



Licensing Committee

Date: WEDNESDAY, 15 JULY 2020
Time: 2.30 pm
Venue: VIRTUAL PUBLIC MEETING (ACCESSIBLE REMOTELY)

Members:

Sophie Anne Fernandes (Chairman)	Marianne Fredericks
Deputy Peter Dunphy (Deputy Chairman)	Michael Hudson
Caroline Addy	Deputy Jamie Ingham Clark
Deputy Keith Bottomley	Shravan Joshi
Mary Durcan	Graham Packham
Karina Dostalova	Judith Pleasance
Deputy Kevin Everett	James Tumbridge
John Fletcher	

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Accessing the virtual public meeting

Members of the public can observe this virtual public meeting at the below link
<https://youtu.be/qVc7N8437OY>

John Barradell
Town Clerk and Chief Executive

AGENDA

1. **APOLOGIES**
2. **MEMBERS' DECLARATIONS UNDER THE CODE OF CONDUCT IN RESPECT OF ITEMS ON THE AGENDA**
3. **PUBLIC MINUTES**
To agree the public minutes of the meeting held on 21 May 2020.
For Decision
(Pages 1 - 4)
4. **MINUTES OF LICENSING (HEARING SUB) COMMITTEES**
a) George & Vulture - 16 June 2020
b) Dabbers Social Bingo - 2 July 2020 - Cancelled
For Information
(Pages 5 - 10)
5. **APPEALS AGAINST LICENSING (HEARING) SUB COMMITTEE DECISIONS**
The Comptroller and City Solicitor to be heard.
For Information
6. **REOPENING THE HOSPITALITY SECTOR: ALFRESCO EATING AND DRINKING UNDER THE BUSINESS AND PLANNING ACT 2020 - TO FOLLOW**
Report of the Director of Markets and Consumer Protection.
For Decision
7. **COVID-19 UPDATE**
Oral update on the latest position.
For Information
8. **REVENUE OUTTURN 2019/20**
Joint report of the Chamberlain and the Director of Markets and Consumer Protection.
For Information
(Pages 11 - 16)
9. **CRIMES AT LICENCED PREMISES - TO FOLLOW**
Report of the Chief Superintendent, City of London Police.
For Information
10. **LATE NIGHT LEVY FINANCE REPORT - TO FOLLOW**
Report of the Chief Superintendent, City of London Police.
For Information

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

Report of the Director of Markets and Consumer Protection.

(N.B. – To be read in conjunction with the non-public appendix at Item 16).

For Information
(Pages 17 - 26)

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

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

14. **EXCLUSION OF THE PUBLIC**

MOTION - 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.

For Decision

15. **NON-PUBLIC MINUTES**

To agree the non-public minutes of the meeting held on 21 May 2020.

For Decision
(Pages 27 - 30)

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

To be read in conjunction with Item 11.

For Information
(Pages 31 - 38)

17. **NON-PUBLIC QUESTIONS RELATING TO THE WORK OF THE COMMITTEE**

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

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LICENSING COMMITTEE

Thursday, 21 May 2020

Minutes of the meeting of the Licensing Committee held at Virtual Public Meeting.
The meeting can be viewed at: <https://youtu.be/kQdYMY0F0b4> on Thursday, 21 May 2020 at 4.00 pm

Present

Members:

Sophie Fernandes (Chairman)	Marianne Fredericks
Deputy Peter Dunphy (Deputy Chairman)	Michael Hudson
Caroline Addy	Deputy Jamie Ingham Clark
Deputy Keith Bottomley	Shravan Joshi
Mary Durcan	Graham Packham
Karina Dostalova	Judith Pleasance
Deputy Kevin Everett	James Tumbridge
John Fletcher	

In Attendance

Officers:

Jon Averbs	- Director of Markets & Consumer Protection
Gavin Stedman	- Port Health and Public Protection Director
Rachel Pye	- Markets & Consumer Protection
Peter Davenport	- Markets & Consumer Protection Department
Jenny Pitcairn	- Chamberlain's Department
Frank Marchione	- Comptroller and City Solicitor's
Leanne Murphy	- Town Clerk's Department
Andrew Buckingham	- Media Team, Town Clerk's Department
Commander Dai Evans	- City of London Police
Inspector Jo Northmore	- City of London Police

1. **APOLOGIES**

There were no apologies.

