



**WATFORD  
BOROUGH  
COUNCIL**

# **COUNCIL MEETING**

## **Items 12 and 13**

**16 March 2021**

**7.30 pm**

**Virtual meeting**

### **Contact**

Sandra Hancock  
[democraticservices@watford.gov.uk](mailto:democraticservices@watford.gov.uk)  
01923 278377

For information about attending meetings please visit the [council's website](#).

**Publication date: 8 March 2021  
Updated: 11 March 2021**

8 March 2021

Councillor

You are hereby summoned to attend a meeting of the Council of the Borough of Watford to be held on Tuesday, 16 March 2021 starting at 7.30 pm at the Virtual meeting to take into consideration and determine upon the following subjects, namely: -

**11. Adopting the LGA Model Code of Conduct for Councillors (Pages 3 - 19)**

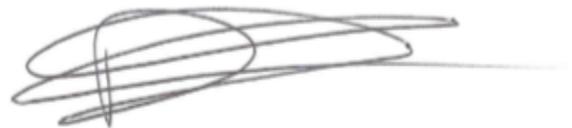
Report of the Group Head of Democracy and Governance

**12. Appointment of Section 151 Officer (Pages 20 - 22)**

Report of the Group Head of Democracy and Governance

**13. Review of Licensing Act 2003 Statement of Licensing Policy (Pages 23 - 141)**

Referral from Licensing Committee on 8 March 2021.

A handwritten signature in dark ink, appearing to be 'Donna Nolan', written in a cursive style with a vertical line through the middle.

**Donna Nolan, Managing Director**



**Local Government Association**

**Model Councillor Code of Conduct 2020**

**Joint statement**

The role of councillor across all tiers of local government is a vital part of our country's system of democracy. It is important that as councillors we can be held accountable and all adopt the behaviors and responsibilities associated with the role. Our conduct as an individual councillor affects the reputation of all councillors. We want the role of councillor to be one that people aspire to. We also want individuals from a range of backgrounds and circumstances to be putting themselves forward to become councillors.

As councillors, we represent local residents, work to develop better services and deliver local change. The public have high expectations of us and entrust us to represent our local area; taking decisions fairly, openly, and transparently. We have both an individual and collective responsibility to meet these expectations by maintaining high standards and demonstrating good conduct, and by challenging behaviour which falls below expectations.

Importantly, we should be able to undertake our role as a councillor without being intimidated, abused, bullied or threatened by anyone, including the general public.

This Code has been designed to protect our democratic role, encourage good conduct and safeguard the public's trust in local government.

## **Introduction**

The Local Government Association (LGA) has developed this Model Councillor Code of Conduct, in association with key partners and after extensive consultation with the sector, as part of its work on supporting all tiers of local government to continue to aspire to high standards of leadership and performance. It is a template for councils to adopt in whole and/or with local amendments.

All councils are required to have a local Councillor Code of Conduct.

The LGA will undertake an annual review of this Code to ensure it continues to be fit-for-purpose, incorporating advances in technology, social media and changes in legislation. The LGA can also offer support, training and mediation to councils and councillors on the application of the Code and the National Association of Local Councils (NALC) and the county associations of local councils can offer advice and support to town and parish councils.

## **Definitions**

For the purposes of this Code of Conduct, a “councillor” means a member or co-opted member of a local authority or a directly elected mayor. A “co-opted member” is defined in the Localism Act 2011 Section 27(4) as “a person who is not a member of the authority but who

- a) is a member of any committee or sub-committee of the authority, or;
- b) is a member of, and represents the authority on, any joint committee or joint sub-committee of the authority;

and who is entitled to vote on any question that falls to be decided at any meeting of that committee or sub-committee”.

For the purposes of this Code of Conduct, “local authority” includes county councils, district councils, London borough councils, parish councils, town councils, fire and rescue authorities, police authorities, joint authorities, economic prosperity boards, combined authorities and National Park authorities.

## **Purpose of the Code of Conduct**

The purpose of this Code of Conduct is to assist you, as a councillor, in modelling the behaviour that is expected of you, to provide a personal check and balance, and to set out the type of conduct that could lead to action being taken against you. It is also to protect you, the public, fellow councillors, local authority officers and the reputation of local government. It sets out general principles of conduct expected of all councillors and your specific obligations in relation to standards of conduct. The LGA encourages the use of support, training and mediation prior to action being taken using the Code. The fundamental aim of the Code is to create and maintain public confidence in the role of councillor and local government.

## **General principles of councillor conduct**

Everyone in public office at all levels; all who serve the public or deliver public services, including ministers, civil servants, councillors and local authority officers; should uphold the [Seven Principles of Public Life](#), also known as the Nolan Principles.

Building on these principles, the following general principles have been developed specifically for the role of councillor.

In accordance with the public trust placed in me, on all occasions:

- I act with integrity and honesty
- I act lawfully
- I treat all persons fairly and with respect; and
- I lead by example and act in a way that secures public confidence in the role of councillor.

In undertaking my role:

- I impartially exercise my responsibilities in the interests of the local community
- I do not improperly seek to confer an advantage, or disadvantage, on any person
- I avoid conflicts of interest
- I exercise reasonable care and diligence; and
- I ensure that public resources are used prudently in accordance with my local authority's requirements and in the public interest.

## **Application of the Code of Conduct**

This Code of Conduct applies to you as soon as you sign your declaration of acceptance of the office of councillor or attend your first meeting as a co-opted member and continues to apply to you until you cease to be a councillor.

This Code of Conduct applies to you when you are acting in your capacity as a councillor which may include when:

- you misuse your position as a councillor
- Your actions would give the impression to a reasonable member of the public with knowledge of all the facts that you are acting as a councillor;

The Code applies to all forms of communication and interaction, including:

- at face-to-face meetings
- at online or telephone meetings
- in written communication
- in verbal communication
- in non-verbal communication
- in electronic and social media communication, posts, statements and comments.

You are also expected to uphold high standards of conduct and show leadership at all times when acting as a councillor.

Your Monitoring Officer has statutory responsibility for the implementation of the Code of Conduct, and you are encouraged to seek advice from your Monitoring Officer on any matters that may relate to the Code of Conduct. Town and parish councillors are encouraged to seek advice from their Clerk, who may refer matters to the Monitoring Officer.

## **Standards of councillor conduct**

This section sets out your obligations, which are the minimum standards of conduct required of you as a councillor. Should your conduct fall short of these standards, a complaint may be made against you, which may result in action being taken.

Guidance is included to help explain the reasons for the obligations and how they should be followed.

### **General Conduct**

#### **1. Respect**

##### **As a councillor:**

**1.1 I treat other councillors and members of the public with respect.**

**1.2 I treat local authority employees, employees and representatives of partner organisations and those volunteering for the local authority with respect and respect the role they play.**

Respect means politeness and courtesy in behaviour, speech, and in the written word. Debate and having different views are all part of a healthy democracy. As a councillor, you can express, challenge, criticise and disagree with views, ideas, opinions and policies in a robust but civil manner. You should not, however, subject individuals, groups of people or organisations to personal attack.

In your contact with the public, you should treat them politely and courteously. Rude and offensive behaviour lowers the public's expectations and confidence in councillors.

In return, you have a right to expect respectful behaviour from the public. If members of the public are being abusive, intimidatory or threatening you are entitled to stop any conversation or interaction in person or online and report them to the local authority, the relevant social media provider or the police. This also applies to fellow councillors, where action could then be taken under the Councillor Code of Conduct, and local authority employees, where concerns should be raised in line with the local authority's councillor-officer protocol.

## **2. Bullying, harassment and discrimination**

### **As a councillor:**

**2.1 I do not bully any person.**

**2.2 I do not harass any person.**

**2.3 I promote equalities and do not discriminate unlawfully against any person.**

The Advisory, Conciliation and Arbitration Service (ACAS) characterises bullying as offensive, intimidating, malicious or insulting behaviour, an abuse or misuse of power through means that undermine, humiliate, denigrate or injure the recipient. Bullying might be a regular pattern of behaviour or a one-off incident, happen face-to-face, on social media, in emails or phone calls, happen in the workplace or at work social events and may not always be obvious or noticed by others.

The Protection from Harassment Act 1997 defines harassment as conduct that causes alarm or distress or puts people in fear of violence and must involve such conduct on at least two occasions. It can include repeated attempts to impose unwanted communications and contact upon a person in a manner that could be expected to cause distress or fear in any reasonable person.

Unlawful discrimination is where someone is treated unfairly because of a protected characteristic. Protected characteristics are specific aspects of a person's identity defined by the Equality Act 2010. They are age, disability, gender reassignment, marriage and civil partnership, pregnancy and maternity, race, religion or belief, sex and sexual orientation.

The Equality Act 2010 places specific duties on local authorities. Councillors have a central role to play in ensuring that equality issues are integral to the local authority's performance and strategic aims, and that there is a strong vision and public commitment to equality across public services.

### **3. Impartiality of officers of the council**

**As a councillor:**

#### **3.1 I do not compromise, or attempt to compromise, the impartiality of anyone who works for, or on behalf of, the local authority.**

Officers work for the local authority as a whole and must be politically neutral (unless they are political assistants). They should not be coerced or persuaded to act in a way that would undermine their neutrality. You can question officers in order to understand, for example, their reasons for proposing to act in a particular way, or the content of a report that they have written. However, you must not try and force them to act differently, change their advice, or alter the content of that report, if doing so would prejudice their professional integrity.

### **4. Confidentiality and access to information**

**As a councillor:**

#### **4.1 I do not disclose information:**

- a. given to me in confidence by anyone**
- b. acquired by me which I believe, or ought reasonably to be aware, is of a confidential nature, unless**
  - i. I have received the consent of a person authorised to give it;**
  - ii. I am required by law to do so;**
  - iii. the disclosure is made to a third party for the purpose of obtaining professional legal advice provided that the third party agrees not to disclose the information to any other person; or**
  - iv. the disclosure is:**
    - 1. reasonable and in the public interest; and**
    - 2. made in good faith and in compliance with the reasonable requirements of the local authority; and**
    - 3. I have consulted the Monitoring Officer prior to its release.**

#### **4.2 I do not improperly use knowledge gained solely as a result of my role as a councillor for the advancement of myself, my friends, my family members, my employer or my business interests.**

#### **4.3 I do not prevent anyone from getting information that they are entitled to by law.**

Local authorities must work openly and transparently, and their proceedings and printed materials are open to the public, except in certain legally defined circumstances. You should work on this basis, but there will be times when it is required by law that discussions, documents and other information relating to or held by the local authority must be treated in a confidential manner. Examples include personal data relating to individuals or information relating to ongoing negotiations.

## **5. Disrepute**

**As a councillor:**

### **5.1 I do not bring my role or local authority into disrepute.**

As a Councillor, you are trusted to make decisions on behalf of your community and your actions and behaviour are subject to greater scrutiny than that of ordinary members of the public. You should be aware that your actions might have an adverse impact on you, other councillors and/or your local authority and may lower the public's confidence in you or your local authority's ability to discharge your/its functions. For example, behaviour that is considered dishonest and/or deceitful can bring your local authority into disrepute.

You are able to hold the local authority and fellow councillors to account and are able to constructively challenge and express concern about decisions and processes undertaken by the council whilst continuing to adhere to other aspects of this Code of Conduct.

## **6. Use of position**

**As a councillor:**

### **6.1 I do not use, or attempt to use, my position improperly to the advantage or disadvantage of myself or anyone else.**

Your position as a member of the local authority provides you with certain opportunities, responsibilities, and privileges, and you make choices all the time that will impact others. However, you should not take advantage of these opportunities to further your own or others' private interests or to disadvantage anyone unfairly.

## **7. Use of local authority resources and facilities**

**As a councillor:**

### **7.1 I do not misuse council resources.**

### **7.2 I will, when using the resources of the local or authorising their use by others:**

- a. act in accordance with the local authority's requirements; and**
- b. ensure that such resources are not used for political purposes unless that use could reasonably be regarded as likely to facilitate, or be conducive to, the discharge of the functions of the local authority or of the office to which I have been elected or appointed.**

You may be provided with resources and facilities by the local authority to assist you in carrying out your duties as a councillor.

Examples include:

- office support
- stationery
- equipment such as phones, and computers
- transport
- access and use of local authority buildings and rooms.

These are given to you to help you carry out your role as a councillor more effectively and are not to be used for business or personal gain. They should be used in accordance with the purpose for which they have been provided and the local authority's own policies regarding their use.

## **8. Complying with the Code of Conduct**

### **As a Councillor:**

**8.1 I undertake Code of Conduct training provided by my local authority.**

**8.2 I cooperate with any Code of Conduct investigation and/or determination.**

**8.3 I do not intimidate or attempt to intimidate any person who is likely to be involved with the administration of any investigation or proceedings.**

**8.4 I comply with any sanction imposed on me following a finding that I have breached the Code of Conduct.**

It is extremely important for you as a councillor to demonstrate high standards, for you to have your actions open to scrutiny and for you not to undermine public trust in the local authority or its governance. If you do not understand or are concerned about the local authority's processes in handling a complaint you should raise this with your Monitoring Officer.

## **Protecting your reputation and the reputation of the local authority**

### **9. Interests**

#### **As a councillor:**

**9.1 I register and disclose my interests.**

Section 29 of the Localism Act 2011 requires the Monitoring Officer to establish and maintain a register of interests of members of the authority .

You need to register your interests so that the public, local authority employees and fellow councillors know which of your interests might give rise to a conflict of interest. The register is a public document that can be consulted when (or before) an issue arises. The register also protects you by allowing you to demonstrate openness and a willingness to be held accountable. You are personally responsible for deciding whether or not you should disclose an interest in a meeting, but it can be helpful for you to know early on if others think that a potential conflict might arise. It is also important that the public know about any interest that might have to be disclosed by you or other councillors when making or taking part in decisions, so that decision making is seen by the public as open and honest. This helps to ensure that public confidence in the integrity of local governance is maintained.

You should note that failure to register or disclose a disclosable pecuniary interest as set out in **Table 1**, is a criminal offence under the Localism Act 2011.

**Appendix B sets** out the detailed provisions on registering and disclosing interests. If in doubt, you should always seek advice from your Monitoring Officer.

## **10. Gifts and hospitality**

**As a councillor:**

- 10.1 I do not accept gifts or hospitality, irrespective of estimated value, which could give rise to real or substantive personal gain or a reasonable suspicion of influence on my part to show favour from persons seeking to acquire, develop or do business with the local authority or from persons who may apply to the local authority for any permission, licence or other significant advantage.**
- 10.2 I register with the Monitoring Officer any gift or hospitality with an estimated value of at least £50 within 28 days of its receipt.**
- 10.3 I register with the Monitoring Officer any significant gift or hospitality that I have been offered but have refused to accept.**

In order to protect your position and the reputation of the local authority, you should exercise caution in accepting any gifts or hospitality which are (or which you reasonably believe to be) offered to you because you are a councillor. The presumption should always be not to accept significant gifts or hospitality. However, there may be times when such a refusal may be difficult if it is seen as rudeness in which case you could accept it but must ensure it is publicly registered. However, you do not need to register gifts and hospitality which are not related to your role as a councillor, such as Christmas gifts from your friends and family. It is also important to note that it is appropriate to accept normal expenses and hospitality associated with your duties as a councillor. If you are unsure, do contact your Monitoring Officer for guidance.

## **Appendices**

### **Appendix A – The Seven Principles of Public Life**

The principles are:

#### **Selflessness**

Holders of public office should act solely in terms of the public interest.

#### **Integrity**

Holders of public office must avoid placing themselves under any obligation to people or organisations that might try inappropriately to influence them in their work. They should not act or take decisions in order to gain financial or other material benefits for themselves, their family, or their friends. They must disclose and resolve any interests and relationships.

#### **Objectivity**

Holders of public office must act and take decisions impartially, fairly and on merit, using the best evidence and without discrimination or bias.

#### **Accountability**

Holders of public office are accountable to the public for their decisions and actions and must submit themselves to the scrutiny necessary to ensure this.

#### **Openness**

Holders of public office should act and take decisions in an open and transparent manner. Information should not be withheld from the public unless there are clear and lawful reasons for so doing.

#### **Honesty**

Holders of public office should be truthful.

#### **Leadership**

Holders of public office should exhibit these principles in their own behaviour. They should actively promote and robustly support the principles and be willing to challenge poor behaviour wherever it occurs.

## Appendix B Registering interests

Within 28 days of becoming a member or your re-election or re-appointment to office you must register with the Monitoring Officer the interests which fall within the categories set out in **Table 1 (Disclosable Pecuniary Interests)** which are as described in "The Relevant Authorities (Disclosable Pecuniary Interests) Regulations 2012". You should also register details of your other personal interests which fall within the categories set out in **Table 2 (Other Registerable Interests)**.

**"Disclosable Pecuniary Interest"** means an interest of yourself, or of your partner if you are aware of your partner's interest, within the descriptions set out in Table 1 below.

**"Partner"** means a spouse or civil partner, or a person with whom you are living as husband or wife, or a person with whom you are living as if you are civil partners.

1. You must ensure that your register of interests is kept up-to-date and within 28 days of becoming aware of any new interest, or of any change to a registered interest, notify the Monitoring Officer.
2. A 'sensitive interest' is as an interest which, if disclosed, could lead to the councillor, or a person connected with the councillor, being subject to violence or intimidation.
3. Where you have a 'sensitive interest' you must notify the Monitoring Officer with the reasons why you believe it is a sensitive interest. If the Monitoring Officer agrees they will withhold the interest from the public register.

### Non participation in case of disclosable pecuniary interest

4. Where a matter arises at a meeting which directly relates to one of your Disclosable Pecuniary Interests as set out in **Table 1**, you must disclose the interest, not participate in any discussion or vote on the matter and must not remain in the room unless you have been granted a dispensation. If it is a 'sensitive interest', you do not have to disclose the nature of the interest, just that you have an interest. Dispensation may be granted in limited circumstances, to enable you to participate and vote on a matter in which you have a disclosable pecuniary interest.
5. Where you have a disclosable pecuniary interest on a matter to be considered or is being considered by you as a Cabinet member in exercise of your executive function, you must notify the Monitoring Officer of the interest and must not take any steps or further steps in the matter apart from arranging for someone else to deal with it

### Disclosure of Other Registerable Interests

6. Where a matter arises at a meeting which **directly relates** to one of your Other Registerable Interests (as set out in **Table 2**), you must disclose the interest. You may speak on the matter only if members of the public are also allowed to speak at the meeting but otherwise must not take part in any discussion or vote on the matter and must not remain in the room unless you have been granted a dispensation. If it is a 'sensitive interest', you do not have to disclose the nature of the interest.

## Disclosure of Non-Registerable Interests

7. Where a matter arises at a meeting which **directly relates** to your financial interest or well-being (and is not a Disclosable Pecuniary Interest set out in Table 1) or a financial interest or well-being of a relative or close associate, you must disclose the interest. You may speak on the matter only if members of the public are also allowed to speak at the meeting. Otherwise you must not take part in any discussion or vote on the matter and must not remain in the room unless you have been granted a dispensation. If it is a 'sensitive interest', you do not have to disclose the nature of the interest.
8. Where a matter arises at a meeting which **affects** –
  - a. your own financial interest or well-being;
  - b. a financial interest or well-being of a relative, close associate; or
  - c. a body included in those you need to disclose under Other Registrable Interests as set out in **Table 2**

you must disclose the interest. In order to determine whether you can remain in the meeting after disclosing your interest the following test should be applied

9. Where a matter **affects** your financial interest or well-being:
  - a. to a greater extent than it affects the financial interests of the majority of inhabitants of the ward affected by the decision and;
  - b. a reasonable member of the public knowing all the facts would believe that it would affect your view of the wider public interest

You may speak on the matter only if members of the public are also allowed to speak at the meeting. Otherwise you must not take part in any discussion or vote on the matter and must not remain in the room unless you have been granted a dispensation.

If it is a 'sensitive interest', you do not have to disclose the nature of the interest.

10. Where you have a personal interest in any business of your authority and you have made an executive decision in relation to that business, you must make sure that any written statement of that decision records the existence and nature of your interest.

**Table 1: Disclosable Pecuniary Interests**

This table sets out the explanation of Disclosable Pecuniary Interests as set out in the [Relevant Authorities \(Disclosable Pecuniary Interests\) Regulations 2012](#).

<b>Subject</b>	<b>Description</b>
<b>Employment, office, trade, profession or vocation</b>	Any employment, office, trade, profession or vocation carried on for profit or gain. [Any unpaid directorship.]
<b>Sponsorship</b>	Any payment or provision of any other financial benefit (other than from the council) made to the councillor during the previous 12-month period for expenses incurred by him/her in carrying out his/her duties as a councillor, or towards his/her election expenses. This includes any payment or financial benefit from a trade union within the meaning of the Trade Union and Labour Relations (Consolidation) Act 1992.
<b>Contracts</b>	Any contract made between the councillor or his/her spouse or civil partner or the person with whom the

	<p>councillor is living as if they were spouses/civil partners (or a firm in which such person is a partner, or an incorporated body of which such person is a director* or a body that such person has a beneficial interest in the securities of*) and the council —</p> <p>(a) under which goods or services are to be provided or works are to be executed; and</p> <p>(b) which has not been fully discharged.</p>
<b>Land and Property</b>	<p>Any beneficial interest in land which is within the area of the council.</p> <p>'Land' excludes an easement, servitude, interest or right in or over land which does not give the councillor or his/her spouse or civil partner or the person with whom the councillor is living as if they were spouses/civil partners (alone or jointly with another) a right to occupy or to receive income.</p>
<b>Licenses</b>	<p>Any licence (alone or jointly with others) to occupy land in the area of the council for a month or longer</p>
<b>Corporate tenancies</b>	<p>Any tenancy where (to the councillor's knowledge)—</p> <p>(a) the landlord is the council; and</p> <p>(b) the tenant is a body that the councillor, or his/her spouse or civil partner or the person with whom the councillor is living as if they were spouses/civil partners is a partner of or a director* of or has a beneficial interest in the securities* of.</p>
<b>Securities</b>	<p>Any beneficial interest in securities* of a body where—</p> <p>(a) that body (to the councillor's knowledge) has a place of business or land in the area of the council; and</p> <p>(b) either—</p> <p>(i) the total nominal value of the securities* exceeds £25,000 or one hundredth of the total issued share capital of that body; or</p> <p>(ii) if the share capital of that body is of more than one class, the total nominal value of the shares of any one class in which the councillor, or his/her spouse or civil partner or the person with whom the councillor is living as if they were</p>

	spouses/civil partners has a beneficial interest exceeds one hundredth of the total issued share capital of that class.
--	---

\* 'director' includes a member of the committee of management of an industrial and provident society.

\* 'securities' means shares, debentures, debenture stock, loan stock, bonds, units of a collective investment scheme within the meaning of the Financial Services and Markets Act 2000 and other securities of any description, other than money deposited with a building society.

**Table 2: Other Registrable Interests**

<p>You have a personal interest in any business of your authority where it relates to or is likely to affect:</p> <ul style="list-style-type: none"><li>a) any body of which you are in general control or management and to which you are nominated or appointed by your authority</li><li>b) any body<ul style="list-style-type: none"><li>(i) exercising functions of a public nature</li><li>(ii) any body directed to charitable purposes or</li><li>(iii) one of whose principal purposes includes the influence of public opinion or policy (including any political party or trade union)</li></ul></li></ul>
---

## Appendix C – the Committee on Standards in Public Life

The LGA has undertaken this review whilst the Government continues to consider the recommendations made by the Committee on Standards in Public Life in their report on [Local Government Ethical Standards](#). If the Government chooses to implement any of the recommendations, this could require a change to this Code.

The recommendations cover:

- Recommendations for changes to the Localism Act 2011 to clarify in law when the Code of Conduct applies
- The introduction of sanctions
- An appeals process through the Local Government Ombudsman
- Changes to the Relevant Authorities (Disclosable Pecuniary Interests) Regulations 2012
- Updates to the Local Government Transparency Code
- Changes to the role and responsibilities of the Independent Person
- That the criminal offences in the Localism Act 2011 relating to Disclosable Pecuniary Interests should be abolished

The Local Government Ethical Standards report also includes Best Practice recommendations. These are:

**Best practice 1:** Local authorities should include prohibitions on bullying and harassment in codes of conduct. These should include a definition of bullying and harassment, supplemented with a list of examples of the sort of behaviour covered by such a definition.

**Best practice 2:** Councils should include provisions in their code of conduct requiring councillors to comply with any formal standards investigation and prohibiting trivial or malicious allegations by councillors.

**Best practice 3:** Principal authorities should review their code of conduct each year and regularly seek, where possible, the views of the public, community organisations and neighbouring authorities.

**Best practice 4:** An authority's code should be readily accessible to both councillors and the public, in a prominent position on a council's website and available in council premises.

**Best practice 5:** Local authorities should update their gifts and hospitality register at least once per quarter, and publish it in an accessible format, such as CSV.

**Best practice 6:** Councils should publish a clear and straightforward public interest test against which allegations are filtered.

**Best practice 7:** Local authorities should have access to at least two Independent Persons.

**Best practice 8:** An Independent Person should be consulted as to whether to undertake a formal investigation on an allegation, and should be given the option to

review and comment on allegations which the responsible officer is minded to dismiss as being without merit, vexatious, or trivial.

**Best practice 9:** Where a local authority makes a decision on an allegation of misconduct following a formal investigation, a decision notice should be published as soon as possible on its website, including a brief statement of facts, the provisions of the code engaged by the allegations, the view of the Independent Person, the reasoning of the decision-maker, and any sanction applied.

**Best practice 10:** A local authority should have straightforward and accessible guidance on its website on how to make a complaint under the code of conduct, the process for handling complaints, and estimated timescales for investigations and outcomes.

**Best practice 11:** Formal standards complaints about the conduct of a parish councillor towards a clerk should be made by the chair or by the parish council, rather than the clerk in all but exceptional circumstances.

**Best practice 12:** Monitoring Officers' roles should include providing advice, support and management of investigations and adjudications on alleged breaches to parish councils within the remit of the principal authority. They should be provided with adequate training, corporate support and resources to undertake this work.

**Best practice 13:** A local authority should have procedures in place to address any conflicts of interest when undertaking a standards investigation. Possible steps should include asking the Monitoring Officer from a different authority to undertake the investigation.

**Best practice 14:** Councils should report on separate bodies they have set up or which they own as part of their annual governance statement and give a full picture of their relationship with those bodies. Separate bodies created by local authorities should abide by the Nolan principle of openness and publish their board agendas and minutes and annual reports in an accessible place.

**Best practice 15:** Senior officers should meet regularly with political group leaders or group whips to discuss standards issues.

***The LGA has committed to reviewing the Code on an annual basis to ensure it is still fit for purpose.***

# Agenda Item 12

Part A

**Report to:** Council

**Date of meeting:** Tuesday 16 March 2021

**Report author:** Group Head of Democracy and Governance

**Title:** Appointment of S151 Officer

## 1.0 Summary

- 1.1 Council is asked to appoint Alison Scott, the current interim Section 151 Officer to the post of Section 151 Officer and Director of Finance for Watford Borough Council. Alison will remain a Three Rivers employee but will be seconded to Watford for the purposes of her role as S151 Officer.
- 1.2 A similar report will be taken to Three Rivers District Council Extraordinary Council meeting on 17 March 2021 recommending that they make this appointment as the role is currently shared between the two Council's.

## 2.0 Risks

2.1

Nature of risk	Consequence	Suggested Control Measures	Response (treat, tolerate, terminate or transfer)	Risk Rating (combination of severity and likelihood)
Appointment of Section 151 Officer/Director of Finance is not agreed.	Three Rivers DC and Watford BC do not fulfil their statutory obligations	Internal arrangements will be put in place to cover the requirements of the Section 151 Officer/Director of Finance	Treat	4

## 3.0 Recommendations

- 3.1 That with effect from 1 April 2021 Alison Scott becomes the S151 and Director of Finance for Watford Borough Council

### Further information:

Carol Chen

carol.chen@watford.gov.uk

Tel: 01923 278350

## **4.0 Detailed proposal**

- 4.1 The council currently employs an interim joint S151 Officer and Director of Finance following the appointment of the previous postholder to the position of Chief Executive of Three Rivers District Council. This interim arrangement has been in place since 3 February 2020.
- 4.2 Council is asked to agree the appointment of Alison Scott currently interim joint S151 Officer and Director of Finance, to the permanent position of S151 Officer and Director of Finance for Three Rivers and Watford from 1 April 2021.
- 4.3 The Section 151 Officer/Director of Finance is responsible for the proper administration of the Council's financial affairs, under the Local Government Act 1972. All Local Authorities must assign Section 151 duties to one named Officer who must be suitably qualified. The Section 151 Officer is required by law to be a suitably qualified individual holding a recognised professional accountancy qualification.
- 4.4 The appointment follows a joint member panel selection process in March 2021, with Alison Scott as the successful candidate.

## **5.0 Implications**

### **5.1 Financial**

- 5.1.1 The Shared Director of Finance comments that the post is a Three Rivers employee but Watford pays Three Rivers a 50% contribution towards the salary

### **5.2 Legal Issues (Monitoring Officer)**

- 5.2.1 The Group Head of Democracy and Governance comments that under section 151 of the Local Government Act 1972 each council is required to make arrangements for the proper administration of their financial affairs and shall secure that one of their officers has responsibility for the administration of those affairs. The post holder therefore needs to be an officer of both councils. It is intended that the post holder will be a Three Rivers employee. There is already a formal agreement under section 113 of the Local Government Act 1972 between the Councils whereby the post holder's services are provided to Watford. Under this provision an employee whose services are used by another local authority will be deemed to be an employee of that local authority for the purposes of discharging any of that authority's functions.

### 5.3 **Equalities, Human Rights and Data Protection**

- 5.3.1 Having had regard to the council's obligations under s149, the recruitment was undertaken in accordance with the Councils recruitment policies and therefore there are no equalities implications.

Having had regard to the council's obligations under the General Data Protection Regulation (GDPR) 2018, it is considered that officers are not required to undertake a Data Processing Impact Assessment (DPIA) for this report.

### 5.4 **Staffing**

- 5.4.1 There will need to be some backfilling within the Finance Team as a result of the appointment.

### 5.5 **Accommodation**

- 5.5.1 No implications

### 5.6 **Community Safety/Crime and Disorder**

- 5.6.1 No implications

### 5.7 **Sustainability**

- 5.7.1 No implications

### **Background papers**

No papers were used in the preparation of this report.

## Report to Council – 16 March 2021

### Report of Licensing Committee – 8 March 2021

Present: Councillor Saffery (Chair)  
Councillor Dychton (Vice Chair)  
Councillors Bolton, Grimston, Hastrick, Hofman, Khan, Martins,  
Mauthoor, Mills, Pattinson, Smith, Stotesbury and Wenham

Officers: Licensing Manager  
Senior Solicitor  
Senior Licensing Officer  
Business Compliance Officer  
Democratic Services Officer (JK)

There was one recommendation to Council.

#### 22. **Review of Licensing Act 2003 Statement of Licensing Policy**

The committee received the report of the Senior Licensing Officer detailing the results of the consultation on the policy and any amendments that needed to be made to the draft Statement of Licensing Policy and cumulative impact assessment as a result.

The Senior Licensing Officer introduced the report. The report focused on the review of the council's Statement of Licensing Policy and the town centre cumulative impact policy. The proposal was to retain this policy in the area. The committee had approved the policy for consultation in January and this report highlighted the results of the consultation.

The Cumulative Impact Policy allowed the council to have a starting point of refusing applications in the town centre. Changes to legislation now required that the council publish evidence to support the policy.

Details of the consultation and responses were set out in the report and appendices. Most were broadly in support of the proposed policy and comments related to specific premises had been passed to relevant authorities. Further responses related to the Special Licensing Areas (SLA) where there were had been concerns around street drinking, licensing hours and litter. There was no opposition to creating a SLA to cover areas which had previously been covered by a cumulative impact policy.

Turning to the amendments to the references to the Equality Act, this was to replace old wording and to specify the duty to fulfil the act, rather than due to

the negative impact of the previous policy wording. The policy went above and beyond what was required in the government guidance in promoting the Equality Act.

Environmental Health and the Police were in support of the policy. The Police had expressed legitimate concerns about the impact of Covid 19 on the night time economy. It was noted that licensing sub-committees could depart from the policy should there be good reasons and the policy would not be in place in perpetuity and would be reviewed.

Regarding the existing policy area in Queens Road, there were no changes to the existing policy but the section that ran through the Atria Centre was now part of the SLA.

The expiry date of the policy had been retained so it could be reviewed soon to take into account the changing nature of the town centre.

It was noted that the committee were not proposing any further amendments to the policy.

RESOLVED –

1. that the committee approves the amendments to the draft Statement of Licensing Policy and Cumulative Impact Assessment as a result of the consultation.
2. that the Licensing Committee recommends that the new Statement of Licensing Policy, attached at appendix 1, and Cumulative Impact Assessment, attached at appendix 2, be adopted by the Council, as the licensing authority, at its meeting on 16th March 2021.

Part A

**Report to:** Licensing Committee

**Date of meeting:** Monday, 8 March 2021

**Report author:** Senior Licensing Officer (AY)

**Title:** Review of Licensing Act 2003 Statement of Licensing Policy

**1.0 Summary**

1.1 In its role as the licensing authority under the Licensing Act 2003 the council has a duty to prepare, and keep under review, a Statement of Licensing Policy (SLP). This policy was last reviewed in 2018.

1.2 At a meeting on 19 October 2020 the Licensing Committee asked officers to create a Cumulative Impact Assessment (CIA) in order to retain a Cumulative Impact Policy within the town centre.

1.3 A draft SLP and CIA were brought before the Committee on 14 January 2021 and it was agreed to put these documents out to consultation.

1.4 This report details the results of the consultation and any amendments that need to be made to the draft SLP and CIA as a result of the consultation.

**2.0 Risks**

2.1

<b>Nature of risk</b>	<b>Consequence</b>	<b>Suggested Control Measures</b>	<b>Response</b> (treat, tolerate, terminate or transfer)	<b>Risk Rating</b> (combination of severity and likelihood)
Legal challenge from failure to properly adopt the policy or follow legislation and Government guidance	Failure to meet requirements under the Licensing Act and policy not being able to be implemented.	Ensure that the policy is reviewed and adopted before 1 April 2021.	Treat	2

Legal challenge from failure to specify evidence used in drawing up policy and the cumulative impact assessment	Failure to meet requirements under the Licensing Act and policy not being able to be implemented.	Scrutinise evidence obtained and presented, with reasons as to why the evidence is relevant	Treat	2
Legal challenge from failure to properly consult	Negative perception of council and its licensing functions, and challenge through the courts.	Carry out consultation in accordance with legal requirements under the Licensing Act 2003 and in accordance with the Government's published principles of consultation.	Treat	2
Policy is unreasonable, irrational, discriminatory etc.	Legal challenge through the Courts	Ensure that the results of the public consultation are taken into account in the final Statement of Licensing Policy.	Treat	2
Further legislation or reported cases arising during course of consultation and adopting policy	Policy may be outdated as soon as it is published	Monitor situation and, if necessary, take amendments to subsequent committee meetings	Treat	2

### 3.0 Recommendations

- 3.1 That the Committee approves any amendments to the draft SLP and CIA as a result of the consultation.
- 3.2 That the Licensing Committee recommends that the new SLP, attached at appendix 1, and CIA, attached at appendix 2, be adopted by the Council, as the licensing authority, at its meeting on 16th March 2021.

