

LICENSING COMMITTEE

Wednesday, 26 October 2016

Minutes of the meeting of the Licensing Committee held at Committee Room - 2nd Floor West Wing, Guildhall on Wednesday, 26 October 2016 at 1.45 pm

Present

Members:

Peter Dunphy (Chairman)	Christopher Hayward
Marianne Fredericks (Deputy Chairman)	Michael Hudson
Alex Bain-Stewart	Deputy Jamie Ingham Clark
Deputy John Barker	Graham Packham
Keith Bottomley	Judith Pleasance
Emma Edhem	Chris Punter

In Attendance

Officers:

Fern Aldous	-	Town Clerk's Department
Jon Avern	-	Markets & Consumer Protection Department
Paul Chadha	-	Comptroller's and City Solicitors Department
David Smith	-	Director, Markets and Consumer Protection
Steve Blake	-	Markets & Consumer Protection Department
Peter Davenport	-	Markets & Consumer Protection Department
Superintendent Teresa Russell	-	City of London Police
Superintendent David Evans	-	City of London Police
Superintendent Simon Douglas	-	City of London Police

1. APOLOGIES

Apologies for absence were received from Sophie Fernandes and James Tumbridge.

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

There were no declarations.

3. PUBLIC MINUTES

The public minutes of the meeting held on 11 July 2016 were approved as a correct record.

4. MINUTES OF LICENSING HEARINGS (SUB)

4.1 Strada Trading Limited

The Committee received the minutes of the Licensing Hearing meeting for Strada trading Limited held on 15 July 2016. A Member asked that the Paragraph 7 of the minutes read "*a resident*" in place of "*the resident*".

RECEIVED.

4.2 **Greene King Retailing Limited**

The Committee received the minutes of the Licensing Hearing meeting for Greene King Retailing limited held on 9 August 2016.

RECEIVED.

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

The Comptroller and City Solicitor reported that there had been no appeals since the Committee's last meeting in July 2016.

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 detailing the premises licenses, and variations to premises licenses granted under the Licensing Act 2003 by the Licensing Service from 20 June 2016 to 30 September 2016. Officers alerted Members to an error in table detailing the number of complaints received against various premises, with 26 Bride Lane being incorrectly labelled as being in the Tower Ward.

A Member queried the use of the heading "Conditions applied to licenses by way of delegated authority" and it was agreed to be amended to clarify these were no *additional* conditions.

In response to a query from a Member over the informal resolution of a recurring noise issue, Officers confirmed that these had been incidents served as temporary warnings before a formal notice could be served. Officers further confirmed that the denomination of "ceased not likely to reoccur" was a wide ranging label that relied on the professional opinion of licensing officers. It was felt that instead of including more description in the table, Members could ask Officers for specific details of any applications of concern.

RECEIVED.

7. **LICENSING ACT 2003: REVIEW OF STATEMENT OF LICENSING POLICY**

The Committee received a report from the Director of Markets and Consumer Protection seeking approval for the revised Licensing Policy. The Chairman recommended Members focus on the main body of the report, as much of the content of the appendices, including the chairs and tables policy, fell outside the Committee's remit but they had been included with the Report to ensure that Members of the Committee had as full a picture as possible.

The Director informed the Committee that the policy was still draft, and was due to include three extra sections:

- A glossary of terms as requested in a previous meeting.
- A section on the live music act (to be included in exemptions).
- A section on unclassified films, and the remit of the Committee to determine the recommended age restriction

A document was tabled setting out representations from residents of the Barbican estate, alongside the response from the Comptroller. The Committee considered both documents and agreed with the recommendations of the Comptroller that legal restrictions prevented them from adopting most of the residents' proposals.

A Member queried whether receiving four responses to the Consultation was considered to be effective consultation. Officers confirmed that, although the response had been disappointing, it could be seen as a positive sign, indicating that the proposed policy and the relationship with the license holders was good.

The Deputy Chairman made the following points in relation to the policy:

- Key points, including the availability of a pre-application service, the expectation of the Corporation as laid out in paragraph 39 and the requirement for the covering letter to be full and detailed, should be highlighted. "Evidence based" should also be emboldened.
- Reinforce that outside drinking could be considered a nuisance and signpost readers to the appendix on the policy.
- Consideration be given to including a requirement for stickers showing a venue's capacity, to be placed at entrances.
- The planning department to give further advice on the installation of permanent barriers.
- It should be made clear on the website which Committees are responsible for which area of the Policy.

Members debated the best way to handle the appendices going forward. It was agreed that they should not be included in the agenda for the January meeting of the Court of Common Council (to which the Policy was intended to be presented), but should be readily available to Members who wished to view them. Similarly the Policy should be a stand-alone document on the website, but links to the most current versions of the policies in the appendices should be included.

The Committee wished to minute their thanks to Sylvia Moys, CC for proof reading the Policy.

RESOLVED – That the Committee recommend the policy document to the Court of Common Council for their approval.

