



Licensing Committee

Date: WEDNESDAY, 15 MAY 2013
Time: 1.45pm
Venue: COMMITTEE ROOM - 2ND FLOOR WEST WING, GUILDHALL

Members:

Alex Bain-Stewart	Michael Hudson
Deputy John Barker	Deputy Edward Lord
Jamie Ingham Clark	Judith Pleasance
Revd Dr Martin Dudley	Chris Punter
Peter Dunphy	Tom Sleigh
Kevin Everett	James Tumbridge
Sophie Fernandes	Alderman Simon Walsh
Marianne Fredericks	

Enquiries: Rakesh Hira
tel. no.: 020 7332 1408
rakesh.hira@cityoflondon.gov.uk

Lunch will be served for Members in the Guildhall Club at 1pm

John Barradell
Town Clerk and Chief Executive

AGENDA

Part 1 - Public 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, 25 April 2013, appointing the Committee and approving its Terms of Reference (copy attached).

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 three Members, in addition to the Chairman and Deputy Chairman of the Grand Committee, to chair Licensing (Hearing) Sub Committee meetings, and to appoint the Reference Sub Committee for the ensuing year.

For Decision

7. **PUBLIC MINUTES**

To agree the public minutes and summary of the meeting held on 14 January 2013 (copy attached).

For Decision
(Pages 3 - 10)

8. **MINUTES OF LICENSING (HEARING) SUB COMMITTEES** **For Information**
- a) The Pelt Trader, Arch 3, Dowgate Hill, London, EC4N 6AP - 11 February 2013 (Pages 11 - 18)
 - b) Bird of Smithfield, 26 Smithfield, London, EC1A 9LB - 12 March 2013 (Pages 19 - 24)
 - c) Amber, City Point, 1 Ropemaker Street, London, EC2Y 9AS - 24 April 2013 (Appendix to be Tabled) (Pages 25 - 28)
9. **APPEALS AGAINST LICENSING (HEARING) SUB COMMITTEE DECISIONS**
The Comptroller & City Solicitor to be heard. **For Information**
10. **DELEGATED DECISIONS PERTAINING TO PREMISES LICENCES**
Report of the Director of Markets and Consumer Protection (copy attached). **For Information**
(Pages 29 - 38)
11. **GAMBLING ACT - ANNUAL REVIEW OF FEES**
Report of the Director of Markets and Consumer Protection (copy attached). **For Decision**
(Pages 39 - 46)
12. **DEPARTMENT OF MARKETS & CONSUMER PROTECTION BUSINESS PLAN 2013-2016**
Report of the Director of Markets and Consumer Protection (copy attached). **For Decision**
(Pages 47 - 82)
13. **TABLES AND CHAIRS**
Verbal update by the Director of Markets and Consumer Protection. **For Information**
14. **QUESTIONS ON MATTERS RELATING TO THE WORK OF THE COMMITTEE**
15. **ANY OTHER BUSINESS THAT THE CHAIRMAN CONSIDERS URGENT**

This page is intentionally left blank

Agenda Item 3

GIFFORD, Mayor	RESOLVED: That the Court of Common Council holden in the Guildhall of the City of London on Thursday 25th April 2013, doth hereby appoint the following Committee until the first meeting of the Court in April, 2014.
----------------	---

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 2013/14**
 - 1 (1) Michael Hudson, *for one year*
 - 1 (1) Judith Lindsay Pleasance, *for one year*
 - 1 (1) Thomas Charles Christopher Sleigh, *for one year*
 - 11 (4) Simon Walsh, M.A., Alderman *
 - 9 (3) Alex Bain-Stewart M.Sc., J.P.
 - 11 (3) Kevin Malcolm Everett, D.Sc.
 - 3 (3) Sophie Anne Fernandes
 - 3 (3) James Richard Tumbridge
 - 1 (1) John Alfred Barker, O.B.E., Deputy, *for three years*
 - 10 (2) The Revd. Dr. Martin Dudley
 - 5 (2) Marianne Bernadette Fredericks
 - 3 (1) Peter Gerard Dunphy
 - 1 (1) Jamie Ingham Clark
 - 11 (1) Charles Edward Lord, O.B.E., J.P., Deputy
 - 11 (1) Chris Punter

* Alderman Simon Walsh will be standing down from the Court of Common Council shortly and his vacancy will be advertised for appointment at the May meeting of the Court of Common Council.
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 (in consultation 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.

This page is intentionally left blank

Agenda Item 7

LICENSING COMMITTEE Monday, 14 January 2013

Minutes of the meeting of the Licensing Committee held at Guildhall, EC2 on
Monday, 14 January 2013 at 1.45 pm

Present

Members:

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

Officers:

Simon Murrells	- Assistant Town Clerk
Rakesh Hira	- Town Clerk's Department
Caroline Webb	- Town Clerk's Department
Ignacio Falcon	- Town Clerk's Department
Paul Chadha	- Comptroller & City Solicitor's Department
David Smith	- Director of Markets and Consumer Protection
Jon Averbs	- Markets & Consumer Protection Department
Steve Blake	- Markets & Consumer Protection Department
Peter Davenport	- Markets & Consumer Protection Department

1. APOLOGIES

Apologies were received from Deputy Doug Barrow, Dr Peter Hardwick and Alderman Simon Walsh.

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

The Revd Dr Martin Dudley declared a general interest as a Designated Premises Supervisor (DPS) of a City premises and a personal licence holder. He did not consider this interest to be prejudicial in relation to item 9.

3. TERMS OF REFERENCE

In accordance with the Order of the Court of Common Council, of 6 December 2012, the Committee reviewed their terms of reference prior to its submission to the Court at its meeting in April 2013.

A discussion took place on including an additional reference to the Licensing Committee being able to consider any relevant statutory re-enactments or regulations made to the Licensing Act 2003. It was noted that the wording would be drafted by the Town Clerk in consultation with the Chairman and Deputy Chairman under delegated authority.

It was agreed that involvement of this Committee in the appointment of the Director of Markets and Consumer Protection would be added to the Terms of Reference.

RESOLVED – That the Terms of Reference be approved and submitted to the Court of Common Council meeting in April 2013 subject to the following:

- An additional reference be added in relation to the Licensing Committee being able to consider any relevant statutory re-enactments or regulations made to the Licensing Act 2003 which would be approved under Delegated Authority by the Town Clerk in consultation with the Chairman and Deputy Chairman and;
- Reference to the Licensing Committee being involved in the appointment of the Director of Markets and Consumer Protection be included in the Terms of Reference.

4. **COURT ORDER**

The Committee received the Order of the Court of Common Council, of 6 December 2012, concerning the Post-implementation Review of the Governance Arrangements.

In response to a question by a Member it was highlighted that officers were looking at more joined-up working by regulatory committees to look at issues such as tables and chairs and that a report would be submitted to a future meeting.

RECEIVED

5. **PUBLIC MINUTES**

The public minutes and summary of the meeting held on 22 October 2012 were approved as a correct record subject to the deletion of the third paragraph under the Delegated Decisions Pertaining to Premises Licences item, namely "*A change to Appendix IV (page 49) was made as follows – there shall be no sale of alcohol on the roof terrace after 22.00 hours*" being amended to read "*A change could not be made to the condition at Appendix IV (page 49) but it was highlighted that the condition should have read there shall be no sale (rather than supply) of alcohol on the roof terrace after 22:00 hours*".

Matters Arising

Charity Collections

A discussion took place on the regulations regarding charity collections in licensed premises. It was noted that those persons collecting money from people in the City required a permit as set out under the regulations made under s.5 of the Police, Factories & c. Miscellaneous Act 1916, in respect of street collections.

A list of 43 charities which were permitted to collect charitable collections without a permit was tabled.

A discussion took place and Members expressed concern about bogus charitable collections taking place in the City. In response to a question by a Member it was pointed out that the enforcement of the regulations was for the City Police to take forward and not a matter for this Committee.

RESOLVED – That a resolution be sent to the Police Committee highlighting this Committee's concerns and seeking a reassurance over enforcement of the regulations.

6. MINUTES OF LICENSING (HEARING) SUB COMMITTEES

The minutes of the Licensing (Hearing) Sub Committees as below were **RECEIVED**.

6.1 **21 November 2012 - Club 2AD, 2 Crutched Friars, London, EC3N 2HT - Consideration of Interim Steps**

6.2 **23 November 2012 - Club 2AD, 2 Crutched Friars, London, EC3N 2HT - To consider Representations by Premises Licence Holder on taking Interim Steps**

6.3 **27 November 2012 - The Duke & Duchess, 2-3 Creed Lane, London, EC4V 5BR**

A discussion took place on Ward Members being made aware of Temporary Event Notices in their Ward. The Licensing Manager reported that there would be a resource issue in sifting through each Temporary Event Notice and sending the information onto each Ward Member but that the information was displayed on the website.

It was noted that a previous request had been made by a Member to allow people to register for an email alert to be sent onto them when a Temporary Event Notice was issued in a particular Ward.

6.4 **17 December 2012 - Club 2AD, 2 Crutched Friars, London, EC3N 2HT - Summary Review Hearing**

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

The Comptroller & City Solicitor reported that the 21 days for lodging an appeal for the premises 'Club 2AD, 2 Crutched Friars, London, EC3N 2HT' had passed last Friday and confirmation was being awaited from Westminster Magistrates Court if an appeal had been lodged. In response to a request by a Member it was noted that the outcome on whether an appeal had been lodged or not would be sent onto him in due course.

In relation to the premises 'Patch, 58-62 Carter Lane, London, EC4V 5EA' the Comptroller & City Solicitor explained that the appeal was meant to be heard last week but was withdrawn by the appellant back in November 2012.

8. **DELEGATED DECISIONS PERTAINING TO PREMISES LICENCES**

A report of the Director of Markets and Consumer Protection detailing the premise licences and variations granted under the Licensing Act 2003 by the Licensing Service from 1 October 2012 to 31 December 2012 was considered. The report also provided a summary of the enforcement action taken under the Licensing Act 2003 between 1 October 2012 and 31 December 2012.

In relation to the licence variations issued by way of delegated authority it was clarified that for the premises 'Heron Tower, 110 Bishopsgate' the variation of changing the terminal hour to a 24 hour licence related only to floors 38, 39 and 40 of the premises.

A discussion took place on the enforcement action carried out and the breakdown of complaints (page 34), the Chairman pointed out that the names of the premises and the action taken would be included in future reports.

RECEIVED

9. **LICENSING ACT 2003: REVIEW OF STATEMENT OF LICENSING POLICY 2013**

A report of the Director of Markets and Consumer Protection on the review of the Statement of Licensing Policy was considered. The report explained that in its capacity as the Licensing Authority, the City Corporation published its first statutory statement of licensing policy under the Licensing Act 2003 in January 2005 and a subsequent review was published in January 2008 and again in January 2011. Although not statutorily due for a further review until 2016 it was felt that due to changes in the Corporation's policies and procedures, the introduction of a new code of practice and major legislative changes to the Licensing Act 2003 there was a need to revise and update the Statement of Licensing Policy sooner.

The following amendments, which were tabled, were taken into consideration and agreed by the Committee to be incorporated into the Statement of Licensing Policy:

Paragraph 37

Replace first line with:

'The City Corporation always expects every Premises Licence Holder to comply fully with its statutory duty to promote the licensing objectives and in respect of any 'promoted event' therefore strongly recommends that:'

Paragraph 48 – line 9

Remove. '...the race, religion, sex or sexuality...'

Replace with, '...protected characteristics, as defined by the Equalities Act 2010,...'

Paragraph 55 – line 3

Add the following text after '...licensing conditions.'

'...licensing conditions (these mandatory conditions applying to all premises licences).

Paragraph 57

Checks still being carried out on latest Government policy.

If paragraph 57 is shown to be no longer true changes would be made before the policy goes to print and approved by way of Delegated Authority.

Paragraph 63(v) – line 5

Replace 'Bridge' with 'Brigade'

Paragraph 72

Delete the first line of the paragraph and replace with:

'When the current licensing regime passed to Local Government in 2005, one of the aims was to prevent concentrations of...'

Page 32

Insert CD13 (e):

Where a premises holds a special event which is expected to attract a greater than usual number of patrons (and in excess of 500) the Premises Licence Holder will be expected to notify the City of London Police Licensing Team in advance of the event.

Page 56

After Primary Care Trust add:

'...(until 31 March 2013 and thereafter its statutory successor)...'

The Chairman explained that the above amendments would be circulated to Members of the Court and orally reported at the Court of Common Council meeting on 17 January 2013.

In relation to the Foreword text it was highlighted that this did not require Court of Common Council approval and would be inserted once the policy had been agreed.

RESOLVED – That Members agree that:

- the amendments to the draft 2013 Statement of Licensing Policy in light of the consultation responses be approved as the final text and;
- the Statement of Licensing Policy be submitted to the Court of Common Council for final approval, subject to the above amendments.

10. GAMBLING ACT 2005: REVIEW OF STATEMENT OF LICENSING PRINCIPLES 2013

A report of the Director of Markets and Consumer Protection on the Gambling Act 2005: Review of Statement of Licensing Principles was considered. The report explained that the Gambling Act 2005 required all licensing authorities to produce and publish a Statement of Licensing Principles. The legislation required that all authorities reviewed their policy at three yearly intervals and was last reviewed in January 2010 and therefore required to be reviewed in January 2013.

RESOLVED – That Members agree that:

- the amendments to the draft 2013 Statement of Licensing Principles in light of the consultation responses be approved as the final text and;
- the Statement of Licensing Principles be submitted to the Court of Common Council for final approval.

