

The Licensing Policy review, lead by the Licensing Committee and Executive Member for Community Safety, and subsequent public consultation has resulted in the following key changes:

Amended Policy Statements

Licensing Policy 6 Licensing Hours

When dealing with new and variation applications the Licensing Authority will give more favourable consideration to applications with the opening and closing times listed in the table below:

Public Houses and Bars	Sunday to Thursday	8am to 11pm
	Friday and Saturday	8am to midnight
Nightclubs	Sunday to Thursday	8am to 1am the following day
	Friday and Saturday	8am to 2am the following day
Restaurants Cafes & Coffee Shops	Sunday to Thursday	8am to 11pm
	Friday and Saturday	8am to midnight
Hot food and drink supplied by takeaways & fast food premises	Sunday to Thursdays	11pm to midnight
	Friday and Saturday	11pm to 1am the following morning
Off Licences	Monday to Sundays	8am to 11pm
Hotels - residents only	Monday to Sundays	24 hours sale of alcohol
Hotels- guests and non-residents	Sunday to Thursdays	8am to 11pm
	Friday and Saturday	8am to midnight
Premises selling alcohol for consumption off the premises in close proximity to or in high risk areas	Monday to Sunday	10am to 11pm

Licensing Policy 8 Management Standards

When assessing the applicant or licensee's ability to demonstrate a commitment to high standards of management the Licensing Authority will take into account whether the applicant or licensee:

- can demonstrate comprehensive knowledge of best practice
- has sought advice from the responsible authorities
- has implemented any advice given by the responsible authorities
- is able to understand verbal and written advice and legal requirements
- can demonstrate knowledge of the licensing objectives, relevant parts of the Licensing Policy and their responsibilities under the Licensing Act 2003
- is able to run their businesses lawfully and in accordance with good business practices
- can demonstrate a track record of compliance with legal requirements
- can explain how they will brief staff on crime scene preservation

Where there is a history of non-compliance associated with the management of the premises the Licensing Authority is unlikely to grant a new or variation application or permit premises to continue to operate without further restrictions on review, unless there is evidence of significant improvement in management standards.

Licensing Policy 20 – Safer Travel at Night

In determining late night applications, the Licensing Authority will consider the arrangements for securing safe access to public transport facilities for customers and staff leaving the premises.

The Licensing Authority expects late night venues to include safer travel arrangements for departing customers and staff in their operating schedule.

Appropriate arrangements may include:

- ease of access to late night public transport in the local area
- making facilities available for customers and staff to contact a local taxi firm
- facilities to allow patrons to wait for taxis and mini cabs in a safe environment where they will not cause disturbance to residents
- taxi queue management
- provision of clear, accessible, comprehensive and up-to-date information to customers and staff
- proposals deterring illegal mini cabs touting for business outside the venue
- appropriate staff training programme, including advice on safe travel to and from work.

124. For staff working beyond midnight the Licensing Authority expects applicants to adopt a safe transport home policy, which might include free transport for staff to

return safely home or individual risk assessments to identify the availability of transport options and potential hazards.

Licensing Policy 21 Safe and Secure Licensed Venues

In determining applications for pubs, clubs and bars the Licensing Authority will expect the applicant to explain its approach to creating a safe and secure environment for everyone, including adoption of schemes supporting safeguarding of women, LGBTQ+ and vulnerable customers and the protection of young adults in licensed venues.

Paragraph 125 Updated:

- Promoting 'Ask Angela'
- Promoting 'Ask Clive'
- Signing up to the Women's Night Safety Charter
- Signing up to 'Good Night Out'
- Signing up to be a "Safe Haven"
- Displaying posters which discourage harassment and hate crime and encourage reporting to staff/managers
- Taking every report seriously with appropriate action
- Taking steps to support people who report sexual harassment, assault and drink spiking
- Training and supporting staff to implement venue policies
- ensure vulnerable customers leave the venue safely
- Use ID scanners at venues
- Conduct risk assessments for each externally promoted event. Consideration to be given to linking in with Safer Sounds through the 'Safer Business Network'. <https://www.safersounds.org.uk>
- Adopt a Standard Operating Procedure (SOP) for every medical emergency that requires an ambulance to be called to the venue.

Licensing Policy 22 – Public Nuisance

The Licensing Authority is committed to preventing public nuisance by protecting the amenity of residents and businesses in the vicinity of licensed premises. Applicants and premises licence holders are expected to address these issues in their operating schedules.

