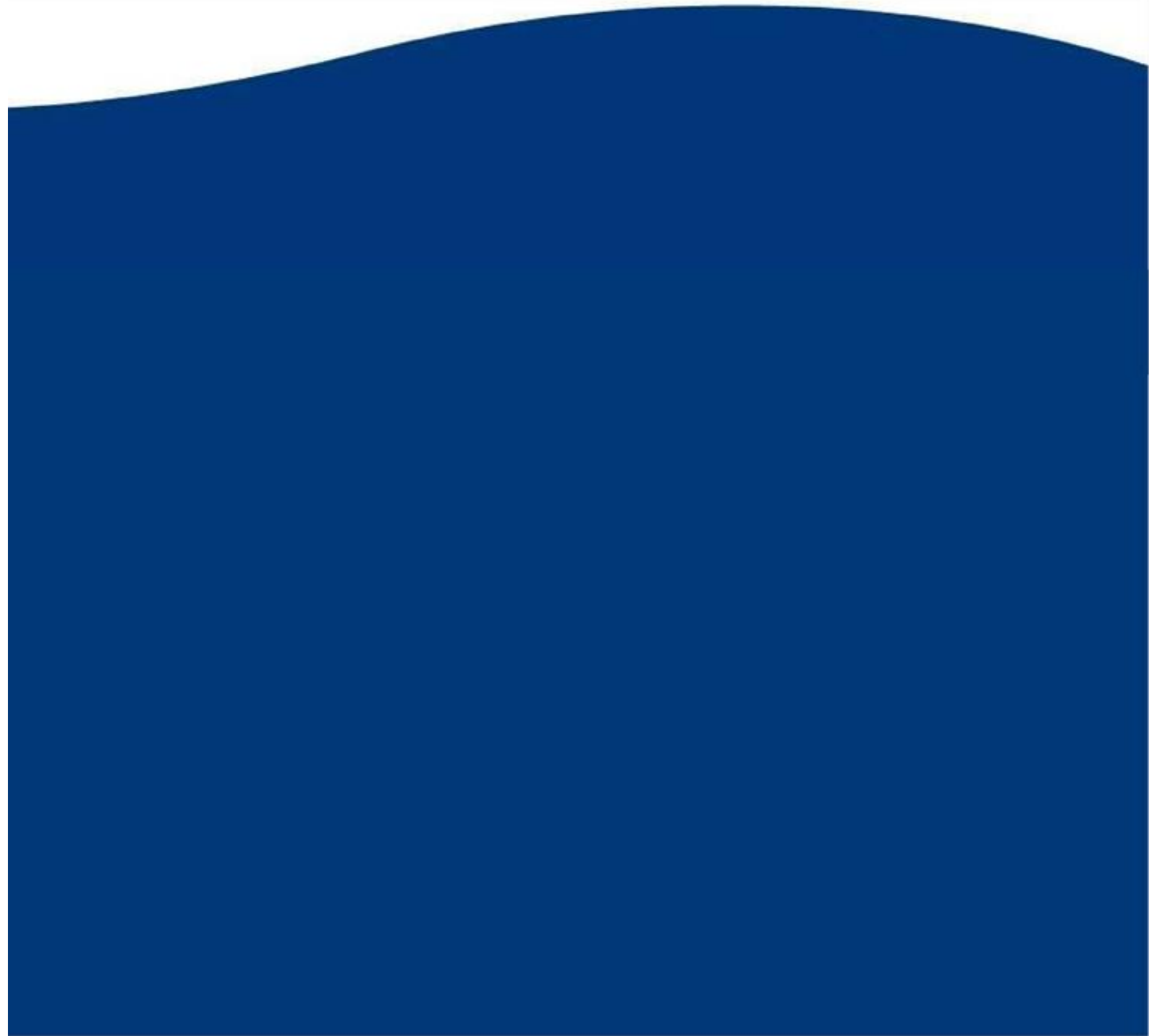


**Lambeth Licensing Policy
2019-2024**



DRAFT: LAMBETH STATEMENT OF LICENSING POLICY

2019-2024

PART A: INTRODUCTION AND LEGISLATIVE BASIS

1. Purpose of the Statement of Licensing Policy

- 1.1. The purpose of this Statement of Licensing Policy ('licensing policy') is to outline the approach that Lambeth Licensing Authority ("the Authority") will take to implementing the Licensing Act 2003. The policy provides guidance for applicants, residents and Responsible Authorities under the Act. - Responsible Authorities include the Council's Licensing, Health and Safety, Environmental Health, Planning, Trading Standards and Children's Services as well as the Police, Public Health, the Fire Authority and the Home Office
- 1.2. This policy, along with current national 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.
- 1.3. The Licensing Act 2003 sets out four licensing objectives:
 - the prevention of crime and disorder;
 - public safety;
 - the prevention of public nuisance; and
 - the protection of children from harm.The Authority is required to make decisions based on these objectives and to promote them through its actions. Licensed premises are required to conduct their activities with reference to the promotion of these objectives.
- 1.4. Each of the licensing objectives is of equal importance in terms of licensing actions and decision making. This means that each has equal weight under the legislation.
- 1.5. The Licensing Act 2003 also outlines five other key aims that are important for all those involved in licensing to support and promote through good practice. These are:
 - Protecting the public and local residents from crime, anti-social behaviour and noise nuisance caused by irresponsible licensed premises;
 - Giving the police and licensing authorities the powers they need to manage and police the night-time economy effectively and take action against those premises that are causing problems;
 - Recognising the important role which pubs and other licensed premises play in our local communities, and minimising the regulatory burden on business, encouraging innovation and supporting responsible premises;
 - Providing a regulatory framework for late night refreshment, and regulated entertainment which reflects the needs of local communities and empowers local authorities to make and enforce decisions about the most appropriate licensing

- strategies for their local area; and,
 - Encouraging greater community involvement in licensing decisions and giving local residents the opportunity to have their say regarding licensing decisions that may impact upon them.
- 1.6 This policy:
- Outlines the legal framework and responsibilities under the Licensing Act 2003 and the accompanying Section 182 Guidance issued by the Home Secretary;
 - Makes clear the expectations the Licensing Authority has for those engaging with the licensing system in Lambeth including licence holders, licence applicants, residents and Responsible Authorities; and
 - Makes clear the expectations that those engaging in licensing in Lambeth may have of the Licensing Authority and other licensing partners.
- 1.7 The aim is to make the Licensing system in Lambeth as clear, simple and accessible as possible. To this end the policy sets out the following:
- A clear statement of the legal framework for the policy and its links to other legal frameworks and strategies;
 - The Lambeth context and the aspirations and intent of the policy within that context;
 - The Licensing objectives and the measures expected to promote them as required by law;
 - 23 easy to find separate policies which provide more detailed guidance on the approach the Licensing Authority will take to specific issues and circumstances; and,
 - Appendices that provide useful further information.
- 1.8 Each new licence application or an application for a variation of an existing licence will be considered on its own merits. This means that decisions will take into account the specific details in each case, including the proposed venue and the way it will operate, or proposed changes to an existing venue and/or its operation, as well as the context in which it operates.
- 1.9 Section 5 of the Licensing Act 2003 requires each Licensing Authority to prepare and publish a Statement of its Licensing Policy every five years. The previous Lambeth policy was published on 30 January 2014. This current Statement of Licensing Policy reflects changes in legislation and local policy, and feedback to date around ease of use of the previous document, and has been updated accordingly. This policy will apply from 30 January 2019 to 29 January 2024.
- 1.10 The legislation allows the Authority to review and update its Statement of Licensing Policy during this time to reflect any changes in legislation or guidance.
- 1.11 In the drafting of this policy the Authority has had regard for the Home Office Guidance issued under S.182 of the Licensing Act and has given appropriate weight to the views of consultees. When revisions of the guidance are published the Authority will determine if revisions of this policy are appropriate.

2. Scope of the policy

- 2.1. The scope of the policy is the oversight and management of the provision and holding of licences under the Licensing Act 2003. The Act regulates the following licensable activities:
- Retail sale of alcohol;
 - Supply of alcohol to club members;
 - Supply of hot food and drink between 23:00 and 05:00;
 - Provision of regulated entertainment to the public, or club members, or with a view to profit;
 - Film exhibitions;
 - Performances of a play;
 - Indoor sporting events;
 - Boxing or wrestling entertainment;
 - Live music performances (see Appendix 11 relating to the Live Music Act);
 - Playing of recorded music; and
 - Dance performances.
- 2.2. There are a number of exemptions and details of these are set out in full in Part 2 of Schedule 1 of the Licensing Act 2003.
- 2.3. These licensable activities are covered through application to the Authority for a licence to undertake them. These include applications for new premises licences, club premises certificates, variations to these and reviews of licences and/or certificates.
- 2.4. The scope of the policy will be subject to revisions to the Licensing Act as set out in the Guidance as issued by the Home Office from time to time. When revisions are issued, there may be periods of time where the published Lambeth Licensing Policy is inconsistent with the Guidance. During such periods the Council, as the Licensing Authority, will have regard, and give appropriate weight, to the revised Guidance.

Planning

- 2.5. It is understood that the Planning regime in Lambeth has an impact on the Licensing regime. It is also noted that each of these regimes is covered by a separate legislative framework and is administered through different parts of the Council, with separate Committees overseeing the processes. However, the Authority commits to working in alignment with the Planning regime as closely as is possible under the separate regimes to ensure as much consistency between the two as is appropriate and possible.
- 2.6. The use of premises for the sale or supply of alcohol, provision of entertainment or late-night refreshment or indoor sports is subject to planning control, and requires planning permission or must otherwise be lawful under planning legislation. Planning permission is generally required for the establishment of new premises or for a premises' change of use.
- 2.7. In general, all premises which are the subject of a licensing application should have the benefit of planning permission, or be deemed permitted development. Licensing and Planning are separate regimes as mentioned above, but consents from both must be in

place to operate legally. If there is variance between the hours given under a licence and those permitted by the planning permission the earlier hours will apply.

- 2.8. Commercial premises need to have provision in place for the collection of waste etc. Care should be taken to ensure that collection of rubbish and glass does not occur at unsociable hours.

The Mayor's Vision for London as a 24-hour City

- 2.9. Since the publication of the last Statement of Licensing Policy the Mayor of London has outlined his vision for London as a 24-hour City and has also appointed a Night Czar and a Night Time Commission to encourage the development of London as a vibrant, diverse, cultural city with a night time economy that is of global significance.
- 2.10. There is a vibrant, diverse and cultural night time economy offer across the borough. People living within and outside of Lambeth will find entertainment, socialising and dining options that are reflective of a wide range of influences, origins and cultural aspects. Whilst the Mayor's Vision will be considered and reflected in the licensing system in Lambeth, the Authority recognises that these ambitions need to be balanced against the needs and wishes of residents and other businesses and that the Authority's overriding duty is to promote the Licensing Objectives.

Responsibilities under the Immigration Act 2016 and the Modern Slavery Act 2015

- 2.11. The Authority has responsibilities that relate to the prevention of immigration crime, specifically the prevention of illegal working in licensed premises. These responsibilities are outlined in this policy under Section 5: Licensing Objectives, and the subsection on the Prevention of Crime and Disorder. The London Borough of Lambeth has a duty under the Modern Slavery Act 2015 to co-operate with the Independent Anti-Slavery Commissioner, and the Authority is also under this duty as part of the London Borough of Lambeth.

Health Act 2006

- 2.12. It is expected that all licence holders will be compliant with the Health Act 2006 and all sundry Smokefree Regulations that govern smoking in licensed premises currently and as these are updated.

3. The Lambeth context

- 3.1. Lambeth is an inner London borough south of the river Thames. Lambeth covers an approximate area of 10.5 square miles and includes the areas of Waterloo and the South Bank, Vauxhall and the Oval, Kennington, Stockwell, Clapham, Brixton, Loughborough Junction, Herne Hill, Streatham, Tulse Hill, West Norward, Gipsy Hill and Upper Norwood.
- 3.2. Lambeth is listed as having a population of 303,100 in the 2011 census, which is one of the most ethnically diverse in London. Lambeth is also the fifth most deprived area in London based on the Index of Multiple Deprivation.

- 3.3. Lambeth incorporates a number of geographical areas which have a long tradition of being entertainment destinations, attracting people from across London and from further afield. Lambeth also has a considerable small business base, with 87% of businesses being small enterprises.
- 3.4. There have been significant levels of growth in the licensed trade since the introduction of the Licensing Act 2003, both in terms of the number of premises and the number of hours being operated for. Of the existing 1491 licensed premises operating in Lambeth 931 were operating prior to the implementation of the Licensing Act 2003.
- 3.5. Furthermore, there are developing areas within the borough in relation to the night time economy. The Vauxhall and Waterloo areas are experiencing high levels of commercial and residential development currently, the South Bank is an area of cultural significance, with the Royal Festival Hall, the BFI, the National Theatre and others playing a key role in London's cultural life, with further development underway. There are three areas in the borough with particular night time economy profiles: Clapham High Street, Brixton and Vauxhall.
- 3.6. Lambeth experiences high rates of alcohol-related harms. Lambeth has the 6th highest crime rate in London; the 2nd highest rate for Violence with Injury, Sexual Offending and Drugs, and the third highest number of Anti-Social Behaviour (ASB) calls to Police compared to the rest of London. We know from our residents that noise nuisance in a densely populated borough is a problem, especially when this occurs later in the evening and at night.¹
- 1.1. The Lambeth context shows the need for a balanced approach to how licensing policy works in the borough. This approach is outlined through this Statement of Licensing Policy.