11. LATE NIGHT LEVY

A report of the Director of Markets and Consumer Protection in relation to the Late Night Levy consultation proposals was considered. The report explained that the Police Reform and Social Responsibility Act 2011 had introduced the power for licensing authorities to impose a late night levy in the City. Within the legislation there was a proposal to consult on various matters relating to a proposed levy prior to its introduction. The report expanded on the introductory report put before the Committee on 22 October 2012 as the regulations had now been introduced.

Agreement was sought on the consultation of the proposals to introduce a Late Night Levy and outlined the proposed areas for consultation and those persons it was felt should be included as consultees. The Assistant Director (Environmental Health & Public Protection) explained that those who would be consulted would include the City of London Police, the City Corporation's Police Committee and the holders of relevant late night authorisations. The consultation document would also be circulated to a minimum of six local resident groups and the Safer City Partnership.

A discussion took place on the statutory fee and it was noted that this was determined by the band the property fell in and could potentially be four times the amount of the licence fee.

In response to a question by a Member in relation to Early Morning Restriction Order's (EMRO's) the Assistant Director (Environmental Health & Public Protection) reported that as this Committee had decided that it did not wish to consider enforcing EMRO's this would not impact on the levy.

It was noted that the levy aimed to encourage premises to focus on the hours applied for and if the premises decided to open during late night hours they would contribute towards the cost of policing.

In response to a question it was noted that no other Licensing Authority had the levy in force and that if the City Corporation implemented the levy in October 2013 it was likely to be one of the first in the country.

RESOLVED – That Members agree the areas which should be consulted upon (paragraphs 10 – 15) and the list of consultees (paragraphs 7 and 8) subject to the above amendments.

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

There were no questions.

13. ANY OTHER BUSINESS THAT THE CHAIRMAN CONSIDERS URGENT

Urgency Procedures

The Town Clerk reported that the following decisions which were taken under urgency procedures since the last meeting:

- (a) Power was given to a Sub Committee to consider objections from "all relevant persons" and not just the Police (which was previously the case) to consider 'Temporary Event Notices'.
- (b) Approval was given for the Licensing and Gambling Policies to be submitted to the Court of Common Council meeting on 17 January 2013.

RECEIVED

Caroline Webb

The Chairman thanked Caroline Webb, Committee & Member Services Officer, for her work and contributions to the Committee and Sub Committee Hearings and wished her well for the future.

Chairman's Thanks

As this was the Chairman's last meeting in the Chair he thanked Members and officers for their support during his chairmanship and wished Members well for the March 2013 elections.

The meeting ended at 2.28 pm

Chairman

Contact Officer: Rakesh Hira
tel. no.: 020 7332 1408
rakesh.hira@cityoflondon.gov.uk

MINUTES OF THE LICENSING (HEARING) SUB COMMITTEE

HELD ON 11 FEBRUARY 2013 AT 10:00 AM

APPLICANT: JONATHAN DALTON
PREMISES: THE PELT TRADER, ARCH 3, DOWGATE HILL,
LONDON, EC4N 6AP

PRESENT

Sub Committee

Deputy Edward Lord (Chairman)
Alex Bain-Stewart
Dr Revd Martin Dudley

City of London Officers

Rakesh Hira - Town Clerk's Department
Paul Chadha - Comptroller & City Solicitor's Department
Peter Davenport - Markets & Consumer Protection Department

Applicant

Jonathan Dalton supported by Piers Warne, Solicitor (TLT LLP)

Representations of objection:

Alderman Alison Gowman
Mr Tim Straker QC on behalf of Cannon Bridge Properties Ltd

In Attendance

Mr Nicholas Baker (Beadle & Freeman of the Tallow Chandlers' Company)
Clare Missen on behalf of Mr Russell Vaizey (Dyers' Company)
Wayne Taylor, Local Resident and on behalf of John Cook (Skinners' Company)
Rita Thomas, City of London Police
Hector McKoy, City of London Police
Lee Sandford, Environmental Health
Tony Bride, Environmental Health
Henry Pollard, Member of the Court of Common Council

Licensing Act 2003 (Hearings) Regulations 2005

- 1) A public hearing was held at 10.00am in the Committee Rooms, Guildhall, London, EC2, to consider the representations submitted in respect of an application for the premises 'The Pelt Trader, Arch 3, Dowgate Hill, London, EC4N 6AP'.

The Sub Committee had before them a report of the Director of Markets and Consumer Protection, which appended copies of:-

Appendix 1: Copy of Application

- Appendix 2: Conditions consistent with the operating schedule
- Appendix 3: Plan of Premises
- Appendix 4: Representations from responsible authorities
- Appendix 5: Representations from Other Persons
- Appendix 6: Map of subject premises together with other licensed premises in the area and their latest terminal time for alcohol sales

An additional letter, dated 29 January 2013, from the applicant’s solicitor was also taken into consideration.

- 2) The hearing commenced at 10.04am.
- 3) The Chairman opened the hearing by introducing himself, the other Members of the Sub Committee, the officers present and the nature of the application.
- 4) It was noted that no members of the Sub Committee had any declarations.
- 5) The application for a premises licence, following amendments by the applicant, was as follows:

<u>Activity</u>	<u>Current Licence</u>	<u>Proposed Licence</u>
Supply of Alcohol	Not Applicable	Sunday - Wednesday 10:00 – 23:00 Thursday, Friday and Saturday 10:00 – 00:30
Late Night Refreshment	Not Applicable	Thursday, Friday and Saturday 23:00 – 00:30

- 6) Mr Warne began explaining that all parties had been sent a letter, dated 29 January 2013 which reduced the hours of the licensable activities and removed Recorded Music to emphasise that the premises did not intend to open as a late night premises or be perceived as night club. The premises would attract a mature considered crowd and also be used for function events. There would be no promoted events as the premises would operate as a traditional pub. Mr Warne pointed out that the applicant, Mr Dalton, had experience of operating other premises in London which were located close to major transport hubs.

- 7) The premises intended to offer a pizza dish and serve a bespoke offering of unusual beer. Mr Dalton was the proposed Designated Premises Supervisor (DPS) for the purposes of the application however an experienced manager who had worked with Mr Dalton for over seven years would take on this role if the application was granted. Mr Warne explained that public nuisance issues may arise but they would be managed effectively by the management and that it was hoped that an open dialogue would be explored with the local residents and those making representations.
- 8) In relation to outside drinking and the control of noise Mr Warne said that the premises were not located on a narrow street and that a member of staff would monitor the outside area with customers being encouraged to stay away from Cannon Bridge Properties; which would also form part of the management policy. The premises would be monitored by the traffic light system; take into consideration the Code of Practice and minor variations would be explored in the future, if problems with the premises emerged. Mr Warne explained that if outside drinking was a problem the government would have formed some sort of legislation to deal with it.
- 9) With regard to transport links from the premises at night Mr Warne highlighted that night buses operated every 15 minutes and tube stations, other than Cannon Street, were open till late and taxis were also an option for customers to use.
- 10) Alderman Gowman highlighted her concerns with the application pointing out that the pavement would be blocked by customers who would go outside to smoke and would therefore cause difficulties for residents and people walking along the hill. Mr Warne in response explained that a dedicated member of staff would be monitoring the customers outside, at busy times, to ensure that the pavement was not blocked. He pointed out that the pavement was three metres away from the edge of the premises and was therefore a wide area. In relation to the nearby security bollards Mr Warne pointed out that if there was a concern a representation would have been submitted by the City of London police.
- 11) Mr Straker explained that the Cannon Bridge Properties building, which was directly next to the premises, had a sheltered roof and that customers wishing to go outside of the premises to smoke would use that sheltered area, especially in bad weather, as this was close to the premises. Mr Warne explained that Mr Dalton had good management experience of operating similar premises and that the situation would be carefully managed and that if a continuing problem did occur the premises would be open to a review.
- 12) In response to a question by a member of the Sub Committee, Mr Warne said that there were night buses operating between 1:00am – 5:00am every 9-15 minutes and that taxis would also be an option for those

leaving the premises at later hours. In relation to the monitoring of the customers outside the premises Mr Warne explained that although it was a public highway and there was no legal basis to force people not to stand in front of other premises the management would bar them if they did not co-operate with management.

- 13) Mr Warne pointed out that the applicant should be provided with an opportunity to show that he could successfully operate the premises and deal with problems effectively. If residents or nearby businesses had concerns they were open to call the premises and report any problems so that they could be dealt with promptly.
- 14) All parties were given an opportunity to sum up and then Members of the Sub Committee withdrew to deliberate and make their decision, accompanied by the representatives of the Town Clerk and the Comptroller and City Solicitor.
 1. It was the Sub Committee's decision to grant the licence, taking into account the removable of Recorded Music from the application and the reduced opening hours.
 2. The Chairman explained that the Sub Committee felt that the applicant should be given an opportunity to operate the premises but there were concerns about the outside drinking and therefore the following condition would be attached to the licence:
 - The sale of alcohol for consumption off the premises in unsealed containers would only be permitted from 19:00 hours to 21:00 hours.
- 15) The Chairman said that a full decision would be circulated in due course and thanked all parties for attending the hearing.

The meeting ended at 11:32am

Chairman

Contact Officer: Rakesh Hira
Tel. no. 020 7332 1408
E-mail: rakesh.hira@cityoflondon.gov.uk

Decision letter circulated to all parties on 15 February 2013

I write to confirm the decision of the Licensing Sub Committee at the hearing on 11 February 2013 in relation to the above-mentioned application. The Sub Committee's decision is set out below.

1. This decision relates to an application made by Jonathan Dalton for a new premises licence in respect of the premises 'The Pelt Trader, Arch 3, Dowgate Hill, London, EC4N 6AP'.

The application sought to provide the following licensable activities:

<u>Activity</u>	<u>Current Licence</u>	<u>Proposed Licence</u>
Supply of Alcohol	Not Applicable	Mon to Tue 10:00 – 00:00 Wed 10:00 – 00:30 Thu – Sat 10:00 – 02:00 Sun 11:00 – 23:30
Recorded Music	Not Applicable	Mon to Tue 08:00 – 00:00 Wed 08:00 – 00:30 Thu – Sat 08:00 – 02:00 Sun 08:00 – 23:30
Late Night Refreshment	Not Applicable	Mon to Tue 23:00 – 00:00 Wed 23:00 – 00:30 Thu – Sat 23:00 – 02:00 Sun 23:00 – 23:30

2. The application was later amended, as set out on the letter from TLT dated 29 January 2013 as follows:
 - That section of the application relating to recorded music be removed.
 - The hours applied for in relation to licensable activities to be cut back to 23:00 Sunday to Wednesday and 00:30 Thursday, Friday and Saturday.

- Opening hours to be amended in light of the above to permit an additional 30 minutes 'drinking-up time' at the termination of hours for licensable activities. This means that that part of the application relating late night refreshment falls away on Sunday to Wednesday.

In addition, the following conditions be added to the operating schedule (in addition to those already set out in the application):

- A dispersal policy will be drawn up and made available to council licensing, environmental protection and police on request, detailing how customers will be dispersed from the premises to cause minimal disturbance to residents in the vicinity.
 - On Thursday and Friday evenings from 17:00 until close, a member of staff, designated for the purpose, will ensure that customers outside the premises do not block the pavement to pedestrians and that all glasses are collected quickly.
 - At all trading times, the area immediately outside the premises will be regularly monitored by staff in order to ensure that the area is kept free of litter and glasses.
3. The Sub Committee considered the application and carefully considered the representations submitted in writing and orally at the hearing by the applicant and those representing local residents and businesses.
 4. In reaching the 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 2011.
 5. Furthermore, the Sub Committee took on board the duty to apply the statutory test as to whether an application should or should not be granted, that test being that the application should be granted unless it was satisfied that it was necessary to refuse all, or part, of an application or necessary to impose conditions on the granting of the application in order to promote one (or more) of the licensing objectives.
 6. In determining the application the Sub Committee first and foremost put the promotion of the licensing objectives at the heart of their decision. In this instance, the most relevant of those objectives being public safety and the prevention of public nuisance.
 7. In reaching its decision the Sub Committee took into account the nature of the operation proposed by the applicant and were assisted by the additional written information, set out in the applicant's solicitor's letter dated 29 January 2013. The Sub Committee concluded that, in discharging its duty to promote the licensing objectives, it was not necessary to reject the application or to exclude any of the licensable activities sought. The Sub Committee then considered

whether it was necessary and appropriate to impose any conditions upon the licence, to promote the relevant licensing objectives.

8. The Sub Committee had concerns in respect of those representations relating to drinking outside the premises, in particular, patrons congregating outside the premises in Dowgate Hill. The Sub-Committee recognised the potential for public nuisance arising in such circumstances but were of the view that such concerns could be addressed by the imposition of an appropriate condition on the premises licence and that the applicant should be given an opportunity to manage these premises responsibly. In the event that it transpired that public nuisance did arise as a result of patrons drinking outside the premises then this issue could be addressed by a review of the premises licence.
9. The Sub-Committee also considered the proposed conditions offered up by the Applicant and decided that it was not necessary and appropriate to place such conditions on the premises licence as the licensing authority's Code of Practice adequately addressed these issues.
10. It was the Sub Committee's decision to grant the premises licence, taking into account the amended application, subject to the following condition:
 - The sale of alcohol for consumption off the premises in unsealed containers will only be permitted from 19:00 hours to 21:00 hours.
11. If the Sub Committee was wrong and the conditions prove insufficient to prevent a public nuisance associated with these premises, all parties are reminded that any responsible authority, business, resident or a Member of the Court of Common Council is entitled to apply for a review of the licence which may result, amongst other things, in a variation of the conditions, the removal of a licensable activity or the complete revocation of the licence.
12. If any party is dissatisfied with the decision, he or she is reminded of the right to appeal, within 21 days, to a Magistrates' Court. Any party proposing to appeal is also reminded that under s181(2) of the Licensing Act 2003, the Magistrates' Court hearing the appeal may make such order as to costs as it thinks fit.

