

Responses to the consultation on proposed Statement of Licensing Principles

Please see below for comments of note which came in as a result of the consultation.

Question 1: Do you agree with the proposal NOT to change the current premise definitions?

Yes = 14 respondents

No = 3 respondents

Not sure = 4 respondents

Respondents' comments	Officers' comments
Watford has a drink issue, that makes the town a no go area after 8	Some of the reasons behind these concerns are reflected in the fact that the town has a cumulative impact policy in order to address this issue. The council continues to work very closely with the Police and other agencies, including the premises themselves, to achieve and maintain high standards in the town centre and address problem premises. The results of this work have seen the town awarded the Purple Flag for a safe and diverse night-time economy, and the Purple Flag was successfully awarded again following inspection in 2018. This policy does not seek to change this approach.
Watford is not somewhere I would take my child, it is bad enough in the day with all the drunks especially down the bottom of town but night time is dangerous with so many drunken idiots roaming around	As above
Agree this is a comprehensive list and meets the objective of capturing all instances where alcohol may be sold and/or consumed in a specific location.	
The policy does not appear to include the town's parks in its scope. The Cassiobury Triangle Residents' Association believes that parks deserve to be treated as sensitive areas and specifically its members would propose that Cassiobury Park be treated as such since it is closely bordered by residential houses. Recently, an application was made for a licence to sell alcohol in the park; this resulted in many objections from local residents	The current SLP does recognise that residential areas should be treated as different to the town centre and leisure parks, and it is not proposed that this is to change. There is no power for the council to prohibit licence applications in a specific location. Specific concerns can be raised on a case-by-case basis, as they were in respect of the application referenced in the comment, which can then be considered and, if

who feared that disturbance and harm would result in a number of forms including late night noise, litter thrown into gardens, broken glass in the paddling pools and anti-social behaviour.	necessary, result in a hearing to determine the application.
Resources need to be spent on policing and investing in the four targeted sensitive L.A.s not wasting money on this bureaucratic exercise in futility!	The review of the SLP is a statutory requirement, and it is appropriate to target specific areas of the policy for review in order to focus attention, but also to try and keep the policy relevant for an ever changing Watford. It is also noted that the council are not responsible for resourcing the Police, and this is matter for the Police and the Government.
Worded clearly, see no reason to redefine	

Question 2: Do you agree with the proposal NOT to change the approach to dealing with different types of premises licence applications?

Yes = 10 respondents

No = 9 respondents

Not sure = 1 respondent

Respondents' comments	Officers' comments
Late licencing for sale of food should be held by owner and not establishment. This should be reviewed when a new owner takes over.	There is no legal requirement that the owner of a premises has to apply for, or hold, a premises licence. Therefore, the council cannot make this a policy requirement. There is a process to transfer a licence from the existing licence holder to another person or company. Such transfer applications go to the Police and, in some cases, to the Home Office for consultation, during which time any concerns over the applicant may be raised. Any such representations which are not withdrawn will result in a hearing to determine the application.
As question 1 <i>[Watford has a drink issue, that makes the town a no go area after 8]</i>	See response to the original respondent's comment
You need to tighten up the application process & should take this opportunity to do so	Unfortunately, this comment does not make any recommendations. However, officers would advise keeping some aspects of the policy as broad and not too restrictive, which does not restrict the options available, and does allow each application to be considered on its own