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

There were no declarations.

3. **PUBLIC MINUTES**

RESOLVED, that the public minutes of the meeting held on 5 February 2020 were approved as a correct record.

4. **COVID-19 UPDATE**

The Committee received an oral update from the Director of Markets and Consumer Protection providing Members with an update on the current situation as a result of the Covid-19 pandemic. Members also noted the

Institute of Licensing's Protocol for licence applications and hearings under the Licensing Act 2003 during the Covid-19 pandemic.

Members were advised that the unprecedented pandemic had brought a number of questions and challenges for the City Corporation who have continued to act with pragmatism in line with Government, LGA and Institute of Licensing guidance. Key issues to particularly affect the City included annual fees, variations and support for local businesses.

Fees

There were calls from a number of areas including the GLA for Licensing Authorities to provide a reduction, suspension or holiday for licence application fees. This fee is mandatory under Section 55A of the Licensing Act and Licensing Authorities are required under the terms of the Act to suspend licences following non-payment of the annual fee. However, the date on which that suspension takes effect is discretionary and the City Corporation is allowing some flexibility and time to pay the fee without enforcement action. An advisory note to licensees is also being sent with the invoices.

Members were reminded that any change to this would require Government intervention which was a similar position for the Late Night Levy (LNL).

In terms of numbers for fee payments since lockdown began, Members were advised that:

- March: 43 invoices were issued and 32 paid (73%) with no requests for deferral;
- April: 54 invoices were issued and 24 paid (44%) with two requests for deferral;
- May: 61 invoices were issued and 18 paid (30%) with five requests for deferral.

This reflected a clear downward trend of businesses paying; however, it was highlighted that no reminders or suspension notices have been issued since 23 March 2020.

Variations

Discussions relating to the adaptation of licensed premises business models to provide takeaway have been ongoing. This would only be available to licenses that have on and off sales, although this could be possible for some cases with the inclusion of specifically controlled conditions. To date, only one business has applied for a time-limited variation to permit off-sales. There have also been a number of business inquiries who have been advised they may do so in accordance with social distancing regulations.

Supporting the Industry

It was acknowledged that the UK hospitality sector is a large contributor to the UK economy, providing a huge number of jobs in the industry and the wider supply chain. Whilst limited by the confines of the legislative framework, the City Corporation has continued to support the industry and has been working with the Night Tsar to identify ways that it can assist.

The City Corporation is supporting the Raise the Bar campaign alongside the GLA and others asking for Central Government to consider increasing the threshold for access of the £25k grant from £51k to £150k, as whilst many businesses in London fall within the higher rateable values they have been excluded from the Discretionary Fund. Support has also been offered to the NEXSTART Project, a coalition of experts working together on a comprehensive national strategy to exit lockdown and restart their businesses.

A Member enquired if a process had been developed allowing the City Corporation to hold licensing hearings if needed. It was confirmed that there was one hearing in the pipeline which was deferred under urgency procedures as described in the report of action taken report circulated to Members in the information pack. The Town Clerk confirmed that a process for hearings had been developed for Microsoft Teams but that there had been some pushback by Members who wished to use Zoom. It was agreed that hearings should not be delayed pending a new process and that the current developed process should be used. The Town Clerk agreed to follow up and confirm if this was possible. A Member noted that virtual meetings using Microsoft Teams had worked well with Open Spaces Committees which had a high number of external users.

The Deputy Chairman, whilst in agreement that the LNL should not be abandoned, acknowledged that the Night Czar requested that premises should receive a 12-month holiday and as a point of principle found it unfair to expect premises that were forced to close down by the lockdown to pay these fees. He suggested lobbying Government to support legislation to rebait these premises. Officers confirmed that support was being given to these premises.

5. **APPEALS AGAINST LICENSING (HEARING) SUB COMMITTEE DECISIONS**
The Comptroller & City Solicitor advised the Committee that there were currently no appeals.

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

A Member queried if there had been any licensing related issues in the City during lockdown. Members were advised that licensing operation within the City had been generally quiet since lockdown was imposed with Tesco and Marks & Spencer being the predominant only trade. However, public cleansing, the Highways and Licensing teams and City of London Police had remained in operation.

