

Environmental Health consultation response (04/06/2021):

Good afternoon,

Please see Environmental Health's comments on Licensing's Statement of Licensing Policy below.

1. Great that paragraph 3.22 (page 11/12) talks about protecting the public from nuisance and minimising the regulatory burden. Hope that the latter part opens up more ways we can support each other.
2. With regards to paragraph 4.14 (page 15), should the policy encourage the use of SAG for these events?
3. Support paragraph 5.6 (page 17), though might want to expand on why they may ask them to consult (for example specialist noise advice).
4. Support and encouraged by the sensitive licensing areas, paragraph 7.6 (page 25).
5. Paragraph 7.16 (page 27) plans regarding nuisance prevention could be considered at this stage as one of the licensing objectives is 'preventing public nuisance'
6. Pleased to see paragraph 8.19 (page 33)
7. Typo on paragraph 8.37 (page 37), premises rather than premise
8. Interested in knowing more about why we haven't adopted the late night levy mentioned in section 17.18 (page 66)

Many thanks,

Licensing Authority response:

Thank you for consideration of the draft and taking the time to respond. For ease I will respond to each of your points in order:

1. In your first point I believe that you are referencing point 3.22 not 3.11 (which is on page 9). We included the points at 3.22 as we thought it was important to layout the key aims and purposes for all stakeholders in licensing, hopefully meaning that everyone is trying to achieve the same thing.

2. We have added a footnote below point 4.14 which contains the web link to the SAG webpage and states: *Such small scale events may still benefit from contacting the East Herts Safety Advisory Group:*
3. Paragraph 5.6 references pre-application advice that is likely to be received from the Licensing Team. This team is not the expert in noise nuisance so we would be highly unlikely to advise contacting a specialist noise consultant. In such a case we would refer them to the appropriate responsible authority (Environmental Health) who would be able to discuss the potential issues and recommend the appropriate course of action to address them.
4. Thank you for your comment regarding the creation of a Sensitive Licensing area for Hertford.
5. We agree that plans regarding nuisance prevention can be considered at this stage or at any point throughout the application process. Consideration of the impact on the 4 licensing objectives will always be considered.
6. Thank you for your comment of support for this paragraph relating to risk assessments for outdoor and large scale events.
7. Thank you for this comment and we will amend this.
8. The assessment of whether or not to implement a Late Night Levy is very complicated, weighing up the benefit of imposing a levy against the negative impact that it can have. Whilst the Late Night Levy was seen by Government as a useful tool for Licensing Authorities only 11 have implemented one since the powers were conferred by The Police Reform and Social Responsibility Act 2011, the vast majority being in London Boroughs or large cities such as Liverpool or Nottingham. The possibility of introducing a Late Night Levy was last revisited in 2019 and I am happy to share this piece of work with you. More information about the levy can be found here: https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/98126/late-night-levy.pdf. If you wish to discuss it further then please contact me directly.

Proposed amendments to draft policy:

Add a foot note to paragraph 4.14 suggesting that organisers of events that fall under the deregulation might benefit from contacting the SAG.