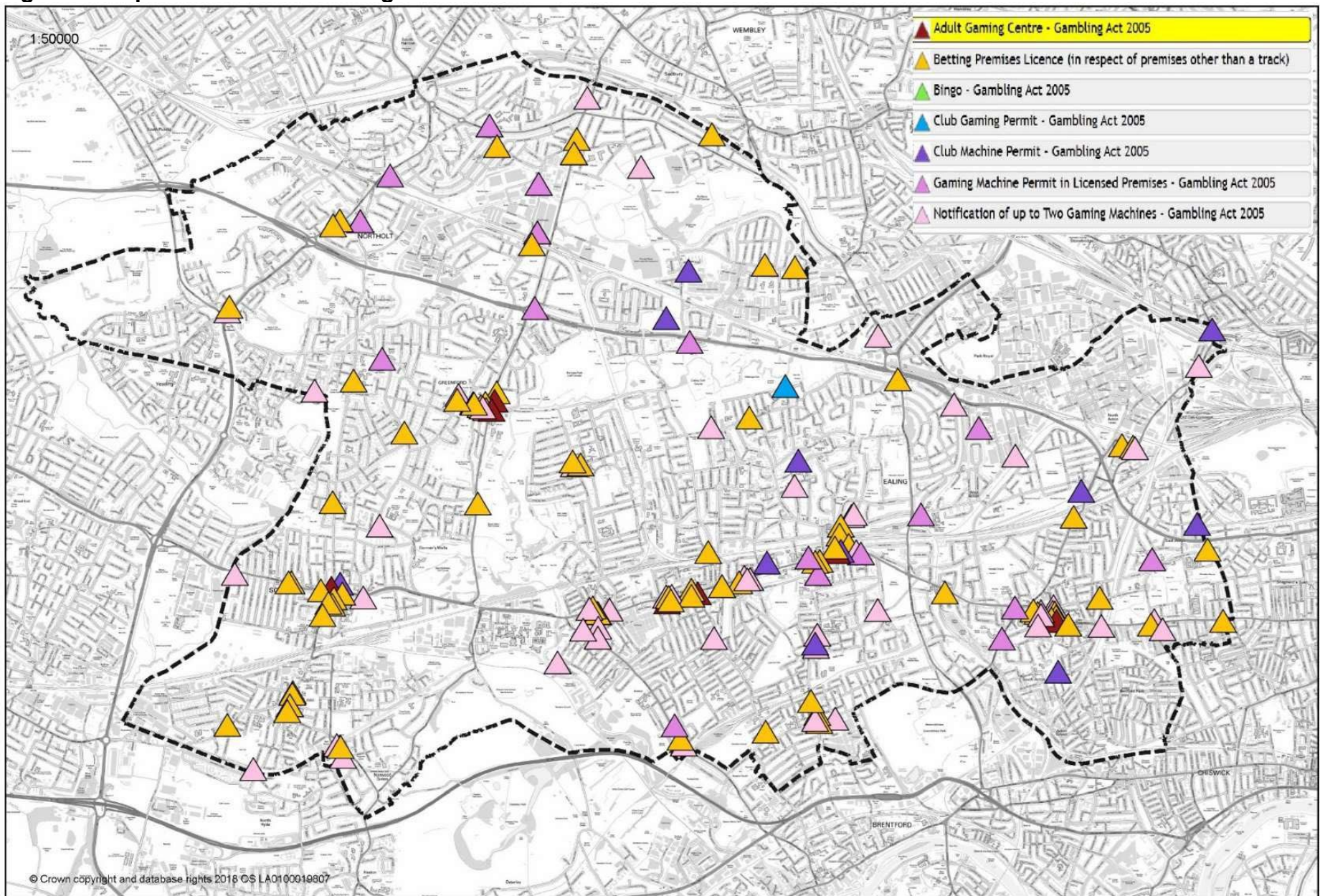
1.60 Applicants should use the information in Appendix 4 together with interactive

maps which layer information about the profile. Some publicly available sources of information to assist in operators completing a Local Area Profile include:

- a) The Crime Mapping website <https://www.police.uk/> ;
- b) Neighbourhood Statistics websites including <https://www.ons.gov.uk/help/localstatistics> ;
- c) Websites or publications by local responsible authorities <https://www.ealing.gov.uk> ;
- d) Deprivation in Ealing: A report on the English Indices of Deprivation 2015 https://www.ealing.gov.uk/downloads/download/1015/indices_of_deprivation_for_ealing ;

1.61 Applicants for the new grant of, or variation to an existing, licence must include full details of their risk assessment in compliance with the Gambling Commission's Licence conditions and codes of practice (LCCP) Social Responsibility (SR) code 10.1.1 and Ordinary code provision 10.1.2 (both effective as from 6 April 2016)

Figure 8: Map of Licensed Gambling Premises



“Character of the Area” Profile - Sex Establishment Licensing

1.62 The Character of the Area Profile considers the factors that might go into a revised policy on the application of Schedule 3 to the Local Government (Miscellaneous Provisions) Act 1982 (as amended) paragraph 12(3)(d)(i) and (ii). This legislation allows refusal of a Sex Establishment (SE) licence if the grant or renewal would be inappropriate, having regard—

- (i) to the character of the relevant locality; or
- (ii) to the use to which any premises in the vicinity are put.

1.63 There are various documents which together make up the Local Plan. Perhaps the most relevant for the SE policy is the Development Core Strategy DPD a very helpful and authoritative source of data with which to assess the SE policy. In terms of retail hierarchy, Ealing town centre has the status of a metropolitan centre in the London Plan (meaning it serves a wide catchment including a non-local population), Southall is noted as a major centre and Acton, Greenford and Hanwell are noted as district centres. Under the Local Plan, residential and business development is primarily to be concentrated in the Crossrail and A40 corridors, in Ealing, Acton, Greenford and Southall town centres, around mainline stations and in the regeneration of council estates.

1.64 The Local Plan makes clear that the redevelopment of Ealing town centre is to be encouraged and makes specific policies relating to extension of residential, office and retail space. The existence of a strong evening economy is noted in the Local Plan. Ealing has NT2 status in the London Plan meaning it is seen as an important regional centre for the night time economy. The London Plan encourages development of the night time economy. Ealing’s draft NTE strategy for 2018 to 2022 also encourages growth of a night time economy. However, in relation to Ealing Town Centre, that NTE strategy specifically states that the council wants to see less sexual entertainment. The NTE strategy also emphasises that the borough’s offering should be family-friendly and should prioritise safety of residents. The Local Plan highlights the difficult relationship

between late night social activities and the safety of townspeople is specifically noted.

1.65 The council is not required to define the relevant locality, but it is entitled to do so if it chooses. There is little reason to think that an SE would serve only a local market. It is a somewhat niche leisure activity, premises are not widespread across London and it is therefore likely that customers will travel some distance to visit an SE. This gives rise to additional harms beyond the immediate local effect and it would seem reasonable to take these effects into account in addition to the effect on the immediate local area. As mentioned, the Local Plan defines 8 areas.

1.66 While the basis for choosing 8 areas is not specified, it seems to be largely based on a level of self-identification by those who live and work in these areas. It would therefore seem appropriate that the SE policy should follow the Local Plan in looking individually at these areas. However, it would also seem appropriate to differentiate town centres from residential areas; what might be wholly unacceptable in a residential neighbourhood may be more acceptable in a town centre with an existing entertainment and late night economy. Finally, it would be appropriate to consider the overall effect of SEs on the borough as a whole given that their potential effects are not merely local.

Character of the borough's neighbourhoods

1.67 A largely residential area would ordinarily be an inappropriate place for an SE. The need to protect family life, the need to safeguard children, the need to minimise noise, odours, disturbance, nuisance and crime and the need for privacy are at their greatest where people live. There is little scope, therefore, for SE presence in residential areas.

1.68 The DPD describes **Hanwell, Greenford, Northolt** and **Perivale** as largely residential and suburban in character. While there are commercial activities, they are largely concentrated in defined industrial areas. There is little in the way of a late-night entertainment or culture in these areas. It would therefore seem appropriate to exclude these areas entirely as suitable areas for SEs.

1.69 The DPD describes **Park Royal** as largely an industrial area with a range of manufacturing and distribution activities. There is no official late-night entertainment offering in this area, and there is little in the way of retail offering outside retail parks concentrated along the A40/A406. Much of the area is covered by the Old Oak Common and Park Royal Development Corporation which is tasked with regenerating the area on the back of its new Crossrail station. While, to some extent, the lack of residential use might favour this area for SEs, other potential harms mitigate against SEs in this area. These include the potential for unchecked crime, the safety of users and performers in areas which are not well-frequented late at night, the need to protect important business and employment uses and the lack of public transport. For this reason, Park Royal would not seem to be a suitable area for SEs.

1.70 **Southall** is the most ethnically diverse area in the borough and is home to large Muslim, Hindu and Sikh populations. In future, the Southall Gas Works site will provide a new mixed use community with a high quality mainstream retail offering. Southall town centre is due to be reconfigured to become a major shopping centre and the Asian retail offering around the Broadway is to be encouraged. However, these developments are some way off. At the moment, Southall is a largely residential borough and its town centre is very mixed. In addition, the number and importance of local religious centres is likely to mean that any proposal for an SE would face stiff opposition. For this reason, Southall does not seem to be an appropriate area for SEs.