2. Aspirations and intent

- 2.1. As set out in the Council's "*Future Lambeth: Our borough plan*" Lambeth has three overarching priorities, all of which are key to the aims of the Statement of Licensing Policy. These are:
 - **'Creating inclusive growth:** We want all of Lambeth to benefit from the investment and regeneration of the borough.
 - **Reducing inequality:** We want to take action to address inequalities across the borough including issues to do with health, job opportunities and quality of life.
 - **Building strong and sustainable neighbourhoods:** We want to maintain safe, clean and cohesive communities across the borough.'

¹ Lambeth State of the Borough, p 44,
<https://www.lambeth.gov.uk/sites/default/files/State%20of%20Borough%202016%20-%20v3.pdf>

- 2.2. It is the aspiration of this Statement of Licensing Policy to support these strategic priorities through the promotion and application of the four licensing objectives.
- 2.3. We believe that as long as licensed premises operate as compliant, well-regulated businesses and that their management act responsibly in promoting the licensing objectives; run safe, well managed venues and facilities; and engage and work with the local authority, its partners and the local community; they make a positive contribution toward building community cohesion and cultural development. It is also important to appreciate that alcohol plays an important and inherent role within the leisure and entertainment industry.
- 2.4. However, it is equally recognised that negative impacts will occur if good management practices are not followed by licensed premises. These can include anti-social behaviour, nuisance and disturbance caused to local residents, sometimes together with serious crime and disorder problems. Alcohol, in particular, is an important contributing factor to all of these issues. Alcohol-related violence, disorder and rowdiness impact on our community, public health and the public purse through the demands made upon Hospital attendances and admissions; additional policing; additional street cleaning; and the criminal justice system. The Authority does not consider that it is reasonable for local residents and compliant businesses to suffer because of a small number of irresponsible, poorly managed operators.
- 2.5. This Statement of Licensing Policy, therefore, seeks to provide a necessary balance between providing a platform upon which compliant, well-regulated businesses may operate and contribute towards a successful business and night-time economy, and ensuring that the quality of life of those who live and work in the borough is protected through the licensing system. We believe these aims are achievable if all parties concerned work together.

3. The Licensing Objectives

- 3.1. The licensing objectives, as outlined in the Act, are the core of the licensing regime. Licence applicants must demonstrate in their operating schedules as part of an application how they will address each objective. The Authority will make decisions about applications, variations and reviews based on the promotion of these objectives. Those making representations to the Licensing Sub-Committee must base them on the objectives.
- 3.2. Therefore, how applicants communicate the promotion of the licensing objectives in their operating schedule and application is essential for the full consideration of the application by the Authority.
- 3.3. Providing a full and detailed operating schedule as part of the application will make it clearer as to how the applicant will promote the licensing objectives. Applicants are expected to:
 - demonstrate knowledge of the local area when describing the steps they propose to take to promote the licensing objectives;

- undertake enquiries about the area in which the premises are situated to inform the content of the application;
 - obtain sufficient information to enable them to demonstrate, when setting out the steps they propose to take to promote the licensing objectives, that they understand:
 - a) the layout of the local area and physical environment including crime and disorder hotspots, proximity to residential premises and proximity to areas where children may congregate;
 - b) any risks posed to the local area by the applicants' proposed licensable activities;
 - c) any local initiatives (for example, local crime reduction initiatives or voluntary schemes including local taxi-marshalling schemes, street pastors and other schemes) they propose to put in place which might help to mitigate any potential risks.
- 3.4. Where specific policies apply in the area (for example, a cumulative impact policy), applicants are also expected to:
- demonstrate an understanding of how such a policy impacts on their application;
 - any measures they will take to mitigate the impact; and
 - why they consider their application should be an exception to the policy.
- 3.5. Demonstrated knowledge about the locality will assist applicants when determining the steps that are appropriate for the promotion of the licensing objectives. For example, premises within close proximity to residential premises should consider how this will impact upon their smoking, noise management and dispersal policies, to ensure the promotion of the public nuisance objective. Applicants must consider all factors which may be relevant to the promotion of the licensing objectives, and where there are no known concerns, to acknowledge this in their application.
- 3.6. Applicants are advised to carry out their own research, and potentially to seek the views of responsible authorities before formally submitting an application, as the authorities are best placed to have detailed and expert local knowledge about local issues that should be taken into consideration when making an application. It should be noted that there may be a charge for this service.
- 3.7. It is also expected that applicants will canvass the views of their neighbours and local residents as this can clear up any ambiguities and develop a relationship based on mutual cooperation before an application is made. This may be facilitated by making direct contact with neighbours and any local group that represents residents or businesses. This will also assist the applicant by giving an understanding at the outset of what the community believe is acceptable in their area.
- 3.8. Lists of matters which should be addressed in operating schedules are included in the Appendices to this document. Whilst applicants are strongly encouraged to consider these they should not be regarded as standard conditions and should be used and modified according to the individual application and location and to inform the operating schedule. By setting out a carefully considered operating schedule applicants can demonstrate that they have given thought to their application and its impact on the local environment.

- 3.9. An operating schedule should contain details relating to the promotion of the licensing objectives that are capable of being translated into enforceable conditions as, if there are no representations against the grant of the licence these will form the basis of the conditions that will be placed on the licence. It is recommended that applicants use the 'general' box in section P of the application form to indicate what local factors they have considered. Guidance about filling in application forms is in [Appendix 6](#) and further guidance is available on the Council's website.
- 3.10. The failure by an applicant to clearly and fully demonstrate in the operating schedule that they have properly considered the promotion of the four licensing objectives is a legitimate concern should the application come before the Licensing Sub-Committee and may trigger a representation from the Authority.

Measures to prevent crime and disorder

- 3.11. The prevention of crime and disorder is a licensing objective due to the link between alcohol and a range of problems, including:
- anti-social behaviour;
 - violence, including sexual assault;
 - crime and criminal damage;
 - domestic violence and abuse;
 - street drinking; and
 - public disorder and misadventure.
- 3.12. The consumption of alcohol can increase the likelihood of an individual becoming a perpetrator or a victim of crime. A significant level of violence is linked to alcohol consumption, and the likelihood of being both a victim or perpetrator of property crime or criminal damage increase as a result of alcohol consumption. A compliant, well-regulated licensed premises with effective measures in place to reduce crime and disorder can make a difference. The Authority expects existing authorisation holders and new applicants to be able to demonstrate the measures they use, or propose to adopt, to prevent and actively discourage the sale/supply of alcohol to children and to individuals who are already intoxicated and thus potentially pose a risk to themselves or others.
- 3.13. Applicants are advised that they should, in their operating schedules, focus on measures that will ensure that their proposals will not add to any existing problems with crime and disorder.
- 3.14. It is recommended that applicants undertake an assessment of the likely risks and causes for crime and disorder and include measures in the operating schedule that they will take to address these.
- 3.15. These may include:
- Completion of a risk assessment;
 - Use of CCTV with appropriate storage of footage;
 - Use of appropriate Security Industry Association (SIA) trained door supervisors;

- Membership of the Business Crime Reduction Partnership;
 - Being aware of the potential for drug misuse within the premises and, where this is a risk, to introduce measures that can mitigate this risk;
 - Consideration of schemes that may provide additional support for addressing crime and disorder, for example, Business Improvement Districts, Pub Watch, Best Bar None etc.
- 3.16. We also recommend licence holders put in place measures to reduce gender-based violence, intimidation and harassment for staff and customers. This may include Ask Angela, WAVE and training for staff. Further details are available via the Council's Licensing team.
- 3.17. Appendix 1 lists matters relating to crime and disorder that applicants must consider when making an application. The Authority requires applicants to consider areas that they should address and to formulate their own tailored schedule which will then become conditions on any issued licence.
- 3.18. The Authority recognises that the Metropolitan Police are the main source of advice about crime and disorder, and that the Community Safety Partnership can also make a contribution. The Authority will accept all reasonable and proportionate representations made by the Police unless there is evidence that to do so would not be appropriate for the promotion of the licensing objectives.
- 3.19. The prevention of crime includes the prevention of immigration crime including illegal working in licensed premises. The Authority will work with Home Office Immigration Enforcement, as well as the police, in respect of these matters. Where appropriate, the Authority will consider imposing conditions directed at ensuring the prevention of illegal working in licensed premises, such as licence holders being required to undertake right to work checks on all staff and the retention of a copy of any document checked as part of a right to work check on the premises for these purposes of inspection.

Measures to ensure public safety

- 3.20. The public safety objective is concerned with the physical safety of people using the premises. To ensure the safety of customers, applicants should be prepared to demonstrate that the premises comply with all health and safety regulations and that risk assessments, where required, are current.
- 3.21. Capacity limits can be imposed for the promotion of public safety or for reasons of crime and disorder. Capacity limits will not be imposed as a condition of the licence on fire safety grounds. All new applications and variations should be accompanied by a Fire Safety risk assessment as required under the Regulatory Reform (Fire Safety) Order 2005. This will reduce the likelihood of the Fire Authority making a representation against the application.
- 3.22. Special considerations will apply to night clubs and similar venues. Applicants should consider the Safer Clubbing Guide published by the Home Office and London Drug

Policy Forum, which gives advice on these issues.

- 3.23. Events in the open air or involving temporary structures raise particular issues. For time limited premises licences on open council land, the applicant must present their application in advance to the Lambeth Events Safety Advisory Group. This group has a wide remit and seeks to make applicants aware of the requirements they have to satisfy to run an event. Applicants are advised to undertake their own research and to take advice on necessary consents and timescales for planning such events which can be lengthy. A late licence application without all necessary permissions in place will lead to uncertainty and may jeopardise the possibility of an event taking place. It is the applicant's sole responsibility to ensure that all required permissions and authorisations are in place, applicable fees paid, and timescales adhered to in order for an event to take place. Guidance on holding events on council land is available on the Council's website.
- 3.24. Appendix 2 lists matters relating to public safety that applicants must consider when making an application. The Authority requires applicants to consider areas that they should address and to formulate their own operating schedule tailored to the type, nature and characteristics of the specific premises and its neighbourhood.

Measures to prevent public nuisance

- 3.25. Public nuisance is the most common reason for complaints and representations to be made about applications. It is also the most common cause of complaints about existing premises. It can include low-level nuisance affecting a few people locally as well as major disturbance.
- 3.26. The potential for nuisance varies according to the nature of the premises. The Authority will interpret nuisance in its widest sense and takes it to include such issues as noise (from patrons and music, both inside and outside the premises), light, litter, human waste (such as vomit and urine), fly-posting and anti-social behaviour.
- 3.27. Noise nuisance is the most common problem. It is particularly intrusive at night when ambient noise levels are lower, and residents are trying to sleep, and so it is essential that applicants can demonstrate how they will effectively manage such issues as:
- the exit and dispersal of their patrons;
 - noise from patrons in queues or in outside smoking areas;
 - patrons returning to cars parked in surrounding streets; and
 - general noise of people arriving and leaving.
- 3.28. Applicants for licences to run after midnight and for variations to extend existing hours should consider preparing a detailed dispersal policy and submit this with their application.
- 3.29. Where applicants are completing operating schedules they are expected to have regard to the location of the proposed or actual premises. In particular, consideration should be given to whether proposals may have a disproportionate impact in residential areas or near to sensitive premises such as nursing homes, older people's

accommodation, hospitals, hospices, schools, childcare facilities or places of worship.

- 3.30. The use and management of outside spaces within the direct control of the licensee and the associated behaviour of people using outside areas can also be problematic. Applicants should take all reasonable steps to prevent public nuisance outside their premises where and to the extent that these matters are within their control. **Policy 5** outlines the Authority's policy for the management of outside spaces.
- 3.31. **Appendix 3** lists matters relating to public nuisance that applicants must consider when making an application. The Authority requires applicants to consider areas that they should address and to formulate their own operating schedule tailored to the type, nature and characteristics of the specific premises and its neighbourhood.
- 3.32. Proximity to residential accommodation is a general consideration with regard to the prevention of public nuisance. The Authority will treat each case on its individual merits, however, stricter conditions will generally be imposed on premises licences in areas that have denser levels of residential accommodation or residential accommodation in close proximity to them. This may include the Authority imposing an earlier terminal hour than that proposed by the applicant. This is regardless of the designation assigned to the area in which the premises is situated under this policy, i.e. as a Major or District Town Centre. In such cases and where relevant representations are received, the Licensing Authority will have regard to the potential for, and the risk of, nuisance occurring to nearby residents, particularly when considering an application which proposes the conduct of licensable activities after the hours indicated in **Appendix 5**. It is important to stress that the terminal hours set out in **Appendix 5** are intended as guidance only. The Licensing Authority may impose or agree an earlier or later terminal hour where this is considered appropriate.

