



Licensing Committee

Date: WEDNESDAY, 25 APRIL 2018
Time: 1.45 pm
Venue: COMMITTEE ROOM - 2ND FLOOR WEST WING, GUILDHALL

Members:

Peter Dunphy (Chairman)	Michael Hudson*
Sophie Anne Fernandes (Deputy Chairman)	Deputy Jamie Ingham Clark
Caroline Addy*	Shravan Joshi*
Deputy Keith Bottomley	Deputy Edward Lord
Mary Durcan	Andrien Meyers
Emma Edhem	Graham Packham
Deputy Kevin Everett	Judith Pleasance*
Marianne Fredericks	James Tumbridge
Christopher Hayward	

**Subject to confirmation by the Court of Common Council on 19 April 2018*

Enquiries: Leanne Murphy
tel. no.: 020 7332 3008
leanne.murphy@cityoflondon.gov.uk

Lunch will be served for Members in the Guildhall Club at 1pm
NB: Part of this meeting could be the subject of audio or video recording

John Barradell
Town Clerk and Chief Executive

AGENDA

1. **APOLOGIES**
2. **MEMBERS' DECLARATIONS UNDER THE CODE OF CONDUCT IN RESPECT OF ITEMS ON THE AGENDA**
3. **ORDER OF THE COURT OF COMMON COUNCIL - TO FOLLOW**
To receive the Order of the Court of Common Council dated 19 April 2018 appointing the Committee and setting its Terms of Reference.

For Decision
4. **ELECTION OF CHAIRMAN**
To elect a Chairman in accordance with Standing Order No.29.

For Decision
5. **ELECTION OF DEPUTY CHAIRMAN**
To elect a Deputy Chairman in accordance with Standing Order No. 30.

For Discussion
6. **APPOINTMENT OF SUB COMMITTEE CHAIRMEN AND REFERENCE SUB COMMITTEE**
To appoint four Members, in addition to the Chairman, Deputy Chairman and Past Grand Committee Chairmen, to chair Licensing (Hearing) Sub Committee meetings and serve on the Reference Sub Committee, for the ensuing year.

For Decision
7. **PUBLIC MINUTES**
To agree the public minutes of the meeting held on 7 February 2018.

For Decision
(Pages 1 - 6)
8. **MINUTES OF LICENSING HEARING (SUB)**

For Information

 - a) **Benk & Bo Bakery Ltd - To Follow**
To receive the public minutes of the meeting regarding the application for Benk & Bo, 4-6 Gravel Lane, E1 7AW on Friday 20 April 2018.
9. **FINAL DEPARTMENTAL BUSINESS PLAN 2018/19 - MARKETS & CONSUMER PROTECTION**
Report of the Director of Markets and Consumer Protection.

For Decision
(Pages 7 - 12)

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

Report of the Director of Markets and Consumer Protection.

For Information
(Pages 13 - 24)

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

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

13. **EXCLUSION OF THE PUBLIC**

MOTION - That under Section 100A(4) of the Local Government Act 1972, the public be excluded from the meeting for the following items of business on the grounds that they involve the likely disclosure of exempt information as defined in Part I of Schedule 12A of the Local Government Act.

14. **NON-PUBLIC MINUTES**

To agree the non-public minutes of the meeting held on 7 February 2018.

For Decision
(Pages 25 - 26)

15. **NON PUBLIC QUESTIONS RELATING TO THE WORK OF THE COMMITTEE**

16. **ANY OTHER BUSINESS THAT THE CHAIRMAN CONSIDERS URGENT AND WHICH THE COMMITTEE AGREE SHOULD BE CONSIDERED WHILST THE PUBLIC ARE EXCLUDED**

This page is intentionally left blank

LICENSING COMMITTEE

Wednesday, 7 February 2018

Minutes of the meeting of the Licensing Committee held at Committee Room - 2nd Floor West Wing, Guildhall on Wednesday, 7 February 2018 at 1.45 pm

Present

Members:

Peter Dunphy (Chairman)
Sophie Anne Fernandes (Deputy
Chairman)
Deputy Keith Bottomley
Mary Durcan
Emma Edhem
Marianne Fredericks

Christopher Hayward
Michael Hudson
Deputy Jamie Ingham Clark
Deputy Edward Lord
Graham Packham
James Tumbridge

Officers:

Leanne Murphy	-	Town Clerk's Department
Alistair MacLellan	-	Town Clerk's Department
Carl Locsin	-	Town Clerk's Department
Jenny Pitcairn	-	Chamberlain's Department
Paul Chadha	-	Comptroller & City Solicitor's Department
David Smith	-	Director of Markets & Consumer Protection
Jon Averbs	-	Markets & Consumer Protection
Peter Davenport	-	Markets & Consumer Protection
Simon Douglas	-	City of London Police

1. APOLOGIES

Apologies were received from Andrien Meyers, Deputy Kevin Everett and Judith Pleasance.

2. MEMBERS' DECLARATIONS UNDER THE CODE OF CONDUCT IN RESPECT OF ITEMS ON THE AGENDA

There were no declarations.

3. MINUTES

RESOLVED, that the public minutes of the meeting held on 25 October 2017 be approved as a correct record, subject to the attendance of James Tumbridge being recorded correctly.

