

NOTICE OF MEETING

LICENSING COMMITTEE

Monday, 28th July, 2025, 7.00 pm - George Meehan House, 294 High Road, London, N22 8JZ (watch the live meeting [here](#) and watch the recording [here](#))

Members: Councillors Anna Abela (Chair), Mark Blake, Sheila Peacock (Vice-Chair), Holly Harrison-Mullane, Reg Rice, Elin Weston, Nick da Costa, Kaushika Amin, Nicola Bartlett, Makbule Gunes and Adam Small

Quorum: 3

1. FILMING AT MEETINGS

Please note this meeting may be filmed or recorded by the Council for live or subsequent broadcast via the Council's internet site or by anyone attending the meeting using any communication method. Members of the public participating in the meeting (e.g. making deputations, asking questions, making oral protests) should be aware that they are likely to be filmed, recorded or reported on. By entering the 'meeting room', you are consenting to being filmed and to the possible use of those images and sound recordings.

The Chair of the meeting has the discretion to terminate or suspend filming or recording, if in his or her opinion continuation of the filming, recording or reporting would disrupt or prejudice the proceedings, infringe the rights of any individual, or may lead to the breach of a legal obligation by the Council.

2. APOLOGIES

To receive any apologies for absence.

3. URGENT BUSINESS

The Chair will consider the admission of any late items of Urgent Business. (Late items will be considered under the agenda item where they appear. New items will be dealt with under item 9 below).

4. DECLARATIONS OF INTEREST

A member with a disclosable pecuniary interest or a prejudicial interest in a matter who attends a meeting of the authority at which the matter is considered:

- (i) must disclose the interest at the start of the meeting or when the interest becomes apparent, and
- (ii) may not participate in any discussion or vote on the matter and must withdraw from the meeting room.

A member who discloses at a meeting a disclosable pecuniary interest which is not registered in the Register of Members' Interests or the subject of a pending notification must notify the Monitoring Officer of the interest within 28 days of the disclosure.

Disclosable pecuniary interests, personal interests and prejudicial interests are defined at Paragraphs 5-7 and Appendix A of the Members' Code of Conduct

5. DEPUTATIONS / PETITIONS / PRESENTATIONS / QUESTIONS

To consider any requests received in accordance with Part 4, Section B, paragraph 29 of the Council's constitution.

6. MINUTES (PAGES 1 - 4)

To confirm and agree the minutes of the Licensing Committee meeting held on 6 January 2025.

7. CONSULTATION ON DRAFT STATEMENT OF LICENSING POLICY (PAGES 5 - 114)

The current statement Licensing Policy is due for review and to be Published by Jan 2026. This report seeks permission to consult on a revised statement.

8. REVISION OF FUNCTIONS AND FEES UNDER MESSAGE AND SPECIAL TREATMENT. REVISION OF CONDITIONS. (PAGES 115 - 170)

The Committee is being asked to approve the fees and charges for 2025 – 26.

The report also sets out the updated processing functions and revised Standard Conditions that will be applied to each licence. This report has been prepared to provide the Licensing Committee with information and an update on the reform of the Message and Special Treatment licensing function.

9. NEW ITEMS OF URGENT BUSINESS

To consider any items of urgent business as identified at item 3.

Nazyer Choudhury, Principal Committee Co-ordinator
Tel – 020 8489 3321
Fax – 020 8881 5218
Email: nazyer.choudhury@haringey.gov.uk

Fiona Alderman
Head of Legal & Governance (Monitoring Officer)
George Meehan House, 294 High Road, Wood Green, N22 8JZ

Friday, 18 July 2025

This page is intentionally left blank

MINUTES OF THE LICENSING COMMITTEE HELD ON MONDAY, 6 JANUARY 2025, 7:00PM – 7:50PM

PRESENT: Councillors Elin Weston, Anna Abela (Chair), Kaushika Amin, Nicola Bartlett and Adam Small

1. FILMING AT MEETINGS

The Chair referred to the filming of meetings and this information was noted.

2. APOLOGIES

Apologies for absence was received from Councillor Nick da Costa, Councillor Makbule Gunes and Councillor Sheila Peacock.

3. URGENT BUSINESS

There was no urgent business.

4. DECLARATIONS OF INTEREST

There were none.

5. DEPUTATIONS / PETITIONS / PRESENTATIONS / QUESTIONS

There were none.

6. MINUTES

RESOLVED:

That minutes of the Licensing Committee meeting held on 29 July 2024 be confirmed and signed as a correct record of the proceedings.

RESOLVED:

That the minutes of the Licensing Sub-Committee and the Special Licensing Sub-Committee from 16 November 2023 to 17 October 2024 be noted.

7. REVIEW OF FEES AND CHARGES 2025-26 - LICENCES

Ms Daliah Barret, Licensing Team Leader, introduced the report.

The Committee heard:

- The figure of 5% had been provided by the Council's Finance Officer.
- In relation to promotional activity, some businesses wanted to engaged with the public and sign-up new customers. More often than, not they wanted to use a van and have a trailer left on the pavement overnight. This was what the cost was there for. There were some commodities that were not allowed promotion. This included tobacco, smoking related matters, nothing promoting alcohol or gambling.
- The fees were entirely new fees being set for promotional activities.
- The street trading account should be done on its own, but was done corporately at Haringey.
- The Council was not making a surplus and the fees should probably be set higher. The fees meant to be able to cover officer's time to do enforcement also. However, for officers going out every couple of weeks to even monitor a Tottenham Hotspur match and having to deal with the illegal street traders outweighed the budget that the Council had. It would be unfair if the Council put the extra amount of cost on the ten or so registered Street Traders in the borough as this would be quite a significant increase for them to have to make.
- The match day traders pay their fees as normal but during an event, there was a separate fee also in for traders to trade on an event day. This was how the Council tried to recuperate some cost to pay for the officers that had to work on those days.
- The Council could not deal with what happened inside a supermarket, but was responsible for what happened on the public highway. This was why the Council needed to be able to say 'yes' or 'no' to certain types of promotional activities and have safeguards in place around this. Health promotions such as Cancer Research spend a week on the public highway and there would be no charge for this because that was a public health benefit.
- In relation to fundraising organization, the Council already had an agreement with the fundraising Regulators let the Council know when charities were coming to the area to come and sign people up. These organisations could go about their business in the borough. What the Council dealt with was the complaints that came in from the public being accosted to sign-up to an organisation.
- Any market taking place within a premises was not subject to the Council's consideration. The market at Tottenham Green was supported by the Council's economic development team. An individual had been assigned as the market operator who charged a fee of each individual trader coming to attend the market. It could be argued that the fee should not be charged because it was not for the operator to charge the trader, it was for the Council to make the charge because it was on the public highway. The fees put in place were extremely reasonable.
- In relation to the NFL fencing off an area for promotional activity at Tottenham Hotspur stadium, a charge was placed for this.
- Promotional activity fell within the street trading legislation. Charities were seen to be exempt in terms of street trading. However, if they put things on the street and placing things on the public highway, then they then would start incurring costs.
- Traditional stalls were the seven designated spaces that the Council had agreed. These were not be given up because the legislation had succession rights. Eight requests or so

per -year were received for a stall at Tottenham High Road and these were always refused because there was no space to make any new stalls and the designated ones would be ones passed down on to the trader's families. The non-traditional ones were three stalls that were in an individual's front yard. Those were given as temporary stalls that were renewed every six months or so.

RESOLVED:

1. To approve fees set out in appendix 1 of the report, namely an increase of 5% on existing discretionary fees for 2025 – 26 and the introduction of promotional activity fees as set out in section 5.7 of the report.
2. To note Licensing Act and Gambling Act premises fees were already set at statutory maximums and make up a significant proportion of the fees collected.

8. NEW ITEMS OF URGENT BUSINESS

There were none.

CHAIR: Councillor Anna Abela

Signed by Chair

Date

This page is intentionally left blank

Report for: Licensing Committee

Item number: 7

Title: Consultation on draft Statement of Licensing Policy

Report

authorised by : Eubert Malcolm Director of Environment

Lead Officer: Daliah Barrett, 0208489 8232,
daliah.barrett@haringey.gov.uk

Ward(s) affected: All

Report for Key/

Non Key Decision: Key decision

1 Describe the issue under consideration

- 1.1 The Licensing Act 2003 (the Act) came into effect on 25th November 2005. The Act introduced a new regime for the licensing of alcohol, regulated entertainment and late night refreshments, to be administered by the local licensing authority within Haringey, this council.
- 1.2 Section 5 of the Act requires each licensing authority to prepare, consult and publish a statement of licensing policy every five years. The policy statement is expected to set out, how the authority intends to approach its licensing responsibilities. Each Authority is also required to keep the statement of policy under review throughout its term and make appropriate revisions as necessary. The purpose of this report is to seek approval for consultation to be undertaken on the draft Statement of Licensing Policy 2026/2031 at Appendix 1.
- 1.3 The current statement Licensing Policy is due for review and to be Published by Jan 2026. This report seeks permission to consult on a revised statement.

2 Recommendations

This report recommends that the Committee:

- 2.1 Approve consultation on the draft Haringey Statement of Licensing Policy 2026-2031 attached as Appendix 1 to this report.
- 2.2 Note and agree the arrangements for public consultation as set out within this report at section 6.
- 2.3 Note that following the consultation the responses will be brought back to the Licensing Committee who will then make recommendations to Full Council for adoption of the policy.

3 Alternative Options Considered

- 3.1 This is a statutory requirement and the Council has no discretion to do otherwise.

4 Reasons for decision

- 4.1 The Council's current Statement of Licensing Policy expires in January 2026 and the Council has to comply with its statutory duty to prepare, consult and publish a statement of licensing policy every five years.
- 4.2 The statement of licensing policy should make it clear that licensing law is not the primary mechanism for the general control of nuisance and anti-social behaviour by individuals once they are beyond the direct control of the individual, club or business carrying on licensable activities. However, the guidance also states that licensing law is a key aspect of such control and should always be part of a holistic approach to the management of the evening and night-time economy. It is therefore desirable that the statement of licensing policy is in line with the council's wider objectives and consistent with other policies.
- 4.3 Members should note that the statement of licensing policy must not be inconsistent with the provisions of the 2003 Act and must not override the right/s of any individual as provided for in that Act. Nor must the statement of licensing policy be inconsistent with obligations placed on the council under any other legislation, including human rights legislation. The council for example has a duty under Section 17 of the Crime and Disorder Act 1998, when carrying out its functions to set out what it can reasonably do to prevent crime and disorder within the borough.

5 Background information

- 5.1 Central to the statement of licensing policy is the promotion of the four licensing objectives established under the Act. These are:
- **The prevention of crime and disorder**
 - **Public Safety**
 - **The prevention of public nuisance**
 - **The protection of children from harm**
- 5.2 Since the commencement of the current statement of licensing policy, there have been a number of matters that have been raised at licensing sub-committee meetings where members, responsible authorities and applicants have requested clarification. The amendments in this revision seek to clarify Haringey's position and are believed to be appropriate and necessary.
- 5.3 The Licensing Policy provides transparency for everyone including local residents and businesses, who will be able to refer to the policy when making representations, and applicants when preparing their premises licence applications. The policy also describes how the Licensing Authority's approach to licensing will be integrated with local council planning, crime prevention, child safeguarding and cultural strategies and any action plan or strategy for the management of the evening economy. The statements also avoids duplicating other requirements such as health and safety regulations which already place a range of general duties on employers and licence holders.

- 5.4 The draft Policy introduces various policies and measures that promotes the four licensing objectives; namely prevention of crime & disorder, prevention of public nuisance, public safety and protection of children from harm. The policies will inform decision making in a meaningful way as well as provide useful and practical guidance to applicants, local residents, responsible authorities and magistrates (who decide cases on appeal).
- 5.5 There has been some changes to the Section 182 Guidance issued for licensing authorities (the current version was issued by the Home Office in February 2025).
- 5.6 One change is to set out a way in which business can be supported in relation to Minor variations. It advises Licensing Authorities to treat applications for amendments for an on-sales licence holder to also be able to make off sales, in the first instance, as a minor variation to the licence. This is a quicker and cheaper process than a full licence variation. Paragraph 8.65 of the Guidance now states: "For other licensable activities, licensing authorities will need to consider each application on a case-by-case basis and in light of any licence conditions put forward by the applicant. If an on-sales only licence holder wishes to add off sales to their licence, licensing authorities may in the first instance wish to treat applications as a minor variation, in particular when the holder took advantage of the Business and Planning Act 2020 provision* and there has been no adverse impact on licensing objectives. *Section 11 (2)
- 5.7 The guidance includes an annex on counter-terrorism measures and their relevance to the licensing objectives in anticipation of Martyn's Law coming into effect late in the year. The draft Haringey Policy has also considered this expected new law.
- 5.8 The majority of changes have been automatically incorporated into the policy document. Some are highlighted for the committee's information, before going to public consultation. A summary of some of the changes are listed below. these changes are outlined in Appendix 1 and summarised in 5.9 below.
- 5.9 Summary of the main amendments**
- Removal of guidance relating to Coronavirus.
 - Updated Alcohol Harm data
 - Updated wording around Pavement licensing
 - Revised wording on Corporate Plan and links with other strategies- including risk and harms to women and the vulnerable in the late night economy.
 - Responding to the proposed Martyn's Law by outlining event and large venue safety and risk assessment; the dispersal of patrons from premises.
 - The impact in certain areas of low cost, high strength alcohol sales- street drinking.
 - Updated wording on Framework Hours
 - New section on Responsible management for licensed premises relating to match and event days in a given area.
 - New section showing examples of Model Conditions.
 - Responsible Authorities information updated.
- 5.10 The Policy sets out the council's standards that operators are expected to achieve and address issues that licensable activities may cause in relation to location of premises, hours of operation etc.
- 5.11 We have sought the views from responsible authorities such as the Police, Noise Team, Public Health, the business community and residents etc. prior to

formulating the Policy. All stakeholders will be able to engage formally during the forthcoming public consultation period.

5.12 A survey asking for views on licensed premises in the borough was sought from business and the general public . The data from the responses shows that most respondents are happy with the status quo however some felt that there are too many Off Licences in the borough. This is a view shared by Public Health who raised concerns about the availability of alcohol in the borough.

5.13 The draft Policy has been updated to apply changes to the Section 182 guidance, including the updates of pavement licences, a guidance on immigration status documentation and raise awareness for being prepared for 'Martyn's Law'.

5.15 The Policy sets out the council's standards that operators are expected to achieve and address issues that licensable activities may cause in relation to location of premises, hours of operation etc.

5.13 Before determining the Policy, the Licensing Authority must consult the persons listed in section 5(3) of the Licensing Act 2003. As is good practice, the Licensing Authority has consulted widely and not limiting the consultation to the persons listed in section 5(3) of the Act. The work carried out in developing and improving the council's Policy will continue after this draft Policy has been adopted. The possibility of declaring a cumulative impact zone to limit the growth of Off Licences in certain parts of the borough, is a separate piece of work that be undertaken with key stakeholders and members will be given the opportunity to discuss this option at a later date and to inform any future review of the Policy and its outcomes.

5.14 Martyn's Law overview

Martyn's Law, named after a victim of the Manchester Arena bombings, is a bill that requires those responsible for publicly accessible venues in the UK to take steps to reduce the threat of terrorist attacks. It places a statutory duty on premises and events to implement reasonably practicable public protection procedures and measures.

5.15 Cumulative Impact Policy

The effect of adopting a special policy of this kind is to create a rebuttable presumption that applications for new premises licences or club premises certificates or variations that are likely to add to the existing cumulative impact will normally be refused, or subject to certain limitations, following relevant representations. Once a policy is adopted it will need to be kept under review. Both Public Health and Police Licensing Team have expressed a view that a CIPs should be considered for Off Licences only in parts of High Road N17 and West Green Road. This requires a more in depth research and gathering evidence so is not part of this current process. Evidence will be gathered and evaluated to ascertain if the threshold has been met to declare such a policy in 2026 as a separate piece of work..

6. Contribution to strategic outcomes

6.1 The Corporate Delivery Plan 2024-26 outlines our strategic objectives, priorities, and initiatives aimed at creating a fairer, greener borough. Our plan is set out in eight separate themes:

- Resident experience and enabling success

- Responding to the climate emergency
- Children and young people
- Adults, health and welfare
- Homes for the future
- Safer Haringey
- Culturally rich borough
- Place and economy

6.2 These themes demonstrate how we are focused on working collaboratively, in line with the Haringey Deal, with residents, businesses, and partners to tackle the biggest issues affecting our communities. We will work to make sure strong families, strong networks, and strong communities nurture all residents to live well and achieve their potential. We will work to create safe, stable, and affordable homes for everyone, whatever their circumstances, and neighbourhoods with strong, resilient, and connected communities where people can lead active and healthy lives in an environment that is safe, clean, and green.

7 Consultation process

7.1 The revision of the Haringey statement of licensing policy is intended to be undertaken With public consultation in accordance with section 5(3) of the Licensing Act 2003. As such, it is proposed that consultation will take place as set out below.

7.2 The policy will be introduced by a circular letter sent electronically to:

- The chief officer of the police
- The fire authority
- Representatives of holders of premises licences, club premises certificate holders and personal licence holders
- Representatives of businesses and residents
- All responsible authorities specified under the Act.

7.3 The consultation will also be introduced on the council web site with the draft policy together with an online questionnaire for easy response.

7.4 **Consultation questionnaire** - It is suggested that the following questions be posed under the public consultation exercise.

Whether the amendments to the policy are clear and easily understood?
 Whether the amendments to the policy are balanced, fair and reasonable?
 Any other comments on the draft Policy?

7.5 In each case, respondents will be offered the opportunity to expand on their answer and provision for general comments will be made.

7.6 **Consultation timetable** - The following timetable for the public consultation on the draft policy amendments and for final approval of the 2026 – 2031 policy document is proposed:

Action	Timeline
Report taken to Lead Member and Chair of Licensing Committee for discussion	02 nd July 2025

Draft taken to Well Being and climate Board	22 nd June 2025
Report taken to Licensing Committee for permission to consult on the draft policy revision; and consultation timetable.	July 28th – 6 weeks consultation to start in July.
Licensing	Consultation to be advertised at main Council buildings/placed on website. Statutory and public consultation to run from end July to early September 2025 (6 weeks)
Report taken to Overview & Scrutiny	July/August 2025
Consultation ends. Consideration of consultation responses and further revision of the policy	Early September – responses compiled and preparation of reports to Licensing Committee to report on outcomes.
Outcome report back to Well Being Climate Board	Mid -October
Report back to the Licensing Committee asking the committee to consider the further draft policy revision and make recommendation for adoption of a final policy by Full Council	October TBC
Report prepared for Full Council with recommendation to adopt	November TBC
4 weeks public notice period.	December TBC
New policy takes effect	Jan 2026 TBC

8 Statutory Officers comments (Chief Finance Officer (including procurement), Assistant Director of Corporate Governance, Equalities)

Finance

This report seeks approval for a consultation exercise for the Haringey Licensing Policy 2026-2031, which is a statutory requirement. The existing policy expires in January 2026.

The consultation exercise will be conducted online and therefore at minimum cost. This cost, relates to materials and officers time which is already accounted for within the existing budgetary resources.

The results of this will be brought back to the Licensing Committee, prior to Full Council.

The timelines laid out are reasonable and achievable to ensure an updated policy will be ready in time to ensure the Council have a continued policy in force.

9 Procurement

N/A

10 Legal

10.1 The Director of Corporate Governance has been consulted in the Preparation of this report and comments as follows.

10.2 The legal implications are set out in the body of the report.

10.3 In the case of R (Moseley) v Haringey the Supreme Court endorsed the following principles of consultation:

- That consultation must be at a time when proposals are still at a formative stage;
- That the proposer must give sufficient reasons for any proposal to permit intelligent consideration and response;
- That adequate time must be given for consideration and response; and
- That the product of consultation must be conscientiously taken into account in finalising any proposals.

10.4 The consultation timetable for the SOLP is in accordance with the Mosley principles. Under the Council's Constitution – Licensing Committee - Protocol para 2(b) the Licensing Committee has the responsibility for formulating, reviewing and approving for consultation the Statement of Licensing Policy and (following consultation) recommending it and any revisions to it, to Full Council for adoption.

10.5 There is no legal reason why Committee should not adopt the recommendations of this report.

11. Equality

11.1 The Council has a Public Sector Equality Duty under the Equality Act (2010) to have due regard to the need to:

- Eliminate discrimination, harassment and victimisation and any other conduct prohibited under the Act
- Advance equality of opportunity between people who share those protected characteristics and people who do not
- Foster good relations between people who share those characteristics and people who do not.

The three parts of the duty applies to the following protected characteristics: age, disability, gender reassignment, pregnancy/maternity, race, religion/faith, sex and sexual orientation. Marriage and civil partnership status applies to the first part of the duty.

11.2 A draft equality impact assessment has been completed and is attached as an appendix to this report. It is anticipated that there will be positive impacts for younger people, older people, disabled people, people from ethnic minority backgrounds, religious minority groups, both males and females and LGBTQ+ people. For other groups, there is no anticipated impact on the basis of their protected characteristics.

11.3 When framing its policy on licensable activities, the Council must work within the statutory parameters of the Licensing Act 2003.

11.4 The Council is required to review its Statement of Licensing Policy every five

years and as part of that review it consults with the public. A draft Equalities Impact Assessment has been produced, and further data will be collected as part of the public consultation with a view to updating the Equality Impact Assessment. Any feedback from consultees, will be incorporated into the final report taken to the Licensing Committee and Full Council post-consultation

12 **Use of Appendices**

Appendix 1 Draft Statement of Licensing Policy

Local Government (Access to Information) Act 1985

The Licensing Act 2003 and secondary regulations

The Home Office Guidance to the Act published April 2018

Local Government (Miscellaneous Provisions) Act 1982

Licensing Act 2003

Haringey Statement of Licensing Policy 2026 -2031

This Policy should be read in conjunction with:

The Licensing Act 2003

Available from www.legislation.gov.uk/2003

**Government Guidance under Section 182 of the
Licensing Act 2003**

A Home Office document available from

HMSO. Information also available on the GOV.UK website:

www.gov.uk

**Haringey Council's guidance documents on making
applications under the Licensing Act 2003**

Available from Haringey Council's Licensing Service on request and our
website: www.haringey.gov.uk/licensing or by calling 020 8489 8232.

www.haringey.gov.uk



Contents

LICENSING ACT 2003	1
1. ALL ABOUT HARINGEY – BACKGROUND INFORMATION	4

2.5	HARINGEY AND THE LEISURE AND ENTERTAINMENT INDUSTRY	5
3	CHALLENGES FACING HARINGEY	6
3.7	Alcohol and public health	7
4	LINKS TO THE BOROUGH PLAN.....	9
5.	PLANNING, REGENERATION AND BUILDING REGULATIONS REGIMES..	11
6	PURPOSE AND SCOPE OF THE LICENSING POLICY	14
7	DEFINITIONS – ‘REGULATED ENTERTAINMENTS’	15
8.	THE LICENSING OBJECTIVES	16
10.1	PROVISION OF SCALE PLANS.....	20
19.2	VARIATIONS & NEW APPLICATIONS	20
10.3	PROVISIONAL STATEMENTS.....	20
10.4	TEMPORARY EVENT NOTICES (TENS)	21
19.16	MANDATORY CONDITIONS	34
19.18	ENTERTAINMENT INVOLVING STRIPTEASE AND NUDITY	35
19.23	THEFT OF PERSONAL PROPERTY.....	36
21.10	OTHER RELEVANT LEGISLATION	44
21.11	REGULATORY REFORM (FIRE SAFETY) ORDER 2005.....	44
21.13	HEALTH AND SAFETY AT WORK REGULATIONS 1999	45
21.14	SAFE CAPACITIES.....	45
21.17	A PROACTIVE APPROACH TO CUSTOMER SAFETY	46
22.5	ACCESS TO LICENSED PREMISES	47
22.8	THE PURCHASE AND CONSUMPTION OF ALCOHOL BY CHILDREN AND YOUNG PERSONS	48
22.12	AGE VERIFICATION POLICIES – MANDATORY CONDITION	48
22.13	AGE VERIFICATION POLICIES-APPLICANTS CONSIDERATIONS.....	48
22.17	CHILDREN AND RESPONSIBLE DRINKS PROMOTIONS.....	49
22.18	CHILDREN AND CINEMAS – MANDATORY LICENCE CONDITION	49
22.19	REGULATED ENTERTAINMENT PROVIDED FOR CHILDREN	50
	CONTACT DETAILS	56
	RESPONSIBLE AUTHORITIES –APPENDIX 1A	56

Background to this document

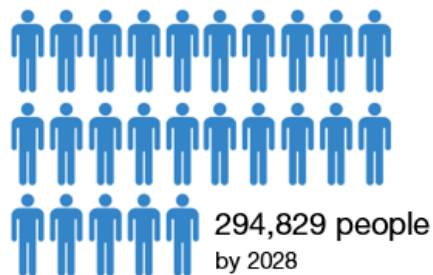
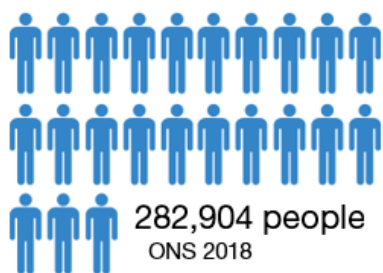
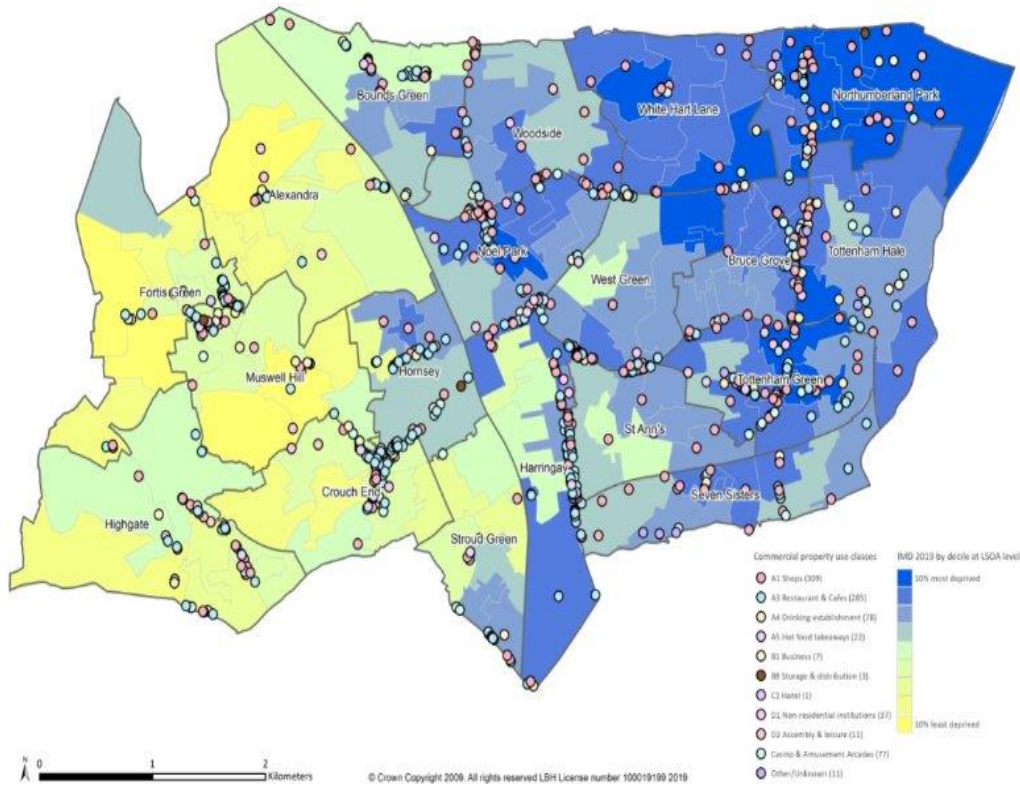
Section 5 of the Act requires each Licensing Authority to prepare and publish a statement of its licensing policy every five years. The Haringey statement has been frequently revised and updated in order to keep up to date with changes in law, guidance and local issues and policy. Each revision of the policy had been developed through consultation and regard to the Act as well as the Section 182 Guidance issued by the Home Office more recently.

The Section 182 guidance itself is subject to revisions from time to time and there may be periods of time when the Haringey policy is inconsistent with the guidance. At such times the Council will have regard and give appropriate weight to the revised guidance in its decision making.

The Licensing Authority may depart from its own policy if the circumstances of a given case merits such action in reaching a decision in the interest of promoting the licensing objectives.

Section One – The Borough Profile

1. ALL ABOUT HARINGEY – BACKGROUND INFORMATION



The highest expected growth is in the older age groups of 65-84 and 85+

Haringey is the fifth most diverse borough in the UK with over 100 languages spoken

Men in the most deprived wards live, on average, 7.6 years less than men in the least deprived wards

2. Our vision for Haringey

2.1 Haringey embodies the future of London: a borough that embraces growth and harnesses the strengths of diverse communities and innovative businesses to create an excellent place to work learn and live. As a gateway to central London we are determined to be a well-connected hub of activity rather than a dormitory borough. Our Community Wealth Building approach is a direct response to people and communities being left behind by economic growth, resulting in increasing inequality. Questions about fairness and equality are therefore at the core of Community Wealth Building. These should prompt us to consider not only who will benefit from any intervention or investment, but also whether all parts of our community are equally well equipped and supported to take advantage of the opportunities that exist to improve their prosperity and wellbeing with a focus on creating a good economy which supports our residents and businesses to thrive with an ambitious objective for achieving full employment and establishing Haringey at the epicentre of London's small and medium sized innovation economy. Our Housing Strategy and Local Plan lay the foundations for major house building and the regeneration of neighbourhoods with an exciting mix of employment, retail, entertainment and housing. Here we are building on our existing strengths: Haringey is a vibrant place to live, with many different cultures mixing together, and a fantastic variety of characterful High Streets – from the metropolitan centre at Wood Green to the boutiques and restaurants of Muswell Hill and Crouch End to the developing and growth in Tottenham – creating a strong sense of local pride. The State of the Borough Profile has been put together to provide all Haringey's stakeholders –from Officers and Councillors to Residents –with access to the data they need to understand the borough and can be accessed via this link:

<https://www.haringey.gov.uk/local-democracy/about-council/state-of-the-borough>

2.2 Licensing policy has a key role in helping us achieve this vision for promoting growth, creating exciting mixed-use neighbourhoods and helping communities to continue to mix and live comfortably with one another. The entertainment and night-time economies make a valuable contribution to economic growth, through employment and local spend, and an effective Licensing Policy can ensure that these sectors grow in a positive and sustainable way. An effective Licensing Policy can also ensure that all neighbourhoods have a vibrant entertainment and night-time offer that reflects the diversity of the borough and provides space for people to come together.

2.3 Haringey's Borough Plan lays out how the Council will seek to pursue its vision for the borough over the next four years. The principles of the Borough Plan are reflected in the Licensing Policy, in particular the emphasis on working in partnership. The Licensing Policy lays out how the Council's Licensing team will work in partnership with the Police, Public Health and other Community Safety partners to analyse data and take intelligence led approach to licensing enforcement. It also describes how we will work with resident's associations and other community groups to ensure that Haringey residents have a real say over the development and operation of licensed premises in their neighbourhoods. Working in partnership is also about shared responsibility and the Licensing Policy lays out how we will look to build alliances with responsible businesses and traders associations to tackle problems together. It is through such partnerships that we will apply our commitment to prevention. By engaging early with businesses and educating them on how to avoid alcohol related problems, we can increasingly prevent the need for costly enforcement action.

2.4 Through partnership and prevention, the Licensing Policy will help ensure that the entertainment and night-time sectors are able to play their part in the diverse, dynamic and pro-growth Haringey that is being built through the combined efforts of residents, businesses and public sector agencies.

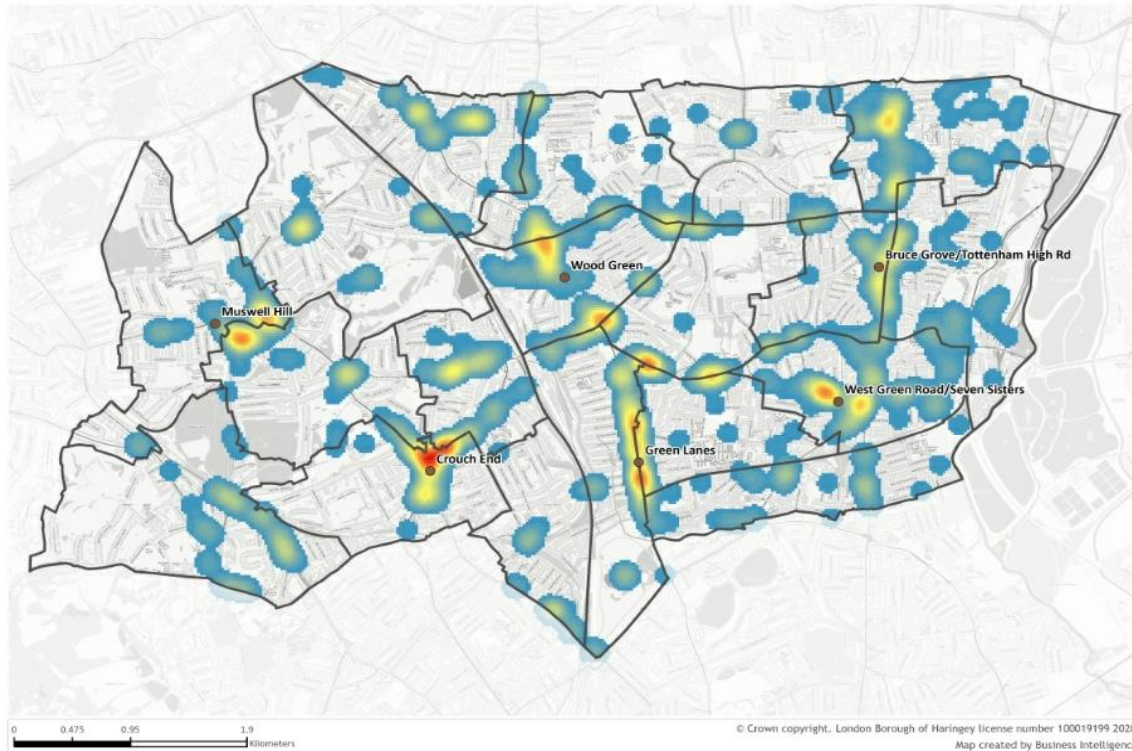
2.5 Haringey and the leisure and entertainment industry

2.6 Haringey is home to a number of iconic leisure and cultural institutions that attract people from across London and the UK, benefitting from the borough's excellent public transport links. The borough is the home of Alexandra Palace, the centre of many cultural events and activities. The new Tottenham Hotspur Stadium in High Road Tottenham has come about through working in partnership with the Council, it has been redeveloped into a world-class multipurpose stadium. Finsbury Park has played host to major music concerts for many years and continues to attract a wide range of artists. It is an iconic venue where artists want to appear on stage at some point in their career.

2.7 Across the borough, Haringey has in excess of 900 premises licensed for the sale and supply of alcohol and/or regulated entertainment and late night refreshment. Over 780 of these are licensed for the sale and

supply of alcohol. There is a great variety of licensed premises – from community owned pubs to national chain bars, Turkish cafes to banqueting suites – catering for our diverse communities and playing an important role in making Haringey the borough that it is. The average density across London of population to licensed premises is 281 to 1. In Haringey it is 251 to 1, making Haringey 11th in London for outlet density.

Map showing density of alcohol licensed premises across the borough



- 2.8 The Licensing Policy seeks to encourage premises that will extend the diversity of entertainment and attract a wider range of participants rather than premises mainly or exclusively focussed on the sale of alcohol. The Policy aims to develop a more inclusive night time economy and promote high-quality premises that contribute positively to their neighbourhoods.
- 2.9 In addition to licensed premises, around 700 small occasional events take place under temporary event notices each year. This number is likely to grow year on year.

3 Challenges facing Haringey

- 3.1 Haringey ranks as one of the most deprived boroughs in the country with pockets of extreme deprivation concentrated in the east. Haringey is the 84th most deprived borough in England and the 4th most deprived in London, yet it is also a borough of contrasts, with great prosperity and affluence in some communities.
- 3.2 Persistent inequalities are manifest in the health and wellbeing of our residents. The life expectancy gap between the most and least deprived wards is 7.6 years for men and 3 years for women. The borough is facing an obesity crisis with 1 in 5 reception aged children, and 1 in 3 10/11 year olds, measured as overweight or obese. The number of people with long term conditions like diabetes and heart disease is increasing and there are approximately 4,000 adults with severe mental illnesses – three times more than would be expected, even given Haringey's level of deprivation.
- 3.3 There are also inequalities in educational achievement, access to employment and housing quality. The borough has seen twelve consecutive years of improvement in GCSE performance and A-levels scores, making Haringey one of the top 3 most improved areas. Yet too many of our young people still leave school without the skills needed to secure sustainable employment, blocking their access to one of the world's most

dynamic economies at their doorstep. It remains our priority to make all of our schools good and outstanding and to ensure our young people are accessing the skills needed for the jobs of the future.

- 3.4 The Council's response to these challenges is to meet them head on with ambition, innovation and a commitment to work ever more closely with residents, businesses and public sector partners. Nowhere is our ambition greater than in our most deprived communities in Tottenham. Working with central and local Government, developers and major local businesses like Tottenham Hotspur, the Council has secured £1bn of public and private investment in Tottenham's physical environment. Over the next 20 years, this investment will deliver new homes, new transport links and stations, education and health facilities, green public space and 5,000 new jobs. Wood Green is another community that will be the focus of major regeneration that will look to build more homes and create better connections to Alexandra Palace. We are determined that regeneration will be shaped by the views of residents and are pioneering new governance structures to embed the resident voice in the key decisions.
- 3.5 We are also determined that regeneration has a transformative effect on the health and wellbeing of residents. Regeneration has the potential to promote health and wellbeing through the built environment in a number of ways, including designing infrastructure to increase ease of walking and cycling, increasing the accessibility and perceived safety of green space, and shaping the retail offer to promote access to healthy foods.
- 3.6 We are also keen to encourage innovative responses to the health challenge – such as promoting 'Healthy Catering' in the Food industry across the borough and Responsible Retailing scheme to the licensed premises. In Haringey we are adamant that economic growth has to be harnessed as an engine for tackling deprivation and the role of the Licensing Policy is to ensure that licensed businesses play their part. The aim of the policy is to ensure that licensed premises have a positive impact on their locality and where any premises do cause problems, they are addressed swiftly and in the most appropriate manner. Indeed, the need for responsibility and innovation is even greater in the licensed sectors, given the scope for negative impacts is so much higher, as the evidence shows.

3.7 Alcohol and public health

- 3.8 Health bodies were made 'responsible authorities' under the Licensing Act 2003 in April 2012. Although public health is not a licensing objective, health-related data can be used to identify the potential impact of the premises on the licensing objectives.
- 3.9 Alcohol plays a significant part in the social lives of many people and the economic development. However, alcohol consumption is a key factor of poor health in Haringey and around 1 in 10 people are binge drinkers and over 10,000 people across the borough are higher risk drinkers, regularly going well above the levels recommended by the Department of Health (14 units a week for men and women). Haringey has high rates of alcohol dependency, it is estimated to be the second highest in North Central London. The sale of high strength, low cost alcohol is a particular problem in Haringey and contributing factor behind these figures.
- 3.10 According to Haringey's State of the Borough document the businesses in the Borough sell above the London average for litres of alcohol. The high level of sales points and high levels of unsafe drinking, increases the risk of both health and social related alcohol harms. This has a large impact on our communities, such as alcohol fuelled crime and disorder, antisocial behaviour, street drinking and other hidden harms (i.e. dependency, family breakdown, domestic abuse and child safeguarding issues). Haringey has one of the highest rates of reported domestic abuse across London. Figures do not show if alcohol was a contributing factor. Of all contacts to Children and Young People Services in Haringey, 70-80% involve domestic abuse. More than 1 in 5 women have been subject to stalking or harassment at some point in their lives.