This page is intentionally left blank

MINUTES OF THE LICENSING (HEARING) SUB COMMITTEE

HELD ON 12 MARCH 2013 AT 2.00 PM

APPLICANT: PUNCH TAVERNS PLC
PREMISES: BIRD OF SMITHFIELD, LONDON EC1A 9LB

PRESENT

Sub Committee:

Kevin Everett (Chairman)
Marianne Fredericks
Deputy Douglas Barrow

City of London Officers:

Julie Mayer -Town Clerk's Department
Paul Chadha-Comptroller & City Solicitor's Department
David Smith – Director of Markets and Consumer Protection
Peter Davenport - Markets & Consumer Protection Department
Lee Sandford – Environmental Health (Responsible Authority)

Applicant:

Represented by Matthew Phipps, Solicitor (TLT LLP)
Andrew Quibell – Client's Business Relationship Manager
George Muir – General Manager
Sian Austin – Operations Manager
Stephen Collins – Managing Director

Representations of objection:

Deputy Edward Lord – Common Councilman, City of London
Deputy Wendy Mead – Common Councilman, City of London

Licensing Act 2003 (Hearings) Regulations 2005

- 1) A public hearing was held at 2pm in the Committee Rooms, Guildhall, London, EC2, to consider the representations submitted in respect of an application for the premises 'Bird of Smithfield', London EC1A 9LB

- 2) The Sub Committee had before them a report of the Director of Markets and Consumer Protection, which appended copies of:-

Appendix 1: Copy of Application

Appendix 2: Conditions consistent with the operating schedule

Appendix 3: Plan of Premises

- Appendix 4: Representations from responsible authorities
- Appendix 5: Representations from Other Persons
- Appendix 6: Map of subject premises together with other licensed premises in the area and their latest terminal time for alcohol sales

A management procedure, business plan and updated plans were also taken into consideration.

- 2) The hearing commenced at 2.00 pm
- 3) The Chairman opened the hearing by introducing himself, the other Members of the Sub Committee, the officers present and the nature of the application.
- 4) It was noted that no Members of the Sub Committee had any declarations. However, Deputy Edward Lord, who was representing the local residents, advised those present that he is the Chairman of the City of London Corporation's Licensing Committee. However, Deputy Lord was present as an advocate, which had no bearing on the impartiality of the Hearing.
- 5) The application for a premises licence, following amendments by the applicant, was as follows:

<u>Activity</u>	<u>Current Licence</u>	<u>Proposed Licence</u>
Supply of Alcohol	Not Applicable	Mon to Thu 07:00 – 02:00 Fri – Sat 07:00 – 03:00 Sun 09:00 – 02:00 Sale on roof terrace only from 12:00 to 23:30 Mon-Sun.
Recorded Music	Not Applicable	Mon to Thu 07:00 – 02:00 Fri – Sat 07:00 – 03:00 Sun 09:00 – 02:00 Background music only on roof terrace and only between 10:00 and 23:30 Mon-Sun.
Films, Live Music and anything similar to Live and Recorded Music	Not Applicable	Mon to Thu 07:00 – 02:00 Fri – Sat 07:00 – 03:00 Sun 10:30 – 02:00 After 23:00 Live Music is in

		Basement only.
Late Night Refreshment	Not Applicable	Mon to Thu 23:00 – 02:30 Fri – Sun 23:00 – 02:30 LNR on roof terrace restricted between 23:00 to 00:00 Mon-Sun

- 6) The applicant's representative, Mr Matthew Phipps, informed the Sub Committee that the Sunday trading times were noted incorrectly in the committee papers (page 4) and that licensable activities would finish at 02:00 hours for Sale of Alcohol, Recorded Music and Films, Live Music and anything similar to Live and Recorded Music and music and for Late Night Refreshment would finish at 02:30 hours. The confusion had arisen from the use of the 24 hour clock on the application form.
- 7) Members noted that the conditions of the current licence and the new one before the sub committee were very close; the substance of the variation being to extend the period of occupation of the roof terrace (currently 11pm) to 12 midnight, with alcohol sales ceasing at 11.30 pm. There was also a small variation to moderate hours for New Year's Eve.
- 8) Mr Phipps advised assured the sub committee that the terrace would be supervised at all times, there would be background music only and no regulated entertainment.
- 9) If Members were minded to grant the application, the existing licence would be surrendered.
- 10) The sub committee noted that a previous application for this premises had included an entertainment licence for 'strip tease' but this no longer applied.
- 11) Mr Phipps expanded on the Business Plan and refurbishments to the premises, which had been approved by the local authority. The applicant sought to enrich the local community with a high quality dining offer, run in a similar manner to a private dining club. The proposed pricing structure would guide the clientele.
- 12) Mr Phipps explained that the current application was new and not a variation, as the applicant wanted to make a clear distinction between the old and new operation and highlight the new layout and spirit of the establishment.
- 13) The Sub Committee noted that the Police had sought two amendments, which were set out in the Annex at the rear of the application. The Sub Committee noted that the Police had asked for an assurance that there would be no promoted events.

- 14) In responding the objections raised, Mr Phipps felt that they might be disproportionate; given there were commercial properties on either side.
- 15) The Sub Committee noted that there was a residential property closeby, currently unoccupied, and the current owner would be seeking a residential let. Mr Phipps felt that an objection about currently unoccupied premises was unreasonable and based on presumption, given that there had been no history of complaints.
- 16) The Chairman invited Deputy Lord to speak on behalf of the local residents. Deputy Lord was concerned that, when a licence was first granted to the premises at 26 Smithfield, there were far less residential units in the area. The Sub Committee noted that 11-12 Smithfield is a permanent residential block, containing 21 occupied flats.
- 17) Deputy Lord was also concerned that this was the third application for 26 Smithfield in three years and the previous ventures had failed. The Sub Committee were asked to be mindful that, should this happen again, the nature of the establishment might change within a short period of time.
- 18) Mr Phipps advised that, whilst this was partially true, the business had been trading well at the point of the recent sale. The Sub Committee noted that there had been no trading activity since September 2012, due to the current refurbishments.
- 19) The residents, represented by Deputy Lord, felt that the long opening hours were unnecessary for such a high-end establishment. Mr Phipps defended the position as the later hours were intended for the basement bar. The Sub Committee were reminded of the City of London's Licensing Policy, which invites a range of closing times within a locality. Mr Phipps advised the sub committee that the applicant would be unlikely to take full advantage of the opening hours, i.e. on quiet evenings such as Mondays.
- 20) The applicant agreed to cease off-sales at 10 pm.
- 21) There were further concerns raised about smoking on the roof terrace but the sub committee were reminded that, whilst undesirable, smoking is not a licensable activity and this would cease on closure of the roof terrace.
- 22) Deputy Lord asked the sub committee to be mindful of the minutes from a previous Hearing (12.12.2011), where public safety concerns had been raised about patrons interacting with the market activities.
- 23) Mr Phipps advised that the applicant had sought to engage with the local Ward Members but the offer had not been reciprocated.

- 24) The Chairman invited Mr Lee Sandford (Environmental Health Officer) to speak. Mr Sandford confirmed that there had been no history of complaints about the premises at 26 Smithfield.
- 25) All parties were given an opportunity to sum up and Members of the Sub Committee withdrew to deliberate and make their decision, accompanied by the representatives of the Town Clerk and the Comptroller and City Solicitor.
- 26) **It was the Sub Committee's decision to grant the licence, with the following amendments:**
- a) **No use of the roof terrace shall be permitted between 23.30 hrs and 07.00 hrs**
 - b) **The removal of condition 5 which was not considered necessary or appropriate**
 - c) **There shall be no promoted events on the premises.**
 - d) **There shall be no sale of alcohol for consumption off the premises after 22.00 hours**
- 27) The Chairman said that a full decision would be circulated in due course and thanked all parties for attending the hearing.

The meeting ended at 5 pm

Chairman

Contact Officer: Julie Mayer
Tel. no. 020 7332 1410
E-mail: julie.mayer@cityoflondon.gov.uk

This page is intentionally left blank

MINUTES OF THE LICENSING (HEARING) SUB COMMITTEE

HELD ON 24 APRIL 2013

APPLICANT: A3D2 LIMITED
PREMISES: AMBER, CITY POINT, 1 ROPEMAKER STREET,
LONDON EC2Y 9AS

PRESENT

Sub Committee:

Marianne Fredericks CC – Chairman
Alex Bain-Stewart CC
Peter Dunphy CC

In attendance:

Michael Hudson CC
Jamie Ingham Clark CC
Judith Pleasance CC
Xanthe Couture – Town Clerk's

City of London Officers:

Julie Mayer -Town Clerk's Department
Paul Chadha-Comptroller & City Solicitor's Department
Peter Davenport - Markets & Consumer Protection Department

City of London Police:

Inspector Hector McKoy
John Hall

Applicant:

Represented by Andrew Woods (Woods Whur LLP)
Andrew Spratt – General Manager and DPS (Amber)
Gavin Hughes – Area Manager (A3D2 Ltd)

Representations of objection:

Matt Kelly – Morrison and Foerster

Licensing Act 2003 (Hearings) Regulations 2005

- 1) A public Hearing was held at 10.30 AM in the Committee Rooms, Guildhall, London, EC2, to consider the representations submitted in respect of an application for the premises 'Amber', City Point, 1 Ropemaker Street, London, EC2Y 9AS

The Sub Committee had before them a report of the Director of Markets and Consumer Protection, which appended copies of:-

- Appendix 1: Copy of Application
- Appendix 2: Premises Licence
- Appendix 3: Conditions consistent with Operating Schedule
- Appendix 4: Representation from City of London Police
- Appendix 5: Representations from Other Persons

In addition the following documents were tabled at the Hearing:

Emails between the objectors and applicant agreeing to conditions (including the subsequent withdrawal of the Barbican Association's objection) and Amber's Dispersal Policy.

- 2) The Hearing commenced at 10:45 am.
- 3) The Chairman opened the Hearing by introducing herself, the other Members of the Sub Committee, the officers present and the nature of the application.
- 4) No Members of the Sub Committee made declarations.
- 5) The Applicant sought a variation to an extend the permitted hours to 4 am on Saturday night/Sunday morning and to extend permitted hours on New Years' eve to the commencement of permitted hours on New Years' Day.
- 6) That Applicant had worked extensively with the objectors prior to the Hearing and, subsequently, the Barbican Association withdrew their objection. The Chairman then broke with convention and invited the Applicant to put their case first.
- 7) The Applicant advised that they did not intent to open on New Years' Eve until 11 am on New Years' day. In the event of the premises seeking to remain open beyond 4 am, a Temporary Event Notice would be sought.
- 8) The Sub Committee noted that an extension of off-sales was no longer sought; that glasses could not be permitted to be taken off the premises and patrons leaving the premises (ie for a cigarette) would have their hand stamped. The use of the external area was at the discretion of the Landlord.

- 9) In response to concerns raised by the Police about the elevated risk of crime and disorder; the Applicant had introduced an ID scanning device, which had a proven success rate at similar venues. The Sub Committee noted that the Magistrates Court had returned a suspended Licence to premises following the introduction of this device. The device would be used at promoted events and on Saturday evenings as, statistically, incidents were more likely to occur then. The Police confirmed that they had direct contact to the premises, in the event of such an incident, and they hold regular liaison meetings with the management. However, the applicant fully understood that the Police would seek a review if the level of crime were to increase.
- 10) The Sub Committee also noted that Mr Kelly of Morrison Foerster had been meeting regularly with the Applicant and they had co-ordinated their security arrangements. Amber's management regularly patrolled the exterior, when patrons were queuing, and were readily contactable in the event of an incident.
- 11) The Chairman then went through the Applicant's proposed conditions (Appendix 3) in order to seek agreement. (Full details are set out in the appendix to these Minutes). The S-C considered the proposed conditions (2 of them) put forward by the Applicant. The S-C then went on to consider the existing conditions which are set out in the Appendix.
- 12) All parties were given an opportunity to sum up and Members of the Sub Committee withdrew to deliberate and make their decision, accompanied by the representatives of the Town Clerk and the Comptroller and City Solicitor.
- 13) **It was the Sub Committee's decision to grant the variation to the existing licence; ie from 2 am to 4 am on Saturday night/Sunday morning subject to the imposition of the 2 conditions which had been agreed with the Barbican Association and the City of London Police. It was further decided that the existing licence conditions would be amended in accordance with the Appendix to these Minutes.**
- 14) The Chairman said that a full decision would be circulated in due course and thanked all parties for attending the Hearing.

- 15) In concluding, the Chairman reminded those present of the City of London's new Code of Practice in relation to Licensing. The applicant confirmed that he understood this.