4. COMMITTEE'S TERMS OF REFERENCE

Members considered a report of the Town Clerk regarding the Committee's Terms of Reference. Members confirmed they had no changes to make.

5. MINUTES FROM LICENSING SUB COMMITTEES

Members received the minutes of two recent Licensing Sub (Hearings) Committees.

5.1 Roma

Members received the public minutes and decision notice of the hearing regarding 'ROMA', 14 New London Street, EC3R 7NA held on 16 October 2017.

5.2 Beech Street Tunnel

Members received the late public minutes and decision notice of the hearing regarding 'Beech Street Tunnel', Silk Street to Bridgewater Street, EC2Y 8AD held on 24 January 2018.

The Deputy Chairman noted that she had also advised the Sub-Committee that she had excused herself from any deliberations and decisions when this event appeared on other City of London Corporation Committee agendas, and asked for the Minutes to be edited to reflect this. The Town Clerk agreed to make this amendment.

A Member highlighted that deliberations for this hearing had to reconvened at a later date as the Sub-Committee had required additional information. She highlighted the importance of ensuring applications were validated in advance of hearings.

6. LATE NIGHT LEVY - 12 MONTH REPORT (1 OCTOBER 2016 - 30 SEPTEMBER 2017)

Members considered a report of the Director of Markets and Consumer Protection in respect of the third year of the Late-Night Levy operating within the City of London.

Members were advised that that the plan was to continue operating the City's bespoke risk scheme and other operational matters funded through the City's portion of the levy for at least a further three years. It was noted that a number of changes had been made, set out in the report, to simplify the process of governance and accountability of the City Police portion of the levy to make it more robust and include all interested partners from the monthly Licensing Liaison Partnership.

In response to a query regarding annual updates, Members were advised that the annual report to the Police would come to the Committee each year.

In response to a query regarding the decision to stop using the 696-form in favour of a new form, Members were advised that its use was never a compulsory risk management process and that the new form, drawn up in consultation with a barrister specialising in Licensing matters, was felt to be more useful.

Members discussed the breakdown of the levy year which in reality covered October to March, rather than a full year. In response to a query whether the time period could be adjusted to 18 months rather than six months in order to align the scheme with the financial year, the Licensing Manager noted that such a change would require further consultation and would delay implementation of the Levy.

In response to a request from a Member, the Licensing Manager agreed to circulate the Late-Night Levy forecast from April to October 2018 with the minutes and to include subsequent forecasts as an extra line in the following years reports to Committee.

RESOLVED –

- Members agreed the way in which the City of London Police's share of the Levy is to be administered as outlined in paragraphs 18 – 20 of this report;
- Members agreed that the Late-Night Levy should continue to operate for at least a further three years;
- Members require officers to prepare an annual account of the operation and effect of the Levy which is to be reported to the Licensing Committee.

7. GAMBLING ACT - ANNUAL REVIEW OF FEES 2018/19

Members considered a report of the Director of Markets and Consumer Protection in respect of the 2018/19 annual review of fees for premises requiring a license under the Gambling Act 2005.

Members were advised that the City Corporation was not allowed to make a profit, but the fees were worked out in line with the factors taken into account when calculating the fee for a renewal of a gambling (betting shop) license as laid out in Appendix 2 of the report.

It was noted that there was a mistake in the proposed fee structure 2018/19 (Appendix 1) and that the proposed fee for a new application with provisional statement Bet Shop should be £917.91 in line with similar application types, not £750. Members were advised that these were best estimates as these were new applications.

RESOLVED – Members agreed the proposed fees for 2018/19 as set out in Appendix 1 (column 6) once the error has been edited to £917.91.

8. GAMBLING POLICY

Members considered a late report of the Director of Markets and Consumer Protection in respect of a review of the Statement of Licensing Principles 'policy' required under the Gambling Act 2005. The Licensing Manager advised Members that the policy report had been updated/modernised and was currently a working draft document for consultation. He noted that Part D of the policy was completely new. Members were advised that feedback from the Committee was required prior to the document going out to consultation the final policy would come back to the Committee for final approval in April 2018.

Members' attention was drawn to the Local Area Profile Table. The Licensing Manager advised that the characteristics shaded in dark show where there was evidence to support that these characteristics are associated with a higher risk

of harm; the lighter grey shows that there is emerging evidence. The pale grey boxes demonstrated limited evidence and the blank boxes currently demonstrated no evidence of potential harm. It was queried how these characteristics had been identified and a Member noted that there was no box for men. The Licensing Manager advised that the categories had been cut down to at-risk groups based on demographics within the City, not the whole of London. Members felt that some of categories were vague and recommended including more detail in some of the boxes, e.g. a cut off between “youth” (under 25) and “older people” (over 65).

Members felt that a document of this size and importance should have been made available much earlier to allow Members plenty of time to read it in detail. Members requested the opportunity to comment on the document once they had had adequate time to digest the contents and recommended that blackline report showing track changes from the original document be circulated to the Committee. The Chairman agreed the Committee should always be able to see what changes have been made and requested that a blackline report be circulated quickly in order for the Committee to input before the consultation period ended.

Post Committee Note: this was circulated the day after Committee with thanks to those Committee Members who identified the IT facility available to make this possible.

