LONDON BOROUGH OF ENFIELD

LICENSING ACT 2003

LICENSING POLICY STATEMENT

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28 January 2025

SECTION		PAGE

1.	Purpose of the Statement of Licensing Policy	3
2.	Scope of the Statement of Licensing Policy	5
3.	Policy Statement	6
4.	Consultation	7
5.	Other matters for consideration	8
6.	The Borough of Enfield	10
7.	Factors for consideration	11
8.	Principles and sections for consideration	13
9.	General principles	13
10.	Sections: Process and administrative	13
11.	Sections: Expectations and considerations	27
12.	Contact details	39
Annex 1 – Definitions		40
Annex 2 – Cumulative Impact Assessment		41
Annex 3 – The Edmonton Cumulative Impact Zone Map		49
Annex 4 – The Enfield Highway Cumulative Impact Zone Map		50
Annex 5 – The Enfield Town Cumulative Impact Zone Map		51
Annex 6 – The Southgate Cumulative Impact Zone Map		52
Annex 7 – The Bowes Cumulative Impact Zone Map		53
Annex 8 – The Palmers Green Cumulative Impact Zone Map		54
Annex 9 – Summary of Age Restrictions		55
Annex 10 – Pool of Model Conditions		56
Annex 11 – Documents Which Demonstrate Entitlement To Work In The UK		64
Annex 12 - Sexual Entertainment Venues		64

Enfield Statement of Licensing Policy

1. Purpose of the Statement of Licensing Policy

1.1. This Licensing Policy Statement (‘the Policy)’ is issued by the London Borough of Enfield ('the Council'), as Licensing Authority, under the Licensing Act 2003 ('the Act').

1.2. The purpose of this Statement of Licensing Policy (“licensing policy”) is to outline the approach that Enfield Licensing Authority (“the Authority”) will take for implementing the Licensing Act 2003. The policy provides guidance for applicants, residents and Responsible Authorities under the Act. Responsible Authorities include the Council's Licensing, Public Health, Health and Safety, Environmental Health, Planning, Trading Standards and Children's Services as well as the Police, the Fire Authority and the Home Office.

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

1.4 The Licensing Act 2003 sets out four licensing objectives:

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

1.5 The Authority is required to make decisions based on these objectives and to promote them through its actions. Licensed premises are required to conduct their activities with reference to the promotion of these objectives.

1.6 The Licensing Authority will have regard to this policy when carrying out its functions under the Licensing Act 2003 (“the Act”).

1.7 The Act requires the Licensing Authority to publish this Statement of Licensing Policy. This licensing policy will be used as a guide in decision making with regard to licensing matters.

1.8 The Licensing Authority for the London Borough of Enfield makes this Statement of Licensing Policy in accordance with section 5 of the Act.

1.9 The Licensing Act 2003 also outlines five other key aims that are important for all those involved in licensing to support and promote through good practice. These are:

- Protecting the public and local residents from crime, anti-social behaviour and noise nuisance caused by irresponsible licensed premises;

- Giving the police and licensing authorities the powers they need to manage and police the night-time economy effectively and take action against those premises that are causing problems;
- Recognising the important role which pubs and other licensed premises play in our local communities, and minimising the regulatory burden on business, encouraging innovation and supporting responsible premises;
- Providing a regulatory framework for late night refreshment, and regulated entertainment which reflects the needs of local communities and empowers local authorities to make and enforce decisions about the most appropriate licensing strategies for their local area; and
- Encouraging greater community involvement in licensing decisions and giving local residents the opportunity to have their say regarding licensing decisions that may impact upon them.

1.10 This policy:

- Outlines the legal framework and responsibilities under the Licensing Act 2003 and the accompanying Section 182 Guidance issued by the Home Secretary "the Guidance");
- Makes clear the expectations that those engaging in licensable activities in Enfield may have of the Authority and other licensing partners, including clear and transparent processes.
- Makes clear the expectations the Authority has for those engaging with the licensing system in Enfield including licence holders, licence applicants, residents and Responsible Authorities; and

1.11 The aim is to make the Licensing system in Enfield as clear, simple and accessible as possible. To this end the policy sets out the following:

- A clear statement of the legal framework for the policy and its links to other legal frameworks and strategies;
- The Enfield context and the aspirations and intent of the policy within that context;
- The Licensing objectives and the measures expected to promote them as required by law;
- Twenty-two (22) easy to find, separate sections which provide more detailed guidance on the approach the Licensing Authority will take to specific issues and circumstances; and,
- Appendices that provide useful further information.

1.12 Each new licence application or an application for a variation of an existing licence will be considered on its own merits. This means that decisions will take into account the specific details in each case, including the proposed venue and the way it will operate, or proposed changes to an existing venue and/or its operation, as well as the context in which it operates.

1.13 Section 5 of the Licensing Act 2003 requires each Licensing Authority to prepare and publish a Statement of its Licensing Policy every five years. The previous Enfield policy was published on 28 January 2020. This current Statement of Licensing Policy reflects changes in legislation and local policy, and feedback to date around ease of use of the previous document and has been updated accordingly. This policy will apply from 28 January 2025 to 27 January 2030.

1.14 The legislation allows the Authority to review and update its Licensing Policy during this time to reflect any changes in legislation or guidance.

1.15 In the drafting of this policy the Authority has had regard for the Home Office Guidance issued under Section182 of the Licensing Act ("the Guidance") and has given appropriate weight to the views of consultees. When revisions of the guidance are published the Authority will determine if revisions of this Licensing Policy are appropriate.

1.16 The Authority is allowed under the Act and the guidance to review and reissue the Licensing Policy within the 5-year timeframe if this is deemed necessary. To this end the Authority will conduct a mid-point review of the Licensing Policy to determine if there is need review and re-publishing. This process is outlined in detail in Policy 8.

1.17 The Policy supports the Council's vision for Enfield to have clean and green spaces, strong healthy and safe communities, thriving children and young people, more and better homes, and an economy that works for everyone.[1]

2. Scope of the Statement of Licensing Policy

2.1. The scope of the policy is the oversight and management of the provision and holding of licences under the Licensing Act 2003. The Act regulates the following licensable activities:

- Retail sale of alcohol;
- Supply of alcohol to club members;
- Supply of hot food and drink between 23:00 and 05:00;
- Provision of regulated entertainment to the public, or club members, or with a view to profit;
- Film exhibitions;
- Performances of a play;
- Indoor sporting events;
- Boxing or wrestling entertainment;
- Playing of recorded music; and
- Dance performances.

[1] Investing in Enfield: Enfield Council Plan 2023-26
https://www.enfield.gov.uk/__data/assets/pdf_file/0022/34087/Enfield-Council-Plan-2023-2026-Your-Council.pdf

2.2. There are a number of exemptions and details of these are set out in full in Part 2 of Schedule 1 of the Licensing Act 2003.

2.3. Section 191 of the Licensing Act 2003 provides the meaning of 'alcohol' for the purposes of the Act. It should be noted that a wide variety of foodstuffs contain alcohol but generally in a highly diluted form when measured against the volume of the product. For the purposes of the 2003 Act, the sale or supply of alcohol which is of a strength not exceeding 0.5 per cent alcohol by volume (ABV) at the time of the sale or supply in question is not a licensable activity. However, where the foodstuff contains alcohol at greater strengths, for example, as with some alcoholic jellies, the sale would be a licensable activity.

2.4. The definition of alcohol was amended by the Policing and Crime Act 2017 to include alcohol 'in any state'. This is to make it clear that products such as powdered and vaporised alcohol fall within the definition provided by the 2003 Act. [2]

2.5. Licensable activities are covered through application to the Council, acting as the Licensing Authority, for a licence to undertake them. These include applications for new premises licences, club premises certificates, variations to these and reviews of licences and/or certificates.

2.6. The scope of the policy will be subject to revisions to the Licensing Act as set out in the Guidance as issued by the Home Office from time to time[3]. When revisions are issued, there may be periods of time where the published Enfield Licensing Policy is inconsistent with the Guidance. During such periods the Council, as the Licensing Authority, will have regard, and give appropriate weight, to the revised Guidance.

3. Policy Statement

3.1 The purpose of the Policy is to inform Members, applicants, residents and businesses of the key principles under which the Council will make licensing decisions.

3.2 Every application considered by the Council under this Policy, will be considered on its merits where relevant representations are made in respect of any application and a hearing is convened and regard is given to the Act and the Guidance and any supporting regulations.

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[2] Revised guidance issued under Section 182 of the Licensing Act 2003 (December 2023) https://www.gov.uk/government/publications/explanatory-memorandum-revised-guidance-issued-under-s-182-of-licensing-act-2003/revised-guidance-issued-under-section-182-of-the-licensing-act-2003-december-2022-accessible

[3] Ibid.

3.3 The Council maintains that licensing is about the control of licensed premises, qualifying clubs and temporary events within the terms of the Act and any terms and conditions attached to licences will be focused on matters that are within the control of individual licensees and in the vicinity of premises.

3.4 The Crime and Disorder Act 1998 promotes the practice of partnership working to reduce crime and disorder and places a statutory duty on police and local authorities to develop and implement a strategy to tackle problems in their area. In doing so, the responsible authorities are required to work in partnership with a range of other local public, private, community and voluntary groups and with the community itself.

3.5 This approach recognises that both the causes of crime and disorder and the interventions required to deliver safer, more secure communities lies with a range of organisations, groups and individuals working in partnership. Crime reduction is not solely the responsibility of the police.

3.6 For people in the community the quality of their life in their neighbourhoods is affected by a whole range of influences. Quite rightly, they do not apportion responsibility for solutions uniquely to each individual agency and as part of our own community, we recognise situations in which the actions of one agency can positively contribute to the work of another. Local organisations working together can collectively provide interventions and responses to tackle problems and provide earlier, more effective solutions.

4. Consultation

4.1 The Policy is made following consultation with (amongst others):

- The Chief Officer of Police;
- The London Fire Brigade;
- The Council's Director of Public Health
- Bodies representing local holders of premises licences;
- Bodies representing local holders of club premises certificates;
- Bodies representing local personal licence holders;
- Bodies representing businesses and residents in the Council's area.

4.2 A public consultation was also undertaken and received 20 responses.

4.3 All consultations responses have been considered and where appropriate have informed the development of the final licensing policy.

5. Other matters for consideration

Developing local knowledge

5.1 Demonstrated knowledge about the locality will assist applicants when determining the steps that are appropriate for the promotion of the licensing objectives. For example, premises within close proximity to residential premises should consider how this will impact upon their smoking, noise management and dispersal policies, to ensure the promotion of the public nuisance objective. Applicants must consider all factors which may be relevant to the promotion of the licensing objectives, and where there are no known concerns, to acknowledge this in their application.

5.2 Applicants are advised to carry out their own research, and potentially to seek the views of responsible authorities before formally submitting an application, as the authorities are best placed to have detailed and expert local knowledge about local issues that should be taken into consideration when making an application. It should be noted that there may be a charge for this service.

5.3 It is also expected that applicants will canvass the views of their neighbours and local residents as this can clear up any ambiguities and develop a relationship based on mutual cooperation before an application is made. This may be facilitated by making direct contact with neighbours and any local group that represents residents or businesses. This will also assist the applicant by giving an understanding at the outset of what the community believe is acceptable in their area.

Operating schedules

5.4 An Operating Schedule is submitted with a licence application and contains the information required by section 17(4) of the Act. Among other things, it includes the steps that the applicant proposes to take to promote the Licensing Objectives. Where a risk to the Licensing Objectives is present, the Council expects applicants to specifically address in their operating schedules, how they will meet the Factors for Consideration (outlined in part 8 below).

5.5 Whilst applicants are strongly encouraged to consider these Factors for Consideration, they should not be regarded as standard conditions and should be used and modified according to the individual application and location and to inform the operating schedule. By setting out a carefully considered operating schedule applicants can demonstrate that they have given thought to their application and its impact on the local environment.

5.6 An operating schedule should contain details relating to the promotion of the licensing objectives that are capable of being translated into enforceable conditions as, if there are no representations against the grant of the licence these will form the basis of the conditions that will be placed on the licence. It is recommended that applicants use the 'general' box in section P of the application form to indicate what local factors they have considered. Information on the application process is in Policy 1 of this document and further guidance is available on the Council's website.

5.7 The failure by an applicant to clearly and fully demonstrate in the operating schedule that they have properly considered the promotion of the four licensing objectives is a legitimate concern should the application come before the Licensing Sub-Committee and may trigger a representation from the Authority.

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

5.8 The Mayor of London has outlined his vision for London as a 24-hour City and has appointed a Night Czar and a Nighttime Commission to encourage the development of London as a vibrant, diverse, cultural city with a nighttime economy that is of global significance.

5.9 There is a vibrant, diverse and cultural nighttime economy offer across the borough. People living within and outside of Enfield will find entertainment, socialising and dining options that are reflective of a wide range of influences, origins and cultural aspects. Whilst the Mayor's Vision will be considered and reflected in the licensing system in Enfield, the Authority recognises that these ambitions need to be balanced against the needs and wishes of residents and other businesses and that the Authority's overriding duty is to promote the Licensing Objectives.

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

5.10 The Authority has responsibilities that relate to the prevention of immigration crime, specifically the prevention of illegal working in licensed premises. These responsibilities are outlined in this policy in Appendix 3. The London Borough of Enfield has a duty under the Modern Slavery Act 2015 to co-operate with the Independent Anti-Slavery Commissioner, and the Authority is also under this duty as part of the London Borough of Enfield.

5.11 Please see Annex 11 for further details on documentation required.

Health Act 2006

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

London Living Wage

5.13 Enfield is a London Living Wage employer and applicants are encouraged to pay staff a living wage.

Other regulatory regimes

5.14 It is important for all licensees and licence applicants consider and implement all other regulatory and legislative frameworks that are relevant to their premises and licence.

Integration of policies and avoidance of duplication

5.15 The Authority will seek to avoid any duplication with other statutory/regulatory frameworks.

Public Space Protection Order

5.16 The Council has adopted powers to designate the whole borough as a place where alcohol may not be consumed publicly and falls under the Public Space Protection Order published on 4 February 2021 and replaced the previous Public Space Protection Order. This Public Space Protection Order.

Consideration of principles and sections in this document

5.17 Applicants are also invited to consider the principles and sections outlined in the second part of this document. The general principles are intended to guide the overall approach to licensing and the nighttime economy in Enfield. The first set of policies are intended to outline administrative processes and expectations to support applicants and licensees to operate their businesses in an administratively effective manner. The second set of policies are intended to outline expectations that the Authority has for the specific issues and matters that are relevant to the way licensed businesses are run and organised.

6. The Borough of Enfield

6.1 Please see the Enfield Council borough profile at: https://www.enfield.gov.uk/__data/assets/pdf_file/0023/44717/Borough-profile-2023-Your-council.pdf

7. Factors for consideration

7.1 To give effect to the licensing objectives the Authority expects licence applicants to consider the following factors when preparing their applications and their operating schedules.

7.2 Prevention of Crime and Disorder - the means by which crime and disorder will be or is prevented by the effective management and operation of the licensed activities including, and not limited to:

- crime prevention design, including adequate lighting of car parks and CCTV;
- door supervision, including arrangements for screening for weapons and drugs;
- other measures to control violent, drunken or abusive behaviour (including exclusion of troublemakers; refusal to sell to those who are or appear to be drunk or underage; use of toughened and plastic 'glasses'; and bottle bins);
- drug dealing and abuse;
- prostitution and indecency;
- methods to discourage drinking of alcohol supplied for consumption on the premises, in a public place in the vicinity of the premises;
- methods to prevent taking alcohol off the premises in open containers;
- methods to prevent the handling and distribution of stolen, counterfeit goods or other illegal goods;
- capacity limits where necessary to prevent overcrowding or prevent nuisance upon entry and exit;
- appropriate ratio of tables and chairs to customers (based on the capacity) where the premises are used exclusively or primarily for the 'vertical' consumption of alcohol;
- irresponsible alcohol promotion.

