

## LICENSING COMMITTEE

Wednesday, 26 July 2017

Minutes of the meeting of the Licensing Committee held at Committee Room - 2nd Floor West Wing, Guildhall on Wednesday, 26 July 2017 at 1.45 pm

### Present

#### Members:

|   |                           |
|---|---------------------------|
| Peter Dunphy (Chairman)                 | Deputy Jamie Ingham Clark |
| Sophie Anne Fernandes (Deputy Chairman) | Deputy Edward Lord        |
| Deputy Keith Bottomley                  | Andrien Meyers            |
| Mary Durcan                             | Graham Packham            |
| Marianne Fredericks                     | James Tumbridge           |
| Michael Hudson                          |                           |

### In Attendance

#### Officers:

|                 |   |   |
|-----------------|---|---|
| Gemma Stokley   | - | Town Clerk's Department                     |
| Bose Kayode     | - | Town Clerk's Department                     |
| Simon Douglas   | - | City of London Police                       |
| Paul Chadha     | - | Comptroller & City Solicitor's Department   |
| David Smith     | - | Director of Markets and Consumer Protection |
| Jenny Pitcairn  | - | Chamberlain's Department                    |
| Steve Blake     | - | Markets & Consumer Protection Department    |
| Peter Davenport | - | Markets & Consumer Protection Department    |

### 1. APOLOGIES

Apologies had been received from Emma Edhem, Deputy Kevin Everett and Christopher Hayward. In addition, both Deputy Edward Lord and Andrien Meyers were welcomed as new Members.

Further, Gemma Stokley, Town Clerk will be going on Maternity Leave. Members wished her well and thanked her for her work with the committee. In addition, the Chairman welcomed Bose Kayode, Town Clerk, who will be covering in Gemma's absence.

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

Deputy Edward Lord declared that given the length of time that he has known Laura Willoughby of Club Soda, he wished to make it known that they were friends.

3. **PUBLIC MINUTES**

The public minutes and summary of the meeting held on 3 May 2017 were approved as a correct record subject to the following amendment:

***Minute 5 – Election of Deputy Chairman***

*The Town Clerk read out a list of Members eligible to stand as Deputy Chairman. Sophie Fernandes, being the only Member indicating his willingness to stand as Chairman, was duly elected for the ensuing year.*

Be amended to:

***Minute 5 – Election of Deputy Chairman***

*The Town Clerk read out a list of Members eligible to stand as Deputy Chairman. Sophie Fernandes, being the only Member indicating her willingness to stand as Deputy Chairman, was duly elected for the ensuing year.*

**Matters Arising**

**Minute 8a – Louie’s Bar – Ten**

Members were advised that Louie’s Bar had applied for and been granted a license.

**Minute 11 – Charity Collections Terms of Reference**

Members were informed that the Terms of Reference had been approved by the Court of Common Council without any objection.

**Minute 16 – House of Lords Select Committee on the Licensing Act 2003**

Members were informed that there had not been any further advice or development since the last meeting.

In response to a question from a member as to whether Deputy Edward Lord was automatically added as a member who could serve as a Sub Committee Chairman, Members were informed that this was the case and that he had automatic rights to serve on the Sub Committee given that he had previously served as a past Chairman of the Grand Committee.

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

4.1 **GREMIO DE FENCHURCH**

The Committee received the public minutes and decision notice of the hearing regarding ‘Gremio de Fenchurch’, 26A Savage Gardens, London, EC3N 2AR held on 22<sup>nd</sup> June 2017.

**RECEIVED.**

4.2 **HUMBLE GRAPE**

The Committee received the public minutes and decision notice of the hearing regarding 'Humble Grape Limited', 1 St Brides Passage, London, EC4Y 8EJ, held on 7 July 2017.

## **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 May 2017.

### **6. REVENUE OUTTURN 2016/17**

Members received a joint report from The Chamberlain and the Director of Markets and Consumer Protection which compared the revenue outturn for the services overseen by the Committee in 2016/17 with the final budget for the year. Members noted that the overall total net expenditure during the year was £25,000 whereas the total budget was £88,000. This represented an underspending of £63,000.

Members were shown a 'Summary Comparison of the 2016/17 Revenue Outturn with the Final Budget'. It was noted that the underspend was largely due to additional income from an increase in the volume of licence applications. A local risk underspend on Late Night Levy related costs was fully offset by a reduction in Late Night Levy income.

