

PLEASE BRING THIS AGENDA WITH YOU

The Lord Mayor will take the Chair at ONE
of the clock in the afternoon precisely.



COMMON COUNCIL

SIR/MADAM,

You are desired to be at a Court of Court of Common Council, at **GUILDHALL**, on **THURSDAY** next, the **17th day of January, 2013**.

JOHN BARRADELL,
Town Clerk & Chief Executive.

*Guildhall,
Wednesday 9th January 2013*

Sir John Stuttard M.A.

Sir Paul Judge

}

Aldermen on the Rota

1 Question - That the Minutes of the last Court are correctly recorded?

2 The Right Honourable The Lord Mayor's report on overseas visits.

3 Resolutions on Retirements, Congratulatory Resolutions, Memorials.

4 Statement from the Chairman of the Policy and Resources Committee.

5 Docquets for the Hospital Seal.

6 List of applicants for the Freedom of the City:

(A list of names, together with those of the nominators, has been separately circulated).

7 The Remembrancer's report of measures introduced into Parliament which may have an effect on the services provided by the City Corporation.

Subordinate Legislation

Title	with effect from
The Licensing Act 2003 (Early Morning Alcohol Restriction Orders) Regulations 2012, S.I. No. 2551	31 October 2012
The Police (Performance) Regulations 2012, S.I. No. 2631	22 November 2012
The Police (Conduct) Regulations 2012, S.I. No. 2632	22 November 2012
The Late Night Levy (Application and Administration) Regulations 2012, S.I. No. 2730	31 October 2012
The Council Tax Reduction Schemes (Default Scheme) (England) Regulations 2012, S.I. No. 2886	18 December 2012
The Local Authorities (Calculation of Council Tax Base) (England) Regulations 2012, S.I. No. 2914	30 November 2012
The Official Secrets Act 1989 (Prescription) (Amendment) Order 2012, S.I. No. 2900	22 November 2012
The Building Regulations &c. (Amendment) Regulations 2012, S.I. No. 3119	9 January 2013

(The text of the measures and the explanatory notes may be obtained from the Remembrancer's office.)

8 A Bill for an Act of Common Council

To: –

- Change the date of the elections of Ward Beadles;
- Make incidental and consequential changes to the term of office of Ward Beadles;
- Provide that any casual vacancy occurring in the office of Ward Beadle shall be filled by the Alderman of the ward in which the vacancy occurs;
- Repeal the Act of Common Council made and passed on the 4th day of December 2003.

(Third and Final Reading)

(A printed report of the Policy and Resources Committee thereon has been circulated).

9 The Town Clerk to report the result of a ballot taken at the last Court, viz:-

(a) Two Members on the Aldermanic Eligibility Working Party who are not a Member of the Policy and Resources Committee.

* denotes appointed

	Votes
Robin Anthony Eve, O.B.E., Deputy	24
Sophie Anne Fernandes	18
William Barrie Fraser, O.B.E., Deputy	44 *
Stanley Ginsburg J.P., Deputy	18
Gregory Alfred Lawrence	10
Vivienne Littlechild J.P.	25
Julian Henry Malins, Q.C.	26 *
Jeremy Lewis Simons M.Sc.	23

(b) Two Members on the Social Investment Board of the Investment Committee, one of whom shall have fewer than five years' service on the Court at the time of their appointment.

denotes fewer than five years' service on the Court

* denotes appointed

	Votes
John Alfred Barker, O.B.E., Deputy	19
Martin James Day, B.A., M.Sc., LL.M.	18
The Revd. Dr. Martin Dudley	34
# Robert Picton Seymour Howard	73*
Richard David Regan, Deputy	42*

10 To appoint the following:-

(A) Three Members on the Health and Wellbeing Board for terms to expire in April 2015, 2016 and 2017.

Nominations received:-

Vivienne Littlechild J.P.

Gareth Wynford Moore

Joyce Carruthers Nash, O.B.E., Deputy

(B) One Member on the Board of Governors of the City of London School for the balance of a term to expire in April 2015.

Nominations received:-

Martin James Day, B.A., M.Sc., LL.M.

Michael Hudson

Sylvia Doreen Moys

(C) One Member on the Board of Governors of the City of London Freeman's School for the balance of a term to expire in April 2016.

Nomination received:-

Stuart John Fraser

(D) Two Members on Christ's Hospital for four year terms to expire in January 2017.

Nominations received:-

Alexander John Cameron Deane

Robin Anthony Eve, O.B.E., Deputy

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- (E) Three Members on the Guild Church Council of St Lawrence Jewry for one year terms to expire in March 2014.

Nominations received:-
Roger Arthur Holden Chadwick
Simon D'Olier Duckworth, D.L.
Michael Page, B.A.(Hons.)

- (F) Three Members to become Trustees of the Castle Baynard Educational Foundation (incorporating the Samuel Wilson Trust) for three year terms to expire in March 2016.

Nominations received:-
Raymond Michael Catt
Nigel Kenneth Challis
Catherine McGuinness, M.A., Deputy

- (G) One Member on the City Arts Trust for a four year term to expire in January 2017.

Nomination received:-
Sir David Hugh Wootton, Alderman

- (H) One Member on the City Archaeological Trust for the balance of a term to expire in May 2015.

Nominations received:-
Michael Hudson
Virginia Rounding

- (I) One Member on the City of London Reserve Forces' and Cadets' Association for the balance of a term to expire in March 2014.

Nomination received:-
Charles Edward Lord, O.B.E., J.P., Deputy

11 QUESTIONS

12 Nomination

By the General Purposes Committee of Aldermen for the appointment of Alderman Alan Yarrow on the Policy & Resources Committee in the room of Alderman Roger Gifford (now on the Committee as The Rt. Hon. The Lord Mayor).

13 MOTIONS

14 Awards and Prizes

Tower Bridge Award

(Report of the Chairman of the Culture, Heritage and Libraries Committee)

Members will be interested to learn that Tower Bridge was declared the UK's *Best Unusual Venue* at the 2012 UK: Event Awards at the Emirates Stadium on Friday, 23 November 2012. Event professionals from all over the UK attended the awards ceremony, now in its third year.

The UK: Event Awards honours outstanding business-to-business and business-to-consumer events including corporate events, product launches, company exhibitions, presentations, hospitality, celebratory events, meetings and conferences of all sizes

and formats in the UK. This award was given in recognition of the innovations that have been introduced at Tower Bridge, the increase in events held, the number of new clients and Tower Bridge's involvement in some very high profile events. The award complements the Bridge's previous accolades as a leading events venue; consisting of the 2009 COOL Award for Best Small Meeting Space, the 2010 Eventia Award for Best Venue and the 2011 Event Magazine award for Best Small Venue.

Rates Committees - Reports

15 **PLANNING AND TRANSPORTATION COMMITTEE** (Martin Charles Farr)

15 January 2013

On-Street Parking Surplus 2011/12

Section 55(3A) of the Road Traffic Regulation Act 1984 (as amended) requires the City of London Corporation (together with the London Borough Councils and Transport for London) to report to the Mayor of London on action taken in respect of any deficit or surplus in their On-Street Parking Account for each financial year.

We submit a short printed and circulated report thereon, which we **recommend** be noted and submitted to the Mayor of London.

16 **BARBICAN CENTRE BOARD** (Catherine McGuinness, MA, Deputy)

Replacement of the Barbican Flying System- amendment of the contract sum

At its meeting on 19 January 2012, the Court of Common Council authorised the replacement of the Barbican Theatre's powered flying system at a cost of £3,781,000.

Prior to this authorisation, in accordance with standard practice, your Barbican Centre Board, Finance Committee and Projects Sub Committee had also authorised a budget of £100,000 for specialist project management resource. Unfortunately, this sum was omitted from the subsequent report to the Court of Common Council.

Members are therefore invited to regularise this position and authorise the sum of £100,000 for specialist project management support and we **recommend** accordingly.

Members are advised that in November 2012, Gateway 5 authority to start work on the project was approved by the above Committees and the total budget for the project is within the regularised position sought today.

17 **LICENSING COMMITTEE** (Edward Lord Esq, OBE, JP, Deputy)

14 January 2013

(A) **Licensing Act 2003 - Review of Statement of Licensing Policy 2013**

The Licensing Act 2003 imposes a statutory requirement for each licensing authority to now publish a Statement of Licensing Policy every five years. Although not due for a review until 2016 the current Policy (published in January 2011) is being reviewed now to reflect policy, procedural and legislative changes. Your Licensing Committee will be considering a draft policy on 14 January 2013

following a period of consultation conducted during November/December 2012. In order that the policy can be approved at the earliest opportunity, we are submitting it to the Court at this stage in draft form and subject to our consideration.

Any amendments made by your Licensing Committee will be reported to the Court and subject to that we **recommend** that the revised Statement of Licensing Policy, as set out in the separately printed and circulated draft report, be approved for adoption from 17 January 2013.

(B) **Gambling Act 2005 - Review of Statement of Licensing Principles**

The Gambling Act 2005 imposes a statutory requirement for each licensing authority to publish a Statement of Licensing Principles every three years. The current policy was published in January 2010 and is being reviewed in line with that requirement.

Your Licensing Committee will be considering a draft policy on 14 January 2013 following a period of consultation conducted during November/December 2012. In order that the policy can be approved at the earliest opportunity, we are submitting it to the Court at this stage in draft form and subject to our consideration.

Any amendments made by your Licensing Committee will be reported to the Court and subject to that we **recommend** that the revised Statement of Licensing Principles, as set out in the separately printed and circulated draft report, be approved for adoption from 17 January 2013.

Policy, Finance, Establishment, Investment and Audit Committees - Reports

18 **POLICY AND RESOURCES COMMITTEE**
(Mark John Boleat)

(A) **Criminal Records Bureau - Checking**

4 October 2012

At its meeting on 19 January 2012 the Court considered a report on the introduction of a Criminal Records Bureau (CRB) re-checking process for relevant Members. Officers were asked to consider the potential impact of the Protection of Freedoms Bill on the CRB checks process. The Bill was subsequently enacted in April 2012 and the Home Office published guidance on the alterations in July 2012 and the first phase came into force in September 2012. On 1 December 2012 the CRB became part of the new Disclosure and Barring Service (DBS) but the disclosures will be referred to as CRB in the report for ease of reference.

The changes to the national disclosure regime brought about by the Protection of Freedoms Act, mean that checks and re-checks on Members should now be carried out where they have relevant contact with children and vulnerable adults, and not simply by virtue of their membership of a previously relevant Board or Committee. As a consequence, revised proposals have been considered by this Committee, the various School Boards and the Community and Children's Services Committee.

A printed and circulated report on the revised proposals has been submitted and we **commend** the recommendations to you.

(B) Applications for the Use of Guildhall

3 December 2012

In accordance with the arrangements approved by the Court on 21 June 2001 for the approval of applications for the use of Guildhall, we now inform the Court of the following applications which have been agreed to:-

Name	Date	Function
EuroWeek	Wednesday 13 February 2013	Awards Dinner
St David's Day in London	Friday 1 March 2013	Dinner
Green Square Mile	Monday 4 March 2013	Dinner
By Word of Mouth	Tuesday 19 March 2013	Dinner
IMarEST	Friday 22 March 2013	Dinner
Spectra	Friday 12 April 2013	Dinner
National Merchant Buying Society Ltd	Friday 19 April 2013	Lunch
William Reed Business Media Ltd	Monday 29 April 2013	Awards Ceremony
Seatrade	Friday 10 May 2013	Awards Dinner
Chartered Institute of Internal Auditors	Thursday 20 June 2013	Dinner
Ford Sinclair Events	Thursday 5 September 2013	Awards Dinner
AFME	Tuesday 24 September 2013	Conference

(C) City of London Festival: "At Sixes and Sevens"

The City of London Festival was founded in 1962 as an independent Trust with the aim of revitalising the cultural life of the City. Each year, in midsummer, the City of London Festival has run an artistic programme incorporating a range of musical and visual arts performances and using the City's unique buildings and outdoor spaces. Performances during the Festival typically range from large orchestral concerts in St Paul's Cathedral to jazz bands performing in Guildhall Yard. The Festival also delivers a year-round programme of art projects to schools and community groups in the City and the surrounding boroughs, which culminate in public performances and exhibitions. Indeed, supporting culture continues to form a key part of the City Corporation's overall responsibility for the Square Mile and its provision of services for London and the nation as a whole.

2013 marks the 400th Anniversary of The Honourable The Irish Society and, as part of the anniversary commemorations, a new cantata has been jointly commissioned by the Society and the City Corporation through your Policy & Resources Committee entitled "At Sixes and Sevens", scheduled to premiere at the City of London Festival concert in the Great Hall on Wednesday 3 July. To mark the occasion and to afford those guests representing the arts and culture communities of Northern Ireland an opportunity to meet with those representing the City, we **recommend** that a number of guests from those audiences be invited to attend a pre-concert reception at Guildhall; it being referred to the Culture, Heritage & Libraries Committee to make the necessary arrangements from City's Cash and within the approved cost parameters.

This would be a Committee event.

(D) City of London Corporation Employability Scheme

In October 2012 the Court agreed proposals for a new initiative to help tackle the growing problem of rising numbers of young people not in employment, education or training (NEETs), entitled “Get Young People Working – The Youth Offer”. At that time Members acknowledged that there was a further need for the City Corporation to explore how it could do more to support this important area of work with its partners and neighbouring boroughs. Your Policy and Resources Committee undertook to consider how the development of an additional project, which complemented the Get Young People Working initiative, might be progressed.

Officers have subsequently developed an initiative in partnership with Central London Forward (CLF) aimed specifically at the City Corporation’s neighbouring boroughs which we support. The project comprises three strands, training, mentoring and an Employability Passport for 14 – 16 year olds and any funds allocated to it would be used to leverage additional funding and commitment from other organisations

A printed and circulated report on the initiative has therefore been submitted for your consideration and we **commend** the recommendations contained therein to you.

19 **ESTABLISHMENT COMMITTEE**
(John Alfred Barker, OBE, Deputy)

12 December 2012

Contract Award for the Supply of Temporary Labour

In April 2008, Comensura was awarded a 5 year contract to manage the supply of temporary staff that the City Corporation needs and which are drawn from a range of agencies. The annual spend on temporary staff has been around £6.5M and the annual fee for Comensura approximately £84,000.

The contract ends in March 2013 and we have given consideration to a new one. To have a managed provider of agency staff is an arrangement we still consider to be preferable, more efficient, more cost effective, than the City Corporation negotiating with eighty or more agencies itself.

In recent years, work has been done by a number of local authorities to achieve reductions in costs by collaborating in the arrangements for purchasing services. The Eastern Shires Purchasing Organisation (ESPO) is one of the UK’s largest public sector professional ‘buying’ organisations and is, in effect, a Local Government Joint Committee owned by seven local authorities, operating on a not for profit, cost recovery, basis. Over ninety authorities across the country now use the ESPO, which draws on a number of suppliers, looking at price and quality.

Furthermore, London Councils has taken the initiative of running a competition for a supplier that could work with the ESPO on behalf of those London Boroughs that wished to sign up to such an arrangement. Comensura won that competition and six London Boroughs have already signed up.

Having evaluated the benefits, including of course costs and the ability through this arrangement to continue to use local small and medium sized firms to provide temporary staff, we consider that contracts can be entered into for two years, with the provision to extend for a further two years, with the City Corporation achieving annual savings over the current arrangements of up to £264,000.

With the support of the Finance Committee, we **recommend** that the City Corporation enter into:

- i) an 'Access Agreement' with Eastern Shires Purchasing Organisation (ESPO); and
- ii) a new contract with Comensura Limited under the London Councils 'Collaboration agreement' to replace the existing contract. The initial contract to be awarded for a period of two years, with the possibility of extending it for up to two more years, in accordance with the conditions of the framework agreement.

City's Cash Committees - Reports

20 BOARD OF GOVERNORS OF THE CITY OF LONDON FREEMEN'S SCHOOL (John Alfred Bennett, Deputy)

30 November 2012

City of London Freeman's School - Foundation Scholarship

On 24 March 1960, the Court approved regulations under which children of a deceased Freeman, male or female, of the City of London, could be elected, upon the recommendation of the Board of Governors, as Foundation Scholars at the City of London Freeman's School.

We have recently considered an application from the mother of a child, seeking Foundation Scholar status for her son following the death of his father (a Freeman and former pupil of the City of London Freeman's School) in August 2012.

The pupil first joined the School as a day pupil in Year 9 in September 2010 and entered Year 11 in the Autumn term 2012. He qualifies for a Foundation Scholarship under the approved regulations.

Scholarships are awarded on a means tested basis and the assessment overseen by the Board indicates that a maximum 100% scholarship would be payable in relation to this pupil which would allow him to complete his 'A' level education at the School (subject to annual review). There are sufficient resources available within the dedicated Foundation Scholarship Fund to meet the cost of the new application.

We **recommend**, in accordance with the Scheme, that the child concerned be accepted as a Foundation Scholar for the 2012/13, 2013/14 and 2014/15 academic years, in order to enable him to complete his 'A' Level studies at the School. This Scholarship will be subject to annual review by the Board of Governors.

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GIFFORD, Mayor
COURT OF COMMON COUNCIL

THURSDAY, 6th DECEMBER, 2012

MEMBERS PRESENT

ALDERMEN

Gifford, M.R. The Rt. Hon. The Lord
Mayor
Anstee, N.J.
Bear, Sir Michael D., B.Sc.(Eng) M.B.A.
Evans, J. R., Sheriff
Finch, Sir Robert
Gowman, Miss A.J.
Graves, D. A.

Haines, G.W.
Hewitt, P.
Howard, Sir David, Bt., M.A., D.Sc.
Judge, Sir Paul
Luder, I.D., B.Sc.(Econ)

Richardson, M.
Walsh, S., M.A.
Woolf, Mrs F., C.B.E.
Yarrow, A.

COMMONERS

Absalom, J.D.
Ayers, K.E. M.B.E., Deputy

Bain-Stewart, A., M.Sc., J.P.
Barker, J.A., O.B.E, Deputy
Barrow, D., Deputy
Bennett J. A., Deputy
Bird, J.L., O.B.E.
Boleat, M.J.
Bradshaw, D.J.
Brewster, J.W.O.B.E.

Eskenzi, A.N., C.B.E.,
D.Sc., Deputy
Eve, R.A., O.B.E., Deputy
Everett, K.M. D.Sc.

Farr, M.C.
Fernandes, Miss S.A.
Fletcher, J.W.
Fraser, S.J. C.B.E.
Fraser, W.B., O.B.E.,
Deputy,
Fredericks, Ms, M.B.

Galloway, A.D., O.B.E.
Gillon, G.M.F.
Ginsburg, S., Deputy

Halliday, Mrs. P.A., O.B.E.,
Deputy
Hardwick, Dr. P.B., Q.H.P.
Harris, B.N.
Henderson-Begg, M.
Hoffman, T.D.D., LL.B.
Howard, R.P.S.
Hudson, M.
Hunt, W.G., T.D.
Hyde, Ms W

James, Mrs C.
Jones, H.L.M., Deputy

Knowles, S.K., M.B.E.,
Deputy

Lawrence, G.A.,
Leck, P.
Littlechild, Mrs V.
Llewelyn-Davies, A.
Lord, C.E., O.B.E., J.P.,
Deputy

Malins, J.H., Q.C.,
Mayhew, J.P., M.A., M.B.A.
McGuinness, Miss C.S.,
M.A., Deputy
Mead, Mrs. W. Deputy
Merrett, R.A.
Mooney, B.D.F., M.A.
Moore, G.W.
Morris, H. F.
Moys, Mrs. S.D.

Nash, Mrs, J.C., O.B.E.,
Deputy
Newman, Mrs, B.P., C.B.E.

Owen, Mrs. J., M.B.E.,
Deputy
Owen-Ward, J.R., M.B.E.,
Deputy

Page, M., B.A. (Hons)
Pembroke, Mrs. A.M.F.
Priest, Ms H.J.S.
Pulman, G.A.G., J.P. Deputy
Punter, C.

Quilter, S.D., B.Sc.(Hons)

Regan, R.D., Deputy
Regis, Miss D.
Rogula, Miss E.
Rounding, Ms V

Seaton, I.C.N.
Scott, J.G.S., J.P
Simons, J.L., M.Sc
Snyder, Sir Michael, Deputy
Spanner, J.H., T.D.
Starling, Mrs A.

Thompson, D.J.
Tomlinson, J., B.A., M.Sc.
Tumbridge, J.R.
Twogood, M.

Welbank, M. Deputy

Minutes

Resolved – That the Minutes of the last Court are correctly recorded.

Owen, Mrs.
J., M.B.E.,
Deputy
Ayers, K.E.
M.B.E.,
Deputy

Resolved unanimously – That the Vote of Thanks read informally at the last meeting of this Honourable Court be agreed, included in the Minutes of this meeting; and that it be fairly transcribed, signed by the Town Clerk and presented in a manner agreeable to the late Lord Mayor.

Owen, Mrs.
J., M.B.E.,
Deputy
Ayers, K.E.
M.B.E.,
Deputy

Resolved unanimously - That the Members of this Court take great pleasure in expressing to:

Alderman David Wootton

their most sincere thanks for the distinguished way in which he has carried out the varied demands of the Office of Lord Mayor of the City of London over the past year.

Whether at home or abroad, he has been an exemplary ambassador for both the City of London and for the United Kingdom. His efforts to stimulate jobs and growth, coupled with his enthusiasm for the City's future well-being, have been vital during this year of continued economic uncertainty. His measured and persuasive approach has been particularly valuable in highlighting London's role as a global hub emphasising the City's vast expertise in working with other international City centres in financial, legal and educational services together with dispute resolution and arbitration. The important and rapidly emerging markets in potential new regional groupings across the World present new opportunities for British business and David has been playing his part in presenting a coherent picture of what the United Kingdom has to offer.

The Lord Mayor has promoted the interests of the City, London and the nation around the World – visiting 26 countries, places as diverse as Russia, Canada, Australia, Turkey, Thailand and the Gulf region and more recently Vietnam, India and Argentina. He has also demonstrated the City's contribution and commitment to the wider national economy noting the important role that the financial and professional services play in developing regional businesses and supporting employment, responsible for nearly 2 million jobs around the country.

His mayoralty has coincided with a memorable year for this Country with Her Majesty The Queen's Diamond Jubilee, the Olympics and the Paralympics and the Lord Mayor has contributed to the national effort by hosting a number of events at Mansion House and Guildhall demonstrating how the Olympic motto 'Faster Higher Stronger' applies to the City's talent pool and expertise, as much as it does to the sporting events.

Such a diverse programme has placed huge demands on the Lord Mayor and he has met the challenge with enthusiasm, dignity and good humour.

His colleagues on this Court also wish to pay tribute to the Lady Mayoress, who has taken upon herself an equally packed and varied programme. Thanks are due to Liz and the whole Wootton family for their unstinting support and this contribution is warmly acknowledged. In taking their leave of this Lord Mayor,

Honourable Members trust that, after a well-earned rest, the family will look back on their unique year with the greatest pleasure, a justifiable pride and great satisfaction.