	merits. This may also in turn prevent a burden on smaller businesses and known responsible operators, while requiring extra investigation of factors for more complex applications
Policy LP2 P12 of draft. We feel that an end time for pavement licences in residential areas should be set at 20.00hrs. We feel that this is necessary to prevent public nuisance.	While this comment is noted, it is more appropriate for the review of the pavement licensing policy, which has been pencilled in for 2019 or 2020, and is tied to the Cultural Plan and the Town Centre Vision.
No evidence to indicate this approach has not worked in the past.	
The approach to dealing with temporary events does not include temporary events within Cassiobury Park. Such events can be large, with far reaching effect on a large number of people, and should therefore be included within this policy.	Temporary event notices (TENs) are limited by the legislation to a maximum occupancy of 499 people at any one time, with the occupancy including attendees, staff and performers. There are also legal limits on how many TENs can be obtained for a particular premises, how many TENs can be given by a person, as well as legal requirements on how much notice must be given when submitting a TEN. We include a section on temporary events within the policy, which covers many points for premises users to consider, and is suitable for both small scale events within a premises, or larger events held outdoors, and the broad approach is held to be sufficient for dealing with any type of TEN. It should also be noted that TENs are subject to consultation with Environmental Health and the Police only, who can object should they have concerns. Should the comment refer to temporary events which are held under a temporary premises licence, because the audience is proposed to be more than 500 people, then these applications are subject to a full public consultation, Such applications are assessed on their own merits, and the residential nature of the area is something that is considered. The current policy is sufficient for this purpose.
Resources from the Town Centre need to be transferred to these areas	If this comment is referring to Police resources, then ultimately this is a matter for the Police, although of course the council do liaise with the Police on issues involving anti-social behaviour and street drinkers. The comment does appear to be more relevant to Sensitive Licensing Areas (LP4), and not the location and operation of premises (LP2). The Sensitive Licensing Areas were introduced due to concerns raised in those areas, and comments on these areas will be reviewed in the appropriate

	section.
Focus away from alcohol led is progressive	
Again, seems to be working	
<p>In the past I've been concerned in regards to how the Woodside Leisure Complex is "zoned" in our Licensing Policy.... if I remember correctly it is "zoned" differently that allows greater activities to occur particularly into the early hours of the morning (i.e. as a Leisure area to 2am). Fortunately when applications have come in for alcohol to be sold after midnight then a compromise has been achieved, or in fact after a hearing the panel has fortunately decided to kerb the request to midnight, but yes when this does arise then I've always thought that when the next licensing review takes place we need to amend/address this matter (i.e. removing it as a leisure area or putting an addendum that the Woodside Leisure Complex due to its close proximity to residential properties that sale of alcohol will be limited to 12 midnight).</p> <p>The Woodside Leisure Complex is set in a residential area surrounded by residential homes - I often received complaints from Stanborough residents of users of the Woodside Leisure Complex leaving the complex in the early hours of the morning and making a noise. There is of course the fear that allowing easier licensing in the complex (as is) would allow the establishment of a nightclub or suchlike. Woodside/Stanborough is residential area of Watford and is not a suitable location for the night time economy that stretches into the early hours of the morning.</p>	<p>We will amend the policy to be clearer and to state that officers will make a recommendation on whether the application relates to a premises within the town centre, a residential area, or a leisure or shopping area, but that the sub-committee will ultimately have final say on the location of the premises.</p>

Question 3: Do you agree with the proposal NOT to change the approach to dealing with license issues relating to petrol stations and garages?

Yes = 14 respondents

No = 3 respondents

Not sure = 1 respondent

Respondents' comments	Officers' response
Petrol stations should not be selling alcohol	The council must respect that it is legal for some petrol stations to sell alcohol, provided that they are not primarily used as a garage. Where a licence has been granted to a premises in the past, and that premises is now deemed to be primarily used as a garage, that licence will be of no effect. We consider that our broad approach, including the option of requesting sales data as evidence to establish use, is appropriate.
Petrol stations should not be licensed. Temptation to consume alcohol whilst/before driving.	As above. It also should also be noted that a ban on petrol stations selling alcohol would need to be introduced by national legislation.
No evidence to suggest this has not worked in the past.	
These businesses are poor quality and often exploitative employers and provide no benefit to the community they should not be rewarded with alcohol licenses!	It is acknowledged that this comment is a sweeping generalisation, although officers would point out that we can only consider licensing applications with regards to the four licensing objectives, and nothing else. It is also noted that employees are protected by specific legislation outside of the scope of licensing, regarding health and safety at work, minimum wage, and protections including holiday pay and sick pay.

Question 4: Do you agree with the revised wording of this policy [regarding circuses]?