3.11 Alcohol misuse is also associated with 60 medical conditions, from liver disease, heart disease and strokes to types of cancer, hypertension and mental health issues. This has a large impact on our health services. Haringey has the 5th highest rate of alcohol-related admissions in London and has a significantly higher rate than all North Central London boroughs except Islington, which ranks first in London . Alcohol consumption is a contributing factor to hospital admissions and deaths from a diverse range of conditions. Alcohol misuse is estimated to cost the NHS about 3.5 billion pounds per year and society as a whole 21 billion pounds annually. Alcohol related hospital admissions are higher in Haringey than the London and England averages. Around 4.5% of all local hospital admission in 2019. Men living in more deprived areas (generally the east of the borough) have higher rates of alcohol related hospital admissions (see figure 1) below.

3.12 In Haringey, there are an estimated 546 adults with alcohol dependency who live with children (and 1,038 children who live with an adult with alcohol dependency). There are 149 of these adults in specialist treatment, a higher percentage than the benchmark and national average. Among Haringey's most prolific young offenders, signs of poor parenting are evident in the first year of life in 45% of cases, parental involvement in substance or alcohol misuse is evident in 30% of cases by the age of 1.

3.13 Using national estimates from the biennial schools survey: Haringey has 4.2% of young people at the age of 15 who are known to be regular drinkers (Source LAPE –Local Area Profiles for England). Alcohol was the second leading substance cited as the substance that brought the young person into treatment in 2017/8.

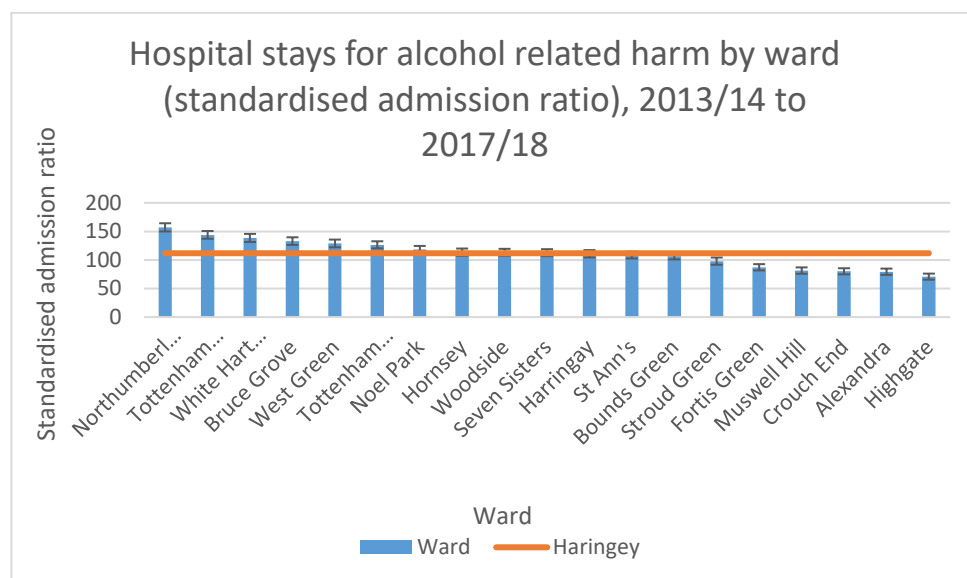


Figure 1. Hospital stays for alcohol related harm by ward (2013-18)

3.14 Local health data around the impact on alcohol is collected as part of the annual Joint Strategic Needs Assessment (JSNA) and State of the Borough Plan is a core source of data used to inform licensing decisions and broader activity of the Community Safety Partnership.

3.15 The issues highlighted above affect the young people of the borough and the expectation is that applicants and traders will be required to demonstrate a robust policy to ensure the protection of children from harm objective is fully considered. Licence holders failing to have regard for this will receive enforcement action as the challenges facing our young people with regard to availability and consumption of alcohol is a concern..

3.16 Alcohol and crime/anti-social behaviour

- 3.17 We know we face some significant challenges. London has a problem with serious violence, particularly with knife crime. Some of this is due to less funding for work to intervene at an earlier stage in order to put preventative measures in place. There have also been significant cuts to neighbourhood policing across London, which means that the police are less visible than they were. We want Haringey to be a safe borough for everyone who lives and works here; a place with strong, resilient and connected communities where people can lead active and healthy lives in a safe environment. As the borough continues to grow, becomes better connected and continues to be a destination for many Londoners, we will need to ensure Haringey remains a safe and pleasant environment for all. The Community Safety Strategy provides the partnership approach with an opportunity to set out how it will achieve that vision. The Crime and Disorder Act 1998, as amended by section 97 and 98 of the Police Reform Act 2002, places a requirement on Local Authorities to co-operate in the reduction of crime and disorder in the Borough.
- 3.18 We will continue to work together with local people and businesses to ensure licensed premises are contributing to this requirement through the promotion of the licensing objectives. It is against this backdrop that Haringey will seek to robustly implement its policy to ensure responsible retailing of alcohol and the impact on the wider community re considered and monitored. The Community Safety Partnership is now receiving anonymised data on alcohol related violence which may also be useful, particularly if it can be related to a specific premise(s).

3.24 Pavement Licence

- 3.25 The Business and Planning Act 2020 makes it easier for premises serving food and drink such as bars, restaurants and pubs.
- 3.26 The Act also introduces a process for these businesses to obtain permission, in the form of a “pavement licence”, from The Council for the placement of furniture such as tables and chairs on the pavement outside their premises which will enable them to maximise their capacity whilst adhering to the Standard Conditions
- 3.29 Licences will be subject to the Council’s published conditions and any national conditions set by the Government. In some cases, extra measures may be required. This will be determined when assessing any application, on a case by case basis. Where a local authority sets a local condition that covers the same matter as set out in national published conditions, then the locally set condition takes precedence over the national condition to the extent that it is inconsistent with it. Obtaining a pavement licence does not confer the holder immunity in regard to other legislation that may apply, e.g. Public Liability, Health & Safety at Work, Food Hygiene and Safety, Alcohol and Entertainment Licensing, applicants must ensure all such permissions, etc. are in place prior to operating.
- 3.30 If a condition imposed on a licence either by the Council or via a National Condition is breached the Council will be able to issue a notice requiring the breach to be remedied. If the notice is not complied with, the Council may revoke the licence or take the required steps itself and recover the costs of doing so.
- 3.31 There will likely be an increase in public nuisance complaints as a result of these new measures. Residents who live nearby and find themselves disturbed by the activities taking place outside of venues will feel disadvantaged by this process. It is therefore important that the standard conditions adopted by the Council provide some safeguards for residents and they are made aware of how they can engage in the process.

4 Links to the Borough Plan

4.1 Haringey's Borough Plan lays out how the Council will seek to pursue its vision for the borough over the next four years. The principles of the Borough Plan are reflected in the Licensing Policy, in particular the emphasis on working in partnership. The Licensing Policy lays out how the Council's Licensing team will work in partnership with the Police, Public Health, and other Community Safety partners to analyse data and take an intelligence-led approach to licensing enforcement. It also describes how we will work with residents' associations and other community groups to ensure that Haringey residents have a real say over the development and operation of licensed premises in their neighborhoods. Working in partnership is also about shared responsibility, and the Licensing Policy lays out how we will look to build alliances with responsible businesses and traders associations to tackle problems together. It is through such partnerships that we will apply our commitment to prevention. By engaging early with businesses and educating them on how to avoid alcohol-related problems, we can increasingly prevent the need for costly enforcement action.

Through partnership and prevention, the Licensing Policy will help ensure that the entertainment and night-time sectors are able to play their part in the diverse, dynamic, pro-growth Haringey that is being built through the combined efforts of residents, businesses, and public sector agencies.

4.2 The Corporate Delivery Plan outlines our strategic objectives, priorities, and initiatives aimed at creating a fairer, greener borough. Our plan is set out in eight separate themes:

- Resident experience and enabling success
- Responding to the climate emergency
- Children and young people
- Adults, health and welfare
- Homes for the future
- Safer Haringey
- Culturally rich borough
- Place and economy

These themes demonstrate how we are focused on working collaboratively, in line with the Haringey Deal, with residents, businesses, and partners to tackle the biggest issues affecting our communities. We will work to make sure strong families, strong networks, and strong communities nurture all residents to live well and achieve their potential. We will work to create safe, stable, and affordable homes for everyone, whatever their circumstances, and neighbourhoods with strong, resilient, and connected communities where people can lead active and healthy lives in an environment that is safe, clean, and green.

1. Adults, Health and Welfare

Outcome areas

- **A healthy and active population**
- **A welcoming borough with a vibrant voluntary and community sector (VCS)**
- **Residents connected with the right support at the right time in their neighbourhoods**
- **Secure and resilient lives**
- **Vulnerable adults are supported and thriving**

In Haringey, we're all about looking out for each other. This part of our Corporate Delivery Plan is about making sure that every adult in our community gets the support they need to live a good life, no matter what challenges they may face. From staying healthy to getting the help residents need when times get tough, our services are here to support all. Our goal is to create a community where every adult feels valued, supported, and empowered to reach their full potential. Critical to this is taking an equitable approach, working hard to understand barriers and striving to address inequalities of access, experience, and outcome. Whether it's access to good quality leisure services or support and advice during the cost-of-living crisis, Haringey is committed to making sure that everyone can live their life to the fullest. The Statement of Licensing Policy will consider the health impact findings from the Alcohol Harm Strategy

Haringey - The Rebel Borough – Borough of Culture for 2027

Haringey's successful bid, "Rebel Borough", will see a year-long festival which will run from April 2027 until March 2028. A mix of culture and creativity celebrating our rich history of everyday rebels and radical activists, as well as our cultural diversity and the warm welcome our borough has provided to many communities from around the world, giving us global artistic connections and buzzing grassroots community culture, from music, dance, and poetry to food, fashion, and design. As well as utilising high-profile cultural spaces in the borough – including Alexandra Palace, the Tottenham Hotspur Stadium, Bernie Grant Arts Centre, Jacksons Lane, and Bruce Castle Museum – Haringey's London Borough of Culture programme will bring arts and culture to the heart of local communities, with community-curated events taking place in all 21 wards in the borough.

Health Act 2006

Haringey Council expects that all licence holders will be compliant with the Health Act 2006 and all smoke-free regulations that govern smoking in licensed premises.

Requirements under Public Sector Equalities Duty

Haringey has a duty under the Equality Act 2010 to:

- Eliminate unlawful discrimination, harassment, and victimisation
- Advance equality of opportunity between different groups
- Foster good relations between different groups

To support delivering this duty, the Council will at all times have regard to the Equality Act 2010. Haringey will implement the Statement of Licensing Policy in line with the Council's Public Sector Equalities Duty.

The Licensing Act 2003 restricts the sale of alcohol to those 18 years of age and above. As such, the impact of the legislation and the licensing policy on those under the age of 18 years old seeks to protect from social harms. The licensing policy is likely to support a positive outcome for those under the age of 18.

4.6 Integration with other policies and strategies

4.7 Other regimes

This Authority will look to ensure consistency, as far as is possible within the law, with other licensing and consent regimes. This Authority will not consider the issue of "need" in determining any licence application, as this is a matter for planning control and the market.

5. Planning, regeneration and building regulations regimes

The planning, regeneration, building control and licensing regimes will be properly separated to avoid duplication and inefficiency. Each regime involves consideration of different (albeit related) matters. Neither Licensing nor Planning Committees are bound by decisions made by the other. We understand in Haringey that the planning regime has an impact on the licensing regime. It is accepted that each of these regimes are covered by a separate legislative framework and administered through separate parts of the Council, with separate committees overseeing the processes. Haringey commits to work in alignment with the planning regime as closely as possible. The use of premises for the sale or provision of alcohol, provision of entertainment or late-night refreshment, or indoor sports is subject to planning control as is the use as a shisha lounge. Such use will require planning permission or must otherwise be lawful under planning legislation. Planning permission is generally required for the establishment of new premises or the change of use of premises; the change may also include extending existing hours under the planning regime. All premises which are the subject of an application should have the benefit of planning permission or be deemed permitted development. Whilst the regimes are separate, consents from both must be in place to operate legally. If there are differences between the hours given under a licence and those permitted by the planning permission, the earlier hours will apply.

- 5.1 This Authority will look to ensure proper integration with the planning regime. While it is understood that there is no legal basis for a Licensing Authority to refuse a licence application solely because it does not have planning permission, to allow clarity and consistency both for applicants; and in response of enforcement action, it is strongly recommended that applications for premises licences for permanent commercial premises should normally be from businesses with relevant planning consent for the property concerned. This applies equally to applications seeking a licence intended to facilitate a change of use / type of operation. Where this is not the case, the Council may expect the applicant to address the reasons why planning permission had not been firstly sought and / or granted and provide reasons as to why licensing consent should be granted
- 5.2 This Authority notes that Guidance supports 'where businesses have indicated, when applying for a licence under the 2003 Act, that they have also applied for planning permission or that they intend to do so, the Licensing Sub-Committee and Officers may consider discussion with their planning counterparts prior to determination with the aim of agreeing mutually acceptable operating hours and scheme designs".
- 5.3 There are circumstances when, as a condition of planning permission, a terminal hour has been set for the use of premises for commercial purposes. It must be emphasised that where these hours are different to the permitted licensing hours, the Applicant must observe the earlier closing or later opening time. Premises operating in breach of their planning permission would be liable to prosecution under planning law.

5.4 Land owners consent

- 5.5 Where licences are granted or temporary event notices are submitted for licensable activities to persons who do not own the premises/land where the licensable activity is to take place, this authorisation does not authorise the use of the premises without the prior consent of the land owner and does not allow an operator to breach any covenants or restrictions on the titles or leases for the use of land/premises.
- 5.6 With regards to public or Council owned premises/land there is no implied permission to use the premises/land with the issue of a premises licence without obtaining separate consent from the appropriate Council department such as Highways, Commercial Estates, Parks or from Homes for Haringey, who need to grant permission to use the land.

5.7 Other consents

Other consents such as planning permission are separate regimes and a premises licence or temporary event notice cannot be used unless all other relevant consents are in place.

5.8 Statement on Modern Slavery

Haringey has responsibilities that relate to the prevention of immigration crime, specifically the prevention of illegal working within licensed premises in the borough.

Haringey has a duty under the Modern Slavery Act 2015 to cooperate with the independent anti-slavery commissioner also.

Modern Day Slavery

Modern slavery is the illegal exploitation of people for personal or commercial gain. An unseen crime, it hides in takeaways, hotels, car washes, nail bars and private homes. Victims are trapped in servitude, which they were deceived or coerced into and they feel they cannot leave. The Global Slavery Index estimated earlier this year that in 2016 there were up to 136,000 victims of modern slavery in the UK. This contrasts with a figure of 13,000 estimated by the Home Office in 2013. Modern Slavery might not always be obvious, but its exploitation of vulnerable people can be happening all around us and includes:

- Sexual exploitation
- Criminal exploitation
- Forced labour and domestic servitude
- Child exploitation

It happens across the world and UK. It is also happening in Haringey and could even be happening on your own doorstep. We all have a duty to protect the most vulnerable in our society from these criminals who are willing to exploit them. We must all be vigilant for signs of this happening in our communities, the hospitality industry plays an

important part in this regard. The legislation requires that checks are made to ensure Personal Licence holders and applicants for Premises licences are checked to ensure their right to work in the UK. We will work with the Home Office and partner agencies on this issue. Haringey's Borough Plan has a focus on People, as a borough we are committed to take a lead role alongside our partners in identifying and safeguarding those at risk of harm, exploitation or neglect.

5.9 Community Safety Strategy

We want Haringey to be a **safe place for people to live, work and visit**. We want people to **live without fear in our borough**. This will be delivered through the Safer for All Strategy which contain six priorities:

- Young people - prevention and support
- Serious crime - violence, acquisitive crime and domestic violence
- Anti-social behavior - A focus on children and families, housing and the public realm
- Drugs and alcohol - prevention, effective treatment and re-integration
- Reducing re-offending - adults and young people
- Increasing confidence in the Criminal Justice System

A part of this is the late night economy of the borough and the protection of women and the vulnerable.

5.10 Late night economy

Haringey currently has a "food led" late night economy as opposed to an alcohol led late night economy. Alcohol is not the main driver for the evening economy in the borough at the present time. The Licensing Authority recognises that licensed premises make a significant contribution to the wellbeing of the borough by providing a wide variety of entertainment, arts and cultural activities, business, employment and career opportunities. However, we must be alert to uncontrolled expansion of this sector could provide disproportionately negative impacts for local residents and public services.

Densely populated residential areas are located in very close proximity to commercial areas, and that poorly managed premises can have a negative impact on nearby local residents. Looking forward the Licensing Authority will continue to play its part in managing the growth of the late night economy. Premises trading beyond midnight pose the greatest risk of undermining the licensing objectives. We want to positively support well managed businesses that will contribute to the borough's growing vibrant and diverse evening economy.

5.11 Women and vulnerable persons safety

We expect all licensed premises to build an atmosphere of transparency and safety for those who may be vulnerable working or taking leisure in the night time economy.

This should include the full diversity of people in the night time economy, including the full range of gender and identified gender, relationships, age, race, and any other demographic characteristic. We also recommend licence holders put in place measures to reduce vulnerability-based violence, intimidation, and harassment for all staff and customers. This may include WAVE and specific training for staff. Further details are available at the following links:

- **WAVE:** <https://nbcc.police.uk/crime-prevention/safeguarding/welfare-and-vulnerability-engagement-wave-lesson-plan>

We expect all licensed premises to have appropriately trained staff, who are proactive and vigilant around women's safety at night. This includes a duty to capture information and report to the police where appropriate.

We also expect all licensees and applicants to be aware of their responsibilities in relation to drink spiking and refer you to paragraph 2.7 of the Government's Section 182 Guidance that contains the recognised definition of drink spiking. https://assets.publishing.service.gov.uk/media/65a8f578ed27ca000d27b1f9/Revised_guidance_issued_under_section_182_of_the_Licensing_Act_2003_-_December_2023.pdf

It is important for applicants to outline any voluntary ban in their operating schedule or voluntary conditions offered as part of their licence application.

There is the potential for harassment to be seen as normalised behaviour and go unchallenged

and/or unreported. Licensed bars, clubs, and the many venues and large events that take place

across the borough are therefore encouraged and strongly recommended to demonstrate their commitment to ensuring that their premises provide a safe environment by taking the following steps:

- Prominently display high visibility posters in their venue which discourage harassment and encourage reporting
- Take every report of harassment and sexual intimidation seriously and take appropriate action
- Take active steps to support persons who report harassment or sexual intimidation which might take place in their premises
- Train all front of house staff to address women's safety and harassment
- Take active steps to ensure females leave the venue safely

The Metropolitan Police launched the scheme called 'Ask for Angela' and licensees are strongly

encouraged to adopt and train staff to operate such a scheme within venues. Other schemes such as

WAVE.

2. Violence Against Women and Girls

There is a strong relationship between alcohol and domestic abuse, physical violence, and sexual assault. Alcohol is well documented as a risk factor for many aggressive and violent acts, and research shows that excessive alcohol use by perpetrators, and to a lesser extent by victims, does increase the frequency of intimate partner abuse, as well as the seriousness of the outcomes.

It is important to recognise that where alcohol is involved in domestic abuse, much of the evidence suggests that it is not the root cause, but rather a compounding factor. Alcohol can make existing abuse worse, or be a catalyst for an attack, but it does not cause domestic abuse. Thus, domestic abuse organisations agree that alcohol misuse should not be seen as taking responsibility away from those who commit domestic abuse.

However, interventions in the context of alcohol misuse can be used in conjunction with specialist support to reduce domestic abuse in some cases and ensure that those who use alcohol problematically are better supported to access support for domestic violence and abuse and identify how services can improve their ability to recognise domestic violence and abuse in terms of victims and perpetrators.

5.12 Statement on sustainability

Climate change is real and in March 2019 Haringey Council declared a climate emergency. The Council has warned that unless action is taken, and soon, there will be an increase in health problems – particularly for young and older people – as well as higher energy and food costs.

Haringey has agreed to work with the community and partners to speed up the borough's efforts to become carbon neutral by 2030, bringing forward the original date from 2050.

As part of this commitment, Haringey Council is encouraging licensed premises to do their part to ensure their day to day operations are as sustainable as possible such as using energy efficient LED lighting,

Section Two- Purpose and Scope

6 PURPOSE AND SCOPE OF THE LICENSING POLICY

Purpose of the policy

6.1 This policy has five main objectives:

- To reinforce, for the benefit of elected members on the Licensing Committee, the powers and constraints placed upon the Local Authority as Licensing Authority by the 2003 Act;
- To set out, for the benefit of prospective Applicants; Responsible Authorities; local residents; and licensed operators; the parameters under which this Authority will make its licensing decisions;
- To inform prospective licensees how a licensed premises is likely to be able to operate within an area;
- To inform local residents and licensed operators how their needs will be addressed;
- To minimise the number of licensing decisions that may be challenged in a court of law.

6.2 Scope of the policy

The Licensing Act 2003 regulates the following activities

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

6.3 Types of authorisation

The Act provides for four different types of authorisation or permission as follows

- Personal licences – to sell or authorise the sale of alcohol from premises in respect of which there is a premises licence;
- Premises licences – to use a premises for licensable activities;
- Club premises certificates – to allow a qualifying club to engage in qualifying club activities;
- Temporary event notice (TENs) - to carry out licensable activities at a temporary event.

6.4 The scope of the policy covers new applications for licences, renewals, transfers and variations, including time-limited premises licences. It also covers the review and possible revocation of licences and certificates.

6.5 In general a reference in this policy to a premises licence will also include a club premises certificate.

7 Definitions – ‘Regulated entertainments’

“Regulated entertainment” includes:

- A performance of a play;
- An exhibition of a film;
- An indoor sporting event;
- A boxing or wrestling entertainment;
- A performance of live music;
- Any playing of recorded music;
- A performance of dance;
- Entertainment of a similar description to a performance of live music, and playing of recorded music or a performance of dance.

7.1 For the entertainment to be licensable, one or more of these activities must take place in the presence of an audience and be provided (at least in part) to entertain that audience upon premises made available for the purpose.

7.2 There are a number of exemptions contained in the Act. Also, since the introduction of the Live Music Act 2012, a number of deregulatory steps have been taken.

7.3 The Act removes the licensing requirements for:

- Amplified live music taking place between 8am and 11pm before audiences of no more than 200 people on premises authorised to sell alcohol for consumption on the premises;

- Amplified live music between 8am and 11pm before audiences of no more than 200 people in workplaces not otherwise licensed under the Licensing Act 2003 (or licensed only for the provision of late night refreshment);
- Unamplified music between 8am and 11pm in all venues.

7.4 The Live Music Act 2012 also removes the licensing requirements for the following licensable activities:

- Making Music;
- Dancing;
- Entertainment of a similar description to making music or dancing.

7.5 Where licensable activities (such as the sale of alcohol) continue to take place on the premises, any existing conditions on the licence that are related to live music will be suspended and shall not have effect. It is possible however to impose new conditions or re-instate existing licence conditions upon a formal review of the licence. The licensing authority can also impose a statement whereby the provisions of the Live Music Act 2012 will no longer apply.

7.8 LICENSING HOURS

7.9

The Council will generally deal with the issue of licensing hours having due regard to the individual merits of each application, considering the potential for nuisance associated with the style, characteristics, and activities of the business and type of premises, examining any steps that might reduce the risk of nuisance.

Licensable activities are more likely to cause disturbance to residents during the night and early morning. We generally will not grant permission for licensable activities beyond 23:30 hours on Sundays to Thursdays and Midnight on Fridays and Saturdays in respect of public houses situated in areas having denser residential accommodation. The Council would expect good reasons to be given to support any application for extensions beyond these hours, including addressing possible disturbance to residents and local parking. Additionally, in these areas, consideration will be given to imposing stricter conditions in respect of noise control.

For this reason, we expect applicants to propose additional measures if they intend to operate beyond certain time periods, which we call 'framework hours'.

7.11 Definitions – 'Late night refreshment'

"Late night refreshment" is defined as the supply of hot food or hot drink to members of the public from or in a premise for consumption on or off the premises, between the hours of 23:00hrs and 05:00hrs. Premises include vehicles and stalls.

8. The licensing objectives

In carrying out its licensing functions the Council will promote the four licensing objectives set out in the Licensing Act 2003. They are:

- The prevention of crime and disorder;
- Public safety;
- The prevention of public nuisance;
- The protection of children from harm.

8.1 Each objective is of equal importance. There are no other licensing objectives, so the promotion of the four objectives is paramount at all times. It is the responsibility of all parties involved in the licensing process to work together toward these licensing objectives at all times. The four objectives are considered in more detail in section three (How the policy works) of this document.

8.2 However, the legislation supports a number of other key aims and purposes. These are vitally important and should be principal aims for everyone involved in licensing work. They include:

- Protecting the public and local residents from crime, anti-social behaviour and noise nuisance caused by irresponsible licensed operators;
- Giving the Police and Local Authorities the powers they need to effectively manage and police the night-time economy 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 by minimising the regulatory burden on business encouraging innovation and supporting responsible premises;
- Providing a regulatory framework for alcohol 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;
- Encouraging greater community involvement in licensing decisions and giving local residents the opportunity to have their say regarding licensing decisions that may affect them.

8.3 Each licence application will be considered on its own merits and in accordance with this policy.

9. Fundamental principles

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

9.1 If an application for a premises licence or club premises certificate has been made lawfully and there have been no representations from Responsible Authorities or other persons, this Authority must grant the application, subject only to conditions that are consistent with the operating schedule and relevant mandatory conditions.

9.2 Conditions attached to the various authorisations will be focused on matters which are within the control of individual licence holders and others with relevant authorisations, i.e. the premises and its vicinity. This will include the direct impacts of the activities taking place at the licensed premises on members of the public living, working or engaged in normal activity in the area concerned.

9.3 While this statement sets out the Council's general approach to the making of licensing decisions, nothing in this statement undermines the right of any individual to apply under the terms of the 2003 Act for a variety of permissions and to have any such application considered upon its individual merits.

9.4 Similarly, this statement of policy does not override the right of any person to make representations on an application or to seek a review of a licence or certificate where provision has been made for them to do so in the 2003 Act. Absolute weight will be given to all representations. However, this will not include those that are frivolous, vexatious or repetitious.

9.5 The Council may depart from this policy in the interests of promoting the licensing objectives, if the individual circumstances of any case merit such a decision. Where such decision is taken, full reasons for the departure from the policy will be given.

9.6 General information

This Authority recognises that licensing law is not the primary mechanism for the general control of nuisance and anti-social behaviour by individuals once they are away from licensed premises and, therefore, beyond the direct control of the individual, club or business, holding the licence. Nevertheless, it is a key aspect of such control and licensing law will always be a part of the holistic approach to the management of the evening and night-time economy in town and city centres. A licence holder's responsibility does not end at the door of their premises. Violence and disorder, on and immediately outside, licensed premises are often closely linked with customers who have consumed alcohol and the licence holder can be held accountable.

9.7 Other mechanisms available for addressing issues of unruly behaviour that can occur away from licensed premises include:

- Maximising the use of intelligence sources, ensuring these are identified and information obtained is analysed and shared among all relevant partner agencies;
- Ensuring the most effective and efficient use of partnership resources, co-ordinated and intelligently targeted where they are most necessary and can achieve the maximum benefit;
- Ensuring the careful consideration is given to the best use of the full range of powers available to the various partner agencies, so as to achieve effective outcomes to matters of concern.

9.8 Regulatory powers extend beyond licensing and include for instance other Police, anti-social behaviour, Trading Standards and Environmental Health legislation;

- Ensuring good communication and support is provided to responsible operators, providing regular contacts, liaison and training opportunities are available. For example: The partnership tasking group plays an important role in providing additional focus on targeted enforcement approach
- Co-ordination with Planning and use of planning controls;
- Careful consideration of supporting infrastructure, including the provision of CCTV surveillance across the Borough; improved street lighting; late night public conveniences; street cleaning and litter patrols together with initiatives such as The Public Spaces Protection Order (PSPO) which replaced the Designated Public Place Orders (DPPO) under the Anti-Social Behaviour Act 2014. The current PSPOs in place across various wards of the Borough provides powers to confiscate alcohol from nuisance drinkers, another controls dogs;
- Encouragement of socially responsible licensed operations through schemes such as the Responsible Retailer Scheme;

The Council will use its full range of powers, engage all relevant responsibilities and work together with all partners to deliver the licensing objectives.

10. ADMINISTRATION: EXERCISE AND DELGATION OF FUNCTION

General

10.1 Applications for all licences and consents 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 and all other required information, by the licensing authority and the relevant Responsible Authorities.

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.

Applications will be progressed in accordance with procedures laid down by the Act. Prospective applicants should refer to the separate relevant guidance documents for further details.

10.2 Personal Licences

A personal licence is a portable licence issued to an individual which allows them to authorise sales of alcohol from premises that hold a premises licence. The Personal licence holders is assigned to the Premises as the Designated Premises Supervisor.

- A personal licence:
- is granted to an individual
- has effect indefinitely
- ceases to have effect if surrendered, suspended or revoked; or if the holder may no longer work lawfully in the UK and
- can be used anywhere in England and Wales

Before anyone can apply for a personal licence, they first need to complete a qualification known as the Award for Personal Licence Holders (APLH).

We can only accept application from persons who live in Haringey. The applicant must also be able to prove (with copies of official government-issued documents) that they have the legal right to work in the UK.

10.3 The process requires that you will need to enclose:

- two passport photos, one of which has been endorsed (by a solicitor, notary, a person of standing in the community or an individual with a professional qualification) with a statement that the photo is a true likeness of the applicant
- the original certificate issued after passing the accredited training course
- a completed 'disclosure of convictions, immigration penalties and declaration' form

- a criminal record certificate, such as a Basic Disclosure within the last month
- copies of documents proving that you have the right to work in the UK.

If an applicant has any unspent convictions for relevant or foreign offences, or has had to pay a civil immigration penalty, or if their right to work in the UK is unclear, we will consult with the police or the Home Office. If they object to the application, it will be determined by the Licensing Sub-Committee at a hearing.

10.4 Convictions and immigration penalties

People who hold personal licences are also required to notify the licensing authority if they are subsequently convicted of any relevant offence or foreign offence, or required to pay an immigration penalty. Personal licence holders who are charged with a relevant offence must tell the court that they hold a personal licence before the end of their first court appearance. If convicted, the court may decide to order the forfeiture or suspension of the licence as part of the sentence, and the licensing authority may also review that personal licence with a view to revocation or suspension.

10.5 Change of name or address

A holder of a Personal Licence must also notify the authority in writing if there is a change of name and/or address. Proof of any changes must be provided such as a copy of your marriage or deed poll certificate. A holder must notify the authority in writing if their licence is lost, stolen, damaged or destroyed.

10.6 Duration and renewals

Personal licences are valid for life, and do not need to be renewed. They will cease to be valid in the following circumstances:

- if the holder dies
- if the holder no longer has a legal right to work in the UK
- if the licence is surrendered by the holder (for example, if they no longer work in the licensed trade and return the licence to us)
- if we revoke the licence, due to the holder being convicted of a relevant offence or having to pay a civil immigration penalty
- if a court orders the forfeiture of the licence, as part of a sentence following conviction for a relevant offence.

10.7 Licensing Authority powers to revoke or suspended Personal Licences

The Licensing Act 2003 as amended gives licensing authorities the power to revoke or suspend personal licences. This is a discretionary power; licensing authorities are not obliged to give consideration to all personal licence holders subject to convictions for relevant offences, foreign offences or civil penalties for immigration matters. Should licensing authorities choose to use this power, the process which must be undertaken by the licensing authority to suspend or revoke a personal licence is set out at section 132A of the Licensing Act 2003. The decision to revoke or suspend a personal licence must be made by the Licensing Sub Committee, but the action required before making a final decision may be made by a licensing officer. Additionally, confirms that the decision to revoke or suspend a personal licence (following a relevant conviction or immigration penalty) may not be delegated to an officer.

- 10.8 The implication is that if the authority has granted the personal licence and becomes aware that the licence holder has been convicted of a relevant offence or foreign offence or has been required to pay an immigration penalty on or after 6th April 2017, the authority has the discretionary power to revoke the licence or suspend it for a period of up to six months.

11. Application for Club premises certificate.

Club premises certificates may be issued to qualifying clubs, formerly registered member's clubs. To be eligible for a club premises certificate the members of the club must have joined together for a particular social, sporting or political purpose

and to purchase alcohol in bulk, for supply to members and their guests. Qualifying conditions are specified in Section 61 of the Act and the council must be satisfied that these conditions have been met. This authority will require evidence to be submitted with any application that supports that the club is non-profit making and that there is a minimum of a two-day interval between the application and the acceptance of new members.

11.1 Provision of scale plans

Applicants should note that this council will normally require that a current scale plan of the premises be submitted with each new application for a premises licence and a scale plan of the proposed layout for any application for a variation of a premises licence affecting approved layout arrangements. Plans should normally be submitted in scale 1:100 unless otherwise agreed by this authority in writing. Plans need not be professionally drawn but must be clear and legible in all material respects and provide sufficient detail for this authority to determine the application. Applicants are asked to note that plans should detail not only the arrangement of internal areas of the premises but also external areas intended to be used as part of the licence but not if the area of land is in the public domain. This includes patio or garden areas and any temporary structures such as marquees or smoking shelters.

11.2 Variations & new applications

Where a premises licence holder wishes to amend their licence the Act allows, in most cases, for an application to vary the licence to be made rather than requiring an application for a new premises licence, unless the proposed variation would make substantial changes to the premises. A minor variations process exists for proposed variations to a licence that do not impact upon the licensing objectives. A separate major variations process supplements this for variations that carry potential impacts. It should be noted, however, that some proposals to extend the current physical licensed area of the premises concerned may require a new premises licence application to be made. Applicants should discuss their proposals with the licensing team before submitting an application in order to ensure that the correct route is taken.

11.3 Minor Variations

- 11.4 A minor variation is defined as a small change to a licence that could not impact adversely on any of the four licensing objectives.

MINOR VARIATION APPLICATION POLICY

Applications

Minor variations generally fall into four categories:

- Minor changes to the structure or layout of the premises;
- Small adjustments to licensing hours (not including alcohol hours);
- The removal of out of date, irrelevant or unenforceable conditions or the addition of volunteered conditions; and the addition of certain licensable activities (not alcohol).

Please refer to the application form for examples of what would and would not constitute a 'minor variation'.

11.5 Processing

The licensing authority (officers) will consider the following when determining a minor variation application:

- a) Whether a full detailed description of all the proposed variation has been provided in the application;
- b) Whether the variation could impact adversely on the licensing objectives;
- c) If more than one variation is sought, whether any of them considered separately or together could impact adversely on the licensing objectives;
- d) The history of the premises, e.g. have previous applications attracted representations from the local community that have been difficult to resolve?
- e) Whether there have been any complaints received relevant to the proposed application.

- 11.6 All minor variations will be circulated to the relevant responsible authorities with an interest in the proposed variation. If the licensing authority fails to respond to an applicant within 15 working days, the application will be treated as refused and the authority will return the fee.

11.7 Determining an Opposed Application

Where a representation has been submitted there is no right to a hearing under this process, but licensing authorities (officers) must take any relevant representations into account in arriving at a decision. Where an application is refused and then resubmitted through the full variation process, the full 28 day consultation period will apply from the date the new application is received.

11.8 Provisional statements

While applications for a full premises licence may be made in respect of a premises that is not yet complete, this council would prefer to see provisional statements sought in the first instance in cases where the responsible bodies are not yet able to confirm that works have been carried out in compliance with agreed schedules and to standard. However, the council acknowledges that any person falling within section 16 of the Act can apply for a premises licence before new premises are constructed, extended or changed, as long as clear plans of the proposed structure exist and the applicant is in a position to complete an operating schedule. The schedule will need to contain details of:

- The activities to take place there
- The time at which such activities will take place
- The proposed hours of opening
- Where the applicant wishes the licence to have effect for a limited period, that period
- The steps to be taken to promote the licensing objectives
- Where the sale of alcohol is involved, whether supplies are proposed to be for consumption on or off the premises (or both) and the name of the designated premises supervisor the applicant wishes to specify

11.9 Temporary event notices (TENs)

The Act provides a system by way of “temporary event notices” for the temporary carrying on of any licensable activity outside of the terms of a premises licence or club premises certificate. Under this system no authorisation as such is required from the licensing authority. Instead a person wishing to hold an event at which such activities are proposed to be carried on (the “premises user”) gives notice to the licensing authority of the event.

11.10 There are two types of TENs. A standard TEN and a late TEN. All TENs must be given to the licensing authority in the form prescribed in regulations made under the 2003 Act, together with the relevant fee, and be copied to the police and this authority’s Environmental Protection team.

11.11 A standard TEN must be given with at least 10 clear working days’ notice before the event. A late TEN (intended to assist premises users in situations that are outside of their control) can be given no earlier than nine working days but still with a minimum of five clear working days’ notice before the event. These stated timescales are not negotiable and no notice will be progressed unless all parties have been correctly notified and the correct fee paid.

11.12 The 10 and 5 clear working days’ notice periods will be calculated exclusive of the day on which the event is to start and the day on which the notice is given. So, for instance, if a standard temporary event is intended for a Saturday or Sunday night, the notice must be given three Fridays before the event date at the latest. If a bank holiday should fall within the period, then an additional working day must be allowed for each bank holiday day that occurs. A ‘working day’ as defined by the Licensing Act is any day other than a Saturday, a Sunday, Christmas Day, Good Friday, or a day that is a bank holiday under the Banking and Financial Dealings Act 1971 in England and Wales.

11.13 Only the Police or the Environmental Health team (on grounds relevant to any of the licensing objectives) may intervene to prevent such an event taking place. However, the licensing authority will also intervene if the notice given is incorrect or if the limits set out in the Act on the number of events that may be given are exceeded.

11.14 In a significant number of events it is anticipated that the minimum notice period will not provide sufficient time for proper consideration to be given to any concerns that may arise. For this reason, while this authority will accept notifications given with only the statutory minimum notice, it is requested that 28 days’ notice of an intention to stage a temporary event is provided, together with as much supporting information as possible, in order to prevent unnecessary objections having to be raised.

11.15 It should also be noted that in cases where there is any element of doubt as to whether the premises user has the consent of the premises owner to use the premises concerned for the purposes given; this authority will wish for both the police and itself to be provided with evidence to this effect.

