



*Please reply to:*

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Date: 18 January 2024

## Notice of meeting

### Licensing Sub-Committee

**Date:** Friday, 26 January 2024

**Time:** 10.00 am

**Place:** Council Chamber, Council Offices, Knowle Green, Staines-upon-Thames

#### To the members of the Licensing Sub-Committee

Councillors:

R. Chandler

S.A. Dunn (Chair)

O. Rybinski

**Note:** In the event of one of the aforementioned Licensing Committee Members being unable to attend or serve on this Sub-Committee another Member of the Licensing Committee will be called to serve in their place.

*Councillors are reminded that the Gifts and Hospitality Declaration book will be available outside the meeting room for you to record any gifts or hospitality offered to you since the last Committee meeting.*

**Spelthorne Borough Council, Council Offices, Knowle Green**

**Staines-upon-Thames TW18 1XB**

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## AGENDA

Page nos.

**1. Disclosures of Interest**

To receive any disclosures of interest from members in accordance with the Members' Code of Conduct.

**2. To consider an application for a Premises Licence at Shepperton Village Fair, Manor Park, Shepperton, TW17 9JT in the light of representations**

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The Report of the Deputy Chief Executive is attached.

A procedure note which explains what happens at a Licensing Sub-Committee, follows.

## Licensing Act 2003

### Hearing procedure for Licensing Sub-Committee – premises licence applications

	<b>Introductions</b>
1.	The Chairman will open the meeting, introduce members of the Sub-Committee and officers present and explain the nature of the decision to be taken and the procedure to be followed.
2.	The Applicant or their representative will introduce themselves to the Sub-Committee.
3.	Any Responsible Authorities and/or Other Persons will introduce themselves to the Sub-Committee.
	<b>Summary of Application and Representations</b>
4.	The Council's Licensing Manager will outline the application, any relevant representations and highlight any points relevant to the Licensing Authority's Statement of Licensing Policy and statutory guidance. OR summarise the salient points of the report on the agenda.
5.	The Applicant or their representative may ask the Licensing Manager <b>QUESTIONS</b> arising from what he/she has said or relating to the application. (The Applicant will have the opportunity to state his/her case later).
6.	The Responsible Authorities may ask relevant questions of the Council's Licensing Manager.
7.	Any Other Persons may ask relevant questions of the Council's Licensing Manager.
8.	The members of the Sub-Committee may ask relevant questions of the Council's Licensing Manager.
9.	The Council's Licensing Manager may respond to any new issues raised.
	<b>The Applicant's Case</b>
10.	The Applicant or their representative will present their case.*
11.	The Responsible Authorities may ask relevant questions of the Applicant or their representative.
12.	Any Other Persons may ask relevant questions of the Applicant or their representative.

13.	The members of the Sub-Committee may ask relevant questions of the Applicant or their representative.
14.	The Applicant may respond to any new issues raised.
	<b>The Responsible Authorities case</b>
15.	The Responsible Authorities will present their case, in turn.*
16.	The Applicant or their representative may ask relevant questions of the Responsible Authorities.
17.	Any Other Persons may ask relevant questions of the Responsible Authorities.
18.	The members of the Sub-Committee may ask relevant questions of the Responsible Authorities.
19.	The Responsible Authorities may respond to any new issues raised.
	<b>The Other Persons Case</b>
20.	Any Other Persons will present their case, in turn.*
21.	The Applicant or their representative may ask relevant questions of the Other Persons.
22.	The Responsible Authorities may ask relevant questions of the Other Persons.
23.	The members of the Sub-Committee may ask relevant questions of the Other Persons.
24.	The Other Persons may respond to any new issues raised.
	<b>Summing Up</b>
25.	The Chairman will invite the Licensing Enforcement Officer to clarify any technical points.
26.	The Chairman will invite the Other Persons to briefly summarise their case if they so wish.
27.	The Chairman will invite Responsible Authorities to briefly summarise their case if they so wish.
28.	The Chairman will invite the Applicant or their representative to briefly summarise their case if they so wish.
29.	The Chairman will then ask all parties if they are satisfied they have said all they wish to.



	<b>Decision</b>
<b>30.</b>	The members of the Sub-Committee will retire to reach a decision in private, accompanied by the Council's legal officer and Committee Manager.
<b>31.</b>	Members of the Sub-Committee return. The Chairman will announce the decision of the Sub-Committee with (summary or full) reasons for the decision.
<b>32.</b>	Meeting closed.
<b>33.</b>	The Council's legal officer will remain in the room to assist all parties should they require clarification of the decision and/or next steps.

### **GUIDANCE NOTES**

\*The Licensing Authority will allow the parties an equal maximum period of time in which to address the Sub-Committee, but request that all parties keep points pertinent and the discussion moving in the interests of cost and efficiency. However, the overriding principle for the Licensing Authority will be to ensure that all parties receive a fair hearing.

- (a) Cross examination of parties is at the discretion of the Sub-Committee.
- (b) When the Applicant questions the Licensing Manager or any other party he/she should not go into the merits of his/her case as he/she will have an opportunity to present it at Stage 10. He/she should only ask questions relating to what the Licensing Manager or other person has said or relating to the application as a whole.
- (c) The Applicant or any other party may be represented by a friend or a professional person to speak on his/her behalf who will follow the same procedure as described above and who may call the Applicant as a witness.
- (d) The order or proceedings may be varied by the Chairman if he/she thinks that it is necessary to do so in the interests of affording the Applicant a fair hearing or in order to take into account all relevant considerations.
- (e) If, after the Sub-Committee has withdrawn to make their decision, they decide that they need to ask a question of any of the parties involved in the proceedings or to clarify any matter then they shall do so in the presence of all parties.
- (f) Members of the Sub-Committee must be present throughout the hearing and must not communicate with any party involved in the proceedings except for when they are in the presence of all of the parties and the remainder of the Sub-Committee.



# Licensing Sub-Committee



26 January 2024

<b>Title</b>	Application for a Premises Licence Applicant: Shepperton Village Fair Ltd Premises: Manor Park, Shepperton, TW17 9JT
<b>Purpose of the report</b>	For Determination
<b>Report Author</b>	<i>Lucy Catlyn Principal Licensing Officer</i>
<b>Ward(s) Affected</b>	Shepperton Town

<b>Description and Location</b>	<p>Shepperton Village Fair Ltd have applied for a grant of a premises licence for the provision of Regulated Entertainment and the Supply of Alcohol.</p> <p>Manor Park is a park with a public car park located at the bottom of Shepperton High Street and maintained by Spelthorne Council. By agreement with the Council, Shepperton Village Fair is operated on the site on one day of the year, on one Saturday in June.</p> <p>The location plan is attached at <b>Appendix A</b>.</p>
<b>The Application</b>	<p>The application is to determine the grant of a premises licence for one Saturday in June from 11.00-18.00:</p> <ul style="list-style-type: none"> <li>• The provision of Regulated Entertainment (live music, recorded music and performances of dance).</li> <li>• The Supply of Alcohol</li> </ul> <p>The opening times applied for are the same 11.00-18.00.</p> <p>The application form is attached at <b>Appendix B</b>. The licensable area plan is attached at <b>Appendix C</b>.</p>
<b>Representations</b>	<p>Relevant representations have been received from two 'other persons'.</p> <p>No relevant representations have been received from any of the relevant authorities.</p>

	The representations are attached at <b>Appendix D.</b>
<b>Options</b>	<p>1. The Sub-Committee is requested to consider the application for the grant of a premises licence for the provision of regulated entertainment and supply of alcohol for one Saturday in June from 11:00-18:00 on its merits</p> <p>2. Having had regard to the representation, the Sub-Committee must take such steps as it considers appropriate for the promotion of the licensing objectives. The options are:</p> <ul style="list-style-type: none"> <li>• <b>To grant the application subject only to such conditions as are consistent with the operating schedule and the mandatory conditions; or</b></li> <li>• <b>To grant the application and modify the conditions of the licence, by alteration, addition, or omission; or</b></li> <li>• <b>To exclude from the scope of the licence any of the licensable activities to which the application relates; or</b></li> <li>• <b>To refuse to specify a person in the licence as the premises supervisor; or</b></li> <li>• <b>To reject the application.</b></li> </ul>

## 1. Summary of the report

- 1.1 This is an application for a new premises licence for the provision of regulated entertainment and supply of alcohol at Manor Park for Shepperton Village Fair on one Saturday in June.
- 1.2 Manor Park is a public park and with agreement with the Council, Shepperton Village Fair is operated on the site on one day of the year on a Saturday in June.
- 1.3 A plan of the premises is attached at **Appendix C.**

## 2. Application Summary

### 2.1 Licensable activities proposed.

- The provision of Regulated Entertainment (live music, recorded music and performances of dance).
- The Supply of Alcohol

2.2 The licensable activities proposed and opening times applied for are the same 11.00-18.00.

2.3 The Designated Premises Supervisor (DPS) proposed is Elliot Todd Gregory.

2.4 Other businesses in the high street opening hours:

<b>Premises</b>	<b>Licensable activity</b>	<b>Hours</b>
4 Thurlestone Parade High Street Shepperton TW17 9AR	Sale by Retail of Alcohol ON	Every Day from 12:00 until 23:00
Sainsbury's 49 High Street Shepperton TW17 9AB	Late Night Refreshment – LNR Sale by Retail of Alcohol OFF ONLY	LNR - Every Day from 23:00 until 00:00 SRA - Every Day from 07:00 until 23:00
BP Shepperton SF Connect 26 - 34 High Street	Late Night Refreshment Sale by Retail of Alcohol OFF ONLY	LNR Refreshment - Every Day from 23:00 until 05:00 SRA - Every Day from 00:00 until 00:00 (24 Hour)
Co-operative Group Food Ltd 13 - 14 Thurlestone Parade High Street	Sale by retail of alcohol OFF	Everyday 06.00 to 23.00
High Street News 60 High Street Shepperton TW17 9AU	Sale by Retail of Alcohol OFF	Every Day from 05:00 until 22:00
Three Horseshoes	Sale by retail of alcohol Regulated Entertainment	10.00 to 23.00 Monday to Thursday 11.00 to 00.00 Fridays and Saturdays 12.00 to 22.30 Sundays and Good Friday
Prezzo	Sale by retail of alcohol Provision of late-night refreshment	Monday to Sat 10am to 00:00 (midnight) Sundays 12 noon to 11:30pm
Golden Grill	Sale by Retail of Alcohol	Monday to Sat 07:30- 22:00
Londis 42 High Street Shepperton TW17 9AX	Sale by Retail of Alcohol	Sale by Retail of Alcohol - Every Day from 07:00 until 23:00
Smoky Boys 25 High Street Shepperton TW17 9AJ	Regulated Entertainment Late Night Refreshment Sale by Retail of Alcohol	Regulated Entertainment - Every Day from 12:00 until 22:30 LNR - Every Day from 12:00 until 23:00 Sale by Retail of Alcohol - Every Day from 12:00 until 22:30

Thai Bite 23 High Street Shepperton TW17 9AJ	Late Night Refreshment Sale by Retail of Alcohol	<b>LNR</b> - Friday and Saturday from 23:00 until 23:40 <b>Sale by Retail of          Alcohol</b> – Sunday to Thursday from 12:00 until 14:40 and from 18:00 until 22:40 and on Friday to Saturday from 12:00 until 14:40 and from 18:00 until 23:40
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2.5 The Applicant details in the submitted plan that they require the entire site to be licenced for licensable activities, apart from the car park and adjacent car park.

2.6 The application has been consulted upon and adverts published in line with the regulations for the Licensing Act 2003. The application was advertised in the Surrey Advertiser on 8 December 2023.

2.7 Details of the application have been published on the Council's website.

**3. Promotion of the Licensing Objectives & conditions agreed by applicant.**

3.1 Box M of the application form (**Appendix B**) details the proposed steps to be taken by the Applicant to promote the licensing objectives should the licence be granted.

3.2 However, Surrey Police and the Applicant have since agreed additional conditions for the premises licence should it be granted which are below (**Appendix E**):

- There shall be a minimum of 6 SIA door supervisors on duty throughout the event.
- A register of door supervisors employed will be maintained. This register will record their name, SIA Door Supervisor Licence number and contact details.
- All SIA Door Supervisors and staff at locations where alcohol is provided shall have access to a radio to communicate with each other and to other relevant staff from the Shepperton Village Fair committee as the Premises Licence Holder deems relevant.

3.3 Neither the Licensing, nor the Environmental Health team have received historic complaints about the premises.

**4. Representations**

**4.1 Representations from Responsible Authorities**

4.2 There are no representations from any of the Responsible Authorities.

4.3 **Representations from ‘other persons’**

4.4 Two relevant representations have been received and are attached at **Appendix D**.

4.5 The grounds for objection are summarised below in relation to each Licensing Objective.

**Prevention of Crime and Disorder**

- Fear of increase of anti-social behaviour due to alcohol sales.

**Protection of Children from Harm**

- The representee states that the under 25 age policy will be difficult to ‘police’ and people could much more easily buy children alcohol.

**Public Safety**

- The representee has a concern where the alcohol sales area is.

4.6 A copy of the representations received were sent to the Applicant on 5 January 2024. The Applicant has submitted a document in support which is annexed at **Appendix F**.

4.7 Issues which are not relevant to the licensing objectives and cannot be considered by a Licensing Sub-Committee:

- The possible increase in the numbers attending the event due to the sale of alcohol
- Detriment to other local businesses

**5. Licensing Policy**

5.1 The Sub-Committee must have regard to the Council’s own Statement of Licensing Policy when determining this application. The following sections of the Council’s Licensing Policy are relevant to this application and are attached at **Appendix G**:

- Paragraph 8.1-8.9 Premises Licences & Club Premises Certificates
- Paragraph 9.1-9.2 Electronic Applications
- Paragraph 10.1-10.6 Application Consultation
- Paragraph 16.1-16.6 Promoting the Four Licensing Objectives
- Paragraph 16.7-16.14 Prevention of Crime and Disorder
- Paragraph 16.24-16.29 Public Safety
- Paragraph 16.41-16.58 Protection of Children from Harm
- Paragraph 17.1-17.16 Large Scale Events
- Paragraph 17.17-17.23 Safety advisory Group (SAG)

- Paragraph 17.24-17.27 ‘Martyns Law’
- Paragraph 19.1-19.9 Licence Conditions

## 6. National Guidance

6.1 The Sub-Committee must also have regard to the revised Guidance issued in December 2023 by the Secretary of State under section 182 of the Licensing Act 2003. The following chapters are relevant in the consideration of this application and are attached at **Appendix H**:

- Paragraph 2.1-2.7 Crime and Disorder
- Paragraph 2.8-2.15 Public Safety
- Paragraph 2.28-2.38 Protection of children from harm
- Paragraph 8.1-8.14 Applications for premises licences
- Paragraph 9.1-9.19 Determining applications
- Paragraph 9.31-9.44 Hearings
- Paragraph 13.1-13.11 Appeals

## 7. Making a decision

7.1 When considering an application for a grant of a new Premises Licence, the Sub-Committee shall carry out its functions with a view to taking steps it considers appropriate for promoting the licensing objectives. The licensing objectives are:

- Prevention of crime and disorder
- Public Safety
- Prevention of public nuisance
- Protection of children from harm

7.2 The legal framework from which licensing decisions must be made, consists of the Licensing Act 2003 and regulations, the national guidance issued under section 182 of the Licensing Act 2003, case law, and the Council’s own Statement of Licensing Policy.

7.3 The Sub-Committee must consider the application, relevant representations, and evidence provided by the parties at the hearing and within the report documentation.

7.4 In making its decision the Sub-Committee must promote the licensing objectives only, taking into account National Guidance and the Council’s own Statement of Licensing Policy.

7.5 The Sub-Committee must give reasons for its decision.

7.6 It is only where additional and supplementary measures are appropriate to promote the licensing objectives that there will be a requirement for appropriate, proportionate conditions to be attached.

7.7 Conditions on licences must:

- be precise and enforceable.



- be unambiguous.
- not duplicate other statutory provisions.
- be clear in what they intend to achieve; and,
- be appropriate, proportionate, and justifiable.

7.8 In determining the application, the Sub-Committee will need to consider whether there is actual evidence of problems in relation to the licensing objectives at this premises. Where the representations are unable to provide evidence of observed problems, as in the case of a new licence application, the Sub-Committee should be convinced that there is a very real threat of the fears or the dangers described in the representations actually occurring, before applying any conditions to address such fears or dangers.

7.9 The decision made by the Sub-Committee will be subject to appeal rights to the Magistrates' Court as detailed in section 181 and Schedule 5 of the Licensing Act 2003.

### **Appendices:**

**Appendix A** – Location Plan

**Appendix B** – Application Form

**Appendix C** - Plan

**Appendix D** – Representations from other persons

**Appendix E** – Email from Surrey Police with additional conditions agreed

**Appendix F** – Document submitted in support

**Appendix G** – Spelthorne Borough Council Statement of Licensing Policy 2024-2027:

- Paragraph 8.1-8.9 Premises Licences & Club Premises Certificates
- Paragraph 9.1-9.2 Electronic Applications
- Paragraph 10.1-10.6 Application Consultation
- Paragraph 16.1-16.6 Promoting the Four Licensing Objectives
- Paragraph 16.7-16.14 Prevention of Crime and Disorder
- Paragraph 16.24-16.29 Public Safety
- Paragraph 16.41-16.58 Protection of Children from Harm
- Paragraph 17.1-17.16 Large Scale Events
- Paragraph 17.17-17.23 Safety advisory Group (SAG)
- Paragraph 17.24-17.27 'Martyns Law'
- Paragraph 19.1-19.9 Licence Conditions

**Appendix H** – National Guidance issued by the Secretary of State under section 182 of the Licensing Act 2003 revised guidance December 2023:

- Paragraph 2.1-2.7 Crime and Disorder
- Paragraph 2.8-2.15 Public Safety
- Paragraph 2.28-2.38 Protection of children from harm
- Paragraph 8.1-8.14 Applications for premises licences
- Paragraph 9.1-9.19 Determining applications
- Paragraph 9.31-9.44 Hearings
- Paragraph 13.1-13.11 Appeals

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Spelthorne Borough Council

**Application for a premises licence to be granted  
under the Licensing Act 2003**

**PLEASE READ THE FOLLOWING INSTRUCTIONS FIRST**

Before completing this form please read the guidance notes at the end of the form. If you are completing this form by hand please write legibly in block capitals. In all cases ensure that your answers are inside the boxes and written in black ink. Use additional sheets if necessary.

You may wish to keep a copy of the completed form for your records.