Yes = 10 respondents

No = 3 respondents

Not sure = 4 respondents

Respondents' comments	Officers' comments
The current policy would allow for a circus trading at a single location for a maximum of 28 days. The hours of operation would be from 08.00hrs until 23.00hrs. We feel that the end time of 23.00hrs is excessive, especially considering that they could be onsite for 4 weeks. An end time of 22.00hrs is felt to be more appropriate as it would allow for the dispersal of people from the area after the finish of the performance. We feel that this change is required to minimise the potential for public	The qualifying conditions that circuses do not need licensing in the circumstances detailed in the policy were set by the Legislative Reform (Entertainment Licensing) Order 2014. As these limits are set in legislation, the council has no discretion to change the length of time that a circus can be in place, nor can we set different hours for the operation of the circus.

nuisance.	
Circuses are cruel and belong to another era. Time to phase them out. Non animal circuses such as appear in Cassiobury Park at Bank Holidays are disruptive to regular users of the Park, overly noisy and leave too much rubbish.	As explained previously, the provision of a circus does not require licensing in specific circumstances, and so there are no controls that the licensing authority can put in place through licensing policy. However, the comment refers specifically to events in Cassiobury Park, which is council controlled land. There is a separate process for event organisers to apply for, and obtain, permission to hold events on council land. This comment has been passed to the Parks, Open Spaces & Projects team for review. Should a non-animal circus require a licence, then such an application would be subject to a full public consultation.

Question 5: Do you agree with the approach to dealing with licensing applications in the town centre?

Yes = 11 respondents

No = 4 respondents

Not sure = 2 respondents

Respondents' comments	Officers' comments
Definitely not, it seems if they're happy to pay , they can do what they like	The current policy sets out the licensing authority's expectations of applicants with regards to the town centre. While it is acknowledged that the policy can only be strictly enforced should an application go to a hearing, officers do always work to promote the policy and the intention behind the policy. This often results in applications being amended, or specific conditions being adopted to a licence. It is not always obvious that such conversations have taken place, but it is not the case that applicants do not have their applications scrutinised. Officers wish to clarify that all applications are subject to a public consultation, as required by the legislation, during which time residents, businesses, and the local authorities can lodge representations. After a premises has been licensed, the licensing team do investigate complaints made against premises, and, where appropriate, start enforcement action as

	prescribed by our enforcement policy. We also work closely with the responsible authorities, and they are also able to instigate reviews of a licence should a premises be undermining the licensing objectives. The most recent example of this is a review lodged by the Police against a town centre premises in 2017
See previous explanation <i>[You need to tighten up the application process & should take this opportunity to do so]</i>	As with the previous comment from this respondent, unfortunately, this comment does not make any recommendations. This policy is a Cumulative Impact Policy, which means that the council can consider refusing a licence application should it be appropriate, and if granting the application would add to the existing cumulative impact. However, the council cannot make a decision to refuse every application, and it must allow applicants the opportunity to put an argument as to why they should be granted a licence. We explain in our policy what factors will not be considered as grounds for an argument to grant a licence, but do not prescribe what grounds will be considered, so that applicants have to put together their own case and their own argument.
Agree that reducing alcohol related anti-social behaviour should be a key objective and that initiatives to reduce binge drinking and regular high consumption of alcohol by individuals should be encouraged. Reducing the number of places selling alcohol in a small area is welcome, as is encouraging premises that either do not sell alcohol or do so as part of a wider offer of food and/entertainment.	
Too many resources have been devoted to this area for far too long. Lack of responsible licensee sales have allowed sales to the intoxicated.	It is acknowledged that the town centre does attract a lot of resources, both from the council and the Police, but this is understandable given the nature of the area. This is an area with high footfall, a high number of commercial units, some of which are licensed, and is designed to accommodate a diverse crowd of customers, with a range of premises, and provision for travel in bus stops, car parks, and taxi ranks. We will investigate any complaints of licensees selling alcohol to people who are already intoxicated.
Each application should be considered on its merit. Would want to see the crime statistics first before commenting	The council are legally required to consider each application on its own merits.

Question 6: Do you think that the area to which policy LP3 (Creating a Family Friendly Town Centre) applies is right?

Yes = 10 respondents

No = 3 respondents

Not sure = 5 respondents

Respondents' comments	Officers' comments
As mentioned above, Cassiobury Park should be included.	Now that cumulative impact areas have been placed on a statutory footing, there is not the evidence available to justify the implementation of such a policy for Cassiobury Park. It should also be noted that there is actually only one current licensed premises within Cassiobury Park, which is the bowls club.
Too political a statement that is meaningless and open to misinterpretation	There is little information as to what parts exactly are open to misinterpretation and, unfortunately, no suggestions have been made as to how to make the policy clearer.
Don't know Watford well enough I'm afraid	
I've reviewed the Statement of Licensing Policy and consultation questions and don't have any comments to make. I did notice on page 16 a reference to Charter Place which no longer exists, except for Charter Place bus lane, so reference should be removed.	The reference to Charter Place has been removed, but the area is still covered by the policy because it is located on the High Street.