Overseas
visits

The Right Honourable the Lord Mayor reported on his recent visit to Dublin.

Letter

A letter from Robin Sherlock resigning his office as a Common Councilman for the Ward of Dowgate was received.

Gowman,
Miss A.J.,
Alderman
Ayers, K.E.
M.B.E.,
Deputy

Resolved unanimously - That this Honourable Court wishes to extend to

Michael Robin Castle Sherlock, M.A., Deputy

its sincere gratitude for his much valued service as a Member and Deputy for the Ward of Dowgate.

Elected as a Common Councilman in 1992 and becoming a Deputy for the Ward in 2002, Robin has served with distinction on a large number of Committees. Most notably on the Board of Governors of the City of London School, where he served as Chairman between 2003 and 2005 and on the old Libraries, Archives and Guildhall Art Gallery Committee, serving as Chairman in 2009. He also served as Chairman of the Commonwealth Parliamentary Association Reception Committee in 2001 and was elected as the Chairman of the City Lands and Bridge House Estates Committee in 2010, consequently becoming the Chief Commoner for that year. Robin was the City's representative for twelve years on both the Guild Church Council of St. Lawrence Jewry and on the Chapel Royal within Her Majesty's Tower of London.

The Members of this Honourable Court wish to take this opportunity to express their heartfelt appreciation not only for his efforts and achievements, but also for his kindness, courtesy and consideration and wish him good health and happiness long into the future.

Welbank,
M. Deputy
Ayers, K.E.
M.B.E.,
Deputy

Resolved unanimously – That on his retirement from this Honourable Court, the Members wish to place on record their most sincere gratitude to

John Richard Cottam White T.D.

for his service as Alderman for the Ward of Billingsgate.

Elected as Alderman for the Ward of Billingsgate in 2008, John has made a valuable contribution to the City's varied educational bodies, most recently serving as Chairman and Deputy Chairman of the Board of Governors of the City of London School for Girls. He has also represented the City Corporation on the City of London Reserve Forces and Cadets Association and on the City of London Archaeological Trust.

In thanking him for the contribution that he has made, his colleagues extend to him their very best wishes for his future health and happiness.

Policy

There was no policy statement.

Statement

Hospital Seal Sundry documents were sealed with the Hospital Seal.

Applications
for the
Freedom

The Chamberlain, in pursuance of the Orders of this Court, presented a list of the under-mentioned persons who had made application to be admitted to the Freedom of this City by redemption:-

Graham Charles King	a Sales Engineer, retired	Bradley Stoke South, Bristol
Colin James Bridgen	a Manufacturing Company Director	Brockhampton, Cheltenham, Gloucestershire
Michelle Samantha Ilbert	a Finance Officer	Cobham, Surrey
Paul Anthony Prentice	a Facilities Manager	Stevenage, Hertfordshire
George Alan Bacarese	a Barrister	Newtown Linford, Leicestershire
Thomas James Boyle	a Sheltered Housing Scheme Co-ordinator	Chelmsford, Essex
Cherry Ann Hall	an Artist	Chelmsford, Essex
David Holmes Burston	a Headmaster, retired	Eastbourne, Sussex
Rachel Pritchard	a Marketing Executive	East Grinstead, Sussex
Adolfo Barabino	a Musician	Hammerwood, Sussex
Stephen David Shield	a Master Tailor	Westminster
Amanda Bastow	a Company Secretary	Ashtead, Surrey
Frank Derek Robert Bastow	a Building and Decorating Company Director	Ashtead, Surrey
Borislav Sarandev Sarandev	an Investor in Renewable Energy Sources	Sofia, Bulgaria
Kenneth George Tomlin	an Asset Manager	East Molesey, Surrey
David John Hall	a Financial Services Manager	Darlington, County Durham
Clive Little	a Director of Events and Programming	East Dulwich, Southwark
Beryl Doris Tothill	a Shorthand Typist, retired	Canvey Island, Essex
Robert James Robertson	a Lecturer, retired	Hogganfield, Glasgow
Allan Walker	a Security Consultancy Company Director	Melton Mowbray, Leicestershire
Geoffrey Searson	a Telecommunications Engineer, retired	Shepshed, Leicestershire
Darren James Arthur Knight	a Waterman and Lighterman	Bermondsey, Southwark
Georgina Lucie Boyd	a Management Consultant	Battersea, Wandsworth
Brian Howard Schama	a Property Company Director	Hendon, Barnet
Simon James Lee	an Open Spaces Superintendent	Hampstead, Barnet
Robert James Curson	an Electrical Engineering Company Chairman	Maulden, Bedfordshire
Linda Marie Curson	an Enquiry Officer, retired	Maulden, Bedfordshire
Anthony John Southwood	an Engineering Company Director	Harpenden, Hertfordshire
Janet Southwood	a Company Secretary	Harpenden, Hertfordshire
Kenneth Phillips	a Facilities Manager	Pewsey, Wiltshire
Stuart Jamie Urquhart	a Bank Director	Tenterden, Kent
Akan Altan Kemal	an Accountant	Kennington, Lambeth
Enis Timur Altan Kemal	an Accountant	Chislehurst, Bromley
Leslie William Whitton	a Business Consultant	Orpington, Bromley
Michael David Stevens, MBE	a Principal Youth Officer, retired	Linton Hill, Linton, Maidstone, Kent
Paul Edward Gerrett	a Property Proprietor	Sandy, Bedfordshire

Joan Wilson Robertson	a Bakery Supplies Trainer	Hogganfield, Glasgow
John Nigel Major McLean	a Food Company Chairman	Worplesden, Surrey
Philip George Reed	a Solicitor	Bow, Tower Hamlets
Brett Clark	a Marine Engineer	Binstead, Ryde, Isle of Wight
Danielle Louise Laura Osborne	a Hackney Carriage Driver	Hornchurch, Havering
Bobbie Laura Osborne	an Investment Assistant	Hornchurch, Havering
Barry Michael Simpson- Gray	a Property Development Company Director	South Kensington, Kensington and Chelsea
Kevin David Eyles	a City of London Police Officer	Staplehurst, Kent
Barry John Tuckfield	a City of London Police Officer	Stanwell, Staines, Surrey
Charles Terence Stanley Sore	a Security Manager of the Guildhall	Braiswick, Colchester, Essex
David Gareth Summers	a Technical Services Manager	Sutton
Lorna Alison Bristow	an Office Manager	Woodford, Redbridge
Stephen James Roger Prower	a Design Engineer	Bracknell, Berkshire
Brian Thomas Evans	a Solicitor	Glasgow
Lindsay Anne Brittain	a Development Officer	Ashtead, Surrey
Abdul Abdillahi Mohamed	a Councillor	Peckham, Southwark
Anda Maruta Fitzgerald O'Connor	a Councillor	Hatford, Faringdon, Oxfordshire
Andrew John Burnett	a Royal Australian Naval Officer	Stonyfell, South Australia, Australia
David Park	a Shop Fitting Company Director	Gidea Park, Havering
Rosemary Ishrani Jaikaran	an Overseas League President, retired	Toronto, Ontario, Canada
Joseph Gilles Leblanc	a Support Clerk	Rickmansworth, Hertfordshire
John Archibald Welch	an Investment Counsellor	King City, Ontario, Canada
Penelope Anne Welch	a Married Woman	King City, Ontario, Canada
Christina Ingeburg Baxter	an Events Manager	Merton Park, Merton
Rosalind Laura	a Solicitor	Pimlico, Westminster
Suzanne Atherton		
Hannah Rebecca	a Lawyer	Cobham, Surrey
Rosanna Brueton		
Natasha Louise Baker	a Paralympic Athlete	Cowley, Uxbridge
Aaron McKibbin	an Athlete	Wandsworth
William Gordon Joseph	a Priest, retired	Manor Park, Newham
Andrew David Lapthorne	a Wheelchair Tennis Player	Pinner, Harrow
Lesley Jane Humphreys	a Development Director	Horsham, Sussex
Joseph Anthony McStravick	a Metropolitan Police Officer, retired	Henley-on-Thames, Oxfordshire
/Nicholas James Paul, MBE	a Probation Officer	Hornchurch, Havering
Andres Linholm	a Crown Council Envoy	Camberwell, Lambeth
Kathleen Mary Woodhead, MBE	a Civil Servant, retired	Loughton, Essex
Hilary Ann Warner	a Health Service Manager, retired	Loughton, Essex
Alessandro Borruso	a Jeweller	Harrow
Laurence Norman Slater	a Food Wholesaling Company Director, retired	Totteridge, Barnet
Patrick Anthony Ryan	a Property Developer	Belgravia, Westminster

Anthony Daniel Cook	a Recruitment Director	Ashtead, Surrey
James Patrick Lee	a Sports Administrator	Henley-on-Thames, Oxfordshire
Monica Margaret Blake	a Health Service Manager	Bexley
Derek Mersh	an Information Technology Manager	Romford, Havering
Neal Garbutt	a Deputy Headmaster, retired	Ilford, Newham
Richard William Bryce Whitehead	an Investment Manager	Wickham, Hampshire
Anne Burgess	a Clerk in Holy Orders	Isleworth, Hounslow
Constantine Michael Louloudis	an Athlete and Student	Westminster
Susannah Elizabeth Joy Rodgers	an Athlete and Project Officer	Southorpe, Stamford, Lincolnshire
Sir Donal Arthur John Keegan, KCVO, OBE	a Consultant Physician	Culmore, Londonderry
Scott William Park	a Logistics Co-ordinator	Forest Gate, Newham
Elizabeth Anne Park	a Local Government Officer	Forest Gate, Newham
Mark Julian Hudson	a Teacher	Telford, Shropshire
David John Picknell	a Product Marketing Manager, retired	Horsham, Sussex
John Anthony Mann	a Business Consultant, retired	Horsham, Sussex
Lionel Carl Correya	a Teacher	Ware, Hertfordshire
Louise Ann Bircher	a Local Government Officer	Epsom, Surrey
Andrew David Bircher	a Local Government Officer	Epsom, Surrey
David John Bryan	a City of London Police Officer	Erith, Bexley
Andrew Clarke	a City of London Police Officer	Burgess Hill, Sussex
Melvyn Cross	a Fire Officer, retired	Preston, Lancashire
Georgina Susan Butler	a Civil Servant, retired	Richmond-upon-Thames
Howard Warwick Atkinson	a Finance Director, retired	Great Kingshill, Buckinghamshire
Lily Jacoba Van Den Broecke	an Athlete and Student	Durham
Gemma Jeanette Gibbons	an Athlete	Charlton, Greenwich
Shaun Andrew McKeown	an Athlete	Lee, Lewisham
Mary Margaret Morrison	a Nurse, retired	Blackheath, Greenwich
Paul Ronald Hinder	an Accountant	Crowthorne, Berkshire
Guy Charles Davies	an Investment Manager	Hauxton, Cambridgeshire
James Sibbald Izzard	a Clerk in Holy Orders, retired	Sandown, Isle of Wight
Ralda Elton	a Chartered Accountant	Stansted, Essex
Fergus Gordon Anckorn	a Lecturer, retired	Hassocks, Sussex
Deborah Elizabeth Maccallum	a Higher Education Institute Director	Barnes, Richmond upon Thames
Stanley Broderick	a Banking Company Director, retired	Abbey Road, Westminster
Michael Patrick Cogher	The Comptroller and City Solicitor	Lewisham
William Lloyd Hughes	a Barrister-at-Law	Westminster
Frederick Godfried	a Medical Practitioner, retired	Leatherhead, Surrey
Cornelis Meynen		
Margaret Law Birtwistle	a Medical Practitioner, retired	Fetcham, Surrey
Eileen Mary Close	a Health Visitor, retired	Ashtead, Surrey
Peter Kirby Reed, MBE	an Athlete and Royal Naval Officer	Henley, Oxfordshire
Dwayne Christopher Fields	a Bank Co-ordinator	Enfield
Penelope Susan	a Solicitor	Lewisham
Meredith Cogher		
Gerard Daniel Foley	a Waterman	Thames Ditton, Surrey

Read.

Resolved – That this Court doth hereby assent to the admission of the said persons to the Freedom of this City by redemption upon the terms and in the manner mentioned in the several Resolutions of this Court, and it is hereby ordered that the Chamberlain do admit them severally to their Freedom accordingly.

Bill A Bill for an Act of Common Council to:-

- change the date of the elections of Ward Beadles;
- make incidental and consequential changes to the term of office of Ward Beadles;
- provide that any casual vacancy occurring in the office of ward Beadles shall be filled by the Alderman of the ward in which the vacancy occurs;
- repeal the Act of Common Council made and passed on the 4th day of December 2003.

(First and Second Reading)

(A printed report of the Policy & Resources Committee thereon has been circulated).

Resolved – That the report be agreed to and that the Bill be read a first and second time.

Results of
Ballot

Two Members on the Board of Governors of the Museum of London for a four year term expiring in November 2016 and a three year term expiring in November 2015;

	Votes
* Michael John Cassidy, C.B.E., Deputy	60
Martin James Day, B.A., M.Sc., LL.M.	9
* Tom Hoffman	55
Jeremy Paul Mayhew, M.A., M.B.A.	40
Ann Marjorie Francesca Pembroke	5

Read.

Whereupon the Lord Mayor declared Deputy Michael Cassidy and Tom Hoffman to be re-appointed on the Board of Governors of the Museum of London.

Appointment

a) The Court proceeded to appoint one Member on the Board of Governors of the City of London School for Girls for the balance of a term expiring in April 2016 in respect of which the Town Clerk reported that the following nomination had been received.

Nomination received:-
Martin James Day, B.A., M.Sc., LL.M.

Read.

Whereupon the Lord Mayor declared Martin Day to have been appointed on the Board of Governors of the City of London School for Girls.

The Court proceeded to consider Item no 14(c) concerning the review of the criteria for the eligibility to become an Alderman (in advance of the ballot for appointments in relation to that item).

POLICY AND RESOURCES COMMITTEE
(Mark John Boleat)

8 November 2012

Review of the criteria for eligibility to become an Alderman

The Court of Aldermen has recently considered the criteria for eligibility to become an Alderman. The last time this was reviewed was in 2005/06 as part of the comprehensive review of the Mayoralty and it is now being proposed that a further review be carried out.

This would include consideration of the current links with the magistracy and would look generally at the issues surrounding pre-election qualifications for Aldermen. To this end, both the General Purposes Committee of Aldermen and the Policy & Resources Committee have established a small working party of Members specifically to carry out the review with any findings or conclusions being reported to those Committees in the first instance.

The Working Party's terms of reference are "*to undertake a review of the criteria for eligibility to become an Alderman*" and its proposed constitution is as follows:

- The Chairmen of the Privileges Committee of Aldermen and the General Purposes Committee of Aldermen
- The Chairman and Deputy Chairman of the Policy & Resources Committee
- The Chief Commoner
- Two Aldermen appointed by the Court of Aldermen (*Alderman Ian Luder and Alderman David Graves have been appointed*)
- Two Members of the Policy & Resources Committee appointed by the Policy & Resources Committee (*Simon Duckworth and Deputy Douglas Barrow have been appointed*)
- Two Members appointed by the Court who are not Members of the Policy & Resources Committee.

The two vacancies on the Working Party which it is proposed should be filled by the Court (from Members not on the Policy & Resources Committee) have already been advertised to Members, in advance of and subject to the Court agreeing to make the appointments. This is to ensure that the Working Party is able to commence its work without having to wait until after the next meeting of the Court in 2013.

It is **recommended** that two Members who are not Members of the Policy & Resources Committee be appointed on the Working Party set up by the Court of Aldermen and the Policy & Resources Committee to review the criteria for eligibility to become an Alderman for the life of the Working Party.

Read and agreed to.

The Chairman undertook that a report on the results of the Working Party's review of the criteria for eligibility to become an Alderman would be submitted to the Court of Common Council in due course.

Appointment The Court proceeded to make the following appointments in respect of which the Town Clerk reported that the following nominations had been received:-

b) Two Members on the Aldermanic Eligibility Working Party not a Member of the Policy and Resources Committee.

Nominations received:-
 Robin Anthony Eve, O.B.E., Deputy
 Sophie Anne Fernandes
 William Barrie Fraser, O.B.E., Deputy
 Stanley Ginsburg J.P., Deputy
 Gregory Alfred Lawrence
 Vivienne Littlechild J.P.
 Julian Henry Malins, Q.C.
 Jeremy Lewis Simons M.Sc.

Read.

The Court proceeded, in accordance with Standing Order No. 10, to ballot on the vacancy.

The Lord Mayor appointed the Chief Commoner and the Chairman of the Finance Committee, or their representatives, to be the scrutineers of the ballot.

Resolved – That the votes be counted at the conclusion of the Court and the result printed in the Summons for the next meeting.

(C) Two Members on the Social Investment Board of the Investment Committee, one of whom shall have fewer than five years' service on the Court at the time of their appointment.

denotes fewer than five years' service on the Court

Nominations received:-
 John Alfred Barker, O.B.E., Deputy
 Martin James Day, B.A., M.Sc., LL.M.
 The Revd. Dr. Martin Dudley
 # Robert Picton Seymour Howard
 Richard David Regan, Deputy

Read.

The Court proceeded, in accordance with Standing Order No. 10, to ballot on the vacancy.

The Lord Mayor appointed the Chief Commoner and the Chairman of the Finance Committee, or their representatives, to be the scrutineers of the ballot.

Resolved – That the votes be counted at the conclusion of the Court and the result printed in the Summons for the next meeting.

Questions There were no questions.

Owen, Mrs.
J., M.B.E.,
Deputy
Ayers, K.E.
M.B.E.,
Deputy

Resolved unanimously - That the Resolution of Thanks to the late Lord Mayor, passed by Common Hall on 1st October last, be presented in a form agreeable to him.

Owen-Ward,
J.R., M.B.E.,
Deputy
Ayers, K.E.
M.B.E.,
Deputy

Resolved unanimously - That the Resolution of Thanks to Alan Colin Drake Yarrow, Alderman and Wendy Mead, Deputy, the late Sheriffs of the City, passed by Common Hall on 1st October last, be presented in a form agreeable to them.

Awards and
Prizes

There was no report.

Policy, Finance, Establishment, Investment and Audit Committees - Reports

POLICY AND RESOURCES COMMITTEE (Mark John Boleat)

8 November 2012

(A) Applications for the Use of Guildhall

In accordance with the arrangements approved by the Court on 21 June 2001 for the approval of applications for the use of Guildhall, we now inform the Court of the following applications which have been agreed to:-

Name	Date	Function
Thomson Reuters	Sunday 9 June 2013 Monday 10 June 2013	Awards Ceremony
William Reed Business Media	Tuesday 11 June 2013	Awards Dinner
The Worshipful Company of Coachmakers and Coach Harness Makers	Wednesday 12 June 2013	Banquet
New Silk Forum	Wednesday 19 June 2013	Forum
City of London School	Wednesday 6 November 2013	Prize Giving
British Red Cross	Monday 18 November 2013 Tuesday 19 November 2013 Wednesday 20 November 2013	Christmas Market
The Royal British Legion	Wednesday 11 December 2013 Thursday 12 December 2013	Concert
BNP Paribas Real Estate	Tuesday 20 November 2012	Employee Presentations

Received.

(B) The Honourable The Irish Society 400th Anniversary

In 1613, The Honourable The Irish Society was incorporated by a Royal Charter which formally established the administration of the region of Northern Ireland bounded by the River Foyle, the sea and the River Bann, including the towns of Derry and Coleraine and the fisheries of the two rivers, known as the County of Londonderry.

The City of London Corporation appoints the Governor, the Deputy Governor and the Members of The Honourable The Irish Society and thus the City of London and the County of Londonderry share a strong historical and cultural link. The Society also engages today in a range of charitable and philanthropic initiatives across all sections of the community in County Londonderry.

With 2013 being the 400th anniversary of the Society's establishment, and in order to bring people together to discuss inward investment in the province, it is **recommended** that a number of guests including prominent investors and potential investors in the Province, senior Northern Irish diaspora, representatives of "Tech City" and "Digital Derry", City investors with a significant presence in Northern Ireland as well as representatives from County Londonderry and the Governor, Deputy Governor and representatives of The Honourable The Irish Society, be invited to attend a dinner on an inward investment theme to be held on Wednesday 6 February 2013; it being referred to this Committee to make the necessary arrangements from City's Cash within the approved cost parameters; Members with relevant interests being part of the host element.

This would be a Committee event.

Read and agreed to.

(C) Review of the criteria for the eligibility to become an Alderman

Item already dealt with earlier in the meeting.

(D) Establishment of a Health and Wellbeing Board

We submit for consideration, as a printed and circulated report, proposals that deal with a legal requirement to establish a Health & Wellbeing Board for the City of London with effect from April 2013. The report sets out the recommendations agreed by your Community and Children's Services, Port Health & Environmental Services and Policy & Resources Committees which we believe will enable the City Corporation and partner agencies to discharge important new functions in respect of public health.

Read and agreed to.

(E) Post-implementation Review of the Governance Arrangements

At its meeting on 3 March 2011 the Court agreed a number of changes to the City Corporation's Governance. In approving the new arrangements it was also agreed that a post-implementation review should be undertaken after a year of operation to take stock and to ensure that the revised arrangements were operating effectively. To this end, a Working Party was established by the Court to conduct

the post-implementation review.

A consultation exercise on the revised arrangements was subsequently carried out over the summer recess on behalf of the Working Party with both Members and City Corporation Committees. The Working Party has considered the responses in detail and concluded that overall the new arrangements are operating well but that there were one or two areas that required modification.

Whilst the various conclusions and recommendations of the Post-implementation Review of Governance are set out within the Working Party's report, the principal changes recommended are as follows:-

- An increase from 10 to 15 in the number of elected Members on the Establishment Committee, two of whom shall have less than 5 years' service on the Court.
- The Chief Commoner should be elected in October rather than September; should take office at the first Court meeting after the wardmotes and the current arrangement whereby there is an expectation that Aldermen will not vote in the election of that office should be dispensed with.
- The West Ham element of the Open Spaces, City Gardens and West Ham Park Committee should be reconstituted as a separate committee but with the same Court-elected Members on each committee.
- The Corporate Asset and Energy and Sustainability Sub Committees be transferred from the Policy and Resources Committee to the Finance Committee and the Planning and Transportation Committee respectively.
- The Policy & Resources Committee should, in future, elect three Deputy Chairmen with the "chairman-in-waiting" being electing one year before the expected date of an election for Chairman.

We submit for consideration and **recommend** approval of, a printed and circulated report containing the various conclusions and recommendations of the Post-implementation Review of Governance Working Party.

Read.

Resolved – That the separate sections of the report be put to the Court for consideration separately.

The Chairman introduced the item and introduced a number of the separate sections within the report.

Motion – 'To agree the recommendations set out in Paragraphs 7 to 9 of the report relating to the Court of Common Council?'

Amendment – 'That the words '*dispensed with or*' be deleted from the end of paragraph 8; such that the last part of the recommendation should now read '*...oral reports should be shortened considerably*'?

Day M. J.,
B.A., M.Sc.,
LL.M.
Dudley,
Rev. Dr.
Martin

Upon the Question being put, the Lord Mayor declared the amendment not to be carried.