11.16 Furthermore, it should be recognised that many temporary events will still have potential to give rise to concerns, particularly around health and safety or protection of children. For this reason, applicants should understand that the licensing service may share information on temporary events taking place with other “responsible authorities”. This does not provide those responsible authorities with the opportunity to raise representations, but will allow any matter of concern to be followed up under other powers. This action does not, however, absolve any premises user from their own responsibility to ensure that any other necessary consent is obtained or that their event does not give rise to any crime and disorder, public safety, nuisance or harm to children issues

11.17 If the required notice is not given, the TEN cannot be acknowledged by the Authority. Therefore, it is advisable to provide as much notice as possible. The Police and Environmental Health may object to a TEN within three working days of their receipt of the TEN. An objection can be made on the grounds of any licensing objective. Where an objection is received (and not withdrawn) a hearing will be held to determine whether the event may proceed. The police or Environmental Health may withdraw their objection notice at any stage if the proposed premises user agrees to modify the proposal to meet their concerns. A copy of the modified notice should then be given to the licensing authority by the police as proof of the agreement. The licensing committee may decide to allow the licensable activities to go ahead as stated in the notice. Where the notice is in connection with licensable activities at a premises which already holds a premises licence or club premises certificate, the licensing authority may impose one or more of the conditions from that authorisation on the Temporary Event Notice (insofar as such conditions are not inconsistent with the event). Where the authority considers that this is appropriate for the promotion of the licence objectives, the policy is to give notice to the premises user which includes a statement of the conditions imposed. Copies of this notice will be provided to the police and Environmental Health.

11.18 Where, following any representations at the hearing, the licensing authority is not satisfied the event will ensure the promotion of the licensing objectives, the policy is to issue a counter-notice against the Temporary Event Notice.

11.19 Multiple TENs for a single event

Section 171 of the explanatory notes to the Licensing Act 2003 with regards to Section 101 of the Act, "Minimum of 24 hours between event periods", states that:

11.20 *"This section provides that there must be a minimum period of 24 hours between temporary events held on the same premises by a premises user, or held by that user and another person who is related to, associated with or in business with that user. This prevents a premises user holding numerous consecutive temporary events as a means of avoiding an application for a premises licence. If a temporary event takes place on premises that are included within or include other premises where another temporary event takes place, then the two events are deemed to take place on the same premises."*

11.21 In addition to section 101 of the Licensing Act 2003, the Licensing Authority considers that the use of more than one TEN within the same or adjacent premises at similar times to allow an event of over 499 persons attending at any one time is likely to give rise to the increase in public nuisance and crime and disorder. Additionally, the increased number of patrons over 499 persons gives a greater concern on the impact of the event on public safety and the prevention of harm to children.

11.22 Organisers of events whereby patrons will exceed 499 should not use the "light touch" approach with multiple TENS. Such events should be licensed by application for a time-limited premises licence. This will allow for full consultation of the proposal and the measures to promote the licensing objectives and allows greater opportunities to grant the application with appropriate conditions to promote the licensing objectives.

11.23 Therefore multiple TENs that are at similar times, or within 24 hours of each other, for the premises included within or adjacent to the premises that receive objections from a relevant person will be considered by the Licensing Sub Committee.

11.24 Premises users for multiple TENs will be given opportunity to demonstrate how they will ensure that the licensing objectives will not be undermined and that the total maximum capacity of 499 will not be exceeded. This will be balanced against evidence provided by the Police and/or Environmental Health Officers.

12 Major art and pop festivals

12.1 We encourage organisers of major festivals and carnivals to approach the Council at the earliest opportunity to discuss arrangements for the licensing of their events. Larger events will require a time-limited premises licence. This will involve the preparation of a substantial operating schedule, full public consultation and a longer lead in period.

12.2 The Council co-ordinates a Safety Advisory Group (SAG) with membership comprising all the emergency response authorities which can provide support to event organisers on event planning if good time is allowed. All major events will be scrutinised by the SAG.

12.3 Haringey has a number of venues that host large capacity events throughout the year. Alexandra Palace in the West of the borough, Tottenham Stadium in the East and Finsbury Park which sits on the boundary with Hackney and Islington. It is not the purpose of The Licensing Authority to schedule the timings of large events but operators are encouraged to have early dialogue with each other and Transport for London to ensure that dates timings and

capacity of proposed events can be safely accommodated to ensure safe arrival and egress of large crowds from an area. It is important that operators have the support of the transport infrastructure and are able to ensure that crowds can safely be dispersed.

- 12.4 The SAG will take the view that a suitable egress/dispersal plan will need to have agreement from TFL and Police members of the SAG to meet sign off agreement.

13 Application Consultation arrangements

- 13.1 This Authority considers it important that the local community is fully aware of local licensing applications being made within its area. Regulations governing the advertising of applications for the grant, variation or review of premises licences and club premises certificates require a public notice to be published in the local press and a brief summary of the application to be displayed immediately on or outside premises concerned. Failure to comply with the requirements in full will result in the progression of the application being delayed.
- 13.2 This Authority understands that regulations to the Act require public notices to be of a size equal or larger than A4; of pale blue colour; and printed legibly in black ink or typed in black in a font of a size equal to or larger than 16. It also recognises that applications may not be rejected on the basis of improper notification if public notices comply with this minimum standard. This Authority also asks that the notice summarises the proposed licensable activities and the proposed hours of opening and remains clearly displayed in a position where it may be readily seen by passers-by for the period during which representations may be made.
- 13.3 The licensing service supports the consultation process by maintaining a public register at: https://www.haringey.gov.uk/sites/haringeygovuk/files/licences_premise_to_display_on_web.pdf
- 13.4 This details all current applications (alongside detail of current licensed premises). It is open to any person who wishes to be kept up to date with the latest applications in their area.
- 13.5 The licensing service will also notify local Ward Councillors of all new applications in their area.

14. Responsible Authorities

- 14.1 The Responsible Authorities must be notified of, and are entitled to lodge representations about, applications for premises licences or club premises certificates or variations. They may ask the licensing authority to review a premises licence or club premises certificate. Responsible Authorities will also provide advice and information on established best management practice. Information on preparing an operating schedule is contained within this policy, for more complex applications, e.g. those that may include a variety of differing licensable provisions with differing operational times within the same premises, Applicants may also wish to consult with the Authorities directly with a draft operating schedule prior to submission.
- 14.2 It should be noted that the Director of Public Health is added as a Responsible Authority. While health is not included as a licensing objective, the Guidance to the Act recognises that health bodies may hold information which other Responsible Authorities do not, but which would assist a Licensing Authority in exercising its functions.
- 14.3 Additionally the Secretary of State has been added as a Responsible Authority and this task is undertaken by the Home Office. Changes to the Act now prevent the issue or transfer of a premises licence to a person who is not entitled to work in the UK. Relevant offences have also been updated to include the offence of employing a person who is not entitled to work in the UK.

14.4 Representations

It is open to any "Responsible Authority", as defined under the Act or other person to lodge representations concerning a premises licence or club premises certificate application during the set consultation period.

- 14.5 A representation will only be "relevant" if it relates to the likely effect of the grant of the licence on the promotion of at least one of the licensing objectives. A representation that fails to do this is not "relevant" for the purposes of the 2003 Act. It is for the Licensing Authority to determine on its merits whether any representation by an interested party is frivolous or vexatious.

14.6 Representations must be received in writing at the licensing service office by the last date for representations. Representations must be signed, dated, provide the grounds of representation in full and include the name and address of the person / body making the representation.

14.7 Disclosure of personal details of persons making representations

Where a notice of a hearing is given to an Applicant, the Licensing Authority is required under the Licensing Act 2003 (Hearings) Regulations 2005 to provide the Applicant with copies of the relevant representations that have been made. Applicants will be provided with the complete addresses of all Objectors, as they may wish to challenge whether or not an Objector lives in the local area where the premises is situated. Other personal details will be redacted. If an Objector does not wish for their address to be given, they may ask another party such as their Ward Councillor or local Residents Association to make an objection on their behalf. A Licensing Sub-Committee hearing may be convened to consider the representation and to determine the application. Any representations may form part of the public documents for the hearing, which are available to the public and press. All personal details, including addresses, will be removed from public documents, including online reports.

14.8 In exceptional circumstances, persons making representations to the Licensing Authority may be reluctant to do so because of fears of intimidation or violence if their personal details, such as names and address, are divulged to the Applicant.

14.9 Where this Authority considers that the person concerned has a genuine and well- founded fear and may be deterred from making a representation on this basis, alternative approaches will be considered. Where circumstances justify such actions this Authority may either provide only minimal details (such as street name or general location in a street) or withhold details.

15 The Licensing Authority acting as responsible authority

The Licensing Authority is included within the list of responsible authorities. This role will be undertaken within the Authority's licensing service. This Authority will determine when it considers it appropriate to act in its capacity as a Responsible Authority in accordance with its duties under section 4 of the 2003 Act.

15.1 Where it is decided to act within the Responsible Authority role, a separation of duties will be maintained to ensure procedural fairness and eliminate conflicts of interest.

15.2 Determination of applications

In accordance with the provisions of the Act, this Authority has established a Regulatory Committee with a maximum of 15 members and provision for Licensing Sub Committees of three members to be drawn from the overall pool of the main Committee membership.

15.3 In doing so, the Council has sought to establish an efficient and cost-effective system for determinations of licences. Where the Act carries a presumption of grant for applications to which no objection has been made, the administration of the grant will be delegated to Officers. All such matters will be periodically reported for information only to the Regulatory Committee.

15.4 Where matters are subject of representations, the licensing service will normally attempt to reach a negotiated conclusion through a mediation process. This service is provided to help develop workable agreed outcomes supported by all parties which will also save the time and costs associated with holding a public hearing. Mediation can be agreed up until 24 hours before a hearing takes place. Where this is not possible the application and representations to it will be considered by the Sub Committee at a public hearing.

15.5 Table 1 sets out the schedule of delegation of decisions and functions to Regulatory Committee, Sub Committees and Officers. This form of delegation is without prejudice to the Council's right to redirect an application as appropriate in the circumstances of any particular case.

Matter to be dealt with		
	Licensing Sub-Committee	Officers
Application for personal licence	Where a police or Sec of State objection has been received	

Matter to be dealt with		
Personal licence with unspent convictions	All cases	
Personal licence where the Authority becomes aware of any relevant offence or foreign offence	When the Authority becomes aware	
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 or Sec State objection has been received	Where an objection was not received
Request to be removed as designated premises supervisor		✓
Application for transfer of premises licence	Where a police or Sec State objection has been received	Where an objection was not received
Application for interim authority notice	Where a police or Sec of State objection has been received	Where an objection was not received
Application to review premises licence / club premises certificate	✓	
Decision whether a representation is irrelevant, frivolous or vexatious		✓
Making of representation when authority is consulted by neighbouring licensing authority	✓	
Consideration to a temporary event notice	If police or EH objection is made	

16 Licence reviews

- 16.1 At any stage following the grant of a premises licence, a Responsible Authority or other persons, may apply for a review of that licence because of a matter arising at the premises in connection with any of the four licensing objectives. Reviews represent a key protection for the community where premises present problems associated with the licensing objectives, allowing interested parties, local councillors or representatives and responsible authorities to apply in writing to the Licensing Authority for a review of a premises licence or club premises certificate.
- 16.2 The Licensing Authority may, at any time, reject any ground for review if it is satisfied that the request for review does not relate to the licensing objectives or is frivolous, vexatious or repetitious.
- 16.3 In addition, a review of the licence will normally follow any action by the Police to close down a premises for up to 24 hours on grounds of disorder or nuisance, as a result of a magistrate court's direction sent to the Licensing Authority. A licence review can have several outcomes, ranging from no action being found necessary to the temporary suspension or revocation of a licence.
- 16.4 Where a review of a premises licence is sought this must relate specifically to a particular premises licence relating to an individual premises. The Licensing Authority may also reject an application made by an interested party if it determines that the ground for the review is repetitious, that it is substantially similar to an earlier review, following which a "reasonable interval" has not elapsed since the earlier application or alternatively since the grant of the premises licence. In other words, where a licence has been granted or varied and an aggrieved interested party

chooses not to appeal but elects instead to review the premises licence/certificate shortly after the Licensing Sub Committee's decision.

- 16.5 Any evidence relied upon for a review (or any submitted representation) must be supplied to all parties within the consultation period. Any supplementary evidence following that period must be supplied at least 24 hours before the Hearing. It is the responsibility of the person bringing the review, or making a representation, to ensure that any supporting evidence (written or visual) is in an acceptable and usable format that can be circulated to all Responsible Authorities, the licence holder and any other interested parties.

Evidence supplied should be complete at the point that it is submitted, with no expectation that the Council will add to their evidence or produce evidence from previous complaints or applications.

16.6 Applications for transfer of a premises licence following application for a review

This Authority is concerned over the frequently observed practice of an application for a transfer of a premises licence being made following an application for a review of that same licence being lodged.

- 16.7 Where, such applications are made, this Authority will require documented proof of transfer of the business / lawful occupancy of the premises (such as a lease), to the new proposed licence holder to support the contention that the business is now under new management control.

16.8 Annual maintenance fee payments

The annual maintenance fee is payable in respect of all premises licences and club premises certificates. If the annual fee is not paid when it is due, the Authority must suspend the licence or certificate. In such cases, the holder of the licence will be notified in writing, giving at least two working days' notice of the suspension date. Once suspended, the licensable activity authorised by that licence must cease. The Police and other Responsible Authorities will be informed and monitoring checks will be made to ensure no licensable activity continues.

- 16.9 The suspension ends upon payment of the fee. Licence holders should ensure that the payment of the outstanding fee is brought to the attention of the licensing service in order that the suspension may be lifted.

Section 3 How this policy works

16 DETERMINING APPLICATIONS FOR PREMISES AND CLUB PREMISES

How this policy works

- 16.1 All applications for new premises licences or variations need to be supported by an operating schedule. The schedule must clearly establish the steps the Applicant proposes to promote the licensing objectives.
- 16.2 If an application for a premises licence or club premises certificate has been made lawfully and there have been no representations from Responsible Authorities or other persons, the Licensing Authority must grant the application in the terms sought, subject only to the relevant mandatory conditions and conditions that are consistent with the operating schedule. The Licensing authority will have no discretion to refuse the application or to alter or add to the conditions arising from the operating schedule.
- 16.3 If relevant representations are received, then (unless the concerns raised are resolved through conciliation) a hearing of the application by the Licensing Sub-Committee will normally follow. At the hearing, each application will be considered upon its own merits with all relevant matters taken into account.
- 16.4 Having had regard to all relevant matters, the Sub-Committee will take such steps as it considers appropriate to promote the licensing objectives. This may include the refusal or part grant of the application, or adding to or modifying the conditions proposed in the operating schedule.
- 16.5 In exercising its discretion, the Licensing Sub-Committee will have regard to the content of this licensing policy. Applicants are therefore, advised to read the content of this policy carefully before drawing up their operating schedule. Where an operating schedule complies with this policy, it is generally less likely that a Responsible Authority or other person will object to it, or that any representation will succeed. Therefore, compliance with this policy is likely to assist the Applicant to avoid the delay and expense of a contested licensing hearing, and risk refusal of the application or the addition of unwanted conditions.

- 16.6 This is not to say that an opposed application which complies with the policy will necessarily be granted or that an opposed application which does not comply with it will necessarily be refused. Where there have been relevant representations, the Licensing Authority will always consider the merits of the case, and will make representation on the operating schedule only when, and to the extent, considered appropriate to promote the licensing objectives, where the steps proposed are insufficient to meet the licensing objectives in the individual circumstances of the case.
- 16.7 While the contents of the operating schedule are a matter for the Applicant, in cases where there is objection to a schedule which departs from the policy, the licensing Sub Committee hearing the opposed application will normally expect to be given good reason for the departure if it is to be asked to make an exception to the policy.
- 16.8 The Licensing Authority's expectations of applicants is engaged where the Licensing Authority has a discretion following the receipt of representations. In such cases, the Licensing Authority will not apply the policy rigidly, but will always have regard to the merits of the case with a view to promoting the licensing objectives.
- 16.9 Applicants are encouraged to conduct a risk assessment in relation to the licensing objectives before completing an operating schedule. It is emphasised that there is no statutory requirement for this under the Licensing Act 2003.

16.10 Location and other relevant considerations

In considering applications for new licences, variations of existing licences and licence reviews, this Authority will take the following matters into account:

- The type and mix of premises in the local area;
- The location of the premises and their character;
- The views of the Responsible Authorities and other persons;
- The past compliance history of the current management;
- The proposed hours of operation;
- The type and numbers of customers likely to attend the premises;
- Whether the Applicant is able to demonstrate commitment to a high standard of management for example through the level of consideration given to the promotion of the licensing objectives; by active participation in the Responsible Retailer Scheme or safety schemes such as Ask For Angela.
- The physical suitability of the premises for the proposed licensable activities i.e. in terms of safety, access, noise control etc.

This Authority will need to carefully balance the conflicting needs of residents, patrons and businesses in relation to the introduction of premises and flexible opening hours for the sale and supply of alcohol and late night refreshment.

16.11 High standards of management

When assessing the Applicant's or Licensee's ability to demonstrate a commitment to high standards of management this Authority will consider whether the Applicant or Licensee

- has researched the local area and can demonstrate understanding of local community concerns;
- Has carried out relevant risk assessments and devised an appropriate strategy to promote the licensing objectives;
- Can demonstrate comprehensive knowledge of best practice;
- Has sought advice from the Responsible Authorities;
- Has implemented any advice given by Responsible Authorities;
- Is able to understand verbal and written advice and legal requirements;
- Can demonstrate knowledge of the licensing objectives, relevant parts of the licensing policy and their responsibilities under the 2003 Act;
- Is able to run their business lawfully and in accordance with good business practices;
- Is able to demonstrate a track record of compliance with legal requirements.

16.12 Mandatory conditions

There are a number of mandatory conditions set out within the Act (as amended by the Mandatory Licensing Conditions (Amendment) Order 2014). The mandatory conditions must be imposed upon all licences where relevant. The mandatory conditions are detailed within this policy under the relevant licensing objectives.

16.13 Other conditions

Conditions on a premises licence or club premises certificate are important in setting the parameters within which premises can lawfully operate. This Authority will aim to ensure that conditions attached to licences will:

- Be appropriate for the promotion of the licensing objectives;
- Be precise and enforceable;
- Be unambiguous and clear in what they intend to achieve;
- Not duplicate other statutory requirements or other duties or responsibilities placed on the employer by other legislation unless extending circumstances have demonstrated multiple breaches of that legislation and the condition/s are to prevent further breaches;
- Be tailored to the individual type, location and characteristics of the premises and events concerned;
- Not be standardised;
- Not replicate offences set out in the 2003 Act or other legislation;
- Be proportionate, justifiable and be capable of being met;
- Not seek to manage the behaviour of customers once they are beyond the direct management of the licence holder and their staff (but may impact upon the behaviour of customers in the immediate vicinity of the premises or as they enter or leave);

16.14 Multiple licences on a premises

The Licensing Authority has received applications for premises licences where a licence is already in force. The licenses issued carry the same or similar terms to the licence already existing. The Authority recognises that there is no restriction in the Licensing Act 2003 for there to be more than one licence to be in effect at any one time at the same premises.

16.15 The Licensing Authority has concerns however that the holding of additional licences has the potential to undermine the decisions made as a result of determining applications to review a premises licence whereby if one licence was modified, suspended or revoked the premises could effectively continue to operate under the original conditions on the unaffected licences.

16.16 To promote the licensing objectives this Authority will take a holistic view of the licensing circumstances at the premises. The Licensing Authority will encourage Responsible Authorities and other persons when submitting an application to review a premises licence, to also consider whether it is appropriate to review all the licences in effect at the premises in order to promote the licensing objectives.

16.17 In determining applications for a review of a more than one premises licence relating to the same premises each application will be considered individually on its own merits.

17 Cumulative impact Policy -considerations outside local CIPs

This authority will not consider the issue of "need" in determining any licence application, as this is a matter for planning control and the market. Thereby, this council will not impose quotas of premises or licences.

17.1 However, the authority recognises that in areas where the number, type and density of premises selling alcohol are high or exceptional, serious problems of nuisance and disorder may be arising or have begun to arise outside or some distance from licensed premises. Guidance to the Act sets out that the cumulative impact of licensed premises on the promotion of the licensing objectives is a proper matter for a licensing authority to consider within its licensing policy and that local authorities may adopt special local saturation policies. However, there should be an evidential basis for a decision to include a special policy within the statement of licensing policy.

17.2 Where an application for a grant of a new premises licence, or to vary an existing, premises licence is made the Authority will accept representations that include evidence of cumulative impact issues in an area. Cumulative impact can form part of a representation with supporting evidence

17.3 In summary, the steps to be followed in considering whether to adopt a special policy within the borough are:

- (a) Identification of concern about crime and disorder or public nuisance or protection of children from harm
- (b) Consideration of whether there is good evidence that crime and disorder or nuisance are occurring; or whether there are activities which pose a threat to public safety or the protection of children from harm
- (c) If such problems are occurring, identify whether these problems are being caused by customers of licensed premises, or that the risk of cumulative impact is imminent
- (d) Identifying the boundaries of the area where problems are occurring (this can involve mapping where the problems occur and identifying specific streets or localities where such problems arise)

- (e) Consultation with those specified by section 5(3) of the 2003 Act and subject to the outcome of the consultation, include and publish details of the special policy in the licensing policy statement

17.4 The effect of adopting a special policy of this kind is to create a rebuttable presumption that applications for new premises licences or club premises certificates or variations that are likely to add to the existing cumulative impact will normally be refused, or subject to certain limitations, following relevant representations. Once a policy is adopted it will need to be kept under review.

17.5 Early morning restriction orders (EMRO)

There are no EMROs in Haringey at the time of writing this policy. We will review this as the business growth across the borough increases.

17.6 SELLING ALCOHOL ON EVENT DAYS AND MATCH DAYS

17.7 The Licensing Authority require all applicants and premises licence or certificate holders to promote public safety and minimise alcohol related crime and disorder when large scale events and match days are taking place by putting forward the following measures in their operating schedules. Applicants seeking licenses within the footprint of Tottenham Hotspur Stadium and Finsbury Park will need to consider the following matters:

- Premises not to be open for the sale of alcohol before 11.00 Saturday and Sunday.
- All drinks dispensed from the bar are poured into plastic containers 4 hours before kick off time until one hour after the end of the match.
- No glass bottles are served over the bar 4 hours before kick off time until one hour after the end of the match.
- A minimum of two Door Staff who have been approved by the Security Industry Authority to be employed on the premises to control the entry and exit of customers 4 hours before kick off time until one hour after the end of the match.
- Patrons will not be permitted to stand on the pavement consuming alcohol other than in designated areas with registered door supervisors managing and controlling the area.

17.8 The Licensing Authority has concerns about the consumption of alcohol in public places when these events take place and the impact that these events have on residents as well as Council Services and other agencies such as Police and Ambulance in terms of alcohol fuelled disorder, anti-social behaviour, increased litter as well as noise nuisance.

17.9 Shisha

A number of shisha premises have Late Night Refreshment Licences which permit the sale of hot food and hot drinks between the hours of 11pm and 5am. Where an applicant, for either Late Night Refreshment or the sale of alcohol, is also planning to sell shisha for consumption on the premises, the Council expects that the application will evidence how they will address any potential public nuisance caused by shisha smoking and also to demonstrate compliance with other regulatory regimes (e.g. Smokefree Regulations). The licensing objectives still apply in these circumstances and the Council expects applicants to provide clarity on the measures that they will take to ensure that the licensing objectives are upheld.

THE LICENSING OBJECTIVES

18 THE PREVENTION OF CRIME AND DISORDER

The council recognises that well run licensed premises can make a valuable and positive contribution to the local community through the local economy, tourism, and cultural development. However, poorly managed licensed premises, especially those offering late night alcohol and / or entertainment, or late night refreshment for large numbers of people, can become a serious source of crime and disorder or anti-social behaviour problems.

18.1 This authority expects applicants for premises licences and club premises certificates to have made relevant enquiries about the local area and prepare their operating schedule on the basis of a risk assessment of the potential

sources of crime and disorder associated with the premises operation. The operating schedule should demonstrate an understanding of the level of risk of crime and disorder and include positive proposals to manage any potential risk.

Relevant issues might include:

- Anti-social behaviour;
- Drunkenness on the premises;
- Public drunkenness;
- Violent behaviour;
- The possession of weapons;
- Drugs use;
- Underage drinking;
- Theft of personal property;
- Trafficking and illegal workers;
- Prostitution, lewd acts and similar offences;
- Child sexual exploitation;
- Harassment;
- Counterfeit goods;
- Non-duty paid goods and tax evasion;
- Maintenance of smoke-free environments, including shisha bars.

- 18.2 Applicants are recommended to seek advice from the council's licensing team, the police and trading standards when carrying out their risk assessments and in preparing their operating schedules.
- 18.3 While it is recognised that there is no requirement in the 2003 Act to do so, applicants may find that it helps the licensing process to provide a copy of the completed risk assessment upon which the operating schedule is based to the relevant responsible bodies for consideration at the time of application.
- 18.4 The main part of this section of the policy is intended to provide a guide to prospective licence applicants as to the types of controls that may be appropriate for the promotion of the prevention of crime and disorder licensing objective. It is neither intended to provide a definitive list of preventative measures nor will the controls listed be appropriate in every circumstance. They are provided to be considered and modified to fit the proposed business operation.
- 18.5 Where its discretion is engaged following consideration of relevant representations, the licensing authority will consider attaching appropriate conditions to licences and permissions to deter crime and disorder, both inside and immediately outside the premises. As far as possible these will reflect local crime prevention strategies.
- 18.6 As an additional aide to good management, this authority recommends the range of qualifications designed to support the licensing objectives, available from the British Institute of Innkeeping (BII). Further information is available by contacting the BII by e-mail at the following address info@bii.org
- 18.7 Measures in support of the prevention of crime and disorder licensing objective – all premises** - When compiling operating schedules Applicants are strongly advised to give __consideration to:

- **The setting of a safe capacity limit** – While often necessary on public safety grounds, this is equally important in order to prevent overcrowding giving rise to risk of crime and disorder;
- **Use of crime prevention notices** – For use in circumstances where it would be helpful to warn customers of prevalence of crime which may target them, for instance, to warn of pickpockets or bag snatchers;
- **Publicise details of the premises operation** – Display details of the premises opening and closing times;
- **Installation of CCTV** – The presence of CCTV cameras can be an important means of deterring crime both inside and outside of the premises. It can also help to provide valuable evidence in the event that an incident does occur. CCTV should be maintained in good working order and used at all times with a 31 day library of recordings maintained at all times and a member of staff on duty that is able to operate the CCTV system;
- **The removal of low cost, high strength alcohol from offer** – To help reduce street crime and violence and anti-social behaviour from public drunkenness. Any beers or ciders above 6.5% are considered high strength;
- **A written drugs policy** – Establish a clear written anti-drugs policy and publicise this to customers;
- **Use bona fide suppliers** – Being mindful of the prevalence of counterfeit products, particularly alcohol and tobacco, to only stock from legitimate and traceable suppliers

- **Denying access to hawkers** – Prevent counterfeit products, such as alcohol, tobacco, and other goods from being offered for sale upon the premises.

18.8 Premises supplying alcohol for consumption On the premises - Consideration should be given to the measures set out below.

- **Use of plastic containers and toughened glass** – Consideration should be given to the use of safer alternatives to glass which would inflict less severe injuries if used as weapons.
- Premises should be using reusable polycarbonate plastic receptacles as the alternative to glass. Single use plastics (both receptacles and straws) should not be used unless there is no alternative. Note: All plastic glasses, both single use and reusable, must carry the approved CE mark when used for draft beer, cider and wines;
- **Introduce bottle bans** – Decant drinks into glasses before being handed across a bar;
- **Provide seating for customers** – sufficient to ensure that the majority of customers do not have to stand;
- **Ensure good availability of soft drinks and food;**
- **Maintain control over the removal of open containers** – To prevent the use of containers as weapons in the street;
- **Off sales to be sold in sealed containers for consumption away from the premises to minimise public nuisance.**

18.9 Premises providing alcohol for consumption upon the premises and regulated entertainment in the night-time economy - Consideration should be given to:

- **Employment of appropriate number of SIA registered door supervisors** – for maintaining orderly behaviour in queues;
- searching and excluding those suspected of carrying offensive weapons, or illegal drugs; keeping out banned individuals; or controlling admissions and departures. A minimum of two SIA would be expected on most premises;
- **Make personal searches by door supervisors a condition of entry** – Including the provision of signage and female SIA for personal searches conducted on female customers and performers;
- **Provide door supervisors with search wands / search arches** – Maintained in good working order and used on all occasions;
- **Provide a drugs and weapons box** – Kept under the direct control of premises management with all seized drugs and weapons to be handed over to the Police in accordance with the Police instructions;
- **Install ID scanning and recording equipment** – Requiring all customers seeking admission to the premises to provide ID and agree to being recorded. Notices should be provided to this effect. PASS approved Proof of Age cards should be accepted as part of the age verification system; Government issued photographic ID
- **A last admissions policy** – For both admissions and readmissions. Publicise this at the premises;
- **A written dispersals policy** – Helping to reduce the potential for disturbance to local residents;
- **Co-operate with the Police and Council on Risk Assessments** Management should carry out a risk assessments on all DJ and Live music events and advise police of any medium or high-risk events so advice can be obtained to minimise the risk to the public. To participate in the voluntary partnership for venues and promoters;
- Ensure **certain performances and exhibitions are age appropriate**– That no film be exhibited or performance given that is likely to stir up hatred or incite violence against any section of the public on grounds of colour, race or ethnic or national origin, disability religious beliefs, sexual orientation or gender;
- **Police promote the use of CCTV to prevent and assist with detection of crime and terrorism. The following conditions should be included within relevant applications in consultation with the Police Licensing Officer:**

18.10 That a CCTV system be installed at the premises, be maintained in good working order and be continually recording at all times the premises are in use. The CCTV System must be capable of capturing a clear facial image of every person who enters the premises;

2. That all CCTV footage be kept for a period of 31 days and shall be made immediately available to Officers of the Police and/or Council on request;
3. That a member of staff shall be on duty at all times the premises is open who is trained in the use of the CCTV system and who is able to view, and download to a removable device, CCTV footage at the request of Police and / or Council Officers.

18.11 The Data Protection Act 2018 and the need to comply with GDPR controls how your personal information is used by organisations, businesses or the government. Where a premise collects personal data, including CCTV images and ID scanners in licensed premises, the licence holder should have a formal procedure in place regarding the use, retention and destruction of this data within a reasonable time period.
<https://www.gov.uk/data-protection>

19 Designated premises supervisor / personal licence holders and authorisations for the retail sale of alcohol

This Authority recognises that neither the Act nor the mandatory conditions outlined elsewhere in this chapter require either a designated premises supervisor or any other personal licence holder to be present on the premises at all times when alcohol is sold or supplied. Nor does the fact that every sale or supply of alcohol must be made under the authority of a personal licence holder mean that only personal licence holders can make such sale or supply or that they must be personally present at every transaction.

19.1 However, this Authority wishes to emphasise that the designated premises supervisor and the premises licence holder remain responsible for the premises at all times including compliance with the terms of the Licensing Act and conditions attached to the premises licence to promote the licensing objectives.

19.2. This Authority considers it reasonable to expect therefore that either the designated premises supervisor or another personal licence holder will normally be present upon the premises at all times that alcohol is either sold or supplied or that proper arrangements are in place for authorisation of staff in their absence and for their monitoring. This Authority does recognise that there may be occasions when it is not possible for the designated premises supervisor or another personal licence holder to be present but this Authority considers that this should not occur for any extended period and emphasises that there can be no abdication of responsibility in their absence.

19.3 Furthermore, this Authority expects that authorisations of other staff to sell and supply alcohol made by the designated premises supervisor, preferably in written form; and any other personal licence holders must be meaningful and be properly carried out.

19.4. It is understood that, ultimately, whether or not an authorisation has been given within the meaning of the Act will be a matter for a court to determine on the evidence before it when the issue arose, but this Authority notes the Secretary of State considers that the following factors should be relevant in considering whether there was real authorisation:

- a) The person(s) authorised to sell alcohol at any particular premises should be clearly identified;
- b) The authorisation should have specified the acts which may be carried out the person being authorised;
- c) There should be an overt act of authorisation, for example a specific written statement given to the individual(s) being authorised;
- d) There should be in place sensible arrangements for the personal licence holder to monitor the activity that they have authorised on a reasonably regular basis.

19.5 Attention is drawn; however, to the fact that recent provision has been made for certain community premises to apply for the removal of the mandatory condition relating to the requirement for a DPS and personal licence and replace this with an alternative condition making a Management Committee or Board of individuals responsible for the supervision and authorisation of alcohol sales. Where such application is made the Council will expect the Applicant to demonstrate that the arrangements for the management of the premises by the Committee or Board are adequate to ensure adequate supervision of the supply of alcohol on the premises. In cases where it is intended to make the premises concerned available for private hire, this Authority will wish to consider the arrangements for hiring agreements. This consideration will include steps to be taken to ensure that the hirer is aware of the licensing objectives and offences in the 2003 Act and to ensure that no offences are committed during the period of the hire.

19.6 The sale and possession of smuggled, bootlegged or counterfeit products and the handling of stolen goods

The guidance to the Act indicates that offences can be committed by certain persons in licensed premises if they allow the sale or supply of smuggled, bootlegged or counterfeit goods on the premises. This is in particular

relation to alcohol or tobacco products, but may also include the sale of other counterfeited products such as DVDs and CDs and the handling of stolen goods:

- Smuggled – foreign brands illegally brought into the UK;
- Bootlegged (duty evaded) foreign products brought into the UK in illegal quantities and / or resold in the UK;
- Counterfeit – Fake goods and packaging. Cheap low quality and often dangerous products packaged to look like premium UK brands.

19.7 Offences are for selling illicit products but also for employees permitting sales and for employees buying or selling. To prevent these offences occurring, the Licensee should consider taking certain precautions. Advice on this can be obtained from the Council's Trading Standards service. Note: That on conviction for offences relating to counterfeit products a proceeds of crime confiscation hearing may be sought by the Council.

19.8 The Licensing Authority's approach is that the supply of illicit goods will be taken seriously as these matters undermine the licensing objectives. Licensees supplying illicit goods can expect the Licensing Authority to impose additional controls and sanctions and run the risk of losing their licence. The Licensing Authority will consider licence review applications where there is evidence that illicit alcohol has been offered for sale on the premises. Where other illicit goods, such as tobacco, have been found this may be considered by the Licensing Authority as evidence of poor management and have the potential to undermine the licensing objectives. The Authority notes that the Home Office guidance under S.182 makes it clear that matters such as these should be treated particularly seriously.

19.9 Door Supervision

Door supervisors will often play an important key role in ensuring that well managed premises are free from crime and disorder and nuisance problems. A reminder is given that where a premises licence (other than for plays or films) includes a condition that at specified times there must be persons employed for the purposes of security; protection; screening the suitability of persons entering premises; or dealing with conflict in pubs, clubs and other licensed premises open to the public, then such persons must be registered with the Security Industry Authority (SIA). In any event it is in operator's own interests to ensure that all security staff employed, whether under contract or employed in-house are so licensed, since the operator may be legally liable for their actions. Licensed door supervisors will have undergone an identity and criminal record check and have received suitable training. It is recommended that employers should consider using only SIA approved contractors to source staff.

19.10 Police promotion event risk assessments

This Authority recommends that for significant events (see note below) further specific comprehensive risk assessments are undertaken by premises licence holders to identify and minimise any risk of serious violent crime (or public nuisance). Accordingly, for premises that wish to stage promotions, or events (as defined below) this Authority recommends that Applicants address the risk assessment and debrief processes in their operating schedules.

19.11 Risk assessment should be completed by the management for all 'significant events' and when they are assessed as medium or high risk by the management or have an audience of over five hundred the Police should be informed. This Licensing Authority anticipates that these will be forwarded to the Metropolitan Police and a consultation will take place. Risk assessments should be submitted to the Metropolitan Police more than 14 days prior to any proposed event and debrief forms submitted within 14 days of the conclusion.

19.12 Note: The Metropolitan Police define "a significant event" as any occasion in a premises licensed under the provisions of the Licensing Act 2003, that is promoted /advertised to the public at any time before the event; predominantly features live music, DJs or MCs performing to a recorded backing track; runs anytime between the hours of 22:00hrs and 04:00hrs; and is in a nightclub or large public event.

Dispersal and Entry

Licensed premises should take all reasonable measures to ensure that dispersal of patrons from the premises, and entry of patrons into the premises uphold the licensing objectives. 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.

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 uphold the licensing objectives.

The Council 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, where contrary to the licensing objectives, can be a reason for the Council to take action.

19.13 Off licences

Street drinking can be a major cause of antisocial behaviour, often involving underage persons and those with alcoholic problems, which gives rise to disorder, concerns over public safety and harm to children. Additionally, it is widely reported that consumption of alcohol by persons on the way to on-licensed premises gives rise to problems of drunken and disorderly behaviour.

19.14 The licensing authority therefore adopts the following policy in relation to premises licensed for the sale of alcohol for consumption exclusively off the premises where any Responsible Authority makes representation against the grant of a licence for off-sales and, following a hearing the committee are satisfied that there is evidence of serious concerns over demonstrable problems of street drinking or disorder associated with the off-sale of alcohol in the area, there shall be a presumption against granting a licence.

Applicants will need to demonstrate in their operating schedule their willingness to address any known anti social behaviour issues in the area:

- Consider the types of alcohol intended to be sold at the premises
- Times for alcohol sales
- Social responsibility
- Joining the Responsible Retailer Scheme
- No irresponsible sales of bottles or cans of beer, lager or cider with an alcohol volume of 6.5% or more that is sold cheaply as this appeals to street drinkers, and leads to wider social issues in an area.

19.15 Applications shall only be granted where the licensing authority is satisfied the grant of the licence would not harm the Licensing Objectives following a hearing. Where relevant representations are made, the licensing authority will also have particular consideration to the hours requested for sales of alcohol. Persons who are alcohol-dependant may be drawn to particular premises if they are licensed to sell alcohol at earlier or later times than other premises. Additionally, if there are issues related to late-night disorder, the hours for alcohol sales from the premises may be restricted. Other conditions may be imposed directed at avoiding problematic street drinking in the vicinity of the premises. Another particular concern will be irresponsible drink promotions that do not follow best practice, would appeal to underage drinkers or street drinkers, or encourage excessive consumption.

In areas where street drinking has been identified as a problem by the Council, new applicants and those applying for variations are required to demonstrate how their premises will not contribute to street drinking in those areas. Applicants may wish to seek guidance from Licensing, Community Safety, and Police partners as to specific measures that may be appropriate for their specific location. However, some general examples of good practice include:

- Reducing the strength approaches having voluntary bans on high strength low cost alcohol.
- Visible labels identifying the premises.
- Use of different coloured or labelled bags for sales of alcohol.
- Ensuring street drinkers do not congregate outside the premises.
- Ensuring drinkers do not consume alcohol on the premises, also not having the paraphernalia to allow that (e.g. single plastic drinking vessels or bottle openers near the till area).
- No sale of miniatures.
- Keeping the premises locality clear of litter.

19.16 Mandatory conditions

A number of mandatory licence conditions are set out in the Act. The following mandatory conditions will apply to all premises licences authorising the retail sale of alcohol:

- (a) Where a premises licence authorises the sale of alcohol, every supply of alcohol is to be made or authorised by a person who holds a personal licence; and
- (b) Where a premises licence authorises the supply of alcohol, no supply may be made if no designated premises supervisor has been specified in the licence, or at a time when the designated premises supervisor does not hold a personal licence, or his or her licence has been suspended.

