



Licensing Committee

Date: WEDNESDAY, 14 OCTOBER 2020
Time: 1.45 pm
Venue: VIRTUAL MEETING (ACCESSIBLE REMOTELY)

Members:

Caroline Addy	Marianne Fredericks
Deputy Keith Bottomley	Michael Hudson
Deputy Peter Dunphy	Deputy Jamie Ingham Clark
Mary Durcan	Shravan Joshi
Karina Dostalova	Graham Packham
Deputy Kevin Everett	Judith Pleasance
Sophie Anne Fernandes	James Tumbridge
John Fletcher	

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Accessing the virtual public meeting

Members of the public can observe this virtual public meeting at the below link:

<https://youtu.be/V-TtvGnKyEE>

This meeting will be a virtual meeting and therefore will not take place in a physical location following regulations made under Section 78 of the Coronavirus Act 2020. A recording of the public meeting will be available via the above link following the end of the public meeting for up to one municipal year. Please note: Online meeting recordings do not constitute the formal minutes of the meeting; minutes are written and are available on the City of London Corporation's website. Recordings may be edited, at the discretion of the proper officer, to remove any inappropriate material.

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 receive the Order of the Court of Common Council dated 16 July 2020 appointing the Committee and setting its Terms of Reference.
For Information
(Pages 1 - 2)
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 Decision
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 15 July 2020.
For Decision
(Pages 3 - 12)
8. **MINUTES OF LICENSING (HEARING SUB) COMMITTEES**
 - a) Daisy Green - 12 August 2020
For Information
(Pages 13 - 18)
9. **APPEALS AGAINST LICENSING (HEARING) SUB COMMITTEE DECISIONS**
The Comptroller and City Solicitor to be heard.
For Information
10. **COVID-19 UPDATE**
Oral update on the latest position.
For Information
11. **RESETTING OF DEPARTMENTAL BUDGETS 2020/21**
Report of the Chamberlain.
For Information
(Pages 19 - 30)

12. **CRIMES AT LICENCED PREMISES**
Report of the Chief Superintendent, City of London Police.
For Information
(Pages 31 - 32)
13. **NEW NIGHT HUB COLLABORATION WITH ST JOHN AMBULANCE**
The Chief Superintendent, City of London Police to be heard.
For Information
14. **DELEGATED DECISIONS OF THE DIRECTOR OF MARKETS AND CONSUMER PROTECTION PERTAINING TO PREMISES LICENCES**
Report of the Director of Markets and Consumer Protection.
(*N.B. – To be read in conjunction with the non-public appendix at Item 19*).
For Information
(Pages 33 - 46)
15. **QUESTIONS ON MATTERS RELATING TO THE WORK OF THE COMMITTEE**
16. **ANY OTHER BUSINESS THAT THE CHAIRMAN CONSIDERS URGENT**
17. **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.
18. **NON-PUBLIC MINUTES**
To agree the non-public minutes of the meeting held on 15 July 2020.
For Decision
(Pages 47 - 48)
19. **NON-PUBLIC APPENDIX: DELEGATED DECISIONS OF THE DIRECTOR OF MARKETS AND CONSUMER PROTECTION PERTAINING TO PREMISES LICENCES**
To be read in conjunction with Item 14.
For Decision
(Pages 49 - 56)
20. **NON-PUBLIC QUESTIONS RELATING TO THE WORK OF THE COMMITTEE**
21. **ANY OTHER BUSINESS THAT THE CHAIRMAN CONSIDERS URGENT AND WHICH THE COMMITTEE AGREE SHOULD BE CONSIDERED WHILST THE PUBLIC ARE EXCLUDED**

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Agenda Item 3

RUSSELL, Mayor	RESOLVED: That the Court of Common Council holden in the Guildhall of the City of London on Thursday 16 th July 2020, doth hereby appoint the following Committee until the first meeting of the Court in April, 2021.
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LICENSING COMMITTEE

1. **Constitution**

A Non-Ward Committee consisting of 15 Members elected by the Court of Common Council, at least one of whom shall have fewer than five years' service on the Court at the time of their appointment.

2. **Quorum**

The quorum consists of any five Members.

3. **Membership 2020/21**

- 5 (4) Keith David Forbes Bottomley, Deputy
- 10 (4) Peter Gerard Dunphy, Deputy
- 4 (4) Mary Durcan
- 8 (4) Jamie Ingham Clark, Deputy
- 8 (3) Michael Hudson
- 8 (3) Graham David Packham
- 7 (3) Judith Lindsay Pleasance
- 3 (3) Caroline Kordai Addy
- 18 (2) Kevin Malcolm Everett, Deputy
- 10 (2) Sophie Anne Fernandes
- 10 (2) James Richard Tumbridge
- 2 (2) John William Fletcher
- 3 (1) Karina Dostalova
- 12 (1) Marianne Bernadette Fredericks
- 3 (1) Shravan Jashvantrai Joshi

4. **Terms of Reference**

To be responsible for:-

(a) the City of London Corporation's licensing functions under the following legislation:-

- (i) Licensing Act 2003:-
- (ii) Gambling Act 2005:-
- (iii) Local Government (Miscellaneous Provisions) Act 1982, as amended by the Policing and Crime Act 2009:-
 - (a) the licensing of sexual entertainment venues
 - (b) action to prohibit the consumption of alcohol in designated public places as detailed in sections 12-16 of the Criminal Justice and Police Act 2001 and the Local Authorities (Alcohol Consumption in Designated Public Places) Regulations 2001
 - (c) the implementation of those sections of any Acts of Parliament and/or European Legislation which direct that the local authority take action in respect of those duties listed at (a) above, including the functions contained in Sections 2(1) and 2(2) of the Hypnotism Act 1952
 - (d) determining which of its functions and responsibilities may be delegated to enable the Director of Markets and Consumer Protection to act on its behalf.

(b) The appointment of the Director of Markets and Consumer Protection (acting jointly with the Port Health and Environmental Services Committee and the Markets Committee);

(c) Making recommendations to the Court of Common Council regarding:-

- (i) the City Corporation's Statement of Licensing Policy; and
- (ii) The Statement of Licensing Principles in respect of the Gambling Act 2005.

(d) charity collections, under the Police, Factories and Miscellaneous Provisions Act 1916 (or any subsequent re-enactment).

LICENSING COMMITTEE

Wednesday, 15 July 2020

Minutes of the Virtual Public Meeting of the Licensing Committee on Wednesday, 5 February 2020 at 1.45 pm. The meeting can be viewed at:

<https://youtu.be/qVc7N8437OY>

Present

Members:

Sophie Anne Fernandes (Chairman)	Marianne Fredericks
Deputy Peter Dunphy (Deputy Chairman)	Michael Hudson
Caroline Addy	Deputy Jamie Ingham Clark
Deputy Keith Bottomley	Shravan Joshi
Mary Durcan	Graham Packham
Karina Dostalova	Judith Pleasance
Deputy Kevin Everett	James Tumbridge

In Attendance

Officers:

Jon Avern	- Director of Markets & Consumer Protection
Gavin Stedman	- Port Health and Public Protection Director
Rachel Pye	- Markets & Consumer Protection
Peter Davenport	- Markets & Consumer Protection Department
Jenny Pitcairn	- Chamberlain's Department
Frank Marchione	- Comptroller and City Solicitor's
Leanne Murphy	- Town Clerk's Department
Andrew Buckingham	- Media Team, Town Clerk's Department
Jo Northmore	- City of London Police
Chief Inspector Ray Marskell	- City of London Police
Chief Inspector Chris Hay	- City of London Police

1. APOLOGIES

Apologies were received from John Fletcher.

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

There were no declarations.

3. PUBLIC MINUTES

RESOLVED, that the public minutes of the meeting held on 21 May 2020 were approved as a correct record.

4. MINUTES OF LICENSING (HEARING SUB) COMMITTEES

4.1 George & Vulture

Members noted the public minutes of the George & Vulture hearing on 16 June 2020.