The original Motion being before the Court again.

Resolved – That the recommendations set out in Paragraphs 7 to 9 of the report relating to the Court of Common Council be agreed to.

Motion – ‘To agree the recommendations set out in Paragraphs 10 to 14 of the report relating to the Establishment Committee, the general consideration of Committee terms of reference and the Culture, Heritage and Libraries Committee?’

Hardwick,
Dr. P.B.,
Q.H.P.
Newman,
Mrs. B.P.,
C.B.E.

Amendment – ‘That recommendation 10, relating to the Establishment Committee, be referred back to the Working Party for further consideration, to allow the Establishment Committee to consider the proposal?’

Upon the Question being put, the Lord Mayor declared the amendment not to be carried.

The original Motion being before the Court again.

Resolved – That the recommendations set out in Paragraphs 10 to 14 of the report relating to the Establishment Committee, the general consideration of Committee terms of reference and the Culture, Heritage and Libraries Committee be agreed to.

Motion – ‘To agree the recommendations set out in Paragraphs 15 and 16 of the report relating to the Office of Chief Commoner?’

Resolved – That the recommendations set out in Paragraphs 15 and 16 of the report relating to the Office of Chief Commoner be agreed to.

Motion – ‘To agree the recommendations set out in Paragraphs 17 and 18 of the report relating to the Investment and Audit and Risk Management Committees?’

Resolved – That the recommendations set out in Paragraphs 17 and 18 of the report relating to the Investment and Audit and Risk Management Committees be agreed to.

Motion – ‘To agree the recommendations set out in Paragraphs 19 to 25 of the report relating to the Open Spaces Committees?’

Resolved – That the recommendations set out in Paragraphs 19 to 25 of the report relating to the Open Spaces Committees be agreed to.

Motion – ‘To agree the recommendations set out in Paragraphs 26 to 37 of the report relating to the Policy and Resources Committee?’

Following discussion, the Chairman sought, and was granted, leave to withdraw the recommendation under paragraph 32 relating to the Energy and Sustainability Sub (Policy and Resources) Committee.

Resolved – That the recommendations set out in Paragraphs 26 to 31 and 33 to 37 of the report relating to the Policy and Resources Committee be agreed to.

Motion – ‘To agree the recommendations set out in Paragraphs 38 to 43 of the report relating to the Boards of Governors of the City of London School, the City

of London School for Girls and the City of London Freeman's School, service on Committees and other committee issues?'

Resolved – That the recommendations set out in Paragraphs 38 to 43 of the report relating to the Boards of Governors of the City of London School, the City of London School for Girls and the City of London Freeman's School, service on Committees and other committee issues be agreed to.

Motion – 'To agree the recommendations set out in Paragraphs 44 to 46 of the report relating to other matters not covered by the governance arrangements agreed in 2011?'

Resolved – That the recommendations set out in Paragraphs 44 to 46 of the report relating to other matters not covered by the governance arrangements agreed in 2011 be agreed to.

Resolved – That, the report of the Policy and Resources Committee, as amended by the withdrawal of the recommendation under paragraph 32, be agreed.

PLANNING AND TRANSPORTATION COMMITTEE (Martin Charles Farr)

18 September 2012

Aldgate and Tower Area Strategy

A draft Aldgate and Tower Area Strategy has been developed to provide a more detailed framework for transport and environmental improvements in order to meet the Core Strategy Policy, CS8 within the City's Local Development Framework. The Area Strategy, informed by the City's policies, an urban analysis, intensive workshops with stakeholders and a further public consultation during late 2011 and early 2012 aims to create a greater sense of community, and officers have identified six areas through which the Core Strategy vision can be realised which would provide opportunities for achievable change through a series of transportation and environmental enhancement projects. These projects are identified and prioritised in the Area Strategy and the indicative total cost of these projects is £14.35 million. A copy of the draft Aldgate and Tower Area Strategy is available upon request from the Town Clerk's department and in the Members' Reading Room.

A printed report has been circulated and we **recommend** approval thereof.

Read and agreed to.

Ayers, K.E.
M.B.E.,
Deputy
Chadwick,
R.A.H.

Resolved - That the public be excluded from the meeting for the following items of business below on the grounds that they involve the likely disclosure of exempt information, as defined in Paragraph 3 of Part 1 of Schedule 12A of the Local Government Act, 1972:-

Summary of exempt items considered whilst the public were excluded

The Court:-

- A) approved recommendations of the Finance Committee on the acceptance of a tender for the provision of insurance cover for the City Corporation reimbursable and non-reimbursable property portfolio and the contractors All Risks Policy;
- B) approved recommendations of the Property Investment Board to extend and redevelop the Bridgemaster's House, Tower Bridge;
- C) noted action taken under urgency procedures approving recommendations of the Property Investment Board concerning the refurbishment Guildhall House, 81-87 Gresham Street, EC2; and
- D) approved recommendations of the Planning and Transportation Committee on the construction of a new staircase at London Bridge.

BARRADELL

The meeting commenced at 1pm and ended at 2.10pm

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List of Applications for the Freedom

To be presented on Thursday, 17th January, 2013

To the Right Honourable The Lord Mayor, Aldermen and Commons of
the City of London in Common Council assembled.

Set out below is the Chamberlain's list of applicants for the Freedom of the City together with the names, etc. of those nominating them.

Amir Reza Latif <i>Peter Ronald Elliott</i> <i>Howard Andre Beber</i>	a Marketing Agent <i>Citizen and Blacksmith</i> <i>Citizen and Poulter</i>	North Finchley, Barnet
Adarsh Kumar Sharma <i>Gordon Leslie Brown</i> <i>Paul Ernest Woodley</i>	a Chartered Accountant <i>Citizen and Insurer</i> <i>Citizen and Tobacco Pipe Maker and Tobacco Blender</i>	Kingsbury, Brent
Mark Treve Pascoe <i>Michael Hudson, CC</i> <i>Alexander Bain Stewart, CC</i>	a Retail Manager <i>Citizen and Painter Stainer</i> <i>Citizen and Gold and Silver Wyre Drawer</i>	Stepney, Tower Hamlets
Alan Kenneth Cole <i>Michael Richard Butler</i> <i>Donald Howard Coombe, MBE</i>	a Chartered Surveyor <i>Citizen and Poulter</i> <i>Citizen and Poulter</i>	Norwich, Norfolk
Josie Leah Collins Gowler <i>Clare Deborah James, CC</i> <i>Nigel John Ellison James</i>	a Chartered Accountant <i>Citizen and Common Councilman</i> <i>Citizen and Fletcher</i>	Duxford, Cambridgeshire
Vincent John Gowler <i>Clare Deborah James, CC</i> <i>Nigel John Ellison James</i>	a Chartered Engineer <i>Citizen and Common Councilman</i> <i>Citizen and Fletcher</i>	Duxford, Cambridgeshire
Raymond Dennis Johnston <i>Richard Leslie Springford</i> <i>Richard Stuart Goddard</i>	a Marine Consultant and Surveyor <i>Citizen and Carman</i> <i>Citizen and Shipwright</i>	Manston, Ramsgate, Kent
Anne Mary Macfarlane <i>John Alexander Smail</i> <i>Gordon Mark Gentry</i>	a Married Woman <i>Citizen and Distiller</i> <i>Citizen and Baker</i>	Newton Mearns, Glasgow
George Rutherford Macfarlane, TD <i>John Alexander Smail</i> <i>Gordon Mark Gentry</i>	a Financial Adviser <i>Citizen and Distiller</i> <i>Citizen and Baker</i>	Newton Mearns, Glasgow
Nomathamsanqa Tembeka Mqota <i>William Harry Dove, Deputy, MBE, JP</i> <i>Wendy Mead, Deputy,</i>	an Administrator <i>Citizen and Ironmonger</i> <i>Citizen and Glover</i>	Islington

Fortune Ngwenya	a Support Worker	Manchester, Greater Manchester
<i>William Harry Dove, Deputy, MBE, JP</i>	<i>Citizen and Ironmonger</i>	
<i>Wendy Mead, Deputy,</i>	<i>Citizen and Glover</i>	
Reginald John Allen	a Business Relocation Chairman	Harlow Common, Essex
<i>George Thomas Chudley</i>	<i>Citizen and Basketmaker</i>	
<i>Geoffrey William Ian Snelling</i>	<i>Citizen and Basketmaker</i>	
Linda Christine Mundy	an Account Manager, retired	Little Canfield, Dunmow, Essex
<i>Bryan Green</i>	<i>Citizen and Glover</i>	
<i>Evelyn Green</i>	<i>Citizen and Glover</i>	
Ian Richard Parker	a Hairstylist	Little Canfield, Dunmow, Essex
<i>Evelyn Green</i>	<i>Citizen and Glover</i>	
<i>Bryan Green</i>	<i>Citizen and Glover</i>	
Eden Summers	a Student	Clophill, Bedfordshire
<i>Anthony John Keith Woodhead</i>	<i>Citizen and Tax Adviser</i>	
<i>John Leslie Barber</i>	<i>Citizen and Blacksmith</i>	
James Robert Lloyd	a Writer and Broadcaster	Nottingham, Nottinghamshire
<i>Brian James Lloyd</i>	<i>Citizen and Mason</i>	
<i>Derek Mottershead</i>	<i>Citizen and Mason</i>	
Adrian James Cantwell Clark	an Asset Management Company Director	Parsons Green, Hammersmith and Fulham
<i>Timothy John Delano Cunis</i>	<i>Citizen and Merchant Taylor</i>	
<i>Alastair Ian Follitt Mackenzie</i>	<i>Citizen and Fletcher</i>	
George Dermont Robinson	a City of London Police Officer	Horsham, Sussex
<i>Stephen Christopher Neville</i>	<i>Citizen and Firefighter</i>	
<i>John Francis Purnell</i>	<i>Citizen and Security Professional</i>	
Bjorn Petersson	a Branding Company Director, retired	Stockholm, Sweden
<i>Derek Alfred Kelly</i>	<i>Citizen and Poulter</i>	
<i>Paul Anthony Kelly</i>	<i>Citizen and Poulter</i>	
Stephen Anthony Allix	a Health and Safety Manager	Noak Bridge, Basildon, Essex
<i>Maurice Geoffrey Court</i>	<i>Citizen and Gold and Silver Wyre Drawer</i>	
<i>Brian Colin Wright</i>	<i>Citizen and Bowyer</i>	
Thomas Andrew Hardy	a Local Government Officer	Letchworth, Hertfordshire
<i>Alan Leslie Warman</i>	<i>Citizen and Clockmaker</i>	
<i>Malcolm Andrew Potter</i>	<i>Citizen and Fanmaker</i>	
Graham Anthony Smith	a Hackney Carriage Driver	Bexleyheath, Bexley
<i>David Burns</i>	<i>Citizen and Lightmonger</i>	
<i>Howard Sutton</i>	<i>Citizen and Basketmaker</i>	
Anastasia Turner	a Receptionist	Enfield
<i>Elizabeth Susanna Morriss</i>	<i>Citizen and Gardener</i>	
<i>David Geoffrey Kent</i>	<i>Citizen and Vintner</i>	
Jeremy Nicholas Foster Pearce	a Banker	Balham, Lambeth
<i>Robin Anthony Eve, OBE, Deputy</i>	<i>Citizen and Chartered Secretary and Administrator</i>	
<i>Philip John Willoughby, JP</i>	<i>Citizen and Glass Seller</i>	
John Edward Gill	a Civil Servant	Woolwich, Greenwich
<i>Alexander John Cameron Deane, CC</i>	<i>Citizen and Currier</i>	
<i>Matthew Charles Falco Lombardi Richardson, Ald</i>	<i>Citizen and Wax Chandler</i>	
Michael William Lorraine	an Electronics Engineer, retired	Wheathampstead, Hertfordshire
<i>John Alexander Smail</i>	<i>Citizen and Distiller</i>	
<i>John Donald Lunn</i>	<i>Citizen and Fan Maker</i>	

Ronald Peter Angliss <i>Ian Patterson Wilson</i> <i>Robert Bryan Dowling</i>	an Electrical Engineer, retired <i>Citizen and Arbitrator</i> <i>Citizen and Loriner</i>	Sydenham, Lewisham
Davina Alexandra Victoria Bonney <i>William Barrie Fraser, OBE,</i> <i>Deputy</i> <i>Sylvia Doreen Moys, CC</i>	a Human Resources Officer <i>Citizen and Gardener</i> <i>Citizen and Chartered Secretary and Administrator</i>	Forest Hill, Lewisham
Graham Robert South <i>John Alfred Bennett, Deputy</i> <i>Roger Arthur Holden</i> <i>Chadwick, CC</i>	a Business Analyst <i>Citizen and International Banker</i> <i>Citizen and Bowyer</i>	Raynes Park, Merton
Christine Elizabeth Howard <i>David John Cole-Adams</i> <i>Ian James Humphrey</i> <i>Mitchell Grimshaw</i>	a Care and Support Services Manager, retired <i>Citizen and Chartered Architect</i> <i>Citizen and Tyler and Bricklayer</i>	Staines upon Thames
Wendy Jill Burns <i>David Burns</i> <i>Howard Sutton</i>	a Sales Manager <i>Citizen and Lightmonger</i> <i>Citizen and Basketmaker</i>	Barking, Barking and Dagenham
Barry Victor Wilcock <i>David Burns</i> <i>Howard Sutton</i>	a Surveyor <i>Citizen and Lightmonger</i> <i>Citizen and Basketmaker</i>	Barking, Barking and Dagenham
Roger Alan Latham <i>Anthony Ben Charlwood</i> <i>Revd. Hugh Vivian Thomas</i>	a Local Authority Chief Executive, retired <i>Citizen and Basketmaker</i> <i>Citizen and Pattenmaker</i>	East Leake, Loughborough, Leicestershire
Martin Nigel Theobald <i>Barry John Frederick</i> <i>Theobald-Hicks</i> <i>Mervyn Doreen Redding</i>	an Information Technology Consultant <i>Citizen and Scrivener</i> <i>Citizen and Basketmaker</i>	Haywards Heath, Sussex
Phillip John Holt <i>Anthony John Keith</i> <i>Woodhead</i> <i>Christopher Rowland Jeal</i>	an International Trainer and Coach <i>Citizen and Tax Adviser</i> <i>Citizen and Blacksmith</i>	Kingston upon Thames
Kevin Paul Rogers <i>William George Hunt, TD, CC</i> <i>Stephen Decatur Haines, CC</i>	a Teacher <i>Citizen and Maker of Playing Cards</i> <i>Citizen and Pewterer</i>	Leytonstone, Waltham Forest
Gregory Matthew Rosen <i>Sophie Anne Fernandes, CC</i> <i>Antonia Sophia Louise</i> <i>Lumley</i>	a Public Policy Adviser <i>Citizen and Common Councilman</i> <i>Citizen and Currier</i>	Brockley, Lewisham
Simon Rowe <i>Roger Keith Mallindine</i> <i>David Michael Booth Irving</i>	a Bar Manager <i>Citizen and Distiller</i> <i>Citizen and Distiller</i>	Upper Beeding, Sussex
David Brigden <i>Denise Deroy-Parker</i> <i>Anthony John Keith</i> <i>Woodhead</i>	a Heating Engineer, retired <i>Citizen and Upholder</i> <i>Citizen and Tax Adviser</i>	Carshalton, Sutton
Brian Henry Davies <i>Denise Deroy-Parker</i> <i>Anthony John Keith</i> <i>Woodhead</i>	a Bank Note and Bond Designer <i>Citizen and Upholder</i> <i>Citizen and Tax Adviser</i>	New Malden, Kingston upon Thames
Iris Pamela Davies <i>Denise Deroy-Parker</i> <i>Anthony John Keith</i> <i>Woodhead</i>	a Secretary, retired <i>Citizen and Upholder</i> <i>Citizen and Tax Adviser</i>	New Malden, Kingston upon Thames

Mark Jason Crader <i>Elizabeth Susanna Morriss</i> <i>Roderick Edmond Forbes</i> <i>Morriss</i>	a Property Investor <i>Citizen and Gardener</i> <i>Citizen and Glover</i>	Sway, Hampshire
Paul Omer Marie Jozef Bulcke <i>George Christopher Mark</i> <i>Adams</i> <i>Laurence Stephen Olins</i>	a Food Company Chief Executive Officer <i>Citizen and Butcher</i> <i>Citizen and Fruiterer</i>	Vevey, Switzerland
Linda Susan Estlin <i>Peter Kenneth Estlin</i> <i>Richard David Regan,</i> <i>Deputy</i>	a Human Resources Manager, retired <i>Citizen and International Banker</i> <i>Citizen and Insurer</i>	Frant, Sussex
Yoshihiko Okabe <i>Frederick Joseph Trowman</i> <i>David Robert Boston</i>	a University Professor <i>Citizen and Loriner</i> <i>Citizen and Gold and Silver Wyre</i> Drawer	Bedminster, Bristol
Lorna Katherine Lancaster <i>William Peter Povey</i> <i>John David Jackson</i>	a Married Woman <i>Citizen and Carpenter</i> <i>Citizen and Carpenter</i>	East Chisenbury, Pewsey, Wiltshire
Rosemary Ellen Samuel <i>John Michael Burton</i> <i>David Frank Newman</i>	a Teacher, retired <i>Citizen and Carpenter</i> <i>Citizen and Carpenter</i>	New Malden, Surrey
Joshua Samuel Rose <i>Stephen Decatur Haines, CC</i> <i>Michael Robin Castle</i> <i>Sherlock</i>	a Student <i>Citizen and Pewterer</i> <i>Citizen and Skinner</i>	Woodford Green, Redbridge
Robert James Williams <i>Sir David Hugh Wootton, Ald.</i> <i>Mark John Boleat, CC</i>	an Athlete <i>Citizen and Fletcher</i> <i>Citizen and Insurer</i>	Kensington and Chelsea
Lutalo Mustafa Massop-Muhammad <i>Sir David Hugh Wootton, Ald.</i> <i>Mark John Boleat, CC</i>	an Athlete and Student <i>Citizen and Fletcher</i> <i>Citizen and Insurer</i>	Walthamstow, Waltham Forest
Joanna Katie Rowsell <i>Sir David Hugh Wootton, Ald.</i> <i>Mark John Boleat, CC</i>	a Cyclist <i>Citizen and Fletcher</i> <i>Citizen and Insurer</i>	Cheam, Sutton
Mohamed Karim Sbihi <i>Sir David Hugh Wootton, Ald.</i> <i>Mark John Boleat, CC</i>	an Athlete <i>Citizen and Fletcher</i> <i>Citizen and Insurer</i>	Surbiton, Surrey
Yash Narayan <i>Stephen Decatur Haines, CC</i> <i>William Harry Dove, Deputy,</i> <i>MBE, JP</i>	a Student <i>Citizen and Pewterer</i> <i>Citizen and Ironmonger</i>	Kingston upon Thames
Richard George Venn <i>Timothy Edward Statham</i> <i>James George Williams</i>	a Civil Servant, retired <i>Citizen and Clockmaker</i> <i>Citizen and Builders Merchant</i>	South Croxton, Leicestershire
Rita Anne Lewis <i>Sir Gavyn Arthur</i> <i>Anne Elizabeth Holden</i>	a Teacher, retired <i>Citizen and Gardener</i> <i>Citizen and Basketmaker</i>	Cardiff, South Glamorgan
Merril Evans <i>Sir Gavyn Arthur</i> <i>Anne Elizabeth Holden</i>	a Teacher, retired <i>Citizen and Gardener</i> <i>Citizen and Basketmaker</i>	Odiham, Hampshire
Sachin Rajput <i>Martin Henry Charles</i> <i>Russell, TD</i> <i>Alan Montague Ware, MBE</i>	a Barrister at Law <i>Citizen and Farrier</i> <i>Citizen and Gold and Silver Wyre</i> Drawer	New Barnet, Hertfordshire
Christopher David Webb <i>David Burns</i> <i>Howard Sutton</i>	an Office Manager <i>Citizen and Lightmonger</i> <i>Citizen and Basketmaker</i>	Romford, Havering

Roy Frank Reeve	a Mail Order Company Director, retired	Billericay, Essex
<i>George Joseph Elliott</i>	<i>Citizen and Mason</i>	
<i>Roger Michael May</i>	<i>Citizen and Mason</i>	
Matthew Charles Read	a Chartered Patent Attorney	Camberwell, Southwark
<i>Timothy Ronald Ward</i>	<i>Citizen and Bowyer</i>	
<i>John Anthony Hayton, TD</i>	<i>Citizen and Bowyer</i>	
Frederick James Taylor	a Management Consultant	Eastbourne, Sussex
<i>Michael Peter Cawston</i>	<i>Citizen and Tyler and Bricklayer</i>	
<i>James William Lane</i>	<i>Citizen and Tyler and Bricklayer</i>	
Wendy Evans	a Museum Curator, retired	Perth, Perthshire
<i>Nicholas Cressey, CC</i>	<i>Citizen and Common Councilman</i>	
<i>Henry Llewellyn Michael Jones, Deputy</i>	<i>Citizen and Common Councilman</i>	
Ian James Crawford	a Telecommunications Company Manager, retired	Catford, Lewisham
<i>David Burns</i>	<i>Citizen and Lightmonger</i>	
<i>Howard Sutton</i>	<i>Citizen and Basketmaker</i>	
Martin Coulthard	a Civil Engineer	Hanwell, Ealing
<i>John Burke</i>	<i>Citizen and Lightmonger</i>	
<i>Michael Anthony Cave</i>	<i>Citizen and Lightmonger</i>	
Baron Jean-Yves De Sainte-Croix de La Sabliere	a Teacher, retired	Woodford Green, Redbridge
<i>Anthony Sharp</i>	<i>Citizen and Loriner</i>	
<i>Frederick Joseph Trowman</i>	<i>Citizen and Loriner</i>	
Paul Robert Levett	a Civil Engineer	Chelmsford, Essex
<i>John Burke</i>	<i>Citizen and Lightmonger</i>	
<i>Michael Anthony Cave</i>	<i>Citizen and Lightmonger</i>	
Deborah Ann Rynda	a Management Consultant	Peppard, Oxfordshire
<i>Jonathan Danvers</i>	<i>Citizen and Glover</i>	
<i>Crossman, MBE</i>		
<i>Ann Elizabeth Esslemont</i>	<i>Citizen and Glover</i>	
Christabel Winny	a Secretary, retired	Reading, Berkshire
<i>Audrey Jean Smith</i>	<i>Citizen and Glass Seller</i>	
<i>Rowena Dorothy Patrick</i>	<i>Citizen and Glass Seller</i>	
The Honourable Fabian Raymond Picardo, MP	The Chief Minister, H.M. Government of Gibraltar	Gibraltar
<i>Anne Elizabeth Holden</i>	<i>Citizen and Basketmaker</i>	
<i>Anthony John Keith Woodhead</i>	<i>Citizen and Tax Adviser</i>	
Joy Hollister	a Community and Childrens Services Director	Eastbourne, Sussex
<i>William Harry Dove, Deputy, MBE, JP</i>	<i>Citizen and Ironmonger</i>	
<i>Joyce Nash, OBE, Deputy</i>	<i>Citizen and Feltmaker</i>	
Archbishop Antonio Mennini	The Apostolic Nuncio To Great Britain	Wimbledon, Merton
<i>Stephen Decatur Haines, CC</i>	<i>Citizen and Pewterer</i>	
<i>Catherine Sidony</i>	<i>Citizen and Solicitor</i>	
<i>McGuinness, Deputy, CC</i>		
Anthony Keith Ramsay	a Local Government Officer	Barking, Barking and Dagenham
<i>Catherine Sidony</i>	<i>Citizen and Solicitor</i>	
<i>McGuinness, Deputy</i>		
<i>John Tomlinson, CC</i>	<i>Citizen and Fletcher</i>	
The Most Revd Timothy Peter Joseph Radcliffe	a Dominican Friar	St. Giles, Oxford, Oxfordshire
<i>Timothy Lachlan Chambers, OBE</i>	<i>Citizen and Apothecary</i>	
<i>Catherine Sidony</i>	<i>Citizen and Solicitor</i>	
<i>McGuinness, Deputy, CC</i>		

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Report – Policy and Resources Committee Bill for an Act of Common Council: To change the date of elections of Ward Beadles

*To be presented on Thursday, 17th January 2013
To the Right Honourable The Lord Mayor, Aldermen and Commons
of the City of London in Common Council assembled.*

Summary

1. On 6th December the Court of Common received this Bill for an Act of Common Council for its first and second reading and this submission would represent the third and final reading. You will recall that the purpose of the Bill is to change the date of the elections of Ward Beadles so that these elections continue to coincide with the ordinary elections of Common Councilmen, rather than having two separate wardmotes in each ward for these purposes.
2. Since at least 1663, Ward Beadles and Common Councilmen have been elected at the same wardmotes, and on a number of occasions Acts of Common Council have been passed to ensure that the date of the elections of Ward Beadles continues to coincide with that for the whole number of Common Councilmen.
3. An Act of Common Council was passed recently to change the date of the ordinary elections of Common Councilmen. Whereas previously these elections were held on the second Friday in March in every fourth year, they will in future be held on either the third Wednesday in March, or the fourth Wednesday in March, or in certain circumstances on another date to be determined by the Town Clerk in consultation with the Lord Mayor. Consequential changes were also made to the term of office of Common Councilmen.
4. The date of the elections of Ward Beadles is regulated by a separate Act of Common Council, made on 4 December 2003. With the intention of allowing Ward Beadles to be elected at the wardmotes held for the ordinary elections of Common Councilmen, this Act provided that the elections of Ward Beadles would also be held on the second Friday in March in every fourth year. If no change is made to the existing position it will be necessary to hold two wardmotes in each ward in March 2013, and every fourth year thereafter, for the election of Ward Beadles and Common Councilmen respectively.