1.71 **Acton** was home to an existing SE which has now closed. However, as a neighbourhood, it is largely residential and its town centre has a similar status to Greenford and Hanwell. There is perhaps more late-night economy in the town centre than Greenford and Hanwell and Acton has NT3 status under the London Plan which the others do not. For this reason, Acton town centre is not ruled out by reason of its character. There are, however, sensitive uses in Acton town centre including 4 churches, a mosque and Islamic cultural centre. There are 6 schools in, or in close proximity to the town centre, including an Islamic School, There is a public library and an Islamic library in the town centre It would be

appropriate to require evidence of impact on other sensitive uses in relation to any application within Acton town centre.

1.72 **Ealing** as an area is largely residential. However, as mentioned, its town centre has the status of a metropolitan centre. It was home to an existing SE, though that is currently closed. The appropriateness of the town centre therefore needs to be considered carefully. As mentioned, there is policy support from the London Plan and Ealing's draft NTE strategy (though not the DPD as such) for further development of a late-night economy. The current town centre mix, and the mix which the DPD seeks to encourage could be characterised as general retail or family retail orientated. Certainly, the shopping centres are aimed at general retail and seek to encourage use by families. There is (in the context of a metropolitan centre) a relatively low number of pubs and other drinking establishments. Cafes and daytime uses are widespread and night-time use is largely orientated to restaurants. The new Filmworks development will result in a town centre cinema opening, which might be thought likely to attract children and families. The NTE strategy specifically highlights a desire to see less sexual entertainment in Ealing town centre, suggesting policymakers regard the town centre as inappropriate for such activities. There are other sensitive uses in the town centre area. There are three schools in close proximity to the town centre, a primary, a CE secondary and a private prep school; there are also afterschool education establishments. There are three churches in the town centre, and several more in close proximity. Ealing central library is in the town centre area. There is a large park immediately to the south of the town centre area. Each of these might be thought to be areas where children and families might be expected. The residential part of the mix in the town centre is increasing with Dickens Yard and the forthcoming Filmworks mixed use development and with a requirement in the Local Plan for a further substantial increase in both residential and commercial floorspace. The effect of the increase in residential uses in the town centre is not simply a numbers issue. The location of new developments is such that the flow and concentrations of people is likely to change in the near future. Already, there is substantially more pedestrian traffic at the Western end of the town centre and to the south of Uxbridge Road; this will only increase with new development. This is not to say that Ealing town centre is necessarily unsuitable. There are at least 2 night clubs in the town centre area.

Late night transport links are relatively good. There is a local police presence. Rather, it means that applications for a SE licence will need to include detailed evidence on effect on the current mixed character of the area and on sensitive uses in the immediate locality.

1.73 Planning policy and SE policy are, of course, different. However, part of the reason for seeking to control development by means of planning policy is an attempt to balance interests which do not easily co-exist. Planning policy can therefore offer some guidance as to which uses are not expected to co-exist happily and the reasons for friction. A SE use would be a sui generis use meaning that planning permission will be required for any new SE. It might therefore be appropriate to require that any new application for an SE licence should be for premises which have already obtained planning permission or can demonstrate a realistic likelihood of obtaining it for the proposed use(s).

Licensing Policy 2020

LONDON BOROUGH OF EALING



Statement of principles

2.1 The Licensing Act 2003 (“the Act”) requires Licensing Authorities to prepare and publish a ‘statement of its licensing policy’ (“licensing policy”) at least every five years. This policy was prepared in accordance with the provisions of the Act and having regard to the amended Government Guidance issued under Section 182 of the Act (April 2018) (“Government Guidance”). Appropriate weight has also been given to the views of consultees. The policy has been developed specifically to address the needs of the Council and consequently may differ from the policies of other authorities.

2.2 The London Borough of Ealing (“the Council”) is the Licensing Authority (“the Authority”) under the provisions of the Act responsible for determining applications for premises licences, club premises certificates, temporary events notices and personal licences within the borough.

2.3 The Authority must seek to promote the four licensing objectives contained in the Act when carrying out its licensing functions. These objectives are:

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

2.4 The Act regulates the following activities, which are covered by this licensing policy:

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

Licensing Policy 2020 and Ealing's Key Strategies: an integrated approach

2.5 This Licensing Policy integrates with other Council strategies for the development of Ealing's economy and town centres, which fit with the Council's overall strategic vision for Ealing as a great place to live, work and visit. Applicants for licences are encouraged to make applications which will further this strategic vision, and support achievement of the objectives of the Council's key strategies.

2.6 There is a preference in this refreshed Policy for licence applications for seated premises where food and drink is consumed by table service such as restaurants and street cafes. This is to encourage a wider age range and attract older people and families with young children into the town centres late at night. Experience has shown that the presence of a wider age mix can help to reduce antisocial behaviour and improve people's perception of safety when out late at night.

2.7 There is a preference in this refreshed Policy for applications for licences from businesses and premises which help to enable a thriving arts, culture and leisure offer in the borough. This is to promote a stronger arts and cultural focus and to promote the growth of theatre, cinema and leisure events.

2.8 For premises within any of the five Special Policy Areas there exists a rebuttable presumption that applications for the grant or variation of premises licences or club premises certificates which are likely to add to the existing cumulative impact will normally be refused or subject to certain limitations, following relevant representations, unless the applicant can demonstrate in the operating schedule that there will be no negative cumulative impact on one or more of the licensing objectives. Applicants should give consideration to potential cumulative impact issues when setting out the steps they will take to promote the licensing objectives in their application.

2.9 This presumption does not relieve responsible authorities (or any other persons) of the need to make a relevant representation, referring to information which had been before the licensing authority when it developed its statement of licensing policy, before a licensing authority may lawfully consider giving effect to its special

policy. If there are no representations, the licensing authority must grant the application in terms that are consistent with the operating schedule submitted.

2.10 Licence applications that are considered likely to add to the existing Cumulative Impact are where there will be:

- The introduction of new licensable activities
- An increase in the capacity of premises
- An extension in hours of operation
- An extension of last entry or re-entry times
- Introducing opportunities to consume alcohol other than ancillary to table meals
- Introducing opportunities to take food or alcohol away from premises
- Introducing dance floors or other similar facilities
- Introducing promoted regulated entertainment events in premises
- Introducing or increasing external areas or activities
- Introduction of home delivery services

2.11 The list set out in 2.26 is not definitive and other circumstances may also give rise to material changes or the introduction of new activities that will add to the cumulative impact.

2.12 This policy is intended to be strictly applied. Exceptions must be genuinely exceptional. There is no definitive list of circumstances where exceptions may be granted, however an exception might arise where the application proposes to:

- substitute one premises for another, where the size and location of the second premises is less likely to cause detrimental impact and will promote the licensing objectives
- substitute a licensable activity at the premises with an activity that would have less impact on the area and would be more likely to further the licensing objectives
- effect a real reduction in capacity
- effect a reduction in hours
- replace vertical drinking with seated consumption and waiter service

- Where the committee is satisfied the application genuinely supports the ambition set out as part of Ealing's 2019 Late Night Economy Strategy.

2.13 Exceptions are unlikely to be made on the grounds that:

- the premises have been well managed, and the applicant is of good character. We would expect this conduct of all licensed premises
- there are no dwellings nearby. The nature of cumulative impact is that it is cumulative and affects not only the immediate vicinity of the premises, but a wider area.

2.14 The Authority will always consider the individual merits of each application. Moreover, where licences are unlikely to add significantly to the cumulative impact on the licensing objectives, the licence will be granted.

2.15 Ealing's planning policies support and encourage a variety of uses. Main town centre uses are defined in the National Planning Policy Framework (NPPF) and include all forms of retail, office, recreation, and arts and culture uses.

2.16 The Licensing Authority will monitor and review its Licensing Policy to assess its continuing necessity or need for expansion and ways in which the Licensing Objectives can best be achieved within the area concerned.

2.17 The Council will continue to explore and use other mechanisms as well as Special Policy use, in an endeavour to control cumulative impact. For example, extensive CCTV coverage, transport initiatives, use of Public Spaces Protection Orders (PSPO's), integrated partnership enforcement, use of closure and review procedures for individual premises, Early Morning Alcohol Restriction Orders and planning controls.

2.18 The Council will continue to work with the police, businesses, other agencies and local resident groups, in the course of normal Local Authority arrangements and duties, to secure improvements that will ultimately sustain and promote Licensing Objectives. For example, the Council and Ealing Police encourage and

support publicans to form local Pub Watch schemes where local issues can be discussed to the benefit of the trade and local community alike.

Promotion of Equality and Diversity

2.19 The Licensing Authority recognises that the Equality Act 2010 places a legal obligation on public authorities to have due regard to the need to eliminate unlawful discrimination, harassment and victimisation; to advance equality of opportunity; and to foster good relations, between persons with different protected characteristics. The protected characteristics are age, disability, gender reassignment, pregnancy and maternity, race, religion or belief, sex, and sexual orientation.

2.20 The Licensing Authority will monitor the impact of licensing on duties under the Equality Act 2010. See 2.159 on monitoring arrangements for details of how this will be carried out.

Prevention of Crime and Disorder

2.21 Some licensed premises, especially those offering late night/early morning entertainment and alcohol and refreshment can be associated with crime and disorder problems. The Licensing Authority will look to the police and members of the Safer Ealing Partnership for advice on issues relating to crime and disorder, and appropriate action to be taken in the light of these.

2.22 The Authority will expect the applicant to conduct a thorough risk assessment of their operation to demonstrate promotion of the licensing objectives and address any issues in respect of crime and disorder in their operating schedule.