In response to a query regarding how the City’s Planning and Transportation Committee would be involved in implementing the Policy given the implications of change-of-use of premises, the Licensing Manager advised that the City’s Department of the Built Environment had been consulted throughout the development of the policy.

RESOLVED –

- Members agreed for consultation the draft Statement of Licensing Principles (Appendix 1), the Gambling Local Area Profile (Appendix 2) and the Guidance on Undertaking Local Gambling Risk Assessments (Appendix 3);
- Members agreed the time table and methodology to determine the final text and adoption of the Statement of Licensing Principles as stated in paragraphs 11 to 16.

9. LICENSING REVENUE BUDGETS - 2018/19

Members considered a report of the Chamberlain and the Director of Markets and Consumer Protection in respect of the revenue budgets for 2018/19. Members were advised that the only substantive change was the increase in staffing costs. In response to a question, the Licensing Manager confirmed that the Markets & Consumer Protection Department had achieved its annual 2% savings department through its Animal Reception Centre at Heathrow, rather than any savings in the Licensing Team in particular.

RESOLVED - that Members: -

- review the latest 2017/18 revenue budget to ensure that it reflects the Committee's objectives and approve the budget for submission to the Finance Committee;
- review the provisional 2018/19 revenue budget to ensure that it reflects the Committee's objectives and approve the budget for submission to Finance Committee;
- authorise the Chamberlain, in consultation with the Chairman and Deputy Chairman, to revise these budgets for changes in respect of the Late-Night Levy.

10. MCP DRAFT HIGH-LEVEL BUSINESS PLAN 2018-19

Members received a report of the Director of Markets and Consumer Protection in respect of the draft high-level business plan for the Department of Markets and Consumer Protection for 2018/19. Members noted the top-level plan provided.

11. APPEALS AGAINST LICENSING (HEARING) SUB COMMITTEE DECISIONS

The Comptroller and City Solicitor confirmed that no appeals had been lodged against decisions made by the Licensing (Hearing) Sub Committee.

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

Members received a report of the Director of Markets and Consumer Protection in respect of the delegated decisions of the Director of Markets and Consumer Protection pertaining to premises licenses. The Town Clerk noted that Appendix IV had been moved on to the non-public side of the agenda.

Members, on discussing the enforcement action taken against a number of premises, noted that in their view there was no streamlined process whereby they could raise issues with officers at the City of London Corporation should they encounter issues when out and about within the City – for example, reporting noisy premises, abandoned rubbish, etc. The main 24-hour number for contact is the Guildhall number 020 7606 3030 which for noise purposes is handled at Walbrook Wharf where the Out of Hours noise service is based.

Members suggested that a dedicated inbox for Members and/or members of the public be developed to allow speedy reporting of any issues that they or members of the public may encounter that required resolution by the City of London Corporation. Members noted that such a function should be incorporated into the proposed Joint Command and Contact Room currently part of the Secure City Project being managed by the City Police

Noting that such a solution lay outwith the terms of reference of the Committee, Members agreed that a resolution should be submitted to the Policy and Resources Committee for consideration.

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

There were no questions.

14. **ANY OTHER BUSINESS THAT THE CHAIRMAN CONSIDERS URGENT**
Retirement of Assistant Director of Public Protection

The Chairman advised Members that this was Steven Blake's last meeting before his retirement in March 2018 and, on behalf of the Committee, thanked him for all of his hard work at the City for a number of years. Members joined the Chairman in wishing the Assistant Director a long and happy retirement.

Short Measure Campaign

The Director of Port Health and Public Protection provided the Committee with a brief update on the City Corporation's recent drink measure initiative that highlighted that pints should be a minimum of 95% liquid.

15. **EXCLUSION OF THE PUBLIC**

RESOLVED - That under Section 100A (4) of the Local Government Act 1972, the public be excluded from the meeting for the following items of business on the grounds that they involve the likely disclosure of exempt information as defined in Part I of Schedule 12A of the Local Government Act.

16. **NON-PUBLIC MINUTES**

RESOLVED, that the non-public minutes of the meeting held on 25 October 2017 be approved as a correct record.

17. **VIOLENT CRIME FROM LICENSED PREMISES**

Members received a report from the City of London Police updating Members on issues of Violent Crime from licensed premises within the City during the period 3 October 2017 to 6 January 2018.

18. **NON-PUBLIC QUESTIONS RELATING TO THE WORK OF THE COMMITTEE**

There was one non-public question.

19. **ANY OTHER BUSINESS THAT THE CHAIRMAN CONSIDERS URGENT AND WHICH THE COMMITTEE AGREE SHOULD BE CONSIDERED WHILST THE PUBLIC ARE EXCLUDED**

There were no non-public items of urgent business.

The meeting ended at 3.45 pm

Chairman

**Contact Officer: Leanne Murphy - leanne.murphy@cityoflondon.gov.uk
tel. no.: 020 7332 3008**

Committee:	Date:
Licensing Committee	25 April 2018
Subject: Final Departmental Business Plan 2018/19 – Markets & Consumer Protection	Public
Report of: Director of Markets and Consumer Protection	For Decision
Report author: Don Perry	

Summary

This report presents for information the final high-level business plan for the Department of Markets & Consumer Protection for 2018/19.