In response to a question as to why any underspend had not been carried forward, Members were informed that underspend is carried forward for all our locally set fee types, however, this does not include premises fees which are currently set nationally, or costs which we are unable to recover. Members asked that a note be included in future reports providing a clear outline of which costs are recovered.

**RESOLVED** – That, Members note the report and the proposed carry forward of underspendings to 2017/18.

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

Members received a report from the Director of Markets and Consumer Protection. The report detailed the premises licences and variations to premises licences granted under the Licensing Act 2003 by the Licensing Service from 1 April 2017 to 30 June 2017. It did not include any premises where Members had been involved in the decision making process i.e. decisions made at licensing sub-committee hearings.

The report provided a summary of the enforcement action taken under the Licensing Act 2003 between 1 April 2017 to 30 June 2017. The report also presented data from the 'traffic light' risk scheme introduced within the City of London on 1 April 2013 with the data covering the period 1 January 2017 to 30 June 2017.

In response to a question as to whether the condition requiring the imposition of CCTV was being overused, Members were informed that the condition is being included by applicants in their applications as opposed to being imposed by officers.

In response to a question as to how many active licenses are in the square mile, members were advised that there are 851.

**RESOLVED** – That, Members note the report.

8. **SAFETY THIRST SCHEME UPDATE**

The Committee heard from the Licensing Manager who provided a verbal update on the Safety Thirst Scheme Update.

Members were informed that 55 applications had been received for the scheme to date. It is anticipated, that the target of 60 applications would be reached or exceeded. To date, 34 inspections have been carried out. Of those 34 applications, 33 were approved and passed. It was anticipated that last year's total of 47 awards would be exceeded this year.

The Safety Thirst Awards will be taking place on 24 October 2017, 15:00, Livery Hall. All Members are welcome.

In response to a question as to what work had been done to streamline the application process for smaller businesses who had previously stated that they felt that the application process/forms required were too onerous for them, Members were informed that work had gone into improving the application form and streamlining the process. As a result, the time spent on audits had reduced.

In response to a question as to whether Club Soda would be invited to have a stand at the Safety Thirst event, Members were informed that the idea was welcomed and discussions had taken place. In addition, Members suggested Club Soda having an award which could be presented to the 'Top City Venue'.

In response to a question as to whether the agenda of the Safety Thirst Awards had been revised, Members were informed that the programme of the day had been revised. Food and drink will be served on arrival followed by the award ceremony.

9. **CLUB SODA REPORT/UPDATE**

Members received a report and presentation from Laura Willoughby of Club Soda. Members were provided with background and an overview of the scheme. It was noted that as of 14 March, 108 City venues had signed up to the Guide website.

In addition, Members were briefed on the Public facing campaign which took place in January. The campaign aimed to encourage individuals to try out venues. In addition, over 200 mindful pub crawl packs were distributed in the

City. The City Mindful Pub Crawl launch had over 50 attendees and was covered on London Live. The project also reaped positive and significant local and national media interest and there were some TV appearances.

The Objectives and outcomes for 2017/2018 were also discussed and included increasing the number and type of venues on the guide and improving engagement with Members of the public, customers and businesses. The budget for the project for 2017/2018 is £30,000.

Members were informed that the project had begun to build a reputation within local government for innovation, engaging people and businesses, rapid prototyping and development of new ideas. In addition, it was noted that the LGA and other councils had been made enquiries as to the implementing the learning elsewhere. In addition, Members were informed that the GLA is interested in how the projects ideas could dovetail with new Night-Time Economy Plans and would like to be able to continue to promote the partnership with the City across the Local Government Family as a piece of pioneering work.

The project has also gained credibility with the pub and bar trade through positive news coverage. As a result, Club Soda had been invited to speak at a number of influential pub and bar conferences. The trade recognises the expertise that has been built up in the last 2 years and now seek the information and learning to be shared with the top UK venues. In addition, Club Soda was invited to speak at the Morning Advertiser's MA500 event for multi-site managed pub owners and operators in Liverpool in April.

A Mindful Drinking Festival is scheduled to take place on 13 August 2017 where master craftsmen will be present.