2.23 Where there are representations from responsible authorities or other persons the Licensing Authority is more likely to impose restrictions or attach additional conditions that are appropriate to address crime and disorder matters. The conditions attached to premises licences and club premises certificates will reflect local crime prevention strategies, and the Authority will also have regard to the

views of the Safer Ealing Partnership in its capacity as the statutory Crime and Disorder Reduction Partnership. The bullet points below are examples of conditions that could be attached (this list is not exhaustive and the Licensing Authority will consider each case on its own merit):

- Appropriate levels of high-visibility Security Industry Authority (SIA) accredited door staff to manage queues and to ensure that people who are drunk or carrying weapons or drugs do not enter the premises
- Dispersal policy to minimise disorder when customers leave the premises
- Helping customers to get home safely. Providing information to customer on traveling home safe late at night, such as taxi numbers, night buses etc.
- Use of text and radio pagers, which will allow premises licence holders, designated premises supervisors and managers of premises and clubs to communicate instantly with the local police and facilitate rapid response. This condition will be particularly appropriate for public houses, bars and nightclubs operating in town centre areas
- Setting of capacity limits both inside and outside the premises and provision of additional seating where it may be necessary to prevent disorder or violence. In these situations, door supervisors may also be necessary to control numbers
- Internal and external design, e.g. CCTV, lighting, counter-design, till accessibility, lockable drinks cabinets, time-delayed safes, etc.
- Use of plastic or toughened glasses to prevent violence by the use of glasses and bottles as weapons
- Staff training and records
- Conflict management training
- Drugs awareness policy to make provision for seizure and storage of drugs and weapons
- Provision for recording of incidents of crime and disorder such as refused sales, ejections, intimidating behaviour
- Adoption of age monitoring schemes to prevent under-age access to premises and under age sales of alcohol

- Policy to encourage responsible drinking to prevent excessive alcohol consumption and binge drinking through responsible price promotions and no sales of cheap high strength alcohol
- To undertake a comprehensive risk assessment for significant events using the Metropolitan Police Service Promotion/Event Risk assessment form 696 or an equivalent and provide a copy to the police not less than 14 days before the event is due and to complete a promotion/event debrief and submit to the police within 3 days of the conclusion of the event.

2.24 The Authority will expect licensees to work in partnership with local Pub Watch and Business Improvement Districts (BIDS) schemes. Such groups can promote best management practices, improve communication and understanding with the regulatory agencies, improve trader confidence in dealing with difficult situations and ultimately help to reduce opportunities for crime and disorder occurring. Where applicable applicants should show they comply with the Home Office guidance 'Safer Clubbing' in relation to the control of drugs on the premises.

2.25 The Authority will work with Transport for London (TFL) on all strategic transport issues affecting the borough, and in particular, address the problems of transport late at night and in the early hours of the morning. The swift dispersal of patrons helps to reduce the incidence and opportunity for crime and disorder, and licensing applications must reflect this need as appropriate.

Public Safety

2.26 When determining licensing applications the Authority will expect the applicant to address any issues in respect of public safety in the operating schedule.

2.27 If relevant representations are received from Responsible Authorities or Interested Parties in respect of public safety matters, the licensing authority will consider imposing restrictions and conditions that are appropriate for promoting the licensing objectives.

2.28 The following are examples of conditions that could be attached. However, this list is not exhaustive and the Authority will consider each case on its own merit:

- Checks to be carried out on equipment or fixtures at specified intervals. Records of checks should be kept
- Adequate maintenance of gas and electrical installations and provision of test certificates
- Escape routes to be kept unobstructed and in good order and repair
- Fire safety precautions and equipment are maintained in good working order
- Exit doors are easily openable without the use of a key, card or code etc. and are regularly checked. Records of checks should be kept
- Stair coverings are safely fixed and kept in good repair
- Adequate lighting in areas accessible to the public
- Setting of capacity limits
- Adequate provision of first aid facilities
- Prevention of access to roofs, balconies or any other unsafe areas
- Gardens or external areas accessible to the public are kept in a safe condition
- Compliance with smoke free legislation
- Ensure that premises users safely leave their premises by providing information on the premises of local taxi companies who can provide safe transportation home
- Curtains, hangings and upholstery are maintained in a flame retardant condition and pass the appropriate testing criteria.

Public Nuisance

2.29 The Authority will expect the applicant to address any issues in respect of public nuisance or anti-social behaviour in the operating schedule when determining licensing applications. The main public nuisance issues will be that of noise, light pollution, noxious smells and litter.

2.30 When considering controls at premises applicants are recommended to seek early advice from the Council's Noise and Pollution team. Applicants are also

strongly urged to contact the Council's Envirocrime Prevention Team to approve waste arrangements as part of the application process.

2.31 The Authority recognises that certain premises can be associated with public nuisance issues. Local residents can be affected by noise from loud music, customers leaving and arriving at premises, use of outside gardens and other external areas etc. Premises can also increase the potential for contamination of the street environment through litter, urine, vomit etc.

2.32 As "public nuisance" is not narrowly defined in law, and with a view to ensuring that the Licensing Policy objectives are achieved, the Licensing Authority will work to a broad definition of "public nuisance" when relevant representations are received. For the purposes of assessing representations, "public nuisance" retains its broad common law meaning. It could include both nuisance affecting a few people as well as more major disturbance affecting the wider community. It may also include the reduction of the living and working amenity and environment of interested parties in the vicinity of the licensed premises.

2.33 The Licensing Authority recognise that licensing law is not the primary mechanism for the general control of nuisance and anti-social behaviour by individuals once they are away from the licensed premises and, therefore, beyond the direct control of the individual, club or business holding the licence, certificate or authorisation concerned. Nonetheless, it is a key aspect of such control and licensing law will always be part of a holistic approach to the management of the evening and night time economy in town and city centres.

2.34 If relevant representations are received from Responsible Authorities or Interested Parties in respect of public nuisance, the licensing authority will consider imposing restrictions and conditions that are appropriate for promoting the licensing objectives.

2.35 Appendix 8 sets out examples of conditions that could be attached. However, these Sections do not comprise an exhaustive list and the Authority will consider each case on its own merit:

2.36 Measures to reduce or prevent noise from music and customers emanating from premises, in particular:

- Ensuring doors and windows are kept closed after a particular time,
- Provision of air conditioning or mechanical ventilation
- Provision of sound reduction equipment
- Acoustic lobbies
- Double glazing
- Use of screens, baffles, silencers
- Appropriate location and siting of equipment and speakers
- Timing of use

2.37 Measures to reduce noise or disturbance in the immediate vicinity of the premises from customers entering and leaving, in particular:

- Positive encouragement to customers to leave quietly and respect rights of residents neighbour courtesy notices
- Departure and dispersal policies, to be overseen by stewards or door supervisors (for example see NOCTIS dispersal policy; NOCTIS represent the interests of businesses operating in the night time economy)
- Management of queuing and taxi drop offs and pick-ups by trained security staff
- Last entry and re-entry restrictions
- Winding down period
- Management of external areas such as beer gardens, forecourts and smoking areas
- Limits on numbers of customers allowed in external areas
- Advice to customers on public transport, provision of taxis etc – to aid rapid dispersal of people
- Management/door staff should ensure that patrons disperse quietly and quickly from the vicinity of the premises
- Timing of deliveries and refuse collection. As a guide, the Environmental Health authority recommend that deliveries/collections should only be

done between the hours of 8:00am and 8:00pm, depending on the proximity of residential and/or other noise-sensitive properties

- Dropping glass in outside bins

2.54 Measures to control light pollution

- Bright lighting associated with late night venues may cause nuisance for some neighbours; any potential negative effects from bright lighting should be avoided where possible and efforts should be made to mitigate against these effects

2.55 Measures to prevent accumulations of litter in the vicinity of the premises

- Provision of litterbins in the vicinity of the property to include a cigarette extinguishing facility where appropriate
- Rubbish patrols while the premises are open and following closure

Protection of Children from Harm

2.56 The Authority will not seek to limit the access of children to any premises unless it is necessary for the prevention of physical, moral or psychological harm.

2.57 The Act prohibits children aged less than 16 years old and unaccompanied by an adult, to access licensed premises, which are:

- Used primarily or exclusively for consumption of alcohol on the premises
- And or in any event, between the hours of midnight and 0500 hours.

2.58 In all other cases it will be left to the discretion of the licensee, as the Act does not generally prohibit children from accessing licensed premises. Where children are accompanied and supervised by a responsible adult, additional measures should not normally be necessary.

2.59 This policy will not attempt to anticipate every issue that could arise in respect of children and each application will be decided on its merit. However, examples

of particular areas that will give rises to concern in respect of children are as follows below:

- Where there have been convictions of members of the current staff at the premises for serving alcohol to minors, or with a reputation for underage, binge or heavy drinking
- Premises with a known association with drug taking or dealing
- Where there is a strong element of gambling
- Where entertainment or services of an adult or sexual nature are commonly provided
- Where a proof of age scheme is not the norm
- Where the supply of alcohol for consumption on the premises is the key activity.

2.60 The Authority will seek appropriate restrictions where these appear necessary to protect children from moral, psychological or physical harm. The Licensing Authority will consider any of the following options where restricted child access is deemed appropriate:

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

2.61 Venue operators seeking premises licences and club premises certificates can volunteer such prohibitions and restrictions in their operating schedules because their own risk assessments have determined that the presence of children is undesirable or inappropriate. Where the Authority receives no relevant representations, these volunteered prohibitions and restrictions will become

conditions attached to the licence or certificate and will be enforceable as such. The Authority in these circumstances may impose no other conditions on premises.

2.62 The Authority recognises the local authority's social care Child Protection Teams as being competent to advise on matters relating to the protection of children from harm. Applicants must copy their applications to it in its capacity as the responsible authority. (See Appendix 2 for appropriate contact details of responsible authorities.)