Recommendation

5. We recommend that the Bill for an Act of Common Council be approved in the form attached.

Main Report

Purpose of report

6. The purpose of this report is to seek approval to the annexed Bill for an Act of Common Council to change the date of elections of Ward Beadles so that these elections continue to coincide with the ordinary elections of Common Councilmen, rather than having two separate wardmotes in each ward for these purposes.
7. As above, if no change is made to the existing position it will be necessary to hold two wardmotes in each ward in March 2013, and every fourth year thereafter, for the election of Ward Beadles and Common Councilmen respectively.

The proposed solution

8. It is proposed that Ward Beadles continue to be elected at the wardmotes held for the ordinary elections of Common Councilmen. As the date of these wardmotes is no longer fixed by reference to a particular day, it is recommended that the date of the elections of Ward Beadles is in future determined by reference to the date of ordinary elections of Common Councilmen. This would also mean that if, in the future, the date of ordinary elections of Common Councilmen changes again, then the date of the elections of Ward Beadles will automatically change without the need for a further Act of Common Council.
9. By changing the date of the elections of Ward Beadles, consequential changes will also have to be made to realign their term of office. We have also taken the opportunity to propose an amendment to the existing arrangements, to enable an outgoing Ward Beadle to open the wardmote, and to allow for local ward variations as to the precise point in the wardmote at which a Ward Beadle ceases to hold office.
10. It is not proposed to change the current arrangements whereby Aldermen are authorised to fill, by appointment, casual vacancies that may occur in the office of Ward Beadle in their respective wards between elections.

Bill for an Act of Common Council

11. It is necessary to pass an Act of Common Council to give effect to the changes outlined above, and a Bill is annexed for approval. The Recorder of London has settled the terms of this Bill.

Conclusion

12. Following the recent passing of an Act of Common Council to change the date of the ordinary elections of Common Councilmen, these elections no longer coincide with the elections of Ward Beadles. It is recommended that the elections of Ward Beadles be realigned with, and in future fixed by reference to, the date of the ordinary elections of Common Councilmen. This would avoid the need to hold two wardmotes in each ward in March 2013, and every fourth year thereafter. The required changes can be achieved through the proposed Act of Common Council.

All which we submit to the judgement of this Honourable Court

DATED this 8th Day of November 2012
SIGNED on behalf of the Committee

**Mark John Boleat,
Chairman**

To be considered at the Court of Common Council

2013

A BILL

For an Act of Common Council to –

Change the date of the elections of Ward Beadles;

Make incidental and consequential changes to the term of office of Ward Beadles;

Provide that any casual vacancy occurring in the office of Ward Beadle shall be filled by the Alderman of the ward in which the vacancy occurs;

Repeal the Act of Common Council made and passed on the 4th day of December 2003.

WHEREAS:-

- (1) From time immemorial there has existed and still exists in the City of London (“the City”) a Common Council consisting of the Lord Mayor, Aldermen and Commons in Common Council assembled and the Common Council have made, passed, ordained and established divers Acts, Ordinances, Rules, Orders and Regulations for the regulation and good government of the City and its Liberties as to them from time to time has been found necessary and expedient;
- (2) By an Act of Common Council made and passed on the 4th day of December 2003 it was enacted that as from the coming into force of that Act the elections of Ward Beadles shall take place on the second Friday of March in every fourth year after 2005, which at that time coincided with the date of ordinary ward elections in relation to the whole number of Common Councilmen;
- (3) By an Act of Common Council made and passed on the 13th day of September 2012 it was enacted that ordinary ward elections in relation to the whole number of Common Councilmen shall take place on a date to be determined in accordance with the provisions of that Act;
- (4) It is desirable that the elections of Ward Beadles should continue to take place on the same date as ordinary ward elections in relation to the whole number of Common Councilmen;
- (5) It is desirable to make certain incidental and consequential changes to the term of office of Ward Beadles;
- (6) It is also desirable that the Aldermen of the several wards in the City should continue to be authorised to fill by appointment any casual vacancies occurring in the office of Ward Beadle in their respective wards;
- (7) His late Majesty King Edward the Third by his Charter made and granted to the City in the fifteenth year of his reign afterwards confirmed and ratified by Parliament did (amongst other things) grant that if any customs in the City before that time obtained

and used were in any part hard or defective or any things in the City newly arising in which no remedy had been ordained should need amendment the Mayor and Aldermen of the City and their successors with the assent of the Commonalty of the City might put and ordain thereto fit remedy as often as it should seem expedient to them so that such ordinance should be profitable to the King and to the citizens and to all other liege subjects resorting to the City and agreeable also to reason and good faith.

BE IT THEREFORE and IT IS HEREBY ENACTED ORDAINED AND ESTABLISHED by the Right Honourable the Lord Mayor, the Right Worshipful the Aldermen and the Commons of the City of London in Common Council assembled and the authority of the same **AS FOLLOWS:**

Elections of Ward Beadles

1. Elections of Ward Beadles shall take place on the same date as ordinary ward elections in relation to the whole number of Common Councilmen, as determined in accordance with the provisions of the Act of Common Council made and passed on the 13th day of September 2012 or any other Act of Common Council from time to time amending or replacing the same.

Term of office of Ward Beadles

2. (1) Subject to subsections (2) and (3) any Ward Beadle shall, unless he resigns his office or it otherwise becomes vacant, cease to hold office on the election of his successor, who shall hold office from that point.

(2) The Alderman of the Ward may instead direct that a Ward Beadle shall cease to hold office at some later point in the Wardmote at which his successor is elected, or on the closing of the said Wardmote, in which case his successor shall hold office from that later point.

(3) If no successor to a Ward Beadle is elected at a Wardmote held in accordance with section 1, that Ward Beadle shall cease to hold office on the closing of the said Wardmote.

Casual vacancies in the office of Ward Beadle

3. On a casual vacancy occurring in the office of Ward Beadle, the vacancy shall be filled by appointment by the Alderman of the Ward in which the vacancy has occurred.

Repeal

4. The Act of Common Council made and passed on the 4th day of December 2003 is hereby repealed (except in relation to its repeal of certain provisions of Acts of Common Council made and passed on the 14th day of June 1984 and the 10th day of October 2002 respectively).

Commencement

5. The provisions of this Act shall come into force on the day on which it is made and passed as an Act of Common Council.



Report – Planning and Transportation Committee On-Street Parking Surplus 2011/12 and Utilisation of Accrued Surplus

To be presented on Thursday, 17th January 2013

*To the Right Honourable The Lord Mayor, Aldermen and Commons
of the City of London in Common Council assembled.*

SUMMARY

The City of London in common with other London authorities is required to report to the Mayor for London on action taken in respect of any deficit or surplus in its On Street Parking Account for a particular financial year.

The purpose of this report is to inform Members that:

- the surplus arising from on-street parking activities in 2011/12 was £4.650m;
- a total of £3.578m, was applied in 2011/12 to fund approved projects; and
- the surplus remaining on the On-Street Parking Reserve at 31st March 2012 was £14.437m, which is wholly allocated towards the funding of various highway improvements and other projects over the medium term.

RECOMMENDATION

That Members note the contents of the report and approve its submission to the Mayor of London.

MAIN REPORT

Background

1. Section 55(3A) of the Road Traffic Regulation Act 1984 (as amended), requires the City of London in common with other London authorities (i.e. other London Borough Councils and Transport for London), to report to the Mayor for London on action taken in respect of any deficit or surplus in their On-Street Parking Account for a particular financial year.
2. Legislation provides that any surplus not applied in the financial year may be carried forward. If it is not to be carried forward, it may be applied by the City for one or more of the following purposes:
 - a) making good to the City Fund any deficit charged to that Fund in the 4 years immediately preceding the financial year in question;
 - b) meeting all or any part of the cost of the provision and maintenance by the City of off-street parking accommodation whether in the open or under cover;
 - c) the making to other local authorities, or to other persons, of contributions towards the cost of the provision and maintenance by them, in the area of the local authority or elsewhere, of off-street parking accommodation whether in the open or under cover;
 - d) if it appears to the City that the provision in the City of further off-street parking accommodation is for the time being unnecessary or undesirable, for the following purposes, namely:
 - (i) meeting costs incurred, whether by the City or by some other person, in the provision or operation of, or of facilities for, public passenger transport services;
 - (ii) the purposes of a highway or road improvement project in the City;
 - (iii) meeting the costs incurred by the City in respect of the maintenance of roads at the public expense; and
 - (iv) for an “environmental improvement” in the City.
 - e) meeting all or any part of the cost of the doing by the City in its area of anything which facilitates the implementation of the Mayor’s Transport Strategy, being specified in that strategy as a purpose for which a surplus can be applied; and
 - f) making contributions to other authorities, i.e. the other London Borough Councils and Transport for London, towards the cost of their doing things upon which the City in its area could incur expenditure upon under (a)-(e) above.

2011/12 Outturn

3. The overall financial position for the On-Street Parking Reserve in 2011/12 is summarised below:

	£m
Surplus Balance brought forward at 1st April 2011	(13.365)
Surplus arising during 2011/12	(4.650)
Expenditure financed during the year	3.578
Funds remaining at 31st March 2012, wholly allocated towards the funding of future projects	(14.437)

4. Total expenditure of £3.578m in 2011/12 was financed from the On-Street Parking Reserve, covering the following approved projects:

Revenue Expenditure :	£000
Highway Repairs and Maintenance	1,367
Concessionary Fares Scheme	481
Off Street Parking Provision	371
Barbican Podium High walk Repairs	136
Parking Enforcement Plan	131
Transport Improvements – Milton Court	43
Taxi Card	32
Cheapside Stage 4A	34
New Roads and Transport	20
Planting Maintenance	12
Total Revenue Expenditure	2,627
Capital Expenditure :	
Cheapside Strategy	442
Queen Street Pilot Project	148
Carter Lane	91
Pedestrian Way-Finding Signage	58
Farringdon Street Bridge Repairs	77
Southwark Bridge Area	46
Barbican Area Strategy	33
Transport Improvements – Milton Court	45
Riverside Walk Enhancement	6
King Street Area Treatment	4
Shoe Lane Street Scene Improvements	1
Total Capital Expenditure	951
Total Expenditure Funded in 2011/12	3,578

5. The surplus on the On-Street Parking Reserve brought forward from 2010/11 was £13.365m. After expenditure of £3.578m funded in 2011/12, a balance of

£1.072m was carried forward to future years to give a closing balance at 31st March 2012 of £14.437m.

6. Currently total expenditure of some £37.3m is planned over the medium term up to 31st March 2016 by which time it is anticipated that the existing surplus plus those estimated for future years will be fully utilised. This total includes expenditures of £11.5m and £7.4m planned in 2012/13 and 2013/14 respectively, both of which are anticipated to exceed significantly the surpluses arising in those years. The total programme covers a number of major schemes including funding towards the Cheapside Initiative, repairs to Farringdon Street Bridge and various street scene projects (e.g. around Milton Court, Queen Street and Carter Lane areas) as well as ongoing funding of highways and road maintenance projects. The progression of each individual scheme is, of course, subject to the City's normal evaluation criteria and Standing Orders.

Conclusion

7. So that we can meet our requirements under the Road Traffic Regulation Act 1984 (as amended), we ask that the Court of Common Council notes the contents of this report, which would then be submitted to the Mayor of London.

All of which we submit to the judgement of this Honourable Court.

DATED this 15th day of January 2013.

SIGNED on behalf of the Committee.

MARTIN FARR
Chairman



Report – Licensing Committee Review of Statement of Licensing Policy - Licensing Act 2003

To be presented on Thursday, 17th January 2013

*To the Right Honourable The Lord Mayor, Aldermen and Commons
of the City of London in Common Council assembled.*

SUMMARY

1. We have reviewed the City's Statement of Licensing Policy, which was first published in January 2005, and subsequently reviewed in January 2008 and January 2011, in accordance with the Licensing Act 2003 which now requires us to review it every five years.
2. Although the City's Statement of Licensing Policy is not statutorily due for a further review until 2016 we felt that due to changes in the City Corporation's policies and procedures, the introduction of a new code of practice and major legislative changes to the Licensing Act 2003 there was a need to revise and update the Statement of Licensing Policy sooner.
3. In reviewing the policy, we carried out a consultation exercise for the revised draft text from 9 November 2012 until 21 December 2012. Six responses to the consultation were received and the comments have been taken into account in a revised draft policy text attached to this report at Annex 1.

RECOMMENDATION

4. Your Licensing Committee is considering the draft policy on 14 January 2013, and any proposed changes or amendments made will be reported on orally to the Court. Subject to that, we **recommend** that the revised Statement of Licensing Policy (Annex 1) be approved for adoption from 17 January 2013.

MAIN REPORT

BACKGROUND

5. As part of the implementation of the Licensing Act 2003 the City of London Corporation, in its capacity as Licensing Authority published its first statement of licensing principles. This document was agreed by your Licensing Committee in November 2004. Final approval was granted by this Honourable Court the following month with the document being formally published on the statutory day of 7 January 2005.
6. The legislation stated that licensing authorities must review and republish the statement of licensing policy every three years. A subsequent review was undertaken and agreed by your Licensing Committee to reflect the new period that commenced in January 2008 and again in January 2011. The Licensing Act 2003 was amended in April 2012 which extended the period between policy reviews from three to five years. The current City Corporation Policy is therefore not due for review until 2016.
7. However, since the current Statement of Licensing Policy was adopted in January 2011 there have been significant changes to the Licensing Act 2003 which should be reflected in the text of the Policy.
8. Further, there have been significant changes within the policies and procedures carried out by the Licensing Service including the imminent introduction of a Code of Practice and risk assessment scheme, the active encouragement of pre-application meetings, a reiteration of the importance for applicants to provide a complete and meaningful operating schedule and a total revision of the 'Pool of Conditions' used to advise applicants of the type of condition the City Corporation feel appropriate to include on a premises licence. All the above changes should be incorporated within the Statement of Licensing Policy.
9. The licensing policy provides transparency for everyone, including local residents and applicants for premises licenses, who will be able to refer to the statement when making representations or when preparing their applications. The Government recommend that the policy should also describe how the licensing authority's approach to licensing will be integrated with local council planning, crime prevention, transport and cultural strategies and any action plan or strategy for the management of the evening economy. The statements should also avoid duplicating other requirements e.g. health and safety regulations which already place a range of general duties on employers and license holders.
10. The text of the current policy was amended to reflect the changes made since its last adoption whilst still meeting the above criteria. The amended text was put before your Licensing Committee on 22 October 2012 and agreed for consultation.

11. The main changes to the current Policy were as follows:
 - a. Updated references to the Corporation's UDP (paragraphs 3 and 4)
 - b. Amended text to reflect recent legislative changes (throughout). For example the term 'necessary' has been replaced with the term 'appropriate' and 'interested parties' has been replaced with 'other persons'.
 - c. Updated references to regulated entertainment and live music.
 - d. References to changes in Corporate Policy in relation to the introduction of pre-application meetings and the Code of Practice (paragraphs 30 and 31)
 - e. References to emphasise the importance of fully completing an application's operating schedule (paragraph 29)
 - f. Details of a change in how an application is to be advertised (paragraph 47)
 - g. Details of how representations will be considered (paragraph 48)

CONSULTATION

12. The consultation period ran from 9 November 2012 until 21 December 2012. During that period the licensing service received six comments. Two were from residents, two from responsible authorities and two from Members.
13. The comments received have been examined and a revised text of the Statement of Licensing Policy 2013 has been produced to take into account their concerns and general points where felt necessary. A copy of the revised text, and that proposed to be agreed by this Honourable Court, is at Annex 1.
14. When revising the licensing policy it is a legal requirement for a licensing authority to consult the following:-
 - a. The Chief Officer of Police for the licensing authority's area,
 - b. The Fire and Rescue Authority for that area,
 - c. Each Primary Care Trust or Local Health Board for an area any part of which is in the licensing authority's area,
 - d. Each local authority whose public health functions are exercisable in respect of an area any part of which is in the licensing authority's area,
 - e. Such persons considered to be representative of holders or premises licences issued by the licensing authority,
 - f. Such persons considered to be representative of holders of club premises certificates issued by the licensing authority,

- g. Such persons as the licensing authority considers to be representative of holders of personal licences issued by that authority,
- h. Such other persons as the licensing authority considers to be representative of businesses and residents in its area

The City Corporation has fulfilled these statutory obligations as far as its area of jurisdiction is concerned.

CORPORATE & STRATEGIC IMPLICATIONS

- 15. The proposals within this report will meet one of the objectives contained within the Port Health and Public Protection Business Plan for 2012/13, namely, 'To review the Statement of licensing policy in light of recent changes in legislation and policy.'
- 16. The licensing policy is also in line with the City's Core Strategy in protecting amenities of the residential population.

IMPLICATIONS

- 17. There are no direct financial or risk implications for the City Corporation's services associated with this report. Costs for the publication of the new policy can be met within current budget.
- 18. However, if the risk assessment scheme, which is to run alongside the Code of Practice, is to be fully implemented with every licensed premises being 'scored' on a rolling twelve month basis extra resources will be required by the licensing service in order to monitor the scheme and carry out the increase in inspections. This was referred to in another report put before your Licensing Committee in October 2012 entitled, 'Licensing Code of Practice'.

All of which we submit to the judgement of this Honourable Court.

DATED this 17th day of January, 2013.

SIGNED on behalf of the Committee.

**CHARLES EDWARD LORD OBE JP DEPUTY
Chairman**

City of London Corporation

Licensing Act 2003

Statement of Licensing Policy

January 2013

DRAFT



CITY OF LONDON CORPORATION
STATEMENT OF LICENSING POLICY

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DRAFT

Introduction

1. The City of London is the world's leading international financial and related business services centre – a global powerhouse at the heart of the UK's financial services. It provides dedicated services to the City, from maintaining its infrastructure to top level economic development, as well as carrying out all the services expected of a local authority. It also provides services that affect people outside its geographical boundary – making a contribution to both regional and national prosperity.
2. Although the City is predominantly a business area, there are significant pockets of residential accommodation. In addition to the well-established, concentrated housing developments at the Barbican, Golden Lane, Mansell Street and Middlesex Street, there are smaller scale residential areas including Queenhithe, the Temples, Carter Lane and parts of Smithfield. Residential development has also occurred on a scattered basis in the rest of the City, often involving the redevelopment and conversion of former business premises. It is vital that their residential amenity is protected and this is emphasised in the City's Core Strategy which aims 'To protect existing housing and amenity and provide additional housing in the City, concentrated in or near existing residential communities...'.
3. The City Corporation fully supports the provision of recreational and cultural activities and sees these as being of great benefit to the community, especially people working in a high pressure business environment. To this end, the City Corporation is the third biggest sponsor of the arts in the country, after the Government and the BBC. The LDF Core Strategy contains two specifically relevant strategic policies encouraging, where appropriate, the provision of a wide range of public and private recreational, art, heritage and cultural facilities.
4. The City Corporation aims to reconcile all these facets of life in the City to minimise the potentially damaging tensions that could arise between the business, residential and leisure communities. This Policy Statement sets out the framework within which the City Corporation will consider the grant of licences for activities controlled by the Licensing Act 2003.

Legal Background

5. The Licensing Act 2003 (the 'Licensing Act') repealed most of the previous legislation relating to liquor, entertainment and night café licensing and replaced it with a totally new licensing regime. In respect of liquor licensing, responsibility was transferred from the Magistrates Court (Licensing Justices) to local authorities.
6. This gives the City Corporation authority to grant or reject applications for the sale of liquor, the provision of entertainment or late night refreshment. Conditions designed to ensure public safety, protect children from harm, prevent crime and disorder and public nuisance can be attached to licences. For example, to prevent residents or businesses being disturbed, the City

Corporation may restrict licensed hours where it can be shown to be appropriate. However, the ability of local authorities to take decisions is limited either by provisions in the Act, Regulations made under the Act or by guidance from the Home Office.

