



## Licensing Committee

**Date:** FRIDAY, 7 JULY 2023

**Time:** 11.00 am

**Venue:** COMMITTEE ROOM - 2ND FLOOR WEST WING, GUILDHALL

**Members:**

James Tumbridge (Chairman)	Deputy Marianne Fredericks
Deputy John Fletcher (Deputy Chairman)	Michael Hudson
Brendan Barns	Deputy Shravan Joshi
James Bromiley-Davis	Deputy Graham Packham
Deputy Peter Dunphy	Jason Pritchard
Mary Durcan	David Sales
Sophie Anne Fernandes	Ceri Wilkins
Anthony David Fitzpatrick	

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**Ian Thomas CBE**  
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 28 April 2023.

**For Decision**  
(Pages 5 - 10)

4. **WARDMOTE RESOLUTION**

To consider the following Resolution from the Ward of Portsoken – 20 March 2023.

“The Ward of Portsoken request the relevant department(s) and/or services of the City of London Corporation consider what mitigating actions could be taken to resolve current anti-social behaviour (public urination/vomiting) associated with the night-time economy/licensed premises in the vicinity of Beaufort House, EC3”

**For Decision**

5. **CUMULATIVE IMPACT ASSESSMENT OPTIONS FOR THE CITY OF LONDON**

Report of the Executive Director Environment.

**For Decision**  
(Pages 11 - 18)

6. **GUIDANCE TO PREMISES LICENCE CONDITIONS**

Report of the Executive Director Environment.

**For Decision**  
(Pages 19 - 48)

7. **REVENUE OUTTURN 2022/23**

Joint report of the Chamberlain and Executive Director Environment.

**For Information**  
(Pages 49 - 54)

8. **LICENSING SERVICE BUSINESS PLAN 2022/23: PROGRESS REPORT**  
Report of the Executive Director Environment.  

**For Information**  
(Pages 55 - 58)
9. **DELEGATED DECISIONS OF THE EXECUTIVE DIRECTOR ENVIRONMENT PERTAINING TO PREMISES LICENCES**  
Report of the Executive Director Environment.  

**For Information**  
(Pages 59 - 74)
10. **QUESTIONS ON MATTERS RELATING TO THE WORK OF THE COMMITTEE**
11. **ANY OTHER BUSINESS THAT THE CHAIRMAN CONSIDERS URGENT**
12. **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.
13. **APPENDIX 4: DELEGATED DECISIONS OF THE EXECUTIVE DIRECTOR ENVIRONMENT PERTAINING TO PREMISES LICENCES**  
To be read in conjunction with item 9 on the agenda.  

**For Information**  
(Pages 75 - 82)
14. **NON PUBLIC QUESTIONS RELATING TO THE WORK OF THE COMMITTEE**
15. **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

Friday, 28 April 2023

Minutes of the meeting of the Licensing Committee held at Guildhall at 1.45 pm

### Present

#### Members:

James Tumbridge (Chairman)	Deputy Shravan Joshi
Deputy John Fletcher (Deputy Chairman)	Deputy Graham Packham
Brendan Barns	Jason Pritchard
Mary Durcan	David Sales
Deputy Marianne Fredericks	Ceri Wilkins

#### Officers:

Gavin Stedman	-	Port Health and Public Protection Director
Rachel Pye	-	Assistant Director of Public Protection, Environment
Robert Breeze		Department
Aggie Minas	-	Environment Department
Jenny Pitcairn	-	Chamberlains
Julie Mayer	-	Town Clerks
Frank Marchione	-	Comptroller and City Solicitors

#### 1. APOLOGIES

Apologies were received from Sophie Fernandes, James Bromiley-Davis, Ceri Wilkins, Anthony Fitzpatrick and Deputy Peter Dunphy.

#### Taking the Chair

It was moved by Deputy Marianne Fredericks, seconded by Deputy John Fletcher and agreed that Michael Hudson takes the Chair until agenda item 4.

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

There were no declarations.

#### 3. ORDER OF THE COURT OF COMMON COUNCIL

The Committee received the order of the Court of Common Council dated Thursday 27 April 2023, which appointed the Committee and confirmed its Terms of Reference.

#### 4. ELECTION OF CHAIRMAN

Ahead of the election of the Chairman and Deputy Chairman, the Town Clerk reminded Members of recently approved Standing Orders 29.4 and 30.5, whereby any Member interested in standing for the positions of Chairman or Deputy Chairman must inform the Town Clerk by no later than one full working day ahead of the meeting. However, as this had been agreed by the Annual Meeting of the Court of Common Council on 27 April 2023 and this meeting

was taking place on 28 April 2023, the Town Clerk advised that it would not apply to this meeting of the Licensing Committee.

RESOLVED, that – being the only Member expressing a willingness to serve, Mr James Tumbridge be elected as Chairman of the Licensing Committee for 2023/24.

5. **ELECTION OF DEPUTY CHAIRMAN**

The Committee considered the report to elect a Deputy Chairman in accordance with Standing Order 30

The Committee received expressions of interest from Deputy John Fletcher and Brendan Barns. A ballot was conducted and Deputy John Fletcher was elected as the Deputy Chairman by a result of 6 votes to 4.

RESOLVED, that - Deputy John Fletcher be elected as Deputy Chairman of the Licensing Committee for 2023/24

6. **APPOINTMENT OF SUB COMMITTEE CHAIRMEN AND REFERENCE SUB-COMMITTEE**

The Committee was asked to appoint 4 Members to the Licensing Hearings Sub Committee, noting that this would be in addition to the appointment Chairman, Deputy Chairman and past Committee Chairmen.

The Town Clerk asked Members to note the recently approved amendments to standing orders, whereby the previous practice of allowing additional Members onto Sub Committees, in order to avoid a ballot, should be by exception and only if it is in the best interests of the Committee and the Sub Committee. However, Members agreed that, in the case of Licensing Hearings, which are often called at short notice and take place during recess periods, a larger pool of Members is desirable.

RESOLVED, that – the following Members be appointed to the Licensing Hearing Sub Committee, together with the Chairman, Deputy Chairman and any past Committee Chairmen. *NB Agenda item 11 refers.*

Brendan Barns  
Mary Durcan  
Anthony Fitzpatrick  
Marianne Fredericks  
Michael Hudson  
David Sales  
Ceri Wilkins

7. **PUBLIC MINUTES**

RESOLVED, That – the public minutes and non-public summary of the meeting held on 2 February 2023 be approved, noting that James Tumbridge had been present at this meeting.

8. **MINUTES OF LICENSING (HEARING) SUB-COMMITTEES**

RESOLVED, that – the minutes of the following Hearings be received:

- **Boxpark Trading Limited**, Boxhall Metropolitan Arcade, Liverpool Street, EC2M 7PD - held on 9th February 2023.
- **Fit Kitchen**, Basement and ground floor, 43-45 Eastcheap, London EC3M 1JA - held on 27th February 2023.

9. **APPEALS AGAINST LICENSING (HEARING) SUB-COMMITTEE DECISIONS**

The Comptroller & City Solicitor advised the Committee that there had been no appeals against Licensing (Hearing) Sub-Committee decisions.

10. **DELEGATED DECISIONS OF THE EXECUTIVE DIRECTOR ENVIRONMENT PERTAINING TO PREMISES LICENCES**

The Committee received a report of the Executive Director, Environment which detailed the premises licences, and variations to premises licences, granted under the Licensing Act 2003 and administered by the Licensing Service from 1 January 2023 to 31 March 2023. It did not include any premises where Members were involved in the decision-making process i.e. decisions made at Licensing Sub-Committee hearings.

The report also provided a summary of the enforcement action taken under the Licensing Act 2003 between 1 January 2023 to 31 March 2023. In addition, the report presents data from the ‘traffic light’ risk scheme introduced within the City of London on 1 April 2013. The data gives a view of the scheme between 1 September 2022 to 28 February 2023.

RESOLVED, that – the report be noted.

11. **DELEGATION OF FUNCTIONS**

The Committee considered a report of the Executive Director, Environment, noting that a Licensing Committee may arrange for the discharge of any of its functions as the Licensing Authority under the Licensing Act 2003 (the 2003 Act) and the Gambling Act 2005 (the 2005 Act) to a sub-committee established by it and, in some circumstances, the functions may be discharged to an officer of the licensing authority. The Licensing Committee may also discharge functions of the licensing authority under schedule 3 of the Local Government Act (Miscellaneous Provisions) Act 1982 (the 1982 Act). The report outlined the legislative provisions and statutory guidance in respect of delegating those functions.

RESOLVED, that - The recommendations in paragraph 12 of the report, and the proposed scheme for delegation of functions and powers, as set out in Appendix 1.2 of the report, be approved and the officer function be delegated to the Executive Director for Environment. *NB. Agenda item 6 refers.*

12. **GAMBLING ACT - ANNUAL REVIEW OF FEES 2023-24**

The Committee considered a report of the Executive Director, Environment proposing the annual fees for premises requiring a licence under the Gambling Act 2005 for the period of 2023 to 24.

RESOLVED, that – the proposed fees for 2023/24, as set out in Appendix 1 to the report, be approved.

13. **DRAFT HIGH-LEVEL BUSINESS PLAN 2023/24 - ENVIRONMENT DEPARTMENT**

The Committee considered the report of the Executive Director, Environment, in respect of the draft high-level Environment Department Business Plan 2023/24, including a supplementary document which listed the priority workstreams undertaken by the Licensing Service during 2023/24, together with the City of London's Corporation's Corporate Plan and other key corporate strategies, programmes and policies.

The Chairman suggested that the recommendations be agreed, noting that future reports should only highlight those matters which fall under the Licensing Committee's Terms of Reference. However, it was also noted that some strategies; i.e. climate action, would have some impact on licensing matters.

RESOLVED, that – the factors taken into consideration in compiling the Environment Department Business Plan be noted and, subject to the incorporation of any changes sought by this Committee, and with reference to the Licensing Service Priority Workstreams (at Appendix B to the report), the elements of the high-level Environment Department Business Plan 2023/24, which fall within the remit of the Licensing Committee, be approved.

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

There were no questions.

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

The Chairman agreed to permit the following items of urgent business:

**Licensing Awards**

A Member asked about the possibility of introducing a 'celebration of excellence' within the licensing sector, with awards for good practice. The Chair agreed that this would be worth exploring, in collaboration with Destination City. Members noted that there had been a previous scheme, known as 'Safety Thirst', but it had been held in abeyance since the pandemic, to allow premises to concentrate on building back their businesses. However, the Chair suggested that it could be placed slightly differently, to attract visitors, and asked if officers could give this further consideration, for a discussion at the Committee's forthcoming awayday.



### **Hospitality Event (tourism markets and the City's retail offer)**

The Chair had attended this event the previous day with the Licensing Managers. The Committee would receive a set of notes and the Chair suggested that some of the key points could be considered at the Committee's forthcoming awayday.

There had been some discussion about improving signage in the City, in tube stations and at street level, with some narrative on the heritage of surrounding areas. The various licensed premises could also be invited to feed into this. There had been a discussion about passenger safety and lobbying Transport for London and the Mayor's Office, in terms of night-time underground services and station closures, and options for alternative modes of transport.

### **Cumulative Impact**

At a recent Licensing Hearing in Tower Ward, Members had discussed the 'cumulative impact' of licensed premises in the area. Members noted that Tower had been problematic historically but the situation had improved post the pandemic. However, premises were starting to re-open and there had been an increase in residents in the area. The Chair asked for a map showing resident concentrations, which might better inform decision making, whilst respecting the needs of both residents and applicants.

Officers advised that work on a Cumulative Impact Policy had started just before the pandemic, noting the saturation around Liverpool Street, and officers agreed to re-circulate this information. However, post the pandemic, the work had not reached the policy formulation stage. Members were also asked to be mindful in that it should not be a tool for blanket refusals but an incentive for premises to operate responsibly. Furthermore, it can effectively 'freeze frame' an area and possibly prevent reputable, well run premises from entering. Officers advised that any new policy formulation would need to carefully consider about 3 years' worth of evidence; i.e. - crimes and anti-social behaviours directly attributable to premises, footfall and public transport, layered over clusters of venues and residential areas.