2.63 In relation to film exhibition premises a mandatory condition will be applied requiring access to be restricted to those who meet the required age limit in accordance with any certificate granted by the British Board of Film Classification.

2.64 Children have access to a range of regulated public entertainment venues and may be present as members of a viewing audience or as performers in their own right. The Authority expects applicants to make proper provision for child safety and welfare during such events. Notwithstanding public safety issues, supervisory arrangements must be reflected within operating schedules. The Authority will expect the operating schedule to demonstrate that these supervisors have been appropriately cleared of relevant offences through the Criminal Records Bureau.

2.65 The Authority commends to those selling and providing alcohol, the Portman Group Code of Practice on the Naming, Packaging and Promotion of Alcoholic drinks.

Policies that apply to different types of licensed premises

2.66 This section sets out considerations that will be applied in respect of the different types of licensed premises, and the impact of these considerations.

2.67 Examples of conditions that will help promote the licensing objectives are set out in Appendix 7 "Examples of Management Conditions".

2.68 These may be added by licensing panels when determining applications where representations have been received. These can also be used as a reference tool by applicants when compiling licence operating schedules.

2.69 These conditions are not mandatory or standard conditions, and each application will be considered on its own merits. Conditions may be amended or added to over the period of the licensing policy due to changes in legislation, technology or new issues that may arise from the operation of licensed premises in the borough.

2.70 The examples listed below of licensed premises types are not exhaustive and certain applications may not fit into the descriptions set out in the paragraphs below.

Pubs, Bars and Night Clubs

2.71 It is recognised that pubs, bars and nightclubs make a valuable contribution to the vitality and viability of the boroughs night time economy, providing places for people to meet and enjoy themselves. While these premises can add to the diversity and character of areas they can also cause a number of problems. These premises primarily serve alcohol and attract a considerable number of young people, which can give rise to public nuisance to residents and other businesses especially where there are large concentrations. This is mostly due to noise from the premises themselves and when people are leaving them late at night. These premises can also give rise to alcohol fuelled violence and disorder and can present opportunities for other crimes.

2.72 Applications for these premises where there are representations will only be granted subject to other policies and where the operating schedule demonstrates that the controls and management standards set out in Section 2.1 (policies supporting each of the licensing objectives) are in place.

2.73 Applications within the special policy areas must demonstrate that they are not likely to add detrimentally to the cumulative impact.

2.74 Limitations may be imposed when considering matters such as:

- Premises located in close proximity to residential accommodation which could give rise to noise and public nuisance
- The ability to drink outside the premises and the use of outside space
- Hours of operation outside the core hours policy and ability to enter or re-enter at late hours which could give rise to public nuisance or disorder
- Availability of public transport or private car-hire services for the journey home.
- Arrangements for dispersal of customers at late hours which could give rise to public nuisance or disorder
- Potential for noise disturbance from licensable activities such as music and dance.
- Arrangements for waste disposal and collection
- Examples of conditions that may be relevant to Pubs, Bars and Night Clubs are attached in Appendix 7.

Late Night Hot Food Takeaways

2.75 These premises sell hot food and drinks for consumption off the premises (takeaways) and are open after 23.00 to late at night. The Metropolitan Police Service has raised concerns about the potential for crowds to congregate around these premises late at night. They hinder the quick and safe dispersal of late night customers from clubs and pubs in the area and they have been associated with alcohol-fuelled friction and provide opportunities for crime. These premises also increase the potential for contamination of the street environment through litter, urine, vomit etc.

2.76 Applications for these premises where there are representations will only be granted subject to other policies and where the operating schedule demonstrates that the controls and management standards, set out in section 2.1 (policies supporting each of the licensing objectives) are in place.

2.77 Applications within the Special Policy Areas must demonstrate that they are not likely to add to a detrimental Cumulative Impact.

2.78 Limitations may be imposed following representations that the premises or surrounding area is known to be a focus of disorder and disturbance and hinders the quick and safe dispersal of patrons from the local vicinity.

2.79 Examples of conditions that may be relevant to Late Night Hot Food Takeaways are attached in Appendix 7.

Premises licensed for Off Sales of alcohol

2.80 Off-licences are premises that sell alcohol exclusively for consumption off the premises and include supermarkets, shops, and convenience stores.

2.81 The number of off-licence premises has increased significantly since the Licensing Policy was last reviewed in 2015, from 385 to 482. Over the same period, concerns have raised by members of the public, police and elected officials in relation to problems associated with outdoor drinking throughout the borough.

2.82 Availability of high strength cheap alcohol, in particular high strength lager and white cider and the number of off-licences in an area are a sustaining factor for street drinking and often the street drinking areas on the borough coincide with the areas that have a high number of off-licences.

2.83 The sale of cheap high strength alcohol can encourage people to “pre-load” with alcohol before going to pubs and nightclubs and lead to an increase in drunkenness and associated violent and antisocial behaviour.

2.84 Off-licences can also provide an opportunity for people to continue drinking after pub closing times. This can hinder the safe and quick dispersal of late night customers from the town centres.

2.85 Applications for these premises where there are representations will only be granted subject to other policies and where the operating schedule demonstrates that the controls and management standards, set out in Section 3, are in place.

2.86 Applications within the Special Policy Areas established in this Policy falling within Ealing, Acton, Southall, Greenford and Elthorne as shown in Figures 3 to 7 must demonstrate that they are not likely to add negative cumulative impact.

2.87 In terms of the impact of a Special Policy specifically on applications for off-sales, the “certain limitations” referred to in 1.21 may include, but are not limited to either or a combination of the following:

- Restrictions around single-unit sales
- Potential additional restrictions around terminal hours (e.g. no alcohol sales before a stipulated time of day)
- Restrictions around sales of alcoholic “miniatures”
- Restrictions around sales of certain forms of high-strength alcohol

2.88 Where representations are received against the grant of a further licence for off sales because of serious concerns over problems of outdoor drinking and or late-night disorder associated with off sales of alcohol in the area, the Licensing Authority will give careful consideration to restricting the number and hours of premises selling alcohol for consumption off the premises. This is to hinder problematic outdoor drinkers masking their consumption by purchasing from a series of premises and using a number of premises to try to buy alcohol if they are refused in one.

2.89 Applications for premises located close to schools and hostels for vulnerable people that may provide accommodation and services to alcohol dependant people will need to demonstrate that responsible retailing policies are in place.

2.90 The licensing authority will take a particularly serious view in licence review applications where there is evidence that the premises are being used for the sale of non-duty paid or counterfeit tobacco, alcohol and other areas of non-compliance. If the evidence is conclusive that the premises are being used for the

sale of non-duty paid or counterfeit tobacco and/or alcohol, or non-duty or counterfeit goods, the licensing authority will seek to revoke or suspend the licence. Consideration will be given to the revocation or suspension of the licence even in the first instance of being found selling non-duty or counterfeit goods.

2.91 Examples of conditions that may be relevant to off-licences are attached in Appendix 7.

Restaurants and Cafes licensed to sell Alcohol for consumption on the premises

2.92 Although there are some exceptions, restaurants are not generally associated with crime and disorder and cater for wider age groups and families. Restaurants are defined as premises where alcohol will be consumed on the premises at seated tables in association with the consumption of meals by waiter service.

2.93 The Licensing Authority encourages applications for restaurants, however applications for these premises where there are representations will only be granted subject to other policies and where the operating schedule demonstrates that the controls and management standards, set out in section 2.1, (policies supporting each of the licensing objectives) are in place.

2.94 Applications that are likely to create a detrimental cumulative impact will normally be refused in special policy areas.

2.95 When considering applications for new restaurants or variations to existing restaurants where representations are received the Licensing Authority may consider imposing conditions to restrict the use of the premises to the definition given above.

2.96 For instance the sale of alcohol could be restricted to persons at seated tables where meals are being consumed. Alcohol sales could be restricted to waiter or waitress service only. Applications for alcohol sales separate to the consumption of meals at tables would be considered under the same policy for 2.2.6 above (pubs, bars and night clubs).

2.97 Similarly applications for the provision of late night refreshments may be restricted to the consumption of food on the premises at seated tables. Minimum cover charges could also be imposed. Applications that included sales of hot food and drinks for take away consumption or to standing customers would be considered under the same policy for 2.2.10 above (Late night hot food takeaways)

2.98 Consideration may also be given to restrictions on the use of outdoor areas, or provision of music and other regulated entertainment that could give rise to public nuisance problems.

2.99 The Licensing Authority are keen to encourage development of a vibrant, culturally diverse night-time economy which may include provision of live music, other forms of cultural entertainment, and dancing. However, where the application includes regulated entertainment such as dancing and amplified music or other entertainment that could give rise to public nuisance then the licensing authority will consider this section in conjunction with policy 2.2.6 above for Pubs, Bars and Night Clubs.

Temporary Event Notices

2.100 Under the Licensing Act 2003, a Temporary Event Notice (TEN) allows licensable activities to be carried out at premises where they are not authorised by a premises licence or a club premises certificate e.g. an extension to licensable hours for a one-off event. TENs have a number of limitations associated with them including that they can only be made for venues of up to a maximum capacity of 499 people and that last for no more than 168 hours (7 days).

2.101 For a “Standard TEN” the premises user must use a prescribed form and submit the notice to the Licensing authority, Police and the Council’s Environmental Health at least 10 working days before the event begins. The notice must be received by the Licensing Authority, Police and Environmental Health Service at least 10 working days before the start of the event. The 10 working days do not include the day of receipt or the day of the event.