19.17 Further mandatory licence conditions have been introduced under Orders which cover:

- The prohibition of irresponsible drinks promotions (on sales only) – Requiring the responsible person to ensure staff do not carry out, arrange or participate in any irresponsible promotion carried on for the purpose of encouraging the sale of alcohol on the premises. Irresponsible promotions incorporate drinking games; provision of unlimited or unspecified quantities of alcohol for free or fixed or discounted prices which undermine the licensing objective; promotional posters; and dispensing alcohol directly into the mouth of a customer by a member of staff
- The provision of free potable water (on sales only)
- Requirements for age verification policies to be established in relation to the sale and supply of alcohol, including photo-identification for persons appearing to be under 18 years of age (on and off sales).
- Requirements for alcohol, where sold or supplied for consumption upon the premises) to be made available in the following measures beer or cider half pint; gin, rum, vodka or whisky – 25ml or 35ml; and still wine in a glass – 125ml
- A ban on the sale of alcohol below the cost of VAT and duty

19.18 Entertainment involving striptease and nudity

On 11th January 2011, Council resolved to adopt the provisions under Schedule 3 to the Local Government (Miscellaneous Provisions) Act 1982 as amended by section 27 of the Policing and Crime Act 2009, with effect from 8th February 2011. This legislation established a new extended licensing regime for sex establishments, covering sex shops, sex cinemas and sex entertainment venues.

19.19 Any person wishing to operate a lap dancing club or similar in the Haringey area will require to be licensed as a sex entertainments venue under a sex establishments licence. The policy decision taken in January 2011 was that the number of sexual entertainment venues across the borough should be nil in each ward, meaning that no licences will be issued. The exemption that existed in law that enabled lap dancing clubs or similar to operate under the provisions of the 2003 Act no longer applies, excepting that occasional striptease performances are permitted without a sex establishments licence. Occasional performances are limited to no more than 11 per year, each of less than 24 hours duration and each at least one month apart.

19.20 This authority's approach to the licensing of sex establishments is covered in full under the separate Haringey Sex Establishments Licensing Policy, which is available from the Licensing section.

19.21 Beyond the remit of the 1982 Act (as amended) where activities specified in the operating schedule include any permitted adult entertainment (involving full or partial nudity, occasional striptease or any other kind of adult entertainment) the licensing authority will give particular consideration to the implications of the proposals across the four licensing objectives.

19.22 In such circumstances, this authority advises that applicants should give specific consideration when conducting their risk assessments and operating schedules to the appropriate management controls. This must include issues around the protection of children and young people from harm.

Where occasional striptease performances are provided, the licensing authority will normally expect the operating schedule and, if the application is granted, the licence conditions to address all relevant matters in pursuit of the licensing objectives. These are likely to include conditions relating to:

- The exclusion of persons under 18 at all times from the premises and the prevention of views into the premises
- The prohibition of exterior advertising of the sex-related entertainment at the premises
- The prohibition of leafleting or touting for business
- That the provision of services will be to seated customers only
- The prohibition of the participation of customers in the performance
- The maintenance of a minimum distance of 1 metre between performer and customers during the performance
- The provision of CCTV and the maintenance of a library of recordings
- A code of conduct for dancers including appropriate disciplinary procedures for failure to comply with the code
- Rules of conduct for customers, including appropriate procedures for breach of these rules
- Procedures to ensure that all staff employed in the premises have pre-employment checks including suitable proof of identity, age and (where required) permission to work
- The provision of supervisors and security staff
- Other necessary steps to be taken, including in the recruitment or supply of performers, is free of the influence or organised criminal activity

19.23 Theft of personal property

Recent analysis of crime statistics has given rise to increasing concern over levels of theft of personal property within licensed premises. Licence applicants are asked to give consideration to appropriate control measures within their risk-assessments and operating schedules.

Important steps that can be taken to reduce the risk of theft of personal property include:

- Raise the level of awareness among customers of the risk of theft of personal property through crime prevention information. This is especially important within premises where there is a high level of transient, tourist trade
- Provide controlled cloakroom areas
- Provide Chelsea clips under tables
- Ensure all areas of the premises are well lit and able to be observed by staff. Direct staff to observe the customer areas and politely raise with customers when personal belongings are unattended
- Provide and publicise internal CCTV
- Ensure adequate staffing levels and provided appropriate staff training

Officers from the police crime prevention can be requested to visit and advise on arrangements at your premises.

Major events at Tottenham Hotspur Stadium /Finsbury Park

During major events the following recommended conditions will be considered where there is a relevant representation:

- Customers shall not be allowed to congregate outside the premises.
- No glass bottles shall be handed over the bar but shall be decanted into plastic vessels.
- The DPS shall work in partnership with the Police and comply with any direction given by the most senior Police Office on duty at the event.
- No alcohol of 'alcopop' type drinks shall be displayed or sold in glass containers with the exception of wines and spirits.
- No more than 4 cans of alcohol shall be sold per customer

The following lists suggestions that should be considered, although they will vary according to the use of each premise. The 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 these and formulate 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 Council, a Responsible Authority or other person

- **Matters for consideration:**

- Is there CCTV, and, 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 the entrance as well as the till or servery area;
- What is the retention period for recordings and the provision of instant access to Police and Authorised officers. Does it have an 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 sign out when they leave. Any induction/training given to new door staff;
- 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 used, 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 by which the capacity is counted if appropriate;
- What is the frequency of staff training, what training is given. Will training records be available for Police

and Authorised officers. Will the content of training be made available?

- What measures will be used to manage queuing;
- Detailed, achievable dispersal policy;
- Is there a drinking up time or quieter music before the terminal time of the licence?
- Are staff aware of how to respond to and record incidents of crime on their premises? Are incidents logged and reviewed in order to identify recurring issues?

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 a bottles of 2 litres and above?

Venue Safety and Assessment of Risk at Venues and Events

Public safety in venues is a key consideration for the Council in large venues and higher profile events. This may include conducting risk assessments to identify risks and mitigation approaches for venues where certain factors or circumstances, such as overcrowding or terrorism, may make the venue unsafe for those present in the premises. Incidents occurring at larger venues or events with high attendance are of particular concern to the Council. The Council expects applicants of larger venues or where high attendance events may take place to give particular consideration to measures to promote public safety. These may include:

- Conducting a risk assessment and consulting Haringey Licensing and Police (see section below);
- Considering the role of security staff in promoting safety as well as security; and,
- Consideration about capacity limits and the ingress and egress of customers.

The Council considers it prudent to prepare for the passage of the legislation related to this ('Martyn's Law'). When and if legislation is introduced, there will be additional requirements placed on a number of licensees to consider the threat from terrorism and implement appropriate and proportionate mitigation measures. If such legislation is passed, the Council expects relevant applicants to include appropriate measures to meet these obligations in their licensing application.

Risk Assessments

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 be 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, public safety matters, or concerns are identified and addressed satisfactorily. Where risk assessments are required, they should be submitted at least 14 days before any proposed event.

Venue Capacity

When determining applications for a licence, consideration of venue capacity will be taken into account. This is to help the Council limit the potential for large venues becoming problem hot spots. This will apply to those venues that fit or are likely to fit within the description of high-volume vertical drinking establishments where applicable. Applicants are required to submit robust crime & disorder proposals in their operating schedules as well as noise dispersal policies.

The Council accepts that a lot of the problems that may occur in large premises may be controlled by good management practices. However, controlling the numbers of customers allowed into the premises may also assist in promoting all of the licensing objectives, primarily crime & disorder.

The Council will consider capacity conditions where this may be beneficial in promoting the licensing objectives.

20. THE PREVENTION OF PUBLIC NUISANCE

Licensed premises, especially those that operate late at night or in the early hours of the morning, can give rise to a range of nuisances that may potentially impact on people living, working or sleeping in the vicinity of the premises. Principal concerns relate to noise nuisance, light pollution and noxious smells.

20.1 This Authority expects Applicants for premises licences and club premises certificates to have made relevant enquiries about the local area before submitting their application. It is important to recognise that the impacts of licensed activity are not contained within a building. Inevitably there is a wider impact as people travel to and from the premises or congregate outside while it is in operation. Nuisance is best managed by careful consideration of the suitability of the selected site at an early stage. Though each site will be considered upon its own characteristics, locating licensable activities in town centres on main roads well served by public transport will generally offer a better prospect of mitigating the impact of the activity.

20.2 When a suitable site is identified, operating schedules should be prepared on the basis of a risk assessment of the potential sources of nuisance posed by the premises operation to the local community. The operating schedule should demonstrate an understanding of the level of risk of nuisance and include positive measures to manage any potential risks.

20.3 Relevant considerations might include

- Preventing disturbance caused by patrons upon arrival; when queuing or being admitted to the premises; while congregating outside the premises; or upon departure. This particularly (though not exclusively) between 22:00hrs and 08:00hrs;
- Preventing noise and vibration escaping from the premises, including from music played upon the premises; public address systems; and customer noise;
- Preventing nuisance from the positioning and operation of plant and machinery such as kitchen extraction systems, ventilation plant, condensers etc.;
- The need for regular patrols of the boundary of the premises and / or at the nearest residential points to ensure nuisance impacts are not being experienced by neighbours;
- Controlling disturbance that may be caused by the use of external areas. This should include gardens and terraces as well as other open-air areas including the highway (particularly in relation to the smoking ban and passage of patrons between internal and external areas);
- Arranging clear up operations conducted by staff so they do not cause a nuisance and controlling staff departures;
- The provision of adequate parking arrangements for customers, preventing illegal parking and obstruction of emergency and other vehicles;
- The prevention of queues of traffic forming outside the premises;
- The availability of alternative public transport and local provision for licensed taxis or private hire vehicles, including arrangements to ensure their use does not cause disturbance to local residents;
- Restricting delivery and collection times (waste, equipment and consumables) to between 08:00hrs and 20:00hrs;
- Limiting any nuisance or glare caused by the positioning of external lighting, including security lighting;
- Preventing odour or pests from refuse storage and waste disposal and the accumulation of litter and smokers waste in the vicinity of the premises;
- Preventing odour from food preparation and have adequate kitchen extraction systems in place.

20.4 Applicants are recommended to seek advice from the Council's Environmental Protection Team when preparing their operating plans and schedules. Where relevant,

Applicants are also advised to refer to:

- The Institute of Acoustics “Good Practice Guide on the Control of Noise from Pubs and Clubs”;
- Noise at Work Guidance for employers on the Control of Noise at Work Regulations 2005 issued by the Health and Safety Executive and obtainable from <http://www.hse.gov.uk/pubns/indg362.pdf>;
- In the case of large music events, the Code of Practice on Environmental Noise Control at Concerts – This document is under review

20.5 While it is recognised that there is no requirement in the 2003 Act to do so, Applicants may find that it helps the licensing process to provide a copy of the completed risk-assessment upon which the operating schedule is based to the relevant responsible bodies for consideration at the time of application. Where appropriate, an acoustic report / noise impact assessment can also be submitted to support an application.

20.6 Guide to control measures

This section of the policy is intended to provide a guide to prospective licence Applicants as to the types of controls that may be appropriate for the promotion of the prevention of public nuisance licensing objective. It is neither intended to provide a definitive list of preventative measures nor will the controls listed be appropriate in every circumstance. They are provided to be considered and modified to fit the proposed business operation.

20.7 Applicants should note that where the discretion of the Authority is engaged following consideration of relevant representations, the Licensing Authority will consider attaching appropriate conditions to licences to prevent nuisance. This may include additional site specific controls relevant to the planned activities and their timing.

20.8 Preventing nuisance outside of premises

Nuisance caused by patrons outside of premises, whether by patrons queuing for entry; enjoying the facility of a beer garden or terrace; or by smokers congregated on the pavement, is of considerable concern to local residents. This forms the basis for many of the complaints received within the Authority, especially through the summer months. While people noise is often the main concern, obstruction of the highway preventing people passing by on the pavement and forcing them into the road, can also be both intimidating and dangerous and may also hamper access by emergency services, or street cleansing. Local residents may be further affected by smoke from barbeques and other cooking equipment used in the open air.

20.9 Licensees have a responsibility for the conduct of their customers while they are in and around their premises. If provision is made for customers to congregate or smoke outside of premises, then sufficient management controls must be put into place to ensure that no nuisance or disturbance is caused to local residents. Failure to control customers outside of premises can result in licence reviews being submitted endangering the continuation of the premises licence.

20.10 Some simple management controls can be put into place which can significantly reduce the risk of nuisance caused to local residents by customers outside of licensed premises. Consideration should be given to placing controls on:

- Queues of patrons awaiting admission and how these are arranged;
- The hours of operation of any licensed external area, requiring customers to return back into the premises at a specific time. It is suggested that a closing time no later than 22.00 is appropriate. No drinks allowed outside after this time;
- All off sales to be sold in sealed containers for consumption away from the premises;
- The supervision of patrons using any external area so as to prevent nuisance and disturbance;
- Setting a maximum occupancy figure for the premises to address the likely impact of public nuisance from patrons arriving and leaving the premises, particularly where the application seeks to continue beyond recommended closing times;
- Setting a maximum capacity figure for the outside area to control the number of patrons at any one time and the potential noise from the use of the area;
- Whether it is appropriate to relay music into any external area (Licensees must take care not to cause nuisance at any time of the day or night)
- The times during which any live music or amplified sound may be played in, or relayed by external speakers into, any external area or marquee. (Note: Any music

- played or relayed into the external area should cease earlier than the time set on the use of the external area).
- The numbers of persons using any licensed external area at any one time;
- The numbers of 'smokers' allowed outside of the premises at any one time;
- The taking of drinks outside of the premises when patrons step outside to smoke should be discouraged as it encouraged patrons to stand outside longer giving rise to public nuisance.
- The areas within which patrons may congregate outside of the premises, restricting them, for instance, to the curtilage or footprint of the premises;
- The times within which barbecues or other cooking facilities may be provided within any external area;
- The terminal hour for last admissions and readmissions to the premises;
- The reduction of music levels within the premises 30 minutes before closing so as to reduce levels of excitement among patrons upon leaving;
- Arrangements made with local cab companies when calling for customers, requiring that they call within the premises for their customers without sounding their horn in the street;
- The display of notices at exit points asking patrons to ' please leave quietly' and be mindful of local neighbours;
- The supervision of patrons outside of the premises to ensure quick dispersal from the immediate area upon closing time;
- The clearance of any litter created by the operation of the premises;
- The hours during which external activities such as the handling and removal of waste or musical equipment or the delivery of goods. (Note: It is recommended this is prohibited between 22.00hrs and 08:00hrs);
- Restricting the use of artificial lighting outside of the premises so as to reduce the potential for light nuisance;
- Ensuring any/all external plant (i.e. air conditioning units, kitchen extraction systems etc.) are maintained and serviced so as not to create any additional unnecessary noises;
- The time and number of people allowed to use shisha or similar items in any area.

20.11 Preventing nuisance from within premises

Nuisance may often be caused by sound escaping from the premises or transmitted through the structure of the building. While some simple management steps may be taken to reduce the problem, it should be understood that in some premises physical works may be necessary to prevent nuisance being caused to local residents. The likelihood of this increases where regulated entertainments are to be provided; the later the intended hour of operation; where residents live adjacent to, above or close by the premises; or where there are other noise sensitive premises close by. Where physical measures are likely to be necessary expert advice should be sought on appropriate measures.

20.12 This Authority expects that the following measures will be considered and applied appropriate to the level of risk of nuisance being created.

- The provision of and management control of entrance / exit lobbies, so as to ensure that the integrity of the premises is maintained and internal sound contained;
- The provision of acoustic double door lobbies of an adequate residence time;
- The provision of acoustic seals and self closers on doors;
- The installation and / or maintenance of double glazing / sound resistant glass;
- The provision of sound insulation to party walls, floor and ceiling;
- The provision of alarms to fire doors or other private external doors;
- Keeping doors and windows closed where performances of regulated entertainment take place;
- The installation and use of a sound-limiting device for all amplified sound to enable maximum volume and bass to be set at levels appropriate for the premises / event;
- The connection of fire doors and / or private external doors to the sound limiting device (so that volume is reduced if the doors are opened);
- The provision of additional air conditioning / air cooling to enable doors and windows to remain closed during any entertainment;
- The provision of acoustic baffling to any ventilation extract and intake system;
- Management and recording of periodic perimeter checks;
- Management should ensure that there are sufficient toilet facilities on the premises.

20.13 It is important to understand that, even though recent government deregulation initiatives have relaxed the requirements around the licensing of small scale entertainments taking place during day time hours, all operators remain responsible for preventing public nuisance arising from their premises operation. Failure to prevent public nuisance may give rise to deregulation provisions being removed and endanger the continuation of a premises licence.

20.14 Outdoor events

Haringey hosts a number of major commercial events, these events add to the vibrancy of the Borough and are enjoyed by both residents and visitors alike. It is important that such events are organised and managed so as to ensure that minimum disturbance is caused to people living and working nearby. In order to achieve this, Applicants are asked to submit an 'Event Management Plan' as part of the licensing process and to consult with the Haringey Safety Advisory Group early in the process of preparing for any event.

Account will be taken of:

- (i) the type/s of events planned
- (ii) the number of events that take place each year
- (iii) the numbers of participants and people attending each event
- (iv) the times of day and duration of events
- (v) the days/dates of the events
- (vi) conformity to The Noise Council's 'Code of Practice on Environmental Noise Control at Concerts', guidelines and recommended noise control procedures
- (vii) conformity to standards set by the council in relation to the existing external noise levels at the nearest noise sensitive properties.

20.15 The Noise Environmental Heath Team as Responsible Authorities, will assess all licence applications for their impact with regard to public nuisance. Nuisance from outdoor events can be created by many activities, for example:

- Set up rigging / de-rigging;
- Vehicle movements on and around site;
- Patrons congregating and dispersing;
- Parking arrangements;
- Music and entertainment;
- Fireworks and special effects;
- Smoke;
- Odour from concessions or open food preparation;
- Lighting;
- Operation of plant and machinery (including generators etc.);
- Litter.

20.16. It is recommended that event organisers include a 'noise management section' within the Event Management Plan, assessing all nuisance-causing activities and setting out the measures proposed to mitigate any nuisances that are likely to be caused.

20.17 The noise management section should include the following information

- Location and site plan;
- Date /hours of operation. It is suggested a finishing time of 22:00hrs is appropriate; however an earlier finish time may be requested subject to local circumstances;
- Information on the type of event, with programme and timetable;
- Orientation of any stage(s), marquees or potential sources of noise;
- Plans for access to and from site and site routes within the event perimeter
- Location of operational plant and vehicles;
- Background noise survey and predictive noise assessment;
- Details of event and stage management structure including names and contact details for persons responsible for liaison with Council and other Enforcement

- Officers at the event; for management of sound systems; recording of noise levels; dealing with complaints and keeping records of and remedial actions; and
- attending pre-event and post-event audit meetings with the Authority;
- Details of noise control measures:
 - Sound limiting technology to be used
 - Maximum noise / bass levels
 - Selection of equipment etc.
- Location of light sources and light impact assessment;
- Litter control, waste management and recycling provisions;
- A copy of the pre-event information leaflet to be dropped to occupiers of nearby noise sensitive premises.

20.18 Other consents

Licensees should be aware that a range of other consents may be necessary to provide smoking shelters or space heaters, awnings, tables and chairs, metal or rope barriers or 'A' boards on the highway. Please discuss your proposals with the Licensing Team in the first instance

21 PUBLIC SAFETY OBJECTIVE

Licence holders have a responsibility to ensure the safety of those using their premises as a part of their duties under the Licensing Act 2003. This concerns the safety of people using the relevant premises, including the prevention of accidents and injuries and other immediate harms that can result from excessive alcohol consumption such as unconsciousness or alcohol poisoning.

- 21.1 The act covers a wide range of premises that require licensing, including night clubs, cinemas, concert halls, theatres, public houses, off-licences, supermarkets and grocers, cafes/ restaurants and fast food outlets. Each of these premises presents a mixture of risks. While many risks are common to most premises, others are unique to specific operations. It is essential that premises are constructed or adapted and managed in a manner which acknowledges these risks and safeguards occupants against them.
- 21.2 This authority is committed to ensuring the safety of people visiting and working in licensed premises. Thereby, this authority expects applicants for premises licenses and club premises certificates to prepare their operating schedule on the basis of a risk-assessment and demonstrate an understanding of the potential risks and hazards and include positive proposals to promote the public safety licensing objective. In certain premises where existing legislation does not provide adequately for the safety of the staff or others lawfully on the premises, consideration should also be given to conditions that deal with Living accommodation attached to or accessed via Licensed Premises, such as: ensuring that sufficient fire safety arrangements are in place to detect and warn occupants and all other relevant persons ensuring adequate fire separation and means of escape is provided between the mixed use premises.
- 21.3 In certain premises where existing legislation does not provide adequately for the safety of the public, consideration might also be given to conditions that ensure that when disabled people are present, adequate arrangements exist to enable their safe evacuation in the event of an emergency; and disabled people on the premises are made aware of those arrangements.
- 21.4 This authority is committed to ensuring the safety of people visiting and working in licensed premises. Thereby, this authority expects applicants for premises licences and club premises certificates to prepare their operating schedule on the basis of a risk-assessment and demonstrate an understanding of the potential risks and hazards and include positive proposals to promote the public safety licensing objective.

Relevant issues might include

- Premises configuration and site layout arrangements, including access for emergency services such as ambulances
- Means of escape
- Temporary structures
- Fire and other emergency safety and systems
- Building services
- Hygiene and welfare
- Special installations and special effects
- Communications systems

- Ensuring good communication with local authority and emergency services (for example, communications networks with the police and signing up for local incident alerts)
- Ensuring appropriate provision of trained staff including the presence of trained first aiders on the premises and appropriate first aid kits
- Ensuring the safety of people when leaving the premises (for example, through the provision of information on late night transport)
- Ensuring appropriate and frequent waste disposal, particularly of glass and bottles
- Ensuring appropriate safe limits on the maximum capacity of the premises
- Considering the use of CCTV in and around the premises (see previous section)
- Considering the use of licensed security

21.5 Applicants are recommended to seek advice from the council's occupational health and safety team and / or local fire safety officers when carrying out their risk assessments and preparing their operating schedules. Reference should also be made to the following documents, where appropriate:

- **Model National and Standard Conditions for Places of Public Entertainment** and Associated Guidance ISBN 904031 11 0 (Entertainment Technology Press – ABTT Publications)
- **The Event Safety Guide** - A guide to health, safety and welfare at music and similar events (HSE 2002) ("The Purple Book") ISBN 0 7176 2453 6
- **Managing Crowds Safely** (HSE 2000) ISBN 0 7176 1834 X
- **5 Steps to Risk Assessment: Case Studies** (HSE 1998) ISBN 07176 15804
- **The Guide to Safety at Sports Grounds** - (The Stationery Office 1997) ("The Green Guide") ISBN 0 11 300095 2
- **Safety Guide for Street Arts, Carnival, Processions and large scale Performances** published by the Independent Street Arts Network, copies of which may be obtained through www.streetartsnetwork.org/pages/publications.htm
- **Fire Safety Risk Assessment – Open Air Events and Venues** (ISBN 978 1 85112 823 5) which is available from the Communities and Local Government website www.communities.gov.uk/fire
- The London District Surveyors Association's **"Technical Standards for Places of Public Entertainment"** ISBN 0 9531229 2 1
- **Safer Clubbing** - Produced by the Home Office in conjunction with the London Drugs Policy Forum

21.6 The following British Standards should also be considered

- BS 5588 Part 6 (regarding places of assembly)
- BS 5588 Part 9 (regarding ventilation and air conditioning systems)
- BS5588 Part 9 (regarding means of escape for disabled people)
- BS 5839 (fire detection, fire alarm systems and buildings)
- BS 5266 (emergency lighting systems)

21.7 It helps the licensing process to provide a copy of the completed risk-assessment upon which the operating schedule is based to the relevant responsible bodies for consideration at the time of application.

21.8 This main part of this section of the policy is intended to provide a guide to prospective licence applicants as to the types of controls that may be appropriate for the promotion of the public safety licensing objective. It is neither intended to provide a definitive list of preventative measures nor will the controls listed be appropriate in every circumstance. They are provided to be considered and modified to fit the proposed business operation.

21.9 Where its discretion is engaged following the consideration of relevant representations the licensing authority will consider attaching relevant conditions to licences permissions to promote public safety where these are not provided for within other legislation and are necessary for the promotion of the public safety licensing objective. This may include additional site specific controls relevant to the planned activities and their timing. The Council has provided at Appendix 2 – Model Conditions to assist applicants.

21.10 Other relevant legislation

Applicants are firstly reminded of the general duties imposed under other legislation (i.e. the Regulatory Reform (Fire Safety) Order 2005) and the Health and Safety at Work Regulations 1999.

21.11 Regulatory Reform (Fire Safety) Order 2005

Under the Regulatory Reform (Fire Safety) Order 2005 the “responsible person” as defined by the order, must

- Take such general fire precautions as will ensure, so far as is reasonably practicable, the safety of his or her employees
- Take such general fire precautions as may be reasonably required in the circumstances of the case to ensure that the premises are safe for the use by other persons
- Make a suitable and sufficient assessment of fire risks to which relevant persons may be exposed for the purposes of identifying the general fire precautions he or she needs to take
- The responsible person MUST record the information gathered by the risk assessment for all premises covered by the Licensing Act 2003, in particular, the significant findings; the measures taken, or to be taken, to ensure general fire safety; and any person identified as being especially at risk.

21.12 This authority recognises that it may not impose any condition relating to any requirement or prohibition that is or could be imposed under the “Fire Safety Order” and thereby that conditions relating purely to fire safety matters may not be placed on premises licences. Further information and guidance about the Order and fire safety legislation is available from the Communities and Local Government website at www.communities.gov.uk/fire .

21.13 Health and Safety at Work Regulations 1999

The Health and Safety at Work Regulations 1999 state that

“(1) Every employer shall make a suitable and sufficient assessment of

- (a) The risks to the health and safety of his employees to which they are exposed whilst they are at work; and
- (b) The risks to the health and safety of persons not in his employment arising out of or in connection with the conduct by him of his undertaking, for the purpose of identifying the measures he needs to take to comply with the requirements and prohibitions imposed upon him by or under the relevant statutory provisions.

(2) Every self-employed person shall make a suitable and sufficient assessment of -

- (a) The risks to his own health and safety to which he is exposed whilst he is at work; and
- (b) The risks to the health and safety of persons not in his employment arising out of or in connection with the conduct by him of his undertaking.”

The Health and Safety Executive helpfully provides a range of example risk-assessments which may be viewed at <http://www.hse.gov.uk/risk/casestudies/> The examples provided include for night-clubs, pubs, village halls, off-licences and convenience stores.

21.14 Safe capacities

The Guidance to the Act sets out that “safe capacities” should only be imposed where necessary for the promotion of public safety or the prevention of disorder on the relevant premises.

The position of the authority and the responsible authorities is that the importance of the role of safe capacities in terms of both public safety and crime and disorder should not be overlooked.

21.15 Accordingly it is recommended that wherever the setting of a safe capacity will assist issues of crowd safety or public order, this is addressed by the operating schedule. It should be borne in mind that the safe capacity should be that which applies at any material time that licensable activities may take place under the premises licence. Safe capacities should consider not only the overall capacity of a premises but the potential for localised overcrowding within premises also. This is particularly relevant in larger premises, where several activities are taking place in different areas at the same time.

21.16 It should also be noted that where an applicant wishes to take advantage of the special provisions in Section 177 of the Act relating to small venues then a capacity must be set in consultation with the fire authority.

For guidance in calculating safe capacities applicants may refer to the London District Surveyors Associations Technical Regulations.

21.17 A proactive approach to customer safety

Applicants are also encouraged to take a proactive approach to general safety issues, including that of their customers, and to discuss appropriate measures with the responsible authorities concerned. Arrangements that might be taken into account could include steps;

- To monitor customers, present upon the premises so as to ensure that no customer continues to be supplied with alcohol to a point where they become drunk
- To ensure the regular collection of glass within the venue and / or external areas
- To ensure against drinks being “spiked” or otherwise tampered with
- To ensure all (internal and external) parts of the premises are adequately lit and may be monitored by staff.
- reports of harassment and sexual intimidation should be taken seriously and take appropriate action
- Take active steps to support persons who report harassment or sexual intimidation which might take place in their premises
- Train all front of house staff to address women’s safety and harassment issues
- Take active steps to ensure females leave the venue safely
- To ensure that customers are able to return home safely, for instance, by providing information on local transport availability or making arrangements with reputable cab companies

21.18 Premises should not be altered in such a way as to make it impossible to comply with an existing licence condition without first seeking a variation of the premises licence proposing the deletion of the condition relating to public safety in question. The applicant will need to propose in a new Operating Schedule reflecting the proposed alteration to the premises how he or she intends to take alternative steps to promote the public safety objective. The application for variation will enable the responsible authorities with expertise in safety matters to consider whether the proposal is acceptable.

22. THE PROTECTION OF CHILDREN FROM HARM

- 22.1 The licensing objective of the protection of children from harm includes the protection of children from moral, psychological and physical harm. This includes not only protecting children from the harms associated with alcohol but also wider harms such as exposure to strong language and sexual expletives (for example, in the context of exposure to certain films or adult entertainment). Licensing Authorities must also consider the need to protect children from sexual exploitation when undertaking licensing functions.
- 22.2 This Authority expects Applicants for premises licences and club premises certificates to have prepared their operating schedule on the basis of a risk- assessment of the potential sources of harm to children. It is expected that the operating schedule will demonstrate an understanding of the potential risks to children and set out the steps to be taken to protect children from harm when on the premises. This authority believes that it is completely unacceptable to sell alcohol and associated age-restricted products to children.

Relevant issues might include

- Preventing access to alcohol
- Removing encouragement for children to consume alcohol
- Preventing exposure to gaming
- Preventing exposure to adult entertainments or facilities

- 22.3 While it is recognised that there is no requirement in the 2003 act to do so, applicants may find that it helps the licensing process to provide a copy of the completed risk-assessment relating to the protection of children from harm to the child safeguarding officer and the trading standards team when submitting the application.

- 22.4 This section of the policy is intended to provide a guide to prospective licence applicants as to the types of controls that may be appropriate for the promotion of the protection of children from harm licensing objective. It is neither intended to provide a definitive list of preventative measures nor will the controls listed be appropriate in every circumstance.

Applicants should note that where its discretion is engaged following the consideration of relevant representations, the licensing authority will consider attaching appropriate conditions to protect children from harm.

22.5 Access to licensed premises

The act makes it an offence to permit children under the age of 16, who are not accompanied by an adult to be present on premises being used exclusively or primarily for the supply of alcohol for consumption on those premises, under the authorisation of a premises licence, club premises certificate or where that activity is carried on under the authority of a temporary event notice. In addition, it is an offence to permit children under 16 who are not accompanied by an adult, between midnight and 0500 at other premises supplying alcohol for consumption on the premises, under any such authority.

- 22.6 The council recognises, however, that licences may be sought for a great variety of premises, including theatres, cinemas, restaurants, concert halls, take-away and fast food outlets as well as public houses and nightclubs. While the council would encourage applicants to make provision for the access of children, where appropriate, conditions restricting the access of children will be strongly considered in circumstances where:

- Adult entertainment is provided.
- A member or members of the current management have been convicted for serving alcohol to minors or with a reputation for allowing underage drinking.
- It is known that unaccompanied children have been allowed access.
- There is a known association with drug taking or drug dealing.
- The premises are used exclusively or primarily for the sale of alcohol for consumption upon the premises.

- 22.7 Applicants must be clear in their operating schedules about the activities intended to be provided and the times at which these shall take place, in order to help determine when it is not appropriate for children to enter the premises.

Conditions should reflect the licensable activities taking place on the premises. Consideration should be given to appropriate conditions

- Restricting the hours when children are present
- Restricting or excluding children under a specified age when certain particular specified activities are taking place
- Restricting the parts of the premises to which children may have access;
- Age restrictions (below 18)
- Requirements for an accompanying adult
- Full exclusion of people under the age of 18 years from the premises

22.8 The purchase and consumption of alcohol by children and young persons

This Authority is committed to tackling the illegal sale of alcohol to children, including proxy sales when adults buy alcohol for children. Licensees are expected to have robust management arrangements in place to prevent all staff making underage sales. This Authority will take appropriate action, including the review of licenses, where sales persist.

22.9 The UK has one of the highest rates amongst European countries of admissions to hospital or A&E due to alcohol use by 15-16 year olds.

22.10 Frequency of drinking is associated with offending in children and young people. The 2004 Offending, Crime and Justice Survey found those who drank alcohol once a week or more committed a disproportionate volume of crime, accounting for 37% of all offences but only 14% of respondents.

22.11 The borough carries out alcohol test purchase campaigns, while the compliance rates are seen to be improving over the years, the rate of test purchase failures remains a concern. It is important that compliance rates are further improved.

22.12 Age verification policies – Mandatory condition

The following mandatory licence condition must be attached to all premises licences and club premises certificates issued by this authority.

- The premises licence holder or club premises certificate holder must ensure that an age verification policy applies to the premises in relation to the sale of alcohol. This must as a minimum require individuals who appear to the responsible person to be under 18 years of age to produce upon request, before being served alcohol, identification bearing their photograph, date of birth, and a holographic mark

22.13 Age verification policies-applicants considerations.

The trading standards service, in its role as responsible authority, considers each individual licence application received by the licensing authority and makes recommendations on the appropriate range of management controls around this issue. The service's recommended approach to controlling under-age sales is set out below. As a minimum it is recommended that:

- That an age verification scheme is established and maintained that requires the production of evidence of age (comprising any Proof of Age Standards Scheme (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 18 and who is attempting to buy alcohol.
- That notices be displayed informing customers and staff that sales of alcohol will not be made to under 18s and that age verification will be required.
- That evidence of the scheme (in the form of documented procedures) is maintained and made available for inspection by authorised officers.

22.14 However, the service recommends that as best management practice

- 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 "Challenge 25" notices be displayed informing customers and staff that sales of alcohol will not be made

to anyone appearing to be under 25 unless they can prove they are 18 or over.

- 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 authorised officers.
- That if a CCTV recording system is installed inside the premises, it shall be positioned to capture the sale of alcohol. A library of recordings taken by the system shall be maintained for 31 days and made available to authorised officers upon request.
- That a personal licence holder shall be on the premises at all times that alcohol is supplied.
- That an EPOS (electronic point of sale) system is installed at the premises, it shall be configured to prompt the operator to check proof of age when an alcoholic product is scanned. This prompt should require the operator to confirm the purchaser is over 18 before the next item can be scanned or the transaction completed.
- 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.
- That, if any advertising campaigns or promotions of alcohol are planned, the premises licence holder shall ensure they are carried out in a socially responsible manner and that they do not encourage irresponsible drinking. If authorised officers raise concerns about any promotion the premises licence holder shall discontinue it.

11.15 While this is intended as guidance only, this authority recommends that all operators should give careful consideration to introducing these controls into their management practices and including them within their operating schedules.

Trading standards also provides practical support to licensees. This includes:

- Running a local PASS approved proof of age card scheme.
- Provision of a range of downloadable business advice information leaflets.
- Free retailer support materials such as refusals registers, signage, posters and point of sale material.

22.16 In detailing the council's recommended approach to under-age sales it is recognised that some sales may be made through intimidation or fear. Licensees experiencing such problems are advised to discuss their situation with licensing or trading standards officers.

22.17 Children and responsible drinks promotions

The Portman Group operates, on behalf of the alcohol industry, the 'Code of Practice of the Naming, Packaging and Promotion of Alcoholic Drinks' to ensure that alcohol is marketed responsibly and only at adults.

The Code applies to all alcohol marketing (including naming, packaging, sponsorship, point of sale and brand merchandising) which is primarily UK targeted and not already subject to regulation by the Advertising Standards Authority (ASA) or Ofcom.

The Code can be viewed at <http://www.portmangroup.org.uk/codes/alcohol-marketing/code-of-practice/code-of-practice>. This authority commends the Code accordingly.

22.18 Children and cinemas – Mandatory licence condition

Where premises licences incorporate film exhibitions as a licensable activity the following mandatory condition will be imposed:

- The admission of children to films is to be restricted in accordance with recommendations given either by a body designated under section 4 of the Video Recordings Act 1984 specified in the licence (currently the British Board of Film Classification) or by the licensing authority itself.

Applicants are expected to include within their operating schedule arrangements for restricting children from viewing age-restricted films.

Information regarding the classification of films by the council can be requested from the licensing service.

22.19 Regulated entertainment provided for children

Where entertainments or facilities generally are provided specifically for children, applicants are asked to demonstrate within their application

- That the company / organisation has a policy or statement on keeping children safe from harm
- How employees or contracted agencies will be made aware of the company's / organisation's policy / statement on keeping children safe from harm
- That recruitment processes for staff who may have to deal direct with children under the age of 18 seek to ensure, as best the company / organisation can, that the appointed applicant has not been known to have harmed children
- That there will be clear expectations on staff with regard to their personal conduct in direct relations with children under 18 and guidance on what is appropriate in dealing with specific situations which may arise
- There are systems in place and that staff are aware of them for dealing with possible abuse or violence to children from other users of the licensed facility
- There are clear and accessible complaints systems for children to report if they have been harmed and that there are clear whistle-blowing procedures for staff who may have concerns about the welfare of children on the premises
- That all duty managers or staff in charge of the premises are aware of how to refer any concerns about the welfare of children to the local police, education authority or social services as necessary

22.20 Where a theatrical entertainment is specially presented for children, the council advises the presence of sufficient adult staff to control access and egress of children and to protect them from harm as follows –

- (1) An adult member of staff to be stationed in the vicinity of each of the exits from any level, subject to there being a minimum of one member of staff per 50 children or part thereof
- (2) No child (unless accompanied by an adult) to be permitted in the front row of any balcony
- (3) No standing to be permitted in any part of the auditorium during the performance

22.21 Raising awareness of child sexual exploitation and dealing with the risk.

The risks will vary from premises to premises depending on the type of licensing activity and the age of the children. Young children may be at risk if they are not properly supervised or are exposed to adults who have become intoxicated. Young children can be dangerously intoxicated by quite small quantities of alcohol, so care needs to be taken to clear used glasses to protect them from this risk. Young teenagers may attempt to buy and consume alcohol and then become vulnerable because their judgement is impaired, this could put them in danger from getting involved in fights, from drink driving or from sexual predators.

All children are at risk of adults who are viewed as a danger to them. Care must be taken when staff are appointed to ensure that such individuals are not placed in an environment where they can exploit their position.

Adult entertainment is not suitable for children. At premises where such entertainment is allowed arrangements must be enforced to ensure that children are not exposed to any inappropriate acts or material.

22.22 Steps to reduce risks to children and young persons

- Use clear signs so that people are aware when and where children are welcome in the premises
- Display signs and adhere to laws relating to alcohol and children
- Have a clear policy for dealing with children on their premises, e.g. age, thresholds, supervision, expectations of adults, timings, etc.
- Age-identification procedures used – national, local, premises schemes
- How expectations on adults are enforced e.g. instructions to staff
- Vetting procedures for staff, to ensure that no unsuitable adults are employed
- Staff should be easily identifiable (uniform or badge) and aware of safeguarding issues
- Policy on clearing glasses to minimise opportunities for children to access left-over alcohol
- Minimise the risk of passive smoking with clearly defined 'smoking' areas to which children have no access.
- Use CCTV to monitor the premises/event including toilet and play areas.