During the discussion, the following points were noted:

- The Police are keen to explore this but it is likely that some problematic premises will not fall within such a zone.
- It is important to look along the borders of Tower Hamlets and Hackney.
- We currently look at applications on their own merit and would a cumulative impact policy give more grounds for appeal?
- The importance of maintaining standards based on sound data, noting the Chair's request for better mapping

In concluding, the Chair asked officers to consider the comments set out above and asked for an initial discussion, with himself and the Deputy Chair, with the first iteration of a report to the next meeting of the Licensing Committee and further discussion at the Awayday. The Head of Licensing agreed with this approach.

18. **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.

19. **NON-PUBLIC MINUTES**

**RESOLVED** – That the non-public minutes of the meeting held on 2 February 2023 be approved as a correct record

20. **Q1 - CITY OF LONDON POLICE LICENSING REPORT**

The Committee received a report of the City of London Police.

It was suggested that some of the mapping used in this report could be helpful in terms of a Cumulative Impact Policy, as referenced under Any other Business, earlier on the agenda.

21. **OPERATION REFRAME - LATEST UPDATE**

The Committee received a report of the City of London Police.

Members noted future events planned for 2 and 30 June 2023.

**The meeting ended at 3pm**

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Chairman

**Contact Officer: [julie.mayer@cityoflondon.gov.uk](mailto:julie.mayer@cityoflondon.gov.uk)**

<b>Committee(s)</b>	<b>Dated:</b>
Licensing	07/07/23
<b>Subject:</b> Cumulative Impact Assessment Options for the City of London	<b>Public</b>
<b>Which outcomes in the City Corporation’s Corporate Plan does this proposal aim to impact directly?</b>	1,4,5
<b>Does this proposal require extra revenue and/or capital spending?</b>	Yes
<b>If so, how much?</b>	£25k-£30k
<b>What is the source of Funding?</b>	Local Risk
<b>Has this Funding Source been agreed with the Chamberlain’s Department?</b>	<b>Yes</b>
<b>Report of:</b> Juliemma Mcloughlin Executive Director Environment	<b>For Decision</b>
<b>Report author:</b> Aggie Minas – Licensing Manager	

## Summary

At its meeting on 28 April 2023, your committee asked officers to bring an information report to this meeting, exploring the option of publishing a cumulative impact assessment (CIA) under the provisions of the Licensing Act 2003 (the Act). This report provides an overview of the legislative requirements to publishing a CIA, the Covid-19 pandemic impact on CIAs, the City of London Corporation’s (the City) current approach on cumulative impact as set out in its Statement of Licensing Policy (SoLP), a summary of pre-pandemic work on cumulative impact undertaken by the licensing team, current problems associated with the City’s Night-Time Economy (NTE), and a draft proposal for commencing research work to ascertain whether there is sufficient evidence to publish a CIA for the City.

## Recommendation(s)

Members are asked to:

1. Agree the proposals set out in paragraphs 32-38 of this report.

## Main Report

### Licensing Act 2003

1. Prior to 2018, cumulative impact policies (CIPs) had no statutory basis but the concept of the cumulative impact of a concentration of licensed premises existed by virtue of the Secretary of State’s Section 182 guidance to the Act (the guidance) since the Act went live in 2005. However, it was considered that ‘CIPs could be implemented on relatively weak grounds’ which potentially could not stand up to scrutiny (*Home Office, Impact Assessment on putting cumulative impact strategies on a statutory footing, November 2016*)

2. The Policing and Crime Act 2017 amended the Licensing Act with effect from 6 April 2018, by inserting paragraph 5A, and putting CIA's on a statutory footing, *'to strengthen the ability of authorities to control the availability of alcohol and reduce alcohol-related crime and disorder, as well as providing industry with greater clarity about how they can be used'* (Home Office, *Modern Crime Prevention Strategy*, March 2016).
3. Paragraph 5A provides a discretionary power for a licensing authority to publish a CIA where the authority considers that the number of licences in one or more parts of its area described in the CIA is such that it would be inconsistent with the authority's duty to promote the licensing objectives if further licences were granted in that area or areas. Licences can include all types of premises licence and/or club premises certificates, or to one type of premises such as nightclub or pub.
4. Where an authority decides to use that power, the Act requires the authority to set out the evidence for its CIA. The evidential basis, drawn from the guidance, is set out in paragraphs 14-19 below.
5. Before a licensing authority publishes a CIA, it must consult the following persons:
  - a) Police
  - b) Fire Authority
  - c) Public Health Board for the area
  - d) Representatives of premises licence / club premises certificate / personal licence holders
  - e) Business representatives in the area
  - f) Resident representatives in the area
6. A CIA must be:
  - a) Summarised in the authority's statement of licensing policy
  - b) Reviewed at least every three years.

## **Section 182 Guidance**

### What is cumulative impact?

7. Cumulative impact is not defined in the Act but is addressed in the guidance which defines it as 'the potential impact on the promotion of the licensing objectives of a significant number of licensed premises concentrated in one area'. Cumulative impact is where the number, type or density of licensed premises is high or there are large numbers of drinkers concentrated in an area, arriving at or leaving premises, and serious problems of nuisance, conflict, disorder or anti-social behaviour arise outside or some distance from those premises. Problems can include drug dealing, theft, urination on the street, littering, traffic noise, and people noise.

### Cumulative Impact Assessment (CIA) and effect

8. A CIA may be published by a licensing authority to help limit the number of types of licence applications granted in areas where there is evidence to show that the number or density of licensed premises in that area is having a cumulative impact and leading to problems which undermine the licensing objectives. However, a CIA must not impose quotas based on the number of premises or the capacity of those premises. This is because quotas can have the indirect effect of predetermining the outcome of an application. CIA's can relate to applications for new licences and variations to existing licences in the specified area.
9. In publishing a CIA, a licensing authority is setting down a strong statement of intent about its approach to considering applications for the grant or variation of premises licences or club premises certificates in the area described. Having published a CIA a licensing authority must have regard to the assessment when determining or revising its statement of licensing policy.
10. Applications in areas covered by a CIA should consider the potential cumulative impact issues when setting out the steps in the operating schedule that will be taken to promote the licensing objectives.
11. A CIA is not absolute and does not change the statutory provisions for determining applications. Each decision on an application in an area subject to a CIA must still be made on a case-by-case basis with a view to promoting the licensing objectives.
12. A CIA does not relieve responsible authorities or other persons of the need to make a relevant representation where they consider it appropriate to do so for the promotion of the licensing objectives. Responsible authorities and others can have regard to the CIA when deciding whether to make a representation. There is no automatic refusal and in the absence of relevant representations, applications for licences within a CIA area must still be granted.
13. Applications for licences within the CIA area where there are relevant representations must be considered on the individual merits of the case and can still be granted where the authority considers it will not have an adverse impact on the licensing objectives and the licence will not add to the cumulative impact in the area.

### **Evidence base for a CIA**

14. When publishing a CIA a licensing authority is required to set out evidence of problems that are being caused or exacerbated by the cumulative impact of licensed premises in the area described. The evidence is used to justify the statement in the CIA that it is likely that granting further premises licences and/or club premises certificates in that area, would be inconsistent with the authority's duty to promote the licensing objectives.
15. In its 2016 paper, *Impact Assessment on putting cumulative impact strategies on a statutory footing*, the Home Office sets out its requirement for '*licensing authorities to use robust and up to date evidence to support the implementation and retention of a CIA*'.

16. For data to be robust, it should be suitable as a basis for a decision to refuse an application and be able to withstand any appeal against the decision of the Licensing Committee to refuse an application. Data should span a period of time that will enable a broad insight on any problems associated with the NTE as opposed to a snapshot view over a short period of time that may provide inconsistencies depending on seasonal or national events and/or peaks and troughs in alcohol related crime incidents, anti-social behaviour or noise complaints. A period of 3 years is a good indicator to ensure that potential area definitions are based on consistent patterns.
17. The evidential basis for a decision to publish a CIA is set out in paragraph 14.29 of the guidance and includes:
  - a) local crime and disorder statistics, including statistics on specific types of crime and crime hotspots;
  - b) statistics on local anti-social behaviour offences;
  - c) health-related statistics such as alcohol-related emergency attendances and hospital admissions;
  - d) environmental health complaints, particularly in relation to litter and noise;
  - e) complaints recorded by the local authority, which may include complaints raised by local residents or residents' associations;
  - f) residents' questionnaires;
  - g) evidence from local and parish councillors;
  - h) evidence obtained through local consultation;
  - i) trends in licence applications, particularly by types of licences and terminal hours;
  - j) concentrations of drinkers at different times of the night.
18. Where information is insufficient or not readily available, but the licensing authority believes there are problems in its area from the cumulative impact of licensed premises, it may commission a study to assess the position. This can involve conducting observations of the night-time economy to assess the extent of incidents relating to the promotion of the licensing objectives, such as incidences of criminal activity and anti-social behaviour, examples of public nuisance, specific issues such as underage drinking and the key times and locations at which these problems are occurring.
19. In order to identify the areas in which problems are occurring, information about specific incidents can be mapped and, where possible, a time analysis undertaken to identify the key areas and times at which there are specific issues.

### **Covid-19 impact on CIAs**

20. The last 3 years have seen an unprecedented change to the licensing landscape, with the hospitality sector significantly impacted by the national lockdown in 2020, followed by a brief summer of relaxation, and then curfews, tier restrictions, and further national lockdowns in 2021. It wasn't until August 2021 that most hospitality venues reopened. During this time, alcohol related

crime, anti-social behaviour and noise public nuisance naturally and dramatically fell.

21. A shortage of data may not accurately reflect the impact of the NTE on an area. Given the evidential requirements for a CIA and that most CIAs relied on evidence before the pandemic, many licensing authorities removed their CIAs in 2022 following the statutory 3-year review due to the lack of supporting data for 2020 and 2021.

### **City of London Corporation Statement of Licensing Policy**

22. The City has never introduced a CIP in its Statement of Licensing Policy (SoLP) or published a CIA.
23. In its most recent SoLP 2022, the City did not implement a CIA, to avoid placing new restrictions on venues and to support the sector in its post-pandemic recovery. However, an undertaking was given to keep a watchful eye on the effects of licensed premises as recovery progresses.
24. The absence of a CIA does not prevent any responsible authority or other person making representations on an application for the grant or variation of a licence on the grounds that the premises will give rise to a negative cumulative impact on one or more of the licensing objectives. In each case it would be incumbent on the person making the representation to provide relevant evidence of cumulative impact.
25. The SoLP recognises that the cumulative impact of licensed premises can be experienced by residents in areas even where there is no current cumulative impact assessment (para 131). The City will consider any representation that refers to the impact of a number of premises in an area (para 132). In the absence of a CIA, representations referencing cumulative impact need to be evidence based i.e. show how the present number of licensed premises are impacting on the objectives and demonstrate how a specific licensed premises in a particular area will add to those problems (para 133)
26. To date, the City has not received any representations from responsible authorities or from other persons on the grounds of cumulative impact, or representations which have set out evidence to demonstrate how a specific premises will add to problems already being experienced by a concentration of premises in an area. This is not to say that the problems do not exist, but that the existing provisions in the City's SoLP for addressing cumulative impact have not been utilized or exhausted.

### **Pre-pandemic work undertaken on cumulative impact**

27. In July 2018, the City commissioned the services of Safer Sociable London Partnership (SSLP) to map and analyse data linked to the City's NTE. The final report, received in May 2019 and presented to this committee with recommended actions in October 2019, recommended amongst other matters, the option of considering a CIA for the Liverpool Street area or the Bishopsgate ward.

28. Officers of the Licensing Team had commenced work on supplementing the evidence produced by SSLP by:
- a) Exploring the correlation between crime and disorder and certain types of venues to identify and exclude non-problematic premises from a CIA
  - b) Establishing trends in licence applications/ variations over the past three years.
  - c) Examining trends in changes to the terminal hour of premises.
  - d) Analysing the capacity of premises and expected concentration of drinkers at various hours through the night
  - e) Ascertaining the correlation, if possible, between the number of door staff present at each venue and the number of crime and disorder incidents.
  - f) Producing a series of heat maps showing a combination of licensed premises and incidents for each ward and the City as a whole
  - g) Looking at CCTV data from City of London Police mobile vehicle unit which collects data in and around the Liverpool Street/Bishopsgate area on a Thursday, Friday and Saturday night.
  - h) Establishing the extent of cocaine use and its link with anti-social behaviour.
  - i) Considering the use of improved lighting in high incident areas and examine the effect this has on those incidents occurring.
  - j) Increasing Safety Thirst membership in high incident areas as indicative data shows a potential correlation between membership and low number of crime or public nuisance.
  - k) Following the consideration of a Public Spaces Protection Order (PSPO) for use during large public events and the possibility of using this tool in high incident areas
29. Unfortunately, the research work of the Licensing Team was not completed due to the Covid-19 pandemic and the hospitality sector's inability to trade for much of the period between March 2020 and August 2021. Consequently, the original data collected by SSLP in 2018 was out of date post the pandemic and the evidence base could not be utilised to progress to policy formulation stage.