**I/We** \_\_\_\_\_

*(Insert name(s) of applicant)*

**apply for a premises licence under section 17 of the Licensing Act 2003 for the premises described in Part 1 below (the premises) and I/we are making this application to you as the relevant licensing authority in accordance with section 12 of the Licensing Act 2003**

**Part 1 – Premises Details**

Postal address of premises or, if none, ordnance survey map reference or description			
<b>Post town</b>		<b>Postcode</b>	
Telephone number at premises (if any)			
Non-domestic rateable value of premises		£	

**Part 2 - Applicant Details**

Please state whether you are applying for a premises licence as

Please tick as appropriate

- |   |                                     |                             |
|---|-------------------------------------|-----------------------------|
| a) an individual or individuals *               | <input type="checkbox"/>            | please complete section (A) |
| b) a person other than an individual *          |                                     |                             |
| i. as a limited company                         | <input checked="" type="checkbox"/> | please complete section (B) |
| ii. as a partnership                            | <input type="checkbox"/>            | please complete section (B) |
| iii. as an unincorporated association or        | <input type="checkbox"/>            | please complete section (B) |
| iv. other (for example a statutory corporation) | <input type="checkbox"/>            | please complete section (B) |
| c) a recognised club                            | <input type="checkbox"/>            | please complete section (B) |

- d) a charity  please complete section (B)
- e) the proprietor of an educational establishment  please complete section (B)
- f) a health service body  please complete section (B)
- g) a person who is registered under Part 2 of the Care Standards Act 2000 (c14) in respect of an independent hospital in Wales  please complete section (B)
- ga) a person who is registered under Chapter 2 of Part 1 of the Health and Social Care Act 2008 (within the meaning of that Part) in an independent hospital in England  please complete section (B)
- h) the chief officer of police of a police force in England and Wales  please complete section (B)

\* If you are applying as a person described in (a) or (b) please confirm:

Please tick yes

- I am carrying on or proposing to carry on a business which involves the use of the premises for licensable activities; or
- I am making the application pursuant to a statutory function or
- a function discharged by virtue of Her Majesty's prerogative

**(A) INDIVIDUAL APPLICANTS** (fill in as applicable)

Mr <input type="checkbox"/>	Mrs <input type="checkbox"/>	Miss <input type="checkbox"/>	Ms <input type="checkbox"/>	Other Title (for example, Rev)	
<b>Surname</b>			<b>First names</b>		
I am 18 years old or over				<input type="checkbox"/> Please tick yes	
Current postal address if different from premises address					
Post town				Postcode	
<b>Daytime contact telephone number</b>					
<b>E-mail address (optional)</b>					

**SECOND INDIVIDUAL APPLICANT** (if applicable)

Mr <input type="checkbox"/>	Mrs <input type="checkbox"/>	Miss <input type="checkbox"/>	Ms <input type="checkbox"/>	Other Title (for example, Rev)	
<b>Surname</b>			<b>First names</b>		
I am 18 years old or over				<input type="checkbox"/>	Please tick yes
Current postal address if different from premises address					
Post town		Postcode			
<b>Daytime contact telephone number</b>					
<b>E-mail address (optional)</b>					

**(B) OTHER APPLICANTS**

**Please provide name and registered address of applicant in full. Where appropriate please give any registered number. In the case of a partnership or other joint venture (other than a body corporate), please give the name and address of each party concerned.**

Name
Address
Registered number (where applicable)
Description of applicant (for example, partnership, company, unincorporated association etc.)
Telephone number (if any)
E-mail address (optional)

**Part 3 Operating Schedule**

When do you want the premises licence to start?

08/06/2024 

DD	MM	YYYY
<input type="text"/>	<input type="text"/>	<input type="text"/>

If you wish the licence to be valid only for a limited period, when do you want it to end?

DD	MM	YYYY
<input type="text"/>	<input type="text"/>	<input type="text"/>

Please give a general description of the premises (please read guidance note 1)

If 5,000 or more people are expected to attend the premises at any one time, please state the number expected to attend.

What licensable activities do you intend to carry on from the premises?

(Please see sections 1 and 14 of the Licensing Act 2003 and Schedules 1 and 2 to the Licensing Act 2003)

Provision of regulated entertainment

Please tick any that apply

- a) plays (if ticking yes, fill in box A)
- b) films (if ticking yes, fill in box B)
- c) indoor sporting events (if ticking yes, fill in box C)
- d) boxing or wrestling entertainment (if ticking yes, fill in box D)
- e) live music (if ticking yes, fill in box E)
- f) recorded music (if ticking yes, fill in box F)
- g) performances of dance (if ticking yes, fill in box G)
- h) anything of a similar description to that falling within (e), (f) or (g) (if ticking yes, fill in box H)



**Provision of late night refreshment** (if ticking yes, fill in box I)

**Supply of alcohol** (if ticking yes, fill in box J)

**In all cases complete boxes K, L and M**

**A**

<b>Plays</b> Standard days and timings (please read guidance note 6)			<b><u>Will the performance of a play take place indoors or outdoors or both – please tick</u></b> (please read guidance note 2)	Indoors	<input type="checkbox"/>
Day	Start	Finish		Outdoors	<input type="checkbox"/>
Mon			<b><u>Please give further details here</u></b> (please read guidance note 3)	Both	<input type="checkbox"/>
Tue			<b><u>State any seasonal variations for performing plays</u></b> (please read guidance note 4)		
Wed			<b><u>Non standard timings. Where you intend to use the premises for the performance of plays at different times to those listed in the column on the left, please list</u></b> (please read guidance note 5)		
Thur					
Fri					
Sat					
Sun					

**B**

<b>Films</b> Standard days and timings (please read guidance note 6)			<b><u>Will the exhibition of films take place indoors or outdoors or both – please tick</u></b> (please read guidance note 2)	Indoors	<input type="checkbox"/>			
				Outdoors	<input type="checkbox"/>			
				Both	<input type="checkbox"/>			
Day	Start	Finish	<b><u>Please give further details here</u></b> (please read guidance note 3)					
Mon								
Tue								
Wed						<b><u>State any seasonal variations for the exhibition of films</u></b> (please read guidance note 4)		
Thur								
Fri						<b><u>Non standard timings. Where you intend to use the premises for the exhibition of films at different times to those listed in the column on the left, please list</u></b> (please read guidance note 5)		
Sat								
Sun								

C

<b>Indoor sporting events</b> Standard days and timings (please read guidance note 6)			<b><u>Please give further details</u></b> (please read guidance note 3)
Day	Start	Finish	
Mon			
Tue			<b><u>State any seasonal variations for indoor sporting events</u></b> (please read guidance note 4)
Wed			<b><u>Non standard timings. Where you intend to use the premises for indoor sporting events at different times to those listed in the column on the left, please list</u></b> (please read guidance note 5)
Thur			
Fri			
Sat			
Sun			

**D**

<b>Boxing or wrestling entertainments</b> Standard days and timings (please read guidance note 6)			<b><u>Will the boxing or wrestling entertainment take place indoors or outdoors or both – please tick</u></b> (please read guidance note 2)	Indoors	<input type="checkbox"/>
				Outdoors	<input type="checkbox"/>
Day	Start	Finish		Both	<input type="checkbox"/>
Mon			<b><u>Please give further details here</u></b> (please read guidance note 3)		
Tue					
Wed			<b><u>State any seasonal variations for boxing or wrestling entertainment</u></b> (please read guidance note 4)		
Thur					
Fri			<b><u>Non standard timings. Where you intend to use the premises for boxing or wrestling entertainment at different times to those listed in the column on the left, please list</u></b> (please read guidance note 5)		
Sat					
Sun					

**E**

<b>Live music</b> Standard days and timings (please read guidance note 6)			<b><u>Will the performance of live music take place indoors or outdoors or both – please tick</u></b> (please read guidance note 2)	Indoors	<input type="checkbox"/>
				Outdoors	<input type="checkbox"/>
				Both	<input checked="" type="checkbox"/>
Day	Start	Finish	<b><u>Please give further details here</u></b> (please read guidance note 3)		
Mon					
Tue					
Wed			<b><u>State any seasonal variations for the performance of live music</u></b> (please read guidance note 4)		
Thur					
Fri					
			<b><u>Non standard timings. Where you intend to use the premises for the performance of live music at different times to those listed in the column on the left, please list</u></b> (please read guidance note 5)		
Sat					
Sun					

**F**

<b>Recorded music</b> Standard days and timings (please read guidance note 6)			<b><u>Will the playing of recorded music take place indoors or outdoors or both – please tick</u></b> (please read guidance note 2)	Indoors	<input type="checkbox"/>
				Outdoors	<input type="checkbox"/>
				Both	<input checked="" type="checkbox"/>
<b>Day</b>	<b>Start</b>	<b>Finish</b>			
Mon			<b><u>Please give further details here</u></b> (please read guidance note 3)		
Tue					
Wed			<b><u>State any seasonal variations for the playing of recorded music</u></b> (please read guidance note 4)		
Thur					
Fri			<b><u>Non standard timings. Where you intend to use the premises for the playing of recorded music at different times to those listed in the column on the left, please list</u></b> (please read guidance note 5)		
Sat					
Sun					

# G

Performances of dance Standard days and timings (please read guidance note 6)			Will the performance of dance take place <u>indoors or outdoors or both – please tick</u> (please read guidance note 2)	Indoors	<input type="checkbox"/>
Day	Start	Finish		Outdoors	<input checked="" type="checkbox"/>
				Both	<input type="checkbox"/>
Mon			<b><u>Please give further details here</u></b> (please read guidance note 3)		
Tue					
Wed			<b><u>State any seasonal variations for the performance of dance</u></b> (please read guidance note 4)		
Thur					
Fri			<b><u>Non standard timings. Where you intend to use the premises for the performance of dance at different times to those listed in the column on the left, please list</u></b> (please read guidance note 5)		
Sat					
Sun					

# H

<b>Anything of a similar description to that falling within (e), (f) or (g)</b> Standard days and timings (please read guidance note 6)			Please give a description of the type of entertainment you will be providing		
Day	Start	Finish	<b><u>Will this entertainment take place indoors or outdoors or both – please tick</u></b> (please read guidance note 2)	Indoors	<input type="checkbox"/>
Mon				Outdoors	<input type="checkbox"/>
				Both	<input type="checkbox"/>
Tue			<b><u>Please give further details here</u></b> (please read guidance note 3)		
Wed					
Thur			<b><u>State any seasonal variations for entertainment of a similar description to that falling within (e), (f) or (g)</u></b> (please read guidance note 4)		
Fri					
Sat			<b><u>Non standard timings. Where you intend to use the premises for the entertainment of a similar description to that falling within (e), (f) or (g) at different times to those listed in the column on the left, please list</u></b> (please read guidance note 5)		
Sun					



I

<b>Late night refreshment</b> Standard days and timings (please read guidance note 6)			<b>Will the provision of late night refreshment take place indoors or outdoors or both – please tick</b> (please read guidance note 2)	Indoors	<input type="checkbox"/>
				Outdoors	<input type="checkbox"/>
				Both	<input type="checkbox"/>
<b>Day</b>	<b>Start</b>	<b>Finish</b>	<b><u>Please give further details here</u></b> (please read guidance note 3)		
Mon					
Tue			<b><u>State any seasonal variations for the provision of late night refreshment</u></b> (please read guidance note 4)		
Wed					
Thur			<b><u>Non standard timings. Where you intend to use the premises for the provision of late night refreshment at different times, to those listed in the column on the left, please list</u></b> (please read guidance note 5)		
Fri					
Sat					
Sun					

**J**

<b>Supply of alcohol</b> Standard days and timings (please read guidance note 6)			<b><u>Will the supply of alcohol be for consumption – please tick</u></b> (please read guidance note 7)  All sales of alcohol will be made from stalls operated by personal licence holders.	On the premises	<input checked="" type="checkbox"/>
				Off the premises	<input type="checkbox"/>
				Both	<input type="checkbox"/>
Day	Start	Finish	<b><u>State any seasonal variations for the supply of alcohol</u></b> (please read guidance note 4)		
Mon					
Tue					
Wed					
Thur					
Fri					
Sat					
Sun			<b><u>Non standard timings. Where you intend to use the premises for the supply of alcohol at different times to those listed in the column on the left, please list</u></b> (please read guidance note 5)		

**State the name and details of the individual whom you wish to specify on the licence as designated premises supervisor:**

Name	
Address	
Postcode	
Personal licence number (if known)	
Issuing licensing authority (if known)	

K

**Please highlight any adult entertainment or services, activities, other entertainment or matters ancillary to the use of the premises that may give rise to concern in respect of children** (please read guidance note 8).

L

<b>Hours premises are open to the public</b> Standard days and timings (please read guidance note 6)			<b>State any seasonal variations</b> (please read guidance note 4)
Day	Start	Finish	
Mon			<b>Non standard timings. Where you intend the premises to be open to the public at different times from those listed in the column on the left, please list</b> (please read guidance note 5)
Tue			
Wed			
Thur			
Fri			
Sat			
Sun			

**M** Describe the steps you intend to take to promote the four licensing objectives:

**a) General – all four licensing objectives (b, c, d and e)** (please read guidance note 9)

**b) The prevention of crime and disorder**

**c) Public safety**

**d) The prevention of public nuisance**

**e) The protection of children from harm**

--

**Checklist:**


**Please tick to indicate agreement**

- I have made or enclosed payment of the fee.
- I have enclosed the plan of the premises.
- I have sent copies of this application and the plan to responsible authorities and others where applicable. (Arranged via SBC Licensing)
- I have enclosed the consent form completed by the individual I wish to be designated premises supervisor, if applicable.
- I understand that I must now advertise my application.
- I understand that if I do not comply with the above requirements my application will be rejected.

**IT IS AN OFFENCE, LIABLE ON SUMMARY CONVICTION TO A FINE NOT EXCEEDING LEVEL 5 ON THE STANDARD SCALE, UNDER SECTION 158 OF THE LICENSING ACT 2003, TO MAKE A FALSE STATEMENT IN OR IN CONNECTION WITH THIS APPLICATION.**

**Part 4 – Signatures** (please read guidance note 10)

**Signature of applicant or applicant’s solicitor or other duly authorised agent** (see guidance note 11). **If signing on behalf of the applicant, please state in what capacity.**

Signature	
Date	
Capacity	

**For joint applications, signature of 2<sup>nd</sup> applicant or 2<sup>nd</sup> applicant’s solicitor or other authorised agent** (please read guidance note 12). **If signing on behalf of the applicant, please state in what capacity.**

Signature	
Date	
Capacity	

Contact name (where not previously given) and postal address for correspondence associated with this application (please read guidance note 13)

Post town

Postcode

Telephone number (if any)

If you would prefer us to correspond with you by e-mail, your e-mail address (optional)

### Notes for Guidance

1. Describe the premises, for example the type of premises, its general situation and layout and any other information which could be relevant to the licensing objectives. Where your application includes off-supplies of alcohol and you intend to provide a place for consumption of these off-supplies, you must include a description of where the place will be and its proximity to the premises.
2. Where taking place in a building or other structure please tick as appropriate (indoors may include a tent).
3. For example the type of activity to be authorised, if not already stated, and give relevant further details, for example (but not exclusively) whether or not music will be amplified or unamplified.
4. For example (but not exclusively), where the activity will occur on additional days during the summer months.
5. For example (but not exclusively), where you wish the activity to go on longer on a particular day e.g. Christmas Eve.
6. Please give timings in 24 hour clock (e.g. 16:00) and only give details for the days of the week when you intend the premises to be used for the activity.
7. If you wish people to be able to consume alcohol on the premises, please tick 'on the premises'. If you wish people to be able to purchase alcohol to consume away from the premises, please tick 'off the premises'. If you wish people to be able to do both, please tick 'both'.
8. Please give information about anything intended to occur at the premises or ancillary to the use of the premises which may give rise to concern in respect of children, regardless of whether you intend children to have access to the premises, for example (but not exclusively) nudity or semi-nudity, films for restricted age groups or the presence of gaming machines.
9. Please list here steps you will take to promote all four licensing objectives together.
10. The application form must be signed.
11. An applicant's agent (for example solicitor) may sign the form on their behalf provided that they have actual authority to do so.
12. Where there is more than one applicant, each of the applicant or their respective agent must sign the application form.
13. This is the address which we shall use to correspond with you about this application.