- 2.102 For a “Late TEN”, where less than 10 working days’ notice is given, notice must be given to the Authority electronically no later than five working days, but no earlier than nine working days before the temporary event begins; or, if it is made in writing, is given to the Authority and each relevant person no later than five working days before the temporary event begins and to at least one of those persons no earlier than nine working days before the event begins.
- 2.103 Where submissions are made online via the required form, the Licensing Authority will be responsible for serving copies on the Police and Environmental Health Service.
- 2.104 The licensing authority will publish all Temporary Event Notices on the Council’s public access website at <https://pam.ealing.gov.uk/>. On occasion these notices may be published after the event has taken place.
- 2.105 The timeframes for receiving Temporary Events Notices is set by statute and the Licensing Authority cannot and will not deviate from these time frames.
- 2.106 The Police and Environmental Health Service can object to a temporary event if they can substantiate that the event is likely to be at variance with the Licensing Objectives. This notice must be provided before the end of the third working day following the day on which the relevant person is given the Temporary Event Notice.
- 2.107 With the agreement of the notice giver, the Temporary Event Notice can be modified by one of the relevant persons, in which case the objection notice is to be treated as withdrawn and the event may proceed under that authority (as modified).
- 2.108 If the objection notice is not withdrawn, the Authority must hold a hearing to consider the objection notice, unless the premises user, the relevant person who gave the objection notice and the authority agree that a hearing is unnecessary.

2.109 At the hearing the Authority must, having regard to the objection notice, give the premises user a 'counter notice' if it considers that it is appropriate for the promotion of a licensing objective to do so. A counter notice has the effect of ending any authority to provide licensable activities that would otherwise arise from the giving of the Temporary Event Notice and the event cannot go ahead.

2.110 Alternatively, the Licensing Act 2003 permits the Authority to impose one or more conditions on a standard Temporary Event Notice.

Licensing Hours

2.111 Since the introduction of the licensing regime in 2005 many of the licensed premises in the borough have taken advantage of the opportunity to apply for later licensing hours. This has led to a considerable number of alcohol led premises such as pubs, bars and nightclubs, off-licences and late-night Take-Aways that now operate at varying times well after midnight.

2.112 The Authority recognises that, in some circumstances, flexible licensing hours can reduce concentrations of customers and reduce friction. However, in practice later hours has only led to later incidents of crime and disorder and noise disturbance within the borough rather than to resolve the issues. Even well managed premises with good dispersal policies in place cannot control or eliminate disturbances to residents when late night patrons have left the vicinity of licensed premises.

2.113 The Licensing Authority has weighed up the possible benefits of later hours against the detrimental effects of later hours on local residents and their rights to peace and quiet and do not accept that later hours are better in the local context.

2.114 The Authority do not intend to introduce a terminal licensing hour however the Authority believe that licensable activities carried on within the core hours set out below will generally not have a harmful impact on the licensing objectives. Applications within these times are less likely to attract representations from

responsible authorities or interested parties. (Core hours are subject to any applicable Special Policy Area.)

2.115 Applications outside the core hours will all be considered on their own merit but are more likely to attract representations. The Authority will take the following matters into consideration when making a decision (these are not a definitive list and other matters may be considered):

1. Operating schedules - demonstration of compliance with management standards as detailed in Section 2.1 to support each of the licensing objectives
2. Proximity to residential accommodation - the likelihood of the operation to have an adverse impact on the peace and quiet of local residents
3. Potential noise and nuisance from people leaving and entering the premises. Ability to demonstrate that systems in place to ensure timely dispersal of customers away from residential areas
4. Use of external areas for carrying out the licensable activities and potential noise impact on local residents
5. Proposed hours of the licensing activities and general opening times for the public – The use of winding down periods to enable more efficient dispersal
6. Type of use – alcohol led premises such as pubs, bars and nightclubs, off-licences and hot food take away premises are more likely to be associated with crime and disorder and public nuisance than other premises such as seated restaurants, theatres, cinemas and other cultural activities
7. Availability of public transport to assist in the timely dispersal of customers from the vicinity and to ensure safe travel home
8. The potential for contamination of the street environment through increased litter and other pollution of the streets by customers

Table 3: Core hours for licensable activities

Premises for the supply of alcohol on the premises		
	Town Centre Areas (Ealing, Acton, Southall, Hanwell, Greenford)	Local Neighbourhood Areas
Monday - Thursday	10.00 – 23.30	10.00 – 23.00
Friday – Saturday, Bank Holiday Sunday	10.00 – 00.00 (midnight)	10.00 – 23.30
Other Sundays	11.00 – 23.30	11.00 – 23.00

Premises for the supply of alcohol off the premises	
Monday – Thursday	08.00 – 23.30
Friday – Saturday, Bank Holiday Sunday	10.00 – 00.00 (midnight)
Other Sundays	11.00 – 23.30

Premises offering late night refreshment	
Sunday - Thursday	23.00 – 00.00 (midnight)
Friday – Saturday, Bank Holiday Sunday	23.00 – 01.00

How the Licensing Policy will be applied

2.116 The Licensing Authority only has discretion on whether to grant or refuse applications or to impose conditions or restrictions if relevant representations are received from responsible authorities or other persons.

2.117 When relevant representations are received the Authority will take its own Licensing Policy into account when making decisions and will apply the following four policies when considering applications.

- Policies' supporting each of the Licensing Objectives (see section 1.1) - These policies set out proposed standards of management and controls that

should be in place to promote each of these licensing objectives. These may be applied as conditions when representations are made.

- Policy on Cumulative Impact Areas (CIAs) - This covers the Ealing, Acton, Greenford, Elthorne and Southall town centre areas. The effect of these CIAs is that a licence application, which is likely to add to the existing cumulative impact, will normally be refused following relevant representations.
- Policy on Licensing Hours - This sets out core hours for licensable activities, which the Authority believe will generally not have a harmful impact on the Licensing objectives and gives details of the considerations that will be made on applications when representations are received. For new applications or variations to existing premises within one of the Cumulative Impact Areas the core-hours policy does not override the rebuttable presumption against grant.
- Policies on different types of licensed premises - This sets out how different types of licensed premises can impact on the Licensing objectives and what considerations will be made in respect of applications for each type. Particular focus is given to pubs, bars and nightclubs, late night hot food takeaways, off sales licensed premises, restaurants and cafes licensed to sell alcohol for consumption on the premises. This policy also sets out in Appendix 7 examples of conditions that may be appropriate for different types of premises. These are not mandatory or standard conditions, and each application will be considered on its own merits.

2.118 While this Licensing Policy sets out a general approach to making licensing decisions it will not undermine anyone's right to apply for a variety of permissions under the provisions of the Act and each application will be considered on its own merit in the context of the four licensing objectives. Similarly, this Licensing Policy will not override the right of any person to make representations on an application or to seek a review of a licence or certificate where provision has been made for them to do so in the Act.

2.122 The Licensing Authority will avoid attaching conditions that duplicate other regulatory regimes as far as possible.

2.123 Planning and Licensing regimes will be properly separated to avoid duplication. However, an operational protocol for Licensing and Planning has been set up to ensure appropriate integration between the two departments. A planning authority can also make representations as a responsible authority as long as they relate to the Licensing objectives.

2.124 It is expected that applications for premises licences should be from businesses with planning consent for the premises concerned. However, applications for licences may be made before any relevant planning permission has been sought or granted by the Planning Authority. Where the planning hours and licensing hours are different, the applicant must observe the earlier closing time.

2.125 The Authority will take account of any non-compliance with other statutory requirements in its licensing decisions when they impact upon the licensing objectives.

Licence Conditions

2.126 There are three types of conditions that may be attached to a licence or certificate; proposed, imposed and mandatory.

2.127 Proposed conditions are those that are contained within the operating schedule of the application. Imposed conditions will be those that are added by the Licensing Sub Committee as a result of a hearing. Mandatory conditions are prescribed by the Act and will be allocated to all licences or certificates in accordance with the legislation.

2.128 Where there have been no relevant representations from responsible authorities or interested parties the licence or certificate will be granted subject only to such proposed conditions that are consistent with the operating schedule

accompanying the application and any mandatory conditions required by the Act itself.

2.129 The Licensing Authority will only impose conditions to a premises licence or club premises certificate if relevant representations are received. Any such conditions will be tailored to the individual style and characteristics of the premises and events concerned.

2.130 Conditions will only be imposed where the licensing authority are satisfied as a result of a hearing (unless all parties agree a hearing is not necessary) that it is appropriate to impose conditions to promote one or more of the four licensing objectives.

2.131 The conditions will be focused on matters, which are within the control of individual licensees. The primary focus will be on the direct impact of the activities taking place at the licensed premises on members of the public living, working or engaged in normal activities (including the right to sleep) in the area concerned.

2.132 The Licensing Authority cannot impose blanket conditions however will be guided by the examples of management conditions attached in Appendix 7.

2.133 These conditions are not absolute, and alternative conditions may be specifically worded by the Licensing Authority and attached to licences as appropriate.

2.134 Specific examples of best practice and wider considerations relating to each Licensing Objective are contained within Part 2. Applicants are advised to consider these sections when drafting Operating Schedules.

Management standards

2.135 These Policies set out proposed standards of management and controls that should be in place by the operator/applicant to promote the Licensing Objectives (Section 1.1).

2.136 The Licensing Authority expects that the applicant will include these standards of management in their operating schedules. If there is no relevant representation then the licence will be granted.