Recommendation

Members are asked to approve the Department of Markets & Consumer Protection's final high-level business plan for 2018/19 and provide feedback.

Main Report

Background

1. As part of the new framework for corporate and business planning, departments were asked to produce standardised high-level, 2-side business plans for the first time in 2017/18. These were presented as drafts to Service Committees in January/February and as finals for formal approval in May/June 2017. Members generally welcomed these high-level plans for being brief, concise, focused and consistent statements of the key ambitions and objectives for every department.
2. For 2018/19, departments were again asked to produce high-level plans in draft, and this was presented to your Committee in February 2018 alongside the departmental estimate report, so that draft ambitions could be discussed at the same time as draft budgets. This represented the first step towards integrating budget-setting and priority-setting.
3. Discussions are also taking place on aligning other key corporate processes with business planning, such as workforce planning and risk management. Achieving this will represent a significant step towards the City of London Corporation being able to optimise its use of resources. The next step was the presentation of the budget alongside the refreshed Corporate Plan at the Court of Common Council on 8 March.
4. With these key documents in place, and a new corporate performance management process in development, the City Corporation will be able to drive departmental activities to deliver on corporate priorities and allocate resources in

full knowledge of where it can achieve most impact on the issues and opportunities faced by the City, London and the UK.

5. Following the presentation of the draft high-level business plans to your Committee in February, a further refinement was made to the format to update departmental ambitions to refer to the Corporate Plan outcomes. Members should therefore start to see closer alignment between the departmental business plans and the Corporate Plan outcomes.
6. Work is also taking place on reviewing the content and format of the supporting detail that will sit beneath the high-level business plans. This includes: information about inputs (e.g. IT, workforce, budgets, property and assets); improved links to risk registers; value for money assessments, and schedules of measures and key performance indicators for outputs and outcomes. This will be a key element in the move towards business planning becoming a joined-up service planning process that links directly to Corporate Plan outcomes.

Draft high-level plan

7. This report presents at Appendix 1, the final high-level plan for 2018/19 for the Department of Markets & Consumer Protection.

Department of Markets & Consumer Protection

8. The draft high-level business plan draws together the wide range of services provided, and regulatory functions carried out, by the whole Department. The Department reports to three separate Committees (Licensing Committee; Port Health and Environmental Services Committee; Markets Committee) for discrete aspects of its work.
9. The ambitions, objectives and performance measures contained within the high-level business plan are underpinned by the Department's statutory duties, core functions and its commitment to supporting corporate priorities.
10. Since the draft high-level business plan was submitted to the February 2018 Licensing Committee, the document has been reformatted to indicate the Corporate Plan outcomes that our activities support.

Corporate & Strategic Implications

11. The ambitions set out in the plan align with a number of the outcomes in the Corporate Plan 2018-23, particularly those within the strategic objectives to 'Contribute to a flourishing society' and 'Support a thriving economy'. Much of the work of the Licensing Service is focused on ensuring the safety and wellbeing of consumers, residents, workers and visitors, through enforcement and regulation.

Conclusion

12. This report presents the final high-level plan for 2018/19 for the Department of Markets & Consumer Protection for Members to approve and provide feedback.

Appendices

- Appendix 1: Markets & Consumer Protection 2018-19 High Level Business Plan - Final

Don Perry

Head of Business Performance

T: 020 7332 3221

E: donald.perry@cityoflondon.gov.uk

This page is intentionally left blank

We provide vital public services by advising and regulating a wide variety of businesses in the Square Mile and beyond to protect consumers and communities from legislative non-compliance and fraud. We also provide access to fresh produce as a vital link in the food supply chain for London and the South by operating three thriving wholesale food markets.

The corporate outcomes we aim to impact on are:

Outcome 1: People are safe and feel safe.

Outcome 2: People enjoy good health and wellbeing.

Outcome 4: Communities are cohesive and have the facilities they need.

Outcome 5: Businesses are trusted and socially and environmentally responsible.

Outcome 6: We have the world's best regulatory framework and access to global markets.

Outcome 7: We are a global hub for innovation in financial and professional services, commerce and culture.

Outcome 8: We have access to the skills and talent we need.

Outcome 11: We have clean air, land and water and support a thriving and sustainable natural environment.

What we do is:

Through the delivery of our **Air Quality Strategy 2015-2020**, we raise awareness of the impact of poor air quality on health; take action to improve air quality; demonstrate leadership for London; and work with others to achieve a new Clean Air Act.

(Outcomes: 2, 11)

Our **Public Protection** teams will meet the current and future needs of stakeholders by protecting consumers through the enforcement of a wide range of Environmental Health and Trading Standards legislation and undertaking appropriate interventions.

(Outcomes: 1, 2, 5, 6)

We will set the benchmark nationally for **Licensing Policy** and other Schemes that promote the four Licensing objectives (as set out in the Licensing Act 2003): The prevention of crime and disorder; Public safety; The prevention of public nuisance; The protection of children from harm. **(Outcomes: 1, 4)**

Our **Trading Standards** Service collaborates with City of London Police and other relevant partner organisations to tackle economic crime, particularly investment fraud.