Members were advised that this was the first City Corporation virtual hearing and some connectivity issues meant that the public live stream went down a few times during the Hearing. This was ultimately resolved, and the Hearing was able to conclude. It was recommended that callover be made longer and that participants be asked not to use the chatbox to make representations as this was not visible to those watching live.

4.2 Dabbers Social Bingo

Members were advised that the Dabbers Social Bingo Hearing scheduled for 2 July 2020 was cancelled following an agreement as a result of further negotiations. The representation submitted by the City of London Corporation's Public Health team was withdrawn as the issues raised were addressed by the Applicant.

5. APPEALS AGAINST LICENSING (HEARING) SUB COMMITTEE DECISIONS

The Comptroller & City Solicitor advised the Committee that there were currently no appeals.

6. REOPENING THE HOSPITALITY SECTOR: ALFRESCO EATING AND DRINKING UNDER THE BUSINESS AND PLANNING ACT 2020

The Committee considered a report of the Director of Markets and Consumer Protection concerning the significant changes that would be introduced by the Business and Planning Bill 2020 once it received Royal Assent and outlining a new 'Al Fresco' Policy aimed at facilitating the introduction of these changes. The following comments were made:

- Members were advised that the Business and Planning Bill included a range of measures intended to support the economic recovery from the disruption caused by the COVID-19 outbreak in the UK. The measures were intended to encourage the use of outside space where the risks of Covid-19 transmission were lower whilst extending limited internal capacities.
- A temporary fast-tracked pavement licensing regime was proposed and approved at the Planning & Transportation Committee yesterday; however, the deregulation of off-sales fell under the remit of the Licensing Committee.
- It was noted that there may be some minor amendments by Officers to the policy as the third reading of the Bill was due on 20 July 2020 in the House of Lords. This included time limiting the off-sales provisions as

the current proposal was for the off-sales to run alongside the existing licence irrespective of what time the terminal hour is.

- The pavement licensing element required urgency as the provisions and off-sales would come into force on the day the Bill was passed. Each application has deemed consent so the City Corporation must be ready with a published policy, conditions, delegated authorities, online applications and payments to quickly accept and consider applications to support its businesses.
- A Member queried why the proposal was for 3-month licenses and if this was a recommendation of the Government. Members were advised that the 3-month pavement licence period was at the City Corporation's discretion, but Officers were operating cautiously due to the medieval street patterns of the City and the impact on the City's highways. It was noted that pedestrian numbers were changing and gradually increasing, and a flexible response was therefore needed in response to the changing City.
- In response to a queries concerning the potential to grant licences but for all tables and chairs to be removed during the evening rush hour or enforcing an 11pm curfew, Officers confirmed that limiting the evening rush hour was a possibility and was considered as part of detailed assessment criteria put forward by the Deputy Chair of Planning & Transportation Committee. There was also support for a curfew following the mass crowding at Soho when the lockdown was relaxed, and the City would continue to act with caution.
- A Member stated that the new legislation allowed for licences from now until September 2021, yet licensees would be expected to pay £100 for each 3-month licence. Members felt it was unfair to charge these fees when businesses were already suffering, and it created an extra barrier for licensees to overcome if having to keep renewing this licence. Members were informed that the £100 fee did not cover the Corporation's administrative costs and this process cost less than the normal tables and chair licence fee.
- A Member noted that, whilst at the gift of the Planning & Transportation Committee, there were very few areas of the City that could facilitate the increased pavement width requirement from 2.2m to 3.2m. This would have a significant impact on the licensees that had very small premises and made a living on the City's culture of vertical drinking outside which the report did not address. The Member challenged Officers to think outside the box to create space, e.g. using barrels for groups to socially distance and vertically drink outside. Officers confirmed that guidelines were published in May to assist premises safely administer takeaways and outside drinking.

- Responding to queries concerning tables and chairs licences, Officers confirmed that 52 of the existing 132 licences had been deemed safe to reinstate but to date only 5 premises had requested reinstatement.
- A Member asked how many of the 800+ licensed premises in the City had the curtilage to adhere to the 3.2m pavement requirement. Officers confirmed few adhered to this requirement; however, suitable spaces were being identified across the City for premises to use even if not directly outside the premises in question.
- Members were surprised by the small number of enquiries for tables and chairs licences and it was suggested that a positive messaging approach be taken by the Corporation by posting a map showing exactly where it was possible as this was not always obvious. Members were advised that there had been continued engagement with groups to share messaging with businesses and communications were being developed to follow implementation of the policy. Members were encouraged to ask their Ward businesses to contact the Licensing Team if they had any queries.
- Members felt that it was important for them to be able to help and reach out to the businesses in their Wards and a request was made for information on each premises by Ward. Officers agreed to publish a licensing update online to include the pavement scheme.
- A Member saw this as an opportunity to gather data and observe business performance trends which would help form processes for managing future summers and assist the Committee with future decision making. Officers confirmed that data gathering had started early into the pandemic and the City Activity Levels Bronze group had created a dashboard working across City Corporation departments which Senior Officers in the Gold Recovery From group were feeding into to ensure an evidenced based approach in response to the pandemic.
- A Member questioned if the Police were equipped to manage the extra street drinking and what the safety conditions were. Members were advised that to date there had been a low footfall in the City and small issues had been dealt with quickly by the Police. Additional resources were put in place following last week's relaxed lockdown rules and deal with "super Saturday" but this was still relatively quiet compared to normal summer drinking. The Chief Superintendent noted that the Police did not have the enforcement powers to stop people that were not socially distancing but were continuing with engagement methods which to date had been effective.
- A Member suggested that this was a good weather proposal and would be surprised if many applications for a licence came after November due to the cold weather. Members responded that this was in fact not the case and outside vertical drinking in the City was the norm across all seasons.

- A Member was concerned about tables and chairs at Leadenhall Market as Luc's was turned down for a licence, but it would be impossible for them to open if did not have this facility. Members were advised that pavement licences were for use in public highways and Leadenhall Market was private land.
- In response to a query asking if businesses had been engaged about the proposed 3-month licence or asked for longer licences, Officers stated that they had not engaged but that businesses would likely want longer. Members felt the length 3-month length of licences and current fee structure urgently needed revisiting. A Member voiced concern that the issues were not properly scrutinised at yesterday's Planning & Transportation Committee due to the length of the meeting and lateness of the item of the agenda.
- A Member supported the principle of supporting businesses with caution and enquired what the rest of London was doing. Members were informed that the City Corporation was engaging with the London Nextstart Group looking at charges and the GLA's Reopening High Streets Task Force. Following yesterday's Planning & Transportation Committee, Officers had already shared their work to ensure consistency across London.
- It was noted that adjoining and neighbouring premises were different by definition, and that Officers needed to be clear on the distinction when deciphering the legislation.
- Members acknowledged that the City Corporation would take a hit of £80 for administering each licence but did not support charging applicants for a new licence every three months as this was against the spirit of helping licensed premises reopen. A Member stated that the Director had a duty to work within the Local Risk Budget to assist and it was noted that £0.5m was saved last year in underspend which could potentially be used to support premises.
- Members favoured a one-off £100 charge for a licence until September 2021 but supported a minimum licence of 6 months plus the implementation of a condition to suspend the licence at any time if there were any safety concerns. This would save Officer time and save struggling applicants the cost of multiple fees. The Director of Markets and Consumer Protection agreed to revisit the issues identified by the Committee but highlighted that the decision ultimately fell under the remit of the Planning & Transportation Committee.

RESOLVED – That:-

- An urgent resolution be made to the Planning & Transportation Committee requesting a review of the proposed 3-month Pavement Licence period and the fee of £100 for a Pavement Licence application;

- The Town Clerk, in consultation Chairman and Deputy Chairman, be given delegated authority to make decisions on behalf of the Licensing Committee relating to the Al Fresco Policy;
- To agree the Al Fresco Eating and Drinking (Business and Planning Act 2020) Policy produced as Appendix 1 to this report subject to changes following consideration of the issues identified by the Licensing Committee;
- Note the need for an urgency report once the Bill receives Royal Assent to grant delegated authority to the Director of Markets and Consumer Protection.