It was noted that within the past 48 hours, there had been an issue at one licensed premises on the curtilage of the Bloomberg Arcade which had off-sales included within its licence. This had a core effect on the local area as a group of patrons purchasing alcoholic drinks had been moved onto the public highway. The City of London Police were involved and been in communications with the Licensee.

7. **ANY OTHER BUSINESS THAT THE CHAIRMAN CONSIDERS URGENT**
There were no urgent items.
8. **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 Paragraph 3 of Part I of Schedule 12A of the Local Government Act.
9. **NON-PUBLIC MINUTES**
RESOLVED, that the non-public minutes of the meeting held on 5 February 2020 were approved as a correct record.
10. **COVID-19 UPDATE (NON-PUBLIC)**
The Committee received a non-public oral update from the Director of Markets and Consumer Protection providing Members with an update on the current situation as a result of the Covid-19 pandemic.
11. **NON-PUBLIC QUESTIONS RELATING TO THE WORK OF THE COMMITTEE**
There were no questions.
12. **ANY OTHER BUSINESS THAT THE CHAIRMAN CONSIDERS URGENT AND WHICH THE COMMITTEE AGREE SHOULD BE CONSIDERED WHILST THE PUBLIC ARE EXCLUDED**
There was no urgent business.

The meeting ended at 4.55 pm

Chairman

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MINUTES OF THE LICENSING (HEARING) SUB-COMMITTEE

HELD ON TUESDAY 16 JUNE AT 10.30AM

APPLICANT: Samuel Smith (Southern)
PREMISES: George and Vulture, 3 Castle Court, London, EC3V 9DL

Sub-Committee:

Graham Packham (Chairman)
Shravan Joshi
Mary Durcan

Officers:

Town Clerk – Leanne Murphy
Comptroller and City Solicitor – Frank Marchione
Markets & Consumer Protection - Peter Davenport, Rachel Pye

Given Notice of Attendance:

Applicant:

Samuel Smith (Director, George and Vulture)
Niall McCann, Joelson JD LLP Solicitors (Applicant's Solicitor)

Making representation:

Douglas Rose (resident)
Peter Dunphy CC (representing resident John Nadler)
Jude Goffe (resident)
Elaine Mason (resident)

Apologies:

John Nadler (resident)
Simon Larkin (resident)

Licensing Act 2003 (Hearings) Regulations 2005

A virtual public Hearing was held at 10.30am to consider the representations submitted in respect of an application to vary the premises licence in respect of George and Vulture, 3 Castle Court, London, EC3V 9DL, the Applicant being Samuel Smith (Southern).

The Sub-Committee had before them the following documents:

Hearing Procedure
Report of the Director of Markets & Consumer Protection
Appendix 1: Copy of Application
Appendix 2: Current Premises Licence
Appendix 3: Representations from Other Persons

- i) Representation 1 - Larkin
- ii) Representation 2 - Nadler
- iii) Representation 3 - Rose
- iv) Representation 4 - Goffe
- v) Representation 5 – Mason

Appendix 4: Map of subject premises together with other licensed premises in the area and their latest terminal time for alcohol sales

Appendix 5: Plan of Premises

Appendix 6: Blue public notice

1. The Hearing commenced at 10.30am.
2. At the commencement of the Hearing, the Chairman stated that all written representations had been read by the Sub Committee and requested that there was not a repetition of the submitted representations.
3. The Chairman invited the Applicant to introduce the basis for the application and set out their case.
4. Mr McCann stated that he had been in communications with the Objectors via Ms Goffe and had developed 10 proposed licence conditions for the Sub Committee to consider based on the concerns of the local residents and were circulated to all parties in advance of the Hearing. Mr Dunphy CC confirmed all objectors were included in the discussions.
5. Mr McCann advised that the application was simple, and the changes to the licence would not significantly alter operation. George and Vulture operates as a pub and the one bar was miniscule allowing one person and a maximum of two beer taps. It was noted that Sam Smith was one of the most traditional breweries in the UK which acted very sympathetically to locals. There was therefore surprise at receiving five representations.
6. Mr McCann asserted that most of the issues raised by residents concerned the Jamaica Inn and management of patrons in outside areas. He noted that Jamaica Inn was a significantly larger drinking establishment offering vertical drinking but that the new manager of George and Vulture was committed to working with Jamaica Inn and local residents to resolve any issues including bringing the hours back for customers drinking outside from 23:00 to 21:00.
7. Mr McCann stressed that it was a difficult time for the sector and hoped it would be agreed that the application was viable. The manager agreed to continue to work with locals and would offer a sit-down opportunity to discuss any concerns when the premises reopened.
8. The Chairman invited the Objectors to ask the Applicant and their solicitor questions regarding their statements.