2.137 Applications which are not in line with these policies may be more likely to attract relevant representations from responsible authorities and interested parties. If there is a relevant representation that is not withdrawn then there will be a hearing, which will lead to a delay.

2.138 The Authority will consider proposed standards of management when making decisions and will be more likely to impose conditions in line with these policies. This will always be subject to the merits of individual cases.

Licence Reviews

2.139 At any stage following the grant of a premises licence or a club premises certificate, a responsible authority, or any other person may ask the Licensing Authority to review the licence because of a matter of concern arising at the premises in connection with any of the four licensing objectives. A review may be triggered automatically following a Police closure of the premises due to disorder.

2.140 It is considered good practice for authorised persons and responsible authorities to give licence holder's early warning of their concerns about problems identified at the premises concerned and of the need for improvement. A failure to respond to such warnings is expected to lead to a decision to request a review.

2.141 Where a request originates from other persons, e.g. a local residents' association, local business or trade association, the Licensing Authority must first consider whether the complaint made is relevant, vexatious, frivolous or repetitious.

2.142 The Licensing Authority as a responsible authority can apply for a review if there are concerns about licensed activities at premises and want to intervene early

without waiting for representations from other persons. The Government guidance states that it would not normally expect the licensing authority to act on behalf of other persons such as local residents or community groups as these people are entitled to apply for a review in their own right.

2.143 The Authority also has a dual responsibility to administrate the process of a review and determine its outcome at a hearing. When we act as a responsible authority and apply for a review we will ensure that a separation of responsibilities is achieved.

2.144 When determining an application for a review the Authority has the powers to take the following steps (if any) if they consider them necessary to promote the licensing objections:

- modify the licence conditions;
- exclude a licensable activity from the scope of the licence;
- remove the designated premises supervisor;
- suspend the licence for a period not exceeding three months;
- revoke the licence.

2.145 In deciding which powers to invoke the authority will so far as possible seek to establish the cause or causes of the concerns that representations identify. The remedial action taken will generally be directed at these causes and will be no more than an appropriate and proportionate response.

2.146 The Authority will also take into consideration its vision for the night time economy along with the policies supporting each of the licensing objectives, the licensing hours policy and policies that apply to different types of licensed premises. In particular, the Licensing Authority will take into account the objectives of the Ealing Night Time Economy Strategy.

2.147 The Authority may also impose standards of management and controls that should be in place to promote each of the licensing objectives as detailed in Part B Section 1.

2.148 In cases where the crime prevention objective is being undermined it is expected that revocation of the licence, even in the first instance, will be seriously considered.

Enforcement and Administration

2.149 In exercising functions and ensuring compliance under the Licensing Act 2003 the Authority will have regard to the Council's Corporate Enforcement Policy and will also have regard to the principles that regulatory activities should be:

- Carried out in a manner which is transparent, accountable, proportionate and consistent
- Targeted at resolving issues in cases in which action is required

2.150 Inspections will be carried out on a risk rated basis. Premises or activities with the highest hazards, greatest risks, poorest compliance and worst management will be inspected more frequently than low risk premises. Low risk premises may not form part of the inspection programme and will generally be given literature or guidance to help them run their business safely and with the least impact on their local environment. The team will respond to allegations of non-compliance from existing licensed premises and also allegations where licensable activities are taking place on premises without the appropriate licence or authorisation.

2.151 Enforcement will be informed through intelligence and evidence arising from investigation of third party, routine inspections and planned enforcement initiatives with other enforcement agencies to deliver cross service objectives.

2.152 Enforcement will be escalated through a range of appropriate possibilities ranging from advice and encouragement during initial visits through to prosecutions for more serious offences or where advice has been continually ignored. When considering prosecutions regard will be taken to the Regulators' Compliance Code, Enforcement Concordat and the Crown Prosecution Service Code.

2.153 The Authority will establish protocols and develop partnership opportunities with all interested parties including the licensed trade, responsible authorities, local residents and businesses and other enforcing authorities as appropriate on enforcement issues. In particular, working with:

- The trade in initiatives such as; pub and club watch schemes;
- The police by setting up joint enforcement protocols, joint-working arrangements, multi-agency visits and protocols with door supervisors.
- Residents either directly or through local representatives.
- Community Safety team by attending local partnership days and taking part in high visibility inspections of premises,
- Health and Safety and fire brigade by carrying out joint inspections where there are public safety problems
- Noise and nuisance team by targeting late night inspections where there are noise and other public nuisance problems
- Trading Standards to ensure that underage sales are prevented

2.154 The Licensing Act 2003 provides that the functions (including its determinations) of the Licensing Authority are to be taken or carried out by its Licensing Committee. The Licensing Committee may delegate these functions to sub committees or in appropriate cases, to officials supporting the Licensing Authority. A full description of the how the Licensing Authority has delegated its decision-making powers is provided in Appendix 1: Delegation of decisions and Functions.

Appeals

2.155 Applicants or objectors can appeal against a decision made by the licensing authority with respect to applications for a Premises licence, Club premises certificate, Variation to an existing licence or certificate, Review of an existing licence or certificate, Temporary Event Notice (TEN), Provisional statement, Transfer of premises licence, or variation to specify a new designated premises supervisor (DPS).

2.156 Appeals must be made in writing to the designated officer for the magistrates' court and must be made within 21 days of being made aware of the decision. The decision made by the licensing authority takes effect immediately until the appeal is concluded.

2.157 The magistrates' court may dismiss the appeal, substitute the decision for any other decision the licensing authority could have made or send the case back to the authority with instruction on how to proceed. There is no further opportunity to appeal the decision of the court.

2.158 There is no appeal to the magistrates against the issue of a counter notice to a TEN. The only available remedy would be review by the High Court.

Monitoring arrangements

2.159 The Licensing Authority has put in place rigorous and comprehensive arrangements for monitoring the impact of this Policy, in order to ensure that the Policy is delivering the intended consequences and is helping to enable the Council, strategic partners and the local community to achieve the Policy objectives. These arrangements include:

- Annual Enforcement Update to the Licensing Committee, reporting on key achievements and issues in relation to enforcement activity and implementation of the Policy
- Regular (average 2-monthly) reports to the Licensing Committee on issues relating to the scope and objectives of this policy, including issues relating to the enforcement of the Policy
- Regular updates (at least quarterly) to the statutory Safer Ealing Partnership on issues relating to the scope and objectives of this policy, including issues relating to the enforcement of the Policy
- Refreshed surveys and consultation with the public on matters falling within the scope and remit of this policy, to help ensure that the views of local

communities are incorporated into assessments of the outcomes from implementation and enforcement of the Policy

- Special research commissioned either by the Licensing Authority or strategic partnerships (e.g. the Safer Ealing Partnership) to investigate specific issues falling within the scope and/or objectives of this Policy, for example issues related to a particular theme (e.g. street drinking) and/or a particular part of the borough.

2.160 Reports made to the Licensing Committee and/or strategic partnerships will be made available to the public in accordance with the Council's policy on publication of Committee and strategic partnership reports.

2.161 Reports made to the Licensing Committee and/or strategic partnerships will appropriately take into account impacts on equality groups as described in the Equality Act 2010. If you wish to make any comments on this Licensing Policy or would like further information on the licensing and application processes, including application forms, fees, and details regarding each type of application, including the minor variations process the licensing officers can be contacted in the following ways:

- By person or post at the Licensing Team, Regulatory Services, 4th floor Perceval House, 14- 16 Uxbridge Road, Ealing W5 2HL
- By email at licensing@ealing.gov.uk or Telephone 020 8825 6655

The Council's website provides further information and routes to make online applications at http://www.ealing.gov.uk/info/200911/a_to_z_of_licences.

Licensing Policy 2020 Appendices

- APPENDIX 1 – Licensing Authority Summary of Delegation of Decisions and Functions
- APPENDIX 2 – Licensing Act 2003 Responsible Authority Details
- APPENDIX 3 - Examples of Licensing Act 2003 Management Conditions

LONDON BOROUGH OF EALING

APPENDIX 1 – Licensing Authority Summary of Delegation of Decisions and Functions

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

APPENDIX 2 – Licensing Act 2003 Responsible Authority Details

Licensing Authority

Team leader Licensing Compliance, Regulatory services (PH4/NW)
Ealing council, Perceval house
14-16 Uxbridge Road
Ealing W5 2HL
Tel: 020 8825 6655
E-mail: licensing@ealing.gov.uk

Chief Officer of police

Licensing Sergeant, C/o Ealing Council

Perceval House (ph4nw)
14-16 Uxbridge Road
Ealing W5 2HL
Tel: 020 8825 5015 or 020 8825 7319
E-mail: licensing-ealingpolice@met.police.uk

The Local Fire and Rescue Authority

Fire safety regulation: North West area 1
London fire brigade
169 Union Street
London Se1 0ll
Tel: 020 8555 1200 ext 38778
E-mail: ealinggroup@london-fire.gov.uk

The Local Authority with Responsibility for Environmental Health Business Support Officer, Regulatory Services (Ph4nw)

Ealing Council Perceval House

14-16 Uxbridge Road
Ealing W5 2HL
Tel: 020 8825 6666
E-Mail: Environmentalhealth@Ealing.Gov.Uk

The Local Weights and Measures Authority (Trading Standards)

Business Support Officer, Regulatory Services (Ph4nw)

Ealing Council Perceval House
14-16 Uxbridge Road
Ealing W5 2HL
Tel: 020 8825 6086
Email: Tradingstandards@Ealing.Gov.Uk

Health and Safety Enforcing Authority (For Local Authority Enforced Premises)

Business Support Officer, Regulatory Services (Ph4nw)
Ealing Council Perceval House
14-16 Uxbridge Road