**Further information:**

Austen Young  
austen.young@watford.gov.uk

**Report approved by: Justine Hoy, Head of Community Protection**

**4.0 Detailed proposal**

- 4.1 The council is the licensing authority under the Licensing Act 2003 for alcohol, regulated entertainment and late night refreshment within the Borough. It is required to prepare, consult and keep under review a Statement of Licensing Policy (SLP) that sets out how it approaches its responsibilities under the Act, so that applicants, other statutory bodies and local bodies can ascertain its general approach to particular situations.
- 4.2 In preparing its SLP, the council must have regard to the statutory guidance published under the Act by the Secretary of State. This is known as the s.182 Guidance and was most recently updated in April 2018.
- 4.3 The Policing and Crime Act 2017 amended the Licensing Act by allowing councils to publish a Cumulative Impact Assessment (CIA) to support a Cumulative Impact Policy, in order to specifically publish the evidential basis for such policies. Before this Act, the concept of cumulative impact had been covered by the s.182 Guidance but not specifically by legislation. Many councils, including Watford, had adopted Cumulative Impact Policies on the basis of the guidance.
- 4.4 The relevant sections of the Policing and Crime Act came into force on 6 April 2018. The s.182 Guidance was amended to state that there were no transitional provisions for Cumulative Impact Policies and as such any such policy should be reviewed within 3 years of the enactment of the legislation. This 3 year window expires on 6 April 2021. Officers have been working on reviewing the council's SLP in line with the s.182 Guidance before this deadline.
- 4.5 On 17 October 2020, the Licensing Committee agreed for officers to start looking into drawing up a CIA.
- 4.6 On 14 January 2021, the Licensing Committee agreed the draft documents that were to go out for public consultation. The documents that were to be consulted on were an amended SLP and the draft CIA.
- 4.7 The Committee is asked to consider approving the amended SLP attached at appendix 1 and the CIA attached at appendix 2 and recommending that the Council formally adopts this policy at its meeting on 16th March 2021. This is necessary

because it is the Council that are the licensing authority, and so the Council needs to be approve the policy.

## **5.0 Consultation**

### **5.1 Method of consultation**

5.2 The consultation ran from 18th January until 14 February 2021. The following parties were consulted directly by email:

- Hertfordshire Constabulary (mandatory)
- Hertfordshire Safeguarding Children Partnership Team
- Hertfordshire Fire & Rescue Service (mandatory)
- Hertfordshire County Council Trading Standards
- Home Office Immigration Enforcement
- Hertfordshire County Council Public Health (mandatory)
- Watford Borough Council Development Management
- Watford Borough Council Community Protection (for both the Licensing and Environmental Health teams)
- Watford Borough Council Events Team
- Watford Borough Council Economic Development
- Watford BID

5.3 The following parties were consulted directly by letter:

- 299 premises licence and club premises certificate holders \*
- 543 residents within the town centre
- 21 residents' associations within the Borough

\* All premises licence and club premises certificate holders were contacted, but it should be noted that some licence holders hold more than one licence so were only contacted once.

5.4 The consultation was published on the council's website with a link to a survey to assist in collecting responses. This page also included an explanation as to what is meant by the term 'cumulative impact' and a brief explanation of the current policy. All consultees were invited to contact the licensing team in writing either by email, letter, or via the online survey, with responses sent by email or via the survey being the preferred method.

5.5 A press release was also published in the Watford Observer on 30th January 2021 to highlight the consultation.

5.6 Residents in the town centre were contacted directly to seek their views on the proposed cumulative impact policy and to consult those residents that would no

longer be covered by this policy to ask what they would like to see replace the current policy.

- 5.7 Residents' associations were contacted and a press release issued in order to draw attention to the consultation. This included the town centre residents' association as representative of all residents within the town centre. This approach was a broad approach to include users of the town centre.

## **5.8 Survey responses**

- 5.9 The responses to the survey are attached at appendix 3. The responses to the survey were broadly in support of the proposed policy, although some specific comments were received which officers wish to comment on. The responses to these are as follows.

- 5.10 Q3 Do you agree with the proposal NOT to change the approach to dealing with license issues relating to petrol stations and garages?

The respondents disagree with petrol stations being able to sell 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, the licence will be of no effect. It is considered that the broad approach, including the option of requesting sales data as evidence to establish use, is appropriate. It should be noted that a ban on all petrol stations selling alcohol would need to be introduced by national legislation.

- 5.11 Q4 Do you agree with the proposal NOT to change the approach to dealing with licence issues relating to circuses?

One respondent advised that circuses must leave the area clean and tidy. The council must acknowledge that not all circuses require licences and this specific part of the policy focusses on the circumstances when circuses would require a licence. Litter controls may be appropriate to be attached to a licence through conditions, and any licence application would be subject to consultation where this issue can be raised. Officers advise that the last licence issued for a circus was in 2012 and there is no recent evidence that this is a significant issue.

- 5.12 Q5 Do you agree with the analysis of the Police data contained within the draft Cumulative Impact Assessment?

One respondent advised that the town is the sum of its components and must be considered as a whole. It is not proposed to extend a cumulative impact policy across the whole of the Borough. It is a legal requirement to publish the evidence upon which we base a cumulative impact policy, and no evidence has been received

from responsible authorities, such as the Police, or any other party to suggest that there are issues with cumulative impact in other areas of the Borough. The evidence upon which the policy is based can be scrutinised and this approach is considered reasonable in promoting the licensing objectives. Adopting an unreasonable approach may lead to the policy being challenged and even quashed.

5.13 Q8 Do you think that the four original Sensitive Licensing Areas should be retained?

One respondent raises concern over street drinking, and names a specific premises (redacted for the purpose of this report). Officers can advise that details of the premises have been passed to the Police and the council's Business Compliance Officer. Officers do wish to clarify that as a council we do work with the Police to address issues of anti-social behaviour, such as street drinking, and the Sensitive Licensing Areas do exist partly because of historical issues with street drinking.

5.14 Q9 Do you agree with the approach of the Sensitive Licensing Areas in that licensing officers will seek conditions to: minimise the risk of anti-social behaviour from the availability of high-strength alcohol to street drinkers; minimise the risk of nuisance from premises applying for significantly different hours to existing premises, and; minimise the risk of litter and other associated public nuisance from a concentration of late-night takeaways?

One respondent raises concern over littering, and names a specific premises (redacted for the purpose of this report). Officers can advise that details of this issue have been passed to Environmental Health and the council's Business Compliance Officer. Officers can advise that our pool of model conditions does include conditions to clean specified areas outside of premises, although each application must be considered on its own merits and conditions should be proportionate, and requiring each licence holder to clean the pavement for up to 50 feet from their premises may not be held to be appropriate or proportionate in each case.

5.15 Q11 If you are in support of creating a new Sensitive Licensing Area in the Town Centre (question 10), are there any other issues apart from minimising the risk of anti-social behaviour from the activities of street drinkers, the risk of nuisance from premises applying for significantly different hours to existing premises, and the risk of litter and other associated public nuisance from late-night takeaways that you would like to see addressed through policy for these areas?

One respondent raises concern over littering and customers using outside areas. As mentioned in the paragraph above, the pool of model conditions does include conditions regarding the cleaning of outside areas. It is a condition of pavement licences, although issued under a separate regime, that the relevant licensed areas should be kept clean.

5.16 Q16 Do you believe that the conditions laid out in policy LP8 are sufficient to promote the licensing objective relating to public nuisance?

One respondent advises that they want enforcement to be swifter and tougher. Officers do need to advise that there must be the evidence available to justify taking any enforcement action, and sometimes this does require evidence to be obtained and analysed, which can take time. The punishments are set by legislation or the courts if any party is convicted of an offence. The compliance policy for Community Protection, which includes licensing and Environmental Health, is due to be reviewed this year and this feedback is more appropriate for that policy and our general approach to enforcement and achieving compliance.

5.17 Q19 Do you agree with the proposal NOT to change the current approach to representations against applications?

Officers will take the comments about contacting having direct contact with the licensing team on board and making it easier to contact the licensing team and will review the webpage content and correspondence templates.

5.18 Q23 Please tell us any other comments on our policy

- Officers have taken on board the comments regarding mentioning homophobia only. The policy has been amended accordingly in order to promote equality generally and clarify the full position when identifying aggravating factors for a sub-committee to consider when a licence is up for review. These changes can be found in policy LP13 on page 39 of the policy at appendix 1. The proposed policy continues to go further than the Government Guidance; this only specifically highlights the organisation of racist activity or the promotion of racist attacks as requiring serious consideration when a licence is reviewed. The clarification that has been added is explicit and all-encompassing ensuring that the policy fulfils the council's duty under the Equality Act 2010.
- Issues with a particular location and street drinkers have been passed to the Police and the council's Community Safety Co-ordinator for information.
- With regards to the litter comments, officers have already covered in earlier paragraphs that the pool of model conditions includes conditions regarding cleaning the area immediately outside of their premises, as well as displaying signage for customers to dispose of their litter responsibly, which can be attached to a licence either voluntarily by the applicant, or by a licensing sub-committee should they consider it appropriate to do so. However, officers do need to advise that away from the immediate vicinity of the premises, the Government Guidance does state that people are responsible for their own actions, and if someone decides to litter in someone's garden it is the customer who is responsible for their actions and therefore is liable for any offence.

### **5.19 Responsible authority responses**

5.20 The Police responded that they had no specific comments over the proposed policy, although they did add that the shape of the Night-Time Economy (NTE) post Covid-19 is unknown.

5.21 It is acknowledged that the shape of the town following Covid-19 is a valid and legitimate concern. Officers do wish to confirm that while the proposed policy does include a cumulative impact policy, it is possible for a licensing sub-committee hearing an application within this area to depart from the policy, and not all applications will be required to be determined by a hearing. Without reviewing this policy at this time, the council would lose the existing control over the town centre. It is not proposed to refuse all licensed premises and steps have been taken to identify where exemptions can be made, and what types of premises we are interested in attracting to the town centre as part of the NTE, which it should be noted is largely based upon our existing policy. The CIA must be reviewed at least every three years, and the SLP at least every five years, so neither policy is necessarily permanent and may be reviewed to take into account the changing nature of the town and its environment at any time.

5.22 Environmental Health responded that the Cumulative Impact Policy should be retained. They advised that the town centre area contains many residential premises and the current policy allows for sufficient controls to be put in place to limit the impact of premises that are applying to be licensed. The removal of the policy would make it more difficult to promote the licensing objectives, particularly in relation to public nuisance, in this part of the Borough.

### **5.23 Licence holders responses**

5.24 One response was received from a club who hold a club premises certificate. It should be noted that this club does not fall within the town centre. They did not raise any specific concerns or comments on the proposed policy. Their response is attached at appendix 4

### **5.25 Other responses**

5.26 One response was received from a resident who advise that they live on the High Street. They did raise some specific comments and queries which officers wish to address. Their comments are attached at appendix 5.

5.27 In response to the comments regarding busking and street entertainment, officers must first advise that busking is not licensable under the Licensing Act 2003, to which this policy specifically relates. However, such activities may require a licence or permission under other legislation, such as a street trading consent or street

collection permit if collecting for charity. These are different pieces of legislation and have their own separate policies. It should be noted that the council can not request any private land-owner to accept entertainers onto their land.

- 5.28 There are two specific elements regarding customers of pubs and bars frequenting Palace View. The first, relating to intoxicated customers, could be argued to support the approach for a cumulative impact policy within the town centre for drinking establishments selling alcohol because we do not wish to add to this problem. The comments do not name a specific premises, suggesting that it is the cumulative impact of more than one premises in the town centre. With regards to the comments about drug use, officers can advise that these comments have been passed to the Police.
- 5.29 Finally, with regards to their comments regarding delivery drivers, these comments have been passed to Environmental Health. With certain food premises being required to close to customers during the various lockdowns and tier restrictions, demand for delivery services has increased significantly. It must be noted that the comments concern drivers using this location all day, and there has been no suggestion that these drivers are only using licensed premises or not.

### **5.30 Miscellaneous changes**

- 5.31 Following the close of the consultation, officers have updated the policy to take into account the details of the consultation, which were left out of the consultation copy. Some formatting and numbering changes have also occurred in order to bring consistency throughout the document. All changes made to the draft policy that was sent out for consultation are highlighted in the attached policy for clarity. Policy LP4, which concerns the council's Sensitive Licensing Areas, has also been amended following the results of this consultation. Further details can be found in paragraph 6.3.
- 5.32 Prior to starting the consultation, officers were asked if it would be possible to include maps of the various licensing policy areas within the SLP. This feedback has been taken on board and maps are now provided. These were not included within the original draft document because the maps had not yet been finalised, and the consultation would shape the final policy areas. It is not considered that these make a significant change to the SLP and the purpose of the maps is to help understand the policy.

### **6.0 Proposed policy**

- 6.1 After considering the results of the consultation, the SLP has been amended where appropriate. There have been no changes made to the CIA. The SLP is attached at appendix 1. The CIA is attached at appendix 2.

6.2 Residents and businesses were specifically asked through the consultation whether a special policy be adopted for the following locations since it was proposed that they would no longer be covered by a cumulative impact policy:

- Albert Road South
- Church Street
- Clarendon Road, between The Parade and Beechen Grove
- George Street
- King Street, between High Street and Exchange Road
- Market Street, between High Street and Exchange Road
- New Street
- Wellstones
- Queens Road, between High Street and Beechen Grove

6.3 The responses to the consultation do suggest that designating these locations as a Sensitive Licensing Area (SLA) is appropriate. There have been specific comments raised regarding litter and street drinking, which already are the focus of the SLA policy, as well as comments regarding adding extra roads and locations as and when needed. Although designating the areas as an SLA does not mean that there can be a presumption of refusal as there would be under a cumulative impact policy, this approach does focus on highlighting specific concerns for applicants to take into consideration when applying for licences within these areas, as well as highlight conditions that they may wish to volunteer. Although the council would not wish to force blanket conditions on all premises, we would consider this approach to be reasonable in promoting the licensing objectives, notwithstanding that each application would still need to be considered on its own merits, and any concerns over an application within these areas would be recommended to be raised with the applicant first in order to mitigate those concerns.

6.4 Specific mention has been made of the pool of model conditions in this report. Members are reminded that the pool of model conditions is a separate document to the SLP. It is drawn up by officers in consultation with the responsible authorities as well as using examples of good practice or discussions with other licensing authorities to address known or emerging issues. It is this pool of model conditions that officers will use when being consulted on applications within an SLA, and these conditions will be reviewed as and when needed in order to remain relevant and enforceable.

## **7.0 Implications**

### **7.1 Financial**

7.2 The Shared Director of Finance comments that any financial implications will be contained within existing budgets.

### 7.3 **Legal Issues** (Monitoring Officer)

7.4 The Group Head of Democracy and Governance comments that the legal implications are contained within the report and appendices.

### 7.5 **Equalities, Human Rights and Data Protection**

7.6 Under s149 (1) of the Equality Act the council must have due regard, in the exercise of its functions, to the need to –

- eliminate discrimination, harassment, victimisation and any other conduct prohibited by the Act
- advance equality of opportunity between persons who share relevant protected characteristics and persons who do not share them
- foster good relations between persons who share relevant protected characteristics and persons who do not share them.

7.7 As this is a change to an existing policy, an equalities impact analysis has been undertaken. The analysis is attached as appendix 6 to this report. The main conclusions of that analysis are that there are no significant impacts on any one particular group from the implementation of this policy. The application process is set out in legislation, including how applications are to be determined.

### 7.8 **Community Safety/Crime and Disorder**

7.9 Section 17 of the Crime and Disorder Act 1998 requires the council to give due regard to the likely effect of the exercise of its functions on crime and disorder in its area and to do all it reasonably can to prevent these. The prevention of crime and disorder is one of four licensing objectives that guides all licensing decisions, and which we must aim to address through policy and the implementation of the Licensing Act 2003. We have adopted a policy based on evidence from the Police with steps that we consider promote this licensing objective.

## **Appendices**

Appendix 1 – Draft Statement of Licensing Policy (2021-2023)

Appendix 2 – Draft Cumulative Impact Assessment (2021-2024)

Appendix 3 – Online survey results

Appendix 4 – Response from Club Premises Certificate holder

Appendix 5 – Resident's response

Appendix 6 – Equalities Impact Assessment

## **Background papers**

Results of the council's consultation on the proposed statement of licensing policy  
Licensing Act 2003 (as amended)  
Revised Guidance issued under section 182 of the Licensing Act 2003 (April 2018)  
Watford Borough Council's Statement of Licensing Policy (2018-2023)

**APPENDIX 1**



**LICENSING ACT 2003**

**STATEMENT OF LICENSING POLICY**

NOVEMBER 2018  
(REVISED APRIL 2021)

Comments are invited on this document to:

Community Protection  
Watford Borough Council  
Town Hall  
Watford  
Hertfordshire  
WD17 3EX

Tel: 01923 278476  
Fax: 01923 230765  
Email: [licensing@watford.gov.uk](mailto:licensing@watford.gov.uk)

## CONTENTS

Prologue	3
The Borough of Watford	4
Introduction	5
General Considerations	8
Pre-application Considerations	9
Main policies	
<i>Policy LP1 – Premises Definitions</i>	11
<i>Policy LP2 – Location and Operation of Premises</i>	12
<i>Policy LP2A – Petrol Stations</i>	14
<i>Policy LP2B – Circuses</i>	15
<i>Policy LP3 – Cumulative Impact Policy</i>	16
<i>Policy LP4 – Sensitive Licensing Areas</i>	20
<i>Policy LP5 - Planning Permission</i>	21
Licensing and Other Legislation	22
Temporary Events	23
Designated Premises Supervisors	25
The Licensing Objectives	
<i>Policy LP6 - Prevention of Crime and Disorder</i>	26
<i>Policy LP7 - Public Safety</i>	28
<i>Policy LP 8 - Prevention of Public Nuisance</i>	30
<i>Policy LP9 - Protection of Children From Harm</i>	32
Policy LP11- Representations Against Application	34
Policy LP12 - Complaints Against Licensed Premises	36
Policy LP13 - Licence Reviews	37
Policy LP14 - Enforcement and Compliance Policy	39
The Licensing Committee	40
Relationship to Other Policies and Legislation	42
Appendix 1 - Licence Review Guidelines	43

## PROLOGUE

Watford Borough Council is the licensing authority under the Licensing Act 2003, and is required to publish and keep under review a policy setting out its approach to its responsibilities under the Act.

It is intended that this policy will be used by a wide range of people within the Borough – from organisations who need authorisations under the Act; residents and others who may be affected by their activities, and by the statutory bodies with responsibilities under the Act.

This policy is in force from 20<sup>th</sup> November 2018 until 19<sup>th</sup> November 2023, unless revised beforehand. We hope that organisations and individuals will use it before making licence applications, and that residents and statutory bodies will use it when responding to licensing applications or existing licensed activities.

In drawing up the policy, we have consulted with:

- Local residents and their representatives
- Local community, cultural and entertainment organisations
- Holders of various licences for premises in the Borough who will be affected by it
- Hertfordshire Constabulary
- Hertfordshire Fire & Rescue Service
- Hertfordshire Trading Standards
- Hertfordshire Local Safeguarding Children Board
- Watford Community Safety Partnership
- The Home Office
- Watford Business Improvement District
- One Watford

Our consultation was conducted between 6<sup>th</sup> July 2018 and 17<sup>th</sup> August 2018, during which time we wrote to:

- 20 residents' associations;
- 329 licensed premises;
- over 450 residents within the town centre;
- over 1000 residents within the Sensitive Licensing Areas;
- all 36 local ward councillors; and
- the statutory responsible authorities.

We placed details on our website and a public advertisement, and issued a press release which was published in the Watford Observer on 6<sup>th</sup> July 2018.

It was approved by the full Council – the Licensing Authority – on 16<sup>th</sup> October 2018.

Our licensing committee will consider each Spring how the policy has operated, and whether any changes to it are needed.

This policy was revised effective from 1<sup>st</sup> April 2021, to run until 19<sup>th</sup> November 2023. The revision was with regards to the adoption of a cumulative impact assessment for the town centre.

The following parties were consulted directly over this revision:

- Local residents and their representatives
- Local community, cultural and entertainment organisations
- Holders of various licences for premises in the Borough who will be affected by it
- Hertfordshire Constabulary
- Hertfordshire Fire & Rescue Service
- Hertfordshire Trading Standards
- Hertfordshire Local Safeguarding Children Partnership
- Watford Community Safety Partnership
- The Home Office
- Watford Business Improvement District

Consultation on the revisions was conducted between 18 January and 14 February 2021 during which time we wrote to:

- All parties listed above
- All licence holders and club premises certificate holders (total of 299 people and organisations)
- 543 residents within the town centre affected by the policy change
- 21 residents' associations within the Borough

We placed details on our website and issued a press release which was published in the Watford Observer on 30 January 2021 inviting people to contact us in writing should they have any comments to make, including directing them to an online survey to assist in responding.

The revised policy was approved by the full Council – the Licensing Authority – on 16 March 2021.

## **The Borough of Watford**

Watford Borough Council is situated in the county of Hertfordshire, which contains ten district councils in total. The council area has a population of now 96,600 (mid-year estimate (2016) making it one of the smallest in the county in terms of population and one of the most densely populated in the country.

Watford Borough was granted a Royal Charter in 1922. Traditionally a market town, it has developed into an attractive sub-regional shopping centre and important centre for cultural and recreational facilities. Watford has a catchment area population of approximately 500,000 within a travel time of 20 minutes from the town centre (CACI Ltd 2001).

Situated in the south west of Hertfordshire, Watford has several locational advantages due to its excellent communication links. The M1 motorway, with direct links to the town centre, and the London to Glasgow railway pass through the Borough. London Euston can be reached in 20 minutes, while the nearby M25 motorway provides road access to the major airports at Heathrow, Gatwick, Stansted and Luton.

Watford has major A-road links to adjoining areas and is also connected to the underground rail network with the Metropolitan Line terminus adjacent to Cassiobury Park. A branch line railway serves St. Albans Abbey.

Watford Borough covers an area of 2,142 hectares (8.3 sq. miles). Watford is a major town in the region. It is a sub-regional shopping destination, centred around the Intu Shopping Centre in the town centre, and has one of the most vibrant night-time economies in Hertfordshire. Upgrading works to the pond and surrounding area were completed in 2014, and improvement works to the intu centre and associated High Street improvement works were completed late 2018 and early 2019. It was traditionally a centre for the printing industry and now boasts the headquarters of a number of nationally known firms. Unemployment figures are well below Great Britain's average. However there are pockets of deprivation, characterised by a high concentration of minority ethnic groups, single parent families, low income households and a high incidence of long term health problems.

Potential operators should however refer to the District Plan and the emerging Local Development Framework (through our Development Management Team or on our website at [www.watford.gov.uk](http://www.watford.gov.uk)) for details about the local planning authority's approach to granting planning permission for developments where such activities may take place.

Further information about the Borough is contained in the Watford Local Plan 2006-2031 Part 1 Core Strategy which can be obtained from the Council's offices or at:

[https://www.watford.gov.uk/info/20012/planning\\_and\\_building\\_control/1051/watford\\_local\\_plan](https://www.watford.gov.uk/info/20012/planning_and_building_control/1051/watford_local_plan)

## INTRODUCTION

We recognise that the four objectives of the Licensing Act – prevention of crime and disorder; public safety; prevention of nuisance; and child protection – are paramount.

Our vision is to create a safe and family-friendly environment within the Borough, particularly within the town centre. Whilst we recognise that each application must be considered on its individual merits and must be granted in the absence of any relevant representations, policies will be implemented to achieve our overall aims.

In September 2008 we launched a 24-hour strategy for the town centre, and following public consultation, we began to tackle some key issues. In January 2009 we launched our Cultural Study to remodel the town centre – particularly The Parade – to act as a stimulating focal point for culture and heritage within the borough. The Cultural Plan saw physical improvements to the Pond and the Parade area and the creation of an events space; works which were completed in 2014.

The events space has seen events such as the Big Beach, the Big Screen and the Big Skate, and the Town Centre as a whole has hosted an 'Imagine Watford' Arts festival on a number of occasions. The council has adopted a Cultural Strategy to run from 2018 until 2025 which seeks to **grow** sustainable opportunities for creative enterprise, cultural provision, and participation for our local communities. The council is also working on a Town Centre Vision, which will build on the extension to the INTU centre and the associated improvement works to the High Street between Clarendon Road and Market Street. This Statement of Licensing Policy will be used to help deliver the Town Centre Vision and accordingly may need to be reviewed before its expiry in 2023 as the Vision develops.

This approach and initiatives above led to us being awarded Purple Flag accreditation for our management with our partners of our town centre night-time economy in September 2012. The Purple Flag accreditation was renewed in 2016, and again in 2018. The accreditation was due to be reconsidered in 2020, but was delayed due to the Covid-19 pandemic.

Where we have discretion because relevant representations have been made about licensing applications, we may also take into account the following factors to fulfil our vision:

- (1) what contribution the application can make to creating a family-friendly town centre, specifically in terms of offer to a wide-range of customers; family-friendly policies and facilities; operating hours; and pricing;
- (2) entertainment aimed at over-25 year olds;
- (3) links with other activities in the town, to encourage day-time users to stay in the evening;
- (4) provision of a full food menu and not only alcohol;
- (5) the controlled and safe sale of alcohol;

- (6) transport/dispersal provision, particularly during periods when public transport is unavailable;
- (7) style and type of venue. The licensing authority wants to attract only high-quality operators who can provide a family-friendly environment, characterised by a range of activities and offers that would appeal to families of all backgrounds. A family-friendly environment may (but need not) be characterised by:
  - a range of alcoholic and soft drinks suitable for all ages;
  - a food menu catering for different tastes and needs, available throughout the duration of the premises' operating times;
  - facilities suitable for assisting customers with young children, such as high-chairs and baby-changing facilities, and facilities for family groups such as suitably laid-out seating/table areas;
  - a range of activities or entertainment that appeals to a range of age groups, whether provided at the same time or at separate times.
- (8) involvement in local community events and organisations.
- (9) commitment to involvement in community safety partnership initiatives.
- (10) use of street pavement licences for outdoor table areas.

### **Promoting and celebrating Watford's diverse cultures**

We are keen to promote the artistic and cultural life of the town, and licensing will be approached with a view to encouraging new and innovative forms of public entertainment that are consistent with the licensing objectives and this aim.

We encourage greater live music, dance, theatre and other forms of entertainment for the wider cultural benefit of the community. We note that the Live Music Act 2012 already exempts live and recorded music from the need for a licence in specific circumstances and that certain elements of "regulated entertainment" defined in schedule 1 to the Licensing Act has also been deregulated<sup>1</sup>.

For those activities that will still require licensing, we will seek to strike a balance between the potential for limited neighbourhood disturbance and the benefits of cultural activities and we will not allow the views of vocal minorities to predominate over the general interests of the community.

We will as far as possible avoid measures that deter live music, dance, theatre and entertainment, for example by imposing conditions that have indirect costs of a disproportionate nature.

---

<sup>1</sup> [The Licensing Act 2003 \(Descriptions of Entertainment\) \(Amendment\) Order 2013](#)

We are aware of the community value of a broad range of cultural entertainments, particularly live music, theatre and dancing. We want to encourage them for the benefit of all. We have issued a premises licence for the town centre for the use of community and other groups, and enquiries should be addressed to our events team at [events@watford.gov.uk](mailto:events@watford.gov.uk).

## GENERAL CONSIDERATIONS

Licensing law is not a mechanism for the general control of anti-social behaviour by individuals once they are beyond the direct control of the licence-holder. However, as a matter of policy, we expect every holder of a licence, certificate or permission to be responsible for minimising the impact of their activities and anti-social behaviour by their patrons within the immediate vicinity of their premises and will require licence holders to demonstrate that they have taken appropriate action.

We will consider every application, on its own merits. We will have regard to the guidance issued by the Secretary of State under section 182 of the Licensing Act (available from <https://www.gov.uk/business-and-industry/beer-sales>). Where it is necessary to depart from the guidance – either in this policy or at any other time – we will give clear and cogent reasons for doing so.

We will consult with relevant stakeholders on the operation of this policy where appropriate, in advance of an annual report each Spring to our Licensing Committee on the operation of the Act. We will also take advantage of other forum, such as Pubwatch and Police Licensing Unit liaison meetings.

## PRE-APPLICATION CONSIDERATIONS

Our experience in administering the licensing regime since 2005 shows us that many disputes start from poor communication – for example, the Act doesn't always allow applicants to fully explain their proposals, leading residents to misunderstand what is being proposed. In that case, formal representations are made and licensing hearings held to simply clarify what is being proposed.

We would strongly encourage applicants to hold pre-application discussions with us, other relevant statutory bodies and local residents or businesses before submitting all but the most straightforward applications.

Applicants should note that all applications are detailed on a weekly email bulletin, which is published on our website. Applications for the grant and variation of premises licences and club premises certificates are also circulated by letter to the fifteen nearest properties to the premises affected by the application, to ensure those potentially affected are aware of the application. Applicants are requested to submit a copy of their public notice to our officers after it has been published in a local newspaper.

Licensing is about the regulation of licensed premises, qualifying members' clubs and temporary events. We may only impose conditions on premises licences and club premises certificates in one of two circumstances:

- (1) where the applicant volunteers them as part of their operating schedule; or
- (2) on receipt of relevant representations from potentially affected parties, or from responsible authorities .

We have produced a separate document containing pools of model conditions for premises licences and club premises certificates. Applicants are under no compulsion to use these when preparing their operating schedules, but doing so may reduce the likelihood of representations being made about the application. Should relevant representations be received, we will (unless policy LP2 is involved) use those pools of conditions to address the concerns raised before we consider whether to refuse an application.

Terms and conditions attached to premises licences or club premises certificates in these circumstances will be reasonable, proportionate, and relevant and will be focused on matters within the control of the individual licence-holders and others granted relevant permissions. Conditions will be tailored to the style and characteristics of the individual premises. These matters will centre on the premises and places being used for licensable activities and in the vicinity of those premises or places.

Our officers will draft appropriate conditions for premises licence and club registration certificates from the information supplied in operating schedules accompanying premises licence and club premises certificate applications.

We recognise that we have no statutory power to place conditions where a temporary event notice has been given and no objections have been received from the **Police** or Environmental Health, but urge premises users to take note of the guidance in this policy in appropriate circumstances.

Where no representations have been received, we must grant the authorisation in the terms sought.

**POLICY LP1  
PREMISES DEFINITIONS**

For the purposes of policy LP2 and LP3, we define licensed premises as set out below:

<b>Premises</b>	<b>Use</b>
<b>Restaurants</b>	The sale of food and drink for consumption on the premises with full waiter service and/or full food menu throughout the trading period, and which typically has only incidental background music. Alcohol sales are not predominant over other activities. It may occasionally include the provision of other licensable activities such as recorded or amplified music and limited facilities for the provision of dancing.
<b>Public houses, wine bars or other drinking establishments</b>	Primarily for the sale of alcohol and food for consumption on the premises, and which may include the provision of other licensable activities. Will include a “drinking up period” between the last sale of alcohol and the closing time of the premises.
<b>Café-bars</b>	The sale of food and or light refreshments, and where alcohol sales are not a predominant feature of the premises
<b>Hotel bars</b>	The sale of alcohol and/or food, either to hotel residents or to non-residents
<b>Night-clubs</b>	Primarily for the provision of licensable activities at night (typically including music and dancing), where alcohol sales are a strong feature
<b>Off-licences</b>	The sale of alcohol for consumption away from the premises
<b>Pavement licences</b>	The sale of alcohol and/or food on the highway outside of other premises licensed for such activities
<b>Qualifying clubs</b>	Qualify for a club premises certificate under the Licensing Act 2003
<b>Take-aways</b>	The provision of late night refreshment (hot food and drink) between 11 pm and 5 am for consumption away from the premises
<b>Other entertainment venues</b>	The sale of alcohol and provision of late night refreshment (hot food and drink) is either absent or only ancillary to other licensable activities

**POLICY LP2  
LOCATION AND OPERATION OF PREMISES**

(1) The table below sets out our approach to licensing premises when we have received relevant representations to a licensing application, notwithstanding that each application will be considered on its merits:

<b>Premises type</b>	<b>Cumulative impact zone (see also policy LP3)</b>	<b>Town centre (within the ring road)</b>	<b>Leisure or shopping area</b>	<b>Residential area</b>
<b>Café-bars</b>	Will generally be granted according to the application			
<b>Hotel bars</b>	Will generally be allowed alcohol sales and late night refreshment to residents 24-hours a day and to non-residents on the same basis as restaurants (see below)			
<b>Night-clubs (including lap-dancing clubs*)</b>	Where exceptions to policy apply, will generally be allowed licensable activities to 1 am only and until 10.30 pm on Sunday (other than for special occasions)	Will generally be allowed licensable activities to 1 am only and until 10.30 pm on Sunday (other than for special occasions)	Will generally be allowed licensable activities to 1 am only (other than for special occasions)	Will generally be allowed licensable activities to midnight only (other than for special occasions)
<b>Off-licences</b>	Will generally be allowed alcohol sales to 8 pm only		Will generally be allowed alcohol sales in accordance with the normal opening hours of the shop	Will generally be allowed alcohol sales in accordance with the normal opening hours of the shop
<b>Other entertainment venues not listed</b>	Will generally be granted for the hours and activities requested			May be limited to midnight
<b>Pavement licences*</b>	Will generally be allowed alcohol sales to 10 pm only		Will generally be granted according to the application	Will not generally be granted for alcohol sales in residential areas outside pubs, but will if outside restaurants and café-bars
<b>Public houses, wine bars and</b>	Where exceptions apply, will	Will generally be allowed alcohol	Will be allowed alcohol sales to midnight only (other than for special occasions).	

\* We have published separate policies about pavement and about sex entertainment venue licences, which are available on our website and from our licensing team.