7.3 Public Safety - the means by which risk to public safety will be or is prevented by the effective management and operation of the licensed activities including, and not limited to:

- whether the premises has a licence or other authorised document specifying the maximum number of persons that can attend it;
- whether the applicant has carried out a fire risk assessment as to the maximum number of people who can attend the premises safely and evacuate it in an emergency;
- measures to record and limit the number of persons on the premises;
- the adequacy of transportation arrangements to ensure that customers may safely travel to and from the premises and nuisance is avoided by concentrations of people unable to access transport in a timely manner;
- confirmation that any arrangements or advertising of taxis solely relate to taxis licensed by a recognised licensing authority;
- arrangements to ensure the safety for users, including people with disabilities, in the event of fire or other emergency;

- measures to address drink spiking;
- the safe storage and use of special effects such as fireworks or other explosives, firearms, real flame, strobe lighting / lasers etc;
- for dance events, the provision of measures to combat overheating, including availability of drinking water, air conditioning and ventilation.

7.4 Prevention of Nuisance - the means by which nuisances will be or are prevented by the effective management and operation of the licensed activities including, and not limited to:

- noise from delivery vehicles;
- noise from vehicles delivering and collecting customers;
- noise and/or vibrations emanating from the premises including extended/external areas such as beer gardens;
- noise, anti-social behaviour and other disturbance caused by persons leaving the premises;
- in relation to urination in public places the means to prevent nuisances should include the adequacy of lavatories, financial contributions towards the provision and/or maintenance of public urinals and supervision in the vicinity of the premises;
- congregations of persons, whether consuming alcohol or not, either waiting to enter, leaving or spilling/standing outside the premises;
- litter and accumulations of rubbish;
- the removal from premises of drinking vessels and bottles;
- vermin and pests;
- light pollution;
- use of fireworks or other explosives / special effects;
- noxious smells;
- arrangements to ensure that public lavatories within premises are available for use throughout the entire period that the public are on those premises;
- noise, odour and litter from persons smoking outside the premises;

7.5 Protection of Children from Harm - the means by which harm to children will be or is prevented by the effective arrangement and operation of the licensed activities including, and not limited to:

- the prevention of unlawful supply, consumption and use of alcohol and drugs and other products which it is illegal to supply to children, including proof of age arrangements;
- premises restrictions on the access by children to the whole or any part of premises, including times when children may not be present;
- the protection from inappropriate exposure to strong language, expletives or entertainment of an adult or sexual nature;
- the protection from any gambling;
- arrangements to prevent, drug taking or dealing;
- adequacy of controls on the times during which children may be present on the premises;
- the nature of the licensed premises and facilities provided e.g. sporting, cultural and recreational, where these may provide a tangible social benefit, particularly for children and may contribute to crime and disorder reduction and the protection of children from harm.

8. Principles and sections for consideration

8.1 This section outlines the specific policies that the Authority has set out as its expectations on applicants. It is expected that applicants will take these policies into consideration when developing their operating schedules and operating their premises.

9. General principles

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

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

10. Sections: Process and administrative

Section A: Licence applications and review

The process for applications set out in this section will be followed in all cases of applications for new licences or variations to existing licences.

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

10.2 Once an application is made and received electronically by the Licensing Authority it will be provided to all Responsible Authorities (see paragraph 10.7).

10.3 Details of applications are available via the Enfield Council website at

www.enfield.gov.uk.

10.4 Applications for all licences and authorisations available under the 2003 Act must be made on the relevant form prescribed under secondary regulations. Applications will not be progressed until the form has been completed in full and received, together with the relevant fee(s) and all other required information, by the Licensing Authority and the relevant responsible authorities.

10.5 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.

10.6 The Responsible Authorities are:

Responsible Authority	**Contact details**
Licensing Authority	licensing@enfield.gov.uk
Environmental Health	environmental.health@enfield.gov.uk
Child Protection	safeguardingenfield@enfield.gov.uk
Planning Authority	planning.enforcement@enfield.gov.uk
Health and Safety	environmental.health@enfield.gov.uk
Trading Standards	environmental.health@enfield.gov.uk
Metropolitan Police	NAMailbox-.Licensing@met.police.uk
London Fire Brigade	FSR-AdminSupport@london-fire.gov.uk
Director of Public Health	licensing@enfield.gov.uk
Port of London Authority (for vessels only)	London River House, Royal Pier Road, Gravesend, Kent, DA12 2BG
Home Office **(Immigration Enforcement)**	Home Office (Immigration Enforcement), IE Licensing Compliance Team (IELCT), 2 Ruskin Square (Floor 6), Dingwall Road, Croydon, CR0 2WF Email:

	IE.licensing.applications@homeoffice.gov.uk

10.7 The steps for consideration of a licensing application, a licensing variation and a club premises certificate are:

a) If no representations are made to an application, the Authority must grant it in full.

b) When an application is made, and relevant representations are made to the Authority it must hold a hearing of the Licensing Sub-Committee (unless those who have made representations agree in advance that this is unnecessary).

c) The Licensing Sub-Committee will then consider the evidence provided by applicants and by those making representations, the legislation and accompanying Guidance, this Statement of Licensing Policy and any other relevant data.

d) The Licensing Sub-Committee will determine the application and will take any steps it considers appropriate for the promotion of the licensing objectives.

e) Conditions on the licence, additional to those voluntarily offered by the applicant, may be considered. Appropriate conditions will focus on matters which are within the control of individual licensees and which also relate to the premises or places being used for licensable activities and the impact of those activities in the vicinity. If situations arise where the licensing objectives are compromised but cannot be dealt with by the use of appropriate conditions the Licensing Authority will consider whether it is appropriate for a licence to be issued or for the premises to continue in operation.

10.8 Conditions on a licence:

- must be appropriate for the promotion of the licensing objectives;
- must be precise and enforceable;
- must be unambiguous and clear in what they intend to achieve;
- should not duplicate other statutory requirements or other duties or responsibilities placed on the employer by other legislation;
- must be specific to the individual type, location and characteristics of the premises and events concerned;
- should not be standardised and may be unlawful when it cannot be demonstrated that they are appropriate for the promotion of the licensing objectives in an individual case;
- should not replicate offences set out in the 2003 Act or other legislation;
- should be proportionate, justifiable and be capable of being met;

- cannot seek to manage the behaviour of customers once they are beyond the direct management of the licence holder and their staff, but may impact on the behaviour of customers in the immediate vicinity of the premises or as they enter or leave; and
- should be written in a way that is specific, clear and measurable.

10.9 Individuals applying for a personal licence must be entitled to work in the UK. The Immigration Act 2016 amended the Licensing Act 2003 with effect from 6 April 2017 so that an application made on or after that date by someone who is not entitled to work in the UK must be rejected. Licences must not be issued to people who are illegally present in the UK, who are not permitted to work, or who are permitted to work but are subject to a condition that prohibits them from doing work relating to the carrying on of a licensable activity. In order to discharge this duty, the Authority must be satisfied that an applicant has the right to work in the UK and requires applicants to submit one of the documents listed at Appendix 11 of this policy, to demonstrate that the applicant has permission to be in the UK and that they are permitted to undertake work in a licensable activity. This also applies to individuals who apply for premises licences. The purpose of this is to prevent illegal working in the UK.

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

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

10.11 Responsible Authorities, residents or businesses or a representative of these may ask the Authority to review a premises licence because of a concern about the premises in connection with any of the four licensing objectives.

10.12 Any request for a review of a premises licence is required to be accompanied by evidence to accompany the allegations.

10.13 When a request for a review is initiated by other persons, the Authority is required to first consider whether the representation made is relevant to the licensing objectives and is not vexatious or frivolous. Where a Responsible Authority requests a review, it must first consider if the request is vexatious or frivolous.

10.14 Representations must relate to particular premises for which a premises licence is already held and must be relevant to the promotion of the licensing objectives. The review process is not an opportunity to revisit earlier

representations made when the original application for a premises licence was determined, unless these relate to different circumstances.

10.15 Where the Authority receives a request for a review in accordance with the closure procedures described in Part 8 of the Act, the Authority will arrange a hearing in accordance with the regulations set out by the Secretary of State.

10.16 The licensing committee, in determining a review, may exercise the range of powers given to them to promote the licensing objectives.

10.17 The options open to the Authority include the following steps:

- modifying the conditions of the premises licence (which includes adding a new condition(s) and/or any alteration or omission of an existing condition(s) temporarily or permanently);
- excluding a licensable activity from the scope of the licence;
- removing the designated supervisor;
- suspending the licence for a period not exceeding three months;
- revoking the licence; or,
- to take no action.

10.18 The Authority will seek to establish the cause or causes of the concern and remedial action will be targeted at such causes. Any action will be proportionate to the problems involved.

10.19 Where a Magistrates Court makes a Closure Order under part 8 of the Licensing Act 2003 (on grounds of disorder) the Authority must carry out a review of the licence.

10.20 Where a Magistrates Court makes a Closure Order under part 4 of the Anti-Social Behaviour, Policing and Crime Act 2014 and the Authority receives notice of this under section 80(9) or section 84(7) of this act the Authority must review the premises licence (as set out under the provisions of section 167 of the Licensing Act 2003). This also applies where a court has made an illegal working compliance order under Schedule 6 to the Immigration Act 2016 and the Authority has received a notice under that Schedule.

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

- the sale or distribution of drugs;
- the sale or distribution of stolen or counterfeit goods or weapons sale of smuggled tobacco and/or alcohol;

- prostitution, pimping or procuring;
- use as a base for criminal activity, particularly gangs, organisation of racist activity, unlawful gaming and gambling; and,
- employment of those who do not have the right to work in the UK.

10.22 Where reviews arise and the Authority determines that the crime prevention objective is being undermined through the premises being used in connection with crime or the committing of a criminal offence(s), it is expected that the revocation of the licence- even in the first instance - will be seriously considered (s182 Guidance, paragraph 11.26). Revocation also remains an option if other licensing objectives are being undermined.

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

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

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

'Shadow' Licences

10.26 The Authority reserves the right to review additional or 'shadow' licences that are in place for a premises where the primary licence is being reviewed.

Section B: Licensing Fees

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

10.27 Premises licence application fees are dependent upon the non-domestic rateable value of the premises. This value, which is also used to calculate business rates, can be found through the Valuation Office Agency (VOA) search engine at https://www.gov.uk/find-business-rates. The Authority

expects licence holders to pay the required licence fee when it is due.

10.28 If Licence fees are not paid at the time they are due, suspension of the licence for non-payment of fees will be in force two days after the Authority notifies the Licence holder. The Authority can notify the Licence holder the day after the payment is due if payment is not received by the due date. Licence fees are due on the anniversary of the licence being granted.

10.29 The suspension will cease to be in place when the payment is received.

10.30 It is the Licence holder's responsibility to pay their fees, the Authority will not issue a reminder of fees when they are due. This is a matter for Licence holders, and the Authority expects Licence holders to take responsibility for ensuring that their fees are paid when they are due.

10.31 If the fee is disputed prior to the date it is due for payment the licence will not be suspended pending clarification and resolution. Once the actual fee has been clarified this will be payable and continued non-payment will result in suspension. Where an administrative error in relation to the recorded receipt of the annual fee has been made by the local authority and the Licence holder has provided proof of payment the licence will not be suspended.

10.32 Carrying on licensable activity while a licence has been suspended is a criminal offence and may result in enforcement action including prosecution.

10.33 Licensing fees can be found on the Enfield Council website here: https://www.enfield.gov.uk/__data/assets/pdf_file/0020/54902/Licensing-Act-fees-2024-25-Business-and-licensing.pdf

Section C: Scheme of Delegation

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

Matter to be dealt with	Licensing Sub-Committee	Officers
Application for personal licence	Where a Police objection has been received	Where an objection was not received
Application for personal licence with unspent convictions	All cases	
Application for provisional statement	Where representations have been received and not withdrawn	Where representations were not received or have all been withdrawn

Matter to be dealt with	Licensing Sub-Committee	Officers
Application for premises licence / club premises certificate	Where representations have been received and not withdrawn	Where representations were not received or have all been withdrawn
Application to vary premises licence / club premises certificate	Where representations have been received and not withdrawn	Where representations were not received or have all been withdrawn
Application to vary designated premises supervisor	Where a Police objection has been received	Where an objection was not received
Request to be removed as designated premises supervisor		All cases
Application for transfer of premises licence	Where a Police objection has been received	Where an objection was not received
Application for interim authority notice	Where a Police objection has been received	Where an objection was not received
Application to review premises licence/ club premises certificate	All cases	
Decision whether a representation is irrelevant, frivolous or vexatious		All cases
Making of representation when authority is consulted by neighbouring licensing authority	All cases	
Determination of an application to vary premises licence at community premises to include alternative licence condition	If Police objection	All other cases
Consideration of a police objection to a temporary event notice	All cases	
Decision to consult other responsible authorities on a minor variation application		All cases
Determination of a minor variation application		All cases
Revocation of a club licence		All cases
Revocation of a personal licence	All cases	

Matter to be dealt with	Licensing Sub-Committee	Officers
Revocation for a club premises certificate where a club is deemed by the Authority to no longer satisfy the conditions for being a qualifying club	All cases	

10.35 If the fee is disputed prior to the date it is due for payment the licence will not be suspended pending clarification and resolution. Once the actual fee has been clarified this will be payable and continued non-payment will result in suspension. Where an administrative error in relation to the recorded receipt of the annual fee has been made by the local authority and the Licence holder has provided proof of payment the licence will not be suspended.

10.36 Carrying on licensable activity while a licence has been suspended is a criminal offence and may result in enforcement action including prosecution.

Section D: Authority and DPS

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

10.37 The Authority recommends that all persons employed on licensed premises who are engaged in the sale and supply of alcohol be encouraged to attend recognised training programmes to raise awareness of their responsibility and particularly of the offences contained within the Act. Similarly, persons employed at on-licensed premises should be encouraged to attend training programmes which will raise their awareness of the issues relating to drugs and violence in licensed premises. Suitable training (including refresher training) should be extended to all staff involved in managing or supervising the premises. All training undertaken should be recorded.

10.38 It is recommended that persons employed on premises providing entertainment for children and youths attend training programmes in basic child protection and safety and safeguarding, and if appropriate have the necessary Disclosure and Barring Service checks.

10.39 Every premise licensed for the sale of alcohol must have one personal licence holder specified as Designated Premises Supervisor (DPS). This will normally be the person with day-to-day responsibility for running the premises.

10.40 Every supply of alcohol under a premises licence must be made or authorised

by a person who holds a personal licence. The Licensing Act does not require the presence of a personal licence holder at all material times but if any sales are made when a personal licence holder is not present, then they must have been authorised by somebody who holds a personal licence.

10.41 The Authority recognises that there is no requirement for the DPS to be at the premises at all times that it carries out licensable activities, and it will not seek to achieve this by way of conditions. However, the DPS must be able to ensure that all four licensing objectives are properly promoted and that each premises complies with licensing law and licence conditions. The Authority expects that a DPS will be able to demonstrate knowledge of both the local geographic area and the patrons the premises attracts. The DPS should be sufficiently fluent in English to be able to properly communicate with patrons.