9. Ms Mason queried whether the premises operated as a pub or a restaurant. Mr McCann confirmed that George and Vulture was predominantly a food led business and the new manager was a chef. However, the premises would remain different from Jamaica Inn in operation and style. It was noted that if any changes/expansion of the bar area was to be later sought, this would be in keeping with the traditional 1800s layout of the building and would require an application for a licence variation, which would provide an opportunity for representations to be made.
10. The Sub Committee drew attention to the proposed conditions and found that whilst four were familiar and legally enforceable, a number were contradictory and would be difficult to implement. For example, it would be impractical to patrol, manage and move on patrons in the public streets mentioned as per conditions 3 and 4, and for the Licensing Authority to monitor compliance. It was also noted that off-sales were already permitted under the current licence to patrons if purchased at a table inside. The Sub Committee therefore questioned how condition 7 would work and how patrons purchasing drinks at a table and from the bar would both be policed when bringing drinks outside.
11. Mr McCann responded that as the premises was small with a capacity of approx. 35-40 people along with clear signage of where patrons could and could not drink, the well-trained staff would be able to remain vigilant in collaboration with Jamaica Inn. Sam Smith's branded glassware would also help identify the patrons belonging to George and Vulture. The Sub Committee felt that marked glasses would be difficult to identify if patron's hands were covering the branding.
12. The Sub Committee noted the considerable number of conditions and queried if the premises had ever encountered issues in the past that the conditions were attempting to resolve. Mr McCann explained the conditions were offered simply in response to the concerns identified by the Objectors and that the Applicant was happy to operate and comply with these conditions.
13. The Chairman invited those making representations to set out their objections against the Applicant.
14. The Hearing was advised that noise nuisance disturbance and the closing hours of the premises were the predominant concerns of the Objectors. They were therefore happy with the proposed conditions being offered.
15. Ms Goffe felt that cooperation, monitoring and control between George and Vulture, Jamaica Inn and Crosse Keys including coloured containers was paramount to preventing the significant noise and disturbance to local residents and businesses normally experienced during warm months.
16. Mr Dunphy provided background for issues experienced arising from the operation of the three pubs which were located in the area made up of narrow, well used public walkways and highlighted that Crosse Keys also had a door that opened into the alley. Mr Dunphy acknowledged that premises applications should be reviewed at Hearings on their own merits. Despite the absence of a cumulative impact area assessment, all of the proposed conditions including the more

unusual recommendations would help resolve issues in the area effecting local residents and small businesses.

17. The Chairman offered all parties the opportunity to make a concluding statement.
18. Mr McCann concluded that whilst some of the conditions were more enforceable than others, the Applicant was working hard to work with the local community. It was noted that the glasses used by George and Vulture would be branded and they could not agree to use coloured glasses as this would prevent patrons from being able to see their drink.
19. The Chairman thanked all attendees for their comments and explained that a written decision letter would be sent to all parties within five working days by email only.
20. The Sub Committee retired at 11.21am and considered the application and carefully deliberated upon the representations submitted in writing and orally at the Hearing by those making representations and the Applicant. It was evident that the most relevant licensing objective that required the Sub Committee's consideration was the prevention of public nuisance. In reaching its decision, the Sub Committee were mindful of the provisions of the Licensing Act 2003, in particular the statutory licensing objectives, together with the guidance issued by the Secretary of State in pursuance of the Act and the City of London's own Statement of Licensing Policy dated January 2017.
21. In determining what constituted a public nuisance, the Sub Committee relied upon the definition of "public nuisance" contained in Halsbury's Laws of England which defines public nuisance as "one which inflicts damage, injury or inconvenience on all the Queen's subjects or on all members of a class who come within the sphere or neighbourhood of its operation. The character of the neighbourhood is relevant to determination of the question of whether a particular activity constitutes a "public nuisance".
22. The Sub Committee regarded noise to be the principal concern to residents. The Sub Committee noted that this was a new business and, whilst conscious of the fact that the premises was located in a residential pocket of the City, also noted that other licensed premises operated in the area.
23. The Sub Committee concluded that, with the imposition of suitable conditions, it would be possible for the Applicant to operate the premises in accordance with the licensing objectives. The Sub Committee sought to strike a balance for residents and the business, and it was the Sub Committee's decision to grant the variation of the premises licence removing conditions 2 (a) to 2(d) inclusive, 3(a) to 3(c) inclusive and 4.
24. The Sub Committee then considered the issue of conditions and concluded that it was necessary and appropriate to impose conditions upon the licence so as to address the concerns relating to public nuisance. The Sub Committee approved the following conditions from the proposed conditions:

- a. Signage will be erected asking patrons not to consume drinks in Castle Court, St Michael's Alley, St Michael's Churchyard or the tunnel area directly outside the main entrance of the George and Vulture.
 - b. The door from the George and Vulture onto Castle Court shall remain closed at all times save for entry or exit in the event of an emergency.
 - c. There shall be no sale of alcohol in unsealed containers for consumption off the premises after 21:00 nor will customers be permitted to remove alcohol from the premises in unsealed containers after 21:00.
 - d. The Licence holder shall make available a contact telephone number to nearby residents and the City of London Licensing Team to be used in the event of complaints arising (MC19).
25. In addition to the conditions above, the Sub Committee also imposed the following condition:
- e. Prominent signage shall be displayed at all exits from the premises requesting that customers leave quietly (MC16).
26. The Sub Committee noted the Applicant's proposed conditions 3, 4, 6, 7, 8 and 10 but did not consider it necessary to impose such conditions on the premises licence. It was acknowledged that whilst many of the proposed objectives would be good to adopt as part of George and Vulture's operational practices as a good neighbour, they were not workable conditions. The Sub Committee also considered condition 5, which prevented customers from leaving the premises with drinks in unsealed containers after 21.00 hours, to be a sufficient condition to protect local residents.
27. The Sub Committee recommended that these proposed conditions be implemented as part of the Applicant's Management Plan. The Sub Committee also suggested that this is reviewed on an annual basis and encouraged that Environmental Health and local residents be consulted in the drafting of the Management Plan.

The meeting closed at 11.21 AM

Chairman

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Agenda Item 8

Committee:	Dated:
Licensing Committee	15 July 2020
Subject: Revenue Outturn 2019/20	Public
Report of: The Chamberlain Director of Markets and Consumer Protection	For Information
Report author: Jenny Pitcairn, Chamberlain's Department	

Summary

This report compares the revenue outturn for the services overseen by your Committee in 2019/20 with the final budget for the year. Overall total net expenditure during the year was £191,000 whereas the total budget was £124,000, representing an overspending of £67,000 as set out below:

Summary Comparison of 2018/19 Revenue Outturn with Final Budget			
	Final Budget £000	Revenue Outturn £000	Variations Better/ (Worse) £000
Direct Net Expenditure			
Director of Markets and Consumer Protection	(10)	(51)	(41)
Capital and Support Services	(114)	(140)	(26)
Overall Totals	(124)	(191)	(67)

The Director of Markets and Consumer Protection has submitted a request to carry forward underspendings, but none for the Licensing Committee. This request will be considered by the Chamberlain in consultation with the Chairman and Deputy Chairman of the Resource Allocation Sub Committee.

Recommendation(s)

Members are asked to:

- Note the report and the proposed carry forward of underspendings to 2020/21.

Main Report

Revenue Outturn for 2019/20

1. Actual net expenditure for your Committee's services during 2019/20 totalled £191,000, an overspend of £67,000 compared to the final net budget of £124,000. A summary comparison with the final budget for the year is tabulated below. In this and subsequent tables, expenditure and adverse variances are presented in brackets.