22.23 The risks vary depending on the style and character of the business but premises can be involved in the following ways:

- If an adult venue (night clubs/sex entertainment venue) is frequented by underage customers this can attract perpetrators; or if a premises (or event) hosts under 18 events or mixed age activities
- Where underage drinking takes place, children and young people are vulnerable as their judgement is impaired
- There is a risk of child sexual exploitation (CSE) at premises where goods or services can be offered in exchange for sexual favours (such as free food, transport, drinks, cigarettes, or free access to a venue). This can happen if a perpetrator is employed there (or works voluntarily) and has regular or private contact with children
- Children and young people are vulnerable in areas of premises that are not monitored (such as toilets, beer gardens)
- Risk may present if information technology is in use at a premises (internet, mobile phones/cameras/video recorders)
- Premises providing facilities for private parties, private dancing/entertainment booths or overnight accommodation may be vulnerable to child sexual exploitation

22.24 What can licensees do to manage this risk?

Under the Licensing Act 2003, the 'due diligence' defence can be used to protect your business, if you can demonstrate that all reasonable steps have been taken to manage risk. Here are some suggested safeguarding measures to help evidence 'due diligence' and keep children safe:

- Undertake a written children and young people's risk assessment and use it to inform your operating policy and staff training
- Staff should be trained to recognise indicators of child sexual exploitation and know how to report concerns
- Staff should be trained to operate an age verification scheme, know what types of identification are acceptable and to recognise signs of proxy purchase of alcohol
- Staff training records should be maintained
- Activity at the premises should be monitored (for example using CCTV or by regular patrols. Patrol records should be maintained)
- Suspicious activity should be reported to the police (including details such as vehicle registration numbers, description of individuals) and should be recorded in your incident log
- If you, or your staff, are in a situation involving the supervision of a vulnerable young person at your premise, it is important to follow a consistent and auditable protocol.
- If you have a delivery service (for example hot food) enforce a Code of conduct to promote good safeguarding when deliveries are made to unaccompanied children.

The authority recognises that training is a key factor for applicants to demonstrate and evidence how they will monitor and maintain standards to promote the licensing objectives. Applicants are recommended to use specialised accredited training providers where appropriate.

22.25 Film classifications

Where a Premises Licence authorises the exhibition of films, the licence must include a condition requiring the admission of children to films to be restricted in accordance with:

- EITHER the BBFC classification;
- OR where the film is not classified by the BBFC, any recommendations made by the licensing authority.

In accordance with the Guidance issued under s182 of the Licensing Act 2003, the licensing authority shall concern itself primarily with the protection of children from harm when classifying films. It will not use its powers to censor films save where there is clear cause to believe that this is required to promote the Licensing Objectives.

22.26 The Guidance states: 'The protection of children from harm includes the protection of children from moral, psychological and physical harm and this would include the protection of children from too early an exposure to strong language and sexual expletives, for example, in the context of film exhibitions or where adult entertainment is provided.'

22.27 The licensing authority considers the classification system used by the BBFC to be nationally understood and accepted. It will therefore use this system and any amendments

thereto, as a reference point for determining its recommendation(s) on the restriction of access of children to the film(s). It should be noted however that the licensing authority is not obliged to follow these guidelines.

22.28 Requests for certification by the licensing authority should be made at least 28 days in advance of the proposed screening date and submitted to the Licensing Unit.

Requests should include:

- (a) a DVD copy of the film
- (b) details of any existing classification issued by an existing classification body, whether within or outside the UK
- (c) a synopsis identifying the material within the film considered by the exhibitor to be likely to have a bearing on the age limit for the audience for exhibition of the film
- (d) such recommendation as may have been made by the film-maker upon age limit for the intended audience for exhibition of the film
- (e) proposal of age restriction by the applicant

22.29 Applicants should note that where its discretion is engaged following the consideration of relevant representations, the Licensing Authority will consider attaching appropriate conditions

Section

23 Guide to Licensing Policy- How can we help?

23.1 Residents can play a significant role in contributing to the effective implementation of this Licensing Policy. The impact of licensed premises will naturally be most felt at a local level and it is important that residents and businesses have an active involvement in the licensing process and understand how they can do this. In order for premises to provide any of the above activities, the operator must obtain authorisation from Haringey in its role as licensing authority.

The authorisation may be in the form of a Premises Licence, a Club Premises Certificate or a Temporary Event Notice.

Where an application for a new Premises Licence or Club Premises Certificate is made to the licensing authority or for variation of an existing licence or certificate, consultation is required with Responsible Authorities as defined under the Licensing Act 2003. Details of the Responsible Authorities can be found at Appendix 1.

23.2 Relevant information for residents and other persons

An application will consist of (among other things) an operating schedule, which details the licensable activities applied for as well as specifying during which times and on which days they would be conducted. In the operating schedule, the licensee also sets out any steps they propose to take in order to address the four Licensing Objectives. Local residents and businesses can play an important role in the licensing process as it will be they who are most likely to be directly affected. This section provides useful information on understanding how to find out about applications and submit any comments (representations) in respect of them. Representations do not have to be objections and can be made in support of an application.

In this section, references to 'licences' shall also be relevant to 'Club Premises Certificates'. Further useful information and guidance can be found on the Council's website at www.haringey.gov.uk/licensing and also at <https://www.gov.uk/alcohol-licensing>.

23.3 Finding out about the application

Applicants for new licences and variations to existing licences are required to advertise the application in two ways by:

1. Placing a notice at or on the premises
 - On A4 (or larger) pale blue paper (or on white paper, in the case of an application for a Minor Variation)
 - Printed legibly in black ink or typed in a font of at least 16 point
 - Placed prominently at or on the premises where it can be conveniently read from the exterior of the premises
 - Placed every 50 metres on the external perimeter of the premises abutting any highway (where applicable).

- 2 . Placing a notice in a newspaper (not applicable for a Minor Variation)

- Newspaper circulation must be in the vicinity of the premises (or if there isn't a local paper, in a local newsletter or circular)

- Advertisement will be at least once in the ten days following the application being given to the licensing authority.

23.4 Both of these notices are required to give a brief description of the application. A notice will also be published through the Council's website (www.haringey.gov.uk) outlining key details in respect of an application, including:

- The name of the applicant or club;
- The postal address of the applicant or club;
- The postal address and, where applicable, the internet address where we keep our licensing register and where and when the record of the application may be inspected;
- The date by which representations from responsible authorities or other persons should be received and how these representations should be made; and
- That it is an offence to knowingly or recklessly make a false statement in connection with an application and the maximum fine for which a person is liable on summary conviction for the offence.

It is advised to regularly check the Council's register of licence applications and notices on premises in your local area.

23.5 Representations

If you want your views to be considered by the Council in respect of a particular application, you must submit a 'relevant representation'. A relevant representation must:

- (a) be made by any person or Responsible Authority (see Appendix 1)
- (b) be made in writing to the licensing authority
- (c) be received by the licensing authority no later than 28 days after the date the application was made (ten days for a minor variation)
- (d) relate to the likely effect of the granting of the application upon one or more of the

Licensing Objectives, which are:

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

Potential issues could include noise or disturbance from the premises, previous examples of crime and disorder associated with the premises, litter problems associated with the premises, or provision of activities not suitable for children where children could be admitted. Any representation that is considered as frivolous or vexatious by the licensing authority will not be accepted.

Representations may be made by email and the licensing authority does not require email representations to be followed up with a hard copy. Representations should be made to:

By post: By email:

The Licensing Team
Level 4, Alexandra House
10 Station Road
London N22 8HQ
Licensing@haringey.gov.uk

23.6 Good practice for making a representation

- In accordance with (d) above, you should demonstrate how your representation affects the promotion of the Licensing Objectives.
- Provide an evidential base for the grounds of the representation, which could include written logs of problems, details of previous complaints, photographs or video evidence of the particular issues.
- Ensure as far as possible that the representation is specific to the premises.
- Consult the Licensing Policy. If you consider that an application has not addressed any particular issues around the four licensing objectives, then you should highlight these and explain your reasons why you think these issues should be addressed.
- Consider how you would like the issues to be addressed. For example, you may wish to propose additional or alternative conditions to those proposed in the application's operating schedule. Alternatively, you may wish to propose restricted hours or licensable activities.
- If you are making a representation in support of an application, explain how the proposed application would promote the Licensing Objectives.
- Representations will not be considered if they are considered 'frivolous' or 'vexatious' by the licensing authority. 'Frivolous' and 'vexatious' have their ordinary meaning; therefore, the licensing authority might disregard

representations that are made because of a business dispute between rivals or representations that lack seriousness.

23.7 Disclosure of personal details of persons making representations

The licensing authority is required to provide the licence applicant with copies of any relevant representations received in respect of the application.

The licensing authority may consider withholding some or all of a person's personal details where that person can demonstrate they have a genuine and well-founded fear of intimidation and the circumstances justify such action.

The withholding of personal details by the licensing authority will only be taken in exceptional circumstances and any person requesting their details to be withheld will be expected to demonstrate why such action is necessary.

Where a person who has concerns over an application but does not wish their personal details to be disclosed, alternative approaches include requesting a local councillor to submit a representation based on their concerns, or alternatively providing details on how the licensing objectives are likely to be undermined to a responsible authority, who may make representation, if they consider it justifiable and appropriate to do so.

23.8 The role of councillors

Councillors are able to make their own representations in their capacity as a member of the Council. If you have concerns over a premises and do not wish to submit a representation yourself, an alternative is to contact your local councillor to enquire whether they will make a representation. However, it is a matter for members whether they accept and it is recommended that such requests are made in writing so that any request can be clearly demonstrated.

Additionally, if you have made a representation, you can nominate any person, including a local councillor, to represent you at the hearing to determine the application. It is your responsibility to ensure that the nominated person is available and willing to represent you.

As above, any request should be made in writing so that the licensing authority can be satisfied the person has been nominated by you.

Where relevant representations are received in respect of an application, it will be determined at a hearing by a subcommittee of three members from the Council's Licensing Committee. The licensee and any party who has submitted a relevant representation (or their representatives) may attend in order to make submissions to the sub committee.

23.9 All applications will be considered on their own merit. Following such a hearing, the Licensing Sub committee can:

- (a) Grant the application as applied for; or
- (b) Grant the application with restricted licensable activities/hours than those applied for and/or impose additional conditions, where considered appropriate for the promotion of the Licensing Objectives; or
- (c) Refuse the application

There is a right of appeal to the Magistrates' Court against the decision of the Licensing Subcommittee by any party to the original hearing.

23.10 Licensed premises are an integral part of our communities and this Licensing Policy is a key tool in ensuring the different circumstances of our neighbourhoods are taken into account when considering licence applications.

23.11 Haringey, as the licensing authority, is committed to ensuring that licensed premises are an asset to their locality and respect the character and identity of the area through the implementation of this Licensing Policy. However, where licensed premises fail to promote the Licensing Objectives, the licensing authority will take appropriate steps to address any such licence-related issues.

23.12 The licensing authority considers it extremely important that licensed premises operate as good neighbours within their community. Operators of licensed premises are encouraged to consult with local residents and businesses prior to submitting applications to ensure they are aware of, and can address, any needs or concerns they may have. Additionally, existing licensed premises are encouraged to have regular dialogue with residents and businesses in the local area in ensuring the promotion of the Licensing Objectives on an ongoing basis.

24 Section Compliance and Enforcement

It is essential that licensed premises comply with the terms of their licence as well as other requirements of the Licensing Act. Equally important is ensuring that premises not licensed to provide licensable activities are prevented from doing so. The licensing authority works particularly closely with the Responsible Authorities, including its partners such as the Police and Fire Authority, based upon the principles of partnership working, in order to most effectively address licensing-related issues.

- 24.1 Enforcement action has been taken in respect of issues including unlicensed premises, underage sales, and breaches of licence condition by the Responsible Authorities such as the Police, Environmental Health and Trading Standards. The licensing authority takes a risk-based and proportionate approach to regulatory enforcement and monitoring in relation to the likely impact of the premises upon crime and disorder, public nuisance, problems concerning public safety and the protection of children from harm. Therefore, higher-risk and problem premises will be targeted for enforcement activity whereas a lighter touch approach will be adopted for low risk, well-run premises. Failure to promote the Licensing Objectives may result in licence review and the possible implementation of sanctions by the Licensing Committee, including removal of licensable activities, reductions in hours or, ultimately, revocation of the licence. Additionally, where offences are committed, prosecution may be considered. The licensing authority and partner agencies shall continue to work with the licensed trade through the provision of advice, education and training, information, promotion of good practice and behaviour.
- 24.2 The principles of enforcement for the licensing authority focus on:
- Taking firm action against those who flout the law or act irresponsibly
 - Assisting businesses and others in meeting their legal obligations
 - Promptly acting on issues of concern to local communities.
- The Responsible Authorities (see Appendix 1) are available to provide advice and support for licensees as well as members of the public in relation to any problems they may be encountering relevant to licensed premises.
- 24.3 All enforcement actions are taken by the range of enforcement agents located within the council's community safety and enforcement division (including the licensing service) and are governed by the council's enforcement policy. In line with best practise all enforcement actions will be fair, consistent, transparent and proportionate. A copy of our enforcement policy may be obtained from the licensing service. Licensing@haringey.gov.uk
- 24.4 All proactive premises inspections will be undertaken on a risk-assessed basis with resources targeted toward agreed problem and high-risk premises, which require greater attention. A lighter touch will be applied in respect of low risk premises, which are well run.
- 24.5 Other enforcement activities will be intelligence led using the full range of available information sources, including using complaints and referrals from the local community and reports from officers and partner agencies. As part of the "better regulation initiative" and in order to promote effective use of enforcement resources and reduce the burden on business, the various enforcement agencies involved may from time to time look at references normally dealt with by other relevant agencies during the course of premises visits. Where issues are identified under those other agencies remit (for instance where a licensing officer notes a fire safety matter) this will be brought to the attention of the person in charge and the matter may be referred on to the agency involved. Where appropriate advice and guidance will be given.
- 24.6 This approach is supported and facilitated by the partnership night-time economy team; regular liaison meetings between the licensing service and the police licensing teams; meetings of the primary responsible authorities; and through the partnership tasking group, and local licensing enforcement group. All complaints and referrals made to such liaison meetings will be investigated appropriately. The night-time economy team also intends to provide a high-visibility reassuring presence and to establish good working relationships with venue front of house and management staff. Random visits will be made to premises to further these aims.
- Investigations may be undertaken through a range of means including overt and covert operations. This could include covert observations on premises to ensure opening hours restrictions are being complied with. In addition, weights and measures officers from the council's trading standards service or officers from the police authority will carry out covert test purchases of age restricted products including alcohol. This means underage, or young looking, volunteers are deployed to attempt to buy age restricted products or services. These tests are conducted to check compliance with the law and age verification policies (eg Challenge 25 scheme).
- 24.7 Additionally, this authority recognises the important role played in preventing crime and disorder by the Security Industry Authority by ensuring that door supervisors are properly licensed and, in partnership with the police and other agencies, that security companies are not being used as fronts for serious and organised criminal activity. This authority will look to co-operate with the SIA as far as possible and as part of this co-operation has authorised officers to act under the powers of the Private Security Industry Act 2001.
- 24.8 However, it remains the over-riding intention of this authority, the police and the other relevant enforcement agents to work together at all times with responsible licence holders and operators to help run successful venues and facilities that play a positive role within the local community. We will look to provide support, advice and education and give

early warning of any concerns identified at any premises. In return we expect licence holders to act responsibly and work together with us. However, the authorities will use the range of enforcement powers made available under the Act where individuals act with disregard to their responsibilities.

In demonstration of this, this authority will provide induction meetings with new licensed operators, intended to make clear the responsibilities of and expectations made of operators and the support that can be expected in return.

This authority also supports pub and club watch and is willing to support business led initiatives intended to help promote the licensing objectives. Together we will ensure that Haringey remains a great place to live, work and visit.

25. Pubwatches and Off-licence Forums

Such schemes are demonstrations of good practice by the licensed trade and are supported by the Council as well as partner agencies such as the Police and the NHS. Haringey will encourage licensees to participate in such local groups, or for them to seek to establish new ones where none currently exist. We will endeavour to provide as much support as possible to any members of the trade looking to work together with neighbouring residents and businesses to ensure the promotion of the Licensing Objectives.

26. Best Bar None

The Best Bar None is an awards scheme for licensed premises, currently running in over 80 locations across the UK. Best Bar None schemes provide an incentive for the operators of licensed premises to improve their standards of operation to the level of a commonly agreed national benchmark.

CONTACT DETAILS

THE LICENSING SERVICE

Advice and Guidance

Further details of the licensing application processes and copies of application forms can be obtained from the licensing service. You can contact the service

In writing

The Licensing Service
River Park House, Level 1, 225 High Road, Wood Green, London N22

By phone: Customer service centre on
0208489 1335

By e-mail: licensing@haringey.gov.uk

By visiting the web site: <http://www.haringey.gov.uk>

Responsible Authorities –APPENDIX 1

Licensing Authority London Borough of Haringey Licensing Team Level 4 Alexandra House 10 Station Road Wood Green	Police Metropolitan Police Service Tottenham Police Station
---	--

<p>London N22 8HQ</p> <p>Tel: 0208 489 8232 Fax: 0208 489 5528 Email licensing@haringey.gov.uk</p>	
<p>Fire LFEPA Fire Safety Regulation: North West Area 1 London Fire Brigade 169 Union Street London SE1 0LL</p> <p>Tel 0208 555 1200 X53252</p>	<p>Children's and Young Peoples Service. Alexandra House 10 Station Road, Wood Green London N22</p>
<p>Planning & Regeneration Service Group Level 2 Alexandra House 10 Station Road Wood Green London N22 8HQ</p> <p>Tel: 0208 489 1000 Fax: 0208 489 5220 Email: development.control@haringey.gov.uk</p>	<p>Health, Safety & Food Protection Group Alexandra House 10 Station Road Wood Green N22 8HQ</p> <p>Tel: 020 8489 1000 Email frontline@haringey.gov.uk</p>
<p>Trading Standards Level 1 River Park House 225 High Road London N22 8HQ</p> <p>Tel 020 8489 5134 Fax 020 8489 5554 Email tradingstandards@haringey.gov.uk</p>	<p>Building Control Level 6 River Park House 225 High Road Wood Green N22 8HQ</p> <p>Tel 020 8489 5504 Fax 020 8489 5229 Email building.control@haringey.gov.uk</p>
<p>Director of Public Health London Borough of Haringey Level 4 River Park House 225 High Road London N22 8HQ</p>	<p>The Enforcement Response Service (Noise) Level 1 River Park House 225 High Road Wood Green N22 8HQ</p> <p>Tel: 020 8489 1000</p>

APP 2 - Model Conditions

When submitting an application under the Licensing Act 2003 for a new premises licence, club premises certificate, or to vary either of these authorisations, it is important that applicants clearly outline how they will promote the four licensing objectives within the operating schedule of their application.

The four licensing objectives are:

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

Haringey London Borough Council's Licensing Authority has provided the following list of licensing conditions to assist applicants with potential conditions that can help their business promote the four licensing objectives, while also ensuring consistency in wording throughout the borough.

The conditions provided should not be seen as 'standard conditions' to be automatically applied to all premises licences and club premises certificates. Instead, they are intended to offer a variety of possible conditions that may be relevant depending on specific circumstances. The wording of these conditions may need to be adjusted to fit a particular purpose.

While all premises licences and club premises certificates are subject to Mandatory Conditions prescribed by the Licensing Act 2003, it should be noted that each application submitted to the Licensing Authority shall be judged on its own merits. There is no one-size-fits-all approach when consulting on applications made under the Licensing Act 2003. It is important to find the right balance between promoting the four licensing objectives and implementing conditions that fit the business model. Each condition put forward within an application should be proportionate, justifiable, and capable of being met.

In practice, this means that applications for different business models should align with the nature of their business. For instance, an application for a newsagent should differ from one for a nightclub. This should be reflected in the appropriate control measures implemented to promote the four licensing objectives within their operating schedule.

The proposed pool of conditions is not intended to be an exhaustive list. There is an expectation that

applicants possess the knowledge and awareness of the steps necessary to promote the four licensing objectives.

Furthermore, the pool should not limit any applicants, responsible authorities, or any other persons from proposing alternative or additional conditions if they believe it is necessary. Likewise, it does not restrict the Council's Licensing Sub-Committee from imposing conditions following a hearing.

The Council understands that certain applications will be for time limited "one off events". It is therefore advisable that you contact licensing @haringey.gov.uk.

Further to this, the Council has included conditions pertaining to applications that intend to permit on-sales of alcohol within the Spurs footprint, aiming to welcome patrons attending events at the Stadium. This has been done with input from the Metropolitan Police.

It should be noted that any conditions proposed by applicants within their initial application will be added to their premises licence unless they are deemed unnecessary and fall outside the scope of the four licensing objectives. The Section 182 guidance states that conditions that duplicate other legislation should not be added to a premises licence (e.g., a condition stating "All employees shall have the correct right to work documentation before undertaking employment" is unnecessary as this is already required by the Immigration Act 2016).

Applicants and premises licence holders should be mindful that failure to adhere to any of the conditions stipulated within their premises licence could result in committing a criminal offence each time they undertake licensable activities. This is pursuant to Section 136(1)(a) of the Licensing Act 2003 (Unauthorised licensable activities), as any licensable activity would not be in accordance with the lawful authorisation of their premises licence.

Offences committed under the Licensing Act 2003 and/or non-compliance with conditions could result in the premises licence being called into review, where it could ultimately be revoked. Furthermore, persons liable for any offences committed under the Licensing Act 2003 in relation to their permitted authorisation could also face an unlimited fine and/or imprisonment for up to 6 months if prosecuted.

The prevention of crime and disorder.

General:

1. The premises shall install, operate, and maintain a digital colour CCTV system. The CCTV system shall continually record whilst the premises are open for licensable activities and all recordings shall be kept for 31 days.
2. CCTV footage shall be made available to the Police and any authorised Officers from Haringey Council upon request. CCTV footage shall be provided on removable media (i.e., USB, hard drive, CD etc..) within 48 hours of request.
3. The CCTV system shall display on any recordings, the correct date and time of the recording.
4. The CCTV system shall be capable of obtaining clear facial recognition images of every person entering or leaving the premises with further CCTV cameras covering the areas stipulated on the premises plan.
5. The CCTV system shall capture the entirety of any external area either used by the premises or

used by patrons.

6. A member of staff who is conversant with the operation of the CCTV system shall always be available at the premises whilst the premises are open to the public.
7. Signage stating that CCTV is in operation shall be clearly and prominently displayed at the premises.
8. An incident log shall be kept at the premises, and made available for inspection on request to an authorised officer of Haringey Council or the Police, which will record the following:
 - a) any incidents of crime and disorder. *(Delete as appropriate)*
 - b) any customers barred from the premises. *(Delete as appropriate)*
 - c) any ejections from the premises. *(Delete as appropriate)*
 - d) seizures of drugs or offensive weapon *(Delete as appropriate)*
 - e) any complaints received. *(Delete as appropriate)*
 - f) any faults in the CCTV system *(Delete as appropriate)*
 - g) any visit by a relevant authority or emergency service. *(Delete as appropriate)*
9. Any entries into the log shall be made within 24 hours of any incident and shall contain the time/date of the incident, the nature of the incident, a description of the people involved, the action taken and details of the person responsible for the management of the premises at the time of the incident.
10. Staff training shall be undertaken by all members of staff involved with licensable activities. Additionally, all staff shall undergo refresher training every 12 months which shall also be recorded. Staff training shall include the following topics:
 - Age verification policy *(Delete as appropriate)*
 - CCTV operation *(Delete as appropriate)*
 - Conflict management *(Delete as appropriate)*
 - Operating procedures *(Delete as appropriate)*
 - Proxy Sales *(Delete as appropriate)*
 - Permitted hours and relevant conditions *(Delete as appropriate)*
 - Regular robbery awareness and cash minimisation *(Delete as appropriate)*
11. Training records shall include the time/date of the training, staff members name, training topic and must be signed off by the relevant staff member and the respective premises licence holder/designated premises supervisor/duty manager.
12. A copy of staff training shall be available upon request by Police and authorised officers from Haringey Council.

Pubs, bars & nightclubs:

13. A minimum of xx SIA licensed door supervisors shall be on duty after xx:xx on Monday/ Tuesday/ Wednesday/ Thursday/ Friday/ Saturday/ Sunday. *(Delete as appropriate)*
14. At least X SIA licensed door supervisors shall be at the entrance of the premises after xx:xx Monday/ Tuesday/ Wednesday/ Thursday/ Friday/ Saturday/ Sunday. *(Delete as appropriate)*
15. All SIA licenced door supervisors shall wear clothing that can be clearly and easily identified.
16. A log shall be kept of the SIA door supervisors working on any night to include their full name, date of birth, Security Industry Authority licence number, company and booking on-off times. A copy of SIA door supervisor log shall be available upon request by Police and authorised officers from Haringey Council.
17. The premises licence holder shall undertake a written search policy as a preventative measure to negate patrons from bringing in any prohibited drugs, weapons, or any other unlawful item onto the premises.
18. An ID scanning system or electronic/biometric verification technology approved in writing by the licensing authority must be operated at the premises at all times it is open to the public. All persons entering the premises must provide verifiable ID and record their details on the system.
19. There shall be no entry by patrons to the premises after xx:xx hours.
20. There shall be no re-entry after xx:xx hours except for smokers who will be permitted re-entry via a hand stamp system.
21. There shall be at least xx members of staff on site after xx:xx hours.
22. There shall be no glass vessels permitted outside the area defined on the premises plan.
23. There shall be no glass permitted in the outside seating area, and all drinks must be decanted into either toughened glass, polycarbonate material or any other type of plastic vessel.
24. All drinks must be decanted into either toughened glass, polycarbonate material or any other type of plastic vessel.
25. All staff shall be made aware of the Ask for Angela/Clive Campaign or any other similar initiative. Posters shall be displayed at the premises to raise awareness for customers.

Restaurants:

26. Alcohol sold for consumption on the premises shall only be made by waiter service to seated customers, shall be ancillary to the provision of table meal.
27. Alcohol sold for consumption on the premises shall only be made by waiter service to seated customers, and there shall be no sales of alcohol at bar/service area.
28. There shall be no vertical drinking at the premises and all alcohol shall be consumed by seated patrons.

29. Alcohol sold for consumption off the premises shall be in sealed containers only and supplied ancillary to a meal.

Newsagents, off-licences, and supermarkets:

30. There shall be no high strength beers, lagers, and ciders above 6.0% ABV shall be stocked or sold.
31. There shall be no single cans or bottles of beer or cider shall be sold at the premises.
32. There shall be no miniatures under XXcl of spirits or wine sold at the premises.
33. There shall be no self-service of spirits on the premises with all spirits being located behind counter.
34. The premises licence holder shall display notice warning customers against drinking on the street in line with Haringey Council's Public Spaces Protection Order.

Public safety.

General:

1. The maximum number of persons (including staff members) allowed on the premises at any given time shall not exceed xx persons.
2. The premises licence holder shall ensure that a suitable method of calculating the number of people present during licensable activities is in place.
3. All entry and exit points (including fire exits) shall be free from any obstructions.
4. The premises licence holder shall ensure that an in date first aid kit shall always be available at the premises with a trained first aider on duty whilst the premises is undertaking licensable activities.

Large pubs, bars & nightclubs:

5. The premises licence holder shall produce an Evacuation Plan, Crowd Management Plan, Entry/Exit Plan (*Delete as appropriate*). These plans will be reviewed on a yearly basis and shall be made available to officers of Haringey Council and the Police upon request.

The prevention of public nuisance.

General:

1. Clear and legible notices shall be prominently displayed at the exit requesting patrons to respect the needs of residents when leaving the premises.
2. The placing of bottles into receptacles outside the building shall not be permitted between xx:xx hours & xx:xx hours the following morning.
3. Deliveries shall only be made to the premises between xx:xx and xx:xx hours.

Pubs, bars, nightclubs, and restaurants:

4. There shall be no licensable activities or consumption of alcohol permitted in any external area after xx:xx hours on any day.
5. Ingress and egress notwithstanding, all doors and windows shall remain shut beyond xx:xx hours.
6. Ingress and egress notwithstanding, all doors and windows shall remain shut during any regulated entertainment.
7. Any amplified music and/or speech shall not be permitted in the external areas.
8. The premises licence holder shall make available and publish an up-to-date telephone number for residents to make contact if there are any issues relating to noise.

Takeaways

9. All orders placed shall be made by way of arranged collection or delivery while the premises is undertaking licensable activities.
10. During licensable activities, the premises shall be closed to walk-in customers, except for those already collecting pre-placed orders.
11. There shall be no provision for customers to consume their meal on the premises during the hours permitted for licensable activities.

The protection of children from harm

General:

1. A Challenge 25 proof of age scheme shall be operated at the premises where the only acceptable forms of identification are recognised photographic identification cards, such as a driving licence, passport, or proof of age card with the PASS Hologram.
2. A Challenge 25 notice shall be conspicuously displayed at the point of sale.
3. A notice stating "No proof of age – No sale" shall be displayed at the point of sale.
4. A logbook shall be kept recording all refused sales of alcohol. The log shall contain the time/date of the refusal, a description of the customer, the name of the staff member who refused the sale, the reason the sale was refused and any other relevant observation. The refusals register shall be made available for inspection upon request of an authorised officer of a Haringey Council and the Police.

Newsagents, off-licences, and supermarkets:

5. Notices shall be conspicuously displayed at the point of sale reminding customers that proxy sales are unlawful.
6. The premises licence holder shall ensure that all tills in operation at the premises automatically provide age-related prompts to staff to check the age of the buyer when alcoholic products are passed through the till, or entered onto the till, for sale.
7. The DPS shall produce a written list of all staff members who are authorised to sell alcohol on behalf of the DPS. This list shall have the staff members name, the signature of the staff member and the authorisation date.

Pubs & bars

8. There shall be no unaccompanied children under the age of 18 permitted at the premises after xx:xx hours.
9. There shall be not children under the age of 18 permitted at the premises after xx:xx hours.

Online Sales Provision

1. **Age Verification:** The opening page on the website shall require the visitor to confirm that they are over 18 years old and to confirm their date of birth before they can continue. Any online orders shall be processed with online age verifications that are appropriate to and in accordance with PAS 1296:2018 (Online age checking. Provision and use of online age check services).
2. **Sales Channels:** There shall be no telephone sales of alcohol. Any sales of alcohol shall only be made through the company website, company application, or legitimate delivery company.
3. **Delivery Contracts:** The premises licence holder shall ensure that there is a valid contract in place between themselves and any delivery company in which a robust age verification policy is undertaken.
4. **Minimum Age for Delivery Drivers:** The minimum age for any delivery drivers shall be 18.
5. **Customer Information:** The customer must provide their full name and address (including postcode) when placing an order.
6. **Delivery Restrictions:** The premises licence holder shall ensure that all orders containing alcohol shall only be delivered to a residential or business address and not to a public place. All deliveries must be completed by way of a signature or photo.
7. **Warning Notices:** Prior to or at the time an order is placed, warning notices shall be presented to the person placing the order that they must be over 18 years of age to lawfully buy alcohol and that any attempted proxy sales would be considered a criminal offence.
8. **Incident Log:** An incident log shall be kept at the premises and always made available for inspection upon request by an authorised officer of Haringey Council or the Police. The incident log shall record the following:
 - (a) Any complaints received in respect of activities at the premises or resulting from orders dispatched from the premises.
 - (b) Any incidents occurring at the premises or in relation to orders dispatched from the premises.
 - (d) Any visit to the premises by a relevant authority or emergency service.
 - (e) Any faults with the CCTV system.
9. **Delivery Refusals:** All delivery drivers shall refuse delivery if:
 - (a) The person receiving the delivery is underage or does not have acceptable identification.
 - (b) Appears to be under the influence of alcohol or drugs.
 - (c) Appears to be a proxy sale.
 - (d) If the person seeking to accept the delivery does not appear to live at, or have the right to be at, the premises address (i.e., waiting on the street outside).
10. **Refusal Log:** The premises licence holder shall ensure that a log is kept recording all refusals of alcohol sales. The log shall contain the time/date of the refused sale, a description of the customer, the address of the customer, the name of the staff member/delivery driver who refused the sale, and the reason the sale was refused.
11. **Return of Undelivered Orders:** If delivery is not made for any reason, the driver shall return the order to the warehouse.
12. **Terms & Conditions:** The right to refuse the sale of alcohol shall be stipulated within the company's terms & conditions.
13. **Public Access:** Members of the public shall not be permitted access to the premises to buy, collect, browse, or be supplied directly with alcohol at any time.

1. and if necessary, comply with any direction given by a senior Police Officer, or Licensing Authority, on duty at the event. These directions may include:
 - a. Cease the sale of alcohol for a specified amount of time. This shall be monitored, and the supply of alcohol reinstated as soon as is possible.
 - b. Closing the entire premises for a specified amount of time. This shall be monitored, and the premises reopened as soon as possible.

Pubs/bars

1. During large event/Football days, all moveable furniture in designated external areas shall be removed.
2. During large/football event days, customers shall not be allowed to congregate outside (licensable area) the premises.
3. The area and the entrance into the external area shall be suitably supervised by a minimum of one SIA supervisor or staff member.

Restaurants

1. On football/event days, alcohol shall only be supplied as an accompaniment to a substantial meal, whilst seated at a table.
2. On football/ event days, signage shall be displayed at suitable points in the premises stating that alcohol shall only be supplied ancillary to a seated table meal.
3. On football/ event days, vertical drinking shall not be permitted at the premises and all alcohol shall be consumed by seated patrons.
4. On football/ event days no pavement licensed area shall have effect.

Equality Impact Assessment (EQIA)

The Equality Impact Assessment (EQIA) form is a template for analysing a policy or proposed decision for its potential effects on individuals with protected characteristics covered by the Equality Act 2010.

The council has a Public Sector Equality Duty under the Equality Act (2010) to have due regard to the need to:

- Eliminate discrimination, harassment and victimisation and any other conduct prohibited under the Act
- Advance equality of opportunity between people who share protected characteristics and people who do not
- Foster good relations between people who share those characteristics and people who do not

The three parts of the duty apply to the following protected characteristics: age, disability, gender reassignment, pregnancy/maternity, race, religion/faith, sex and sexual orientation. Marriage and civil partnership status applies to the first part of the duty.

Although it is not enforced in legislation as a protected characteristic, Haringey Council treats socioeconomic status as a local protected characteristic.

1. Responsibility for the Equality Impact Assessment

Name of proposal: Revision of Statement of Licensing Policy

Service Area: Regulatory Services

Officer Completing Assessment: Daliah Barrett

Equalities Advisor: Guy Latham

Cabinet meeting date (if applicable): N/A

Director: Eubert Malcolm

2. Executive summary

Please complete this section *after* completing the rest of the form and summarise:

- The policy proposal, its aims and objectives, the decision in consideration. Please focus on **the change** that will result from this decision.
- Results of the analysis: potential positive and negative equality impacts
- Mitigations that will be taken to minimise negative equality impacts (if relevant)
- Next steps (this may include: if/when the EQIA will be refreshed, planned consultation, future stages of the project).

Haringey Council is the licensing authority under the Licensing Act 2003 and is responsible for granting licences in the borough in respect of a wide variety of activities. These are:

- The sale and/or supply of alcohol.

- The provision of regulated entertainment (which includes music and/or dance, theatres, cinemas, indoor sporting events).
- Late night refreshments.

All activities that come within the definition of the 2003 Act are covered. This would cover personal licences, which are held by individual licensees, registered supervisors, and premises licences, including clubs (premises certificates) and temporary events (permissions).

All licences/permissions relating to a premises is termed as a premises licence. The 2003 Act requires that the council, after consultation, adopts and publishes a licensing policy, which is reviewed every five years. The council will apply the policy when making decisions on applications made under the Act. However each individual application must still be treated on its own merits and proper consideration must be given to each individual application.

The policy must be reviewed and ratified by Full Council by November 2025. This Statement of Licensing Policy has been prepared in accordance with the provisions of the Licensing Act and the published guidelines made under Section 182 of the Act. The policy has, as required by legislation, be consulted on and reviewed. The new guidelines issued by the Secretary of State have also been taken into account.

The new Statement of Licensing Policy will have some level of impact for: public services, particularly those with an enforcement role; residents, particularly those that live near areas with alcohol-related or late night economy impacts; and the owners, operators, staff and customers of premises licensed to sell alcohol. The Statement of Licensing Policy may also have some impact on individuals who suffer alcohol-related harms, and their families and communities.

It is unlikely that the new Statement of Licensing Policy will have any impact on the equalities of the protected characteristics. The application of the Statement of Licensing Policy is universally applied to all residents, visitors and businesses in Haringey regardless of the protected characteristics. The Statement of Licensing Policy does provide a policy framework for the application of the Licensing Act 2003 which includes a restriction on any sales of alcohol to those under the age of 18 years old.

The evidence of impact only relates to age, the legislation underlying the SOLP has a restriction on the sale of alcohol to only those 18 years old and over. There is a body of research evidence that indicates that people under the age of 18 are more at risk of harms from alcohol purchase and consumption than those over the age of 18. As such the restriction is justified on these grounds and is the UK law.

The policy states the general principles that the council will take into account when determining each licence application on its own merits.

The Licensing Authority may depart from its own policy if the individual merits of the application warrant such a departure. In such circumstances the Licensing Authority must be able to justify its decision should there be a challenge.

The Licensing Act 2003 requires that we carry out our various licensing functions so as to promote the four licensing objectives:

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

The main stakeholders are:

- Entertainment and leisure businesses – have enjoyed a liberalisation of the laws and regulation that relates to licensable activity. The general business community have enjoyed having longer opening hours. A more liberal opening regime is considered by some to be a driver for expanding the economy and therefore, there will be prospect of more regeneration for the borough and more jobs. There will also be the prospect of generally increasing the quality of life by the provision of a more diverse and accessible entertainment's sector in the borough.
- Local residents - would be concerned at the possible increase in anti-social behaviour and the increase in noise and nuisance and the detrimental effect it may have on their quality of life. The revised policy is intended to help empower local residents and businesses by raising awareness of the statutory consultation timeframes and how they can participate in the decision making process.
- The various responsible authorities, who look to the policy as a source of reference to help them achieve the licensing objectives.

The aim of the policy has got to be the delivery of a compromise that will help deliver a more diverse entertainment environment with the economic and accessible benefits it may deliver, but not at the expense of local residents and other stakeholders who would not want their quality of life affected

Links and impact on other services, strategies, functions, or procedures. The policy sets out those areas where it will interact with other policy areas, accepting the need to avoid duplication. It is noted that any action must have regard to the Licensing Objectives and must not be ultra vires under the Licensing Act 2003.

Local aims and objectives that policy may assist with:

- Provide a safe environment for people to enjoy.

- To broaden the appeal of the late night economy
- To create an environment that attracts appropriate investment and allows responsible businesses to thrive and grow.
- To tackle alcohol related harm and to promote health and wellbeing.
- To address any negative perceptions in areas of the borough and to encourage people to work together to deliver real change.
- To give people a voice in decisions that affect them.
- To promote equality, diversity, and inclusion.

The aims are consistent with the general duties under the Equality Act to eliminate unlawful discrimination, harassment and victimisation, advance equality of opportunity and to foster good relations. A safer, welcoming borough and time economy with a broader appeal would serve to promote equality particularly between those persons with protected characteristics.

No policy can undermine the right of an individual to have their application determined on its relative merits or to make relevant representations against an application. The policy is subject to further consultation. Any person aggrieved by a decision has the right of appeal.

The Statement of Licensing Policy has been refreshed and includes the following key updates:

- Updated wording on Haringey and the local economy/make-up of the borough.
- Updated wording on child exploitation in the policy.
- Removal of text which restates an existing statutory requirement from other legislation.
- A new section on protection against terrorist acts.
- Wording updated on recommended framework hours.
- Updated wording on public nuisance, including controlling noise break out and general nuisance.
- Inclusion of sexual harassment and gender based violence. Promotion of WAVE and ask for Angela schemes in the policy.
- Wording on environmental sustainability.

The majority of the matters listed above were already contained in the policy but have been refreshed to promote the Licensing Objectives and to uphold the principles of the Licensing Act 2003 at a local level.

The revised policy seeks to reflect changes in the national legislation, and associated guidance, and to more closely reflect the council's own vision and values.