Where relevant representations are received, the Licensing Authority will impose appropriate restrictions or controls on the licence to support the prevention of public nuisance due to:

- amplified sound: noise from music/films etc. played on the premises and or in external areas.
- deliveries from the premises: particularly early morning, late night, weekends and bank holidays, and with a focus on delivery vehicle noise including idling

engines and noise from delivery riders/drivers.

- deliveries to the premises: particularly early morning, late night, weekends, and bank holidays, and with a focus on delivery vehicle noise including idling engines and noise from delivery riders/drivers.
- flyposting: unauthorised posting of posters / advertisements etc.
- highways and pavement obstructions: minimise obstruction by customers blocking footpaths when eating, drinking and smoking near to the premises or by furniture/signs etc.
- light pollution: unshielded lighting, lighting directed at neighbouring properties, excessive lighting
- litter and waste: litter and waste generated by the carrying out of licensable activities, for example, food wrappers and cigarette butts.
- noise from patrons: for instance:
 - patrons queuing to enter the premises.
 - patrons eating, drinking or smoking in external areas.
 - patrons dispersing from the premises late at night.
 - car horns/car radios/slamming of car doors late at night.
 - general drunken behaviour and shouting etc.
- odour, smells and smoke: smell nuisance from ventilation ducting and kitchen extractors. Also, smoke from wood and charcoal equipment etc.
- plant and machinery noise: including air conditioning units, refrigeration units and kitchen extractors etc.
- street fouling and urinating in public: urination and the fouling of pavements and doorways through vomiting etc.
- waste and other collections: particularly early morning and late night, weekends and bank holidays, clearing up and collection of waste and particularly of glass.
- recycling facilities: storage of waste such as glass and bottles etc.

Licensing Policy 24 – Noise from Deliveries to the Premises

Noise from delivery vehicles is a large source of complaints and could potentially result in a public nuisance. Licence holders and applicants are encouraged to consider whether early morning deliveries to and from their premises could potentially result in a public nuisance and to introduce measures, such as quiet delivery processes, to minimise the impact where appropriate. The Licensing

Authority recognises that refuse collection and delivery times can sometimes be outside the control of the premises licence holder but encourages the appointment of contractors who can carry out collections and deliveries during normal hours of work and outside the night time hours of 23:00 to 07:00. Collection and disposal of bottles and other waste glass should be avoided during the above hours. Where deliveries can only be made at night, applicants are expected to identify appropriate arrangements for quiet deliveries.

Licensing Policy 25 Noise Relating to Deliveries From The Premises

Licence holders and applicants are expected to consider quiet collection and delivery for licensable goods when conducting late night deliveries. Noise from delivery vehicles is a large source of complaints and could potentially result in a public nuisance.

Licence holders and applicants need to introduce measures to minimise the impact, particularly of vehicle noise. The Licensing Authority recognises that deliveries from the licensed premises can sometimes be outside the control of the premises licence holder but usually expects the appointment of contractors who can carry out collections and deliveries using non-internal combustion engine vehicles.

Whilst each premises is different and unique, there are several sources of noise and nuisance noise complaints that are common to many premises with a delivery service. Any operating schedule for a premises with a delivery service should address potential nuisances such as:

- Noise from delivery vehicles
- Noise from drivers/riders awaiting pickup
- Noise from the delivery

All proposals for a delivery from the premises service are required show that 'quiet' vehicles (such as electric vehicles and bicycles, cargo bikes etc.) will be used unless there are exceptional reasons why this is not possible. Applicants will be asked to justify why they would be unable to use quiet vehicles and produce a plan for their introduction.

Licensing Policy 26 Smoking, Drinking and Eating Outside

The Licensing Authority recognises that where gardens, tables and chairs outside are provided for smoking, drinking or eating, users can potentially cause a nuisance. However, the Council supports, where appropriate, the use of outside tables and chairs to ensure the resilience of licenced businesses in the Borough

Where smoking, eating and drinking takes place outside the Licensing 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:
 - noise

- smell
- light pollution
- pavement obstructions
- the arrangements for clearing, tables and chairs
- preventing nuisance from smoke fumes to residents living in close proximity to smoking areas

Where the Licensing Authority receives representations or a review application regarding the use of an outside area it will impose restrictions or conditions that are appropriate for preventing a public nuisance.

NEW POLICIES AND PARAGRAPHS

Licensing Policy 9 Equality And Inclusion In Licensed Premises

Applicants are encouraged to provide evidence as to how they will promote equality and diversity. Where relevant and appropriate, the licensing authority will take such evidence into account and give it due weight in the licensing processes

Islington has a diverse resident and visitor population and that is reflected in the wide range of successful licensed business in the area, offering multi-cultural food and entertainment and accessible venues. In our role as the licensing authority, we aim to encourage applicants to promote diversity, accessibility and including to provision of accessible facilities such as community toilets, whilst fulfilling their legal obligations under the Equality legislation.