Summary Comparison of 2019/20 Revenue Outturn with Final Budget				
	Final Budget	Revenue Outturn	Variation Better / (Worse)	Variation Better / (Worse)
	£000	£000	£000	%
Local Risk				
Expenditure	(738)	(798)	(60)	(8)
Income	728	747	19	3
Total Director of Markets and Consumer Protection	(10)	(51)	(41)	(410)
Capital and Support Services	(114)	(140)	(26)	(23)
Overall Totals	(124)	(191)	(67)	(54)

2. The most significant local risk variations were:
- A net overspend of £39,000 on employee costs mainly as a result of long-term sickness cover;
 - An overspend of £10,000 in fees costs for completion of Night-Time Economy review work delayed from 2018/19;
 - Additional income of £18,000 due largely to an increase in volume of premises licence applications and renewals.
3. The increase in capital and support services is due to changes in the level and attribution of central costs, primarily in relation to the Comptroller and City Solicitor and Town Clerk's Departments.
4. Appendix 1 shows the movement from the 2019/20 latest approved budget (as reported to your Committee in February 2020) to the final budget.
5. The table overleaf shows the degree to which costs were recovered through fees by licence type.

Revenue Outturn by Licence Type	Revenue Outturn £000
Late Night Levy ¹	
Expenditure	(136)
Income	136
Total Late Night Levy	0
Gambling Act ²	
Expenditure	(29)
Income	18
Total Gambling Act	(11)
Tables & Chairs	
Expenditure	(114)
Income	114
Total Tables & Chairs	0
Massage & Special Treatment	
Expenditure	(52)
Income	52
Total Massage & Special Treatment	0
Premises, street trading and other ³	
Expenditure	(607)
Income	427
Total Premises, street trading & other	(180)
OVERALL TOTAL	(191)

¹ Including administration costs

² The cost of administering some application types have now exceeded the statutory maximum fees, therefore it is not possible to fully recover costs in those instances.

³ The costs relating to premises (excluding Late Night Levy) and street trading are not separately identified at present. This category also includes any non-recoverable costs.

Local Risk Carry Forwards to 2020/21

6. The Director of Markets and Consumer Protection has a local risk overspending of £41,000 on the activities overseen by your Committee. The Director had net local risk underspendings totalling £684,000 on activities overseen by other Committees. The Director is proposing that a total of £317,000 of his maximum eligible underspend of £444,000 be carried forward, none of which relates to activities overseen by your Committee.

Appendices

- Appendix 1 – Movement from 2019/20 Latest Approved Budget to Final Budget

Jenny Pitcairn

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Licensing Committee - Analysis of Movements 2019/20 Latest Approved Budget to Final Budget

	Original Budget 2019/20 £'000	Latest Approved Budget* 2019/20 £'000	Final Budget 2019/20 £'000	Movement £'000	Notes
Local Risk					
Expenditure					
Employees	(582)	(584)	(588)	(4)	1
Premises	(48)	(48)	(48)	0	
Supplies and Services	(20)	(35)	(38)	(3)	1
Third Party Payments	(54)	(54)	(62)	(8)	1,2
Contingencies	(30)	(30)	(2)	28	1
Total Expenditure	(734)	(751)	(738)	13	
Income	736	736	728	(8)	1
Total Local Risk	2	(15)	(10)	5	
Capital and Support Services					
Insurance	(2)	(2)	(2)	0	
Admin Buildings	(36)	(38)	(38)	0	
Support Services	(48)	(48)	(48)	0	
IT Recharge	(35)	(37)	(37)	0	
Capital Charges	(8)	(8)	(8)	0	
Tables and Chairs**	(27)	(27)	(27)	0	
Bridges Enforcement**	50	50	50	0	
Police Licensing	0	18	18	0	
Directorate Recharge	(21)	(22)	(22)	0	
Total Capital and Support Services	(127)	(114)	(114)	0	
Total	(125)	(129)	(124)	0	

* Latest Approved Budget as reported to your Committee in February 2020

** Recharges (from)/to Planning & Transportation Committee.

Notes

1. Virements within Licensing Committee to reflect the final allocation of Late Night Levy income in line with agreed expenditure.
2. An adjustment to the centrally allocated budget for internal legal charges (£5,000 decrease).

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Committee:	Date:
Licensing Committee	15 July 2020
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: Robert Breese	

Summary

This report details the premises licences, and variations to premises licences, granted under the Licensing Act 2003 by the Licensing Service from **01 April 2020 to 30 June 2020**. 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 also gives a summary of the enforcement action taken under the Licensing Act 2003 between **01 April 2020 to 30 June 2020**. 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 **01 December 2019 – 31 May 2020**.