7. **COVID-19 UPDATE**

The Committee received an oral update from the Director of Markets and Consumer Protection providing Members with an update on the current situation as a result of the Covid-19 pandemic.

Members were advised that the hospitality sector was gradually increasing with 30 premises reopening on 4 July 2020 which had since increased to 40-50 premises. Footfall on the streets remained significantly lower than average with approximately 1,000 people a week.

It was noted that due to the knock-on effects of Covid-19, it was deemed inappropriate to host the annual Safety Thirst awards event for 2020/21 and this would roll over until next year.

With regards to the traffic light scheme, Officers advised that all premises were closed from 23 March during lockdown. Members agreed that premises in the Red or Amber zone could not be let off the hook and points should carry over to skip the period all premises were closed with the scheme to recommence as normal.

A Member felt that it was important to help struggling businesses and enquired how the City Corporation could promote and advertise the open premises to City residents. A Member noted that the City information Centre had reopened and could publicise the open premises. Officers confirmed that this information could be shared to promote externally.

8. **REVENUE OUTTURN 2019/20**

Members considered a joint report of the Chamberlain and Director of Markets and Consumer Protection comparing the revenue outturn for the services overseen by the Committee in 2019/20 with the final budget for the year. It was noted that additional information was circulated following a query from a Member.

Members were advised that overall total net expenditure during the year was £191,000 whereas the total budget was £124,000, representing an overspending of £67,000.

A Member queried what was covered within the £180k under total premises, street trading & other. Members were informed this included any loss on standard premises licence fees which were nationally set and therefore did not reflect the local cost and non-recoverable statutory work.

A Member was concerned by different budgets being presented to the Committee and requested that all information be included within reports with full explanations from the start. Members discussed changing budgets and Officers confirmed that the Standing Orders permitted revised budgets. Whilst it was acknowledged that the Covid-19 pandemic had had a serious impact on budgets across all departments meaning they all would be readjusted, there was a difference between adjustments and carry forwards. A Member recommended taking this up with the Finance Committee. Officers advised that carry forwards were allowed and measured against final budgets.

RESOLVED – That Members note the report and the proposed carry forward of underspendings to 2020/21.

9. **CRIMES AT LICENSED PREMISES**

The Committee considered a report of the Chief Superintendent regarding violent crime from licensed premises during the period April 2020 – June 2020 and a yearly update comparing 2018 to 2019.

Members were informed that the only crimes that took place at licenced premises during this period were two burglaries.

In response to a query by a Member, Officers confirmed that “VAP” meant violence against person. The Member requested that an information box be included with relevant acronyms, etc.

RECEIVED.

10. **LATE NIGHT LEVY FINANCE REPORT**

The Committee received a verbal update from the Chief Superintendent providing Members with a breakdown of the spending of the Late Night Levy from the City of London Police.

Members were advised that there was no report as there had been no changes since the previous meeting. Officers noted that there was confusion as to how regularly this update should be brought to the Committee which had varied in the past. The Town Clerk confirmed that the report conflicted with the City Corporation’s own financial update as they ran on a different schedule causing confusion for the Committee’s annual report.

The Deputy Chairman recommended a bi-annual update to provide less reporting burden on the Police which could review the last year and the current year. Members were reminded that the Committee had no control over how the Police spent their portion of the Late Night Levy. The Chairman added that

there should be joint up reporting between the Police and City Corporation for the end of year accounts. Members supported this approach.

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

The Committee noted a report of the Director of Markets and Consumer Protection regarding the delegated decisions of the Director pertaining to premises licences.

RECEIVED.

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

A Member questioned how the City Corporation could support the emerging sector using its communications and social media presence noting that the Corporation had 43k followers. Members agreed that a report at the next meeting on what promotion was happening and what could be used going forward would be productive. Officers agreed to follow up with the Comms Team on this update.

13. ANY OTHER BUSINESS THAT THE CHAIRMAN CONSIDERS URGENT

There were no urgent items.

14. 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 Paragraph 3 of Part I of Schedule 12A of the Local Government Act.

15. NON-PUBLIC MINUTES

RESOLVED, that the non-public minutes of the meeting held on 21 May 2020 were approved as a correct record.

16. NON-PUBLIC APPENDIX: DELEGATED DECISIONS OF THE DIRECTOR OF MARKETS AND CONSUMER PROTECTION PERTAINING TO PREMISES LICENCES

The Committee received a non-public appendix report to the report under agenda item 11 pertaining to premises licenses which included the names of each premises.

17. NON-PUBLIC QUESTIONS RELATING TO THE WORK OF THE COMMITTEE

There were no questions.

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

There were no urgent items.

The meeting ended at 3.56 pm

Chairman

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MINUTES OF THE LICENSING (HEARING) SUB-COMMITTEE

HELD ON WEDNESDAY 12 AUGUST AT 2PM

APPLICANT: Daisy Green Food Ltd
PREMISES: Daisy Green, 2 London Wall Place, EC2Y 5DH

Sub-Committee:

Deputy Jamie Ingham Clark (Chairman)
John Fletcher
Sophie Fernandes

Officers:

Town Clerk – Leanne Murphy
Comptroller and City Solicitor – Frank Marchione
Markets & Consumer Protection - Peter Davenport, Rachel Pye

Given Notice of Attendance:

Applicant:

Prue Freeman (Director, Daisy Green)

Making representation:

Dr Dimitri Varsamis (resident)
Helen Kay - Chair, Barbican Association
Mary Bonar - Chair, Wallside House Group
Nigel Pilkington (resident)
Hank Lu (resident)
Fionnuala Hogan - representing Ms Hilary Sunman as the new Chair of Willoughby House Group

Apologies:

Ravi Rupal (resident)

Licensing Act 2003 (Hearings) Regulations 2005

A virtual public Hearing was held at 2.00pm to consider the representations submitted in respect of an application to vary the premises licence in respect of Daisy Green, 2 London Wall Place, EC2Y 5DH, the Applicant being Daisy Green Food Ltd.

The Sub-Committee had before them the following documents:

Hearing Procedure
Report of the Director of Markets & Consumer Protection
Appendix 1: Copy of Application
Appendix 2: Minutes from previous hearing - 13 August 2019
Appendix 3: Current Premises Licence
Appendix 4: Current conditions consistent with the operating schedule

Appendix 5: Representations against the application

- i) Hogg
- ii) Young
- iii) Makin
- iv) Lu
- v) Sunman
- vi) Anderson
- vii) Goldberg
- viii) Bonar
- ix) Pilkington
- x) Zhao
- xi) Papakyprianou
- xii) Einwiller
- xiii) Casstles
- xiv) Rupal
- xv) Varsamis
- xvi) Kay
- xvii) Li
- xviii) Dixon

Appendix 6: Representation in support of application

Appendix 7: Map of subject premises together with other licensed premises in the area and their latest terminal time for alcohol sales

Appendix 8: Plan of Premises

Appendix 9: Blue public notice

1. The Hearing commenced at 14:00.
2. At the commencement of the Hearing, the Chairman stated that all written representations had been read by the Sub Committee and requested that there was not a repetition of the submitted representations.
3. The Chairman invited the Applicant to introduce the basis for the application and set out their case.
4. Ms Freeman advised that Covid-19 had hit the business hard as they could not achieve the normal level of customers within the premises. The space outside was therefore more important and could be used sensibly and managed by staff. It was noted that the business was surviving through locals and the small number of workers in the City, as opposed to visitors from elsewhere, with Barbican residents making up approximately 70% of trade.
5. Ms Freeman acknowledged the local resident's nervousness to vary the licence due to perceived potential implications for drinking in London Wall including late night noise, policing crowds, access to toilet facilities, littering and Sunday noise. However, Ms Freeman felt that in the last twelve months the premises had operated respectfully towards its locals and demonstrated their aim as a destination for locals and workers.