7. The City Corporation is legally obliged to have regard to the Home Office guidance. The City Corporation may, however, if it is considered appropriate, deviate from the guidance but would need good reasons to do so. This Policy Statement takes full account of the current Home Office guidance.
8. In addition, in formulating this Policy Statement, the City Corporation has had regard to the provisions of the European Convention on Human Rights that everyone has the right to respect for his home and private life and that every person is entitled to the peaceful enjoyment of his possessions. The Human Rights Act 1998 makes it unlawful for a public authority to act in a way that is incompatible with a convention right. Consequently, an aim of this Policy Statement, particularly in relation to the decision-making process of the City Corporation, is to ensure that a licensing decision does not breach such a right.
9. The Equality Act 2010 and prior legislation requires the City to give due regard to the elimination of unlawful discrimination when exercising its public duties, to promote equality between people who share and do not share a particular protected characteristic and to promote good relations between people who share and who do not share a particular characteristic.
10. The Equality Act 2010 defines a number of protected characteristics and generally provides that no one should be discriminated against or subject to less favourable treatment on the basis of these characteristics. The characteristics are age, disability, ethnicity & race, gender, gender reassignment, marriage or civil partnership status, pregnancy or maternity status (including nursing mothers), religious or philosophical belief or non-belief and sexual orientation. It also ensures rights of access to everyday facilities and services and, in the context of disability, may require service providers to consider making permanent physical adjustments to their premises.
11. The City Corporation will expect licensees to be familiar with the contents of any codes of practice issued by the government under the Equality Act 2010.
12. The City Corporation has taken account of the provisions of the Crime and Disorder Act 1998. This requires local authorities to have regard to the likely effect of the exercise of their functions on crime and disorder in their area and to do all they can to prevent such crime and disorder.
13. The Policing and Crime Act 2009 introduced further powers for local authorities regarding the regulation of lap-dancing and other sexual entertainment venues. It also contains provisions on alcohol misuse and imposed new mandatory licensing conditions (see Appendix 3 for all the current mandatory conditions).

14. The City Corporation has taken account of the Police Reform and Social Responsibility Act 2011 and the Live Music Act 2012, which both brought in legislative changes to the Licensing Act 2003. The changes have been reflected in this policy.
15. The Licensing Act requires that licensing authorities consult with other responsible authorities and representatives of licensees of all types, together with representatives of local residents and businesses. The City Corporation will have regard to the views of these persons in the determination of policy and its periodic review.

Scope

16. The Act relates to the sale of alcohol, the provision of certain entertainment and late night refreshment.
17. Activities that require a licence under the Licensing Act 2003 and covered by this Policy Statement include:
 - i) retail sale of alcohol
 - ii) supply of hot food or drink from premises from 23.00 to 05.00 hours
 - iii) supply of alcohol to club members
 - iv) provision of entertainment listed below (known as regulated entertainment) to the public or club members or with a view to profit:
 - a) film exhibitions
 - b) performance of a play
 - c) indoor sporting events
 - d) a boxing or wrestling entertainment
 - e) some live music performances
 - f) playing of recorded music
 - g) dance performances
 - h) provision of facilities for making music
 - i) provision of dancing facilities
18. The Live Music Act 2012, which came into effect on 1 October 2012, removes the licensing requirements for certain types of live music performances. The exemptions are set out in Appendix 2 of this document.
19. There are a number of other activities that are exempt from the licensing requirement, details of which are also set out in Appendix 2 of this document.
20. The Act prescribes:
 - 21.1 personal licences which cover the licensing of individuals for the retail sale of alcohol
 - 21.2 premises licences which cover the retail sale of alcohol, the provision of regulated entertainment and the provision of late night refreshment
 - 21.3 club premises certificates which are required to allow the supply of

alcohol or the provision of regulated entertainment to certain clubs

21.4 temporary event notices which are required for certain licensable activities on a temporary basis

21. The scope of the Policy Statement covers new applications, transfers and variations of premises licences and club premises certificates, temporary event notices and renewals where applicable. It also includes the policy on the review of licences and certificates which could lead to revocation of the premises licence.
22. In general, a reference in the Policy Statement to a premises licence will include a club premises certificate. This policy Statement will cover the period January 2013 to January 2018 but may be amended if there are significant changes in legislation or case law.

Licensing Objectives

23. In carrying out its licensing functions, the authority will promote the licensing objectives set out in the Act. These are:
 - i) the prevention of crime and disorder
 - ii) public safety
 - iii) the prevention of public nuisance
 - iv) the protection of children from harm
24. To achieve these objectives, the authority will use its full range of powers and engage all relevant responsibilities including its planning controls, transport controls, crime and disorder policies and powers. The authority will enter into appropriate partnership arrangements, working closely with the Police, Planning Department, the Fire Authority, local businesses, community representatives and local people in meeting these objectives.

Personal Licences

25. The City Corporation recognises it has little discretion regarding the granting of personal licences. In general provided an applicant has a qualification, accredited by the Secretary of State or a certified equivalent, and does not have certain serious criminal convictions, the application is required to be granted.
26. If an applicant has a relevant conviction the Police may oppose the application, in which case a hearing will be held.

POLICY

27. At any hearing the City Corporation will consider carefully whether the refusal of the personal licence would be in compliance with the licensing objectives. It will consider the seriousness and relevance of the disclosed conviction(s), the period that has elapsed since the offence(s) were committed and any mitigating circumstances. The City Corporation will

refuse the application if it is satisfied that granting it would not promote the licensing objectives.

REASON

- 28 Prevention of crime is both an objective of the Licensing Act 2003 and an important responsibility of the City Corporation under the Crime and Disorder Act 1998. A person holding a personal licence should be properly qualified and be able to assist the action against crime. Granting a licence to a known criminal will in many cases undermine rather than promote the crime prevention objective.

Premises Licences and Club Premises Certificates

a) Application

POLICY

- 29 Applicants for premises licences and club premises certificates are required to produce an operating schedule to accompany their application. In completing the operating schedule, applicants should set out in some detail how they intend to run the premises in order to promote the four licensing objectives. Applicants are expected to have regard to this statement of licensing policy when completing their operating schedules.
- 30 The City Corporation has produced a Code of Good Practice for Licensed Premises to assist applicants in completing their operating schedules for the promotion of the four licensing objectives. The Code forms part of the City Corporation's statement of licensing policy and is attached as Appendix 1 to this document. The City Corporation will expect all applicants to have regard to the Code and to make a positive commitment to preventing problems from occurring at their premises.
- 31 In order to reduce the number of representations and the cost for all parties in having to attend a hearing, applicants are strongly urged to attend a pre-application meeting with officers of the City of London. This will give the applicant the opportunity to discuss any issues with the licensing officers and if necessary, the police and environmental health. Officers can discuss all aspects of the application and compliance with the City of London Licensing Policy to pre-empt any unnecessary representations and hearings.

The costs falling on all parties can also be materially reduced if the applicant has early and detailed discussions with local residents. The City Corporation will accept an amended operating schedule from the applicant where conditions have been agreed between the local residents and the applicant if submitted prior to the last date for making representations. Where these conditions are considered appropriate for the promotion of one or more of the licensing objectives, and meet the requirements of paragraphs 51-56 of this policy, they will be considered as imposed conditions when drafting any new or amended licence.

32 The City Corporation will expect:

- i) all applications to be accompanied by a covering statement explaining in some detail the nature of the proposed operation. If the application is for a licence variation, the statement must also set out the reasons for the variation and whether there are any proposals to change the nature of the operation at the premises
- ii) all applicants to address the licensing objectives in their operating schedule which they are required by the Act to prepare
- iii) all applications to be accompanied by a plan scaled at 1:100 in electronic format together with a hardcopy on A3 size paper using colour where necessary
- iv) the operating schedule to have regard to the nature of the area where the premises are situated, the type of premises concerned, the licensable activities to be provided, operational procedures and the needs of the local community
- v) the applicant to demonstrate in the operating schedule that they have taken appropriate measures to ensure that the premises will be 'good neighbours' and where appropriate demonstrate that consideration has been given to arrangements for the quick, safe and quiet dispersal of customers from their premises
- vi) applicants will complete their own detailed risk assessments on their businesses using the Code of Good Practice for licensed premises as a guide
- vii) any proposed changes to the operating schedule, including change of use, to be notified to the Licensing Authority and, depending on the nature of the changes proposed, the Licensing Authority may require a new premises licence application or the submission of an application to vary the existing licence

33 In particular, the City Corporation will expect the applicant to be proposing practical steps to prevent disturbance to local residents. The City Corporation will expect the applicant to supply an acoustic report in applicable circumstances confirming that there will be no noise breakout from the premises that is likely to cause public nuisance to persons living or working in the area around the licensed premises. Any doubts as to whether such a report is required can be discussed in the pre-application meeting. Any sound leakage must be addressed in practical ways such as:

- i) keeping doors and windows closed and providing adequate mechanical ventilation
- ii) reducing sound levels and installing an approved sound limiting device to prevent sound exceeding the appropriate level, both the device and the level to be approved by a suitably qualified acoustic consultant
- iii) providing double door entry to premises with a ventilated lobby, to reduce noise levels generally and during entry and exit of persons to the premises
- iv) installing soundproofing measures to contain sound and vibration

34. The Licensing Authority expects that premises intended for the provision of noise generating licensable activities are acoustically controlled and engineered to a degree where the noise from the premises when compared to the ambient noise level will not cause undue disturbance. The Licensing Authority recognises specific difficulties associated with other premises structurally linked to would-be licensed premises and the limit of sound insulation performance that can be achieved. In some circumstances licensed premises with amplified music adjoining, or in very close proximity to, residential properties may not be appropriate.

A similar situation can arise in relation to disturbance caused by the dispersal of customers where in some circumstances, large numbers of customers leaving a premises late at night or early in the morning is simply not appropriate.

35. The City Corporation will expect the operators of popular venues, which attract queues, to formulate a system to avoid disturbance to residents. This may sometimes be achieved by simply ensuring that the direction of the queue is away from residential accommodation.
36. However, excessive noise and/or disorder will require more rigorous action. It is important that queues formed later in the evening are supervised to keep noise to a minimum. Door supervisors will generally be expected to carry out this role, but they must be given clear instructions as to their duties and responsibilities which should cover other areas of crime and disorder, for example underage drinking and drugs.
37. The City Corporation strongly recommends that for 'promoted events':
- i) a comprehensive risk assessment is undertaken by the licence holders to ensure that crime and disorder and public safety matters are identified and addressed
 - ii) that the appropriate City of London Police Promoted Event Risk Assessment Form be used for this and submitted to the Police at least 14 days before the event
 - iii) that promoters should have obtained BIIAB Level 2 for Music Promoters
 - iv) that the door supervisor per customer ratio should be 1 : 50
38. In terms of patrons leaving any premises, particularly late at night or early in the morning, the City Corporation will expect the applicant to operate a dispersal policy and to include in the operating schedule practical steps such as:
- i) erecting prominent notices at the exits to premises asking customers to leave quietly and not to slam car doors
 - ii) at appropriate times making loudspeaker announcements to the same effect within the premises
 - iii) instructing door staff to ask customers leaving the premises to leave the area quietly

- iv) reducing the volume of music towards the end of the evening and where appropriate playing quieter, more soothing music as the evening winds down
- v) in appropriate cases, having door supervisors or a manager patrolling nearby streets to assess for themselves whether there is a problem and how best to deal with it
- vi) banning from the premises people who regularly leave in a noisy fashion
- vii) increasing outside lighting levels
- viii) instituting a mini cab/taxi booking scheme
- ix) any other steps which may be appropriate to prevent noise, or other nuisance, to neighbours of the licensed premises

REASON

- 39. A proactive and preventative approach is a key aspect of good management at licensed premises. One of the greatest irritations to residents trying to sleep is the excessive noise escaping from licensed premises. Noise escape from premises may preclude the grant of a licence or constitute grounds for the review of any licence previously granted. There might also be need for a Noise Abatement notice to be issued under the Environmental Protection Act.
- 40. There can be little doubt that a well-managed licensed venue can benefit the local community. However, there is clearly a risk of local residents being disturbed, particularly if the venue is open late at night because people leaving the premises can be a significant problem in the early hours. Customers may be less inhibited about their behaviour and may be unaware of the noise they are creating.
- 41. City of London Police intelligence indicates that some DJ's who perform at events in the City attract a following from gangs and/or have a connection to gangs themselves and some DJ's have convictions for violent crimes. There have been a number of incidents where promoted events attended by members of gangs, have resulted in violent exchanges. Consequently, measures need to be in place to prevent these crimes occurring.

POLICY

- 42. The City Corporation will expect:
 - i) the premises to be presented to the highest possible standards of safety
 - ii) the applicant to have addressed the requirements of Health & Safety at Work and Fire Safety legislation and, where appropriate, the Technical Standards published by the District Surveyors Association. The plans of the premises which must be submitted will be expected to provide evidence of compliance with health and safety matters. Evidence of current safety certificates may be required
 - iii) the operating schedule to detail how the premises will be properly managed and maintained to ensure public safety at all times

REASON

43. Public safety is about protecting the safety and the lives of patrons. It is the wish of the City Corporation that anyone visiting a licensed venue in the City can do so in complete safety and premises may be inspected to ensure that they have been constructed with safety in mind and are well managed and maintained.
44. It is the policy of the City Corporation that there should be comprehensive facilities and access for people with disabilities wherever practicable. The City Corporation will, therefore, expect the needs of disabled people to be addressed in the operating schedule.
45. Wherever practicable, disabled people should not be treated in a less advantageous way than non-disabled people. In addition, there are responsibilities under the Equality Act 2010 and prior legislation that place statutory duties on licensees to ensure that such facilities cater for everyone's needs.

b) Consultation

POLICY

46. It is the policy of the City Corporation that it will always endeavour to make all those affected by an application aware of applications and of the opportunity to make representations. In doing so, every application for a premises licence will be required to be advertised by both the licensing authority and the applicant which will bring the details of the application to the notice of residents and other persons. The applicant will also be required to send a copy of the application to the Police, Fire Authority and other relevant responsible authorities.
47. The local authority will advertise all new licence applications, applications to vary existing licences and Temporary Event Notices on the City of London web site. We will also notify any person by email the details of new licence and variation applications where a person so requests to be kept informed.
48. Representations must be relevant and not vexatious or frivolous. To be relevant the representation will be accepted if it relates to the likely effect of the grant of a licence on the promotion of at least one of the objectives. In other words representations should relate to the impact of licensable activities carried on from premises on the objectives. Representations based on vague references to what may happen if the licence is granted will almost certainly not be considered relevant.

Representations that are founded in whole or in part on stereotypical comments that are based on nothing more than the race, religion, sex or sexuality of any group of people will be treated as vexatious and not considered relevant representations.

REASON

49. The grant of a licence could have a significant impact on the lives or businesses of those living or working in the area around the premises for which a licence is sought. It is only right, therefore, that all those likely to be affected by an application are made aware of it and of the opportunity to make representations.

Determination of Applications

OVERRIDING POLICY PRINCIPLE

50. In determining a licence application, the overriding principle adopted by the City Corporation will be that each application will be determined on its individual merits. The process adopted for determination will, in all cases, follow that required by Regulations made under the Act.

Conditions

POLICY

51. Licence conditions will depend on the individual application and will be imposed where appropriate to meet the licensing objectives. Licence conditions will not be imposed where the City Corporation is satisfied that other regulatory regimes provide sufficient protection to the public eg. health and safety at work and fire safety legislation.
52. It is the policy of the City Corporation that, when considering and applying conditions, such conditions should be clear, appropriate and enforceable. Conditions will be focussed on matters that are within the control of the individual licence holder.
53. Suggested model conditions have been produced to assist applicants, responsible authorities and other persons when proposing and determining conditions for a premises licence, but all should ensure that the conditions apply specifically to the premises and meet the criteria of clarity, appropriateness and enforceability.
54. Suggested model conditions are neither exclusive nor exhaustive. They do not restrict applicants, responsible authorities or other persons in proposing additional or alternative conditions. Nor do they restrict the City of London, when determining contested applications, from imposing any reasonable condition on a licence that it considers appropriate for the promotion of the licensing objectives under the Licensing Act 2003.
55. A premises licence that contains conditions imposed by the City Corporation, or agreed by the applicant, shall also be subject to the statutory mandatory licensing conditions. See Appendix 3 for the full list of mandatory conditions.

REASON

56. The Government's view is that, in general, there should not be standard conditions, some of which might be inappropriate to individual premises. Instead, conditions should depend on the premises and activities concerned, with a view to ensuring that the licensing objectives are achieved.

Location of Premises, Licensing Hours and the Prevention of Nuisance

57. The view of the Government is that longer licensing hours should be encouraged in the interests of avoiding a concentration of disturbance and ensuring that nuisance is minimised to local residents. The Government believes that shops and public houses should generally be permitted to sell alcohol during the hours they intend to open. Entertainment providers should be encouraged to provide a range of entertainment during their operating hours and to promote live music, dancing and theatre for the wider cultural benefit of the community.
58. The City Corporation understands the view of the Government, but considers that the risk of disturbance to local residents is greater when licensable activities continue late at night and into the early hours of the morning. For example, the risk of residents' sleep being disturbed by patrons leaving licensed premises is obviously greater at 02.00 than at 23.00. Residents have a reasonable expectation that their sleep will not be unduly disturbed between the hours of 23.00 and 07:00.

POLICY

59. It is therefore the policy of the City Corporation to strike a fair balance between the benefits to a community of a licensed venue, and the risk of disturbance to local residents and workers. Notwithstanding that all applications will be determined on their merits.

REASON

60. This policy is aimed at the fulfilment of the licensing objective of 'the prevention of public nuisance'.

Location and Impact of Activity

61. In all cases, the granting of a licence will depend on the impact of an activity, particularly on local residents or late night businesses. Consideration will be given to relevant matters including, but not limited to, the level of noise and vibration, litter, people coming and going, queuing and any potential for criminal activity or disorder.
62. The City Corporation takes note of the nuisance and potential danger to pedestrians and particularly to disabled people and those using access equipment or items such as pushchairs by the obstruction of the highway,

which includes the footway, by customers of the licensed premises smoking, drinking and eating on the public highway.

POLICY

63. In relation to operating schedules:
- i) the City Corporation will expect that all operating schedules indicate the steps an applicant is taking to comply with the licensing objectives
 - ii) any operating schedule submitted in respect of premises shall include proposed times of operating and details of how the applicant intends to comply with the licensing objectives and in particular, how the outside areas will be managed to prevent noise, smell, or obstruction nuisance to neighbours and the public
 - iii) the proposals in the operating schedule should include an assessment of the potential for public nuisance arising from customers smoking, eating and drinking in outdoor areas and on the public highway outside the premises and how this is to be managed with particular reference being made to:
 - a) restricting the number of customers permitted in certain outside areas and/or at certain times
 - b) limiting the number of customers permitted on the premises at any one time
 - c) not permitting customers who are smoking to take drinks outside with them
 - d) the arrangements in place for the regular removal of used glasses, crockery and cutlery
 - e) locating smoking areas away from residential premises
 - f) using door supervisors and employees to monitor possible public nuisance issues with a ratio not less than 1 door supervisor for every 100 customers
 - g) providing a form of demarcation and or physical barrier acceptable to the Highways Authority to be used to mark the boundary of the area outside the premises where customers are allowed to drink
 - h) the steps they intend to take to educate their customers and prevent public nuisance arising from litter and prevent the use of alleyways, street corners, and open pavements in the area around their premises as urinals
 - i) how they will work with other licensees in the area to combat nuisance caused by night time visitors creating noise and urinating in the alleyways, street corners and open pavements in the area around the premises
 - iv) with regard to the licensing objective of public safety, the issue of capacity should be addressed in the fire risk assessment for the

premises use. This does not mean that every premises must have a capacity figure. However there should be evidence that the responsible person has considered the number of persons who can be safely evacuated through the available exits.

A safe capacity figure will however be expected in the following circumstances:

- a) in premises that could potentially become overcrowded, for example bars, pubs, clubs, and other places of public assembly. Particularly when a promoted event is to take place.
- b) where an engineered solution or BS 9999 has been used to increase capacity
- c) where capacity is risk critical, for example where the premises use has a higher occupancy factor than that which the building was designed for
- d) where applicable, capacity should normally be inclusive of staff and performers. Management should be able to demonstrate a realistic method of controlling capacity
- v) In order to promote the licensing objective of public safety, the issue of the use of candles should be addressed in the fire risk assessment of all premises where candles may be used. The City Corporation requires all measures identified and recommended by the London Fire Bridge during their audit/ inspection to be adopted and implemented at all times, so as to reduce or remove the risk of danger to public safety

REASON

64. Any activity involving public entertainment or eating or drinking on the premises has the potential to impact adversely on the surrounding area due to noise, smells, or congestion on the footway. It may also be caused by the customers being noisy on departure or leaving litter. The impact of noise generated by these activities, especially customers departing either on foot or in cars, is particularly intrusive at night when ambient noise levels are much lower.
65. Although largely commercial, much of the City is very sensitive to the impact of licensed activities because it is close to either residential areas or areas of late night financial business. The impact of traffic going to and from licensed premises can be considerable. Even where a majority of customers arrive on foot or by public transport, the numbers of people dispersing may be significant.

Consideration of the Impact of Licensed Activities

POLICY

66. When considering whether any licensed activity should be permitted, the City Corporation will assess the likelihood of it causing unacceptable adverse

impact, particularly on local residents and businesses, by considering the following factors amongst other relevant matters:

- i) the type of use
- ii) the proposed hours of operation
- iii) the means of access to and exit from the premises by patrons
- iv) the measures that are proposed to avoid nuisance being caused to residents and businesses in particular from outside smoking, drinking and eating in terms of noise, obstruction of the highway and anti-social behaviour
- v) the matters set out in the City Corporation's Policy in relation to operating schedules, which will include, among other factors, any negative cumulative impact of licensed premises in an area and, in considering any application for review of premises already licensed, the City Corporation may take into account evidence of the following:
 - a) past demonstrable adverse impact from the activity especially on local residents and businesses
 - b) any appropriate measures which have been agreed and put into effect by the applicant to mitigate any adverse impact
 - c) adoption of the City Corporation's Code of Good Practice for Licensed Premises

REASON

67. The prime purpose of this part of the Policy Statement is to achieve the licensing objective of preventing public nuisance. In furtherance of this aim, the Statement lists particular matters that the City Corporation will take into account in considering whether a licensed activity is likely to cause an adverse impact, particularly to local residents:

- i) the precise nature of the activity, especially for entertainment, will be a factor in considering the impact of the activity
- ii) levels of noise from licensed premises which may be acceptable at certain times of day may not be acceptable later in the evening or at night when ambient noise levels are much lower
- iii) with any adverse impact it may be possible to take steps to mitigate or prevent the impact and if such measures are reliable an activity may be licensed. In accordance with Government advice, the decisions taken by the City Corporation will obviously be focused on matters within the control of individual licensees and others granted relevant permissions and the steps they can take to achieve the licensing objectives. Accordingly, these matters will centre on the premises and places being used for licensable activities and the likely impact of those activities on members of the public living, working or engaged in normal activity in the area concerned

68. In reaching its decisions, the City Corporation acknowledges the difficulty a licence holder has in preventing anti-social behaviour by individuals once

they are beyond the direct control of that licence holder. However, it will also take into account that the licensing objective of preventing public nuisance will not be achieved if patrons from licensed premises regularly engage in anti-social activities to the detriment of nearby residents or businesses. Furthermore, it will also take into account its responsibility under the Crime and Disorder Act 1998 to do all it can to prevent crime and disorder in the City. The aim of the Policy is, therefore, to achieve a holistic and balanced approach to these difficult issues although, it must be realised that there may be circumstances where measures within the control of the applicant are likely to be insufficient to prevent one or more of the licensing objectives being undermined. In these circumstances it may not be appropriate for a premises licence to be granted.