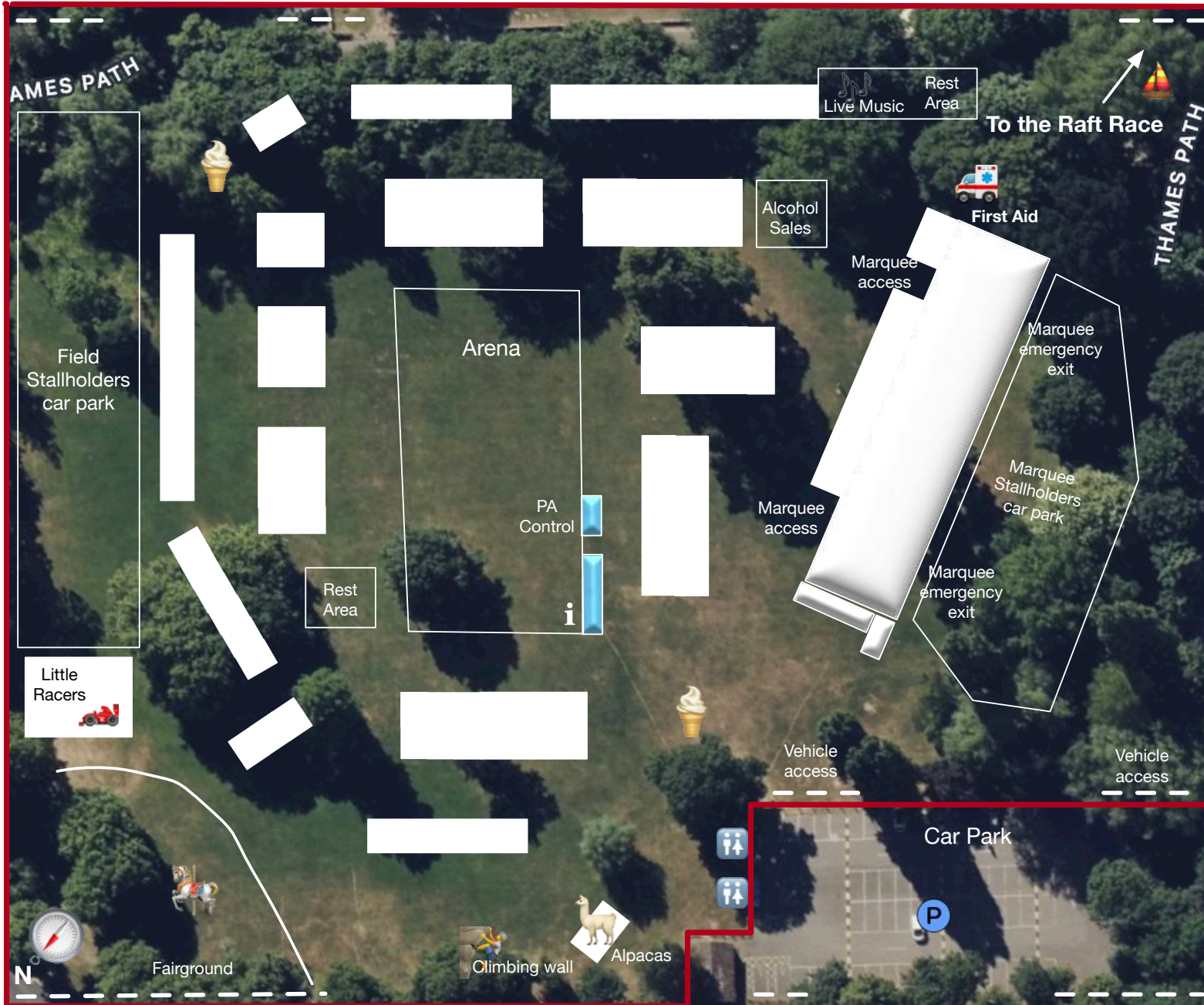
Pedestrian access

Pedestrian access

# Red line encloses regulated activities

Pedestrian/Emergency  
Vehicle access

Page 35



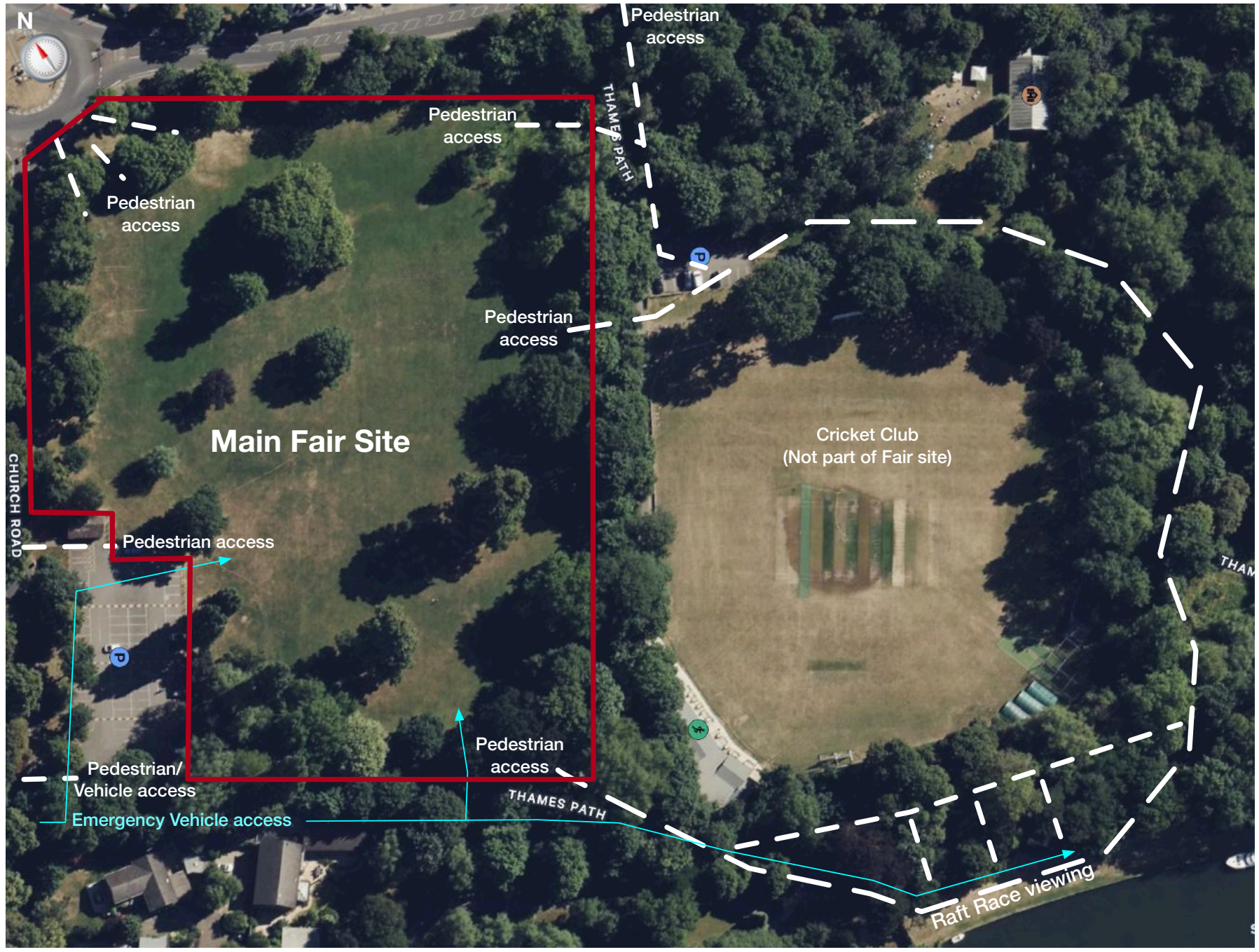
Pedestrian access

Pedestrian access

Vehicle access



# Red line encloses regulated activities





Key

		Impact (I)		
		Slight	Moderate	High
Probability (P)	Unlikely	1	2	3
	Possible	2	4	6
	Likely	3	6	9

Shepperton Village Fair Committee Risk Assessment for Shepperton Village Fair 2024 (1 Dec 2023)

	Objectives	Phase	ID	Risk	Rating			Controls	After Sum	Contingencies
					P	I	Sum			
<b>▼ 1 Crime &amp; Disorder</b>										
	1 Crime & Disorder	1 Site prep	SP15	Damage to Fair property left on site overnight before Fair Day	2	3	6	SIA Night Security staff protect Marquee and equipment. Vehicle barriers to Main and Riverside sites locked overnight.	1	Police informed and Incident logged by Fair Organiser. Property, Public & Employers Liability insurance fully covers event setup & delivery.
	1 Crime & Disorder	5 Fair delivery	FD13	Disruption or disorder through anti-social behaviour	1	3	3	Key Fair Crew have radio access to onsite SIA Security staff as a first resort to deal with problems. All Fair Crew have personal mobile phones and provided with each others' mobile numbers (paper & vcf).	1	If SIA Security staff fail to resolve or are unavailable, Emergency Services called and incident logged by Fair Organiser. Property, Public & Employers Liability insurance fully covers event setup & delivery
	1 Crime & Disorder	5 Fair delivery	FD20	Lost property	3	1	3	Items handed in placed in Lost Property container in the SVF Information Marquee and attempts made to locate the owner via PA or mobile phone if possible.	1	If a valuable item is uncollected by the end of the Fair, item is announced on social media. If unclaimed, item is handed in to Police.
	1 Crime & Disorder	5 Fair delivery	FD31	Disruption in the bar area	1	3	3	Bars are outside only. Each bar stall principal operator required to be a personal licence holder. Open air seating area located nearby. SIA security staff deployed to bar area as necessary. Surrey Police stall located nearby.	1	Emergency Services called and incident logged by Fair Organiser. Property, Public & Employers Liability insurance fully covers event setup & delivery.
	1 Crime & Disorder	5 Fair delivery	FD32	Excessive drinking	1	3	3	Each bar stall principal operator required to be a personal licence holder. Bars are outside only and opening hours limited to 11.00 - 18.00. SIA security staff and/or onsite Police deployed. Stallholders mandated to use non-glass containers for dispensed drinks. Discounted drinks promotions not allowed.	1	Emergency Services called and incident logged by Fair Organiser. Property, Public & Employers Liability insurance fully covers event setup & delivery.
<b>▼ 2 Public safety</b>										
	2 Public safety	0 All Phases	AP01	Lack of clarity about safety and its management	2	2	4	Clear briefing of tasks, responsibilities, methods, risks, rules and safety measures for all participating Fair Crew by Fair Organiser, and other specialists as necessary. Written Safety Briefing (inc. Emergency Action Protocols) issued to all Fair Crew. Determine training needs and provide training if required. First Aid Post w/trained paramedics and on-site ambulance provided, and location briefed to SIA/Fair Crew	1	Property, Public & Employers Liability insurance fully covers event setup & delivery.
	2 Public safety	0 All Phases	AP02	Terrorist attack (Marauding individuals)	1	3	3	Fair Organiser responsive to guidance from police/security service intelligence. SIA security staff and/or Fair Crew vigilance.	1	Emergency Evacuation Announcement (on Fair Day) and Emergency Services called. Incident logged by Fair Organiser. Property, Public & Employers Liability insurance fully covers event setup & delivery.

	Objectives	Phase	ID	Risk	Rating			Controls	After	Contingencies
					P	I	Sum			
	2 Public safety	0 All Phases	AP03	Terrorist attack (IED)	1	3	3	Fair Organiser responsive to guidance from police/security service intelligence. SIA security staff and/or Fair Crew vigilance.	1	Emergency Evacuation Announcement (on Fair Day) and Emergency Services called. Incident logged by Fair Organiser. Property, Public & Employers Liability insurance fully covers event setup & delivery.
	2 Public safety	0 All Phases	AP04	Terrorist attack (Vehicles)	1	3	3	Fair Organiser responsive to guidance from police/security service intelligence. SIA security staff and Fair Crew vigilance. Site closed to all unauthorised vehicles via physical barriers on Site Prep Day. Site vehicle entrances controlled by SIA staff and Fair Crew on Fair Day. No unauthorised site vehicle movements permitted on Fair Day 11.00 - 17.00. No unauthorised drones permitted for duration of the event and its preparation.	1	Emergency Evacuation Announcement (on Fair Day) and Emergency Services called. Incident logged by Fair Organiser. Property, Public & Employers Liability insurance fully covers event setup & delivery.
	2 Public safety	0 All Phases	AP05	Terrorist attack (Fire)	1	3	3	Fair Organiser responsive to guidance from police/security service intelligence. SIA security staff and Fair Crew vigilance.	1	Emergency Evacuation Announcement (on Fair Day) and Emergency Services called. Incident logged by Fair Organiser. Property, Public & Employers Liability insurance fully covers event setup & delivery.
	2 Public safety	0 All Phases	AP06	Terrorist attack (CBRN)	1	3	3	Fair Organiser responsive to guidance from police/security service intelligence. SIA security staff and Fair Crew vigilance.	1	Emergency Evacuation Announcement (on Fair Day) and Emergency Services called. Incident logged by Fair Organiser. Property, Public & Employers Liability insurance fully covers event setup & delivery.
	2 Public safety	0 All Phases	AP07	Terrorist attack (Cyber)	1	3	3	Fair Organiser responsive to guidance from police/security service intelligence. Website hosted securely and SSL certificated. All event-critical Fair data backed up via secure cloud services. Passwords to digital tools, online banking and cloud services strong for all Fair Crew users and double authentication used where possible. Personal data held by permission under GDPR regulations and published SVF Privacy Policy. Fair data registered and certificated under ICO Data Protection regulations.	1	Police informed of any cyber attack targeting the Fair specifically. Passwords changed.
	2 Public safety	0 All Phases	AP08	Pandemic	1	3	3	Fair Organiser responsive to guidance from Govt. and Local Health Authorities. Fair Organiser monitors situation, but risk accepted since no direct controls possible.	2	If necessary, Fair Organiser cancels event. If they have paid, cancelled stallholders and sponsors contacted to ascertain if they would prefer a refund or a deferral to the next year. Any costs met out of Fair reserves. Property, Public & Employers Liability insurance fully covers event setup & delivery.
	2 Public safety	1 Site prep	SP01	Injury arising from faulty, out of date, or inappropriate tools and equipment	1	2	2	Inspect all equipment and tools stored since the previous Fair for signs of undue wear or unsafe condition. In the event of unsuitable condition of tools or equipment, replace with new, Ensure that all tools to be used by Fair Crew fit for purpose and adequately trained for.	1	In the event of injury, First Aid deployed and/or Emergency Services called and incident logged by Fair Organiser. Property, Public & Employers Liability insurance fully covers event setup & delivery
	2 Public safety	1 Site prep	SP02	Injury during assembly/ disassembly of Marquee	2	3	6	Prevention covered by separate Marquee Contractor RA. Fair Crew advised of the danger and not to enter the area of works.	2	In the event of injury, First Aid deployed and/or Emergency Services called and incident logged by Fair Organiser. Property, Public & Employers Liability insurance fully covers event setup & delivery.

	Objectives	Phase	ID	Risk	Rating			Controls	After Sum	Contingencies
					P	I	Sum			
	2 Public safety	1 Site prep	SP03	Injury due to mishandling of site set-up equipment	1	2	2	Fair Crew briefed on basic principles of manual handling of heavy equipment at Committee meeting and on Fair setup day.	1	In the event of injury, First Aid deployed and/or Emergency Services called and incident logged by Fair Organiser. Property, Public & Employers Liability insurance fully covers event setup & delivery.
	2 Public safety	1 Site prep	SP04	Injury due to hot drink spillage	1	2	2	Fair Crew briefed on the risk of carrying and misplacing hot drinks.	1	In the event of injury, First Aid deployed and/or Emergency Services called and incident logged by Fair Organiser. Property, Public & Employers Liability insurance fully covers event setup & delivery.
	2 Public safety	1 Site prep	SP05	Injury due to trips, slips and falls	2	2	4	Possible trip hazards identified and located to avoid walkways. Slip hazards removed where possible, or labeled, and Fair Crew briefed. Falls prevented by removing need to work at height where possible and briefing on correct use of ladders.	1	In the event of injury, First Aid deployed and/or Emergency Services called and incident logged by Fair Organiser. Property, Public & Employers Liability insurance fully covers event setup & delivery.
	2 Public safety	1 Site prep	SP06	Accidents due to Contractors and SVF vehicles on site	1	3	3	Fair Crew advised on the movement of vehicles on site. Site entry dates and times agreed between Fair Crew and Marquee Contractor.	1	In the event of injury, First Aid deployed and/or Emergency Services called and incident logged by Fair Organiser. Property, Public & Employers Liability insurance fully covers event setup & delivery.
	2 Public safety	1 Site prep	SP07	Injury due to setting up tables, chairs and gazebos	1	2	2	Fair Crew briefed on basic principles of safe manual handling of tables, chairs and gazebos.	1	In the event of injury, First Aid deployed and/or Emergency Services called and incident logged by Fair Organiser. Property, Public & Employers Liability insurance fully covers event setup & delivery.
	2 Public safety	1 Site prep	SP08	Injury due to setting up display stands	1	2	2	Fair Crew briefed on basic principles of safe manual handling of stands.	1	In the event of injury, First Aid deployed and/or Emergency Services called and incident logged by Fair Organiser. Property, Public & Employers Liability insurance fully covers event setup & delivery.
	2 Public safety	1 Site prep	SP09	Injury from falls due to erection of high-level signage	2	3	6	Erection of high level signage kept to a minimum and where necessary performed by specialist Marquee contractor (w/separate RA) where possible. Fair Crew briefed on correct use of ladders.	1	In the event of injury, First Aid deployed and/or Emergency Services called and incident logged by Fair Organiser. Property, Public & Employers Liability insurance fully covers event setup & delivery.
	2 Public safety	1 Site prep	SP10	Injury due to inappropriate use of metal stakes	1	2	2	Storage of unused metal stakes controlled by Fair Crew. Stakes transported and used only by fully briefed and experienced Fair Crew. Unless carried in small numbers, metal stakes carried in a purpose-designed wheeled cart.	1	In the event of injury, First Aid deployed and/or Emergency Services called and incident logged by Fair Organiser. Property, Public & Employers Liability insurance fully covers event setup & delivery.
	2 Public safety	1 Site prep	SP11	Injury or damage due to unauthorised visitors to the site	1	2	2	Fair Crew or overnight SIA Security staff on site at all times.	1	In the event of injury, First Aid deployed and/or Emergency Services called and incident logged by Fair Organiser. Property, Public & Employers Liability insurance fully covers event setup & delivery.
	2 Public safety	1 Site prep	SP12	Injury due to electric shock	1	3	3	Prevention covered by separate Electrical Contractor RA.	1	In the event of injury, First Aid deployed and/or Emergency Services called and incident logged by Fair Organiser. Property, Public & Employers Liability insurance fully covers event setup & delivery.

	Objectives	Phase	ID	Risk	Rating			Controls	After	Contingencies
					P	I	Sum			
	2 Public safety	1 Site prep	SP13	Harm due to dehydration	1	3	3	Adequate supply of drinking water maintained on site.	1	In the event of injury, First Aid deployed and/or Emergency Services called and incident logged by Fair Organiser. Property, Public & Employers Liability insurance fully covers event setup & delivery.
	2 Public safety	1 Site prep	SP14	Toilet/hand washing facilities required by Fair Crew	3	1	3	Facilities available at a nearby residence. Following delivery of the mobile toilets, facilities available on site.	1	N/A
	2 Public safety	2 Procession assembly	PA01	Injury due to vehicle movements in the assembly area	1	3	3	The Assembly Area is a private secure area known as the Clock House Car Park provided by Ian Allan Ltd. The area is supervised by SVF Procession Marshals, under the overall control of a designated Procession Coordinator, to ensure no vehicles enter.	1	In the event of injury, First Aid deployed and/or Emergency Services called and incident logged by Fair Organiser. Property, Public & Employers Liability insurance fully covers event setup & delivery.
	2 Public safety	2 Procession assembly	PA05	Toilet facilities required by participants	3	1	3	Toilet facilities available at a nearby business. Availability of toilet facilities briefed in the joining instructions and on the day.	1	N/A
	2 Public safety	3 Procession movement	PM01	Safeguarding Procession participants including their protection from accidents due to conflict of vehicle movements and Procession participants on public roads	2	3	6	Closure of the High Street formally requested to prevent traffic entering the High Street from either end during the Procession. Street closure implemented by briefed SIA staff and SVF Marshals and supervised by Police if available. Police presence formally requested to assist in traffic safety while the Procession crosses from Station Approach to top of High St, and from bottom of the High St into Church Road. All Procession entrants supervised by accompanying adults wearing hi-viz vests. Number of accompanying adults determined by each entry's own RA. SVF Procession Marshals wear hi-viz vests, are under the overall control of designated Procession Coordinator, and walk in the Procession occupying positions evenly spaced along Procession entries. Marshals at the front, back and middle in radio contact with each other as well as with main Fair site and Security. Sainsbury's, M&S and the Coop store managers and the local Bus Company all advised of the Road Closure and requested to ensure large vehicles avoid the High St during the Procession. Entrant supervisors and SVF Marshals briefed in writing and orally by the Procession Coordinator about the importance of all participants staying in formation and the fact that, despite Road Closure, traffic movements may take place on the offside of the Procession throughout its progress. Specific risks for Marching Band covered by separate Performer RA. Specific risks for Stilt Walkers covered by separate Performer RA.	1	In the event that there is no Police presence, traffic safety is assisted by SIA staff and SVF Fair Crew, under the overall control of a designated Procession Coordinator. In the event of injury, First Aid deployed and/or Emergency Services called and incident logged by Fair Organiser. Property, Public & Employers Liability insurance fully covers event setup & delivery.
	2 Public safety	4 Procession arrival	PV01	Safeguarding Procession participants including their protection from accidents due to conflict of vehicle movements and Procession participants while in transit to the Arena	2	3	6	Walking route through Car Park marked off with bollards and supervised by SIA Security staff and Fair Crew. Entrance to Field and Arena cordoned off by Fair Crew, preventing traffic movement and signalling Procession transit to other Fairgoers. Exit from the Arena in case of emergency instantly possible on all sides.	1	In the event of injury, First Aid deployed and/or Emergency Services called and incident logged by Fair Organiser. Property, Public & Employers Liability insurance fully covers event setup & delivery.
	2 Public safety	5 Fair delivery	FD01	Injury due to electric shock	1	3	3	Prevention covered by separate Electrical Contractor RA. Main event generator area taped off from public.	1	In the event of injury, First Aid deployed and/or Emergency Services called and incident logged by Fair Organiser. Property, Public & Employers Liability insurance fully covers event setup & delivery.