Question 7: Do you think that the above Sensitive Licensing Areas should be retained?

Yes = 19 respondents

No = 1 respondent

Not sure = 1 respondent

Respondents' comments	Officers' comments
Agree that decisions on sensitive licensing areas should be led by local	The licensing authority are always reviewing contact between ourselves

<p>information and subject to regular review. Street drinkers are a vulnerable group and many have alcohol misuse related health problems - reducing availability to e.g. high-strength alcohol, single take-away cans, and miniature spirit bottles is helpful in reducing drinking at harmful levels and supports any alcohol treatment they may be accessing. Where available Public Health and NHS data (e.g. hospital attendances related to alcohol) should be taken into account when assessing the need for a sensitive licensing area.</p>	<p>and the responsible authorities, of which Public Health are one, in order to improve our working relationship. The policy does not specifically limit what factors have to be taken into account when considering a sensitive licensing area, and it may be that evidence from Public Health is sought in addition to input from the Police and the council's Community Safety Co-Ordinator. Since the proposed policy allows this interaction, it is not thought that this element of the policy needs amending.</p>
<p>Modified</p>	<p>This refers to how the areas should be modified.</p>
<p>I live in the Whippendell Rd zone. Noise, litter, speeding, inconsiderate, dangerous (and illegal) parking and cycling on pavements are all on the rise. As a dog owner and animal lover in particular the increase in the dropping of food remnants and broken glass causes daily concern and anxiety. Chicken bones are very dangerous due to the risk of splintering. This all seems to have increased in the last couple of years and most of it occurs overnight, presumably related to individuals returning drunk from town centre and/or using the local facilities. There is also an increase in illegal and dangerous, inconsiderate parking due to a lack of allowable parking for non-residents. E.g. a chicken shop causes people to park illegally on Whippendell near the traffic lights and at the end of Park Avenue on the double yellow lines which causes mayhem during rush hours. Can they not be monitored by cctv? Speeding on the section of Whippendell between Cassio and Harwoods is a real problem, both at night and in the daytime, some sort of control measures are necessary. Cycle lanes would definitely help too and get the bikes off the pavements. We have already lost our local post box due to having syringes posted so there is evidence here for an effort to clean up this part of town. Bottom line certainly no more take aways/bars and better enforcement of what we already have plus infra investment in litter collection, cycle lanes and speed controls please.</p>	<p>This comment raises a number of issues which both the council and the licensing authority have limited control over, if any, such as speeding. It also raises concerns over the behaviour of individuals by littering, and the statutory guidance does state that away from premises, individuals are responsible for their own behaviour. The comments about parking, littering, and cycle lanes, have been passed to other council departments for information. The comment refers to no more take-aways or bars, but the licensing authority is not able to put a blanket ban on such applications.</p>
<p>As before, don't know the area well</p>	

I am a resident of Market Street identified as a Sensitive Licensing Area and prior to responding to the full draft document which is out for consultation, I would like to raise a couple of issues we experience which we are happy for you to include.

I think there is real potential for Market street area to become family friendly however it is at times more akin to a no go zone and most people in the area are well aware of what occurs in and on this street.

There a couple of factors when combined do not provide a foundation for a family friendly ethos. Firstly, there is the local brothel which attracts an interesting mix of people to the street coupled with the corner shop opening hours (7am - 1am) we endure many late nights of loud customers, street drinkers, loud car music and engines running, people knocking at our flat door.

I am all for neighbours earning a living even having fun, but I have seen a rapid decline in the liveability of this end of the street. The huge camera is seen as a joke by most people I speak to and certainly does not deter what may be considered as suspicious activity.

One solution maybe to redress the opening hours of these premises with a reasonable (say 11.30pm) cut-off point. There is a premises which sells cheaper out of date beers which also attract drinkers.

I understand the complexity of street management and licensing and also links to the displacement of the homeless further out from the city centre to areas such as Market street, especially where alcohol and substances are widely available.

The road network is also a factor with market street been a 'rat run' especially for 'boy racers'.

