

# STATEMENT OF LICENSING POLICY 2025–2030

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# Foreword

Ealing, known as the “**Queen of the Suburbs**,” is a vibrant and a diverse borough with a rich history, a thriving economy, and a dynamic community spirit. This is reflected in a wide range of activities offered by close to **1,200** licensed premises.

Ealing has long been recognized for its strategic position within Greater London, providing excellent transport links and a multitude of amenities that enhance the quality of life for our residents. In the past few years, Ealing has seen significant growth, including in our evening and nighttime economy. However, this progress comes with the need for a robust licensing framework that ensures safety, promotes responsible business practices, and protects our vibrant community.

The proposed **2025** London Borough of Ealing Licensing Policy will enable the responsible licensing authority to influence and shape our neighbourhoods and town centres. Informed by local needs, changing developments, circumstances, several changes have been introduced, including revision of our Special Policy areas. This Policy is designed to be transparent, fair, and conducive to fostering a thriving local economy, and it will encourage opportunities for developments and investment across the borough. Our objective is to create an environment where local businesses can flourish while residents feel secure and secure.

The licensing policy promotes opportunities, flexibility, and freedoms whilst creating an accountable and responsible policy framework for operators to provide a suitable offer that should 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. The open implementation of these policies supports all the licensing regimes’ statutory duties and will benefit all interests across the borough.

*Our Objective is to create an environment where local businesses can flourish while residents feel secure and respected.*




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*Councillor Munir Ahmed,  
Chair, Licensing  
Committee (2025)*

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# Policy Statement

The Licensing Act 2003 (“the Act”) requires Licensing Authorities to prepare and publish a ‘statement of its licensing policy’ (“Licensing Policy”) at least every 5 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 (December 2023) (“Government Guidance”). Appropriate weight has also been given to the views of consultees. The Policy has been developed specifically to address the needs of Ealing and consequently may differ from the policies of other authorities.

The Licensing Policy is intended to inform applicants and residents how The London Borough of Ealing (“the Council”) will make licensing decisions and what expectations are in place for licensed premises to operate in the borough.

As a licensing authority, the Council must seek to promote the four licensing objectives and these objectives underpin every decision:

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

Licensing is about regulating licensable activities on licensed premises, by qualifying clubs and at temporary events within the terms of The Licensing Act 2003 (“the Act”).

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 (hot food or drink between 23.00 hours and 05.00 hours on or off the premises)**

Regulated entertainment includes:

- performance of plays
- exhibition of films
- indoor sporting events
- boxing and wrestling entertainment
- performance of live music
- playing of recorded music
- dance performance
- entertainment of a similar description to a performance of live music, any playing of recorded music or a performance of dance

## **Duration and review of policy and Cumulative Impact Assessment (CIA)**

This policy will take effect on INSERT DATE and will remain in force for a maximum duration of five years.

Regarding the references to the Cumulative Impact Assessment (CIA) included in this review, the assessment will undergo a review every three years.

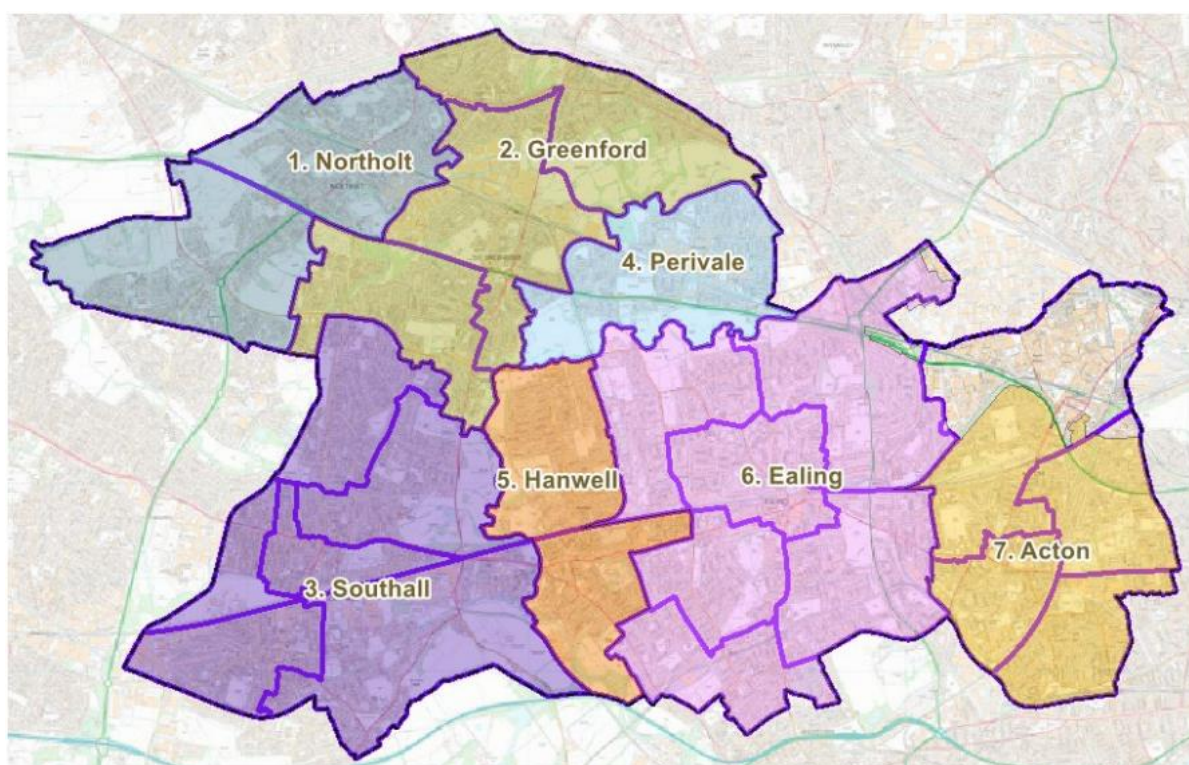
# Introduction

## Profile of the borough and licensed premises

<sup>12</sup>Ealing is a richly diverse borough, characterised by a mix of inner city and sub-urban neighbourhoods, people from over 100 countries, speaking over 170 different languages, from all ethnicities and religions, and experiencing great affluence as well as deprivation.

Home to approximately 370,000 people and over 17,000 businesses, the borough 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. Each town has its own unique identity and character, and each town offers different opportunities and poses different challenges to one another.



*Figure 1. Map showing Ealing's seven towns. Northolt, Greenford, Southall, Perivale, Hanwell, Ealing and Acton.*

## Acton

- <sup>12</sup>Acton is a vibrant and multicultural area that has undergone significant regeneration in recent years. It offers a mix of residential housing, including Victorian terraces and new developments, and has a thriving arts scene
- Acton wards have the highest density of residents per km<sup>2</sup> with close to **68,000 residents**. Acton has been marked as one of the top 3 towns where people felt most unsafe after dark. The Mount identified as 'hotspot' where people, and especially women felt particularly unsafe
- hospital admissions for conditions attributable to alcohol is **5%** lower than the England average and the crime, is higher than Ealing's average with **6,045** total notifiable offences (TNO)

Wards	East Acton	North Acton	South Acton	Grand Total
Number of licensed premises	36	103	92	231



### Vision:

Residents in Acton voiced a strong desire for increased social spaces, including pop-up cafes, restaurants, and arts or music events.



<sup>1</sup> [Ealing 7 Towns Profile](#), 2023

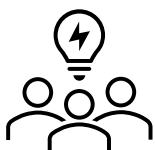
<sup>2</sup> [Ealing's Economy after 6pm](#), 2024



## Ealing

- <sup>12</sup>Ealing Broadway is the commercial centre of the borough, featuring a busy shopping area with the Ealing Broadway Shopping Centre. It's well connected by public transport, including the Central Line and National Rail services. The area has a mix of cafes, restaurants, and entertainment venues, as well as green spaces like Ealing Common
- there are over **91,000** residents living in Ealing Town and hospital admissions for conditions attributable to alcohol is 7.3% lower than the England average
- Ealing Broadway is generally considered safe. Around the station and Haven Green is identified as a 'hotspot' where people felt particularly unsafe
- there were **8,112 total notifiable offences** in Ealing Town in **2022**. The TNO rate is therefore higher than the Ealing average

Wards	Ealing Broadway	Ealing Common	Hanger Hill	Northfield	Pitshanger	Walpole	Grand total
Number of licensed premises	130	41	49	54	32	84	390



### Vision:

There is a growing desire for a wider range of artistic and creative spaces within the community. Residents are also expressing interest in more coffee shops that stay open later, as well as establishments that provide healthy dining options.