	Objectives	Phase	ID	Risk	Rating			Controls	After	Contingencies
					P	I	Sum			
	2 Public safety	5 Fair delivery	FD02	Fire in the Marquee	1	3	3	Prevention covered by separate Marquee Contractor RA. Marquee continuously supervised by Fair Crew. Smoking not allowed in the Marquee. No heating, cooking equipment or electrical generators allowed in the Marquee. Multiple Marquee Fire Exits permanently open and designated with BS approved signage. Hydrospray Fire Extinguisher located at each exit. CO2 Fire Extinguisher located at each end of the Marquee. Fair Crew briefed on the correct operation of different fire extinguishers.	1	Emergency Announcement made by PA/Megaphone and Fair Crew safely check that stallholders have evacuated the Marquee to safe locations to wait for further instructions. In the event of injury, First Aid deployed and/or Emergency Services called and incident logged by Fair Organiser.. Property, Public & Employers Liability insurance fully covers event setup & delivery.
	2 Public safety	5 Fair delivery	FD03	Injury or disruption due to Marquee (partial) collapse	1	2	2	Prevention covered by separate Marquee Contractor RA.	1	Emergency Announcement made by PA/Megaphone and Fair Crew safely check that stallholders have evacuated the Marquee to safe locations to wait for further instructions. In the event of injury, First Aid deployed and/or Emergency Services called and incident logged by Fair Organiser. Property, Public & Employers Liability insurance fully covers event setup & delivery.
	2 Public safety	5 Fair delivery	FD04	Fire on Main Fair site	1	3	3	Main event diesel generator supplied to the Fair is fuelled by the contractor on delivery, is taped off, and does not need refuelling. Any stallholder generator arrangements inspected by designated Fair Crew and sand buckets provided. Prevention addressed in stallholder rules. Hydrospray Fire Extinguisher located in SVF Information Marquee	1	Emergency Announcement made by PA/Megaphone and Fair Crew safely check that affected area is safely evacuated. In the event of injury, First Aid deployed and/or Emergency Services called and incident logged by Fair Organiser. Property, Public & Employers Liability insurance fully covers event setup & delivery.
	2 Public safety	5 Fair delivery	FD05	Injury to stallholders	1	2	2	Field and Marquee Stall Holders provided with written 'Safety Guidelines and Information' inc. Site Plan and First Aid Post location.	1	In the event of injury, First Aid deployed and/or Emergency Services called and incident logged by Fair Organiser. Property, Public & Employers Liability insurance fully covers event setup & delivery.
	2 Public safety	5 Fair delivery	FD06	Injury to Fairgoers	1	2	2	First Aid Post clearly signposted. Site inspected for slip/trip/fall hazards by designated Fair Crew. Ingress & egress of vehicles to Arena taped off and supervised by Fair Crew. Arena performances taped off and supervised by Commentators and Fair Crew. Arena performers provided with written 'Safety Guidelines and Information' inc. Site Plan and First Aid Post location. Arena performers required to provide their own RA and PL insurance. Stallholders mandated to use non-glass containers for dispensed drinks. Stallholders advised to carry out their own RA and arrange PL. Access to all areas of the site maintained for Emergency Vehicles.	1	In the event of injury, First Aid deployed and/or Emergency Services called and incident logged by Fair Organiser. Property, Public & Employers Liability insurance fully covers event setup & delivery.
	2 Public safety	5 Fair delivery	FD07	Accidents due to vehicles on site	1	3	3	Fair Crew + SIA Security Staff monitor vehicle movement on site. All Stallholders provided with written 'Safety Guidelines and Information' advising drivers to drive 'dead' slow, follow designated movement corridors between stalls and that normal traffic movements are strictly forbidden on site between 11:00 – 17.00. Signs [Public Safety Notice – No Vehicle Exit until Fair Close at 17:00] are displayed at the entrance to the Fair site. If (unusually) a vehicle needs to enter or exit prior to the close of the Fair they are escorted by Fair Crew and/or SIA Security staff at the front and rear of the vehicle.	1	In the event of injury, First Aid deployed and/or Emergency Services called and incident logged by Fair Organiser. Property, Public & Employers Liability insurance fully covers event setup & delivery.

	Objectives	Phase	ID	Risk	Rating			Controls	After Sum	Contingencies
					P	I	Sum			
	2 Public safety	5 Fair delivery	FD08	Harm to Fairgoers due to bad stallholder food hygiene or allergens	1	3	3	Food stallholders regularly handling food made-to-order required to produce LA registration and be certificated with a food hygiene score of 3 or more. Food stalls operated on an occasional basis required to be food hygiene course certificated. Food stalls selling pre-packaged foods required to display ingredients/allergens. Food stallholders advised to have active Public Liability insurance.	1	Non compliance with mandatory conditions results in rejection of stallholder and return of plot fee. In the event of a medical issue on site First Aid deployed and/or Emergency Services called and incident logged by Fair Organiser. Property, Public & Employers Liability insurance fully covers event setup & delivery.
	2 Public safety	5 Fair delivery	FD09	Toilet facilities required by participants	3	1	3	Sufficient WC toilet blocks w/handwashing facilities provided. Sufficient disabled toilets with ground access provided. <b>Note</b> Toilet provision over many previous years of this event has shown us the number and type we need to avoid queues.	1	N/A
	2 Public safety	5 Fair delivery	FD11	Injury or difficulty associated with toilet access	1	2	2	Single handrail provided for stepped access to multiple toilet units. Disabled toilet with ground access provided.	1	In the event of injury, First Aid deployed and/or Emergency Services called and incident logged by Fair Organiser. Property, Public & Employers Liability insurance fully covers event setup & delivery.
	2 Public safety	5 Fair delivery	FD12	Harm due to bad hygiene in toilet facilities	1	2	2	Toilet sanitation monitored and maintained throughout event by Contractor and Fair Crew.	1	Circumstances logged by Fair Organiser. Property, Public & Employers Liability insurance fully covers event setup & delivery.
	2 Public safety	5 Fair delivery	FD14	Site public parking full	3	1	3	Car park marshalling by SIA Security staff who are briefed on car parking permits and spaces for authorised vehicles and on the need for courtesy to all. Sufficient stallholder parking available on site. Sufficient disabled parking available on site. When public parking full, drivers directed to overflow spaces at Halliford School.	1	N/A
	2 Public safety	5 Fair delivery	FD15	Overcrowding	1	2	2	Fair site is a large public park with no fences and multiple entrances/exits, and entry to the event is free with no tickets - resulting in self-determining crowd sizes. Over 50 years, the site has never proved too small for the crowd size attracted and easily accommodates the expected 5,000 people at a time. Drone footage confirms. Marquee is large with spaced out exhibits to avoid overcrowding, and multiple entrances/exits with more openings possible in case of need. Dispersal of people from overcrowded areas facilitated by removal of the cause (if possible), PA announcement and on site SIA staff	1	Fair Organiser cancels event and incident logged.
	2 Public safety	5 Fair delivery	FD16	Emergency announcement or emergency site access required	2	3	6	Key Fair Crew have radio access to each other and onsite SIA security staff. All Fair Crew have personal mobile phones and provided with each others' mobile numbers (paper & vcf). Any background music stopped and appropriate pre-scripted announcement read across the PA system and/or a handheld battery-operated megaphone. Megaphones available at the SVF Information Marquee and main Marquee reception. SIA security staff briefed to keep access to Main Site and Riverside clear for emergency vehicles w/Fair Crew to escort emergency vehicles.	1	Emergency Services called and incident logged by Fair Organiser. Property, Public & Employers Liability insurance fully covers event setup & delivery.
	2 Public safety	5 Fair delivery	FD17	Emergency evacuation from Fair site required	1	3	3	Pedestrian exits from the Main Site always available on all sides via multiple points - no fences around this public park - see map.	1	Emergency Services called and incident logged by Fair Organiser. Property, Public & Employers Liability insurance fully covers event setup & delivery.
	2 Public safety	5 Fair delivery	FD21	Rapid communication needed between Fair Crew and SIA Security staff	3	2	6	Radios issued to key Fair Crew and SIA Security supervisor. All Fair Crew have personal mobile phones and provided with each others' mobile numbers (paper & vcf).	1	N/A

	Objectives	Phase	ID	Risk	Rating			Controls	After Sum	Contingencies
					P	I	Sum			
	2 Public safety	5 Fair delivery	FD22	Injury due to fairground amusements/rides	1	3	3	Prevention covered by separate Fairground contractor RA. Production of ride safety certification required. Fairground operator provided with written 'Safety Guidelines and Information' inc. Site Plan and First Aid Post location.	1	In the event of injury, First Aid deployed and/or Emergency Services called and incident logged by Fair Organiser. Property, Public & Employers Liability insurance fully covers event setup & delivery.
	2 Public safety	5 Fair delivery	FD23	Injury during performance of Arena attractions	1	3	3	Prevention covered by separate Performer RAs. Performers provided with written 'Safety Guidelines and Information' inc. Site Plan and First Aid Post location.	1	In the event of injury, First Aid deployed and/or Emergency Services called and incident logged by Fair Organiser. Property, Public & Employers Liability insurance fully covers event setup & delivery.
	2 Public safety	5 Fair delivery	FD24	Injury arising from setup or operation of Climbing Wall attraction	1	3	3	Prevention covered by separate Climbing Wall operator RA. Operator provided with written 'Safety Guidelines and Information' inc. Site Plan and First Aid Post location. Fair Crew assist operator under their control.	1	In the event of injury, First Aid deployed and/or Emergency Services called and incident logged by Fair Organiser. Property, Public & Employers Liability insurance fully covers event setup & delivery.
	2 Public safety	5 Fair delivery	FD25	Injury arising from display of Alpacas	1	3	3	Prevention covered by separate Alpaca handlers RA. Handler provided with written 'Safety Guidelines and Information' inc. Site Plan and First Aid Post location. Fair Crew assist handler under their control.	1	In the event of injury, First Aid deployed and/or Emergency Services called and incident logged by Fair Organiser. Property, Public & Employers Liability insurance fully covers event setup & delivery.
	2 Public safety	5 Fair delivery	FD26	Injury arising from setup or operation of live music equipment	1	3	3	Electrical equipment PAT tested by qualified Fair electrician. Dedicated, covered space provided for setup and use of equipment. Sanitiser advised for wipe-down of common surfaces and hand cleansing between uses by different staff.	1	In the event of injury, First Aid deployed and/or Emergency Services called and incident logged by Fair Organiser. Property, Public & Employers Liability insurance fully covers event setup & delivery.
	2 Public safety	5 Fair delivery	FD27	Accident due to display vehicles accessing/ departing the Arena	1	3	3	PA announcements immediately before vehicle movements. Access lanes to and from the Arena protected by ropes controlled by designated Fair Crew.	1	In the event of injury, First Aid deployed and/or Emergency Services called and incident logged by Fair Organiser. Property, Public & Employers Liability insurance fully covers event setup & delivery.
	2 Public safety	5 Fair delivery	FD28	Injury to public arising from contact with display vehicles eg hot motorcycle exhausts; motorcycles falling over; hot steam engines with moving parts	2	2	4	Public not permitted into Arena while vehicles moving. Public only allowed access to stationary vehicles under close supervision of vehicle operators. Motorcycle riders briefed to remain with their bikes and supervise contact. Motorcycle riders advised to use jiffy stand mats to avoid sinking into soft ground. Steam vehicles escorted into position and then cordoned off.	1	In the event of injury, First Aid deployed and/or Emergency Services called and incident logged by Fair Organiser. Property, Public & Employers Liability insurance fully covers event setup & delivery.
	2 Public safety	5 Fair delivery	FD29	Injury to motorcycle riders/pillions due to traction slip hazard over wet or damp grass	2	2	4	Grass conditions assessed before Arena entry – motorcycles not permitted if conditions are unsuitable. Briefing of riders to include a reminder to ride motorcycles upright, take wide turning circles and to avoid aggressive clutch work.	1	In the event of injury, First Aid deployed and/or Emergency Services called and incident logged by Fair Organiser. Property, Public & Employers Liability insurance fully covers event setup & delivery.
	2 Public safety	5 Fair delivery	FD35	Disruptive weather due to excessive rain (creating difficulty for vehicle movements) or windspeed (>25 mph)	1	3	3	Fair Organiser monitors event, but risk accepted since no direct controls possible.	2	Fair Organiser announces cancellation of event and Fair Crew supervise safe and orderly departure of Fairgoers, disassembly of stalls and departing vehicle movements. 4x4 towing vehicle available to assist vehicles depart the site if necessary. Stallholders and sponsors contacted to ascertain if they would prefer a refund or a deferral to the next year. Any costs met out of Fair reserves. Property, Public & Employers Liability insurance fully covers event setup & delivery.

	Objectives	Phase	ID	Risk	Rating			Controls	After	Contingencies
					P	I	Sum		Sum	
	2 Public safety	5 Fair delivery	FD36	Dehydration due to hot weather	2	2	4	Bottled water and cold drinks widely available from food stallholders and also from the SVF Information Marquee in case of need.	1	In the event of distress, First Aid deployed and/or Emergency Services called and incident logged by Fair Organiser. Property, Public & Employers Liability insurance fully covers event setup & delivery.
	2 Public safety	5 Fair delivery	FD37	Accumulation of litter becomes unacceptable or dangerous	3	2	6	Large number of litter/recycling bins provided and signposted throughout site. Bins regularly inspected by designated Fair Crew and contents transferred to skips in the car park throughout duration of event.	1	N/A
	2 Public safety	5 Fair delivery	FD39	Distressed Fairgoer (any reason)	1	3	3	Vigilant Fair Crew. Safe space provided in SVF Information Marquee. SIA staff deployed if necessary.	1	Emergency Services called and incident logged by Fair Organiser. Property, Public & Employers Liability insurance fully covers event setup & delivery.
	2 Public safety	6 Raft Race assembly	RA01	Injury to Rafterers or public from raft materials and/or paddles	1	2	2	Ingress/egress of rafts supervised to take place in orderly way. Rafts visually inspected by Fair Crew to check for any obvious signs of structural integrity problems.	1	In the event of injury, First Aid deployed and/or Emergency Services called. Property, Public & Employers Liability insurance fully covers event setup & delivery.
	2 Public safety	6 Raft Race assembly	RA02	Injury to Rafterers through lifting rafts into water	1	2	2	Fair Crew available to monitor and assist.	1	In the event of injury, First Aid deployed and/or Emergency Services called. Property, Public & Employers Liability insurance fully covers event setup & delivery.
	2 Public safety	7 Raft Race process	RP01	injury to Rafterers from on-water collision (possibly involving falling in river)	1	3	3	Wearing of lifejackets for ALL participants is compulsory and checked by Fair Crew. Rafts are set off at suitable intervals. River is controlled for other, non-race craft through notification via the EA. Safety/rescue boats patrol course.	1	In the event of injury, First Aid deployed and/or Emergency Services called. Property, Public & Employers Liability insurance fully covers event setup & delivery
	2 Public safety	8 Raft Race finish	RF01	Injury to Raft Race Announcer or public from unstable platform on rough ground	1	2	2	Stable platform ladder available and secured for use on suitable ground.	1	In the event of injury, First Aid deployed and/or Emergency Services called. Property, Public & Employers Liability insurance fully covers event setup & delivery
	2 Public safety	8 Raft Race finish	RF02	Injury to Rafterers through lifting rafts out of the water	1	2	2	Fair Crew available to monitor and assist.	1	In the event of injury, First Aid deployed and/or Emergency Services called. Property, Public & Employers Liability insurance fully covers event setup & delivery
	2 Public safety	8 Raft Race finish	RF03	Harm to Rafterers through effects of heat or cold	1	2	2	Changing facilities and foil blankets provided at Finish Line.	1	In the event of injury, First Aid deployed and/or Emergency Services called. Property, Public & Employers Liability insurance fully covers event setup & delivery
	2 Public safety	8 Raft Race finish	RF04	Harm to Fairgoers or Rafterers due to falling in river	1	3	3	EA notified to provide event notice to all river users. Safety channel in river marked out for Rafts and patrolled by safety boats. Fair Crew and SIA staff deployed to monitor and assist. All Rafterers sign to accept wearing of approved life vests and to confirm they are strong swimmers. No Rafterers under 16 allowed without signed parental authority. Lifebuoy available for deployment at Finish Line. Safety/rescue boats deployed on river in case of rescue need throughout event. Access to the river for emergency vehicles kept clear throughout Fair Day.	2	In the event of injury, First Aid deployed and/or Emergency Services called. Property, Public & Employers Liability insurance fully covers event setup & delivery

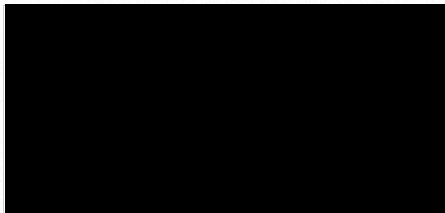


	Objectives	Phase	ID	Risk	Rating			Controls	After	Contingencies
					P	I	Sum			
	2 Public safety	8 Raft Race finish	RF05	Difficulty in emergency evacuation from Riverside site	2	3	6	Fair Crew and SIA staff available to provide directions. Main exits at each end of Lady Lindsay Lawn as well as along entire length of the lawn through the woods. Once through the woods, the path leads each way to other parts of Manor Park site and the main road - see map.	2	Emergency Services called. Property, Public & Employers Liability insurance fully covers event setup & delivery.
	2 Public safety	8 Raft Race finish	RF06	Fire at the Riverside	1	3	3	SIA security/Fair Crew patrols prevent BBQs.	1	Emergency Announcement made by PA and Fair Crew encourage spectators to leave by the nearest safe exit including through the woods at the back of the viewing area. Emergency Services called. Property, Public & Employers Liability insurance fully covers event setup & delivery.
<b>▼ 3 Public nuisance</b>										
	3 Public nuisance	5 Fair delivery	FD10	Noise from generators	2	2	4	Single low noise main diesel generator used and located away from stallholders and out of earshot of neighbours.	1	N/A
	3 Public nuisance	5 Fair delivery	FD30	Distress to animals due to motorcycle noise	1	2	2	All dogs required to be on a lead while they are at the Fair. Alpacas required to be either penned or under bridle control of human handlers at all times. Briefing of motorcycle riders includes warnings about nearby animals. Animal display handlers notified of timing of motorcycle movements or other expected loud noises.	1	In the event of a problem, the issue can be referred to an onsite vet, if available Property, Public & Employers Liability insurance fully covers event setup & delivery.
	3 Public nuisance	5 Fair delivery	FD34	Complaints about noise from live music	1	2	2	Live music area located at more remote part of the site. Live music constrained to use low powered PA/amplification system. Live music limited to the hours of 11.00 - 18.00. Some of the nearest neighbours to the live music location are members of the Fair Crew and will therefore be consumers rather than complainants.	1	Fair Organiser instructs the performers to turn the volume down and/or re-direct speakers. Property, Public & Employers Liability insurance fully covers event setup & delivery.
	3 Public nuisance	5 Fair delivery	FD38	Noise from equipment or waste delivery/collection	2	1	2	Nearest neighbours are considerable distance from site. Equipment and skips delivered and removed during daytime.	1	N/A
	3 Public nuisance	8 Raft Race finish	RF07	Litter left behind after Raft Race ends	3	3	9	Litter/recycling bins provided by Council at Riverside. Site cleared of discarded waste by designated Fair Crew following end of event.	1	N/A
<b>▼ 4 Protection of children</b>										
	4 Protection of children	2 Procession assembly	PA02	Safety of younger volunteers at Procession assembly area	2	3	6	Younger SVF Procession Marshals are Year 11 Prefects drawn from a local School and all are under the direct supervision of a designated teaching staff member who is briefed by the Procession Coordinator	1	In the event of injury, First Aid deployed and/or Emergency Services called and incident logged by Fair Organiser. Property, Public & Employers Liability insurance fully covers event setup & delivery.
	4 Protection of children	2 Procession assembly	PA03	Safety of Procession entrant children	2	3	6	All children in the Procession are escorted and supervised by their parents or designated responsible adults eg teaching staff at all times.	1	In the event of injury, First Aid deployed and/or Emergency Services called and incident logged by Fair Organiser. Property, Public & Employers Liability insurance fully covers event setup & delivery.
	4 Protection of children	2 Procession assembly	PA04	Lost child at Procession assembly area	1	3	3	Procession entrant group leaders briefed on their supervisory responsibilities, backed up by the vigilance of briefed SVF Procession Marshals, under the overall control of a designated Procession Coordinator. Assembly takes place in a restricted area with access/egress controlled by designated Marshals.	1	In the event of a missing parent, child cared for by Procession Coordinator or their deputy and available resources utilised to search until found. In the event of a missing child, available resources to be utilised to search, with a call to Emergency Services if necessary and incident logged by Fair Organiser. Property, Public & Employers Liability insurance fully covers event setup & delivery

	Objectives	Phase	ID	Risk	Rating			Controls	After	Contingencies
					P	I	Sum			
	4 Protection of children	5 Fair delivery	FD18	Lost child	3	2	6	Lost child cared for within the SVF Information Marquee by at least two SVF Committee members, and announcement is made over the PA system: child only released with proof of collector's identity.	1	Incident logged by Fair Organiser. Property, Public & Employers Liability insurance fully covers event setup & delivery.
	4 Protection of children	5 Fair delivery	FD19	Missing child	3	3	9	Missing child triggers coded announcement over Fair and SIA radio networks, on site Police informed and search made by Fair Crew and SIA security staff.	2	Incident logged by Fair Organiser. If search fails, matter handed to on-site Police and/or Emergency Services called. Property, Public & Employers Liability insurance fully covers event setup & delivery.
	4 Protection of children	5 Fair delivery	FD33	Underage consumption of alcohol	2	3	6	Bars are outside only. Each bar stall principal operator required to be a personal licence holder and operate a 'Challenge 25' and signed age verification process approved by the Fair Organiser. Vigilance by Fair Crew. SIA security staff and/or onsite Police deployed.	2	In the event of repeated incidents, Fair Organiser shuts down Bar Operator. Property, Public & Employers Liability insurance fully covers event setup & delivery.