When designing new premises the provision of toilet facilities should reflect the diverse range of needs of customers and staff so that everyone has access to facilities that they feel comfortable with including a mixture of sex specific and gender neutral toilets. Where gender neutral toilets are provided they should have floor to ceiling partitions with the provision of hand washing and sanitary hygiene facilities. There should also be consideration of the ratio of female toilets to minimise queuing.

In certain cases, the requirement to promote equality and diversity will directly engage the licensing objectives. In others, an applicant's evidenced commitment to promoting equality and diversity may signify a high standard of corporate social responsibility. This may help to demonstrate that they can also be trusted to promote the licensing objectives. As such, applicants are encouraged to provide evidence as to how they will promote equality and diversity. Where relevant and appropriate, the licensing authority will take such evidence into account and give due weight in the licensing process.

Licensing Policy 28 Environmental Best Practice In Licensed Premises

Applicants are encouraged to provide evidence as to how they will promote environmental protection.

Islington has declared a climate emergency and is working to make Islington net zero in terms of carbon by 2030.

Licensees are encouraged to join the council in working towards net zero carbon by:

- Reducing energy usage and switching to green energy suppliers
- Reducing food wastage and train staff in good practices
- When choosing takeout and delivery containers, opt for compostable materials
- Focusing on reducing all types of waste and maximising recycling
- Reducing use of vehicles and switching to bikes or electric vehicles where they continue to be needed
- Supporting staff and customers who cycle to the licensed premises
- Inform customers about the actions being taken
- Buying from other businesses who are taking action to reduce their carbon footprint, including buying more locally.

In certain cases, the applicant's commitment to environmental protection will directly engage the licensing objectives. In others, an applicant's evidenced commitment may signify a high standard of corporate social responsibility. This may help to demonstrate that they can also be trusted to promote the licensing objectives. As such, applicants are encouraged to provide evidence as to how they will promote environmental protection. Where relevant and appropriate, the licensing authority will take such evidence into account and give due weight.

New Paragraph 127 (drink spiking)

127. Where appropriate premises applicants should consider the risk of drink spiking and have policies and procedures in place to prevent spiking and provide welfare support for customers who report that they have been the victim of spiking. Measures will include:

- Acting upon all reports, and alleged reports, of spiking, recording details and reporting to the police.
- Providing appropriate health, safety and welfare for customers
- Training staff and security teams on procedures
- Having procedures in place for searching, checking toilets and chillout and other quiet spaces
- Good CCTV coverage throughout the premises

New Paragraph 104 (Licensees' Charter)

104. The Licensee's Charter is designed to create venues that are safe and secure for customers whilst respecting the rights of residents living nearby. The Licensing Authority is keen to for all licence premises to support the charter and commit to:

- a. Providing safe, secure inclusive venues and premises
- b. Respecting local neighbours and encouraging customers to do likewise
- c. Providing high standards of management both inside and outside the premises
- d. Investing in staff training to support the Charter' objectives

New Paragraphs 88-90 & 165-166 (Shadow Licences)

88. The Licensing Authority will expect the operating schedule for a Shadow Licence to contain bespoke arrangements to promote the licensing objectives when the shadow licence is bought into effect including:

- a. Written notification to the Licensing Authority
- b. The arrangements for appointing an experienced and competent management team
- c. The process to be followed in the event of the existing licensed being suspended or revoked
- d. Communication arrangements with the existing premises licence holder

89. A shadow licence is the term used to describe a second or subsequent licence for premises where a licence already exists and the shadow licence may replicate the licensable activities, hours and conditions of an existing licence or it may differ in some or all respects.

90. The holder of the shadow licence could be the freeholder of the premises, the existing premises licence holder or any other person but the existence of two licences for the same premises may lead to confusion as to which licence is being used at the premises at any given time. If an existing licence is revoked, suspended or lapses the holder of the shadow licence can bring the shadow licence into immediate effect and continue providing licensable activities at the premises.

165. Where a licence is revoked, any new application for the premises will be considered against the policy – there will be a full consideration of the applicant and the operating schedule with no assumption that a licensed premise can continue in that location.

166. The Council is concerned that the existence of a shadow licence may undermine available sanctions in response to an application to review a premises licence when a shadow licence exists for the same premises.