## Greenford

- <sup>12</sup>Greenford, with its **47,000** residents offers a mix of residential and commercial areas, with a strong sense of community. It features several parks, including Horsenden Hill Park, which offers scenic views. Greenford has good transport links, including the Central Line and various bus routes
- hospital admissions for conditions attributable to alcohol in Greenford are similar to the England average. There were **3,517** total notifiable offences in Greenford in **2022**. The TNO rate is lower than the Ealing average

Wards	Central Greenford	Dormers Wells	Greenford Broadway	North Greenford	Perivale	Grand Total
Number of licensed premises	58	21	46	38	32	195



### Vision:

Local communities indicate a desire for an increase in cultural events and evening activities at local centres, such as cinema nights at the library. Additionally, there is expressed interest in a wider variety of dining options to accommodate diverse tastes, along with an emphasis on high-quality family restaurants.



## Hanwell

- <sup>12</sup>Hanwell combines a historic vibe with a community-oriented atmosphere. The area is known for its picturesque streets and green spaces like Bunny Park. Hanwell has a strong local identity and offers a range of independent shops and eateries. It is serviced by the Great Western Railway, connecting it to central London
- there are **30,000** residents living in Hanwell and the area around the clocktower is identified as 'hotspot' where many people felt particularly unsafe
- hospital admissions for conditions attributable to alcohol is significantly higher than the England average (**18.6%**). In terms of crime there were **2,232** total notable offences in Hanwell in **2022** which is lower than the borough average

Wards	Hanwell Broadway	North Hanwell	Grand Total
Number of licensed premises	73	18	91



### Vision:

Hanwell community would welcome increased variety of music, dance performances and plays. Additionally, there is a growing demand for more evening/ late-night venues that offer alcohol-free options, like coffee bars.



## Northolt

- <sup>12</sup>Northolt is known for its family-friendly environment and community feel. It features a mix of residential homes and green spaces. Northolt Village offers local shops, restaurants, and amenities, while several parks provide opportunities for outdoor activities. Excellent transport links and a variety of housing make this an up-and-coming area to watch for the future
- with over **34,000** residents, it has been marked as one of the top 3 towns people felt most unsafe after dark
- hospital admissions for conditions attributable to alcohol is **15.5%** higher than the England average, whilst the TNO rate is lower, with **2,792** total notifiable offences in in **2022**

Wards	Northolt Mandeville	Northolt West End	Grand Total
Number of licensed premises	24	23	47



### Vision:

Northolt Station and the White Hart area could benefit from a greater variety of social venues. This includes fewer takeaways and more inviting spaces for especially younger generation to gather, socialize, and enjoy themselves. Introducing fun, diverse options for dining and entertainment after 6 PM would encourage a vibrant atmosphere and provide appealing choices.





## Perivale

- <sup>12</sup>Perivale is a quieter suburb known for its green spaces, including the Grand Union Canal and Perivale Park. It features a mix of housing, including post-war estates, and is home to the large Perivale Industrial Estate
- with over **16,000** residents living in Perivale, hospital admissions for conditions attributable to alcohol were higher than the England average (**15.9%**). There were **1,491** total notable offences in Perivale in 2022 which is lower than the borough average

Wards	Perivale	Total
Number of licensed premises	45	45



### Vision:

Residents of Perivale are seeking high-quality restaurants with extended opening hours, as well as more options for arts, culture, and entertainment in the area. There is a demand for a diverse range of offerings after 6 PM around Perivale Station, particularly in relation to dining, cultural experiences, and community activities.



## Southall

- <sup>12</sup>Southall is one of the most culturally diverse areas in Ealing, with a strong Indian and Pakistani roots mixed with communities from all over the world. The main shopping area is to be found along Southall Broadway on Uxbridge Road. It has a vibrant high street known for its shops, restaurants, and markets. There is a huge range places to eat and drink particularly Punjabi, Sri Lankan, Pakistani and South Indian cuisines
- Southall is one of the top 3 towns where people felt most unsafe after dark. Area along the Broadway was identified as 'hotspot' where many people felt particularly unsafe. Notable issue on safety in the high street areas, with multiple break-ins, rough sleeping, and public drunkenness
- there are over **80,000** residents living in Southall, with hospital admissions for conditions attributable to alcohol approximately 36% higher than the England average. There were **8,012** total notable offences in Southall in 2022 which is higher than the borough average

Wards	Lady Margaret	Norwood Green	Southall Broadway	Southall Green	Southall West	Grand Total
Number of licensed premises	30	24	42	60	20	176



### Vision:

Southall town remains a major cluster for services, amenities, and jobs after 6pm in the borough and West London. It will continue to be a destination for residents and visitors, capitalising on the strong evening and nighttime public transport connectivity. Emerging development sites will increase demand for amenities and services after 6pm.



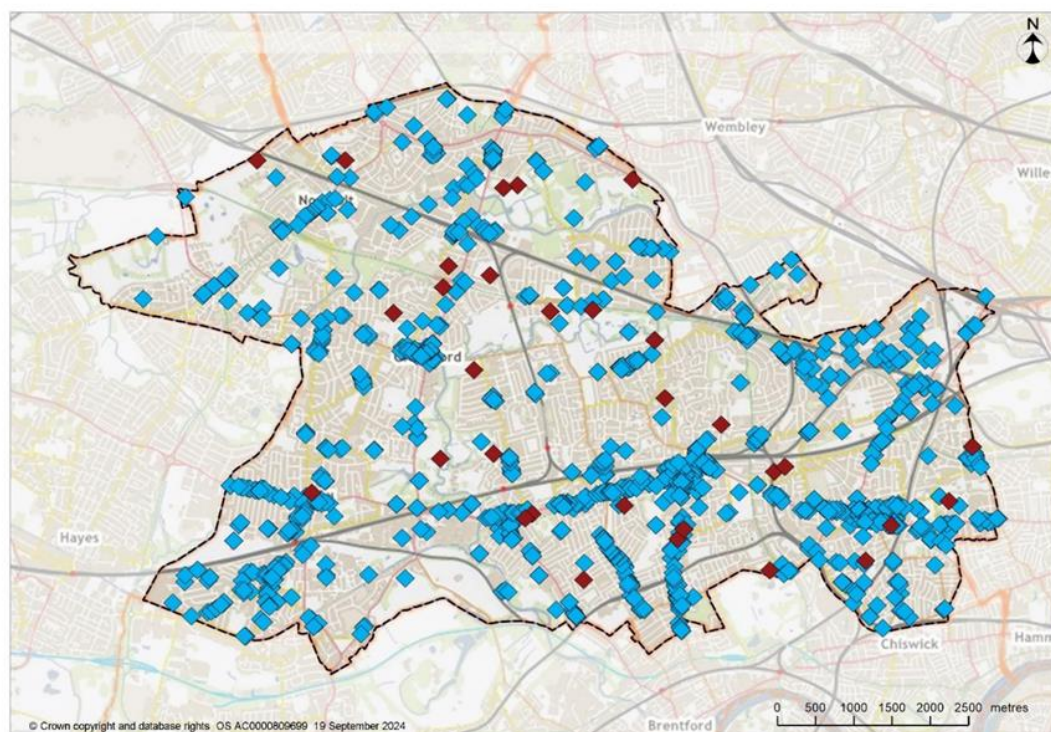
## Licensed premises overview

As of the 1st of April 2024, there were **1,175 premises** licensed under the Licensing Act 2003 in Ealing. Since the policy was last reviewed in 2020, the number of licensed premises has risen by 11% (up from 1,060).

