

Report for: Licensing Committee

Item number: 7

Title: Consultation response/outcome 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

Describe the issue under consideration

- 1 The Council in its role as a Licensing Authority under the Licensing Act 2003 (LA03) has a duty to determine, publish and keep under review its Statement of Licensing Policy, which has a five year shelf life but can be replaced at any time during that five year period.
 - 1.1 The current policy is due to expire at the end of January 2026. The proposed new Licensing Policy is attached at Appendix 1. The policy was last considered and published in January 2021: therefore, it must be reviewed before the end of January 2026.
 - 1.2 The Statement of Licensing Policy sets out the Council's approach to issuing licenses for the sale of alcohol, entertainment and the late night refreshment, the management of those licenses and the expectations the Council has if licensees.
 - 1.3 Local Authorities have power to publish a Cumulative Impact Assessment (CIA) where it considers that it would be inconsistent with its duty to promote the licensing objectives to grant any more licences to premises in one or more parts of its area. The consequence of declaring a CIA is that it puts in place a presumption of refusal for new business and may restrict growth for existing businesses. Haringey has not declared a CIA.
 - 1.4 The proposed draft revised policy has been compiled in conjunction with the Police, Public Health, the Noise and Nuisance Team and the other Responsible Authorities and partners.

2 Recommendations

That the Committee:

- 2.1 Ask Full Council at its next meeting to adopt the draft revised Statement of Licensing Policy 2026– 2031, set out at Appendix 1.

3 Alternative Options Considered

- 3.1 It is a legislative requirement that the policy be considered and adopted at least every five years, and that a public consultation is carried out. Failure to adopt the Statement of Licensing Policy (SOLP) would result in the Council failing to comply with legislation, therefore, no alternatives were considered.

4 Reasons for decision

- 4.1 The Council is obliged to review and adopt a statement every five years. The current policy will expire in January 2026. Therefore, a new policy has to be adopted.

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 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 SOLP be inconsistent with obligations placed on the council under any other legislation, including human rights legislation. Members should also note that the Council has a duty under Section 17 of the Crime and Disorder Act 1998, when carrying out its functions as a Licensing Authority under the LA03, to do all it can to prevent crime and disorder within the borough.

- 5.3 The SOLP 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 government recommends that the policy should also describe how the Licensing Authority's approach to Licensing will be integrated with the council planning, crime prevention, transport and cultural strategies and any action plan or strategy for the management of the evening economy and large events taking place in the borough.. The SOLP must also avoid duplicating other requirements e.g. health and safety regulations which already places a range of general duties on employers and licence holders.

- 5.4 The draft policy has been updated to apply changes in law and the Section 182 Guidance, including the update of pavement licensed areas and the sale of alcohol in these areas, an update on and links to immigration status documentation as well including wording to prepare for Martyn's Law. The majority of changes have been automatically incorporated into the policy document. A summary of some of the changes are below in 5.5

5.5 Summary of the main amendments

Section of policy	Reason for change /update	Page ref
All about Haringey	Information updated to reflect most up to date data and policies. Relationship with Planning Modern Day Slavery	5

	State of the Borough and the Corporate Plan. Licensed premises have an impact on the community the information sets the scene of the challenges facing Haringey as well as the aspirations. Addressing risk and harms to women and vulnerable people in the nighttime economy.	
Alcohol harm and Public Health	Wording on the impact of alcohol on young people and borough expectations on preventing harm.	6
Pavement license and alcohol sales	Update from Section 182 guidance, including the updates of pavement licences.	
Demonstrating local knowledge	Local knowledge, reflect how licensing plays a role. Raise awareness of these issues in the licensed trade across the borough	13
Major events	Wording updated on expectations of management of large events. Wording inserted to say that matters of this nature will be done under a public safety concern by the Safety Advisory Group on a case-by-case basis	13
Immigration wording updated	Updates and link to immigration status documentation	42
Martyn's Law	New Powers -advice on getting prepared	50
Various policy positions	New sections outlining expectations in the following areas: Addressing risks and harms to women and vulnerable	47 -62

	people in the nighttime economy. Highlighting expectations for online alcohol delivery services and dark kitchens to improve the operation and oversight of alcohol sales. Ensuring licenses are aware of their responsibilities in relation to drink spiking. outlining expectations on the dispersal of patrons from premises	
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5.6 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.

5.7 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 can 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.

5.8 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.

5.9 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.

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.

6.3 Licensing is about regulating the carrying on of licensable activities within the terms of the Act. 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.

7 Consultation process

7.1 In line with the Constitution, the Licensing Committee gave approval for consultation on Draft Statement of Licensing Policy on 11th August 2025. A six-week consultation has been undertaken which ended on 22nd September 2025. Persons consulted included, Chief Police Officer, London Fire Brigade, Director of Public Health, local premises licence holders, club premises licence certificate holders as well as bodies representative of businesses and residents, Planning, Trading Standards, Children Safeguarding, Environmental Health, Public Safety, Noise Team, Licensing Authority and the Home Office. The Overview and Scrutiny Panel were also consulted.

7.2 The consultation took place online with respondents asked to complete a survey for the consultation. The online consultation received 42 responses and 2 additional responses were received directly by email. All comments received and the potential impact or not on the licensing policy are shown in App2

7.6 Adoption next steps - The consultation outcome is taken to the Licensing Committee to agree the policy to be presented to Full Council on 24th November for adoption. This will then be followed by a statutory public notice and the policy takes effect on 30th January 2026.

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

Finance

This report sets out the responses to the. The consultation exercise was 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 the consultation are before 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 [Robin Levett - Principal Lawyer]

- 10.1 The Assistant Director of Corporate Governance has been consulted in the preparation of this report and comments as follows.
- 10.2 Legal implications are set out in the body of the report.
- 10.3 It has been Haringey's practice to consult on its SOLP more widely than required by statute, and has continued to do so on this occasion.
- 10.4 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.
- 10.5 Consultation for the SOLP has been in accordance with the Mosley principles. Committee must conscientiously take into account the product of the consultation in considering adopt of the recommendation of this report.
- 10.6 Under the Council's Constitution, Article 4.01(a), approval of the SOLP is reserved to Full Council. Licensing Committee (by Part Three, Section B Section 2 Part 7 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.
- 10.7 There is no legal reason why Licensing Committee should not adopt the recommendation made in 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. The Equalities Impact Assessment has been produced, with no known impact on the basis of any protected characteristics.

12 **Use of Appendices**

Appendix 1 Draft Statement of Licensing Policy

Appendix 2 Responses from Consultation.

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