<b>other drinking establishments</b>	generally be allowed alcohol sales to midnight only, and until 10.30 pm on Sunday (other than for special occasions).	sales to midnight only, and until 10.30 pm on Sunday (other than for special occasions).	
<b>Qualifying clubs</b>	Where exceptions apply, will generally be granted for the hours and activities requested	Will generally be granted for the hours and activities requested	
<b>Restaurants</b>	Will generally be allowed licensable activities to 2 am only (other than for special occasions)		Will generally be allowed alcohol sales to midnight only (other than for special occasions)
<b>Take-aways</b>	Will generally be allowed late-night refreshment sales to 1 am only (other than for special occasions)	Will generally be allowed late-night refreshment sales to 1 am only	Will generally be allowed late-night refreshment sales to midnight only (other than for special occasions)

- (2) Officers will make a recommendation of the type of operation and location of the business, using the preceding tables. However, it will be for the sub-committee to determine if they agree with the recommendation when considering the application before them, and they may decide to depart from the recommendation. Departure from the recommendation should be explained with detailed reasons.
- (3) Where alcohol is sold for consumption on the premises, our policy will be to generally grant an additional 60 minutes between the end of any sales of alcohol and the closing time of the premises (which we refer to as the “terminal hour”).
- (4) Where we have considered representations for licences that do not involve alcohol sales, we reserve the right to set a final hour for licensable activities and for the closing time of the premises (the “terminal hour”).

### Justification for LP2

We recognise that flexible licensing hours for alcohol sales can help to reduce concentrations of customers from leaving premises simultaneously, and to reduce conflict at late-night take-aways and taxi ranks. At the same time, we recognise that taxis/private hire vehicles (and private vehicles) are effectively the only form of post-midnight transport in the Borough.

We are adopting this policy with the Government’s recommendations at paragraph 14.51 of the statutory guidance in mind. This states that the Government acknowledges different licensing approaches may be appropriate for promoting the licensing objectives

in different areas, and licensing authorities – in consultation with others – are best placed to make those decisions subject to the overriding principle that opening hours must be not pre-determined without giving individual consideration to the merits of each application.

This justifies a more restrictive approach in residential areas when relevant representations have been made. A more restrictive approach for take-aways within the LP3 and town centre areas is justified to reduce conflict late at night and encourage dispersal, and for off-licences to reduce the availability of alcohol being drunk on the streets (“pre-loading”) during the evening.

### **PETROL FILLING STATIONS**

Section 176 of the Licensing Act prohibits alcohol sales from premises that are used primarily as, or are part of premises that are primarily used, as garages for one or more of the retailing of petrol or derv; or the sale and maintenance of vehicles.

If premises that are primarily used as a garage are granted a licence, that licence is “of no effect” and alcohol may not be lawfully sold.

It follows that we must be satisfied whether or not any premises are used primarily as a garage before we grant a licence for it. This is not to restrict the granting of a licence in such cases but for all parties to be clear as to whether the licence is an effective one or not. This policy is intended to be applied flexibly, as we are aware many pubs and restaurants have car parks attached where customers may drink alcohol and then drive away, and that customers will drive to supermarkets for example to buy alcohol, many of which have car parks.

### **Policy LP2A**

- (1) In determining applications for garages, we require applicants to demonstrate that their premises are not primarily used as a garage. Such evidence must be based on sales and footfall data over the previous two years to show that petrol and derv sales, and vehicle maintenance and sales, are not the premises’ main feature to show the intensity of use. Where such information is not available (because for example the premises have only just started trading), we will consider imposing a condition requiring this information to be provided to the licensing authority on a regular basis for the following two years to ensure the premises are not primarily a garage.
- (2) Where insufficient evidence exists to establish primary use, we will decide whether or not grant a licence and deal with any subsequent issues using our enforcement powers in conjunction with other responsible authorities.
- (3) Where relevant representations have been made and a premises licence is granted in these circumstances, we shall treat it as an off-licence for the purposes of policy LP2 and grant hours accordingly.

### **Justification for LP2A**

Paragraph 5.22 of the statutory guidance issued under the Act makes it clear that we must decide whether or not any premises is used primarily as a garage. We are aware that different licensing authorities take a number of different approaches to this question. This approach allows us to obtain the necessary information for us to reach that decision.

## **CIRCUSES**

It is clear that authority is needed under the Licensing Act should a circus sell alcohol or provide late night refreshment.

In addition, The Legislative Reform (Entertainment Licensing) Order 2014 deregulated entertainment in travelling circuses provided that the following qualifying conditions are met:

- the entertainment is not an exhibition of a film or a boxing or wrestling entertainment;
- the entertainment takes place between 08.00 and 23.00 on the same day;
- the entertainment takes place wholly within a moveable structure and the audience present is accommodated wholly inside that moveable structure; and
- the travelling circus has not been located on the same site for more than 28 consecutive days.

The position is less clear in terms of regulated entertainment, and we are aware of extremes in approaches by licensing authorities across the country. The incidental music to a circus performance is not licensable, clowns may not necessarily be playing a dramatic role qualifying as a theatrical performance, trapeze artistes are not engaged in indoor sports and film performances are rarely included.

### **Policy LP2B**

(1) It is our policy that entertainment in circuses is exempt in the following circumstances:

- the entertainment is not an exhibition of a film or a boxing or wrestling entertainment;
- the entertainment takes place between 08.00 and 23.00 on the same day;
- the entertainment takes place wholly within a moveable structure and the audience present is accommodated wholly inside that moveable structure; and
- the travelling circus has not been located on the same site for more than 28 consecutive days.

(2) On other occasions will be need to be decided on a case-by-case basis

### **Justification for LP2B**

It is our experience that circuses are low risk, pose no significant risk to the licensing objectives, add value to the cultural activities of the town, and are regulated by other means including compliance with the Health and Safety at Work etc. Act 1974.

### **POLICY LP3 CUMULATIVE IMPACT POLICY**

The council have published a cumulative impact assessment that looks at the potential impact on the promotion of the licensing objectives.

This assessment was **first drawn up to take effect from 1 April 2021. The assessment is a separate document to this policy.** The assessment is required to be reviewed at least every 3 years and requires approval from the council. The data used in compiling the cumulative impact assessment is included within the assessment itself.

#### **Cumulative impact assessment summary**

A cumulative impact policy applies to these parts of the town centre:

- High Street (between The Parade and Beechen Grove)
- The Parade

This is due to the issues associated with alcohol and alcohol-related crime within these areas. The council has a statutory duty under the Licensing Act and under section 17 of the Crime and Disorder Act 1998 (as amended) to seek a reduction in crime and disorder. We aim to achieve this through encouraging more restaurants, cafes, food establishments and venues offering entertainment licensable activities and would positively encourage applications for those type of premises whilst discouraging alcohol-led premises. Whether there is a need or not for further premises of a particular type, in accordance with the Secretary of State's guidance at paragraph 14.19, will not be a consideration.

**A map showing the area to which the cumulative impact policy applies is included at appendix 2 of this policy.**

#### **Policy LP3**

- (1) When we have received relevant representations about an application for a pub, night-club or bar (as defined in policy LP1) in this part of the town centre, our starting point will be to refuse the application.
- (2) Where relevant representations about an application for a restaurant, café-bar, other entertainment venue, café or premises providing other non-alcohol licensable activities (as defined in policy LP1) are received, our starting point will be to grant the application subject to conditions to address those representations.
- (3) Where exceptions can be shown and we have received relevant representations, variations to extend the hours of alcohol-led premises will not generally be allowed until the premises have been operating for at least 12 months without having an adverse impact on the licensing objectives.
- (4) Where relevant representations have been received, we will consider granting applications which limit the hours or operation to those set out in policy LP2.

- (5) Where an exception is made, the licensing committee may consider attaching specific conditions to the relevant authorisation requiring the use of door supervisors to monitor and control access to the premises and assist with dispersal, to install and maintain an electronic identification entry system which meets the reasonable requirements of Hertfordshire Constabulary, to make a monetary contribution to the town centre taxi marshal scheme (or such a replacement scheme which may be introduced to assist in the dispersal of customers from the town centre) and that the premises will actively participate in the town centre Pubwatch scheme and/or the Pubwatch radio scheme (or such a replacement scheme which may be introduced to assist in communication between venues).
- (6) Where relevant representations have been received in relation to applications for late-night refreshment premises that provide a delivery service, we shall consider imposing a condition that those deliveries are only made to a fixed physical address.

### Exceptions to LP3

- (1) Exceptions will not be made on the grounds that:
  - the building design is of a high standard; we would expect all applicants will want to ensure the highest design standards possible;
  - that the applicant is of good character. It is a legal requirement that premises selling alcohol must be under the management of a designated premises supervisor, who must themselves hold a personal licence to sell alcohol;
  - the premises are small. Even small premises can contribute to crime, disorder and nuisance.
- (2) We will consider whether to grant an application, even when relevant representations have been received, where:
  - the supply of alcohol shall only be ancillary to a substantial table meal; or
  - where the supply of alcohol shall only be by waiter/waitress service to seated customers; or
  - where the supply of alcohol for consumption on the premises does not extend past 10pm on any day.
- (3) In any case where an applicant wishes an exception to be considered, the responsibility is with them to show why it should be considered and not on our licensing committee to show why an exception should be made.

### Justification for LP3

Tackling violent crime continues to be a strategic priority across Hertfordshire and for Safer Watford, our local community safety partnership.

With our partners we have introduced a number of measures to help prevent more people becoming victims of crime:

- Additional policing resources at times of peak volumes (with an impact on policing at other times of the week)
- Town centre CCTV and requiring town centre premises to install CCTV
- Employing Council and police licensing enforcement officers
- Establishing door supervisor liaison arrangements
- Playing an active part in the town centre Pubwatch scheme (which includes a radio network linked to the CCTV control)
- Establishing a night-time economy focus group
- Implementing a late-night taxi marshal scheme
- Encouraging the installation of electronic identification checking systems at the entrances to licensed premises

This has included positive and significant measures with the licensed trade and others including:

- Achieving and maintaining Purple Flag status for the LP3 area and aspirations to develop that further
- Improving The Parade during 2013 – 2014 allowing an ambitious programme of cultural events such as the Big Beach, the Big Screen, the Big Skate and Imagine Watford to take place since mid-2014
- Organising Best Bar None / the Watford Food and Drink Awards in partnership with the Business Improvement District for a number of years

We recognise that the correct approach is to work with and not to penalise good operators and to review the licences of poor operators. We have granted applications when it has been right to do so.

We are satisfied, on receipt of numerous representations from the police and the Watford Town Centre Residents' Association, and in conjunction with police crime statistics submitted for consideration in the cumulative impact assessment, that the level of violent crime, anti-social behaviour and nuisance caused by people visiting pubs and bars in the area defined in policy LP3 undermines the crime prevention, public safety and prevention of nuisance objectives. This policy accords with section 14 of the Secretary of State's guidance to consider the contribution to cumulative impact made by different types of premises within the area.

## POLICY LP4 SENSITIVE LICENSING AREAS

We have identified **five** Sensitive Licensing Areas within the Borough. These are areas where we are particularly likely to make representations ourselves suggesting additional conditions to reduce any impact on the licensing objectives to address concerns about:

- availability of stronger-strength alcohol to street drinkers leading to anti-social behaviour in the immediate vicinity of the premises
- 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
- litter and other nuisances from a concentration of late-night take-aways

The Sensitive Licensing Areas are:

- (1) Whippendell Road, between its junction with Cassio Road and Hagden Lane
- (2) Queens Road, between **High Street** and Loates Lane
- (3) Market Street, between **High Street** and Merton Road/Cassio Road; and
- (4) St Albans Road, between the A41 and Leavesden Road.
- (5) **Town centre, specifically:**
  - **Albert Road South**
  - **Church Street**
  - **Clarendon Road, between The Parade and Beechen Grove**
  - **George Street**
  - **King Street, between High Street and Exchange Road**
  - **New Street**
  - **Wellstones**

We may add to these areas where evidence of the problems identified above exist. We may consider the introduction of a cumulative impact policy within those areas should any of the licensing objectives begin to be adversely affected. **The Sensitive Licensing Area for the town centre was added as of 1<sup>st</sup> April 2021, and the Sensitive Licensing Areas for Market Street and Queens Road were expanded at this time as well.**

**Maps showing these areas can be found at appendix 3 of this policy.**

We believe that this policy has been effective in dealing with the issues mentioned above and that policy LP4 should be retained.

### Policy LP4

- (1) Where an application for alcohol sales or late-night refreshment has been received in a Sensitive Licensing Area, the licensing authority will consider making representations and will strictly apply policies LP6, LP7, LP8 and LP9 in relation to those premises.
- (2) Where additional representations have been made by other parties, our strict starting point in these areas will be to consider whether conditions will be

appropriate to address those concerns or whether a refusal is justified on the basis that the licensing objectives would be undermined.

### **Justification for LP4**

The Sensitive Licensing Areas are a mix of commercial and residential properties in densely built-up areas. Each has a relatively high number of licensed premises (12 in Whippendell Road; five in Queens Road; 18 in Market Street; and 40 in St Albans Road – nine restaurants; eight late-night take-aways; two pubs; and 21 off-licences with several more on roads directly connecting to St Albans Road – all figures accurate up to 31/10/20). Although the concentration of premises has caused considerable concern in terms of the three issues identified above leading to licence reviews or significant levels of representations against licence applications, levels of recorded crime, disorder, anti-social behaviour and nuisance are not significantly different from other parts of the Borough.

We believe that the approach outlined in Policy LP4 has been effective in dealing with the issues listed above and that it needs to be retained.

Crime figures were provided by the Police when the policy was reviewed in 2018 which showed an overall increase in offences of violence against the person and anti-social behaviour in the Sensitive Licensing Areas between 2013, when the policy was first introduced, and March 2018. Violence and sexual offences and anti-social behaviour continue to be at high levels within these areas when compared to other areas of the Borough (data up to November 2020 – data can be verified through <https://www.police.uk>), although not sufficient enough to warrant a cumulative impact assessment. There is a high occurrence of theft and shoplifting. It is acknowledged that making comparisons based upon the figures alone does not give the true picture because the way that crimes are recorded has changed over the years. However, the council's Community Safety Co-ordinator confirms that there are continuing problems within these areas, and, along with the Police, supports the retention of these areas as they are a recognised tool in the management of alcohol related anti-social behaviour.

With regards to the town centre, there is one licensed premises in Albert Road South, five premises on Clarendon Road, and four premises on King Street. Although licensed premises are not found in each location, it is acknowledged that these roads connect to the High Street and The Parade, both of which are subject to a cumulative impact policy, and are used as routes both in and out of the town centre. We are advised through consultation with residents that there are concerns regarding street drinking and litter within the town centre and we have adopted this policy in these areas as a safeguard for these locations.

## **PLANNING PERMISSION**

The use of any licensed premises or places is subject to planning controls. There are several differences between licensing and planning control. The most significant is that planning is concerned with how land is used and its impact on the surrounding amenity, whilst licensing concentrates on protecting public safety in its widest sense.

New occupiers are not normally required to obtain planning permission unless there is a material difference in the use of the premises, before use of it begins. Material changes by existing operators may also require additional planning permission, and advice should be sought from the planning authority.

To avoid the risk of the planning authority raising representations against a proposed licensing application, applicants are advised to ensure they have the correct planning consents in place before making a licensing application.

### **Policy LP5**

- (1) Where representations have been made by the Local Planning Authority on grounds that the application will undermine the licensing objectives unless planning permission has been obtained, and we resolve to grant a premises licence or club premises certificate, it shall be subject to a condition that it will be of no effect until the appropriate planning permission has been granted by the Local Planning Authority.

### **Exceptions to LP5**

- (1) Exceptions to this policy may be considered where, for example, the applicant has simultaneously applied for a licence and planning permission.

### **Justification for LP5**

The Secretary of State's guidance in paragraph 14.64 and 14.65 reinforces the view that planning and licensing are separate regulatory regimes and that licence applications may be made before a planning application. However, in the light of experience, whilst wishing to ensure the independence of the two regimes we also wish to see consistency between the two.

## **LICENSING AND OTHER LEGISLATION**

Operators of licensed premises will have to comply with planning, environmental health, health and safety at work, fire safety and building control legislation when opening or adapting premises licences.

We will seek to avoid confusion or duplication by not imposing licensing conditions that are required under other legislation, except where they can be exceptionally justified to promote the licensing objectives.

## TEMPORARY EVENTS

Most temporary events will not present any problems – for example, a temporary event notice may be needed to allow a special occasion in a pub or restaurant to be celebrated, or for wine to be sold at a parent-teacher association dinner.

In other circumstances, there may be slightly more risks involved. In these cases, we recommend that organisers consider the following points.

It would be helpful for organisers to give at least three months' notice to hold all but the smallest events, to allow us to help plan their events safely. Any longer period than this may mean that organisers do not have all the details available at the time of submitting the notice, and any lesser time means that planning may be rushed and haphazard. The law states that at least ten working days' notice must be given (or five working days in the case of "late" notices) but the less time that is given will increase the likelihood of the police objecting.

Our Safety Advisory Group, consisting of the emergency services and other statutory agencies such as the highways authority, advise and co-ordinate planning for public events in the borough, whether or not a premises licence or a temporary event notice is needed. Event organisers are encouraged to use the Safety Advisory Group as part of their event planning process and may find it useful to refer to the Watford Event Guide. Contact can be made through our Events team by email to [events@watford.gov.uk](mailto:events@watford.gov.uk).

Conditions may be added to a temporary event notice for existing licensed premises if representations have been made by the police or Environmental Health. Event organisers should be aware that an event cannot take place if an objection is made to a "late" temporary event notice, whereas objections to "standard" temporary event notices will usually result in the notice being considered by a licensing sub-committee.

The cumulative impact policy adopted by the council at policy LP3 does not apply to temporary event notices, and therefore any objections submitted by the Police or Environmental Health within this area will be considered on their own merits by a licensing sub-committee, unless all parties agree that a hearing is not necessary. However, it is acknowledged that the Secretary of State's guidance does state that it is open to the police and environmental health authority (as relevant persons) to refer to evidence published within any cumulative impact assessment when objecting to a notice.

When organising any small-scale event (whether or not requiring a temporary event notice), organisers are recommended to consider:

- the fire alarm in the premises – how does it work? Has it been tested and maintained? Are all staff aware of how to raise the alarm in an emergency?
- fire extinguishers – are the correct number and type available? Have they been serviced within the last year?
- is emergency lighting needed and is it suitable for the purpose? Has it been tested and maintained?

- have any crime prevention measures been considered – for example, are steps taken to regularly bank large amounts of cash during the event, or to keep it in a secure location? Are there a suitable number of stewards or door supervisors available?
- have nearby occupiers been considered – have you notified neighbours of the event and provided a contact telephone number?
- have you considered noise reduction measures (such as keeping windows and doors shut or turning noise down late at night)? Have you considered how visitors will arrive and leave the event?
- have you considered whether you need to make any provision for First Aid should anyone need it, and the means for calling the emergency services?

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

- Health and Safety at Work etc. Act 1974
- Fire Precautions Act 1971
- Environmental Protection Act 1990.
- Anti-Social Behaviour Act 2003.

The licensing authority's licensing enforcement officer and the police have powers to enter premises where temporary event notices are in force to ensure the crime prevention objective is not being undermined.

Organisers of large, occasional events that do require a premises licence (as opposed to the temporary event notice provisions) are advised to have regard to documents such as:

- The Event Safety Guide  
<https://www.thepurpleguide.co.uk/>
- Managing Crowds Safely (HSE 2000)  
<http://www.hse.gov.uk/pubns/books/hsg154.htm>
- 5 Steps to Risk Assessment:  
<http://www.hse.gov.uk/risk/controlling-risks.htm>
- The Guide to Safety at Sports Grounds  
<https://sgsa.org.uk/greenguide/>

### **DESIGNATED PREMISES SUPERVISORS**

We strongly believe in the value of working in partnership with the Police, other agencies and designated premises supervisors to promote the licensing objectives that may be associated with licensed premises.

Designated premises supervisors (and the holders of premises licences or club premises certificates) for any other premises may be invited to a meeting where the police or licensing authority feel it is appropriate – for example, where there has been a prior history of the premises being run badly, or following a licence review or enforcement action.

We do not expect the premises supervisor to be physically present at the premises at all times it is open. However, we expect the premises supervisor to be able to exercise sufficient management control over the premises and for the responsible authorities to be able to contact them easily in the event of problems at the premises. We would also expect premises supervisors to give specific written authorisation to their staff who are authorised to sell alcohol on their behalf in accordance with paragraphs 10.29 – 10.35 of the Secretary of State's guidance.

## **THE LICENSING OBJECTIVES PREVENTION OF CRIME AND DISORDER**

We strongly recommend that before submitting applications involving premises licences or club registration certificates, you should discuss crime prevention procedures with the police, and consider inviting a police crime reduction officer or a licensing authority officer to conduct a crime prevention audit.

Not only does this demonstrate your commitment to reducing crime and disorder within Watford, but would also reduce the likelihood of the police making representations on those grounds.

We strongly encourage all premises licence holders to play an active role in local schemes such as Pubwatch, in order to share information and exchange best practise with other venues and the responsible authorities under the Act. Not adopting this co-operative approach could lead to adverse representations being made to licensing applications from the responsible authorities.

The council also has adopted a cumulative impact policy at policy LP3 to address alcohol-related crime, by discouraging alcohol-led venues and encouraging more diverse venues that offer mixed licensable activities.

### **Policy LP6**

- (1) Where relevant representations have been made, we shall either consider the report of a crime prevention assessment where voluntarily produced as part of the operating schedule, or consider whether to require one to be conducted and the recommendations implemented as conditional on the grant of a licence or certificate.
- (2) Where relevant representations have been made, we will particularly consider the following:
  - the ability of the person in charge of the premises to monitor the premises at all times it is open for licensable activities, particularly the sale of alcohol for consumption on the premises;
  - the training given to staff in crime prevention measures and licensing law appropriate to those premises;
  - physical security features installed in the premises. This may include matters such as the position of cash registers, where alcohol is stored in 'off-licences', the standard of CCTV that is installed, the use of toughened drinking glasses in pubs and clubs and secure storage of waste materials; or the use of electronic scanning equipment on entry;
  - the employment of licensed door supervisors. We recommend that at least one male and one female door supervisor is employed where the venue has a policy of searching customers; and consideration given to industry standards in terms of ratio of doorstaff;

- management attitudes and practices, such as the willingness to stagger trading hours with nearby competing businesses to avoid all of their patrons subsequently competing for the limited public transport late at night, their willingness to limit sales of bottled alcohol for immediate consumption, and the use of responsible pricing promotions;
- any other such measures as may be appropriate, such as participation in a local Pubwatch or Shopwatch scheme, 'music wind—down policies', restrictions on 'happy hours';
- use of plastic or polycarbonate glasses either as a matter of routine or during particular times of high risk;
- the measures employed to prevent the consumption or supply of illegal drugs, including any search procedures and entry policies;
- where premises are subject to age restrictions, the procedures in place to conduct age verification checks;
- the likelihood of any anti-social behaviour, violence, public order or policing problem if the licence is granted.

#### **Justification for LP6**

We are under a statutory duty under the Licensing Act to promote the prevention of crime and disorder, and have a duty under the Crime and Disorder Act 1998 to seek a reduction in crime and disorder throughout the Borough.

## **PUBLIC SAFETY**

We are aware that applicants are legally responsible for complying with a range of legislation relating to public safety, such as the Health and Safety at Work Act 1974, the Regulatory Reform (Fire Safety) Order 2005 and conducting suitable and sufficient risk assessments of their activities under both.

A failure to comply with these provisions could lead to representations being submitted by the statutory responsible authorities, particularly the Health and Safety at Work enforcing authority or Hertfordshire Fire & Rescue Service.

Applicants are advised to seek appropriate advice on public safety matters either before opening or making variations to licensed premises.

We want to ensure the safety of everyone on licensed premises. In some cases, setting an occupancy limit for premises may be an important factor in promoting public safety where other legislation, such as the Regulatory Reform (Fire Safety) Order, is not sufficient.

### **Policy LP7**

(1) Where a relevant representation relating to occupancy limits and its impact on public safety is received, we will consider setting an occupancy limit for nightclubs and other premises where regulated entertainment is to be provided. In doing so we will consider:

- advice from Hertfordshire Fire & Rescue Service to ensure any occupancy limit we set does not exceed that which would be considered acceptable for fire safety purposes;
- the design and layout of the premises;
- the nature of the premises, event or licensable activities being provided, including known busy times, special events or promotions;
- the provision or removal of temporary structures such as staging or furniture;
- the number of staff available to supervise customers both ordinarily and in emergencies, and the training they are to be given;
- the customer profile;
- the applicant's crowd management strategies and policies.

(2) We will not consider imposing conditions that duplicate, enhance or 'gold-plate' existing health and safety requirements except in the following circumstances:

- where relevant representations have been received that a specific hazard has not been addressed by a suitable and sufficient risk assessment;

- where relevant representations have been received, to require equipment of a particular standard to be provided, and maintained and checked on the premises at specified intervals. We would not however require possession or production of specific certificates relating to such equipment where this is already covered by other legislation.
- (3) Other relevant factors we may take into account and which may not be adequately addressed by other legislation could include:
- access by emergency services;
  - facilities for disabled people, particularly in an emergency;
  - prior notification to the emergency services of special events;
  - lighting levels;
  - staffing levels, including the numbers of licensed door supervisors;
  - seating arrangements;
  - special effects such as pyrotechnics, imitation firearms, lasers, real flame, strobe lighting, etc;
  - temporary electrical installations;
  - safety checks (before, during and after regulated entertainment);
  - First Aid facilities for members of the public.

### **Justification for LP7**

Applicants are under a duty to comply with Health and Safety at Work and associated legislation. In some cases, where other legislation does not adequately address risks posed from licensable activities, we shall address those risks through the premises licence or club premises certificate.

## PREVENTION OF PUBLIC NUISANCE

We are determined to protect the amenity of residents and businesses in the vicinity of licensed premises. For these purposes 'vicinity' is taken to mean the immediate area around licensed premises where the individual's residence or business is likely to be directly affected by disorder and disturbance occurring or potentially occurring on those premises or immediately outside.

The statutory guidance issued by the Secretary of State makes clear that 'nuisance' has the broad definition retained at common law. When deciding whether something is a nuisance, consideration must be given to the following:

- it is a person's basic right to peacefully enjoy their property, but there is no right to total silence
- trivia cannot be taken into account when determining nuisance
- isolated acts, unless extreme, cannot be considered a nuisance. The problem must normally be continuous and regularly occurring
- the person complained of needs to substantially affect the enjoyment of comfortable living, that is it must interfere with a person's use, enjoyment or rights connected with their land. In the case of noise complaints the loss of a good night's sleep would be sufficient to meet these criteria. There would however have to be consideration for
  - (a) the time the noise occurs
  - (b) the area and
  - (c) any precautions taken to minimise the disturbance.
- nuisance can only be established in law if there is material interference with comfort from normal standards. It does not give protection to abnormally sensitive people. The problems of noise or smell must therefore be considerable.
- neighbourhood character needs to be taken into account. What might be a nuisance in a residential area may not be so in the town centre and vice-versa.

### POLICY LP8

(1) In considering all licence applications where appropriate representations have been received, we will consider any necessary measures to deal with the potential for nuisance and/or anti-social behaviour having regard to all the circumstances of the application including;

- the steps taken or proposed to be taken by the applicant to prevent noise and vibration escaping from the premises, including music; noise from ventilation equipment, and human voices. Such measures may include the

installation of soundproofing, air conditioning, acoustic lobbies, keeping external windows and doors closed and sound limitation devices;

- the steps taken or proposed to be taken by the applicant to prevent disturbance by customers arriving at or leaving the premises. This will be of greater importance between 10 pm and 7 am than at other times of the day;
- the steps taken or proposed to be taken by the applicant to prevent queuing (either by pedestrian or vehicular traffic). If some queuing is inevitable then queues should be diverted away from neighbouring premises or be otherwise managed to prevent disturbance or obstruction;
- the steps taken or proposed to be taken by the applicant to ensure staff leave the premises quietly;
- the steps taken to identify food and drink packaging from the premises in question and the steps to reduce litter as far as is reasonably practicable (particularly from off-licences and late night refreshment establishments);
- the arrangements made or proposed for parking by patrons, and the effect of parking by patrons on local residents;
- whether there is sufficient provision for public transport (including taxis and private hire vehicles) for patrons;
- whether licensed taxis or private hire vehicles are likely to disturb local residents;
- the installation of any special measures where licensed premises are or are proposed to be located near sensitive premises such as nursing homes, hospitals, hospices or places of worship;
- the use of gardens and other open-air areas, including those used for smoking;
- delivery and collection areas and times;
- the siting of internal and external lighting, including security lighting that is installed inappropriately;
- whether the premises would lead to increased refuse storage or disposal problems, or additional litter (including flyposters, smoking materials or illegal placards) in the vicinity of the premises;
- the steps taken or proposed to be taken by the applicant to limit or prevent the impact of odour from the operation of the premises upon neighbouring premises. Such measures may include limits on the operation of extract units from kitchens, maintaining such units, and keeping external windows and doors closed.

- the history of previous nuisance complaints proved against the premises, particularly where statutory notices have been served on the present licence-holders.

## PROTECTION OF CHILDREN FROM HARM

Other than the sale of alcohol, we wish to encourage licensable activities that are suitable for people of all ages, including children.

We strongly encourage applicants to give full details of proposed adult entertainment on their application forms to allow the responsible authorities to assess the merits of the proposal. Policy LP9 is intended to be strictly applied.

### Alcohol sales to those under 18

We expect applicants for the sale of alcohol to adopt an acceptable age verification scheme in order to comply with the The Licensing Act 2003 (Mandatory Licensing Conditions) (Amendment) Order 2014. We would expect applicants to adopt as a minimum a "Challenge 21" scheme, and that the only accepted identification to be a passport, driving licence or Proof of Age Scheme (PASS) card. We would expect premises licence holders and/or designated premises supervisors to have an appropriate training scheme in place for their staff.

### Remote alcohol sales

Where alcohol is sold remotely such as via the internet or telephone ordering, age verification should take place both when the sale takes place (that is, when it is ordered), and when it is delivered to ensure both the buyer and the recipient are over the age of 18.

## Policy LP9

- (1) Where we receive relevant representations, we may impose conditions to restrict entry by children under 18:
  - to all or part of the licensed premises;
  - at certain times of the day;
  - when certain licensable activities are taking place; or
  - by children under specific ages unless accompanied by an adult.
- (2) Where we receive relevant representations we may impose conditions relating to the advertising or external display of licensable activities that may be harmful to children.
- (3) We will particularly take into account where:
  - significant authorised gambling is taking place such as gaming machines or poker games (taking note that under-18s and alcohol are generally prohibited from most licensed gambling premises anyway)
  - there is a history or likelihood of under-age sales or consumption of alcohol

- activities or entertainment (whether licensed under the 2003 Act or not) of a clearly adult or sexual nature
  - criminality at the premises likely to harm children
  - licensable activities are taking place during times when children under 16 may be expected to attending compulsory full-time education
  - other hazards to children that are not sufficiently controlled
  - events or activities are specifically targeted at those under 18 without appropriate safeguarding measures being proposed (eg running youth discos without a sufficient dispersal plan to ensure young people can leave the premises and get home safely)
- (4) Where we receive representations that an application does not appear to have sufficient safeguards to prevent the sale and/or delivery of alcohol to people under 18, we will impose appropriate conditions (modified if necessary) from our pool of model conditions.

### **Film exhibitions**

We would expect operating schedules for the display of films to include a stipulation that children will be restricted from viewing age-restricted films certified by the British Board of Film Classification (BBFC) in line with the mandatory condition under the Licensing Act for showing films to children under 18.

Where it is proposed to show films that are not classified by the BBFC (such as at amateur film festivals), our officers will determine the classifications in accordance with the current guidelines published by the BBFC.

### **Policy LP10**

- (1) We will only consider substituting a classification by the BBFC for one of our determination in the light of exceptionally strong representations that the BBFC classification provides insufficient protection for children. Those making representations in this respect will be expected to provide compelling reasons as to which other classification should be substituted in place of the BBFC's.
- (2) We will determine the classifications of films that have not been classified by the BBFC, in line with the BBFC's current guidelines.

### **Justification for LP10**

The BBFC are the acknowledged experts with the experience and expertise who have been entrusted by the Government to classify films for viewing by all sections of society. As such, we should not lightly overturn its decisions, and we have not had previous cause to do so under either the Licensing Act or its predecessor Cinemas Act 1985.

## REPRESENTATIONS ABOUT APPLICATIONS

Representations may be made by people who live, or are involved in a business, within the Borough of Watford about an application for a new licence/certificate, a variation to an existing licence/certificate or when a licence/certificate is reviewed. Representations may be positively in support of an application, or may oppose an application.

Representations may also be made by organisations representing such bodies, such as residents' associations or chambers of commerce. Organisations such as churches, schools or hospitals may also make representations.

Ward councillors may represent 'interested parties' in their role as a representative of the community, make representations either in their own right, or may make representations as a member of the licensing authority about any relevant application, but may not sit on the committee dealing with that particular application.

We shall not generally make representations ourselves where other responsible authorities have done so. We shall generally only make representations where we have evidence that is not in the possession of anyone else; where an application conflicts with our statement of licensing policy; or in order to improve upon conditions that might be offered in an operating schedule and which has not been resolved through negotiation.

We recommend that representations should:

- (1) be made in writing (a legal requirement)
- (2) indicate the name and address of the person or organisation making the representation
- (3) indicate the premises to which the representation relates
- (4) indicate the proximity of the premises to the person making the representation
- (5) clearly set out the ground for making the representation.

Representations can only be considered if they are concerned with one of the four licensing objectives:

- (1) crime prevention;
- (2) public safety;
- (3) prevention of nuisance;
- (4) prevention of harm to children.

In accordance with statutory regulations, we will forward copies of representations to the applicants in order that they may respond. Representations which have not been

previously withdrawn are included in reports that are considered by councillors at hearings and are published on our website.

In some exceptional and isolated cases, we may consider that an interested party has a genuine and well-founded fear of intimidation from divulging their name and/or address to the applicant. We will consider an alternative approach in these circumstances providing we are satisfied that the circumstances justify such an action and the representations or concerns are not frivolous or vexatious.

### **Policy LP11**

- (1) Where a person has made a valid representations or a valid application for a licence to be reviewed, we will where practicable attempt to arrange a voluntary mediation meeting to address, clarify and try to resolve issues of concern.
- (2) We may reject representations if it appears the representations are frivolous (lacking in seriousness) or vexatious (made repeatedly on the same or similar grounds). Where a representation is not accepted because it is frivolous or vexatious, we will give reasons why that is the case in writing. In such cases, our officers will make the determination, giving interested parties the benefit of the doubt where appropriate.
- (3) Decisions as to whether representations are irrelevant, frivolous or vexatious must be made objectively and not on the basis of any political judgement. Accordingly, our officers will make the decisions on whether representations or applications for licence reviews should be referred to the licensing committee or sub-committees, giving the maker of the representation the benefit of the doubt. Where representations are rejected, the person making that representation will be given a written reason as to why that is the case. A report will be made to the licensing committee indicating only the general grounds of the representation and the reason it was rejected.

## **COMPLAINTS AGAINST LICENSED PREMISES**

We will investigate complaints against any licensed premises, including in conjunction with other responsible authorities where appropriate. In the first instance, we encourage complaints to be raised directly with the licence-holder or business concerned.