Out of these, 1,037 premises were licensed to sell alcohol. At the time of the last review in 2019, there were 958 licensed premises, representing an increase of 8.2% over five years.

Across the borough, over half of the licenses are for 'off' sales (54%), with just over a quarter being for 'on' sales (26%), and the remaining fifth licensed for both on and off sales of alcohol.

Therefore, the overall increase in alcohol licenses is primarily due to a rise in premises with off licenses, which have increased from 488 in 2019 to 558 in 2024, a rise of over 14%. Over the same period, the number of on licenses has fallen slightly (from 275 to 268), and the number of premises licensed for both types of sale has also decreased (from 211 to 195).



*Figure 2. Distribution of licensed premises within the borough*



# Links to other strategies

This Licensing Policy integrates with other Council strategies for the development of Ealing's economy and town centers, 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 licensing objectives and the Council's key strategies.

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

- the **Ealing's Economy after 6pm Strategy**, which focuses on strengthening and enabling a vibrant and resilient nighttime economy, for the benefit of residents, visitors and local businesses LINK TO BE ADDED ONCE FINALISED
- the **Ealing's Strategy to Tackle Male Violence Against Women and Girls** (MVAWG) 2023–2027, which sets out the Council's mission to tackling inequality and crime and to continue to take tough action to prevent violence against women and girls
- the **Health and Wellbeing Strategy 2023 –2028**, which outlines the borough's approach to improving the health and well-being of its residents over the next five years
- the **Council's Plan 2022–2026** sets out how elected Members' policy commitments will be delivered





## The Ealing's Economy after 6pm Strategy

<sup>2</sup>Over a quarter of local spending and 17% of Ealing's population work in the evening and nighttime economy, including at major 24-hour employers such as Heathrow and Ealing Hospital. The nighttime economy also plays an important role in the social and cultural life of Ealing residents and is projected to grow by **£2 billion per year (GVA)** by 2029.

Ealing's Economy After 6pm Strategy sets out strategic principles designed to inform and shape decision-making and strategic commissioning, as well as the approach to regeneration and partnership working. Those principles are designed to help facilitate and enable the development of an economy after 6pm in Ealing which is family friendly, flexible, future-focused and fair to communities, residents, visitors, and local businesses.

It is important that the objectives and the goals of Ealing's Economy After 6pm Strategy are aligned. To help achieve this alignment, the extensive evidence review used to help shape the goals and objectives of the After 6pm Strategy has also fed into the current licensing policy.

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 After 6pm Strategy, the Licensing Authority will work to help build on and enhance Ealing's culture and leisure offer, including live music and comedy. 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 culture and leisure offer in the borough. Within the Strategy, residents have expressed that the prevalence of takeaway shops overshadows late-night options and that they want to see a greater variety of food choices. Local people are concerned about the closures of hospitality venues and want to see more independent businesses. Residents have also indicated that they would welcome large-scale events and noise in parks and public spaces after 6pm more robustly managed.

While the 'need' for specific premises is not a matter for a licensing authority, in support of Ealing's After 6pm Strategy, the Council will encourage applications for premises where applicants demonstrate that there will be no negative impact on the local area and that they will offer a positive contribution to the nighttime economy in line with the licensing objectives. The newly introduced 'Events' section within this policy also provides applicants with information to consider when planning their events.

## Male Violence Against Women and Girls (MVAWG)

The Council is a signatory to the Women's Safety Charter and is committed to taking tough action to prevent male violence against women and girls. Licensing can play a vital role in supporting the MVAWG strategy; therefore, this policy sets out specific expectations for licence holders to promote best practices and foster long-term positive changes that will help stop MVAWG.

We encourage applicants and licence holders to sign up for the Mayor of London's Women's Night Safety Charter and expect all licensed venues to take proactive actions to keep women and girls safe while discouraging inappropriate sexual behaviour.

Applicants for new premises that sell alcohol for consumption on the premises will be expected to consider safeguarding measures in their operating schedules and should refer to the specific considerations outlined in this policy.

Likewise, to support the strategy, licence holders of existing venues will be expected to explain their approach to creating an atmosphere of transparency and safety for women.



# Other policies and strategies

## Modern slavery and human trafficking (MSHT)

Modern slavery and human trafficking are a global problem and international crime, affecting millions of people worldwide, including many victims within the UK. Labour exploitation has been known to occur in licensed premises, with high levels of victims working in hotels and family run restaurants.

The Licensing Authority works closely with The Gangmasters Authority and Immigration Agencies to tackle these issues. Licence holders and applicants need to be aware of the signs of Modern Slavery and who may be a victim of it. There is no typical sufferer of slavery and human trafficking with men, women, and children of all ages and all ethnicities. License holders are expected to recognise patterns and behaviours that may indicate a sufferer of Modern Slavery and Human Trafficking and should report it immediately to the Police.

# Fundamental principles

As the Licensing Authority, the Council's primary responsibility is to ensure effective control over licensable activities at licensed premises, qualifying clubs, and temporary events, as well as monitor the conduct of personnel involved in these activities, in accordance with the requirements of the Act. This includes ensuring that all licensable activities are conducted in a safe, responsible, and compliant manner.

The Licensing Authority will always consider the individual merits of each application. The Licensing Authority expects all applicants to have an understanding of the local issues, and to demonstrate that these have been taken into consideration.

Any non-compliance with other statutory requirements, will only be taken into consideration in licensing decisions when they impact upon the four licensing objectives.

Planning permission, building control approval and licensing regimes will be properly separated to avoid duplication and inefficiency. The Licensing Authority will not take into consideration, in its decision making, whether there is a need or demand for a particular type of licensed premises.

The granting of a licence by the licensing committee does not mean the applicant will not need to apply for planning permission. Premises operating without the necessary planning permission will be liable to formal enforcement action that could include but not be limited to prosecution under planning law.

Licensing law is not the primary mechanism for the general control of nuisance and anti-social behaviour by individuals. 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 Ealing.

## Promotion of Equality and Diversity

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.

The Licensing Authority will monitor the impact of licensing on duties under the Equality Act 2010.



# Purpose of the policy

This Statement of Licensing Policy reflects the legislation, national guidance and best practice, and details the Council's approach to licensing. It provides a framework for licensing decisions and informs applicants of expectations in respect of licence applications.

This policy, along with current statutory guidance issued by the Home Secretary and primary legislation as set out in the Licensing Act 2003, forms the basis on which licensing decisions are made and how licensed premises are likely to be permitted to operate.

Responsible authorities should use this Policy to assist them in reviewing applications and their potential impact on the Licensing Objectives. Responsible Authorities include the Council's Licensing, Trading Standards, Health and Safety, Safer Communities (Noise, Nuisance and Antisocial Behaviour), Children's Services, Planning as well as the Police, Public Health, the Fire Authority and the Home Office.

The Policy aims to offer guidance to residents and businesses on the limits within which the Licensing Authority will base its licensing decisions, aiding them in making representations regarding applications.

## **This policy:**

- details the legal framework and obligations established by the Licensing Act 2003, along with the Section 182 Guidance provided by the Home Secretary
- clarifies the expectations of individuals and organizations involved in licensing
- outlines the expectations the Council holds of those engaging with the licensing system, including licence holders, applicants, residents, and Responsible Authorities

# How the Licensing Policy will be applied

Providing the application has been correctly made and advertised as required by the Act, the Council 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.

If an application has been appropriately made in accordance with the Act and has attracted representations, the Council may grant or refuse applications or impose conditions or restrictions (or amend the licence).

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:

- policy on Cumulative Impact Areas (CIAs) – Special Policy Areas. This covers areas of Ealing, Acton, Greenford, Elthorne and Southall. 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. See Special Policy Areas section for more details
- policies' supporting each of the licensing Objectives – 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 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.

This policy is intended to be strictly applied. Exceptions must be genuinely exceptional.

