

Committee(s)	Dated:
Licensing	25 April 2018
Subject: Delegated decisions of the Director of Markets and Consumer Protection pertaining to premises licences.	Public
Report of: Director of Markets and Consumer Protection	For Information
Report author: Peter Davenport - Licensing	

Summary

This report details the premises licences, and variations to premises licences, granted under the Licensing Act 2003 by the Licensing Service from 1 January 2018 to 31 March 2018. It does not include any premises where Members have been involved in the decision making process i.e. decisions made at licensing sub-committee hearings.

The report gives a summary of the enforcement action taken under the Licensing Act 2003 between 1 January 2018 to 31 March 2018. This report also presents data from the 'traffic light' risk scheme introduced within the City of London on 1 April 2013. The data covers the period 1 September 2017 to 28 February 2018.

Recommendation(s)

Members are asked to:

Note the report

Main Report

1. Pursuant to the instructions from your committee, I attach for your information lists detailing 'premises licence' applications (Appendix I) and variations (Appendix II) granted by the Licensing Service between 1 January 2018 to 31 March 2018. Each of these appendices contain details of any conditions attached to the premises licences.
2. The report also contains information appertaining to the number of personal licences issued. This information is also contained in Appendix 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/business/licensing/alcohol-and-entertainment/Pages/Search-the-public-register.aspx>.

or by contacting Peter Davenport, Licensing Manager, on extension 3227 or by email to the Licensing Team at licensing@cityoflondon.gov.uk.

4. This report also outlines the enforcement activity of the Licensing Service in relation to premises with a licence granted under the Licensing Act 2003 (Appendix 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.
5. Appendix III provides data from 1 January 2018 to 31 March 2018.
6. Licensing Officers undertake routine enforcement visits checking on premises licence conditions where there are concerns, e.g. closing times, compliance with Temporary Event Notices and managing numbers of people consuming alcohol outside venues, and also in response to complaints. The Departmental Policy Statement on Enforcement is followed prior to escalating action and taking legal proceedings.
7. The Departmental Policy Statement on Enforcement conforms to the Regulators' Compliance Code and the regulatory principles required under the Legislative and Regulatory Reform Act 2006. It sets out the general principles and approach which Officers are expected to follow and addresses issues of proportionality, consistency, targeting, transparency and accountability.
8. More widely, enforcement arrangements are currently coordinated at the Licensing Liaison Partnership meetings that are held monthly and are attended by representatives from all enforcement agencies. Joint visits are organised via this forum and subsequent reports are used to add to the top level premises list that comprises those premises that have accrued the most points under the 'traffic light' risk scheme. These are then targeted by relevant enforcement officers.
9. This report details data produced from the 'traffic light' risk scheme for the period of 1 September 2017 to 28 February 2018. Seven premises have a sufficient number of points to be classified as 'red' and six premises have sufficient points to be classified as 'Amber'. Further details can be seen in Appendix IV.
10. There is a very good working relationship between the Port Health & Public Protection (PH&PP) Licensing Team, The City of London Police Licensing Team and the PH&PP Pollution Control Team, all of whom are based at Walbrook Wharf.
11. The Memorandum of Understanding (MoU) between the City of London Police and the Markets and Consumer Protection Department agreed in November 2011 outlines specific arrangements for cooperation between the Licensing Teams.

12. The other City Corporation Department that is routinely involved in enforcement is the Department of the Built Environment (DoBE). Where it appears that a material change of use has occurred, or there is a failure to comply with any condition attached to a planning permission or a breach of planning controls, when it is expedient to do so, officers from this Department seek authorisation to take the appropriate enforcement action.
13. Any complaints about licensed premises are dealt with by the relevant agency/team, e.g. crime and disorder – Police, fire safety – London Fire Brigade. As far as PH&PP are concerned, complaints relating to the conditions on a licence will be dealt with in the first instance by the Licensing Team, but if there are noise issues the Pollution Team will also be involved.
14. Investigations are undertaken and if there are grounds for a review of the licence in relation to the licensing objectives, then the responsible authorities can apply accordingly. In practice, potential applications are considered at the Licensing Liaison Partnership meetings, and agencies/authorities support one another in providing evidence and making applications.

Implications

15. There are no financial, legal or strategic implications that arise from this report.

Appendices

- Appendix 1 – New Licence Applications issued between 1 January 2018 to 31 March 2018
- Appendix 2 – Applications to vary a licence issued between 1 January 2018 to 31 March 2018
- Appendix 3 - Enforcement Action carried out between 1 January 2018 to 31 March 2018 (Including complaints received)
- Appendix 4(Non-Public) – Premises reaching red and amber on the risk scheme between 1 September 2017 and 28 February 2018.

Background Papers

None

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