Measures to protect children from harm

- 3.33. The Authority takes the protection of children from harm very seriously and expects all licence holders and staff employed on licensed premises to do so as well. Applicants for new licenses and variations are expected to address this in detail in their operating schedules. Existing licensees are advised to review their policies regularly to ensure that they are still relevant for the nature of the premises.
- 3.34. The Council's Trading Standards Team work closely with the Police. They carry out regular operations using children aged under 18 to undertake test purchases for underage sales. Following any such sale action will be taken, this may be a review of the licence, or a request to include additional conditions on the licence designed to assist the management to counter attempts by children to buy alcohol. Any additional conditions felt appropriate will be subject to discussion with licence holders. It should be noted that Trading Standards may also take enforcement action where any underage sale takes place which may lead to prosecution for which the penalty is a fine. Evidence of any other sales of age restricted goods or any other illegal activity will be considered relevant. If a review of a licence does follow and the committee considers that the necessary safeguards, training or commitment to the protection of children are inadequate, then additional conditions, restrictions or, in

appropriate cases, revocation of the licence may follow.

- 3.35. The Authority will expect cinemas to stipulate that children will be restricted from viewing age-restricted films classified according to the recommendations of the British Board of Film Classification.
- 3.36. The Authority recommends that staff working in licensed premises take advantage of on-line training and awareness-raising materials made available by the Lambeth Safeguarding Children Board, or a suitable alternative.
- 3.37. It is mandatory for premises that sell or supply alcohol to have an age verification policy in place. The Authority favours the Challenge 25/Check 25 type schemes. Such a scheme volunteered as part of an operating schedule will be given appropriate weight when the Authority determines the licence application.
- 3.38. The Authority recommends that staff in licensed premises are made aware of information, training and the appropriate contact points to help them identify and raise any issues of child exploitation which they note in the licensed premises.
- 3.39. The Authority recognises the Lambeth Safeguarding Children Board as the appropriate body to advise on the protection of children from harm.
- 3.40. **Appendix 4** lists matters relating to the protection of children from harm that applicants must consider when making an application. The Authority requires applicants to consider and set out areas that they should address and to formulate their own operating schedule tailored to the type, nature and characteristics of the specific premises and its neighbourhood.

PART B: PRINCIPLES AND POLICIES

Principles

4. General principles

- 4.1. Two general principles have been identified which are noted throughout the Licensing Policy and are outlined here clearly as general principles that will be taken into consideration for all licensing applications.

All licensing applications are expected to show:

- a). That applicants have a clear understanding of the locality in which they are operating or intending to operate and that this has been taken into account in the application, any voluntary conditions proposed and for these to be set out clearly within the operating schedule.
- b). That applicants have taken into account the Council's broader aspirations, and the Mayor's vision, particularly in relation to an offer that provides for the diverse Lambeth population.

Policies

5. Policy 1: Process for applications

- **Policy: the process for applications set out in this section will be followed in all cases of applications for new licences or variations to existing licences.**

- 5.1. Applications will be progressed in accordance with procedures laid down by the Licensing Act 2003 and any accompanying applicable guidance to the Act as produced by the Home Office. Prospective applicants should refer to the separate relevant guidance documents for further details. Where reference is made to applications in this policy this should be taken as referring to applications for new premises licences, club premises certificates, variations to these and reviews of licences/certificates.

Once an application is made and received electronically by the Lambeth Licensing Authority it will be provided by the Authority to all Responsible Authorities. The public are also able to access details of applications via the Lambeth Council website at www.lambeth.gov.uk. In addition, our Public Access service can be used to be advised of licence applications received for specified areas or submitted for a particular premises. The service can also be used to search existing licences to view activities, times and conditions. Public Access is available via <http://planning.lambeth.gov.uk/online-applications/search.do?action=simple&searchType=LicencingApplication>

- 5.2. Applications for all licences and authorisations available under the 2003 Act must be made on the relevant form prescribed under secondary regulations. Applications will not be progressed until the form has been completed in full and received, together with the

relevant fee(s) and all other required information, by the Licensing Authority and the relevant responsible authorities.

- 5.3. In accordance with the Provision of Services Regulations 2009, electronic application facilities for premises licences are available and may be found on GOV.UK or www.lambeth.gov.uk. Electronic applications for other categories of licence and authorisation are also available at lambeth.gov.uk.
- 5.4. Where electronic applications are made, the application will be taken to 'be given' when the applicant has submitted a complete application form and submitted the fee.
- 5.5. The Responsible Authorities are:

Responsible Authority	Contact details
Licensing Authority	Lambeth Council email: licensing@lambeth.gov.uk
Environmental Health Authority	Lambeth Council Public Protection email: CommunitySafetyComplaints@lambeth.gov.uk
Child Protection Authority	XDESCYPDIR@lambeth.gov.uk
Planning Authority	XCEOPInEfn1@lambeth.gov.uk
Health and Safety	FoodHealthandSafety@lambeth.gov.uk
Trading Standards	XBSOTraSta1@lambeth.gov.uk
Metropolitan Police	Licensing-LX@met.police.uk
London Fire Brigade	firesafetyregulationSW@london-fire.gov.uk
Director of Public Health	PublicHealth.Licensing@southwark.gov.uk
Home Office (Immigration Enforcement)	Alcohol Licensing Team Lunar House 40 Wellesley Road Croydon CR9 2BY email: alcohol@homeoffice.gsi.gov.uk

- 5.6. The steps for consideration of a licensing application, a licensing variation and a club premises certificate are:
 - a) If no representations are made to an application, the Authority must grant it in full. Please see our website for further information (<https://www.lambeth.gov.uk/BUSINESS-SERVICES-RATES-AND-LICENSING/LICENCE-APPLICATIONS>).
 - b) When an application is made, and relevant representations are made to the Authority it must hold a hearing of the licensing sub-committee (unless those who have made representations agree in advance that this is unnecessary).

- c) The Licensing Sub-Committee will then consider the evidence provided by applicants and by those making representations, the legislation and accompanying Guidance, this Statement of Licensing Policy and any other relevant data.
- d) The Licensing Sub-Committee will determine the application and will take any steps it considers appropriate for the promotion of the licensing objectives.
- e) Conditions on the licence, additional to those voluntarily offered by the applicant, may be considered. Appropriate conditions will focus on matters which are within the control of individual licensees and which also relate to the premises or places being used for licensable activities and the impact of those activities in the vicinity. If situations arise where the licensing objectives are compromised but cannot be dealt with by the use of appropriate conditions the Licensing Authority will consider whether it is appropriate for a licence to be issued or for the premises to continue in operation.

5.7. Conditions on a licence:

- 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.

5.8. Individuals applying for a personal licence must be entitled to work in the UK. The Immigration Act 2016 amended the Licensing Act 2003 with effect from 6 April 2017 so that an application made on or after that date by someone who is not entitled to work in the UK must be rejected. Licences must not be issued to people who are illegally present in the UK, who are not permitted to work, or who are permitted to work but are subject to a condition that prohibits them from doing work relating to the carrying on of a licensable activity. In order to discharge this duty, the Authority must be satisfied that an applicant has the right to work in the UK and requires applicants to submit one of the documents listed at [Appendix 10](#) of this policy, to demonstrate that the applicant has permission to be in the UK and that they are permitted to undertake work in a licensable activity. This also applies to individuals who apply for premises licences. The purpose of this is to prevent illegal working in the UK.

- 5.9. A person is also disqualified from holding a licence if they are subject to a condition on their permission to be in the UK preventing them from holding a licence, for example if they are subject to an immigration restriction that does not permit them to work.

6. Policy 2: Licensing Fees

- **Policy: Licensing fees are set and are due for payment on the anniversary of the licence. If the Licensing fee is not paid on time the licence will be suspended until fees are paid.**

- 6.1. Premises licence application fees are dependent upon the non-domestic rateable value of the premises. This value, which is also used to calculate business rates, can be found through the VOA search engine (<https://www.gov.uk/correct-your-business-rates>). The Authority expects licence holders to pay the required licence fee when it is due.
- 6.2. If Licence fees are not paid at the time they are due (on the anniversary of the licence being granted) suspension for non-payment of fees will be in force two days after the Authority notifies the Licence holder. The Authority can notify the Licence holder the day after the payment is due if it is not received by the due date.
- 6.3. The suspension will cease to be in place when the payment is received.
- 6.4. It is the Licence holder's responsibility to pay their fees, the Authority will not issue a reminder of fees when they are due. This is a matter for Licence holders, and the Authority expects Licence holders to take responsibility for ensuring that their fees are paid when they are due.
- 6.5. Where late payment or non-payment is due to administrative error or if the fee is disputed prior to the date it is due for payment the licence will not be suspended.
- 6.6. Carrying on licensable activity while a licence has been suspended is a criminal offence and may result in enforcement action including prosecution.
- 6.7. Licensing fees can be found on the Lambeth Council website here:
<https://www.lambeth.gov.uk/business-services-rates-and-licensing/licence-applications/pay-a-premises-licence-annual-fee-invoice>

7. Policy 3: Partnership Working

- **Policy: The Authority aims to work in partnership where and when it is possible and reasonable to do so. This includes aiming to work with: other Responsible Authorities and enforcement agencies within Lambeth; regional or national authorities and bodies outside of Lambeth; and, the trade, trade representative organisations, Business Improvement Districts; the Business Crime Reduction Partnership; and schemes such as PubWatch and Best Bar None.**

Partnership with responsible authorities and enforcement agencies

- 7.1. The Authority is committed to working collaboratively and as seamlessly as possible with the Responsible Authorities and enforcement agencies within Lambeth and more widely as appropriate.
- 7.2. In particular this will include:
- **Tasking meetings:** The Authority operates a Licensing Tasking group which forms the basis for partnership working within the Council and local partnership.
 - **Joint enforcement approaches:** The Authority has established protocols with the local police and the Fire Authority on enforcement issues to avoid duplication and to provide for the most efficient deployment of Authority, Police and Fire Authority officers in respect of the inspection of licensed premises and the enforcement of licensing law. Contact is also maintained with the Security Industry Authority (SIA) in relation to checks on door supervisors. Multi-agency announced and unannounced inspections and visits may be undertaken as well as regular visits by officers from the Council's Licensing service.
 - **Joint approach to representations:** The Authority will communicate with the Responsible Authorities to ensure that a partnership approach is taken in consideration of applications and any representation that may be made to them.
 - **Information sharing:** Lambeth is committed to open data principles. Subject to the provisions of the Data Protection Act 2018 and General Data Protection Regulation 2016/679 and any other applicable legislation, the Authority will share information about licensees, licensed premises and activities associated with them to all partners. Operating schedules, results of compliance checks, and details of enforcement action may also be shared.

Partnership working with licensees, trade and residents

- 7.3. The promotion of the licensing objectives and achieving common aims relies on a partnership between licence holders, authorised persons, other persons, responsible authorities and the Authority. The Authority is keen to work in partnership with licensees and with bodies such as licensee forums, pub watches, BIDs, tenants and residents' groups and those representing such groups to develop a prosperous and well managed economy whilst promoting the licensing objectives.
- 7.4. By working closely with trade and residents' groups the Authority aims to develop a preventative or early intervention approach to problems that may arise. To do this the Authority will:
- Be accessible to these groups.
 - Regularly consider and/or canvas the views of Lambeth business and resident's groups.

8. Policy 4: Enforcement approach

- **Policy: The Authority supports compliant, well-regulated businesses, and as such will operate a clear, stepped enforcement approach within the circumstances and context of each individual requirement for enforcement action.**

- 8.1. The Authority prefers to operate a targeted approach to enforcement, where compliant, well-regulated licensed businesses are not generally a focus of enforcement and where licensed businesses that do not meet this standard are supported to become compliant, well-regulated business or, where this is not possible or successful, are subject to appropriate and proportionate enforcement measures.
- 8.2. Where possible and appropriate, the Authority will aim to give licence holders early warning of any concerns about problems identified at any licensed premises and identify the need for improvement. Repeated or cumulative breaches of licences will potentially lead to a review where the full history of the venue will be examined. This would not preclude the taking of other enforcement action in an appropriate case.
- 8.3. This enforcement approach will guide Lambeth enforcement agencies and partners in all cases of regulating the licenced trade, except in respect of the sale of age restricted goods and products and services. . In this instance test purchasing approaches will be in place to ensure all licenced premises are compliant. It is considered that the importance of these restrictions in practice is significant enough to justify our monitoring all licenced premises equally.
- 8.4. An intelligence-led approach will be adopted and information regarding incidents of violent crime, disorder and nuisance in and around licensed premises will be collated to provide a risk-based approach for inspection and, where appropriate, surveillance.
- 8.5. Where necessary, enforcement action will be taken in accordance with the principles of the Regulatory Compliance Code, the Authority's Enforcement Strategies and the Licensing Enforcement Policy.
- 8.6. In particular, the Authority will consider the fundamental principles recommended by the Better Regulation Task Force for good enforcement and the Hampton report:
 - **Targeting:** for example, focusing on activities that give rise to the most serious risks or where hazards are least well controlled;
 - **Consistency:** for example, similar approaches in similar circumstances to achieve similar ends;
 - **Transparency:** for example, helping duty holders to understand what is expected and distinguishing between statutory requirements and guidance;
 - **Proportionality:** for example, action taken should be proportional to the risk presented; and
 - **Necessity:** for example, no inspection to take place without a reason. It should be noted, however, that regular scheduled and ad hoc visits to licensed premises will continue to be undertaken by officers from the Council's Licensing team. On occasion they will be accompanied from colleagues from the Council.