(Outcomes: 1, 6)

We continue to develop our **Port Health** Service to be the fastest processor of imported food and feed consignments in the UK, including improving our IT infrastructure and using new and existing technology to its full potential. **(Outcome: 7)**

We continue to explore possibilities for expanding and developing our **Animal Health and Welfare Services** including relocating the Heathrow Animal Reception Centre to a new 'Single Examination Area' on the airport to accommodate anticipated increases in demand. We share our knowledge and expertise with partners within the airline, animal health and related industries. **(Outcomes: 7, 8)**

We operate three thriving **wholesale markets** which play a central role in the economies of the communities in which they operate. The markets supply produce to a host of food service sectors and customers range from catering companies and retail markets to restaurants, schools, small local businesses and members of the public. **(Outcomes: 4, 7)**

We are evaluating the potential impacts of leaving the EU on all the services we provide and will plan appropriate mitigating actions so that we will be able to service new and existing trade as it develops. **(Outcome: 7)**

Our budget* for 2018/19 is:

Total Gross Expenditure £'000

Port Health & Environmental Service (10,633)

Licensing (845)

Markets (17,425)

Total Gross Income £'000

Port Health & Environmental Service 6,416

Licensing 745

Markets 21,175

Total Net Expenditure £'000

Port Health & Environmental Service (4,217)

Licensing (100)

Markets 3,750

* - Local risk, central risk and recharges

Our top line objectives are:

Service deliverables

1. Evaluate the potential impact of leaving the EU on the services provided by PH&PP and make suitable preparations.
2. Continue to implement a Low Emission Neighbourhood in the City to improve air quality and mitigate the risk of air pollution, including a pilot Ultra Low Emission Vehicle Street.
3. The Licensing Team will continue to expand the Safety Thirst Award Scheme, which aims to reduce crime and anti-social behaviour.
4. The Trading Standards Team will maintain its focus on preventing financial fraud.
5. The Commercial Team will continue to seek to increase the number of compliant food businesses in the City.
6. The Pollution Team will implement the Action Plan of the Noise Strategy 2016-2026.
7. Implement site monitoring of noise from building sites, and the outcome of the consultation on Saturday morning working.
8. Investigate, and begin to implement, new income generation proposals.
9. Complete the delivery of Service Based Review (SBR) measures at all three markets, and historic repair works at Smithfield Market.
10. Build on the findings of the strategic review of markets and produce report for decision by Members.

Corporate programmes and projects

- Air Quality Programme: ensure that the City Corporation complies with the statutory requirements for London Local Air Quality Management. Demonstrate leadership for London by implementing the actions set out in the Air Quality Strategy 2015-2020
- Corporate Apprenticeship Scheme: support the scheme by offering a range of suitable placements for candidates.
- Focus on further reductions in energy usage as part of the Energy Efficiency Programme.
- Secure City Programme: contribute to the development of the Customer Relationship Management (CRM) system as part of delivering the programme's three key initiatives to provide a safer environment for our customers and stakeholders to live and do business in.

Departmental programmes and projects

- Procure and install a multi-lane entry barrier system and pedestrian access control at New Spitalfields Market.
- Identify and take up opportunities to increase income generation in all parts of the department and thereby achieve the corporately required 2% savings target.
- In liaison with the IT Department, continue to develop the use of technology and mobile working solutions.

How we plan to develop our capabilities this year

- Improve working relationships with partners, Government Departments and other agencies through collaboration and sharing information and expertise.
- Refresh our Workforce Plan, including consideration of appropriate proposals for succession planning.
- Continue to develop our leadership capabilities through the departmental Leadership Development Programme.

What we plan to do in the future:

- Identify the potential impacts and opportunities of the UK's exit from the EU and prepare appropriate strategies to address them.
- Improve air quality and manage the risk to our residents and stakeholders. Work with third parties to influence London-wide and national strategies.
- Develop extra facilities at Heathrow Animal Reception Centre to meet anticipated increases in demand and thereby increase income.
- Expand our capacity at the ports in order to accommodate anticipated increased demand.
- Implement the findings of the market testing review for a potential Primary Authority Service Unit.
- Investigate alternative methods of service delivery.

What we'll measure:

1. Preparation and implementation of a plan for active engagement with central government as the exit negotiations progress
2. Levels of air pollution in the City.
3. The number and quality of applications received for the Safety Thirst Award Scheme.
4. The number of reported incidences of City residents experiencing financial fraud.
5. The change in the overall Food Hygiene Ratings Scheme (FHRS) ratings profile for City food establishments.
6. Delivery of key actions.
7. Income generated and the number of sites monitored.
8. Income levels.
9. Income levels at Smithfield Market.
10. Report findings of the review to Markets Committee for decision by May 2018.

Committee(s)	Dated:
Licensing	25 April 2018
Subject: Delegated decisions of the Director of Markets and Consumer Protection pertaining to premises licences.	Public
Report of: Director of Markets and Consumer Protection	For Information
Report author: Peter Davenport - Licensing	

Summary

This report details the premises licences, and variations to premises licences, granted under the Licensing Act 2003 by the Licensing Service from 1 January 2018 to 31 March 2018. It does not include any premises where Members have been involved in the decision making process i.e. decisions made at licensing sub-committee hearings.

The report gives a summary of the enforcement action taken under the Licensing Act 2003 between 1 January 2018 to 31 March 2018. This report also presents data from the 'traffic light' risk scheme introduced within the City of London on 1 April 2013. The data covers the period 1 September 2017 to 28 February 2018.

