LICENSING COMMITTEE

Monday, 17 February 2014

Minutes of the meeting of the Licensing Committee held at the Guildhall EC2 at 1.45pm

Present

Members:

Marianne Fredericks (Chairman)
Edward Lord (Deputy Chairman)
Alex Bain-Stewart
Deputy John Barker
Peter Dunphy
Michael Hudson
Graham Packham

In attendance:

George Gillon (Chief Commoner)

Officers:

Natasha Dogra	-	Town Clerk's Department
Georgina Denis	-	Town Clerk's Department
James Goodsell	-	Town Clerk's Department
David Smith	-	Markets & Consumer Protection Department
Steve Blake	-	Markets & Consumer Protection Department
Peter Davenport	-	Markets & Consumer Protection Department
Paul Chadha	-	Comptroller and City Solicitors
Jenny Pitcairn	-	Chamberlains Department

1. **APOLOGIES**
   Apologies were received from James Tumbridge, Chris Punter, Tom Sleigh, Judith Pleasance, Kevin Everett, Dr Dudley, and Jamie Ingham Clark.

2. **MEMBERS' DECLARATIONS UNDER THE CODE OF CONDUCT IN RESPECT OF ITEMS ON THE AGENDA**
   There were no declarations.

3. **PUBLIC MINUTES**
   RESOLVED: That Members agreed the minutes as an accurate record.

   Matters Arising

   The training scheduled for November 2013 took place on Friday 31 January 2014. The training provided Committee Members and Officers of the Town Clerks department with a BIIAB Level 2 National Certificate for Licensing Practitioners. The training provided up to date knowledge of legislation relevant to the work of the Licensing Committee.

   The details of the premises in amber and red stages of the traffic light scheme would be included as a non-public agenda item and would not be

published online. The City of London Police advised the Markets & Consumer Protection Department that publishing the names could result in disengagement between the Licencing Authority and premises. Therefore the names of premises in amber and red stages would be circulated on yellow paper during Licencing Committee meetings. The Markets & Consumer Protection Department explained that the scheme worked on a 12 month rolling system so premises accumulating points in month one would lose those points in month thirteen.

The Markets & Consumer Protection Department updated the Committee on the Late Night Levy arrangements and explained to Members that the initial consultation stage was complete. Officers continued to say that 76 representations were raised during the consultation stage; following a review of the representations a second consultation would take place. The second consultation would run for six weeks.

The Markets & Consumer Protection Department also updated the Committee on Street Trading and Tables and Chairs policies. Both policies were being finalised and the final drafts would be circulated to all relevant departments. The Chairman and Deputy Chairman of the Licensing Committee would be sent the final draft policies for review. It was anticipated that the policies would be submitted to relevant Committees in May 2014.

4. **MINUTES OF LICENSING (HEARING) SUB COMMITTEES**

Committee Members commented on the requirement for responsible authorities to include a comprehensive history of all incidents to be mentioned as part of their evidence during hearings. The Members reported that it was not always the case a list of incidents was provided as part of representations. Officers from the Markets & Consumer Protection Department assured the Committee that responsible authorities would be reminded to include a detailed list of incidents if they were to refer to incidents during hearings.

RESOLVED: That Members note the public minutes of the following Licensing (Hearing) Sub Committee meetings.

4.1 **Ground Floor Commercial Unit, 5 Moor Lane, London, EC2Y 9AP - 16 October 2013**

4.2 **Loose Cannon, 13-15 Allhallows Lane, London, EC4R 3UL - 29 October 2013**

4.3 **The Spectator, 6 Little Britain, London, EC1A 7BX - 30 October 2013**

4.4 **Sainsbury's, 90 Cannon Street, London, EC4N 6HA - 17 October 2013 and 5 November 2013**

4.5 **Patch Bar, 58-60 Carter Lane, London, EC4V 5EA - 8 November 2013**

4.6 **Peony, 46 Gresham Street, London, EC2V 7AY - 15 November 2013**

4.7 **The Dollhouse, 7-8 Bishopsgate Churchyard, London, EC2M 3TJ - Summary Review & Full Review Hearing - 2 December 2013 & 30 December 2013**

4.8 **Feng Shui, 1A Pudding Lane, London, EC3R 8AB- Summary Review - 28 January 2014**

5. **APPEALS AGAINST LICENSING (HEARING) SUB COMMITTEE DECISIONS**

The Committee received an update from the Comptroller and City Solicitor informing Members that there had been no appeals against Licensing (Hearing) Sub Committee decisions.

6. **DELEGATED DECISIONS OF THE DIRECTOR OF MARKETS AND CONSUMER PROTECTION PERTAINING TO PREMISES LICENCES**

The Committee received a report of the Director of Markets and Consumer Protection informing Members of premises licences, and variations to premises licences, granted under the Licensing Act 2003 by the Licensing Service from 1 October 2013 to 31 December 2013. Members also noted data from the 'traffic light' risk scheme introduced within the City of London on 1 April 2013 for the period 1 April 2014 to 31 December 2013.

RESOLVED – That Members note the report of the Director of Markets and Consumer Protection.

7. **POOL OF MODEL CONDITIONS**

The Committee considered a report of the Director of Markets and Consumer Protection which outlined changes to the Pool of Model Conditions used to assist Members and applicants when adding conditions to premises licences or club premises certificates. Members were informed that the Pool of Model Conditions was last updated by the Licensing Committee on 16 July 2013 and over the past eighteen months there had arisen a need to add further conditions to premises licences which were not included in the 'Pool'. The report presented an updated 'Pool' with an additional three conditions, a proposed amendment to the definition of a promoted event and an amendment to the premises licence policy.

The City Solicitor explained to the Committee that changes to the definition of a promoted event would create a new definition that would not be applied to previously granted licences. The City Solicitor continued to explain that the change would require the licencing committee to govern licensable activity with two sets of arrangements depending on when the licence was granted and which definition of promoted event applied.

RESOLVED – That

(i) The Pool of Model Conditions would include the three new conditions.

(ii) The Pool of Model Conditions would not include the new definition of a promoted event.

(iii) Amend the Policy for 'making amendments to a premises licence application'.

8. **CORPORATE GOVERNANCE - SCHEME OF DELEGATIONS**

A report of the Town Clerk outlined the Scheme of Delegation relating to the Director of Markets and Consumer Protection. The Committee noted that the Scheme of Delegations to Chief Officers had recently been reviewed and a number of changes were proposed to reflect changing legislation, corporate policy and operational requirements.

RESOLVED – That the delegations relating to the Director of Markets and Consumer Protection, which were highlighted in red as set out in the appendix to this report, be approved.

9. **QUESTIONS ON MATTERS RELATING TO THE WORK OF THE COMMITTEE**

There were no questions.

10. **ANY OTHER BUSINESS THAT THE CHAIRMAN CONSIDERS URGENT**

The Committee received an update from the Markets and Consumer Protection Department with regards to the progress of the Home Office's consultation with licensing authorities on locally set fees for licence applications.

The Committee were also told that the Home Office had a launched a new project to combat alcohol related crime and disorder. The project is to run in twenty areas across England and Wales called Local Alcohol Action Areas (LAAAs). The Committee heard that the twenty LAAAs did not include the City.

The meeting closed at 2.30pm

Chairman

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