### **Current issues raised in relation to the City's NTE**

30. At a recent licensing hearing in Tower Ward, Members had discussed the cumulative impact of licensed premises in the area. Members noted that Tower had been problematic historically, but the situation had improved post the pandemic. However, as premises were starting to re-open and there had been an increase in residents in the area, concerns were raised about the reinstatement of historical problems of noise and anti-social behaviour linked to several licensed premises concentrated in one area.
31. The City of London Police have identified three areas of the City that show signs of stress compared to other areas in the City. These are Liverpool Street, Monument, and Bank.



## **Proposals / Options**

32. There is a need to fully understand the City's licensing landscape post pandemic. There has been a strong bounce back for the hospitality sector in the City, particularly in areas of high footfall. Changes to working patterns in the City has seen a shift in trends in the NTE, with Tuesdays, Wednesdays and Thursdays being the busiest nights. New premises have opened, and existing premises have refashioned themselves to meet customer demands. For example, some premises operate as a restaurant by day and transition into a bar or nightclub in the evening. There is a need to understand the types of licensed premises in the City, the type of risks associated with them, and identify if there are areas where crime, disorder, or anti-social behaviour correlate with concentrations of licensed premises or types of premises.
33. The licensing team propose to commission the services of an external research consultancy to collate and analyse data from all available sources, including but not limited to the City of London Police, ambulance service where available, TfL, and the City's own records held by the licensing authority and environmental health.
34. To identify any potential areas of cumulative impact, incidents indicative of negatively impacting the promotion of the licensing objectives, including crime, disorder, noise, and anti-social behaviour will be analysed and spatially mapped.
35. A data set spanning 3 years from 2019-2022 will be used to ensure that potential area definitions are based on consistent patterns.
36. The research, analysis and evidence will be used to ascertain whether the City should publish a CIA.
37. Any proposal to publish a CIA should consider the impact on restricting good business and investment in an area and align with wider Corporation ambitions such as Destination City which aims to boost the leisure economy in City, making it a thriving destination area, driving footfall and spend.
38. A timeline to produce the CIA report and further committee reports on options will be forthcoming following procurement.

## **Corporate & Strategic Implications**

39. Supporting the City of London Corporate Plan 2018 to 2023 by contributing to all three key aims of a flourishing society, supporting a thriving economy and shaping outstanding environments.

## **Financial Implications**

40. Estimated cost for consultancy to undertake the data gathering and analysis is £25k to £30k subject to procurement. This cost will be absorbed across the wider Port Health and Public Protection current local risk budget resources.

## Recommendations

41. It is recommended that Members approve note and approve the proposals and set out in paragraphs 32-38 above.

## Conclusion

42. A refreshed collated evidence base and CIA for the City will allow for greater opportunity for development of policy, strategy, interventions and the targeting of resources. It will increase the understanding of the issues and challenges a vibrant licenced economy brings and in doing so will inform whether further cumulative controls should be considered for the City of London.

## Appendices

- none

## Background Papers

- [Mapping and Assessing the City's Night Time Economy 16<sup>th</sup> July 2019](#)
- [Mapping and Assessing the City's Night Time Economy – The Way Forward 16<sup>th</sup> October 2019](#)
- [Licensing Act 2003 and associated regulations](#)
- [Licensing Act 2003, S182 guidance](#)
- [City of London Statement of Licensing Policy 2022](#)
- [Safer Sociable London Partnership \(SSLP\) 2019](#)
- [House of Commons Briefing Paper 2019: Alcohol licensing: cumulative impact assessments](#)
- [Home Office, Impact Assessment on putting cumulative impact strategies on a statutory footing, November 2016](#)
- [Home Office, Modern Crime Prevention Strategy, March 2016](#)

## Aggie Minas

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<b>Committee(s)</b>	<b>Dated:</b>
Licensing Committee	07/07/23
<b>Subject:</b> Guidance to Premises Licence Conditions	<b>Public</b>
<b>Which outcomes in the City Corporation's Corporate Plan does this proposal aim to impact directly?</b>	1,4,5
<b>Does this proposal require extra revenue and/or capital spending?</b>	N
<b>If so, how much?</b>	n/a
<b>What is the source of Funding?</b>	n/a
<b>Has this Funding Source been agreed with the Chamberlain's Department?</b>	n/a
<b>Report of:</b> Juliemma Mcloughlin Executive Director Environment	<b>For Decision</b>
<b>Report author:</b> Aggie Minas – Licensing Manager	

## Summary

This report sets out the general principles on licence conditions that can be included on premises licences or club premises certificates issued under the provisions of the Licensing Act 2003 (the Act). The City has a pool of model conditions that can assist applicants, responsible authorities, other persons, and licensing sub-committee members when proposing or imposing conditions on a licence. In carrying out its licensing functions, the City of London Corporation (the City) must have regard to S182 guidance (the guidance) issued under the Act by the Secretary of State. Following revision of the guidance in December 2022, it is necessary for the City to review its pool of model conditions under the Act to ensure that they align with current legislative requirements. The revised pool of model conditions is attached as Appendix 4 to this report.

## Recommendation(s)

Members are asked to:

1. Agree the revised pool of conditions attached as Appendix 4 to this report.
2. Agree that further changes to the Model Conditions is delegated to the Director of Port Health & Public Protection in consultation with the Chairman and Deputy Chairman of Licensing Committee

## Main Report

### Licensing Act 2003

1. The Act requires that when a licensing authority determines an application in the absence of representations, it must grant a licence subject only to (a) *'such conditions as are consistent with the operating schedule accompanying the*

*application*’ and (b) *‘any conditions which must be included in the licence’* (mandatory conditions).

2. Where relevant representations are made, a licensing authority must, having had regard to the representations, determine the application. If the authority decides to grant application, the licence can be subject to *‘such conditions as are consistent with the operating schedule accompanying the application, modified to such extent as the authority considers appropriate for the promotion of the licensing objectives. Conditions are modified if any of them is altered, omitted or any new condition is added’*.

### **Section 182 Guidance**

3. Paragraph 1.16: Conditions set out the parameters within which premises can lawfully operate and must be written in prescriptive format. Wording such as ‘must’, ‘shall’ and ‘will’ are encouraged to prevent ambiguity about what is expected to be complied with. Conditions must:
  - a) be appropriate for the promotion of the licensing objectives;
  - b) be precise, proportionate, justifiable, unambiguous, enforceable, clear in what they intend to achieve and capable of being met;
  - c) not duplicate other statutory requirements;
  - d) be tailored to the individual type, location and characteristics of the premises and events concerned;
  - e) should not be standardised and may be unlawful when it cannot be demonstrated that they are appropriate for the promotion of the licensing objectives in an individual case;
  - f) not replicate offences set out in the 2003 Act or other legislation;
  - g) not seek to manage the behaviour of customers once they are beyond the direct management of the licence holder and their staff, but may impact on the behaviour of customers in the immediate vicinity of the premises or as they enter or leave;
4. Paragraph 1.17: It is essential to avoid the imposition of disproportionate and overly burdensome conditions on premises where there is no need for such conditions. Standardised conditions should be avoided and indeed may be unlawful where they cannot be shown to be appropriate for the promotion of the licensing objectives in an individual case.
5. Paragraph 10.2: Failure to comply with any condition attached to a licence or certificate is a criminal offence, which may lead to a criminal prosecution or an application to review the licence. A conviction is punishable by an unlimited fine or up to six months’ imprisonment and a review may lead to the revocation of a licence. It is important therefore that conditions are precise and clear for a licence holder to observe.
6. Paragraphs 10.3-10.10: There are three types of conditions that can be included on a licence:

**a) Proposed conditions**

- These can be drawn from the steps described in the applicant's operating schedule to promote the licensing objectives.
- A licensing authority should not simply replicate the wording from the schedule but should draw only on such conditions that are appropriate and proportionate for the promotion of the licensing objectives, that are consistent with the operating schedule, and interpreted in accordance with the applicant's intention.
- In some cases, discussions take place between the applicant and responsible authorities or other persons who have made representations, where the applicant agrees to accept conditions proposed by the responsible authority or other person without the need for a hearing.

**b) Imposed conditions**

- These can be imposed at a licensing sub-committee hearing following the receipt of representations, where the members are satisfied that it is appropriate to impose conditions to promote one or more of the licensing objectives.
- Conditions must be proportional to the size, type, location, characteristics and activities taking place.
- Conditions must be determined in a case-by-case basis and standardised conditions should be avoided.
- It is possible in some cases that no additional conditions are appropriate.

**c) Mandatory conditions**

- Dependent on the activity permitted by the licence, the Act provides for mandatory conditions to be included on a licence in relation to the supply of alcohol, the exhibition of films, and door supervision.
- Mandatory alcohol conditions relate to the designated premises supervisor, the authorisation of alcohol sales by a personal licence holder, irresponsible drinks promotions, drinking games, the provision of free tap water, age verification, small measures and the prohibition on sales of alcohol below the permitted price.
- Relevant mandatory conditions are automatically applied to licences by process of law and involve no discretion.
- A copy of the mandatory conditions is attached as Appendix 1.

**City of London pool of model conditions**

7. Since 2008, the City has had an adopted pool of model conditions (the model conditions) for licensing applications. The model conditions are not a standard set of conditions but a source of example conditions that are enforceable and can be used to encourage a consistent approach by applicants, responsible authorities, other persons, and licensing sub-committee members when proposing or imposing conditions on a licence. The model conditions are not

exclusive or exhaustive and do not restrict any applicant, responsible authority, or other person from proposing any alternative conditions nor would it restrict a licensing sub-committee from imposing any alternative enforceable condition on a licence it considers appropriate and proportionate for the promotion of the licensing objectives.

8. The model conditions were last revised in 2014 and there have been many changes to the Act, the guidance, the City's Statement of Licensing Policy (SoLP) and the City's licensing landscape since then. It is essential that the model conditions are reviewed so they align with current legislative requirements, are reflective of the current SoLP, and continue to be appropriate in achieving their aims in promoting the licensing objectives.
9. The current pool of model conditions is attached as Appendix 2.

### **Revisions to the model conditions**

10. The model conditions have been revised as follows:
  - a) A new introduction and supporting paragraphs 1-5 have been added
  - b) MC01 – CCTV condition: the supplementary wording has been removed as it is not relevant
  - c) MC03 – Incident Management: the supplementary wording has been removed as it is not relevant
  - d) MC04 - MC06 - Door Supervisors: wording of the condition has been amended to make it clearer and unambiguous. The reference to regulated entertainment has been removed as this would suspend the condition during hours and circumstances where entertainment has been deregulated. The requirement to have a specified number of door supervisors has been replaced with the requirement to carry out a risk assessment so that the number of door staff are suited to the type of event and number of customers expected to attend
  - e) MC07 – Search Policy: additional wording has been added to make the condition enforceable
  - f) MC12 – Doors and windows: wording of the condition has been amended to make it clear that the condition applies to external doors and windows. The reference to regulated entertainment has been removed as this would suspend the condition during hours and circumstances where entertainment has been deregulated.
  - g) MC14 - additional wording has been added to make the condition enforceable
  - h) MC15 – Noise management plan – due to an increase in hospitality open roof space and terraces, a new condition has been added to protect sensitive receptors in the vicinity e.g. residents, appropriate to promote the public nuisance objective
  - i) MC16 – Digital Sound Processing limiter - due to an increase in hospitality open roof space and terraces, a new condition has been added to protect sensitive receptors in the vicinity e.g. residents, appropriate to promote the public nuisance objective
  - j) MC20-MC22 – use of designated outdoor space: a new condition has been added to regulate the use of designated outdoor spaces such as

roof gardens or pavement licenced areas, where it is not going to cause a public nuisance.