Recommendation(s)

Members are asked to:

Note the report

Main Report

1. Pursuant to the instructions from your committee, I attach for your information lists detailing 'premises licence' applications (Appendix I) and variations (Appendix II) granted by the Licensing Service between 1 January 2018 to 31 March 2018. Each of these appendices contain details of any conditions attached to the premises licences.
2. The report also contains information appertaining to the number of personal licences issued. This information is also contained in Appendix II.
3. Any questions of detail concerning premises licences can be obtained from the Corporation's public register which can be found on:

<http://www.cityoflondon.gov.uk/business/licensing/alcohol-and-entertainment/Pages/Search-the-public-register.aspx>.

or by contacting Peter Davenport, Licensing Manager, on extension 3227 or by email to the Licensing Team at licensing@cityoflondon.gov.uk.

4. This report also outlines the enforcement activity of the Licensing Service in relation to premises with a licence granted under the Licensing Act 2003 (Appendix III). The table in Appendix III shows the number of visits undertaken, number of complaints received and the number of enforcement actions taken. Enforcement actions include warning letters, notices, simple cautions, legal proceedings etc.
5. Appendix III provides data from 1 January 2018 to 31 March 2018.
6. Licensing Officers undertake routine enforcement visits checking on premises licence conditions where there are concerns, e.g. closing times, compliance with Temporary Event Notices and managing numbers of people consuming alcohol outside venues, and also in response to complaints. The Departmental Policy Statement on Enforcement is followed prior to escalating action and taking legal proceedings.
7. The Departmental Policy Statement on Enforcement conforms to the Regulators' Compliance Code and the regulatory principles required under the Legislative and Regulatory Reform Act 2006. It sets out the general principles and approach which Officers are expected to follow and addresses issues of proportionality, consistency, targeting, transparency and accountability.
8. More widely, enforcement arrangements are currently coordinated at the Licensing Liaison Partnership meetings that are held monthly and are attended by representatives from all enforcement agencies. Joint visits are organised via this forum and subsequent reports are used to add to the top level premises list that comprises those premises that have accrued the most points under the 'traffic light' risk scheme. These are then targeted by relevant enforcement officers.
9. This report details data produced from the 'traffic light' risk scheme for the period of 1 September 2017 to 28 February 2018. Seven premises have a sufficient number of points to be classified as 'red' and six premises have sufficient points to be classified as 'Amber'. Further details can be seen in Appendix IV.
10. There is a very good working relationship between the Port Health & Public Protection (PH&PP) Licensing Team, The City of London Police Licensing Team and the PH&PP Pollution Control Team, all of whom are based at Walbrook Wharf.
11. The Memorandum of Understanding (MoU) between the City of London Police and the Markets and Consumer Protection Department agreed in November 2011 outlines specific arrangements for cooperation between the Licensing Teams.

12. The other City Corporation Department that is routinely involved in enforcement is the Department of the Built Environment (DoBE). Where it appears that a material change of use has occurred, or there is a failure to comply with any condition attached to a planning permission or a breach of planning controls, when it is expedient to do so, officers from this Department seek authorisation to take the appropriate enforcement action.
13. Any complaints about licensed premises are dealt with by the relevant agency/team, e.g. crime and disorder – Police, fire safety – London Fire Brigade. As far as PH&PP are concerned, complaints relating to the conditions on a licence will be dealt with in the first instance by the Licensing Team, but if there are noise issues the Pollution Team will also be involved.
14. Investigations are undertaken and if there are grounds for a review of the licence in relation to the licensing objectives, then the responsible authorities can apply accordingly. In practice, potential applications are considered at the Licensing Liaison Partnership meetings, and agencies/authorities support one another in providing evidence and making applications.

Implications

15. There are no financial, legal or strategic implications that arise from this report.

Appendices

- Appendix 1 – New Licence Applications issued between 1 January 2018 to 31 March 2018
- Appendix 2 – Applications to vary a licence issued between 1 January 2018 to 31 March 2018
- Appendix 3 - Enforcement Action carried out between 1 January 2018 to 31 March 2018 (Including complaints received)
- Appendix 4(Non-Public) – Premises reaching red and amber on the risk scheme between 1 September 2017 and 28 February 2018.

Background Papers

None

Peter Davenport

Licensing Manager

T: 020 7332 3227

E: peter.davenport@cityoflondon.gov.uk

This page is intentionally left blank

Appendix I

New Licence Applications Issued by way of Delegated Authority (1 January 2018 –31 March 2018)

Name	Address	Ward	Details
Ahi Poke	14 Bloomberg Arcade	Cordwainer	A 22:30
Madam Wong	1-5 Bloomberg Arcade	Cordwainer	A, L, (a),(b),(e),(f),(g) 23:30
WeWork	38 Chancery Lane	Farringdon w/out	A 23:00
Bloomberg Place	3 Queen Victoria St	Cordwainer	A, L, (a),(b),(e),(f),(g) 05:00
EKTE Nordic Kitchen	2-8 Bloomberg Arcade	Cordwainer	A, L, (a),(b),(e),(f),(g) 23:30
London Exec Offices	1 King William St	Candlewick	A 00:00
Vagabond Wines	16-17 Devonshire Sq	Bishopsgate	A, L 00:30
ITSU	1 Minories	Tower	A, 22:30
ITSU	107 Cheapside	Cheap	A, 22:00
Puttshack	1 The Concourse	Cordwainer	A,L,(a),(b),(c),(e),(f),(g) 02:00
Honi Poke	4-6 New London St	Tower	A 21:00

Total Licences Issued = 11

Key to Details:

A Sale of Alcohol	(e) Live Music
L Late Night Refreshment	(f) Recorded Music
(a) Plays	(g) Performances of Dance
(b) Films	(h) Making Music
(c) Indoor Sporting Events	
(d) Boxing or Wrestling	

Times stated are the latest terminal hour for at least one of the licensable activities.