**Consent of individual to being specified as premises supervisor**

I ELLIOT TODD GREGORY  
[full name of prospective premises supervisor]

of 

-----  
[home address of prospective premises supervisor]

hereby confirm that I give my consent to be specified as the designated premises supervisor in relation to the application for

PREMISES LICENCE  
[type of application]

by

SHEPPERTON VILLAGE FAIR LTD  
[name of applicant]

relating to a premises licence \_\_\_\_\_  
[number of existing licence, if any]

for MANOR PARK  
SHEPPERTON

-----  
[name and address of premises to which the application relates]



and any premises licence to be granted or varied in respect of this application made by

SHEPPERTON VILLAGE FAIR LTD  
[name of applicant]

concerning the supply of alcohol at

MANOR PARK

SHEPPERTON

-----  
[name and address of premises to which application relates]

I also confirm that I am entitled to work in the United Kingdom and am applying for, intend to apply for or currently hold a personal licence, details of which I set out below.

Personal licence number

LBH122770  
[insert personal licence number, if any]

Personal licence issuing authority

HILLINGDON COUNCIL, CIVIC CENTRE, HIGH STREET, UXBIDGE, UB8 1UW  
[insert name and address and telephone number of personal licence issuing authority, if any]

01895 277433

Signed



Name (please print)

E. T. GREGORY

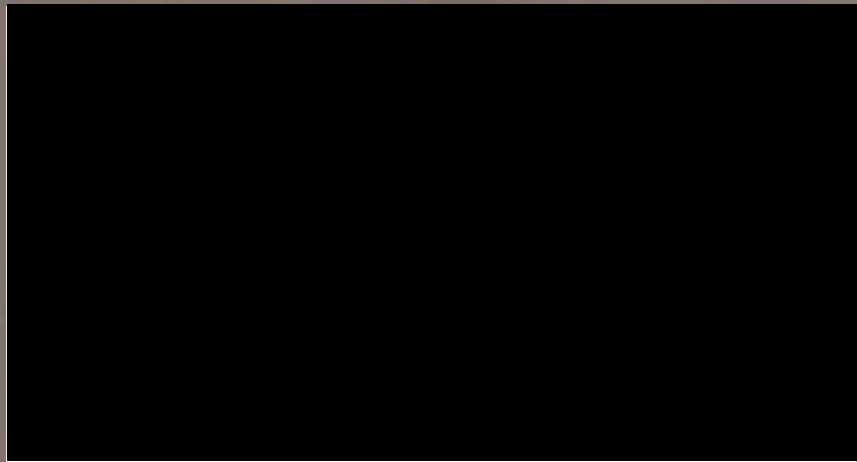
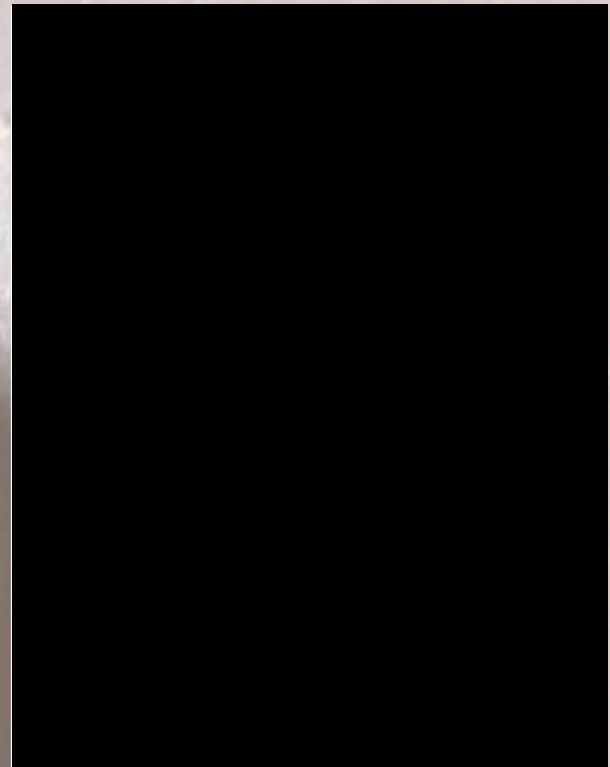
Date

27/11/23

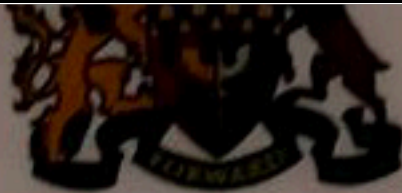
# Personal Licence

Elliot Todd

Gregory



Licence No LBHIL2770

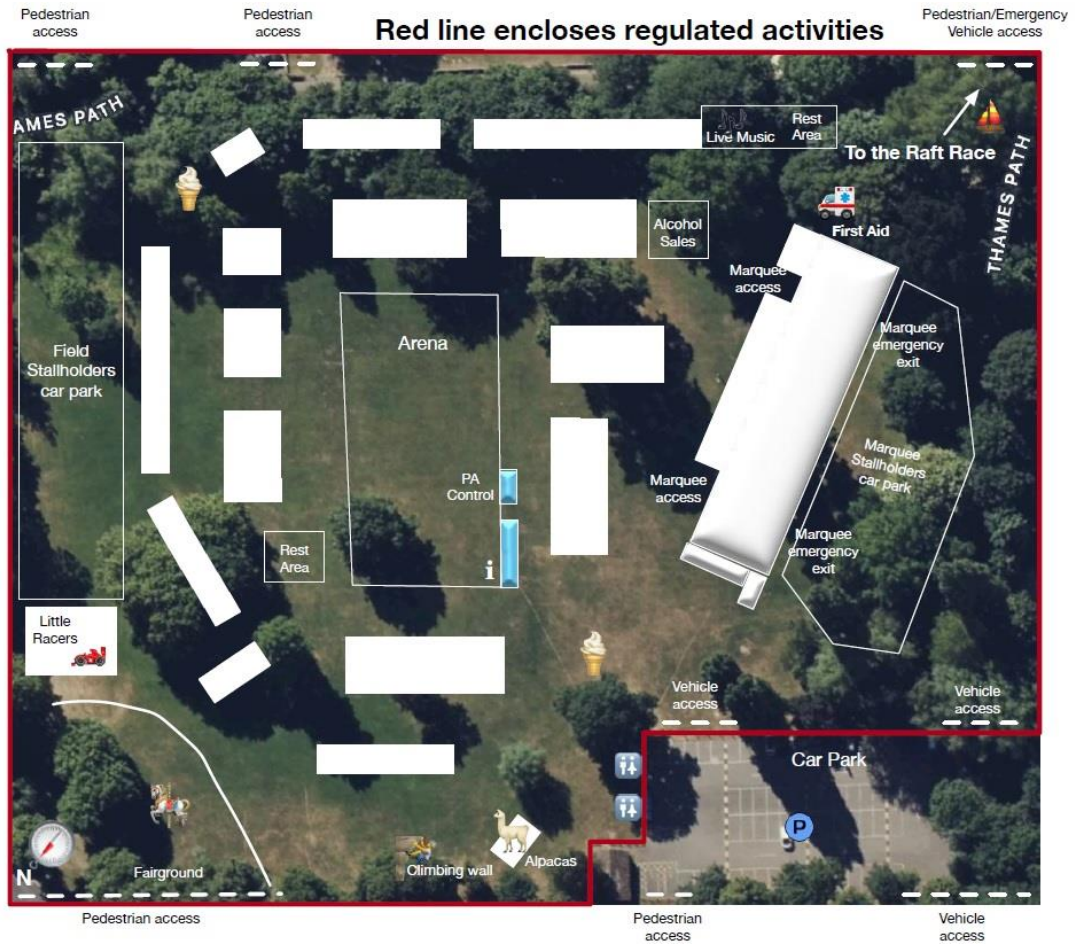


HILLINGDON

LONDON

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**Red line encloses regulated activities**



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**From:** Liz Davis  
**Sent:** Thursday, December 28, 2023 8:55 PM  
**To:** Licensing <[licensing@spelthorne.gov.uk](mailto:licensing@spelthorne.gov.uk)>  
**Subject:** Representation - Shepperton Village Fair application

Hello,

I notice an application for the granting of a premises license in Manor Park, Shepperton and wish to raise my concerns around the selling of alcohol at the fair. I am a local parent who attends the fair each year with my two young children.

1. Under the objective of **The prevention of Crime and Disorder** (and others). No alcohol has been served at the fair since 2013, as a result of a fight breaking out the last time alcohol was served at the fair. Media have previously reported organisers saying that the alcohol-free policy goes down well with the public, who appreciate the 'great family atmosphere'. The organisers have assessed the unmitigated risk probability of "disruption or disorder through antisocial behaviour" as 'slight' which is patently too low (the same likelihood as a terrorist attack, apparently), given this risk event has previously occurred. I'm not sure why the fair would serve alcohol again given the current alcohol-free policy is working well.
2. Under the objective of **The protection of Children From Harm**. The event is a family event, often extremely hot and not a place (in my view) that alcohol should be readily available. The Under 25s policy will be difficult to police given the busy nature of the fair and open area around the alcohol selling zone - people could much more easily buy children alcohol in this kind of environment compared to a pub.
3. Under the objective of **Public Safety**. The location of the alcohol sales area right next to the unregulated area where the raft race is viewed seems unwise. The footpath to the raft race viewing area is usually heavily congested and the organisers seem to have given no thought to how to police this exit effectively. The risk of encouraging people (including young people) who have been drinking to attend an exciting event adjacent to water (albeit outside the licensed area) where they could drown or get into fights in a crowded environment does not seem to have been considered.
4. I note the organisers do not expect more than 5000 people to attend the fair at any one time, but from previous media coverage I see estimates of 7,000 -10,000 people attending each year. How will the organisers ensure this limit is not breached? Is it possible that more people could attend than in previous years if alcohol is available?

Many thanks,

Elizabeth Davis (CEng)

Shepperton

**From:** Dave Lee  
**Sent:** Wednesday, December 27, 2023 12:14 PM  
**To:** Licensing <[licensing@spelthorne.gov.uk](mailto:licensing@spelthorne.gov.uk)>  
**Subject:** Licence at Manor Park on one Saturday in June

To whom it may concern

I am writing with reference to the above application for the supply of alcohol between the hours of 11.00 to 18.00 hours I would urge you to not grant this licence my reasons are as follows.

1) The last time there was an alcohol licence at the fete there was a huge amount of trouble that had to be resolved using various emergency services and feel that as the fete is under policed at the best of times this would lead to 100s of drunk people descending on our premises at 6. O'clock when that bar shuts.

2) We pay for private security on this day and our capacity is only 300 which often leads to people being turned away we are usually at capacity by 5. Pm. In turn this could potentially cause people to turn aggressive and though our security staff are fully qualified this would be putting a lot of extra pressure on them.

3) After conferring other licencees in the area, we all concur that this would be detrimental to our businesses.

Whilst we understand this is a community event we feel that this could cause major problems for our small village.

If you have any queries regarding this please do not hesitate to contact me.

Regards

Dave Lee

## Appendix E

**From:** Clark, Jacquie 9143  
**Sent:** 21 December 2023 10:44  
**To:** Licensing <[licensing@spelthorne.gov.uk](mailto:licensing@spelthorne.gov.uk)>  
**Subject:** FW: Shepperton Village Fair  
**Importance:** High

Hi,

Please see below additional negotiated conditions with the applicant to be added to the Premises Licence application.

Kind regards,



**9143 Jacquie Clark**  
Licensing Enforcement Officer  
Spelthorne  
North Surrey Division  
Surrey Police, PO Box 101, Guildford, GU1 9PE  
Email: [9143@surrey.police.uk](mailto:9143@surrey.police.uk)  
Tel: 01483 631146 / 07973 954851

**From:** Dik Gregory  
**Sent:** 21 December 2023 10:37  
**To:** Clark, Jacquie 9143  
**Cc:** Elliot Gregory ; Martin Gammon  
**Subject:** Re: Shepperton Village Fair  
**Importance:** High

**CAUTION:** This email was sent from outside the organisation. If you suspect it to be phishing, please report it using the *'Report Message'* button above. Further guidance can be found in our [Information Security Guidance Hub](#).

Hi Jacquie

We are in agreement to the conditions stated in your email below being added to our Premises Licence.

Thanks for your advice and help.

Best,



**Dik Gregory**  
Chair, Shepperton Village Fair  

---

**E** [chair@shepperton-fair.org](mailto:chair@shepperton-fair.org)

W [www.shepperton-fair.org](http://www.shepperton-fair.org) M 07802 216276 ///others.join.string  
Next Fair date Saturday 8 June 2024

On 21 Dec 2023, at 10:29, Clark, Jacquie 9143 wrote:

Hi Dik,

As per our conversation this morning to promote the licensing objection of the Prevention of Crime and Disorder we consider additional conditions necessary on the Premises Licence.

Please would you confirm today whether you are in agreement with the following conditions being added to your Premises Licence.

There shall be a minimum of 6 SIA door supervisors on duty throughout the event. A register of door supervisors employed will be maintained. This register will record their name, SIA Door Supervisor Licence number and contact details. All SIA Door Supervisors and staff at locations where alcohol is provided shall have access to a radio to communicate with each other and to other relevant staff from the Shepperton Village Fair committee as the Premises Licence Holder deems relevant.

Thank you.

Kind regards,



**9143 Jacquie Clark**  
Licensing Enforcement Officer  
Spelthorne  
North Surrey Division  
Surrey Police, PO Box 101, Guildford, GU1 9PE  
Email: [9143@surrey.police.uk](mailto:9143@surrey.police.uk)  
Tel: 01483 631146 / 07973 954851



## Premises Licence Application

### Response of Shepperton Village Fair to Representations

9 Jan 2024

1. The Organisers of Shepperton Village Fair are grateful for the time and interest invested in the Representations received in response to our application for a Premises Licence for Fair 2024 onwards. We take the views expressed seriously and are pleased to respond to them here.
2. Both Representations refer to a serious incident in 2013 that required the attention of emergency services, the hospitalisation of two people and the subsequent arrest of three suspects.
3. It is important to realise that this incident took place on Lady Lindsay Lawn (aka the Riverside), rather than the main Manor Park Fair site, 45 minutes after the Fair ended and when most Fairgoers had departed the event. According to contemporaneous reports, the perpetrators arrived by boat after the Fair ended and, if alcohol was involved in the aggression, it does not appear to have been sold at the Fair. No alcohol-related incidents occurred at the 2013 Fair or indeed any of the Fairs in the previous years where alcohol had been routinely sold on the Fair site.
4. Following that incident, a series of meetings between the Organisers and the Police resulted in an agreement that the Police would exert a highly visible presence at the Fair the next year (2014) in order to send a clear message to anyone who might be considering escalation. In return, the Organisers agreed to suspend alcohol sales at the Fair. In the ten subsequent years, we have continued this suspension, and replaced the Police presence with significant SIA Security Staff.
5. From our annual analysis of Fairgoer feedback, the suspension continues to meet with mixed views. While some believe it contributes to the Fair's family atmosphere, others sorely miss the chance to enjoy a Pimms or a beer in the sunshine with friends, or a glass of wine while watching the Raft Race.
6. It is important to be clear about a number of matters of fact relating to the sales and consumption of alcohol on Shepperton Village Fair Day.
  - 6.1. Alcohol is widely available at locations around the Fair including the Three Horseshoes PH, the Red Lion PH, the Shepperton Cricket Club (for members and their associates), and several supermarkets and stores in the High Street.
  - 6.2. The Manor Park and Riverside sites are freely accessible public spaces and as such, there is no regulation or law that prevents the consumption of alcohol on the site by people of legal age if they wish to do so; and nor are the Fair Organisers or their Security Staff empowered to enforce the prevention of such consumption.
  - 6.3. Accordingly, our application for a Premises Licence arises in part from our wish to provide better promotion of the four licensing objectives within this public space

under the auspices of the Designated Premises Supervisor (DPS) and their agents during Fair Day.

7. While no-one can predict future events, we believe the extensive risk analysis we have supplied as an appendix to our application reflects a reasonable, comprehensive and considered view of the risks and effective mitigations likely at the Fair.
8. However, in addition to our submitted risk analysis, we would like to note the following:
  - 8.1. We have agreed with the Police to an increase in the strength of SIA Staff, specifically to monitor the Bar area and its customers. We note that the Police have no further concerns with our application.
  - 8.2. The main Bar concession has been offered to the Red Lion PH who will operate a Challenge 25 policy and, consistent with their PH policy, their trained staff will refuse alcohol sales to anyone under 21 years of age.
  - 8.3. We have again reviewed the proposed location of the Bar. By reducing the number of stalls in that area, we are satisfied that it is sufficiently separated from the pathway to the river to accommodate the expected pedestrian behaviour and flow.
  - 8.4. The sloped Raft Race viewing area at the Riverside does get quite crowded up until the event completion at 14.00, and our planning sessions with Nauticalia and Desborough Sailing Club (who have operational responsibility for the Raft Race) are already scheduled to include consideration of additional safety measures for this area, including additional hi-viz marshalling.
  - 8.5. From crowd sampling done in previous years using clickers and drone footage, our best estimate is that up to 8,000 people visit the Fair during the day, and that there are up to 5,000 people on the site at any one time. From our experience and observations over the last 25 years or so, we believe these estimates to be valid whether or not alcohol sales are present.
  - 8.6. We believe that over the past decade there has been a change in drinking culture resulting in less binge drinking and associated problems at daytime events like ours. That said, it is our intention (with Police and Licensing Authorities) to monitor any issues associated with the re-introduction of the alcohol concession and, if necessary, use the Premises License to cover Live Music only in 2025 and subsequent years.

**Dik Gregory**

Chair, Shepperton Village Fair

## Spelthorne Borough Council Statement of Licensing Policy 2024-2029

### 8 Premises Licences & Club Premises Certificates

- 8.1 A premises licence is required for the sale of alcohol, provision of regulated entertainment or the provision of late night refreshment (sale of hot food and drink to the public between 11.00pm and 5.00am).
- 8.2 Some activities carried out by clubs need to be licensed under the Act but generally clubs are treated differently to commercial premises. A club is an organisation where members have joined together for a particular reason i.e. social, sporting or political and have combined to buy alcohol in bulk as members of the organisation for supply to their members. In order to apply for a Club Premises Certificate the club needs to be a 'Qualifying Club' as outlined in the Licensing Act 2003.
- 8.3 In determining applications for Premises Licences and Club Premises Certificates the Licensing Authority will have regard to the guidance issued by the Secretary of State under Section 182 of the Licensing Act 2003 and any secondary legislation.
- 8.4 It is important that applications for Premises Licences and Club Premises Certificates properly address the four licensing objectives by providing as much detail as possible on the application form.
- 8.5 The application must be supported by a comprehensive operating schedule. This schedule must specify the steps which the applicant proposes to take in order to promote each of the licensing objectives.
- 8.6 Measures offered by applicants on their operating schedule will normally become licence conditions. It is essential that conditions on the licence or certificate
- a) must be appropriate for the promotion of the licensing objectives;
  - b) must be precise and enforceable;
  - c) must be unambiguous and clear in what they intend to achieve;

In this regard, we may where necessary reword meaningless, unenforceable, or ambiguous conditions proposed in operating schedules, in order to ensure the licensing objectives are upheld.