- k) MC29 – use of barriers – supplementary wording added to denote that barriers are subject to a pavement licence
- l) MC37-MC38 – shadow licences: due to an increase in the number of ‘shadow licences’, new conditions have been added to provide clarity about which licence is in use. A shadow licence is a term used to describe a licence usually granted to a landlord of the building for the protection of having a licence in their own name should the original premises licence lapse or is surrendered. A shadow licence runs concurrently with a premises licence.

- 11. The revised pool of model conditions with tracked is attached as Appendix 3. A clean copy of the revised conditions is attached as Appendix 4.

### **Consultation**

- 12. The City’s Licensing and Environmental Health teams have been consulted on and contributed to the revised model conditions as have the City of London Police.

### **Corporate & Strategic Implications**

- 13. Supporting the City of London Corporate Plan 2018 to 2023 by contributing to all three key aims of a flourishing society, supporting a thriving economy and shaping outstanding environments

### **Implications**

- 14. There are no financial or legal implications as a result of this report.

### **Recommendations**

- 15. It is recommended that Members approve the proposed amendments and additions to the model conditions as set out in Appendix 4.
- 16. To enable amendments or additions to be made to the Pool of Model Conditions as and when required this report also recommends that any further changes to the Model Conditions is delegated to the Director of Port Health & Public Protection in consultation with the Chairman and Deputy Chairman of Licensing Committee.

### **Appendices**

- Appendix 1 – Mandatory Conditions
- Appendix 2 – Current Pool of Model Conditions
- Appendix 3 – Revised Pool of Model Conditions with tracked changes
- Appendix 4 – Revised Pool of Model Conditions without tracked changes

### **Background Papers**

- [Licensing Act 2003 and associated regulations](#)

- [Licensing Act 2003, S182 guidance](#)
- [City of London Statement of Licensing Policy 2022](#)

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**Mandatory Alcohol Conditions**

1. No supply of alcohol may be made under the Premises Licence
  - a) At a time when there is no Designated Premises Supervisor in respect of the Premises Licence; or
  - b) At a time when the Designated Premises Supervisor does not hold a Personal Licence or his Personal Licence is suspended.
2. Every supply of alcohol under the Premises Licence must be made, or authorised by a person who holds a Personal Licence.
3. (1) The responsible person must ensure that staff on relevant premises do not carry out, arrange or participate in any irresponsible promotions in relation to the premises.  
  
(2) In this paragraph, an irresponsible promotion means any one or more of the following activities, or substantially similar activities, carried on for the purpose of encouraging the sale or supply of alcohol for consumption on the premises.
  - a) games or other activities which require or encourage, or are designed to require or encourage, individuals to
    - i. drink a quantity of alcohol within a time limit (other than to drink alcohol sold or supplied on the premises before the cessation of the period in which the responsible person is authorised to sell or supply alcohol), or
    - ii. drink as much alcohol as possible (whether within a time limit or otherwise);
  - b) provision of unlimited or unspecified quantities of alcohol free or for a fixed or discounted fee to the public or to a group defined by a particular characteristic in a manner which carries a significant risk of undermining a licensing objective;
  - c) provision of free or discounted alcohol or any other thing as a prize to encourage or reward the purchase and consumption of alcohol over a period of 24 hours or less in a manner which carries a significant risk of undermining a licensing objective;
  - d) selling or supplying alcohol in association with promotional posters or flyers on, or in the vicinity of, the premises which can reasonably be considered to condone, encourage or glamorise anti-social behaviour or to refer to the effects of drunkenness in any favourable manner.
  - e) dispensing alcohol directly by one person into the mouth of another (other than where that other person is unable to drink without assistance by reason of disability).

4. The responsible person must ensure that free potable water is provided on request to customers where it is reasonably available.
5.
  - I. The premises licence holder or club premises certificate holder must ensure that an age verification policy is adopted in respect of the premises in relation to the sale or supply of alcohol.
  - II. The designated premises supervisor in relation to the premises licences must ensure that the supply of alcohol at the premises is carried on in accordance with the age verification policy.
  - III. The policy must require individuals who appear to the responsible person to be under 18 years of age (or such older age as may be specified in the policy) to produce on request, before being served alcohol, identification bearing their photograph, date of birth and either:-
    - a) a holographic mark or
    - b) an ultraviolet feature.
6. The responsible person shall ensure that –
  - a) where any of the following alcoholic drinks is sold or supplied for consumption on the premises (other than alcoholic drinks sold or supplied having been made up in advance ready for sale or supply in a securely closed container) it is available to customers in the following measures –
    - (i) beer or cider: ½ pint;
    - (ii) gin, rum, vodka or whisky: 25 ml or 35 ml; and
    - (iii) still wine in a glass: 125 ml; and
  - b) these measures are displayed in a menu, price list or other printed material which is available to customers on the premises; and
  - c) where a customer does not in relation to a sale of alcohol specify the quantity of alcohol to be sold, the customer is made aware that these measures are available.

## Minimum Drinks Pricing

1. A relevant person shall ensure that no alcohol is sold or supplied for consumption on or off the premises for a price which is less than the permitted price.

2. For the purposes of the condition set out in paragraph 1 –

(a) "duty" is to be construed in accordance with the Alcoholic Liquor Duties Act 1979

(b) "permitted price" is the price found by applying the formula –

$$P = D + (D \times V)$$

Where –

i. P is the permitted price

ii. D is the amount of duty chargeable in relation to the alcohol as if the duty were charged on the date of the sale or supply of the alcohol, and

iii. V is the rate of value added tax chargeable in relation to the alcohol as if the value added tax were charged on the date of the sale or supply of the alcohol;

(c) "relevant person" means, in relation to premises in respect of which there is in force a premises licence –

i. The holder of the premises licence

ii. The designated premises supervisor (if any) in respect of such a licence, or

iii. The personal licence holder who makes or authorises a supply of alcohol under such a licence;

(d) "relevant person" means, in relation to premises in respect of which there is in force a club premises certificate, any member or officer of the club present on the premises in a capacity which enables the member or officer to prevent the supply in question; and

(e) "value added tax" means value added tax charged in accordance with the Value Added Tax Act 1994.

3. Where the permitted price given by Paragraph b) of paragraph 2 would (apart from the paragraph) not be a whole number of pennies, the price given by that sub-paragraph shall be taken to be the price actually given by that sub-paragraph rounded up to the nearest penny.

4. (1) Sub-paragraph (2) applies where the permitted price given by Paragraph (b) of paragraph 2 on a day ("the first day") would be different from the permitted price on the next day ("the second day") as a result of a change to the rate of duty or value added tax.

(2) The permitted price which would apply on the first day applies to sales or supplies of alcohol which take place before the expiry of the period of 14 days beginning on the second day.

## **Mandatory Door Supervisor Conditions**

1. Where a premises licence includes a condition that at specified times one or more individuals must be at the premises to carry out a security activity, each such individual must:

(a) be authorised to carry out that activity by a licence granted under the Private Security Industry Act 2001; or

(b) be entitled to carry out that activity by virtue of section 4 of the Act.

2. But nothing in subsection (1) requires such a condition to be imposed:

(a) in respect of premises within paragraph 8(3)(a) of Schedule 2 to the Private Security Industry Act 2001 (c12) (premises with premises licences authorising plays or films); or

(b) in respect of premises in relation to:

(i) any occasion mentioned in paragraph 8(3)(b) or (c) of that Schedule (premises being used exclusively by club with club premises certificate, under a temporary event notice authorising plays or films or under a gaming licence), or

(ii) any occasion within paragraph 8(3)(d) of that Schedule (occasions prescribed by regulations under that Act).

3. For the purposes of this section:

(a) "security activity" means an activity to which paragraph 2(1)(a) of that Schedule applies, and, which is licensable conduct for the purposes of that Act, (see Section 3(2) of that Act) and

(b) paragraph 8(5) of that Schedule (interpretation of references to an occasion) applies as it applies in relation to paragraph 8 of that Schedule.

## **Mandatory Exhibition of Films Conditions**

1. Where a premises licence authorises the exhibition of films, the licence must include a condition requiring the admission of children to the exhibition of any film to be restricted in accordance with this section.
2. Where the film classification body is specified in the licence, unless subsection (3)(b) applies, admission of children must be restricted in accordance with any recommendation by that body.
3. Where
  - a. The film classification body is not specified in the licence, or
4. The relevant licensing authority has notified the holder of the licence that this subsection applies to the film in question,
  - a. admission of children must be restricted in accordance with any recommendation made by that licensing authority.
5. In this section "children" means any person aged under 18; and
6. "film classification body" means the person or persons designated as the authority under Section 4 of the Video Recordings Act 1984(c39) (authority to determine suitability of video works for classification).

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## City of London - Licensing Act 2003

### Pool of Model Conditions

When applying for a new premises licence or club premises certificate, or to vary an existing licence, the applicant must ensure that when licensable activities are taking place the four licensing objectives are promoted. **In order to assist with this process applicants are advised to contact the licensing service ( telephone 020 7332 3406 or email [licensing@cityoflondon.gov.uk](mailto:licensing@cityoflondon.gov.uk) ) and/or the City of London Police Licensing Team and the Environmental Health Pollution Team prior to making the application in order to discuss any possible issues.**

Conditions attached to a licence or certificate are the steps or actions the holder of the premises licence or the club premises certificate will be required to take, or refrain from taking, at all times when licensable activities are taking place at the premises in question.

Conditions are required to be clear, appropriate and enforceable and must be expressed in terms that are unequivocal and unambiguous. Further, such conditions should be open, transparent and reasonable.

Conditions must not be applied universally and treated as standard conditions. Licensing conditions are to be tailored to the size, style, characteristics and activities taking place at the premises concerned.

Licence conditions are not required where other regulatory regimes provide sufficient protection to the public e.g. Fire Safety legislation.

**The pool of model conditions is neither exclusive nor exhaustive. The model conditions relate to the four licensing objectives and can be used where appropriate to the particular circumstances of individual premises.**

**The pool of model conditions does not restrict any applicant, responsible authority, or other persons from proposing any alternative conditions nor would it restrict a licensing sub-committee from imposing any reasonable condition on a licence it considers appropriate for the promotion of the licensing objectives.**

Further information relating to conditions can be found in the amended guidance issued under section 182 of the Licensing Act 2003 which can be found by clicking on the following link:

<http://www.homeoffice.gov.uk/publications/alcohol-drugs/alcohol/guidance-section-182-licensing> .

Information can also be found within the City of London Corporation's 2011 Licensing Policy which can be found on the following page:

[http://www.cityoflondon.gov.uk/Corporation/LGNL\\_Services/Business/Licences\\_and\\_street\\_trading/Licensing+Act+2003.htm](http://www.cityoflondon.gov.uk/Corporation/LGNL_Services/Business/Licences_and_street_trading/Licensing+Act+2003.htm) .

## **The Prevention of Crime and Disorder.**

### **CCTV**

MC01 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, 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 Licensing Authority recordings of the preceding two days immediately when requested.

*[n.b. The above condition is an example of the wording that could be used for premises where the customers might commit serious crime. The CCTV requirements would be expected to be 'scaled down' accordingly for smaller premises or those premises which are unlikely to prove as troublesome.]*

### **Promoted Events**

MC02 Promoted events will not be held at the premises. A promoted event is an event 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.

### **Incident Management**

MC03 An incident log shall be kept at the premises and made available on request to the Police or an authorised officer of the City of London Corporation. The log will record the following:

- (a) all crimes reported to the venue
- (b) all ejections of customers
- (c) any incidents of disorder (disturbance caused either by one person or a group of people)  
*[There is no requirement to record the above incidents (a), (b) or (c) where they do not relate to a licensable activity]*
- (d) seizures of drugs or offensive weapons
- (e) any faults in the CCTV system or searching equipment or scanning equipment
- (f) any refusal of the sale of alcohol during the hours the premises is licensed to sell it

### **Door Supervisors**

MC04 On any occasion that regulated entertainment is provided, not less than \*\* SIA registered door supervisors shall be engaged to control entry.

MC05 At least \*\* female door supervisor(s) shall be engaged at the premises at such times as door supervisors are required to be provided.



- MC06 When the premises is carrying on licensable activities after \*\*:\*\*:\*\* hours, at least \*\* registered door supervisor(s) is(are) to be on duty at each door used for entry or exit.
- MC07 A written search policy that aims to prevent customers or staff bringing illegal drugs, weapons or other illegal items onto the premises at any time shall be in place and operate at the premises.