### **Policy LP12**

- (1) Where a person has made a valid representation or a valid application for a licence to be reviewed, we will where practicable attempt to arrange a voluntary mediation meeting to address, clarify and try to resolve issues of concern.
- (2) This process will not override the right of any person to ask that the licensing committee consider their valid representations or an application for a licence review, or for any licence holder to decline to participate in a mediation meeting.

## LICENCE REVIEWS

It is important to recognise that the promotion of the licensing objectives relies heavily on a partnership between licence holders, authorised persons, local residents or businesses and responsible authorities in pursuit of common aims. It is therefore equally important that reviews are not used to drive a wedge between these groups in a way that would undermine the benefits of co-operation. Responsible authorities are encouraged to give an early warning of concerns about problems identified at the premises concerned and of the need for improvement although it is recognised this is not always practicable or desirable. It is expected that a failure to respond to such warnings would lead to a decision to request a review.

### Policy LP13

(1) We can only review a licence where it is alleged that the licensing objectives are not being kept. An application for a licence review is an acknowledgment that existing systems have broken down. We view particularly seriously applications for the review of any premises licence where it involves the:

- use of licensed premises for the sale or distribution of illegal drugs and the laundering of the proceeds of drugs crimes;
- use of licensed premises for the sale or distribution of illegal firearms;
- evasion of copyright in respect of pirated films and music;
- underage purchase or consumption of alcohol;
- use of licensed premises for prostitution or the sale of unlawful pornography;
- use of licensed premises for unlawful gaming;
- use of licensed premises as a base for organised criminal activity;
- use of licensed premises for the carrying out of, or the organisation of, sexual abuse or attacks;
- use of licensed premises for the carrying out of, or the organisation of, the discrimination, harassment or victimisation of people or a community with protected characteristics (as defined by the Equality Act 2010). The protected characteristics are:
  - (a) age
  - (b) disability
  - (c) gender reassignment
  - (d) marriage and civil partnership
  - (e) pregnancy and maternity
  - (f) race
  - (g) religion or belief
  - (h) sex

(i) **sexual orientation;**

- use of licensed premises for the sale of smuggled tobacco or goods;
  - the use of licensed premises for the sale of stolen goods;
  - where the police are frequently called to attend to incidents of disorder;
  - prolonged and/or repeated instances of public nuisance and/or anti-social behaviour;
  - where serious risks to public safety have been identified and the management is unable or unwilling to correct those;
  - where serious risks to children have been identified;
  - continuous breaches or contraventions of licence conditions;
  - not operating the premises according to the agreed operating schedule.
- (2) Representations made by another department which is a responsible authority will be treated by the licensing authority in precisely the same way that they would treat representations made by any other body or individual. In every case, an evidentiary basis for the allegations made will need to be laid before the licensing authority.
- (3) We would not expect a responsible authority which is also alleging criminal conduct on the part of a licence holder, (such as allowing underage sales of alcohol), to first exhaust the relevant legal powers at their disposal before making an application for a review.
- (4) Where a review follows convictions or the failure of a prosecution in the criminal courts, it is not for the licensing committee to attempt to go behind the finding of the courts, which it will treat as a matter of undisputed evidence before it.
- (5) It is envisaged that the responsible authorities will use the review procedures effectively to deter unlawful activities and crime. Where reviews arise and the licensing authority determines that the crime prevention objective is being undermined through the premises being used to further crimes, it is expected that revocation of the licence – even in the first instance - could be seriously considered.
- (6) We will expect that any party making an application for a licence to be reviewed will prove the facts that they are relying on to support their allegations on the balance of probabilities, that is, that it is more likely than not that the circumstances being complained of did actually occur. Because of the potentially serious consequences to a licence holder following a licence review, mere anecdotal or hearsay evidence will not be sufficient.
- (7) In considering our response to an application for a review, we will adopt the approach set out at appendix 1.

## **ENFORCEMENT AND COMPLIANCE POLICY**

We no longer conduct regular pre-programmed premises inspections. We will instead conduct inspections where there are concerns about the ability of the designated premises supervisor or premises licence holder to promote the licensing objectives or to meet the conditions on their permission.

### **Enforcement**

We have a long-established licensing enforcement policy based around the principles of consistency, transparency and proportionality set out in the Government's statutory Regulators' Compliance Code, which also takes into account the Attorney-General's Guidelines to Crown Prosecutors for bringing prosecutions.

Our compliance policy proposes that a graduated response is taken where offences against licensing legislation are found or where licence conditions have been contravened. An isolated and minor offence may be dealt with purely by way of a written warning whilst more serious offences which have either been committed over a period of time or which jeopardise public safety may result in a referral for prosecution.

We continue to work actively with other responsible authorities in enforcing licensing legislation. We share information about licence-holders and licensed premises under the Crime and Disorder Act 1998, and expect to be closely consulted when any enforcement action may be required.

As a council we have also signed up to the Hertfordshire Better Business for All Partnership Charter which is a voluntary undertaking between Hertfordshire Regulatory Services and all local businesses, irrespective of size or resources. It aims to support a relationship between businesses and regulators built upon trust, understanding and a desire to improve together in terms of compliance with regulation and support of business growth.

## THE LICENSING COMMITTEE

Our Licensing Committee will consist of fifteen Councillors that will sit at least once annually.

The Chair of the Licensing Committee shall be elected at the annual meeting of the Licensing Authority in May. The Chairs of the licensing sub-committees shall be elected at the meeting of the sub-committee.

We will ensure that members and officers are appropriately trained to carry out their duties under the Licensing Act. In accordance with the Council's Constitution, no councillor shall sit on any licensing committee unless they have received appropriate training.

### Scheme of delegation

Sub-committees of three councillors will sit to consider applications where valid representations have been received. Where a sub-committee does not have all three members present, it may only meet with the approval of the chair of the licensing committee in consultation with the Group Head of Democracy and Governance

Applications referred to sub-committees will be accompanied with a report prepared by our officers. This will include recommendations relating to the operating schedule, representations, the Licensing Act and other legislation, statutory guidance, national and local policy, good practice, or recommended conditions that could be considered to alleviate any concerns raised in the representations.

The Licensing Committee will also sit to determine general licensing policies not associated with the Licensing Act 2003, such as those policies under taxi and private hire vehicle legislation.

The Licensing Committee and its sub-committees will also sit to determine matters arising under the Gambling Act 2005.

The full Licensing Committee will hear and consider any representations relating to a proposed Early Morning Restriction Order, and will make its recommendation to the Council acting as the Licensing Authority. A specific protocol will be approved and published for this purpose in advance of the committee hearing should this be necessary.

Our licensing officers will deal with all other licence applications where either no representations have been received, or where representations have been received and it is agreed by the parties that a hearing is not necessary. Officers will also

- (1) make representations on its behalf in appropriate cases. It will normally be clear that there is a separation of roles between officers who make representations and those who process the application
- (2) review and certify unclassified films in accordance with policy LP10, with the power to refer applications to a licensing sub-committee in cases of doubt.

- (3) consult with the responsible authorities they think are relevant to application for minor variations to premises licences and club premises certificates. They will also consult with the chair of the Licensing Committee before deciding whether to allow or refuse the application
- (4) suspend a premises licence or club premises certificate under sections 55A(1) or 92A(1) of the Act for non-payment of annual fees, and to specify the date (with at least two working days' notice) on which this takes effect
- (5) impose existing conditions from a premises licence or club premises certificate on a temporary event notice where all parties agree under section 106A of the Act that a hearing is not necessary.

### **Role of councillors**

Local councillors play an important role in their local communities. They can act on behalf of people who might be affected by licence applications. Local councillors with a prejudicial interest in an application may attend sub-committee or committee meetings to make representations, answer questions or give evidence (providing other parties may also do so). Councillors must however withdraw from the meeting immediately afterwards and on no account play a part in the decision-making process.

The licensing sub-committee will also refer to the Licensing Committee any matter it is unable to deal with because of the number of its members who are unable to take part in the consideration or discussion of any matter or vote on any question with respect to it.

This does not apply to applications made by the Council itself for licences or permissions under the Act. In those circumstances, it is unlikely that councillors would have a disclosable pecuniary interest in the matter before them, as defined in the Localism Act 2011.

### **Committee decisions**

The Licensing Committee will refer to the licensing authority any matter it is unable to deal with because of the number of its members who are unable to take part in the consideration or discussion of any matter or vote on any question with respect to it.

Every determination of a licensing decision by the Licensing Committee or a licensing sub-committee shall be accompanied with clear, cogent reasons for the decision. A summary of the decision shall be posted on the licensing authority's website as soon as possible after the decision has been confirmed, where it will form part of the statutory licensing register required to be kept by the licensing authority.

## **RELATIONSHIP TO OTHER POLICIES AND LEGISLATION**

- (1) Although the four objectives are the only matters that the licensing authority may take into account when making licensing decisions, as a public body the licensing authority is also required:
- Under the Crime and Disorder Act 1998 to have due regard of the crime and disorder implications of any of its decisions, including the adoption of this policy;
  - To implement the Licensing Act in a manner consistent with the Human Rights Act 1998 by giving due consideration to the rights contained in the European Convention on Human Rights and Fundamental Freedoms;
  - To implement the Licensing Policy in a manner consistent with its legal requirement under the Equalities Act 2010.
- (2) This policy will also integrate with other Council policies and strategies such as:
- (a) Council Plan 2020-2024
  - (b) Watford Local Plan 2006-2031 Core Strategy (adopted 2013)
  - (c) Protecting Our Communities & Managing Crime 2018
  - (d) Watford Cultural Strategy 2018-2025
  - (e) Environmental Health and Licensing Services Compliance Policy 2016 – 2021

## APPENDIX 1

**Licence review guidelines**

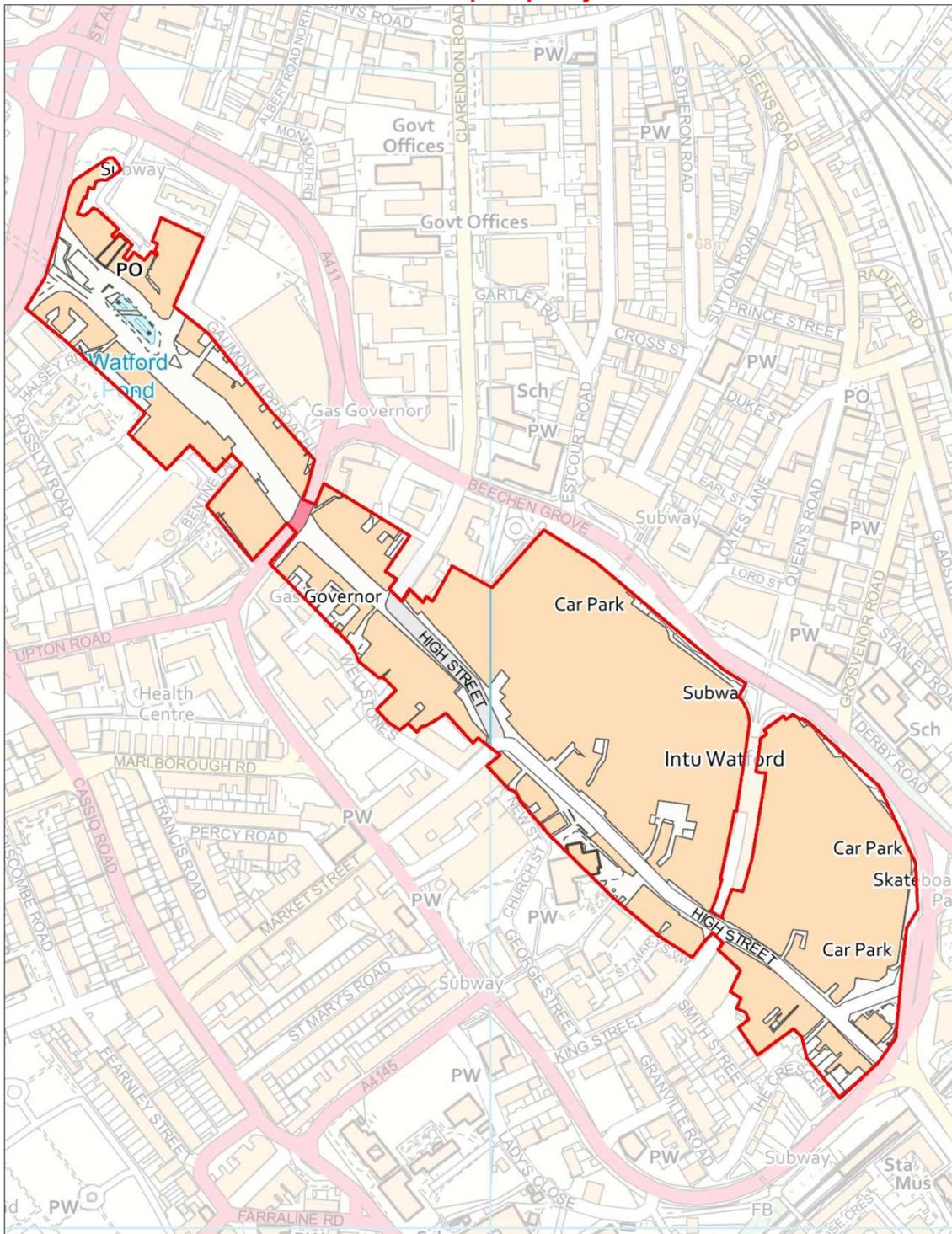
The Licensing Committee and Sub-Committees **will apply the guidelines below**, when holding a licence review, to maintain a degree of consistency and transparency in decision-making. The Committee reserves the right to amend and republish these guidelines in the light of operational experience.

	<b>Aggravating factors</b>	<b>Mitigating factors</b>
<b>Prevention of crime and disorder</b>	<ul style="list-style-type: none"> <li>• Failure to heed police advice</li> <li>• Encouraging or inciting criminal behaviour associated with licensed premises</li> <li>• Serious injury results</li> <li>• Previous track record</li> </ul>	<ul style="list-style-type: none"> <li>• Minor breach of condition not justifying a prosecution</li> <li>• Confidence in management ability to rectify defects</li> <li>• Previous track record</li> <li>• Voluntary proposal/acceptance of additional condition</li> </ul>
<b>Prevention of public nuisance</b>	<ul style="list-style-type: none"> <li>• Noise late at night in breach of condition</li> <li>• Previous warnings ignored</li> <li>• Long and prolonged disturbance</li> <li>• Excessive nuisance during unsocial hours (relating to locality and activity concerned)</li> </ul>	<ul style="list-style-type: none"> <li>• Noise limiting device installed</li> <li>• Licence-holder apologised to those disturbed by nuisance</li> <li>• Hotline complaints telephone available</li> <li>• Short-term disturbance</li> <li>• Undertaking/commitment not to repeat activity leading to disturbance</li> <li>• Willingness to attend mediation</li> <li>• Voluntary acceptance/proposal of additional conditions</li> </ul>
<b>Public safety</b>	<ul style="list-style-type: none"> <li>• Death or serious injury occurred</li> <li>• Substantial risk in view of a responsible authority to public safety involved</li> <li>• Previous warnings ignored</li> <li>• Review arose out of wilful/deliberate disregard of licence conditions</li> </ul>	<ul style="list-style-type: none"> <li>• Minor or technical breach of licence condition</li> <li>• Confidence in management to rectify defects</li> <li>• Confidence in management to avoid repetition of incident</li> <li>• Voluntary acceptance/proposal of additional condition</li> </ul>

	<b>Aggravating factors</b>	<b>Mitigating factors</b>
<b>Protection of children from harm</b>	<ul style="list-style-type: none"> <li>• Age of children</li> <li>• Previous warnings ignored</li> <li>• Children exposed to physical harm/danger as opposed to other threats</li> <li>• Activity arose during normal school hours</li> <li>• Deliberate or wilful exploitation of children</li> <li>• Large number of children affected</li> <li>• Children not allowed on premises as part of operating schedule</li> </ul>	<ul style="list-style-type: none"> <li>• Conduct occurred with consent of person with parental responsibility for child</li> <li>• Short duration of event</li> <li>• No physical harm</li> <li>• Short-term disturbance</li> <li>• Undertaking/commitment not to repeat activity</li> <li>• Voluntary acceptance/proposal of additional conditions</li> <li>• Children permitted on the premises as part of operating schedule</li> <li>• Not involving under-age exposure to alcohol</li> </ul>
<b>Following enforcement action by responsible authorities</b>	<ul style="list-style-type: none"> <li>• Penalty imposed by court</li> <li>• Previous warnings ignored</li> <li>• Offender previously convicted or cautioned for same or similar offence</li> <li>• Offences over prolonged periods of time</li> <li>• Offences resulted in significant danger or nuisance</li> <li>• Offences as a result of deliberate actions or reckless disregard of licensing requirements</li> <li>• Offence likely to be repeated</li> </ul>	<ul style="list-style-type: none"> <li>• Compensation paid by offender or agreement towards mediation</li> <li>• Voluntary acceptance/proposal of additional conditions</li> <li>• Offence disposed of by way of simple caution or penalty notice for disorder (“fixed penalty notice”)</li> <li>• First offence or warning</li> <li>• Single offence</li> <li>• No danger to the public or nuisance</li> <li>• Offences merely administrative in nature</li> <li>• Offence unlikely to be repeated</li> </ul>
<b>POSSIBLE OUTCOMES</b>		
<ol style="list-style-type: none"> <li>(1) To take no action</li> <li>(2) To issue a written warning</li> <li>(3) To modify the conditions of a premises licence or club premises certificate, including the addition of new conditions or deletion of old conditions</li> <li>(4) To exclude a licensable activity or qualifying club activity from the scope of the premises licence or club premises certificate</li> <li>(5) To remove the designated premises supervisor from the licence</li> <li>(6) To suspend the licence for a period not exceeding three months</li> <li>(7) To revoke the premises licence or withdraw the club premises certificate</li> </ol>		

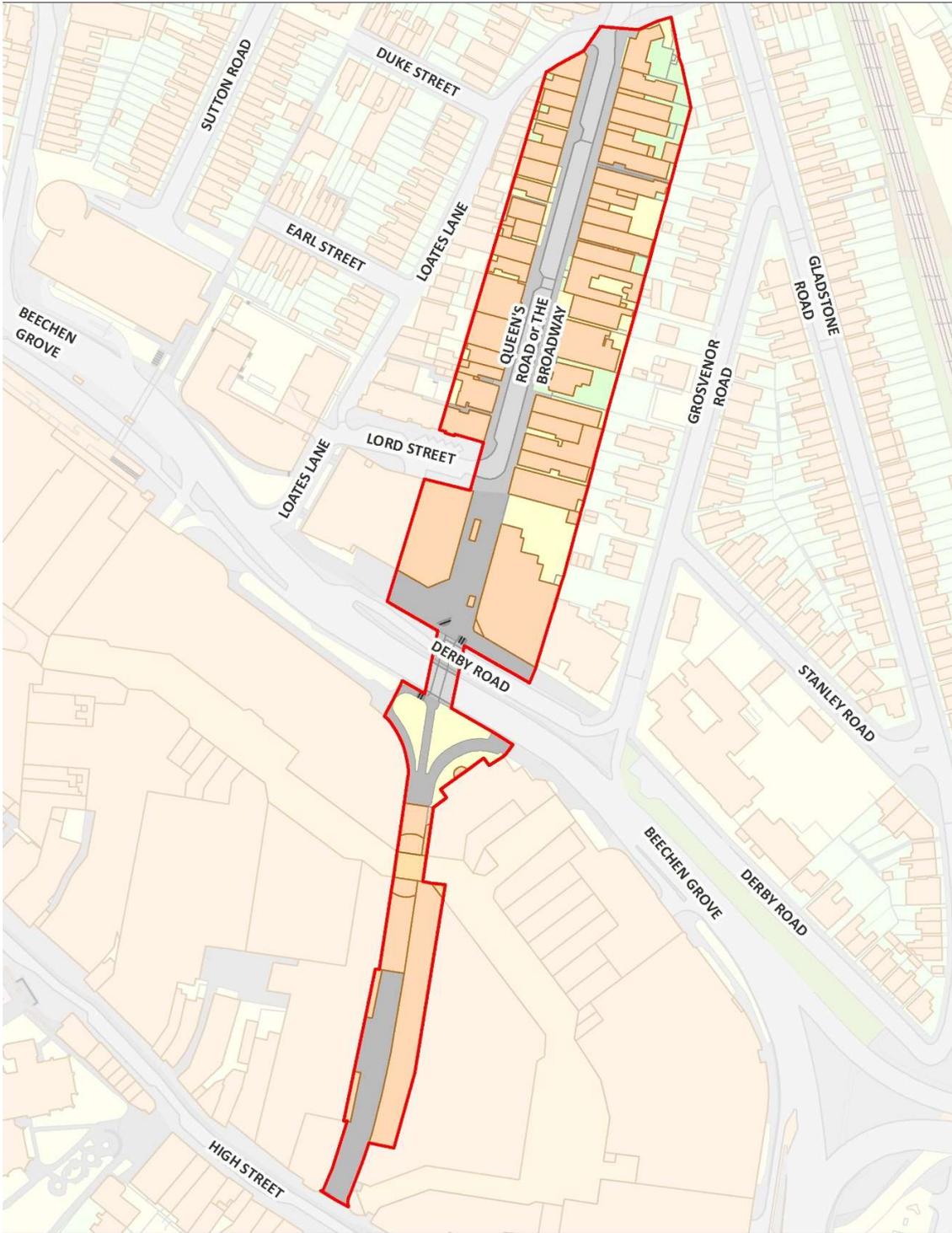
APPENDIX 2

Cumulative impact policy area





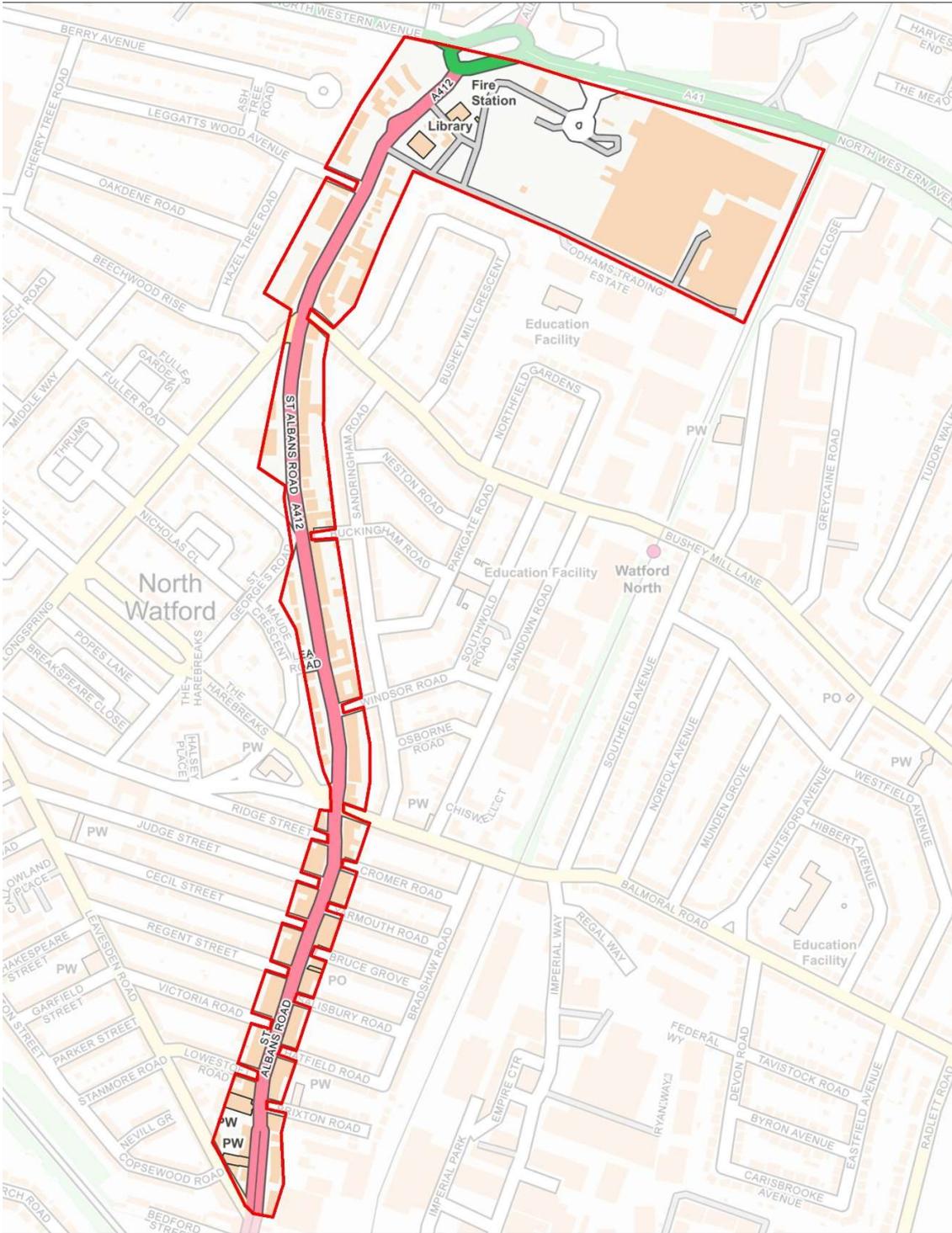
**Sensitive licensing area – Queens Road**



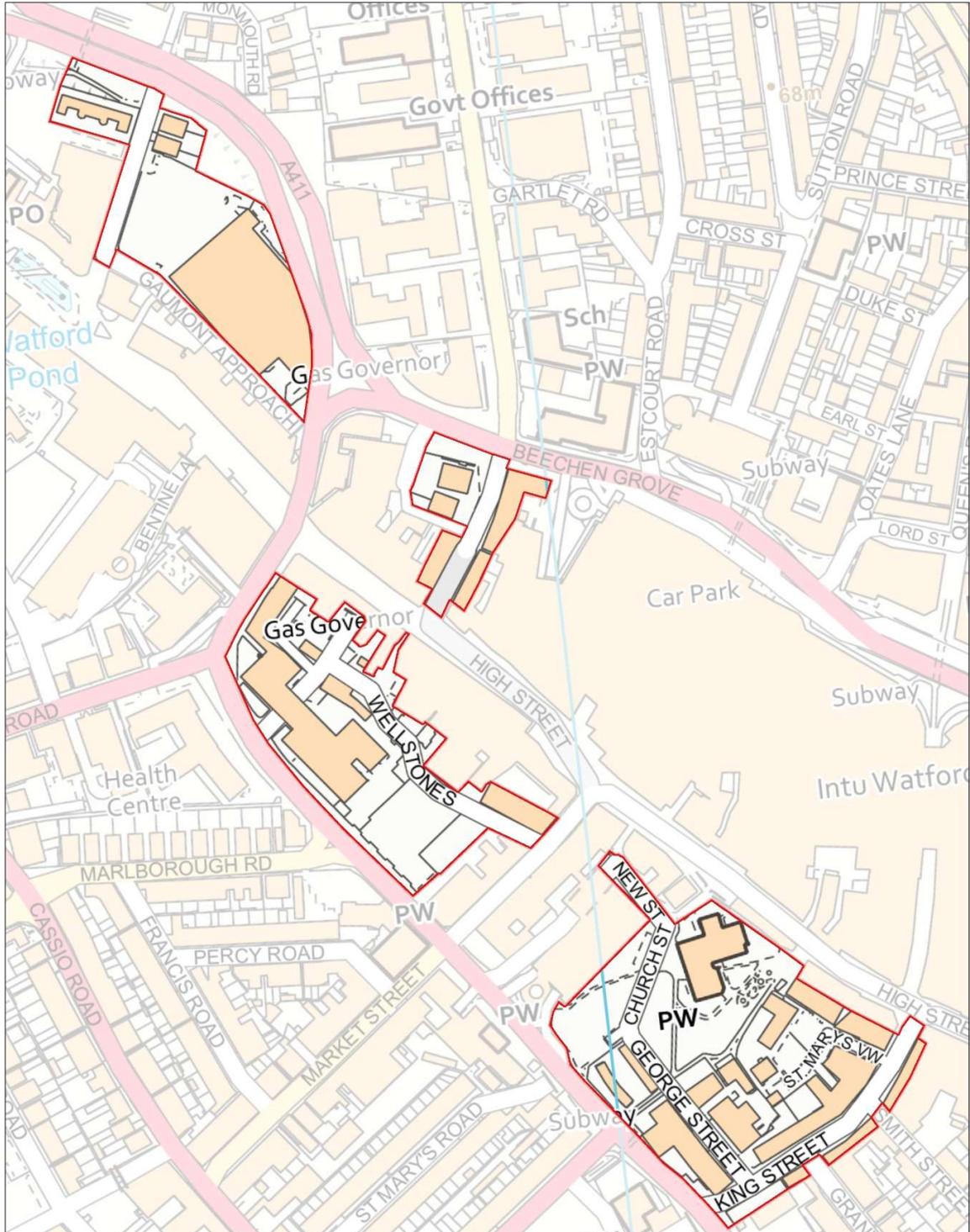
**Sensitive licensing area – Market Street**



**Sensitive licensing area – St Albans Road**



**Sensitive licensing area – Town Centre**



**APPENDIX 2**



**LICENSING ACT 2003**

**CUMULATIVE IMPACT ASSESSMENT**

**APRIL 2021**

Comments are invited on this document to:

Community Protection  
Watford Borough Council  
Town Hall  
Watford  
Hertfordshire  
WD17 3EX

Tel: 01923 278476  
Email: [licensing@watford.gov.uk](mailto:licensing@watford.gov.uk)

## **Cumulative Impact Assessment**

The concept of cumulative impact has been described within the guidance issued by the Government under section 182 of the Licensing Act 2003 ('the s182 Guidance') since the commencement of the Licensing Act 2003 ('the Act'). Watford Borough Council, as a licensing authority, has had a special policy in place since the commencement of the Act in 2005 relating to the town centre, which has been referred to as a cumulative impact policy.

The Policing and Crime Act 2017 amended the Licensing Act 2003 to place cumulative impact policies on a statutory footing by introducing section 5A of the Act. The amended legislation came into force in April 2018

This cumulative impact assessment is being published under these provisions of the Act. The assessment is required to be reviewed every three years from the date it came into force. The Act sets out which parties must be consulted on the assessment.

The term 'cumulative impact' is described within the s182 Guidance as:

"the potential impact on the promotion of the licensing objectives of a number of licensed premises concentrated in one area"

The s182 Guidance goes on to state that if the type or density of licensed premises, such as those selling alcohol or providing late night refreshment, is high, then problems of nuisance and disorder may arise, as well as from concentrating a large number of drinkers in a particular area when leaving a particular area.

## **Covid-19 Statement**

This assessment is being compiled using data collated up to and including October 2020. It is recognised by the licensing authority that the Covid-19 pandemic will have influenced data collection over the period of March to October 2020, due to the effect that the national lockdown had on the Borough and the country as a whole, with all but essential services being required to shut and people being encouraged to stay at home. This will have an effect on the analysis of the data. Data from this period is included for transparency and openness, but it does need to be considered against the wider national picture. Any long-term effects of the pandemic upon public and business behaviour are likely to be established over the forthcoming months and years.

## **Findings of the Cumulative Impact Assessment**

In studying the data obtained, provided in this assessment, the licensing authority does consider that the number of alcohol-licensed premises within the High Street and The Parade is such that it is likely that granting further authorisations which allow the consumption of alcohol on the premises (whether this is for consumption only on the premises, or both on and off the premises) would be inconsistent with the licensing authority's duty to promote the licensing

objectives, specifically the licensing objective of the prevention of crime and disorder. The crime statistics provided by the police show that the High Street and The Parade have significantly higher crime statistics, particularly for alcohol-related crime, than other areas of the borough. The peak time for these offences occurring is during the night-time economy. Therefore, the council has adopted a cumulative impact policy for the High Street and The Parade.

The cumulative impact policy shall apply to any application for a new premises licence or club premises certificate. The policy cannot be retroactively applied to existing licensed premises, but may be taken into consideration for any variations of existing authorisations, with special consideration given where there are representations concerning the licensing objective of crime and disorder, or any application to increase the capacity of a premises or the availability of alcohol sold at the relevant premises.

The policy does not apply to temporary event notices, although the s182 Guidance does state that it is open to the police and environmental health authority (as relevant persons) to refer to evidence published within this assessment when objecting to a notice.

The policy does not change the fundamental way in which decisions are made under the Act. Each application is required to be considered upon its own merits and goes through a public consultation. Should there be relevant representations submitted against an application, which are not withdrawn, and the matter is brought before a licensing sub-committee for determination, it will be for the committee to decide if the policy should be engaged and applied. It is possible for the licensing sub-committee to make an exception to policy where they consider it appropriate to do so. Where no representations are received against an application, even for an application within the policy area, the Act requires that the application be granted. It will still remain the responsibility of the licensing sub-committee to show that the grant of the application would undermine the promotion of one or more of the licensing objectives and that appropriate conditions would be ineffective in preventing the problems involved.

The cumulative impact policy shall not apply to the following premises:

- 1) where the supply of alcohol shall only be ancillary to a substantial table meal
- 2) where the supply of alcohol shall only by waiter/waitress service only to seated customers
- 3) where the supply of alcohol does not extend past 10pm on any day

In any other case where an applicant wishes to be considered as an exception to the policy, the responsibility is with them to show why they should be considered and not on the licensing committee to show why an exception should be made.

Exceptions to policy will not be made on the grounds that:

- 1) the building design is of a high standard; we would expect all applicants will want to ensure the highest design standards possible;
- 2) that the applicant is of good character; it is a legal requirement that premises selling alcohol must be under the management of a designated premises supervisor, who must themselves hold a personal licence to sell alcohol;
- 3) that the premises are small; even small premises can contribute to crime, disorder and nuisance

Where an exception is made, the licensing committee may consider attaching specific conditions to the relevant authorisation requiring the use of door supervisors to monitor and control access to the premises and assist with dispersal, to install and maintain an electronic identification entry system which meets the reasonable requirements of Hertfordshire Constabulary, to make a monetary contribution to the town centre taxi marshal scheme (or such a replacement scheme which may be introduced to assist in the dispersal of customers from the town centre) and that the premises will actively participate in the town centre Pubwatch scheme and/or the Pubwatch radio scheme (or such a replacement scheme which may be introduced to assist in communication between venues).