Ealing W5 2HL
Tel: 020 8825 6666
Email: Health&Safety@Ealing.Gov.Uk
**Health & Safety Enforcing Authority (For Non Local Authority
Enforced Premises)**

The Health and Safety Executive
2 Southwark Bridge
London SE1 9HS
Tel: 0151 951 4000 (Switchboard)
Email: [Www.Hse.Gov.Uk](http://www.Hse.Gov.Uk)

The Local Planning Authority
Head of Development Control
Ealing Council Perceval House (Ph4)
14-16 Uxbridge Road
Ealing W5 2HL
Tel: 020 8825 6600
E-Mail: Planning@Ealing.Gov.Uk

Child Protection Authority
Service Manager, Safeguarding Children
Acton W3 6NE
Tel: 020 8825 5049
E-Mail: Cp@Ealing.Gov.Uk

Public Health
Director of Public Health
Ealing Council 3rd Floor Blue, North East Perceval House
14-16 Uxbridge Road

Ealing W5 2HL
Tel: 020 8825 6232
E-Mail: Licensing-Publichealth@Ealing.Gov.Uk

APPENDIX 3 - Examples of (Licensing Act 2003) Management Conditions

Set out below are examples of conditions that will help to promote the licensing objectives for different types of licensed premises and which may be added by licensing panels when determining applications where representations have been received. These can also be used as a reference tool by applicants when compiling licence operating schedules.

These are not an exclusive or exhaustive list of conditions and each application will be considered on its own merits. This does not restrict any applicant, responsible authority, or other person from proposing any alternative conditions, nor would it restrict a licensing subcommittee from imposing any reasonable condition on a licence it considers necessary for the promotion of the licensing objectives. (Where (X) is found in the conditions below this will be a number to be decided at the discretion of the Licensing Sub Committee)

1. General Conditions that could be applied to all types of premises

CCTV

1. CCTV to be installed to the satisfaction of the Police. This will be judged in relation to the advice available in the Home Office Scientific Development Branch (HOSDB) document "CCTV Operational Requirement Manual 28/09" with special emphasis on the provision of "identification quality" images of people entering or leaving the premises through any doorway.
2. The system must provide general views of the interior of the premises and exterior areas where relevant.
3. The system must record and store images for 31 days and must record between 6 to 12 frames per second. It must be able instantly to download recorded images onto a readable format (CD or DVD) at the time of request. I.e. to prevent any need to seize the hard drive thus rendering the system inoperative.

4. If the CCTV equipment is inoperative, or is otherwise not installed and working to the satisfaction of the Police and Licensing Authority, the premises must not be used for licensable activities unless with prior agreement from the Police.
5. Operation of the CCTV equipment to be checked at least every seven days by the management and a written log recording this must be kept and made available for inspection. If inoperative this is to be reported to the Police and the Licensing Authority without delay.
6. CCTV images must be made available for playback in store to Police or Council Licensing Officers at any time the store is open.
7. CCTV images along with a software player to enable viewing must be provided to the Police or Council Licensing Officers within 24 hours of request.
8. Notices must be displayed at the entrance to the premises and in prominent positions throughout the premises advising that CCTV is in operation. For the purposes of these CCTV conditions “the Police” refers to the licensing partnership office of Ealing Police Station and the “Licensing Authority” refers to the Licensing Authority of the London Borough of Ealing.
9. The CCTV system must record all entrances and exits to the premises at all times. It must also record the outside of the premises, capturing images of delivery persons and vehicles and where possible, the camera should be situated to capture vehicle registration numbers of any delivery vehicle.

Cash Handling

10. A monitored central station alarm must be installed by either a NACOSS or SSAIB affiliated installer and must achieve the following:
11. The monitored security system must be equipped with a signal terminating at a recognised Alarm Receiving Centre (ARC) and must comply with the current

version of the EN 50131-1 standard and be eligible for a police response as defined by the ACPO Policy on Police Response to Security Systems, Level 1 status.

12. This must incorporate fixed personal panic attack buttons for the use of staff behind the counter and/or remote panic buttons for staff when they are away from the counter area.

13. A safe must be provided which:

- Restricts access for at least three minutes, to deter criminals from accessing the surplus or reserve value during any robbery.
- Have a drop facility with anti-fish mechanism.
- Must be either bolted to a solid wall and/or solid floor or buried in a solid wall and/or solid floor.

14. Signage must be displayed in the customer area, highlighting that access to cash and valuable items is controlled by time delay. Alternatively, where staff doesn't have access to the safe, a sign must state this fact. It is recommended that a time delay, visual countdown display is used, so that a robber/burglar can see that a time delay is in operation.

15. The till must be secured to the counter and either be positioned so that customers cannot reach over and grab money from the cash tray or be fitted with a till guard to prevent easy access.

16. Tills must be regularly skimmed off to reduce the impact should a robbery occur.

Staffing Levels

17. There must be a minimum of *(X) members of staff on the premises from (X) until the premises close for safety purposes and to prevent crime.

18. There must be minimum of (X) members of staff on the premises at all times whilst the premises remain open for the sale of alcohol.

Deliveries

19. No deliveries to the premises shall be arranged between (X) and (X)

Signage

20. A notice displaying the opening hours, and the hours and type of licensing activity which may take place, must be clearly displayed and visible to anyone outside the premises. This may be incorporated in the summary of the licence, which must be displayed, or take the form of a separate item.
21. A summary of the premises licence must be displayed at each public entrance to the premises.

Training

22. Appropriate staff training must be satisfactorily completed and recorded. Training records shall be made available for inspection upon reasonable request by a relevant officer of a responsible authority.

CONDITIONS APPROPRIATE FOR TYPES OF PREMISES

The types of premises listed below are not exhaustive and certain applications may not fit into the types listed below.

2. OFF LICENCES

Responsible Alcohol Retailing

1. There must be no stock or sale of high strength beer, lager or cider (above 5.5% ABV). All beer, lager or cider must be clearly price marked.

2. There must be no single cans of beer, lager, cider, ale or spirit mixtures sold at the premises.
3. There must be no sales of spirits in miniature sizes.
4. Appropriate signage must be displayed on the premises stating that alcohol will not be sold to persons who are inebriated and/or who might be regarded as street drinkers.
5. An age verification scheme, such as Challenge (21/25), must be operated at the premises where the only acceptable forms of identification are recognised photographic identification cards, such as a photo driving licence, passport PASS accredited proof of age card or military ID card. Staff shall be trained in the adopted age verification scheme.
6. A refusals book shall be kept at the premises to record details of all refusals to sell alcohol and shall be made available for inspection by the police and Council officers on request. The refusals book to be bound and paginated and contain details of time and date, description of the attempting purchaser, reasons why the sale was refused and the name/signature of the sales person refusing the sale.
7. All alcohol drinks shall be clearly marked or labelled with the name of the premises.

Storage

8. Alcohol must be securely stored behind lockable shutters when the premises are open but outside of licensed hours.
9. Alcohol stored in the premises must be securely stored behind lockable shutters or a suitable stock room. The aisles and floor areas are to be kept clear and alcohol must be stored on or in shelving and cabinets.

10. No alcohol, beer, wine etc. is to be stored or displayed on the floor of the shop retail area, but must be displayed or stored on suitable shelving or display racking.

Training

11. All staff must receive recognised alcohol retail training within 3 months of the licence being granted.

12. Arrange Quarterly training on site by an independent trainer in the appropriate language to ensure that the licensee fully understands the full context of the training provided. For the avoidance of doubt, training shall be provided for all staff whether full- or part-time. Training records will be kept and made available for inspection by the police and licensing authority.

13. All staff must receive training in conflict management within (X) of the licence being granted

Signage – Disorder

14. Signage must be displayed requesting patrons leave the premises quietly and must not loiter or consume alcohol outside the premises.

Purchasing Stock

15. The Premises Licence Holder and Designated Premises Licence Holder must ensure alcohol is only purchased from an authorised wholesaler and shall produce receipts for the same upon request for inspection. (An authorised wholesaler means an established warehouse or trade outlet with a fixed address and not a van or street trader, even if they claim they are part of, or acting on behalf of, an authorised wholesaler who provides full itemised VAT receipts).

16. The Premises Licence Holder and Designated Premises Supervisor must ensure persons responsible for purchasing alcohol do not take part in any stock swaps or lend or borrow any alcohol goods from any other source unless the source is another venue owned and operated by the same company who also purchase their stock from an authorised wholesaler.
17. Prominent signs shall be displayed at all entrances to the premises stating the premises will not buy goods from any caller to the premises. The signs shall be displayed regardless of whether public access is permitted at that entrance.
18. The Premises Licence Holder shall ensure all receipts for alcohol goods purchased include the following details:
- Seller's name and address
 - Seller's company details, if applicable
 - Seller's VAT details, if applicable
 - Vehicle registration detail, if applicable
19. Legible copies of the documents referred to in Condition (17) above shall be retained on the premises and made available for inspection by Police and authorised Council Officers on request.
20. Copies of the documents referred to in Condition (17) above shall be retained on the premises for period of not less than twelve months.
21. An ultra violet light shall be purchased and used at the store to check the authenticity of all stock purchased which bears a customs stamp.
22. Where the trader becomes aware that any alcohol may be not duty paid they shall inform the Police of this immediately.
23. No untrained staff shall be permitted to purchase alcohol without written authorisation from the Premises Licence Holder.