Other changes are designed to promote a safe and welcoming offer and to create a sense of place, which should help to broaden the appeal of the borough as a whole.

It is a borough wide policy, all interested parties have the right to make representation on a licence application.

There are broadly two groups impacted by this policy – those applying for a license and people in the community impacted by the decisions made as a result of this policy.

No equalities data is collected from applicants for licenses as the majority of applications go through an E-Gov portal which does not require this information. **NB** the Council has no control on the questions asked on the application forms.

In terms of the impact on the community, the assessment is based on the extent to which the policy is able to meet its objectives of:

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

3. Consultation and engagement

3a. How will consultation and/or engagement inform your assessment of the impact of the proposal on protected groups of residents, service users and/or staff? Detail how your approach will facilitate the inclusion of protected groups likely to be impacted by the decision.

The consultation will be emailed out to:

- Local Residents and Tenants associations
- Responsible Authorities
- Local Businesses
- Religious bodies and organisations
- Relevant and associated business organisations
- Regeneration Team
- Parks Service
- Local holders of On & Off licences,
- Licence holders
- Local Councillors

Information will be provided in translated versions.

3b. Outline the key findings of your consultation / engagement activities once completed, particularly in terms of how this relates to groups that share the protected characteristics

To be updated following consultation.

4. Data and Impact Analysis

Note: officers may want to complement their analysis with data from the State of the Borough and ward profiles, found here: <https://www.haringey.gov.uk/local-democracy/about-council/state-of-the-borough>.

Please consider how the proposed change will affect people with protected characteristics.

4a. Age

Data

Borough Profile¹

- 54,422: 0-17 (21%)
- 71,660: 18-34 (27%)
- 63,930: 35-49 (24%)
- 46,516: 50-64 (18%)
- 27,706: 65+ (10%)

Target Population Profile

This is a borough-wide proposal; therefore the target population profile is identical to the borough profile.

What data sources will you use to inform your assessment of the impact of the proposal on people under this protected characteristic?

- Residents Survey 2021
- Corporate Plan EQIA
- Police Crime Reports

Detail the findings of the data.

- a) **Might members of this group be disproportionately affected by the proposal due to overrepresentation? How does this compare with the wider demographic profile of the Borough?**
- b) **Might members of this group be disproportionately affected by this proposal as a result of a need related to their protected characteristic?**

Haringey has a relatively young population with a quarter of the population under the age of 20, and 91% of the population aged under 65 (89% London and 83% England).

The largest age group of victims of crime were between 25 and 34 years, forming 28% of all victims (13% female, 15% male). 35 to 44 year olds were the second largest group, followed by 16 to 24 year olds. Younger residents appear to be overrepresented among victims of crime.

¹ Census, 2021 – [Population and household estimates, England and Wales - Office for National Statistics \(ons.gov.uk\)](https://www.ons.gov.uk/populationandhousehold/populationandhousehold/populationandhousehold/populationandhousehold)

The largest group of suspects of crime in Haringey in 2017/18 were described as being aged between 16 and 24 years old, forming almost 1 in 3 of all suspects. The next largest suspect group was described as being aged between 25 and 34 years old (28%), followed by 35 to 44 year olds (17%).

Potential Impacts

- Consider whether the proposed policy/decision will have positive, neutral, or negative impacts (including but not limited to health impacts).

A specific aim of the policy is the protection of children from harm. The Act prohibits the sale of alcohol to those under 18 but does allow under 18's to enter licensed premises, although this is at the discretion of the management. Haringey Trading Standards carry out regular test purchasing operations designed to detect under age sales of alcohol to children. The new policy is tighter on actions following such sales, with those responsible now facing action after just one failure, as opposed to three currently. A significant proportion of new licences have conditions attached requiring licence holders to have a 'challenge 25' policy where those who look under 25 are asked for photo ID before a sale can be made.

There are no known differences for applicants.

The policy seeks to promote the licensing objectives under the Licensing Act 2003, which includes the Protection of Children from Harm. Section 5 of the policy seeks to introduce appropriate measures to promote this objective at a local level and to strengthen links to safeguarding. The promotion of a safe night time offer will help to protect all users from alcohol related crime and disorder and encourage a wider age range to enjoy a night out in a safe and responsible way. The overall impact on residents of all ages is positive.

Young people are over represented in Haringey and are over represented as victims of crime. A specific aim of the policy is to protect children from harm. Therefore this will be positive for younger people.

Fear of crime is disproportionately high among older people. Should the policy achieve its objectives to prevent crime and disorder and public safety, older people will also be positively impacted.

4b. Disability

Data

Borough Profile

- Disabled under Equality Act – 13.7%²
 - Day to day activities limited a lot – 6.1%
 - Day to day activities limited a little – 7.5%

² Census, 2021 – [Disability, England and Wales - Office for National Statistics \(ons.gov.uk\)](https://ons.gov.uk/peopleandpopulation/disability)

- 7.5% of residents people diagnosed with depression³
- 1.7% of residents diagnosed with a severe mental illness⁴
- 0.4% of people in Haringey have a learning disability⁵

Target Population Profile

This is a borough-wide proposal; therefore the target population profile is identical to the borough profile.

What data sources will you use to inform your assessment of the impact of the proposal on people under this protected characteristic?

- Residents Survey 2021
- Corporate Plan EQIA
- Police Crime Reports

Detail the findings of the data.

- a) Might members of this group be disproportionately affected by the proposal due to overrepresentation? How does this compare with the wider demographic profile of the Borough?**
- b) Might members of this group be disproportionately affected by this proposal by dint of a need related to their protected characteristic?**

There is no universal definition of disability. Here we use the Census data on long term health problem or disability and self-reported health as proxies. This shows that 14% of residents have a long term health problem that limits their day to day activity, lower than England but in line with London.

Some individuals are specifically targeted as victims of crime on the basis of prejudice relating to disability. In the year to December 2017 Haringey recorded 14 instances of disability hate crime.

Fear of crime is higher among residents with long-term illnesses and disabilities. Perceptions of safety after dark for these Haringey residents stand at 49% compared to the Haringey average of 69%.

Potential Impacts

³ NHS Quality Outcomes Framework – [Prevalence of diagnosed depression among GP registered population age 18+](#)

⁴ NHS Quality Outcomes Framework – [Prevalence of diagnosed mental health diagnosis among GP registered population age 18+](#)

⁵ PHE Learning disability profiles – <https://fingertips.phe.org.uk/learning-disabilities#page/0/gid/1938132702/pat/6/par/E12000007/ati/102/are/E09000014>

- Consider whether the proposed policy/decision will have positive, neutral, or negative impacts (including but not limited to health impacts).

There are no known differences for applicants.

The policy must be consistent with the Licensing Act 2003, and it does not override the primary legislation or the Equality Act 2010. Each case must be considered on its relative merits. It does not discriminate on the grounds of disability. Licensed premises should comply with the Equality Act 2010. Premises should seek to promote accessibility and inclusion. The prevention of crime is one of the Licensing Objectives. Licensed premises should make reasonable adjustments.

We have data on crime against disabled people which is evidence that disabled people have a high fear of crime. Should the policy achieve its objectives to prevent crime and disorder and public safety, it will have a positive impact on disabled people.

4c. Gender Reassignment

Data

Borough Profile⁶

- Gender Identity different from sex registered at birth but no specific identity given – 0.5%
- Trans woman – 0.1%
- Trans man - 0.1%

Target Population Profile

This is a borough-wide proposal; therefore the target population profile is identical to the borough profile.

What data sources will you use to inform your assessment of the impact of the proposal on people under this protected characteristic?

- Residents Survey 2021
- Corporate Plan EQIA
- Police Crime Reports

Detail the findings of the data.

- a) Might members of this group be disproportionately affected by the proposal due to overrepresentation? How does this compare with the wider demographic profile of the Borough?**

⁶ Census, 2021 – [Gender identity, England and Wales - Office for National Statistics \(ons.gov.uk\)](https://www.ons.gov.uk/peoplepopulationandcommunity/ethnicityandnationality/bulletins/genderidentityinenglandandwales/2021)

b) Might members of this group be disproportionately affected by this proposal by dint of a need related to their protected characteristic?

There is very little robust data on Haringey or the UK's trans population. However it is estimated that there are between 200,000 and 500,000 people who identify as trans in the UK.

Some groups are specifically targeted as victims of crime on the basis of prejudice relating to gender reassignment. The council does not have local data regarding victimisation based on this protected characteristic or the level of fear of crime among individuals who identify as a different gender to the one they were assigned at birth.

Potential Impacts

- Consider whether the proposed policy/decision will have positive, neutral, or negative impacts (including but not limited to health impacts).

There are no known differences for applicants.

The policy must be consistent with the Licensing Act 2003, and it does not override the primary legislation or the Equality Act 2010. Each case must be considered on its relative merits. It does not discriminate on the grounds of gender reassignment. Licensed premises should comply with the Equality Act 2010. Premises should seek to promote accessibility and inclusion.

Unknown impact – We do not have local data regarding transphobic hate crime, but it is reasonable to believe that it does occur locally. However, the scale to which this policy can reasonably be expected to improve safety or reduce crime against this group is unknown.

4d. Marriage and Civil Partnership

Note: Only the first part of the equality duty ("*Eliminate discrimination, harassment and victimisation and any other conduct prohibited under the Act*") applies to this protected characteristic.

Data

Borough Profile ⁷

- Divorced or formerly in a same-sex civil partnership which is now legally dissolved: (9.9%)
- Married or registered civil partnership: (35.8%)
- Separated (but still legally married or still legally in a same-sex civil partnership): (2.9%%)

⁷ Census, 2021 – [Marriage and civil partnership status in England and Wales - Office for National Statistics \(ons.gov.uk\)](https://ons.gov.uk)

- Single (never married or never registered a same-sex civil partnership): (45.3%)
- Widowed or surviving partner from a same-sex civil partnership: (6.1%)

Target Population Profile

This is a borough-wide proposal; therefore the target population profile is identical to the borough profile.

What data sources will you use to inform your assessment of the impact of the proposal on people under this protected characteristic?

- Residents Survey 2021
- Corporate Plan EQIA
- Police Crime Reports

Detail the findings of the data.

- a) Might members of this group be disproportionately affected by the proposal due to overrepresentation? How does this compare with the wider demographic profile of the Borough?**
- b) Might members of this group be disproportionately affected by this proposal by dint of a need related to their protected characteristic?**

Haringey has a higher proportion of couples in a registered same sex civil partnership than England and London. 0.6% (or 1,191 residents), compared to 0.2% for England and 0.4% for London.

The council does not have local data regarding levels of victimisation or fear of crime among individuals who are married or in a civil partnership.

Potential Impacts

- Consider whether the proposed policy/decision will have positive, neutral, or negative impacts (including but not limited to health impacts).

There are no known differences for applicants.

No anticipated impact – The policy must be consistent with the Licensing Act 2003, and it does not override the primary legislation or the Equality Act 2010. Each case must be considered on its relative merits. It does not discriminate on the grounds of marital status. Licensed premises should comply with the Equality Act 2010.

4e. Pregnancy and Maternity

Note⁸:

- Pregnancy is the condition of being pregnant or expecting a baby.

⁸ Equality and Human Rights Commission, 2022 – [Pregnancy and maternity discrimination](#).

- Maternity refers to the period after the birth and is linked to maternity leave in the employment context. In the non-work context, protection against maternity discrimination is for 26 weeks after giving birth, and this includes treating a woman unfavourably because she is breastfeeding.

Data

Borough Profile ⁹

Live Births in Haringey 2021: 3,376

Target Population Profile

This is a borough-wide proposal; therefore the target population profile is identical to the borough profile.

What data sources will you use to inform your assessment of the impact of the proposal on people under this protected characteristic?

- Residents Survey 2021
- Corporate Plan EQIA
- Police Crime Reports

Detail the findings of the data.

- a) Might members of this group be disproportionately affected by the proposal due to overrepresentation? How does this compare with the wider demographic profile of the Borough?**
- b) Might members of this group be disproportionately affected by this proposal by dint of a need related to their protected characteristic?**

The council does not have local data regarding victimisation based on this protected characteristic or the level of fear of crime among individuals who are pregnant or care for small children.

Potential Impacts

- Consider whether the proposed policy/decision will have positive, neutral, or negative impacts (including but not limited to health impacts).

There are no known differences for applicants.

No anticipated impact – The policy must be consistent with the Licensing Act 2003, and it does not override the primary legislation or the Equality Act 2010. Each case must be considered on its relative merits. It does not discriminate on the grounds of

⁹ Births by Borough (ONS)

pregnancy and maternity. The policy seeks to broaden the offer of family friendly premises in the borough.

4f. Race

In the Equality Act 2010, race can mean ethnic or national origins, which may or may not be the same as a person's current nationality.¹⁰

Data

Borough Profile ¹¹

Arab: 1.0%

- Any other ethnic group: 8.7%

Asian: 8.7%

- Bangladeshi: 1.8%
- Chinese: 1.5%
- Indian: 2.2%
- Pakistani: 0.8%
- Other Asian: 2.4%

Black: 17.6%

- African: 9.4%
- Caribbean: 6.2%
- Other Black: 2.0%

Mixed: 7.0%

- White and Asian: 1.5%
- White and Black African: 1.0%
- White and Black Caribbean: 2.0%
- Other Mixed: 2.5%

White: 57.0% in total

- English/Welsh/Scottish/Northern Irish/British: 31.9%
- Irish: 2.2%
- Gypsy or Irish Traveller: 0.1%
- Roma: 0.8%
- Other White: 22.1%

Target Population Profile

This is a borough-wide proposal; therefore the target population profile is identical to the borough profile.

¹⁰ [Race discrimination | Equality and Human Rights Commission \(equalityhumanrights.com\)](https://www.equalityhumanrights.com/en/race-discrimination)

¹¹ Census 2021 - [Ethnic group, England and Wales - Office for National Statistics \(ons.gov.uk\)](https://www.ons.gov.uk/peoplepopulationandcommunity/ethnicityandnationality/bulletins/census2021)

What data sources will you use to inform your assessment of the impact of the proposal on people under this protected characteristic?

- Residents Survey 2021
- Corporate Plan EQIA
- Police Crime Reports

Detail the findings of the data.

- a) **Might members of this group be disproportionately affected by the proposal due to overrepresentation? How does this compare with the wider demographic profile of the Borough?**
- b) **Might members of this group be disproportionately affected by this proposal by dint of a need related to their protected characteristic?**

Haringey is the 5th most ethnically diverse borough in the country. Over 65% of residents come from non-White British communities, compared to 20% in England and 55% in London.

Some groups are specifically targeted as victims of crime on the basis of prejudice relating to race. Haringey recorded 970 hate crimes during 1st February 2023 - 31st January 2024.

According to police categorisations, the most common ethnicity of victims is White North European (IC1), forming 46% of all victims. This is followed by Black (IC3) victims (27%) and White South European (IC2) (16%). This indicates that Black residents are over-represented among victims, relative to the proportion of Black Haringey residents (19%).

Fear of crime is highest among residents from White Other, Asian, and Black communities, with perceptions of safety after dark ranging from 62 to 64% compared to a Haringey average of 69%.

While we do not hold data on the race and ethnicity of applicants for licenses, the data shows that some groups are disproportionately represented in the criminal justice system. Young black African and Afro-Caribbean men are particularly likely to be over-represented in our criminal justice system. Therefore, the restrictions around obtaining a license when you have a criminal conviction is more likely to impact African and Afro-Caribbean men. It is important to also note that the Council is now legally obliged to carry out immigrant checks on applicants. Immigrants are disproportionately from ethnic minority backgrounds. This disproportionate impact is only likely to be relevant in a small number of cases. For example, no applicant has been turned down to date on immigration grounds.

Potential Impacts

- Consider whether the proposed policy/decision will have positive, neutral, or negative impacts (including but not limited to health impacts).

The policy must be consistent with the Licensing Act 2003, and it does not override the primary legislation or the Equality Act 2010. Each case must be considered on its relative merits. It does not discriminate on the grounds of race.

Haringey is highly diverse. Black residents are over-represented among victims of crime and fear of crime is highest among residents from White Other, Asian and Black communities. Should the policy achieve its objects to prevent crime and disorder and public safety, residents from ethnic minority backgrounds will be positively impacted. Ethnic minority background applicants may be negatively impacted based on their immigration status or criminal record. However, this is only likely to impact on a very small number of people and it can be reasonably expected that this will be outweighed by the positive benefits as referenced above.

4g. Religion or belief

Data

Borough Profile ¹²

- Christian: 39%
- Buddhist: 0.9%
- Hindu: 1.3%
- Jewish: 3.6%
- Muslim: 12.6%
- No religion: 31.6%
- Other religion: 2.3%
- Religion not stated: 8.0%
- Sikh: 0.3%

Target Population Profile

This is a borough-wide proposal; therefore the target population profile is identical to the borough profile.

What data will you use to inform your assessment of the impact of the proposal on people under this protected characteristic?

- Residents Survey 2021
- Corporate Plan EQIA
- Police Crime Reports

Detail the findings of the data.

¹² Census, 2021 – [Religion, England and Wales - Office for National Statistics \(ons.gov.uk\)](https://www.ons.gov.uk)

- a) Might members of this group be disproportionately affected by the proposal due to overrepresentation? How does this compare with the wider demographic profile of the Borough?
- b) Might members of this group be disproportionately affected by this proposal by dint of a need related to their protected characteristic?

Haringey is one of the most religiously diverse places in the UK. The most common religion was Christianity, accounting for 45% of residents, less than London (48.4) and less than England (59.4%). The next most common religions were Muslim (14.3%) – higher than London (12.3%) - and Jewish (3%). Haringey had a lower percentage of residents who were Hindu (1.8%) and Sikh (0.3%) than London (5.0% and 1.5%, respectively). A quarter of Haringey residents stated that they did not have a religion, higher than London (20.7%).

Some groups are specifically targeted as victims of crime on the basis of prejudice relating to religion. Haringey recorded 970 hate crimes during 1st February 2023 - 31st January 2024. The overall total for hate crime has increased by 23% when comparing to the previous 12-months (787).

Potential Impacts

- Consider whether the proposed policy/decision will have positive, neutral, or negative impacts (including but not limited to health impacts).

There are no known differences for applicants.

The policy must be consistent with the Licensing Act 2003, and it does not override the primary legislation or the Equality Act 2010. Each case must be considered on its relative merits. It does not discriminate on the grounds of religion, although some religions or faiths may not support the sale of alcohol as a licensable activity.

We have data on crime against people based on their religion which is evidence that minority religious groups have a high fear of crime. Should the policy achieve its objects to prevent crime and disorder and public safety, residents from religious minority groups will be positively impacted.

4h. Sex

Data

Borough profile ¹³

- Females: (51.8%)
- Males: (48.2%)

Target Population Profile

This is a borough-wide proposal; therefore the target population profile is identical to the borough profile.

¹³ Census 2021 – [Gender identity: age and sex, England and Wales - Office for National Statistics \(ons.gov.uk\)](https://ons.gov.uk/gender-identity)

What data sources will you use to inform your assessment of the impact of the proposal on people under this protected characteristic?

- Residents Survey 2021
- Corporate Plan EQIA
- Police Crime Reports

Detail the findings of the data.

- a) Might members of this group be disproportionately affected by the proposal due to overrepresentation? How does this compare with the wider demographic profile of the Borough?**
- b) Might members of this group be disproportionately affected by this proposal by dint of a need related to their protected characteristic?**

There is a relatively equal gender split in Haringey, just over half of the population is female (50.5%), in line with England and London.

Women comprise 47% of victims of all crime in Haringey and 17% of suspects, indicating under representation relative to the borough population, although this varies by nature of crime (with women overrepresented as victims of crimes such as sexual offences and domestic violence).

Potential Impacts

- Consider whether the proposed policy/decision will have positive, neutral, or negative impacts (including but not limited to health impacts).

There are no known differences for applicants.

The policy must be consistent with the Licensing Act 2003, and it does not override the primary legislation or the Equality Act 2010. Each case must be considered on its merits.

Overall, males are more likely to be the victims of crime and females are more likely to have a fear of crime. Should the policy achieve its objects to prevent crime and disorder and public safety, both groups will be positively impacted.

4i. Sexual Orientation

Data

Borough profile ¹⁴

- Straight or heterosexual: 83.4%
- Gay or Lesbian: 2.7%
- Bisexual: 2.1%

¹⁴ Census, 2021 – [Sexual orientation, England and Wales - Office for National Statistics \(ons.gov.uk\)](https://www.ons.gov.uk/peoplepopulationandcommunity/sexualorientationandgender/articles/sexualorientationandgenderinenglandandwales/2021)

- All other sexual orientations: 0.8%
- Not answered: 11.0%

Target Population Profile

This is a borough-wide proposal; therefore the target population profile is identical to the borough profile.

What data sources will you use to inform your assessment of the impact of the proposal on people under this protected characteristic?

- Residents Survey 2021
- Corporate Plan EQIA
- Police Crime Reports

Detail the findings of the data.

- a) Might members of this group be disproportionately affected by the proposal due to overrepresentation? How does this compare with the wider demographic profile of the Borough?**
- b) Might members of this group be disproportionately affected by this proposal by dint of a need related to their protected characteristic?**

3.2% of London residents aged 16 or over identified themselves as lesbian, gay or bisexual in 2013. In Haringey this equates to 6,491 residents.

Some groups are specifically targeted as victims of crime on the basis of prejudice relating to sexual orientation. In the year to December 2017, Haringey recorded 94 instances of homophobic hate crime.

There is no specific information on the proportion of users of licensed premises, further information could be sought as part of the consultation on the Statement of Licensing Policy

Potential Impacts

- Consider whether the proposed policy/decision will have positive, neutral, or negative impacts (including but not limited to health impacts).

There are no known differences for applicants.

The policy must be consistent with the Licensing Act 2003, and it does not override the primary legislation or the Equality Act 2010. Each case must be considered on its merits. There are no known premises advertising as LGBTQ+ venues.

We have data on crime against LGBTQ+ people which is evidence that LGBTQ+ people have a high fear of crime. Should the policy achieve its objectives to prevent crime and disorder and public safety, it will have a positive impact on LGBTQ+ people.

4j. Socioeconomic Status

Data - Corporate Plan

Borough profile - State of the Borough Income

- 6.9% of the population of Haringey were claiming unemployment benefit as of April 2023¹⁵
- 19.6% of residents were claiming Universal Credit as of March 2023¹⁶
- 29.3% of jobs in Haringey are paid below the London Living Wage¹⁷

Educational Attainment

- Haringey ranks 25th out of 32 in London for GCSE attainment (% of pupils achieving strong 9-5 pass in English and Maths)¹⁸
- 3.7% of Haringey's working age population had no qualifications as of 2021¹⁹
- 5.0% were qualified to level one only²⁰

Area Deprivation

Haringey is the 4th most deprived in London as measured by the IMD score 2019. The most deprived LSOAs (Lower Super Output Areas, or small neighbourhood areas) are more heavily concentrated in the east of the borough, where more than half of the LSOAs fall into the 20% most deprived in the country.²¹

Target Population Profile

What data sources will you use to inform your assessment of the impact of the proposal on people under this protected characteristic?

Consultation is open to the public.

Detail the findings of the data.

- Might members of this group be disproportionately affected by the proposal due to overrepresentation? How does this compare with the wider demographic profile of the Borough?
- Might members of this group be disproportionately affected by this proposal by dint of a need related to their protected characteristic?

¹⁵ ONS – [ONS Claimant Count](#)

¹⁶ DWP, StatXplore – [Universal Credit statistics, 29 April 2013 to 9 March 2023 - GOV.UK \(www.gov.uk\)](#)

¹⁷ ONS – [Annual Survey of Hours and Earnings \(ASHE\) - Estimates of the number and proportion of employee jobs with hourly pay below the living wage, by work geography, local authority and parliamentary constituency, UK, April 2017 and April 2018 - Office for National Statistics](#)

¹⁸ DfE – [GCSE attainment and progress 8 scores](#)

¹⁹ LG Inform – [Data and reports | LG Inform \(local.gov.uk\)](#)

²⁰ LG Inform – [Data and reports | LG Inform \(local.gov.uk\)](#)

²¹ IMD 2019 – [English indices of deprivation 2019 - GOV.UK \(www.gov.uk\)](#)

No impact .

Potential Impacts

- Consider whether the proposed policy/decision will have positive, neutral, or negative impacts (including but not limited to health impacts).

No negative impacts.

5. Key Impacts Summary

5a. Outline the key findings of your data analysis.

The principal conclusion of this EQIA is that there is no anticipated negative impact on any characteristic, and potential positive impacts as a result of the policy on sex, age, race and ethnicity. This will be tested during consultation.

This EQIA will be updated following the public consultation to address any impacts on protected characteristics that emerge during this process.

5b. Intersectionality

- Many proposals will predominantly impact individuals who have more than one protected characteristic, thereby transforming the impact of the decision.
- This section is about applying a systemic analysis to the impact of the decision and ensuring protected characteristics are not considered in isolation from the individuals who embody them.
- Please consider if there is an impact on one or more of the protected groups? Who are the groups and what is the impact?

None

5c. Data Gaps

Based on your data are there any relevant groups who have not yet been consulted or engaged? Please explain how you will address this

None

6. Overall impact of the policy for the Public Sector Equality Duty

Summarise the key implications of the decision for people with protected characteristics.

In your answer, please consider the following three questions:

- Could the proposal result in any direct/indirect discrimination for any group that shares the relevant protected characteristics?
- Will the proposal help to advance equality of opportunity between groups who share a relevant protected characteristic and those who do not?

- Will the proposal help to foster good relations between groups who share a relevant protected characteristic and those who do not?

The principal conclusion of this EQIA is that there is no anticipated negative impact on any characteristic, and some positive impacts as a result of the policy on sex, age, race and ethnicity.

7. Amendments and mitigations

7a. What changes, if any, do you plan to make to your proposal because of the Equality Impact Assessment?

None.

Further information on responding to identified impacts is contained within accompanying EQIA guidance

Please delete N as applicable

No major change to the proposal: the EQIA demonstrates the proposal is robust and there is no potential for discrimination or adverse impact. All opportunities to promote equality have been taken. If you have found any inequalities or negative impacts that you are unable to mitigate, please provide a compelling reason below why you are unable to mitigate them **Y/N**

None.

Adjust the proposal: the EQIA identifies potential problems or missed opportunities. Adjust the proposal to remove barriers or better promote equality. Clearly set out below the key adjustments you plan to make to the policy. If there are any adverse impacts you cannot mitigate, please provide a compelling reason below **Y/N**

None.

Stop and remove the proposal: the proposal shows actual or potential avoidable adverse impacts on different protected characteristics. The decision maker must not make this decision. **Y/N**

None.

7b. What specific actions do you plan to take to remove or mitigate any actual or potential negative impact and to further the aims of the Equality Duty?

Action:

Consultation is open to the public.

Application processes are set in legislation and require applicants to be age 18 or above. No action required from the Council.

Lead officer: Daliah Barrett

Timescale: End July 2025

Please outline any areas you have identified where negative impacts will happen because of the proposal, but it is not possible to mitigate them.

Please provide a complete and honest justification on why it is not possible to mitigate the:

Consultation is open to the public.

Application processes are set in legislation and require applicants to be age 18 or above. No action required from the Council.

7. Ongoing monitoring

Summarise the measures you intend to put in place to monitor the equalities impact of the proposal as it is implemented.

- Who will be responsible for the monitoring?
- What the type of data needed is and how often it will be analysed.
- When the policy will be reviewed and what evidence could trigger an early revision
- How to continue to involve relevant groups and communities in the implementation and monitoring of the policy?

Information will be requested during the consultation process.

Date of EQIA monitoring review:

October 2025

8. Authorisation

EQIA approved by (Director) Eubert Malcolm

Date **17th July 2025**

9. Publication

Please ensure the completed EQIA is published in accordance with the Council's policy.

Please contact the Policy & Strategy Team for any feedback on the EQIA process.

Statement of Licensing Policy Revision

LA required to
review policy every
5 years under
section 5 of
Licensing Act 2003

Scope

The policy statement is expected to set out, for the benefit of applicants, responsible authorities and members of the local community, how the authority intends to approach its licensing responsibilities under the Act.

Licensing Objectives

Central to the statement of policy is the promotion of the four licensing objectives

established under the Act. These are:

- ▶ The prevention of crime and disorder
- ▶ Public safety
- ▶ The prevention of public nuisance
- ▶ The protection of children from harm.

Purpose

The Council will use the Policy to make decisions about licence applications from

businesses in the borough that wish to:

- sell or supply alcohol
- provide regulated entertainment
- sell hot food or drink between 11pm and 5am (late night refreshment)

Purpose of the statement of policy is as follows:

- ▶ To reinforce to licensing committee members, the powers and constraints placed upon the local authority.
- ▶ To set out, for the benefit of all the parameters under which this authority will make its licensing decisions.
- ▶ To inform prospective licensees how likely they will be to be able to operate within its area.
- ▶ To inform local residents and licensed operators how their needs will be addressed.
- ▶ To ensure compliance with the law and prevent challenge.



Summary of main changes/amendments.

Updated legal guidance and Policy statement	Updated to reflect new Corporate Plan and Priorities.	Updated wording on Night Time Economy.	WAVE and measures to deal with women and vulnerable.
New section for Martyns Law ad capacity on licensed premises.	Framework hours updated	Alcohol health data information	New section on geography/location considerations of premises.
Application process set out.	Residents representation clarification	Conditions for businesses in the Stadium footprint	Clarify the Immigration requirements -definition of eligible persons - It restricts these applications to persons who have the right to work in the UK.

Summary of changes

- Wording updated on expectations of management of a large event
Council position on transport capability for simultaneous events
- Updated wording on Haringey expectations from licence holders-
Section 3 sets out 'policy position' on various issues.
- Applicants to consider safety of women on licensed premises/.
GLA promoted a Night Safety Charter and other schemes such as
Ask for Angela/WAVE
- Smuggled goods enforcement.
- Reviews and enforcement wording updated.

In practice..



The Policy provides the safeguards for licensing decisions taken by Council.



The Courts will 'stand in the Councils shoes' when considering appeals, so it is important that the Policy reflects the Councils expectations

Methodology

Early input from :

- ▶ Policy Officer
- ▶ Regeneration Team
- ▶ Public Health.
- ▶ Intel team
- ▶ Police
- ▶ Public and businesses

Use of datasets from:

- ▶ State of the Borough Profile
- ▶ Borough Plan
- ▶ Community Safety
- ▶ Public Health England

Consultation to be undertaken with..

Everyone will have the opportunity to contribute during the 12 weeks consultation process

- ▶ Public Health
- ▶ Police
- ▶ Policy Officers
- ▶ Place Board
- ▶ Responsible Authorities
- ▶ Data analyst
- ▶ Residents
- ▶ Businesses - Licence holders
- ▶ Regulatory Committee
- ▶ Overview and Scrutiny
- ▶ 6 week consultation

Feedback so far

Public Health have expressed an interest to have a Cumulative impact policy brought in.

Cumulative Impact Policy may be implemented where there is substantial evidence demonstrating that there are:

- a significant number or type of licensed premises concentrated in one area
 - serious problems of nuisance or crime and disorder are occurring from premises.
-
- ▶ The guidance recognises that the saturation of licensed premises in a particular area can impact on public nuisance and disorder already.
 - ▶ A CIPs will give an automatic refusal to any new business wishing to offer licensable activity in that given area and make it harder for existing business to vary the licenses to extend hours or activities.
 - ▶ At present there is no clear evidential link between the number/density of off-licences and alcohol related anti-social behaviour.
 - ▶ The Met Police would support the call for a CIPs for Off Licence in particular in High Road N17.
 - ▶ Licensing is undertaking research to evidence crimes along High Road Tottenham with alcohol as a driver.

Action	Timeline
Draft taken to Wellbeing & Climate Board	June 2025
Report taken to Lead Member and Chair of Licensing Committee for discussion	June 2025
Report taken to Licensing Committee for permission to consult on the draft policy revision; and consultation timetable.	27 th July 2025
Public Consultation/Licensing	July 2025- 8 weeks consultation to start in July- to be advertised at main Council buildings/placed on website. Statutory and public consultation to run from July to September 2025 (8 weeks)
Report taken to Environment & Scrutiny	July 2025? (May need special meeting)
Consultation ends. Consideration of consultation responses and further revision of the policy	Sept - responses compiled and preparation of reports to Well being and Climate Board and Regs Committee to report on outcomes.
Outcome report back to AD/ Wellbeing & Climate Board	Mid -October
Report back to the Licensing Committee asking the committee to consider the further draft policy revision and make recommendation for adoption of a final policy by Full Council	October TBC (Will need special meeting)
Report prepared for Full Council with recommendation to adopt	November 24 th
4 weeks public notice period.	End of December
New policy takes effect	Jan 2026

Timeline

This page is intentionally left blank

Report for: Licensing Committee - 28 July 2025

Item number: 8

Title: Revision of functions and Fees under Massage and Special Treatment.
Revision of conditions.

Report

authorised by : Eubert Malcolm –Director – Environment

Lead Officer: Daliah Barrett – Licensing Team Leader –Daliah.barrett@haringey.gov.uk

Ward(s) affected: All

Report for Key/

Non Key Decision: Non-Key

1. Describe the issue under consideration

- 1.1 The Council's income policy requires an annual review of the level of the fees and charges levied upon service users. The aim of the review is to ensure that the income generated aligns to a full cost recovery and that charges remain in line with increases being experienced in the cost of delivering services. A 5% increase has been proposed.
- 1.2 The Committee is being asked to approve the fees and charges for 2025 - 26
- 1.3 The report also sets out the updated processing functions and revised Standard Conditions that will be applied to each licence. This report has been prepared to provide the Licensing Committee with information and an update on the reform of the Massage and Special Treatment licensing function.

2. RECOMMENDATION(S)

That Licensing Committee:

- 2.1 note the contents of the report and the Appendices
- 2.2 approve the proposed changes to the Massage and Special Treatment licensing process set out in section 4
- 2.3 exercise its power under s10(1) of the London Local Authorities Act 1991 by regulation to prescribe the revised standard conditions for licensed special treatments establishments and the revised special conditions attached with this report.
- 2.4 approve the fees and charges for this function as set out in Appendices 2 and 3.

3. BACKGROUND

- 3.1 Licensing of massage and special treatment ("MST") is a discretionary power under the London Local Authorities Act 1991. Persons and/or businesses carrying on these types of activity have required authorisation from the Council following adoption of the provisions under Act in the mid-nineties.
- 3.2 "Massage and special treatment" include any beauty treatment that involves massage, manicure, acupuncture, tattooing, cosmetic piercing, chiropody, light treatments, electrical treatments and other similar treatments. It also includes saunas, steam rooms and other baths. A list which details the treatments defined is attached as Appendix 1.
- 3.3 Section 10 of part 2 of the Act provides the council with the power to prescribe standard

licence terms, conditions and restrictions. It also provides the ability to exclude or amend a specific condition on an individual licence. This section states that:

“The borough council may make regulations prescribing standard conditions applicable to all, or any class of, licences, that is to say terms, conditions and restrictions on or subject to which licences, or licences of that class, are in general to be granted, renewed or transferred by them”

- 3.4 Where the council have made regulations under this section, every licence granted, renewed or transferred by them shall be deemed to have been so granted, renewed or transferred subject to any standard conditions applicable to it unless they have been expressly excluded or amended. Since the introduction of this legislation this council has applied a set of standard general conditions to special treatments licences and supplemented these with additional conditions. The current standard and special conditions for special treatment premises have been in force for many years and now require updating to reflect changes in legislation and industry practices.

3.5 PURPOSE OF THE REVIEW

- 3.6 The Licensing Service have sought to review the MST licensing function with a view to:
- Simplifying the process for applicants by reviewing and updating the various elements of the function.
 - Updating the local regulations and guidelines
 - Updating the fee structure.
 - Making it easier to start up and grow businesses in the Borough.

4 PROPOSED APPLICATION PROCESSES

- 4.1 The new process enables officers to eliminate multiple site visits by various regulatory services areas thereby increasing overall efficiency. It will also allow officers to continue to deliver high quality services to residents and visitors alike.
- 4.2 The Licensing Service base the functions on ‘Class 1/2/3/4 activities. Essentially, ‘Class 1’ activities carry an increased risk to public safety. These are activities such as tattooing, tanning and lasers/intense pulsed light (IPL) which need increased officer involvement due to routine inspections and monitoring.
- 4.3 Class 4 activities such as manicure, pedicure and facials carry a lesser risk, however do still require inspections and monitoring.
- 4.4 The proposed streamlined application processes designed to make the application processes far less burdensome. Application requirements are outlined in the table below:

Type	Application requirements	Consultees
New premises licence	<ul style="list-style-type: none"> • Application form • 1 copy of floor plan. (Scale 1:100 or other agreed scale) • Fire Risk Assessment • Proof of a minimum £2,000,000 Public Liability Insurance • Electrical Installation Condition Report • Local Rules documentation provided by a registered Laser Protection Advisor (for activities involving laser/IPL only) 	<ul style="list-style-type: none"> • Police* • London Fire Brigade* • Environmental Health • Planning
Renewal of existing premises licence	<ul style="list-style-type: none"> • Application form • Insurance • PAT Cert • Electrical Installation Condition Report (if expired) 	<ul style="list-style-type: none"> • Police* • London Fire Brigade* • Environmental Health
Variation of existing premises licence	<ul style="list-style-type: none"> • Application form • Any additional documentation in relation to variation of treatments/activity on the premises. E.g. (Qualifications/Plans) 	<ul style="list-style-type: none"> • Police* • London Fire Brigade* • Environmental Health
Transfer of premises licence	<ul style="list-style-type: none"> • Application form • Insurance • Electrical Installation Condition Report 	<ul style="list-style-type: none"> • Police* • London Fire Brigade* • Environmental Health
Exempt premises Registration	<ul style="list-style-type: none"> • Application form • Proof of valid membership • Qualifications 	<ul style="list-style-type: none"> • Validation of membership via body
MST Practitioner Registration	<ul style="list-style-type: none"> • Application form • Declaration of Convictions • Qualifications • Right to Work • Picture of practitioner • References (tattooists and Body piercers) 	<ul style="list-style-type: none"> • Police
Exempt MST practitioner Registration	<ul style="list-style-type: none"> • Application form • Declaration of convictions • Proof of valid membership • Qualifications • Right to Work • Picture of practitioner 	<ul style="list-style-type: none"> • Validation of membership via body

MST Practitioners

- 4.5 In addition to the licensing of premises, any individual person who physically carries out any of the functions listed in Appendix 1 requires a registration. Currently, this registration will allow the practitioner to work at any premises licensed by the Council on a yearly basis.
- 4.6 The Licensing Service are proposing only minor changes to this established activity. This is mainly to clarify that a person is “registered” as a practitioner rather than “licensed” and some other minor changes to the application requirements.

Exemptions

- 4.7 Provisions under Part II, Section 4 of the Act enables members of recognised Professional Bodies to be registered to be exempted from application requirements for some forms of specified treatments. The Licensing Service has not charged any fee to persons seeking to register. However, two new fees for both exempt premises and exempt practitioners will be introduced to enable cost recovery of this activity.