The meeting ended at 12 noon

Chairman

Contact Officer: Julie Mayer

Tel. no. 020 7332 1410

E-mail: julie.mayer@cityoflondon.gov.uk

Committee(s):	Date(s):
Licensing Committee	15 May 2013
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
<p>Summary:</p> <p>This report details the premises licences, and variations to premises licences, granted under the Licensing Act 2003 by the Licensing Service from 1 January 2013 to 31 March 2013. 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.</p> <p>The report also gives a summary of the enforcement action taken under the Licensing Act 2003 between 1 January 2013 and 31 March 2013.</p>	

Main Report

Premises Licence Applications

1. Pursuant to the instructions from your committee, I attach for your information a list detailing ‘premises licence’ applications (Appendix I) and variations (Appendix II) granted by the Licensing Service between 1 January 2013 and 31 March 2013.
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/Corporation/LGNL_Services/Business/Licences_and_street_trading/Public_register.htm. or by contacting Peter Davenport, Licensing Manager, on extension 3227 or by email to the Licensing Team at licensing@cityoflondon.gov.uk.
4. Appendix IV details the conditions attached to the premises licences listed in Appendices I and II.

Routine Enforcement

5. 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.
6. Appendix III provides data from 1 January 2013 to 31 March 2013.
7. Licensing Officers undertake some routine enforcement visits in checking on premises licensing 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.
8. 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.
9. 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.
10. There is a very good working relationship between the 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, officers from this Department seek authorisation to take enforcement action under the Town and Country Planning Act 1990.

Response to complaints

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

Background Papers:

None

Contact:

Peter Davenport x3227

peter.davenport@cityoflondon.gov.uk

Appendix I

New Licence Applications Issued by way of Delegated Authority (Jan-Mar 2013)

Name	Address	Ward	Details	
Artigiano	70 St Pauls Churchyard	Bread Street	A, (f)	22:30
The Haberdashery	60 Holborn Viaduct	Farringdon Within	A, L, (b), (e), (f)	02:00
The Church of St Edmund King & Martyr	Lombard Street	Langbourn	A,L,(a),(b),(c), (e),(f),(g)	00:00
Le Pain Quotidien	1 St Pauls Churchyard	Bread Street	A, L	23:30
The Happenstance	1a Ludgate Hill	Bread Street	A, L	23:30
Sainsburys	63 Queen Victoria St	Vintry	A	23:00
Peel Hunt LLP	120 London Wall	Coleman Street	A	23:00
Earl of Sandwich	38-40 Ludgate Hill	Farringdon Within	A	23:00
Cote Restaurant	57 Whitecross Street	Cripplegate	A, (f)	22:30
La Piazzetta Bistro	3 White Kenett Street	Portsoken	A, L, (f)	23:30
The Flying Burrito	122 Cannon Street	Candlewick	A	22:00
Etc Venues	45 Moorfields	Coleman Street	A, (f)	23:00
Piccolo Snack Bar	7 Gresham Street	Aldersgate	A	22:00

Total Licences Issued = 13

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	(i) Dancing
(d) Boxing or Wrestling	

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

Number of Licences by Ward Order

WARD	No.
Aldersgate	1
Bread Street	3
Candlewick	1
Coleman Street	2
Cripplegate	1
Farringdon Within	2
Langbourn	1
Portsoken	1
Vintry	1

Appendix II

Licence Variations Issued by way of Delegated Authority (Jan-Mar 2013).

Name	Address	Ward	Details
Be At One	28 King William Street	Candlewick	<ul style="list-style-type: none">Extend terminal hour to 02:00 on Thursdays.
The Mercer	34 Threadneedle Street	Cornhill	<ul style="list-style-type: none">Extend hours of operation to 1st floor.
K10	3 Appold Street	Bishopsgate	<ul style="list-style-type: none">Variation of layout.
Worshipful Company of Clothworkers	Dunster Court	Tower	<ul style="list-style-type: none">Extend terminal hour to 02:00 Mon-Sun.
Plasterers Hall Ltd	1 London Wall	Aldersgate	<ul style="list-style-type: none">Extend terminal hour to 01:00 Mon-Sun.
Pontis Polo Bar	176 Bishopsgate	Bishopsgate	<ul style="list-style-type: none">Variation of layout.Addition of licensable activities (sale of alcohol and recorded music).Removal of conditions.

Total Variations = 6

Number of Licences by Ward Order

WARD	No.
Aldersgate	1
Bishopsgate	2
Candlewick	1
Cornhill	1
Tower	1

Personal Licences Issued by way of Delegated Authority

01 Jan 2013 – 31 Mar 2013 3

**Enforcement Action Carried out Under the Licensing Act 2003
1 January 2013 - 31 March 2013**

Total Number of Inspections	39
Number of Warning Letters	7
Number of Premises advised	12
Number of simple cautions	1
Number of suspension notices	16
Paid prior to suspension	11
Licence lapsed*	0
‘Dead’ Suspensions**	4
‘Live’ Suspensions***	1

*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 16

Breakdown of Complaints

Date of Complaint/Premises	Ward	Outcome
Mumbai Square	Portsoken	
15/02/2013		No nuisance witnessed; informal verbal warning to manager
19/02/2013		Informal warning – City Police visited but private event finishing
17/03/2013		No noise witnessed; warning letter sent
Pause, Basement Retail Unit	Aldgate	
02/03/2013		No noise witnessed - warning letter – Negotiated changes to sound system and crowd dispersal policy
04/03/2013		As above
M&S Simply Food	Bread Street	
28/01/2013		No nuisance witnessed; M&S

		agreed to prevent engine idling during deliveries
Brasserie Blanc	Tower	
03/02/2013		No nuisance witnessed; Music level reduced on the night after EHO visit
Clause	Bridge And Bridge Without	
08/02/2013		To Be Added; Informal warning to management – ongoing improvements following observations
Bonds	Cornhill	
11/01/2013		Informal – Hotel changed bottle disposal times
Kings Stores Public House	Bishopsgate	
01/01/2013		No nuisance witnessed; Noise ceased after SEO visit
02/02/2013		Advice to complainant
Trident Bar, Trident Club	Aldgate	
26/03/2013		No nuisance witnessed; music voluntarily stopped
14/01/2013		Observations made; No nuisance witnessed; advice given
The Breakfast Club	Bishopsgate	
28/03/2013		No nuisance witnessed
14/02/2013		No nuisance witnessed; verbal warning to manager
Shiso	Farringdon Within	
26/02/2013		Noise from air conditioning plant; Referred to Planning Dept.

Conditions Applied to Licences Granted by way of Delegated Authority

Artigiano

None

The Haberdashery

1. There shall be no promoted events on the premises. A promoted event is an event involving music and dancing where the musical entertainment is provided at any time between 23:00 and 07:00 by a disc jockey or disc jockeys one or some of whom are not employees of the premises licence holder and the event is promoted to the general public.
2. Prominent signage shall be displayed at all exits from the premises requesting that customers leave quietly.
3. 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.

The Church of St Edmund King & Martyr

1. There shall be no self-service of alcohol on the premises.
2. All doors and windows shall remain closed at all times during the provision of regulated entertainment save for entry or exit, or in the event of an emergency.
3. Prominent signage shall be displayed at all exits from the premises requesting that customers leave quietly.

Le Pain Quotidien

1. The premises shall install and maintain a comprehensive CCTV system. All 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. 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
3. Prominent signage shall be displayed at all exits from the premises requesting that customers leave quietly.

The Happenstance

1. There shall be no sale of alcohol in unsealed containers for consumption off the premises.
2. Children under the age of 16 years shall not be allowed on the premises unless accompanied by an adult.

Sainsburys

1. The premises shall install and maintain a CCTV system. All recordings shall be kept available for a minimum of 30 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.

Peel Hunt LLP

None

Earl of Sandwich

None

Cote Restaurant

1. All licensable activities named on the licence are permitted throughout the night on New Years Eve until the start of permitted hours on New Years Day.
2. The premises shall install and maintain a comprehensive CCTV system. All recordings shall be stored for a minimum period of 31 days with date and time stamping. Recordings of the preceding two days shall be made available immediately upon the request of the Police or the Licensing Authority.
3. Prominent signage shall be displayed at all exits from the premises requesting that customers leave quietly.
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.

La Piazzetta

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

The Flying Burrito

None

Etc Venues

None

Piccolo Snack Bar

None

This page is intentionally left blank

Committee(s):	Date(s):
Licensing Committee	15 May 2013
Subject: Gambling Act – Annual Review of Fees	Public
Report of: Director of Markets and Consumer Protection	For Decision
<p><u>Summary</u></p> <p>The City of London Corporation has to set annual fees for those premises requiring a licence under the Gambling Act 2005. The report outlines recent case law which has indicated that the process for setting the fees must be robust and that income received through the licensing process cannot exceed the cost of obtaining that income.</p> <p>The matters considered by the licensing service in setting the proposed fees are discussed and include all aspects, other than enforcement costs which case law currently excludes, within the licensing process.</p> <p>The proposed fees will result in a small loss of income compared with previous years. However, once all licensing activities carried out by the licensing service have been re-calculated, the net result will not affect budget income targets.</p> <p>Recommendations</p> <p>It is recommended that your Committee:-</p> <ul style="list-style-type: none"> • Agree the proposed fees for 2013/14 as set out in Appendix two (column five) to this report. 	

Main Report

Background

1. The Gambling (Premises Licence Fees) (England and Wales) Regulations 2007 (the ‘Regulations’) sets out the statutory provisions and limitations for setting gambling fees.
2. The City of London Licensing Authority must determine the appropriate fees subject to a maximum as set out in the schedule to the regulations. The fee structure allows for various types of applications associated with varying classes of premises licence, many of which do not currently apply within the City of London e.g. Casinos, bingo Halls. A copy of the ‘Table of Maximum Fees’ can be seen as Appendix 1.
3. Licences are valid for life from the date of grant unless surrendered or revoked. An annual fee is due for payment within thirty days of the licence issue (effective date) and then annually thereafter.

4. Section 212 of the Gambling Act 2005 states that the licensing authority, ‘...shall aim to ensure that the income from fees of that kind [*determined by the licensing authority*] as nearly as possible equates to the costs of providing the service to which the fee relates...’.
5. A high court case held on 16 May 2012 (*R (Hemming and Others) v Westminster City Council*) concluded that the amount of the fee is required to be determined every year and further that a local authority was precluded from making a profit from the licensing regime. A full account of the fee income and expenditure would therefore need to be considered to ensure a surplus is not being made.
6. Mr Justice Keith stated in the case ‘... [*in relation to*] the steps which an applicant for a licence has to take if he wishes to be granted a licence or to have his licence renewed. And when you talk about the cost of those procedures, you are talking about the administrative costs involved, and the costs of vetting the applicants (in the case of applications for a licence) and the costs of investigating their compliance with the terms of their licence (in the case of applications for the renewal of a licence). There is simply no room for the costs of the ‘authorisation procedures’ to include costs which are significantly in excess of those costs.’ Therefore enforcement costs cannot be recouped.
7. Two important principles were established in the Hemming case:
 - That where a local authority profits from licence fees in that its expenditure is exceeded by its fee income, it must carry the surplus forward in determining the fee for future years;
 - That in authorisation schemes covered by the Provision of Services Regulations 2009, which the Gambling Act 2005 is, enforcement costs may not be recharged to licensed operators.

Current Position

8. The principles set out above are under appeal; however it is not known when a decision will be made. Therefore, in order to avoid possible complications arising from non-compliance with the Hemming decision, the licensing service has carried out an in-depth examination of the processes that are undertaken in order to administer the licence application/renewal and the costs of investigating compliance with any licence conditions.
9. A comparison between the current fees and the proposed fees can be seen as Appendix 2. The proposed fees have been based on full costs recovery without considering the cost of enforcement.
10. In determining the proposed fee structure for gambling premises licences the following factors have been taken into account:

- Officer time spent on processing applications including site inspections and the issue of any licence
- Officer time spent on the development and maintenance of processes and guidance notes
- Training of staff as necessary
- A percentage of the service costs such as accommodation and equipment
- Officer time spent on inspections of licensed premises to ensure compliance with terms and conditions of any licence

11. Costs associated with the enforcement of unlicensed gambling activity have not been taken into account in setting the proposed fee structure.

Proposals/Options

12. Adopting the proposed fees set out in Appendix 2 will avoid any legal challenge similar to that experienced by Westminster City Council. Income received from setting the new fees will meet the requirements of the two principles set out in paragraph five and all other statutory obligations.

Fees set lower than those recommended will result in a budget deficit for 2013/14 as costs of administering the licence will not be fully met from income received.

Fees set higher than those recommended will result in a budget surplus i.e. an income which exceeds the cost of providing the service. This surplus will have to be carried forward into 2014/15 and taken into consideration when fees are set for that year i.e. the fees for that year will have to be reduced. Ignoring the surplus could result in the City Corporation being taken to court.

Corporate & Strategic Implications

16. To be completed.

Implications

17. Setting the recommended fees will result in 'Gambling' income for 2013/14 being £8-9k less than the budgeted income total. However, the above process has been carried out for all licensing activities carried out by the licensing service with some proposed fees producing a higher income than budgeted. Setting the recommended gambling fees will therefore not have a detrimental effect on the licensing budget with overall income targets for 2013/14 still being met.