6. With regards to issues concerning toilets, the Chairman noted that many public toilet facilities within the City had now been reopened.
7. Ms Freeman hoped that all could co-exist during these difficult times and to negate any concerns the Applicant offered an amendment to the application to request a cut-off time of 18:00 for weekday off-sales and no off-sales at weekends. This would allow the business to target the weekday afternoon trade. Notifications, additional staff and bins would also be implemented, plus staff would work with the Landlord's security team to ensure the space was being used as intended.
8. Ms Freeman hoped, with time, the business would prove to residents that they were a good operator with good intentions and may apply for a further variation in the future.
9. The Chairman invited the Objectors to ask the Applicant questions regarding their statements.
10. Mr Lu queried how far the London Wall security staff could police and patrol the London Wall area, e.g. did this reach as far as Salters' Garden which was a hidden space that could be subject to gatherings if off-sales were permitted.
11. Ms Freeman stated that security patrols would have the ability to patrol the whole area and staff would also be on site to assist; however, the earlier timing should prevent evening anti-social behaviour in the area which had not been experienced by clientele to date.
12. Ms Bonar noted that the City Corporation owned some of the land in question and hoped that there would be cooperation to ensure the space was well policed and that litter was managed. It was noted that skateboarders had been an issue in the past. The Chairman stated that the Hearing could only consider matters relating to the four licensing objectives and skateboarding and litter were not licensing issues and should be reported to the Environmental Health team. Ms Bonar felt that public nuisance concerns should be considered before they occurred, and the City Solicitor reiterated that only the Licensing Act regulations were relevant to this Hearing.
13. Ms Kay highlighted that the space outside the restaurant was huge and enjoyed by locals and workers alike. The space belonging to the premises was four meters from the demise, not the entire area, but the sale of off-sales would encourage groups of drinkers in the area outside of this space.
14. The Sub Committee enquired if the plan was to apply for a Tables & Chairs Licence if the variation was granted. Ms Freeman confirmed this was not the plan and the variation would simply to allow the business to add to the offer alongside other operators in the area.
15. The Sub Committee asked if vertical drinking was allowed at the premises. The Applicant confirmed vertical drinking was allowed on the premises; however, the

business was operating with table service only as per the current Covid-19 regulations.

16. The Sub Committee queried if the business had received any complaints concerning its service. Ms Freeman advised that a complaint was received a few weeks ago just after 21:00 when the premises stopped selling drinks to customers on the terrace, packed down and patrons either dispersed or came inside as per the conditions of the licence. Ms Freeman confirmed that the Licensing Officer was content that they were adhering to the conditions.
17. The Sub Committee enquired if the contact telephone number made available to locals and the City of London Licensing Team by the Licence Holder in the event of complaints arising, was being used. The Applicant confirmed that complaints had only gone directly to the Licensing Authority.
18. The Chairman invited those making representations to set out their objections against the Applicant.
19. Mr Pilkington informed the Hearing that off-sales were rejected by the Sub Committee at the last Hearing as the premises was very close to residents. Mr Pilkington was also concerned that the sale of off-sales would encourage people to drink in an area of tranquil living and historic value which would require heavy policing. These concerns were considered by Mr Pilkington to be more important than the estimated revenue boost of 5-10% that the Applicant expected off-sales to bring to the business.
20. Dr Varsamis advised that half of the 90 flats within Roman House faced the premises, which did not have great sound insulation. Dr Varsamis also observed that whilst the venue obtained its licence in August 2019, it did not open until December and was forced to close due to the pandemic. The venue had therefore not been open for 12 months and its operation had not been observed for very long.
21. Dr Varsamis stated that he had observed breaches of customers drinking after 21:30 and the premises windows remaining open when they should remain closed after 21:00. The tables and chairs belonging to the premises also often encroached on the public space outside of their demise. Dr Varsamis concluded that he was sympathetic regarding the impact of Covid-19, but more time was needed to observe operation before a variation could be considered at the premises.
22. Ms Kay advised that the Barbican Association had helped promote Barbie Green and its members visited the venue. However, there was now an issue of trust with the management as once again there had been no consultation with the local community concerning the application.
23. The Barbican Association was also concerned by alleged breaches to the conditions and did not feel that Applicant had a clear strategy to deal with drinkers and groups when they talked with the Liaison Group on Monday. This was concerning as there was already a culture of large gatherings of drinkers outside

drinking establishments in the City. The Barbican Association therefore did not support the variation as it considered off-sales to increase the likelihood of noise nuisance incurred affecting the many flats overlooking the premises.

24. Ms Bonar requested, in the event that the variation be granted, that more security be employed by Daisy Green and/or the Landlord and that the timings proposed were the new proposed timings by the Applicant and not the original application times.
25. Ms Freeman asked Ms Kay what creative ways were being suggested for the business to work with the Barbican Association. Ms Kay offered no suggestions but stated that the Barbican Association knew their local community and wished to liaise. The Sub Committee agreed it was important to have engagement with the local community.
26. The Sub Committee asked the Objectors present if they would support the variation with the proposed reduced hours and no off-sales at the weekend. The Objectors felt that mission creep was highly likely if this variation was granted and that it would encourage an assumption of using a space that did not belong to the premises at the detriment of locals. The Objectors therefore wished to nip this in the bud before problems occurred.
27. The Chairman offered all parties the opportunity to make a concluding statement.
28. The Applicant summarised that most of the concerns were regarding anti-social behaviour, crowds and nuisance which should be avoided by the 18:00 finish. Ms Freeman highlighted that an additional 5-10% in sales would be extremely significant during the current pandemic and would help the business survive. Ms Freeman hoped a compromise could be made as there was a desire to be a long-term operator in the area.
29. There were no concluding comments from the Objectors.
30. The Chairman thanked all attendees for their comments and explained that a written decision letter would be sent to all parties within five working days by email only.
31. The Sub Committee retired at 14:54 and considered the application and carefully deliberated upon the representations submitted in writing and orally at the Hearing by those making representations and the Applicant. It was evident that the most relevant licensing objective that required the Sub Committee's consideration was the prevention of public nuisance. In reaching its decision, the Sub Committee were mindful of the provisions of the Licensing Act 2003, in particular the statutory licensing objectives, together with the guidance issued by the Secretary of State in pursuance of the Act and the City of London's own Statement of Licensing Policy dated January 2017.
32. In determining what constituted a public nuisance, the Sub Committee relied upon the definition of "public nuisance" contained in Halsbury's Laws of England which defines public nuisance as *"one which inflicts damage, injury or inconvenience on*

all the Queen's subjects or on all members of a class who come within the sphere or neighbourhood of its operation. The character of the neighbourhood is relevant to determination of the question of whether a particular activity constitutes a "public nuisance".

33. The Sub Committee regarded noise nuisance to be the principal concern to Objectors. The Sub Committee noted this was a business that had operated without any significant issues to date and, whilst conscious of the fact that the premises was located in a residential pocket of the City, also noted that other licensed premises operated in the area. The Applicant had also made significant concessions to help address the key concerns of the Objectors.
34. The Sub Committee also felt that an increase of 5-10% in sales was hugely significant to the business, which was struggling due to the impact of the coronavirus pandemic.
35. The Sub Committee concluded that it would be possible for the Applicant to operate the premises in accordance with the licensing objectives. The Sub Committee sought to strike a balance for residents and the business, and it was the Sub Committee's decision to grant the variation of the premises licence to permit off-sales between the hours of 11:00 and 18:00 Monday to Friday only with no off-sales at the weekend. The Sub Committee did not consider there to be a need for any additional conditions.

The meeting closed at 2.54 PM

Chairman

Contact Officer: Leanne Murphy
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Committee(s): Finance – For Decision Court of Common Council – For Decision Barbican Centre Board – For Information Community & Children’s Service – For Information Culture Heritage & Libraries – For Information Epping Forest & Commons – For Information Establishment Committee – For Information Hampstead Heath, Highgate Wood & Queens - For Information Licensing – For Information Open Spaces – For Information Planning & Transportation - For Information Port Health – For Information	Date(s): 13 October 2020 3 December 2020 18 November 2020 6 November 2020 23 November 2020 16 November 2020 29 October 2020 25 November 2020 14 October 2020 2 December 2020 27 October 2020 24 November 2020
Subject: Resetting of departmental Budgets 2020/21	Public
Report of: Chamberlain	For Decision/Information
Report author: Julie Smith	

Summary

At Resource Allocation Sub Committee on 18th September 2020 Members considered and approved recommendations for budget adjustments of £15.6m , following a request at their July Committee for an in-year re-budgeting exercise to assist in repairing the damage to the City’s budgets arising from the COVID-19 pandemic. This was seen as a vital step in ensuring that we put our finances on a sustainable footing for the Medium Term.

