

Licensing Act 2003

Inner Temple Licensing Policy

1. PREAMBLE

The Licensing Act 2003 ("the Act") specifically assigns licensing responsibility to the Sub-Treasurer of The Inner Temple ("the Inn") and requires that the Inn produces a Licensing Policy (the "policy").

This document sets out that policy, which will guide the Sub-Treasurer when considering licence applications for one or more of the licensable activities.

This statement of policy has been prepared in accordance with the provisions of the Act and the guidance issued under Section 182. This policy will take effect on 7th January 2005.

2. INTRODUCTION

The aim of this policy is to ensure the safety and amenity of the community within the Inn while facilitating cultural and entertainment activities. The Inn recognises the needs of residents for a safe and healthy environment and is working with the City of London, Police, the Fire Service, Chambers and members of the Inn, and residents within the Inn's precincts towards the promotion of the licensing objectives that are set out in this policy.

This policy provides information and guidance to licensing applicants, objects and interested parties on the approach that the Inn will adopt in terms of licensing requirements.

In accordance with the statutory procedures, a review of this policy will take place every five years to consider information collated over a period and coupled with the outcomes of initiatives relating to alcohol and entertainment that may be appropriate.

In the preparation of this policy the Inn has regard to the guidance issued by the Secretary of State under Section 182 of the Act.

Nothing in this policy should be regarded or interpreted as an indication that any requirement of licensing or other law may be overridden.

3. OBJECTIVES

The Act provides that The Inner Temple has a duty to conduct its functions under the Act with a view to promoting the prescribed licensing objectives, all of which are equally important:

- 1) The prevention of crime and disorder
- 2) The promotion of public safety
- 3) The prevention of public nuisance
- 4) The protection of children from harm

Recognition is given to the limited nature of the activities within the Inn for which licences may be sought and this policy specifies licensing policies in respect of those regulated entertainments and premises from which alcohol may be served with proper regard to:

- 1) Location of and environmental impacts of the proposed activity;
- 2) Suitability and fitness of the applicant(s);
- 3) Suitability of the premises subject to the application;
- 4) Operation and management of the event;
- 5) Consultation process; and
- 6) Monitoring, review, and enforcement.

The Inn does not regard this policy as a mechanism for the general control of anti-social behaviour by individuals once they are beyond the immediate vicinity of the individual or premises holding the relevant licence or permission. It does, however, recognise that it has a role to play in the control of alcohol-related anti-social behaviour.

4. EXCLUSIONS AND CONDITIONS

This policy does not provide for any standard conditions to be imposed to avoid the imposition of disproportionate or burdensome requirements. Conditions may be imposed on any licence or permission that will be appropriate to the circumstances of the application.

Any conditions attached to the licence(s) will be tailored to the premises or event.

5. CUMULATIVE IMPACT

The cumulative impact of granting licences will be examined before any application is granted.

6. LICENSED HOURS

The consideration of individual applications will be considered particularly in order to avoid large masses of people exiting licensed premises at the same time. Given the nature of the Inn, it is unlikely that this will be an issue. For the same reason, there will be no zoning of the precincts controlled by the Inn.

7. FEES

The appropriate fee must accompany an application. Fees for licensing application will be as prescribed by the Licensing Act 2003 (fees) Regulations 2005. See Appendix 1.

8. FIRE PRECAUTIONS

Where a fire certificate is in force and deals with, or could have dealt with, matters relating to fire safety, and the fire certificate was issued for the use of the premises for licensable activities, the Inn need not impose or attach conditions to any licence or certification. However, where the activities carried out on the premises have changed to include those covered by the licensing regime, it may be necessary to attach conditions relating to fire safety. Close co-operation between the Inn and the fire authority will be required to ensure that the public and members of the Inn are properly protected.

9. DISABILITY DISCRIMINATION ACT 1995

The Inn will have regard to the likely impact of licensing on disability discrimination when considering the operation and management of all proposed applications, renewals and variations of conditions.

10. CHILDREN

The Act does not prevent children having access to premises selling alcohol for consumption on those premises. Where there are matters that give rise to serious concerns, restrictions may be imposed on the licence, or an application may be refused. Examples that give rise to such concerns include those:

- 1) Where there have been convictions for serving alcohol to minors;
- 2) Where there is a reputation for under-age drinking;
- 3) Where there is a known association for drug taking or drug dealing;
- 4) Where there is a strong element of gambling activity; and
- 5) Where entertainment of an adult or sexual nature is provided.

The Act prohibits the presence of unaccompanied children from certain premises and between certain hours. It is an offence under the Act to:

- 1) Permit children under the age of 16 (sixteen) who are not accompanied by an adult, to be present on premises being used exclusively or primarily for the sale of alcohol for consumption on the premises; and
- 2) Permit the presence of children under the age of 16 (sixteen) who are not accompanied by an adult, to be on premises between the hours of midnight and 0500 at other premises where there is a sale of alcohol for consumption on the premises.

Other than as set out above, the Act does not prevent the admission of unaccompanied children under the age of 16 (sixteen) to licensed premises where the consumption of alcohol is not the exclusive or primary activity on those premises. This does not mean that the admission of children will be automatic as admission will always be at the discretion of those managing the premises.

11. INTEGRATION

Licensing policy will be co-ordinated with crime prevention, planning, etc, to the extent that these functions are within the control of The Inner Temple.

Note that planning within The Inner Temple is controlled by the Corporation of the City of London.

Any protocols agreed with the City Police will be notified here. At present, there are no such protocols in place.