- 8.7 Where applications for premises licences or club premises certificates have attracted representations from a Responsible Authority or any other person, the application will be scheduled for a hearing before a Licensing Sub Committee where the applicant and those making representations may be heard.



- 8.8 The Licensing Sub-Committee will give full and written reasons for the decision made for each application that proceeds to a hearing.
- 8.9 Applicants should be aware that breaching the conditions of a premises licence or club premises certificate is a criminal offence. Therefore, applicants should only volunteer conditions in their operating schedule that they can comply with and are willing to do so.

### 9 Electronic Applications

- 9.1 The Licensing Act 2003 (Premises licences and club premises certificates) (Amendment) (Electronic Applications etc) Regulations 2009 came into force in December 2009. This amendment was required to ensure that all licensing applications, with the exception of reviews and personal licences, are able to be made online. The applicant only needs to submit one application to the local authority. Once the fee has been paid then the local authority has the responsibility to ensure that all the other statutory recipients receive a copy.
- 9.2 Paper applications will still have to be copied to all of the responsible authorities by post by the applicant.

### 10 Application Consultation

- 10.1 The consultation process required for applications for Premises Licences, Club Premises Certificates and Full Variations of existing licences or certificates allows for representations to be made by various bodies and individuals. Responsibility for undertaking the advertisement of the application in accordance with the requirements lies with the applicant.
- 10.2 The Council will publish details of all new applications on its website.
- 10.3 **Making Representations**
- 10.4 Representations about an application must be made in writing to the Council's Licensing Team within the time period prescribed. Written representations may include letters whether posted or emailed. Any representations received after the end of the public consultation period cannot legally be accepted, unless shown to have been submitted within the time limit.
- 10.5 When making a Representation, the Council request that a contact phone number and email address are provided. These help the Council to quickly contact respondents if the details of the application are altered as a result of the representations received in connection with arrangements for the hearing.
- 10.6 Representations should contain;
- The name, full address & post code of the person making them.



- The reasons for their representation and
  - Which of the four Licensing Objectives the representations relate to;
    - Crime and disorder
    - Public Nuisance
    - Public safety
    - Protection of children from harm
- 10.7 A representation would be 'irrelevant' if it is not about the likely effect of the grant of the application on the promotion of the licensing objectives. Irrelevant representations cannot be accepted.
- 10.8 A representation made by a person other than a responsible authority will not be accepted if the Licensing Authority decides that it is frivolous or vexatious.
- 10.9 Vexation may arise where, for example, there is a dispute between rival businesses, or a repetitive complaint from another person which has already been subject of investigation and no new evidence provided.
- 10.10 Frivolous representations would be categorised by a lack of seriousness.
- 10.11 Such judgments will be made by officers following such enquiries as may be necessary.
- 10.12 Where a representation is found to be irrelevant, vexatious or frivolous, the person making it will be informed in writing that the representation will be disregarded. All valid representations will form part of a committee report that will become a public document. It will be provided to the applicant, his agent and persons who have made representations as well as the Licensing Subcommittee 10 days prior to the hearing.
- 10.13 Whilst representations may not be made anonymously, in exceptional circumstances, such as when the objector has a genuine and well-founded fear of intimidation or violence, some or all of the objectors personal details may be removed from the representation before it is given to the applicant.
- 10.14 Where there is opposition to an application, the sub-committee may:
- a) amend the conditions volunteered in the operating schedule
  - b) restrict the hours during which licensable activities may take place
  - c) limit the type of licensed activities that may be carried out
  - d) impose further conditions on the licence or certificate
  - e) refuse the application
- 10.15 **Negotiation and compromise**  
We strongly encourage a spirit of negotiation and compromise between parties. Where an application attracts representations, these can often be fully or partially, addressed through an applicant engaging in dialogue with the parties raising the representations prior to the Licensing Sub-

Committee hearing. Licensing issues can sometimes be emotive, so when an applicant does seek to negotiate, it is imperative that such negotiations are conducted in a courteous, sensitive and respectful way.

- 10.16 As negotiation can lead to parties withdrawing representations or agreeing to conditions to address concerns, we encourage applicants to engage in 'positive' negotiations with other parties. This may help to demonstrate that the applicant is a reasonable and responsible person or body and has sought to listen to and address concerns. Where negotiations would clearly have been helpful and an applicant has not sought to initiate them, the Licensing SubCommittee may have regard to this in their determination.
- 10.17 We expect the applicant to ensure that negotiations take place as far in advance as possible of the Sub-Committee hearing. The applicant should seek to involve all (and not just some) of the parties who have made representations in the negotiations, or at the very least keep all parties informed in writing of progress and outcomes. To allow the sub-committee to consider negotiations, the applicant must inform us in writing of the outcome of any negotiations at least two working days before the scheduled sub committee hearing takes place.

**16 Promoting the Four Licensing Objectives**

- 16.1 The promotion of the four objectives is fundamental to the Act. Every applicant for a premises licence must provide a fully completed and detailed operating schedule. This schedule must be in the prescribed format.
  - 16.2 The most effective means for an applicant to assess what measures are needed to promote the licensing objectives is by risk assessment, which can then be used to form the basis of the operating schedule.
  - 16.3 Providing as much information as possible in the operating schedule demonstrates that the applicant has seriously considered the issues, is aware of their duty to promote the licensing objectives at all times and is aware of how this may be best achieved.
  - 16.4 The operating schedule forms the basis of any conditions placed on a licence other than those which are mandatory. It provides valuable information to interested parties and responsible authorities assisting their assessment of the impact of the licensed activity on the licensing objectives and provides information about how the applicant will address these issues. It is likely to form the basis of any decision to submit a representation against the application.
  - 16.5 The Licensing Authority considers the effective and responsible management of the premises, including instruction, training and supervision of staff and the adoption of best practice to be amongst the most essential control measures for the achievement of the licensing objectives. For this reason, these measures should be specifically considered, detailed and addressed within an applicant's operating schedule.
  - 16.6 Failure to comply with licence conditions can lead to formal enforcement action or an application for a review of the licence, or both.
- 16.7 Prevention of Crime and Disorder**
- 16.8 Licensed premises of any description, especially those offering late night/early morning entertainment, alcohol and refreshment for large numbers of people can be a source of crime and disorder. The Licensing Authority expect operating schedules to satisfactorily address these and any other potential issues, from the design of the premises through to the daily operation of the business.

- 16.9 Applicants are recommended to engage with and seek advice from the Police and other Responsible Authorities taking into account, as appropriate, local planning and transport policies in addition to tourism and crime prevention strategies when preparing their operating plans and schedules prior to submission.
- 16.10 It is recognised that late night takeaways can be the focus of anti-social behaviour, and in Staines Town Centre the use of CCTV, licensed door supervisors at peak times, and signing up to the town centre radio may be considered necessary to address this.
- 16.11 Where objections are received and the Licensing Sub Committee considers it appropriate to do so, conditions may be attached to licences to prevent crime and disorder both inside and in the vicinity of the premises.
- 16.12 The Licensing Authority considers the orderly dispersal of customers from licensed premises to be an important factor in promoting the licensing objectives. In considering applications for the grant or variation of a licence, serious consideration will be given to the dispersal arrangements, the potential effect that granting the licence might have on dispersal arrangements from other licensed premises or the cumulative impact in the area.
- 16.13 In addition to the requirement for the Licensing Authority to promote the licensing objectives, it also has a duty under Section 17 of the Crime and Disorder Act 1998 to do all it reasonably can to prevent crime and disorder in the Borough.
- 16.14 Consideration will be given where appropriate to the powers available under the Violent Crimes Reduction Act 2006 and the use of Public Spaces Protection Orders.
- 16.24 Public Safety**
- 16.25 The Licensing Authority is committed to ensuring, as far as practicably possible that the safety of any person visiting or working in licensed premises is not compromised. Applicants must demonstrate in their operating schedule that suitable and sufficient measures have been identified, implemented and maintained to ensure public safety specific to the characteristics of their premises and events.
- 16.26 Applicants are encouraged to contact the Council's Environmental Health Services with draft proposals including plans and operating schedules. Where applicable applicants should consider safe capacity, the safety of those with special needs and the first aid requirements of customers.
- 16.27 Licence holders should have clear documented policies and procedures in place which identify all public safety risks associated with the premises and the measures to prevent, manage, mitigate and respond to those risks.

16.28 Where representations are received and the Licensing Sub-Committee considers it appropriate to do so, they may attach conditions to licences and certificates to ensure public safety.

16.29 Although existing health and safety legislation will primarily be used it may be necessary to apply for the responsible authorities to apply for the review of a premises licence in the following circumstances:

- Serious or regular contraventions of health and safety legislation
- Failure to comply with Improvement or Prohibition Notices
- Service of a Prohibition Notice where a significant risk to public safety exists
- Prosecution for failure to comply with health and safety legislation



**16.41 Protection of Children from Harm**

16.42 The Council is committed to the safeguarding of children and vulnerable persons. The Licensing Act 2003 places legal responsibilities on holders of Premises Licences and Club Premises Certificates, and those who work in licensed premises to ensure that children are protected from harm at all times when on licensed premises.

16.43 In exercising the Council's powers under Section 182 of the Act to designate a body which is competent to advise the Council about the protection of children from harm, the following principles have been applied:

- the need for the body to be responsible for an area covering the whole of the licensing authority's area; and
- the need for the body to be answerable to democratically elected persons, rather than any particular vested interest group etc.

16.44 Having regard to the above principles and the guidance issued by the Home Office, the Council designates the Surrey County Council Children's Service for this purpose.

16.45 The wide range of different premises that require licensing under the Act means that children may be expected to visit many of these, often on their own, for food and / or entertainment. Where no representations are received and an applicant's operating schedule details restrictions in relation to the admission of children, these may become conditions attached to the licence. Apart from the specific restrictions set out in the Licensing Act 2003, there is no presumption of either permitting or refusing access to licensed premises. Each application and its unique circumstances must be considered on its own merits.

16.46 The Authority is committed to protecting children from harm. Local authorities have an overarching responsibility for safeguarding and promoting the welfare of all children and young people in their area. While local authorities play a lead role, safeguarding children and protecting them from harm is everyone's responsibility. Everyone who comes into contact with children and families has a role to play.

16.47 The Licensing Authority will only seek to limit the access of children to licensed premises where it is necessary for the prevention of physical, moral or psychological harm. The Licensing Authority will consult the Surrey Safeguarding Children Board for advice on any application that indicates there may be concerns over access for children. In the event of representations, the Licensing Sub-Committee will consider the merits of each application before deciding whether to impose conditions limiting the access of children.

16.48 The following are examples of premises that are likely to raise concern;

- Where entertainment or services of an adult or sexual nature are commonly provided.
- Where there have been convictions of the current staff at the premises for serving alcohol to minors or premises with a reputation for underage drinking.
- Where a remote delivery service for alcohol is offered, with the potential for minors to order/be delivered alcohol
- Where age restricted films are shown
- A known association with drug taking or drug dealing
- Where there is a strong element of gambling on the premises
- Where the supply of alcohol for consumption on the premises is the exclusive or primary purpose of the services provided at the premises.

16.49 Examples of entertainment or services of an adult or sexual nature might include;

- Topless bar staff, striptease, lap, table or pole dancing
- Performances involving feigned violence or horrific incidents
- Feigned or actual sexual acts or fetishism
- Entertainment involving strong or offensive language.

16.50 The Licensing Sub-Committee may consider any of the following options when dealing with a licence application where limiting the access of children is considered appropriate to prevent harm to children;

- Limitations on the hours when children may be present
- Limitations on the presence of children under certain ages when particular specified activities are taking place
- Limitations on the parts of premises to which children might be given access
- Limitations on ages below 18
- Requirements for an accompanying adult
- Full exclusion of people under 18 from the premises when any licensable activities are taking place.

16.51 No conditions will be imposed requiring that children be admitted to any premises and, where no limitation is imposed, this will be left to the discretion of the individual licensee. The 2003 Act details a number of offences designed to protect children in licensed premises and the Licensing Authority will work closely with the Police to ensure the appropriate compliance with the law, especially relating to the sale and supply of alcohol to children.

16.52 Consideration will be given to promoting initiatives which may assist in preventing the sale of alcohol to children such as Home Office campaigns. The Licensing Authority is supportive of and actively encourages recognised proof of age schemes and 'Challenge 25'

polices in all licensed premises as a fundamental means of preventing under age sales. The Licensing Authority has an expectation that all licence holders will maintain accurate record keeping of refusals and ensure that all staff are suitably trained.

- 16.53 Applicants seeking a licence that would enable them to provide alcohol as part of an alcohol delivery service should include in their operating schedule the procedures they intend to operate to ensure that:
- the person they are selling alcohol to is over 18;
  - that alcohol is only delivered to a person over 18;
  - that a clear document trail of the order process from order to delivery is maintained (with times and signatures) and available for inspection by an authorised officer;
  - the time that alcohol is sold on the website / over the phone and the time; and
  - that the alcohol is delivered is within the hours stated on the licence for the sale of alcohols.
- 16.54 Many children go to see and/or take part in entertainment arranged especially for them, for example children's film shows, discos, dance or drama school productions and additional arrangements are required to safeguard them while at the premises.
- 16.55 Where an application for a Premises Licence or Club Premises Certificate includes the provision of entertainment for children or by children, the Licensing Authority will expect the operating schedule to include arrangements for protecting children.
- 16.56 Where representations are made and the Licensing Sub-Committee consider it appropriate to do so, they may make full use of Licensing Conditions to secure the protection of children from harm.
- 16.57 The Licensing Authority is committed to protecting children from harm and supports the programme of underage test purchases arranged by the Surrey Trading Standards Service, the Licensing Team and Police. Where underage sales are found, the Licensing Authority supports the appropriate and proportionate use of warnings, fixed penalty notices, reviews and prosecution as a means of promoting the licensing objectives and enforcing the Licensing Act proportionately.
- 16.58 In keeping with the s.182 Guidance the Licensing Sub-Committee will treat underage sales as serious criminal activity and will give consideration to the suspension or revocation of a licence if a review is brought in respect of underage sales.



## 17 Large Scale Events

- 17.1 This Chapter relates to applications for large events that are temporary in nature but cannot be authorised under a temporary event notice (TEN) because of the number of persons who will be present or because the event spans more days than permitted by a TEN.
- 17.2 Special issues and considerations may arise where large-scale, outdoor and/or specialised events are proposed. Large scale open air events require significant planning and organisation with potential to impact on the licensing objectives. The Licensing Authority and other Responsible Authorities expect to be satisfied well in advance of any such event that appropriate measures are in place to safeguard the licensing objectives.
- 17.3 It is expected that all other appropriate authorisations will be in place prior to an application and organisers must be mindful that a premises licence application may take up to two months to be determined should representations be received.
- 17.4 We may license these events under a time limited premises licence lasting for the duration of the event. We advise persons wishing to hold such events (event organisers) to contact us for advice prior to making

an application. Depending on the scale and complexity of the event, we recommend contacting us 6 to 12 months ahead of the proposed event.

- 17.5 We also advise event organisers to read “The Purple Guide to Health, Safety and Welfare at Music and Other Events” which replaces “The Event Safety Guide” (HSG195) published by the Health and Safety Executive.
- 17.6 Usually, and if one is available, we will ask event organisers seeking a premises licence for a large event to attend a meeting of the Safety Advisory Group (SAG).
- 17.7 The SAG consists of officers from responsible authorities such as the police, our pollution and health and safety teams, the fire authority. Officers from other relevant departments and agencies such as the ambulance service, and the highways authority may also attend from time to time, where it is considered appropriate in the circumstances.
- 17.8 In cases where we consider a SAG meeting is necessary, we will contact the event organiser to advise them of the requirement for a meeting and arrange a suitable date, and time for the meeting.
- 17.9 We will invite event organisers to present their application and details of their event to the SAG. We expect the applicant to send us a draft event management plan (EMP) at least 10 working days before the meeting so the members can consider whether the event would be run safely and cause minimum disruption to the environment in terms of nuisance, traffic management etc.
- 17.10 The SAG does not determine licence applications or impose conditions, but its members will advise event organisers on producing an acceptable EMP for their event.
- 17.11 An EMP is a statement of how an event organiser will run their event. It incorporates such areas as risk assessment, traffic and transport planning, first aid, stewarding, site layout, emergency planning and evacuation plans, noise management, litter disposal, and communication protocols etc.
- 17.12 We strongly urge event organisers to consult the SAG and produce a comprehensive draft EMP prior to submitting their licence application. Where a responsible authority considers an EMP is inadequate to promote the licensing objectives, it may make a representation to us about the application.
- 17.13 If an event organisers does not attend a SAG, we will still expect them to submit a comprehensive EMP with their licence application.
- 17.14 Generally, we advise applicants to offer only the following conditions in their operating schedule:

- a) The Licensee shall comply with the event management plan submitted to the licensing authority and no changes shall be made to the event management plan without the prior written consent of the licensing authority.
  - b) The Event shall be run in accordance with the site plan submitted to the licensing authority. No changes shall be made to the site plan without the prior written consent of the licensing authority.
- 17.15 This approach allows the event organiser flexibility to make changes to the layout of the event or to specific activities without the need to make a fresh application for a premises licence or an application to vary the existing premises licence. Without this approach, any changes made could be unauthorised and possibly result in enforcement action.
- 17.16 We also advise applicants to refer to the Purple Guide for guidance on producing an EMP.
- 17.17 Safety advisory group (SAG)**  
As special considerations may apply, it is the policy and role of the Licensing Authority to facilitate and, where appropriate, help co-ordinate a safety advisory group (SAG) in connection with relevant proposals, applications and authorisations concerning large / outdoor / special events.
- 17.18 The SAG is a unique forum convened to consider the necessary policies, plans, procedures and/or risk assessments for relevant events. It may comprise of a mix of Responsible Authorities and other relevant agencies with an interest in the management and organisation of such events. SAG membership will vary according to the circumstances.
- 17.19 Whilst SAGs are a useful means to help identify the relevant considerations and steps necessary to promote the licensing objectives in respect of large / outdoor / special events and therefore help develop relevant application proposals, they are not responsible for 'sign off' or approval of such steps. This is a matter for the applicant.
- 17.20 A SAG may be convened at an applicant's request or at the request of any relevant agency.
- 17.21 It should be noted that SAGs are not responsible for the content of applications, which remains the sole responsibility of the applicant. The applicant must consider if and how to address the issues raised by the SAG and/or those matters outlined in this document. However, experience shows that applicants that go through the SAG process are less likely to attract representations in respect of their proposals.
- 17.22 It is also important to note that SAGs do not relieve Responsible Authorities or other persons of the need to make relevant representations where they believe this is appropriate.

17.23 After an event a follow up meeting may be arranged if there were complaints or concerns raised by the public or Responsible Authorities.

17.24 **'Martyns Law'**

The Licensing Authority is also aware that in January 2020 the Government announced its backing of the 'Martyn's Law' campaign to improve security at venues and public spaces in light of the terrorist attacks in Manchester and London in 2017.

17.25 The paradigm shift in the nature of terrorism means that the security agencies primary responsibility of protecting its citizens is no longer achievable through the existing, and very limited, provision of state-owned protective security resources. The spaces and places in which people live, work and enjoy democratic freedoms are the very places that terrorists wish to attack.

17.26 The Authority would expect that those who operate the places and spaces in which people live, work and socialise must take greater steps to ensure the security of their users.

