

## LICENSING COMMITTEE

Monday, 21 October 2013

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

### Present

#### Members:

Marianne Fredericks (Chairman)	Peter Dunphy
Edward Lord (Deputy Chairman)	Kevin Everett
Alex Bain-Stewart	Michael Hudson
Deputy John Barker	Judith Pleasance
Jamie Ingham Clark	Chris Punter
Revd Dr Martin Dudley	

#### Officers:

Natasha Dogra	- Town Clerk's Department
James Goodsell	- Town Clerk's Department
Jon Averbs	- Port Health & Public Protection Department
David Smith	- Markets & Consumer Protection Department
Steve Blake	- Markets & Consumer Protection Department
Peter Davenport	- Markets & Consumer Protection Department
Paul Chadha	- Comptrollers and City Solicitors
Jenny Pitcairn	- Chamberlain's Department

#### 1. APOLOGIES

Apologies were received from Tom Sleight, Sophie Fernandes and James Tunbridge.

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

There were no declarations of interest.

#### 3. PUBLIC MINUTES

**RESOLVED:** That Members approved the public minutes of the previous meeting as an accurate record.

#### Matters Arising:

Officers circulated a breakdown of gambling fees and sex establishment fees for new applications and annual fee renewals.

Members requested that a letter of thanks be sent to Simon Walsh for facilitating the training session for the Licensing Committee, which was well received by Members. The Town Clerk agreed to action this. A Personal

Licences training session was due to take place in November; the Town Clerk would circulate the date to Members of the Committee.

The Committee also thanked Alistair MacLellan and Xanthe Couture (Committee and Members Services Officers) for their hard work in managing the recent Licensing Sub Committee hearings.

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

**RESOLVED:** That Members noted the public minutes of the Sub Committee hearings.

**Matters Arising:**

The Town Clerk was asked to make one amendment to the minutes of the hearing held on 4<sup>th</sup> July 2013 by removing paragraph 21 of the document.

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

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

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

The Committee received a report of the Director of Markets and Consumer Protection informing Members of premises licences, and variations to premises licences, granted under the Licensing Act 2003 by the Licensing Service from 1 July 2013 to 30 September 2013. Members also noted data from the 'traffic light' risk scheme introduced within the City of London on 1 April 2013.

In response to a query from Members, officers explained that the names of premises had not been included in the report due to the significant changes to the points calculation system. Therefore, premises names would be included in the future to ensure officers' calculations were fair and accurate.

7. **RESOLUTION OF THE PORT HEALTH & ENVIRONMENTAL SERVICES COMMITTEE**

The Committee received a resolution from the Port Health and Environmental Services Committee in relation to the annual review of fees and governance arrangements for Sex Establishments in the City as follows:

**RESOLVED** - That,

- a) the proposed fees for 2013/14 be approved;
- b) the governance of all types of sex establishments be dealt with by the Licensing Committee, which includes sex shops, sex cinemas, hostess bars and SEV's;
- c) the Terms of Reference be updated accordingly.

8. **TERMS OF REFERENCE OF THE LICENSING COMMITTEE AND FREQUENCY OF MEETINGS**

The Committee received a report of the Town Clerk which informed Members that as part of the post-implementation review of the changes made to the

governance arrangements in 2011 it was agreed that all Committees should review their terms of reference.

**RESOLVED:** That Members:

- a) approved the Terms of Reference for submission to the Court, and that any further changes required in the lead up to the Court's appointment of Committees be delegated to the Town Clerk in consultation with the Chairman and Deputy Chairman;
- b) did not wish to change the frequency of the Committee's meetings.

**9. REVENUE BUDGETS - 2014/15**

The Committee received the report of the Chamberlain and Director of Markets and Consumer Protection informing Members of the annual submission of the revenue budgets overseen by the Licensing Committee.

Members were informed that the business priorities for the forthcoming year included the introduction of a Late Night Levy for certain premises if agreed by Members. This had not been reflected in the budget changes presented in this report, as the financial implications were dependent on the option chosen.

In response to a query from Members, officers confirmed that there were currently no recharges from the Town Clerk's Department in the budget, and agreed to review these charges to ensure the full cost of supporting the Committee was properly reflected in its budget.

**RESOLVED:** That Members:

- reviewed the provisional 2014/15 revenue budget to ensure that it reflected the Committee's objectives and approved the budget for submission to the Finance Committee; and
- authorised the Chamberlain, in consultation with the Chairman and Deputy Chairman, to revise these budgets to allow for further implications arising from potential budget developments including the introduction of a Late Night Levy, review of premises licence fee structure to ensure full cost recovery, and changes in respect of recharges.

**10. TABLES AND CHAIRS AND OTHER LICENSING FUNCTIONS INCLUDING OVERLAP WITH OTHER COMMITTEES**

The Committee considered the report of the Director of Markets and Consumer Protection informing Members that at a meeting of the Licensing Committee in May 2013 it was requested that a report be produced detailing the overlaps, if any, of the various licensing activities undertaken to look at whether any changes or improvements could be made.

Officers informed Members that there was significant interaction of responsible authorities with the Licensing Service particularly in the primary role of administration of the Licensing Act 2003. In addition there were parallel but separate regulatory processes operating through the Department of the Built Environment (DBE) and the Planning and Transportation Committee for planning applications.

The administration of Tables and Chairs licences did not in practice cause conflicts with premises licences but policy and guidelines for granting of the licences needed to be updated.

The Committee noted that similarly changes in legislation for street trading were anticipated next year if the City of London (Various Powers) Bill proceeded through Parliament and a policy on this issue would need to be produced and agreed by the appropriate Committee.

Members noted that an email had been circulated to the Committee by a Member the night before the meeting, however as the email had not been sent to Officers and was not tabled at the meeting it was agreed that the Member speak to officers directly to address his concerns.

**RESOLVED:** That Members agreed the proposals and asked officers to submit the draft policy to the Licensing Committee for comments before it was considered by the Planning and Transportation Committee.

**11. JOINT ACTION BY THE CITY POLICE, CITY CORPORATION LICENSING SERVICE AND LONDON FIRE BRIGADE**

The Committee considered the report of the Director of Markets and Consumer Protection which informed Members that at a meeting of the Licensing Committee in July 2013 the Chairman requested that a report be produced concerning the joint night time inspections being undertaken by the responsible authorities over the last year.

Members noted that the issues being raised during inspections fell into three main areas of the licensing objectives; public safety, crime and disorder and public nuisance. Members noted how information was shared and used in the new Traffic Light Assessment Scheme which was introduced this year. Officers agreed to circulate information regarding the Traffic Light Assessment Scheme to new Members of the Committee for information.

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

There were no questions.

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

The Chairman considered one item of urgent business regarding Late Night Levy introduction which was presented by the Director of Markets and Consumer Protection. Members noted that if a Late Night Levy were to be introduced the earliest it would come into effect would be June 2014. Officers would bring the analysed result of the recent consultation to the next Committee Meeting in February; Members noted that 76 responses had been received, a majority of which were from licensed premises.

**The meeting closed at 2.40pm**

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Chairman

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