Saturation and Cumulative Impact

POLICY

69. In determining an application, the authority will take into account, in the interests of public safety and the avoidance of nuisance, any representations relating to the negative cumulative impact that the existence of a saturation of premises in one area may have. A saturation of licensed premises can attract customers to the area that has an impact on the surrounding area beyond the control of individual licence holders.
70. The City Corporation will take this into account whenever it receives representations about cumulative impact on the licensing objectives if warranted within a specific area. This may include parts of neighbouring boroughs.

REASON

71. The impact from licensed premises increases considerably in areas where there are concentrations of such venues. The adverse effects from licensed activities are particularly acute in some areas of the City. The City Corporation will consider the effects of licensed premises saturation which may cause a significant negative cumulative impact in such areas.

Variable Closing Times

72. One of the aims of the new licensing regime is to prevent concentrations of patrons exiting the premises at 23:00 as happened under the inflexible licensing hours of the previous liquor licensing arrangements. The Government has abolishing fixed licensing hours in favour of hours suitable for individual premises.

POLICY

73. In areas containing a number of licensed premises, the policy of the City Corporation will be to encourage licensees to vary their closing times so that patrons leave for natural reasons over a longer period. Notwithstanding that, each application will be determined on its merits.

REASON

74. The aim of this policy is to minimise disturbance and strain on transport systems. It is also designed to prevent the replication of the existing large scale departures of patrons, whatever the hour, to the detriment of the licensing objectives of preventing public nuisance and crime and disorder.

Tables and Chairs Outside Premises

75. The provision of tables and chairs outside premises, either on the highway or on private land, can enhance the attractiveness of the venue. It can have the benefit of encouraging a continental style café culture. However, late at night these same tables and chairs can contribute to noise problems. This is because they can encourage patrons and passers-by to loiter rather than disperse.
76. The placing of tables and chairs on the public highway requires the consent of the City Corporation's Planning & Transportation Committee. On private land, such consent is not needed albeit this may constitute a 'material change of use' that requires planning permission. Applicants should also be mindful of current conditions attached to existing planning permissions and that the placing of tables and chairs outside their premises do not contravene any planning requirements.

POLICY

77. The City Corporation may determine hours of operation, for example by setting additional conditions where appropriate to meet the licensing objectives, taking into consideration crime and disorder, noise safety and local residents' amenities and would wish to see details of the proposed operation in the operating schedule.

REASON

78. This policy is designed to strike a fair balance between the needs of those wishing to enjoy refreshment in the open air and the need to prevent problems concerning safety and nuisance.

Smoking

79. Legislation in relation to smoking in enclosed spaces came into force on 1 July 2007. From that date it became illegal to smoke or to fail to prevent smoking in a smoke-free place.

POLICY

80. The City Corporation may take into consideration the possible effect of people leaving licensed premises to smoke when determining licence applications. This relates to safety of patrons and passers-by and also nuisance from noise or litter.

REASON

81. This is to take into account any concerns relating to safety and nuisance from people outside premises.

Sexual Entertainment Venues

82. The City Corporation has a separate policy for applications for Sexual Entertainment Venues in the City and applicants should refer to that policy for guidance.

Other Controls

83. The Government's view is that Statements of Licensing Policy should indicate other mechanisms that are available for addressing issues of customers behaving badly away from licensed premises such as:
- i) planning controls
 - ii) positive measures to create a safe and clean City centre environment in partnerships with local businesses, transport operators and other local authority departments
 - iii) the provisions of CCTV surveillance in town centres, ample taxi ranks, provision of public conveniences open late at night, street cleaning and litter patrols
 - iv) powers of local authorities to designate parts of the local authority area as places where alcohol may not be consumed publicly
 - v) Police enforcement of the general law concerning disorder and anti-social behaviour, including the issue of fixed penalty notices
 - vi) the prosecution of any personal licence holder or member of staff at such premises who is selling alcohol to people who are drunk
 - vii) the confiscation of alcohol from adults and children in designated areas
 - viii) Police powers to close down instantly for up to 24 hours any licensed premises or temporary event on the grounds of disorder, the likelihood of disorder or excessive noise emanating from the premises causing a nuisance
 - ix) the power of the Police, other responsible authorities or other person or business to seek a review of the licence or certificate in question. See Appendix 4 for contact details of the responsible authorities

POLICY

84. It is the policy of the City Corporation to consider very carefully the implications of granting a licence when the hours sought extend into the early hours of the morning.

REASON

85. This is because many of these mechanisms may be of limited effectiveness and value in dealing with anti-social behaviour away from the premises.

Protection of Children

86. The protection of children from harm is an important licensing objective. Nevertheless, the City Corporation will not normally impose conditions requiring or prohibiting the admission of children to any premises, believing this should remain a matter of discretion for the licence holder and takes account of the view of Government that the use of licensed premises by children should be encouraged. However, it will, where appropriate, impose conditions designed to protect children.

POLICY

87. The City Corporation will take strong measures to protect children from harm. Examples of premises where the introduction of additional controls are likely to be appropriate are:
- i) where entertainment or services of an adult or sexual nature are commonly provided
 - ii) where there have been convictions of members of the current staff at the premises for serving alcohol to minors or with a reputation for underage drinking
 - iii) where there is a known association with drug taking or dealing
 - iv) where there is a strong element of gambling on the premises (but not, for example, the simple presence of a small number of cash prize gaming machines)
 - v) where the supply of alcohol for consumption on the premises is the exclusive or primary purpose of the services provided at the premises
88. While in some circumstances it may be appropriate to impose a complete prohibition, the City Corporation will in other situations consider imposing requirements such as:
- i) limitations on the hours when children may be present
 - ii) limitations or the exclusion of the presence of children under certain ages when particular specified activities are taking place
 - iii) limitations on the parts of premises to which children might be given access
 - iv) age limitations (eg. no person under 18)
 - v) requirements for accompanying adults (including for example, a combination of requirements which provide that children under a particular age must be accompanied by an adult)
 - vi) full exclusion of those people under 18 from the premises when any licensable activities are taking place
89. Where the exhibition of films is permitted, the authority will expect the age restrictions of the British Board of Film Classification (BBFC) or the City Corporation in respect of the films to be exhibited to be complied with.

90. In relation to specialist Film Festivals where it is desired to show films not classified by the BBFC, the City Corporation will classify the films concerned. Adequate notice will need to be given by the Festival organiser if Corporation classification is required. To achieve consistency and the protection of children, the City Corporation will use the guidelines published by the BBFC.
91. In addition, the City Corporation will use its other statutory functions to ensure the protection of children from harm with particular emphasis on the sale of alcohol to underage persons.

REASON

92. These policies are designed to allow flexibility for the licensee to ensure that, where appropriate, licensed premises are suitable for children but to ensure they are adequately protected.

Drugs

93. Recent surveys indicate a general increase in the use of illegal drugs, involving a wider range of substances. This is particularly true of what are often referred to as 'recreational drugs'. The misuse of such drugs holds grave dangers and has led to fatalities.
94. Other factors may have contributed to these deaths, such as a lack of drinking water, excessive drinking of water, an overly hot environment with inadequate ventilation, or a lack of adequate information about drugs.
95. Drugs alter the way people behave, so their distribution and possession is controlled by law. Controlled drugs are usually manufactured and supplied illegally, which attracts criminal involvement in their distribution. Drugs manufactured illegally often vary in quality and strength which puts people taking such drugs in further danger.
96. The City Corporation recognises that drug use by young people in a club environment is not something that applies to all licensed premises. However, many entertainment venues, such as night clubs and dance venues, can be popular with both drug users and suppliers.

POLICY

97. The City Corporation will expect licensees of venues to take all reasonable steps to prevent the entry of drugs into premises under their control, to take appropriate steps to prevent drugs changing hands within the premises and to take practical measures to prevent tragedies as a result of drug misuse by way of management and design of the premises.
98. In particular, the City Corporation will expect licensees of such venues to be familiar with the contents of Chapter 4 (drug awareness) of the BIIAB Level 2 National Certificate for Entertainment Licensees and to be following the recommendations of that handbook. The BIIAB is a legal entity, and is the British Institute of Innkeeping Awarding Body. The City Corporation will also

expect licensees to be following the recommendations of the book 'Safer Clubbing' issued by the London Drug Policy Forum and endorsed by the Home Office.

99. Failure to follow these recommendations, and those set out in the Code of Good Practice for Licensed Premises, on a voluntary basis could lead to the licence being reviewed with the possibility of revocation. In appropriate cases the City Corporation will consider imposing the recommendations detailed in these publications by way of licence conditions.

REASON

100. The purpose of this policy is to further the crime prevention objective and to ensure public safety by preventing harm and loss of life caused by drug abuse, overheating and other factors.

Planning

101. Any premises for which a licence is required should normally have an authorised use under town planning legislation.

POLICY

102. It will be the policy of the City Corporation that applications for premises licences in respect of permanent commercial premises will be reminded of the need to secure the necessary planning consent, if not already obtained, before carrying on their licensable activities. Applicants' attention will be drawn to relevant planning policies in order to assist their application process e.g. policies concerning managing night time entertainment. An application for any variation of a licence would not relieve the applicant of the need to apply for planning permission or building control consent where appropriate.
103. Coordination of these functions will be facilitated by the Licensing Committee and the Planning & Transportation Committee, each committee being kept informed of the actions taken.

REASON

104. This policy is to avoid unnecessary duplication and, thereby, comply with Home Office guidance. Licensing applications will not be a re-run of the planning process and will not cut across decisions taken by the local planning authority. However, there could be occasions when a licence is refused for licensing reasons where an authorised planning use exists. Under these circumstances any existing planning permission does not override the decision to refuse a premises licence and vice versa.

Other Integration Strategies

POLICY

105. The City Corporation will continue to work in partnership with the City of London Police, the City of London Safer City Partnership, Transport for

London and other agencies and organisations which impact on the Corporation's licensing responsibilities. In particular, the City Corporation commends initiatives such as 'Safety Thirst' or equivalent accreditation schemes relating to the responsible promotion of City venues as welcoming to all.

REASON

106. The City Corporation recognises that there are many interlinking strategies introduced for the good management of its area and its night-time economy. Many of these strategies are not directly related to the promotion of the four licensing objectives, but indirectly impact upon them. Co-ordination and integration of such policies, strategies and initiatives are therefore important.

Enforcement

107. Where necessary, enforcement action will be taken in accordance with the principles of good enforcement, as set out in the Legislative and Regulatory Reform Act 2006, the Enforcement Concordat and the Regulators' Compliance Code, which promote consistency of enforcement throughout the country. Action taken will meet the requirements of the City of London's Department of Markets and Consumer Protection's Policy Statement on Enforcement.
108. In particular, enforcement action will have regard to the fundamental principles recommended by the Better Regulation Task Force for good enforcement:
- i) risk assessment – i.e. focusing on activities that give rise to the most serious risks or where hazards are least well controlled
 - ii) consistency – i.e. similar approaches in similar circumstances to achieve similar ends
 - iii) transparency – i.e. helping licensees to understand what is expected and distinguishing between statutory requirements and guidance
 - iv) proportionality – i.e. action taken should be proportional to the risk presented
109. The authority will establish protocols with the local Police and the Fire Authority on enforcement issues to avoid duplication and to provide for the most efficient deployment of City Corporation, Police and Fire Authority officers in respect of inspection of licensed premises and the enforcement of licensing law.
110. The policy of the City Corporation will always be a light touch inspection regime for well-managed and maintained premises, with a targeted and graduated inspection and enforcement regime for problem and high-risk premises.

Discharge of Functions

111. The Act provides that the functions of the licensing authority (including its determinations) are to be taken or carried out by its Licensing Committee (except those relating to the making of a statement of licensing policy or where another of its committees has the matter referred to it). The Licensing Committee may delegate these functions to sub-committees or, in appropriate cases, to officials supporting the licensing authority. Where licensing functions are not automatically transferred to licensing committees, the functions must be carried out by the licensing authority as a whole and not by its executive.

112. The discharge of functions are as follows:

Matters to be dealt with	Sub Committee	Officers
Application for personal licence	If a Police objection	If no objection made
Application for personal licence with unspent convictions	All cases	
Application for premises licence/club premises certificate	If a relevant representation made	If no relevant representation made
Application for provisional statement	If a relevant representation made	If no relevant representation made
Application to vary premises licence/club premises certificate	If a relevant representation made	If no relevant representation made
Application to vary designated premises supervisor	If a Police objection	All other cases
Request to be removed as designated premises supervisor		All cases
Application for transfer of premises licence	If a Police objection	All other cases
Application for interim authorities	If a Police objection	All other cases
Applications to review premises licence/club premises certificate	All cases	
Decision on whether a		All cases

complaint is irrelevant, frivolous, vexatious etc.		
Decision to object when local authority is a consultee and not the relevant authority considering the application	All cases	
Determination of a police or environmental health objection to a temporary event notice	All cases	
Determination of application to vary premises licence at community premises to include alternative licence condition	If Police objection	All other cases
Decision whether to consult other responsible authorities on a minor variation		All cases
Determination of a minor variation application		All cases

DRAFT

Licensing Code of Good Practice

Introduction

The Licensing Act 2003 (the Act) focuses on the promotion of four statutory licensing objectives which must be addressed when licensing functions are undertaken. The four licensing objectives are:

- The prevention of crime and disorder
- Public safety
- The prevention of public nuisance
- The protection of children from harm

Aim of the code

The aim of this code is to provide applicants and licensees with guidance on good practice for the promotion of the four licensing objectives which are paramount considerations at all times. The code is consistent with the Home Office guidance issued under section 182 of the Act and with the City of London's statement of licensing policy.

It outlines what the City of London licensing authority and its responsible authority partners expect in practical terms from applicants when completing their operating schedules and from licensees when operating their premises under the terms of a premises licence.

Applicants and licensees are expected to make a proactive commitment to preventing problems occurring at licensed premises through the adoption of this code.

Risks associated with licensed premises

Risks associated with licensed premises can vary dependent on the premises type and characteristics, the design, layout and general environment, the location, the policies in place and the events being held there.

This code identifies many of the possible risks associated with the sale of alcohol and the provision of entertainment or late night refreshment and sets out good practice measures to mitigate those risks. It provides a key mechanism for the promotion of the licensing objectives, for well run premises and a responsible approach to alcohol, entertainment and late night refreshment in the City of London.

It is recognised that not every risk will be relevant to every premises and it is unlikely that any one premises will need to address all of the measures. Indeed some premises may only need to introduce one or two measures.

The code cannot anticipate every possible risk, problem or circumstance that may arise from licensed premises. Neither does the code restrict an applicant or licence holder from promoting the licensing objectives through alternative means.

How will the code be used?

Applicants and licensees

A proactive and preventative approach is a key aspect of good management at licensed premises. The City of London licensing authority therefore expects applicants to have regard to this code when completing their operating schedule.

If problems occur at licensed premises after a licence has been granted and a reactive approach is needed, licensees should put additional operational measures in place to manage and prevent those problems from recurring. The City of London licensing authority expects licensees to have regard to this code when considering additional operational measures.

The licensing authority and responsible authorities

The code is not a statutory document but it will be taken into consideration and used by the licensing authority and responsible authorities as follows:

- when responding to licence applications where the licensing objectives have not been adequately addressed in the operating schedule;
- as a first point of dealing with licensed premises encountering problems, to raise standards to promote the licensing objectives in those premises and avoid further problems; and
- for the review of licences where there is evidence that licensees have not promoted the licensing objectives.

Dealing with problem premises

The routine monitoring of licensed premises will be undertaken by the licensing authority and responsible authorities and findings under the four licensing objectives will be brought together.

Problems or concerns with licensed premises will be identified and flagged up at an early stage and advice will be offered to licensees with a view to improving standards at their premises and to prevent or minimise subsequent problems.

Where problems have been identified, the licensing authority and responsible authorities will agree appropriate measures from the code with the licence holder to be implemented at the premises. The aim of the code is to avoid the need for enforcement action such as prosecution or review but it will not replace enforcement action where it is necessary.

Acknowledging well managed premises

The code will also be used by the licensing authority and its licensing liaison partners to acknowledge and support well run premises through schemes such as Safety Thirst.

General – all four licensing objectives

This section provides guidance on good practice for the general promotion of all four licensing objectives at licensed premises. It is intended to help those applying for new licences or variations to existing licences in completing their operating schedules. It is also designed to guide licensees on the general promotion of the licensing objectives after a licence has been granted.

Licensees and their staff have responsibility for the effective and safe management of their premises and the promotion of the four licensing objectives. Training is the key to giving licence holders, premises managers and staff the knowledge and skills to deal with and manage risks associated with licensed premises. Training should be provided to all staff and should be about both preventing and managing problems occurring at premises. Training should be regularly updated.

Risk	Good practice measure
<p>Lack of knowledge or understanding of the Licensing Act 2003</p>	<p>G1 (a) Well trained staff will contribute to well run premises and a responsible approach to the sale of alcohol, provision of entertainment and late night refreshment. Formal qualifications for your staff, either to Personal Licence level or to another appropriate standard recognised by bodies such as the British Institute of Innkeepers (BII) would be preferred.</p> <p>(b) All staff should be advised of licensing law in writing before they are allowed to serve alcohol.</p> <p>(c) Training should also be provided on premises' specific policies relevant to the operation of the business.</p> <p>(d) A record should be kept of the date and name of person trained or advised and be made available for inspection by the police or licensing authority.</p>

Prevention of crime and disorder

This section provides guidance on good practice for the prevention of crime and disorder from licensed premises. It is intended to help those applying for new licences or variations to existing licences in completing their operating schedules. It is also designed to guide licensees on the prevention and management of crime and disorder from their premises after a licence has been granted.

The main causes of crime and disorder in licensed premises arise from inadequate security provisions, poor design and layout, the type of event being promoted, overcrowding and customers being drunk or under the influence of drugs. This can result in theft, conflict, violence and anti-social behaviour. It is therefore recommended that applicants and licensees take a proactive approach to preventing and managing crime and disorder from their premises.

All applications for new licences and variations should address the steps proposed to prevent crime and disorder and this is best achieved through a premises risk assessment. Alcohol can be a significant contributory factor to levels of crime and disorder in an area. Good management and good practice along with adequate physical controls can make an important difference to the level of alcohol related crime at premises. Such measures should be reflected in the operating schedule.

For new premises or the refurbishment of existing premises, preventative measures should be factored in during the design stage. Consideration should be given to the design and layout of the premises to minimise the potential for crime and disorder. Useful information can be found in documents such as 'Secured by Design'.

Licence holders should have clear documented policies and procedures in place which identify all crime and disorder risks associated with their premises and the measures implemented to prevent, manage and respond to those risks.

Risk	Good practice measure
<p>Security in and around the premises</p> <p>Security in and</p>	<p>CD1 (a) An alarm or other security measure should be installed at the premises to protect it when closed or empty.</p> <p>(b) Emergency exits should be alarmed when the premises are open to the public so that staff are immediately notified of unauthorised opening or tampering.</p> <p>(c) Any staff or private areas and cellars should be kept locked and secured whilst the premises are open to the public.</p> <p>CD2 (a) CCTV should be installed inside and outside the premises. The cameras should cover all internal areas accessible to the public and areas immediately outside the premises. The date and time settings on the system must be correct.</p> <p>(b) The recordings should be in real time and on hard drive with the availability to copy disks for other agencies such as the police.</p>

Risk	Good practice measure
<p>around the premises (cont)</p>	<p>(c) For analogue systems, tapes should be changed daily and used no more than 12 times.</p> <p>(d) Recordings should be kept for a minimum period of 31 days.</p> <p>(e) Staff should be trained in the maintenance and operation of such systems with a record kept of the date and name of person trained. Records should be made available for inspection by the police or licensing authority.</p> <p>(f) A trained member of staff should be on duty to operate the system whenever the premises are open.</p> <p>CD3 External lighting provides an obvious means of crime deterrence. Care should be taken so that lighting does not impact on neighbours.</p> <p>CD4 (a) Security systems should be integrated so that the alarm, CCTV and lighting work together in an effective manner.</p> <p>(b) The alarm should be linked to a system that will notify the police if it is activated.</p> <p>CD5 (a) Door staff and/or stewards should be employed at the venue to supervise admissions and customers inside the venue.</p> <p>(b) Any person performing the role of a door supervisor must be licensed with the Security Industry Authority (SIA) and SIA badges must be clearly displayed whilst working.</p> <p>(c) Door staff should be easily identifiable by wearing a uniform, high visibility jackets or arm bands.</p> <p>(d) Door staff should sign into a register detailing their full SIA licence number, their name, contact details and the time and date their duty commenced and concluded.</p> <p>(e) Stewards and other staff at the premises should also be easily identifiable. Stewards must not be used for supervision of the door.</p> <p>CD6 (a) Effective security policies based on risk assessments can protect your premises, staff and customers from threats, conflict or violence.</p> <p>(b) Security policies should be formulated in consultation with a police crime prevention officer.</p>
<p>Security in and around the premises (cont)</p>	<p>(c) All staff must be aware of a premises security policy with a</p>

Risk	Good practice measure
<p>Crime including conflict, violence or aggression in and around the premises (cont)</p>	<p>restrictions, expected dress standards or the screening of hand bags should be widely publicised on any promotional material or website and clearly displayed at the entrance to the premises.</p> <p>CD12 (a) Ejecting or refusing entry to persons from the premises if they do not meet your admissions standards or they are known to be violent or aggressive.</p> <p>(b) In such cases, an entry should be made in an incident or log book</p> <p>CD13 (a) A policy to manage capacity should be adopted to prevent overcrowding and patrons possibly becoming aggressive through accidental jostling.</p> <p>(b) For promoted events and large venues, the use of clickers is essential to record the number of patrons inside the premises.</p> <p>(c) For other events or smaller venues, ticket sales or head counts may be appropriate.</p> <p>(d) Consideration should be given to deliberately running below capacity to afford a comfort factor to your patrons and avoid conflict, violence or aggression within the premises.</p> <p>CD14 (a) Alternatives to glass drinking vessels should be considered to prevent glassware being used as an assault weapon, particularly during promoted events.</p> <p>(b) Drinking vessels made from plastic or polycarbonate would be preferred particularly in outside areas.</p> <p>(c) Where alternatives are not used, there should be a robust glass collection policy in place. This should include regular collection of glassware by staff and prevention of glassware being removed from the premises.</p> <p>CD15 (a) Measures to preserve a crime scene until police arrival, following the outbreak of disorder or any other crime, should be clearly documented in a policy.</p> <p>(b) Such a policy should be formulated in consultation with a police crime prevention officer.</p> <p>(c) All staff must receive training on the policy with a record kept of the date and name of person trained. Records should be made available for inspection by the police or licensing authority</p>