Members asked officers for their views on the project and the feasibility of supporting the project for a further year. Officers stated that the Corporation of London is pleased with the success of the project. However, it could not support the associated costs of the project for an extended period.

In response to a question as to whether the Club Soda project could be dovetailed into Safety Thirst, Members were informed that this had already been done.

In response to a question as to why Club Soda did not have an alcohol free stand at the Corporation of London's Beer Festival, Members were informed that discussions had been held.

In response to a question as to whether Club Soda had any involvement in the Health and Wellbeing strategy, Members were informed that Club Soda had been involved in the process.

In response to a question as to whether alcohol free drinks were high in sugar, Members were informed that there is no added sugar in alcohol free drinks and the calorie content is low at about 60cals per bottle.

In response to a question as to what the City's continued funding would enable the project to do and achieve, Members were informed that the additional value which Club Soda anticipates introducing will extend past pubs and bars to restaurants. Members endorsed the comments on extending the offer to restaurants and suggested the introduction of a non-alcoholic menu to accompany meals and tasting menus.

In response to a question as to whether Club Soda could be a sustainable business without public funding, Members were informed that the business model is a good and has generated a lot of interest. In addition, Heineken has stated that it would train individuals on selling alcohol free drinks.

In response to a question as to whether Club Soda were asking for £30,000 plus an additional £10,000, Members were informed that it would appear that Club Soda is seeking a total £40,000 budget which includes an optional £10,000 uplift to visit venues.

In response to a question as to when Club Soda require the £40,000 funding, members were informed that Club Soda is ready to commence the plan once the Corporation is ready to commit to the proposal for a further year.

Members suggested signing off on the plans at the earliest juncture which would allow Club Soda to target venues before the Christmas period where celebrations and drinking increase.

Members raised questions regarding whether Club Soda, in its presentation had in fact asked the committee to make a decision regarding the £40,000 funding at this juncture as the report and presentation were for information only. It was suggested that at present, the committee support the night time levy aspects of the work done by Club Soda given that the committee has some flexibility as to what monies the late night levy is spent on. Members queried the appropriateness of signing off on the £40,000 funding ahead of a 'proper' proposal from Club Soda.

There were further discussions as to whether the proposal, revised business plan and accounts should be circulated to the group for information, with delegated authority be given to the Director of Markets and Consumer Protection, the Chairman and the Deputy Chairman. Concerns were raised as to this course of action. Some Members disagreed with this cause of action.

Following lengthy discussions, the Chairman proposed the following:

Club Soda is to present a written business plan which will be circulated to Members. Subsequently, a decision will be taken by the Chairman, Deputy Chairman and the Director of Consumer and Markets. Members were assured that a sensible decision would be taken.

A vote was subsequently taken in relation to the Chairman's proposal, with the outcome as follows:

In favour - 7  
Against - 2  
Abstention - 1

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

There were no questions.

11. **ANY OTHER BUSINESS THAT THE CHAIRMAN CONSIDERS URGENT  
MINUTES OF LICENSING HEARING (SUB) COMMITTEE – DISAPPEARING DINING CLUB**

The Committee received the public minutes and decision notice (tabled) of the hearing regarding 'Disappearing Dining Club Limited', 24-26 Newbury Street, London, EC1A 7HU held on 4 May 2017.

**RECEIVED.**

12. **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.

| <b>Item No(s).</b> | <b>Paragraph No(s).</b> |
|--------------------|-------------------------|
| 13                 | 1, 2 & 3                |
| 14                 | 1                       |
| 15                 | 2                       |

13. **NON-PUBLIC MINUTES**

The non-public minutes of the meeting held on 3 May 2017 were considered and approved as a correct record.

14. **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 7 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 1 January 2017 – 30 June 2017.

15. **VIOLENT CRIME FROM LICENSED PREMISES**

The Committee received a report from the City of London Police updating Members on issues of Violent Crime from licensed premises within the City during the period 13th April 2017 until date of writing, 4th July 2017.

Members indicated that, for future reference, it would be beneficial having a list of trends over a period of time.

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

There were no questions raised in the non-public session.

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

There were no additional, urgent items of business for consideration in the non-public session.

**The meeting ended at 3.00 pm**

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Chairman

**Contact Officer: Bose Kayode  
tel. no.: 020 7332 3113  
bose.kayode@cityoflondon.gov.uk**