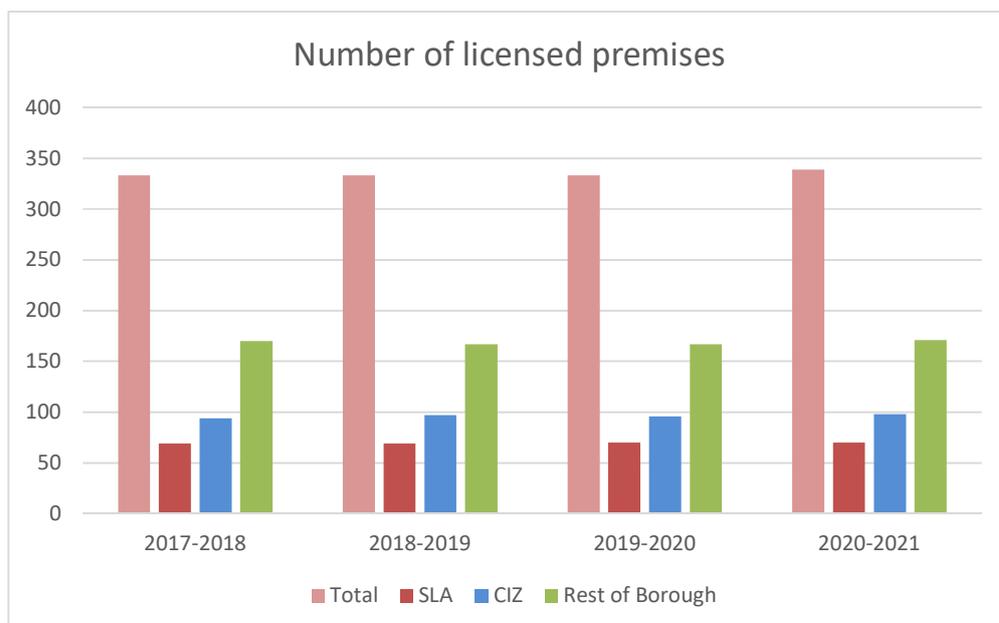
### Cumulative Impact Assessment Data

#### Background Data

As of 31 October 2020, there were 339 authorisations issued by Watford Borough Council under the Licensing Act 2003. There were 322 premises licences and 17 club premises certificates.

The majority of licensed premises are located within the Central ward, which covers the town centre, with 143 premises being located within this ward, consisting of 142 premises licences and 1 club premises certificate.

The following graph shows the distribution of authorisations between the cumulative impact zone (CIZ), the council's sensitive licensing areas (SLA), both of which were as detailed within the council's Statement of Licensing Policy 2018-2023, and the rest of the Borough. It has been decided to compare the figures between the two policy areas simply for the ease of comparison.



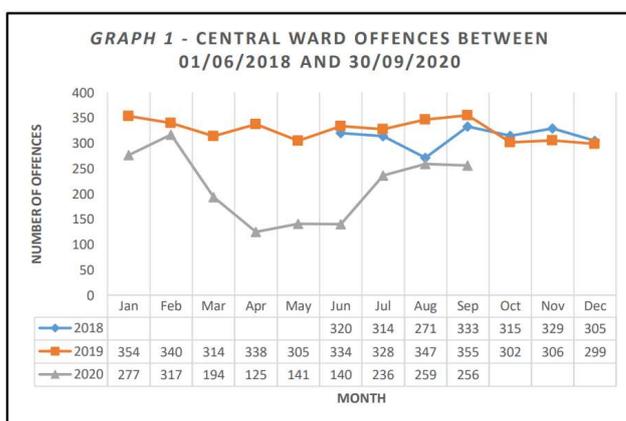
98 authorisations were in force within the cumulative impact zone, 70 authorisations were in force within the council’s sensitive licensed areas, and 171 authorisations were in force in the rest of the borough. The figures have remained relatively similar over the reporting period, with no significant increases or decreases in figures.

Most data has been gathered for the financial years of 2017-2018 to 2020-2021 (up to 31/10/2020). This is to allow for comparison between different sets of data, and to identify any trends. It should be noted that the council’s Statement of Licensing Policy 2018-2023 took effect from November 2018.

### Data supplied by Hertfordshire Constabulary

Data was supplied by Hertfordshire constabulary with regards to crime statistics. The police data relates to the period of 01/06/2018 and 30/09/2020. The Police refer to this area as CC1 Central Ward with regards to recording locations of crimes and offences.

In this period, 8054 offences were committed within the ward between the dates specified. It is noted that offence numbers were generally similar for both 2018 and 2019, with a noticeable exception for Aug 2018. This data is presented within the police’s graph 1. It is also acknowledged that 2020 saw offence numbers drop between March and June due to COVID-19 lockdown restrictions, but started to rise when premises began to re-open.



Offence Category	Count of Offences
THEFT	3149
VIOLENCE AGAINST THE PERSON	1777
NON-CRIME	738
PUBLIC ORDER OFFENCES	544
ARSON AND CRIMINAL DAMAGE	388
DRUG OFFENCES	325
VEHICLE OFFENCES	325
NON-NOTIFIABLE	203
ROBBERY	147
BURGLARY	137
SEXUAL OFFENCES	125
MISCELLANEOUS CRIMES AGAINST SOCIETY	103
POSSESSION OF WEAPONS	93

Table 1 – Number of offences per offence category.

As can be seen by table 1, theft and violence against the person accounted for most offences at over 61% of offences.

The police advise that there were no prevalent days or times noted with regards to the offences of theft and violence against the person, with the exception of alcohol-related offences as detailed later, although it is noted that there is a reduction in the number of offences occurring between 03:00 and 08:00. This is after most licensed premises within the town centre have stopped serving alcohol or have closed, where customers would be expected to be dispersing from the town centre.

There were 611 offences recorded as being alcohol-related. For the purpose of this data collection, alcohol-related offences refer to where the offenders and / or victims have been noted on police systems as having been intoxicated. Alcohol-related offences mostly take place between 19:00 and 04:00.

Street Name	Count of offences
The Parade High Street**	314
Market Street	26
Albert Road South	25
Station Road	17
Vicarage Road***	14
Clarendon Road	13
Estcourt Road	10
St Albans Road	10

**Table 2** – list of streets which have experienced 10 or more offences.

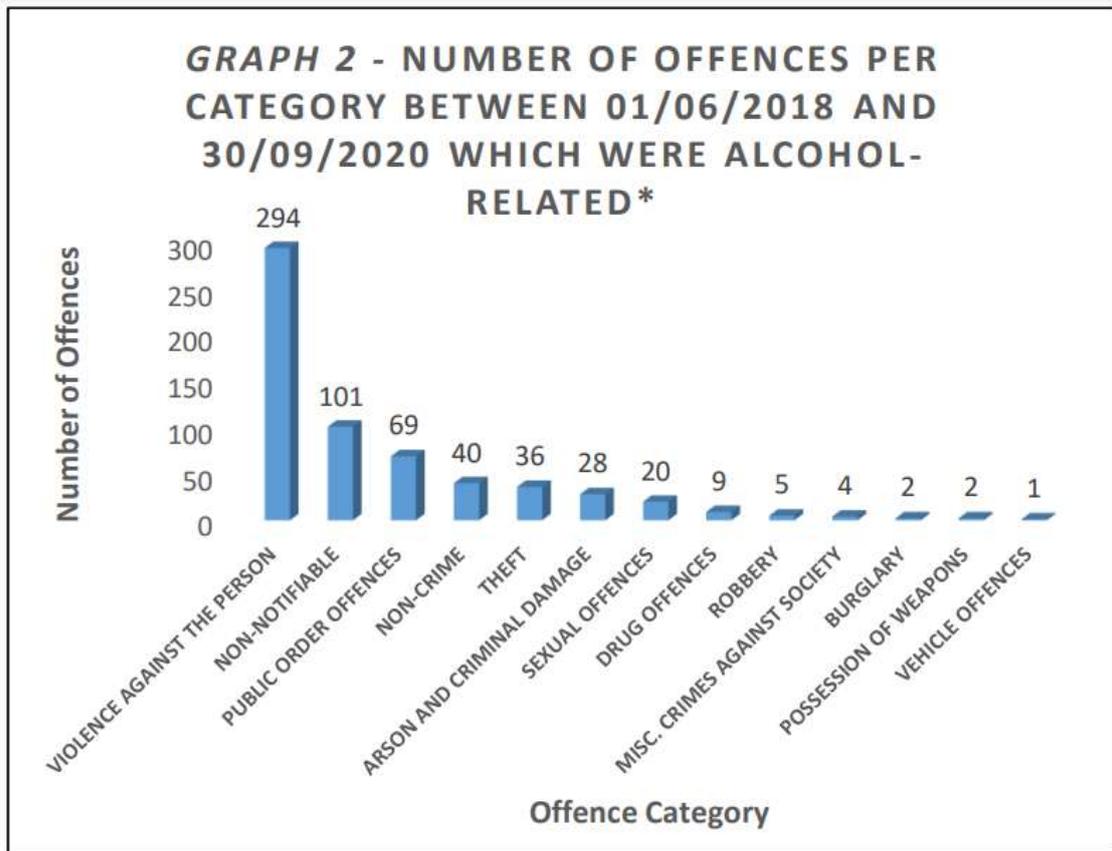
Street Name	Count of offences
The Parade High Street **	314
Market Street	26
Albert Road South	25
Clarendon Road	13
Queens Road	8
Wellstones	6
Church Street	5
George Street	1
New Street	1
King Street	1

**Table 3** – list of streets of interest and offence numbers.

As can be seen by table 2, The Parade and High Street saw the most recorded alcohol-related offences. The police acknowledge that this may be expected due to the high volume of people visiting the area in comparison to other areas of the Borough, and the availability of alcohol within the vicinity. Over 50% of alcohol-related offences occur within The Parade and the High Street, and it is therefore appropriate that focus is centred on this location. For the purpose of this data, all variations of High Street / The Parade / The Parade High Street have been combined (identified by the \*\*) Offences committed at Watford General Hospital are included within the stats for Vicarage Road (identified by \*\*\*).

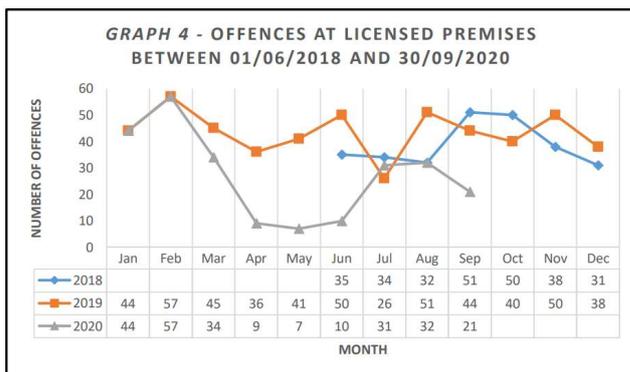
Streets of interest, as identified by table 3, are streets which are subject to specific focus from the police due to levels of crime within the area or local concerns. It is noted that The Parade and High Street appear to be justified as a location of concern.

The majority of these alcohol-related offences were classified as violence against the person, accounting for 48% of all alcohol-related crimes, as can be seen by the police’s graph 2. Again, for the purpose of this data collection, alcohol-related offences refer to where the offenders and / or victims have been noted on police systems as having been intoxicated. This shows that there is high chance of someone being attacked by someone who is intoxicated, or where the victim is intoxicated, and are more likely to be a victim of such crime than other offences.



The police data accounted for 90 licensed premises within the town centre. This discrepancy from the actual number of licensed premises issued by the council can be explained by the fact that the police are notified by the licensing authority when licences are granted and keep their own records, and this data may not be as accurate as the records held by the licensing authority through human error and not necessarily deliberate intent, One premises licence was issued by the council on 27 October 2020, which is outside of the police’s dataset. One licence has also lapsed after 30 September 2020. The council also have issued three shadow premises licences, which are licences which are not currently being used and relate to existing licensed premises.

Of the total 8054 offences committed within Central ward CC1, 1038 (13%) of offences occurred within licensed premises.



Offence Category	Count of Offences
THEFT	502
VIOLENCE AGAINST THE PERSON	283
PUBLIC ORDER OFFENCES	62
DRUG OFFENCES	46
ARSON AND CRIMINAL DAMAGE	33
NON-CRIME	31
SEXUAL OFFENCES	24
BURGLARY	14
MISCELLANEOUS CRIMES AGAINST SOCIETY	11
NON-NOTIFIABLE	11
VEHICLE OFFENCES	10
POSSESSION OF WEAPONS	7
ROBBERY	4

Table 6 – Number of offences per offence category.

It is interesting to note that offences started to increase when the national lockdown in response to Covid-19 ended, but then fell in August and September 2020, which was the period when licensed premises were allowed to open but with restrictions on how many people could meet in one group and with social distancing in place within premises, therefore reducing their capacity, and when alcohol-licensed premises had to close at 22:00.

Theft and violence against the person offences accounted for 76% of all offences committed at licensed premises, as can be seen in the police’s table 6. It must be noted that licensed premises includes not only pubs and bars but supermarkets and off-licences as well.

The police have provided a breakdown of alcohol-related offences committed at particular licensed premises at table 8, which also highlights the main trading hours of the night-time economy (NTE) between 22:00 and 04:00. DA in for the following table refers to incidents of domestic violence.

Location of Offences	All Alcohol Related*	22:00 to 04:00 Alcohol-Related*	22:00 to 04:00 Not DA	% 22:00 to 04:00 Alcohol-Related*	% 22:00 to 04:00 Not DA
Across Central Ward	611	393	336	64.32	54.99
Licensed Premises	145	107	100	73.79	68.97
Licensed - Fast food	4	3	2	75	50
Licensed - Hotel	9	7	4	77.78	44.44
Licensed - NTE	116	91	88	78.45	75.86
Licensed - Supermarket	5	1	1	20	20
Licensed - Restaurant / Café	10	5	5	50	50
Licensed - Off License	1	0	0	0	0

Table 8 – Breakdown of alcohol-related\* offences across Central Ward and at licensed premises.

More than half of all alcohol-related offences within Central Ward CC1 were committed in the 6 hours between 22:00 and 04:00. This shows that the majority of alcohol-related crime, where police involvement is required, occurs during the period of 22:00 and 04:00 and is primarily focussed around night-time licensed venues. While this is somewhat to be expected given the operation of these venues, the evidence does prove that night-time economy venues are a

contributing factor to the crime statistics, more so than late night take-aways, restaurants or hotels.

Of the 98 licensed premises within the council's CIZ, 79 are located within the High Street and The Parade. Of these 79 premises, 72 allow the sale of alcohol. The breakdown of the number of premises by licensable activity are included in the table below. This data is supplied by the licensing authority.

<b>Licensable activity</b>	<b>Number of premises</b>
Supply of alcohol (consumption on premises)	20
Supply of alcohol (consumption off premises)	13
Supply of alcohol (consumption both on and off premises)	39
Late night refreshment only	7
Regulated entertainment only	0

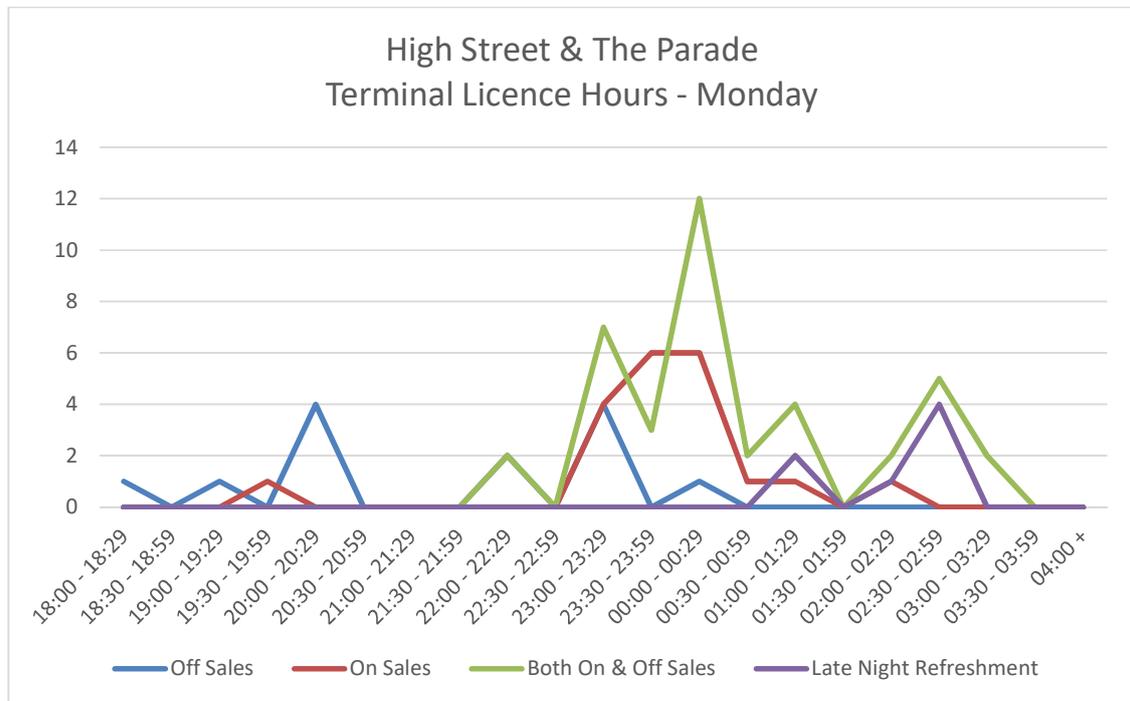
It is acknowledged that not all premises which sell alcohol only sell alcohol as a licensable activity. The full breakdown of the number of premises offering licensable activities, and which activities they can offer, is included in the following table. Again, this data is supplied by the licensing authority.

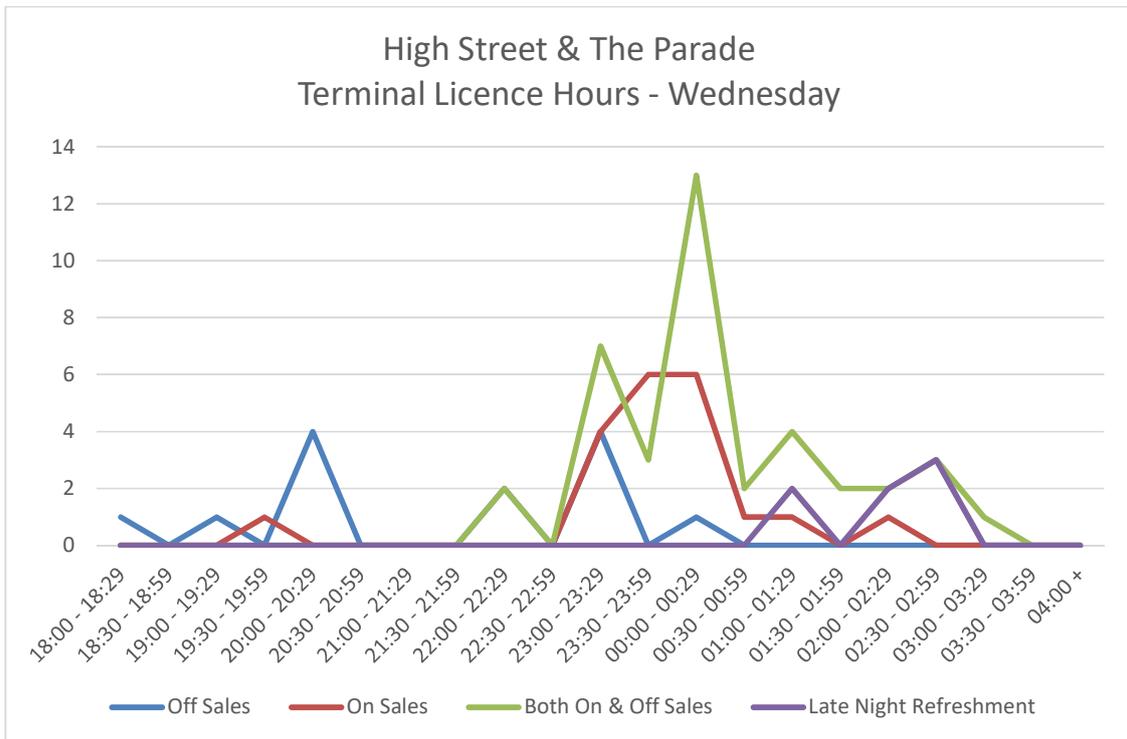
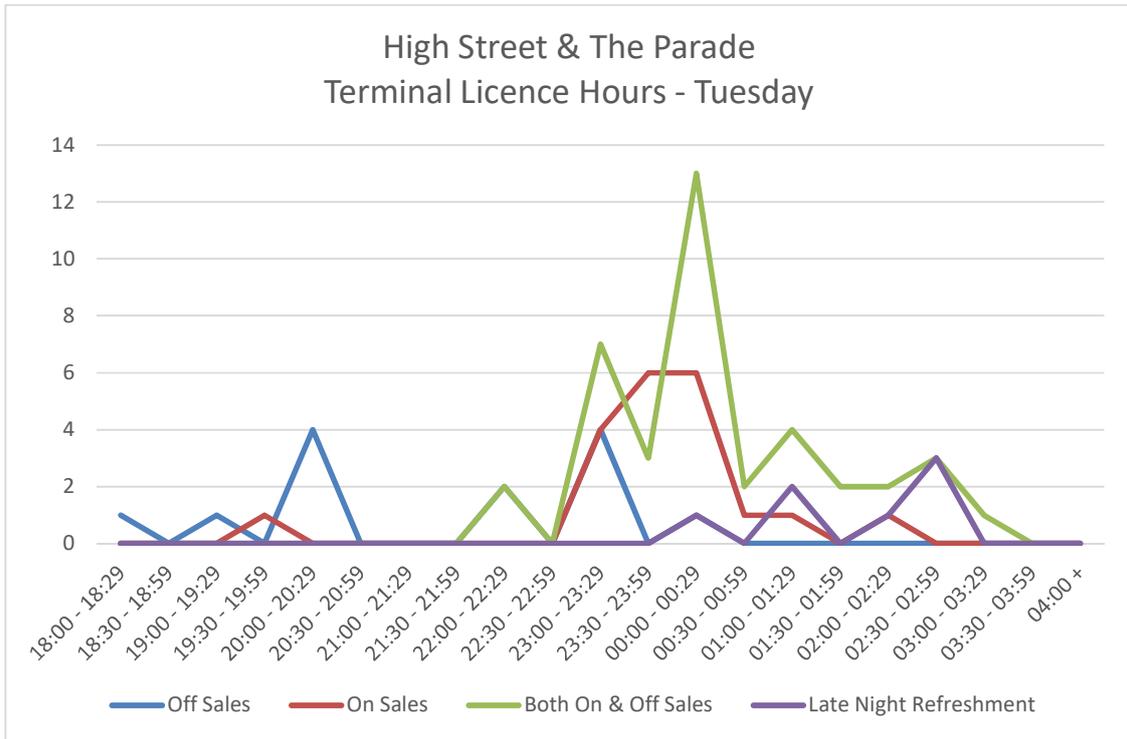
<b>Licensable Activities</b>	<b>Number of Premises</b>
Supply of Alcohol (both on- and off-sales premises) only	3
Late night refreshment only	6
Supply of Alcohol (off-sales) only	12
Supply of Alcohol (on-sales) only	4
Supply of Alcohol (both on- and off-sales) & Late night refreshment	8
Supply of Alcohol (both on- and off-sales) & Regulated entertainment	3
Supply of Alcohol (off-sales) & Regulated entertainment	1
Supply of Alcohol (on-sales) & Late night refreshment	4
Supply of Alcohol (on-sales) & Regulated entertainment	1
Regulated entertainment & Late night refreshment	1
Supply of Alcohol (both on- and off-sales), Regulated entertainment & Late night refreshment	25
Supply of Alcohol (on-sales), Regulated entertainment & Late night refreshment	11

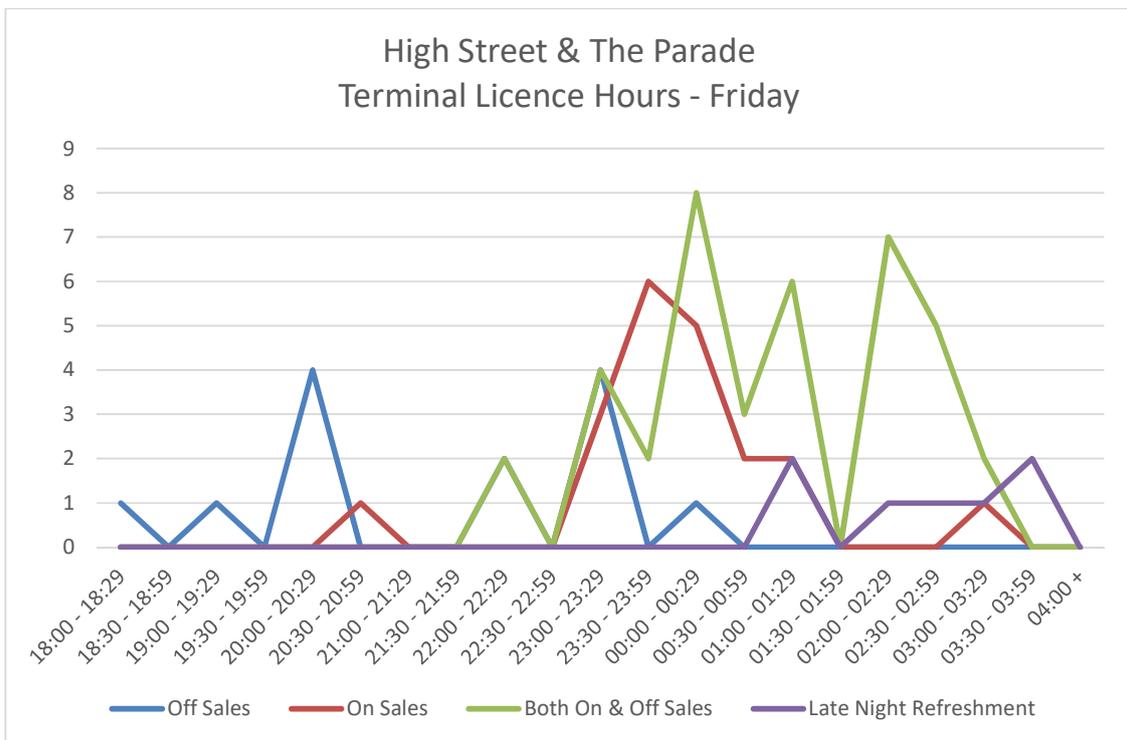
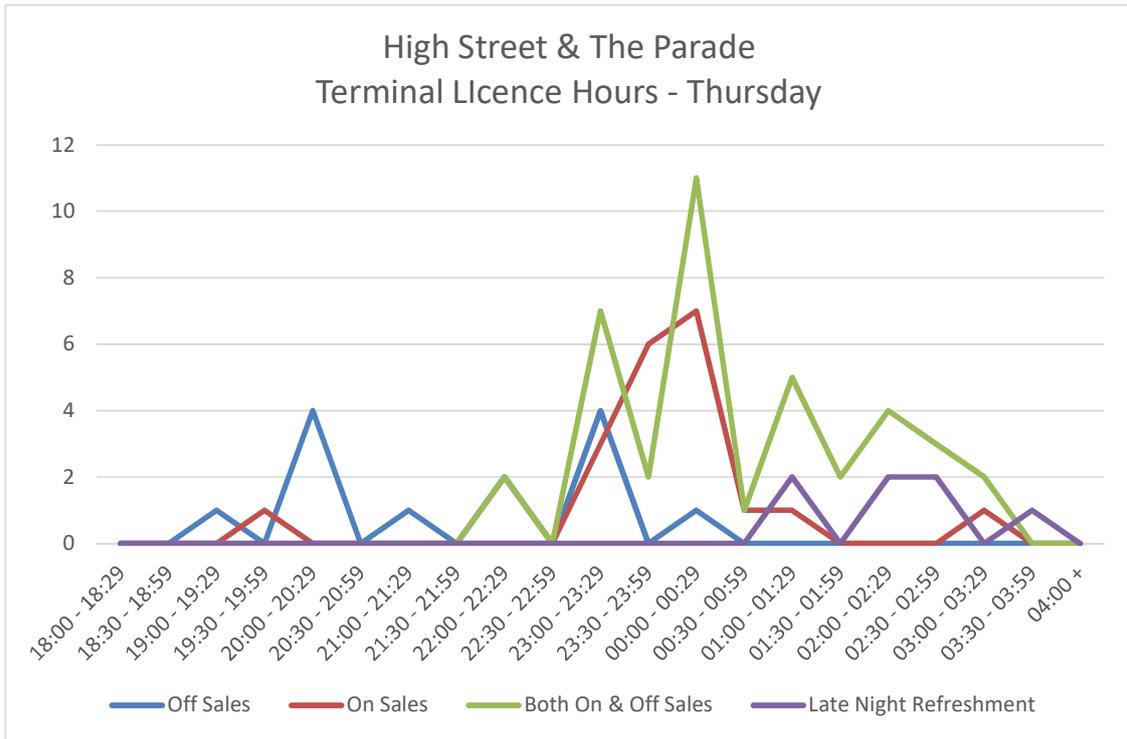
The terminal hours for these licensable activities extend later into the night closer to the weekend. The following graphs show the distribution of terminal hours for these licences for each day of the week, with noticeable peaks of later hours for alcohol sales on Thursdays, Fridays and Saturdays.

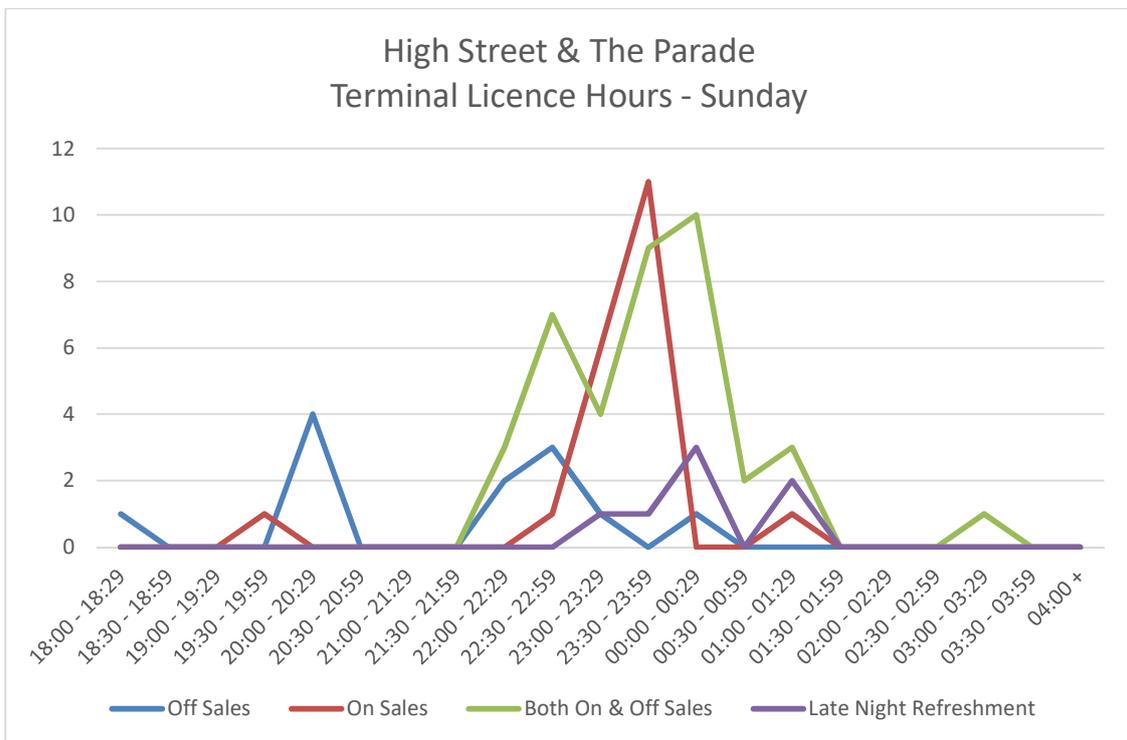
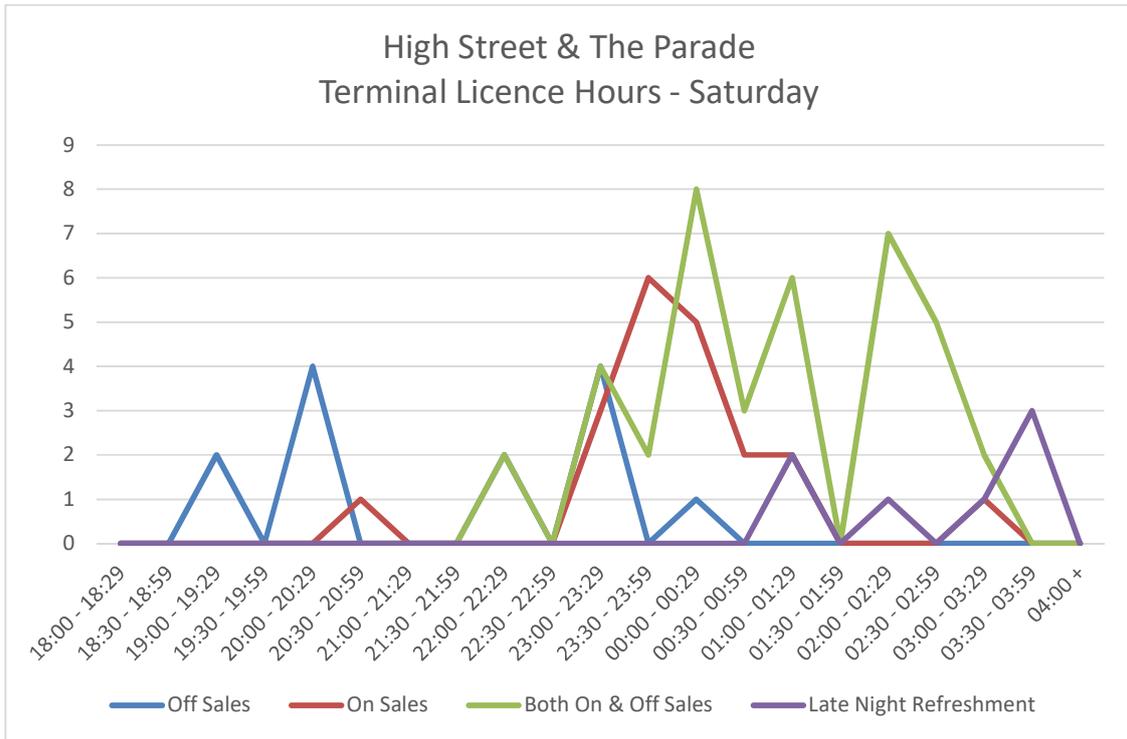
There is one premises which allows the sale of alcohol for 24 hours, and is therefore not included in these graphs. This premises is a hotel.

The majority of premises trade beyond 22:00, which appears to justify the police’s approach of classifying these premises as trading in the night-time economy. The police have advised that offence numbers tend to fall during the period of 03:00 to 08:00. As can be seen by the following graphs, this is after the terminal hour of the majority of licensed premises and this is when customers should be dispersing from the town centre.