9. Policy 5: Outside spaces

- **Policy: Beer gardens, roof terraces, pavements and other outdoor areas serving licensed premises are expected to comply with appropriate conditions to the individual premises to ensure minimal disruption to residents in proximity to the premises.**

- 9.1. Outside spaces are an increasingly popular part of licensed premises, particularly in summer where there is more demand for outside drinking and eating options. There is a need for all outside spaces that are used for smoking, eating and drinking by patrons of licensed premises to be well managed to reduce the potential for nuisance to be caused to nearby residents.
- 9.2. Where smoking, eating and drinking takes place outside, the Authority expects applicants to provide comprehensive details in their operating schedule on:
- the location of outside areas to be available for use;
 - how the outside areas will be managed to prevent:
 - a) noise;
 - b) smell; and,
 - c) pavement obstructions, and littering.
 - the arrangements for clearing, tables and chairs; and
 - preventing nuisance from smoke fumes to residents living in close proximity to smoking areas.
- 9.3. Where outside spaces are used for eating, and where children may also be present in the outside space, the Authority expects applicants to provide details as to how smoking areas will be separated from the general use areas of the outside space.
- 9.4. Where the use of outside spaces by the patrons of a licensed premises is unplanned and makes use of the pavement there is need for specific consideration. Members of the public can sometimes feel intimidated and crowds of drinkers spilling out onto the street may cause obstruction. Safety problems can also be caused with drinkers moving into the road. Wherever possible drinking should be contained within areas that are part of licensed premises, such as beer gardens, terraces or, where a street trading licence has been granted by the Council for tables and chairs, on the public highway.
- 9.5. Applications for the use of licensing of tables and chairs on the highway are not within the remit of this policy. In the event that the hours under any such licence do not match those on a licence issued under the Licensing Act 2003 the earlier hours will apply.

10. Policy 6: Temporary Events

- **Policy: The Authority expects that all applications for Temporary Events Notices (TENs) are submitted well in advance of the event, with 10 days being the statutory minimum, and provide sufficient accompanying information to allow due**

consideration, including evidence of permission to use space if it is a public or council land/venue. It is expected that any existing conditions on a licence will be maintained for the purposes of a TEN. It is also recommended that TENs are submitted well in advance prior to the event to allow relevant responsible authorities to have appropriate time to consider the TENs.

- 10.1. Temporary Events Notices are intended to allow licensable activities without a premises licence. Only the Police or Environmental Health can object to a TEN. The Licensing Authority will intervene if the statutory limits on the number of TENs per year are exceeded.
- 10.2. It is recommended that TENs are submitted 30 days prior to the event to allow for the relevant responsible authorities to have sufficient time to consider the notice.
- 10.3. If an objection to a late TEN (given with between 5 and 10 working notice) is received, a counter notice will be served and the event will not be allowed to go ahead, and this decision will be final. A late TENs may result in an objection notice if the relevant responsible authorities are not satisfied.
- 10.4. When a TENs is submitted the Authority expects that the following information will be provided:
 - Evidence of permission to use outside space for an event, specifically where the outside space is Council or public land and, where permission has been granted, that the necessary fees have been paid in full;
 - A clear description of the area in which they propose to carry out the licensable activities;
 - A risk assessment and capacity determination;
 - Evidence of consultation with the Lambeth Events Safety Advisory Group where this is considered appropriate; and
 - Any other information that is relevant or pertinent to the TENs.
- 10.5. If this information is not provided it is more likely that an objection will be forthcoming.

Risk Assessments

- 10.6. Where an event involves live performers (for example, musicians, DJs, MCs and other artists) at a licensed premises that is promoted by the licence holder or an outside promoter, the Police may require that a risk assessment is completed and submitted in advance to the satisfaction of the Police. This may also include the completion of an after event debrief form. This is to ensure that any crime and disorder and public safety matters or concerns are identified and addressed satisfactorily. Risk assessment forms can be obtained from Lambeth Police's Licensing team via email at Licensing-LX@met.police.uk. Where risk assessments are required, they should be submitted at least 14 days before any proposed event and debrief forms submitted within 14 days of the conclusion of the event.

11. Policy 7: Cumulative Impact

- **Policy: The Authority will consider evidence of cumulative impact in areas across the borough. Where the evidence indicates a Cumulative Impact Assessment is appropriate the Authority will undertake one. Where a Cumulative Impact Policy is in place a Cumulative Impact Assessment will be conducted every 3 years to assess whether the evidence supports a continuation of the Cumulative Impact Policy or whether the evidence supports a discontinuation.**

- 13.1 At the time this policy was drafted there was one designated cumulative impact area, centred on Clapham High Street. Details are [at Appendix 9](#). This creates a rebuttable presumption that applications for new licences and variations for longer hours will be refused providing a relevant representation has been received.
- 13.2 The Authority will undertake a 3-yearly Cumulative Impact Assessment for the Clapham High-street Cumulative Impact Policy area.
- 13.3 Where the evidence to consider further Cumulative Impact Policies in Lambeth arises the Authority will consider undertaking a Cumulative Impact Assessment to determine the need for implementing any additional Cumulative Impact Policy areas. Where the Cumulative Impact Assessment provides sufficient demonstrates shows evidence to show that the number or density of licensed premises in an area is having a cumulative impact and leading to problems which are undermining the licensing objectives, the Authority will consider adopting a Cumulative Impact Policy in that area. Such a policy would operate so as to create a rebuttable presumption that applications for new premises licences or material variations to existing premises licenses (such as an increase in hours, capacity or change of conditions) in the area to which this policy applies, will be refused, if representations are received. This may be rebutted by the applicant showing that a particular application will not impact adversely on the licensing objectives.
- 13.4 It is important to note that such a policy if adopted will not cause any existing licences to be changed. It can only apply to new applications and variations of existing licences. It is also not an absolute policy.
- 13.5 The need for premises is a commercial matter and is not a consideration for the Authority in the discharge of its functions and this policy. Need is a matter for the planning authority and market forces.

Cumulative impact outside of Cumulative Impact Policy areas

- 13.6 The Authority recognises that the cumulative impact of licensed premises can be experienced by residents in areas where there is no current cumulative impact policy. Cumulative impact is defined in Section 5(A)(1) of the Licensing Act 2003 as being where the number of premises licenses in one or more parts of its area is such that it is likely that it would be inconsistent with the authority's duty to uphold the Licensing Objectives to grant further premises licenses.
- 13.7 The guidance goes on to state that the cumulative impact of licensed premises on

the promotion of the licensing objectives is a proper matter for a licensing authority to consider in developing its licensing policy statement.

- 13.8 The Authority will consider any representation that refers to the impact of a number of premises in an area. The absence of a special policy in an area will not prevent any responsible authority or other person from making representations on the grounds that the premises will give rise to a negative cumulative impact on one or more of the licensing objectives in the area in question. Representations referencing cumulative impact need to be evidenced based and show how the present number of licensed premises are impacting on the objectives and demonstrate how a specific licensed premises in a particular area will add to those problems.

12. Policy 8: Hours of sale and location

- **Policy: The Authority has outlined preferred opening and closing times for licenced premises across the borough. These preferred hours are varied by the type of area and the type of licensed premises and are outlined in the table below.**

- 14.1 This policy is to ensure that the areas and hours which licensable activities occur across Lambeth reflect the character of areas and the needs of both residents and businesses. A full table of the preferred hours, types of venues and areas are at [Appendix 5](#), maps of the areas and further details are at [Appendix 6](#).

Areas

- 14.2 The Authority has classified areas of the borough, in line with current planning policy as the following:

- Major Town centres;
- District Town centres;
- Local centres/shopping parades;
- Residential areas.

- 14.3 In line with existing development in the borough and designations in the current London Plan, it is noted that the development of the Lambeth Plan may see changes in the planning designations for some of the existing areas. In particular the Vauxhall and Waterloo areas are undergoing significant levels of commercial and residential development. To take into account these and other developing areas the Authority will apply the principle of each application being considered on its own merits – both in terms of the venue and its operations, and in terms of the context in which it operates and its proximity to residential buildings.

Venues

- 14.4 The Authority expects that applicants will articulate clearly the type of venue they will be operating. The Authority wants applicants for licences to be clear, open and frank about the nature of the venue they wish to operate. In the night time economy the terminal hour is often a significant factor in determining the nature of the venue.

This provides clarity for responsible authorities and other persons who can then assess what the impact may be.

14.5 Venues that are of particular concern are those that operate differently for different parts of the evening – for example, restaurants that are primarily food led during the early evening, but are primarily alcohol led at later hours. To address this Appendix 5 outlines clearly the expectations of the types of venues and what preferred hours are expected of them. For applications such as these the Authority will impose conditions appropriate to the style of operation and category of the business. The Authority believes that it is best placed to make decisions about appropriate opening hours in the area based on its local knowledge, in consultation with the responsible authorities and other persons. The categories of businesses are:

- Nightclubs;
- Non-Diversified Alcohol Led Venues;
- Public Houses and Bars;
- Restaurants and Cafes;
- Off licences;
- Take-Aways;
- Hotels;
- Theatres;
- Other entertainment venues; and
- Qualifying clubs.

Preferred hours

14.6 The list of preferred hours for different types of venues in different areas within Lambeth are outlined in [Appendix 5](#). The Authority has outlined preferred terminal hours of operation for licensable activities. The Authority has also outlined preferred starting hours for licensable activity for certain types of venues.

14.7 Where preferred hours are outlined for applications that fall within these hours (shown in [Appendix 5](#)) there is no presumption that these hours will be granted. An appropriate operating schedule is still required, and representations may still be made. Only if no representations are received will the licence be granted as applied for without being determined by the Licensing Sub- Committee.

13. Policy 9: Age verification and test purchasing

- **Policy: The Authority expects all licensed premises to have the specific age verification measures outlined below in place and will conduct test purchasing operations to test**

and assure compliance with the minimum purchase age requirements. If sales to children are made action will be taken by the Authority.

- 15.1 Age verification measures, and test purchasing to assure these are robust and well-operated by licenced premises are the core measure to ensuring the licensing objective for the protection of children is met.
- 15.2 To support the age-verification process the Authority strongly recommended that premises have the following measures in place to ensure age verification for sales:
- That “Challenge 25” is supported as part of the age verification scheme established. The scheme should require the production of evidence of age (comprising any PASS accredited card or passport or driving licence) from any person appearing to staff engaged in selling or supplying alcohol to be under the age of 25 and who is attempting to buy alcohol.
 - That evidence of the scheme (in the form of documented procedures) is maintained and made available for inspection by authorised officers.
 - That all staff involved in the sale of alcohol shall be trained in the age verification scheme and records of such training shall be retained on the premises and made available for inspection by authorised officers.
 - That an incident log shall be maintained, and details of all age-related refusals recorded. This book shall be reviewed monthly by the DPS and any actions taken recorded in the book and signed off by the DPS. This log shall be retained on the premises and made available for inspection by authorized officers.
 - That a personal licence holder shall be on the premises at all times that alcohol is supplied.
 - That the DPS shall ensure that, as far as is reasonably practical, alcohol is displayed in an area which can be constantly monitored or supervised by staff, separate from goods likely to be purchased by persons under 18.
- 15.3 Lambeth Trading Standards operate a policy of carrying out test purchasing for under age sales of alcohol. If sales are made to children action will be taken. This may be a review of the licence, or a request to include additional conditions on the licence designed to assist the management to counter attempts by children to buy alcohol. Any additional conditions felt appropriate will be subject to discussion with licence holders. The Authority may also, as a responsible authority, apply for reviews of premises licences when appropriate. If deficiencies in operating schedules of current licences become apparent the Authority will initially usually ask the licence holder to remedy this by way of an application for a minor variation. If this is not done then a review may be necessary to impose conditions on the licence. This process does not preclude prosecutions for offences under the Licensing Act.

14. Policy 10: Reviews

- **Policy: Where a valid and reasonable request for a review of a licence is made to the Authority, the Authority will initiate a process to consider and undertake a review.**

- 16.1 Responsible Authorities, residents or businesses or a representative of these may ask the Authority to review a premises licence because of a concern about the premises in connection with any of the four licensing objectives.
- 16.2 Any request for a review of a premises licence is required to be accompanied by evidence to accompany the allegations.
- 16.3 When a request for a review is initiated by other persons, the Authority is required to first consider whether the representation made is relevant to the licensing objectives and is not vexatious or frivolous. Where a Responsible Authority requests a review it is expected that this consideration is taken prior to the request being made.
- 16.4 Representations must relate to particular premises for which a premises licence is already held and must be relevant to the promotion of the licensing objectives. The review process is not an opportunity to revisit earlier representations made when the original application for a premises licence was determined, unless these relate to different circumstances.
- 16.5 Where the Authority receives a request for a review in accordance with the closure procedures described in Part 8 of the Act, the Authority will arrange a hearing in accordance with the regulations set out by the Secretary of State.
- 16.6 The licensing committee, in determining a review, may exercise the range of powers given to them to promote the licensing objectives.
- 16.7 The options open to the Authority include the following steps:
- modifying the conditions of the premises licence (which includes adding a new condition or any alteration or omission of an existing condition temporarily or permanently);
 - excluding a licensable activity from the scope of the licence;
 - removing the designated supervisor;
 - suspending the licence for a period not exceeding three months;
 - revoking the licence; or,
 - to take no action.
- 16.8 The Authority will seek to establish the cause or causes of the concern and remedial action will be targeted at such causes. Any action will be proportionate to the problems involved.
- 16.9 Where a Magistrates Court makes a Closure Order under part 8 of the Licensing Act 2003 (on grounds of disorder) the Authority must carry out a review of the licence.
- 16.10 Where a Magistrates Court makes a Closure Order under part 4 of the Anti Social Behaviour, Policing and Crime Act 2014 and the Authority receives notice of this under section 80(9) or section 84(7) of this act the Authority must review the premises licence (as set out under the provisions of section 167 of the Licensing Act 2003). This also applies where a court has made an illegal working compliance order under Schedule 6 to the Immigration Act 2016 and the Authority has received a

notice under that Schedule.