3. PUBS BARS AND NIGHTCLUBS

Outside Space

1. No outside space must be used for any activity after (X) hours except for maximum of (X) smokers in the designated smoking area. The smokers area must be monitored by management or door staff where employed.
2. Use of the garden by customers will be restricted to smokers only after (X), with no drinks permitted in the garden after that time
3. The doors and windows facing the garden will be closed from 22:30hrs except for access and egress
4. The smoking area must be monitored by CCTV.
5. There must be no entry or re-entry to the premise after (X) hours except for maximum of (X) smokers in the designated smoking area.
6. Patrons permitted to temporarily leave and then re-enter the premises, e.g. to smoke, must not be permitted to take drinks or glass containers with them.
7. Staff must regularly supervise the pavement area outside the premises to ensure customers are not blocking pavements or causing nuisance to neighbouring premises or residents.

SIA Registered Door Supervisors

8. A minimum of (X) SIA registered door staff must be employed on the premises from (X) hours any time the premises remains open past 00:00 hours and until close.

9. The licence holder must ensure that any queue to enter the premises which forms outside the premises is orderly and supervised by door staff so as to ensure that there is no public nuisance or obstruction to the public highway.
10. All persons entering or re-entering the premises must be searched by an SIA trained member of staff and monitored by the premises CCTV system. At least one male and one female supervisor must be provided for this purpose.
11. All customers must be searched using metal detectors wand(s) on entry and re-entry. This includes any customer who has left the building to smoke or for any other reason.
12. Any drugs or weapons confiscated from customers must be stored in a locked and secure container and the police must be notified as soon as soon as reasonably practical. Customers found in possession of drugs and weapons must be refused entry or removed from the premises.
13. All staff engaged outside the entrance to the premises, or supervising or controlling queues, must wear high visibility yellow jackets or vests.
14. The designated queuing area must be enclosed within appropriate barriers to ensure that the footway is kept clear.
15. An ID scanning system to the reasonable satisfaction of the Police shall be installed and maintained on the premises. The system will be capable of sharing information about banned customers with other venues; identify the hologram of another ID and read both passports and ID cards; and be able to identify fake or forged ID documents to a reasonable standard. All persons that enter the premises, including staff, patrons, DJ's, and associated staff will be scanned and have their details stored on the system. The details shall be stored and made available for a period of no less than 31 days on request by the police or the licensing authority. The premises shall prominently display signage at the entrance informing customers of the above as a condition of entry.

Glass

16. Toughened glass must be used and must continue to be used during any additional hours.
17. No glass / glass bottles must be taken from the premises. The bar areas must be regularly cleared of empty bottles and glasses.
18. No open vessels to be taken outside the curtilage of the premises at any time.

Noise Control

19. A sound limiting device, approved by the Council's noise team, must be installed to control the output from any amplification system. The bass level as well as the overall sound level must be set separately to a level that is not audible above the existing background noise at any neighbouring façade or within sensitive premises in the same or in attached buildings.
20. Only the premises licence holder and designated premises supervisor must have access to the sound limiting device.
21. An entrance lobby must be provided to all external entrance doors that lead to/ from internal areas where music/ entertainment activities take place, to prevent excessive levels of noise escaping when people enter or leave the premises.
22. Suitable double/ secondary glazing and other appropriate sound insulation measures must be installed to prevent escape of noise from music/ entertainment activities and loud voices.
23. All windows and doors must be closed during any regulated entertainment on the premises, except when patrons are entering and leaving the premises, and alternative means of ventilation must be provided as necessary.

24. Regulated entertainment or televisions must not be provided in the beer garden or external areas of the premises.
25. Barbecues must not be provided in external areas of the premises to prevent nuisance from smoke and cooking odours to neighbouring occupiers.
26. Arrangements must be in place to ensure that patrons disperse quickly and quietly on leaving the premises to prevent noise nuisance from loud voices, car doors banging shut, car stereo sounds, etc. Signs encouraging customers to leave quietly must be clearly displayed at each exit from the premises.
27. A dispersal policy will be drawn up and implemented to ensure, as far as practicable, that customers leave quickly and quietly and do not congregate around the front of the premises on departure.
28. All staff must be trained in the implementation of the dispersal policy
29. Customers must be supervised when leaving the premises and asked to leave quietly
30. A telephone number will be provided to residents in the vicinity upon request to allow for complaints to be made to the duty manager if they are experiencing disturbance.
31. A complaints log will be maintained at the premises which will detail any complaints made. It will include details of the person making the complaint, the person dealing with it and any action taken to remedy it.
32. When regulated entertainment takes place, the duty manager will undertake an assessment of noise in the immediate vicinity to ensure that it is inaudible at the boundary of the nearest residential property.

33. Refuse Collection/Recycling and deliveries must be restricted to the hours of (X) to (X).

Litter Control

34. The pavement area directly outside the premises must be regularly cleaned and rubbish removed and appropriately disposed of.

35. Refuse bags for recycling/collection shall only be left out between the hours of [X] and [Y].

Protection of Children

36. An age verification scheme, such as Challenge (21/25), must be operated at the premises where the only acceptable forms of identification are recognised photographic identification cards, such as a photo driving licence, passport PASS accredited proof of age card or military ID card. Staff shall be trained in the adopted age verification scheme.

37. Staff must not be allowed to be in sole supervision of children, the responsibility of any child will remain the sole responsibility of the accompanying adult. There must be a designated area for children. There must be no children in the bar areas after 22:00 hours.

38. When children attend the premises, it is a requirement that they are accompanied by a responsible adult

Records and Training

39. A log must be kept detailing all refused sales of alcohol. The log must include the date and time of the refused sale and the name of the member of staff who refused the sale.

40. The log must be available for inspection at the premises by the police or an authorised officer of the Council at all times whilst the premises are open.

41. An incident log must be kept at the premises, and made available on request to an authorised officer of the Council or the Police, which must record the following:

- all crimes reported to the venue
- all ejections of patrons
- any complaints received
- any incidents of disorder
- all seizures of drugs or offensive weapons
- any faults in the CCTV system or searching equipment or scanning equipment
- any refusal of the sale of alcohol
- any visit by a relevant authority or emergency service

Other

42. The management must actively participate in and support the local pub watch scheme (where active)

4. RESTAURANTS AND CAFES

1. The premise must operate as a typical restaurant where alcohol is mainly sold or served by waiter / waitress service to customers consuming substantial table meals. The consumption of alcohol must be ancillary to their meal.

2. Alcohol must not be served directly to customers at the bar area except where supplied and consumed prior to their meal in the designated bar area, by up to a maximum at any one time, of (X) persons dining at the premises.

3. Alcohol must not be sold or supplied within the area shaded (X) on the attached plans, otherwise than to persons taking table meals. The sale or supply of Alcohol shall be ancillary to that meal.
4. Substantial food and non-intoxicating beverages, including drinking water, must be made available in all parts of the premises where alcohol is sold or supplied for consumption on the premises.
5. Substantial food must be available until 60 minutes before closing.
6. A minimum of (X %) of the public trading area must be set out with tables and chairs at any given time.
7. The supply of alcohol shall be by waiter or waitress service only.
8. All staff must be fully trained to ensure that persons who are drunk, disorderly, or who appear to be under the age of 18 are not served with alcohol.

Outside Areas

9. Alcoholic drinks or glass containers must not be taken outside by customers at any time.
10. Alcohol must only be served to seated patrons in the outside area, who are served by a waiter or waitress.
11. All outside tables must be vacated by customers and cleared of food and drink by (Insert time) on (insert days of the week)
12. No outside area to be used after (X) to reduce noise nuisance except for a maximum of (X) smokers. The smokers area must be monitored by management or door staff where employed.

13. No more than (X) customers must be allowed to smoke outside the premises at any one time.
14. Suitable receptacles must be provided for smokers to safely and responsibly dispose of cigarettes.
15. Speakers for the amplification of music must not be placed on the outside of the premises, or on the outside of the building forming part of the premises.
16. Staff must regularly supervise the pavement area outside the premises to ensure customers are not blocking pavements or causing nuisance to neighbouring premises or residents.
17. The pavement area directly outside the premises must be regularly cleaned and rubbish removed and appropriately disposed of.
18. Signs encouraging customers to leave quietly must be clearly displayed at each exit from the premises.
19. Waste and/or recyclable materials, including bottles, must not be moved, removed or placed in outside areas between (X) and (X)

5. LATE NIGHT HOT FOOD TAKEAWAYS

1. A minimum of (X) SIA registered door staff must be employed on the premises from (X) hours until close.
2. Arrangements must be in place to ensure that patrons disperse quickly and quietly on leaving the premises to prevent noise nuisance from loud voices, car doors banging shut, car stereo sounds, etc. Signs encouraging customers to leave quietly must be clearly displayed at each exit from the premises.

3. The premises must operate a dispersal policy and procedures put in place for dealing with incidents of disorder or public nuisance that occur within the vicinity of the premises and all staff must be trained in its implementation.
4. A maximum of (X) customers shall be permitted on the premises at any one time.
5. Throughout the hours that the licence operates, the premises shall operate regular patrols in the vicinity of the premises to collect and tidy any litter or refuse in those areas.
6. A minimum of (X) litter bins must be provided (give details of locality) for the use of customers.
7. The pavement area directly outside the premises must be regularly cleaned and rubbish removed and appropriately disposed of.
8. Refuse collection/recycling and deliveries must be restricted to the hours of (X) to (X). Refuse bags for recycling/collection shall only be left out between the hours of [X] and [Y].
9. During the licensable hours there must be at least one member of staff on duty that has received training in the requirements of the Licensing Act 2003 to ensure compliance with licence conditions and the promotion of the licensing objectives.

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