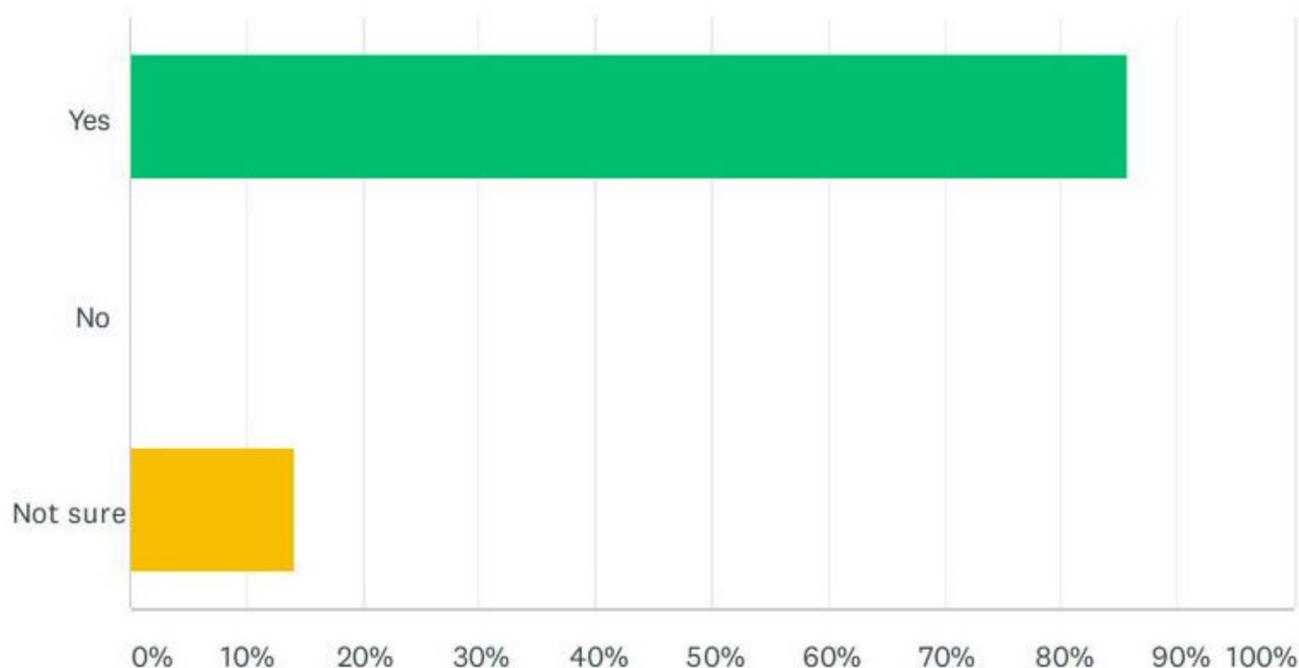






## Q1 Do you agree with the proposal NOT to change the current premise definitions?

Answered: 7 Skipped: 0

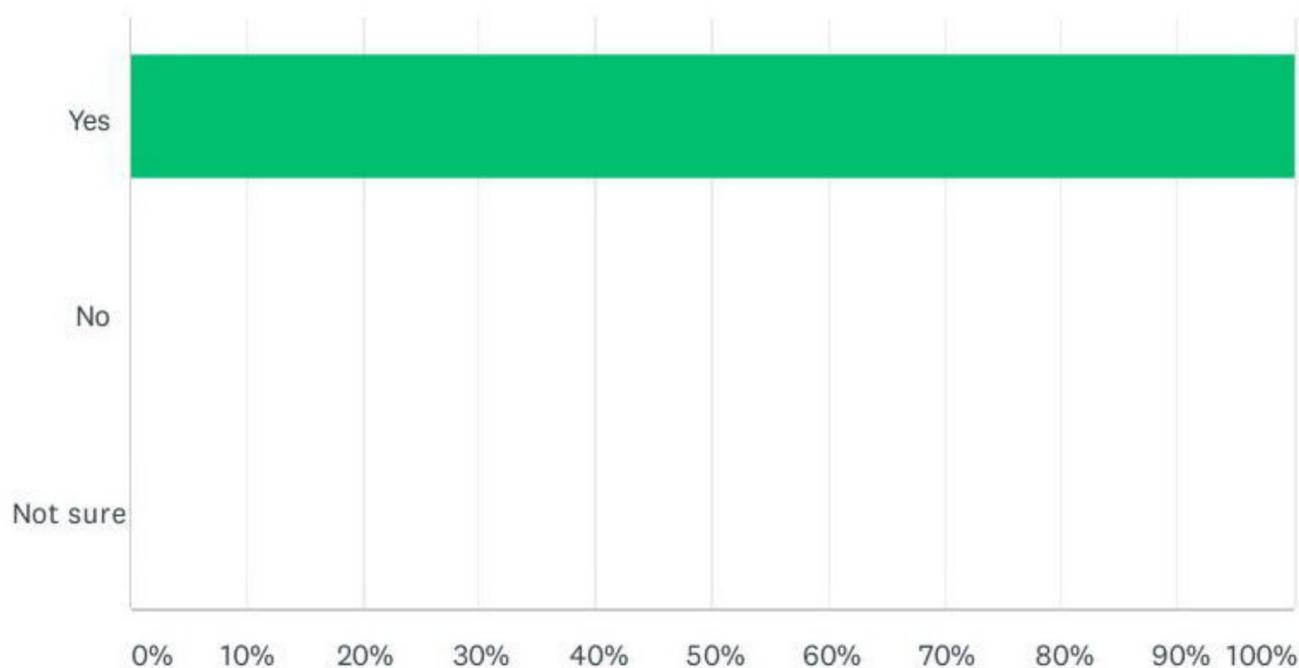


ANSWER CHOICES	RESPONSES	
Yes	85.71%	6
No	0.00%	0
Not sure	14.29%	1
<b>TOTAL</b>		<b>7</b>

#	PLEASE TELL US WHY.	DATE
1	Works well no reason to change	2/13/2021 1:39 PM

## Q2 Do you agree with the proposal NOT to change the approach to dealing with different types of premises licence applications apart from the changes highlighted above?

Answered: 7 Skipped: 0

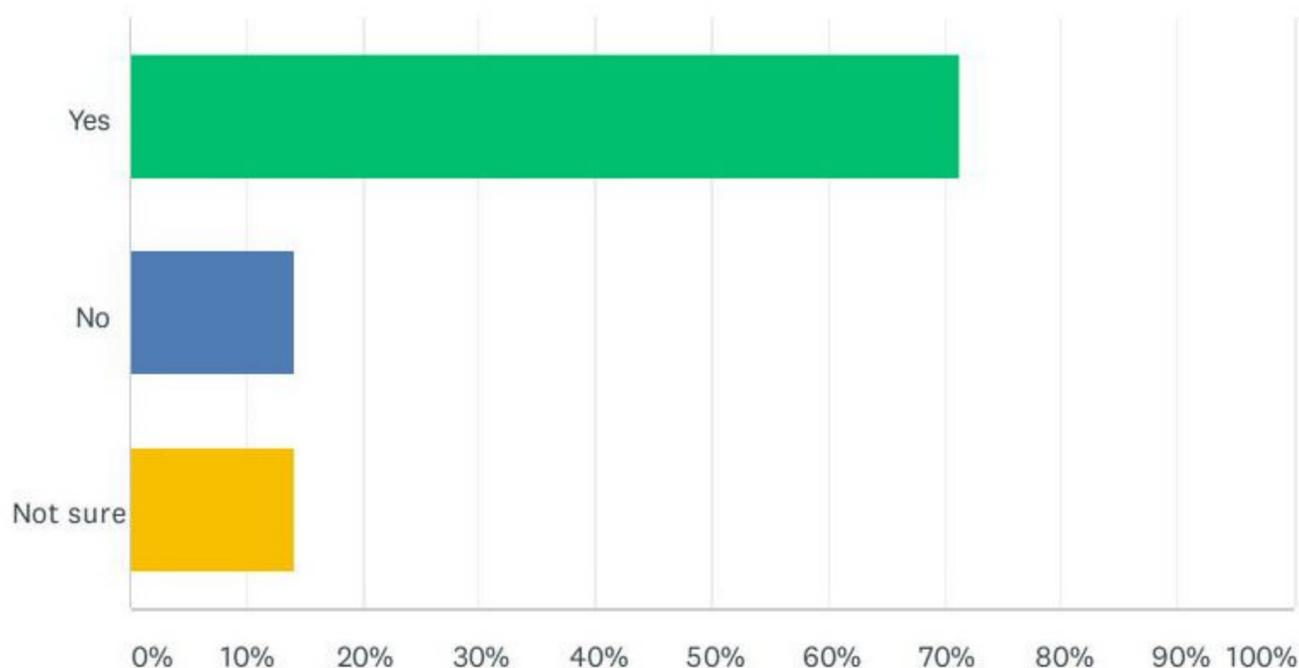


ANSWER CHOICES	RESPONSES	
Yes	100.00%	7
No	0.00%	0
Not sure	0.00%	0
<b>TOTAL</b>		<b>7</b>

#	PLEASE TELL US WHY.	DATE
1	Works ok	2/13/2021 1:39 PM

### Q3 Do you agree with the proposal NOT to change the approach to dealing with license issues relating to petrol stations and garages?

Answered: 7 Skipped: 0

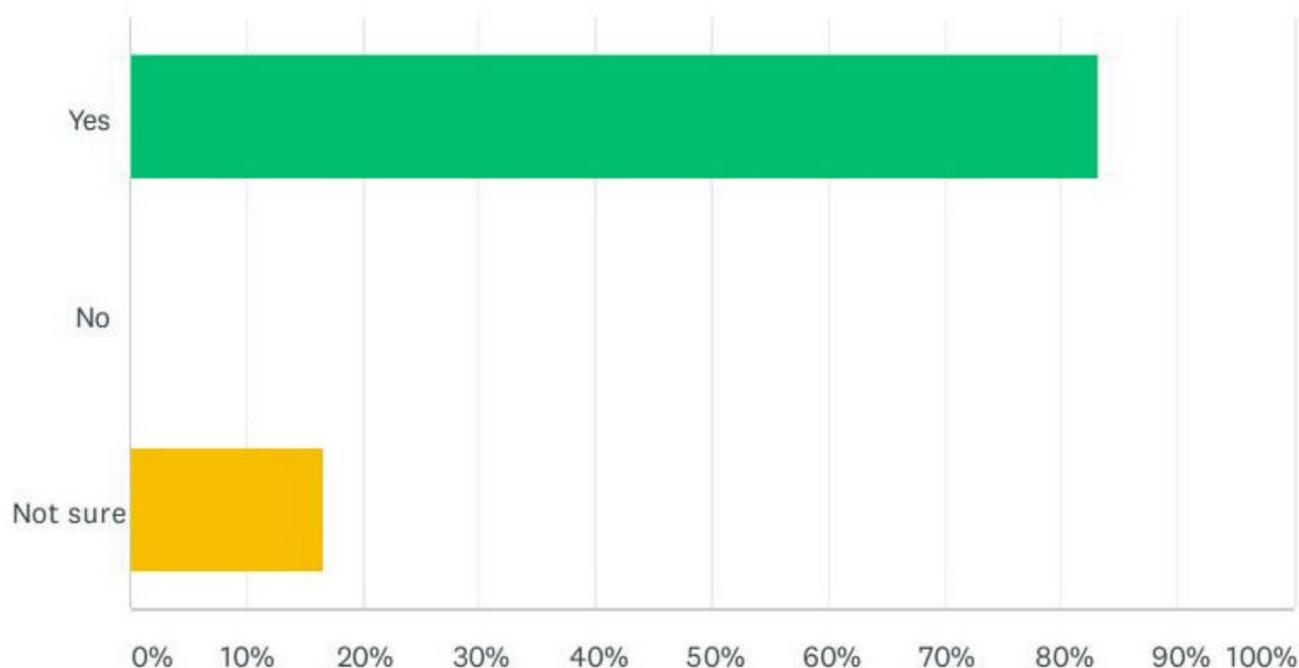


ANSWER CHOICES	RESPONSES	
Yes	71.43%	5
No	14.29%	1
Not sure	14.29%	1
<b>TOTAL</b>		<b>7</b>

#	PLEASE TELL US WHY.	DATE
1	Alcohol must not be sold at petrol stations . Petrol stations are open 24/7 so unscrupulous traders will sell alcohol to drivers . Must never happen	2/13/2021 1:41 PM
2	I disagree with sales of alcohol at petrol stations. There are already plenty of outlets available - late night supermarkets, 'corner shops' etc where alcohol can be purchased around the clock. To encourage the sale (and therefore consumption) of alcohol in a service station is unnecessary from a convenience point of view and counter productive in expecting people to drink responsibly.	1/29/2021 1:55 PM

### Q4 Do you agree with the proposal NOT to change the approach to dealing with licence issues relating to circuses?

Answered: 6 Skipped: 1

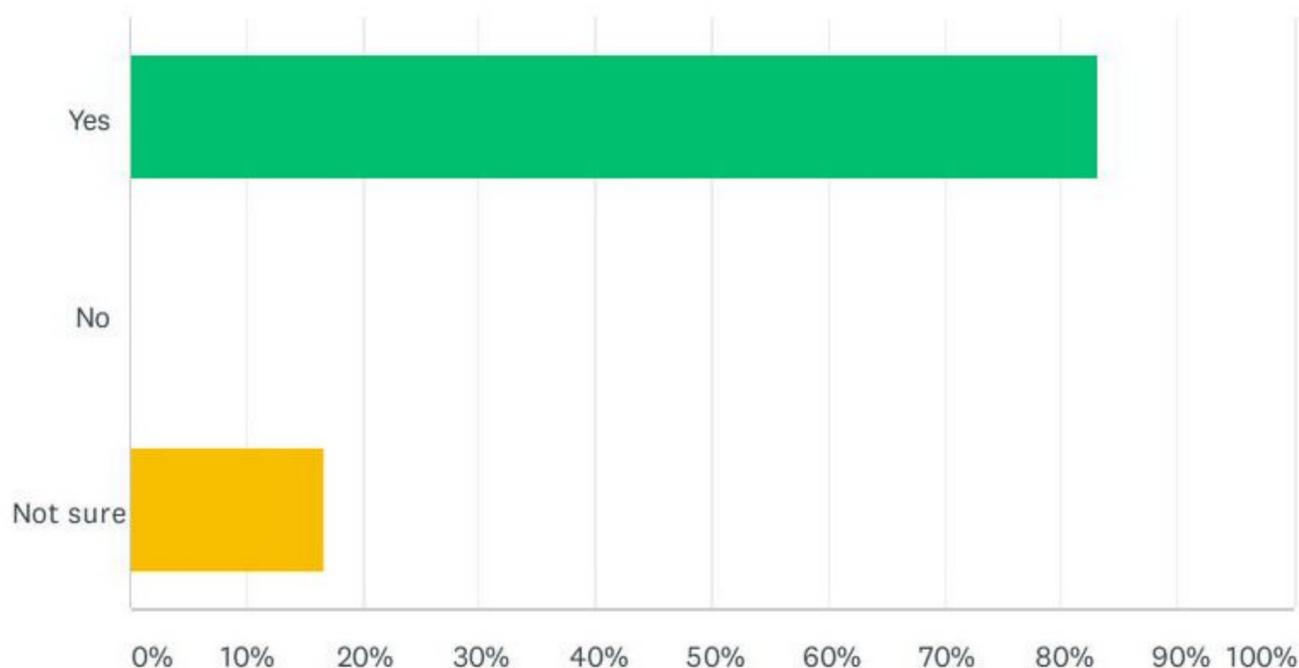


ANSWER CHOICES	RESPONSES	
Yes	83.33%	5
No	0.00%	0
Not sure	16.67%	1
<b>TOTAL</b>		<b>6</b>

#	PLEASE TELL US WHY.	DATE
1	With the exception that they must leave the area as they found it if not cleaner and tidy	2/13/2021 1:42 PM

## Q5 Do you agree with the analysis of the Police data contained within the draft Cumulative Impact Assessment?

Answered: 6 Skipped: 1

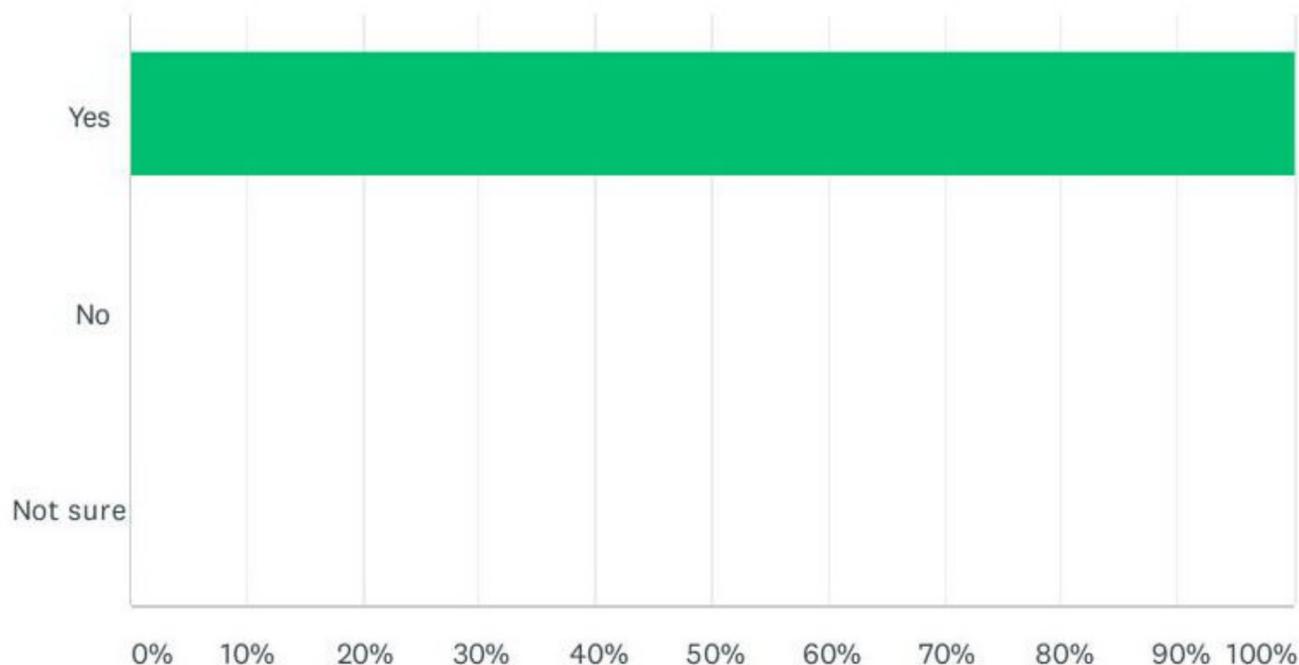


ANSWER CHOICES	RESPONSES	
Yes	83.33%	5
No	0.00%	0
Not sure	16.67%	1
<b>TOTAL</b>		<b>6</b>

#	PLEASE TELL US WHY	DATE
1	The town is the sum of its components thus must be considered as a whole	2/13/2021 1:45 PM

## Q6 Do you agree with the proposed approach to dealing with licensing applications in the town centre

Answered: 6 Skipped: 1

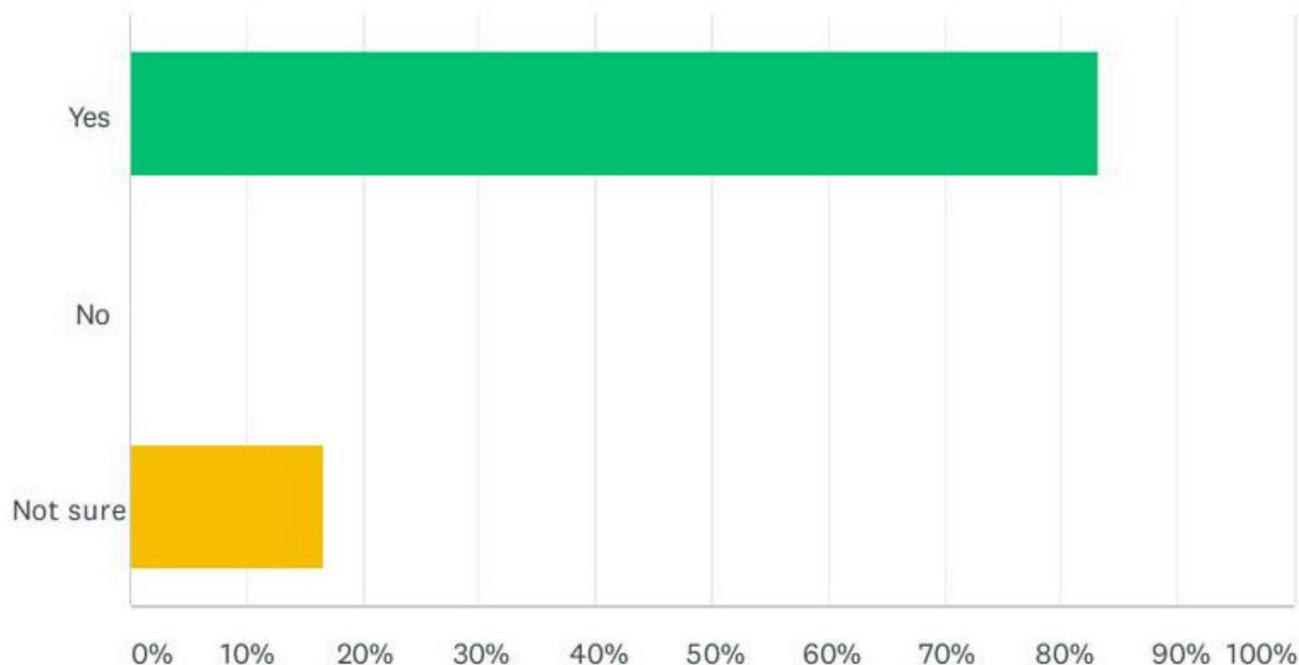


ANSWER CHOICES	RESPONSES	
Yes	100.00%	6
No	0.00%	0
Not sure	0.00%	0
<b>TOTAL</b>		<b>6</b>

#	PLEASE TELL US WHY.	DATE
1	Yes works fine	2/13/2021 1:45 PM

### Q7 Do you think that the area to which the proposed LP3 (Cumulative Impact Policy) applies is right?

Answered: 6 Skipped: 1

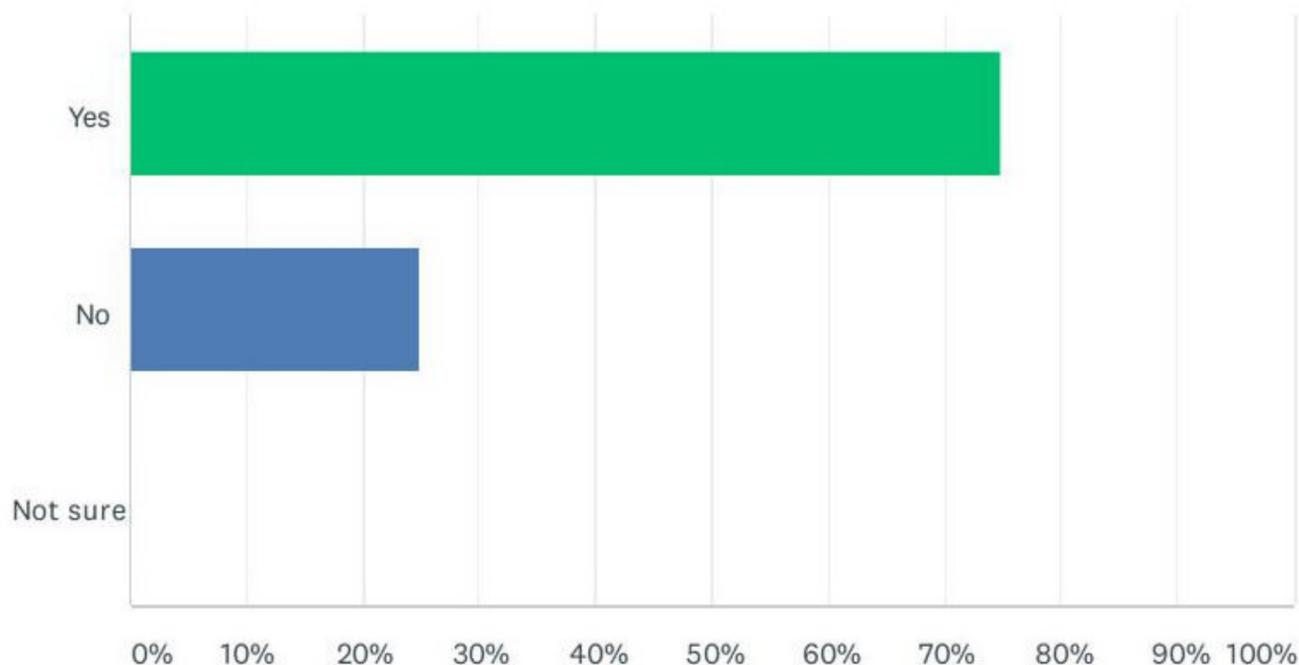


ANSWER CHOICES	RESPONSES	
Yes	83.33%	5
No	0.00%	0
Not sure	16.67%	1
<b>TOTAL</b>		<b>6</b>

#	PLEASE TELL US WHY.	DATE
1	Needs no change	2/13/2021 1:45 PM

## Q8 Do you think that the four original Sensitive Licensing Areas should be retained?

Answered: 4 Skipped: 3

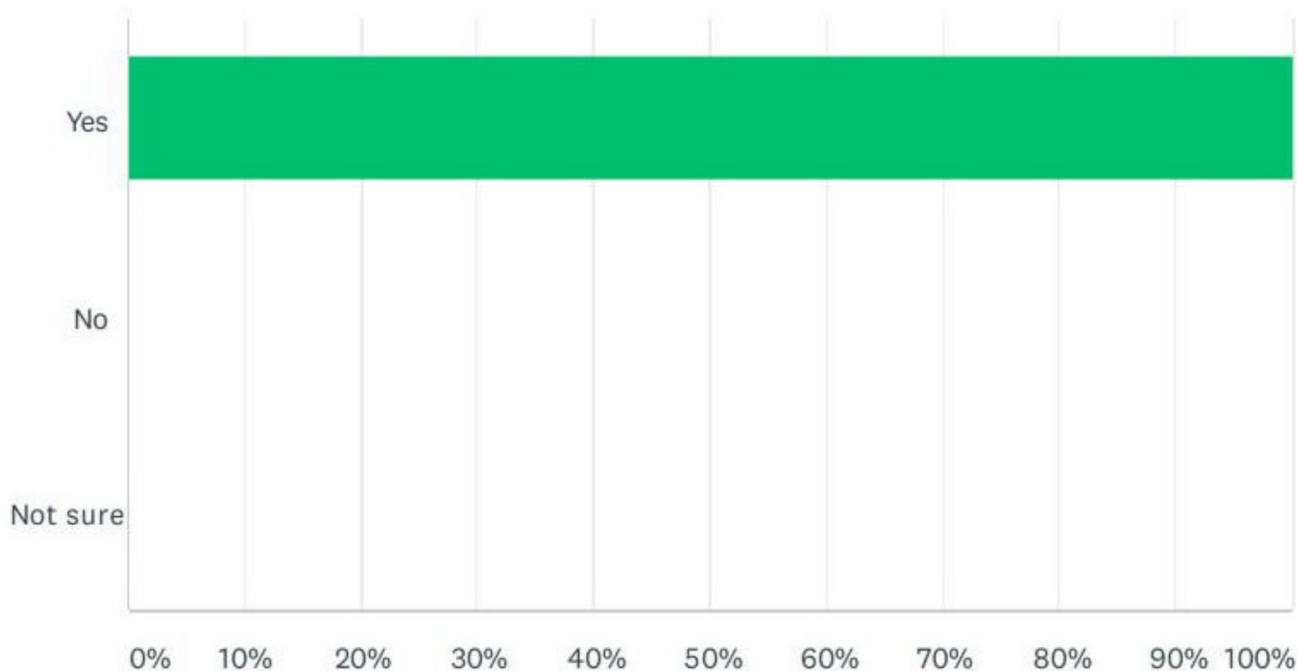


ANSWER CHOICES	RESPONSES	
Yes	75.00%	3
No	25.00%	1
Not sure	0.00%	0
<b>TOTAL</b>		<b>4</b>

#	PLEASE TELL US WHY.	DATE
1	With the addition of any other roads or areas as maybe necessary. Street drinking blights the town and needs to be much more tightly controlled. Far too many retailers dont care and see it as money in the till. Shops such as [REDACTED] has drunks out side every night. If necessary shop stock should be sprayed with smart water . People in the parade at night with packs of beer fighting is not family friendly is it	2/13/2021 2:01 PM

**Q9 Do you agree with the approach of the Sensitive Licensing Areas in that licensing officers will seek conditions to: minimise the risk of anti-social behaviour from the availability of high-strength alcohol to street drinkers; minimise the risk of nuisance from premises applying for significantly different hours to existing premises, and; minimise the risk of litter and other associated public nuisance from a concentration of late-night takeaways?**

Answered: 4 Skipped: 3

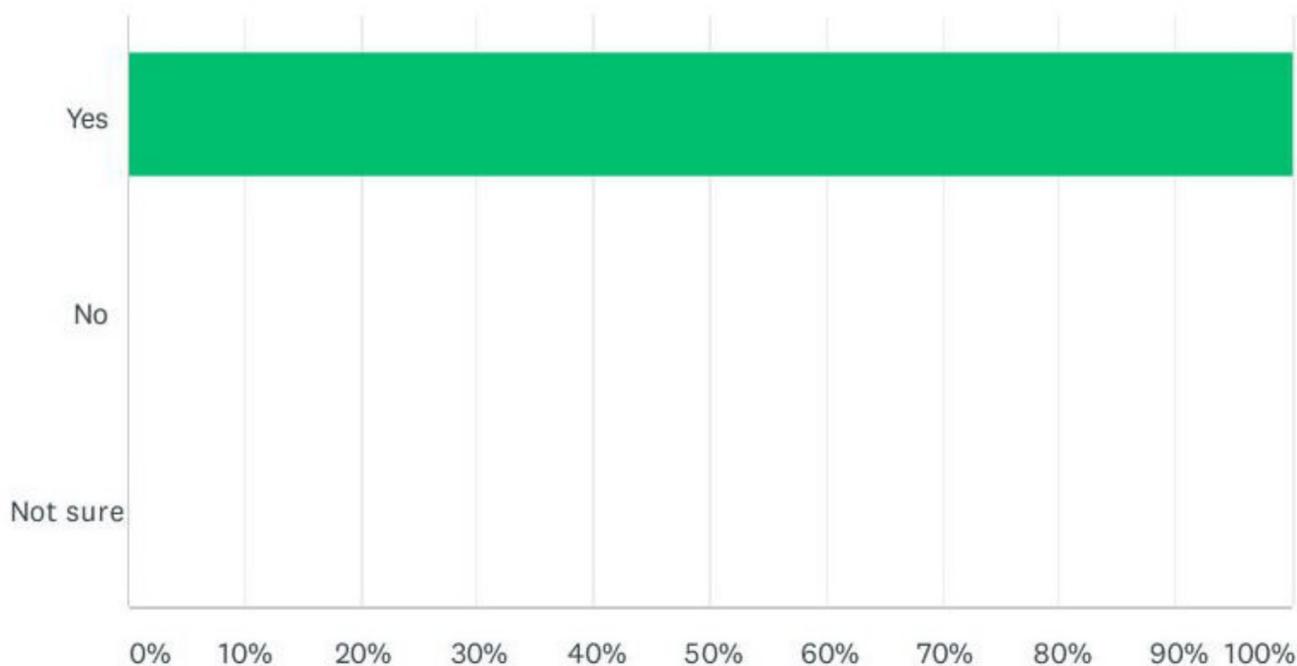


ANSWER CHOICES	RESPONSES	
Yes	100.00%	4
No	0.00%	0
Not sure	0.00%	0
<b>TOTAL</b>		<b>4</b>

#	PLEASE TELL US WHY	DATE
1	Yes if they want a licence then they are responsible for keeping 50 feet from their front door swept and tidy. Look at the [REDACTED] 500 cigarette butts .	2/13/2021 2:01 PM

### Q10 Do you agree that those locations within and around the town centre which will no longer fall under the special town centre policy should be made a new Sensitive Licensing Area?

Answered: 4 Skipped: 3

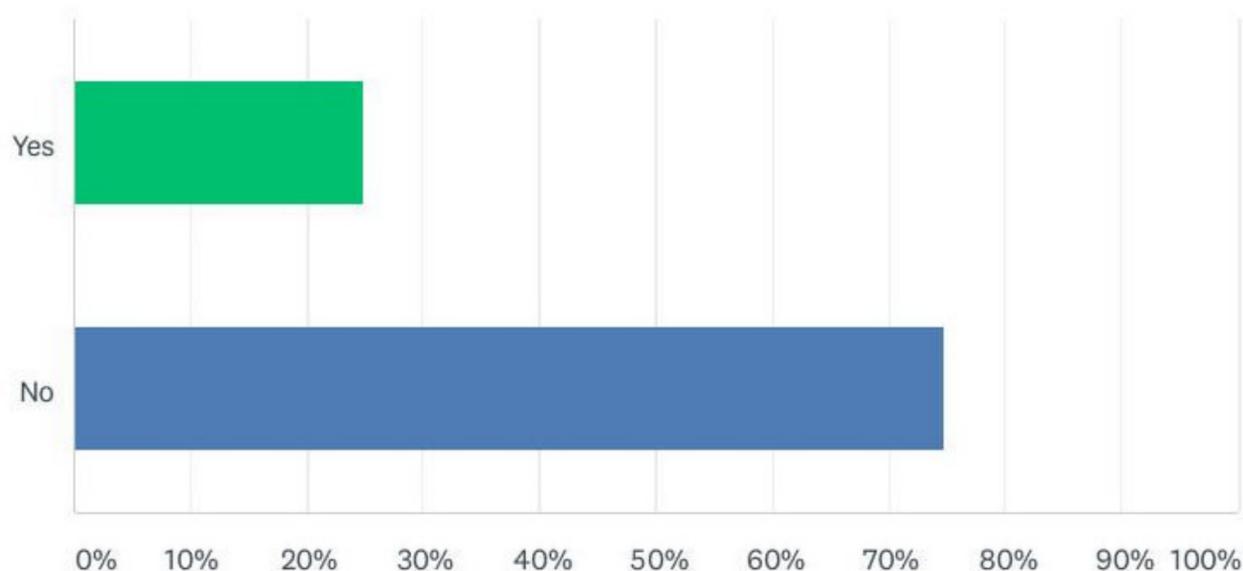


ANSWER CHOICES	RESPONSES	
Yes	100.00%	4
No	0.00%	0
Not sure	0.00%	0
<b>TOTAL</b>		<b>4</b>

#	PLEASE TELL US WHY, AND PLEASE PROVIDE ANY EVIDENCE TO SUPPORT YOUR REASONS	DATE
1	Increase regulation so that powers can be used if required. Far too many premises do not care enough about their adverse impact on the state of litter and loitering.	2/13/2021 2:01 PM

**Q11** If you are in support of creating a new Sensitive Licensing Area in the Town Centre (question 10), are there are any other issues apart from minimising the risk of anti-social behaviour from the activities of street drinkers, the risk of nuisance from premises applying for significantly different hours to existing premises, and the risk of litter and other associated public nuisance from late-night takeaways that you would like to see addressed through policy for these areas?