Risk	Good practice measure
	<p>CD16 (a) Staff training in conflict management should be provided to give them the knowledge and confidence to deal with difficult situations and reduce crime and disorder at the premises.</p> <p>(b) Training should also cover dealing with, logging and reporting incidents if they occur.</p> <p>(c) A record should be kept of the date and name of person trained. Records should be made available for inspection by the police or licensing authority.</p> <p>CD17 Sharing of information with others in the industry. Regular meetings, the use of local radio networks or membership of a local pub/club watch scheme will enable information to be passed on about trouble makers and common problems in the area.</p>
<p>Drugs and weapons being brought into the premises</p> <p>Drugs and weapons being brought into the premises (cont)</p>	<p>CD18 (a) A zero tolerance policy to the use of drugs and carrying of weapons in the premises should be adopted with a clear “no search no entry” message.</p> <p>(b) Posters can be displayed throughout the premises to remind customers of zero tolerance policy.</p> <p>CD19 (a) Effective search policies will minimise the opportunity for drugs and weapons to be brought into licensed premises and lead to drug and weapon seizure if attempts are made.</p> <p>(b) The use of search arches and wands may be appropriate in some cases.</p> <p>(c) Search policies should be formulated in consultation with the City of London Police licensing team.</p> <p>(d) Search policies must be advertised widely on tickets, promotional leaflets and on websites and prominently in the premises entrance and queuing area.</p> <p>(e) Searches should always be carried out in public areas and covered by CCTV.</p> <p>(f) All staff must be trained on search policies with a record kept of the date and name of person trained. Records should be made available for inspection by the police or licensing authority.</p> <p>CD20 Calling the police if customers are suspected of being in possession of drugs or weapons.</p>

Risk	Good practice measure
	<p>All staff must be made aware of this requirement.</p> <p>CD21 (a) Seizing, retaining and documenting any drugs or weapons found with a clear audit trail and a process for surrendering them to the Police.</p> <p>(b) A search policy should clearly set out procedures that must be followed by staff should they find drugs or weapons during a search, including the use of tamper proof bags and safe storage of seized items, details that need to be recorded and circumstances when the police should be called.</p> <p>CD22 (a) Supervising toilet areas can be effective in discouraging drug selling or use.</p> <p>(b) A toilet attendant may be appropriate for promoted events or on busy nights such as Friday and Saturday.</p> <p>(c) Regular toilet checks such as swabbing should be considered and where conducted, these should be documented with date, time and finding recorded.</p> <p>(d) Removal of flat surfaces in toilet areas can reduce the likelihood of drug misuse</p> <p>CD23 Drug awareness training should be provided for all staff. A record should be kept of the date and name of person trained. Records should be made available for inspection by the police or licensing authority.</p>
<p>Theft from premises or lost property</p>	<p>CD24 Bag hooks (Chelsea clips) should be provided to prevent bag snatching.</p> <p>CD25 Clear signage should be displayed throughout the premises about crime prevention and to warn customers of the potential for pickpockets and bag/laptop snatchers.</p> <p>CD26 Property patrols, managed cloakrooms and toilet attendants can be employed to prevent theft from patrons or the premises.</p> <p>CD27 Premises layout and lighting should be considered. Secluded or dimly lit parts of the premises should be avoided as they can encourage crime.</p> <p>CD28 Mirrors used throughout the premises can aid supervision and act as deterrents to thieves.</p> <p>CD29 A lost and found policy should be in place in relation to lost/found property at the premises. The policy should include procedures regarding the logging</p>

Risk	Good practice measure
	<p>and disposal of property and in particular any valuable property. Passports and any other ID found should be handed in to any police station.</p> <p>CD30 (a) Carefully positioning alcohol in retail premises can reduce theft from the premises. Alcohol is a key target for shop thieves so it is best not to place alcoholic beverages within the first few metres near the door as this allows thieves to ‘grab and run’.</p> <p>(b) It may be helpful for alcohol display areas to be covered by CCTV if possible.</p> <p>CD31 Security tagging any items considered a specific target for theft, particularly alcoholic drinks over a certain price level will deter thieves.</p>
<p>Disorder from customers queuing to enter the premises or when leaving the premises</p> <p>Disorder from customers queuing to enter the premises or when leaving the premises</p>	<p>CD32 Reduce the potential for excessive queue lines with a well managed and efficient door policy. Long queuing times can cause people to become agitated or aggressive. Searches should therefore be conducted as quickly and effectively as possible.</p> <p>CD33 (a) A customer dispersal policy can minimise the potential for disorder from customers leaving the premises. A policy should clearly set out measures to avoid a mass exit at the end of the evening such as a gradual change in music style and increasing lighting levels.</p> <p>(b) Sufficient staff should be available at the end of the evening to manage a controlled shut down of the premises and maintain good order as customers leave.</p> <p>CD34 (a) Staff training in preventing disorder should be provided to give them the knowledge and confidence to deal with difficult situations.</p> <p>(b) A record should be kept of the date and name of person trained. Records should be made available for inspection by the police or licensing authority</p>
<p>Customers getting drunk and dealing with drunken customers</p>	<p>CD35 (a) Drinks promotions should be socially responsible and not encourage excessive drinking.</p> <p>(b) A documented policy on responsible drinks promotions</p>

Risk	Good practice measure
<p data-bbox="188 1120 464 1256">Customers getting drunk and dealing with drunken customers (cont)</p>	<p data-bbox="526 172 1409 344">should be in place at the premises and should adhere to industry codes such as those recommended by the British Beer and Pub Association (BBPA) and The Portman Group. This is in addition to adherence with the mandatory licensing condition regarding irresponsible promotions.</p> <p data-bbox="526 383 1409 450">(c) Any drinks promotion should market the availability of soft drinks</p> <p data-bbox="526 488 1362 624">CD36 (a) Staff training on the effects of alcohol and how to spot early signs of customers becoming drunk should be provided to give them the knowledge and confidence to deal with drunken patrons.</p> <p data-bbox="526 663 1409 799">(b) Staff should be aware of their responsibilities under the Licensing Act 2003 and be able to recognise appropriate 'cut off' points for serving drunken customers, so as to reduce the likelihood of fights or aggressive behaviour.</p> <p data-bbox="526 837 1409 943">(c) When staff are collecting glasses, they can interact with customers and assess the levels of drunkenness. Any concerns should be reported back to a manager.</p> <p data-bbox="526 1048 1409 1153">(d) A record should be kept of the date and name of person trained. Records should be made available for inspection by the police or licensing authority.</p> <p data-bbox="526 1191 1409 1397">CD37 A duty of care policy regarding persons suffering adversely from the effects of drink should be in place at the premises. The policy should clearly express that every effort will be made by staff to prevent patrons from deteriorating to an uncontrolled intoxicated extent. All staff must be briefed on the policy.</p> <p data-bbox="526 1435 1398 1541">CD38 Drink-aware posters can be displayed in the premises to remind customers of the unit content in alcoholic drinks and the safe alcohol consumption limits.</p>
<p data-bbox="188 1612 499 1718">Consumption of alcohol on the street and street drinkers</p>	<p data-bbox="526 1612 1385 1818">CD39 Restrict the sale of strong beer and cider above 5.5% ABV and the sale of single cans or bottles of beer and cider. Such sales can contribute to anti social behaviour and disorder through the consumption of alcohol on the street and in open spaces by street drinkers or persons who are already drunk.</p>
<p data-bbox="188 1897 453 2002">Sale of alcohol outside permitted hours</p>	<p data-bbox="526 1897 1385 2002">CD40 Lockable shutters can be fitted on display units for alcohol in retail premises, which can be closed and locked at the end of permitted hours.</p>

Public Safety

This section provides guidance on good practice for the promotion of public safety at licensed premises. It is intended to help those applying for new licences or variations to existing licences in completing their operating schedules. It is also designed to guide licensees on the promotion and management of public safety at their premises after a licence has been granted.

The carrying on of licensable activities in particular the provision of alcohol and some types of entertainment can increase risks to the safety of the public (including performers) attending licensed premises. It is therefore recommended that applicants and licensees take a proactive approach to protecting and managing public safety at their premises.

All applications for new licences and variations should address the steps proposed to promote public safety and this is best achieved through a premises risk assessment.

For new premises or the refurbishment of existing premises, preventative measures should be factored in during the design stage. Consideration should be given to the design and layout of the premises to achieve the highest possible standard of safety.

Licence holders should have clear documented policies and procedures in place which identify all public safety risks associated with their premises and measures implemented to prevent, manage and respond to those risks.

Risk	Good practice measure
<p>General safety of staff and customers</p>	<p>PS1 (a) A full risk assessment taking into account public safety should be carried out at the premises to identify potential hazards posed to staff or customers and setting out precautions to manage the hazards. Templates can be found on the Health and Safety Executive website and on the Communities and Local Government website. A risk assessment should be regularly reviewed at least every 12 months.</p> <p>(b) All staff should be made aware of the risk assessment and precautionary measures therein.</p> <p>(c) A copy of the risk assessment should be kept at the premises and made available for inspection.</p> <p>PS2 First aid boxes should be available at the premises and maintained with sufficient in date stock.</p> <p>PS3 (a) A recognised qualification in first aid should be held by at least one member of staff who should be on duty at all times the premises licence is in use.</p> <p>(b) Other staff should be trained to a basic first aid standard with records kept of the date and name of person trained.</p> <p>PS4 A first aid room or quiet room should be made</p>

<p>General safety of staff and customers (cont)</p>	<p>available to anyone requiring medical attention.</p> <p>PS5 Temperature levels and humidity in venues should be controlled for the comfort and safety of customers. An environment that is too hot or too cold can make customers irritable. Premises should be adequately heated and ventilated to avoid this. This can be achieved through use of air conditioning systems or natural ventilation in non-residential areas.</p>
<p>Overcrowding</p>	<p>PS6 A documented capacity should be set for the premises overall and for individual rooms within the premises. Capacity can be determined by a risk assessment in consultation with the fire safety authority.</p> <p>The risk assessment should consider factors such as floor space, numbers of toilets, potential queuing time and available fire exits.</p> <p>PS7 (a) A policy to manage the capacity should be adopted to prevent overcrowding and localised overcrowding.</p> <p>(b) The use of electronic clocking systems, clickers, ticket sales or head counts may be appropriate.</p> <p>(c) Consideration should be given to deliberately running below capacity to afford a comfort factor to your patrons.</p>
<p>Accumulation and disposal of glasses / drinking vessels</p>	<p>PS8 (a) A glass collection policy should include provisions for regular collection of glassware by staff and the prevention of glassware from being taken into external areas. Glassware should not be allowed to accumulate or cause obstruction.</p> <p>(b) Perimeter checks should be made outside the premises for any glasses or bottles.</p> <p>(c) All staff must be made aware of the glass collection policy and their responsibility for the task.</p> <p>PS9 Spillages and broken glass should be cleaned up immediately to prevent floors from becoming slippery and unsafe.</p> <p>PS10 Bottle bins should be secure at all times and away from public areas.</p>
<p>Accident or other emergency incident on the premises</p>	<p>PS11 (a) A written policy to deal with all types of accidents & emergency incidents should be in place at the premises.</p>

	<p>(b) The policy should be based on risk assessments and include matters such as emergency management, contingency planning and evacuation procedures in the event of fire, bomb threats or suspect packages and when to contact emergency services.</p> <p>(c) Evacuation responsibilities and roles should be clearly communicated to staff, routes and exits should be well defined and evacuation plans exercised regularly.</p> <p>(d) A copy of the fire risk assessment should be kept at the premises and made available for inspection by the fire authority and licensing authority.</p> <p>PS12 A fire detection system should be in place at the premises and should be fully functional at all times. The system should be tested regularly with records kept and made available for inspection.</p> <p>PS13 (a) Means of escape in case of any emergency must be clearly visible, unobstructed and well maintained including areas outside exits leading to a place of ultimate safety such as the street.</p> <p>(b) Checks should be carried out before opening each day to ensure that exits are unlocked and unobstructed.</p> <p>PS14 Equipment should be checked and maintained regularly with a record kept of the date and findings of the checks.</p> <p>PS15 (a) Staff training in fire safety and any premises safety policy should be provided for all staff to give them the knowledge and confidence to deal with emergency situations, including location of equipment, utilities, services and layout of premises. Training should include how to use fire extinguishers.</p> <p>(b) Records should be kept of the date and name of person trained and made available for inspection.</p> <p>PS16 An accident book should be kept in order to record all accidents or incidents and made available for inspection.</p>
<p>Drug use or drink spiking</p>	<p>PS17 (a) A zero tolerance policy to the use of drugs in the premises should be adopted.</p> <p>(b) Posters can be displayed throughout the premises to remind customers of the zero tolerance policy.</p> <p>PS18 Refusing entry to anyone who appears to be showing</p>

	<p>signs of drug use and contacting the emergency services in appropriate circumstances. In such cases, an entry should be made in an incident log book.</p> <p>PS19 (a) A duty of care policy regarding persons suffering adversely from the effects of drugs should be in place at the premises. The policy should include drug awareness training for all staff so that they can recognise the effects of controlled drugs and provide medical attention where necessary.</p> <p>(b) All staff must be briefed on the policy. A record should be kept of the date and name of person trained.</p> <p>PS20 (a) Prevent the possibility of drink spiking by offering various anti drink spiking products to customers.</p> <p>(b) If a customer suspects that their drink has been spiked, you should report it to the police immediately. A process for this should be clearly set out in your duty of care policy.</p> <p>PS21 A 'chill out' area should be provided. This should be cooler and quieter than rest of venue.</p>
<p>Smoking on the premises</p>	<p>PS22 Staff should be aware of their responsibilities regarding smoke-free legislation and for monitoring compliance.</p>
<p>Safety of customers when leaving the premises</p> <p>Safety of customers when leaving the premises (cont)</p>	<p>PS23 Discourage drink driving by promoting schemes such as Designated Driver, with notices clearly displayed throughout the premises.</p> <p>PS24 (a) Display information to customers with regards to safe options for travelling home such as Cabwise. Information should include access to licensed taxi cabs or licensed private hire vehicles, the location of taxi ranks and public transport facilities including night bus options.</p> <p>(b) Provide a free taxi phone service and a safe waiting area for customers inside the premises.</p> <p>PS25 (a) A 'chill out' period at the end of an evening can allow a slow dispersal from the premises allowing door staff to gain a handle on problem individuals, preventing arguing over taxis or congregation at takeaways and clashes with groups from other venues.</p> <p>(b) Provision of food and non alcoholic drinks during a chill out period can be effective in allowing customers to sober up before leaving the premises.</p>

	<p>PS26 (a) Increased lighting inside the premises should be considered towards the end of an evening to affect the alertness of customers before they leave the premises.</p> <p>(b) Increased external lighting particularly in car parks under the direct control of the licence holder will provide added safety for customers as they leave the premises. Care should be taken so that lighting does not impact on neighbours.</p>
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Prevention of public nuisance

This section provides guidance on good practice for the prevention and management of public nuisance from licensed premises. It is intended to help those applying for new licences or variations to existing licences in completing their operating schedules. It is also designed to guide licensees on the prevention and management of noise and other public nuisance issues from their premises after a licence has been granted.

Excessive noise and nuisance from licensed premises is a major concern for residents living in the area. It is therefore recommended that applicants and licensees take a proactive approach to preventing and managing public nuisance from their premises.

All applications for new licences and variations should address the steps proposed to prevent public nuisance. Where entertainment or other potentially noisy activity is planned, a noise assessment should be carried out. For some premises, the assessment will need to be carried out by a suitably qualified consultant.

For new premises or the refurbishment of existing premises, preventative measures should be factored in during the design stage. Consideration should be given to the structure and layout of the premises and equipment both internally and externally, to ensure that the premises are fit for purpose. Sound attenuation measures can include wall linings, acoustic curtains and acoustic treatment to mechanical ventilation or air conditioning systems. Consideration should also be given to historical noise problems at the premises with measures put in place to prevent them from recurring.

Licence holders should have clear documented policies and procedures in place which identify all public nuisance risks associated with their premises and measures implemented to prevent, manage and respond to those risks. Licence holders should also engage with local residents on a regular basis to ensure that they are being good neighbours and dealing with problems as they arise.

Risk	Good practice measure
<p>Music, singing and speech noise breakout from the premises</p> <p>Music, singing and</p>	<p>PN1 (a) A noise management policy should be in place that sets out sound attenuation measures to prevent or control music, singing and speech noise breakout from the premises.</p> <p>(b) The policy should be based on the findings of an acoustic consultant's assessment.</p> <p>(c) All staff should be trained on the content of the policy to ensure a commitment to good noise management. A record should be kept of the date and name of person trained and made available for inspection by the licensing authority or environmental health responsible authority.</p> <p>(d) DJs, event promoters or other entertainment providers should be made aware of the policy in advance of any performance.</p> <p>(e) Use an approved list of DJs, event promoters or other entertainment providers who have signed up to the policy.</p>

speech noise breakout from the premises (cont)

PN2 (a) Windows and doors should be kept closed whilst the premises licence is in use to prevent noise breakout. Ventilation should be provided by mechanical means.

(b) Windows should be sound insulated.

(c) Emergency exits should be sealed acoustic doors.

(d) A lobbied area should be provided at the entrance and exit to the premises.

(e) Doors should be fitted with self closing devices.

PN3 (a) A sound limiting device should be installed, set and sealed at a level approved by an acoustic consultant.

(b) The sound limiting device should be used at all times that relevant regulated entertainment is taking place, including all externally promoted events.

(d) Only the premises licence holder or a nominated deputy and the designated premises supervisor should have access to the sound limiting device.

PN4 (a) Locate entertainment facilities such as DJ booth, stage and loud speakers away from doors and windows.

(b) Rubber speaker mounts can be used to minimise structure borne noise.

PN5 (a) Methods for monitoring noise should be included in a noise policy. Methods could range from simple perimeter checks and listening tests by the licence holder/staff to a detailed measurement taken by a qualified consultant using sound measuring equipment.

(b) Noise monitoring should actively be carried out on a regular basis and in particular when a new form of entertainment is introduced at the premises, when alterations are made to the premises or when a complaint is made directly to the venue.

PN6 (a) A log book should be kept of any noise monitoring carried out, the findings and any remedial action taken. The log should indicate whether it was routine noise monitoring or the result of a complaint.

(b) The log book should be made available for inspection by the licensing authority or environmental health responsible authority.

Music, singing and speech noise breakout from the

PN7 A contact telephone number should be made available to local residents which they can use to report noise

<p>premises (cont)</p>	<p>disturbances to a responsible person at the venue as and when they occur. The phone line should be available at all times the licence is in use.</p>
<p>Noise and nuisance from customers arriving and leaving the premises</p>	<p>PN8 (a) Reduce the potential for excessive queue lines with a well-managed and efficient door policy.</p> <p>(b) Long queues should be avoided and any queues should be directed away from residential properties.</p> <p>(c) Queues should be actively managed by door staff, especially later in the evening, to keep noise to a minimum. Rowdy behaviour from people queuing to get in should not be tolerated. Door staff should refuse entry to anyone behaving in an anti-social way.</p> <p>(e) Restrict admittance or re-admittance to the premises after 11pm.</p> <p>PN9 (a) A customer dispersal policy can minimise noise disturbance to local residents from customers leaving the premises. A policy should clearly set out measures to avoid a mass exit at the end of the evening.</p> <p>(b) A gradual change in music style and reduction in volume, for example quiet or mellow music towards the end of an evening and increasing lighting levels can help to reduce the potential for rowdy behaviour.</p> <p>(c) Sufficient staff should be available at the end of the evening to manage a controlled shut down of the premises and maintain good order as customers leave.</p> <p>PN10 (a) Display prominent notices close to the exit doors, requesting patrons to leave the premises quickly and quietly.</p> <p>(b) Display notices in car parks reminding patrons that they are in a residential area and to leave quickly and quietly and not to slam doors, rev engines, sound horns or play loud music.</p> <p>(c) Make announcements at the end of an evening, requesting patrons to leave the premises and area quickly and quietly.</p>
<p>Noise and nuisance from customers arriving and leaving the premises (cont)</p>	<p>PN11 (a) Provide a free taxi phone service and an internal waiting area for customers to prevent noise disturbance to neighbours.</p> <p>(b) Steps should be taken to ensure that any taxi operators used and all their drivers are aware that they should arrive and</p>

	depart as quietly as possible and should not sound their horns or leave engines idling unnecessarily.
Noise and nuisance from customers using external areas such as beer gardens or forecourts	<p>PN12 Display prominent signs in external areas such as beer gardens and forecourts asking customers to keep noise to a minimum.</p> <p>PN13 Restrict the use of external areas after 10pm if premises are in a residential area.</p> <p>PN14 (a) Door supervisors or staff should regularly monitor and manage external areas to ensure that customers are not causing a disturbance to local residents.</p> <p>(b) For private forecourts, a physical barrier such as a rope should be used to mark the boundary of the area outside the premises where customers are allowed.</p> <p>(c) Limit the number of smokers permitted outside at any one time after a certain time.</p> <p>(d) Discourage smokers from loitering outside by not permitting them to take their drinks with them and removing external furniture after a certain time.</p> <p>(e) Locate smoking areas away from residential premises.</p> <p>(f) Do not permit customers to congregate on and block the public highway to passers by.</p>
Noise from staff and entertainment providers leaving the premises	PN15 Staff and performers who depart late at night or in the early hours of the morning when the business has ceased trading, should conduct themselves in such a manner as to avoid causing disturbance to nearby residents. This includes the loading and unloading of artists' equipment.
Noise and disturbance caused by deliveries, collections and waste disposal	PN16 Commercial deliveries, collections and storage/ disposal of waste , including beer deliveries, refuse collections and storage / disposal of waste and recyclables in external areas should be restricted to normal working hours between 8am and 6pm Monday to Friday.
Litter and waste around the premises	PN17 (a) Flyers should not be distributed outside the premises by the licence holder or any staff employed by the licence holder.

	<p>(b) Licence holders should ensure that promoters of events at their premises do not distribute flyers outside the premises.</p> <p>PN18 (a) Procedures should be in place for the prompt collection of street litter generated by the premises for example flyers, cigarette butts or food wrappers.</p> <p>(b) Regular patrols of the area outside the premises should be undertaken by staff to clear any litter attributable to the premises.</p> <p>(c) Use wall or floor mounted cigarette bins in designated smoking areas for customers.</p>
<p>Disturbance from external lighting</p>	<p>PN19 External lighting for the premises should be turned off after the premises are closed to the public.</p>
<p>Noise or odours from plant and machinery</p>	<p>PN20 Plant and machinery should not cause nuisance to local residents by way of noise, odours or vibration. Acoustic measures such as screening, enclosures, anti-vibration mounts, silencers or timing clocks should be used if necessary.</p>

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Protection of children from harm

This section provides guidance on good practice for the protection of children from harm at licensed premises. It is intended to help those applying for new licences or variations to existing licences in completing their operating schedules. It is also designed to guide licensees on the protection and management of children from harm at their premises after a licence has been granted.

The carrying on of licensable activities in particular the provision of alcohol and some types of entertainment can increase risks of harm to children attending licensed premises. It is therefore recommended that applicants and licensees take a proactive approach to protecting and managing the well being of children at their premises.

All applications for new licences and variations should address the steps proposed to protect children from harm and this is best achieved through a premises risk assessment.

Licence holders should have clear documented policies and procedures in place which identify all age restricted risks at their premises and measures implemented to prevent, manage and respond to those risks.