Members of Finance Committee are asked to recommend to the Court of Common Council the budget adjustments outlined in this report totalling £15.2m to some departmental local risk budgets, (including a reduction of £400K to the original proposal to Resource Allocation Sub Committee for Open Spaces), to address the deficit in lost income due to the COVID-19 pandemic, and set realistic budgets that Chief officers can be held to this financial year (2020/21).

Members of the relevant Service Committees are asked to note the recommended budget adjustments which, subject to the agreement of the Court of Common Council in December, will be reflected in their detailed Revised Estimates 2020/21 and proposed Budget Estimates 2021/22 reports for their approval.

The mitigating steps leading up to the recommended budget adjustments include a thorough year end budget forecast exercise as at the end of July, informed by bi lateral meetings between the Chamberlain and Chief Officers, reaching a common understanding of the need for tight budgeting. This tight budgeting has resulted in

expenditure savings in local risk budgets of £21.3m, partially offsetting an income deficit of (£39.2m). This process was followed by Member lead bilaterals in September with those service areas most impacted by COVID.

The impact of COVID-19 stands at around (£28.4m) across all risks and funds of which (£17.9m) relates to Chief Officers local risk budgets. We are hopeful of recovering an estimated £13.6m from the Government's compensation for lost fees and charges of 75p in the pound net of associated expenditure reductions which will be used to offset the appropriate budget adjustments. The remaining City Fund COVID deficit would then need to be covered by scaling back the planned addition to the major projects reserve.

Further steps proposed are to maintain recruitment controls, including the use of Consultants, aligned to the roll out of the Target Operating Model (TOM) and continuing to press for further savings where possible to preserve the reserves position. Any residual COVID deficit will then be covered, in the case of City Fund, through an offsetting reduction in the Reserve.

Recommendation(s)

Members of Finance Committee are asked to:

- Note the steps already taken by officers to reduce the financial impact of the COVID-19 pandemic.
- Recommend to the Court of Common the adjusted departmental budgets totalling £15.2m outlined in this report, including a reduction of £400K to the original proposal to Resource Allocation Sub Committee for Open Spaces explained at paragraph 9.
- .
- Approve proposals to continue working with departments to identify further savings where possible.
- Approve continuation of recruitment controls aligned to the TOM which may give further savings in the year.
- As Service Committee, note the increase in budget of £1,084K for the Remembrancer

Members of the following Service Committees are asked to note the recommended budget adjustments as outlined below: -

- Barbican Centre Board: Increase of £12,452K
- Community & Children's services: Increase of £184K for Director of Community & Children's Services
- Culture Heritage & Libraries Committee – Increase of £392K for Open Spaces (Monument).

- Establishment Committee: Increase of £420K for Comptroller & City Solicitor
- Licensing Committee: £156K for Markets & Consumer Protection
- Open Spaces/Epping Forest & Commons/Hampstead Heath, Highgate Wood & Queens Committees: Increase of £66K.
- Planning and Transportation: Increase of £310K for Director of Built Environment
- Port Health:
 - Increase of £301K for Markets & Consumer Protection
 - Reduction of £148K in respect of Open Spaces (City of London Cemetery) due to increase in forecast income

Main Report

Background

1. On 18th September 2020 Members of Resource Allocation Sub Committee considered and approved recommendations for budget adjustments totalling £15.6m following their instruction to officers at their meeting in July, to carry out a re-budgeting exercise in the Autumn to assist in repairing the unprecedented damage to the City's budgets arising from the COVID-19 pandemic. This was seen as a vital step in ensuring that we put our finances on a sustainable footing for the Medium Term.
2. The following mitigating actions have been undertaken: -
 - Restriction of carry forwards from 2019/20 to protect the reserves position;
 - Recruitment controls; requiring a business case to recruit agreed by the Town Clerk
 - A review of high value contracts with City Procurement to see where any possible savings could be achieved and on-going monitoring to ensure value for money
 - An in-depth departmental re-forecasting exercise undertaken as at the end of July, crystallising expenditure reductions to limit COVID impact;

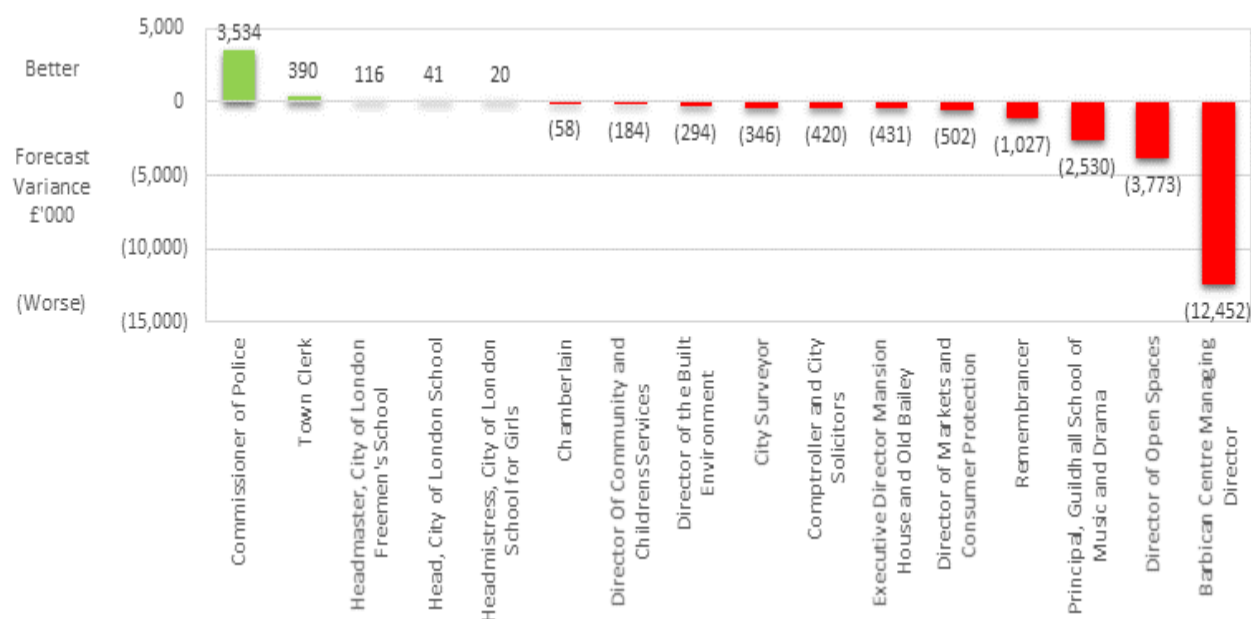
- Collaborative bilateral meetings between the Chamberlain and Chief Officers took place resulting in a common understanding of the need for continued tight budgeting;
- Member bilaterals (Chair/Deputy Chairman of RA Sub) with some Service Committee Chairmen and Chief Officers.
- A review of the Cyclical Works Programme (CWP) with the City Surveyor as unlikely to complete a significant amount of work in year due to suspension during the lockdown period; and
- Seeking government funding where possible through compensation on lost fees and charges of 75p in the pound on City Fund income.