### **Late night Provisions**

- MC08 There shall be no admission or readmission of customers to the premises after \*\*:\*\*:\*\* hours save for customers using the agreed smoking area at the premises.
- MC09 On occasions where licensable activities are carried on past \*\*:\*\*:\*\* hours admission of customers will be restricted to [*enter restriction e.g. a particular entrance, a particular area of the licensed premises etc*].

### **Public Safety**

- MC10 All glasses in use at the premises shall be either toughened glass or polycarbonate material.
- MC11 No drinks of any sort are to be supplied to customers in glass bottles.

### **The Prevention of Public Nuisance**

#### **Noise (regulated entertainment)**

- MC12 All doors and windows shall remain closed at all times after \*\*:\*\*:\*\* hours during the provision of regulated entertainment save for entry or exit, or in the event of an emergency.
- MC13 Loudspeakers shall not be located in the entrance lobby, [*specify another location if appropriate*] or outside the premises.

#### **Noise (persons)**

- MC14 A written dispersal policy shall be in place and implemented at the premises to move customers from the premises and the immediate vicinity in such a way as to cause minimum disturbance or nuisance to neighbours.
- MC15 Prominent signage shall be displayed at all exits from the premises requesting that customers leave quietly.
- MC16 Customers permitted to temporarily leave and then re-enter the premises e.g. to smoke, shall not be permitted to take drinks or glass containers with them. .
- MC17 There shall be no sale of alcohol in unsealed containers for consumption off the premises.

MC18 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.

## **The Protection of Children from Harm**

MC19 A log shall be kept at the premises and record all refused sales of alcohol for reasons that the person(s) is, or appears to be, under \*\* years of age. The log shall record the date and time of the refusal and the name of the member of staff who refused the sale. The log will be made available on request by the Police or an authorised officer of the City of London Corporation.

MC20 A 'Challenge \*\*' Scheme shall operate to ensure that any person attempting to purchase alcohol who appears to be under the age of \*\* shall provide documented proof that he/she is over \*\* years of age. Proof of age shall only comprise a passport, a photo card driving licence, an EU/EEA national ID card or similar document, or an industry approved proof of age identity card.

MC21 Children under the age of \*\* years shall not be allowed on the premises after \*\*:\*\* hours unless accompanied by an adult.

MC22 Children under the age of \*\* years shall not be allowed on the premises.

MC23 No single cans or bottles of beer or cider shall be sold at the premises.

## **General**

MC24 Any designated queuing area shall be enclosed within appropriate barriers to ensure that the highway is kept clear.

MC25 Alcohol shall only be sold to a person sitting down eating a meal and for consumption with that meal.

MC26 Alcohol shall be sold to customers by waiter/waitress service only.

MC27 There shall be no sales of alcohol for consumption off the premises.

MC28 There shall be no self service of spirits on the premises.

MC29 Sales of alcohol for consumption off the premises shall only be supplied with a meal.

MC30 There shall be no admission after xx:xx other than to  
1) Residents of the hotel and their bona fide guests  
2) Persons who have pre-booked to attend a function at the premises

MC31 No entertainment, performance, service, or exhibition involving nudity or sexual stimulation shall be permitted.

## Appendix 3<sup>2</sup>

City of London

### Licensing Act 2003

#### - Pool of Model Conditions

#### 1. Introduction

- 1.1. This document sets out the general principles on licence conditions that can be included on premises licences or club premises certificates issued under the provisions of the Licensing Act 2003 (the Act).
- 1.2. In conducting its licensing functions, the City of London Corporation (the City) must have regard to S182 Guidance (the Guidance) issued under the Act by the Secretary of State. The Guidance states that conditions on a licence set out the parameters within which premises can lawfully operate and that failure to comply with a condition is an offence under the Act.
- 1.3. Conditions must therefore be precise and easy for a licence holder to observe. They must be clear in what they intend to achieve, appropriate for the promotion of the licensing objectives and enforceable and must be expressed in a prescriptive format that is unambiguous.
- 1.4. This document contains a pool of model conditions drawn up by the licensing authority and the relevant responsible authorities, which are considered appropriate and enforceable. They can be used to encourage a consistent approach by applicants, responsible authorities, other persons, and licensing sub-committee members when proposing or imposing conditions on a licence.

#### 2. Applicants

- 2.1. When applying for a new premises licence or club premises certificate, or to vary an existing licence, the applicant must ensure that when licensable activities are taking place the four licensing objectives are promoted. **In order to assist with this process applicants are advised to contact the licensing service ( telephone 020 7332 3406 or email [licensing@cityoflondon.gov.uk](mailto:licensing@cityoflondon.gov.uk) ) and/or the City of London Police Licensing Team and the Environmental Health Pollution Team prior to making the application in order to discuss any possible issues** Conditions that are appropriate to promote the licensing objectives should initially emerge from a risk assessment completed by an applicant which can be translated into their operating schedule. In preparing their operating schedule, an applicant should consider the City's Statement of Licensing Policy and the City's Code of Good Practice for Licensed Premises. An applicant can propose appropriate conditions from this pool of model conditions.
- 2.2. Applicants are advised to contact the licensing team at [licensing@cityoflondon.gov.uk](mailto:licensing@cityoflondon.gov.uk) for a pre-application meeting. The licensing team will liaise with the relevant responsible authorities including the City of London Police and Environmental Health to coordinate a site visit, where expert advice can be offered on the City's policies, and any site-specific

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concerns relating to the four licensing objectives that need to be considered in the operating schedule.

### 3. Responsible Authorities and other persons

3.1. Responsible authorities can propose appropriate conditions from this pool of model conditions to address any concerns identified during a pre-application meeting.

3.2. Once an application is received, all parties are expected to work in partnership for the collective promotion of the licensing objectives. If a responsible authority or other person is considering making a representation, they may propose a condition to the applicant from this pool of model conditions, where it is appropriate to promote the licensing objectives. This may lead to the matter being resolved without the need for a hearing if all parties agree.

### 4. Licensing Sub-Committee

4.1. Where relevant representations are made to an application and not withdrawn, a licensing sub-committee will hear the application. Having had regard to the representations, the licensing sub-committee may decide to grant the licence subject to such conditions as are consistent with the operating schedule accompanying the application, modified to such extent as the authority considers appropriate for the promotion of the licensing objectives. Conditions are modified if any of them is altered, omitted or any new condition is added. For consistency, members of the sub-committee may propose appropriate conditions from this pool of model conditions.

### 5. Model conditions

The Conditions attached to a licence or certificate are the steps or actions the holder of the premises licence or the club premises certificate will be required to take, or refrain from taking, at all times when licensable activities are taking place at the premises in question.

Conditions are required to be clear, appropriate and enforceable and must be expressed in terms that are unequivocal and unambiguous. Further, such conditions should be open, transparent and reasonable.

5.1. model conditions are not a standard set of conditions but a source of example conditions that are enforceable and can be used to encourage a consistent approach by applicants, responsible authorities, other persons, and licensing sub-committee members when proposing or imposing conditions on a licence. They must not be applied universally to licences and any proposed or imposed condition must be appropriate to the activities taking place at the premises.

The model conditions are not exclusive or exhaustive and do not restrict any applicant, responsible authority, or other person.

Conditions must not be applied universally and treated as standard conditions. Licensing conditions are to be tailored to the size, style, characteristics and activities taking place at the premises concerned.

Licence conditions are not required where other regulatory regimes provide sufficient protection to the public e.g. Fire Safety legislation.

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~~The pool of model conditions is neither exclusive nor exhaustive. The model conditions relate to the four licensing objectives and can be used where appropriate to the particular circumstances of individual premises.~~

5.2. ~~The pool of model conditions does not restrict any applicant, responsible authority, or other persons~~ from proposing any alternative conditions nor would it restrict a licensing sub-committee from imposing any ~~reasonable~~~~alternative enforceable~~ condition on a licence it considers appropriate ~~and proportionate~~ for the promotion of the licensing objectives.

~~Further information relating to conditions can be found in the amended guidance issued under section 182 of the Licensing Act 2003 which can be found by clicking on the following link:~~

~~<http://www.homeoffice.gov.uk/publications/alcohol-drugs/alcohol/guidance-section-182-licensing>~~

~~Information can also be found within the City of London Corporation's 2011 Licensing Policy which can be found on the following page:~~

~~<http://www.cityoflondon.gov.uk/Corporation/LGNL-Services/Business/Licences-and-street-trading/Licensing-Act-2003.htm>~~

5.3. The model conditions are listed under the licensing objective headings.

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**The Prevention of Crime and Disorder.**

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**CCTV**

MC01 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, 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 **always** 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 Licensing Authority recordings of the preceding two days immediately when requested.

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*[n.b. The above condition is an example of the wording that could be used for premises where the customers might commit serious crime. The CCTV requirements would be expected to be 'sealed down' accordingly for smaller premises or those premises which are unlikely to prove as troublesome.]*

**Promoted Events**

MC02 Promoted events will not be held at the premises. A promoted event is an event 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), ~~(the licensee)~~, and the event is ~~(independent of the licensee)~~ promoted to the general public ~~independent of the licensee.~~

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**Incident Management**

MC03 An incident log shall be kept at the premises and made available on request to the Police or an authorised officer of the City of London Corporation. The log will record the following:

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- ~~(a) all crimes reported to the venue~~
- ~~(b) all ejections of customers~~
- ~~(c) any incidents of disorder (disturbance caused either by one person or a group of people)~~
- ~~(d) seizures of drugs or offensive weapons~~
- ~~(e) any faults in the CCTV system or searching equipment or scanning equipment~~
- ~~(f) any refusal of the sale of alcohol during the hours the premises is licensed to sell it~~

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~~(a) all crimes reported to the venue~~  
~~(b) all ejections of customers~~  
~~(c) any incidents of disorder (disturbance caused either by one person or a group of people)~~  
*[There is no requirement to record the above incidents (a), (b) or (c) where they do not relate to a licensable activity]*

- ~~(d) seizures of drugs or offensive weapons~~
- ~~(e) any faults in the CCTV system or searching equipment or scanning equipment~~
- ~~(f) any refusal of the sale of alcohol during the hours the premises is licensed to sell it~~

**Door Supervisors**

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MC04 ~~On any occasion that regulated entertainment is provided, not less than **\*\***. A minimum of (x) SIA registered door supervisors shall be engaged to control entry on duty at the premises on (day) from (start time) until close of business.~~

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MC05 ~~At least **\*\*** A minimum of (x) female SIA registered door supervisor(s) shall be engaged on duty at the premises at such times as door supervisors are required to be provided on (day) from (start time) until close of business.~~

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MC06 When the premises is carrying on licensable activities after ~~**\*\*** (x) hours, at least **\*\*** a minimum of (x) registered door supervisor(s) is(are) to be on duty at each.~~  
(a) ~~The number of door supervisors will be employed on a ratio of (1:x); or~~  
(b) ~~The number of door supervisors shall be determined by a risk assessment completed by the licence holder. A copy of the risk assessment shall be retained on the premises and made available for entry or exit inspection by a police officer and/or an authorised officer of the licensing authority on request.~~

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MC07 A written search policy that aims to prevent customers or staff bringing illegal drugs, weapons, or other illegal items onto the premises at any time shall be in place and operate at the premises. ~~A copy of the policy shall be retained on the premises and made available for inspection by a police officer and/or authorised officer of the licensing authority on request.~~

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**Late night Provisions**

MC08 There shall be no admission or readmission of customers to the premises after ~~**\*\*** (x) hours~~ save for customers using the agreed smoking area at the premises.

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MC09 On occasions where licensable activities are ~~carried on~~ continued past ~~**\*\*** (x) hours~~ admission of customers will be restricted to *[enter restriction e.g. a particular entrance, a particular area of the licensed premises etc]*.

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**Public Safety**

MC10 All glasses in use at the premises shall be either toughened glass or polycarbonate material.

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MC11 No drinks of any sort are to be supplied to customers in glass bottles.

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**The Prevention of Public Nuisance**

**Noise (regulated entertainment)**

MC12 All ~~external doors, [lobby doors]~~ and windows shall ~~remain~~ be kept closed ~~at all times~~ after ~~**\*\*** (x) hours~~ during the provision of regulated entertainment, save for entry or exit, or in the event of an emergency.

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MC13 Loudspeakers shall not be located in the entrance lobby, *[specify another location if appropriate]* or outside the premises.