18. Setting fees above or below those recommended will have the implications as set out in paragraph twelve above.

Appendices

Appendix 1 – Table of Maximum Fees

Appendix II – Proposed fees

Background Papers:

Transcript of (R (Hemming and Others) v Westminster City Council)

Contact: *Peter Davenport*
Licensing Manager
peter.davenport@cityoflondon.gov.uk | x 3227

Table of statutory maximum fees

Column (1)	Column (2)	Column (3)	Column (4)	Column (5)	Column (6)	Column (7)	Column (8)	Column (9)
Classes of premises licence	Maximum conversion application fee for non-fast track application	Maximum non-conversion application fee in respect of provisional statement premises	Maximum non-conversion application fee in respect of other premises	Maximum annual fee	Maximum fee for application to vary licence	Maximum fee for application to transfer a licence	Maximum fee for application for reinstatement of a licence	Maximum fee for application for provisional statement
Regional casino premises licence		£8,000	£15,000	£15,000	£7,500	£6,500	£6,500	£15,000
Large casino premises licence		£5,000	£10,000	£10,000	£5,000	£2,150	£2,150	£10,000
Small casino premises licence		£3,000	£8,000	£5,000	£4,000	£1,800	£1,800	£8,000
Converted casino premises licence	£2,000			£3,000	£2,000	£1,350	£1,350	
Bingo premises licence	£1,750	£1,200	£3,500	£1,000	£1,750	£1,200	£1,200	£3,500
Adult gaming centre premises licence	£1,000	£1,200	£2,000	£1,000	£1,000	£1,200	£1,200	£2,000
Betting premises (track) licence	£1,250	£950	£2,500	£1,000	£1,250	£950	£950	£2,500
Family entertainment centre premises licence	£1,000	£950	£2,000	£750	£1,000	£950	£950	£2,000
Betting premises (other) licence	£1,500	£1,200	£3,000	£600	£1,500	£1,200	£1,200	£3,000

This page is intentionally left blank

Proposed Fee Structure

APPENDIX 2

Application Type	Estimated number	Current fee (maximum permitted)	Current Budget	Proposed Fee	Income Forecast
New Betting Shop	2	£3,000.00	£6,000.00	£830.00	£1,660.00
New Casino (small) *	0	£8,000.00	£0.00	£2,810.00	£0.00
New Bingo	0	£3,500.00	£0.00	£830.00	£0.00
New AGC	0	£2,000.00	£0.00	£830.00	£0.00
New FEC	0	£2,000.00	£0.00	£830.00	£0.00
Annual fee Betting Shop	40	£600.00	£24,000.00	£500.00	£20,000.00
Annual fee Casino (small) *	0	£5,000.00	£0.00	£880.00	£0.00
Annual fee Bingo	0	£1,000.00	£0.00	£500.00	£0.00
Annual fee AGC	0	£1,000.00	£0.00	£500.00	£0.00
Annual fee FEC	0	£750.00	£0.00	£500.00	£0.00
Variation betting shop	0	£1,500.00	£0.00	£580.00	£0.00
Variation Casino (small) *	0	£4,000.00	£0.00	£2,570.00	£0.00
Variation Bingo	0	£1,750.00	£0.00	£580.00	£0.00
Variation AGC	0	£1,000.00	£0.00	£580.00	£0.00
Variation FEC	0	£1,000.00	£0.00	£580.00	£0.00
Transfer/reinstatement betting shop	0	£1,200.00	£0.00	£240.00	£0.00
Transfer/reinstatement Casino (small) *	0	£1,800.00	£0.00	£310.00	£0.00
Transfer/reinstatement Bingo	0	£1,200.00	£0.00	£240.00	£0.00
Transfer/reinstatement AGC	0	£1,200.00	£0.00	£240.00	£0.00
Transfer/reinstatement FEC	0	£950.00	£0.00	£240.00	£0.00
Provisional statement Betting Shop	0	£3,000.00	£0.00	£830.00	£0.00
Provisional statement Casino (small) *	0	£8,000.00	£0.00	£2,810.00	£0.00
Provisional statement Bingo	0	£3,500.00	£0.00	£830.00	£0.00
Provisional statement AGC	0	£2,000.00	£0.00	£830.00	£0.00
Provisional statement FEC	0	£2,000.00	£0.00	£830.00	£0.00
New app with prov statement Bet Shop	0	£1,200.00	£0.00	£590.00	£0.00
New app with prov statement Casino (sm)	0	£3,000.00	£0.00	£700.00	£0.00
New app with pro statement Bingo	0	£1,200.00	£0.00	£590.00	£0.00
new app with prov statement AGC	0	£1,200.00	£0.00	£590.00	£0.00
New app with prov statement FEC	0	£950.00	£0.00	£590.00	£0.00
Change of circumstances	0	£50.00	£0.00	£50.00	£0.00
Copy of licence	0	£25.00	£0.00	£25.00	£0.00
Temporary use notice (TUN)	0	£500.00	£0.00	£430.00	£0.00
Replacement TUN (copy)	0	£25.00	£0.00	£25.00	£0.00
Gaming machine permit (2 or less) (one off fee & no annual fee)	0	£50.00	£0.00	£50.00	£0.00
Gaming machine permit (3 or more)	0	£150.00	£0.00	£150.00	£0.00
Annual fee gaming machine permit (3 or more)	25	£50.00	£1,250.00	£50.00	£1,250.00
Variation to gaming machine permit (3 or more)	0	£100.00	£0.00	£100.00	£0.00
Transfer of gaming machine permit (3 or more)	0	£25.00	£0.00	£25.00	£0.00
Total			£31,250.00		£22,910.00
				Difference	-£8,340.00

This page is intentionally left blank

Committee(s):	Date(s):
Licensing	15 May 2013
Subject: Department of Markets & Consumer Protection Business Plan 2013-2016	Public
Report of: The Director of Markets & Consumer Protection	For Approval
<p><u>Summary</u></p> <p>This report details the Business Plan for 2013-16 for the Department of Markets & Consumer Protection.</p> <p>The Department reports to three discrete City Committees: Markets; Port Health and Environmental Services; and Licensing. The Business Plan consists of an overarching plan which contains information relating to the whole department, and a separate annex for each of the three Committees which reflects the responsibilities of that Committee only.</p> <p>The Business Plan identifies some key achievements from the past year and sets out what we aim to achieve this year, the standards we will attain, and where this fits within Corporate plans.</p> <p>Recommendation</p> <p>It is recommended that Members approve the contents of this report and its appendix.</p>	

Contacts:

David Smith - 020 7332 3967

david.smith@cityoflondon.gov.uk

Don Perry - 020 7332 3221

donald.perry@cityoflondon.gov.uk

Simon Owen (Financial Information) - 020 7332 1358

simon.owen@cityoflondon.gov.uk

This page is intentionally left blank



Department of Markets and Consumer Protection

Business Plan 2013-2016

Contents

Section	Page No
Introduction	3
Markets and Consumer Protection Business Planning Process	7
Markets and Consumer Protection Vision	8
Strategic Aims	8
Key Achievements 2012-2013	9
Key Objectives 2013 -2014	10
Key Performance Indicators 2013-2014	11
Looking Ahead	12
Departmental Objectives	13
Capital Projects 2013-2018	22
IS Requirements	23
Departmental Structure	26
Financial Summary	27
Appendix A – Markets Business Plan	
Appendix B – Port Health & Public Protection Business Plan	
Appendix C – Licensing Business Plan	

Introduction

The Department of Markets and Consumer Protection (M&CP) has the widest span of all front-line service departments, employing some 243 staff with a combined overall net local risk budget of £5,551,000 giving a total budget including central risk of £8,337,000. Spread across ten locations the department ranges from the Heathrow Animal Reception Centre in the West, to Billingsgate and Spitalfields Markets in the East, with Tilbury on the North side of the Thames and Denton on the South side.

Markets

The City of London's wholesale markets have a long history and have always played a central role in the economies of the communities in which they operate. Billingsgate, New Spitalfields and Smithfield supply fish, fruit, vegetables, flowers, and meat to a host of food service sectors within the South East and beyond. Customers range from catering companies, butchers, fishmongers, and greengrocers to restaurants, hotels, schools, street and retail markets and small local businesses. The markets have a combined estimated turnover of about £2 billion per year and more than 25,500 customers per week.

- **Billingsgate Market** has 42 fish merchants including specialist and catering suppliers, potato and trade sundries suppliers, with an annual turnover of some 22,000 tonnes. Although traditionally a wholesale market, retail trade has increased in recent years, especially on Saturdays. The Billingsgate Seafood Training School, a registered charity, is located within the market.
- **Smithfield Market** is a world-renowned wholesale meat and provisions market serving Greater London and southern England. There are 42 individual businesses with approximately 120,000 tonnes throughput. As well as meat and poultry, products such as cheese, pies, and other delicatessen goods are available.
- **New Spitalfields Market** has 121 trading units for wholesalers in the market hall, 13 catering supplies units, and a further 20 supporting businesses. New Spitalfields Market houses the largest number of food wholesalers in the UK, with a turnover of some 700,000 tonnes. Sustainability is a high priority for the market and about 75% of its waste is now recycled.

Port Health and Public Protection

The Port Health and Public Protection service provides a comprehensive and effective environmental health and trading standards service for the City of London, ensuring that, through monitoring, regulation and enforcement, City residents and businesses can enjoy an environment and services which are, so far as possible, safe and without risks to their health or welfare. Through its Port Health and Animal Health services it also provides imported food control as the London Port Health Authority and animal health services to 29 London and two Berkshire local authorities. The service is sub-divided into three divisions comprising Port Health, Animal Health & Welfare, and Public Protection.

Port Health and Animal Health & Welfare divisions

- As the London Port Health Authority, the **Port Health Division** is responsible for a district extending for 151 kilometres along the River Thames from Teddington to the outer Estuary including the ports of Tilbury, Thamesport, Sheerness and London City Airport. The authority serves businesses and protects the nation through the delivery of the following services controlling: food and feed imports; food standards, food safety and water quality; infectious disease control; civil contingencies; environmental protection and shellfish control.
- **Animal Health** is responsible for running the Animal Reception Centre at Heathrow, and providing animal health services across London on an agency basis for 29 other London local authorities and two authorities in Berkshire. Officers carry out inspections of pet shops, zoos, dog breeding and riding establishments, and offer advice on the keeping of dangerous wild animals. The division also deals with complaints from the public and welfare matters involving circuses, animal shows, studio work with animals and other cases where animals are used to perform.
- **Heathrow Animal Reception Centre (HARC)** has established itself as a world leader in the care of animals during transport. Open 24 hours a day, 365 days a year, the centre receives and cares for hundreds of thousands of animals of all types - from cats and dogs to baby elephants, horses, reptiles and spiders. The centre has seen a range of unusual animals including a mongoose, a sun bear, a white lion cub, cheetahs and sloths.

Public Protection Division

This division is primarily based within the City of London – the Square Mile – and teams carry out the following wide range of regulatory work:

- **Food Safety** is responsible for enforcement of food safety legislation across all City food businesses including the provision of advice and information.
- **Health & Safety** is responsible for enforcement of health and safety legislation in all relevant City businesses including the provision of advice and information.

- **Operational Support** is responsible for providing a range of administrative and IT support services to the department including system administration of Timemaster and the Northgate M3 database.
- **Pest Control** provides a comprehensive pest control eradication and advisory service to all non-food businesses in the City and engages in contract work for various City Corporation departments including Housing, the City Surveyor and our own Smithfield Market.
- **Pollution Control** is responsible for enforcing all noise and nuisance legislation, private sector housing, air quality management and contaminated land legislation across the Square Mile.
- **Trading Standards** is responsible for enforcing and advising businesses and consumers regarding legislation relating to trading practices within the City of London, including weights and measures, pricing, product safety, consumer credit and fair trading.
- **Smithfield Enforcement Team** undertakes enforcement of health and safety legislation, food standards, hygiene controls in vehicles that visit Smithfield Market and investigates any food complaints, as well as operating the Animal By-Product facility for the disposal of unfit meat.

Licensing Service

- The **Licensing Service** is responsible for ensuring that all city businesses hold the appropriate licences and registrations and comply with the rules and conditions appertaining to those licences.

Markets and Consumer Protection Directorate

The Directorate has a strategic role in managing the overall strategy, communications, health and safety, and promotion of the department, allowing the operational managers to focus on the day-to-day management of their divisions and their customers' requirements. The Directorate also liaises directly with the department's HR Business Partner and Chamberlain's Head of Finance (Finance Unit 3) at a strategic level.

The Department of Markets and Consumer Protection's business has many strands and this plan aims to bring together the improvement objectives so that resources can be fairly allocated. As the department reports to three separate Committees (the Markets Committee; the Port Health and Environmental Services Committee; and the Licensing Committee) for discrete aspects of its work, this plan is divided into four sections:

- An overarching set of departmental objectives
- Three appendices with specific objectives relevant to the responsible Committee.