Current Position

3. Despite the mitigating actions being taken, we face, as a result of COVID-19, a major challenge to the health of our finances. The forecast deficit at the end of July currently stood at (£28.4m) across the funds before government compensation for income lost from fees and charges. The breakdown by fund across both central and local risk is (£16.8m) City Fund, (£7.0m) City's Cash and (£4.6m) Bridge House Estates.
4. For Chief officers' cash limited budgets, a year-end forecast over spend of (£17.9m) is forecast against a budget of (£247.9m) (7.2%).
5. The table below shows the high-level year end forecast position for Chief Officer's local risk budgets by fund:

£'000	Original budget 2020/21	Latest budget 202/21 (including carry forwards)	Forecast as at end of July	Variance
City Fund (CF) (excl. Police)	(72,503)	(74,668)	(87,919)	(13,251)
City's Cash (CC)	(43,679)	(43,967)	(48,206)	(4,239)
Bridge House Estates (BHE)	(6,186)	(6,186)	(8,741)	(2,555)
Guildhall Administration (GA)	(37,938)	(38,206)	(39,611)	(1,405)
Total (excluding Police)	(160,306)	(163,027)	(184,477)	(21,450)
Police	(84,884)	(84,884)	(81,350)	3,534
Grand Total	(245,190)	(247,911)	(265,827)	(17,916)

6. The forecast position comprises a reduction in income of (£39.2m) on an income budget of £294m, partially offset by an underspend of £21.3m on budgeted expenditure of (£542.1m); demonstrating the action taken by Chief Officers to reduce expenditure to limit the impact as far as possible of reductions in income.
7. Chief Officers' variances against net local risk budgets are shown in the chart below. The detailed breakdown by Chief Officer by Fund is shown at Appendix 1.



8. The most heavily impacted is the Barbican Centre; forecasting an overall overspend of (£12.5m) at year end. This comprises a shortfall of (£22.0m) on income due to the centre being closed, and limited activity being forecast for the remainder of the financial year due to social distancing measures. Expenditure has however, been reduced by £9.6m due to activity reductions and a hold on all non-essential expenditure. **It is proposed to reset the budget envelope from (£17,389) to (£29,841)**
9. Open Spaces is forecasting an overspend of (£3.7m) broken down as follows: -
 - (£3.1m) BHE due to income shortfalls relation to Tower Bridge. It is proposed that the Tower Bridge shortfall is covered by a reduction in transfer to BHE reserves at year end.
 - (£858k) City's Cash forecast income deficit on City's Cash. Following a Senior Member lead bilateral meeting with the Director of Open Spaces and the Chamberlain, and subsequent discussion at Resource Allocation Sub Committee on 18th September it, was concluded that there was scope to reduce expenditure and increase income further at Epping Forest. **it is therefore proposed to reduce the Open Spaces budget adjustment by £400K and reset the latest approved budget from (£11,852) to (£12,310) to cover the Monument income shortfall of £392K; the balance of £66K for income shortfalls at other Open Spaces** It is recognised that there is pressure on Epping Forest budgets which we will

continue to focus on, with an understanding this might lead to a year end overspend.

- £148k City Fund forecast under spend of £148K is due to additional income from the City of London Cemetery activity. **It is proposed to rest this budget from £564k to £712k to be utilised towards the additional costs to City Fund.**
10. GSMD is forecast to be (£2.5m) worse than budget reflecting lost income from short courses, letting student accommodation and space to external providers during summer term, removing bar and catering income and reduced fees from under-18 provision. Further losses may arise depending on the number of students returning for the new academic year. In addition, GSMD will incur additional costs for space, equipment and staffing to support socially distanced onsite as well as online teaching. The City is a joint funder with the Office for Students and there is an agreement not to reduce the City's contribution to continue to secure Higher Education Statistics Agency (HESA) Funding. It is anticipated that GSMD continue to call on their reserves; the same approach as for the City's Independent Schools (see paragraph 19).
 11. Remembrancer has a forecast deficit due to loss in income of (£1.0m) due to no private event hire taking place at Guildhall since the start of the financial year. Three of the four most lucrative months in the year - May, June, September and November - will achieve nil or very nearly nil income. **It is proposed to reset the budget from £274k to (£810k) to cover the loss of income.**
 12. The Director of Markets and Consumer Protection is forecasting an overspend of (£502k), mainly on City Fund activity (£457K) due to increased costs at the Ports in preparation for Brexit and loss of income at the Animal Reception Centre. The balance on City's Cash relates to lost income from car parking charges at Billingsgate and Smithfield Markets. **It is proposed to reset City Fund budget from (£2,240k) to (£2,697k) to cover the income deficit.**
 13. Mansion House and Old Bailey forecast overspend of (£431K) includes recovery of an overspend of (£248K) from 2019/20. At the bilateral meeting with the Executive Director further expenditure savings were discussed, **therefore no budget reset is proposed at this time.**
 14. The Comptroller and City Solicitor is forecasting an external income deficit of (£420K) due to a lack of property deals. **It is proposed to reset the budget from (£845k) to (£1,265k) to cover the income shortfall.**
 15. The City Surveyor is forecasting a net overspend across the funds of (£346K), this includes a carry forward of (£320K) from 2019/20. **It is not proposed to reset the budget for 2020/21 at this time.**
 16. The Director of the Built Environment (DBE) forecast an overspend of (£310K), mainly relates to a forecast income shortfall of (£2.5m), most significantly within off-street parking, traffic management, public conveniences, drains & sewers and building control services. However, expenditure reductions of some £2.3m through

reduction in highways repairs and maintenance, early removal of Automated public conveniences and contract savings have reduced the impact considerably. **It is proposed to reset the budget from (£20,243K) to (£20,553K) to cover the net deficit.**

17. The Director of Community and Children's services is forecasting an overspend of (£184K), the largest pressure is on rough sleepers and homelessness budget due to COVID-19, at an estimated cost of (£1.4m) until 31st March 2021. The majority of the extra costs are being absorbed by a current underspend on adults/older people social care. Income levels are estimated to be around 30% once services reopen. **It is proposed to reset the Director's budget from (£12,791K) to (£12,975K) to address the shortfall.**
18. The Chamberlain is forecasting a net overspend across the funds of (£58K). This is due to various additional essential unbudgeted expenditure, including additional staff resource for essential financial modelling work. There is also income loss in Freedom ceremonies due to the COVID 19 pandemic. **It is not proposed to reset the Chamberlain's budget at this time.**
19. The Independent Schools are managing within their reserves as shown by their breakeven position. No budget resets are therefore proposed.
20. The Town Clerks overall forecast position is a net underspend of £350K. However, this includes additional P&R income of £990k expected in relation to COVID related grants to reimburse expenditure for works undertaken by the Strategic COVID Group, which is offset by income shortfalls in Cultural Heritage. **It is not proposed, therefore, to reset the Town Clerk's budgets.**
21. The Commissioner of Police is currently forecasting an underspend of £3.5m. It is proposed to continue to monitor the Police position, recognising that any underspend will be directed to repayment of the Action Fraud loan to the City Corporation.

Proposals

22. It is proposed that Finance Committee Members recommend to the Court of Council that local risk budgets are reset for the following departments as summarised in the table below: -

£'000

Department	From	To	(Increase) /Reduction	Fund
Barbican Centre	(17,389)	(29,841)	(12,452)	CF
Open Spaces	(11,852)	(12,310)	(458)	CC
Open Spaces	564	712	148	CF
Remembrancer	274	(810)	(1,084)	GA
Markets & Consumer Protection	(2,240)	(2,697)	(457)	CF
Comptroller & City Solicitor	(845)	(1,265)	(420)	GA
DBE	(20,243)	(20,553)	(310)	CF
Community & Children's services	(12,791)	(12,975)	(184)	CF
Total	(64,522)	(79,739)	(15,217)	

23. Where Chief Officers local risk budgets are not recommended for adjustment, but significant efforts have been made to mitigate the position/deliver savings, it is proposed discussions take place at year end regarding handling of any overspend positions.
24. Our current estimates indicate support from the Government for lost fees and charges on City Fund income could be in the region of £13.6m. The first claim from April until end of July was submitted at the end of September. The income recovered will be used to offset the appropriate budget adjustments proposed.
25. It is also proposed to continue with the current recruitment constraint, including the use of Consultants, aligned to the rollout of the Target Operating Model to secure further savings by the end of the financial year.
26. Further savings will also continue to be explored with departments to reduce the overall impact on the reserves position.
27. The budget in the Medium-Term Financial Plan (MTFP) for the CWP in 2020/21 is £22.8m. The latest forecast estimate for works anticipated to be completed is £10.7m. A report is being prepared by the City Surveyor outlining proposals for a revised annual programme from 2021/22.