17.27 However, the solution is not just about tangible materials, it is also about being prepared. Consequently, the Licensing Authority would expect large capacity venues and organisers of large events to consider the following measures:

- A requirement that spaces and places to which the public have access engage with freely available counter-terrorism advice and training,
- A requirement for those places to conduct vulnerability assessments of their operating places and spaces
- A requirement for those places to mitigate the risks created by the vulnerabilities
- A requirement for those places to have a counter-terrorism plan.

**19 Licence Conditions**

19.1 The authority wishes to encourage high quality, well managed premises. The operating schedule should describe how these high management standards will be achieved. In particular applicants will be expected to demonstrate:

- knowledge of best practice;
- that they understand the legal requirements of operating a licensed business; and
- a knowledge and understanding of the licensing objectives, relevant parts of the licensing policy, and their responsibilities under the Licensing Act 2003.



- 19.2 There is a mandatory condition on all premises licences that permit the sale of alcohol that all such sales must be authorised by a person who holds a personal licence. It is recommended that this authorisation be given in writing and that this written authorisation be available for inspection by Responsible Authorities.
- 19.3 Measures offered by applicants on their operating schedule will normally become licence conditions. They therefore must be enforceable and the meaning must be clear and unambiguous. The authority may alter the wording of a condition to achieve this. The context or meaning of the condition will not be changed.
- 19.4 Where responsible authorities or other persons do not make any representations about an application, it is the duty of the Licensing Authority to grant the licence or certificate subject only to conditions that are consistent with the operating schedule and any relevant mandatory conditions prescribed by the Act.
- 19.5 The Licensing Authority must avoid attaching conditions that duplicate other regulatory regimes as far as possible and may not impose conditions unless its discretion has been engaged following the making of relevant representations and the Licensing Sub-Committee has been satisfied at a hearing that it is appropriate to impose them.
- 19.6 It may then impose only those conditions appropriate to promote the licensing objectives arising out of the consideration of the representations.
- 19.7 To minimise problems and the necessity for hearings, the Licensing Authority would encourage applicants to consult with the 'Responsible Authorities' when preparing their operating schedules so that they can offer appropriate conditions as part of their applications.
- 19.8 The Licensing Authority recognises that it is important to ensure that any conditions attached to a licence or certificate achieve the licensing objectives but are not disproportionate or overly burdensome. Therefore, where conditions are necessary they will be tailored to the individual style and characteristics of the particular premises and event concerned. Where appropriate, following a hearing the Licensing Sub-Committee will consider attaching conditions provided that they are proportionate, justifiable and capable of being met.
- 19.9 The Licensing Act 2003 (Mandatory Licensing Conditions) Order 2010 came into force on 6th April 2010 (with the exception of paragraphs 4 & 5 of the Schedule which came into force on 1st October 2010).

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## 2. The licensing objectives

### Crime and disorder

- 2.1 Licensing authorities should look to the police as the main source of advice on crime and disorder. They should also seek to involve the local Community Safety Partnership (CSP).
  - 2.2 In the exercise of their functions, licensing authorities should seek to co-operate with the Security Industry Authority ("SIA") as far as possible and consider adding relevant conditions to licences where appropriate. The SIA also plays an important role in preventing crime and disorder by ensuring that door supervisors are properly licensed and, in partnership with police and other agencies, that security companies are not being used as fronts for serious and organised criminal activity. This may include making specific enquiries or visiting premises through intelligence led operations in conjunction with the police, local authorities and other partner agencies. Similarly, the provision of requirements for door supervision may be appropriate to ensure that people who are drunk, drug dealers or people carrying firearms do not enter the premises and ensuring that the police are kept informed.
  - 2.3 Conditions should be targeted on deterrence and preventing crime and disorder including the prevention of illegal working in licensed premises (see paragraph 10.10). For example, where there is good reason to suppose that disorder may take place, the presence of closed-circuit television (CCTV) cameras both inside and immediately outside the premises can actively deter disorder, nuisance, anti-social behaviour and crime generally. Some licence holders may wish to have cameras on their premises for the prevention of crime directed against the business itself, its staff, or its customers. But any condition may require a broader approach, and it may be appropriate to ensure that the precise location of cameras is set out on plans to ensure that certain areas are properly covered and there is no subsequent dispute over the terms of the condition.
  - 2.4 The inclusion of radio links and ring-round phone systems should be considered an appropriate condition for public houses, bars and nightclubs operating in city and town centre leisure areas with a high density of licensed premises. These systems allow managers of licensed premises to communicate instantly with the police and facilitate a rapid response to any disorder which may be endangering the customers and staff on the premises.
  - 2.5 Conditions relating to the management competency of designated premises supervisors should not normally be attached to premises licences. It will normally be the responsibility of the premises licence holder as an employer, and not the licensing authority, to ensure that the managers appointed at the premises are competent and appropriately trained. The designated premises supervisor is the key person who will usually be responsible for the day to day management of the premises by the premises licence holder, including the prevention of disorder. A condition of this kind may only be justified as appropriate in rare circumstances where it can be demonstrated that, in the circumstances associated with particular premises, poor management competency could give rise to issues of crime and disorder and public safety.
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- 2.6 The prevention of crime includes the prevention of immigration crime including the prevention of illegal working in licensed premises. Licensing authorities should work with Home Office Immigration Enforcement, as well as the police, in respect of these matters. Licence conditions that are considered appropriate for the prevention of illegal working in licensed premises might include requiring a premises licence holder to undertake right to work checks on all staff employed at the licensed premises or requiring that evidence of a right to work check, either physical or digital (e.g. a copy of any document checked as part of a right to work check or a clear copy of the online right to work check) are retained at the licensed premises.
- 2.7 The objective to crime under the Licensing Act 2003 would include taking measures to prevent incidents of spiking which would usually be prosecuted under section 23 and 24 of the Offences Against the Person Act 1861, and section 61 of the Sexual Offences Act 2003. The following examples are within the range of behaviours that would be considered spiking. This list is not exhaustive:
- Putting alcohol into someone's drink without their knowledge or permission
  - Putting prescription or illegal drugs into an alcoholic or non-alcoholic drink without their knowledge or permission
  - Injecting another person with prescription or illegal drugs without their knowledge or permission
  - Putting prescription or illegal drugs into another person's food without their knowledge or permission
  - Putting prescription or illegal drugs into another person's cigarette or vape without their knowledge or permission

### Public safety

- 2.8 Licence holders have a responsibility to ensure the safety of those using their premises, as a part of their duties under the 2003 Act. This concerns the safety of people using the relevant premises rather than public health which is addressed in other legislation. Physical safety includes the prevention of accidents and injuries and other immediate harms that can result from alcohol consumption such as unconsciousness or alcohol poisoning. Conditions relating to public safety may also promote the crime and disorder objective as noted above. There will of course be occasions when a public safety condition could incidentally benefit a person's health more generally, but it should not be the purpose of the condition as this would be outside the licensing authority's powers (be ultra vires) under the 2003 Act. Conditions should not be imposed on a premises licence or club premises certificate which relate to cleanliness or hygiene.
- 2.9 A number of matters should be considered in relation to public safety. These may include:
- Fire safety;
  - Ensuring appropriate access for emergency services such as ambulances;
  - Good communication with local authorities and emergency services, for example communications networks with the police and signing up for local incident alerts (see paragraph 2.4 above);



- Ensuring the presence of trained first aiders on the premises and appropriate first aid kits;
  - Ensuring the safety of people when leaving the premises (for example, through the provision of information on late-night transportation);
  - Ensuring appropriate and frequent waste disposal, particularly of glass bottles;
  - Ensuring appropriate limits on the maximum capacity of the premises (see paragraphs 2.12-2.13, and Chapter 10; and
  - Considering the use of CCTV in and around the premises (as noted in paragraph 2.3 above, this may also assist with promoting the crime and disorder objective).
- 2.10 The measures that are appropriate to promote public safety will vary between premises and the matters listed above may not apply in all cases. As set out in Chapter 8 (8.38-8.46), applicants should consider when making their application which steps it is appropriate to take to promote the public safety objective and demonstrate how they achieve that.
- 2.11 Counter terrorism and public safety
- 2.12 Licensing committees may wish to give due consideration to appropriate counter-terrorism measures and advice when considering licence applications, for example at high profile or large premises or events or where there are factors which may increase attractiveness to attacks, and in particular when in receipt of relevant advice from police counter terrorist staff.
- 2.13 It is particularly relevant to consider conditions around health care provision in this regard. Any additional licensing conditions should be appropriate and proportionate to the venue as noted in para 1.16. We recommend that all licensing authorities pay particular attention to terrorist threats when making specific licence conditions in relation to security or health care provision at appropriate premises and events applying for a licence.
- 2.14 As noted in para 2.8 licensing authorities can recommend conditions where appropriate to do so, such as ensuring appropriate access for emergency services and vehicles such as ambulances; good communication with local authorities and emergency services, for example communications networks with the police and signing up for local incident alerts (see paragraph 2.4); and ensuring the presence of sufficient trained first aiders on the premises and appropriate first aid kits.
- 2.15 However, in some instances, licensing authorities may wish to tailor their approach, depending on the particular nature of the application, and go further when addressing concerns around possible terrorist or other such risks. We have provided an Annex to help inform and support licensing authorities in their decision making with regards to additional licence conditions for premises and events, that may benefit from further security planning and health care provision in the aftermath of a particular type of incident.

### Protection of children from harm

- 2.28 The protection of children from harm includes the protection of children from moral, psychological and physical harm. This includes not only protecting children from the harms associated directly with alcohol consumption but also wider harms such as exposure to strong language and sexual expletives (for example, in the context of exposure to certain films or adult entertainment). Licensing authorities must also consider the need to protect children from sexual exploitation when undertaking licensing functions.
- 2.29 The Government believes that it is completely unacceptable to sell alcohol to children. Conditions relating to the access of children where alcohol is sold and which are appropriate to protect them from harm should be carefully considered. Moreover, conditions restricting the access of children to premises should be strongly considered in circumstances where:
- adult entertainment is provided;
  - a member or members of the current management have been convicted for serving alcohol to minors or with a reputation for allowing underage drinking (other than in the context of the exemption in the 2003 Act relating to 16 and 17 year olds consuming beer, wine and cider when accompanied by an adult during a table meal);
  - it is known that unaccompanied children have been allowed access;
  - there is a known association with drug taking or dealing; or
  - in some cases, the premises are used exclusively or primarily for the sale of alcohol for consumption on the premises.
- 2.30 It is also possible that activities, such as adult entertainment, may take place at certain times on premises but not at other times. For example, premises may operate as a café bar during the day providing meals for families but also provide entertainment with a sexual content after 8.00pm. It is not possible to give an exhaustive list of what amounts to entertainment or services of an adult or sexual nature. Applicants, responsible authorities and licensing authorities will need to consider this point carefully. This would broadly include topless bar staff, striptease, lap-, table- or pole-dancing, performances involving feigned violence or horrific incidents, feigned or actual sexual acts or fetishism,

- or entertainment involving strong and offensive language.
- 2.31 Applicants must be clear in their operating schedules about the activities and times at which the events would take place to help determine when it is not appropriate for children to enter the premises. Consideration should also be given to the proximity of premises to schools and youth clubs so that applicants take appropriate steps to ensure that advertising relating to their premises, or relating to events at their premises, is not displayed at a time when children are likely to be near the premises.
- 2.32 Licensing authorities and responsible authorities should expect applicants, when preparing an operating schedule or club operating schedule, to set out the steps to be taken to protect children from harm when on the premises.
- 2.33 Conditions, where they are appropriate, should reflect the licensable activities taking place on the premises. In addition to the mandatory condition regarding age verification, other conditions relating to the protection of children from harm can include:
- restrictions on the hours when children may be present;
  - restrictions or exclusions on the presence of children under certain ages when particular specified activities are taking place;
  - restrictions on the parts of the premises to which children may have access;
  - age restrictions (below 18);
  - restrictions or exclusions when certain activities are taking place;
  - requirements for an accompanying adult (including for example, a combination of requirements which provide that children under a particular age must be accompanied by an adult); and
  - full exclusion of people under 18 from the premises when any licensable activities are taking place.
- 2.34 Please see also Chapter 10 for details about the Licensing Act 2003 (Mandatory Licensing Conditions) Order 2010.
- 2.35 Licensing authorities should give considerable weight to representations about child protection matters. In addition to the responsible authority whose functions relate directly to child protection, the Director of Public Health may also have access to relevant evidence to inform such representations. These representations may include, amongst other things, the use of health data about the harms that alcohol can cause to underage drinkers. Where a responsible authority, or other person, presents evidence to the licensing authority linking specific premises with harms to children (such as ambulance data or emergency department attendances by persons under 18 years old with alcohol-related illnesses or injuries) this evidence should be considered, and the licensing authority should also consider what action is appropriate to ensure this licensing objective is effectively enforced. In relation to applications for the grant of a licence in areas where evidence is presented on high levels of alcohol-related harms in persons aged under 18, it is recommended that the licensing authority considers what conditions may be appropriate to ensure that this objective is promoted effectively.
- 2.36 The 2003 Act provides that, where a premises licence or club premises certificate authorises the exhibition of a film, it must include a condition requiring the admission of children to films to be restricted in accordance with recommendations given either by a body designated under section 4 of the Video Recordings Act 1984 specified in the

licence (the British Board of Film Classification is currently the only body which has been so designated) or by the licensing authority itself. Further details are given in Chapter 10.

- 2.37 Theatres may present a range of diverse activities and entertainment including, for example, variety shows incorporating adult entertainment. It is appropriate in these cases for a licensing authority to consider restricting the admission of children in such circumstances. Entertainments may also be presented at theatres specifically for children. It will be appropriate to consider whether a condition should be attached to a premises licence or club premises certificate which requires the presence of a sufficient number of adult staff on the premises to ensure the wellbeing of the children during any emergency.

### **Offences relating to the sale and supply of alcohol to children**

- 2.38 Licensing authorities are expected to maintain close contact with the police, young offenders' teams and trading standards officers (who can carry out test purchases under section 154 of the 2003 Act) about the extent of unlawful sales and consumption of alcohol by minors and to be involved in the development of any strategies to control or prevent these unlawful activities and to pursue prosecutions. Licensing authorities, alongside the police, are prosecuting authorities for the purposes of these offences, except for the offences under section 147A (persistently selling alcohol to children). Where, as a matter of policy, warnings are given to retailers prior to any decision to prosecute in respect of an offence, it is important that each of the enforcement arms should be aware of the warnings each of them has given.



## 8. Applications for premises licences

### Relevant licensing authority

- 8.1 Premises licences are issued by the licensing authority in which the premises are situated or, in the case of premises straddling an area boundary, the licensing authority where the greater part of the premises is situated. Where the premises is located equally in two or more areas, the applicant may choose but, in these rare cases, it is important that each of the licensing authorities involved maintain close contact.
- 8.2 Section 13 of the 2003 Act defines the parties holding important roles in the context of applications, inspection, monitoring and reviews of premises licences.

### Authorised persons

- 8.3 The first group –“authorised persons”– are bodies empowered by the 2003 Act to carry out inspection and enforcement roles. The police and immigration officers are not included because they are separately empowered by the 2003 Act to carry out their duties.
- 8.4 For all premises, the authorised persons include:
- officers of the licensing authority;
  - fire inspectors;
  - inspectors with responsibility in the licensing authority’s area for the enforcement of the Health and Safety at Work etc Act 1974;
  - officers of the local authority exercising environmental health functions
- 8.5 Local authority officers will most commonly have responsibility for the enforcement of health and safety legislation, but the Health and Safety Executive is responsible for certain premises. In relation to vessels, authorised persons also include an inspector or a surveyor of ships appointed under section 256 of the Merchant Shipping Act 1995. These would normally be officers acting on behalf of the Maritime and Coastguard Agency. The Secretary of State may prescribe other authorised persons by means of regulations, but has not currently prescribed any additional bodies. If any are prescribed, details will be made available on the GOV.UK website.
- 8.6 Where an immigration officer has reason to believe that any premises are being used for a licensable activity, the officer may enter the premises with a view to seeing whether an offence under any of the Immigration Acts is being committed in connection with the licensable activity.

### Responsible authorities

- 8.7 The second group –“responsible authorities”– are public bodies that must be fully notified of applications and that are entitled to make representations to the licensing authority in relation to the application for the grant, variation or review of a premises licence. These representations must still be considered ‘relevant’ by the licensing authority and relate to one or more of the licensing objectives. For all premises, responsible authorities include:

- the premises is situated;
  - the chief officer of police;
  - the local fire and rescue authority;
  - the relevant enforcing authority under the Health and Safety at Work etc Act 1974;
  - the local authority with responsibility for environmental health;
  - the local planning authority;
  - a body that represents those who are responsible for, or interested in, matters relating to the protection of children from harm;
  - each local authority's Director of Public Health (DPH) in England<sup>4</sup> and Local Health Boards (in Wales);
  - the local weights and measures authority (trading standards); and
  - Home Office Immigration Enforcement (on behalf of the Secretary of State).
- 8.8 The licensing authority should indicate in its statement of licensing policy which body it recognises to be competent to advise it on the protection of children from harm. This may be the local authority social services department, the Local Safeguarding Children Board or another competent body. This is important as applications for premises licences have to be copied to the responsible authorities in order for them to make any representations they think are relevant.
- 8.9 In relation to a vessel, responsible authorities also include navigation authorities within the meaning of section 221(1) of the Water Resources Act 1991 that have statutory functions in relation to the waters where the vessel is usually moored or berthed, or any waters where it is proposed to be navigated when being used for licensable activities; the Environment Agency; the Canal and River Trust; and the Secretary of State (who in practice acts through the Maritime and Coastguard Agency (MCA)). In practice, the Environment Agency and the Canal and River Trust only have responsibility in relation to vessels on waters for which they are the navigation statutory authority.
- 8.10 The MCA is the lead responsible authority for public safety, including fire safety, affecting passenger ships (those carrying more than 12 passengers) wherever they operate and small commercial vessels (carrying no more than 12 passengers) which go to sea. The safety regime for passenger ships is enforced under the Merchant Shipping Acts by the MCA which operates certification schemes for these vessels. Fire and rescue authorities, the Health and Safety Executive and local authority health and safety inspectors should normally be able to make "nil" returns in relation to such vessels and rely on the MCA to make any appropriate representations in respect of this licensing objective.
- 8.11 Merchant Shipping legislation does not, however, apply to permanently moored vessels. So, for example, restaurant ships moored on the Thames Embankment, with permanent shore connections should be considered by the other responsible authorities concerned with public safety, including fire safety. Vessels carrying no more than 12 passengers which do not go to sea are not subject to MCA survey and certification, but may be licensed by the local port or navigation authority.

- 8.12 The Secretary of State may prescribe other responsible authorities by means of regulations. Any such regulations are published on the Government's legislation website: [www.legislation.gov.uk](http://www.legislation.gov.uk).

### **Other persons**

- 8.13 As well as responsible authorities, any other person can play a role in a number of licensing processes under the 2003 Act. This includes any individual, body or business entitled to make representations to licensing authorities in relation to applications for the grant, variation, minor variation or review of premises licences and club premises certificates, regardless of their geographic proximity to the premises. In addition, these persons may themselves seek a review of a premises licence. Any representations made by these persons must be 'relevant', in that the representation relates to one or more of the licensing objectives. It must also not be considered by the licensing authority to be frivolous or vexatious. In the case of applications for reviews, there is an additional requirement that the grounds for the review should not be considered by the licensing authority to be repetitious. Chapter 9 of this guidance (paragraphs 9.4 to 9.10) provides more detail on the definition of relevant, frivolous and vexatious representations.
- 8.14 While any of these persons may act in their own right, they may also request that a representative makes the representation to the licensing authority on their behalf. A representative may include a legal representative, a friend, a Member of Parliament, a Member of the Welsh Government, or a local ward or parish councillor who can all act in such a capacity.