In **Special Policy areas**, proposed licence holder **must** be able to demonstrate that the premises are unlikely to add significantly to the cumulative impact.

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.

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



## Special Policy Areas (SPAs)

In some areas where the number, type or density of licensed premises, such as those selling alcohol or providing late night refreshment, is high or exceptional, serious problems of nuisance and disorder may arise. In such areas, based on cumulative impact assessments (CIA), Licensing Authorities can introduce Special Policy Areas (SPAs) to limit the licences that are granted.

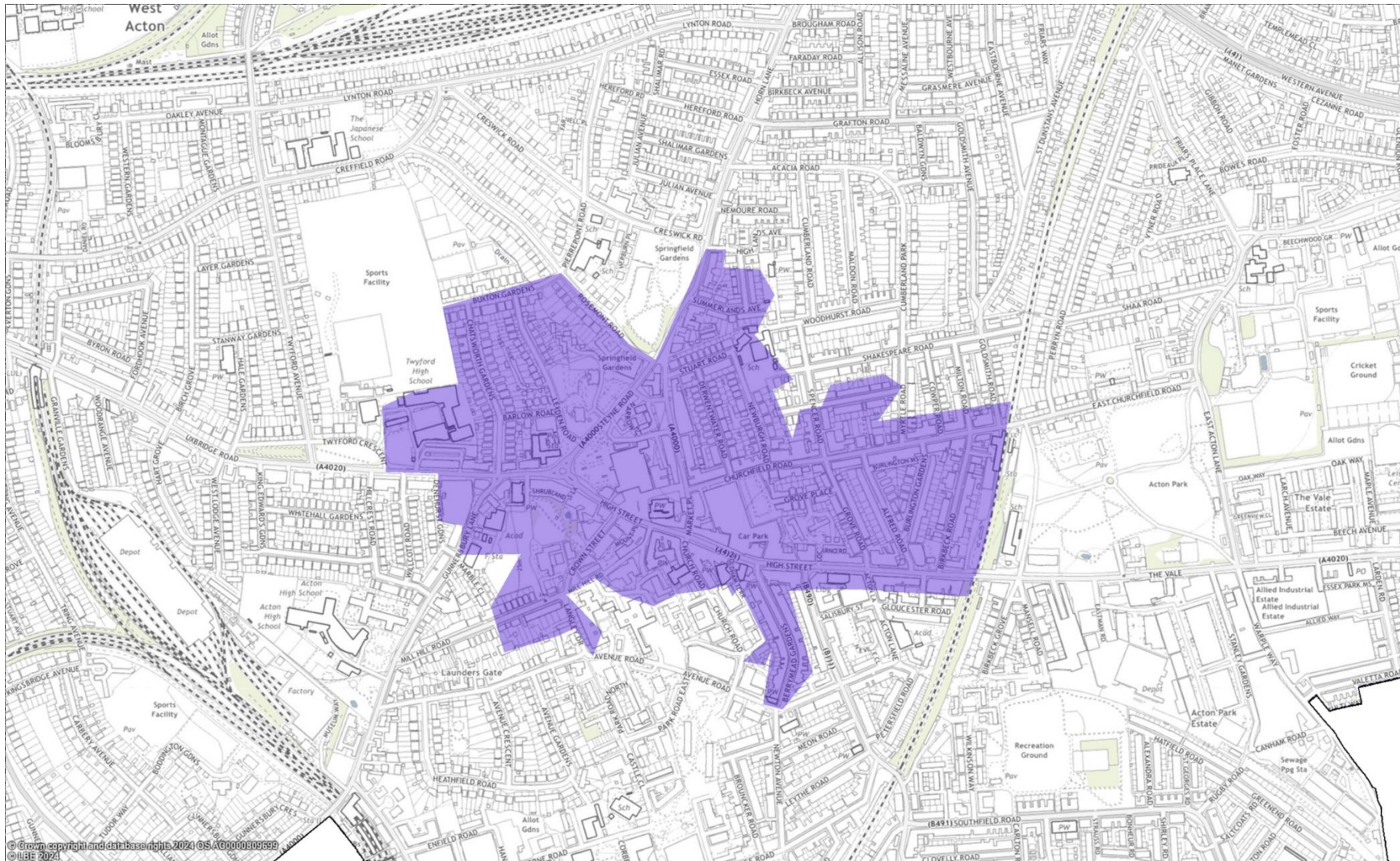
The effect of adopting a Special Policy is to create a rebuttable presumption that applications for the grant or variation of premises licences or club premises certificates which are likely to add to the existing cumulative impact will normally be refused or subject to certain limitations, following 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.

The Council first designated SPAs in 2015 for Ealing, Acton, and Southall Town Centres. Following a comprehensive review of cumulative impact across the borough, the Council retained Ealing Broadway, Acton Central, and Southall Town Centre, and extended Special Policy Areas to parts of Elthorne and Greenford Broadway.

As part of the review of this Licensing Policy, the Council has conducted a further CIA. As a result of this assessment, the Council believes there is sufficient evidence to retain the existing SPAs. Additionally, the findings of the assessment support the expansion of these areas.

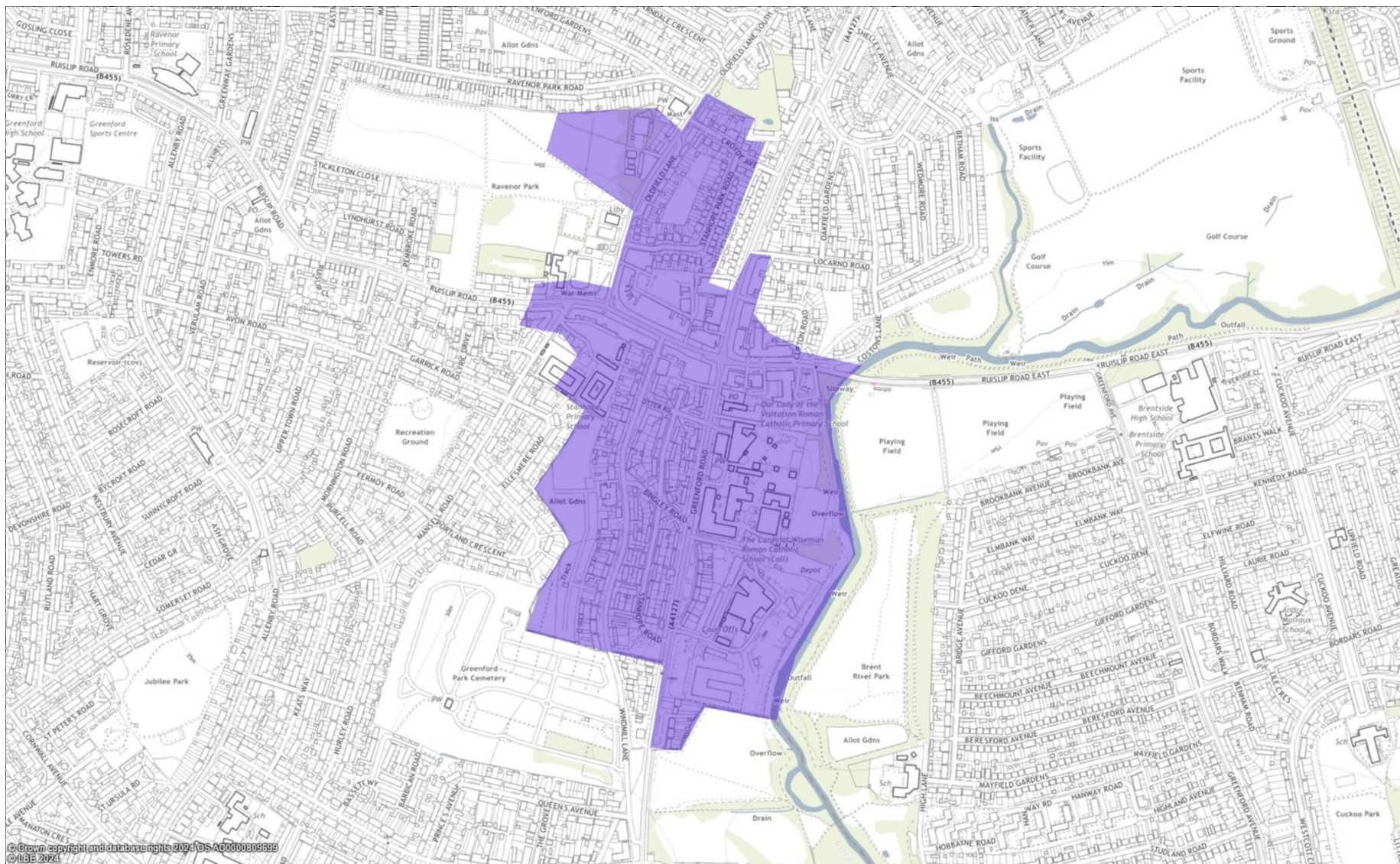
The Licensing Authority is therefore of the belief that the number of premises licences and club premises certificates which **authorise retail sale of alcohol (on, off or both)** in the areas provided below is such that it is likely that granting further licences would be inconsistent with the authority's duty to promote the licensing objectives:

## Acton Special Policy Area

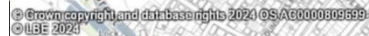




## Greenford Special Policy Area

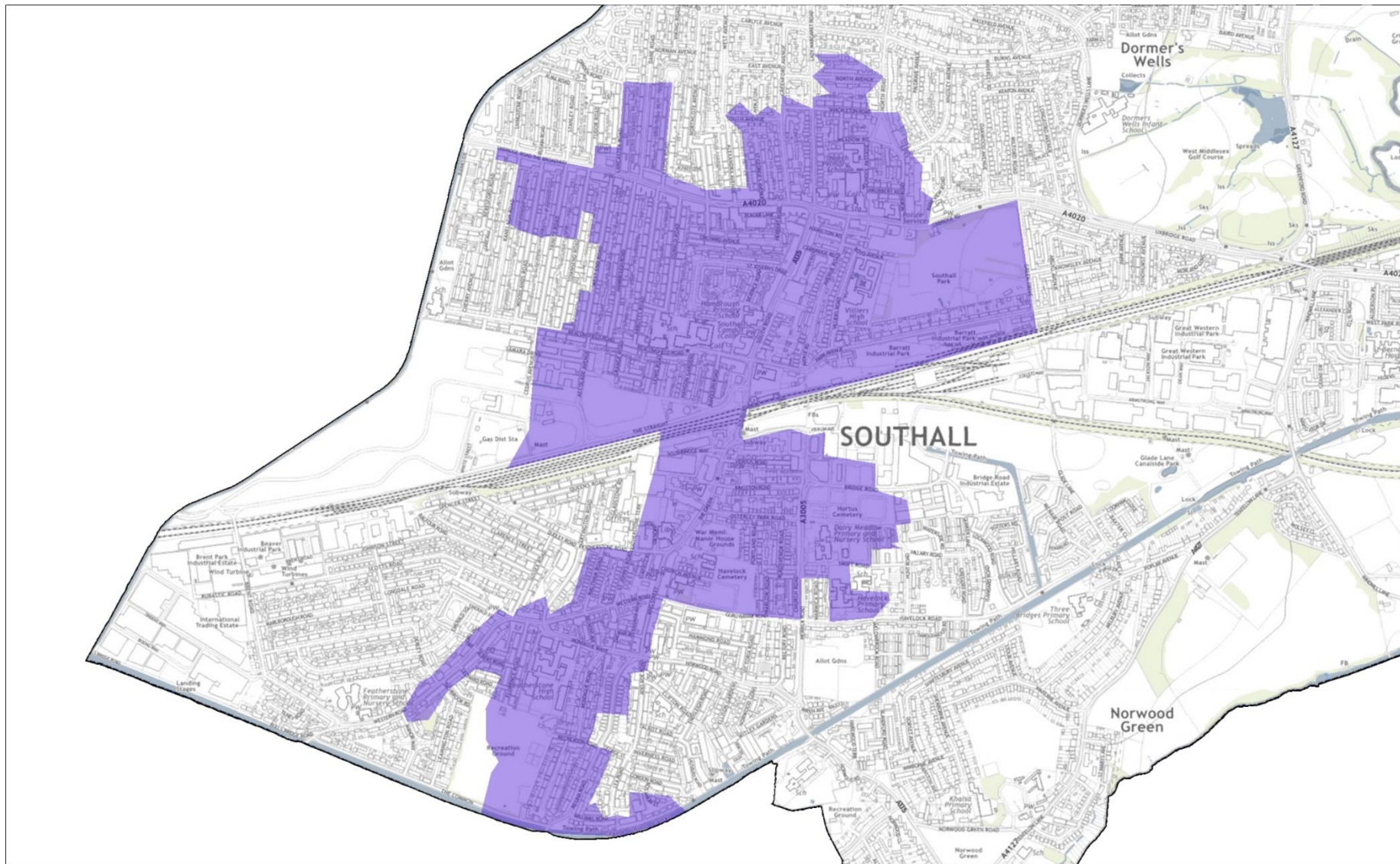








## Southall Special Policy Area



A summary report of evidential basis for determination of these areas is provided in the Council's 2025 Cumulative Impact Assessment.

Applicants should consider potential cumulative impact issues when setting out the steps they will take to promote the licensing objectives in their application.

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.

The Licensing Authority will monitor and review its Special Policy areas as needed. The Council will continue to explore and use other mechanisms as well as Special Policy use, in an endeavour to control cumulative impact.

# Licence conditions

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

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 because of a hearing. Mandatory conditions are prescribed by the Act and will be allocated to all licences or certificates in accordance with the legislation.

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.

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.

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.

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.

The Licensing Authority cannot impose blanket conditions, however, the Council makes model management conditions available on its website to guide applicants on suitable conditions they may wish to adopt and which a Licensing Sub-Committee may wish to impose.

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

Applicants are advised to consider the Licensing Policy in full when drafting Operating Schedules.

Licence conditions:

- Must be appropriate for the promotion of the licensing objectives
- Must be precise and enforceable
- Must be unambiguous and clear in what they intend to achieve
- Should not duplicate other statutory requirements or other duties or responsibilities placed on the employer by other legislation
- Must be tailored to the individual type, location and characteristics of the premises and events concerned
- Should not be standardised and may be unlawful when it cannot be demonstrated that they are appropriate for the promotion of the licensing objectives in an individual case
- Should not replicate offences set out in the 2003 Act or other legislation
- Should be proportionate, justifiable and be capable of being met
- Cannot seek to manage the behaviour of customers once they are beyond the direct management of the licence holder and their staff, but may impact on the behaviour of customers in the immediate vicinity of the premises or as they enter or leave; and
- Should be written in a prescriptive format

Failure to comply with licence conditions can lead to formal enforcement action or an application for a review of the licence, or both.



# Licensing hours

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

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.

The Authority recognises that, in some circumstances, flexible licensing hours can reduce concentrations of customers and reduce friction. However, in practice later hours have 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. 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. The Council believes that, up to this point, its licensing hour policy has benefited both businesses and residents of the borough.

Therefore, the Council do not intend to introduce a terminal licensing hour or make any changes to the core hours listed below. The Authority believes that licensable activities carried on within the core hours 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.)