This comment raises some issues which the licensing authority are not able to deal with, such as the report of a brothel. These comments have been passed to the Police for information. The comment calls for the opening hours of premises to be cut. This would only be possible through a review of the existing licence, or through a variation submitted voluntarily by the premises. The policy cannot be used to reduce the existing hours of premises without the right to reply. The comments also mentions the actions of people being loud, even with cars and engines running. The statutory guidance states that away from premises, people are responsible for their own actions, and it may not be the case that all of these people have visited, or are visiting, licensed premises in the area.

That there has been a significant development, which continues, so as to rejuvenate the town centre and bring back more life to what had become a rather shabby city centre is only to be welcomed and encouraged. A diverse commercially viable exciting and enthusiastic city centre is to everybody's mutual benefit.

If, as we anticipate the Licensing Policy first introduced sought to move the city centre away from high volume vertical drinking establishments and entertainment premises trading particularly late at night, then it appears to us that that has been successful. The Intu development appears to encourage and promote a significant food and casual dining premises as well as an appropriate volume of alcohol and/or alcohol led venues. The investment has in and of itself created a lot of work for skilled tradesmen who have themselves frequented the businesses (including our own) in the city centre. Whilst there have been a few issues with regards to through traffic (pavements and roads being closed etc) this seems to be a small inconvenience for what our client believes will significantly boost Watford's appeal.

But that there are to be sensitive areas designated as meriting additional consideration is not we respectfully suggest inappropriate. It appears to us to be incumbent upon the Licensing Authority to ensure that the premises that have the opportunity to trade in these areas must do so respectfully and appropriately. Our client firmly believes, and engagement and dialogues with officers appears to confirm, that our premises (does just that).

We note the policy was particularly introduced following three specific concerns. We turn to those below.

First of all the availability of stronger strength alcohol to street drinkers leading to anti-social behaviour in the immediate vicinity of the premises. In regard to our operation this is not a point on which we can particularly comment. We don't for a moment doubt the legitimacy of

the evidence that was before the Licensing Committee in 2013 but our premises charge a high entrance fee, do not discount any drinks on any nights and works on a model, which may be categorised as quality rather than quantity. These premises have far less patrons than other alcohol or food less patrons might generally be expected to visit. This can fairly be demonstrated by the lack of incidents that occur on or in the immediate vicinity of the premises.

The second policy rationale, alcohol and/or late night refreshment being available at times that are significantly different from other premises in that area likely to have an adverse impact on the Licensing objectives also seems a perfectly proper consideration. Those premises that cannot support and/or promote the Licensing objectives couldn't and/or shouldn't be supported by the Licensing Authority but because a premises trades late is not in and of itself an issue or a problem. One must consider, particularly, the second element of the consideration namely does the operation "have an adverse impact on the Licensing objectives". It's not our view nor our understanding that it is anybody else's view, that our late night premises causes concerns that could fairly be said to fall within this category.

Finally, litter and other nuisances from a concentration of late night takeaways appears to be perfectly legitimate consideration but it is fair to say that there are not many takeaways on Market Street. Our client tells us that in the past three years he has found litter to be minimal on Market Street. This might (we're not privy to the evidence over and above the causal observations that our client has made), suggests that the designation of Market Street as one of the sensitive licensing areas is indeed working. If the lack of late night refreshment premises is reflective of the policy adoption in 2013 and, as seems to be the case, that is followed by a lack of litter then the two seem fairly to support one another.