Financial Implications

28. The overall 2020/21 City Fund starting position would have added £27.3m to reserves to contribute to the future financing of the major projects.
29. The proposed COVID adjustments to Chief Officers local risk budgets total £15.2m (£14m City Fund and £1.2m City's Cash). The £14m City Fund adjustment can be

met by scaling back the addition to the major projects reserve to £13.3m. The City Cash adjustment of £1.2m can be funded but will impact the net asset position.

Conclusion

30. Despite the mitigating actions being taken, we face, as a result of COVID-19, a major challenge to the health of our finances. Proposals to reset budgets for Chief Officers most impacted by loss of local risk income will provide realistic budgets for them to be held to.

Appendices

- Appendix 1 – Chief Officers local risk end of year forecast at end of July 2020 by fund

Background Papers

- Briefing 2 – Financial impact of COVID 19 – Finance Committee 19 May 2020
- Resetting of Budgets 2020/21 – Resource Allocation Sub Committee 18 September 2020.

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Chief Officer Cash Limited Budgets by Fund					
Original Budget £'000	Chief Officer	Full Year Forecast as at 31 July 2020			
		Latest Budget	Forecast	Variance Better / (Worse)	
		£'000	£'000	£'000	%
	City Fund				
(1,755)	Chamberlain	(1,755)	(1,420)	335	19%
(5,117)	City Surveyor	(5,240)	(5,109)	131	2%
(11,168)	Director of Community and Children's Services	(12,791)	(12,975)	(184)	(1%)
(2,199)	Director of Markets and Consumer Protection	(2,240)	(2,697)	(457)	(20%)
564	Director of Open Spaces	564	712	148	26%
(20,196)	Director of the Built Environment	(20,243)	(20,553)	(310)	(2%)
(402)	Executive Director Mansion House and Old Bailey	(242)	(531)	(289)	(120%)
(17,165)	Managing Director, Barbican Centre	(17,389)	(29,841)	(12,452)	(72%)
(15,065)	Town Clerk	(15,332)	(15,504)	(172)	(1%)
(72,503)	Total City Fund (excluding Police)	(74,668)	(87,919)	(13,251)	(18%)
	City's Cash				0%
(99)	Chamberlain	(99)	(174)	(75)	0% (76%)
(16,228)	City Surveyor	(16,143)	(16,972)	(829)	(5%)
(1,052)	Director of Community and Children's Services	(1,122)	(1,122)	0	0%
(1,365)	Director of Markets and Consumer Protection	(1,668)	(1,713)	(45)	(3%)
(11,822)	Director of Open Spaces	(11,852)	(12,710)	(858)	(7%)
(3,334)	Executive Director Mansion House and Old Bailey	(3,246)	(3,388)	(142)	(4%)
(1,217)	Head, City of London Boy's School	(1,217)	(1,176)	41	3%
118	Headmaster, City of London Freeman's School	118	234	116	98%
(275)	Headmistress, City of London School for Girls	(275)	(255)	20	7%
(6,799)	Principal, Guildhall School of Music and Drama	(6,799)	(9,329)	(2,530)	(37%)
(1,391)	Remembrancer	(1,391)	(1,334)	57	4%
(215)	Town Clerk	(273)	(268)	5	2%
(43,679)	Total City's Cash	(43,967)	(48,206)	(4,239)	(10%)
	Bridge House Estates				0%
(45)	Chamberlain	(45)	(45)	0	0% 0%
(2,703)	City Surveyor	(2,703)	(2,690)	13	0%
(243)	Director of Open Spaces	(243)	(3,306)	(3,063)	(1,260%)
(275)	Director of the Built Environment	(275)	(259)	16	6%
(2,920)	Town Clerk	(2,920)	(2,441)	479	16%
(6,186)	Total Bridge House Estates	(6,186)	(8,741)	(2,555)	(41%)
	Guildhall Administration				0%
(22,165)	Chamberlain	(22,358)	(22,676)	(318)	0% (1%)
(8,666)	City Surveyor	(8,686)	(8,347)	339	4%
(845)	Comptroller and City Solicitor	(845)	(1,265)	(420)	(50%)
274	Remembrancer	274	(810)	(1,084)	(395%)
(6,536)	Town Clerk	(6,591)	(6,513)	78	1%
(37,938)	Total Guildhall Administration	(38,206)	(39,611)	(1,405)	(4%)
(160,306)	Grand Total (excluding Police)	(163,027)	(184,477)	(21,450)	(13%)
(84,884)	Commissioner of Police (City Fund)	(84,884)	(81,350)	3,534	4%
(245,190)	Grand Total	(247,911)	(265,827)	(17,916)	(7%)

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Committee(s): Licensing Committee – For Information	Date(s): 14/10/2020
Subject: Crime at Licenced Premises	Public
Report of: T/Chief Superintendent Duffy	For Information
Report author: Inspector Northmore	

Summary

This is a report from the City of London Police for the Licensing Committee to update on crimes committed linked to Licensed Premises from July 2020 – September 2020. Licensed premises re opened on the 4th of July and footfall in the city should increase. However, not all licensed premises have re opened and are following different guidelines. It has also been announced that Licensed premises, restaurants and hospitality venues must close at 10pm from the 24th of September and this will be in place for around 6 months.

Recommendation(s)

- Note the report.

Main Report

Stats Classification	July '20	Aug '20	Sep '20	Grand Total
Assault - S18 - GBH grievous bodily harm with intent	0	1	0	1
Assault - S39 - Common assault	3	5	0	9
Assault - S47 - AOABH assault occasioning actual bodily harm	0	0	0	0
Cause administer poison with intent to injure / aggrieve / annoy	0	0	0	0
Racially / religiously aggravated common assault	0	0	0	0
Sending letters etc with intent to cause distress or anxiety (Malicious Comms Act)	0	0	0	0
Grand Total	3	5	5	13

Demonstrates a clear decrease in VAP (violence against person) offending in July, August and September at LP (licensed premises) as footfall within City decreased and LP started to close due to COVID restrictions.

13 VAP offences occurred between July – September 2020 at Licensed Premises.

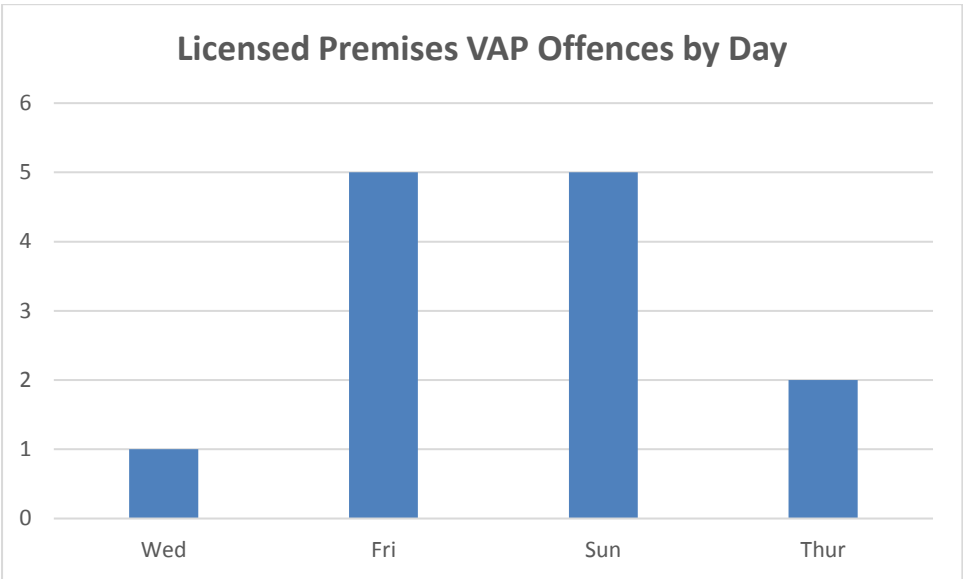
Common Assaults represented 77 % of offending over the period, whilst ABH represented 15 % and GBH 8 %

42 % of VAP Offending occurred within Tower Ward.