### Premises for the supply of alcohol on the premises

	Town Centre areas (Ealing, Acton, Southall, Hanwell, Greenford)	Local Neighbourhood areas
Monday – Thursday	10:00 to 23:30	10:00 to 23:00
Friday – Saturday, Bank Holiday Sunday	10:00 to 00:00 (Midnight)	10:00 to 23:30
Other Sundays	11:00 to 23:30	11:00 to 23:00

### Premises for the supply of alcohol off the premises

Monday – Thursday	08:00 to 23:30
Friday – Saturday, Bank Holiday Sundays	10:00 to 00:00 (Midnight)
Other Sundays	11:00 to 23:30

### Premises offering late night refreshment

Sunday – Thursday	23:00 to 00:00 (Midnight)
Friday – Saturday, Bank Holiday Sunday	23:00 to 01:00

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):

- Operating schedules – demonstration of compliance with management standards
- Proximity to residential accommodation – the likelihood of the operation to have an adverse impact on the peace and quiet of residents
- 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
- Use of external areas for carrying out the licensable activities and potential noise impact on residents
- Proposed hours of the licensing activities and general opening times for the public – The use of winding down periods to enable more efficient dispersal
- 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

- Availability of public transport to assist in the timely dispersal of customers from the vicinity and to ensure safe travel home
- The potential for contamination of the street environment through increased litter and other pollution of the streets by customers

# Information for applicants and members of the public

The procedure and documentation required for the various applications is prescribed by the Licensing Act 2003 and associated regulations. There is a vast amount of information available regarding the licensing process, and applicants should refer to the relevant guidance on how to apply. Applicants are encouraged to review the information available on the gov.uk webpages and the Council's licensing pages before submitting their application: [Premises licence application | Premises licence application | Ealing Council](#).

Applicants for premises licenses and club premises certificates are strongly encouraged to read this Licensing Policy in full. By complying with this Policy, applications are less likely to face objections, which can incur additional costs and lead to a referral for determination to the Licensing Sub-Committee.

In evaluating applications, responsible authorities will refer to operating schedules, which should detail the steps that will be taken to promote the licensing objectives.

Therefore, applicants should provide as much information as possible to demonstrate that they have seriously considered the issues, are aware of their duty to promote the licensing objectives and understand how best to achieve these objectives. Applicants should also note that the operating schedule forms the basis for any conditions placed on a license, apart from those that are mandatory.

Where there are specific considerations detailed within this Policy that apply to certain types or location of the proposed premises (such as those listed in sections X and X), the applicants should ensure that their operating schedule adequately reflects the risks and necessary controls.

When assessing the applicant or licensee's ability to demonstrate a commitment to high standards of management, the Licensing Authority will specifically consider whether the applicant or licensee:

- Can demonstrate knowledge of the licensing objectives, relevant parts of this Licensing Policy, and their responsibilities under the Licensing Act 2003
- Has sought advice from the responsible authorities
- Has implemented any advice provided by the responsible authorities
- Is able to run their business lawfully and in accordance with good business practices

## Representations

Any person, not only responsible authorities can make relevant representations to the Licensing Authority. This gives the right to local residents and businesses to raise objections against new premises licence or a variation application. For a representation to be valid it must relate to one (or more) of the licensing objecting:

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

For a representation to be accepted it must be received within 28 calendar days of the date the application is made. Late representations or those which are considered frivolous, vexatious or repetitive will not be considered.

To make a representation you should contact the Licensing Authority in writing either by post (details in Appendix 2) at or by email.

Copies of all representations will be supplied in full (including personal details) to the applicant.

In exceptional circumstances, persons making representations to the licensing authority may be reluctant to do so because of fears of intimidation or violence if their personal details are divulged to the applicant. Where the Licensing Authority consider that the person has a genuine and well-founded fear of intimidation, the Authority will consider alternative approaches such as passing on the body of the representation while withholding some or all of the persons personal details from the applicant.

If relevant representations are made the application will be referred to a Licensing Sub-Committee hearing for determination, unless:

- The Authority, the applicant, and those who have made representations agree that a Hearing is not necessary
- All representations are withdrawn
- The application is withdrawn

Further guidance on making representations and the licensing / hearing process can be found on gov.uk webpages [LINK TO BE INSERTED](#)

## Personal Licences

The sale and supply of alcohol, because of its impact on the wider community and on crime and anti-social behaviour, carries with it greater responsibility than the provision of regulated entertainment and late-night refreshment. This is therefore why the supply of alcohol under a premises licence must be made by, or authorised by, a person who holds a personal licence.

Where a personal licence holder has been charged with a relevant offence as set out in Schedule 4 of the Licensing Act 2003, they must notify the Court at the first appearance in connection with the offence. The court may decide to revoke the Personal Licence.

Licence holders that are convicted of a relevant offence, where they failed to inform the Court, or the Court decided not to revoke the Personal Licence must also inform the Licensing Authority as soon as possible. The Licensing Authority may ask for the personal licence to be returned to add the relevant offence onto the Licence or choose to initiate revocation procedures.

## Variations (Full and Minor)

Where a premises licence holder wishes to amend the licence, the 2003 Act in most cases permits an application to vary to be made rather than requiring an application for a new premises licence. The process to be followed will depend on the nature of the variation and its potential impact on the licensing objectives.

### Minor variations

Minor variations relate to those applications which cannot adversely impact on the licensing objectives. Under this process, the applicant is not required to advertise the variation in a newspaper or circular or copy it to responsible authorities. However, they must display it on a white notice (to distinguish it from the blue notice used for full variations and new applications) in accordance with the requirements listed in regulation 26A of the Licensing Act.

The licensing officers will then determine whether the variation could impact adversely on licensing objectives and consider any representations received from responsible authorities and other persons.

Examples of changes that are unlikely to have an adverse impact on licensing

objectives are:

- **Amendment to Operating Hours:** reducing licensed hours by a small amount, for example, opening an hour later or closing an hour earlier
- **Changes to Layout:** Minor alterations to the internal layout of the premises, such as reconfiguring the placement of furniture or relocating a bar counter, provided it does not affect the primary activities carried out
- **Addition of a Small Outdoor Area:** Adding a small outdoor seating area for patrons, provided it does not exceed a specified limit (e.g., fewer than 10 additional patrons)
- **Changing the Name of the Premises:** Simply changing the name of the establishment without altering the nature of the business or the licensing activities

### Full variations

Any changes to that are likely to have an adverse impact on licensing objectives should be made through the full variation process. Examples of such changes include:

- **Changes to operating hours:** i.e. extending operating and closing times
- **Addition of other licensable activities**
- **Changes to capacity:** i.e. increasing the capacity for drinking on the premises
- **Changes to layout:** affecting access between the public part of the premises and the rest of the premises or the street or public way, for instance, block emergency exits or routes to emergency exits; or impeding the effective operation of a noise reduction measure such as an acoustic lobby
- **Alteration of conditions**

## Temporary Event Notices (TENs)

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 or for a one-off event. TENs have a number of limitations associated with them including that they can only be made for venues/events of up to a maximum capacity of **499** people (including any staff and any other persons) and that last for no more than **168** hours (7 days).

There are two types of TEN, a standard TEN and a late TEN.

A standard TEN must be given no later than 10 working days before the proposed event; a late TEN may be given not before 9 but not later than 5 working days before the event.

The timeframes for receiving Temporary Events Notices are set by statute and the Licensing Authority cannot and will not deviate from these time frames. 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.

The TEN must be given to the licensing authority in the prescribed form. The form requires the user to describe key aspects of the proposed event, including the general nature of the premises and the event, the licensable activities intended to be carried on at the proposed event. The 10 (for a standard TEN) or the 5 (for a late TEN) working days do not include the day of receipt or the day of the event.

The police or the Environmental Health Service may intervene to prevent such an event taking place by sending an objection to the licensing authority, which the licensing authority must consider.

The Authority will hold a hearing to consider the objection notice (unless it is a late TEN in which case the notice will be automatically refused), unless the premises user, the relevant person who gave the objection notice and the authority agree that a hearing is unnecessary.

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.

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

The licensing authority will publish all Temporary Event Notices on the Council's website. On occasion these notices may be published after the event has taken place



# Promoting the Licensing Objectives

The legislation provides a clear focus on the promotion of four statutory objectives which must be addressed when licensing functions are undertaken.

The licensing objectives are:

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

Each objective is of equal importance, and the four objectives will always be paramount considerations for the Licensing Authority.

## Prevention of Crime and Disorder

Licensed establishments of any kind, particularly those providing late-night or early-morning entertainment, as well as alcohol and refreshments for large numbers of people, can contribute to crime and disorder.