Answered: 4 Skipped: 3

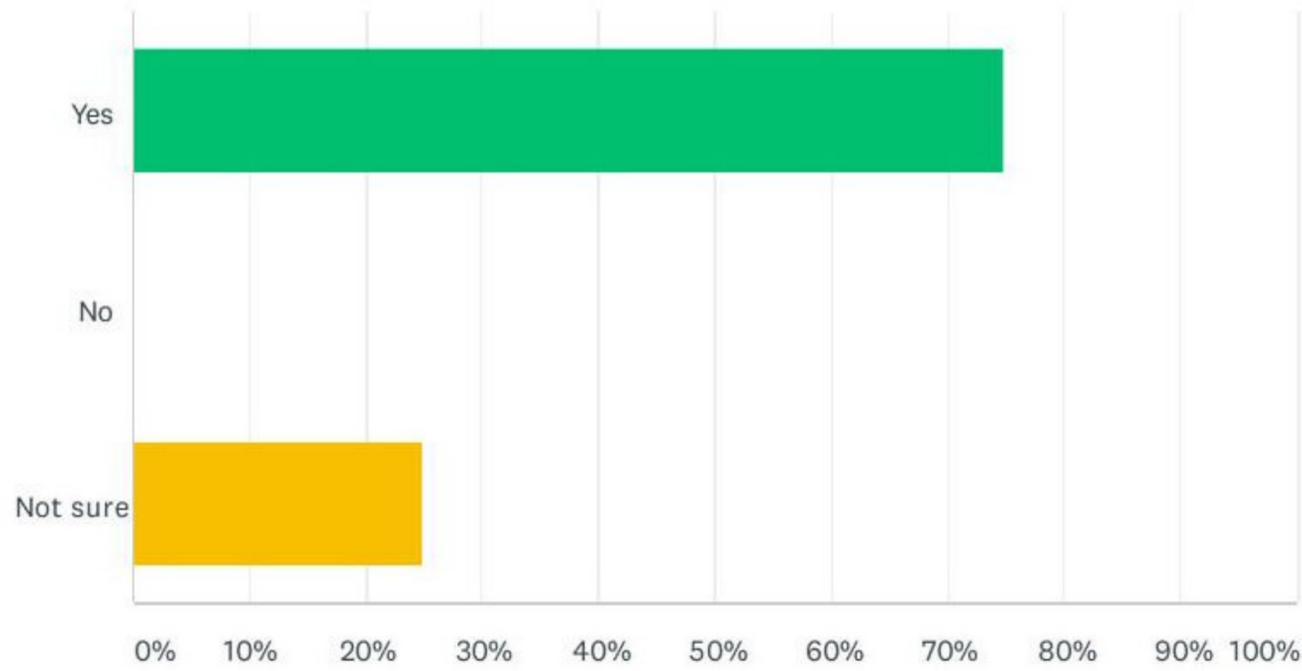


ANSWER CHOICES	RESPONSES	
Yes	25.00%	1
No	75.00%	3
<b>TOTAL</b>		<b>4</b>

#	PLEASE TELL US WHY	DATE
1	Yes premises must be responsible for cleaning and not allowing loitering out side. If restaurants have folk on the pavement smooking, then before they go home they must have swept it tidy. If a person drops one bit of litter is a big fine. However 200 cigarettes ends out side a bar or restaurant nothing. How can this be right fair and equitable.	2/13/2021 2:01 PM

## Q12 Do you agree with the proposal NOT to change the current link between the licensing and planning regimes?

Answered: 4 Skipped: 3

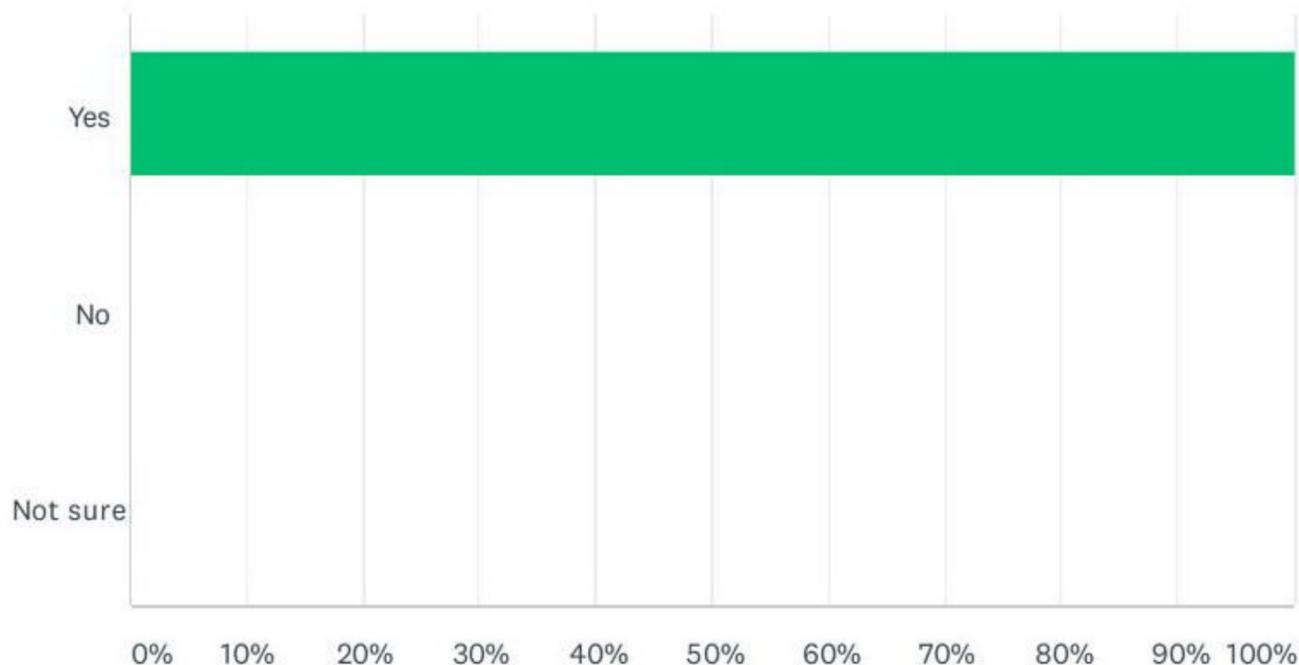


ANSWER CHOICES	RESPONSES
Yes	75.00% 3
No	0.00% 0
Not sure	25.00% 1
<b>TOTAL</b>	<b>4</b>

#	PLEASE TELL US WHY.	DATE
1	Must be linked	2/13/2021 2:01 PM

### Q13 Do you agree with the proposal NOT to update this section apart from the changes highlighted above?

Answered: 4 Skipped: 3

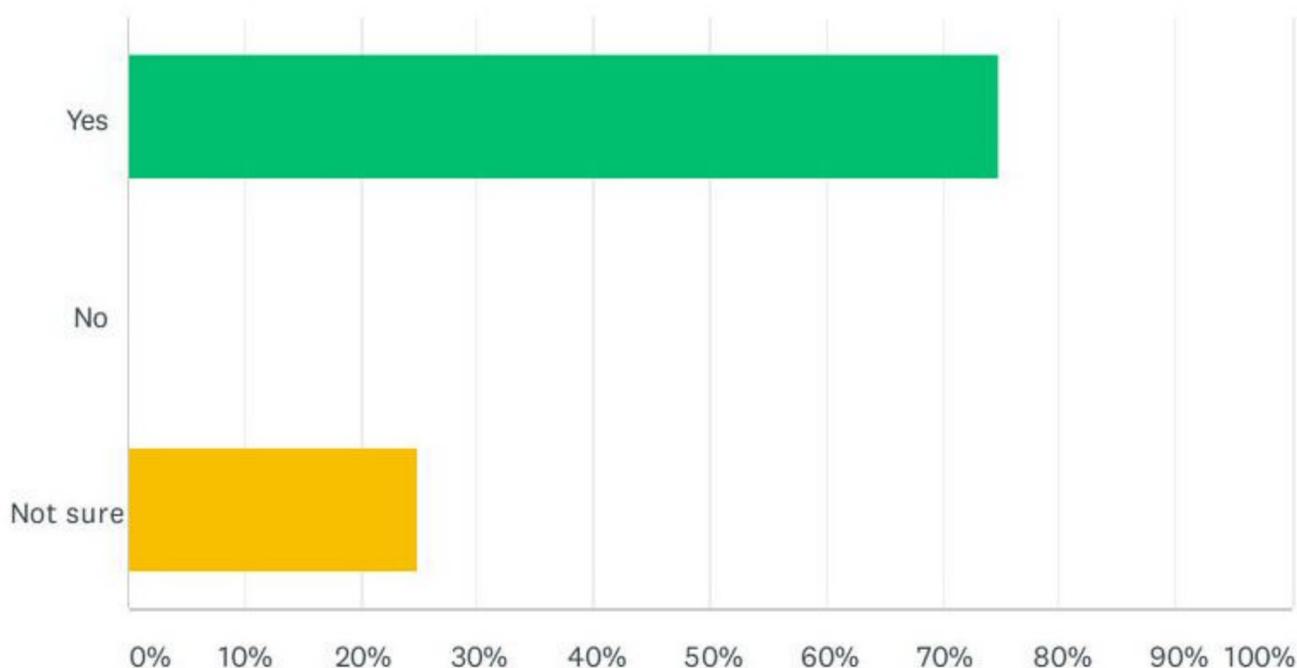


ANSWER CHOICES	RESPONSES	
Yes	100.00%	4
No	0.00%	0
Not sure	0.00%	0
<b>TOTAL</b>		<b>4</b>

#	PLEASE TELL US WHY	DATE
1	Works ok	2/13/2021 2:02 PM

### Q14 Do you believe that the conditions laid out in policy LP6 are sufficient to promote the licensing objective relating to crime and disorder?

Answered: 4 Skipped: 3

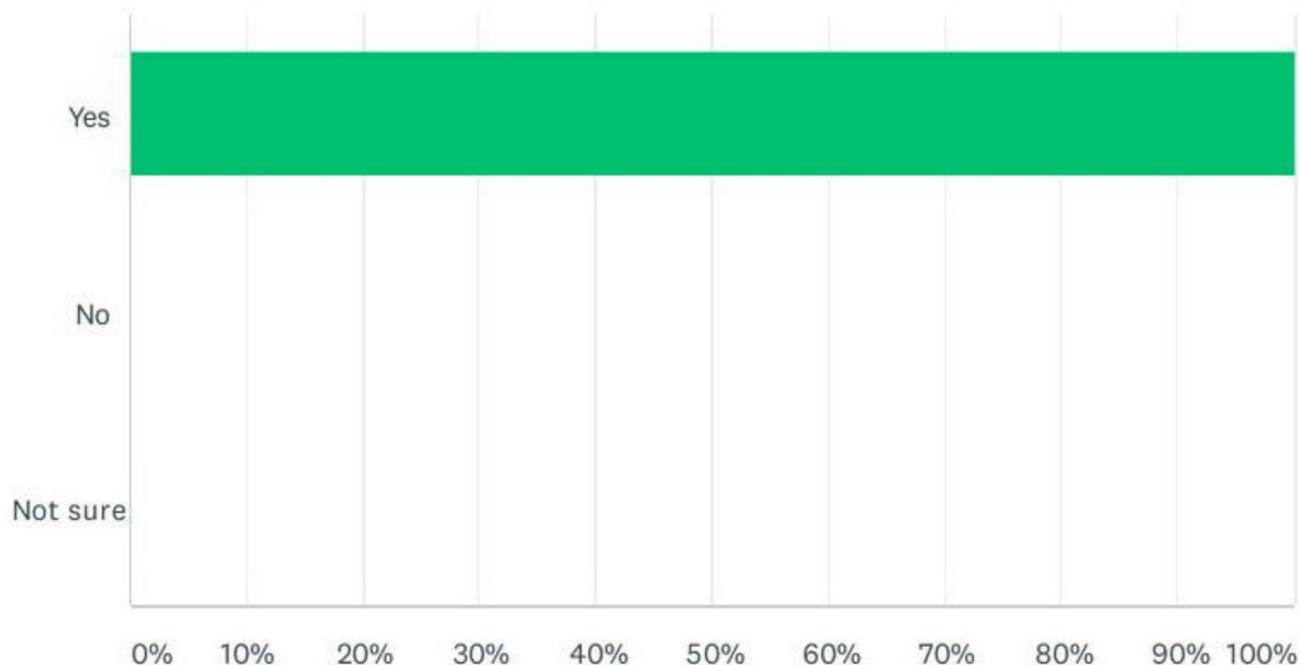


ANSWER CHOICES	RESPONSES
Yes	75.00% 3
No	0.00% 0
Not sure	25.00% 1
<b>TOTAL</b>	<b>4</b>

#	PLEASE TELL US WHY.	DATE
1	Good since policy was written .	2/13/2021 2:03 PM

### Q15 Do you believe that the conditions laid out in policy LP7 are sufficient to promote the licensing objective relating to public safety?

Answered: 4 Skipped: 3

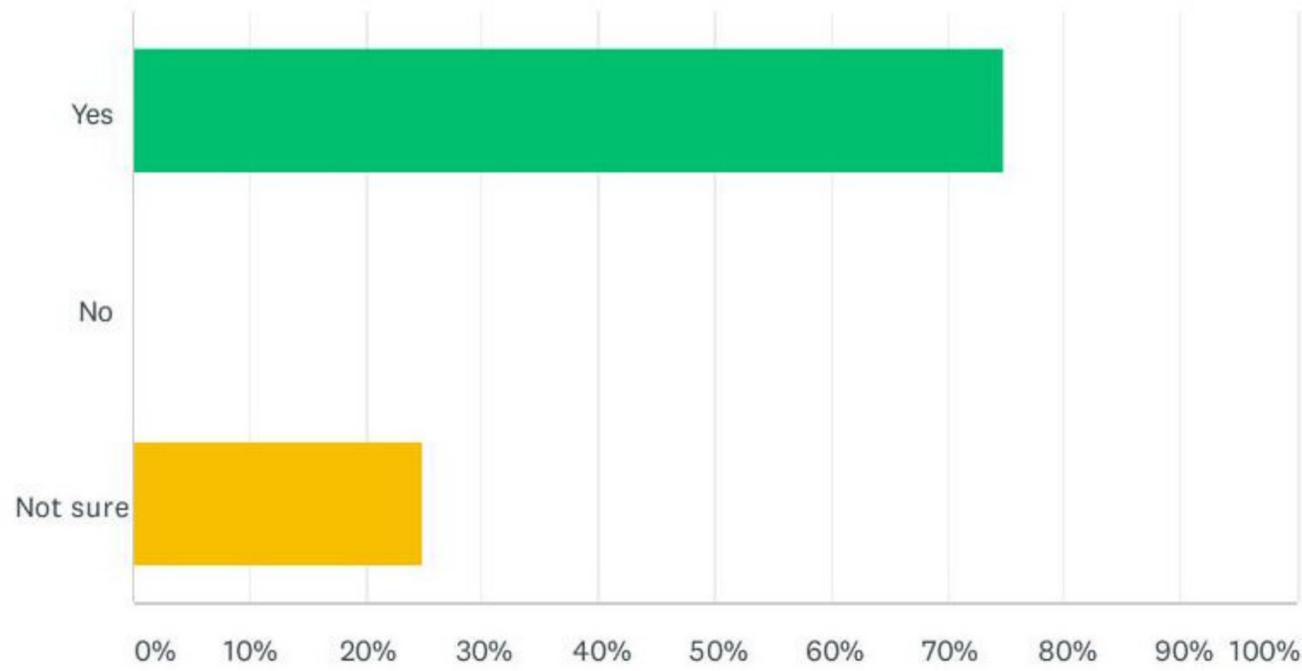


ANSWER CHOICES	RESPONSES	
Yes	100.00%	4
No	0.00%	0
Not sure	0.00%	0
<b>TOTAL</b>		<b>4</b>

#	PLEASE TELL US WHY.	DATE
	There are no responses.	

### Q16 Do you believe that the conditions laid out in policy LP8 are sufficient to promote the licensing objective relating to public nuisance?

Answered: 4 Skipped: 3

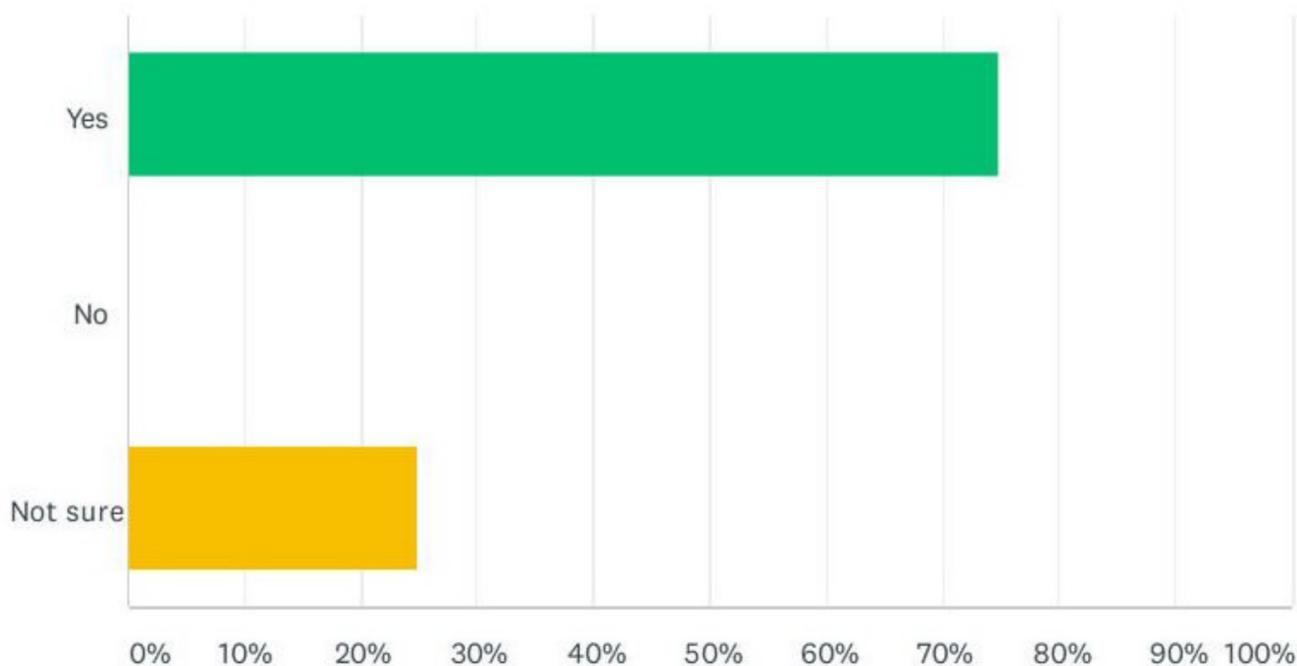


ANSWER CHOICES	RESPONSES
Yes	75.00% 3
No	0.00% 0
Not sure	25.00% 1
<b>TOTAL</b>	<b>4</b>

#	PLEASE TELL US WHY.	DATE
1	With the provision that enforcement can be much swifter and maybe tougher.	2/13/2021 2:04 PM

### Q17 Do you believe that the conditions laid out in policy LP9 are sufficient to promote the licensing objective relating to the protection of children from harm?

Answered: 4 Skipped: 3

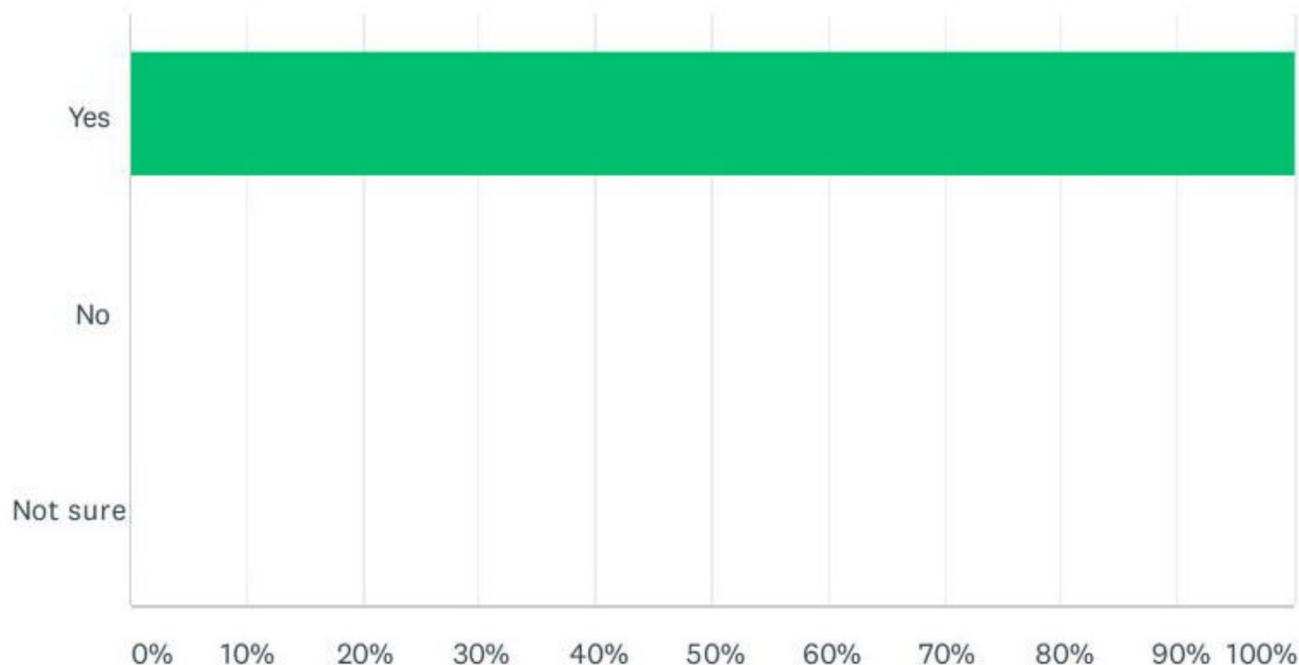


ANSWER CHOICES	RESPONSES
Yes	75.00% 3
No	0.00% 0
Not sure	25.00% 1
<b>TOTAL</b>	<b>4</b>

#	PLEASE TELL US WHY.	DATE
1	Yes its ok	2/13/2021 2:04 PM

### Q18 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?

Answered: 4 Skipped: 3

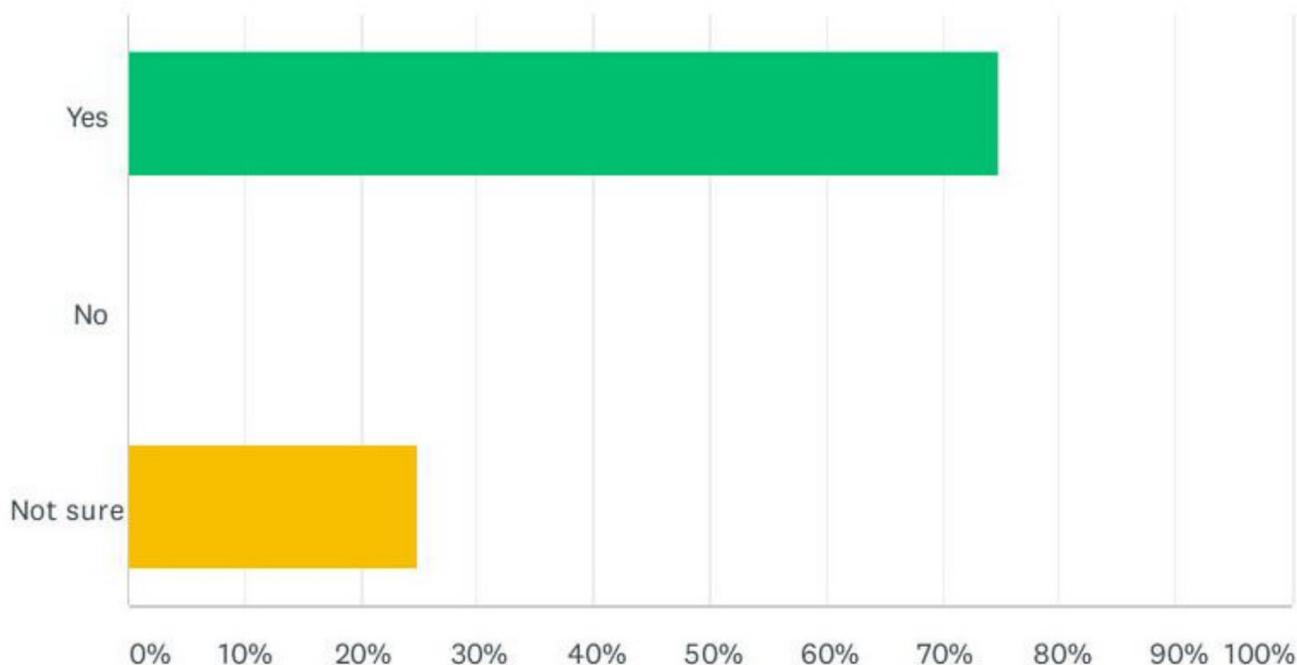


ANSWER CHOICES	RESPONSES	
Yes	100.00%	4
No	0.00%	0
Not sure	0.00%	0
<b>TOTAL</b>		<b>4</b>

#	PLEASE TELL US WHY.	DATE
	There are no responses.	

## Q19 Do you agree with the proposal NOT to change the current approach to representations against applications?

Answered: 4 Skipped: 3

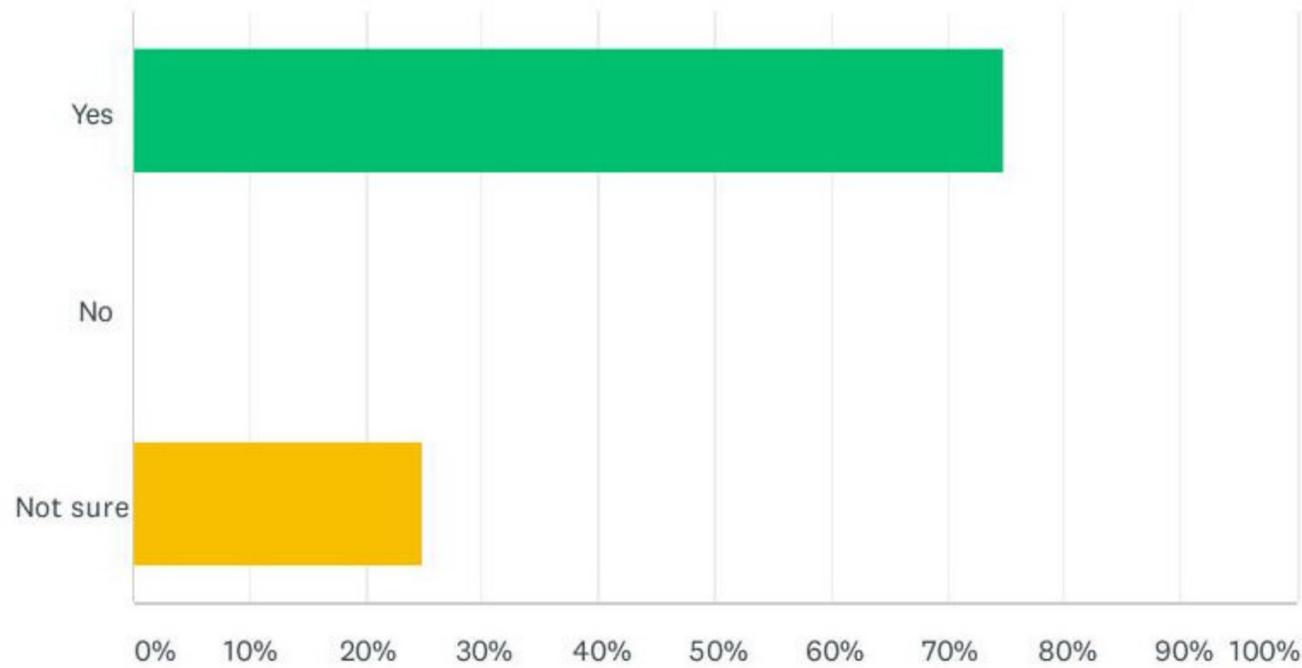


ANSWER CHOICES	RESPONSES	
Yes	75.00%	3
No	0.00%	0
Not sure	25.00%	1
<b>TOTAL</b>		<b>4</b>

#	PLEASE TELL US WHY.	DATE
1	WBC needs to make some of the processes simpler. An obvious direct link to licensing so you can email easier. Remote working is now permanent . If someone wants to complain it should be much more obvious. This may get premises more likely to mind out what they do and not do. Remember Watford has 100,000 potential pairs of eyes on the street.	2/13/2021 2:09 PM

## Q20 Do you agree with the proposal NOT to change the current approach to complaints that are made about licensed premises?

Answered: 4 Skipped: 3

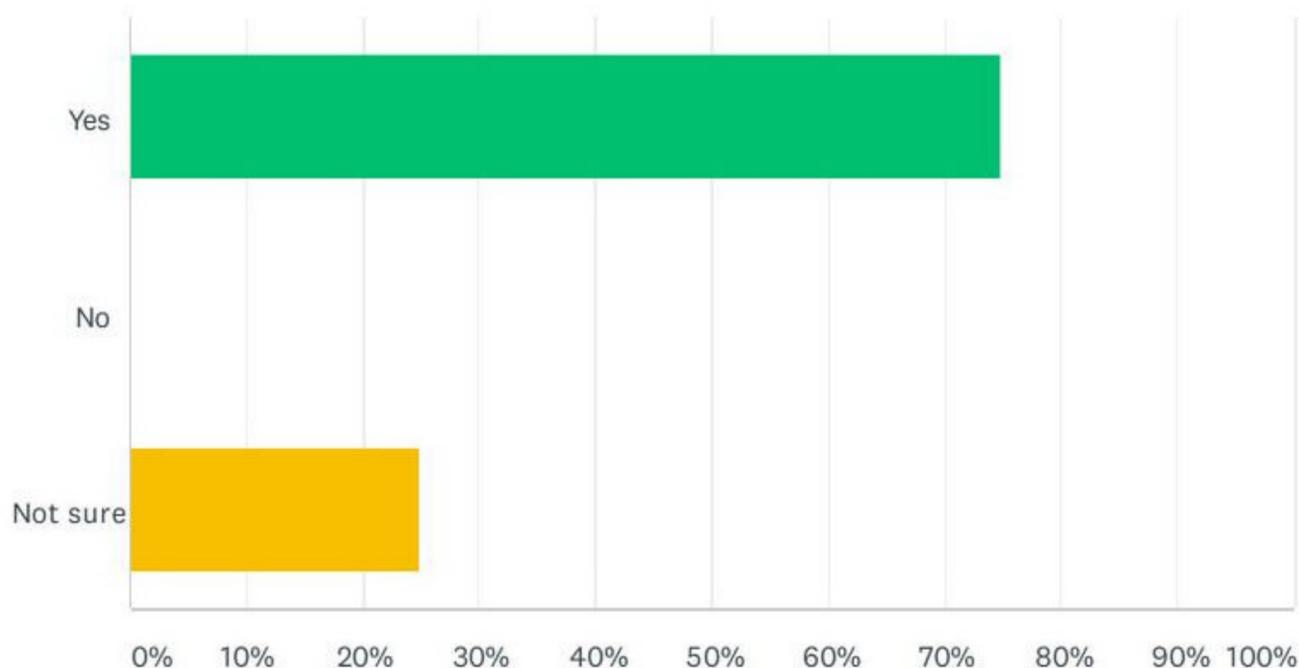


ANSWER CHOICES	RESPONSES
Yes	75.00% 3
No	0.00% 0
Not sure	25.00% 1
<b>TOTAL</b>	<b>4</b>

#	PLEASE TELL US WHY.	DATE
1	So long as its easy to register a complaint	2/13/2021 2:10 PM

## Q21 Do you agree with the proposal NOT to change the current way we deal with requests to review a licence?

Answered: 4 Skipped: 3

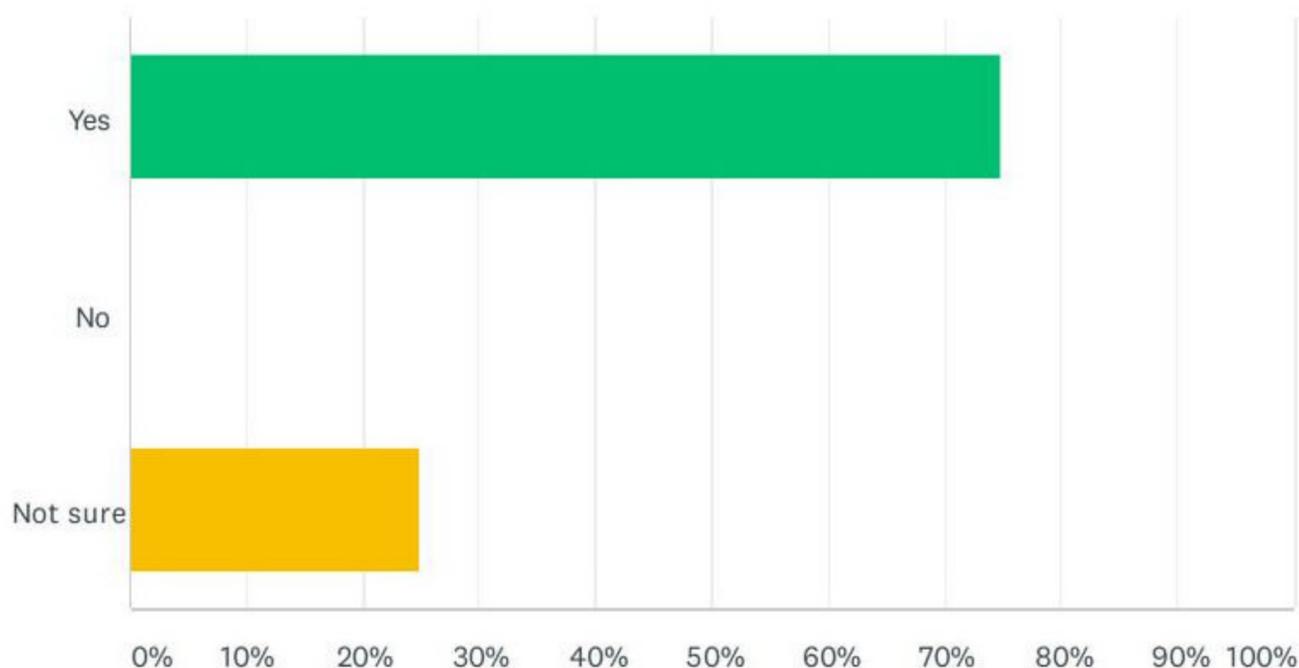


ANSWER CHOICES	RESPONSES
Yes	75.00% 3
No	0.00% 0
Not sure	25.00% 1
<b>TOTAL</b>	<b>4</b>