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**Noise (persons)**

~~MC14~~ MC14 A written dispersal policy shall be in place and implemented at the premises to move customers from the premises and the immediate vicinity in such a way as to cause minimum disturbance or nuisance to neighbours. A copy of the policy shall be retained on the premises and made available for inspection by a police officer and/or authorised officer of the licensing authority on request.

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~~MC15~~ MC15 A noise management plan shall be in place to identify how noise arising from all sources of noise including regulated entertainment, plant, and pa systems shall be effectively controlled so as to minimise the risk of public nuisance and how any complaints of noise will be dealt with. A copy of the plan shall be retained on the premises and made available for inspection by a police officer and/or authorised officer of the licensing authority on request.

~~MC16~~ MC16 All music and digital announcements shall be controlled through a digital sound processing unit (DSP) with a limiter, the limits for which shall be set and maintained at a level agreed with environmental health.

~~MC17~~ MC17 Prominent signage shall be displayed at all exits from the premises requesting that customers leave quietly.

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~~MC18~~ MC18 Customers permitted to temporarily leave and then re-enter the premises e.g. to smoke, shall not be permitted to take drinks or glass containers with them.

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~~MC19~~ MC19 There shall be no sale of alcohol in unsealed containers for consumption off the premises.

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~~MC20~~ MC20 There shall be no sale of alcohol in unsealed containers for consumption off the premises, save that consumption in unsealed containers is permitted on [designated outdoor space] or [to customers seated at authorised external furniture] only until (x) hours daily.

~~MC21~~ MC21 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.

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~~MC22~~ MC22 The [designated outdoor space] shall not be used for licensable activity beyond (x) hours.

~~MC23~~ MC23 Windows and doors accessing the [designated outdoor space] shall be kept closed after (x) hours.

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**The Protection of Children from Harm**

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~~MC24~~ MC24 A log shall be kept at the premises and record all refused sales of alcohol for reasons that the person(s) is, or appears to be, under \*\* years of age. The log shall record the date and time of the refusal and the name of the member of staff who

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refused the sale. The log will be made available on request by the Police or an authorised officer of the ~~City of London Corporation.~~

City of London Corporation.

~~MC20~~

~~MC25~~ A 'Challenge \*\*' Scheme shall operate to ensure that any person attempting to purchase alcohol who appears to be under the age of \*\* shall provide documented proof that he/she is over \*\* years of age. Proof of age shall only comprise a passport, a photo card driving licence, an EU/EEA national ID card or similar document, or an industry approved proof of age identity card.

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~~MC21~~~~MC26~~ Children under the age of \*\* years shall not be allowed on the premises after ~~\*\*:(x)~~ hours unless accompanied by an adult.

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~~MC22~~~~MC27~~ Children under the age of \*\* years shall not be allowed on the premises.

~~MC23~~~~MC28~~ No single cans or bottles of beer or cider shall be sold at the premises.

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#### **General**

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~~MC24~~~~MC29~~ Any designated queuing area shall be enclosed within ~~appropriate~~ barriers\* to ensure that the highway is kept clear.  
\*subject to being authorised by a pavement licence,

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~~MC25~~~~MC30~~ Alcohol shall only be sold to a person sitting down eating a meal and for consumption with that meal.

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~~MC26~~~~MC31~~ Alcohol shall be sold to customers by waiter/waitress service only.

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~~MC27~~~~MC32~~ There shall be no sales of alcohol for consumption off the premises.

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~~MC28~~~~MC33~~ There shall be no self service of spirits on the premises.

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~~MC29~~~~MC34~~ Sales of alcohol for consumption off the premises shall only be supplied with a meal.

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~~MC30~~~~MC35~~ There shall be no admission after ~~\*\*:(x) hours~~ other than to  
1) Residents of the hotel and their bona fide guests  
2) Persons who have pre-booked to attend a function at the premises

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~~MC31~~~~MC36~~ No entertainment, performance, service, or exhibition ~~involving of~~ nudity or sexual stimulation shall be permitted.

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#### Shadow Licences

~~MC37~~ This licence may not be used to provide licensable activity unless the Licensing Authority and Police are informed of the intention to use it, by the licence holder, at least 14 days prior to use.

MC38 When the licence is in use for licensable activity and the summary is displayed no other licence summary will be displayed at the same time.

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**City of London  
Licensing Act 2003 - Pool of Model Conditions**

**1. Introduction**

- 1.1. This document sets out the general principles on licence conditions that can be included on premises licences or club premises certificates issued under the provisions of the Licensing Act 2003 (the Act).
- 1.2. In conducting its licensing functions, the City of London Corporation (the City) must have regard to S182 Guidance (the Guidance) issued under the Act by the Secretary of State. The Guidance states that conditions on a licence set out the parameters within which premises can lawfully operate and that failure to comply with a condition is an offence under the Act.
- 1.3. Conditions must therefore be precise and easy for a licence holder to observe. They must be clear in what they intend to achieve, appropriate for the promotion of the licensing objectives and enforceable and must be expressed in a prescriptive format that is unambiguous.
- 1.4. This document contains a pool of model conditions drawn up by the licensing authority and the relevant responsible authorities, which are considered appropriate and enforceable. They can be used to encourage a consistent approach by applicants, responsible authorities, other persons, and licensing sub-committee members when proposing or imposing conditions on a licence.

**2. Applicants**

- 2.1. When applying for a new premises licence or club premises certificate, or to vary an existing licence, the applicant must ensure that when licensable activities are taking place the four licensing objectives are promoted. Conditions that are appropriate to promote the licensing objectives should initially emerge from a risk assessment completed by an applicant which can be translated into their operating schedule. In preparing their operating schedule, an applicant should consider the City's Statement of Licensing Policy and the City's Code of Good Practice for Licensed Premises. An applicant can propose appropriate conditions from this pool of model conditions.
- 2.2. Applicants are advised to contact the licensing team at [licensing@cityoflondon.gov.uk](mailto:licensing@cityoflondon.gov.uk) for a pre-application meeting. The licensing team will liaise with the relevant responsible authorities including the City of London Police and Environmental Health to coordinate a site visit, where expert advice can be offered on the City's policies, and any site-specific concerns relating to the four licensing objectives that need to be considered in the operating schedule.

**3. Responsible Authorities and other persons**

- 3.1. Responsible authorities can propose appropriate conditions from this pool of model conditions to address any concerns identified during a pre-application meeting.

3.2. Once an application is received, all parties are expected to work in partnership for the collective promotion of the licensing objectives. If a responsible authority or other person is considering making a representation, they may propose a condition to the applicant from this pool of model conditions, where it is appropriate to promote the licensing objectives. This may lead to the matter being resolved without the need for a hearing if all parties agree.

#### **4. Licensing Sub-Committee**

4.1. Where relevant representations are made to an application and not withdrawn, a licensing sub-committee will hear the application. Having had regard to the representations, the licensing sub-committee may decide to grant the licence subject to such conditions as are consistent with the operating schedule accompanying the application, modified to such extent as the authority considers appropriate for the promotion of the licensing objectives. Conditions are modified if any of them is altered, omitted or any new condition is added. For consistency, members of the sub-committee may propose appropriate conditions from this pool of model conditions.

#### **5. Model conditions**

5.1. The model conditions are not a standard set of conditions but a source of example conditions that are enforceable and can be used to encourage a consistent approach by applicants, responsible authorities, other persons, and licensing sub-committee members when proposing or imposing conditions on a licence. They must not be applied universally to licences and any proposed or imposed condition must be appropriate to the activities taking place at the premises.

5.2. The model conditions are not exclusive or exhaustive and do not restrict any applicant, responsible authority, or other person from proposing any alternative conditions nor would it restrict a licensing sub-committee from imposing any alternative enforceable condition on a licence it considers appropriate and proportionate for the promotion of the licensing objectives.

5.3. The model conditions are listed under the licensing objective headings.

## The Prevention of Crime and Disorder.

- MC01 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, 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 always be present on the premises when they are open to the public. This staff member shall be able to show the police or Licensing Authority recordings of the preceding two days immediately when requested.
- MC02 Promoted events will not be held at the premises. A promoted event is an event 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 premises licence holder (the licensee), and the event is promoted to the general public independent of the licensee.
- MC03 An incident log shall be kept at the premises and made available on request to the Police or an authorised officer of the City of London Corporation. The log will record the following:
- (a) all crimes reported to the venue
  - (b) all ejections of customers
  - (c) any incidents of disorder (disturbance caused either by one person or a group of people)
  - (d) seizures of drugs or offensive weapons
  - (e) any faults in the CCTV system or searching equipment or scanning equipment
  - (f) any refusal of the sale of alcohol during the hours the premises is licensed to sell it
- MC04 A minimum of (x)SIA registered door supervisors shall be on duty at the premises on (day) from (start time) until close of business.
- MC05 A minimum of (x) female SIA registered door supervisor(s) shall be. on duty at the premises on (day) from (start time) until close of business
- MC06 When the premises is carrying on licensable activities after (x)hours, a minimum of (x) registered door supervisor(s) is(are) to be on duty.
- (a) The number of door supervisors will be employed on a ratio of (1:x); or
  - (b) The number of door supervisors shall be determined by a risk assessment completed by the licence holder. A copy of the risk assessment shall be retained on the premises and made available for inspection by a police officer and/or an authorised officer of the licensing authority on request.
- MC07 A written search policy that aims to prevent customers or staff bringing illegal drugs, weapons, or other illegal items onto the premises at any time shall be in place and operate at the premises. A copy of the policy shall be retained on the premises and made available for inspection by a police officer and/or authorised officer of the licensing authority on request.

- MC08 There shall be no admission or readmission of customers to the premises after (x) hours save for customers using the agreed smoking area at the premises.
- MC09 On occasions where licensable activities are continued past (x) hours admission of customers will be restricted to *[enter restriction e.g., a particular entrance, a particular area of the licensed premises etc]*.

### **Public Safety**

- MC10 All glasses in use at the premises shall be either toughened glass or polycarbonate material.
- MC11 No drinks of any sort are to be supplied to customers in glass bottles.

### **The Prevention of Public Nuisance**

- MC12 All external doors, [lobby doors] and windows shall be kept closed after(x) hours save for entry or exit, or in the event of an emergency.
- MC13 Loudspeakers shall not be located in the entrance lobby, *[specify another location if appropriate]* or outside the premises.
- MC14 A written dispersal policy shall be in place and implemented at the premises to move customers from the premises and the immediate vicinity in such a way as to cause minimum disturbance or nuisance to neighbours. A copy of the policy shall be retained on the premises and made available for inspection by a police officer and/or authorised officer of the licensing authority on request.
- MC15 A noise management plan shall be in place to identify how noise arising from all sources of noise including regulated entertainment, plant, and pa systems shall be effectively controlled so as to minimise the risk of public nuisance and how any complaints of noise will be dealt with. A copy of the plan shall be retained on the premises and made available for inspection by a police officer and/or authorised officer of the licensing authority on request.
- MC16 All music and digital announcements shall be controlled through a digital sound processing unit (DSP) with a limiter, the limits for which shall be set and maintained at a level agreed with environmental health.
- MC17 Prominent signage shall be displayed at all exits from the premises requesting that customers leave quietly.
- MC18 Customers permitted to temporarily leave and then re-enter the premises e.g., to smoke, shall not be permitted to take drinks or glass containers with them.
- MC19 There shall be no sale of alcohol in unsealed containers for consumption off the premises.
- MC20 There shall be no sale of alcohol in unsealed containers for consumption off the premises, save that consumption in unsealed containers is permitted on [designated

outdoor space] or [to customers seated at authorised external furniture] only until (x) hours daily.

- MC21 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.
- MC22 The [designated outdoor space] shall not be used for licensable activity beyond (x) hours.
- MC23 Windows and doors accessing the [designated outdoor space] shall be kept closed after (x) hours.

### **The Protection of Children from Harm**

- MC24 A log shall be kept at the premises and record all refused sales of alcohol for reasons that the person(s) is, or appears to be, under \*\* years of age. The log shall record the date and time of the refusal and the name of the member of staff who refused the sale. The log will be made available on request by the Police or an authorised officer of the City of London Corporation.
- MC25 A 'Challenge \*\*' Scheme shall operate to ensure that any person attempting to purchase alcohol who appears to be under the age of \*\* shall provide documented proof that he/she is over \*\* years of age. Proof of age shall only comprise a passport, a photo card driving licence, an EU/EEA national ID card or similar document, or an industry approved proof of age identity card.
- MC26 Children under the age of \*\* years shall not be allowed on the premises after (x) hours unless accompanied by an adult.
- MC27 Children under the age of \*\* years shall not be allowed on the premises.
- MC28 No single cans or bottles of beer or cider shall be sold at the premises.