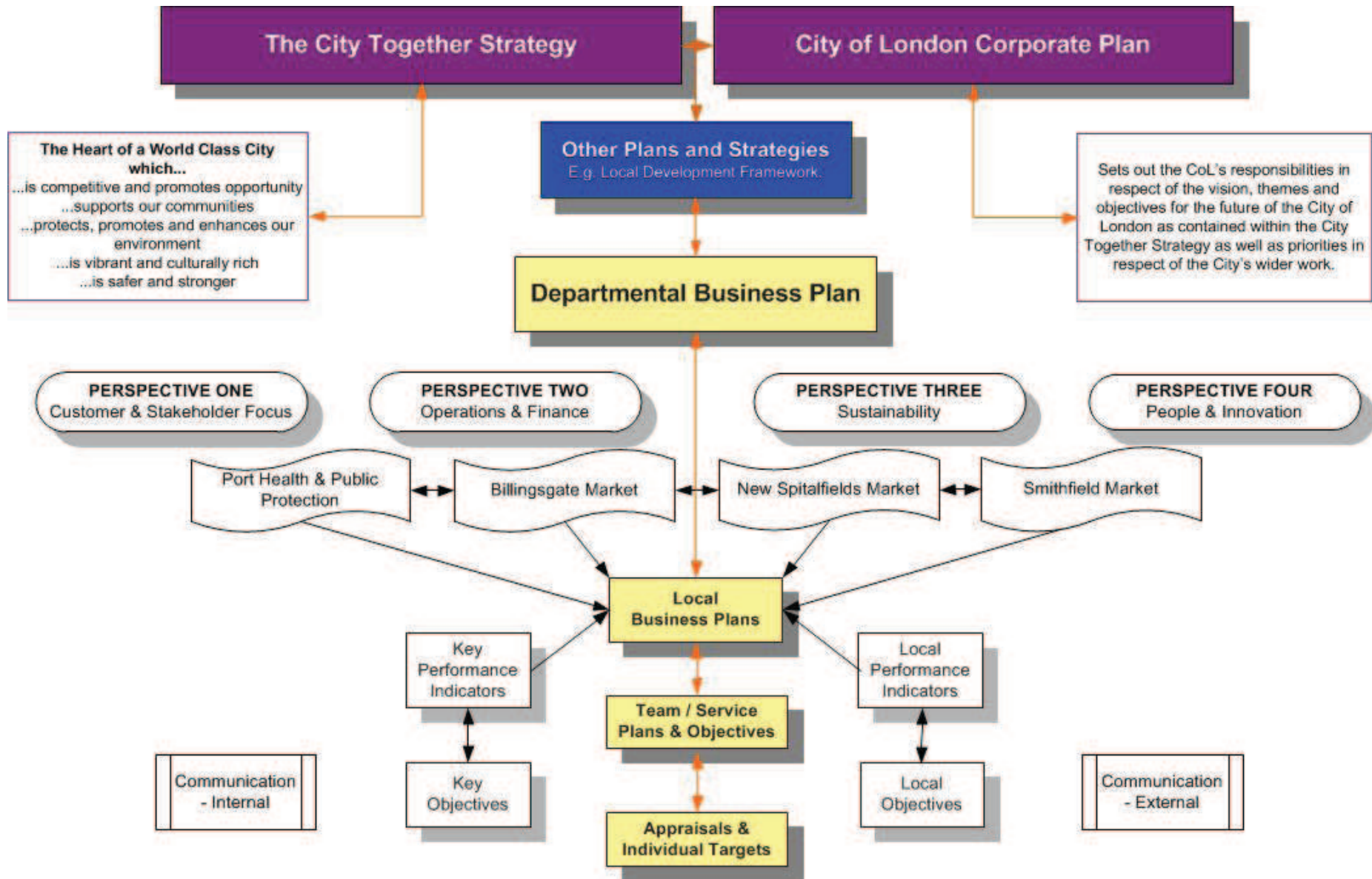
The downturn is affecting every aspect of business and budget restrictions will force further reviews of the services we provide and the way we do business. Funds are going to become increasingly tight for the foreseeable future. So, to ensure that we fulfil our obligations to our major customers, we need to satisfy the four perspectives shown on page 12, our version of the Balanced Scorecard¹, while we endeavour to maintain our traditional standards and remain mindful of our corporate, environmental, and social responsibilities.

We recognise the importance of maintaining a skilled and motivated workforce to delivering our business plan, and are committed to providing appropriate training and support to our staff in order to achieve this.

David A H McG Smith CBE, Director of Markets and Consumer Protection

¹ Kaplan R. S. and Norton D. P. (1992). "The Balanced Scorecard: measures that drive performance", *Harvard Business Review*, Jan – Feb pp. 71–80

Markets and Consumer Protection Business Planning Process



Markets and Consumer Protection Vision

The vision of the Department of Markets and Consumer Protection is to support The City Together Strategy and the Corporate Plan through the provision of high quality, efficient services to our customers and stakeholders. In addition, the two markets outside the Square Mile (Billingsgate and New Spitalfields) seek to contribute to their host boroughs' Community Strategies.

Strategic Aims

Our strategic aims are:

- To operate the three wholesale food markets in a manner that provides an exemplary trading environment which is environmentally sustainable, well maintained, safe, hygienic, and financially viable.
- To advise, educate, influence, regulate and protect all communities for which the department has responsibility in the fields of Environmental Health, Port Health, Trading Standards, Licensing and Animal Health.
- At all times to seek value for money in the activities we undertake so that the highest possible standards are achieved cost effectively.

Key Achievements 2012-2013

- Brought lease negotiations with the Smithfield Market tenants to a successful conclusion.
- Planned, prepared and implemented Service Delivery Plans which contributed to the success of the London 2012 Games, and ensured that all relevant operations continued uninterrupted, in a safe and secure manner.
- Integrated Port Health and Public Protection into the new Local Authority Public Health arrangements.
- Prepared a Noise Strategy to help tackle noise nuisance and disturbances in the City.
- Piloted a shared 'Out of Hours' Environmental Health service with Westminster City Council.
- Secured £153,000 in grant monies for innovative Air Quality work.
- Devised and published a 'Code of Good Practice for Licenced Premises' in the City of London together with a traffic light system for measuring compliance.
- New Spitalfields Market was named Best Wholesale Market 2013 by the National Association of British Market Authorities (NABMA) in January.
- Following the successful conclusion of the Billingsgate Porter's working practices, 100% of units in the Market Hall are now let on full leases.

Key Objectives 2013-2014

- Deliver value for money, whilst still delivering high quality services.
- Balance the PH&PP Service budget for 2014-15 in the light of £250,000 unidentified savings/income.
- Work with Smithfield tenants to implement the terms of the new leases and to provide best value to tenants while ensuring the operation of a safe and hygienic Market.
- Support the 'Procurement and Procure to Pay' (PP2P) initiative in order to deliver savings through improved procurement.
- Respond to any further legislative changes affecting the importation of animals at HARC to protect animal health and income streams.
- Implement the review of the Port Health Service in preparation for the opening of the London Gateway Port and ensure the Service's operations continue in a safe, secure and uninterrupted manner.
- Introduce a focus group to ensure a consistent approach to enforcement throughout the PH&PP Service.
- Make use of the Byelaws Working Party Group at the Markets to consider new Byelaws that will assist with law enforcement which is covered neither by the terms of the leases, health & safety, food hygiene, environmental protection legislation, nor employment law, at the three wholesale markets.
- Work with the City Surveyor's Energy Team to regularly review and update the Departmental Carbon Energy Reduction Plan to focus efforts to drive down the department's energy consumption and, where possible, invest in more energy efficient technologies.
- Continue to implement the Noise Strategy including deciding on options for Out of Hours service delivery.
- Implement and comply with the requirements of the Health & Safety Executive's new National Local Authority Enforcement Code – Health and Safety at Work.
- Seek to reduce sickness absence levels to the corporate target.
- Support the Crossrail development and minimise its impact upon our operations.
- Improve the way we manage all departmental risks and ensure that appropriate contingency plans and measures are in place.
- Increase revenue income where possible.

Key Performance Indicators 2013-2014

- KPI 1** Achieve an overall sickness level across all Business Units of no more than 7 days per person by 31 March 2013, and a total of no more than 1632 days across the Department².
- KPI 2** 85% of debts to be settled within 60 days.
- KPI 3** Divert 90% of waste from landfill at the Markets.
- KPI 4** Achieve 90% occupancy of all lettable space at Billingsgate and Spitalfields Markets.
- KPI 5** Less than 4% of missed flights for transit of animals caused by the Heathrow Animal Reception Centre.
- KPI 6** 95% of consignments of Products of Animal Origin (POAO) that satisfy the checking requirements cleared within five days.
- KPI 7** Over the course of the year, secure a positive improvement in the overall Food Hygiene Ratings Scheme (FHRS) ratings profile for City food establishments compared to the March 2013 profile.
- KPI 8** 90% justifiable noise complaints investigated result in a satisfactory outcome³.
- KPI 9** Inspect 100% of 'high risk' premises each year.

² Target based upon Full Time Equivalent (FTE) members of staff at 31 December 2012.

³ The percentage of total justified noise complaints investigated resulting in noise control, reduction to an acceptable level and / or prevention measures; complaints may or may not be actionable through statutory action.

Looking Ahead 2013 – 2016

We need to consider our business in terms of how effectively we are satisfying the following four broad perspectives:

Customer and Stakeholder Focus

- Provide reasonably priced services and facilities.
- Develop a proactive service culture that identifies and meets customer needs.
- Improve our relationships with our customers.

Operations and Finance

- Achieve value for money and minimise our overheads.
- Sustain our existing revenue base and expand it where possible.
- Identify and manage business and health and safety risks.
- Identify new income streams and increase revenue.

Sustainability

- Modernise our administrative processes and procedures and ensure the most efficient use of technology.
- Ensure that the environmental impact of proposed changes is taken fully into account.
- Identify ways of reducing our carbon footprint.
- Ensure that our sites are maintained and modernised appropriately by the City Surveyor.

People and Innovation

- Identify and resource staff learning and development.
- Capture and share corporate knowledge, and apply lessons learnt.
- Develop an ethos of individual empowerment and the accountability that goes with it.

Departmental Objectives 2013–2014 (1 April 2013– 31 March 2014)

Perspective 1 – Customer and Stakeholder Focus			
Maintain a strong positive relationship with our stakeholders by providing good customer service and capturing business development opportunities.			
Action	Task	Outcome	Responsibilities
Improve communication with stakeholders.	<ul style="list-style-type: none"> • Regular attendance at forums and meetings, for example <ul style="list-style-type: none"> ○ <i>Legionella Control Association.</i> ○ <i>London Banks' Health & Safety Forum.</i> ○ <i>Cleaning Industry Forum.</i> ○ <i>Utilities Forum.</i> ○ <i>Port Health and Animal Health related national and international panels and committees.</i> ○ <i>London Licensing Managers Forum.</i> • Regular meetings with the Markets' Tenants Associations, keeping them fully informed of developments. • Maintain a good relationship and channels of communication between the City of London markets and all other wholesale food markets in the country. • Optimise use of intranet / internet using the opportunities provided by the City's new web site. 	<ul style="list-style-type: none"> • Department able to identify key stakeholders, actively seek their views on performance and priorities, and respond appropriately to improve the service. • Improved dialogue, engagement, and co-operation with our stakeholders, ensuring we address concerns they may have. • Updated web pages which allow stakeholders to access up to date information. 	<ul style="list-style-type: none"> • Director of Markets and Consumer Protection • Director of Port Health and Public Protection • Business Unit Heads • Performance Management Officer

Perspective 1 – Customer and Stakeholder Focus			
Maintain a strong positive relationship with our stakeholders by providing good customer service and capturing business development opportunities.			
Action	Task	Outcome	Responsibilities
Support the Crossrail development and minimise its impact upon the City and our operations. Ensure that it does not prejudice the continued uninterrupted, safe, effective, and hygienic operations at Billingsgate and Smithfield markets.	<ul style="list-style-type: none"> • Ensure stakeholder involvement at Billingsgate and Smithfield markets by attending all relevant meetings regarding Crossrail and cascading information to staff and tenants. • Work in unison with the London Fish Merchants Association (LFMA) and Smithfield Market Tenants' Association (SMTA) in Crossrail developments. • Monitor all relevant Crossrail proposals. • Timely processing of Section 61 Applications (agreement for noisy works to be carried out under the Control of Pollution Act 1974). • Deal with, or liaise with Crossrail or contractor over, any complaints made directly to CoL Officers regarding the impact of Crossrail works. 	<ul style="list-style-type: none"> • The least possible disruption to the operations of the Department, measured in terms of: <ul style="list-style-type: none"> o <i>Closure of Markets necessitated by contamination from construction works. (minimise loss of available trading days)</i> o <i>Crossrail works not unduly delayed as a result of our processing of applications.</i> o <i>Low number of complaints from City residents and businesses.</i> 	<ul style="list-style-type: none"> • Director of Markets • Director of Port Health and Public Protection • Billingsgate Superintendent • Smithfield Superintendent

Perspective 1 – Customer and Stakeholder Focus

Maintain a strong positive relationship with our stakeholders by providing good customer service and capturing business development opportunities.