<p>I live on Whippendell Road, and feel that the addition of more restaurants, food establishments and other venues offering entertainment licensing activities would only serve as to lessen the overall quality of living in a safe neighbourhood. Aside the negative externalities associated with the current number of fast-food outlets nearby, e.g. rubbish and unpleasant smells, the nearby Haven Trust (which serves to help the homeless and those afflicted by addictions) is the frequent cause of many disputes requiring police intervention and I fear that the addition of alcohol based establishments will only serve to pose problems for the residents of the Haven Trust as well as me.</p>	
<p>It is nice to hear that the council is encouraging family friendly policy and reviewing LP4. However I suggest next time the council consider limiting the number of licences given, section 637 has so many licences. I believe currently in this stretch there are 7 shops which sell alcohol and 2 which serve alcohol. The licensing times are also being increased in residential areas, which is not logical. This is a stretch which could be covered in just over 5 minutes. Also within this stretch there is a shelter which is attempting to help people recover from things like alcoholism. It seems like poor planning and something the council needs to really reflect on as this is something that could have been avoided.</p>	<p>The licensing authority is not able to limit the number of licences. The question of whether another licence is 'needed' in an area is one for market forces to determine, not licensing authorities, as stated in the statutory guidance. It is not legal to cap the number of licences that a licensing authority can grant. While the cumulative impact of licences within a given area can be considered, and can be used to formulate a Cumulative Impact Policy, there is not the evidence at this time to suggest that one is needed in Whippendell Road. In setting up the Sensitive Licensing Areas, it was recognised that these areas did have concerns, but did not justify the creation of a Cumulative Impact Policy. Officers advise that this reasoning still remains valid to this day.</p>
<p>I agree with all of these areas keeping their status. In terms of non-empiric information each of these locations continues to generate complaints in relation to ASB all are the target of current complaints and investigations.</p> <p>1 Whippendell Road is a historical area of complaint for misuse of alcohol street drinking ASB in the street. Thus links very closely to the sales to street drinkers and remains the only are to which a license was repeatedly declined. It should be noted Cllrs have reported community tensions linked to premises here and the actions of customers</p> <p>2. Queens Road currently has extensive Police resources involved in the investigation of the misuse of drugs crime and disorder, police attend en</p>	

<p>masse in this area as part of the reassurance the public have been looking for, the area is trying to re-model itself on more boutique shops and rent and to some degree is attaining this however there remain hot spots for ASB drugs</p> <p>3 Market Street is a historical hotspot for street drinking.</p> <p>4. St Albans Road current complaints against alleged sales to the local street drinker cohort although not illegal as the area is outside the PSPO the area is currently reporting drugs ASB and lewd acts.</p>	
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Question 8: Are there any other areas that you feel should be designated a Sensitive Licensing Area?

Yes = 7 respondents

No = 3 respondents

Not sure = 6 respondents

Question 9: Which other areas do you think should be designated a Sensitive Licensing Area? Please write in below.

Respondents' comments	Officers' comments
Vicarage Road	We have sought further evidence from the Police on this issue. However, the council's Community Safety Co-Ordinator does not currently have any specific concerns regarding this location which can be addressed through licensing. This does not mean that there are not issues in these areas, but there are other measures available in order to address those issues.
Areas close to residents, and shops on estates.	Specific comments were made regarding allegations that a particular premises were encouraging alcohol sales to street drinkers, which have been passed to our Business Compliance Officer and Police for information, and in such cases it is appropriate to deal with the problem premises directly instead of by changing a policy for a whole area. Under Policy LP2, we already do highlight that residential areas may warrant

	different approaches for certain applications. In terms of off-licences, it is recommended that off-licences will generally be allowed alcohol sales in accordance with the normal opening hours of the premises, as recommended in the government guidance. However, we must stress that each application will be assessed on its own merits. It would not be appropriate to make every residential area a sensitive licensing area, because not every residential area is the same.
Vicarage Rd Tolpits Lane areas	We have sought further evidence from the Police on this issue. However, the council's Community Safety Co-Ordinator does not currently have any specific concerns regarding this location which can be addressed through licensing. This does not mean that there are not issues in these areas, but there are other measures available in order to address those issues.
Vicarage Road Parade (that is the pedestrianized section)	We have sought further evidence from the Police on this issue. However, the council's Community Safety Co-Ordinator does not currently have any specific concerns regarding this location which can be addressed through licensing. This does not mean that there are not issues in these areas, but there are other measures available in order to address those issues.
Cassiobury Park	There is not the evidence available to justify such a change in policy
None	

Question 10: Do you agree with the proposal NOT to change the current link between the licensing and planning regimes?

Yes = 11 respondents

No = 2 respondents

Not sure = 2 respondents

Respondents' comments	Officers' comments
Agree it is appropriate to link licensing and planning.	
The major problem is with takeaways and the negative impacts on the	The licensing authority is not able to ban a particular type of premises

community and associations to crime in general. No further chicken shops should be allowed	from applying for a licence. It should also be noted that such premises would only require licensing should they sell alcohol, or are open after 11pm. If a premises only trades between 5am and 11pm, it only requires planning permission in order to open and not licensing.
There is a direct impact on locals	This comments appear to be in support of keeping the link, because this respondent answered 'yes' to keeping the link between licensing and planning

Question 11: Do you believe that the conditions laid out in policy LP6 are sufficient to promote the licensing objective relating to crime and disorder?