### **General**

- MC29 Any designated queuing area shall be enclosed within barriers\* to ensure that the highway is kept clear.  
\*subject to being authorised by a pavement licence.
- MC30 Alcohol shall only be sold to a person sitting down eating a meal and for consumption with that meal.
- MC31 Alcohol shall be sold to customers by waiter/waitress service only.
- MC32 There shall be no sales of alcohol for consumption off the premises.
- MC33 There shall be no self service of spirits on the premises.
- MC34 Sales of alcohol for consumption off the premises shall only be supplied with a meal.

MC35 There shall be no admission after (x) hours other than to  
1) Residents of the hotel and their bona fide guests  
2) Persons who have pre-booked to attend a function at the premises

MC36 No entertainment, performance, service, or exhibition of nudity or sexual stimulation shall be permitted.

#### Shadow Licences

MC37 This licence may not be used to provide licensable activity unless the Licensing Authority and Police are informed of the intention to use it, by the licence holder, at least 14 days prior to use.

MC38 When the licence is in use for licensable activity and the summary is displayed no other licence summary will be displayed at the same time.



# Agenda Item 7

<b>Committee(s):</b> Licensing Committee	<b>Dated:</b> 07/07/2023
<b>Subject:</b> Revenue Outturn 2022/23	<b>Public</b>
<b>Which outcomes in the City Corporation's Corporate Plan does this proposal aim to impact directly?</b>	n/a
<b>Does this proposal require extra revenue and/or capital spending?</b>	<b>N</b>
<b>If so, how much?</b>	n/a
<b>What is the source of Funding?</b>	n/a
<b>Has this Funding Source been agreed with the Chamberlain's Department?</b>	n/a
<b>Report of:</b> Chamberlain Executive Director Environment	<b>For Information</b>
<b>Report author:</b> Jenny Pitcairn, Chamberlain's Department	

## Summary

This report compares the revenue outturn for the services overseen by your Committee in 2022/23 with the final budget for the year. Overall total net expenditure during the year was £311,000 whereas the total budget was £294,000, representing an overspending of £17,000 as set out below.

<b>Summary Comparison of 2022/23 Revenue Outturn with Final Budget</b>				
	<b>Original Budget</b>	<b>Final Budget</b>	<b>Revenue Outturn</b>	<b>Variation Better/ (Worse)</b>
	<b>£000</b>	<b>£000</b>	<b>£000</b>	<b>£000</b>
<b>Direct Net Expenditure</b>				
Environment	(209)	(249)	(268)	(19)
<b>Capital and Support Services</b>	<b>(32)</b>	<b>(45)</b>	<b>(43)</b>	<b>2</b>
<b>Overall Total</b>	<b>(241)</b>	<b>(294)</b>	<b>(311)</b>	<b>(17)</b>

The Executive Director Environment has submitted a request to carry forward local risk underspendings within the Department, 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

## Main Report

### Revenue Outturn for 2022/23

1. Actual net expenditure for your Committee's services during 2022/23 totalled £311,000, an overspend of £17,000 compared to the final net budget of £294,000. 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.

<b>Summary Comparison of 2022/23 Revenue Outturn with Final Budget</b>				
	<b>Original Budget £000</b>	<b>Final Budget £000</b>	<b>Revenue Outturn £000</b>	<b>Variation Better/ (Worse) £000</b>
<b>Local Risk</b>				
Environment	(209)	(249)	(268)	(19)
<b>Total Local Risk</b>	<b>(209)</b>	<b>(249)</b>	<b>(268)</b>	<b>(19)</b>
<b>Capital and Support Services</b>	<b>(32)</b>	<b>(45)</b>	<b>(43)</b>	<b>2</b>
<b>Overall Total</b>	<b>(241)</b>	<b>(294)</b>	<b>(311)</b>	<b>(17)</b>

2. The most significant local risk variations were:
- A reduction of £93,000 in fee income mainly in relation to Tables & Chairs and Late Night Levy;
  - An overspend of £18,000 on fees and services mainly for internal legal fees;
  - A decrease of £42,000 in bad debt provision;
  - Additional grant income of £35,000 towards the cost of administering Pavement Licences;
  - A decrease of £10,000 in employee costs as a result of staff vacancies.
3. Appendix 1 shows the movement from the 2022/23 original budget to the final budget.
4. The table overleaf shows the degree to which costs were recovered through fees by licence type.

Revenue Outturn by Licence Type	Revenue Outturn £000
<b>Late Night Levy</b> <sup>1</sup>	
Expenditure	(117)
Income	117
<b>Total Late Night Levy</b>	<b>0</b>
<b>Gambling Act</b> <sup>2</sup>	
Expenditure	(14)
Income	8
<b>Total Gambling Act</b>	<b>(6)</b>
<b>Tables &amp; Chairs</b>	
Expenditure	(15)
Income	15
<b>Total Tables &amp; Chairs</b>	<b>0</b>
<b>Massage &amp; Special Treatment</b>	
Expenditure	(44)
Income	44
<b>Total Massage &amp; Special Treatment</b>	<b>0</b>
<b>Premises, street trading and other</b> <sup>3</sup>	
Expenditure	(885)
Income	580
<b>Total Premises, street trading &amp; other</b>	<b>(305)</b>
<b>OVERALL TOTAL</b>	<b>(311)</b>

<sup>1</sup> Including administration costs

<sup>2</sup> 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.

<sup>3</sup> 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, including pavement licences (net of grant income) issued free-of-charge.

### Local Risk Carry Forwards to 2023/24

5. The Executive Director Environment has a local risk overspending of £19,000 on the activities overseen by your Committee. Across the wider Department the Executive Director had net local risk underspendings totalling £1.144m on activities overseen by other Committees, after adjusting for unspent carry-forwards from 2021/22. The Director is proposing that her maximum eligible underspend of £500,000 be carried forward, none of which relates to activities overseen by your Committee.

### Corporate & Strategic Implications

Strategic implications – none.

Financial implications – none.

Resource implications – none.

Legal implications – none.

Risk implications – none.

Equalities implications – none.

Climate implications – none.

Security implications – none.

## **Appendices**

- Appendix 1 – Movement from 2022/23 Original Budget to Final Budget

### **Jenny Pitcairn**

Chamberlain's Department

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**Licensing Committee**  
**Analysis of Movements 2022/23 Original Budget to Final Budget**

	<b>£000</b>
<b>Original Local Risk Budget</b>	(209)
Adjustments:	
Central funding of pay award	(39)
TOM restructure implementation	
- virement from Port Health & Environmental Services Committee	(1)
<b>Final Local Risk Budget</b>	<b>(249)</b>
<b>Original Capital &amp; Support Services Budget</b>	(32)
Adjustments:	
Increase in recharges within fund (TOM implementation)	(32)
Reduction in recharges between funds (TOM implementation)	19
<b>Final Capital &amp; Support Service Budget</b>	<b>(45)</b>
<b>TOTAL Original Approved Budget</b>	(241)
Movement in Local Risk Budget	(40)
Movement in Capital & Support Services Budget	(13)
<b>TOTAL Final Approved Budget</b>	<b>(294)</b>

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<b>Committee</b> Licensing Committee	<b>Date:</b> 7 July 2023
<b>Subject:</b> Licensing Service Business Plan 2022/23: Progress Report	<b>Public</b>
<b>Which outcomes in the City Corporation’s Corporate Plan does this proposal aim to impact directly?</b>	1, 2, 5, 6
<b>Does this proposal require extra revenue and/or capital spending?</b>	N
<b>Report of:</b> Executive Director Environment	<b>For Information</b>
<b>Report author:</b> Joanne Hill, Business Planning and Compliance Manager	

## Summary

In February 2022, this Committee approved the elements of the 2022/23 high-level Business Plan of the Port Health and Public Protection Division which fell within the remit of the Licensing Committee. The high-level Business Plan was supported by a more detailed Licensing Service Plan which set out the Licensing Team’s key strategic and operational business objectives for 2022/23.

This report provides a summary of the progress made by the Licensing Team in the delivery of its key strategic and operational objectives during 2022/23.

## Recommendation(s)

Members are asked to note the content of this report.

## Main Report

### Background

1. In February 2022, this Committee approved the elements of the 2022/23 high-level Business Plan of the Port Health and Public Protection Division which fell within the remit of the Licensing Committee. The high-level Business Plan was supported by detailed plans for each area of service, including the Licensing Team.
  
2. The 2022/23 Licensing Team’s Plan included a number of strategic and operational business objectives against which performance would be monitored throughout the year. The objectives were selected to be representative of the key elements of work carried out by the Licensing Team. Progress was regularly reviewed and discussed by Senior Management to ensure any issues could be resolved at an early stage.

## **Current Position**

3. To keep your Committee informed, updates on progress made by the Licensing Team against key strategic and operational objectives during 2022/23 are summarised below.

4. **Recovery of the hospitality sector**

The Licensing Team continued to work with the hospitality sector, aiding their post-pandemic recovery by enabling them to trade more flexibly and helping them to manage their costs. This was achieved through a streamlined, free of charge pavement licence renewal process, and by facilitating payment plans for businesses struggling to pay their statutory licence fees without suspending their licences. The team worked closely with licensees to reduce all aged debt accrued during the Covid-19 pandemic.

5. **Licence fees**

The financial implications for licensing income due to the pandemic were determined and used to inform the review of fees for Gambling, Sex Establishments, Street Trading and Massage and Special Treatment licences. Fees for tables and chairs were not reviewed due to the impending government plans to repeal the relevant section of the Highways Act 1980 and permanently replace it with pavement licences, under the Business and Planning Act 2020.

6. **Licensing policies**

The City of London's Gambling Statement of Licensing Principles was reviewed; a revised three-year policy commencing in July 2022 was produced and approved by your Committee in May 2022. The City of London's Code of Good Practice for Licensed Premises was reviewed, and a revised code was approved by your Committee in October 2022. The new code incorporates the latest guidance on CCTV; counter terrorism; drink spiking; drugs on premises; vulnerabilities, including women's safety; information sharing; and collaborative partnership working.

7. **Petticoat Lane Market and temporary street trading**

The Licensing Team continued to play an active role in the regeneration of Petticoat Lane Market by advising the project team on operational matters and facilitating the allocation of vacant pitches. This gives the market greater visibility and helps to drive more people there. The team also facilitated the issue of temporary street trading licences and there is now a regular food market at Paternoster Square and at Monument. This is consistent with the wider aims of Destination City and attracting people to the Square Mile.

8. **Implementation of new software (Uniform)**

The team seconded one officer to work on the Uniform Implementation



Project. The team fully supported the project, taking responsibility for the implementation of the licensing module, reviewing and streamlining the processes of the team, and worked collaboratively with other teams to ensure a consistent approach to workflows and smooth migration of data.

#### 9. **Operational objectives**

The team met the statutory requirements for the administration of new/renewal applications and associated enforcement activity in relation to the following licence types: Alcohol and entertainment premises; Massage and Special Treatment (MST); Tables and Chairs; Pavement licences; Gambling; Street Trading; and charity collections. The team worked collaboratively with Environmental Health and Planning Officers to provide a holistic approach to the licensing of premises and supported the City of London Police Operation Reframe campaign in providing advice and training, and the regulation of the Night Time Economy.