#	PLEASE TELL US WHY.	DATE
1	No allways have the committee to oversee	2/13/2021 2:10 PM

## Q22 Do you agree with the proposal NOT to change the current approach to enforcement?

Answered: 4 Skipped: 3



ANSWER CHOICES	RESPONSES	
Yes	75.00%	3
No	0.00%	0
Not sure	25.00%	1
<b>TOTAL</b>		<b>4</b>

#	PLEASE TELL US WHY.	DATE
	There are no responses.	

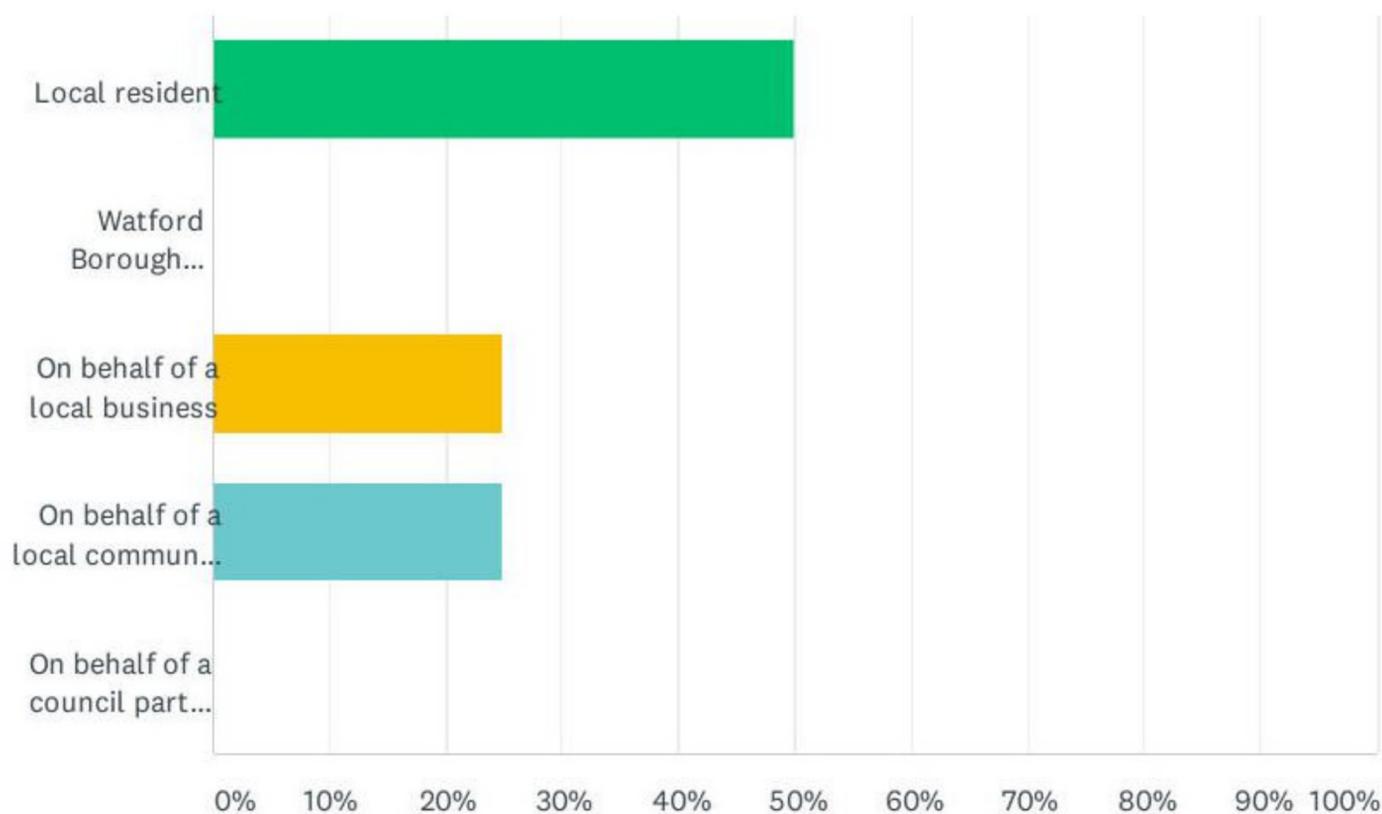
## Q23 Please tell us any other comments on our policy

Answered: 2 Skipped: 5

#	RESPONSES	DATE
1	There is a part where there is mention of abuse of premises staff and dps . It specifically mentions homophobia obviously this needs to be rewritten to embrace the whole abuse including trans phobia . With the rise in alcohol consumption and how people see it as right rather than a privilege, licenced staff need more protection . At some stage a simple process to be able to stop problem drinkers accessing alcohol needs to be put in place. If nothing else for their own sake. Think about the brick wall Park Av and Whipendale rd . ! Almost impossible to pass that area and not to see 3-6 folk and a serious amount of alcohol around them	2/13/2021 2:19 PM
2	The only comment would be that consideration could be given to encouraging vendors to promote responsible discarding of rubbish by consumers. Takeaway food wrapping and cans in particular are often discarded on streets and in people's gardens.	2/11/2021 9:13 AM

## Q24 Please tell us in what capacity you are answering this survey

Answered: 4 Skipped: 3



ANSWER CHOICES	RESPONSES	
Local resident	50.00%	2
Watford Borough councillor	0.00%	0
On behalf of a local business	25.00%	1
On behalf of a local community group or organisation	25.00%	1
On behalf of a council partner / stakeholder	0.00%	0
<b>TOTAL</b>		<b>4</b>

## APPENDIX 4

From: Dennis Brown  
Sent: 12 February 2021 12:50  
To: Austen Young  
Cc: Oxhey Conservative Club  
Subject: Licensing Policy - Comments on consultative documents - Message 2

Dear Austen

I have now read through all the links referred to in your letter of 19th January particularly [www.watford.gov.uk/slpconsultation](http://www.watford.gov.uk/slpconsultation) and compliment you on all the work gone into these documents. The policy has obviously been researched thoroughly and, at first sight, it seems, that what is proposed is a maintenance or toughening of the restrictions in the Town Centre and continuing as before with licensed premises on the periphery.

In principle, that all seems to make good sense to us and I assume that we, in the Oxhey Conservative Club, operating under our Premises Certificate, will be allowed to carry on much as before. If that is not the case, please let me know.

I have not filled in the lengthy questionnaire from the Company going under the name Survey Monkey because there is not a lot I can usefully add.

Regards Dennis Brown,

Secretary, Oxhey Conservative Club

**Sent:** 07 February 2021 15:47  
**To:** Licensing (Watford)  
**Subject:** Licensing Act 2003 Statement of Licensing Policy

Dear All,

I am writing you with regards of the letter I received home about : Licensing Act 2003 Statement of Licensing Policy

I have been living on Watford High Street for 5 years now and I can tell you what I would like the Council do add to the Licensing Act:

1. Creating a Designated Place for the Entertainment ( singing, preaching , dacing ) inside the Shopping Mall area and Banning any of the Entertainment mentioned above on the street.

For the past 5 years my partner and I have been calling the Police and the Enviornment Team to pick up people from the street that was singing very loudly, preacing and dacing right near our window, during our resting time, during weekends and moslty during NATIONAL LOCK DOWN.This is what the Council thinks to be ESSENTIAL DURING LOCIK DOWN???

As Nurses we work very heavy shifts: 12hr/day or Night and the Council HAS ABSOLUTELY NEVER HELPED whenever we called or emailed to them.

Maine High Street as an area per se is usually noisy, but it's manageble if we consider not having all that Entertainment noise added to it.

We do not want people not to have these things as we understand the need for fun and socialising.

What we would like as I mentioned priorly, is for them to have a DESIGNATED place that is not on Main High Street, but somewhere where the noise can be compact and lowered.

2. When the bars are opened the people that get drunk come and VOMIT UNDER OUR WINDOWS, on the little alley named PALACE VIEW. THAT IS ABSOLUTELY DISGUSTING!!!! They also buy, sell and inject drugs right under our window, such as heroine and weed. That was a daily routine when the bars where opened.The are no surveilance cameras nowhere on this alley. No there is any sort of Police Patrol. If there were one would be amased of the things one will see. This is the DRUGS& VOMIT alley!!!

3.The TAKE AWAY MOTORBYKERS are PARKING ON THE PALACE VIEW ALLEY , at all times during the day . It's a non stop ROLLING OF WHEELS !!. They have designated parking spaces right behind Starbucks, but they still park and drive on the alley, that is created for WALKING ONLY, not caring if they might hurt someone with their motorbikes!! As there is no Patrol to have them removed from there, they have made the ALLEY a MOTORWAY for their use and they don't care if the noise the make while they accelarate , is bothering THE TENANTS living in the area.

I know for sure that none of this will be taken in consideration as this takes initiative and the Council has None.

It is my duty though to make the Council aware for (1000 time this year) of these issues, as maybe so something will be DONE!!!!

Thank you!

A High Street Resident

Click [here](#) to report this email as spam.



**WATFORD  
BOROUGH  
COUNCIL**

# Equality Impact Analysis

<b>Title of policy, function or service</b>	Licensing Act 2003 Statement of Licensing Policy 2018-2023 (revised April 2021)
<b>Lead officer</b>	Head of Community Protection
<b>Person completing the EIA</b>	Austen Young
<b>Type of policy, function or service:</b>	Existing (reviewed) <input type="checkbox"/> New/Proposed <input checked="" type="checkbox"/>
<b>Version &amp; Date</b>	V2 February 2021

## **1. Background**

### **Statement of Licensing Policy under the Licensing Act 2003**

Under the Licensing Act 2003, Watford Borough Council, in its role as licensing authority, is required to determine and publish a Statement of Licensing Policy (“policy”) every 5 years. The current policy, which was approved in 2018, is due to expire on 19 November 2023. The policy sets out the council’s approach to processing and determining applications submitted under the Licensing Act 2003.

The purpose of the policy is to ensure that all licence applications received are treated fairly and in a consistent manner, provide advice and information for all about how the council will enforce, administer and make decisions under the Licensing Act 2003 and support licensable activities for the wider benefit of the community. The council must have regard to the licensing objectives as set out in the Licensing Act 2003, which are;

1. The prevention of crime and disorder
2. Public safety
3. The prevention of public nuisance
4. The protection of children from harm

The policy is being reviewed due to the addition of a cumulative impact assessment, which proposes a revision to the council’s cumulative impact policy.

The Licensing Act 2003 requires that each application is considered on its own merits. It does not permit certain groups or applicants to be treated differently, and all applications are to be processed in the same manner. Licence applications can be submitted by individuals aged 18 or older, statutory bodies, non-commercial organisations and commercial companies. Objections against licence applications can be made submitted by any person or one or more of the prescribed responsible authorities.

The policy specifically mentions, on page 44, that the licensing authority must implement the policy in a manner which is consistent with equalities legislation.

A draft policy was sent out for consultation between 18 January and 14 February 2021. The Licensing Act 2003 prescribes the groups who need to be consulted.

## **2. Focus of the Equality Impact Analysis**

The policy determines the council’s approach to processing and determining applications made under the Licensing Act 2003. This EIA, therefore, considers the potential equality related impacts, both positive and negative of the policy on the people in the groups or with the characteristics protected in the Equalities Act 2010.

These are:

1. Age
2. Disability
3. Gender Reassignment
4. Pregnancy and maternity
5. Race
6. Religion or belief
7. Sex (gender)
8. Sexual Orientation
9. Marriage and Civil Partnership.

### **3. Engagement and consultation**

The consultation on the policy took place between 18 January and 14 February 2021, during which time we consulted:

- the statutory responsible authorities
- relevant council departments (Parks, Open Spaces & Projects, Economic Development)
- Watford BID
- all premises licence and club premises certificate holders
- 543 residents within the town centre
- 21 residents' associations within the Borough

All parties were offered the option to contact us should they have any queries or should they require a hard copy of the documents.

The consultation was advertised on our website during this time, with people invited to participate in a survey on the proposed changes. We also advertised the consultation through a press release in the Watford Observer on 30 January 2021.

The survey asked questions on the proposed policy and allowed parties to submit their own comments. We advised that while we will prefer responses to be submitted through the online survey or by email, we would accept any comments in writing.

### **4. What we know about the Watford population**

#### **Population**

The current population of Watford is 96,600 (ONS mid-2019 estimate). This was slightly less than estimated in 2018 (96,800 rounded). The slowing of population growth across the UK (marked by a fall in Watford) is attributed to the lowest number of births for 14 years alongside an increase in emigration and a fall in international immigration.

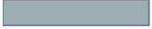
Watford's population is currently projected to increase to 105,000 by 2025 and 110,300 by 2035, a rise from 2016 of 14.2%. This growth will be a challenge for Watford, given our tight borough boundaries and is recognised within the Council Plan, shaping a number of our commitments and areas for action in the Delivery Plan.

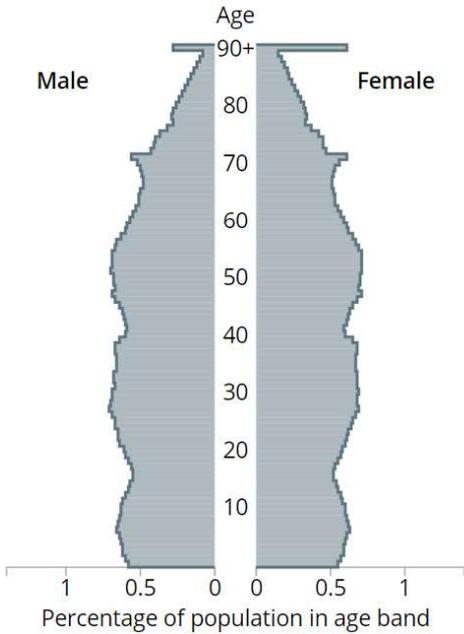
The graphs below show a comparison between the sex and age profile of England's population with that of Watford. (ONS 2018).

**ENGLAND**

**55,977,178** people in 2018

All ages

**27,667,942** males 49.4%   
**28,309,236** females 50.6% 

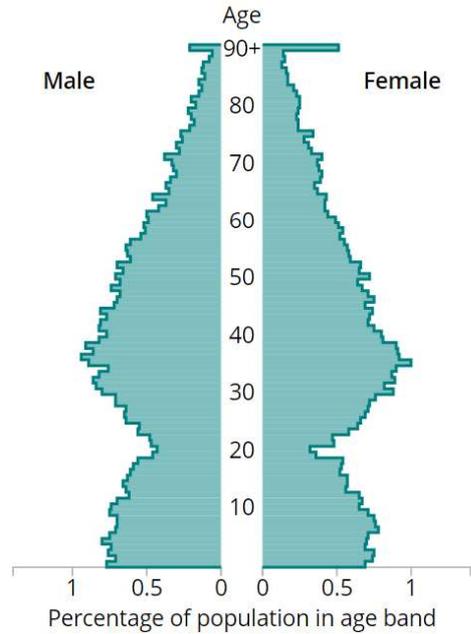


**WATFORD**

**96,767** people in 2018

All ages

**48,011** males 49.6%   
**48,756** females 50.4% 



Overall, this comparison shows that Watford is a relatively young town. This is particularly the case in the 0 to 19 age range where 26.5% of the population are between those ages, compared with 23.6% nationally. Similarly the 30 to 49 cohort accounts for a significantly higher proportion of the Watford population at 32.1%, compared to 26.1% nationally. This means that we are a town which is popular with families and, whilst we are a town for all, we recognise that our plans need to reflect our large number of young people and families.

**Population density**

The population density for Watford is circa 4,600 people per square kilometre. This makes it the most densely populated district area in Hertfordshire and in the country (432 per square kilometre). This is a reflection that we are an urban district, with many characteristics of a metropolitan borough. In comparison with many metropolitan boroughs, particularly those in and around the outskirts of London, our density is relatively low.

**Ward level populations (mid-year 2019 estimates)**

The ONS publishes experimental data on ward level populations. The last release date was for mid-year 2019. This showed Central ward had the highest population (9,556) and Tudor the lowest (6,713). Further analysis shows that Nascot ward had a significantly higher number of elderly residents than other wards in Watford, whilst Central a significantly higher number of under 20s.

Ward	Mid-year 2018
Callowland	7,943

Ward	Mid-year 2018
Oxhey	6,800

Central	9,556
Holywell	8,748
Leggatts	7,697
Meriden	7,876
Nascot	8,774

Park	8,698
Stanborough	7,395
Tudor	6,713
Vicarage	8,723
Woodside	7,678

ONS experimental data ([Ward Level Mid-Year Population Estimates \(experimental\), Mid-2019](#))

## Households

### Number of households

The ONS data, based on the census, says that there were 36,681 households in Watford at the time of the Census; as of 31 May 2020 the figure was 40,275 (council tax base).

The average household size in Watford is currently 2.45. This is currently average for the region. Nationally, there is downward trend in household size projected over the next 20 years. The Watford average household size is envisaged to drop to 2.33 person household in 2039, which this is larger than that projected for the English average (2.21 in 2039) and the Hertfordshire average (2.29 in 2039). These projections have implications for Watford in terms of development and growth.

### Household size

The 2014 projections estimate that, between 2014 and 2039:

- Watford's average household size will decrease from 2.45 to 2.33
- Hertfordshire's average household size will decrease from 2.42 to 2.29
- England's average household size will decrease from 2.35 to 2.21

### Household Composition

From the 2016 projections, one person households see the biggest increase in household growth in Watford, representing 44% of the total household growth.

However, households with dependent children see the next biggest rise, with 35% of household growth; couples with other adults make up 9%; other (multi-person adult) households make up 7% and couple households (without children or other adults) make up the remaining 6% of all estimated growth.

### Ethnicity

Watford has a very diverse population, more so than the rest of Hertfordshire; it is one of the strengths of our town and what makes us such a vibrant and diverse town.

For Watford, the Census 2011 shows the following main breakdown in terms of ethnicity: White British (61.9%), White other (7.7%), Pakistani (6.7%), British Indian (5.5%), British other Asian (4.4%) and African (3.5%), White Irish (2.3%) and Caribbean (1.7%).

The full breakdown from Census 2011 is at Appendix A.

In 2016, the ONS published population estimates by ethnicity. This did not report ethnicities to the level of granularity that the Census reported ethnicity. The estimates for 2016 were: White British (59% - 57,000 residents), Asian / Asian British (19% - 19,000 residents), All Other White (12% - 12,000 residents), Black / African / Caribbean / Black British (4% - 4,000 residents), Mixed / Multiple Ethnic Group (4% - 4,000 residents) and Other Ethnic Group (1% - 1,000 residents).

**National insurance registration:** Census information is now nearly 10 years old and it is likely that the ethnic profile of the borough has changed during this time. For example, it would not have captured the more recent EU arrivals to the borough (EU2 countries – Romania and Bulgaria, who were given residency rights in 2014).

We know from other data such as National Insurance Registration that Watford has experienced a relatively high increase in nationals from the EU2 countries applying for National Insurance registrations as Watford residents. This follows a period of a high number from EU8 countries (including Poland, Latvia, Lithuania) who were given freedom of movement to the UK from 2004. Throughout the period the arrival of new residents from south Asia (e.g. Pakistan / India) has remained relatively constant.

The National Insurance Registrations year to September 2020 shows there were 1,258 registrations in Watford, of which 608 were from the EU, 331 were from Romania and Bulgaria, 342 from South Asia and 211 from Austria, Belgium, Denmark, Finland, France, Germany, Greece, Ireland, Italy, Luxembourg, Netherlands, Portugal, Spain, Sweden. 90 came from sub Saharan Africa and 22 from North Africa.

**Language spoken at home:** Other data sources, including school language survey on the languages spoken by Watford school children at home, endorse the National Insurance findings that Watford remains a town with a diverse community with English still the predominant language (at around 60%) followed by (in order of self-selection by Watford families): Urdu, Polish, Tamil, Romanian, Gujarati, Punjabi, Gujarati and Hindi. The most selected African language spoken is Arabic (113 families – although not spoken exclusively in Africa) and Akan/Twi-Fante (78 families).

**Births and origin of parents:** In 2018, nearly 60% (59.6%) of children born to Watford based parents, had one or both parents born outside of the UK, with 42% having both parents born outside of the UK. 52% of new mothers in Watford were born outside of the UK (1397 births in total, with 667 to mothers born in the UK and 730 born outside of the UK. Of these 257 mothers were born in the 'new' EU countries – those that had joined since 2004) and 252 in the Middle East and Asia. 88 mothers were born in Africa.

**EU Settlement Scheme (EUSS) quarterly statistics (28 August 2018 to 31 March 2020) – experimental data:** In May 2020, the Government issued data on the number of applications made to the EUSS from 28 August 2018 to 31 March 2020, and applications concluded during the same time period. This shows that up to March 2020, 11,630 people in Watford had applied for EUSS. Of these the following were the highest number of nationalities who had applied: Romanian (3,530), Polish (1,810), Portuguese (1,020) and Bulgarian (580).

### **Age**

The largest populations by age band in Watford are:

- 35-39 years (8,537)
- 30-34 years (7,921)
- 40-44 years (7,458)
- 5-9 years (7,027)

Compared with other districts in Hertfordshire, Watford has fewer 65+ years residents. The age profile of the borough is more comparable with cities who have younger age profiles and where younger people are attracted by lifestyle opportunities, affordable housing and good transport links.

**Median age:** the median age in Watford is 37 years. This compares to 40 for England (mid-year 2019 population estimates)

### **Disability / Health**

Around 85% of the population of Watford state that they have 'good health' and just under 14% record a disability. We do not have details as to what these disabilities are but they will include a wide range of physical and mental health disabilities or impairment (Census 2011).

The 2019 NHS Health Profile's summary conclusion is that the health of people in Watford is 'varied' compared with the England average. About 12% (2,300) of children live in low income families – this is an improvement on 2016 (14% / 2,700). Life expectancy for men at 65 is similar to the England average but for women it is significantly worse (2016-18).

The profile also shows that Watford is below average for a number of important health indicators, which may have had some impact on the town's rate of deaths from COVID-19. These include: residents eating the recommended 5 a day portions of fruit and vegetables, over-18s who are obese and physically active adults. All reported cancer screenings were below average for Watford and emergency admissions for falls from the age of 65 plus were worse than for the England average.

### **Religion / belief**

The religious breakdown in the Census 2011 of the main religions in Watford was: Christian (54.1%), Muslim (9.8%), Hindu (4.8%), with no religion stated at 21.4%.

In 2016, the ONS published population estimates by religion. This took an estimated population of 94,000 for Watford and the main religions identified through the estimates were: Christian (53%), Muslim (10%), Hindu (9%) with no religion at 26%.

### **Sexual orientation / Transgender**

Watford has no specific data on the transgender community within the borough or for the sexual orientation of its community. It is anticipated that these questions will be asked in the Census 2021.

### **Education and skills**

A skilled workforce supports the economic development and employment aspirations for Watford. There has been a mostly increasing trend in educational attainment in Watford over the last few years. Watford's working age population has the fourth highest percentage (44.4%) in Hertfordshire of those with qualifications at NVQ 4 and above (Three Rivers is the highest with 63.5%, St Albans the second highest at 58.5% and East Herts third highest with 45.7%); this is close to the Hertfordshire average of 42% average but higher than the Great Britain average of 40.3%.

83.7% of Watford residents have achieved 5 A\*-C or equivalent. This is the better than the England average of 75.6 (Jan – Dec 2019)

### **Homelessness**

Whilst this is not a protected characteristic under the Equality Act 2010, the council recognises that the particular circumstances of people without their own home might be a factor in their taking an active role in our community. We currently have 27 statutory homeless (September 2020) and 95 households in temporary accommodation (September 2020).

### **Deprivation**

The English Indices of Deprivation (IoD) 2019 were published by the Government in September 2019, and updates the previous 2015 Indices, published in September 2015. The Indices of Deprivation measure relative levels of deprivation in 32,844 small areas or neighbourhoods, called Lower-layer Super Output Areas, in England

The IoD2019 is based on 39 separate indicators, organised across seven distinct domains of deprivation which are combined and weighted to calculate the Index of Multiple Deprivation 2019

In the IMD 2019, Watford is ranked 195 out of 317 authorities, putting it in the 7<sup>th</sup> decile nationally. This means that, overall, Watford is less deprived than half the authorities in England.

Watford is the third most deprived authority in Hertfordshire. (Stevenage and Broxbourne are the most deprived.) However, three Hertfordshire authorities are among the 10% least deprived authorities in England (Three Rivers, East Herts and St Albans).

Overall, Watford is not an area with significant deprivation issues and the majority of the LSOAs within the town are in the bottom 50% of LSOAs nationally for deprivation; the borough's position has improved relative to that of 2015.

The combined deprivation index, which weights income and employment more heavily than the other domains, obscures the more deprived areas in Watford, which are affected by crime, living environment deprivation, health and disability, and education, skills and training deprivation in particular. This is, at least in part, because income and employment deprivation are less of an issue for Watford than for other areas.

The ten most deprived LSOAs in Watford, as ranked in the IMD 2019 are as follows (the ranking for the last IMD data in 2015 is shown in brackets in the first column). Deprivation has also been identified as an indicator for poorer COVID-19 outcomes so understanding our areas of deprivation, particularly if we apply greater granularity around health and income deprivation. The LSOA, which contains some of Whippendell Road, Chester Road and Durban Road West is within the second most deprived health and disability quartile does not feature in the top 10 most deprived LSOAs.

Watford rank	Ward	LSOA code	Hertfordshire		England	
			Rank	Decile in Herts (1st = most deprived)	Rank	Decile (1st = most deprived)
1 (1)	<b>Central</b> (Water Lane, Gladstone Road, Grosvenor Road, part of Radlett Road, Brockleberry Close, Raphael Drive, top part of Queens Road)	E01023860 (009B)	5 (5)	1st (1st)	5055 (5005)	2nd (2nd)
2 (3)	<b>Holywell</b> (Caractacus Green, part of Charlock Way, Moor View, Jellicoe Road, Stripling Way, Rose Gardens)	E01023865 (011C)	21 (22)	1st (1st)	7239 (7800)	3rd (3rd)
3 (2)	<b>Meriden</b> (Garsmouth Way, Aldbury Close, Harvest End, part of York Way)	E01023876 (003D)	26(19)	1st (1st)	7924 (7590)	3rd (3rd)
4 (4)	<b>Holywell</b> (Ascot Road, Greenhill Crescent, Caxton Way, Croxley View)	E01023866 (011D)	27 (30)	1st (1st)	8294 (9203)	3rd (3rd)
5 (7)	<b>Woodside</b> (Haines Way, Queenswood Crescent, Sheriff Way, Nottingham Close)	E01023906 (001C)	61 (41)	1st (1st)	10719 (10062)	4th (4th)
6 (10)	<b>Oxhey</b> (Deacons Hill, Blackwell Drive, Riverside Road, Eastbury Road, Thorpe Crescent)	E01023883 (012B)	62 (49)	1st (1st)	10758 (10710)	4th (4th)
7 (13)	<b>Callowland</b> (Maude Crescent, St George's Road, Breakspere Close, Nicholas Close)	E01023857 (006C)	67 (56)	1st (1st)	10894 (10812)	4th (4th)
8 (9)	<b>Meriden</b> (Gaddesden Crescent, Bovingdon Crescent, Garston Lane)	E01023877 (003E)	73 (75)	2nd (2nd)	11225 (11837)	4th (4th)
9 (12)	<b>Leggatts</b> (The Harebreaks, Chestnut Walk, Foxhill, Brushrise, Elm Grove)	E01023870 (004C)	78 (52)	2nd (1st)	11515 (10734)	4th (4th)
10 (5)	<b>Stanborough</b> (Clarke Way, Rushton Avenue, Orbital Crescent, Harris Road)	E01023891 (002B)	92 (31)	1st (1st)	11970 (9377)	4th (3rd)

### MOSAIC profile

Our MOSAIC profiling of the borough enhances our understanding of our population and provides valuable context for our decision-making as well as underpinning our communications and engagement. It confirms we are a young and diverse borough.

Old Code	Type Code	Type Label	Type Description	2020 Households	2017 Households	2020 Watford %	2017 Watford %	Difference	Trend	2017 Rank
J40	O61	Career Builders	Professional singles and couples in their 20s and 30s progressing in their field of work from commutable properties	5257	4045	13.3%	12.5%	0.8%	▲	1
D14	G26	Cafés and Catchments	Affluent families with growing children living in upmarket housing in city environs	3660	2499	9.2%	7.7%	1.5%	▲	3
I36	N58	Culture & Comfort	Thriving families with good incomes in diverse suburbs	3575	3321	9.0%	10.3%	-1.3%	▼	2
J44	O63	Flexible Workforce	Successful young renters ready to move to follow worthwhile incomes from service sector jobs	2927	1954	7.4%	6.0%	1.4%	▲	6
M56	I36	Solid Economy	Stable families with children, renting higher value homes from social landlords	2701	2172	6.8%	6.7%	0.1%	▲	5
I37	N57	Community Elders	Established older households owning city homes in diverse neighbourhoods	2574	1128	6.5%	3.5%	3.0%	▲	9
H35	H30	Primary Ambitions	Families with school-age children, who have bought the best house they can afford within popular neighbourhoods	2434	1550	6.1%	4.8%	1.3%	▲	7
D17	G27	Thriving Independence	Well-qualified older singles with incomes from successful professional careers in good quality housing	1949	2422	4.9%	7.5%	-2.6%	▼	4
I39	N60	Ageing Access	Older residents owning small inner suburban properties with good access to amenities	1731	1099	4.4%	3.4%	1.0%	▲	10
B08	B05	Premium Fortunes	Asset-rich families with substantial income, established in distinctive, expansive homes in wealthy enclaves	1448	1237	3.6%	3.8%	-0.2%	▼	8
 <b>Total (Top 10)</b> <b>Total Households in Watford</b>				<b>28,256</b>	<b>21,427</b>					
				<b>39,675</b>	<b>32,370</b>					

## Watford's MOSAIC profile (2020)

### Key issues identified from our borough profile:

- A young population with a higher proportion of those under 50, which, given the higher proportion of under 20s indicates Watford is a town with a high number of families
- A growing population where there will be more smaller households but where there will still be a need for family homes
- A very diverse population and a town that continues to attract people from across the globe and with a high proportion of BAME residents
- Some underlying health related issues, particularly around preventative health measures and healthy living
- Areas where residents are experiencing less positive outcomes – often as a result of multiple issues but which could be impacting on life chances and opportunities

## 5. How will the council ensure equality is promoted through the Statement of Licensing Policy

Under the Equality Act 2010, three areas need to be considered when analysing the equality impact of the Statement of Licensing Policy:

1. **eliminate** discrimination, harassment, victimisation and any other conduct that is prohibited by or under the Act
2. **advance** equality of opportunity between people who share a relevant protected characteristic and people who do not share it
3. **foster** good relations between people who share a relevant protected characteristic and people who do not

The council is not in a position where it can proactively affect the profile of licence holders, or objectors against licence applications, but the policy and our experience in processing applications and objections ensures that the process of obtaining a licence is fair and free of discrimination and we can evidence this as follows:

- Although not specifically mentioned in the policy, we are mindful of people’s ability to understand hearings and meetings if English isn’t their first language, and have services such as Language Line available as a council, or allow people to be supported or represented to assist them. We have had two hearings so far this year where this has been the case, and in one case we arranged for the decision to be translated
- We have a number of licence holders from different nationalities which is evidence that there is no existing barrier, and we not proposing to add any in
- The law requires objections and applications to be in writing, but doesn’t prevent other people from representing them or acting on their behalf for whatever reason, so they can be assisted if they want to be – we confirm this in our correspondence when consulting on applications and again can evidence where this has been put into place.
- The law allows applications to be submitted online or by post, and we do still receive handwritten applications and objections, so there are options for people who are confident with computers and those who are not.
- Our documents and policies are available on our website, which can be viewed through Browsealoud, and are available upon request.
- The only barriers to applying or objecting to a licence are those set out in the legislation – we can’t accept an application from any person under the age of 18, can’t accept applications or objections not made in writing, can only process applications which are valid under the law (submitted with completed forms, plans, the correct fee, advertised as required etc)

The policy informs prospective applicants what is expected of them and what specific areas a licensing sub-committee will take into account when determining an application. The policy also informs objectors how their objections will be considered, and again these must be considered in a fair manner, against legal requirements, and free of discrimination.

Responses were received during the consultation period, and our responses to those comments have been analysed and summarised in the report to the Licensing Committee which will consider them on 8 March 2021.

Comments were received during the consultation exercise that highlighted that we specifically only mentioned homophobic attacks as an aggravating factor to consider for licence reviews, and didn’t specifically cover any other protected characteristic. As a result of this feedback, we have amended the policy for clarity to state that discrimination, harassment, or victimisation of any people or community with protected characteristics shall be deemed to be an aggravating factor.

It must be noted that the sub-committee may depart from policy when determining an application, although such departures should be explained with detailed reasons upon the conclusion of the hearing.

In the policy, no particular group is given priority over another in relation to implementation of the policy and how any applicant is dealt with. The Act requires that each application is to be assessed on its individual merits, so all groups should be treated equally. All applicants are required to comply with all of the relevant legislation. In general, it is felt that the policy has a positive effect on all people who live, work or socialise in Watford.

## **6. Overall conclusion**

On consideration, the overall conclusion of the EIA is that there is no negative impact on any specific characteristic or group as a result of this Policy has been identified.

**This EIA has been approved by:**

**Kathryn Robson    Date 02/03/2021**

**Appendix A:**

**Census 2011: Watford Borough ethnicity data**

	<b>WATFORD 2011</b>
White: English/Welsh/Scottish/Northern Irish/British	61.9% (55,875)
White Irish	2.3% (2,063)
White: Gypsy or Irish Traveller	0.1% (61)
White: Other White	7.7% (6,947)
Mixed/multiple ethnic group: White and Black Caribbean	1.1% (990)
Mixed/multiple ethnic group: White and Black African	0.5% (412)
Mixed/multiple ethnic group: White and Asian	1.0% (939)
Mixed/multiple ethnic group: Other Mixed	0.8% (763)
Asian/Asian British: Indian	5.5% (4,923)
Asian/Asian British: Pakistani	6.7% (6,082)
Asian/Asian British: Bangladeshi	0.4% (362)
Asian/Asian British: Chinese	0.9% (822)
Asian/Asian British: Other Asian	4.4% (3,981)
Black/African/Caribbean/Black British: African	3.5% (3,142)
Black/African/Caribbean/Black British: Caribbean	1.7% (1,558)
Black/African/Caribbean/Black British: Other Black	0.6% (529)
Other ethnic group: Arab	0.3% (294)
Other ethnic group: Any other ethnic group	0.6% (558)