Action	Task	Outcome	Responsibilities
Promote our services. <i>Linked to KPI 4</i>	<ul style="list-style-type: none"> • To promote all of our services through appropriate CoL communications channels, Twitter accounts and other social media. • Work with the Tenants' Associations to utilise opportunities where possible to promote our markets and produce. 	<ul style="list-style-type: none"> • Profile enhancement and promotion of the services the department provides. • Greater trade through the markets. To ensure the sustained viability of our tenants' businesses, measured by no increase in the number of business failures as compared to previous years. 	<ul style="list-style-type: none"> • Director of Markets • Business Unit Heads • Performance Management Officer

Perspective 2 – Operations and Finance			
Ensure the safety and security of stakeholders and property, carry out operations efficiently and ensure the department is financially viable to the City, while minimising costs.			
Action	Task	Outcome	Responsibilities
Support the implementation of the PP2P project.	<ul style="list-style-type: none"> Work with the new City of London Procurement Service (CLPS) to ensure that projects and objectives are delivered without unduly impacting front line services. 	<ul style="list-style-type: none"> Improved business performance and reduced costs through improved procurement. Savings realised from PP2P, meaning that front-line services are not hit by further savings measures. 	<ul style="list-style-type: none"> Head of Business Performance (as PP2P Change Partner) Business Unit Heads
Better management of business risks and improved contingency plans.	<ul style="list-style-type: none"> Ensure that Risk Registers are in place and regularly reviewed to make sure that business risks are fully understood and mitigated. Improve analysis of business and Health & Safety (H&S) risks and develop improved contingency plans, by March 2014. Review effectiveness of current safety management and assurance systems. 	<ul style="list-style-type: none"> Reduced risks to the departments' business. Improved ability to manage crises. Reduced risk of enforcement action against the City. 	<ul style="list-style-type: none"> Head of Business Performance Business Unit Heads Technical Officer

Perspective 2 – Operations and Finance			
Ensure the safety and security of stakeholders and property, carry out operations efficiently and ensure the department is financially viable to the City, while minimising costs.			
Action	Task	Outcome	Responsibilities
Continue with the improvement of the department's health & safety performance and accident reduction.	<ul style="list-style-type: none"> Identify main 'Top X' risks to health and safety across the Market and Consumer Protection Department. Provide advice on H&S issues to local management, including compliance with applicable and emerging legislation and industry best practice. Further improve the quality of accident investigation and reporting. Encourage reporting of 'Near Misses'. 	<ul style="list-style-type: none"> Safer environment as a result of identifying the main risks to business. Fewer H&S incidents compared to 2012/13 total of 38. Reduced risk of enforcement action against the City. Reduced risk of successful litigation against the City following an accident. Uniform accident reporting across the department. 	<ul style="list-style-type: none"> Head of Business Performance Business Unit Heads Technical Officer
Work more effectively to achieve value for money in all aspects of our operations. <i>Linked to KPI 2</i>	<ul style="list-style-type: none"> Develop a comprehensive plan for benchmarking services across the whole department. Work to ensure that market tenants are being provided with a good service and investigate ways to reduce running costs. Report to relevant committees on a four monthly basis. Review budgets monthly. Staff at the Markets to liaise with Chamberlain's department over outstanding debts to ensure the problem is managed effectively. 	<ul style="list-style-type: none"> Complete at least two benchmarking exercises in 2013/14. Provide a cost effective service to our stakeholders. Bring outstanding debts down. 	<ul style="list-style-type: none"> Business Unit Heads Head of Business Performance

Perspective 2 – Operations and Finance			
Ensure the safety and security of stakeholders and property, carry out operations efficiently and ensure the department is financially viable to the City, while minimising costs.			
Action	Task	Outcome	Responsibilities
Increase income generation.	<ul style="list-style-type: none"> • Investigate possibilities for extra income streams if an extension to the HARC is built. • Work with the Corporate Income Generation Project Board to investigate ways in which the department can increase its income streams: <ul style="list-style-type: none"> ○ <i>If extension to the HARC is built, investigate possibilities of an educational tie up with college; renting out training room; provision of training by HARC team.</i> ○ <i>Fully maximise car parking usage at Billingsgate and Smithfield Markets.</i> ○ <i>H&S Team to promote and run additional cooling towers inspection training courses and explore opportunities for offering auditing services.</i> 	<ul style="list-style-type: none"> • Ability to produce finance for an extension to the HARC. • Increased revenue to reduce the risk of having to cut front-line services or staff. 	<ul style="list-style-type: none"> • Business Unit Heads

Perspective 3 – Sustainability			
To provide sites which are fit for purpose, within budget and demonstrate environmental responsibility in the way we manage waste and use resources, while being financially viable.			
Action	Task	Outcome	Responsibilities
Implement new ways of achieving sustainability targets using technological and engineering solutions.	<ul style="list-style-type: none"> • Work closely with City Surveyors, the Energy Team and the Sustainability Unit to identify potential sustainability improvements. • Use Systemslink and the new Energy Dashboard to their full potential. • Install Smart meters where possible and cost effective. 	<ul style="list-style-type: none"> • Increased sustainability. • Reduction in energy usage. • Smart meters will help us see exactly what we are using and this will enable us to make better choices to reduce energy. 	<ul style="list-style-type: none"> • Business Unit Heads • Head of Business Performance • Performance Management Officer • Heads of Maintenance
Reduce landfill waste and increase recycling at the Markets. <i>Linked to KPI 3</i>	<ul style="list-style-type: none"> • Review waste handling at each of our Market sites with a view to increasing levels of recycling. 	<ul style="list-style-type: none"> • Reduced landfill waste - Divert 90% of waste from landfill at the Markets. • Increased sustainability. • Improved waste management. 	<ul style="list-style-type: none"> • Head of Business Performance • Business Unit Heads
Ensure that the material state of our real estate is fit for purpose.	<ul style="list-style-type: none"> • In conjunction with the City Surveyor, ensure that each area's 20 year maintenance plan is fully up to date and properly priced. • Ensure that liaison meetings with City Surveyor's Department are effective in making progress, and that the agreed level of maintenance work is carried out to time and cost. • Monitor at Senior Management Group. • Progress to completion the Roof Renewal project at Billingsgate Market. • Smithfield Poultry Market. 	<ul style="list-style-type: none"> • Property is well maintained and asset values protected. • Resolve the leaking roof issue at Billingsgate. 	<ul style="list-style-type: none"> • Business Unit Heads • Head of Business Performance

Perspective 3 – Sustainability			
To provide sites which are fit for purpose, within budget and demonstrate environmental responsibility in the way we manage waste and use resources, while being financially viable.			
Action	Task	Outcome	Responsibilities
In accordance with the Corporation's objectives, and in consultation with the Energy Management Team, reduce energy usage, in line with the City's Carbon Descent Plan (CDP), in our control.	<ul style="list-style-type: none"> • Ensure that the department's Carbon Energy Action Plan is regularly reviewed and updated. • Actively participate in the Carbon Energy Reduction Group. • Monitor all energy consumption and target high use areas, to achieve a further 8% reduction in energy usage across the department by March 2015. • Work with the Energy team to enable City energy use to be identified separately from tenants' usage and addressed discretely within the CDP. 	<ul style="list-style-type: none"> • Improved knowledge of actual major consumption areas and the potential for efficiency reductions. • Achieve a total 15% reduction in energy usage across the Department by March 2015 against the baseline year of 2008/09 (7% reduction already achieved by March 2013). 	<ul style="list-style-type: none"> • Business Unit Heads • Head of Business Performance • Performance Management Officer

Perspective 4 – People and Innovation			
To improve the quality of leadership and management throughout the department and ensure that all staff have a chance to maximise their potential and job satisfaction.			
Action	Task	Outcome	Responsibilities
Continue to manage sickness absence. <i>Linked to KPI 1</i>	<ul style="list-style-type: none"> Rigorous application of the Absence Management Policy. 	<ul style="list-style-type: none"> Achieve an overall sickness level across all Business Units of no more than 7 days per person by 31 March 2014, and a total of no more than 1632 days across the Department.⁴ Individual Business Units have specific targets. 	<ul style="list-style-type: none"> Port Health & Public Protection Director Business Unit Heads Line Management
Improve internal communications within departmental structures.	<ul style="list-style-type: none"> Contribute to corporate publications to raise awareness of the department's activities and achievements. Produce internal departmental newsletter quarterly. Use Yammer to promote and update users of our services where appropriate. 	<ul style="list-style-type: none"> More effective promotion of the achievements and diversity of the department and its staff. 	<ul style="list-style-type: none"> Performance Management Officer PA to Director
Meet the requirements for Continuous Professional Development (CPD) for all regulatory officers in PH&PP (and for Street Environment Officers).	<ul style="list-style-type: none"> Assess the competencies and training needs of all regulatory staff in PH&PP in relation to the appropriate Service Plans and capacity building. Utilise the Regulators' Development Need Analysis (RDNA) where necessary. 	<ul style="list-style-type: none"> CPD requirements are met. 	<ul style="list-style-type: none"> Assistant Directors Team Managers

⁴ Target based upon Full Time Equivalent (FTE) members of staff at 31 December 2012.

Capital Projects 2013-2018

The table below shows basic information about projects which may require over £50k of capital expenditure during the next five years.

Brief description of potential project	Rough idea of the cost	Indicative source of funding	Indicative timetable for project
Extension to the Animal Reception Centre at Heathrow.	£1m	City Fund	Currently still at proposal stage
Re roof building.	£150k		In consultation with CS
Solar Panels	£100k		Dependent of full cost/benefit analysis and prevailing feed in tariff.
Rainwater Harvesting project. Spend to save project to reduce annual water costs.	£100k		Will be considered as part of the extension to the Animal Reception Centre
Billingsgate Market: venting and cooling, stage 2	£600k -£750k		Project is currently suspended and will be revisited once the two higher priority projects below are funded and in a state of completion.
Billingsgate Market: fish handling facilities	£1.4 to £2.0 million	50% Sinking Fund 50% European Fisheries Fund grant to be applied for.	The project is at pre-evaluation stage with works likely to commence in January 2014.
Billingsgate Market: roof renewal	£1.7 million approx.	50% Sinking Fund 50% European Fisheries Fund grant confirmed.	Works will be ready to commence in January 2014.
New Spitalfields Market: Chiswick Gap – construction of additional lettable space.	£300k		Currently on hold pending the outcome of a further marketing campaign.

IS Requirements

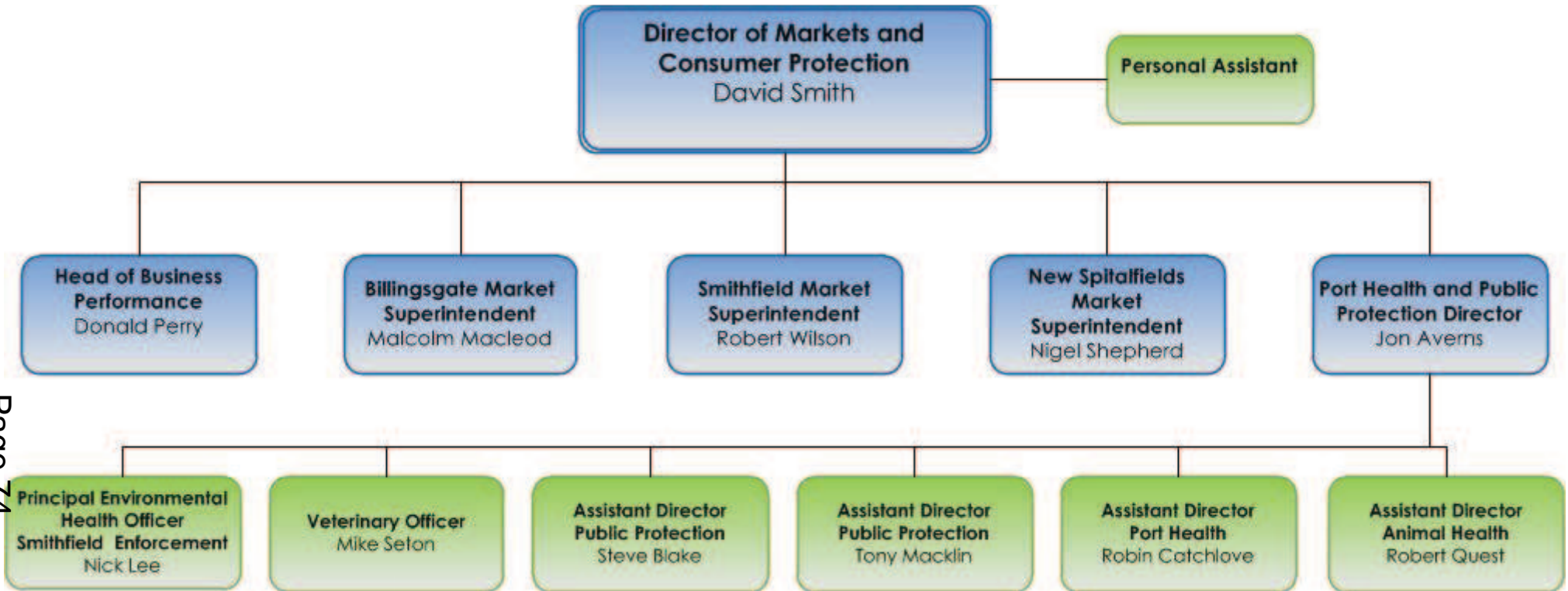
<p>Heathrow Animal Reception Centre</p>	<ul style="list-style-type: none"> • Mobile Heathrow Electronic Display System (HEDS) to be trialled (should be completed before the end of March 2013). • HEDS requirement for knowing the person who has entered pre-advice (should be completed before the end of March 2013). • Email code for Wi-fi each week to enable our customers waiting for their animals to be able to use the internet (should be completed before the end of March 2013). • More network points for extra PCs and to hard wire HEDS in animal areas (should be completed before the end of March 2013). • Linking HEDS to ledger would reduce the need for writing on tickets and reduce error. Including a dashboard approach to HARC systems. • Scanning of documents and linking to HARC ledger. • Permanent Building Management System (BMS) display of temperatures in vivarium. • Website Pet Travel Scheme 'app'. • Air Waybill tracking through website – agents' member site?
<p>Port Health</p>	<ul style="list-style-type: none"> • To operate the Port Health Information Management System (PHILIS) and to link with City of London IS we require robust high speed internet connectivity with good resilience at Thamesport and Tilbury offices. Good connectivity is required for our other offices at Denton and Charlton. • We require reliable infrastructure and hardware sufficient for the number of staff employed at all of our sites. • Our IT systems require good support arrangements including the ability to have on site support at short notice with those providing the support having a good knowledge of our systems and the interconnections with other external systems such as CNS / Destin8. • 24/7 cover/support in the future is a likely requirement with the opening of the London Gateway Port. • Development of mobile and remote working options (inspections using handhelds, etc.) and other PHILIS development, such as Agent tracking. • Development of finance interfaces including the ability to collect "money up front" for our charges. Suffolk Coastal Port Health Authority needs to be kept closely involved. • A dialogue has been established between London Gateway and the City of London IS Division. <ul style="list-style-type: none"> o <i>London Gateway is providing the IT infrastructure to the Inspection Facility within the secure area of the port. City IS Division are in discussion with their network team to procure a suitable internet line to the Facility. The provision of other hardware has yet to be decided but is likely to be desktop computers and laptops sufficient for 10 persons.</i> o <i>Lease negotiations are in progress between London Gateway and the City of London Surveyors for the 2nd Floor of Manorway House, an office building outside the Port. The building is being</i>