10.42 The Authority considers it reasonable that those who hold licences and persons involved in the sale of alcohol are able to understand the terms of the licence and their legal obligations. It is also expected that those making sales of alcohol can understand and converse in the English language and be able to read and write in English so as to be able to complete documents such as refusals books and read training guides. Where relevant representations are made, and a lack of understanding of basic written and/or spoken English is a factor in those representations, consideration may, if appropriate, be given to attaching conditions to premises licences and club premises certificates that require the licence holder and staff connected with the business, attend a 'Basic Skills' course. This would be at cost to the applicant.

10.43 The Authority expects that when the DPS is not present on the premises written authorisation will have been given to other members of staff, and that one of these members of staff will be on the premises. Such authorisation should be in writing and be displayed with the premises licence.

10.44 It is considered good management practice to ensure that a personal licence holder/DPS is available at all hours that the premises is open to the public. Depending on the nature of the premises, it may be sufficient for the personal licence holder to be contactable by telephone. It is regarded as good management practice that a personal licence holder/DPS be physically on the premises from 23:00 onwards.

Section E: Temporary Events

The Authority expects that all applications for Temporary Events Notices (TENs) are submitted well in advance of the event, with 10 days being the statutory minimum for a standard TEN, and that sufficient accompanying information is provided at the time of application to allow due consideration, including evidence of permission to use space if it is a public or council land/venue and efforts have been undertaken to engage local residents.

It is expected that any existing conditions on a licence will be maintained for the purposes of a TEN. It is also recommended that TENs are submitted well in advance prior to the event to allow relevant responsible authorities to have appropriate time to consider the TENs.

10.45 A temporary event notice (TEN) is required in order to carry out any 'licensable activity' on unlicensed premises.[4]

10.46 Licensable activity includes:

- selling alcohol
- serving alcohol to members of a private club
- providing entertainment, such as music, dancing or indoor sporting events
- serving hot food or drink between 11pm and 5am

The process of applying is formally known as 'serving' a Temporary Event Notice.

A TEN is also required if a particular licensable activity is not included in the terms of the existing licence.

10.47 To be eligible for a TEN an event must:

- have fewer than 500 people at all times – including staff running the event
- last no more than 168 hours (7 days)

10.48 A TEN is required for each event held on the same premises. The Licensing Authority will intervene if the statutory limits on the number of TENs per year are exceeded.

10.49 A non-personal licence holder can apply for up to 5 TENs may be granted a year. A personal licence holder may be granted up to 50 TENs a year.

10.50 A single premises may have up to 15 TENs applied for in one year, as long as the total length of the events is not more than 21 days in one year.

10.51 Separate but consecutive events must have at least a 24-hour gap between them.

10.52 The legislation states that applications must be made at least 10 clear working days before the event. Clear working days do not include the day the council receives the application or the day of the event.

10.53 A copy of the TEN must be sent to the police licensing team at least 10 working days before the event. If the application is made online, contains all the necessary details and is accompanied by the correct payment, the council will contact the police for you.

[4] https://www.gov.uk/temporary-events-notice

10.54 It is recommended however that TENs are submitted 30 days prior to the event to allow for the relevant responsible authorities to have sufficient time to consider the notice in full.

10.55 When a TEN is submitted the Authority expects that the following information will be provided:

- Evidence of permission to use outside space for an event, specifically where the outside space is Council-owned or public land and, where permission has been granted, evidence that all applicable fees have been paid in full;
- A clear description of the area in which it is proposed to carry out the licensable activities;
- A risk assessment and capacity determination;
- Any other information that is relevant or pertinent to the TENs.

10.56 Applicants are requested to note that other documents to support the TEN such as a Noise Management and Traffic Management Plans as appropriate may be required by the Licensing Authority and/or Police.

10.57 Applications must be accompanied by the relevant fee at the time of application to be considered valid. (details of current fees are available from the Council's website at - https://www.enfield.gov.uk/services/business-and-licensing/temporary-event-notices

10.58 If full information is not provided in support of a TEN it is more likely that an objection will be forthcoming.

10.59 It is recommended that applicants for TENs that relate to large events, particularly large outdoor events, consult local residents' groups before submitting their TENs application and show evidence of this in their application.

10.60 A TEN may only be applied for by an individual, not an organisation. Individuals must be aged at least 18 to apply for a TEN.

10.61 A 'Late' TEN is where a late application is made outside of the statutory 10 clear working days before the event but between 5 to 9 clear working days before the event.

10.62 Where a personal licence is not already held, up to 2 late TENs may be served in one year. Where a personal licence is held, the limit is 10. Late TENs count towards the total number of permitted TENs.

10.63 Only the Police or Environmental Health can object to a TEN. They must do this within 3 working days of receiving it. They can only object if they think an event could:

- lead to crime and disorder
- cause a public nuisance
- be a threat to public safety

- put children at risk of harm
- If there is an objection, the Council's Licensing Committee will hold a meeting (called a 'hearing') no later than 24 hours before the event (unless all parties agree that a hearing isn't needed).

10.64 At the hearing, the committee will either approve, add conditions or reject the TEN.

10.65 If the applicant disagrees with the licensing committee's decision, there is the option appeal to the local magistrates' court. This must be done within 21 days, and at least 5 working days before the date of the proposed event.

10.66 It should be noted that if the police or Environmental Health object to a late TEN, the notice will not be valid and the event cannot be held.

10.67 If an objection to a late TEN is received, a counter notice will be served, and the event will not be allowed to go ahead, and this decision will be final. A late TEN doesn't allow for mediation or a hearing, therefore if an objection is received a counter notice is automatically issued.

10.68 Carrying out an activity that requires a licence (or allowing a premises to be used for one) in the absence of a valid TEN can lead to a fine or imprisonment of up to six months (or both).

10.69 Organisers of temporary events should be aware that although a licence or authorisation may not be needed under the Act, other legislation might apply This can include:

- Health and Safety at Work etc. Act 1974;
- Regulatory Reform (Fire Safety) Order 2005;
- Environmental Protection Act 1990.

10.70 Organisers of temporary events should also be aware that it is highly likely that the Council's enforcement officers will visit events held under the terms of a Temporary Event Notice to ensure compliance with legal requirements. While mindful of the Council's Enforcement Policy, the Council will normally prosecute where serious offences are detected.

Section F: Conditions

10.71 When relevant representations are made by a Responsible Authority or Other Person, the Committee may impose conditions on licences. Any such conditions, which must be necessary for the promotion of the Licensing Objectives, will be specific to the individual premises and events. Conditions may be drawn from the model pool of conditions in the Guidance.

10.72 Special conditions may be imposed for certain types of venues to prevent the sale and consumption of drugs and to create a safer environment for those

who may have taken them. These conditions will take into account the "Safer Nightlife" initiative and model conditions from the Guidance. Where these conditions are to be imposed advice maybe sought from appropriate bodies such as the Police, who it is envisaged will make representations on such applications.

10.73 The Council will have regard to the impact of licensable activities at specific premises on persons living and working in the vicinity of those premises, which are disproportionate and unreasonable. These issues will mainly concern noise, light pollution, noxious smells, litter and vermin and pest infestations. Nuisance may include, in appropriate circumstances, the detrimental impact upon the living and working amenity and environment of 'other persons'. Special conditions and other limitations may be considered necessary where customers may be inclined towards carelessness and anti-social behaviour as a result of consuming alcohol.

10.74 The Council will give consideration to setting capacity limits for licensed premises or clubs where it may be necessary for public safety or otherwise to prevent over-crowding which may lead to disorder and nuisance. Where applicable, further consideration will also be given to whether door supervisors would also be needed to ensure that the numbers are appropriately controlled.

10.75 The pool of model conditions is found in Annex 10.

Section G: Enforcement

10.76 The Council will follow the Regulators Code (https://www.gov.uk/government/publications/regulators-code) and the Hampton principles and shall endeavour to be:

- Proportionate - regulators should only intervene when necessary, remedies should be appropriate to the risk posed, and costs identified and minimised;
- Accountable - regulators must be able to justify decisions, and be subject to public scrutiny;
- Consistent - rules and standards must be joined up and implemented fairly;
- Transparent - regulators should be open, and keep regulations simple and user friendly;
- Targeted - regulation should be focused on the problem and minimise side effects.

10.77 The Council will endeavour to avoid duplication with other regulatory regimes so far as possible.

10.78 The Council will adopt a risk-based inspection programme. The Council's risk model for premises licences will be based upon the Licensing Objectives. The main enforcement and compliance role for the Council under the Act is to ensure compliance with the premises licences and other permissions which it authorises.

11. Sections: Expectations and considerations

Section H: Licensing Hours

11.1 The Council will deal with licensing hours on the merits of each individual application, again, only if relevant representations are made and there is a hearing to consider them. Applicants are expected to provide details of the measures they intend to take in order to promote the Licensing Objectives.

11.2 The Council recognises that variable licensing hours for the sale of alcohol may be desirable to ensure that concentrations of customers leaving premises simultaneously are avoided. However, where this may lead to longer opening hours the Council also recognises the potential for additional crime and disorder and/or public nuisance that may arise.

11.3 However, there is no general assumption in favour of lengthening licensing hours and the four Licensing Objectives should be paramount considerations at all times. Where there are representations against an application and the Sub-Committee believes that extending the licensing hours would undermine the Licensing Objectives, they may reject the application or grant it with appropriate conditions and/or different hours from those requested.

11.4 Stricter conditions with regard to licensing hours may be required for licensed premises situated in or immediately adjacent to residential areas to ensure that disturbance to local residents is avoided. This will particularly apply in circumstances where, having regard to the location, size and nature of the licensed premises, it is likely that disturbance will be caused to residents in the vicinity of the premises by concentrations of people leaving, particularly during normal night-time sleeping periods. It is accepted that applicants' operating schedules may adequately provide for such circumstances and the Council will not seek to impose stricter conditions unless relevant representations are received, and a hearing takes place.

11.5 The Council takes the view that persons under 18 may be at risk by late night access to premises primarily used for the sale and consumption of alcohol..

Section I: Children

11.6 The Act imposes certain controls by way of criminal penalty relating to the access to certain premises by unaccompanied children. In addition, Policy may create further restrictions for certain premises relating to access by children.

11.7 The Council recognises the wide variety of premises for which licences may be granted. It also recognises that there are many circumstances where it is appropriate for children to be present on premises and seeks to encourage their access to constructive leisure pursuits that support the social fabric of the Borough. It also recognises that there are circumstances where it is appropriate to limit or prevent access by children for the purposes of the Licensing Objectives.

11.8 The Council will not therefore impose conditions that restrict or prevent access by children unless this is necessary to promote the Licensing Objectives. It will however seek to ensure that children are not permitted to remain at or enter certain premises after a specified cut-off time or times.

11.9 In determining a specified cut-off time, the committee will take into account:

- the concerns of Responsible Authorities and Other Parties who have made representations;
- the steps set out in an operating schedule that the licensee will take to meet the Licensing Objectives having regard to the nature of the premises or events for which the licence is required.

Children (Off-licence)

11.10 For premises supplying alcohol for consumption off premises, the Council normally requires applicants to have arrangements to ensure that children under 14 years, not accompanied by an adult, are not permitted to remain at or enter the premises after 21:00.

- NB. The age-limit of 14 years is intended as an upper limit and does not imply that this limit will be permitted for all relevant applications.

11.11 There will be a strong presumption against access by persons under 18 to premises where any of the following apply:

- where adult entertainment is provided;
- where there have been convictions of the current management for serving alcohol to minors;
- where requirements for proof of age cards or other age identification to combat the purchase of alcohol by minors is not the norm;
- where there is a known association with drug taking or dealing;
- where there is a strong element of gambling on the premises;
- where the supply of alcohol for consumption on the premises is the exclusive or primary purposes of the services provided at the premises

11.12 In order to protect children, the Licensing Committee or Sub-Committee's options would include, among other things, requiring conditions relating to:

- requirements for the production of proof of age cards or other age identification before sales are made;
- training of staff who are authorised to sell alcohol;
- limitations on the hours when children may be present;
- age limitations below 18;

- limitations or exclusions when certain activities are taking place;
- access limited to parts of the premises;
- requirements for accompanying adults;
- full exclusion of people under 18 from the premises when any licensable activities are taking place.

11.13 No conditions will be imposed to the effect that children must be admitted to licensed premises.

11.14 Conditions may be imposed on licences for premises where children will be present during regulated entertainment to the effect that adult staff must be present to control the access and egress of children and to ensure their safety.

11.15 Children and cinemas:

- The Council will require licensees to include in their operating schedules arrangements for restricting the viewing of films by children below the age of any restriction for that film as classified according to the recommendations of the British Board of Film Classification or the Council, as the case may be;
- In respect of all premises licences and club premises certificates that authorise the exhibition of films to children, a mandatory condition will be required for the exhibition of any film to be restricted in accordance with the recommendations given to films by a body designated under section 4 of the Video Recordings Act 1984 or by the Council;
- The Council will expect the premises to provide adequate numbers of attendants in accordance with model conditions from the Guidance;
- It is not the Council's intention to re-classify films that have been classified by a body designated under section 4 of the Video Recordings Act 1984. However, the Council reserves the right to do so in exceptional circumstances.

Section J: Cumulative Impact Zones and Cumulative Impact Assessment

11.16 A Cumulative Impact Zone (CIZ) is an area that has been identified by a Licensing Authority (the Council) after a Cumulative Impact Assessment has been undertaken, as a zone that is at risk of a cumulative impact of harms from any additional licenses (or particular types of premises or licensed activities, such as late night refreshment of a night club for example) being granted. Any applicant for a licence in a CIZ will need to demonstrate to the Licensing Authority what measures they plan to take in their premises to stop their premises from adding any additional harms to the area.

11.17 A Cumulative Impact Assessment is a process undertaken by the Licensing Authority (the Council) to determine if there is the evidence and support for an area becoming, remaining or ceasing to be a Cumulative Impact Zone. This process requires the Licensing Authority to demonstrate evidence and to consult key stakeholders to inform its decision.

11.18 Enfield Council has undertaken an assessment of the four existing Cumulative Impact Zones (CIZs):

- Edmonton (incorporating parts, but not all, of the following wards; Ponders End, Jubilee, Lower Edmonton, Haselbury, Edmonton Green, and Upper Edmonton)
- Enfield Highway (incorporating parts, but not all, of the following wards; Enfield Lock, Bullsmoor, Carterhatch, and Brimsdown).
- Enfield Town (incorporating parts, but not all, of Town ward).
- Southgate (incorporating parts, but not all, of Soutgate ward).

11.19 Enfield Council has also undertaken an assessment for two new CIZs:

- Bowes (incorporating parts, but not all, of Bowes and Palmers Green wards).
- Palmers Green (incorporating parts, but not all, of Palmers Green ward).

11.20 The assessment reviewed the evidence to support the continuation of CIZ's in the existing areas and the establishment of CIZ's in Bowes and Palmers Green. Enfield Council considers that the evidence does support the continuation and establishment of CIZs in the six areas outlined in 11.16 and 11.17 above. This evidence can be found in outlined in Annex 2 of this policy.

11.21 The assessment was also put out to a public consultation, with particular engagement undertaken with key stakeholders. The consultation included the evidence outlined in Annex 2. Key stakeholder engagement was overwhelmingly supportive of the four existing CIZs and the two new CIZs. All responses received from the public consultation were supportive of the four existing CIZs and the two new CIZs.

11.22 Enfield Council, as the Licensing Authority, believes that the appropriate evidence has been provided and the appropriate consultation undertaken to meet the necessary process for undertaking a Cumulative Impact Assessment as outlined in the Licensing Act 2003.

Scope of the Cumulative Impact Zones

11.23 Any applications for new premises licences, variations or provisional statements inside an Enfield CIZ will, where relevant representations are made, be subject to the presumption that the applicant will need demonstrate how the premises will not add to the cumulative impact in the CIZ for it to be granted.