Yes = 7 respondents

No = 3 respondents

Not sure = 4 respondents

Respondents' comments	Officers' comments
Greater visible police presence is needed	This is a matter for the Police to consider.
Appears to be comprehensive	
Too political. Current laws allow for sufficient control but these have not been applied	This comment does not give particular details for further investigation. However, officers would advise that the approach as laid out in the policy does go beyond the basic standards required by the legislation, in order to promote and encourage higher standards, such as the employment of door supervisors, engagement with Pubwatch, the consideration of plastic or polycarbonate glasses for certain events or during certain hours, even considering the attitude of management towards Police and council officers and much more. It should also be noted that this list of factors which may be considered is not exhaustive, and that other concerns on a particular matter specific to the location or type of business can still be raised either during the application process or the operation of the business.

Question 12: Do you believe that the conditions laid out in policy LP6 are sufficient to promote the licensing objective relating to public safety?

Yes = 6 respondents

No = 5 respondents

Not sure = 2 respondents

Respondents' comments	Officers' comments
Greater visible police presence is needed	This is a matter for the Police to consider.
Appears to be comprehensive	
Too political. Current laws allow for sufficient control but these have not been applied	This respondent has made similar comments before. Please see the response to the original respondent's comment
We are consulted by yourselves on the licensing objective 'public safety' and have attached two advice documents that we would ask that applicants can be signposted to on your website dealing with licensing applications. It may be that they are already on your website so would ask that they remain once the policy has been agreed.	Steps shall be put in place to make these documents available through our website for advice, rather than in the policy, where they can be updated easily.

Question 13: Do you believe that the conditions laid out in policy LP6 are sufficient to promote the licensing objective relating to public nuisance?

Yes = 3 respondents

No = 5 respondents

Not sure = 4 respondents

Respondents' comments	Officers' comments
In the list that starts on P30 headed LP8 we feel that odour controls should be included in the list of considerations. Point 12 which covers external lighting. We felt that this could be slightly extended to include internal lights that are externally facing.	While the existing policy did acknowledge smell as a nuisance, we have taken these points on board in an attempt to clarify the policy.
Appears to be comprehensive	
Too political. Current laws allow for sufficient control but these have not	This respondent has made similar comments before. Please see the

been applied	response to the original respondent's comment
Please see comments about LP4 <i>[the resident who lives in Whippendell Road]</i>	
Useful to have the definition of "nuisance" as it is often open to misinterpretation	The statutory guidance clearly states that the term 'public nuisance' is not defined in the Licensing Act 2003, and it retains its broad common law meaning. It is therefore not for the licensing authority to give a clear definition. However, we have given examples of what must be considered when deciding if something is public nuisance. The licensing authority may also choose to draw upon the experience of the Environmental Health team to assist in such a decision.

Question 14: Do you believe that the conditions laid out in policy LP6 are sufficient to promote the licensing objective relating to the protection of children from harm?

Yes = 6 respondents

No = 1 respondent

Not sure = 3 respondents

Respondents' comments	Officers' comments
Appears to be comprehensive	
Too political. Current laws allow for sufficient control but these have not been applied	This respondent has made similar comments before. Please see the response to the original respondent's comment

Question 15: Do you agree with the proposal NOT to change the current approach to films that need to be certified by the council's Licensing Officers?

Yes = 9 respondents

No = 2 respondents

Not sure = 0

Respondents' comments	Officers' comments
There are obvious businesses that the procedure should be relaxed for and made cheaper as they have low sales volumes and will never create public welfare issues	It is not clear if this comment was intended for this question or another. There is no charge for certifying films.

Question 16: Do you agree with the proposal NOT to change the current approach to representations against applications?