## 9. Determining applications

### General

- 9.1 When a licensing authority receives an application for a new premises licence or an application to vary an existing premises licence, it must determine whether the application has been made in accordance with section 17 of the 2003 Act, and in accordance with regulations made under sections 17(3) to (6), 34, 42, 54 and 55 of the 2003 Act. It must similarly determine applications for the grant of club premises certificates made in accordance with section 71 of the 2003 Act, and in accordance with regulations made under sections 71(4) to (7), 84, 91 and 92 of the 2003 Act. This means that the licensing authority must consider among other things whether the application has been properly advertised in accordance with those regulations.

### Where no representations are made

- 9.2 A hearing is not required where an application has been properly made and no responsible authority or other person has made a relevant representation or where representations are made and subsequently withdrawn. In these cases, the licensing authority must grant the application in the terms sought, subject only to conditions which are consistent with the operating schedule and relevant mandatory conditions under the 2003 Act. This should be undertaken as a simple administrative process by the licensing authority's officials who may replicate some of the proposals contained in the operating schedule to promote the licensing objectives in the form of clear and enforceable licence conditions. Licensing authorities should not hold hearings for uncontested applications, for example in situations where representations have been made and conditions have subsequently been agreed.

### Where representations are made

- 9.3 Where a representation concerning the licensing objectives is made by a responsible authority about a proposed operating schedule and it is relevant (see paragraphs 9.4 to 9.10 below), the licensing authority's discretion will be engaged. It will also be engaged if another person makes relevant representations to the licensing authority, which are also not frivolous or vexatious (see paragraphs 9.4 to 9.10 below). Relevant representations can be made in opposition to, or in support of, an application and can be made by any individual, body or business that has grounds to do so.

### Relevant, vexatious and frivolous representations

- 9.4 A representation is "relevant" if it relates to the likely effect of the grant of the licence on the promotion of at least one of the licensing objectives. For example, a representation from a local businessperson about the commercial damage caused by competition from new licensed premises would not be relevant. On the other hand, a representation by a businessperson that nuisance caused by new premises would deter customers from entering the local area, and the steps proposed by the applicant to prevent that nuisance were inadequate, would be relevant. In other words, representations should relate to the impact of licensable activities carried on from premises on the objectives. For representations in relation to variations to be relevant, they should be confined to



the subject matter of the variation. There is no requirement for a responsible authority or other person to produce a recorded history of problems at premises to support their representations, and in fact this would not be possible for new premises.

- 9.5 It is for the licensing authority to determine whether a representation (other than a representation from a responsible authority) is frivolous or vexatious on the basis of what might ordinarily be considered to be vexatious or frivolous. A representation may be considered to be vexatious if it appears to be intended to cause aggravation or annoyance, whether to a competitor or other person, without reasonable cause or justification. Vexatious circumstances may arise because of disputes between rival businesses and local knowledge will therefore be invaluable in considering such matters. Licensing authorities can consider the main effect of the representation, and whether any inconvenience or expense caused by it could reasonably be considered to be proportionate.
- 9.6 Frivolous representations would be essentially categorised by a lack of seriousness. Frivolous representations would concern issues which, at most, are minor and in relation to which no remedial steps would be warranted or proportionate.
- 9.7 Any person who is aggrieved by a rejection of their representations on either of these grounds may lodge a complaint through the local authority's corporate complaints procedure. A person may also challenge the authority's decision by way of judicial review.
- 9.8 Licensing authorities should not take decisions about whether representations are frivolous, vexatious or relevant to the licensing objectives on the basis of any political judgement. This may be difficult for councillors who receive complaints from residents within their own wards. If consideration is not to be delegated, contrary to the recommendation in this Guidance, an assessment should be prepared by officials for consideration by the sub-committee before any decision is taken that necessitates a hearing. Any councillor who considers that their own interests are such that they are unable to consider the matter independently should disqualify themselves.
- 9.9 It is recommended that, in borderline cases, the benefit of the doubt about any aspect of a representation should be given to the person making that representation. The subsequent hearing would then provide an opportunity for the person or body making the representation to amplify and clarify it.
- 9.10 Licensing authorities should consider providing advice on their websites about how any person can make representations to them.

### **The role of responsible authorities**

- 9.11 Responsible authorities under the 2003 Act are automatically notified of all new applications. While all responsible authorities may make representations regarding applications for licences and club premises certificates and full variation applications, it is the responsibility of each responsible authority to determine when they have appropriate grounds to do so.

- 9.12 Each responsible authority will be an expert in their respective field, and in some cases it is likely that a particular responsible authority will be the licensing authority's main source of advice in relation to a particular licensing objective. For example, the police have a key role in managing the night-time economy and should have good working relationships with those operating in their local area<sup>5</sup>. The police should usually therefore be the licensing authority's main source of advice on matters relating to the promotion of the crime and disorder licensing objective. However, any responsible authority under the 2003 Act may make representations with regard to any of the licensing objectives if they have evidence to support such representations. Licensing authorities must therefore consider all relevant representations from responsible authorities carefully, even where the reason for a particular responsible authority's interest or expertise in the promotion of a particular objective may not be immediately apparent. However, it remains incumbent on all responsible authorities to ensure that their representations can withstand the scrutiny to which they would be subject at a hearing.

### **Licensing authorities acting as responsible authorities**

- 9.13 Licensing authorities are included in the list of responsible authorities. A similar framework exists in the Gambling Act 2005. The 2003 Act does not require responsible authorities to make representations about applications for the grant of premises licences or to take any other steps in respect of different licensing processes. It is, therefore, for the licensing authority to determine when it considers it appropriate to act in its capacity as a responsible authority; the licensing authority should make this decision in accordance with its duties under section 4 of the 2003 Act.
- 9.14 Licensing authorities are not expected to act as responsible authorities on behalf of other parties (for example, local residents, local councillors or community groups) although there are occasions where the authority may decide to do so. Such parties can make relevant representations to the licensing authority in their own right, and it is reasonable for the licensing authority to expect them to make representations themselves where they are reasonably able to do so. However, if these parties have failed to take action and the licensing authority is aware of relevant grounds to make a representation, it may choose to act in its capacity as responsible authority.
- 9.15 It is also reasonable for licensing authorities to expect that other responsible authorities should intervene where the basis for the intervention falls within the remit of that other responsible authority. For example, the police should make representations where the representations are based on concerns about crime and disorder. Likewise, it is reasonable to expect the local authority exercising environmental health functions to make representations where there are concerns about noise nuisance. Each responsible authority has equal standing under the 2003 Act and may act independently without waiting for representations from any other responsible authority.
- 9.16 The 2003 Act enables licensing authorities to act as responsible authorities as a means of early intervention; they may do so where they consider it appropriate without having
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to wait for representations from other responsible authorities. For example, the licensing authority may (in a case where it has published a cumulative impact assessment) consider that granting a new licence application will add to the cumulative impact of licensed premises in its area and therefore decide to make representations to that effect, without waiting for any other person to do so.

- 9.17 In cases where a licensing authority is also acting as responsible authority in relation to the same process, it is important to achieve a separation of responsibilities within the authority to ensure procedural fairness and eliminate conflicts of interest. In such cases licensing determinations will be made by the licensing committee or sub committee comprising elected members of the authority (although they are advised by a licensing officer). Therefore, a separation is achieved by allocating distinct functions (i.e. those of licensing authority and responsible authority) to different officials within the authority.
- 9.18 In these cases, licensing authorities should allocate the different responsibilities to different licensing officers or other officers within the local authority to ensure a proper separation of responsibilities. The officer advising the licensing committee (i.e. the authority acting in its capacity as the licensing authority) must be a different person from the officer who is acting for the responsible authority. The officer acting for the responsible authority should not be involved in the licensing decision process and should not discuss the merits of the case with those involved in making the determination by the licensing authority. For example, discussion should not take place between the officer acting as responsible authority and the officer handling the licence application regarding the merits of the case. Communication between these officers in relation to the case should remain professional and consistent with communication with other responsible authorities. Representations, subject to limited exceptions, must be made in writing. It is for the licensing authority to determine how the separate roles are divided to ensure an appropriate separation of responsibilities. This approach may not be appropriate for all licensing authorities and many authorities may already have processes in place to effectively achieve the same outcome.
- 9.19 Smaller licensing authorities, where such a separation of responsibilities is more difficult, may wish to involve officials from outside the licensing department to ensure a separation of responsibilities. However, these officials should still be officials employed by the authority.

### Hearings

- 9.31 The Licensing Act 2003 (Hearings) Regulations 2005 governing hearings may be found on the [www.legislation.gov.uk](http://www.legislation.gov.uk) website. If the licensing authority decides that representations are relevant, it must hold a hearing to consider them. The need for a hearing can only be avoided with the agreement of the licensing authority, where the applicant and all of the persons who made relevant representations have given notice to the authority that they consider a hearing to be unnecessary. Where this is the case and the authority agrees that a hearing is unnecessary, it must forthwith give notice to the parties that the hearing has been dispensed with. Notwithstanding those regulatory provisions, in cases where the licensing authority believes that a hearing is still necessary, it is recommended that the authority should, as soon as possible, provide the parties with reasons in writing for the need to hold the hearing. In cases where only 'positive' representations are received, without qualifications, the licensing authority should consider whether a hearing is required. To this end, it may wish to notify the persons who made representations and give them the opportunity to withdraw those representations. This would need to be done in sufficient time before the hearing to ensure that parties were not put to unnecessary inconvenience.



- 9.32 Responsible authorities should try to conclude any discussions with the applicant in good time before the hearing. The 2005 Hearings Regulations permit licensing authorities to extend a time limit provided for by those Regulations for a specified period where it considers this to be necessary in the public interest. For example, if the application is amended at the last moment, the licensing committee should consider giving other persons time to address the revised application before the hearing commences. Where the authority has extended a time limit it must forthwith give a notice to the parties involved stating the period of the extension and the reasons for it.
- 9.33 The 2005 Hearings Regulations require that representations must be withdrawn 24 hours before the first day of any hearing. If they are withdrawn after this time, the hearing must proceed and the representations may be withdrawn orally at that hearing. However, where discussions between an applicant and those making representations are taking place and it is likely that all parties are on the point of reaching agreement, the licensing authority may wish to use the power given within the hearings regulations to extend time limits, if it considers this to be in the public interest.
- 9.34 Applicants should be encouraged to contact responsible authorities and others, such as local residents, who may be affected by the application before formulating their applications so that the mediation process may begin before the statutory time limits come into effect after submission of an application. The hearing process must meet the requirements of regulations made under the 2003 Act. Where matters arise which are not covered by the regulations, licensing authorities may make arrangements as they see fit as long as they are lawful.
- 9.35 There is no requirement in the 2003 Act for responsible authorities that have made representations to attend, but it is generally good practice and assists committees in reaching more informed decisions. Where several responsible authorities within a local authority have made representations on an application, a single local authority officer may represent them at the hearing if the responsible authorities and the licensing authority agree. This local authority officer representing other responsible authorities may be a licensing officer, but only if this licensing officer is acting as a responsible authority on behalf of the licensing authority and has had no role in the licensing determination process. This is to ensure that the responsible authorities are represented by an independent officer separate from the licensing determination process.
- 9.36 As noted in paragraphs 9.13 to 9.19 above, where the licensing officer is acting as a responsible authority the relevant steps should be followed to ensure that this individual has no role in the decision making process regarding the licensing determination.
- 9.37 As a matter of practice, licensing authorities should seek to focus the hearing on the steps considered appropriate to promote the particular licensing objective or objectives that have given rise to the specific representation and avoid straying into undisputed areas. A responsible authority or other person may choose to rely on their written representation. They may not add further representations to those disclosed to the applicant prior to the hearing, but they may expand on their existing representation and should be allowed sufficient time to do so, within reasonable and practicable limits.
- 9.38 In determining the application with a view to promoting the licensing objectives in the overall interests of the local community, the licensing authority must give appropriate weight to:

- the steps that are appropriate to promote the licensing objectives;
  - the representations (including supporting information) presented by all the parties;
  - this Guidance;
  - its own statement of licensing policy.
- 9.39 The licensing authority should give its decision within five working days of the conclusion of the hearing (or immediately in certain specified cases) and provide reasons to support it. This will be important if there is an appeal by any of the parties. Notification of a decision must be accompanied by information on the right of the party to appeal. After considering all the relevant issues, the licensing authority may grant the application subject to the relevant mandatory conditions and any conditions that are consistent with the operating schedule. Any additional conditions imposed must be appropriate for the promotion of the licensing objectives; there is no power for the licensing authority to attach a condition that is merely aspirational. For example, conditions may not be attached which relate solely to the health of customers rather than their direct physical safety. Any conditions added to the licence must be those imposed at the hearing or those agreed when a hearing has not been necessary.
- 9.40 Alternatively, the licensing authority may refuse the application on the grounds that this is appropriate for the promotion of the licensing objectives. It may also refuse to specify a designated premises supervisor and/or only allow certain requested licensable activities. In the interests of transparency, the licensing authority should publish hearings procedures in full on its website to ensure that those involved have the most current information.
- 9.41 In the context of variations or minor variations, which may involve structural alteration to or change of use of a building, the decision of the licensing authority will not exempt an applicant from the need to apply for building control approval, planning permission or both of these where appropriate.

### **Determining actions that are appropriate for the promotion of the licensing objectives**

- 9.42 Licensing authorities are best placed to determine what actions are appropriate for the promotion of the licensing objectives in their areas. All licensing determinations should be considered on a case-by-case basis. They should take into account any representations or objections that have been received from responsible authorities or other persons, and representations made by the applicant or premises user as the case may be.
- 9.43 The authority's determination should be evidence-based, justified as being appropriate for the promotion of the licensing objectives and proportionate to what it is intended to achieve.
- 9.44 Determination of whether an action or step is appropriate for the promotion of the licensing objectives requires an assessment of what action or step would be suitable to achieve that end. While this does not therefore require a licensing authority to decide that no lesser step will achieve the aim, the authority should aim to consider the potential burden that any condition would impose on the premises licence holder (such as the financial burden due to restrictions on licensable activities) as well as the potential benefit in terms of the promotion of the licensing objectives. However, it is

imperative that the authority ensures that the factors which form the basis of its determination are limited to consideration of the promotion of the objectives and nothing outside those parameters. As with the consideration of licence variations, the licensing authority should consider wider issues such as other conditions already in place to mitigate potential negative impact on the promotion of the licensing objectives and the track record of the business. Further advice on determining what is appropriate when imposing conditions on a licence or certificate is provided in Chapter 10. The licensing authority is expected to come to its determination based on an assessment of the evidence on both the risks and benefits either for or against making the determination.

## 13. Appeals

- 13.1 This chapter provides advice about entitlements to appeal in connection with various decisions made by a licensing authority under the provisions of the 2003 Act. Entitlements to appeal for parties aggrieved by decisions of the licensing authority are set out in Schedule 5 to the 2003 Act.

### General

- 13.2 With the exception of appeals in relation to closure orders, an appeal may be made to any magistrates' court in England or Wales but it is expected that applicants would bring an appeal in a magistrates' court in the area in which they or the premises are situated.
- 13.3 An appeal has to be commenced by the appellant giving a notice of appeal to the designated officer for the magistrates' court within a period of 21 days beginning with the day on which the appellant was notified by the licensing authority of the decision which is being appealed.
- 13.4 The licensing authority will always be a respondent to the appeal, but in cases where a favourable decision has been made for an applicant, licence holder, club or premises user against the representations of a responsible authority or any other person, or the objections of the chief officer of police, the Home Office (Immigration Enforcement), or local authority exercising environmental health functions, the holder of the premises or personal licence or club premises certificate or the person who gave an interim authority notice or the premises user will also be a respondent to the appeal, and the person who made the relevant representation or gave the objection will be the appellants.
- 13.5 Where an appeal has been made against a decision of the licensing authority, the licensing authority will in all cases be the respondent to the appeal and may call as a witness a responsible authority or any other person who made representations against the application, if it chooses to do so. For this reason, the licensing authority should consider keeping responsible authorities and others informed of developments in relation to appeals to allow them to consider their position. Provided the court considers it appropriate, the licensing authority may also call as witnesses any individual or body that they feel might assist their response to an appeal.
- 13.6 The court, on hearing any appeal, may review the merits of the decision on the facts and consider points of law or address both.
- 13.7 On determining an appeal, the court may:
- dismiss the appeal;
  - substitute for the decision appealed against any other decision which could have been made by the licensing authority; or
  - remit the case to the licensing authority to dispose of it in accordance with the direction of the court and make such order as to costs as it thinks fit.
- All parties should be aware that the court may make an order for one party to pay another party's costs.



On any appeal, the court is not entitled to consider whether the licence holder should have been convicted of an immigration offence or been required to pay an immigration penalty, or whether they should have been granted by the Home Office permission to be in the UK. This is because separate rights exist to appeal these matters or to have an immigration decision administratively reviewed.

### **Licensing policy statements and Section 182 guidance**

- 13.8 In hearing an appeal against any decision made by a licensing authority, the magistrates' court will have regard to that licensing authority's statement of licensing policy and this Guidance. However, the court would be entitled to depart from either the statement of licensing policy or this Guidance if it considered it was justified to do so because of the individual circumstances of any case. In other words, while the court will normally consider the matter as if it were "standing in the shoes" of the licensing authority, it would be entitled to find that the licensing authority should have departed from its own policy or the Guidance because the particular circumstances would have justified such a decision.
- 13.9 In addition, the court is entitled to disregard any part of a licensing policy statement or this Guidance that it holds to be ultra vires the 2003 Act and therefore unlawful. The normal course for challenging a statement of licensing policy or this Guidance should be by way of judicial review, but where it is submitted to an appellate court that a statement of policy is itself ultra vires the 2003 Act and this has a direct bearing on the case before it, it would be inappropriate for the court, on accepting such a submission, to compound the original error by relying on that part of the statement of licensing policy affected.

### **Giving reasons for decisions**

- 13.10 It is important that a licensing authority gives comprehensive reasons for its decisions in anticipation of any appeals. Failure to give adequate reasons could itself give rise to grounds for an appeal. It is particularly important that reasons should also address the extent to which the decision has been made with regard to the licensing authority's statement of policy and this Guidance. Reasons should be promulgated to all the parties of any process which might give rise to an appeal under the terms of the 2003 Act.
- 13.11 It is important that licensing authorities also provide all parties who were party to the original hearing, but not involved directly in the appeal, with clear reasons for any subsequent decisions where appeals are settled out of court. Local residents in particular, who have attended a hearing where the decision was subject to an appeal, are likely to expect the final determination to be made by a court.



### Implementing the determination of the magistrates' courts

- 13.12 As soon as the decision of the magistrates' court has been promulgated, licensing authorities should implement it without delay. Any attempt to delay implementation will only bring the appeal system into disrepute. Standing orders should therefore be in place that on receipt of the decision, appropriate action should be taken immediately unless ordered by the magistrates' court or a higher court to suspend such action (for example, as a result of an on-going judicial review). Except in the case of closure orders, the 2003 Act does not provide for a further appeal against the decision of the magistrates' courts and normal rules of challenging decisions of magistrates' courts will apply.

[112](#) | Revised Guidance issued under section 182 of the Licensing Act 2003

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### Provisional statements

- 13.13 To avoid confusion, it should be noted that a right of appeal only exists in respect of the terms of a provisional statement that is issued rather than one that is refused. This is because the 2003 Act does not empower a licensing authority to refuse to issue a provisional statement. After receiving and considering relevant representations, the licensing authority may only indicate, as part of the statement, that it would consider certain steps to be appropriate for the promotion of the licensing objectives when, and if, an application were made for a premises licence following the issuing of the provisional statement. Accordingly, the applicant or any person who has made relevant representations may appeal against the terms of the statement issued.