16.12 Offences under the Licensing Act 2003 include the serving of alcohol to unaccompanied persons under 18. The consumption of alcohol by minors impacts on the health, educational attainment, employment prospects and propensity for crime of young people. The sale of alcohol to persons who are intoxicated is also an offence under the Licensing Act 2003. The Authority will treat representations that these offences have occurred seriously when they arise in connection with the granting or review of a premises licence. It will also have regard to other criminal activities which may take place in some types of licensed premises such as:

- sale or distribution of drugs;
- sale or distribution of stolen or counterfeit goods or weapons sale of smuggled tobacco and alcohol;
- prostitution, pimping or procuring;
- use as a base for criminal activity, particularly gangs, organisation of racist activity, unlawful gaming and gambling; and,
- employment of those who do not have the right to work in the UK.

16.13 Where reviews arise and the Authority determines that the crime prevention objective is being undermined through the premises being used to further crimes, it is expected that the revocation of the licence- even in the first instance - will be seriously considered (s182 Guidance, paragraph 11.26). Revocation also remains an option if other licensing objectives are being undermined.

16.14 Comments about applications and reviews are made by representations. These can be from a responsible authority (such as the Police) or other persons (such as a local resident or residents group). A representation can be an objection to an application or part of an application or can be in support of an application. Guidance on making representations and applying for a review is available on the Council's website.

16.15 The review process is integral to the operation of the Licensing Act 2003.

16.16 The Government's intention is for a light touch regulatory regime with regard to the granting of new licences and variations. Only when there have been representations will the licensing discretion be engaged. If problems arise in connection with a premises licence, it is for the responsible authorities and the other persons to apply for a review of the licence. Without such representations, the Authority cannot review a licence. Proceedings under the Licensing Act 2003 for reviewing a premises licence are provided as a key protection for the community where problems associated with crime and disorder, public safety, public nuisance or the protection of children from harm are occurring.

16.17 [Appendix 8](#) contains further information on what to expect from a review.

15. Policy 11: Authority and DPS

- **Policy: Every supply of alcohol under a premises licence must be made or authorised by someone holding a personal licence. Every premises with a licence must have one person holding a personal licence specified as the Designated Premises Supervisor (DPS).**

- 17.1 The Authority recommends that all persons employed on licensed premises who are engaged in the sale and supply of alcohol be encouraged to attend training programmes to raise awareness of their responsibility and particularly of the offences contained within the Act. Similarly, persons employed at on-licensed premises should be encouraged to attend training programmes which will raise their awareness of the issues relating to drugs and violence in licensed premises. Suitable training should be extended to all staff involved in managing or supervising the premises. All training undertaken should be recorded.
- 17.2 It is recommended that persons employed on premises providing entertainment for children and youths attend training programmes in basic child protection and safety, and if appropriate have the necessary CRB checks.
- 17.3 Every supply of alcohol under a premises licence must be made or authorised by a person who holds a personal licence. The Licensing Act does not require the presence of a personal licence holder at all material times but if any sales are made when a personal licence holder is not present, then they must have been authorised by somebody who holds a personal licence.
- 17.4 Every premise licensed for the sale of alcohol must have one personal licence holder specified as Designated Premises Supervisor (DPS). This will normally be the person with day-to-day responsibility for running the premises.
- 17.5 The Authority recognises that there is no requirement for the DPS to be at the premises at all times that it carries out licensable activities, and it will not seek to achieve this by way of conditions. However, the DPS must be able to ensure that all four licensing objectives are properly promoted and that each premises complies with licensing law and licence conditions. The Authority expects that a DPS will be able to demonstrate knowledge of both the local geographic area and the patrons the premises attracts. The DPS should be sufficiently fluent in English to be able to properly communicate with patrons.
- 17.6 The Licensing Authority considers it reasonable that those who hold licences and persons involved in the sale of alcohol are able to understand the terms of the licence and their legal obligations. It is also expected that those making sales of alcohol can understand and converse in the English language and be able to read and write in English so as to be able to complete documents such as refusals books and read training guides. Where relevant representations are made, and a lack of understanding of basic written and/or spoken English is a factor in those representations, consideration may, if appropriate, be given to attaching conditions to premises licences and club premises certificates that require the licence holder and staff connected with the business, attend a 'Basic Skills' course. This would be at cost to the applicant.

- 17.6 The Authority expects that when the DPS is not present on the premises written authorisation will have been given to other members of staff, and that one of these members of staff will be on the premises. Such authorisation should be in writing and be displayed with the premises licence.
- 17.7 It is considered good management practice to ensure that a personal licence holder/DPS is available at all hours that the premises is open to the public. Depending on the nature of the premises, it may be sufficient for the personal licence holder to be contactable by telephone. It is regarded as good management practice that a personal licence holder/DPS be physically on the premises from 23:00 onwards.

16. Policy 12: Late Night Levy

- **Policy: The application of a Late Night Levy is one that is available to Local Authorities where it is considered appropriate. Lambeth has a high number of Business Improvement Districts where a different approach to meeting the same outcome is in place. However, the Authority will consider this approach if at any point it becomes appropriate and necessary.**

- 18.1 The Authority will consider the implementation of provisions for a Late Night Levy (LNL) if it is deemed appropriate and following consultation. The LNL does contain some exemptions such as Business Improvement Districts. The Authority notes that Lambeth has seven Business Improvement Districts that cover the key night time economy areas in the borough.
- 18.2 The Authority will continue to work with the Business Improvement Districts to support the amelioration of any negative impacts from licensed premises in night time economy areas.
- 18.3 We are aware of the economic benefits of a busy night time economy as many of our residents are employed within the sector, but these have to be weighed against costs, including health and financial impact on residents and other businesses. Should we adopt these provisions in the future the relevant information will form an appendix to this Statement of Licensing Policy.

17. Policy 13: Resource impact

- **Policy: The Authority will consider likely resource implications for the Council of new licences. Where a likely resource implication is identified conditions to address it will be considered.**

- 19.1 In some instances, the operation of licensed premises may lead to unintended or unexpected resource implications for the Council or impacts on residents' ability to use local amenities fully. Examples of this may include:

- Additional litter collection being required;
 - Parking for residents being affected;
 - Changes to street or pathway lay outs to address additional traffic caused; and,
 - Further CCTV or other measures being required to address issues caused by premises dispersal.
- 19.2 Where likely resource implications for the Council are identified in the consideration of a new licence application, an application for a licence variation or a review of a licence appropriate conditions may be applied to the licence to ameliorate these impacts.
- 19.3 Membership of a Business Improvement District will be considered as a factor when making decisions about additional conditions.

18. Policy 14: Health

- **Policy: The Authority will consider the impact on the health and public health of Lambeth residents as part of its considerations and duties relating to the sale and supply of alcohol.**

- 20.1 Health is not a licensing objective, but the Authority is aware that there is a significant negative impact on the health of our residents caused by alcohol, reflected in hospital admissions and deaths from alcohol related illnesses, alcohol induced violence and domestic violence. Significant alcohol related hospital accident and emergency admissions and ambulance pick-ups are indicative of problems and may result in reviews of premises licences where these can be related to specific premises.
- 20.2 The evidence base for the impact alcohol has on the health and wellbeing of local areas is strong. For a full review of the evidence the Public Health England evidence review is available here:
https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/583047/alcohol_public_health_burden_evidence_review.pdf
- 20.3 For Lambeth the levels of alcohol-related hospital admissions and alcohol related ambulance call outs are high for England and for London. The London Ambulance Service placed Lambeth in the top 5 London boroughs for alcohol related incidents for 2016. Many Lambeth residents suffer health and wellbeing effects from alcohol misuse and use and the Authority that it is important to take into account these impacts as part of the wider balance for both residents and businesses in Lambeth.
- 20.4 Since 2012 the Lambeth Director of Public Health has been a responsible authority and is able to make representations on applications and initiate reviews. The Lambeth Director of Public Health has access to data and evidence that is useful and informative for the, development of policy, the consideration of applications and the conduct of reviews. This includes:
- evidence on the impact of alcohol on the physical and mental health of residents, particularly children;
 - data on hospital admissions for alcohol related illness and injury;

- data from London Ambulance Service on alcohol related ambulance attendances; and,
 - data and evidence from local alcohol services, such as out-reach and treatment services.
- 20.5 When such evidence and data is presented it will be considered and where links are made to any of the four licensing objectives it will be taken into account by the Licensing Sub Committee in reaching its decision.
- 20.6 The Lambeth Director of Public Health is considering the development of a Good Operator Guide in conjunction with other London Directors of Public Health. Once this has been published it would be recommended that applicants read this prior to making an application. It is likely that this Good Operator Guide would include the following which applicants may want to take into account:
- The provision of drinking water for patrons of licensed premises;
 - A clear policy on outdoor smoking areas as part of any consideration of the Outside Areas policy; and
 - A clear statement to patrons that vaping is not permitted inside the premises.

19. Policy 15: Delivery Services

- **Policy: The Authority expects licence applications for delivery services that include the delivery of alcohol to take into account issues relating to reducing public nuisance related to delivery vehicles, ensuring the security of premises and delivery drivers, and protecting children by applying rigorous age checks at purchase point and at point of delivery.**

21.1 Since the last Statement of Licensing Policy there have been an increasing number of applications for licences relating to delivery services. These tend to fall into three groups:

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

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

- Age verification at both purchase point and delivery point;
- The safety of delivery drivers at point of delivery;
- Safety of the premises from which orders are taken and sent out for delivery; and
- Possible public nuisance caused by delivery drivers collecting deliveries from the licensed premises.

21.3 The Authority is likely to place the following conditions on to a premises license for delivery services where it is appropriate and relevant to the individual license application:

- A standard age verification check shall be undertaken on entering the website.
- A signature at the point of delivery **must** be obtained from a person above the age of 18 with appropriate age verification identification. No delivery shall be left without a signature.
- Alcohol shall only be delivered to a residential or business address and may not be delivered to a public place.
- Every third-party courier delivery box shall be labelled with the words "Age Restricted Product".
- Any delivery driver or third-party courier will be required to have appropriate age verification training, and in particular they will be required to have undergone training in refusal of supply where age verification is not provided.
- A refusals log will be maintained for deliveries and available for inspection on request.
- Appropriate security will be in place at the premises as agreed with Police.
- Measures for minimising noise and disturbance caused by the dispatch of deliveries to be identified in the operating schedule.
- Website and all promotional material should be designed and set out in a way which is consistent with the responsible retail of alcohol.

- The Authority would expect operators to have systems in place to ensure alcohol is not delivered to problematic house parties or to people who appear drunk and In such instances, alcohol should be refused and that refusal recorded.

20. Policy 16: Dispersal and entry

- **Policy: Licensed premises should take all reasonable measures to ensure that dispersal of patrons from the premises, and entry of patrons into the premises promote to the licensing objectives.**

- 22.1 Section 182 guidance makes it clear that licensing should not be seen as the primary mechanism for the general control of nuisance and anti-social behaviour by individuals once they are away from licensed premises and therefore beyond the direct control of those with responsibility for managing and controlling licensed premises. However, licensees should take all reasonable steps to prevent the occurrence of crime and disorder and public nuisance immediately outside their premises, for example on the pavement, in a beer garden or in a smoking shelter to the extent that these matters are within their control.
- 22.2 Licence holders should also consider the impact that patrons or others congregating around entry points to their premises have on the licensing objectives, particularly in relation to the general public. Licence holders should take all reasonable measures to ensure that both dispersal from their premises and entry into the premises contribute to the licensing objectives.
- 22.3 The Authority recognises that it is difficult for licence holders to have influence over their patrons once they have left the immediate vicinity of their premises, however, disturbance caused by patrons, if linked to the operation of the premises can be a reason for the Authority to take action.

21. Policy 17: Sexual Entertainment Venues

- **Policy: Where a Sexual Entertainment Venue (SEV) operates there will be due consideration given to the potential impact on schools, places of worship, childcare facilities, residences in proximity.**

- 23.1 The Authority recommends that operators of SEVs take measures to ensure that the outside impact of their venue or events does not impinge upon schools, places of worship, child care centres or residences that are within close proximity. The Authority would recommend SEV operators consider how access to and from the venue can exist within the local context without affecting the sensibilities of those who may be offended due to age, religious views or personal views.

22. Policy 18. Scheme of Delegation

24.1 The following table sets out the sets out agreed delegation of decisions and functions of the Licensing Sub-Committee and Officers.