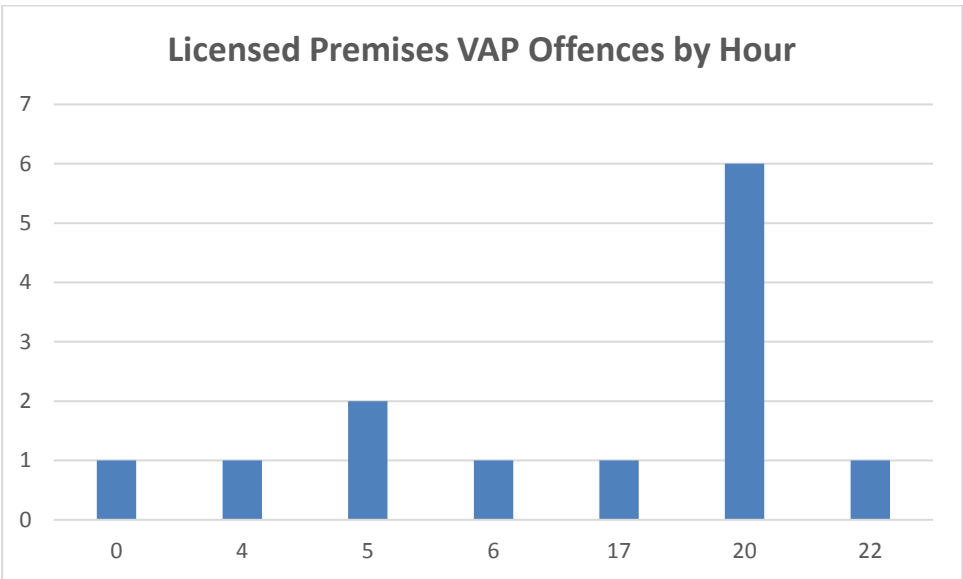
45% involved a staff member being the victim (6 offences).

At least 92 % of these offences are associated with alcohol (with less commonly noted factors including included workplace disputes/harassment, mental health crisis, drugs, domestic).

Very few incidents of instruments being used by offenders (1 %) – items used included furniture (such as tables)



Offending continued to be predominantly during NTE hours – with Friday and Sunday accounting for 76 %.



Offending between 2000-0000 accounts for 62% of VAP crime in LP during this period.

Committee(s)	Dated:
Licensing Committee	14 October 2020
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: Robert Breese	

Summary

This report details the premises licences, and variations to premises licences, granted under the Licensing Act 2003 by the Licensing Service from **01 July 2020 to 30 September 2020**. 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 also gives a summary of the enforcement action taken under the Licensing Act 2003 between **01 July 2020 to 30 September 2020**. 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 **01 December 2019 – 31 August 2020**.

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 1) and variations (Appendix 2) granted by the Licensing Service between 01 July 2020 to 30 September 2020. 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 2.
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 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 3). 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 3 provides data from 01 July 2020 to 30 September 2020.
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 01 December 2019 – 31 August 2020. One premises has a sufficient number of points to be classified as 'red' and four premises have sufficient points to be classified as 'Amber'. Further details can be seen in Appendix 4.
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 01 July 2020 to 30 September 2020.
- Appendix 2 – Applications to vary a licence issued between 01 July 2020 to 30 September 2020.
- Appendix 3 - Enforcement Action carried out between 01 July 2020 to 30 September 2020 (including complaints received).
- Appendix 4 (Non-Public) – Premises reaching red and amber on the risk scheme between 01 December 2019 – 31 August 2020.

Background Papers

None

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Licensing Officer

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Appendix 1

New Licence Applications Issued by way of Delegated Authority (01 July 2020 to 30 September 2020)

Name	Address	Ward	Details
Burlington Bertie	22A Bevis Marks	Aldgate	A 20:00
Continental Sandwich Bar	19 Watling Street	Cordwainer	A 23:00
Liberty Speciality Markets	20 Fenchurch Street	Bridge and Bridge Without	A 23:00
Freshfields	100 Bishopsgate	Bishopsgate	A 23:00
Squire Patton Boggs LLP	2 ½ Devonshire Square	Bishopsgate	A, L, F 00:00

Total Licences Issued = 5

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.
Aldgate	1
Bishopsgate	2
Bridge and Bridge Without	1
Cordwainer	1

Conditions Applied to Licences Granted by way of Delegated Authority

Burlington Bertie

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, 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.

Continental Sandwich Bar

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, 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.

Liberty Speciality Markets

1. The general public shall not be admitted to the premises, access to licensable activities will only be provided for employees of the premises licence holder, agents, servants and invited guests.

2. A CCTV system shall be maintained covering access points on both floors. Images recorded shall be retained for at least 31 days. Police and authorised officers of the licensing authority shall be allowed access to live and recorded images provided such requests are made in accordance with the Data Protection Act/GDPR as appropriate. Copies of recorded images authorised for release as above will be made available within 48 hours.

3. Alcohol sold for consumption outside of 20 Fenchurch Street shall be in sealed containers.

Freshfields

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 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.

Squire Patton Boggs LLP

1. Licensable activities shall only be provided for employees and bona fide guests of Squire Patton Boggs (UK) LLP.

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Appendix 2

Licence Variations Issued by way of Delegated Authority (01 July 2020 to 30 September 2020)

Name	Address	Ward	Variation
Goodmans	11 Old Jewry	Walbrook	<ul style="list-style-type: none"> Extend terminal hour for licensable activities to 1am, add off sales of alcohol ancillary to take-away meals
Edyn	Broken Wharf House, 2 Broken Wharf	Queenhithe	<ul style="list-style-type: none"> Variation to allow off sales in designated external area
Leonardo Royal Hotel	8/14 Coopers Row	Tower	<ul style="list-style-type: none"> Extend terminal hour for licensable activities to 3am, change of layout of premises
Haz	36 Foster Lane	Cheap	<ul style="list-style-type: none"> Variation to place a beer tap outside

Total Number of Variations Issued = 4

Number of Licences by Ward

WARD	No.
Cheap	1
Queenhithe	1
Tower	1
Walbrook	1

Conditions Added to Licences Granted by way of Delegated Authority

Goodmans

1. The provision of alcohol for consumption off the premises shall be in sealed containers only and ancillary to a take-away meal.

Edyn

1. There shall be no off sales of alcohol in open containers, save for patrons seated in any designated external areas as shown on the approved licence plan or in any area as approved by virtue of a pavement licence.

Leonardo Royal

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, 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. The premises will not hold promoted events, a promoted event being defined as follows: “A promoted event is an event 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 premises licence holder and the event is (independent of the premises licence holder) promoted to the general public”

Haz

No further conditions added.

Personal Licences Issued by way of Delegated Authority

01 January 2020 to 31 March 2020

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Enforcement Action Carried out Under the Licensing Act 2003
01 July 2020 – 30 September 2020

Total Number of Inspections	50 (constant monitoring, focusing on advising premises as to new regs)
Number of Warning Letters	0
Number of Premises advised	50
Number of simple cautions	0
Number of suspension notices	31 (emails to say if you haven't paid we are obliged to suspend licence)
Licence lapsed*	0
'Dead' Suspensions**	0
'Live' Suspensions***	0
Under determination	0

*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
01/07/2020 and 30/09/2020

Total number of complaints: 2

Barbie Green, 2 London Wall Place, London, EC2Y 5AU

Alleged music and noise from Barbie Green.	21:05	31/07/2020	Resolved informally	Bassishaw
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Loch Fyne, 77 Gracechurch Street, London, EC3V 0AS

Complaint regarding roof plant noise at Loch Fyne 15:37 Restaurant (currently closed)	05/08/2020	Case still in progress	Langbourn
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By virtue of paragraph(s) 3 of Part 1 of Schedule 12A
of the Local Government Act 1972.

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