8. **INTERIM REPORT ON POLICE SPEND OF LATE NIGHT LEVY FUNDS**

The Committee received a report of the Commissioner of the City of London Police setting out the Police spend on the Late Night Levy from October 2015 to September 2016. Officers updated Members on the key campaigns that had been funded by the levy, including the successful Christmas campaign for 2015, Operation Tinsel, and the upcoming Operation Present.

A Member queried whether the large carry forward in the budget from 2015 would create a problem for coming years. The Chamberlain confirmed that it

was predicted that the 2016 levy would produce a similar carry forward, and that reserving the money avoided having to pay for projects on credit.

A Member sought confirmation of the usefulness of the Levy to policing activities. The Commissioner confirmed that the levy was invaluable to their late night operation. There had been a significant fall in the number of incidents since the levy had been introduced, with the fund allowing the force to scrutinise venues' safety to a much higher degree. This had in turn helped forge strong working relationships with venues in the Square Mile.

In response to a query from a Member, the Commissioner confirmed that venues' response to sexual assault allegations would be discussed at a licensing forum due to be held in November.

The Deputy Chairman queried whether Police were still present at club closing times to assist with the safe and speedy dispersal of patrons. The Commissioner reported that this was now rare, and Police deployment relied on information on which nights were likely to be busy. The Deputy Chairman further queried the potential to deploy a CCTV vehicle at busy times, and it was reported that a bid for levy money to allow for this had yet to be accepted.

The Director of Markets and Consumer protection updated the Committee on non-police use of the levy (equivalent to 30%). It was felt that the percentage of funding going to the Corporation and the Police could be flexible in future to allow for projects with a longer term impact.

RECEIVED.

9. SAFETY THIRST UPDATE

The Committee received an update on the Safety Thirst Scheme from the Director of Markets and Consumer Protection. 46 premises were now part of the scheme (up from 32 in the previous year) of which 22 had been highly commended at a recent awards ceremony.

The Deputy Chairman requested Officers investigate reducing the complexity of the application forms for smaller businesses

RECEIVED.

10. TACKLING VIOLENT CRIME

This Item was taken after Item 7 to facilitate discussion on the Late Night Levy.

The Committee heard a presentation from the City of London Police on the methods employed and obstacles encountered in tackling violence in the City. Members watched a video depicting a variety of incidents involving violent crime.

The City of London Police reported that violent crime had until recently been on a downward trend (Members were reminded that the small numbers involved could have a large impact on the percentages.) The late night economy in the

City had changed drastically since the 1980's and the Police had been slow to channel the necessary resources in line with this increase in activity. This had now been resolved and the introduction of the Late Night Levy had allowed for a further increase in resources. However it was felt that more needed to be done. The following areas of discussion arose:

- The link between promoted events and violent crime. Members discussed if restricting promoted events would lead to a reduction in crime levels, or if extra conditions could be added to venues who wished to host promoted events as a subsidiary to their main business. A condition for a better quality if CCTV was given as an example. The Deputy Chairman commented that a blanket condition could be unfair to venues and that the Police should attend licensing hearings for venues seeking to hold promoted events to make the case for extra conditions.
- The possibility of increasing parking enforcement during the night to prevent weapons being easily accessible to those attending events. It was reported that an incentive to attend a promoted event was the opportunity to "show off" a new vehicle, and it was felt that reputational damage could be inflicted if those vehicles were subject to being towed. It was recognised that this posed a danger to parking officers who had experienced intimidation on similar controls. The Director of Port Health and Public Protection confirmed that the issue had been raised at a meeting of the Safer City Partnership, and that he was progressing an action to investigate with the Department of Built Environment. The Deputy Chairman commented that parking restrictions were rarely applicable after 7:00pm, so questioned the effectiveness of extra enforcement. It was also noted that weapons were often hidden in street furniture close to the venue.

It was asked that the City of London Police make the Committee aware of when violence had taken place within a venue at a promoted event.

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

Night Tube

Officers confirmed there had been no increase in incidents in relation to the introduction of night tube services to Liverpool Street Station.

Training

It was agreed that the newest Members of the Committee should receive their licensing practitioner's license if training courses were available. General licensing training would be arranged for after the March elections.

12. ANY OTHER BUSINESS THAT THE CHAIRMAN CONSIDERS URGENT

Members asked that the next meeting include a further item on tackling violet crime, so a detailed discussion could be held on the issues raised at Item 10.

13. **EXCLUSION OF THE PUBLIC**

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

<u>Item No.</u>	<u>Paragraph No(s).</u>
14	1 & 3
15	1

14. **NON-PUBLIC MINUTES**

The non-public minutes of the meeting held on the 11 July 2016 were considered and approved as a correct record.

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

The Committee received a non-public appendix to Item 6 on the agenda providing Members with details of those premises obtaining sufficient points on the Risk Scheme to reach red or amber for the period 20 June 2016 to 30 September 2016.

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

There was no non-public questions.

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

There was no other business.

The meeting ended at 3:31pm

Chairman

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