The Licensing Authority will expect the applicants to conduct a thorough risk assessment of their operation and ensure that operating schedules effectively address possible crime and disorder issues.

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.

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
- Use of radio links and ring-round phone systems, 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
- 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.
- 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
- 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
- Alternatives to glass: restricting the use of glass bottles and drinking vessels to customers in preference for containers made from soft and environmentally friendly materials
- Requiring premises licence holder to undertake right to work checks on all staff employed at the licensed premises or requiring that evidence of a right to work check.
- Setting up safeguarding policies and practices, which include modern slavery and child sexual exploitation considerations
- Conditions relating to MWAVG as listed within this policy

## Public Safety

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

This concerns the safety of people using the relevant premises rather than public health which is addressed in other legislation. Physical safety includes the prevention of accidents and injuries and other immediate harms that can result from alcohol consumption such as unconsciousness or alcohol poisoning.

If relevant representations are received from Responsible Authorities or Interested Parties in respect of public safety matters, the licensing authority will consider the adequacy of measures proposed to protect public safety having regard to all the circumstances of the case. The authority may consider imposing restrictions and conditions that are appropriate for promoting the licensing objectives.

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:

- Having adequate spiking prevention policies and appropriate staff training
- Undertaking suitable and sufficient risk assessments covering safety hazards
- Adequate Emergency, contingency and evacuation planning covering issues such as fires, bomb threats, or extreme weather conditions
- Steps to maintain and check fire safety provisions
- Adequate lighting in areas accessible to the public
- Setting safe capacity limits
- Adequate provision of first aid facilities
- Checks and maintenance to be carried out on installations, equipment or fixtures at specified intervals.
- Gardens or external areas accessible to the public are kept in a safe condition
- Ensure that premises users safely leave their premises by providing information on the premises of local taxi companies who can provide safe transportation home
- Ensuring that the event is run in accordance with the event management plan submitted to the licensing authority (See events section)

## Public Nuisance

The Authority will expect the applicant to address any issues in respect of public nuisance (e.g. noise, light pollution, smell and litter) or anti-social behaviour in the operating schedule when determining licensing applications.

When considering controls at premises, applicants are recommended to seek early advice from the Council's Noise team (Safer Communities). Applicants are also strongly urged to contact the Council's Street Services Team to approve waste arrangements as part of the application process.

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.

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.

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:

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

- Positive encouragement to customers to leave quietly and respect rights of residents through display of 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 nighttime 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

Applicants and licence holders should also demonstrate that the plant and equipment (air handling units, ventilation/extraction ducting and other equipment) is suitable and sufficient for the purpose intended without causing nuisance to local residents by way of noise, odours, fumes steam or vibration.

Where loud fireworks are used, these should not be let off during sleeping time (between 11pm and 7am).

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.

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

Measures to prevent public nuisance arising out of delivery services:

- Measures for minimising noise and disturbance caused by the dispatch of deliveries and congregation of delivery drivers to be identified in the operating schedule
- Providing robust staff training manuals and code of conduct to delivery drivers/riders
- Using courier services that encourage drivers to use vehicles that are less likely to cause noise or air quality nuisances for example, use of electric bikes or pedal bikes for late night deliveries

It is illegal, with some exceptions, to supply single use plastics such as plates, or plastic cutlery and containers. You can still supply single-use plastic-free food packaging made from other materials or reusable alternatives.

## Protection of Children from Harm

The Council expects that licence holders and their staff should have basic awareness of child protection issues. This should include:

- Being alert to the possibility of child abuse and neglect.
- Having enough knowledge to recognise an abusive or potentially abusive event or set of circumstances.
- Knowing who to raise concerns with.
- Being competent in taking the appropriate immediate or emergency action
- Knowing how to make a referral to the Children's Services and/or the Police

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.

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.

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.

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

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
- Adoption of age monitoring schemes to prevent under-age access to premises and underage sales of alcohol

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.

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.



## Delivery services

The premises offering online alcohol delivery services are expected to detail in their operating schedules arrangements put in place to prevent the sale, supply or delivery of alcohol to those underage, both at the purchase and delivery points. The Licensing Authority strongly recommends applicants and existing licence holders take into account the Safeguarding Children Policy for Licensed Premises.

Licensees and licence applicants are also required to be aware of matters and warning signs relating to Child Sexual Exploitation and to take these matters seriously. The Metropolitan Police Service's Make Safe website, has useful information and materials which all prospective and existing licence holders are expected to familiarise themselves with.

# Policies that apply to different types of licensed premises

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

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.

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.

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.

## Premises licensed for Off Sales of alcohol

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

The number of off-licence premises has increased since the Licensing Policy was last reviewed in 2020, from 488 to now 558 (14%). Over the same period, concerns are still being raised by members of the public, police and elected officials in relation to problems associated with outdoor drinking throughout the borough.

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.

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.

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 centers.

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, are in place.

Specific focus shall be given to ensuring that premises do not facilitate street drinking and congregation, an issue that often causing women to feel less safe in public spaces.

In terms of the impact of a Special Policy specifically on applications for off-sales, the “certain limitations” 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

As part of their operating schedule, applicants are expected to consider:

- Using shutters to prevent alcohol from being selected in non-licensed periods
- Having appropriate numbers of staff on duty to deal with possible ‘intimidation’ to sell alcohol
- Restricting the sale of high strength beer/drink promotions
- Using an incident and occurrence book to record incidents
- Consider proximity to substance misuse treatment services and primary care centres
- Vulnerability of individuals employed at their premises

Shops, stores and supermarkets should normally be free to provide sales of alcohol for consumption off the premises at any times when the retail outlet is open for shopping unless there are good reasons, based on the licensing objectives, for restricting those hours.

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. In such cases, the applicants will be expected to consider factors such as age, gender and numbers of their employees on site. It is imperative that appropriate measures and mitigation is implemented to ensure the safety of staff and promotion of licensing objectives. This may include ensuring there is no lone working and providing enhanced training.

Applications for premises located close to schools, hostels for vulnerable people that may provide accommodation and services to alcohol dependent people, as well as gambling premises will need to demonstrate that responsible retailing policies are in place. Applicants seeking premises licenses in close proximity to betting establishments, particularly in disadvantaged areas, should be able to demonstrate a clear understanding of the relationship between alcohol and gambling. Suitable training and adequate staffing levels, along with implementing additional protective measures, such as screens may be needed to ensure that staff members are not placed in vulnerable positions.

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 noncompliance.

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.

## Pubs, Bars and Night Clubs

It is recognised that pubs, bars and nightclubs make a valuable contribution to the vitality and viability of the borough's nighttime 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. These premises can also give rise to alcohol fueled violence and disorder, present opportunities for other crimes and pose various MWAVG challenges.

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 are sufficient.

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

To support the MWAVG strategy, applicants and licence holders for these types of venues should also include safeguarding measures in their operating schedules and are strongly encouraged to sign up to the Women's Night Safety Charter.

The applicants of new venues will be expected to promote best practice and have appropriately trained staff to address women's safety. This may include providing them with Welfare and Vulnerability Engagement (WAVE) training.



Applicants should also consider adopting measures to reduce violent and sexual offences such as:

- Adopting 'Ask for Angela' Ask for Angela | Metropolitan Police or similar safety initiatives aimed at assisting vulnerability within alcohol licensed venues
- Signing up to be a 'Safe Haven'
- Displaying posters which discourage harassment and hate crime
- Taking every report seriously and encouraging reporting by staff and managers
- Ensuring vulnerable customers leave the venue safely
- Having adequate drink spiking policies and ensuring all reports of spiking are acted upon

## Restaurants and Cafes licensed to sell alcohol for consumption on the premises

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.

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 are in place.

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.

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 as for pubs, bars and night clubs.

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 as late night hot food takeaways.

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.

As in case of Pubs, Bars and Clubs, applicants and licence holders must have reference to the MWAVG strategy and expectations listed within this policy.