Number of Licences by Ward

WARD	No.		
Bishopsgate	1	Cordwainer	5
Candlewick	1	Farringdon Without	1
Cheap	1	Tower	2

Conditions Applied to Licences Granted by way of Delegated Authority

Ahi Poke

1. The premises shall install and maintain a comprehensive CCTV system. The CCTV cameras shall continually record whilst the premises are open to the public. A staff member who is conversant with the operation of the CCTV system shall be present on the premises at all times when they are open to the public.

Madam Wong

1. The premises shall install and maintain a comprehensive digital colour CCTV system. All public areas of the licensed premises, including all public entry and exit points and the street environment, will be covered enabling facial identification of every person entering in any light condition. The CCTV cameras shall continually record whilst the premises are open to the public and recordings shall be kept available for a minimum of 31 days with date and time stamping. A staff member who is conversant with the operation of the CCTV system shall be present on the premises at all times when they are open to the public. This staff member shall be able to show the police or the Licensing Authority recordings of the preceding two days immediately when requested.

2. Promoted events will not be held at the premises. A promoted event is an event involving music and dancing where the musical entertainment is provided at any time by a disc jockey or disc jockeys one or some of whom are not employees of the licensee (premises licence holder) and the event is (independent of the licensee) promoted to the general public.

WeWork

1. The supply of alcohol shall only be to members of the WeWork group of companies or employees of member companies, or their bona fide guests.

Bloomberg Place

1. Alcohol may not be sold or supplied otherwise than to:

- Directors of Bloomberg (and its subsidiaries)
- Employees of Bloomberg (and its subsidiaries)
- Guests of Bloomberg (and its subsidiaries)
- Artists or performers; and
- Persons attending a pre-booked event

EKTE Nordic Kitchen

1. The premises shall install and maintain a comprehensive CCTV system. The CCTV cameras shall continually record whilst the premises are open to the public and recordings shall be kept available for a minimum of 14 days with date and time stamping. A staff member who is conversant with the operation of the CCTV system shall be present on the premises at all times when they are open to the public. This staff member shall be able to show the police or the Licensing Authority recordings of the preceding two days immediately when requested.

London Executive Offices

None

Vagabond Wines

None

ITSU

None

ITSU

None

Puttshack

1. The premises shall install and maintain a comprehensive digital colour CCTV system. All public areas of the licensed premises, including all public entry and exit points and the street environment, will be covered enabling facial identification of every person entering in any light condition. The CCTV cameras shall continually record whilst the premises are open to the public and recordings shall be kept available for a minimum of 31 days with date and time stamping. A staff member who is conversant with the operation of the CCTV system shall be present on the premises at all times when they are open to the public. This staff member shall be able to show the police or the Licensing Authority recordings of the preceding two days immediately when requested.

2. Promoted events will not be held at the premises. A promoted event is an event involving music and dancing where the musical entertainment is provided at any time by a disc jockey or disc jockeys one or some of whom are not employees of the licensee (premises licence holder) and the event is (independent of the licensee) promoted to the general public.

3. An incident log shall be kept at the premises and made available on request to the Police or an authorised officer of the City of London Corporation. The log will record the following:

- (a) all crimes reported to the venue
 - (b) all ejections of customers
 - (c) any incidents of disorder (disturbance caused either by one person or a group of people)
- [There is no requirement to record the above incidents (a), (b) or (c) where they do not relate to a licensable activity]
- (d) seizures of drugs or offensive weapons
 - (e) any faults in the CCTV system or searching equipment or scanning equipment
 - (f) any refusal of the sale of alcohol during the hours the premises is licensed to sell it

4. The Licence holder shall make available a contact telephone number to nearby residents and the City of London Licensing Team to be used in the event of complaints arising.

5. Prominent signage shall be displayed at all exits from the premises requesting that customers leave quietly.

6. A written dispersal policy shall be in place and implemented at the premises to move customers from the premises and the immediate vicinity in such a way as to cause minimum disturbance or nuisance to neighbours.

Honi Poke

1. The premises shall install and maintain a comprehensive digital colour CCTV system. All public areas of the licensed premises, including all public entry and exit points and the street environment is covered. The CCTV cameras shall continually record whilst the premises are open to the public and recordings shall be kept available for a minimum of 31 days with date and time stamping. The licence holder will be able to show the police or the Licensing Authority recordings of the preceding two days immediately when requested.

Appendix II

Licence Variations Issued by way of Delegated Authority (1 Jan 18 -31 Mar 18).