5 Revised Standard Conditions

- 5.1 This report presents proposed revised standard licence conditions which, if adopted, will apply to all special treatment licensed premises within the borough. A copy of the revised standard conditions is attached at Appendix 4. This report also presents proposed revised special licence conditions, unique to the treatment offered.
- 5.2 The revised conditions are based on the recommended conditions for special treatment premises originally produced by the London Special Treatment Working Group, of which Haringey Council is a participating member, and are considered as best practice.
- 5.3 The revised conditions are to address general health and safety, infection control and underage concerns for all premises. The main changes in the revised conditions are:
- The revision of the Councils General Licensing Conditions for Special Treatment Licensing
 - The revision of Specific Treatment conditions for the most common treatments, bringing them up to date with current legislation and best practice
 - The removal of conditions that are otherwise covered by other legislation (i.e. health and safety).
 - The requirement for all practitioners to hold a Regulated Qualification for the treatments that they wish to offer, where a regulated qualification exists for that treatment.
 - The introduction of a ‘guest practitioner’, temporary amendment to the licence.
 - The requirement for licence holders to hold Public Liability and Indemnity Insurance.
- 5.4 These revised conditions are recommended as the basic minimum standards for management of special treatments establishments. These conditions can be adjusted, or new conditions added to reflect local priorities and situations that may not be London-wide. These conditions will be supplemented by best practice guidance relevant to the treatment types at the time of application. There is no requirement for consultation for standard conditions under the London Local Authorities Act 1991. The council’s Commercial and Environmental Health Team have been consulted with and contributed to the drafting of the proposed standard licensing conditions for premises offering special treatment

- 5.5 These standard licence conditions are intended to help ensure the health, safety and wellbeing of the staff working in licensed special treatments establishments and the customers who use them. They provide the minimum standards considered necessary to ensure that special treatments are provided in a safe and hygienic manner.

6. Comments of the Finance Officer

- 6.1 This report provides the Licensing Committee with an update on the fees and charges for the Massage and Special Treatment licensing function.
- 6.2 The Licensing service has reviewed and considered staff hours employed in administering each type of application. The service has proposed a fee structure intended to achieve full cost recovery for each fee category.
- 6.3 Two new fees for both exempt premises and exempt practitioners will be introduced to enable cost recovery for this activity and they are expected to generate an income of circa £2k per year. In addition, there will be new fees for change of details and duplicate document requests.
- 6.4 The total income received will be dependent on the number of license applications received; however, it is expected the service will achieve the current income target.

7. Comments of the Director Legal and Governance

- 8.1 The Director Legal and Governance has been consulted in the preparation of this report and comments as follows.
- 8.2 The London Local Authorities Act 1991 provides power to local authorities to license “establishments for special treatment”, defined in the Act as:
- “any premises in the borough used, intended to be used or represented as being used for the reception or treatment of persons requiring massage, manicure, acupuncture, tattooing, cosmetic piercing, chiropody, light, electric or other special treatment of a like kind or vapour, sauna or other bath*
- 8.3 The power is discretionary – the local authority must pass a resolution to adopt the powers; Haringey has done so.
- 8.4 Sections 6 and 7 of Part II of the Act enables the Council to impose conditions when granting a Special Treatments licence (“MST Licence”) and to prescribe the processes and procedures to be followed in considering and determining any such applications made under this Act
- 8.5 Section 6(4) of the Act enables the Council to approve an MST licence for any period not exceeding 18 months before having to be renewed.
- 8.6 Under applicable and and the Council’s constitution the functions of considering and determining applications under this Act are reserved to the Licensing Committee
- 8.7 The Director Legal and Governance sees no legal reason why the Licensing Committee should not adopt the recommendations in this report.

8.3 APPENDICEES

Appendix 1 – List of Special Treatments

Appendix 2 – Current and Proposed Fee Structure

Appendix 3 – New fees

Appendix 4 - Updated Conditions

BACKGROUND PAPERS

None

APPENDIX 1 – CURRENT LIST OF SPECIAL TREATMENTS

Massage Type Treatments

Massage	Reflexology	Aromatherapy	Shiatsu
Acupressure	Body Massage	Qi Gong	Sports Massage
Tui-Na			

Electrical Treatments

Infra red	Sun beds	Lasers	Faradic
Galvanic	Sarogenics	Cathiodermy	Electrolysis
Spider veins	Sclerotherapy	Vacuum suction	Ultra high frequency
Thread vein treatment			

Water Treatments

Sauna	Floatation	Steam bath	Steam chamber
Jacuzzi	Spa bath	Fish Pedicures	

Other Treatments

Chiropody	Manicure	Acupuncture	Oxygen Therapy
Osteopathy	Pedicure	Moxibustion	Tattooing
Body piercing	Nail extension	Facials	Tattoo Removal
Beading	Micro-pigmentation	Bio Skin Jetting	

This list is not exhaustive and is updated with new treatments from time to time.

APPENDIX 2 – CURRENT /PROPOSED FEE STRUCTURE

Class	Applicants fee £	Fee for each additional person authorised to give treatment £
<u>Class 1</u> Body Massage, Aromatherapy, Steam Bath, Steam Chamber, Jacuzzi, Spar Bath, Sauna, Shiatsu, Lasers, Tattooing, Skin Colouring/ Semi Permanent makeup, Cosmetic Body Piercing, Microblading	698.00	508.00
<u>Class 2</u> Infra Red, Sun Beds, Faradic, Galvanic, Sarogenics, Cathiodermy, Acupressure, Thread Vein Treatment, Spider Veins, Sclerotherapy, Liposuction, Ultra High Frequency, Mole Removal, Facials (ONLY AS PART OF MASSAGE), Fruit Juice Treatment, Floatation, Reflexology, Wrapping/Envelopment, Moxibustion, Osteopathy, Chiropractice	698.00	131.00
<u>Class 3</u> Electro Acupuncture, Acupuncture, Electrolysis	263.00	125.00
<u>Class 4</u> Ear piercing, Nose Piercing, Manicure, Pedicure, Nail Extension	197.00	112.00

NB

1. The maximum basic applicant's fee will be £665.00 in establishments that require two or more Classes of treatment. The fee for a Variation of Licence will be the same as the additional payment per person for the Class concerned (**£508.00, £131.00, £125.00, or £112.00**).
2. Occasional Licences and Transfer of Licence fees will be 50% of the Applicant's fee for the Class concerned.
3. Duplicate Licence fee is £10.50.
4. If an annual Licence is surrendered for cancellation, a pro-rata refund will be made of the fee paid by the Licensee for each complete month of the Licence which remains unexpired after the date of surrender, subject to **£285.00 being** retained by the Council being sufficient to cover the Council's costs in dealing with the application of that Licence. The date of surrender will be deemed to be the date the Licence is returned and received by the Council.
5. If the Council's costs in dealing with the application are higher than the refund due, no refund will be made.
6. If the application for an annual Licence is withdrawn or refused, the fee paid by the applicant will be refunded subject to **£214.00 being** retained by the Council being sufficient to cover the costs in dealing with the application. If the Council's costs in dealing with the application are higher than the fee paid, no refund will be made.

APPENDIX 3 – PROPOSED ADDITIONAL FEE STRUCTURE

Application type	Licence Category	Proposed fee
MST Practitioner Registration	N/A	No Fee
Exempt Practitioner Registration	N/A	No Fee
Exempt Premises Registration	N/A	£100
Change of Details (licensee name/address etc)	N/A	£27.00

This page is intentionally left blank

Special Conditions for treatments using Intense Optical Radiation (e.g. laser/Intense Pulse Light (IPL))

Non Surgical Lasers/IPL

1. Age Restrictions

No child under the age of 16 shall be permitted to have laser/IPL/Light treatment without a parent or a guardian being present and written consent from their GP. In addition, the parent/guardian must sign a consent form for the child to have the treatment.

2. Laser/ IPL treatment operation and protocol document

- a) The licence holder must ensure that a 'treatment protocol' document is produced and signed by an Expert Registered Healthcare Professional (ERHP) in relation to the equipment being used. The treatment protocol must be traceable, should be signed and dated by the ERHP to confirm authorisation and validity, and should be reviewed either when there is a change of treatments or if evidence comes to light that shows a change is in the clients' interests. A separate treatment protocol should be in place for each laser or IPL treatment. The treatment protocol must address that listed in *Appendix A*.
- b) The licence holder must produce suitable laser/IPL safety instructions (Local Rules), under the advice and approval of a certified Laser Protection Advisor (LPA), for the use Laser and IPL devices.
- c) The local rules document must be read and understood by all staff that may be exposed to the risks from the equipment. Evidence of understanding must be documented.
- d) The local rules must be up to date and reflect current equipment, facilities and working practices. *An example of suitable content is given in Appendix B*
- e) The local rules shall be updated if there are any changes made to the equipment in use, changes in procedure or treatment room if these affect the safe use of the laser/IPL.
- f) The licence holder shall provide evidence to show that the LPA has carried out an initial site visit and produced a laser/IPL risk assessment of the establishment. The risk assessment must be signed, dated and include a date for next review/assessment. The employer accepts the laser/IPL risk assessment and incorporates this into the service's overall risk assessment framework. Risk assessments must be reviewed at appropriate intervals or where any changes are made that may affect the risk management.

g) A treatment register shall be completed every time the laser/IPLS is operated, including the following information:

- the name of the person treated (including a second means of identification);
- the date and time of treatment;
- the name and signature of the laser/IPLS operator;
- the nature of the laser/IPLS treatment given;
- the treatment parameters;
- any accidents or adverse effects.

3. Training

(a) All Authorised Users must hold an Ofqual regulated qualification. For hair removal/reduction this must be at Level 4 and for Tattoo removal at Level 5.

(b) All laser/IPL treatment operators must attend a laser/IPL Core of Knowledge safety training course of a minimum of three hours duration as described in the joint BMLA/IPEM/SRP approved Core of Knowledge syllabus

(c) Core of Knowledge training must be repeated periodically at least every 5 years. Evidence of training attendance certificates, including who provided the training and its contents, must be held within the establishment and available for inspection by an authorised officer at all reasonable times

(d) All operators of lasers and IPLs must use them only for treatments for which they have been trained and are competent. Evidence of training records must be held within the establishment for confirmation.

g) A suitably qualified member of staff on the premises shall be identified as the laser protection supervisor they will have day to day to responsibility of ensuring the local rules are followed.

Laser/IPL Controlled Area

i) The area around working lasers/IPLS shall be controlled to protect other persons while treatment is in progress. The controlled area shall be clearly defined and not used for other purposes.

A suitable safety warning sign or light entry system which complies with current British Standards shall be in place on the door of the controlled area.

j) All lasers/IPLS shall comply with current standards (BS EN 60601-2-22 for medical lasers and BS 60601-2-57 and shall display labels identifying them, their wavelength or range of wavelengths and the maximum output power of the radiation emitted. The labels shall be clearly visible on the front or side of the machine.

- k) The door to the controlled area shall be fitted with a suitable device which can be operated from the outside in an emergency
- l) Any windows in the controlled area shall be fitted with opaque blinds approved by the LPA .
- m) The controlled areas shall be kept clear of clutter, mirrors shall be avoided and jewellery shall not be worn.
- n) Surfaces within the controlled area shall be of a matt or eggshell finish.
- o) Protective eyewear shall be worn by everyone within the controlled area whenever there is a risk of exposure to laser/IPL. All protective eyewear shall be marked with the wavelength range and protection offered as detailed in the local rules document. They shall be in a clean serviceable condition.
- p) The laser protection supervisor shall ensure that the key to any laser/IPLS equipment is kept in a secure and separate area when not in use and that only authorised users have access to the key.
- q) Lasers/IPLS shall be serviced in accordance with manufacturer's instructions and a record kept of servicing and repairs with the local rules document.
- r) Laser/IPL must be operated and managed with reference to current version of the "Essential Standards Regarding Class 3B and Class 4 Lasers and Intense Light Sources in Nonsurgical Applications" (British Medical Laser Association)

APPENDIX A**Laser /IPLS Treatment Protocol Document**

The treatment protocol must include the following:

- name and technical specifications of the equipment
- contraindications
- treatment technique – general
- treatment technique – hair reduction
- client consent prior to treatment
- cleanliness and infection control
- pre-treatment tests
- post-treatment care
- recognition of treatment-related problems
- emergency procedures
- permitted variation on machine variables
- procedure in the event of equipment failure

Appendix B**CONTENT OF LASER/IPLS LOCAL RULES DOCUMENT****1) Potential Hazards**

List all types of hazards including fire, skin and eye injuries, electrical etc

2) Device Description

Description of all devices including output, serial numbers etc.

3) Treatment Protocol

Reference to separate document produced by the Expert Registered Healthcare Professional (ERHP).

4) Written Procedures

Supported by reference to user manual/training manual etc

5) Adverse Incident Procedure

- a) Details of actions that shall be taken in cases of emergency e.g eye exposure
- b) Name, address and tel no of local accident and emergency department.
- c) Any incidents must also be reported to Haringey Council, list of their contact details,

6) Emergency Shutdown Procedure

Instructions as set down in manufacturers manual or treatment protocol.

7) Register of Authorised Users

Details of trained personnel with signed declarations of individuals.

8) Laser Protection Advisor

Contact details of the LPA

9) Laser Protection Supervisor

- a) One Authorised User shall be nominated Laser Protection Supervisor to ensure that the register is maintained and the local rules are adhered to
- b) Name of the laser protection supervisor

10) Record of laser use

A register shall be kept which will separately record the following information every time the IPL is operated

The name and date of birth of the person treated

- date of treatment
- the operator
- the treatment given
- any accident or adverse effects.

11) Laser/IPL Operator Training

- a) All laser/IPL 'authorised users' shall hold the Core of Knowledge Training Certificate together with specific training on the use of on site equipment provided by the supplier of the Laser/IPLS.
- b) Details of all training shall be recorded in the Register of Authorised Users or a separate Training Register.

12) Controlled Area designation and access

- a) The room in which the laser/IPLS is used shall be designated a 'Controlled Area' and the laser shall only be used in this area. Approved warning signs shall be fitted to the door i.e. 'Controlled Area', 'Eye Protection' etc
- b) A notice should be fixed to the laser/IPLS indicating that its use is subject to the Local rules.

13) Register of Authorised Users

A register shall be kept of personnel authorised to operate the equipment.

14) Safe Operation of device

- a) No more than one laser/IPL shall be switched on during the client treatment.
- b) When the laser/IPL is in operation the number of persons in the room shall be kept to a minimum.
- c) The laser/IPL shall not be enabled to fire unless it is directed towards the treatment site or a beam stop.
- d) The Authorised User shall be careful to avoid reflections of the beam from Instruments/equipment in close proximity to the beam path, matt/non reflective surfaces etc shall be provided.

- e) Whenever the device is unattended by an Authorised User, the laser shall be switched off and the key withdrawn and placed in safe custody by the Authorised User.

15) Operator responsibility

- a) It is the responsibility of the equipment Authorised User to be aware of the nature of the hazard involved and to be familiar with the manufacturer's operating instructions.
- b) During the operation of the laser (or IPL) the Authorised User is responsible for the safety of all persons present, including the client and themselves.

16) Protective eyewear

Protective eyewear shall be provided and clearly marked for the laser. It is important that the correct goggles are used e.g. the use of a coloured sticker or other identifier on the goggles matches a similar identifier on the laser or IPL. The Authorised User shall instruct all personnel in the Controlled Area to wear goggles suitable for the laser being used.

17) Application of local rules

- a) The laser shall only be used in accordance with these local rules.
- b) Authorised Persons shall sign statements that they have read and understood these local rules.
- c) The local rules shall be kept in the treatment room/s at all times.

TATTOOING AND MICRO PIGMENTATION**DEFINITIONS****Tattooing**

Is the process of permanently marking the skin by inserting ink into the lower layers of the skin with a needle. Micro-pigmentation or semi- permanent make up and microblading are a form of tattooing and therefore are covered by these conditions.

1. AGE RESTRICTIONS

The Tattooing of Minors Act 1969 prohibits the tattooing of anyone in Great Britain under the age of 18 years.

2. TATTOO ARTISTS

- (a) Tattoo artists must have undergone an apprenticeship (at least 2 years) with an experienced tattooist. Until such time as an externally verified tattooing qualification is offered, all tattooists will be required to demonstrate knowledge of infection control to the satisfaction of the Authorised Officer.
- (b) Only persons listed on premises licence are permitted to carry out tattooing or micro pigmentation.

3. VISUAL ASSESSMENT

- (a) An assessment of the condition of the area to be tattooed must be carried out prior to commencing treatment. Where necessary notes/diagrams should be made regarding conditions, areas not to be treated.
- (b) Tattooing must not be carried out on or within 10cms of an infected area of skin, a rash, cut or other wound.

4. PERSONAL HYGIENE

- (a) Persons carrying out treatments must ensure that:-
 - their hands are kept clean and washed immediately prior to carrying out a treatment,
 - they maintain a high degree of personal cleanliness and wear suitable, clean and appropriate protective clothing,
 - they do not smoke or consume food or drink during the course of a treatment.
- (b) Persons shall not administer treatments whilst afflicted by either a known or suspected ailment or being a carrier of a disease likely to be transmitted during treatment.
- (c) Persons carrying out treatments shall ensure that any open sores, cuts, boils, broken skin or other open wounds are effectively covered with waterproof impermeable dressings. If such cuts are on the hands gloves shall be worn over

the waterproof dressings.

5. PROTECTIVE CLOTHING

- (a) All staff must wear clean clothing when tattooing. If clothing becomes soiled it must be changed prior to next client.
- (b) Tattooists must wear disposable single use vinyl or non-latex gloves whilst carrying out the treatment. The integrity of the gloves must be checked throughout the treatment. New gloves must be used for each client and/or if there is a break in the treatment and non-sterile equipment is touched.

6. EQUIPMENT

- (a) Needles, pigment caps, stencils, razors and wooden spatulas are single use only and shall be disposed of as hazardous waste after use

7. CLEANING AND STERILISATION

- (a) All needles/razors and pigment caps must be single use and disposable.
- (b) Any surfaces used during treatments must be disinfected prior to use.
- (c) Any treatment chair/ couches must be disinfected after each client.
- (d) Tattoo motors and clip cords shall be covered with clear plastic during a tattoo and changed between clients
- (e) Elastic bands used on the motors shall be changed between clients
- (f) Any equipment that has been contaminated with blood however small must be cleaned and sterilized or safely disposed of.
- (g) Procedures for the satisfactory decontamination, disinfection and sterilisation of equipment shall be provided at the premises where necessary.
- (h) Glass bead sterilisers; UV light boxes; hot air ovens and water boilers **must not** be used for sterilisation purposes.
- (i) A suitable autoclave for the types of items being sterilised must be used for sterilisation of reusable equipment. This must be strictly in accordance with manufacturers instruction and with the current version of Medical Devices Agency MDA DB2002 (6) MDA DB9804. Regular checks and maintenance must be carried out in accordance with the current Health Technical Memorandum (HTM).
- (j) A written scheme of examination and any test results shall be available for inspection by an Authorised Officer at all reasonable times.
- (a) Where chemicals are used to achieve sterilisation the licensee is responsible for having documented evidence that the chemical used is fit for purpose and is used accordance with the manufacturer's instructions.
- (b) Equipment and furniture must be cleaned, disinfected and/or sterilised to an appropriate level depending upon their use. For clarification definitions of cleaning,

disinfection and sterilisation are provided below:-

Cleaning- Cleaning is a process that removes foreign material (e.g. soil, organic material, micro-organisms) from an object. Detergents such as washing up liquid and multi-purpose cleaners are commonly used for cleaning.

Disinfection- Disinfection is a process that reduces the number of pathogenic microorganisms, but not necessarily bacterial spores, from inanimate objects or skin, to a level which is not harmful to health. Commonly used disinfectants include chlorine bleach and products labelled as anti-bacterial.

Sterilisation- Sterilisation is a process that destroys all microorganisms including bacterial spores. The only way body art practitioners can achieve this is via steam sterilisation i.e. use of an autoclave. Pressure cookers are not suitable for body art instrument sterilisation as they cannot automatically monitor the sterilisation process to ensure that all parameters are met. Baby bottle steam sterilisers do not reach sufficient temperatures and therefore are not suitable for body art instrument sterilization. Bench-top sterilisers or transportable sterilisers must conform to the standard BS EN 13060.

8. BLOOD/ BODILY FLUID SPILLAGE

- (a) There must be a written procedure for dealing with blood spillages.
- (b) All staff must be made aware of the procedure. The procedure must be available onsite at all times for audit by an authorised Officer.
- (c) A body fluid spillage kit must be available for cleaning up blood or other bodily fluids.

9. SHARPS INJURY

- (a) There must be a written procedure for dealing with needle/ sharps injuries.
- (b) All staff must be made aware of the procedure. The procedure must be available onsite at all times for audit by an Authorised Officer.

10. AFTERCARE

- (a) Appropriate aftercare advice must be provided following each treatment. This must include information on actions to take if any adverse conditions occur. Where possible this should be given orally and in written form for the client to take away.

11. CIEH TOOLKIT

- (a) The Chartered Institute of Environmental Health in conjunction with Public Health England and the Tattoo and Piercing Industry Union have issued a Toolkit detailing safe practice with regard to hygienically undertaking tattoos and skin piercing. Practitioners must adhere to the requirements and recommendation contained within this document. The document can be accessed via the CIEH webpage at http://www.cieh.org/policy/Tattooing_and_body_piercing_guidance_toolkit.html

NOTES

Hepatitis B Vaccinations

There are no vaccines for Hepatitis C or HIV therefore robust infection control practices must be in place at all times. However, it is also strongly recommended that all tattooists receive a full course of Hepatitis B vaccine.

COSMETIC PIERCING (inc. EAR/NOSE PIERCING WITHOUT GUN) DEFINITIONS**Body Piercing**

Body piercing is when a hole is made in the skin and a piece of 'jewellery' is placed within the hole.

Beading

Steel beads or similar objects are inserted under the skin to mould or shape the skin.

Microdermal Anchors (single point piercing)

Single point piercings carried out with ordinary piercing needle that places a post under the skin which a variety of accessories can be screwed into.

1. AGE

- (a) Clients must be over the age of 18 for all types of body piercing other than ear, nose, Lip (labaret), eyebrow or navel.
- (b) Anyone under the age of 16 who wants ear, nose, lip, eyebrow or navel piercing must be accompanied by a parent or guardian who must sign the appropriate consent forms. The consent form must include full name, address, contact number and relationship to person receiving piercing.

2. PIERCERS

- (a) Only suitably qualified persons shall carry out piercing. Until such time as an externally verified body piercing qualification is offered, all piercers will be required to demonstrate that they have completed an apprenticeship in body piercing and demonstrate knowledge of infection control to the satisfaction of the Authorised Officer.
- (b) Only persons listed on premises licence are permitted to carry out piercings.

3. VISUAL ASSESSMENT

- (a) An assessment of the condition of the area to be pierced must be carried out prior to commencing treatment. Where necessary notes/diagrams should be made regarding conditions, areas not to be treated.
- (b) Piercing must not be carried out on or within 10cms of an infected area of skin, a rash, cut or other wound.

4. PERSONAL HYGIENE

- (a) Persons carrying out treatments must ensure that:-
 - their hands are kept clean and washed immediately prior to carrying out a treatment,
 - they maintain a high degree of personal cleanliness and wear suitable, clean and appropriate protective clothing,
 - they do not smoke or consume food or drink during the course of a treatment.

- (b) Persons shall not administer treatments whilst afflicted by either a known or suspected ailment or being a carrier of a disease likely to be transmitted during treatment.
- (c) Persons carrying out treatments shall ensure that any open sores, cuts, boils, broken skin or other open wounds are effectively covered with waterproof impermeable dressings. If such cuts are on the hands gloves shall be worn over the waterproof dressings.
- (d)

5.PROTECTIVE CLOTHING

- (a) All staff must wear clean clothing when piercing. If clothing becomes soiled it must be changed prior to next client.
- (b) Piercers must wear disposable single use vinyl or non-latex gloves whilst carrying out the treatment. The integrity of the gloves must be checked throughout the treatment. New gloves must be used for each client and/or if there is a break in the treatment and non-sterile equipment is touched.

6.CLEANING AND STERILISATION

- (a) All surfaces that come into contact with staff equipment or clients must be disinfected daily.
- (b) All needles must be single use and disposable.
- (c) Any surfaces used during treatments must be disinfected prior to use.
- (d) Any treatment chair/ couches must be disinfected after each client.
- (e) Any equipment that has been contaminated with blood however small must be cleaned and sterilized or safely disposed of.
- (f) Procedures for the satisfactory decontamination, disinfection and sterilisation of equipment shall be provided at the premises.
- (g) A suitable autoclave for the types of items being sterilised must be used for sterilisation of reusable equipment. This must be strictly in accordance with manufacturers instruction and with the current version of Medical Devices Agency MDA DB2002 (6) MDA DB9804. Regular checks and maintenance must be carried out in accordance with the current Health Technical Memorandum (HTM).
- (h) A written scheme of examination and any test results shall be available for inspection by an Authorised Officer at all reasonable times.
- (i) Glass bead sterilisers; UV light boxes; hot air ovens and water boilers must not be used for sterilisation purposes.
- (j) Where chemicals are used to achieve sterilisation the licensee is responsible for having documented evidence that the chemical used is fit for purpose and is used accordance with the manufacturer's instructions.

- (k) Equipment and furniture must be cleaned, disinfected and/or sterilised to an appropriate level depending upon their use. For clarification definitions of cleaning, disinfection and sterilisation are provided below:-

Cleaning- Cleaning is a process that removes foreign material (e.g. soil, organic material, micro-organisms) from an object. Detergents such as washing up liquid and multi-purpose cleaners are commonly used for cleaning.

Disinfection- Disinfection is a process that reduces the number of pathogenic microorganisms, but not necessarily bacterial spores, from inanimate objects or skin, to a level which is not harmful to health. Commonly used disinfectants include chlorine bleach and products labelled as anti-bacterial.

Sterilisation- Sterilisation is a process that destroys all microorganisms including bacterial spores. The only way body art practitioners can achieve this is via steam sterilisation i.e. use of an autoclave. Pressure cookers are not suitable for body art instrument sterilisation as they cannot automatically monitor the sterilisation process to ensure that all parameters are met. Baby bottle steam sterilisers do not reach sufficient temperatures and therefore are not suitable for body art instrument sterilization. Bench-top sterilisers or transportable sterilisers must conform to the standard BS EN 13060.

7. BLOOD/BODILY FLUID SPILLAGE

- (a) There must be a written procedure for dealing with blood spillages.
- (b) All staff must be made aware of the procedure. The procedure must be available onsite at all times for audit by an authorised Officer.
- (c) A body fluid spillage kit must be available for cleaning up blood or other bodily fluids.

8. SHARPS INJURY

- (a) There must be a written procedure for dealing with needle/ sharps injuries.
- (b) All staff must be made aware of the procedure. The procedure must be available onsite at all times for audit by Authorised Officer.

9. AFTERCARE

- (a) Appropriate aftercare advice must be provided following each treatment. This must include information on actions to take if any adverse conditions occur. Where possible this should be given orally and in written form for the client to take away.

10. JEWELLERY

- (a) All jewellery which may come into contact with broken skin or mucosa membranes must be sterile.
- (b) All jewellery must be of a suitable grade e.g. surgical stainless steel, solid 14K or 18K gold, niobium, titanium, platinum, or dense low porosity plastic. This is to minimise the risk of allergic reaction, harbouring of bacteria or adhesion to newly formed skin. Grade 316 stainless steel does not comply with the Dangerous Substances and Preparations (Nickel) (Safety) Regulations 2000 and is not to be used.
- (c) All jewellery must be in a sterilised condition prior to being inserted into the client's skin/body.

(d) CIEH TOOLKIT

- (e) The Chartered Institute of Environmental Health in conjunction with Public Health England and the Tattoo and Piercing Industry Union have issued a Toolkit detailing safe practice with regard to hygienically undertaking tattoos and skin piercing. Practitioners must adhere to the requirements and recommendation contained within this document. The document can be accessed via the CIEH webpage at http://www.cieh.org/policy/Tattooing_and_body_piercing_guidance_toolkit.html

NOTES

Hepatitis B Vaccinations

There are no vaccines for Hepatitis C or HIV. Therefore, robust infection control practices must be in place at all times. However, it is also strongly recommended that all body piercers receive a full course of Hepatitis B vaccine.

EAR/NOSE PIERCING (WITH GUN) DEFINITIONS**Ear piercing**

For the purposes of these conditions ear piercing refers to lower ear lobe piercing, upper ear cartilage piercing.

Nose piercing

Refers to the piercing of the nasal cavity walls only.

Nose piercing gun

Refers to a device, whether single use or reusable, specifically designed for the purpose and is capable of piercing the nasal cavity wall with the nose stud without the need for a clasp/butterfly clip. Ear piercing guns must not be used.

Ear piercing gun

Refers to a device, whether single use or reusable, designed specifically for piercing ears.

1. AGE

- (a) Clients must be over the age of 16 for ear or nose piercings.
- (b) Anyone under the age of 16 who wants ear or nose piercing must be accompanied by a parent or guardian who must sign the appropriate consent forms. The consent form must include full name, address, contact number and relationship to person receiving piercing.

2. PIERCERS

- (a) Only suitably qualified persons shall carry out piercing. Until such time as an externally verified body piercing qualification is offered, all piercers will be required to have completed manufacturer training for the system being used and demonstrate knowledge of infection control to the satisfaction of the Authorised Officer.
- (b) Only persons listed on premises licence are permitted to carry out piercings.

3. VISUAL ASSESSMENT

- (a) An assessment of the condition of the area to be pierced must be carried out prior to commencing treatment. Where necessary notes/diagrams should be made regarding conditions, areas not to be treated.

- (b) Piercing must not be carried out on or within 10cms of an infected area of skin, a rash, cut or other wound.

4. PERSONAL HYGIENE

- (a) Persons carrying out treatments must ensure that:-
 - their hands are kept clean and washed immediately prior to carrying out a treatment,
 - they maintain a high degree of personal cleanliness and wear suitable, clean and appropriate protective clothing,
 - they do not smoke or consume food or drink during the course of a treatment.
- (b) Persons shall not administer treatments whilst afflicted by either a known or suspected ailment or being a carrier of a disease likely to be transmitted during treatment.
- (c) Persons carrying out treatments shall ensure that any open sores, cuts, boils, broken skin or other open wounds are effectively covered with waterproof impermeable dressings. If such cuts are on the hands gloves shall be worn over the waterproof dressings.

5. PROTECTIVE CLOTHING

- (a) All staff must wear clean clothing when piercing. If clothing becomes soiled it must be changed prior to next client.
- (b) Piercers must wear disposable single use vinyl or non-latex gloves whilst carrying out the treatment. The integrity of the gloves must be checked throughout the treatment. New gloves must be used for each client and/or if there is a break in the treatment and non-sterile equipment is touched.

6. Infection control

- (a) All piercers must wear disposable gloves and they should be disposed of after each client.
- (b) All work surfaces must be cleaned and disinfected after each client.
- (c) The client's skin must be cleaned prior to piercing using a solution containing alcohol or wipes.
- (d) Only pre-sterilised single use studs from undamaged packaging may be used.
- (e) Studs must be opened immediately prior to use in front of the client.
- (f) All reusable equipment used (e.g. the gun) must be suitably and effectively sanitised before and after each use.

7. SHARPS INJURY

- (a) There must be a written procedure for dealing with needle/ sharps injuries.
- (b) All staff must be made aware of the procedure. The procedure must be available onsite at all times for audit by Authorised Officer.

8. AFTERCARE

- (a) Appropriate aftercare advice must be provided following each treatment. This must include information on actions to take if any adverse conditions occur. Where possible this should be given orally and in written form for the client to take away.

9. JEWELLERY

- (a) All jewellery which may come into contact with broken skin or mucosa membranes must be sterile.
- (b) All jewellery must be of a suitable grade e.g. surgical stainless steel, solid 14K or 18K gold, niobium, titanium, platinum, or dense low porosity plastic. This is to minimise the risk of allergic reaction, harbouring of bacteria or adhesion to newly formed skin. Grade 316 stainless steel does not comply with the Dangerous Substances and Preparations (Nickel) (Safety) Regulations 2000) and is not to be used.

(c) CIEH TOOLKIT

- (d) The Chartered Institute of Environmental Health in conjunction with Public Health England and the Tattoo and Piercing Industry Union have issued a Toolkit detailing safe practice with regard to hygienically undertaking tattoos and skin piercing. Practitioners must adhere to the requirements and recommendation contained within this document. The document can be accessed via the CIEH webpage at http://www.cieh.org/policy/Tattooing_and_body_piercing_guidance_toolkit.html

NOTES

Hepatitis B Vaccinations

There are no vaccines for Hepatitis C or HIV. Therefore, robust infection control practices must be in place at all times. However, it is also strongly recommended that all body piercers receive a full course of Hepatitis B vaccine.

TANNING/ UV LIGHT TREATMENTS

DEFINITIONS

Ultra Violet Light

Defined as 3 different wavelengths of ultraviolet radiation. UVA, UVB and UVC. UVC waves should not be present in sun tanning equipment.

Sun Tanning Equipment

The use of ultraviolet light emitted from tubes to reproduce the effect of ultraviolet radiation from the sun on the skin to tan the skin. Includes sun beds and upright tanning booths, face and leg tanning equipment.

Tanning accelerants or amplifiers

Defined as any cream, lotion or other substance that increases or purports to increase the amount of UV light absorbed by the production of melanin within the skin.

Remote Facilities

All facilities shall be considered to be remotely operated where the therapist is out of audible range of the treatment room and the client would be unable to summon help.

1. AGE RESTRICTIONS

- (a) Anyone under the age of 18 is prohibited from using tanning equipment and from being allowed to be present in a restricted zone (in accordance with the Sunbed (Regulation) Act 2010).

2. RECORD KEEPING

- (a) Clients whose skin is prone to UV damage, such as Skin Type 1 (Fitzpatrick classification of skin types) shall not be permitted to use tanning equipment.
- (b) The client record must be signed by the client as a declaration of agreement to proceeding with the treatment having been explained and understanding any associated risks, and contra-indications associated with ultra violet radiation, particularly with regard to drugs and medical conditions.
- (c) A suitable gap must be provided between sessions, at least 48 hours for the first two sessions, and a minimum of 24 hours thereafter. It is advised that 48 hours is given between all subsequent sessions.
- (d) Client consultation cards detailing all sunbed sessions, including the duration of sessions, must be kept at the premises at all times for a period of 3 years and shall be available for inspection by an Authorised Officer at all reasonable times.
- (e) The licence holder shall ensure that clients do not to exceed 60 sessions per annum (in line with EU guidance).

- (f) Records of all maintenance visits and servicing and copies of the engineer's report shall be kept at the premises and be available for inspection by an Authorised Officer at all reasonable times.
- (g) Records of the tubes fitted and compliance to 0.3W/m² for each sunbed shall be kept on the premises and be available for inspection by an Authorised Officer at all reasonable times.

3. INFECTION CONTROL

- (a) The surface of the sunbed must be disinfected after each use in accordance with manufacturers' instructions and with cleaning materials specified by the manufacturer.
- (b) Single use disposable goggles must be provided or, alternatively, the goggles must be appropriately disinfected in between the clients use in accordance with manufacturers' instructions.

4. OPERATIONAL PROCEDURES

- (a) The licence holder must ensure compliance with guidance on the current Sunbeds Regulations, HSE guidance and must follow the manufacturers' instructions.
- (b) Suitable tanning advice must be given to all clients relative to their skin type. The length of time that a client uses the tanning equipment shall be controlled by the management and based on an assessment by a trained practitioner to include factors such as the client's type of skin and power output of the UV tanning equipment.
- (c) Adequate means of ventilation must be provided to all treatment rooms and cubicles.
- (d) All fans must be adequately guarded.
- (e) Private shower, sink facilities or suitable wet wipes must be available to allow the client to remove any skin creams and make-up. The operator must advise the client on the importance of removing creams and make up.
- (f) An automatic timer must be fitted to the equipment, so that the user is unable to increase the time spent using the UV tanning equipment. Standard Conditions for Special Treatment Premises 24
- (g) An emergency device must be fitted within easy reach of a person using the equipment. This device must switch off all UV equipment.
- (h) There must be a non-verbal alarm system in the vicinity linked to a manned reception area for summoning help when users are left unattended and might not be heard. The alarm should continue to sound until it is manually switched to the 'off' position in order to silence it. The user must be made aware of the alert mechanism and how to use it. Operation verification test records shall be available at the premises for inspection at all reasonable times.
- (i) Suitable goggles or equivalent, which meet relevant British and European standards for the protection of the eyes of users of the equipment must be

provided free of charge and clients must be instructed in their use

- (j) The Health and Safety Executive 'UV Tanning Equipment' notice providing clear and accurate information on the health risks from exposure to Ultra Violet light must be clearly displayed near each sunbed.

5. TUBES AND TUBE REPLACEMENT

- (a) The maximum permissible output for all UV tubes must not exceed 0.3w/m².
- (b) Tubes must be replaced at intervals recommended by the manufacturer, together with the Ultra Violet transmitting plastic sheet if fitted.
- (c) Replacement tubes shall be compatible with those supplied by the manufacturer.
- (d) All tubes in a bed or cabinet must be replaced at the same time.
- (e) Tanning times must be suitably adjusted when new tubes have been installed.

6. TANNING ACCELERATORS

- (a) Licence holder must hold product information for any tanning accelerators they sell. Tanning accelerators must comply with the Cosmetic Products (Safety) Regulations 1996
- (b) The sale/supply of tanning injections is prohibited.

7. TANNING OPERATORS

At least one person must be available onsite at all times who, as a minimum, has specific training on the type of tanning equipment used at the premises or is a member of the Sun Bed Association and has receipt of their training package or training. This person(s) must carry out the initial client consultation, complete records and supervise all tanning transactions to ensure that these terms and conditions are adhered to.

8. AFTERCARE ADVICE

Appropriate aftercare advice must be provided following each treatment. This must include information on actions to take if any adverse conditions occur. Where possible this should be given orally and in written form for the client to take away.

Nail Treatments

Definition

Nail Treatments are defined as any of the following: Manicure, Pedicure, Nail Extensions or Artificial Nails of any kind, or any other treatments involving cutting, or abrading of the nails, nail cuticle, or the skin around the nails of either the hand or the feet. Nail extension treatments shall include any treatment that involves extending the length of the natural nail with any materials, and repair and/or upkeep of nail extensions. Nail Treatments do not include any form of Chiropody carried out by a State Registered Chiropodist.

1. Age Restrictions

No child under the age of 16 shall be permitted to have nail treatments without a parent or a guardian being present. In addition, the parent/guardian must sign a consent form for the child to have the treatment.

2. Infection Control

- (a) All reusable metal equipment, such as metal files, cuticle clippers and cuticle knives etc. must be washed and scrubbed with a general-purpose detergent (e.g. washing up liquid) and water. Once physically clean, the equipment must be dried and treated at an appropriate level for its intended use (i.e. disinfected, sanitised or sterilised).
- (b) After cleaning and disinfection this equipment must be stored in a clean, dry and airtight container until use to prevent further contamination.
- (c) UV light boxes are not an acceptable method of sterilisation and shall not be used to achieve disinfection of equipment used for nail or pedicure treatments. A UV light steriliser may be used in addition to another means of disinfection and/or to store items in following disinfection.
- (d) Any equipment that cannot be washed and either disinfected or sterilised, is considered to be of a single use and must be properly disposed of after each client.
- (e) All surfaces used during treatments shall be cleaned with a suitable disinfectant between each client.

3. Prohibitions

- (a) The use of products containing Methyl Methacrylate (MMA) is prohibited.
- (b) The use of razors or scalpels or blades for pedicure treatments is prohibited.
- (c) The use of sharp holed foot graters/cheese graters with a risk of injury is prohibited.
- (d) The use of electric drills/files on a client's natural nail is prohibited.
- (e) Nail drills shall not be used to file the area where a natural nail is joined to an artificial nail.

4. Electric Nail Drills/files

Where nail drills are used, only persons who have received specific training in their use and who are competent in their use shall use them. Evidence of such training must be made available to the Council's licensing department.