Matter to be dealt with	Licensing Sub-Committee	Officers
Application for personal licence	Where a Police objection has been received	Where an objection was not received
Application for personal licence with unspent convictions	All cases	
Application for provisional statement	Where representations have been received and not withdrawn	Where representations were not received or have all been withdrawn
Application for premises licence / club premises certificate	Where representations have been received and not withdrawn	Where representations were not received or have all been withdrawn
Application to vary premises licence / club premises certificate	Where representations have been received and not withdrawn	Where representations were not received or have all been withdrawn
Application to vary designated premises supervisor	Where a Police objection has been received	Where an objection was not received
Request to be removed as designated premises supervisor		All cases
Application for transfer of premises licence	Where a Police objection has been received	Where an objection was not received
Application for interim authority notice	Where a Police objection has been received	Where an objection was not received
Application to review premises licence/ club premises certificate	All cases	
Decision whether a representation is irrelevant, frivolous or vexatious		All cases
Making of representation when authority is consulted by neighbouring licensing authority	All cases	

Determination of an application to vary premises licence at community premises to include alternative licence condition	If Police objection	All other cases
Consideration of a police objection to a temporary event notice	All cases	
Decision to consult other responsible authorities on a minor variation application		All cases
Determination of a minor variation application		All cases
Revocation of a club licence		All cases
Revocation of a personal licence	All cases	
Revocation for a club premises certificate where a club is deemed by the Authority to no longer satisfy the conditions for being a qualifying club	All cases	

PART 3: APPENDICES

Appendix 1: Measures to promote the prevention of crime and disorder

The following suggestions that should be considered, although they will vary according to the use of each premise, the following list is not exhaustive and is intended to act as a prompt for matters to consider. Licensees/applicants should use their own experience and knowledge of their customers and location to add or amend to these and form them into an operating schedule. The content of an operating schedule subsequently becomes the basis of conditions on the licence and should be in a form that can be expressed as an enforceable condition. Failure to do this may lead to a representation from the Authority, a responsible authority or other person.

- Is there CCTV, if so what are the areas covered, does it have the ability to see clear full face recording of patrons entering, does it record the patron search area at entrance,
- what is the period for retention period for recordings and the provision of instant access to Police and Authority officers, the ability to produce copies or download images;
- Are SIA door staff employed, numbers of door supervisors, use of search arches/wands, location of such searches, all such staff to have their details recorded and checks made with SIA website to ensure that licences are current, staff to sign in when commencing work and out when they leave. Any induction/training given to new door staff;
- Are female door supervisors deployed;
- Do door staff receive any venue specific training to enable them to deal effectively with the clientele of the venue;
- Is there use of ID scanning and recording systems, if so what are the hours during which such systems will be in place, that all patrons will be required to use the system;
- Will there be a "No ID No entry" policy, or use of Clubscan;
- Any measures proposed to prevent possession, supply or consumption of illegal drugs and possession of weapons. For example, designing out areas or surfaces where there is a likelihood of drug use;
- Is there a clear written policy regarding persons caught using/supplying, provision of safe storage for any seized drugs;
- Has the use of plastic or toughened glass for the serving of alcohol been considered, will glass bottles be handed across the bar;
- Any restrictions on patrons taking drinks outside the premises;
- Any restrictions on numbers of patrons using outside smoking areas;
- Are patrons searched on re-entering from smoking areas if there is the potential for patrons to have contact with non-patrons;
- Location of lighting inside/outside the premises;
- Is there a proof of age scheme to be, if so what, is there any dress code used at the premises;
- How are the numbers of patrons in the premises managed, including reference to any capacity restriction;
- The means capacity is counted if appropriate;

- What is the frequency of staff training, what training is given, what is the availability of completed training records and details of the content of training;
- What measures are used to manage queuing;
- Detailed, achievable dispersal policy;
- Is there a drinking up time before the terminal time of the licence?

For premises selling alcohol for consumption off the premises the following should be considered:

- Should beers, ales, lagers and ciders and anything similar that are sold/ supplied in a can only be sold in multiple packs in order to discourage street drinkers?
- Will there be a restriction on the sales/supplies of beers, ales, lagers or ciders or anything similar of 6% ABV or above, excluding the sale of specialist branded alcoholic beverages?
- Will there be a restriction on the sale/supply of miniature bottles of spirits of 50ml or less at any time?
- Will ales, lagers and cider be supplied only in bottles of 2 litres and above in capacity?

Appendix 2: Measures to promote public safety

The following suggestions should be considered but will vary according to the use of each premise. The following list is not exhaustive and is intended to act as prompt for matters to consider. Licensees/applicants should use their own experience and knowledge of their customers and location to add or amend to these and form them into an operating schedule. The content of an operating schedule subsequently becomes the basis of conditions on the licence and should be in a form that can be expressed as an enforceable condition. Failure to do this may lead to a representation from the Authority, a responsible authority or other person.

- What staff training will there be? Will it include an awareness of selling alcohol to those already drunk?
- The potential impact of drunkenness on levels of violence;
- For premises operating to later hours what is the availability of taxis and public transport?
- Is a scheme such as "TfL Cabwise" promoted?
- Is a telephone available inside the premises for patrons to call taxis?
- Will you engage with the Women and LGBT+ Safety Charter or similar campaigns and commit to staff training?
- Are staff given training to recognise and deal with any harassment experienced by customers and is there a written policy?
- Does publicity material both inside the venue and on any website exist in relation to combating harassment, such as Lambeth Council's *Know the difference* campaign?
- Any measures to combat drink spiking?
- Is there a dispersal policy to reduce queuing for taxis and transport?

Appendix 3: Measures to promote the prevention of public nuisance

The following suggestions should be considered but will vary according to the use of each premise. The following list is not exhaustive and is intended to act as prompt for matters to consider. Licensees/applicants should use their own experience and knowledge of their customers and location to add or amend to these and form them into an operating schedule. Applicants will be expected to demonstrate in their operating schedule, that nuisance arising from noise, light, smoke odour, litter, ASB, human waste, fly posting, highway/footway disruption, can be minimised. The content of an operating schedule subsequently becomes the basis of conditions on the licence and should be in a form that can be expressed as an enforceable condition. Failure to do this may lead to a representation from the Authority, a responsible authority or other person.

- Is an acoustic report needed if application involves live or recorded music and later hours?
- Can details of the location and types of any schemes designed to attenuate noise from the premises be provided?
- Can details of any measures to minimise the noise caused by patrons outside the premises be provided?
- The location and availability of any taxi ranks, bus stops, train or tube stations in relation to the premises which are operational at or just after the terminal hour of the licence; Provide details of the location and management of any outdoor areas within the property boundary for use by patrons drinking, eating, smoking, queuing or congregating outside, and the hours of use of such areas. The hours of use should also be included;
- Include details of dispersal policies, and consider the role of door supervision and winding down periods;
- Will you reduce music sound levels and tempo towards the end of the evening? Will lighting be increased towards the end of the evening?
- Will there be an area for patrons to use whilst waiting for taxis? Any wind down/chill out areas?
- Any use of outside areas such tables and chairs on the highway or smoking areas?
- If the operation of the venue will attract additional litter such as food cartons or publicity flyers what measures will be put in place to deal with this?
- Will there be litter patrols for takeaways?

Appendix 4: Measures to promote the protection of children from harm

The following suggestions should be considered but will vary according to the use of each premise. The following list is not exhaustive and is intended to act as prompt for matters to consider.

- Adoption of a proof of age scheme, details of which should be provided; Details of which proofs of age will be accepted;
- Any regular training of all staff, details of which should be recorded; Will new staff be trained on induction?
- Will on-line training be used, if so provide details of the training and who has completed this? Is further or refresher training required - If so when is this scheduled for?
- Who ensures that training takes place and proper records are kept and regularly updated?
- Will a refusals register be kept on the premises and used to record instances when sales have been refused?
- The frequency with which the refusals register will be checked to see if it is consistently used;
- Are there any restrictions on the hours children may be present in the premises?
- Are there any requirements for accompanying adults to be present?
- If applicable, how will compliance with the British Board of Film Censorship (BBFC) film classification system be ensured?

Licensees/applicants should use their own experience and knowledge of their customers and location to add or amend to these and form them into an operating schedule.

The content of an operating schedule subsequently becomes the basis of conditions on the licence and should be in a form that can be expressed as an enforceable condition. Failure to do this may lead to a representation against the application from the Authority, a responsible authority or other person.

Venues that are family friendly are particularly welcome, applicants are encouraged to make this clear in their application, and to make this explicit in the operating schedule.

Appendix 5: Types of premises and recommended hours by type of location

Areas of the borough are classified as four different types: major town centres and strategic cultural areas; district town centres; local centres and shopping parades; and residential areas. This section sets out recommended hours for the different types of licensed premises in these different types of areas

Type of premise	Major Town Centres and strategic cultural area	District Town centre	Local centres Shopping parades	Residential
Restaurants and cafes	No specific opening time recommended Closing times: Friday- Saturday 01:00 Sunday-Thursday 00:00	No specific opening time recommended Closing times: Friday- Saturday 01:00 Sunday-Thursday 00:00	No specific opening time recommended Closing times: Friday- Saturday 00:00 Sunday- Thursday 23:00	No specific opening time recommended Closing times: 23:00 daily
Public houses, wine bars or other drinking establishments	Opening times: All week 11.00 Closing times: Friday- Saturday 02:00 Monday-Thursday 01:00 Sunday 00:00	Opening times: All week 11.00 Closing times: Friday- Saturday 01:00 Sunday-Thursday 00:00	Opening times: All week 11.00 Closing times: Friday- Saturday 00:00 Sunday- Thursday 23:00	Opening times: All week 11.00 Closing times: 23:00 daily
Hotel bars	No restriction for residents	No restriction for residents	No restriction for residents	No restriction for residents

Night-clubs/Non-Diversified Alcohol-Led Venues	Opening times: All week 11.00 Closing times: Friday- Saturday 02:00 Monday-Thursday 01:00 Sunday 00:00	Opening times: All week 11.00 Closing times: Friday- Saturday 01:00 Sunday-Thursday 00:00	Not considered appropriate	Not considered appropriate
Off-licences	Opening times: All week 11.00 Closing times: 00:00 daily	Opening times: All week 11.00 Closing times: 00:00 daily	Opening times: All week 11.00 Closing times: 23:00 daily	Opening times: All week 11.00 Closing times: 23:00 daily
Take-aways <i>A licence is only required between 23:00 - 05:00 so no specified opening time is recommended</i>	Friday- Saturday 02:00 Monday-Thursday 01:00 Sunday 00:00	Friday- Saturday 01:00 Sunday-Thursday 00:00	Friday- Saturday 00:00 Sunday- Thursday 23:00	Not considered appropriate (licence only required between 23:00-05:00)
Other entertainment venues/Theatres	Closing times: 02:00 daily	Closing times: 01:00 daily	Closing times: 00:00 daily	Closing times: 23:00 daily
Qualifying clubs	Closing times: 02:00 daily	Closing times: 01:00 daily	Closing times: 00:00 daily	Closing times: 23:00 daily
Festivals and outdoor events	Opening times: Friday-Sunday	Opening times: Friday-Sunday	Opening times: Friday-Sunday	Opening times: Friday-Sunday

	11.00 Closing times: Friday- Saturday 11.00 Sunday 10:00	11.00 Closing times: Friday- Saturday 11.00 Sunday 10:00	11.00 Closing times: Friday- Saturday 11.00 Sunday 10:00	11.00 Closing times: Friday- Saturday 11.00 Sunday 10:00
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Appendix 6: Types of premises and potential impact

Type of premise	Typical style of operation	Potential impact
Nightclubs	Nightclubs expected to be the latest opening premises Sale of alcohol and multiple entertainment activities take place in these types of premises	Disturbance late at night from the departure and dispersal of patrons Potential for music noise Issues associated with noise from outside smoking areas Drunkenness problems associated with longer hours Violence associated with alcohol consumption
Non-Diversified Alcohol Led Venues	Primarily for the consumption of alcohol No significant entertainment Limited inside seating Limited take up of food by customers	Disturbance late at night from the departure and dispersal of patrons Disturbance from patrons outside Drunkenness problems associated with longer hours Violence associated with alcohol consumption
Public Houses and Bars	Mix of food and alcohol consumption Alcohol available without food purchase. Adequate seating May provide limited live music	Disturbance from departure and dispersal of patrons Issues associated with the use of outside space Including beer gardens Limited drunkenness Limited violence
Restaurants and Cafes	Alcohol only sold to accompany food No drinking at bar Table service for alcohol Significant food offer Business is food led. May provide limited live music Floor plans indicating dedicated kitchen and food preparation areas accompanying the licence application will be expected	Minimal disturbance from departure of patrons Limited drunkenness No violence, lower impact than a pub

Off licences	Alcohol only sold for consumption off the premises	In some areas attract street drinkers and associated anti-social behaviour New applicants are required to demonstrate how their premises will not contribute to street drinking in an area Premises more likely to be targeted by underage drinkers
Take-Aways	No alcohol, a licence for late hot food sales is only needed between 23:00 and 05:00	Noise from patrons or delivery vehicles Litter dropped by patrons Cooking smells Can be a place for people to congregate after late-night drinking, and there is a small associated risk for violence to occur as a result
Hotels	Providing accommodation Alcohol available 24/7 to guests staying on premises, often from in room mini bars	Minimal in relation to guests. If bars open late then to non- guests then potential for drunkenness.
Other entertainment venues	Alcohol ancillary to other activity such as entertainment.	Minimal disturbance from departure of patrons Limited drunkenness No violence. Potential for music noise
Theatres	Alcohol ancillary to live theatrical performances	Minimal disturbance from departure of patrons Drunkenness unlikely, no violence and minimal noise from performance.
Qualifying clubs	Only supply alcohol to members or bona fide guests No DPS needed Possibly entertainment	Minimal disturbance from departure of patrons Limited drunkenness No violence. Possible noise from entertainment
Festivals and outdoor events	Not alcohol led, including food and alcohol offer on site Likely large numbers of attendees Will have been considered by the Lambeth Events Safety Advisory Group.	Likely disturbance from large numbers of people in one space Alcohol likely to exacerbate noise and nuisance issues Dispersal may be an issue Drug dealing and drug consumption may also be an issue

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Appendix 7:

Major, District and Local Town Centres and South Bank Strategic Cultural Area

Major centres

Major Centres are important shopping and service centres and are characteristic of Inner London. Their attractiveness for retailing is derived from a mix of both comparison and convenience shopping. They usually have more than 50,000m² of retail floor space. With sizeable local catchment areas, many of these centres have enough established cultural and entertainment facilities to keep them busy in the evenings. Areas classed as major centres for the borough are Brixton and Streatham - maps can be found overleaf.