Yes = 8 respondents

No = 1 respondent

Not sure = 2 respondents

Respondents' comments	Officers' comments
Licensing should be more restricted than it is now. The fact that so many applications get passed suggests that insufficient regard is paid to local opposition	Where an application does not make it to a hearing, it is either because there were no objections made against an application, or that objections were made but then subsequently withdrawn. The current policy states that, where practicable, we will arrange voluntary mediation meetings between objectors and applicants in order to resolve issues of concern, which usually take the form of amending the application in some way, by changing licensable activities, hours, or by agreeing conditions. This pays high regard to objections by discussing how the concerns can be addressed, and the outcome does require agreement from both sides. Where an application does make it to a hearing, it is for the sub-committee of councillors to make a decision on an application, based upon the policy, the statutory guidance, the legislation, and the application before them. The sub-committee should publish detailed reasons for their decision in order to highlight why that decision was made. It should also be noted that any party to an application which is determined at a hearing has the right to appeal a decision if they so wish.

Question 17: Do you agree with the proposal NOT to change the current approach to complaints that are made about licensed premises?

Yes = 6 respondents

No = 5 respondents

Not sure = 0

Respondents' comments	Officers' comments
Tougher response by council	<p>The licensing authority's approach to enforcement is covered by the Environmental Health and Licensing Services' Compliance Policy, the current version of which is dated 2016-2021. This sets out the broad approach to enforcement by the service, ranging from informal resolution through to prosecution and licence reviews, and what factors are to be considered before taking action. As licensing offences are criminal offences, before any decision can be made, officers are required to determine whether or not it is in the public interest to pursue, and also to hold the evidence available to the highest burden of proof, that of 'beyond reasonable doubt', which is the standard applied to criminal prosecutions. It is not always the case that there is sufficient evidence to pursue a case through to prosecution or licence review, and there may be alternative methods to addressing the problem at a more informal level, such as requiring licence holders to vary their licences, or to adopt voluntary standards.</p>
Complaints are not taken seriously enough and there are few consequences for breach of conditions	<p>This is similar to the above comment. Officers would also add that in 2017 there was one premises licence holder prosecuted for breaching their licence, and earlier in 2018 there was another licence holder prosecuted, also for breaching their licence. Both prosecutions occurred after officers had been working with the premises and had already been given warnings, as per the enforcement policy, but had failed to show improvement. We continue to receive relatively few complaints regarding licensed premises. While every complaint is logged, and kept on file for future reference, not every complaint contains sufficient detail for investigation, or there is not enough evidence to prove, beyond reasonable doubt, that a breach or offence occurred, which does affect</p>

	the potential outcomes since it would be disproportionate and against natural justice to take severe enforcement action without sufficient evidence.
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Question 18: Do you agree with the proposal NOT to change the current way we deal with requests to review a licence?

Yes = 8 respondents

No = 2 respondents

Not sure = 1 respondent

Respondents' comments	Officers' comments
Appears to be a comprehensive list	

Question 19: Do you agree with the proposal NOT to change the current approach to enforcement?

Yes = 7 respondents

No = 4 respondents

Not sure = 2 respondents

Respondents' comments	Officers' response
There is little enforcement and targeted in wrong areas	Unfortunately, there is no information given as to how enforcement is targeted in the wrong areas, and what steps we should take instead. As mentioned before, we do carry out enforcement and investigate complaints, which has resulted in licence holders being prosecuted, and have had their licences reviewed.
See comments at LR4 <i>[resident who lives in Whippendell Road]</i>	This respondent has this comment before. Please see the response to the original respondent's comment
I am writing in regards to a letter I received asking for residents views. I have made numerous complaints in regards to the stretch of Whippendell road from Southsea Avenue to Tesco Express. All these	Officers can confirm that this respondent has made complaints about a specific premises before, but these were closed due to changes in ownership. There are currently no open complaints logged about this

seem to have been ignored as no action, or no action has been seen to take place.

The pavement is constantly congested, in particular outside the certain premises. You can have 8-10 individuals smoking outside causing the pavement to be congested. Last time I was walking with my daughter we had a cigarette end flicked in our direction, since this incident we simply no longer use this section. The evidence of the smoking is clear as you will find lots of cigarette ends on the pavement in the mornings.

With the football World Cup, these issues were only added too, especially with BBQ outside the premises and late finishes at night.

There was supposed to be a clear section for the cafe customers to use when smoking outside and this was to be limited, but with over a year with these conditions they have still not been adhered too and the council has not followed up on these. Which is not acceptable. Why were these conditions added if there was no intention of ensuring they were followed?

The level of street drinking is increasing; you constantly find broken beer/spirit bottles broken on the corner of Southsea Avenue and Park Avenue.

specific premises by this individual. The comments have been passed to our Business Compliance Officer.