#### **Corporate & Strategic Implications**

- **Strategic implications** – The monitoring of key business objectives links to the achievement of the aims and outcomes of the Corporate Plan 2018-23.
- **Financial implications** - The full end of year financial position for 2022/23 will be detailed in the Chamberlain's Revenue Outturn Report which will be presented to your Committee separately.
- **Resource implications** - None
- **Legal implications** - None
- **Risk implications** - Risk is reviewed regularly by the Senior Management Team as part of the ongoing management of operations. In addition to the flexibility for emerging risks to be raised as they are identified, a process exists for in-depth periodic review of the risk register. The Department's Risk Register currently includes no Red or Amber risks specifically related to the Licensing Service.
- **Equalities implications** – None
- **Climate implications** - None
- **Security implications** - None

#### **Background Papers**

'Draft high-level Business Plan 2022/23' (*Licensing Committee 2 February 2022*)

#### **Contacts**

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<b>Committee(s)</b>	<b>Dated:</b>
Licensing Committee	07/07/2023
<b>Subject:</b> Delegated decisions of the Executive Director Environment pertaining to premises licences	<b>Public</b>
<b>Which outcomes in the City Corporation's Corporate Plan does this proposal aim to impact directly?</b>	1, 4
<b>Does this proposal require extra revenue and/or capital spending?</b>	N
<b>If so, how much?</b>	N/A
<b>What is the source of Funding?</b>	N/A
<b>Has this Funding Source been agreed with the Chamberlain's Department?</b>	N/A
<b>Report of:</b> Juliemma McLoughlin, Executive Director Environment	<b>For Information</b>
<b>Report author:</b> Robert Breese, Licensing Officer	

## Summary

This report details the premises licences, and variations to premises licences, granted under the Licensing Act 2003 and administered by the Licensing Service from 1 April 2023 to 30 June 2023. 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 1 April 2023 to 30 June 2023. In addition, the report presents data from the 'traffic light' risk scheme introduced within the City of London on 1 April 2013. The data gives a view of the scheme between 1 October 2022 to 31 March 2023.

## 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 1 April 2023 to 30 June 2023. 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 at: <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](mailto: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 3 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. Appendix 3 provides data from 1 April 2023 to 30 June 2023.
5. Licensing Officers undertake routine enforcement visits to check 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 in response to complaints. The Department's Enforcement Policy is followed prior to escalating action and taking legal proceedings.
6. The Enforcement Policy 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.
7. 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.
8. This report details data produced from the 'traffic light' risk scheme between 1 October 2022 to 31 March 2023. Further details can be seen in Appendix 4.
9. 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 the Guildhall. These relationships and lines of communication have been maintained with regards to working from home, a number of communications taking place remotely. We have furthered our relationships with various stakeholders through Operation Reframe – a regular monthly collaborative partnership with numerous responsible authorities aimed at building trust and confidence in our work and creating safe spaces.
10. The Memorandum of Understanding (MoU) between the City of London Police and the Environment Department agreed in November 2011 (when it was the Markets and Consumer Protection Department) outlines specific arrangements for cooperation between the teams.

11. The other City Corporation Department that is routinely involved in enforcement is the former Department of the Built Environment (DBE), which now also forms part of the Environment Department. 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.
12. 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.
13. 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**

### 14. Corporate & Strategic Implications:

Strategic implications – None

Financial implications - None

Resource implications - None

Legal implications - None

Risk implications - None

Equalities implications – None

Climate implications - None

Security implications – None

## **Appendices**

- Appendix 1 – New Licence Applications issued between 1 April 2023 to 30 June 2023.
- Appendix 2 – Applications to vary a licence issued between 1 April 2023 to 30 June 2023.

- Appendix 3 - Enforcement Action carried out between 1 April 2023 to 30 June 2023 (including complaints received).
- Appendix 4 (Non-Public) – Update on the risk scheme as of 31 March 2023.

### **Background Papers**

None

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Licensing Officer

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## Appendix 1

### New Licence Applications Issued by way of Delegated Authority (01 April 2023 to 30 June 2023)

Name	Address	Ward	Details
Notes Chalet	City Point, 1 Ropemaker Street, London, EC2Y 9AW	Coleman Street	A <b>23:00</b>
Camden Food Co	Liverpool Street Station, EC2M 7QH	Bishopsgate	A, L <b>23:00</b>
The Golden Goose	13-15 Leadenhall Market, EC3V 1LR	Lime Street	A, (e), (f) <b>00:00</b>
Hotel Saint (Shadow Licence)	14th Floor, Hotel Saint, 9-13 Aldgate High Street, EC3N 1AH	Portsoken	A, (e), L <b>02:00</b>
Squire Pattons Boggs (UK) LLP	2nd and 8th Floor, 60 London Wall, EC2M 5TQ	Broad Street	A , L <b>00:00</b>
Americano	Unit 2, 176 Fleet Street, EC2A 2EN	Castle Baynard	A <b>21:00</b>

**Total Licences Issued = 6**

Key to Details:

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

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

#### Number of Licences by Ward

WARD	No.
<b>Bishopsgate</b>	<b>1</b>
<b>Broad Street</b>	<b>1</b>
<b>Castle Baynard</b>	<b>1</b>
<b>Coleman Street</b>	<b>1</b>
<b>Lime Street</b>	<b>1</b>
<b>Portsoken</b>	<b>1</b>

## **Conditions Applied to Licences Granted by way of Delegated Authority**

### **Notes Chalet**

None

### **Camden Food Co**

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 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. An incident log / refusals log is maintained on site in accordance with company policy. The log should include the date and time of the refused sale and the name of the member of staff who refused the sale. The log shall be available for inspection at the premises by the police or an authorised officer at all times whilst the premises is open.
3. A 'Challenge 21' Scheme shall operate to ensure that any person attempting to purchase alcohol who appears to be under the age of 21 shall provide documented proof that he/she is over 21 years of age. The licence holder shall ensure that all staff are trained to ask any customer attempting to purchase alcohol, who appears to be under the age of 21 years (or older if the licence holder so elects) for evidence of age. This evidence shall be photographic, such as passport or photographic driving licence until other effective identification technology (for example, thumb print or pupil recognition) is introduced. All staff will be instructed, through training, that a sale shall not be made unless this evidence is produced.

### **The Golden Goose**

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 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. An incident log shall be kept at the premises and made available on request to the Police or an authorised officer of the City of London Corporation. The log will record the following:
  - (a) all crimes reported to the venue
  - (b) all ejections of customers
  - (c) any incidents of disorder (disturbance caused either by one person or a group of people)
  - (d) seizures of drugs or offensive weapons



- (e) any faults in the CCTV system or searching equipment or scanning equipment
- (f) any refusal of the sale of alcohol during the hours the premises is licensed to sell it

3. A written search policy that aims to prevent customers or staff bringing illegal drugs, weapons or other illegal items onto the premises at any time shall be in place and operate at the premises. A copy of the policy shall be made available on request to the Police or an authorised officer of the City of London Corporation.

4. A written dispersal policy shall be in place and implemented at the premises to move customers from the premises and the immediate vicinity in such a way as to cause minimum disturbance or nuisance to neighbours. A copy of the policy shall be made available on request to the Police or an authorised officer of the City of London Corporation.

5. Prominent signage shall be displayed at all exits from the premises requesting that customers leave quietly.

6. A 'Challenge 25' Scheme shall operate to ensure that any person attempting to purchase alcohol who appears to be under the age of 25 shall provide documented proof that he/she is over 18 years of age. Proof of age shall only comprise a passport, a photo card driving licence, an EU/EEA national ID card or similar document, or an industry approved proof of age identity card.

7. A record shall be kept detailing all refused sales of alcohol. The log shall record the date and time of the refusal and the name of the member of staff who refused the sale. The log will be made available on request by the Police or an authorised officer of the City of London Corporation.

### **Hotel Saint**

1. Doors and windows to the terrace shall be closed between the hours of 22:00 – 07:00 Monday to Sundays.

2. There shall be no sale of alcohol in unsealed containers for consumption off the premises, save that consumption in unsealed containers is permitted on the terrace only until 00:00 hours daily.

3. The Licensing Authority, Environmental Health and Police are informed at least 14 days prior to the provision of licensable activities under this licence.

4. When this licence is used to provide licensable activities and the licence summary is displayed on the premises, the licence summary of any other premises licence will not be displayed at the same time.

5. 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.

6. Promoted events will not be held at the premises. A promoted event is an event 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.

7. An additional hour may be added to all standard and non-standard times permitted by this licence on the day that British Summertime commences.

### **Squire Patton Boggs (UK) LLP**

1. The provision of licensable activities shall be restricted to: employees and officers of the organisations in occupation, or their associated companies; and bona fide guests of the said employees, officers and companies; and persons attending any bona fide private event at the premises.

### **Americano**

1. A Challenge 25 policy will be enforced, where any person reasonably looking under the age of 25 shall be asked to prove their age when attempting to purchase alcohol and signs to this effect will be displayed at the premises. The only acceptable forms of identity will be those with photographic identification documents recognized in the Home Office guidance; including passports, photo-card driving licence or proof of age card bearing the PASS hologram. Police must be called to incidents of violence and/or disorder where appropriate.

2. 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, 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 Licensing Authority recordings of the preceding two days immediately when requested.

3. All glasses in use at the premises shall be either toughened glass or polycarbonate material.

4. An incident log shall be kept at the premises and be made available upon request to the Police or the Local Authority. The book will record the date, time and whom is making the entry. The following must be recorded:

- a) All crimes reported to the venue.
- b) Any complaints received.
- c) Lost property.
- d) Any incidents of violence or serious disorder.
- e) Any drug or offensive weapon seizures.
- f) Refusals of alcohol sales, including any underage attempts

5. A notice shall be prominently displayed at the premises reminding staff and patrons to leave quietly.

6. Loudspeakers shall not be located in the entrance lobby, or outside the premises.
7. A written dispersal policy shall be in place and implemented at the premises to move customers from the premises and the immediate vicinity in such a way as to cause minimum disturbance or nuisance to neighbours.
8. Alcohol will be served to seated guests only.
9. Alcohol shall be sold to customers by waiter/waitress service only.
10. Children under the age of 16 years shall not be allowed on the premises after 18:00 hours unless accompanied by an adult.

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## Appendix 2

### Licence Variations Issued by way of Delegated Authority (01 April 2023 to 30 June 2023)

Name	Address	Ward	Variation
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**Total Number of Variations Issued = 0**

Number of Licences by Ward

**0**

**Conditions Added to Licences Granted by way of Delegated Authority**

**Personal Licences Issued by way of Delegated Authority**

01 April 2023 to 30 June 2023

**0**

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**Enforcement Action Carried out Under the Licensing Act 2003  
01 April 2023 – 30 June 2023**

Total Number of Inspections	49
Number of Warning Letters	4
Number of Premises advised	23
Number of simple cautions	0
Number of suspension notices	
‘Dead’ Suspensions**	3
‘Live’ Suspensions***	0
Licence lapsed/surrendered	5

\*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 complaints received between  
01/04/2023 and 30/06/2023

Total number of complaints: 9

**Premises name:** Minorities, 64 - 73 Minorities, London, EC3N 1JL

**Details:** "loud music seo by phone 00:36"

**Noise type:** MUSIC

**Date:** 16/06/2023

**Time:** 00:33

**Premises name:** The Albion Public House, 2 - 3 New Bridge Street, London, EC4V 6AA

**Details:** "Night time delivery noise"

**Noise type:** NIGHT TIME DELIVERY

**Date:** 09/05/2023

**Time:** 06:32

**Premises Name:** Apulia, 50 - 52 Long Lane, London, EC1A 9EJ

**Details:** Noise from staff smoking in Barley Mow Passage and music from presmies through open windows

**Noise type:** PEOPLE NOISE

**Date:** 30/05/2023

**Time:** 14:12

**Premises Name:** Balfour St Bart's, 66 West Smithfield, London, EC1A 9DY

**Details:** CONCERT LIVE MUSIC LOCATION LONGLANE

**Noise type:** MUSIC

**Date:** 10/06/2023

**Time:** 10:25

**Premises Name:** Proud City, 4 Minster Pavement, London, EC3R 7PP

**Details:** Loud people leaving club. call back wanted

**Noise type:** PEOPLE NOISE

**Date:** 03/05/2023

**Time:** 15:11



**Premises Name:** Minorities, 64 - 73 Minorities, London, EC3N 1JL

**Details:** loud music seo by phone 00:47

**Noise type:** MUSIC

**Date:** 16/06/2023

**Time:** 00:43

**Premises Name:** Jamaica Buildings, St Michael's Alley, London, EC3V 9DS (WK/202304730)

**Details:** People drinking outside

**Noise type:** PEOPLE NOISE

**Date:** 08/04/2023

**Time:** 23:20

**Premises Name:** Rocca, 48-51 Leadenhall Market, London, EC3V 1LT (WK/202304957)

**Details:** Live music nuisance

**Noise type:** MUSIC

**Date:** 12/4/2023

**Time:** 21:38

**Premises Name:** Wood Street Bar And Restaurant, 53 Fore Street, London, EC2Y 5EJ (WK/202304611)

**Details:** Music heard from inside

**Noise type:** MUSIC

**Date:** 04/04/2023

**Time:** 21:55

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By virtue of paragraph(s) 7 of Part 1 of Schedule 12A of the Local Government Act 1972.

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