

Committee(s):	Date(s):	Item no.
Licensing Committee	15 November 2010	
Subject: Hearing Reports for Licensing Sub - Committee		Public
Report of: Director of Environmental Services		For Decision
<p style="text-align: center;"><u>Summary</u></p> <p>At a meeting held between Chairman and Deputy Chairmen of your Committee, the Sub Committee Chairmen and City Officers, it was agreed that the report template for licensing hearings needed to be reviewed to ensure that sufficient information is provided to the Sub Committees. As these reports have never been reviewed and are historical, it was decided to look at other Local Authority reports to determine differences and potential improvements to the City's template. This report proposes changes to reflect best practice gleaned from the approach taken by other Local Authorities. The new template will incorporate more detail from both Government guidance and our own Statement of Licensing Policy that relate to the circumstances of a particular Hearing.</p> <p>Recommendations</p> <p>I recommend</p> <ul style="list-style-type: none"> • that Licensing Committee consider the additions suggested here to future Hearing Reports and • adopt the template suggested along with any additional changes agreed by the Committee 		

Main Report

Background

1. A meeting was held on 28 June between the Chairman and Deputy Chairmen of your Committee, the Sub Committee Chairmen and City

Officers for purposes of training, consistency of approach and various operational matters.

2. One issue raised was the information contained in reports to Licensing Sub Committees and representatives before the hearing where a licence application had received objections, or where a review has been requested and the case falls to the Sub Committee for decision.
3. The main concerns relate to the lack of guidance as to the conditions. The view was also expressed that Sub Committee Chairmen for Licensing Hearings often need to ask officers for advice before the meeting as it is not included in the report, particularly regarding the law, Government guidance, procedures, and the City's own Statement of Licensing policy, and how these relate to the premises under consideration.
4. At the meeting, Members therefore asked Officers to review the content of the Hearing Reports. The intention is to provide a more informative, and helpful template that forms the basis of each report.

Current Position

5. Officers have reviewed the Hearing Report and compared it to examples of those used by other Local Authorities. It was considered that the style of report used by Cambridge City Council gave most support to Members in the decision making process.
6. Officers have re-drafted the Hearing Report Template used in the City of London based on the Cambridge model and an example of this format is set out in Annexe 1 for Members' comments. The draft is a composite model based on the most usual applications.
7. The key differences are to insert at paragraph 6 specific references to the particular circumstances of a hearing with respect to: The City's current Statement of Licensing Policy, seen at paragraph 6.2; and appropriate current guidance from the DCMS or The Home Office, seen at paragraph 6.3. This is intended to aid Members in directing them to the most relevant parts of documents that help inform their decision making process.

Options

8. As far as adoption of the revised Template is concerned there are two options:

9. Do nothing, in which case the current templates will continue to be utilised but this will not provide the additional information requested by some Sub Committee Chairmen.
10. Adopt the suggested template an example of which is set out in Annexe 1 which will provide a more detailed and focused element in the report based upon the particular elements of the hearing including the City Policy and appropriate guidance.

Proposals

11. It is proposed that the revised and improved template set out as an example in Annexe 1 is adopted; along with any further changes Members indicate they may wish to see during the discussion at your meeting, to aid the effectiveness of considerations by Members at Licensing Sub Committee Hearings.

Legal Implications

12. The Comptroller and City Solicitor has been consulted in the preparation of this report and his comments are included in the body of the report.

Strategic Implications

13. The issue of the Night Time Economy primarily links to the following themes of the Sustainable Community Strategy:

A world class City which...

- i. Supports our Communities
 - ii. Protects, Promotes and Enhances our Environment
 - iii. Is Vibrant and Culturally Rich
 - iv. Is Safer and Stronger
14. This report particularly supports the City's Sustainable Community Strategy theme: '... is safer and stronger' specifically supporting the objective 'to minimise any aspects of the emerging night time economy which are detrimental to the City, whilst continuing to support a vibrant and culturally rich environment.'

Conclusion

15. The changes requested by Chairman, Deputy Chairman and various Chairmen of the Licensing Sub Committees require consideration and adoption to take effect, as detailed above.

Annexe

Annexe 1 Composite example of New Hearing Report format

Contact:

Steve Blake

020 7332 1604

steve.blake@cityoflondon.gov.uk