Given the special nature of The Inner Temple, reports will not be received outlining the needs of the local tourist economy or the employment situation, although any requests from the Corporation of the City of London will be given serious consideration. Since planning is controlled by the Corporation of the City of London, there is considerable separation between Licensing and Planning.

The Inner Temple will have due regard to the Equality Act 2010 and the need to eliminate unlawful discrimination and promote equality.

12. ADMINISTRATION

The Act allows administration within The Inner Temple to be within the powers of the Sub-Treasurer rather than a Licensing Committee. All licences will be signed by the Sub-Treasurer after consideration of the application by the Head of Catering.

13. CULTURAL STRATEGIES

The Inner Temple will monitor the impact of licensing on regulated entertainment; especially music and dancing. This will be achieved by noting the frequency of events for which an application is made and by evaluating feedback from stakeholders.

14. PROCESS

A person making an application for a licence or to vary a licence must do so in writing using the prescribed forms available from the gov.uk website (premises licence forms). Details of the nature of the licensable activities and premises, including plans, where appropriate, must be included with the application. Where plans are required to support an application, the plans must comply with the Licensing Act 2003 (Premises Licences and club Premises Certificates) Regulations 2005.

Applications should be addressed to the Head of Catering, who will act as the primary contact for the applications and who will prepare the required information for the Sub-Treasurer.

Where public notice is a requirement, applications will be displayed in the following locations:

- 1) The gate at the Tudor Street entrance to The Inner Temple
- 2) The noticeboard adjacent to the archway to The Inner Temple (Mitre Court)
- 3) The noticeboard adjacent to the entrance to The Inner Temple Gardens
- 4) The reception area of The Inner Temple Treasury Building

The applications will be considered by the Sub-Treasurer after consultation with the Head of Catering and any other person deemed appropriate by the Sub-Treasurer.

15. DELEGATION

Given the nature of the premises within The Inner Temple and likelihood that few applications will be received, all applications will be considered by the Sub-Treasurer.

Independent professional advice may be sought, as required.

The Act creates a presumption that application will be granted unless an objection is received in the correct form.

16. CONSULTATION

In developing this policy, the Inn has consulted widely to ascertain an appropriate licensing framework for its area of operation. The bodies consulted include those specified in Section 5(3) and in Paragraph 29 of Part 4 of Schedule 8 of the Act, namely:

- 1) The Police;
- 2) The Fire Authority;
- 3) Current licence holders; and
- 4) Representatives of local businesses and residents.


One body that is referred to, "representatives of the local licensing trade", has not been consulted as there is no such trade within The Inner Temple.

17. MONITORING & REVIEW

The Police, the Fire Authority, and other consultees will be encouraged to report to the Sub-Treasurer annually on the operation of the licensing function.

The Sub-Treasurer will report annually to Master Treasurer:

- 1) Statistics of licence applications and those granted;
- 2) Details of any appeals;
- 3) Information pertaining to any prosecutions relating to licensing; and
- 4) Proposals to amend the Licensing Policy or practice.


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SUB-TREASURER

DATED: 23/06/2022

Licensing Policy
Appendix 1
Schedule of Fees

Licensing Act 2003 (Fees) Regulations 2005

**Regulation 3, 4 and 6(1) – Premises Licences & Club Premises Certificates
Rateable Values & Bands**

RATEABLE VALUE	BAND	Application Fee	Annual Fee
No rateable value to £4,000	A	£100	£70
£4,300 to £33,000	B	£190	£180
£33,001 to £87,000	C	£315	£295
£87,001 to £125,000	D	£450	£320
£125,001 and above	E	£635	£350

Additional fees

NUMBER ATTENDING	ADDITIONAL PREMISES LICENCE FEE	ADDITIONAL ANNUAL FEE PAYABLE IF APPLICABLE
5,000 to 9,999	£1,000	£500
10,000 to 14,999	£2,000	£1000
15,000 to 19,999	£4,000	£2,000
20,000 to 29,999	£8,000	£4,000
30,000 to 39,999	£16,000	£8,000
40,000 to 49,999	£24,000	£12,000
50,000 to 59,999	£32,000	£16,000
60,000 to 69,999	£40,000	£20,000
70,000 to 79,999	£48,000	£24,000
80,000 to 89,999	£56,000	£28,000
90,000 and over	£64,000	£32,000

REGULATION 8

PERMITTED TEMPORARY ACTIVITIES, PERSONAL LICENCES AND MISCELLANEOUS

APPLICATION OR NOTICE	FEE
Section 25 - Theft, loss, etc. of premises licence or summary	£10.50
Section 29 - Application for a provisional statement where premises being built etc.	£315.00
Section 33 - Notification of change of name or address (Personal Licence)	£10.50
Section 37 - Application to vary licence to specify individual as DPS	£23
Section 42 - Application for transfer of premises licence	£23
Section 47 - Interim authority following death etc. of licence holder	£23
Section 79 - Theft, loss etc. of certificate or summary	£10.50
Section 82 - Notification of change of name or alteration of rules of club	£10.50
Section 83 - Change of relevant registered address of club	£10.50
Section 100 - Temporary event notice	£21
Section 110 - Theft, loss etc. of temporary event notice	£10.50
Section 117 - Application for the grant or renewal of a personal licence	£37
Section 126 - Theft, loss etc. of personal licence	£10.50
Section 127 - Duty to notify change of name or address	£10.50
Section 178 - Right of freeholder etc.to be notified of licensing matters	£21