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 1) and variations (Appendix 2) granted by the Licensing Service between 01 April 2020 to 30 June 2020. 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 2.
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 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 3). 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 3 provides data from 1 April 2020 to 30 June 2020.
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 01 December 2019 – 31 May 2020. One premises has a sufficient number of points to be classified as 'red' and three premises have sufficient points to be classified as 'Amber'. Further details can be seen in Appendix 4.
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 01 April 2020 to 30 June 2020.
- Appendix 2 – Applications to vary a licence issued between 01 April 2020 to 30 June 2020.
- Appendix 3 - Enforcement Action carried out between 01 April 2020 to 30 June 2020 (including complaints received).
- Appendix 4 (Non-Public) – Premises reaching red and amber on the risk scheme between 01 December 2019 – 31 May 2020.

Background Papers

None

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Appendix 1

New Licence Applications Issued by way of Delegated Authority (01 April 2020 to 30 June 2020)

Name	Address	Ward	Details
CG Courtyard	Unit 1, Central Courtyard, 10 Devonshire Square	Bishopsgate	A, L 02:00
Notes (Kiosk)	Citypoint, Ropemaker Street	Coleman Street	A 23:00

Total Licences Issued = 2

Key to Details:

- A Sale of Alcohol
- L Late Night Refreshment
- (a) Plays
- (b) Films
- (c) Indoor Sporting Events
- (d) Boxing or Wrestling
- (e) Live Music
- (f) Recorded Music
- (g) Performances of Dance
- (h) Making Music

Times stated are the latest terminal hour for at least one of the licensable activities.

Number of Licences by Ward

WARD	No.
Bishopsgate	1
Coleman Street	1

Conditions Applied to Licences Granted by way of Delegated Authority

CG Courtyard

1. The premises shall install and maintain a comprehensive digital colour CCTV system. All public areas of the licensed premises, including all public entry and exit points and the street environment, will be covered enabling facial identification of every person entering in any light condition. The CCTV cameras shall continually record whilst the premises are open to the public and recordings shall be kept available for a minimum of 31 days with date and time stamping. A staff member who is conversant with the operation of the CCTV system shall be present on the premises at all times when they are open to the public. This staff member shall be able to show the police or the Licensing Authority recordings of the preceding two days immediately when requested.

2. Promoted events will not be held at the premises. A promoted event is an event involving music and/or dancing where the musical entertainment is provided at any time by a disc jockey or disc jockeys one or some of whom are not employees of the licensee (premises licence holder) and the event is (independent of the licensee) promoted to the general public.

Notes (Kiosk)

None

Appendix 2

Licence Variations Issued by way of Delegated Authority (01 April 2020 to 30 June 2020)

Name	Address	Ward	Variation
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Total Number of Variations Issued = 0

Personal Licences Issued by way of Delegated Authority

01 April 2020 to 30 June 2020

0

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**Enforcement Action Carried out Under the Licensing Act 2003
01 April 2020 – 30 June 2020**

Total Number of Inspections	40 (all focusing on premises open for alcohol takeaway)
Number of Warning Letters	0
Number of Premises advised	40
Number of simple cautions	0
Number of suspension notices	0
Licence lapsed*	0
'Dead' Suspensions**	0
'Live' Suspensions***	0
Under determination	0

*Licences are deemed lapsed in circumstances where the licence holder no longer exists e.g. a company has gone into liquidation.

**A 'dead' suspension is where the premises is closed but there is no evidence to suggest that the licence holder is still in existence. If the licence holder returns to the premises the outstanding fee will have to be paid in order for the licence to be resurrected.

***A 'Live' suspension is where the premises is still trading and can now no longer carry on licensable activities until the licence fee has been paid.

Number of noise complaints received between
01/04/2020 and 30/06/2020

Total number of complaints: 2

The Bunch Of Grapes, 14 Lime Street, London, EC3M 7AN

Complaints regarding the licensed premises of staff being abusive and large number of people drinking outside the premises not social distancing.	10:11	26/06/2020	Case still in progress	Langbourn
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Wine Shop, 32 Goswell Road, London, EC1M 7AA

Low humming noise	11:11	29/04/2020	Case still in progress	Cripplegate
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By virtue of paragraph(s) 3 of Part 1 of Schedule 12A of the Local Government Act 1972.

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