

LICENSING COMMITTEE
MONDAY, 18 JULY 2011

Minutes of the meeting of the LICENSING COMMITTEE held at Guildhall, EC2, on MONDAY, 18 JULY 2011, at 1.45pm.

Present

Members:

Edward Lord (Chairman)
Marianne Fredericks (Deputy Chairman)
Alex Bain-Stewart
The Revd Dr Martin Dudley
Peter Dunphy
Dr Peter Hardwick
Chris Punter
Stephen Quilter
Jeremy Simons
James Tumbridge

Officers:

Peter Nelson	- Assistant Town Clerk
Tia Cox	- Town Clerk's Department
Caroline Webb	- Town Clerk's Department
Andrea Berkoff	- Town Clerk's Department
Jenny Pitcairn	- Chamberlain's Department
Paul Chadha	- Comptroller & City Solicitor's Department
Philip Everett	- Director of Environmental Services
Jon Averbs	- Department of Environmental Services
Steve Blake	- Department of Environmental Services
David Smith	- Director of Markets

Also in attendance:

Curtis Payn	- Work Experience Student with Comptroller & City Solicitor's Department
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WELCOME

The Chairman welcomed one new Member, Peter Dunphy, onto the Licensing Committee and David Smith as the new Director for Markets and Consumer Protection. The Chairman also welcomed Peter Nelson, Assistant Town Clerk and Andrea Berkoff from the Emergency Planning Department. A warm welcome was also extended to Curtis Payn who was undertaking work experience within the Comptroller & City Solicitor's department.

CONGRATULATIONS

The Deputy Chairman, on behalf of the Committee, congratulated the Chairman of the Licensing Committee, Edward Lord, on his recent appointment

by Her Majesty the Queen as an Officer of the Most Excellent Order of the British Empire for public service. The Chairman thanked the Committee.

1. **APOLOGIES**

Apologies were received from Deputy Douglas Barrow, Sophie Fernandes, Deputy The Reverend Stephen Haines and Alderman Simon Walsh.

2. **DECLARATIONS BY MEMBERS OF PERSONAL OR PREJUDICIAL INTERESTS IN RESPECT OF ITEMS TO BE CONSIDERED AT THIS MEETING**

The Revd Dr Martin Dudley declared a general personal interest as a Designated Premises Supervisor (DPS) of a City premises and a personal licence holder. He did not consider this interest to be prejudicial.

3. **MINUTES**

The Committee approved the public minutes of the meeting held on 18 April 2011 as a correct record.

Matters Arising

Training Session

A training session for Sub Committee Chairmen would be held in the Autumn.

Police Reform and Social Responsibility Bill

It was noted that the Remembrancer was due to report back to Members regarding the inter play between early morning restrictions and charges.

4. **MINUTES OF LICENSING SUB COMMITTEE HEARINGS**

The Committee received the public minutes of the following Licensing Sub Committee hearings:-

(a) **5 April 2011 – Montcalm in the City, 42 – 46 and 52 Chiswell Street, EC1 4SD**

A Member requested that the spelling of Ben Jonson House be corrected throughout the minutes.

In answer to a question, the Comptroller and City Solicitor confirmed that individual rooms within the hotel were required to be licenced due to the presence of mini-bars in the rooms and it was considered that guests using the mini-bar “appropriates” the alcohol in the room.

(b) **21 April 2011 – Barbican Arts Centre, Silk Street, EC2Y 8DS**

(c) **24 May 2011 – Grange St Paul’s Hotel, 10 Godliman Street, EC4V 5AJ**

5. **APPEALS AGAINST LICENSING SUB COMMITTEE DECISIONS**

The Comptroller and City Solicitor advised that the proprietors of Charlie’s Wine Bar, 9 Crosswall application for a judicial review had been refused on papers.

They had subsequently renewed their application and requested an oral hearing but the Comptroller and City Solicitor had not yet been informed of the hearing date.

6. OLYMPIC PREPAREDNESS FOR LICENSED PREMISES IN THE CITY

The Committee considered a report of the Town Clerk providing an overview of the preparations taking place in the City to help licensees prepare for the Olympics 2012.

An excerpt from the Licensing Policy regarding the Queen's Diamond and Jubilee and London 2012 Games was tabled.

Discussion took place over the use of the Olympic symbols and logos in the run up to and during the Olympic Games in 2012. It was noted that the City of London would be described as a host authority and could use logos where appropriate but protection over the misuse of logos would be tight.