11.24 New Year's Eve: Any premises or club that is licensed for both the on supply of alcohol <u>and</u> for regulated entertainment may remain open and provide their licensed activities from the end of licensed hours on New Year's Eve to the start of licensed hours on New Year's Day.

Cumulative impact outside of Cumulative Impact Zones

11.25 The Council recognises that the cumulative impact of licensed premises can be experienced by residents in areas where there is no current cumulative impact zone in place. In these areas cumulative impact can still be a consideration in making a representation on a licence application.

Section K: Age verification and test purchasing

The Authority expects all licensed premises to have the specific age verification measures outlined below in place and will conduct test purchasing operations to test and assure compliance with the minimum purchase age requirements. If sales to children are made action will be taken by the Authority.

11.26 Age verification measures, and test purchasing to assure these are robust and well-operated by licenced premises are the core measure to ensuring the licensing objective for the protection of children is met.

11.27 To support the age-verification process the Authority strongly recommended that premises have the following measures in place to ensure age verification for sales:

- That "Challenge 25" is supported as part of the age verification scheme established. The scheme should require the production of evidence of age (comprising any PASS accredited card or passport or driving licence) from any person appearing to staff engaged in selling or supplying alcohol to be under the age of 25 and who is attempting to buy alcohol.
- That evidence of the scheme (in the form of documented procedures) is maintained and made available for inspection by authorised officers.
- That all staff involved in the sale of alcohol shall be trained in the age verification scheme and records of such training shall be retained on the premises and made available for inspection by Council Officers and Police
- That an incident log shall be maintained, and details of all age-related refusals recorded. This book shall be reviewed monthly by the DPS and any actions taken recorded in the book and signed off by the DPS. This log shall be retained on the premises and made available for inspection by authorized officers.
- That a personal licence holder shall be on the premises at all times that alcohol is supplied.
- That the DPS shall ensure that, as far as is reasonably practical, alcohol is displayed in an area which can be constantly monitored or supervised by staff, separate from goods likely to be purchased by persons under 18.

11.28 Enfield Council can carry out test purchasing for underage sales of alcohol. <u>If sales are made to children, action will be taken.</u> This may be a review of the licence, or a request to include additional conditions on the licence designed

to assist the management to counter attempts by children to buy alcohol. Any additional conditions felt appropriate will be subject to discussion with licence holders. The Authority may also, as a responsible authority, apply for reviews of premises licences when appropriate. If deficiencies in operating schedules of current licences become apparent the Authority will initially usually ask the licence holder to remedy this by way of an application for a minor variation. If this is not done then a review may be necessary to impose conditions on the licence. This process does not preclude prosecutions for offences under the Licensing Act.

Section L: Violence Against Women and Girls

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.

11.29 Enfield supports the Women's Night Safety Charter (https://www.london.gov.uk/programmes-strategies/arts-and-culture/24-hour-london/womens-night-safety-charter) and is committed to sharing in the Mayor of London's vision that all Londoners are able to travel, work and go out safely and confidently at night without fear of being victims of criminal offences.

11.30 Enfield recognises tackling Violence against Women and Girls (VAWG) as a priority.

11.31 We commit to sharing the Greater London Authority and Mayor's Office of Policing and Crime women's safety campaigns, promoting them within Enfield and across our social media channels. We encourage licensed premises across the borough to participate in and promote locally any National and/or London-wide campaigns to keep women safe at night that discourage harassment and encourage reporting.

11.32 We expect all licensed premises to build an atmosphere of transparency and safety for women who work at night and engage in leisure in the licensed trade. This may include challenging behaviour that enables intimidation and violence against women in the licensed trade and providing support to those that experience these behaviours in licensed premises. Training for staff to support this is recommended.

11.33 We also recommend licence holders put in place measures to reduce gender-based violence, intimidation and harassment for all staff and customers. This may include 'Ask for Angela', Welfare and Vulnerability Engagement resource (WAVE) and specific training for staff. Further details are available at the following links:

- Ask for Angela: https://www.met.police.uk/AskforAngela
- WAVE: https://nbcc.police.uk/crime-prevention/safeguarding/welfare-and-vulnerability-engagement-wave-lesson-plan

11.34 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.

Section M: Violence Against Vulnerable People in the Nighttime Economy

We expect all licensed premises to have appropriately trained staff, who are proactive and vigilant around the safety of vulnerable people in the nighttime economy. This includes a duty to capture information and report to the police where appropriate.

11.35 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 nighttime economy.

11.36 This should include the full diversity of people in the nighttime economy, include the full range of gender and identified gender, relationships, age, race, and any other demographic characteristic.

11.37 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

11.38 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.

Section N: Venue safety and assessment of risk at venues and events

Public Safety is expected to be a key consideration in large venues and higher profile events. This will include conducting a risk assessment to identify risks and mitigation approaches for venues where certain factors or circumstances (such as overcrowding or terrorism) may make the venue unsafe to those present in the premises. Mitigations may also need to consider the role of security staff in safety as well as security.

11.39 Public Safety in venues is a key consideration for the Authority. Incidents occurring at larger venues or events with high attendance are of particular concern to the Authority. The Authority 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 Enfield 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.

11.40 The Authority considers it prudent to prepare for the passage of the Terrorism (Protection of Premises) Bill ('Martyn's Law'). When and if this Bill is passed into legislation 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 this Bill is passed into Legislation the Authority expects relevant applicants to include appropriate measures to meet these obligations in their licensing application.

Risk Assessments

11.41 Where an event that is promoted by the licence holder or an outside promoter, is to take place, Premises operators are advised to undertake a further risk assessment, where this identifies a potential crime and disorder and/or a public safety risk linked to those providing the entertainment or to those attending the event. Where risk assessments are required, they should be submitted before any proposed event and debrief forms submitted after the conclusion of the event. Where the capacity for a venue or event is over 5,000 the applicant will need to contact the Safety Advisory Group (contact via the Licensing Authority).

Section O: Outside spaces

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

11.42 Outside spaces are an increasingly popular part of licensed premises, particularly in summer where there is more demand for outside drinking and eating options. There is a need for all outside spaces that are used for smoking, eating and drinking by patrons of licensed premises to be well managed to reduce the potential for nuisance to be caused to nearby residents.

11.43 Where smoking, eating and drinking takes place outside, the Authority expects applicants to provide comprehensive details in their operating schedule on:

- the location of outside areas to be available for use;

- how the outside areas will be managed to prevent:
  a) noise;
  b) smell; and
  c) pavement obstructions, and,
  d) littering.
- the arrangements for clearing, tables and chairs; and
- preventing nuisance from smoke fumes to residents living in close proximity to smoking areas.

11.44 Where outside spaces are used for eating, and where children and pregnant women may also be present in the outside space, the Authority expects applicants to provide details as to how smoking areas will be separated from the general use areas of the outside space.

11.45 Licensees must take into account the needs of patrons with disabilities and comply with the requirements of the Equalities Act 2010.

11.46 Where the use of outside spaces by the patrons of a licensed premises is unplanned and makes use of the pavement there is need for specific consideration. Members of the public can sometimes feel intimidated and crowds of drinkers spilling out onto the street may cause obstruction. Safety problems can also be caused with drinkers moving into the road. Consumption of alcoholic beverages should be contained within areas that are part of licensed premises, such as beer gardens, terraces or, where a street trading licence has been granted by the Council for tables and chairs, on the public highway, and consideration should be made for local residents with mobility difficulties.

11.47 Applications for a license for using tables and chairs on the highway are not within the remit of this policy. In the event that the hours under any such licence do not match those on a licence issued under the Licensing Act 2003 the earlier hours will apply.

Section P: Street drinking

In areas where street drinking has been identified as a problem by the Authority new applicants and those applying for variations are required to demonstrate how their premises will not contribute to street drinking in those areas.

11.48 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).
- Keeping the premises locality clear of litter.

Section Q: Health

The Authority will consider the impact on the health and public health of Enfield residents as part of its considerations and duties relating to the sale and supply of alcohol.

11.49 Health is not a licensing objective, but the Authority is aware that there is a significant negative impact on the health of our residents caused by alcohol, reflected in hospital admissions and deaths from alcohol related illnesses, and alcohol induced violence. Significant alcohol related hospital accident and emergency admissions and ambulance pick-ups are indicative of problems and may result in reviews of premises licences where these can be related to specific premises.

11.50 The evidence base for the impact alcohol has on the health and wellbeing of local areas is strong. For a full review of the evidence the Office of Health Improvement and Disparities evidence review is available https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/733108/alcohol_public_health_burden_evidence_review_update_2018.pdf .

11.51 Many Enfield residents suffer negative health and wellbeing effects from alcohol misuse and use and it is important to take into account these impacts as part of the wider balance for both residents and businesses in Enfield.

11.52 Since 2012 the Enfield Director of Public Health has been a responsible authority and is able to make representations on applications and initiate reviews. The Enfield Director of Public Health has access to data and evidence that is useful and informative for the development of policy, the consideration of applications and the conduct of reviews. This includes:

- evidence on the impact of alcohol on the physical and mental health of residents, particularly children;
- data on hospital admissions for alcohol related illness and injury;
- data from London Ambulance Service on alcohol related ambulance attendances; and,
- data and evidence from local alcohol services, such as out-reach and treatment services.

11.53 When such evidence and data is presented it will be considered and where links are made to any of the four licensing objectives it will be taken into account by the Licensing Sub Committee in reaching its decision.

11.54 Applicants should also consider proximity to substance misuse treatment services and primary care centres. If substance misuse treatment services are in proximity it may be valuable to consider the knowledge and experience of service users using alcohol premises in a specific area as evidence towards new licensing applications.

11.55 Applicants are also encouraged to consider the health quality of their food offer and are encouraged to consider the health impacts of the food they offer.

Section R: Delivery Services

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

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

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

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

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

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

- A standard age verification check shall be undertaken on entering the website.
- A signature at the point of delivery **must** be obtained from a person above the age of 18 with appropriate age verification identification. No delivery shall be left without a signature.

- Alcohol shall only be delivered to a residential or business address and may not be delivered to a public place.
- Every third-party courier delivery box shall be labelled with the words “Age Restricted Product”.
- Any delivery driver or third-party courier will be required to have appropriate age verification training, and in particular they will be required to have undergone training in refusal of supply where age verification is not provided, or the recipient is clearly intoxicated.
- A refusals log will be maintained for deliveries and available for inspection on request.
- Appropriate security will be in place at the premises as agreed with Police.
- Measures for minimising noise and disturbance caused by the dispatch of deliveries to be identified in the operating schedule.
- Website and all promotional material should be designed and set out in a way which is consistent with the responsible retail of alcohol.
- The Authority would expect operators to have systems in place to ensure alcohol is not delivered to problematic house parties or to people who appear drunk and, in such instances, alcohol should be refused, and that refusal recorded.

Section S: 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 promote to the licensing objectives.

11.59 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.

11.60 Licence holders should also consider the impact that patrons or others congregating around entry points to their premises have on the licensing objectives, particularly in relation to the general public. Licence holders should take all reasonable measures to ensure that both dispersal from their premises and entry into the premises contribute to the licensing objectives.

11.61 The Authority recognises that it is difficult for licence holders to have influence over their patrons once they have left the immediate vicinity of

their premises, however, disturbance caused by patrons, if linked to the operation of the premises can be a reason for the Authority to take action.

Section T: Minimum Pricing

The Authority will implement Minimum Pricing as set out in the Licensing Act (Mandatory Conditions) Order 2014

11.62 This was introduced through the Licensing Act 2003 (Mandatory Conditions) Order 2014. The permitted price is defined as the level of alcohol duty plus VAT.

11.63 All premises are required on request by the Authority to demonstrate that any alcohol is being sold at a price not less than the permitted price: i.e. the level of alcohol duty plus VAT.

11.64 Premises are expected not to offer or publicise irresponsible promotions which encourage irresponsible drinking. This includes time-limited 'all you can drink' offers, such as 'bottomless brunches'. The Authority is of the view that these fall under the definition of irresponsible promotions encouraging irresponsible drinking. These offers also increase the risk of alcohol being sold under the permitted price as outlined in the Licensing Act 2003 (Mandatory Conditions) Order 2014.

11.65 Where any relevant representations which demonstrate a clear causal link between sales promotions or price discounting and levels of crime and disorder on or near the premises, it will be appropriate for the Licensing Authority to consider the imposition of a new condition prohibiting irresponsible sales promotions or the discounting of prices of alcoholic beverages at those premises. Each case will be considered on its own merits.

11.66 Any future legislation or legislative guidance on minimum unit pricing per unit of alcohol sold will apply.

12. Contact details

12.1 Further information and advice on this Licensing Policy Statement, the requirements of the Licensing Act 2003 and related matters is available from the Council as follows:

- Email: licensing@enfield.gov.uk or via the Internet: www.enfield.gov.uk

ANNEX 1: DEFINITIONS

1.1 'Other Person' means any of the following:

Any individual, body or business entitled to make representations to licensing authorities in relation to applications for the grant, variation, minor variation or review of premises licences and club premises certificates, regardless of their geographic proximity to the premises.

1.2 'Responsible Authority' is defined in section 13(4) of the Act and means any of the following:

1.2.1 the relevant licensing authority and any other licensing authority in whose area part of the premises is situated,

1.2.2 the chief officer of police for any police area in which the premises are situated;

1.2.3 the fire authority for any area in which the premises are situated;

1.2.4 the Local Health Board for any area in which the premises are situated

1.2.5 the local authority in England whose public health functions within the meaning of the National Health Service Act 2006 are exercisable in respect of any area in which the premises are situated

1.2.6 the enforcing authority within the meaning given by section 18 of the Health and Safety at Work etc. Act 1974 for any area in which the premises are situated;

1.2.7 the local planning authority within the meaning given by the Town and Country Planning Act 1990 (c.8) for any area in which the premises are situated;

1.2.8 the local authority by which statutory functions are exercisable in any area in which the premises are situated in relation to minimizing or preventing the risk of pollution of the environment or of harm to human health;

1.2.9 a body which (i) represents those who, in relation to any such area, are responsible for, or interested in, matters relating to the protection of children from harm, and (ii) is recognised by the licensing authority for that area for the purposes of this section as being competent to advise it on such matters;

1.2.10 any licensing authority (other than the relevant licensing authority) in whose area part of the premises is situated;

1.2.11 in relation to a vessel (i) a navigation authority, (ii) the Environment Agency, (iii) Canal and River Trust, or (iv) the Secretary of State;

1.2.12 a person prescribed for the purposes of this subsection.

1.3 'Provisional statement' means a statement issued under section 31of the Act, which relates to premises that are about to be constructed, extended or otherwise altered.

1.4 The Council regards 'irresponsible price promotions' as those that encourage people to drink faster and more than they would when normal pricing arrangements apply.

ANNEX 2: CUMULATIVE IMPACT ASSESSMENT FOR ENFIELD

Introduction

2.1 This paper outlines the data that has been used to assess the four existing Cumulative Impact Zones (CIZs) and for the two proposed CIZs.

Executive Summary

2.2 The London Borough of Enfield has four Cumulative Impact Zones (CIZs) as outlined in the current Statement of Licensing Policy 2020 - 2025. The licensing authority considered that the number of premises licences in these zones was such that it was likely that granting further licences would be inconsistent with the authority's duty to promote the licensing objectives.

2.3 The London Borough of Enfield is currently considering establishing two additional Cumulative Impact Zones, in Bowes and Palmers Green wards.