## Late Night hot food takeaways

These premises sell hot food and drinks for consumption off the premises (takeaways) and are open after 23.00 to late at night.

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, are in place.

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.

Where delivery services are offered, applicants and licence holders shall have regard to measures required to prevent public nuisance arising out of delivery services as detailed within this Policy.

## Events

Events require significant planning and organisation and can present various challenges. The Licensing Authority and other Responsible Authorities expect to be satisfied well in advance of any such event that appropriate measures are in place to safeguard the licensing objectives. With this in mind, for larger events (those with 5,000+ visitors) the applicants shall prepare adequate Event Management Plan (EMP) which should detail how an event organiser will run their event.

The Licensing Authority expects to receive notification of any premises licence applications at least 3 months in advance for smaller events and 6 months for those with 5,000+ attendees of the event taking place to ensure that EMP covers all relevant matters. For any large events, the organisers should ensure that their EMP, where appropriate considers at least the following:

- Planning management and risk assessments
- Venue and site design
- Contingency and emergency planning
- Crowd management, dealing with crime and disorder
- Medical provision
- Counter Terrorism
- Stewarding
- Noise and waste management
- Fire safety
- Safeguarding children and young and vulnerable people

All applicants shall have regard to “The Purple Guide to Health, Safety and Welfare at Music and Other Events” guidance on producing an EMP.

Applicants must include EMP as part of their applications and should offer a condition stating that the event will be run in accordance with the EMP submitted to the licensing authority.

Where a responsible authority considers an EMP is inadequate to promote the licensing objectives, it may make a representation about the application.

## Large capacity venues and spaces

The Licensing Authority expects that those who operate the places and spaces in which people live, work and socialise should take enhanced measures to safeguard their users.

As a result, the Licensing Authority expects large-capacity venues and organizers of large events to consider the Martyn’s Law (Protect duty) and specifically the following:

- Counter-terrorism planning
- Vulnerability assessments of their operations
- Mitigatory measures where vulnerabilities are identified
- Counter-terrorism advice and staff training

# Administration, enforcement and delegation

## Administration

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.

## Roles of responsible authorities

Under the Licensing Act, there are various responsible authorities, and each party has their own responsibilities in relation to licensed premises. As a guiding principle, the lead authority for making representations, investigation and enforcement action, should be based on the impact on the effect on promotion of the licensing objectives.

In practice, this responsibility is split as described below:

**Crime and Disorder:** Metropolitan Police

**Public Safety:** Licensing Authority H&S service; HSE and/ or Fire Authority

**Public Nuisance:** Safer Communities (noise, Nuisance and Antisocial Behaviour teams); Metropolitan Police

**Protection of Children:** Metropolitan Police, Licensing Authority Trading Standards service and Children Services

For contact details for each responsible authority please refer to Appendix 2.

Responsible authorities are not limited in making representations and seeking reviews in respect of the above and can choose to comment on all matters relevant to licensing.



Each agency, resource permitting, will provide advice and guidance on matters within the remit of their expertise. Where information is requested on a matter outside of any agency's remit, the contact details of the relevant agency will be provided to the applicant/licence holder.

Upon receipt of a complaint or concerns relating to licensed premises, club premises, or personal licence holders, the responsible authority will:

- Take appropriate action if the matter is within that agency's remit
- Pass the matter to the relevant agency, in accordance with the liaison arrangements
- Liaise with other agencies to establish lead responsibility

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 consider the principles that regulatory activities should be:

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

The Licensing Authority will respond to complaints and allegations of non-compliance from existing licensed premises, as well as allegations concerning licensable activities taking place on premises without the appropriate licence or authorisation. Remaining matters are likely to be referred to the other responsible authorities.

## Licence Reviews

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.

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.

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

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.

The Authority also has a dual responsibility to administrate the process of a review and determine its outcome at a hearing. When the Authority acts as a responsible authority and apply for a review, adequate separation of responsibilities is achieved.

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

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.

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.

Where venues have a history or MVAWG related concerns, the Council will look to review their licences to allow Committee members to consider the applications of safeguarding measures to protect women and girls as laid on page 17.

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.

The Authority may also impose standards of management and controls that should be in place to promote each of the licensing objectives.

## **‘Shadow’ licences**

There is currently no restriction as to the number of premises licences that can apply to a specific premises. In practice, this means that there may be a second or subsequent licences for a premises where one already exists. These licences are colloquially known as ‘Shadow licences’. In case a premises licence review is instigated, the authority may choose to review additional, or all ‘shadow’ licences associated with the premises.

## **Appeals**

Applicants or objectors can appeal against a decision made by the licensing authority.

Appeals must be made in writing to the local Magistrates’ Court within 21 days of being made aware of the decision (in case of TEN’s – no later than five working days before the planned event).

Any party who launches an appeal at the Magistrates court is requested to copy in the Authority representative (as per details on the Decision notice) and the [licensing service](#) at the time that the appeal is filed at court.

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.

There is no right of appeal against a counter notice for a late TEN.

# Monitoring arrangements

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 3-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
- 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.

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.

Reports made to the Licensing Committee and/or strategic partnerships will appropriately consider 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](mailto:licensing@ealing.gov.uk) or Telephone 020 8825 6655
- The Council's website provides further information and routes to make online applications [LINK TO BE INSERTED HERE](#)

# Appendices

- **APPENDIX 1 – Licensing Authority Summary of Delegation of Decisions and Functions**
- **APPENDIX 2 – Licensing Act 2003 Responsible Authority Details**



## 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 is 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 is made
Application for provisional statement	If a relevant representation made	If no relevant representation is made
Application to vary premise licence/club premises certificate	If a relevant representation made	If no relevant representation is 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

### **Ealing Council – Licensing Authority & Compliance and enforcement teams**

Ealing Council, Perceval house  
14–16 Uxbridge Road  
Ealing W5 2HL  
Telephone: 020 8825 6655  
Email [licensing@ealing.gov.uk](mailto:licensing@ealing.gov.uk)

### **Ealing Council – Safer Communities (Noise, Nuisance & Antisocial Behaviour)**

Ealing Council, Perceval house  
14–16 Uxbridge Road  
Ealing W5 2HL  
Telephone: 0208 825 5994  
Email: [safercommunities@ealing.gov.uk](mailto:safercommunities@ealing.gov.uk)

### **Ealing Council – Trading Standards**

Ealing Council Perceval House  
14–16 Uxbridge Road  
Ealing W5 2HL  
Email: [tradingstandards@ealing.gov.uk](mailto:tradingstandards@ealing.gov.uk)

### **Ealing Council – Health and Safety Enforcing Authority (For Local Authority**

Enforced Premises)  
14–16 Uxbridge Road  
Ealing W5 2HL  
Telephone: 020 8825  
Email: [healthandsafety@ealing.gov.uk](mailto:healthandsafety@ealing.gov.uk)

### **Ealing Council –The Local Planning Authority**

14–16 Uxbridge Road  
Ealing W5 2HL  
Telephone: 020 8825 6600  
Email: [Planning@ealing.gov.uk](mailto:Planning@ealing.gov.uk)

### **Ealing Council – Public Health**

Ealing Council, Perceval House  
14–16 Uxbridge Road  
Ealing W5 2HL  
Telephone: 020 8825 6232

Email: [publichealth@ealing.gov.uk](mailto:publichealth@ealing.gov.uk)

**Child Protection Authority**

Email: [Cp@Ealing.gov.uk](mailto:Cp@Ealing.gov.uk)

**Metropolitan Police**

Email: [WAMailbox-.LicensingEaling@met.police.uk](mailto:WAMailbox-.LicensingEaling@met.police.uk)

**The Local Fire and Rescue Authority**

Email: [FSR-AdminSupport@london-fire.gov.uk](mailto:FSR-AdminSupport@london-fire.gov.uk);

**Home Office**

Email: [Alcohol@homeoffice.gov.uk](mailto:Alcohol@homeoffice.gov.uk);

**The Health and Safety Executive**

Website: [Ways to contact HSE](#)