In answer to a question regarding the change in legislation concerning who else, other than the police, could make a representation against a TENs application, the Chairman advised that the implementation date for this legislation was unknown.

The Deputy Chairman stressed the need for information concerning applications for TENs and variations to licenses to be circulated to premises earlier than the end of the year, which was originally proposed. The Chairman suggested that guidance on Olympic logos and branding should also be circulated to ensure they are used in the appropriate ways; otherwise premises' could be subject to enforcement action.

RESOLVED — that the contents of the report be noted.

7. REVENUE OUTTURN 2010/11

The Committee considered a joint report of the Director of Environmental Services and the Chamberlain comparing the revenue outturn for the services overseen by the Licensing Committee in 2010/11 with the final agreed budget for the year.

RESOLVED — that the revenue outturn report for 2010/11 be noted together with the Director of Environmental Services' proposal to carry forward £500,000 to 2011/12.

8. MEMORANDUM OF UNDERSTANDING BETWEEN THE DEPARTMENT OF ENVIRONMENTAL SERVICES AND THE CITY OF LONDON POLICE

The Committee considered a resolution from the Port Health and Environmental Services Committee together with a report of the Director of Environmental Services outlining the rationale behind the Memorandum of Understanding (MoU) and the benefits that are anticipated by adopting it.

It was highlighted that the Licensing Liaison Partnership meetings were to be hosted by the Department of Environmental Services on a monthly basis.

RESOLVED — that Members approve the Memorandum of Understanding between the Department of Environmental Services and City of London Police as attached in Appendix 1.

9. LICENSING OF TABLES AND CHAIRS

The Committee considered a report of the Director of Environmental Services outlining the possible reasons for Tables and Chairs (T&C) applications to be considered under the Licensing Committee instead of the Planning and Transportation Committee to further streamline the process. The report also proposed an update to the current guidelines.

A Member highlighted that at Planning and Transportation Committee meetings, a list of all planning applications that had received no objections and had subsequently been approved by officers through delegated authority was circulated to Members. It was suggested that similar information be provided to Licensing Committee Members to inform them of licenses granted that had not received objections.

RESOLVED — that:

- a) being the Committee aligned with achieving the best amenity provision on an area of highway or City walkway and given the very limited number of appeals, tables and chairs licensing is to remain the responsibility of the Planning and Transportation Committee; and
- b) a list of licenses granted under delegated authority be circulated at each Committee meeting.

10. QUESTIONS ON MATTERS RELATING TO THE WORK OF THE COMMITTEE

Drink Spiking in the City

In answer to a question regarding the spiking of drinks, the Director of Environmental Services undertook to investigate this issue and report back to Committee if drink spiking was identified as a problem within the City.

Advertising of Licensing Applications

A question was raised concerning the use of newspapers and private publications to advertise licensing applications, highlighting that some applications were advertised in papers with very low circulation rates. Discussion took place over whether an agreed list of publications should be circulated to applicants. It was noted that the Policy and Resources Committee had approved a list of publications that were to be used by the City of London Corporation to advertise in, for example, planning applications.

RESOLVED: That a report be brought back to the next Committee meeting concerning the key issues raised in the discussion and outlining a clear process by which any decision is arrived at.

11. ANY OTHER BUSINESS THAT THE CHAIRMAN CONSIDERS TO BE URGENT**Premises Licence Application – The Assembly**

A briefing note was tabled informing Members of the background information regarding The Assembly's application and the action taken to prevent a recurrence of the issues.

The Director of Environmental Services informed Members that legal advice had confirmed that a hearing could not take place to consider the objections. The Director had agreed to meet with the residents concerned later that week in order to apologise for the errors made and inform the residents of their options, such as asking for a review hearing to take place. The officers would also meet with the applicant to discuss their operational plans.

Philip Everett, Director of Environmental Services and Tia Cox, Committee and Member Services Officer

The Chairman advised that it had been the last Licensing Committee meeting for Philip Everett, Director of Environmental Services and Tia Cox, Committee and Member Services Officer. Philip was to become the Director of Built Environment and the Licensing Committee would be transferred to the Director of Markets and Consumer Protection and Tia would be leaving the City of London Corporation. On behalf of the Committee, the Chairman thanked them for their support and service over the years.

The meeting closed at 2.41pm.

CHAIRMAN

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