Name	Address	Ward	Variation
The Listing	Cannon Green Building, 27 Bush Lane	Dowgate	<ul style="list-style-type: none">• Extend area for supply of alcohol to ground and first floors.• Off sales to persons attending an event or working in building.
Bolatti	141-142 Fenchurch St	Castle Baynard	<ul style="list-style-type: none">• Conversion of basement to a bar with Alcohol sales to 01:00.• Ground floor to remain the same.

Total Number of Variations = 2

Number of Licences by Ward

WARD	No.
Castle Baynard	1
Dowgate	1

Conditions Applied to Licences Granted by way of Delegated Authority

The Listing

None

Bolatti

1. The premises shall install and maintain a comprehensive digital colour CCTV system. All public areas of the licensed premises, including all public entry and exit points and the street environment, will be covered enabling facial identification of every person entering in any light condition. The CCTV cameras shall continually record whilst the premises are open to the public and recordings shall be kept available for a minimum of 31 days with date and time stamping. A staff member who is conversant with the operation of the CCTV system shall be present on the premises at all times when they are open to the public. This staff member shall be able to show the police or the Licensing Authority recordings of the preceding two days immediately when requested.

2. Prominent signage shall be displayed at all exits from the premises requesting that customers leave quietly.

Personal Licences Issued by way of Delegated Authority

1 January 2018 – 31 March 2018

2

This page is intentionally left blank

Enforcement Action Carried out Under the Licensing Act 2003 1 January 2018 – 31 March 2018

Total Number of Inspections	36
Number of Warning Letters	3
Number of Premises advised	15
Number of simple cautions	0
Number of suspension notices	13
Licence lapsed*	1
'Dead' Suspensions**	7
'Live' Suspensions***	5
Under determination	2

*Licences are deemed lapsed in circumstances where the licence holder no longer exists e.g. a company has gone into liquidation.

**A 'dead' suspension is where the premises is closed but there is no evidence to suggest that the licence holder is still in existence. If the licence holder returns to the premises the outstanding fee will have to be paid in order for the licence to be resurrected.

***A 'Live' suspension is where the premises is still trading and can now no longer carry on licensable activities until the licence fee has been paid.

Number of Complaints received between 1 January 2018 and 31 March 2018

Outcome Code

No action possible - Complaint unsubstantiated

Resolved Informally - Complaint justified but not statutorily actionable - informal action taken results in satisfactory outcome.

Resolved / Compliance - Complaint justified and statutorily actionable; formal or informal action taken results in satisfactory outcome.

Unresolved - Noise not reduced or controlled, nor have preventive measures to prevent recurrence been implemented.

Total number of complaints: **13**

Andaz Hotel, Andaz Hotel, 40 Liverpool Street, London, EC2M 7QN

Noise Outbreak	19:45	23/03/2018	No action possible	Bishopsgate
----------------	-------	------------	--------------------	-------------

Barbican Exhibition Hall 2, Barbican Arts And Conference Centre, Beech Street, London

Music Outbreak	09:50	26/02/2018	No action possible	Cripplegate
----------------	-------	------------	--------------------	-------------

Baygo, 27-29 Eastcheap, London, EC3M 1DT

Loud music from Baygo playing outside premises	14:08	13/02/2018	Resolved informally	Bridge And Bridge Without
--	-------	------------	---------------------	---------------------------

Club Gascon, 57 West Smithfield, London, EC1A 9DS

Ventilation system noise	17:58	13/01/2018	No action possible	Farringdon Within
--------------------------	-------	------------	--------------------	-------------------

Mumbai Square, 7 Middlesex Street, London, E1 7AA

music noise from private party in Mumbai Square	02:25	18/03/2018	Resolved informally	Portsoken
---	-------	------------	---------------------	-----------

Simmons Bar, 20 Widegate Street, London

Noise from amplified music and crowd.	20:20	23/03/2018	Case still in progress	Bishopsgate
---------------------------------------	-------	------------	------------------------	-------------

Complaint of loud music and people noise from Simmons Bar downstairs	20:51	15/03/2018	Resolved informally	Bishopsgate
--	-------	------------	---------------------	-------------

Ongoing complaint of loud music	21:56	11/01/2018	Resolved informally	Bishopsgate
---------------------------------	-------	------------	---------------------	-------------

Complaint of loud music from Simmons bar Downstairs	22:00	31/03/2018	Resolved informally	Bishopsgate
---	-------	------------	---------------------	-------------

The Alice, Five Acre Square, 133-137 Houndsditch, London, EC3A 7BX

Noise outbreak	23:00	17/03/2018	Resolved informally	Aldgate
----------------	-------	------------	---------------------	---------

The Refinery, City Point, 1 Ropemaker Street, London, EC2Y 9AW

Noisy patrons leaving the premises.	23:29	26/01/2018	No action possible	Coleman Street
-------------------------------------	-------	------------	--------------------	----------------

The Shakespeare, The Shakespeare Public House, 2 Goswell Road, London, EC1M 7AA

Private party noise outbreak	09:17	05/03/2018	Resolved informally	Cripplegate
------------------------------	-------	------------	---------------------	-------------

Noise Nuisance Issues	11:01	12/03/2018	Resolved informally	Cripplegate
-----------------------	-------	------------	---------------------	-------------

Document is Restricted

This page is intentionally left blank