Cumulative Impact Assessment

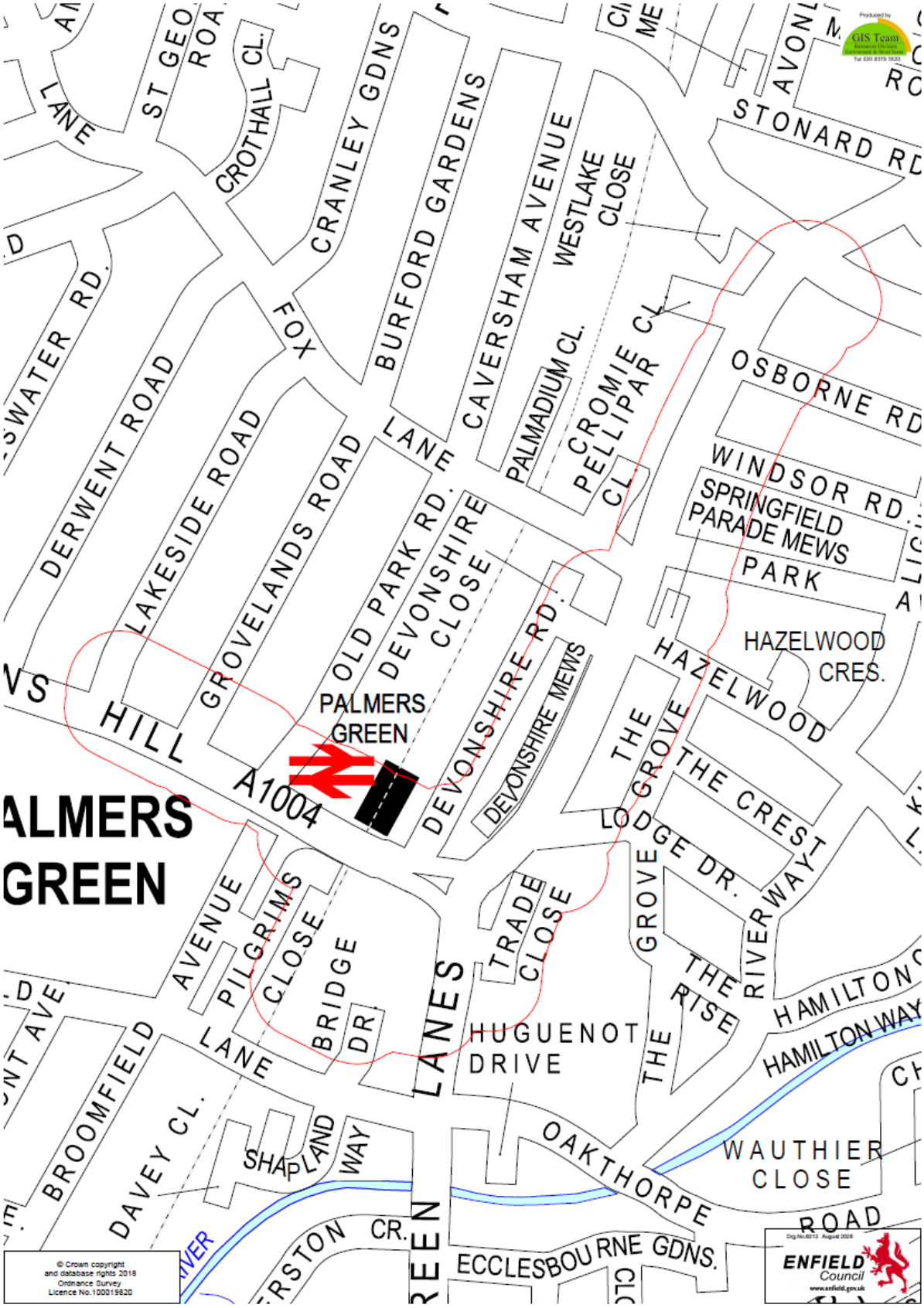
2.4 A Cumulative Impact Assessment (CIA) may be published by a licensing authority to help it to limit the number or types of licence applications granted in areas where there is evidence to show that the number or density of licensed premises in the area is having a cumulative impact and leading to problems which are undermining the licensing objectives. CIAs relate to applications for new premises licences, club premises certificates, applications to vary existing premises licences, club premises certificates in a specified area.

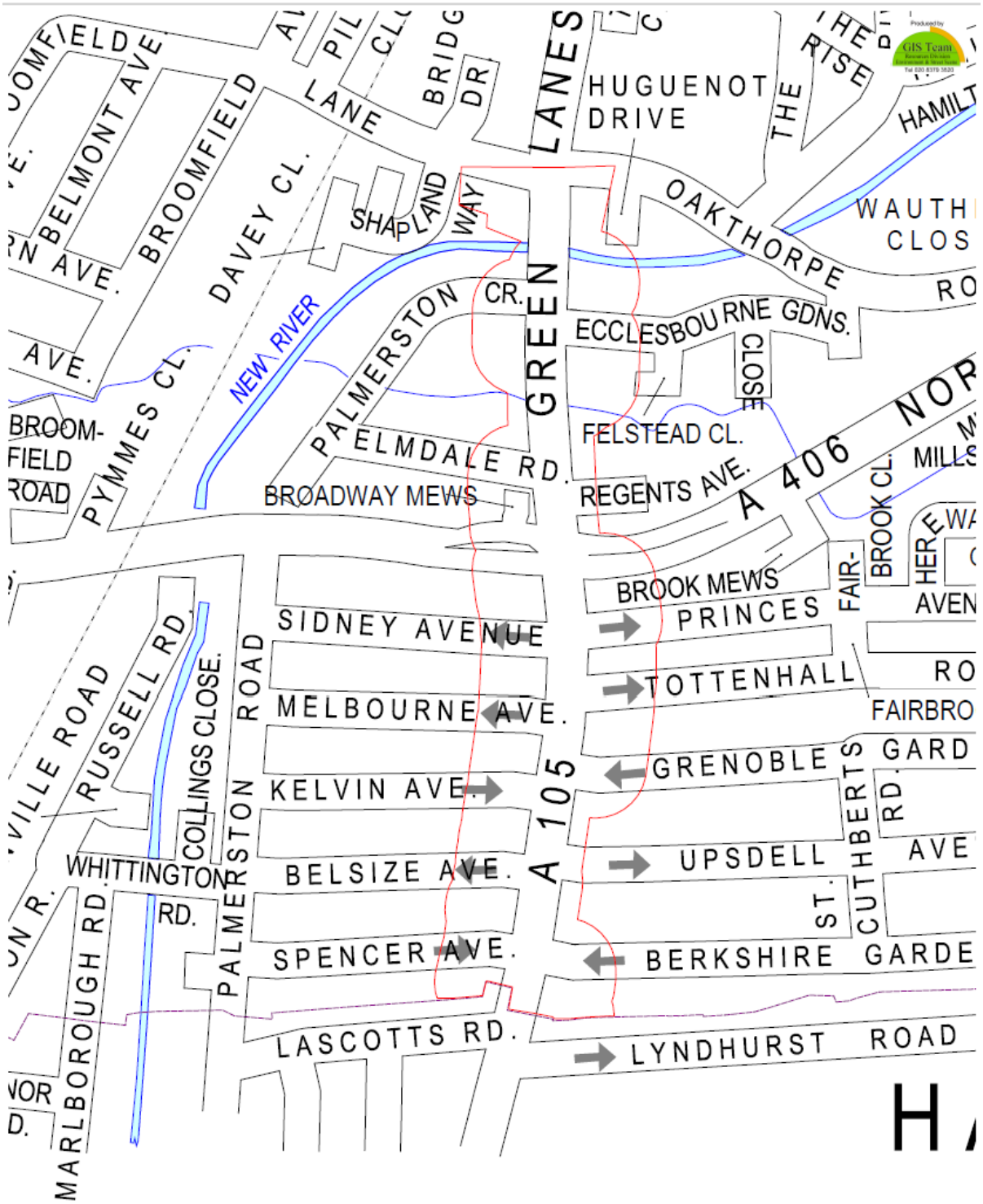
2.5 Where a Cumulative Impact Zone (CIZ) is adopted it creates a presumption that licence applications for premises in the CIZ will need to demonstrate that they will not add to the cumulative impact. Only in circumstances where an applicant can demonstrate that granting an application will not add to cumulative impact may a licence be granted.

Proposed additional Cumulative Impact Zones

2.6 It is the view of the Licensing Authority and of a number of Responsible Authorities that the areas marked on the map below in Palmers Green and Bowes are demonstrated to have a sufficient level of cumulative impact (in terms or violence, public order and criminal damage) due to the sale, supply and consumption of alcohol that Cumulative Impact Zones should be established in these areas.

Palmers Green and Bowes Cumulative Impact Zones





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Evidence

2.7 There must be an evidential basis for the decision to publish a CIA. This has been provided by data sets used to assess location, volume and trajectory of crime and anti-social behaviour in the three CIZs, and this will also be provided through a public consultation.

Data

2.8 In order to review the four existing CIZs (Edmonton, Enfield Town, Enfield Highway and Southgate) we have used neighbourhood Police licensing and crime data sets for varying periods. The same data has been used to establish a case for the establishment of the two proposed new CIZs in Palmers Green and Bowes.

2.9 Data sets used are those most linked with cumulative impact and the licensed sector:

- All crime – to provide wider context;
- Violence against the person offences;
- Public Order offences; and,
- Criminal damage offences.

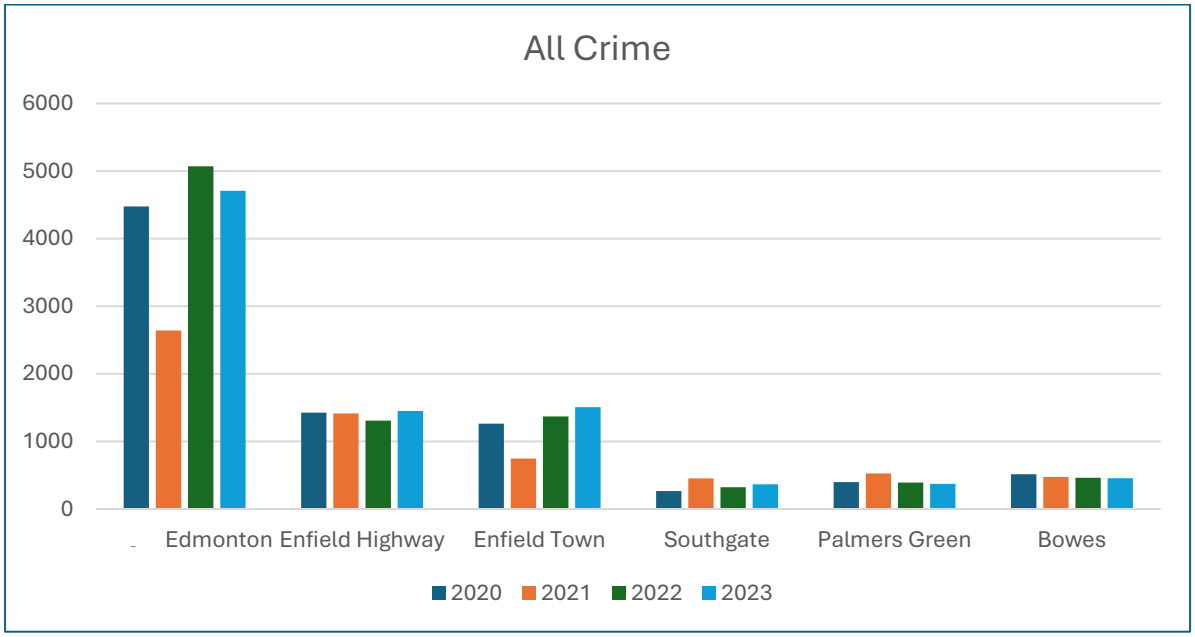
Data review

2.10 The data outlined below demonstrates the number and trajectory over time of the crime and anti-social behaviour reports in each of the existing and proposed CIZ areas. This aims to demonstrate the rationale and reasoning for these CIZs to be in place.

All Crime

2.11 As can be seen from the data below for all crime there is a relatively consistent trajectory over the four years included, with some fluctuation between years. The graph in particular outlines the three different levels of crime in the 6 areas. Edmonton has the highest levels with Enfield Highway and Enfield Town at a middle level and Southgate and the two proposed areas (palmers Green and Bowes) at a lower, but still significant level.

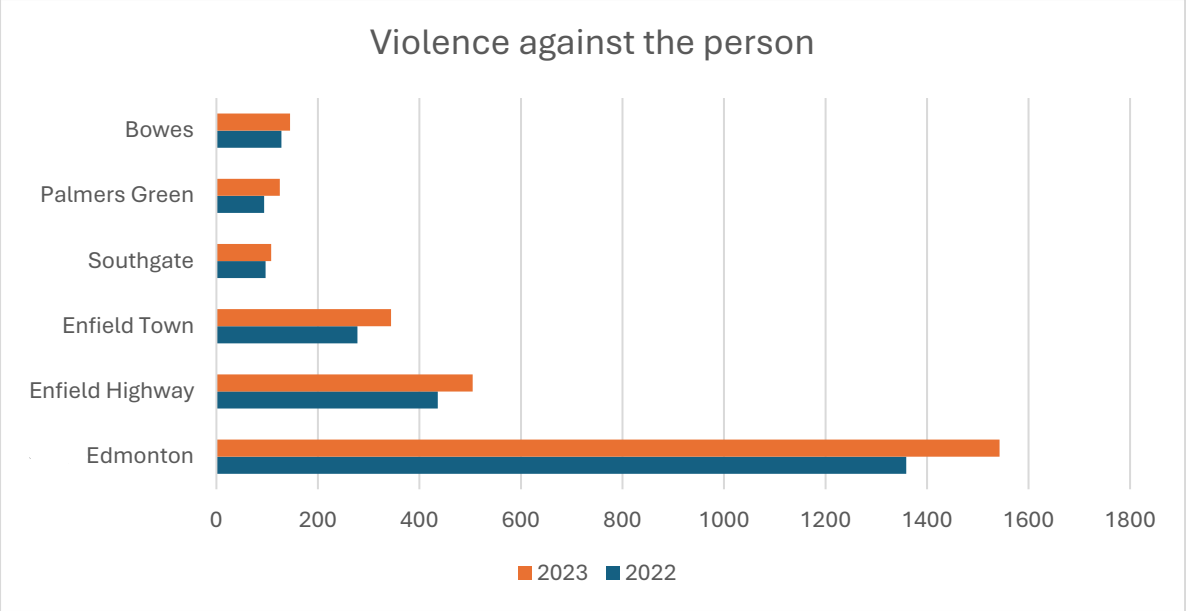
Area	**2020**	**2021**	**2022**	**2023**
Current CIZ areas				
Edmonton	4477	2642	5071	4708
Enfield Highway	1426	1415	1307	1450
Enfield Town	1262	747	1368	1506
Southgate	265	452	323	365
Proposed CIZ areas				
Palmers Green	398	526	390	372
Bowes	515	473	463	456



All violence against the person

2.12 It is noticeable from the below table and graph that violence against the person offences saw a slight increase in all 6 areas between 2022 and 2023. This shows a continued issue with violence in these areas.