South Bank Strategic Cultural Area

The South Bank area is classified in the London Plan 2011 as strategic cultural area, this means that it is an area with internationally important cultural attractions which are also major tourist attractions.

We recognise that although both Major and District Town Centres have prominent commercial activity, they also contain significant residential populations. Applicants are advised to ensure that they have complied with S.5 above and have considered in detail the nature of the area, including canvassing residents' views before submitting an application and completing an operating schedule.

District centres

District Centres have traditionally provided convenience goods and services for local customers. They typically range in size from 10,000m² to 50,000m² and contain at least one food supermarket or superstore and non-retail services.

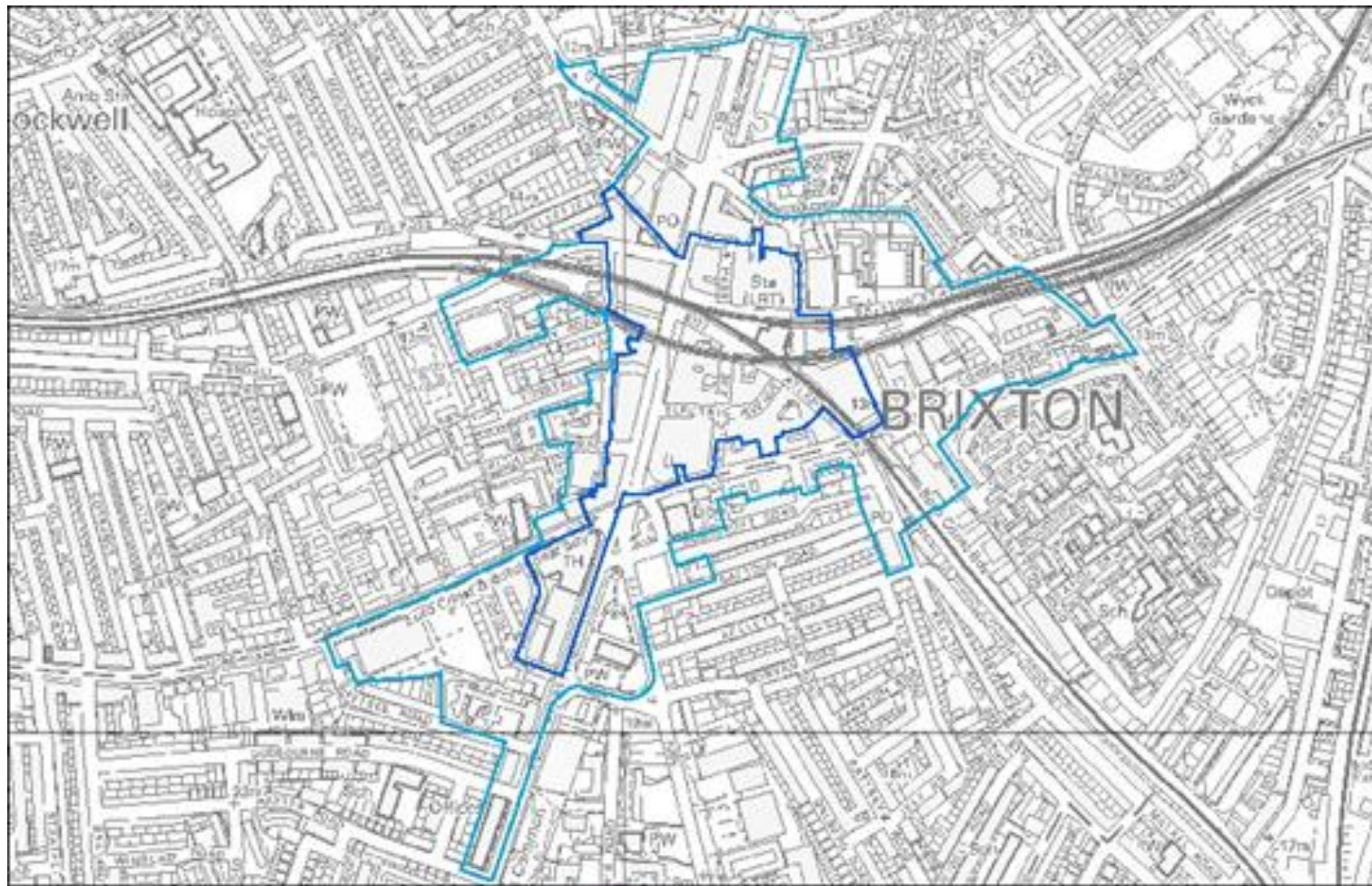
We very much see these as places where the night time economy does have a role, alongside other daytime shopping and other places of employment. Whilst not as big as our town centres they are generally well served by public transport and connected in numerous directions.

The key areas of concern for these areas is that whilst there might be very little residential property in the immediate area, a short walk will lead into highly residential streets and the potential for public nuisance in the form of noise, litter from late night eateries and the targeting of individuals by criminals is high.



Areas classified as 'District centres' in Lambeth for the purposes of this Policy are:

- Clapham High Street
- Clapham South
- Herne Hill
- Lavender Hill/Queenstown Road
- Norbury
- Stockwell
- Vauxhall
- West Norwood/Tulse Hill
- Westow Hill/Crystal Palace

Brixton Town Centre Area map

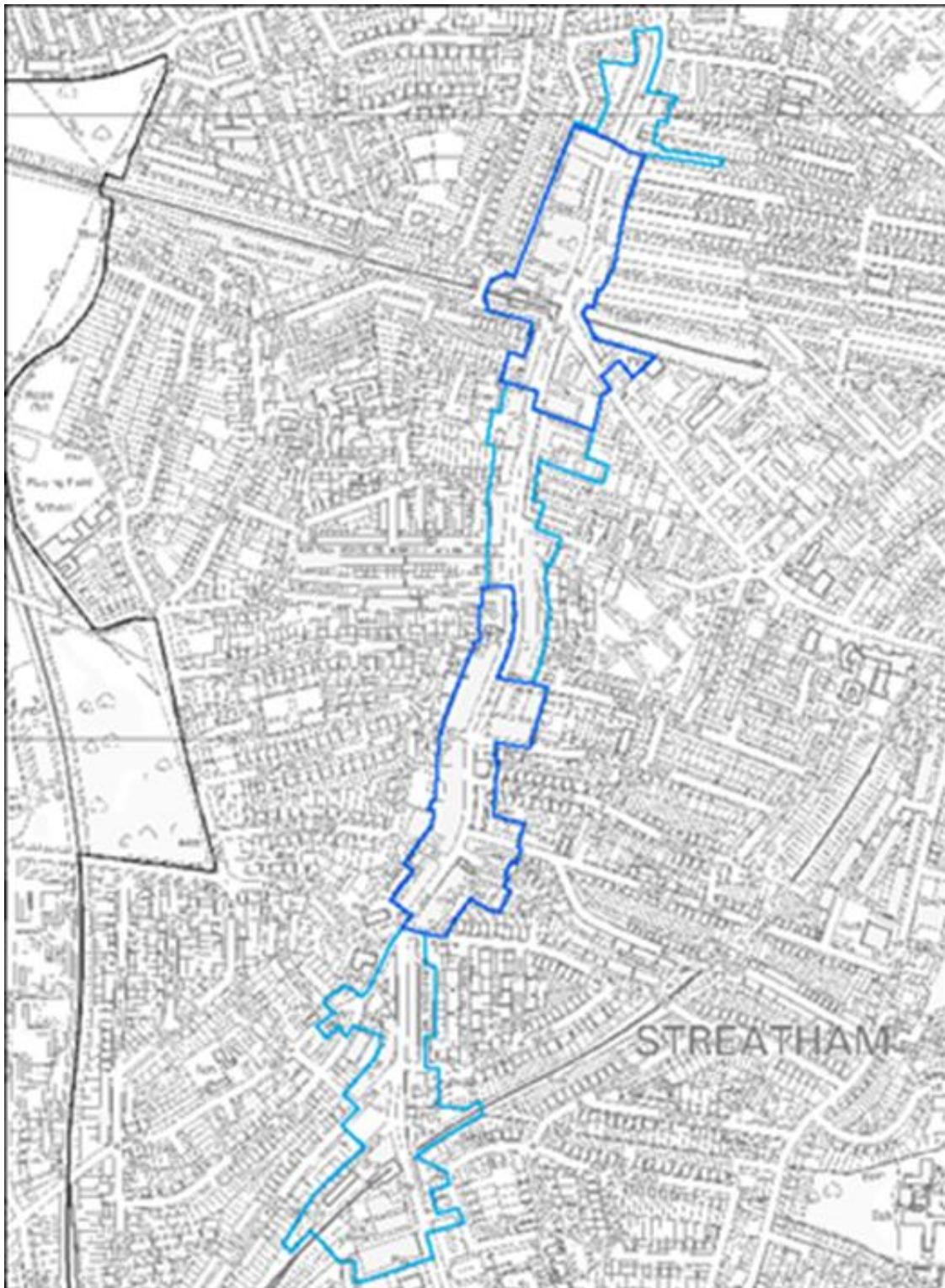


Brixton Town Centre Area

-  Major Town Centre: Core
-  Major Town Centre: Edge

1:5,659

Streatham Town Centre Area map



Streatham Town Centre Area

-  Major Town Centre: Core
-  Major Town Centre: Edge

Local centres / shopping parades

Local Centres have traditionally provided a range of small shops of a local nature, serving a small catchment. Typically, local centres might include shops, a small supermarket, newsagent, sub-post office and a pharmacy. Other facilities may include a hot food takeaway and launderette.

- Abbeville Road
- Acre Lane
- Amesbury Avenue/Hillside Road
- Ascot Parade
- Black Prince Road
- Brixton Hill/New Park Road
- Brixton Hill/St. Saviours Road
- Brixton Road
- Camberwell New Road
- Cavendish Parade/Hydethorpe Road
- Crown Point
- Croxted Road
- Elm Park
- Gipsy Road/Gipsy Hill
- Kennington Cross
- Kennington Lane
- Kennington Park Road/Kennington Road
- Kennington Road
- Lambeth Walk
- Landor Road
- Loughborough Estate
- Loughborough Junction
- Loughborough Road
- Norwood High Street/Chapel Road Oval (Brixton Road)
- Oval (Clapham Road)
- Poynders Road
- Rosendale Road/Guernsey Road
- Rosendale Road/Idmiston Road
- South Lambeth Road
- Streatham Common
- Streatham Vale
- Terry House
- Tulse Hill
- Vauxhall Street/Jonathan Street
- Wandsworth Road
- Wilcox Road

Areas not included in the above areas are generally deemed to be residential in nature, unless an applicant can demonstrate otherwise. The Authority recognises that it is not possible to

categorise every street, and the nature of a street or area may change over time. This will be reflected in licensing decisions on a case by case basis.

Appendix 8: What to expect from a licensing Sub-Committee Hearing

HEARING PROCEDURE FOR LICENSING SUB-COMMITTEE

Full information on the procedure is sent to all parties to the hearing. The information below is a summary of that information.

Parties to the hearing must notify the Council's Licensing team within prescribed timescales (these vary according to the type of hearing) that they intend to attend and/or be represented at the hearing and whether any witnesses will be attending on their behalf.

The hearing will operate as follows (subject to the discretion of the Chair of the Licensing Sub-Committee)

1. A total of 3 minutes speaking time is normally allowed for each party. Any preliminary points will be treated separately.
2. In the form of a discussion led by the Committee; cross examination will not normally be permitted.
3. Where there is more than one representation raising the same or similar grounds, those parties should consider nominating a single representative to address the Sub-Committee on their behalf at the hearing.
4. Parties to the hearing may be permitted to ask questions of any other party or witness.
5. Parties to the hearing may be required to answer specific questions from members of the committee seeking clarification of information.

The typical order of the hearing will be as follows:

1. Chair will ask all parties and witnesses to introduce themselves and this should include a brief explanation of the purpose of their attendance.
2. Officers present the report.
3. Committee members ask questions of officers.
4. Applicant speaks.
5. Applicant's witnesses speak (with permission of Chair).
6. Committee members ask questions of applicants and their witnesses (only applies to witnesses who have been given permission to speak).
7. Other parties speak.
8. Other parties' witnesses speak (with permission of Chair).
9. Committee members ask questions of the other parties to the hearing and their witnesses (only applies to witnesses who have been given permission to speak).
10. Applicant (with exception and with permission of Chair) asks questions of the other parties to the hearing and their witnesses.