5. Ventilation

- 5.1 Where nail extension treatments are carried out, suitable air filtering and extraction must be provided to remove dust and chemicals from the air, preferably at desk-top level.
- 5.2 Suitable dust and chemical filters must be in place within the filter system. These shall be changed at suitable intervals as recommended by the manufacturer.
- 5.3 All air filtering/extraction equipment shall be maintained in good working order in accordance with manufacturer's instructions.

SAUNA/ STEAM ROOM/ SPA POOLS/ BATHS**DEFINITIONS****Spa Pool and Jacuzzi**

A Spa Pool/Jacuzzi is defined as a pool full of warm water at approximately body temperature, designed for sitting in rather than swimming. It has jets of water, or air bubbles or combination of both to provide a warm water massage.

Sauna

Saunas consist of an insulated enclosure usually made of wood, together with heat generating equipment usually in the form of a heat-generating stove. Benches are provided within the sauna enclosure. Saunas provide a dry heat and the temperature may range from 85°C to 100°C for up to a 10 minute treatment

Steam room/bath

These consist of an enclosure made of an impervious material and steam generating equipment. They are designed to operate at temperatures of up to 50°C regulated by a thermostat with relative humidity of 80 to 100%. They produce a wet humid heat and are intended for indoor use. The treatment usually lasting 6 – 12 minutes.

Detox Box

Provides gentle and deep penetrating heat to the body to induce a high volume of sweat.

Floatation Tank

Enclosed tank with water at body temperature and high conc. of Epsom Salts.

Foot Detox

Feet or body submerged into spa or bathtub fitted with electrodes. No treatment to feet.

Hydrotherapy

Water therapy which may include submersion in a bath. Uses fresh water.

Thalassotherapy

Water therapy which may include submersion in a bath. Uses sea/salt water.

1. AGE RESTRICTIONS

- (a) Treatments/ usage restricted to clients over the age of 16.
- (b) Persons of 13yrs+ can use sauna/steam room or spa pools if accompanied by a parent or guardian.

2. RECORD KEEPING

- (a) Daily, weekly, monthly and periodical cleaning and maintenance check records must be available for inspection by an authorised officer.
- (b) Maintenance and electrical safety records must be available for inspection by an authorised officer.
- (c) There must be a written procedure detailing the action to be taken in the event that the alarm mechanism is used. All relevant personnel must be familiar with the procedure.

3. SPA POOLS/JACUZZI/ BATH

- (a) All Licence Holders must manage and maintain spa to avoid the risk of legionella and must have regard to refer to the Health and Safety Executive Approved Code of Practice and Guidance L8, "The Control of Legionella Bacteria in Water Systems".
- (b) The licence holder shall ensure that the spa pool is operated and maintained in accordance with the manufacturers' instructions and the HSE Publication The control of legionella and other infectious agents in spa-pool systems HSG 282.
- (c) A log book/records of the free chlorine levels/total active bromine, the pH levels of the spa, temperature, water quality and numbers of bathers must be taken at regular intervals. These records must state acceptable limits for all tests and record action taken in the event of an unsatisfactory result and must be made available for inspection by an Authorised Officer at all reasonable times.
- (d) The licence holder must be able to demonstrate that the microbiological quality of the spa pool water is satisfactory and that guidance within HSG 282 is followed for microbiological testing and recommended actions.
- (e) Microbiological test results must be held and available at the premises in accordance with L8 above, for inspection by an Authorised Officer at all reasonable times.
- (f) The licence holder must have a written procedure that must be followed in the event of an unsatisfactory microbiological result or any other health concerns associated with use of the pool.
- (g) There must be a non-verbal alarm system in the vicinity linked to a manned reception area for summoning help when users are left unattended. The alarm should continue to sound until it is manually switched to the 'off' position in order to silence it. The user must be made aware of the alert mechanism and how to use it.
- (h) All equipment shall be of sound mechanical construction and regularly maintained. Records of maintenance should be held for inspection by authorised officers
- (i) The Licence Holder(s) shall have a written procedure detailing steps taken to ensure the maximum bather load for the facility is not exceeded.

- (j) A notice providing information on the use of the spa pool must be clearly displayed near each unit.
- (k) A rest area for users must be provided.
- (l) The spa pool must be emptied and refilled at regular intervals in accordance with the manufacturer's guidance and usage but in any event at least everyweek.

4. SAUNA

- (a) Must have a glazed panel to allow safe access and egress by clients and supervising staff.
- (b) A thermometer shall be provided indicating the temperature inside the sauna.
- (c) A non-verbal emergency assistance device shall be provided on or adjacent to the sauna. Saunas installed after January 2017 must have a non-verbal alarm linked to a manned reception area. The alarm should continue to sound until it is manually switched to the 'off' position in order to silence it. The user must be made aware of the alert mechanism and how to use it.
- (d) A clock or other time keeping device shall be visible to users, from inside the sauna.
- (e) The temperature control device shall not be accessible to users of the sauna.
- (f) The hot coals in the sauna shall be protected by a guard rail or barrier.
- (g) Shower facilities shall be provided close to the sauna.
- (h) A supply of fresh drinking water shall be available close to the sauna.
- (i) A notice providing accurate information on the safe use of the sauna must be clearly displayed near the unit.
- (j) Clients must wear bathing costume/shorts in the sauna.
- (k) No eating, drinking or shaving permitted in sauna.

5. STEAM ROOMS

- (a) The floor of the equipment must be impervious; laid to fall to promote drainage and easily cleaned. It should also be constructed of a non-slip material.

- (b) The operator must be aware of the temperature the unit is operating at. Ideally there should be a thermometer located inside the unit. If this is not fitted the temperature inside the unit must be checked regularly.
- (c) Temperature must not exceed 50°C.
- (d) Temperature control must remain under the control of the licence holder.
- (e) Must have a glazed panel to allow safe access and egress by clients and supervising staff.
- (f) The door must have an internal handle to allow the client to exit the room when required.
- (g) There must be a non-verbal alarm system that can be heard in manned areas for summoning help when users are left unattended. Steam rooms installed after January 2017 must have a non-verbal alarm linked to a manned reception area. The alarm should continue to sound until it is manually switched to the 'off' position in order to silence it. The user must be made aware of the alert mechanism and how to use it.
- (h) All equipment shall be of sound mechanical construction.
- (i) A clock or timer must be visible in order to monitor time elapsed in the steam room.
- (j) A notice providing accurate information on the safe use of the steam room must be clearly displayed near each unit.
- (k) Clients must be advised to sit on a towel in the steam room to reduce the risk of infection and burning.
- (l) The licensee shall provide a procedure whereby all steam rooms are checked on a half hourly basis for cleanliness and for state of health of the user e.g. signs of fainting.
- (m) Clients must wear a bathing costume/shorts in the steam room.
- (n) No eating, drinking or shaving permitted in steam room.

6. CLEANING/ INFECTION CONTROL

- (a) The sauna/steam room/baths must be cleaned and disinfected each day, in accordance with manufacturer's instructions and with cleaning materials specified by the manufacturer.

7. OPERATORS

- (a) One person must be available onsite at all times who has had, as a minimum, specific manufacturer training for the equipment used within premises or equivalent training deemed suitable by an Authorised Officer of Council.

LONDON LOCAL AUTHORITIES ACT 1991 RULES OF PROCEDURE

RULES GOVERNING APPLICATIONS FOR SPECIAL TREATMENT LICENCES BEING REGULATIONS MADE UNDER SECTION 7(4) AND 7(5) OF THE LONDON LOCAL AUTHORITIES ACT 1991

INTERPRETATION

1. In these rules:
The masculine always includes the feminine.
'Licence' means any special treatment licence which the Council can grant under Section 6 of the Act. This includes any associated consent or permission.
'Licensee' means the holder of such a special treatments licence.
'Applicant' means the applicant for a licence or licensee as appropriate.
'Application' means an application for one or more of the following, as the case may be:
(a) grant of a licence;
(b) transfer of a licence;
(c) renewal of a licence;
(d) variation of a licence (including waiver or modification of a licence condition);
(e) an amendment to a licence which would extend the licensed area, increase the accommodation capacity or extend the licensed hours.
'Objector' means any person who has given Notice in accordance with Rule 14 hereof and who has complied with its terms.
'Parties' means the applicant(s), any objector(s) to the grant of the application, including any Council Officer, in circumstances where he/she is making formal objection or seeking revocation.
'Premises' means the place for which a licence is sought or for which a licence is in force.
'Revocation' means the revocation of a licence under section 14 of the Act or a proposal to revoke the licence under this statutory provision.
'Head of Trading Standards & Licensing' includes his/her representative/s.
'Assistant Director, Planning & Transportation' or representative/s.
'Council' means the London Borough of Haringey
'Licensing Sub-committee' means the Sub-committee set up by the Council and consisting of a group of Councillors.

COMPOSITION OF THE LICENSING SUB-COMMITTEE

2. The Councillor for the Ward in which the applicants' or objectors' premises are situated shall not sit on the Licensing Sub-committee when that application is to be considered.

APPLICATION FORMS

3. An application for a licence shall be made on the form provided by the Council and *if required* shall be advertised in accordance with Nos. 7 and 8 of these Rules. If an application has not been determined within twelve months of its submission, the Council may require it to be re-advertised in accordance with Rules Nos. 7 and 8 unless an extension of time is granted by the Council. The form of application shall be signed by the applicant, or a solicitor or other duly authorised agent acting on behalf of the applicant.

APPLICANTS

4. (a) An application for a licence shall be made by the person who lawfully occupies or who will occupy the premises to be licensed by virtue of a freehold interest, a lease, an assignment of lease, an agreement for a lease or a tenancy or any other agreement in writing giving a substantial right of occupation and acceptable to the Council (documentary evidence of which may be required by the Council).
(b) Applications for the grant of a licence shall not be made by limited companies or other corporate bodies, unless the applicant is renewing an already existing licence.
(c) Applications to transfer a licence to a limited company or other corporate bodies shall not be made.

- (d) Where the legal occupier of the premises is a limited company or other corporate body the applicant shall be a director of that company or with the consent of the Council a manager (or other responsible person) authorised by that company to make the application.
- (e) Applicants, including directors of companies, shall disclose their normal residential address either on the form provided by the Council or in accompanying correspondence but this address need not be disclosed on any public notice.

PLANNING USE

- 5. The applicant shall state on the application form the lawful planning use of the premises and shall submit with the application documentary evidence that either planning permission has been obtained for the use and hours sought under the licence, or that planning permission is not required. Should the Council so require "a certificate of lawful use" in respect of the planning position shall be supplied. The application will not be considered unless the Council is satisfied that the proposed activity would constitute a lawful planning use. **Notes :** (i) This rule shall not apply to applicants for transfer or renewal of a licence; (ii) It is open to the applicant to ask the Licensing Sub-committee to waive the rule where it is considered there are exceptional circumstances.

PLANS AND SPECIFICATIONS

- 6. An applicant shall submit such plans, line drawings and specifications of the premises concerned as may be required by the Council. **Note :** When the licence application forms are submitted to the Council, the Head of Trading Standards & Licensing will arrange for a survey to determine the suitability of the premises concerned with a view to ensuring public safety.

EXHIBITION OF A NOTICE AT THE PREMISES (Where appropriate - see Rule 3)

- 7. (a) Within 7 days of the date on which the application is made the applicant for a new licence (and *if required* by the Council the applicant for variation of a licence) shall arrange for a notice or, (if the premises are large or front more than one street), notices of the application to be put up at the premises using the form provided by the Council.
(b) The notice(s) must be put up and shall bear the date it was first exhibited. It shall then be kept exhibited for not less than 28 days on a part of the premises where it can easily be seen and read by persons in the street or any adjoining public place. With the consent of the Council the notice(s) may, if necessary, be exhibited near the premises.
(c) The application is made on the date the application is delivered to the Council or, if posted, on the date shown on the postmark of the envelope addressed to the Council.
(d) If this Rule is not strictly complied with the Council will require the notice to be re-dated and kept exhibited at the premises for 28 days from the date of re-exhibition.
(e) This Rule shall not apply to an application for transfer or renewal of a licence unless the Council specifically so requires.
(f) In appropriate cases the Council may waive this Rule for certain applications to vary the licence or extend the licensed area.

NEWSPAPER ADVERTISEMENTS (Where appropriate - see Rule 3)

- 8. (a) Within 7 days of the date on which the application is made for a new licence, and if required by the Council for a variation of a licence, notice of the application in the form required by the Council shall be published (at the expense of the applicant) in a local newspaper which circulates in the locality in which the premises are situated or which is available at local newsagents. **Note :** A London wide newspaper, such as 'The Standard' is NOT regarded as a local newspaper for the purposes of this rule.
(b) The applicant shall send one complete copy of the newspaper containing the advertisement to the Council.
(c) The last day for objection shall be 21 days from the date of the newspaper advertisement or the date on which the complete copy of the newspaper has been received by the Council or 28 days from the date of the notice at the premises.
(d) This Rule shall not apply to an application for a transfer or renewal of a licence unless the Council specifically so requires.
(e) In appropriate cases the Council may waive this rule for certain applications to vary the licence or extend the licensed area.

NOTIFICATION TO THE POLICE AND FIRE AUTHORITIES

9. The Licensing Unit will send a copy of your application, on your behalf, to the Commissioner of Police and to the London Fire and Emergency Planning Authority, for consultation purposes.

PHOTOGRAPHS

10. Where instructed by the Head of Trading Standards & Licensing, the applicant shall provide photographs of those persons offering Special Treatments. The photographs must be 2 identical passport type photographs of each person offering treatments. Each photograph must be dated when it was taken, with the name of each person whose likeness it bears, and signed by the applicant.

CERTIFICATES

11. Where instructed by the Head of Trading Standards & Licensing, the applicant shall provide certificates for each Special Treatment that each person is offering. The certificates must be originals and photocopies will not be accepted.

FEES

12. The appropriate Special Treatment Licence fee must accompany the application.

MODIFICATION OR WAIVER OF CONDITIONS OF LICENCE OR EXTENSION OF LICENSED AREA

13. A licensee applying (whether or not at the same time as an application for transfer or renewal) for the modification or waiver of any of the terms, conditions or restrictions of a licence or for an amendment of a licence relating to an extension of a licensed area shall comply where appropriate with Nos. 3, 7 and 8 of the rules as required by the Council.

INFORMATION ON HOW TO OBJECT

14. A person who wishes to object to an application shall within the time specified in the notice put up at the premises or contained in the newspaper advertisement relating to the application, write to the Head of Trading Standards & Licensing giving in detail the reasons for objection. The Council is unable to consider anonymous objections.
15. Within 14 days of the last day for lodging objections, the Head of Trading Standards & Licensing shall forward to the applicant a copy of every valid written objection.
16. If an objection is made by an Association it shall be confirmed at any Licensing Hearing that the objection has been formally authorised by that Association. This confirmation should be by the Chair, Secretary or other duly authorised officer of the Association.
17. Petitions shall bear the grounds of objection of that petition on each page and a warning to potential signatories that a copy of the petition will be supplied by the Council to the applicant. Each person signing should also print his/her name and address preferably written in black ink. Each page of the petition should be dated.
18. A late objection will only be accepted by the Council in exceptional circumstances.
19. The Council will not accept an objection or any individual ground of an objection when it considers that either the objection as a whole or the individual ground is irrelevant to the decision to be reached.
20. Unless the objection relates to the character of the applicant Council officers may seek to mediate between the parties to see if agreement can be reached without the need for a licensing hearing.
21. An opposed application shall be decided at a hearing where evidence (oral and written) is given orally and in public unless the Licensing Sub-committee decides otherwise.

22. (a) At any oral hearing in public of an application an objector shall not be allowed to raise any matter not referred to in the written objection lodged by the objector concerned unless there are exceptional reasons for so doing and the objector is able to justify why the new material should be placed before the Licensing Sub-committee.
(b) Any such application to introduce new matters will be open to representations by the applicant or his/her legal representative as to whether such matters should be considered by the Licensing Sub-committee. When representations have been made by both parties, the Licensing Sub-committee will decide whether the new material should be placed in evidence.
(c) If the objector's application is granted, an adjournment of the hearing may have to be permitted in order to allow the applicant time to consider the new material and respond. In consideration of the extra costs likely to be incurred by all parties occasioned by an adjournment, any application by the objector must demonstrate exceptional grounds before it is granted.
23. At any oral hearing in public of an application the applicant and the objector shall attend in person or, if the application or objection is made by a body corporate, business firm, society, association or other group, a duly authorised representative shall be present who is able to speak on behalf of the body corporate and who, in the case of the applicant, is empowered to supply any undertaking requested by the Licensing Sub-committee or demonstrate that any conditions attached to the licence will be complied with. **Note** : All objectors and applicants are reminded of their right to have a legal representative at the Hearing.
24. If any person who has written to Head of Trading Standards & Licensing, objecting to the grant etc. of a licence, fails to attend the oral hearing in public, the Licensing Sub-committee will hear and consider any evidence and arguments put forward by or on behalf of the applicant in relation to the written objection received. The Licensing Sub-committee will take into account, in considering the importance to be attached to the objection, that the objector was not available to be questioned about his/her statements.

PROCEDURE AT AND AFTER ORAL HEARINGS IN PUBLIC

25. The procedure at the meeting will, in general, be similar to that in a Court of Law. Although the strict rules of evidence will not apply, they will be observed to a great extent because this is the best way of hearing the evidence from all parties. Members may seek clarification of any procedural, technical or legal matter from officers at any time during the proceedings.
26. A report will be put before the Licensing Sub-committee, prepared by the appropriate officer of the Council. In addition, where necessary, an appropriate officer will provide a detailed plan of the premises. A copy of the report will be sent to the applicant in advance of the meeting.

WARD COUNCILLOR'S SUBMISSION

27. The Councillor for the Ward in which the applicants or objectors premises are situated may either:
(a) Object to an application in accordance with numbers 14 to 24 of these rules; or
(b) Appear as a witness on behalf of an applicant or objector; or
(c) Give evidence by way of Ward Councillor's submission as detailed in rule 28 below.
28. If a Councillor for the Ward, who has not made a formal objection, wishes to give evidence he/she may either address the Licensing Sub-committee or may submit written representations in respect of the application regardless of whether or not he/she is an objector called by any party as follows:
(a) If a Ward Councillor wishes to give oral testimony this will normally be given after the Chair of the Licensing Sub-committee has introduced the report and any evidence of objectors has been heard.
(b) Before a Ward Councillor addresses the Licensing Sub-committee he/she must first make a declaration that he/she has not previously discussed the application with the Members of the Licensing Sub-committee and will take no part in the determination of the application.
(c) Evidence given by way of oral testimony is subject to questioning by the parties to the application and by members of the Licensing Sub-committee.
(d) If representation is given by way of written submission the Chair will indicate that the Licensing Sub-committee will take into account the fact that the submission of the Ward Councillor cannot be tested by questioning.

(e) Any evidence presented by a Ward Councillor by way of a Ward Councillor's submission shall only relate to those issues already known to the applicant by way of the Report to the Licensing Sub-committee or otherwise.

(f) (i) Evidence given by way of written submission under this rule shall be provided to the Head of Trading Standards & Licensing at least 7 days in advance of the Hearing. (ii) Notice of evidence to be given by way of oral testimony under this rule shall be provided to the Head of Trading Standards & Licensing at least 7 days in advance of the hearing. If he/she wishes to raise issues which are not already known to the applicants, such notice shall be in writing and shall set out in general terms the issues to be raised. (iii) The Head of Trading Standards & Licensing shall on receipt of evidence under (i) or a notice under (ii) above send a copy to the applicant as soon as possible and at least 5 days in advance of the hearing.

(g) If there is an objection to the Ward Councillor's submission, the Ward Councillor and both parties may give their reasons for or against the submission to the Licensing Sub-committee. The Legal

Advisor to the Licensing Sub-committee may also give advice before the Licensing Sub-committee decides whether to allow the submission in as evidence. If the Licensing Sub-committee decides to hear the submission it may be appropriate to adjourn the proceedings after it has been made so as to allow the party objecting to it time to consider the submission in detail.

Note : It should be noted that a Ward Councillor's involvement in a hearing under this rule is limited solely to making representations i.e. there is no right of questioning of other parties or making a closing address.

ORDER OF PROCEEDINGS

29. At the start of the hearing the Chair will introduce himself/herself and other members of the Licensing Sub-committee.
30. The Chair will then check that there are no additions or alterations to the list of those appearing at the hearing which will have been prepared in advance by the appropriate officer and he will then briefly introduce the report and outline the procedure that will be followed for the remainder of the hearing. The procedure is as follows:
 - (a) The Chair of the Licensing Sub-committee may call at any time any necessary officer(s) to give factual information (e.g. as to the technical arrangements of the premises). These officers can be questioned by any of the parties present or questioned by members of the Licensing Sub-committee on matters relating to that evidence.
 - (b) Any Council officer(s) who are making a formal objection will then be required to present their respective cases and call any evidence in support.
 - (c) All other objectors will then be required to present their cases and call any evidence in support.
 - (d) The objectors present their case by addressing the Licensing Sub-committee and/or calling evidence. The objector may address the Licensing Sub-committee either before or after calling his evidence. **Note**
: In appropriate cases the Licensing Sub-committee may during or at the end of the objector's case wish to establish whether the objectors are opposed to the application in its entirety or, for example are objecting to the lateness of the hours sought and not to the grant of the licence itself.
 - (e) The applicant (or his/her representative) is then entitled to address the Licensing Sub-committee and call evidence in support of his/her application.
 - (f) When the applicant has called his/her evidence the objectors may each make a closing statement. An objector is not entitled to call new evidence at this stage and his/her closing statement must be limited to commenting on matters raised by the applicant either in the applicant's opening statement or the evidence called in support of the application.
 - (g) When the objectors have made their closing statements the applicant (or his/her representative) may make a closing statement to the Licensing Sub-committee.
31. Each person giving evidence may be questioned by the opposing party or parties and by Members of the Licensing Sub-committee. A person may decline to be questioned but less importance would then be attached to his/her evidence. **Note :** Objectors to an application may not question each other but an objector may question his/her witness(es).

32. When a person gives evidence:
 - (a) He/She is first asked to state his/her full name and address.
 - (b) He/She either makes a statement or, if appropriate, is questioned by the person calling him/her.
 - (c) He/She may be questioned by the other party or parties or their representative.
 - (d) Throughout the presentation of the respective cases for the Objector and the Applicant questions may be put by Members of the Licensing Sub-committee. Such questions will normally be put immediately following the questions by the opposing party or parties. Following the questions by Members of the Licensing Sub-committee they may have to consider whether another opportunity for further questioning should be afforded to the other party or parties on "new" evidence introduced as a result of the replies to Members' questions.
 - (e) He/She may be questioned further (if appropriate) by the person who called him/her. These questions must be limited to matters which have already arisen in previous examination or Members' question. This is solely an opportunity to ask questions and not a time to make statements. No new matters may be raised at this stage.

DOCUMENTARY EVIDENCE

33. Documentary evidence on which it is intended to rely shall be submitted to the Head of Trading Standards & Licensing not less than 7 days before the date of the Hearing so that it may be included with the report to be submitted to the Licensing Sub-committee. If documents are not easy to photocopy on an A4 machine, (e.g. photographs) then normally eight copies must be supplied.
34. Where one of the parties wishes to submit a document at the hearing the following procedure should be followed:
 - (a) The party concerned should explain why the document concerned was not submitted in advance.
 - (b) If the Chair accepts the explanation he/she shall then establish whether the opposing party or parties (or their representatives) have already seen the document and whether they have any objection to its submissions.
 - (c) If the other parties have not previously seen the document the Chair will request that it first be passed to them (or to their representative) so that they can decide whether they object to it being submitted to the Licensing Sub-committee and if so the grounds of their objection. **Note** : For this purpose it may be necessary to allow time for the study of the document.
 - (d) If there is an objection to the submission of the document both parties may give their reasons for or against the proposed submission to the Licensing Sub-committee. The Legal Adviser to the Licensing Sub-committee may also give advice before the Licensing Sub-committee decide whether to allow the document to be submitted. **Notes** : (i) In some cases it may be necessary for them to see the document before making a decision; (ii) Clearly rules 33 and 34 have to be interpreted flexibly in relation to models, colour-boards etc. A party wishing to produce such models etc. should give notice in advance to the Democratic Services.
35. If there has been no objection to the submission of a document or if the Licensing Sub-committee has ruled that it may be submitted, the document will normally be read aloud by the party submitting it or by his/her representative. If the submission is a letter or written statement by someone who is not present and its submission has been opposed by one of the parties, the Chair (if the Licensing Sub-committee have ruled that it should be admitted) will indicate that the weight of evidence (importance) that the Licensing Sub-committee will attach to the document will take into account the fact that the signatory of the letter or the maker of the statement is not present to be questioned. In some cases it may be appropriate to adjourn the proceedings so as to allow the party objecting to the submission time to consider the submission in detail. **Note** : At least 6 copies should be provided of any document which is to be submitted at the meeting.

DECISION

36. At the end of a hearing the Chair will announce that the hearing is adjourned to enable the Licensing Sub-committee to deliberate in private and will return as soon as possible to announce their decision (which can be reached by majority decision). The Licensing Sub-committee will normally be accompanied by the relevant officers of the Council but the decision shall be arrived at by Members of the Licensing Sub-committee only. Sometimes the Licensing Sub-committee will go to a private room or they may ask the parties concerned and their witnesses and the public to leave. **Note** : Any officer retiring with the Licensing Sub-committee must be completely impartial.

37. The Licensing Sub-committee may decide to grant the application in whole or in part, to refuse the application, or to make a revocation and if granting or varying a licence, may attach any conditions they consider appropriate.

NOTIFICATION OF A DECISION

38. The Chair will normally announce the Licensing Sub-committee's decision in public at the end of the hearing and the reasons for this decision. This decision will then be communicated in writing to the parties as soon as possible after the hearing.

WAIVER OF RULES

39. In any particular case, any of these rules may be waived, altered or modified by the Director of Environment & Residents Experience or Head of Regulatory services in the case of Rules 3, 6, 7, 8, 10, 11 and 15. **Note** : A person refused an application for a licence or a licensee aggrieved by any term, condition or restriction attached to the licence can appeal to a Magistrate's Court. The Council is the party who defends any such appeal but the Court rehears all the evidence for and against the grant of the application or the imposition of the term, condition or restriction as the case may be. A person aggrieved by the order of a Magistrates Court on such an appeal has a right of appeal to the Crown Court. An objector aggrieved by the decision of the Licensing Sub-committee does not have these rights of appeal but is entitled to object again when the licence comes up for renewal or may be called by the Council as a witness on the hearing of any appeal by the applicant.

ADDITIONAL PROVISIONS

40. The licence shall be for such a period as may be determined (usually 1 year) but not exceeding 18 months.

This page is intentionally left blank

App 4

LONDON LOCAL AUTHORITIES ACT 1991(as amended)
STANDARD CONDITIONS

REGULATIONS MADE BY THE LONDON BOROUGH OF HARINGEY UNDER SECTION 10(1) OF THE LONDON LOCAL AUTHORITIES ACT 1991 (as amended) PRESCRIBING STANDARD CONDITIONS FOR ANNUAL SPECIAL TREATMENT LICENCES.

NOTES

- (i) Except where the context demands otherwise the singular includes the plural and the masculine includes the feminine.
- (ii) Nothing in these rules shall be construed as interfering with (i) the discretion of the licensee or his representative regarding the admission of any person or (ii) the need to strictly comply with all relevant statutory requirements.
- (iii) These rules are divided into two Parts as follows:
 Part I – General Conditions relating to the management and conduct of the premises;
 Part II – General Conditions that apply to all premises;
 Appendices
- (iv) In these rules all references to a British Standard (BS) shall be deemed to refer to the current standard.

Health and Safety at Work

While these standard conditions are applied to a licence for any special treatment, they do not in any way replace or reduce any of the underlying statutory duties of employers to comply with the requirements of the Health and Safety at Work etc Act 1974 and any associated Regulations and Codes of Practice. The requirements to manage health and safety are wide ranging in nature and may overlap, to some extent, with some of the conditions listed below. Employers and self-employed persons are required by the Management of the Health and Safety at Work Regulations 1999 to assess and manage the risks to their workers and any others (i.e. clients), who may be affected by their business so as to identify what measures are needed to avoid or control the risks.

Regulatory Reform (Fire Safety) Order 2005

All licensed premises are required to carry out a fire risk assessment to identify the general fire precautions measures needed to prevent fires and keep people safe, including the provision of means of escape, emergency lighting, fire detection, fire-fighting equipment etc. The risk assessment must be recorded and reviewed regularly. The licence holder shall ensure that means of escape are maintained and kept free from obstruction at all times, and that fire-fighting equipment is suitably maintained. This is enforced by the Fire Authority.

DEFINITIONS

1. In these rules, unless the context otherwise requires :
 - 'Approval of the Council' or 'Consent of the Council' means the approval or consent of the Council as Licensing Authority in writing.
 - 'Approved', 'accepted' or 'permitted' means approved, accepted or permitted by the Council in writing.
 - 'Approved arrangements' means the arrangement of the premises, fittings, installations and all other things in connection therewith as approved by the Council.
 - 'Council' means the appropriate licensing authority.
 - 'Escape lighting' (safety lighting) means lighting, obtained from a source independent of the general supply for the building, provided to assist the public and staff to leave the premises without the aid of normal lighting.
 - 'Establishment for Special Treatment' has the meaning set out in Section 4 of the London Local Authorities Act 1991.
 - 'Licence' means a special treatment licence granted under Section 6 of the London Local Authorities Act 1991.
 - 'Licensee' means the person or corporate body licensed under Section 6 of the London Local Authorities Act 1991.
 - 'Non-combustible' material means material which is deemed to be non-combustible when tested in accordance with the provisions of the current edition of British Standard 476: Part 4, or such other material or combination of materials as the Council accepts as being non-combustible for the purpose of these rules.
 - 'Officer' means any person authorised in writing by the Council. (This may include officers of the London Fire and Emergency Planning Authority).
 - 'Public' means any person other than a member of staff admitted to the licensed premises.
 - 'Premises' means any premises within the Council's area licensed for special treatment and includes all installations, fittings and things in connection therein.
2. (a) These rules may be dispensed with or modified by the Council in any special case.
 - (b) Where in these rules there is any reference to the consent of the Council being required, such consent may be given on such terms and conditions and subject to such restrictions as may be so specified.

- (c) If the licensee wishes any of the terms of the licence to be varied an application must be made to the Council and if the Council so require the application must be advertised.

PART I – GENERAL CONDITIONS RELATING TO THE MANAGEMENT AND CONDUCT OF THE PREMISES

1. Exhibition of Licence

The licence or a clear copy shall always be prominently displayed, in a position where it can be easily read by clients and staff

2. Person in charge of Licensed Premises and General Responsibilities

- (a) The licence holder shall be in charge of the premises at all reasonable times. The licence holder may authorise in writing a premises manager to deputise for him. If he does so, this written authorisation must be kept on the premises and be readily available for inspection by any Authorised Officer.
- (b) The licence holder shall ensure that at least one person shall be present in the premises at all times, who has an acceptable level of spoken and written English, in order to satisfactorily conduct a full consultation with the client. This includes obtaining and discussing client details such as relevant medical history, possible contraindications and providing suitable and sufficient aftercare advice.
- (c) The licence holder shall ensure that valid public liability insurance with an appropriate level of cover is held in respect of the premises and all special treatments provided. The insurance must cover all practitioners providing the treatments, unless they have his own appropriate insurance to the same minimum level of cover.
- (d) The licence holder shall ensure professional indemnity insurance is in place for all treatments offered at the premises.
- (e) Insurance documents shall be available at the premises for inspection by an Authorised Officer at all reasonable times and shall be submitted to the Council on request.
- (f) The premises shall not be used under the terms of the licence unless and until any necessary permission and/or consents have been obtained pursuant to the Town and Country Planning Act 1990, the London Building Acts 1930-1939, the Building Act 1984 and the Building Regulations Act 1985 or any legislation amending or replacing the same

3. Conduct of the Premises

- (a) The licensee shall maintain good order in the premises at all times.
- (b) The license holder shall ensure that no part of the premises is used for soliciting or indecent behaviour including providing/offering sexual services of any kind.
- (c) Except with the written consent of the Council, the licensee shall not employ at the licensed premises any person who he has been notified in writing that the Council considers unsuitable to be employed in such premises.
- (d) The licence holder shall not seek to obtain custom by means of personal solicitation outside or in the vicinity of the premises.
- (e) Special treatments not listed on the licence shall not be advertised or offered
- (f) The licence holder shall not permit for the door of any room or place in the establishment for the time being in use for providing a special treatment to be locked, unless there is a means of unlocking the door from the outside without the use of a key, in the event of an emergency
- (g) The licence holder shall ensure that, with the exception of those persons receiving treatment in accordance with the conditions of the licence, all clients present in any part of the establishment shall be decently and properly attired and separate changing accommodation for males and females shall be provided.
- (h) The licence holder must take action to ensure that there is no modern slavery and/or human trafficking in the premises.

4. Display of Tariff

A price list of all the treatments offered, including VAT, shall be provided prior to treatment, in a prominent position in reception where it is clearly visible to the public at all times. Where the charge for treatments is on 'an hourly basis', for example tattooing, then this list shall show the hourly rate to be charged including VAT.

5. Alterations

No alterations, including any temporary alterations, shall be made to the premises without the prior consent of the Council. This condition shall not require to be given in respect of routine maintenance work

PART II GENERAL CONDITIONS THAT APPLY TO ALL PREMISES

1. Persons who can give treatment

- (a) Licensable treatments shall only be provided by a practitioner named on the licence to provide those treatments listed, except in circumstances detailed in condition 1 (b).
- (b) Licensable treatments may be provided by guest practitioners that are named on a Temporary Authorisation, which forms part of the licence. The maximum duration permitted on a Temporary Authorisation is 14 consecutive days per guest practitioner. A maximum of 4 Temporary Authorisations are permitted per licence per year.
- (c) The temporary authorisation must be displayed alongside the Special Treatment Licence for the duration of the authorised period
- (d) All treatments provided by guest practitioners must be under the personal supervision of a person named on the licence for the treatment that they are supervising.
- (e) All consultation forms relating to clients that intend to receive treatment from a guest artist must be checked and countersigned by the person named on the licence that will be supervising the treatment.
- (f) Apprentice/trainee practitioners shall not carry out special treatments without the written consent of the Council. Apprentice/trainee practitioners shall only carry out these special treatments under the direct supervision of a suitably experienced special treatment practitioner who are approved by the Council and named on the licence
- (g) All staff engaged in receiving patrons or in giving treatment or in managing the premises shall wear a name badge in a manner approved by the Council.

2. Qualifications

- (j) All practitioners must be suitably qualified for each treatment that they wish to provide.
- (k) All qualifications must be Ofqual regulated, where a regulated qualification is available for the treatment to be provided. A list of all regulated qualifications can be found on the Ofqual register <https://register.ofqual.gov.uk/>
- (l) Where an Ofqual regulated qualification is not available for the treatment to be provided, the Licence holder must demonstrate that the therapist has received a suitable level of training, to the satisfaction of the council. The therapist may undergo a competency interview with an authorised Council Officer or be required to complete additional training to the satisfaction of the Council

- (m) Qualifications obtained outside of the UK will not be accepted unless accompanied by a certificate of Comparability which is available through UK NARIC. The qualification must be at the equivalent level of the accepted Ofqual regulated qualification accepted by the council.
- (n) Any practitioner may be required to successfully complete an infection control course, to be specified by the Council. Failure to successfully complete this course may lead to the practitioner being removed from the licence
- (o) Any practitioner may be required to re-take an infection control course, to be specified by the Council, periodically, at a time interval to be set by the Council, to ensure knowledge is refreshed.
- (p) Copies of relevant qualifications for all staff named on the licence shall be kept on the premises. These must be available to both Clients and Authorised Officers on request

3. Age Restrictions

- (a) No treatment shall be provided to persons under the age of sixteen without written consent from a parent or guardian.
- (b) Where legal or age restrictions are in place as part of the Standard Conditions for certain treatments, the business must have an age verification policy in place at the premises
- (c) The age verification policy operated at the premises shall be 'Challenge 25'. This means that whilst an age-restricted service may be made available to persons aged over the minimum age limit, any person who appears under 25 years of age shall be required to provide proof of age using an acceptable form of ID. The only forms of ID that may be accepted shall be:
 - i) Proof of age card bearing the PASS hologram logo;
 - ii) Passport;
 - iii) UK photo driving licence
- (d) Notices advertising that the premises operate a 'Challenge 25' scheme shall be displayed in a clear and prominent position, so that clients are made aware that they may be challenged about their age if they look under 25.
- (e) Where an age challenge is made, it must be recorded, and the form of ID provided must be noted on the client record card or in a book, or other form of record. Where the record is kept other than on a client record card, the date, time and circumstances of any challenge made in accordance with the 'Challenge 25' scheme shall be recorded. These records shall be kept on the premises at all times they are open and shall be made available for inspection immediately upon demand by any Authorised Officer

4. Client Records

- (a) The client records shall include the name of the person receiving treatment, including walk-ins/one offs, the time of admittance for treatment and the real name of the practitioner providing that treatment. In the case of persons being treated by an apprentice/trainee, the entry shall include both - the name of the person giving treatment and that of the person supervising.
- (b) In the case of treatments to persons under 16, in addition to the Challenge 25 requirements above, the records shall include a signed consent form from a parent or guardian, prior to giving treatment.
- (c) All client records must be kept for a minimum of 3 years

5. Client Consultation

- (a) A full client consultation must be carried out at the time of the initial visit and prior to any treatment.
- (b) The consultation must include a thorough medical history in relation to the treatment being requested and a full explanation of any possible contra-indications and risks
- (c) Where any medical conditions exist, the client must confirm to the practitioner that they have taken advice from their GP regarding the treatment before any treatment can be commenced

6. Use of Topical Anaesthetics

- (a) Topical anaesthetics shall not be obtained and applied by the practitioner. Such products may be obtained and applied by the client and the client shall be advised to read the full instructions and contra-indications prior to use

7. Hygiene and infection control

- (a) Internal walls, doors, windows, partitions, floors or floor coverings and work surfaces in all parts of the premises used by the client and practitioner shall be constructed of smooth impervious materials which are easy to clean and must be maintained in good repair and condition.
- (b) There must be suitable and sufficient means of natural or mechanical ventilation in each treatment room, and wherever practicable this should be direct to the external air.
- (c) A wash hand basin must be easily and permanently accessible to practitioners to permit washing of hands immediately prior to and during any treatment

- (d) Wash hand basins must be located to reduce the likelihood of re-contamination of hands after washing i.e. the practitioner must not make hand contact with any potentially contaminated surfaces, such as door handles after hand washing.
- (e) A sink must be provided for the cleaning of equipment. It must be of a size that the largest piece of equipment that needs cleaning could fit within it and be capable of being washed effectively, underneath the water level where necessary for infection control. This sink must be separate to any wash hand basin(s). Equipment must not be washed in the wash hand basins.
- (f) Proper means to the satisfaction of the Council shall be provided for securing the cleanliness of all instruments, towels, materials and equipment used in the establishment and for their safe disposal
- (g) A sufficient number of suitable receptacles with properly fitting covers shall be provided to the satisfaction of the Council for the purpose of receiving rubbish, dust and refuse from the premises.

6. Trade/Clinical Waste

Evidence of trade waste and clinical waste contracts and records/invoices to demonstrate the correct disposal of all types of waste shall be available on the premises for inspection at all reasonable times by an Authorised Officer and shall be submitted to the Council on request.

This page is intentionally left blank