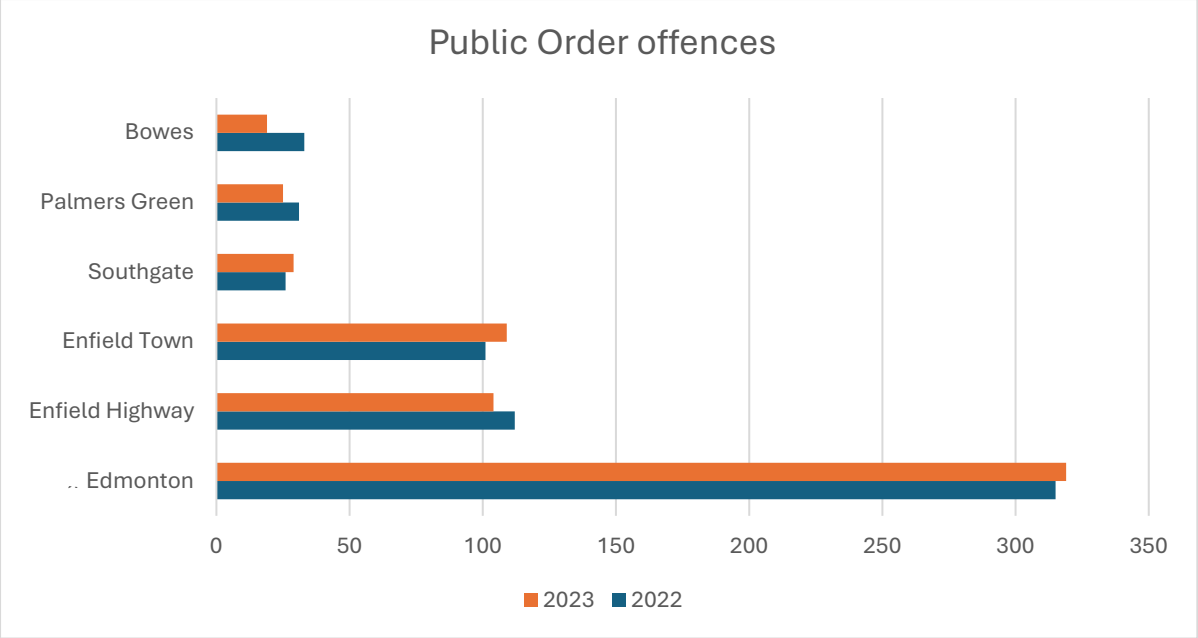
Area	**2022**	**2023**
Current CIZ areas		
Edmonton	1359	1543
Enfield Highway	436	505
Enfield Town	278	344
Southgate	97	108
Proposed CIZ areas		
Palmers Green	94	125
Bowes	128	145



All Public Order Offences

2.13 The table and graph below show that the levels of public order offences have remained consistent between 2022 and 2023.

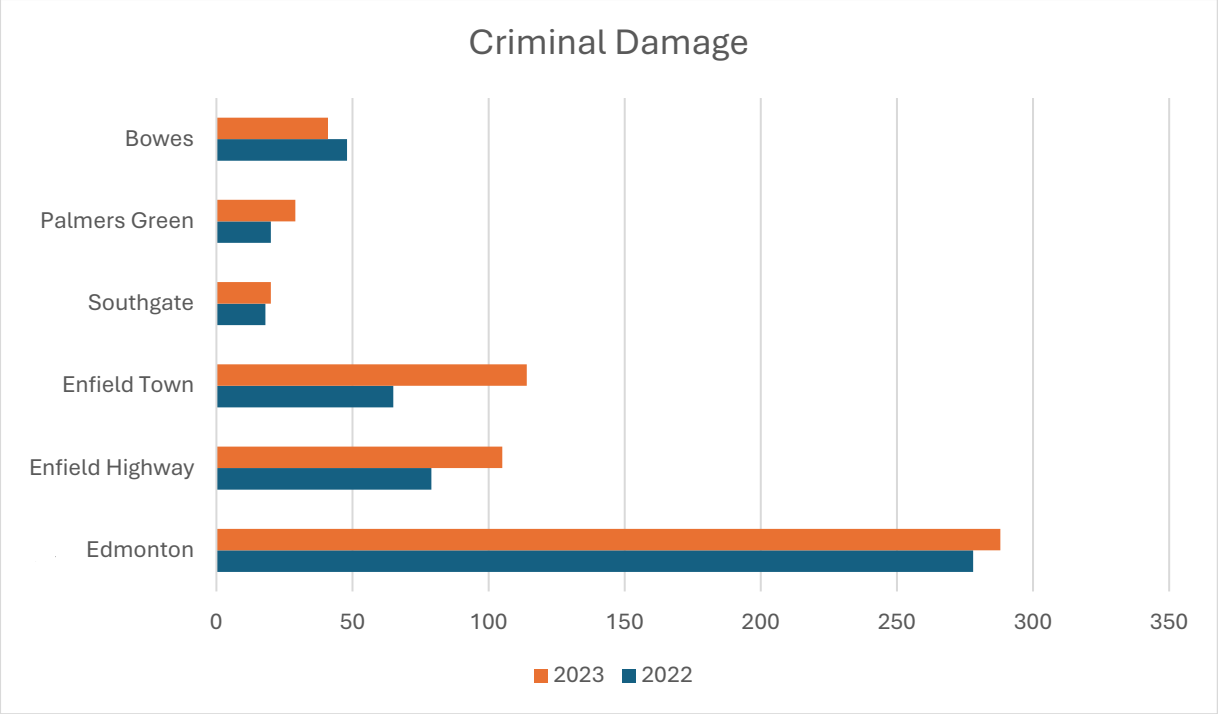
Area	**2022**	**2023**
Current CIZ areas		
Edmonton	315	319
Enfield Highway	112	104
Enfield Town	101	109
Southgate	26	29
Proposed CIZ areas		
Palmers Green	31	25
Bowes	33	19



All criminal damage

2.14 The table and graph below show that criminal damage offences have seen an increase in most of the 6 areas.

Area	**2022**	**2023**
Current CIZ areas		
Edmonton	278	288
Enfield Highway	79	105
Enfield Town	65	114
Southgate	18	20
Proposed CIZ areas		
Palmers Green	20	29
Bowes	48	41



Conclusion

Continuation of existing CIZs

2.15 The data shows that the issues that the CIZs were established to address remain an ongoing concern for the Licensing Authority. In reviewing the data, it is considered that the evidence supports the case for continuing CIZs in Edmonton, Enfield Town, Enfield Highway and Southgate.

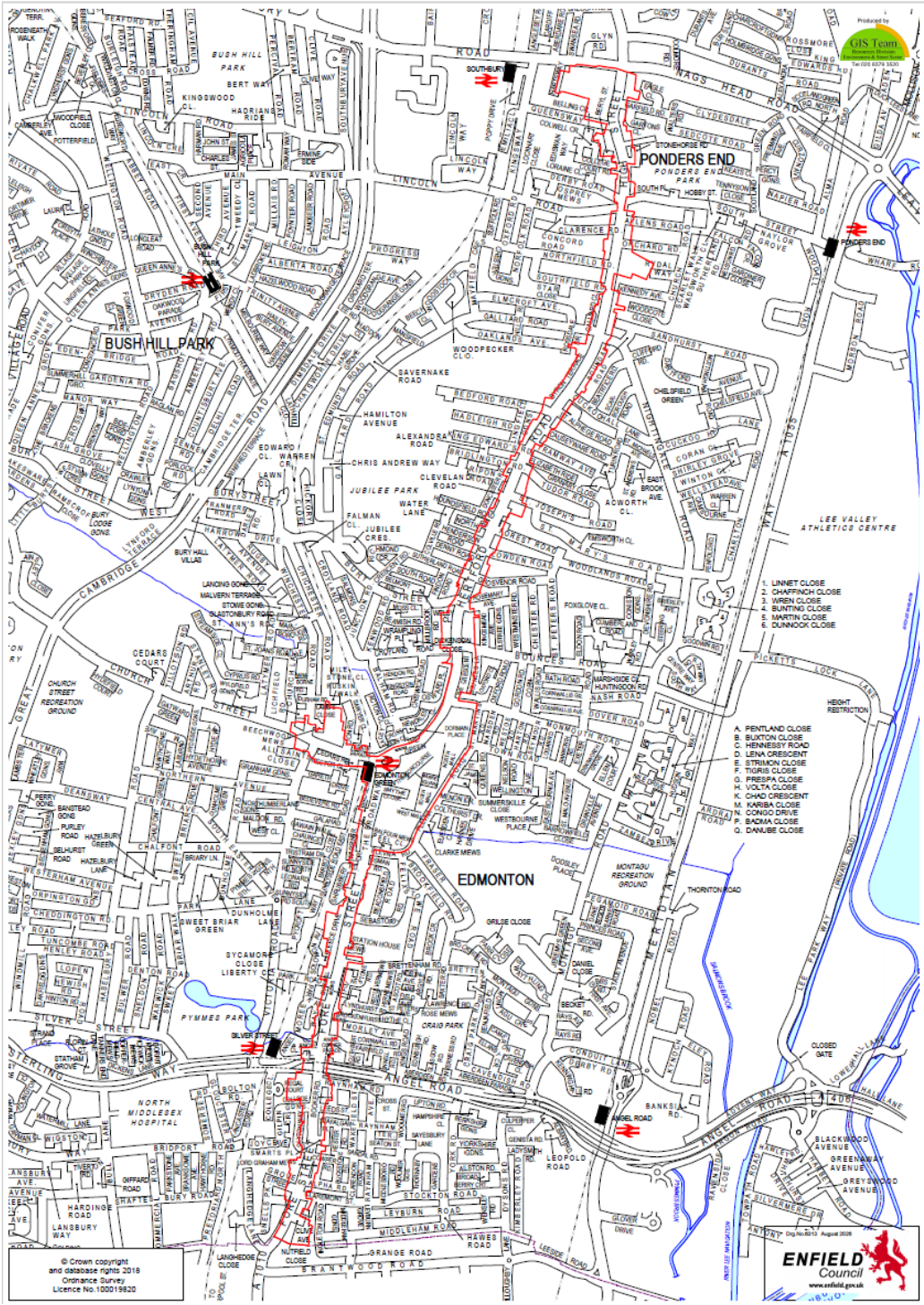
Establishment of new CIZs

2.16 The data for the two proposed CIZs (Palmers Green and Bowes) is of a higher level than the existing CIZ area in Southgate and consistent trajectory. Both of these areas have been identified by the Licensing Authority and a number of Responsible Authorities (Police and Public Health in particular) as areas of concern in terms of licensing and crime and nuisance. In reviewing the data and key stakeholder views it is considered that the evidence supports the case for establishing CIZs in Palmers Green and Bowes.

ANNEX 3: THE EDMONTON CUMULATIVE IMPACT ZONE

This CIZ incorporates parts, but not all, of the following wards:

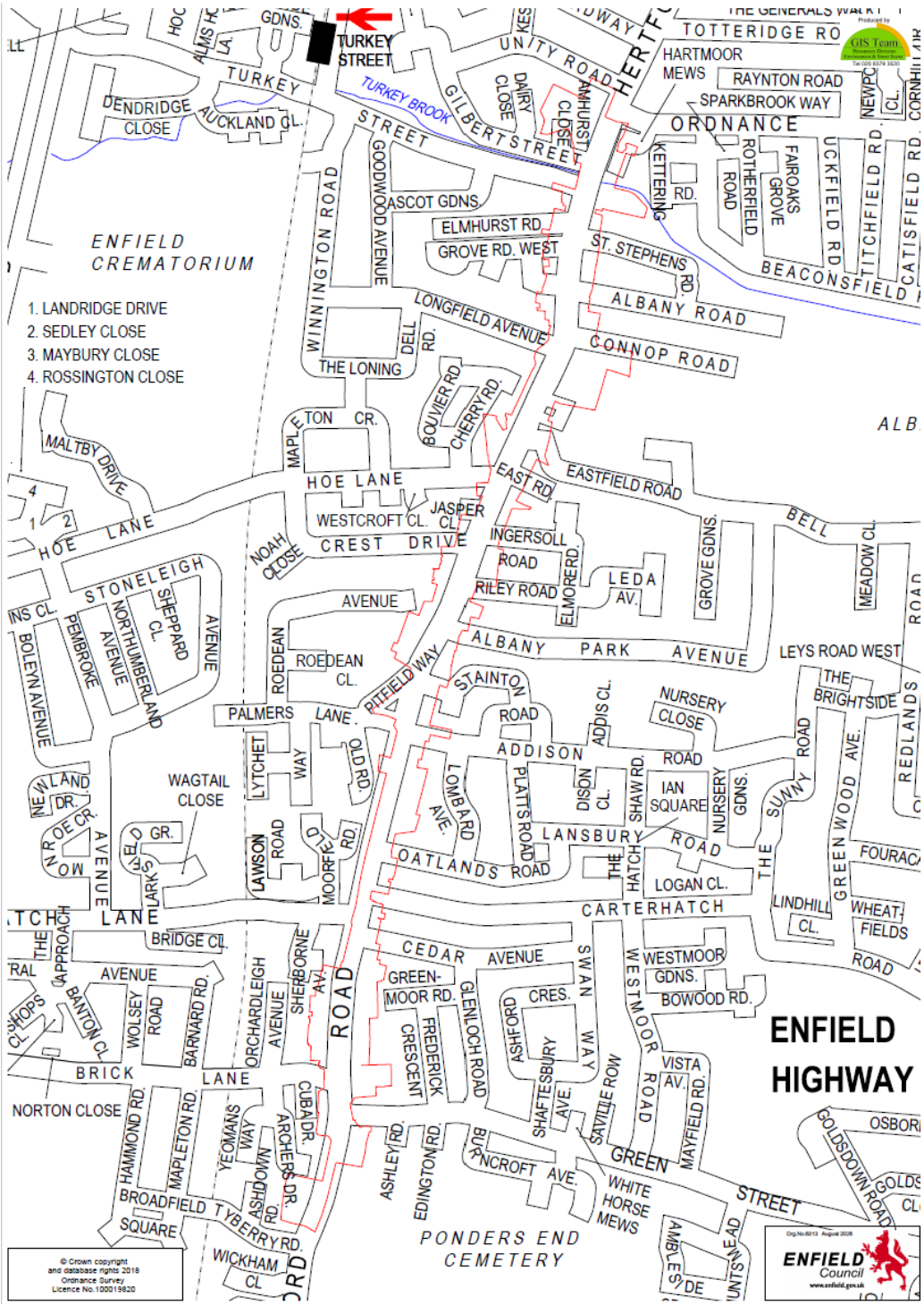
- Ponders End
- Jubilee
- Lower Edmonton
- Haselbury
- Edmonton Green
- Upper Edmonton



ANNEX 4: THE ENFIELD HIGHWAY CUMULATIVE IMPACT ZONE

This CIZ incorporates parts, but not all, of the following wards:

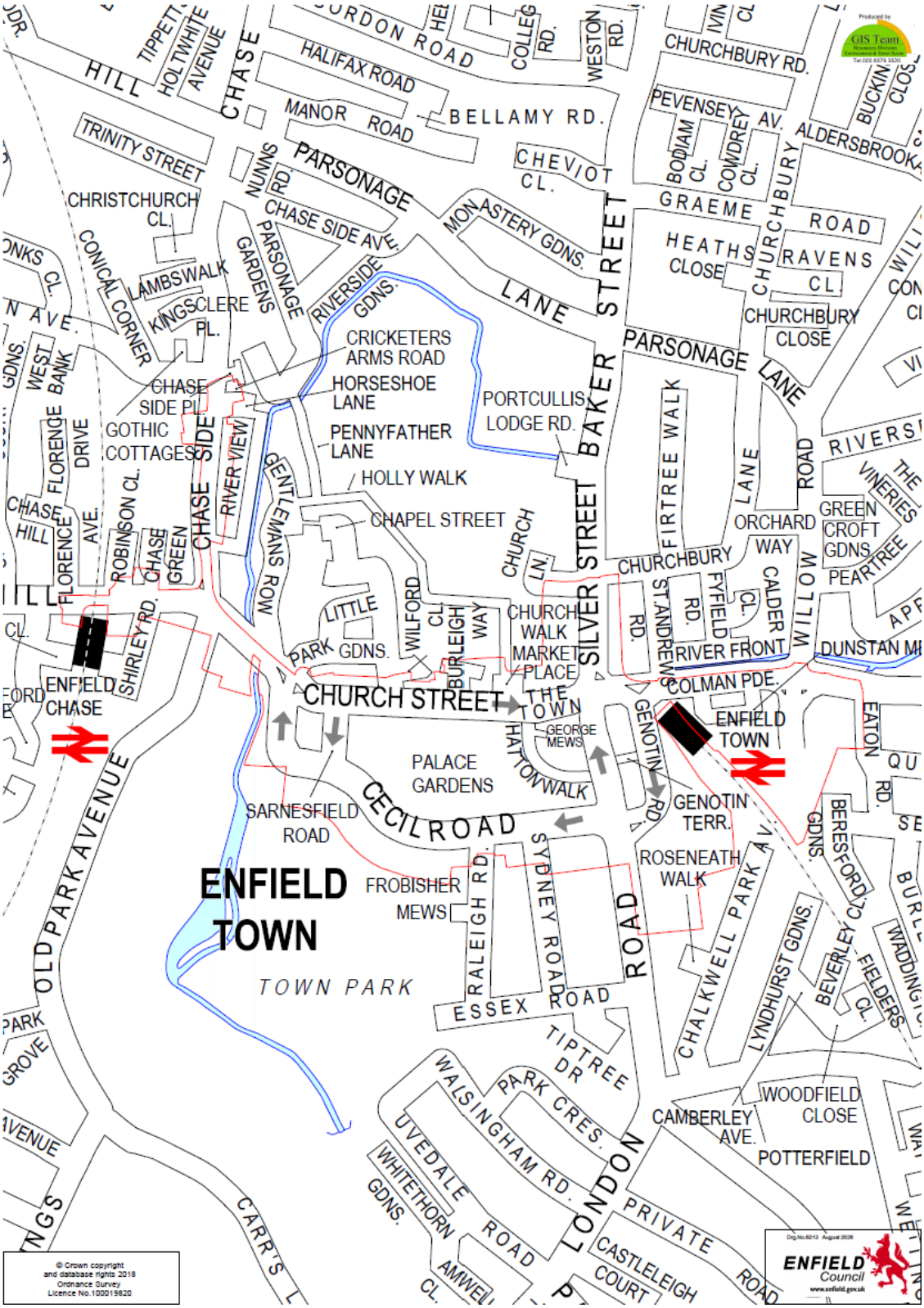
- Enfield Lock
- Bullsmoor
- Carterhatch
- Brimsdown



ANNEX 5: THE ENFIELD TOWN CUMULATIVE IMPACT ZONE

This CIZ incorporates parts, but not all, of the following wards:

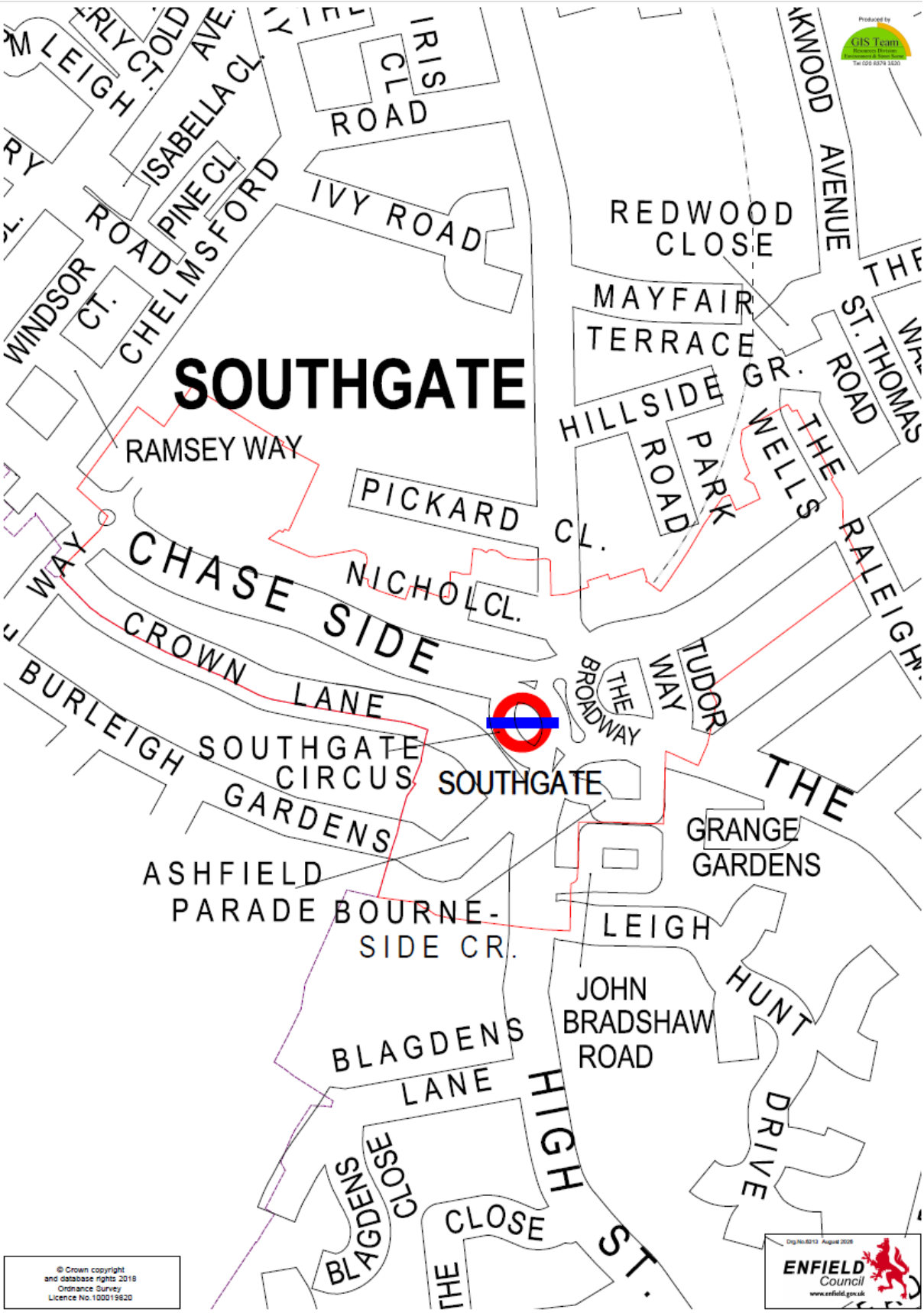
- Town



ANNEX 6: THE SOUTHGATE CUMULATIVE IMPACT ZONE

This CIZ incorporates parts, but not all, of the following wards:

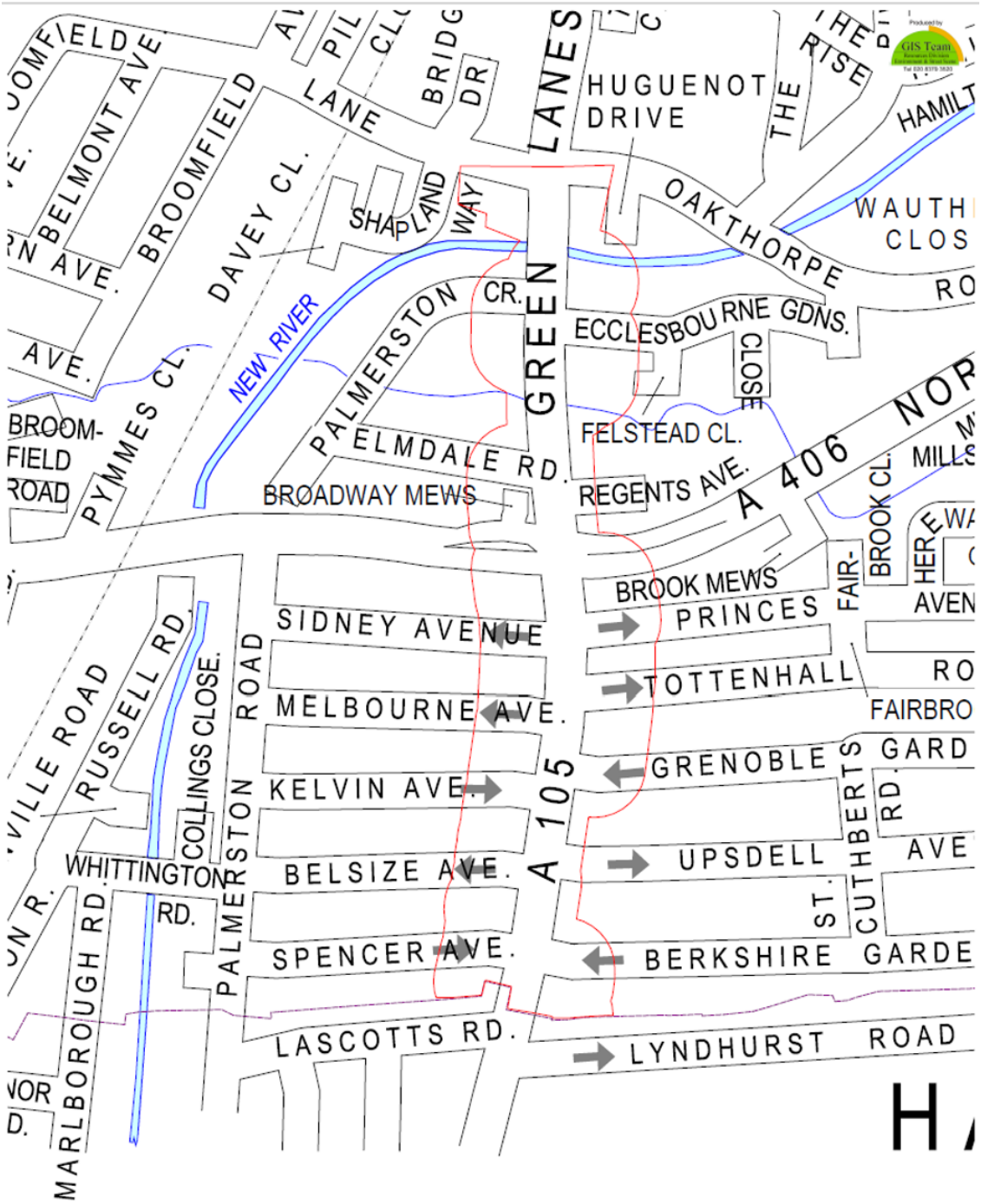
- Southgate



ANNEX 7: THE BOWES CUMULATIVE IMPACT ZONE

This CIZ incorporates parts, but not all, of the following wards:

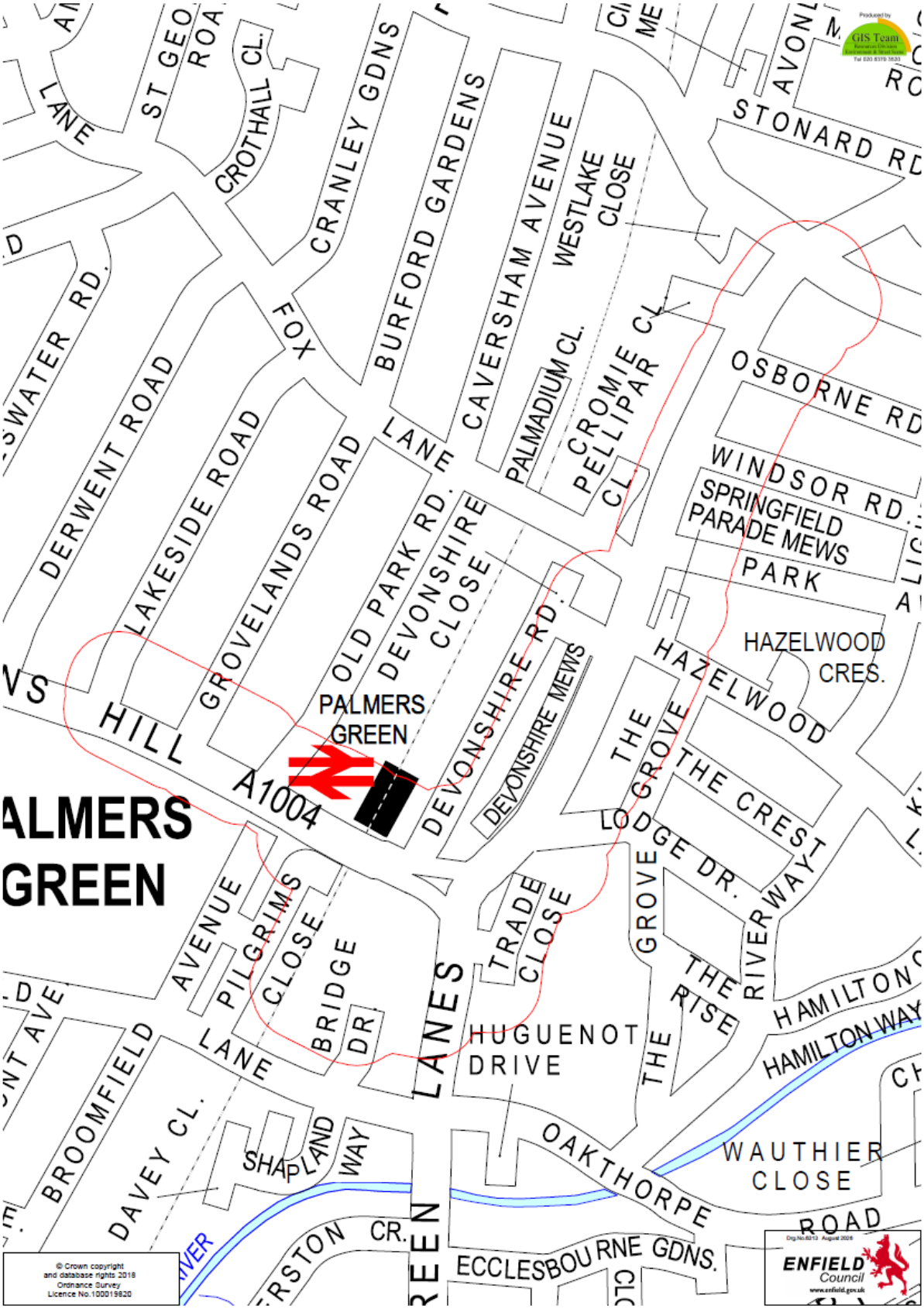
- Bowes
- Palmers Green



ANNEX 8: THE PALMERS GREEN CUMULATIVE IMPACT ZONE

This CIZ incorporates parts, but not all, of the following wards:

- Palmers Green



ANNEX 9 - SUMMARY OF AGE RESTRICTIONS

9.1 The table below summarises certain age restrictions. The list is not exhaustive and is a provided as a guide:

Type of Premises	**Access or sales restriction (Source in brackets)**
Premises exclusively or primarily used for the sale or supply of alcohol for consumption on the premises	No unaccompanied under 16's at any time (section 145 of the Act) No under 18's after 23:00 (Policy)
Other licensed premises whilst open for the sale or supply or alcohol for consumption on those premises	No unaccompanied under 16's between the hours of midnight and 05:00 (section 145 of the Act)
All licensed premises whilst open for the sale or supply of alcohol for consumption on those premises	Under 18's only until 'specified cut-off time' identified in the premises licence (where applicable) (Policy)
Off-licensed premises	No unaccompanied under 14's after 21:00 (Policy)
All premises	No sale of alcohol to under 18's (except 16- and 17-year-olds where supplied as part of a table meal where an over 18 is present). (Section 146 of the Act)
Film exhibition	Restricted in accordance with film classification (Section 29 of the Act)

ANNEX 10: POOL OF MODEL CONDITIONS

10.1 Please note that the conditions below seek to promote the licensing objectives when determining an application under the Licensing Act 2003. The conditions outlined below can be amended or added to from time to time separate from the review process for the Statement of Licensing Policy.