11. Other parties to the hearing (with exception and with permission of Chair) ask questions of the applicant/other parties to the hearing and their witnesses.
12. Chair's closing remarks.
13. Committee retires to make their decision.
14. Legal adviser informs the hearing of any advice that they have given to the committee during the decision-making process.
15. Committee announces decision and gives reasons.
16. After the hearing, officers will write to all parties to confirm the committee's decision.

Appendix 9: Licence reviews

We do everything we can to ensure that licensed premises operate in accordance with the law and with any conditions attached to their licences. There may be occasions when concerns exist over the operation of premises which cannot be resolved either through mediation or enforcement. In those situations, you can request that a licence is reviewed.

What you need to know

The review process should be used as a last resort. Attempts to resolve the problem should have been made through other avenues such as informal approaches and intervention by other council services before a review is requested.

The grounds on which a review is requested should relate to one or more of the licensing objectives under the Licensing Act 2003, which are:

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

Anybody requesting a review will be expected to produce evidence to demonstrate the extent of the problem that forms the grounds for review.

Next Steps

It will also be necessary to give notice of the review to the licence-holder, and to the responsible authorities, by sending them a copy of the completed application form.

If a request for a review is accepted, we will advertise the review in the area around the premises to enable other affected persons to make comments. A period of 28 consecutive days will be allowed for this.

Applications for review will be decided at a hearing of the Licensing Sub-Committee. The person who requested the review, the licence holder, and anyone else who has made a valid appeal will be invited to attend the hearing and present their case.

The Sub-Committee will then decide whether or not to amend the licence or suspend or revoke it. All parties will have a right of appeal against any decision made.

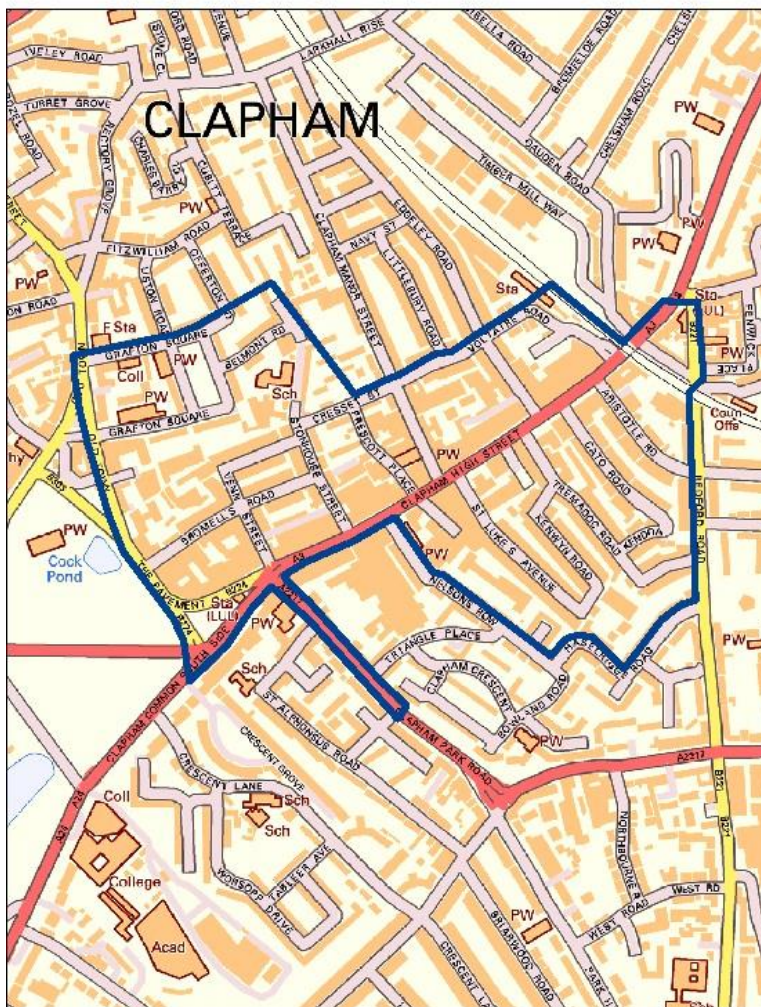
Appendix 10: Clapham Cumulative Impact Zone

On the 9th November 2011 the Authority resolved that a special policy and designated area for the Clapham High Street Cumulative Impact Zone be adopted and incorporated into the Authority's current Statement of Licensing Policy. This policy to come into effect from the 10th November 2011.

The policy creates a rebuttable presumption that any new applications for premises licences or club premises certificates, along with any major variations that could impact negatively on the licensing objectives will be refused, unless the applicant can demonstrate that there will be no negative impact on any of the licensing objectives.

The area covered by this policy is shown on the map below.

Clapham High Street: Special Licensing Policy Zone



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Appendix 11: Documents which demonstrate entitlement to work in the UK

Applicants may be asked to demonstrate that they have the right to work in the UK and are not subject to a condition preventing them from doing work relating to the carrying on of a licensable activity. They can do this by providing with their application, copies or scanned copies of the documents listed below (which do not need to be certified). The documents that demonstrate an entitlement to work in the licensing regime are based on existing prescribed document lists for checks undertaken by employers. They are set out in the following regulations: The Immigration (Restrictions on Employment) Order 2007 and the Immigration (Restrictions on Employment) (Codes of Practice and Amendment) Order 2014.

- An expired or current passport showing the holder, or a person named in the passport as the child of the holder, is a British citizen or a citizen of the UK and Colonies having the right of abode in the UK. See note below about which sections of the passport must be provided].
- An expired or current passport or national identity card showing the holder, or a person named in the passport as the child of the holder, is a national of an European Economic Area country or Switzerland.
- A Registration Certificate or document certifying permanent residence issued by the Home Office to a national of a European Economic Area country or Switzerland.
- A Permanent Residence Card issued by the Home Office to the family member of a national of a European Economic Area country or Switzerland.
- A current Biometric Immigration Document (Biometric Residence Permit) issued by the Home Office to the holder indicating that the person named is allowed to stay indefinitely in the UK, or has no time limit on their stay in the UK.
- A current passport endorsed to show that the holder is exempt from immigration control, is allowed to stay indefinitely in the UK, has the right of abode in the UK, or has no time limit on their stay in the UK.
- A current Immigration Status Document issued by the Home Office to the holder with an endorsement indicating that the named person is allowed to stay indefinitely in the UK or has no time limit on their stay in the UK, when produced in combination with an official document giving the person's permanent National Insurance number and their name issued by a Government agency or a previous employer.
- A full birth or adoption certificate issued in the UK which includes the name(s) of at least one of the holder's parents or adoptive parents, when produced in

combination with an official document giving the person's permanent National Insurance number and their name issued by a Government agency or a previous employer.

- A birth or adoption certificate issued in the Channel Islands, the Isle of Man or Ireland, when produced in combination with an official document giving the person's permanent National Insurance number and their name issued by a Government agency or a previous employer.
- A certificate of registration or naturalisation as a British citizen, when produced in combination with an official document giving the person's permanent National Insurance number and their name issued by a Government agency or a previous employer.
- A current passport endorsed to show that the holder is allowed to stay in the UK and is currently allowed to work and is not subject to a condition preventing the holder from doing work relating to the carrying on of a licensable activity.
- A current Biometric Immigration Document (Biometric Residence Permit) issued by the Home Office to the holder which indicates that the named person can currently stay in the UK and is allowed to work relating to the carrying on of a licensable activity.
- A current Residence Card issued by the Home Office to a person who is not a national of an European Economic Area state or Switzerland but who is a family member of such a national or who has derivative rights of residence.
- A current Immigration Status Document containing a photograph issued by the Home Office to the holder with an endorsement indicating that the named person may stay in the UK, and is allowed to work and is not subject to a condition preventing the holder from doing work relating to the carrying on of a licensable activity. when produced in combination with an official document giving the person's permanent National Insurance number and their name issued by a Government agency or a previous employer.
- A Certificate of Application, less than 6 months old, issued by the Home Office under regulation 17(3) or 18A(2) of the Immigration (European Economic Area) Regulations 2006, to a person who is not a national of an European Economic Area state or Switzerland but who is a family member of such a national or who has derivative rights of residence.
- Reasonable evidence that the person has an outstanding application to vary their permission to be in the UK with the Home Office, such as the Home Office acknowledgement letter or proof of postage evidence, or reasonable evidence that the person has an appeal or administrative review pending on an immigration decision, such as an appeal or administrative review reference number.

- Reasonable evidence that a person who is not a national of an European Economic Area state or Switzerland but who is a family member of such a national or who has derivative rights of residence in exercising treaty rights in the UK including:-
 - evidence of the applicant's own identity – such as a passport,
 - evidence of their relationship with the European Economic Area family member – e.g. a marriage certificate, civil partnership certificate or birth certificate, and
 - evidence that the European Economic Area national has a right of permanent residence in the UK or is one of the following if they have been in the UK for more than 3 months:
 - a) working e.g. employment contract, wage slips, letter from the employer,
 - b) self-employed e.g. contracts, invoices, or audited accounts with a bank,
 - c) studying e.g. letter from the school, college or university and evidence of sufficient funds, or
 - a) self-sufficient e.g. bank statements.

Family members of European Economic Area nationals who are studying or financially independent must also provide evidence that the European Economic Area national and any family members hold comprehensive sickness insurance in the UK. This can include a private medical insurance policy, an EHIC card or an S1, S2 or S3 form.

Original documents must not be sent to licensing authorities. If the document copied is a passport, a copy of the following pages should be provided:

- any page containing the holder's personal details including nationality;
- any page containing the holder's photograph;
- any page containing the holder's signature;
- any page containing the date of expiry; and
- any page containing information indicating the holder has permission to enter or remain in the UK and is permitted to work.

If the document is not a passport, a copy of the whole document should be provided.

Appendix 12: Alignment with the Mayor's Vision for London as a 24-hour City

The Mayor's Vision sets out a number of aspirations. These are set out below, along with commentary to provide the Lambeth context.

1. Be a global leader.

Lambeth's night time economy contributes to the broader nightlife of London through its areas of wider cultural and entertainment appeal. The Licensing Authority supports this aspiration and believes that a vibrant, diverse and cultural entertainment sector is supported and enhanced through compliant, well-regulated business and an effective and clear Licensing Policy and a high-quality Licensing function within the Council.

2. Provide vibrant opportunities for all Londoners, regardless of age, disability, gender, gender identity, race, religion, sexual orientation or means.

Lambeth has a wide and diverse night time economy, with different areas within Lambeth providing culture and entertainment for the diverse population of Lambeth and from other areas. The Licensing Authority supports this through an effective and clear Licensing Policy and a high-quality Licensing function within the Council.

3. Promote all forms of cultural, leisure, retail and service activity.

The Licensing Authority promotes a mix of businesses and this has been outlined in the General Principles.

4. Promote the safety and wellbeing of residents, workers and visitors.

The Licensing Authority promotes this through the promotion and enforcement of the Licensing Objectives.

5. Promote welcoming and accessible nightlife.

The Licensing Authority promotes this through a range of policies in the Licensing Policy, and through the promotion of the Licensing Objectives.

6. Promote and protect investment, activity and entrepreneurship.

Providing clarity and certainty to businesses through clarity in the Licensing Policy and in the operations and activities of the licensing partners, and through the promotion of partnership working supports compliant, well-regulated businesses to operate effectively. By enforcing the Licensing Act 2003 the Licensing Authority also protects the investment, activity and entrepreneurship of compliant, well-regulated business from unfair competition and business practices by businesses that are not operating correctly within the Licensing Act 2003.

7. Promote domestic and international visits to London.

Some of the night time economy areas of Lambeth do draw domestic and international visitors, particularly with the advent of the Night Tube to key areas in Lambeth. By promoting a well-run sector through the promotion of the Licensing Objectives it is expected that domestic and international visitors are more likely to come to Lambeth venues and premises and will be more likely to return.

8. Be strategically located across London to promote opportunity and minimise impact.

Lambeth has a number of night time economy areas that provide a varied offer. The Licensing Policy and the operations and activities of the Licensing partners are aimed to minimise the impact of these on residents and others.

9. Become a 24-hour city that supports flexible lifestyles.

There is a balance to be struck between offering an environment that supports flexible lifestyles and a borough that meets the needs and wants of its residents. The Licensing Authority and its licensing partners, in partnership with businesses and communities, are best placed to determine what this balance is and how to meet it.

10. Take account of future global and domestic trends in leisure, migration, technology, employment and economics.

The Authority and the licensing partners will take these into account.

Appendix 13: Lambeth Women's and LGBT+ Safety Charter

Women and LGBT+ people have the right to socialise and work in safety in our borough. That means they should be able to enjoy a night out or be able to work in a venue without danger, fear or harassment. The Council takes the safety of women at night incredibly seriously and think it's vital that we do all we can to ensure a safe environment for women. The Council is one of the first signatories of the Mayor's Women's Night Safety Charter and are committed to delivering these important pledges to make Lambeth even more welcoming at night. The Council has appointed two Women's Night Time Safety Champions for the borough.

Sexual comments from a stranger and uninvited touching or contact are never acceptable. We will be working with our licensed premises and key partners including the Police to produce a Women's and LGBT+ Safety Charter and supporting publicity and training materials which discourage harassment and encourage reporting, during the period of consultation for this Policy.