

Hello,

Please after a careful read I have attached Hertfordshire Constabulary's response to the Statement of Licensing review.

If any clarification is required, please ask.

Regards
Simon

A7.6.2 *North Hertfordshire has the highest number of NEETS (young people not in education, employment or training) in Hertfordshire with 43% of all NEETS living in Letchworth. A possible explanation could be due to child poverty present in Letchworth and the huge difference in good level of development figures between the 69.9% average within North Hertfordshire and the 34.8% in Letchworth Wilbury*

The paragraph reads that 43% of all NEETS in Hertfordshire – is this a mistype or is this correct?

E1.2.1 *The Council recognises the risk of controlled substance use in licensed premises, particularly dance and nightclub environments. Conditions may be imposed to prevent the use and consumption of controlled substances, including alcohol, and to create a safer environment for patrons that may have taken them. When imposing conditions, the Council will have regard to any national guidance relating to controlled substances and may seek advice from the local Drugs Action Team and the Police.*

Do we have a Drugs Action Team? Is this something that have been swallowed up by the Community Safety Partnership?

G1.1 *This section of the Policy deals with events with an intended capacity of five hundred and above. Capacities below that figure can be dealt with ordinarily by way of a temporary event notice which applies a 'light touch' approach to licensing, however, this does not preclude an application for a premises licence/club premises certificate.*

What about events with an intended capacity of under 500 but happen to have more? (e.g. Balstock) perhaps *intended or likely* would be a better term?

G6.2.2 *A decision relating to the implementation of dispersal powers is not a decision for the Council as part of the licensing function and dispersal powers cannot be imposed as a licence condition. That said, **use or planned use of dispersal powers by the police** ~~a decision on whether or not to implement dispersal powers~~ may be considered as part of the Sub-Committee's allocation of weight to a police representation.*

Just some ambiguous wording, my suggestion in yellow.

G6.3.5 *For events where the capacity, audience profile or perceived risk leads the Council to believe that a police presence on site is appropriate to promote the licensing objectives, the Council in **consultation with the police or in response to representations by the police** may consider the imposition of conditions requiring the applicant to make on site provision for any infrastructure required for the police to reasonably carry out their duties. These requirements may include, but are not limited to:*

- *a temporary custody area;*
- *a visible and accessible area for event patrons to attend;*

- *suitable accommodation on site for Police Commanders;*
- *suitable on site welfare provision for police personnel; and*
- *suitable IT equipment (telephony, internet, etc.) in order to facilitate any reasonable police request.*

Just want to avoid the SoL suggesting that the council could or would determine police duties.

G7.1.1 *The Council recognises that the public safety objective is concerned with the physical safety of the people attending the event and not with public health, which is dealt with in other legislation.*

This is consistent with the Sec of State guidance, however I just want clarity (and therefore it might be worth including in the SoL for clarity) – although conditions relating to public health would not be considered within the Operating Schedule (as stated in F4.1), would public health matters be considered if they undermined Public Safety at the point of review or representations?

I would like to see the above point made more globally, i.e. the council will not impose conditions on a licence where a breach in itself would be a violation of another piece of legislation, notwithstanding a breach of other legislation can be sufficient evidence form the basis for a review if said breach were to also undermine a licensing objective.

H3.1 *The Council will not impose any licence conditions requiring applicants to obtain the consent of NH SAG for any aspect of event management or infrastructure.*

Is it also worth including that an operating schedule which includes a reliance on SAG will not be accepted as a voluntary condition on a licence?

O4.3.2 *Ordinarily, the Council expects responsible authorities to undertake initial engagement with applicants, particularly where concerns exist, within seven (7) days of the start of the consultation period. This allows sufficient time for meaningful and fair discussions between the parties.*

O4.3.3 *Not engaging until close to the end of the consultation period places unfair pressure on the applicant to try to address responsible authority concerns and may force applicants to accept conditions and/or amendments that could have been avoided had the process started earlier.*

I take particular issue with the above two paragraphs. It jumps from an expectation of opening dialogue within seven days to not engaging until close of consultation leaving no opinion on the in-between. Formally expecting authorities to reach out to applicants within seven days firstly diminishes the recommendation that applicants should first reach out to RA's prior to submission, but also puts undue pressure on the police where views might need to be sought from a number of departments beforehand (such as safer neighbourhoods, events and planning, senior management team) to ensure unfair assurances are not given and we do not move goalposts as feedback is sought. Personally I would like to see O4.3.2 removed completely, but am happy to acknowledge that last-minute engagement is not acceptable as stated in O4.3.3.

Additional points:

- 1) Would the council support a "ask for what you want, not more for haggling purposes" policy on an applicants submission on an operating schedule and therefore consistent with the applicants business plans. Most often it is the speculative conditions (broader hours, larger capacities etc) which require us to engage and negotiate with applicants, only because they

are often of the opinion that have asked for more with the intention of eventually getting what they want.

- 2) Would the council support the promotion of other technological tools when considering applications for premises which are likely to factor strongly in the NTE, and therefore have a higher likelihood to attract crime and disorder, and therefore novel measures to promote the C&D objective? Such as but not limited to ID entry scanners.

Sgt 2881 Simon Mullan
Community Safety Unit
Hitchin Police Station
Local Policing Command
Hertfordshire Constabulary