	<p>refurbished to a basic standard and the necessary IT infrastructure will be the responsibility of the City of London. This will include the procurement of an internet line, cabling the office and provision of hardware.</p> <ul style="list-style-type: none"> o The capability to expand to meet an increasing demand is an important consideration. The new office won't be fully staffed from the very start, but if the London Gateway predictions are accurate, trade will increase rapidly with a consequent increase in the number of Port Health personnel who will need access to IT. o Both the Inspection Facility and Manorway House offices should be ready before the Port starts to test systems during the summer 2013 and certainly before 1 October 2013. <ul style="list-style-type: none"> • Port Health is interested in the use of GIS to record data about activities and as a link to our website so that we can display information relating to our services e.g. Shellfish Monitoring points, prescribed process locations and public register information etc. • Installation of Wi-fi at Denton Office.
Environmental Health	<ul style="list-style-type: none"> • Investigate use of Regulatory Information and Management Systems (RIAMS) (www.riams.org) by PH&PP. • Streamline the time taken for managing, processing and assessing information received from a variety of different sources and systems, e.g. officers' site investigations; Highways; Street Enforcement Officers; Westminster City Council Noise Team; CoL Police; Licensing Team; and contractors. • Integrate the use of GIS with Northgate M3 PP (already commenced), to obtain information on premises from a GIS mapping system. Carry out trials with IS Division of various handheld tablet devices to test their connectivity, the accessibility of key information and data, and their overall usability in the field by officers undertaking a variety of tasks.
Smithfield Enforcement Team	<ul style="list-style-type: none"> • Advice/ assistance regarding improving the transactional side of the ABP service and the area of improving communication to market businesses. • Investigate introduction of text alerts to notify traders of various issues. • Business Continuity – IS requested to investigate mechanisms to maintain Business Continuity.
New Spitalfields Market	<ul style="list-style-type: none"> • Support low key initiatives outlined in local business plan. • IS to supply Business Analysts and systems developers to attend to efficiencies using existing and new IS systems (hard and software) examples may include (prior to business analyst review): <ul style="list-style-type: none"> o Membership software (off shelf or developed) to replace fork lift truck permit database and infringement points database o Parking permit database and permit issuing system o Creation of utilities tracking and analysis package o Aged debt report from System 2000 o A review of System 2000 to create further efficiencies o Electronic tenants record system o Any other efficiencies identified using existing or new systems
Billingsgate Market	<ul style="list-style-type: none"> • No requirements for 2013/14.

Smithfield Market

- Upgraded lightweight laptops or tablets which would mean that notes could be made on agendas and minutes could be taken in meetings. This would greatly reduce the necessary admin time following the meeting.
- Increased mobile working with operatives able to access and update information while out in the field.
 - *To look at the tablet options that we have and simpler wi-fi options for our buildings – this would save time in meetings for minutes etc. Also, making greater use of the technology and information that we already have such as BMS and Archibus. A lot of time is wasted looking for records which other departments hold. We might also get more efficient ways of working in-house.*
- Would like options to have the ability to collaborate and communicate better with their tenants.
 - *To have access to CRM software – to be able to have vision of the helpdesk packages or even have a mini version here.*

Department of Markets & Consumer Protection management structure



Financial Summary

Strong financial management is critical to the delivery of high quality services at a reduced cost. Our strategy is to continually review our ways of working to generate further efficiencies whilst maximising our income streams. We make effective use of the corporate Management Information Money Dashboard initiative to further improve the financial management information available to the Senior Management Team.

The department is committed to producing timely monthly budget information and to proactively monitor our key cost drivers and any external factors that could impact on our ability to remain within budget. This will allow projected outturn information to be calculated and agreed with the Senior Management Group, in order to meet any future efficiency reviews and help plan the future direction of front line service provision.

Summary Financial Information - Markets & Consumer Protection Department

	2011/12	2012/13	2012/13	2012/13		2013/14	N.B.
	Actual	Original Budget	Revised Budget (latest approved)	Forecast Outturn	%	Original Budget	
	£'000	£'000	£'000	£'000	%	£'000	
Employees	10,708	10,979	11,203	11,067	98.8%	11,067	
Premises	4,823	5,004	4,966	5,025	101.2%	4,873	
Transport	308	288	317	298	94.0%	275	
Supplies & Services	2,623	2,142	1,991	2,020	101.5%	1,645	
Third Party Payments	1,654	1,753	1,751	1,726	98.6%	1,799	
Transfer to Reserve	264	0	0	0	0.0%	4	
Contingencies	0	3	3	0	0.0%	3	
Unidentified Savings	0	0	0	0	0.0%	(286)	1
Total Expenditure	20,380	20,169	20,231	20,136	99.5%	19,380	
Total Income	(13,881)	(13,783)	(13,778)	(13,920)	101.0%	(13,469)	
Total Local Risk	6,499	6,386	6,453	6,216	96.3%	5,911	2
Central Risk	(5,083)	(5,870)	(4,808)	(4,864)	101.2%	(5,596)	
Recharges	8,799	7,809	8,591	8,591	100.0%	8,260	
Total Expenditure (All Risk)	10,215	8,325	10,236	9,943	97.1%	8,575	3

N.B.

1. Excludes Local Risk amounts spent by the City Surveyor.
2. Forecast outturn 2012/13 based on monitoring at period 10 (31/01/2013).
3. In 2013/14 unidentified savings of £286,000 is to be met from the review of Port Health Services.

This page is intentionally left blank



Appendix C: Licensing Business Plan 2013-2014

Contents

Section	Page No
Licensing Service Key Achievements 2012-2013	3
Service Objectives 2013-2014	3
Performance Indicators 2013-2014	3
Objectives 2013-2014 (detailed)	4
Financial Summary	6

Key Achievements 2012 - 2013

- Revised the Statement of Licensing Policy under the Licensing Act 2003 and the Statement of Licensing principles under the Gambling Act 2005.
- Devised a 'Code of Good Practice for Licenced Premises' in the City of London together with a traffic light system for measuring compliance.
- Configured the Northgate M3 database for recording all Licensing and Smithfield Enforcement data.

Service Objectives 2013 - 2014

- Consult upon and introduce a Late Night Levy for licensed premises in the City.
- Introduce a Traffic Light Scheme for the management and targeted enforcement of licensed premises.
- Introduce changes to Street Trading in the City as a result of Government changes to legislation and the enactment of the City of London (Various Powers) Bill.
- Gain authorisation for the new fee structure for all licences administered by the Licensing Team.
- Reduce filed paperwork within the Licensing Team by 50%.
- Ensure licensing staff are fully conversant with new amendments to the Licensing Act 2003.

Performance Indicators 2013 - 2014

- PI 1** To ensure that, within 12 months, 75% of premises entering the red or amber zone are brought back to the amber or green zone respectively.
- PI 2** To inspect 100% of premises falling into either the amber or red zones.
- PI 3** To ensure all necessary paperwork is submitted to Town Clerks prior to a hearing/review in accordance with agreed timescales on 100% of occasions.

Objectives 2013-2014 (1 April 2013 – 31 March 2014)

Perspective 1 – Customer and Stakeholder Focus			
To create and maintain a strong positive relationship with our stakeholders by delivering high quality services which meet the needs of our customers.			
Objective	Actions	Outcome	Responsibilities
Consult upon and introduce a Late Night Levy for licensed premises in the City and introduce the Levy if it is approved by Members.	<ul style="list-style-type: none"> • Consult on criteria for the introduction of a Late Night Levy. • Seek Member authorisation for implementation. • Establish system of collection of Levy with Chamberlain's Department. • Inform Licence holders. • Recruit staff to administer system. 	<ul style="list-style-type: none"> • Levy introduced resulting in increased enforcement of the night time economy. • Reduction in the number of complaints concerning public nuisance. 	<ul style="list-style-type: none"> • Assistant Director Public Protection (PP) • Licensing Team Manager
Introduce a Traffic Light Scheme for the management and targeted enforcement of licensed premises. <i>Linked to PI 1 & PI 2</i>	<ul style="list-style-type: none"> • Establish a system for ensuring data is collected and input on M3. • Analyse data monthly and liaise with all parties when premises move into amber or red zones. • Put plans in place to move premises back into the green zone. • Report to Licensing Committee. 	<ul style="list-style-type: none"> • System introduced and premises in amber or red zones identified. • Premises have problems dealt with by early intervention. • Fewer complaints concerning public nuisance. 	<ul style="list-style-type: none"> • Assistant Director (PP) • Licensing Manager
Respond to any further legislative changes affecting deregulation of the Licensing Act 2003 and Street Trading.	<ul style="list-style-type: none"> • Make necessary changes to policies and procedures. • Notify stakeholders as necessary. • Introduce new scheme for temporary licences. • Resolve issues relating to peddlers and street trading. • Devise a Trading Policy for Middlesex Street Market. 	<ul style="list-style-type: none"> • City of London meets its statutory obligations. • Stakeholders receive a high quality service. • Market Traders have clear guidelines. 	<ul style="list-style-type: none"> • Assistant Director • Licensing Manager

Perspective 2 – Operations and Finance			
Meet the legal requirements of relevant legislation and achieve value for money			
Objective	Actions	Outcome	Responsibilities
Gain authorisation for new fee structure for all licences administered by the Licensing Team.	<ul style="list-style-type: none"> • Ensure all proposed fees comply with the EU Services Directive. • Submit necessary reports to the Licensing, Port Health & Environmental Services and Planning Committees. • Establish 'recharge' figures with other services within Port Health and Public Protection. 	<ul style="list-style-type: none"> • Fees charged in line with statutory requirements. • Monies identified towards savings target. 	<ul style="list-style-type: none"> • Assistant Director (PP) • Licensing Manager

Perspective 3 – Sustainability and Site Optimisation			
Increase the sustainability of our operations, working to reduce our energy usage to reduce costs and our carbon footprint.			
Objective	Actions	Outcome	Responsibilities
Reduce filed paperwork within the Licensing Team by 50%.	<ul style="list-style-type: none"> • Extract extraneous paperwork from files. • Scan in remaining documents to worksheets within M3. • Destroy unwanted paper files. • Establish/maintain system which does not necessitate filing paper. 	<ul style="list-style-type: none"> • Number of filing cabinets reduced by 50%. • Established culture for storing information electronically. 	<ul style="list-style-type: none"> • Assistant Director • Licensing Manager

Perspective 4 – People and Innovation			
To improve the quality of leadership and management throughout the service and ensure that all staff maintain their required level of professional competence, maximise their potential and achieve job satisfaction.			
Objective	Actions	Outcome	Responsibilities
Ensure licensing staff are fully conversant with new amendments to the Licensing Act 2003.	<ul style="list-style-type: none"> • Monitor amendments to current legislation for commencement. • Ensure systems are developed/ updated in order to meet new requirements. • Train staff in new requirements. • Ensure external-facing media sources are amended accordingly. 	<ul style="list-style-type: none"> • Fully trained professional staff able to deliver the statutory requirements of the Licensing Act 2003. 	<ul style="list-style-type: none"> • Assistant Director (PP) • Licensing Manager

Financial Summary

Strong financial management is critical to the delivery of high quality services at a reduced cost. Our strategy is to continually review our ways of working to generate further efficiencies whilst maximising our income streams.

The department is committed to producing timely monthly budget information and to proactively monitor our key cost drivers and any external factors that could impact on our ability to remain within budget. This will allow projected outturn information to be calculated and agreed with the Senior Management Group, in order to meet any future efficiency reviews and help plan the future direction of front line service provision.

Financial Information - Markets & Consumer Protection (Licensing Committee)

	2011/12	2012/13	2012/13	2012/13		2013/14	N.B.
	Actual	Original Budget	Revised Budget (latest approved)	Forecast	Outturn	Original Budget	
	£'000	£'000	£'000	£'000	%	£'000	
Employees	254	265	295	298	101.0%	353	
Premises	46	45	53	53	100.0%	49	
Transport	0	1	0	0	0.0%	0	
Supplies & Services	4	21	10	8	80.0%	10	
Third Party Payments	0	0	0	0	0.0%	0	
Transfer to Reserve	0	0	0	0	100.0%	0	
Contingencies	0	2	2	0	0.0%	2	
Unidentified Savings	0	0	0	0	0.0%	0	
Total Expenditure	304	334	360	359	99.7%	414	
Total Income	(534)	(495)	(492)	(544)	110.6%	(518)	
Total Local Risk	-230	-161	-132	-185	140.2%	-104	
Central Risk	0	0	0	0	0.0%	0	
Recharges	173	176	163	163	100.0%	165	
Total Expenditure (All Risk)	(57)	15	31	-22	-71.0%	61	1

N.B.

1. Forecast outturn 2012/13 based on monitoring at period 10 (31/01/2013).