10.2 The Council, when exercising the licensing functions, must have regard to the Guidance issued by the Secretary of State under the Act.

10.3 Conditions which are appropriate to promote the licensing objectives should appear within the operating schedule from the prospective licence holder's assessment which form part of the application.

10.4 These conditions have been produced to assist applicants to consider where they would promote the licensing objectives in relation to their application and to assist the responsible authorities and other parties to provide a consistent approach when proposing conditions on licences.

10.5 This group of model conditions is not an exclusive or exhaustive list of conditions which may be imposed on a licence. It does not restrict any applicant, responsible authority, or other person from proposing any alternative conditions, nor would it restrict a licensing sub-committee from imposing any reasonable condition on a licence it considers appropriate for the promotion of the licensing objectives.

PUBLIC SAFETY

PS1	The maximum number of persons on the premises at any one time shall not exceed …..
PS2	A suitable method e.g. clicker counters, for determining the number of persons on the premises at any one time shall be employed to ensure that the maximum permitted number is not exceeded.
PS3	Suitable beverages other than alcohol (including drinking water) shall be equally available for consumption with or otherwise as ancillary to table meals.
PS4	Alcohol shall not be supplied otherwise than to persons taking table meals for consumption by such persons as ancillary to the meal.
PS5	Should the premises remain open for non-licensable activities customer shall not have access to alcohol after the licensed hours. This shall be prevented by the use of shutters / locked fridges.
PS6	At least 2 members of staff shall be present on the shop floor of the premises at all times the premises are open for licensable activities / from ….. until closing.

PREVENTION OF PUBLIC NUISANCE

PN1	The management shall make subjective assessments of noise levels outside at the perimeter of the premises approximately and at the nearest noise sensitive location, whilst regulated entertainment is provided to ensure that noise from the premises does not cause a disturbance to local residents. Records shall be kept of the times, dates and any issues discovered. These records shall be kept for six months. Records must be made available to an authorised officer of the Council or police, upon request. Where monitoring by staff identifies that noise from the premises is audible at the perimeter, measures shall be taken to reduce this i.e. turning volume down.
PN2	There shall be no amplified music in the (insert location)
PN3	A noise-limiting device shall be installed to any amplification equipment in use on the premises. The noise-limiting device shall be maintained in effective working order and set to interrupt the electrical supply to any amplifier should the volume of the music be audible at the perimeter of the premises.
PN4	All external doors and windows to be kept closed but not locked whilst regulated entertainment / live or recorded music is being played.
PN5	The external area at the front of the premises shall be designated for the use of smokers from (insert hour) hours until closing time on (insert day) to (insert time and day) There shall be no more than (insert number) persons using this designated area during these times. The designated area shall be adequately supervised to control the number and behaviour of patrons so as to not cause noise nuisance. Notices shall be displayed in the area specifying the terms of its use and asking patrons to respect the needs of local residents and to use the area quietly. No alcoholic drinks or glass containers shall be taken into the designated smoking area during these times.
PN6	Supervisory staff shall ensure that no patrons remain in the external seating area to the front (or rear) of the premises after (insert time e.g. 22:30), except to enter or leave the premises. All moveable external seating shall be removed, where practicable, by (insert time e.g. 23:00)
PN7	At the conclusion of all regulated entertainment events a suitably worded announcement shall be made to the customers, requesting that they behave in a quiet manner whilst they are leaving the premises.
PN8	Prominent, clear and legible notices shall be displayed at all public exits from the premises requesting customers respect the needs of local residents and leave the premises area quietly. These notices shall be positioned at eye level and in a location where those leaving the premises can read them.
PN9	The car park shall be locked no later than 30 minutes after closing time to prevent members of the public parking in the car park after the premises has closed.
PN10	Staff shall actively discourage patrons from congregating around the outside of the premises.

PN11	The premises licence holder shall ensure that the pavement from the building line to the kerb edge immediately outside the premises, including the gutter/channel at its junction with the kerb edge, is kept clean and free from litter at all material times to the satisfaction of the Licensing Authority.
PN12	Prominent, clear and legible notices shall be displayed at all public exits from the premises requesting customers respect the surrounding area and dispose of litter in a responsible manner. These notices shall be positioned at eye level and in a location where those leaving the premises can read them.
PN13	Litter bins and wall mounted ashtrays shall be provided outside the premises.
PN14	All refuse and bottles shall be disposed of in bins quietly so as not to disturb neighbours or local residents. There shall be no disposal of glass bottles outside between 23:00 hours and 07:00 hours.
PN15	Deliveries will not be made to the premises between the hours of (insert time) and (insert time).

PROTECTION OF CHILDREN FROM HARM

PC1	All staff shall receive induction and refresher training (at least every three months) relating to the sale of alcohol and the times and conditions of the premises licence.
PC2	All training relating to the sale of alcohol and the times and conditions of the premises licence shall be documented and records kept at the premises. These records shall be made available to the Police and/or Local Authority upon request and shall be kept for at least one year.
PC3	A 'Think 25' proof of age scheme shall be operated and relevant material shall be displayed at the premises.
PC4	A written record of refused sales shall be kept on the premises and completed when necessary. This record shall be made available to Police and/or the Local Authority upon request and shall be kept for at least one year from the date of the last entry.
PC5	No one under the age of 18 years shall be permitted to enter the premises unless accompanied by an adult.
PC6	Children under 14 years, not accompanied by an adult, are not permitted to remain at or enter the premises after 21:00 hours.
PC7	Children under the age of 18 are not permitted in the following areas of the premises (insert areas) between (insert time) hours and (insert time) hours and/or during the following licensable activities: (insert licensable activities).
PC8	Those under the age of 18 shall only be allowed on the premises to dine in the restaurant area and only when accompanied by an adult.
PC9	Any children on the premises after 19:30 must be there for the purpose of consuming a substantial table meal and be accompanied by an adult.
PC10	Cigarette Vending Machines and Gaming Machines shall be sited so that their use can be monitored by staff.

PC11	A personal licence holder is to be present on the premises and supervise the sale of alcohol, throughout the permitted hours for the sale of alcohol.

PREVENTION OF CRIME & DISORDER

CD1	A minimum of (insert number) door supervisors shall be employed on the premises on (insert day) and (insert day) from (insert time) until the premises has closed. At least one door supervisor shall remain directly outside the premises for 30 minutes after the premises has closed or until all customers have dispersed. The duties of these staff will include the supervision of persons entering and leaving the premises to ensure that this is achieved without causing a nuisance. All door supervisors (or marshals) shall be easily identifiable by wearing high visibility jackets or armbands.
CD2	Any door supervisor employed must be from an SIA approved contractor scheme.
CD3	Toilets at the premises shall be checked for any sign of drug use on average of every hour /two hours between (insert time) hours and closing time on (insert day/s). A record shall be kept of the times, dates and any issues discovered. These records shall be kept for six months. Records must be made available to an authorised officer of the Council or police upon request.
CD4	At least six prominent, clear and legible notices shall be displayed throughout the premises, including all toilets warning customers that drug use will not be tolerated.
CD5	Signs shall be prominently displayed on the exit doors advising customers that the premises is in a Public Space Protection Order Area (or similar) and that alcohol should not be taken off the premises and consumed in the street. These notices shall be positioned at eye level and in a location where they can be read by those leaving the premises.
CD6	A log must be kept and signed by each door supervisor each night they are employed at the premises indicating that they have been informed of, understand, and will implement the entry and search policy. This log must be made available to Police or Local Authority employees on request.
CD7	A log must be kept indicating the date and times door supervisors sign in and out for duty and must include clearly printed details of each door supervisor's name, SIA licence number, employer, and the duty they are employed to carry out on any particular night.
CD8	A written entry and search policy must be adopted in consultation with police officers and implemented by door supervisors. This policy must include, but is not limited to: (a) Preventing the admission and ensuring the departure from the premises of the drunk and disorderly (without causing further unnecessary disorder or violence); (b) Keeping out excluded individuals (subject to court bans or imposed by the premises licence holder or his agent); (c) Search and exclude those suspected of carrying illegal drugs or offensive weapons; (d) Maintain orderly and reasonably quiet queuing outside the premises;

	(e) Encourage patrons to leave the premises and the area quietly and not to loiter outside the premises; (f) Ensuring that no alcoholic or other drinks are taken from the premises in open containers (e.g. glasses and opened bottles).
CD9	There shall be no entry or re-entry of patrons to the premises after (insert time) hours Monday to Sunday.
CD10	A digital CCTV system shall be installed in the premises complying with the following criteria: (a). Cameras shall be sited to observe the entrance and exit doors both inside and outside, the alcohol displays and floor areas. (b). Cameras on the entrances shall capture full frame shots of the heads and shoulders of all people entering the premises i.e. capable of identification. (d). Cameras viewing till areas shall capture frames not less than 50% of screen. (e). Cameras overlooking floor areas shall be wide angled to give an overview of the premises. (f). Cameras shall capture a minimum of 16 frames per second. (g). Shall be capable of visually confirming the nature of the crime committed. (h). Shall provide a linked record of the date, time and place of any image. (i). Shall provide good quality images – colour during opening times. (j). Shall operate under existing light levels within and outside the premises. (k). Shall have the recording device located in a secure area or locked cabinet. (l). Shall have a monitor to review images and recorded picture quality. (m). Shall be regularly maintained to ensure continuous quality of image capture and retention. (n). Shall have signage displayed in the customer area to advise that CCTV is in operation. (o). Digital images shall be kept for 31 days. (p) Police and authorised officers from any other Responsible Authority shall have access to images upon request. (q). The equipment shall have a suitable export method, e.g. CD/DVD writer so that the Police/Responsible Authority can make an evidential copy of the data they require. This data should be in the native file format, to ensure that no image quality is lost when making the copy. If this format is non-standard (i.e. manufacturer proprietary) then the manufacturer should supply the replay software to ensure that the video on the CD can be replayed by the police on a standard computer. Copies shall be made available to Police and/or Responsible Authority upon request.
CD11	Drinking vessels shall be made of toughened glass or plastic and shall be designed not to have a sharp edge when broken.
CD12	An incident log shall be kept at the premises, and made available on request to an authorised officer of the Council or the Police, which will record the following: (a) all crimes reported to the venue

	(b) all ejections of patrons (c) any complaints received (d) any incidents of disorder (e) any faults in the CCTV system (f) any visit by a relevant authority or emergency service Immigration Offence Conditions • To be able to produce, to a Police Officer, local authority officer or Home Office Immigration Officer, proof of full compliance with the Home Office Full guide for employers on preventing illegal working in the UK, October 2013 issue or any subsequent issue. This proof to be produced within 24 hours. • To maintain on the premise a contemporaneous written record of the hours worked, by all persons. Such record shall as a minimum cover the previous 4 working weeks and must be available to be produced on demand, to a Police Officer, local authority officer or Home Office Immigration Officer. Records shall include the employees full name and address. *Non-Duty Paid Alcohol/Tobacco Offence Conditions* • Only the Premises Licence Holder, Designated Premises Supervisor or any member of staff authorised by the Premises Licence Holder shall purchase alcohol and / or tobacco stock. • The premises licence holder and any other persons responsible for the purchase of stock shall not purchase any goods from door-to-door sellers. • The premises licence holder shall ensure that all receipts for goods bought are kept together in a file or folder as evidence that they have been brought into the UK through legal channels. Receipts shall show the following details: (1) Seller's name and address; (2) Seller's company details, if applicable; (3) Seller's VAT details, if applicable. Copies of these documents shall be retained for no less than 12 months and shall be made available to police or authorised officers of the council on request within five working days of the request. The most recent three months' worth of receipts shall be kept on the premises and made available to the police or authorised officers of the council on request. • All tobacco products which are not on the tobacco display shall be stored in a container clearly marked 'Tobacco Stock'. This container shall be kept within the storeroom or behind the sales counter. • Tobacco products shall only be taken from the tobacco display behind the sales counter in order to make a sale. *Delivery of Alcohol (i.e. warehouses, internet sales)* • Alcohol sales will be transacted over the telephone or internet, customers will not purchase alcohol in person at the premises. • Adequate controls shall be in place to ensure that alcohol sales are only made and delivered to persons over the age of 18. • A 'Think 25' proof of age scheme shall be operated and relevant

	material shall be displayed on the website and all marketing material. • Deliveries of alcohol from the premises shall be made staff from the premises or by a recognised courier company. • Alcohol sales will be through the company's website only. • No sales of alcohol shall be made to members of the public who 'walk in' to the premises. • There shall be an age verification system set up on the website requiring the user to confirm that they are aged 18 or over before an order for alcohol can be placed. • A Challenge 25 policy shall be adopted at the premises. Any delivery of alcohol to anybody who appears to be under the age of 25 shall be asked to provide evidence of proof of age. If proof is not provided or if there is any doubt about the I.D., the delivery of alcohol shall be refused. The only forms of proof of age to be accepted shall be: Passport, Photographic Driving Licence or PASS approved I.D. card. • If there is no one available to take in the delivery, the courier shall not leave it in an unattended safe place for collection later. It can be left with a neighbouring property only if the Challenge 25 condition above is taken into account. • Delivery can only be made to a domestic dwelling or place of business. • The courier shall only collect the alcohol from the premises between 08.00 and 20.00 Monday to Sunday. *Large scale events* The premises license holder shall submit a completed Events Management Plan and associated documentation that meets the requirements of the Licensing Authority and the Enfield Safety Advisory Group and implement it accordingly.

ADDITIONAL FOR CUMULATIVE IMPACT ZONES

CIZ1	Entry and exit to the premises shall be managed to ensure patrons do not congregate outside the premises. In particular the entry to the premises and the pavement outside of the premises shall be kept clear of patrons, ensuring that the pavements are not blocked and no nuisance is created for passers-by.
CIZ2	Smoking areas shall be designated and managed to ensure no nuisance is created for residents nearby and passers-by. Patrons shall be discouraged from smoking on the pavement outside of the premises.
CIZ3	The premises licence holder shall sign up to the Mayor of London's Women's Night Safety Charter and implement the current strategy (and/or equivalent). This shall be documented and made available to the Police and/or Local Authority upon request and shall be retained for at least two years.

	The premises licence holder shall ensure all staff undertake induction and refresher training (at least every year) relating to the prevention of violence against women and girls. This training shall be documented and records kept at the premises. All training records shall be made available to the Police and/or Local Authority upon request and shall be kept for at least two years after the training was completed.

ANNEX 11: DOCUMENTS WHICH DEMONSTRATE ENTITLEMENT TO WORK IN THE UK

11.1 Applicants may be asked to demonstrate that they have the right to work in the UK and are not subject to a condition preventing them from doing work relating to the carrying on of a licensable activity. Guidance on how this can be demonstrated in specific circumstances is outlined in the linked webpage: https://www.gov.uk/government/publications/right-to-work-checklist/employers-right-to-work-checklist-accessible-version

ANNEX 12: SEXUAL ENTERTAINMENT VENUES AND SEX ESTABLISHMENTS

12.1 The information below is provided for convenience and is complementary to, but does not form part of the Policy under the Act :

Sexual Entertainment Venues - Policing and Crime Act 2009

12.2 On 28 March 2012 the Council resolved to refuse to adopt the sexual entertainment venues licensing provisions contained within the Policing and Crime Act 2009. Therefore, Sexual Entertainment Venue Licences will not be granted in Enfield.

Sex Establishments - Local Government (Miscellaneous Provisions) Act 1982 (as amended)

12.3 The Council has adopted the legislation in relation to sex establishments.

12.4 The Council has resolved that the appropriate number of Sex Establishment Licences to be granted in the Borough is nil.

12.5 Any application received will be considered on its merits and in accordance with the Council's policy that the Licensing Sub-Committee should exercise caution in considering any such application.