Risk	Good practice measure
<p>Children accessing licensed premises</p>	<p>CH1 (a) A documented policy setting out measures to protect children from harm should be in place at the premises. The policy should consider all activities associated with the premises including the sale of alcohol and the provision of regulated entertainment and when children should be allowed on or restricted from the premises.</p> <p>(b) All staff including door staff and bar staff should be trained on the policy.</p> <p>CH2 (a) Restrict access to children depending on the nature of the business and / or circumstances.</p> <p>(b) The admission of children can be restricted up until a specified time in the evening.</p> <p>(c) The admittance of children can only be permitted if they are accompanied by an adult.</p>
<p>Underage sales of alcohol</p> <p>Underage sales of</p>	<p>CH3 (a) Operate a strict ‘No ID – No Sale’ policy. ‘Challenge 21’ scheme serves as a reminder to staff of the need to be vigilant in preventing underage sales and to customers that it is against the law for anyone under 18 to purchase alcohol.</p> <p>(b) A ‘Challenge 25’ scheme gives staff additional support and</p>

<p>alcohol (cont)</p>	<p>encouragement to ask for ID from any person appearing to be under 25 years of age to prove that they are over 18.</p> <p>(c) Only accept photographic driving licences, passports or PASS (Proof of Age Standards Scheme) cards approved as means of ID. If you accept other forms of ID such as EU National ID cards, these must bear a photograph, date of birth and holographic mark.</p> <p>(d) Use till prompts to remind staff to ask for proof of age.</p> <p>(e) Prominently advertise the scheme in your premises so that customers are aware, in particular, display proof of age signs at the point of sale.</p> <p>CH4 Display posters at the premises stating that it is an offence to purchase alcohol on behalf of an underage person (proxy sales).</p> <p>CH5 Adverts or promotions for alcohol should not appeal to young persons.</p> <p>CH6 (a) Keep a refusals book (or refusal button on EPOS – Electronic Point of Sale) on the premises and ensure it is completed whenever a sale is refused to a person who cannot prove they are over the age of 18.</p> <p>(b) The book should contain the date and time of the incident, a description of the customer, the name of the staff member who refused the sale, and the reason the sale was refused.</p> <p>(c) The book should be made available to Police and authorised officers on request</p> <p>(d) The book should be reviewed on a regular basis to see if any patterns emerge.</p> <p>CH7 (a) Staff training in the age related sections of the Licensing Act 2003 should be provided to all door, bar and till staff. This includes the ability to competently check customers' identification where necessary.</p> <p>(b) A record should be kept of the date and name of person trained.</p>
<p>Access to age restricted films</p>	<p>CH8 (a) Adequate provisions for restricting children from viewing age restricted films should be in place at the premises.</p> <p>(b) Staff should be trained to check ages at point of sale and prior to entry to a screening room to ensure that admission of</p>

	children to films is in accordance with the recommendations of the British Board of Film Classifications (BBFC).
Access to age restricted gaming machines	CH9 Age restricted gaming or vending machines should have suitable signage setting out the age restrictions and should be in full view of staff for monitoring.
Access to entertainment of an adult nature	<p>CH10 (a) Children under the age of 18 should be excluded from the premises or part of the premises when specified activities such as adult entertainment are taking place.</p> <p>CH11 Adverts for entertainment of an adult nature should not be displayed externally on the premises or in any part of the premises internally where they can be seen by young persons.</p>

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Useful Contacts

City of London Licensing Authority

Markets and Consumer Protection
PO Box 270, Guildhall
London EC2P 2EJ

Telephone: 020 7332 3406

Email: licensing@cityoflondon.gov.uk

City of London Police licensing team

Walbrook Wharf
78-83 Upper Thames Street
London EC4R 3TD

Telephone: 020 7601 2736

Email: licensingoffice@cityoflondon.pnn.police.uk

Environmental Health

Department of Markets and Consumer Protection (Pollution)
City of London Corporation
PO Box 270, Guildhall
London EC2P 2EJ

Telephone: 020 7606 3030

Email: publicprotection@cityoflondon.gov.uk

Planning

Department of the Built Environment
PO Box 270, Guildhall
London EC2P 2EJ

Telephone: 020 7332 1710

Email: plans@cityoflondon.gov.uk

Health and Safety Executive

<http://www.hse.gov.uk>

Institute of Acoustics

<http://www.ioa.org.uk>

Secured by Design

www.securedbydesign.com

Information sources used in the preparation of this guide:

Association of Licensed Multiple Retailers (ALMR)
(incorporating BEDA – Bar Entertainment and Dance Association)
<http://www.almr.org.uk>

Best Bar None
<http://bbnuk.com>

British Beer and Pub Association (BBPA)
(Licensed Property: Noise Control, Managing Safety in Bars, Clubs and Pubs)
<http://www.beerandpub.com>

British Institute of Innkeeping (BII)
<http://www.bii.org>

City of London Corporation licensing
(Statement of Licensing Policy 2011)
<http://www.cityoflondon.gov.uk>

City of London police licensing
<http://www.cityoflondon.police.uk>

Department for Communities and local government (DCLG)
<http://www.communities.gov.uk>

Drinkaware
<http://www.drinkaware.co.uk>

Health and Safety Executive
<http://www.hse.gov.uk>

Home Office (alcohol and drugs)
(Home Office guidance issued under S182 of the Licensing Act 2003, Home Office practical guidance for preventing and dealing with alcohol related problems, Alcohol Strategy 2012)
<http://www.homeoffice.gov.uk/drugs/>

Institute of Acoustics
<http://www.ioa.org.uk>

London Drug Policy Forum
(Safer Nightlife, Drugs at the Door)
<http://www.cityoflondon.gov.uk>

Metropolitan police licensing: Safe and Sound 2012 publication

National Counter Terrorism Security Office (NaCTSO)
(Security advice for bars, pubs and nightclubs)
<http://www.nactso.gov.uk>

The Portman Group
<http://www.portmangroup.org.uk>

Activities Exempt from the Licensing Requirement

- (1) Film exhibitions for the purposes of advertisement, information, education etc.
- (2) Film exhibitions that form part of an exhibit put on show for any purposes of a museum or art gallery.
- (3) Music whether live or recorded, which is incidental to other activities which do not require a licence.
- (4) Live music as follows:
 - i. amplified live music between 8am and 11pm before audiences of no more than 200 people on premises authorised to sell alcohol for consumption on the premises;
 - ii. amplified live music between 8am and 11pm before audiences of no more than 200 people in workplaces not otherwise licensed under the 2003 Act (or licensed only for the provision of late night refreshment); and
 - iii. unamplified live music between 8am and 11pm in all venues
- (5) Use of television or radio receivers for the simultaneous reception and playing of a programme.
- (6) Any entertainment or entertainment facilities at a place of public religious worship.
- (7) Entertainment at garden fetes or similar functions unless there is an element of private gain.
- (8) Morris dancing or any dancing of a similar nature or a performance of un-amplified live music as a part of such a performance.
- (9) Entertainment on road vehicles in motion.

Mandatory Conditions**Alcohol**

- (1) There shall be no sale or supply of alcohol when there is no Designated Premises Supervisor (DPS) in respect of this premises licence or at a time when the DPS does not hold a personal licence or when his/her 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) The responsible person shall take all reasonable steps to ensure that staff on relevant premises do not carry out, arrange or participate in any irresponsible promotions in relation to the premises.
- (4) 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 in a manner which carries a significant risk of leading or contributing to crime and disorder, prejudice to public safety, public nuisance, or harm to children:
 - i) games or other activities which require or encourage, or are designed to require or encourage, individuals to:
 - a) 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)
 - b) drink as much alcohol as possible (whether within a time limit or otherwise)
 - ii) 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 (other than any promotion or discount available to an individual in respect of alcohol for consumption at a table meal, as defined in section 159 of the Act)
 - iii) 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
 - iv) provision of free or discounted alcohol in relation to the viewing on the premises of a sporting event, where that provision is dependent on:
 - a) the outcome of a race, competition or other event or process
 - b) the likelihood of anything occurring or not occurring
 - v) selling or supplying alcohol in association with promotional posters or flyers on, or in the area around 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

- (5) The responsible person shall ensure that no alcohol is dispensed directly by one person into the mouth of another (other than where that other person is unable to drink without assistance by reason of a disability).
- (6) The responsible person shall ensure that free tap water is provided on request to customers where it is reasonably available.
- (7) The premises licence holder or club premises certificate holder shall ensure that an age verification policy applies to the premises in relation to the sale or supply of alcohol.
- (8) The policy must require individuals who appear to the responsible person to be under 18 (or such age specified in the policy) to produce on request, before being served alcohol, identification bearing their photograph, date of birth and a holographic mark.
- (9) The responsible person shall ensure that 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: 25ml or 35ml
 - iii) Still wine in a glass: 125ml

Customers must be made aware of the availability of the above measures.

Door Supervisors

- (10) 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, the licence must include a condition that each such individual must be licensed by the Relevant Authority.

Films

- (11) Admission of children (under the age of 18) to any exhibition of films must be restricted in accordance with the film classification body designated as the authority under s4 Video Recordings Act 1984.

Clubs

- (12) A Club Premises Certificate which authorises the supply of alcohol for consumption off the premises must include the following conditions:
 - i) the supply must be made at a time when the premises are open for the purposes of supplying alcohol, in accordance with the certificate, to members of the club for consumption on the premises

- ii) the alcohol supplied for consumption off the premises must be in a sealed container
- iii) the supply of alcohol for consumption off the premises must be made to a member of the club

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Responsible Authorities

- ❖ **Licensing Authority**
Markets and Consumer Protection
PO Box 270, Guildhall
London EC2P 2EJ
- ❖ **Police**
City of London Police, Licensing Office,
78 -83 Upper Thames Street
London EC3R 3TD
- ❖ **Fire and Rescue**
London Fire & Emergency Planning Authority,
Fire Safety Regulation: North East Area 2
London Fire Brigade
169 Union Street
London SE1 0LL
- ❖ **Primary Care Trust**
City and Hackney Primary Care Trust
Director of Public Health
Clifton House, 75-77 Worship Lane
London EC2A 2DU
- ❖ **Environmental Health**
Department of Markets and Consumer Protection (Pollution)
City of London Corporation
PO Box 270 Guildhall,
London EC2P 2EJ
- ❖ **Planning**
Department of the Built Environment
City of London Corporation
PO Box 270 Guildhall,
London EC2P 2EJ
- ❖ **Child Protection**
Department of Community & Children's Services
City of London Corporation
PO Box 270, Guildhall,
London EC2P 2EJ
- ❖ **Trading Standards**
Department of Markets and Consumer Protection (Trading Standards)
City of London Corporation
PO Box 270 Guildhall,
London EC2P 2EJ

❖ **Public Safety**

Department of Markets and Consumer Protection (Food),**
City of London Corporation
PO Box 270, Guildhall,
London EC2P 2EJ

** In respect of City of London Corporation owned premises, the Responsible Authority for public safety as listed above will be substituted for the HSE address below:

Health and Safety Executive,
Rose Court, 2 Southwark Bridge,
London SE1 9HS

- ❖ Adjoining Local Authorities where premises cross over a boundary (appropriate address as applicable).

Additional notifications will be required if the “premises” is a moving vessel (e.g. pleasure boat on the Thames). These are listed below:-

❖ **Maritime & Coastguard Agency**

Orpington Marine Office
Central Court
1B Knoll Rise
Orpington
Kent
BR6 0JA

❖ **Port of London Authority**

Harbour Master (Upper District)
Bakers' Hall
7 Harp Lane
London
EC3R 6LB

❖ **Metropolitan Police**

Thames Division
98 Wapping High Street
London
E1 9NE

The actual applications together with a cheque for the required fee made payable to “City of London Corporation” should be sent to:-

Department of Markets and Consumer Protection
Licensing Office
City of London Corporation,
PO Box 270, Guildhall,
London EC2P 2EJ



Report – Licensing Committee

Gambling Act 2005 – Statement of Licensing Principles

To be presented on Thursday, 17th January 2013

*To the Right Honourable The Lord Mayor, Aldermen and Commons
of the City of London in Common Council assembled.*

SUMMARY

1. The Gambling Act 2005 (“the Act”) requires all licensing authorities to produce and publish a Statement of Licensing Principles. As prescribed by the statutory timetable the City Corporation produced its first such statement at the time the Act came into force in January 2007.
2. The legislation requires that all authorities review their policy at three yearly intervals. This report was last reviewed in January 2010 and is therefore required to be reviewed by January 2013.
3. Since the production of the current licensing statement three years ago the guidance issued to licensing authorities has been revised. The revised text had been sent out for consultation which finished on Wednesday 19 December 2012. Four responses were received albeit two of them having no comment to make. The remaining concerns and comments have been taken into account in the revised draft policy text attached to this report at Annex 1.

RECOMMENDATION

4. Your Licensing Committee is considering the draft policy on 14 January 2013, any proposed changes or amendments made will be reported on orally to the Court. Subject to that we **recommend** that the revised Statement of Licensing Principles (Annex 1) be approved for adoption from 17 January 2013.

MAIN REPORT

BACKGROUND

5. The Gambling Act 2005 (the 'Act') requires licensing authorities to prepare and publish a statement of licensing principles (the 'policy') that they will apply in exercising their functions under the Act. The legislation further prescribes that the policy shall remain valid for a period of three years, after which it must be reviewed and re-published.
6. The current policy was published in January 2010. It is therefore now necessary for the City Corporation to prepare the publication of its policy to run for three years from January 2013.
7. The City's current policy was largely based on a concise template drafted by the Local Authority Coordinating Body on Regulatory Services (now Local Government Regulation) with additions to specifically suit the City of London and amended to reflect Government changes to published guidance. By using this template the Corporation has ensured that the statutory requirements and inclusions recommended by the Guidance were adhered to.
8. During the period that the City's policy has been current there has been no evidence of any deficiency in its content. The text of the current Policy was amended to reflect minor legislative changes since its last adoption. The amended text was put before your Licensing Committee on 22 October 2012 and agreed for consultation.

CONSULTATION

9. The consultation period ran from 7 November 2012 to 19 December 2012. During that period the licensing service received four responses. Three of the responses were from Members and one from a Responsible Authority. Two of the responses were 'no comment'.
10. The comments received have been examined and a revised text of the Statement of Licensing Principles 2013 has been produced to take into account their concerns and general points where felt necessary. A copy of the revised draft text, and that proposed to be agreed by this Honourable Court, is attached as Annex 1.
11. In order to comply with the statutory process the City Corporation must consult with the following:
 - The Chief Officer of Police for the City of London
 - Persons representing the interests of persons carrying on gambling businesses within the City

- Persons representing the interests of persons who may be affected by the City exercising its functions under the Act

The City Corporation has fulfilled these statutory obligations as far as its area of jurisdiction is concerned.

CORPORATE & STRATEGIC IMPLICATIONS

12. The proposals within this report will meet one of the overriding objectives contained within the service's business plans to meet the legal requirements of relevant legislation.

IMPLICATIONS

13. There are no direct financial or risk implications for the Corporation's services associated with this report. Costs for the publication of the new policy can be met within current budget.

All of which we submit to the judgement of this Honourable Court.

DATED this 17th of January 2013.

SIGNED on behalf of the Committee.

**CHARLES EDWARD LORD OBE JP BA (HONS) DEPUTY
Chairman**

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CITY OF LONDON CORPORATION

GAMBLING ACT 2005

STATEMENT OF LICENSING
PRINCIPLES

January 2013

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All references to the Gambling Commission's Guidance for local authorities refer to the Guidance published in September 2012.

FOREWORD

[To be added]

DRAFT

PART A

GENERAL

1. The Licensing Objectives

1.1 In exercising most of their functions under the Gambling Act 2005, licensing authorities must have regard to the licensing objectives as set out in section 1 of the Act. The licensing objectives are:

- preventing gambling from being a source of crime or disorder, being associated with crime or disorder or being used to support crime
- ensuring that gambling is conducted in a fair and open way
- protecting children and other vulnerable persons from being harmed or exploited by gambling.

1.2 It should be noted that the Gambling Commission has stated:
‘The requirement in relation to children is explicitly to protect them from being harmed or exploited by gambling.’

1.3 The City of London Corporation is aware that, as per Section 153, in making decisions about premises licences and provisional statements it should aim to permit the use of premises for gambling in so far as it thinks it is:

- in accordance with any relevant code of practice [under section 24 of the Act]
- in accordance with any relevant guidance issued by the Gambling Commission
- reasonably consistent with the licensing objectives and
- in accordance with the licensing authority’s statement of policy.

2. Introduction

2.1 The City of London Corporation provides local government services for the financial and commercial heart of Britain, the “Square Mile”. It is committed to maintaining and enhancing the status of the business City as the world’s leading international financial and business centre through the policies it pursues and the high standard of services it provides. Its responsibilities extend far beyond the City boundaries in that it also provides a host of additional facilities for the benefit of the nation. These include open spaces such as Epping Forest and Hampstead Heath and the Barbican Arts Centre.

2.2 The City of London combines its ancient traditions and ceremonial functions with the role of a modern and efficient local authority, looking after the needs of its residents, businesses and over 320,000 people who come to work in the “Square Mile” every day. Among local authorities the City of London is unique; not only is

it the oldest in the country but it operates on a non-party political basis through the Lord Mayor, Aldermen and Members of the Court of Common Council. The Lord Mayor, in particular, has an important role as the principal ambassador of the City of London Corporation and the Business City, supporting and promoting the City generally and particularly as the world's leading international financial and business centre both at home and abroad; consulting widely within the City community on business needs.

- 2.3 Licensing authorities are required by the Gambling Act 2005 to publish a statement of the principles which they propose to apply when exercising their functions. This statement must be published at least every three years. The statement must also be reviewed from 'time to time' and any amended parts re-consulted upon. The statement must then be re-published.
- 2.4 The City of London Corporation consulted widely upon this statement before finalising and publishing it. A list of those persons consulted is provided below.
- 2.5 The Gambling Act requires that the following parties are consulted by licensing authorities:
 - the Chief Officer of Police;
 - one or more persons who appear to the authority to represent the interests of persons carrying on gambling businesses in the authority's area;
 - one or more persons who appear to the authority to represent the interests of persons who are likely to be affected by the exercise of the authority's functions under the Gambling Act 2005.
- 2.6 List of persons this authority consulted:

A full list of consultees can be seen as Appendix 1 to this Statement.
- 2.7 Our consultation took place between 7 November 2012 and 19 December 2012.
- 2.8 The full list of comments made and the consideration by the City of London Corporation of those comments is available by request to the contact details at the end of this document.
- 2.9 The policy was approved at a meeting of the Court of Common Council on 17 January 2013 and was published via our website. Copies were placed in the public libraries in the City of London as well as being available at the Guildhall.
- 2.10 Should you have any comments as regards this policy statement please send them via e-mail or letter to the contact details at the end of this document.
- 2.11 It should be noted that this policy statement will not override the right of any person to make an application, make representations about an application, or apply

for a review of a licence, as each will be considered on its own merits and according to the statutory requirements of the Gambling Act 2005.

3. Declaration

- 3.1 In producing the final statement, the City of London Corporation declares that it has had regard to the licensing objectives of the Gambling Act 2005, the guidance issued by the Gambling Commission, and all responses from those consulted on the statement.
- 3.2 In producing the final statement the City of London Corporation gave appropriate weight to the views of those it has consulted. In determining what weight to give particular representations, the Corporation took into account the following factors:
- who is making the representations (what is their expertise or interest)
 - relevance of the factors to the licensing objectives
 - how many other people have expressed the same or similar views
 - how far the representations relate to matters that the licensing authority should be including in its policy statement

4. Responsible Authorities

- 4.1 The City of London Corporation is required by regulations to state the principles it will apply in exercising its powers under Section 157(h) of the Act to designate, in writing, a body which is competent to advise the authority about the protection of children from harm. The principles are:
- the need for the body to be responsible for an area covering the whole of the City of London Corporation's area; and
 - the need for the body to be answerable to democratically elected persons, rather than any particular vested interest group.
- 4.2 In accordance with the suggestion in the Gambling Commission's Guidance for local authorities, this authority designates the Director of Community and Children's Services for this purpose.
- 4.3 The contact details of all the Responsible Authorities under the Gambling Act 2005 are available via the City of London Corporation's website at: www.cityoflondon.gov.uk

5. Interested Parties

- 5.1 Interested parties can make representations about licence applications, or apply for a review of an existing licence. These parties are defined in the Gambling Act 2005 as follows:

'For the purposes of this Part a person is an interested party in relation to an

application for or in respect of a premises licence if, in the opinion of the City of London Corporation which issues the licence or to which the application is made, the person:

- a) lives sufficiently close to the premises to be likely to be affected by the authorised activities,
- b) has business interests that might be affected by the authorised activities, or
- c) represents persons who satisfy paragraph (a) or (b).'

5.2 The City of London Corporation is required by regulations to state the principles it will apply in exercising its powers under the Gambling Act 2005 to determine whether a person is an interested party. The principles are:

- each case will be decided upon its merits
- this authority will not apply a rigid rule to its decision making
- it will consider the examples of considerations provided in the Gambling Commission's Guidance for local authorities at 8.15
- it will also consider the Gambling Commission's Guidance that "has business interests" should be given the widest possible interpretation and include partnerships, charities, faith groups and medical practices

5.3 Interested parties can be persons who are democratically elected such as Aldermen, Common Councilmen and Members of Parliament. No specific evidence of being asked to represent an interested person will be required as long as the elected representative represents the ward likely to be affected, either directly or indirectly. Other than these however, this authority will generally require written evidence that a person/body (e.g. an advocate / relative) 'represents' someone who either lives sufficiently close to the premises to be likely to be affected by the authorised activities and/or has business interests that might be affected by the authorised activities. A letter from one of these persons, requesting the representation is sufficient.

5.4 If individuals wish to approach Aldermen & Common Councilmen to ask them to represent their views then care should be taken that they are not part of the Licensing Committee dealing with the licence application. If there are any doubts then please contact the Licensing Section as detailed at the end of the document.

5.5 Where an application is made for a premises licence an interested party, as detailed in paragraph 5.3 of this document, or a responsible authority may make representations in writing to the City of London Corporation. Such representations must be made within such period as the Government set and must relate to the licensing objectives.

5.6 Where a licence is held an interested party or a responsible authority may apply for a review. Applications for review must be made in a manner and format which complies with The Gambling Act 2005 (Premises Licences) (Review) Regulations

2007.

6. Exchange of Information

- 6.1 Licensing authorities are required to include in their statements the principles to be applied by the authority in exercising the functions under sections 29 and 30 of the Act with respect to the exchange of information between it and the Gambling Commission, and the functions under section 350 of the Act with respect to the exchange of information between it and the other persons listed in Schedule 6 to the Act.
- 6.2 The principle that the City of London Corporation applies is that it will act in accordance with the provisions of the Gambling Act 2005 in its exchange of information which includes the provision that the Data Protection Act 1998 will not be contravened. The City of London Corporation will also have regard to any Guidance issued by the Gambling Commission to local authorities on this matter when it is published, as well as any relevant Regulations issued by the Secretary of State under the powers provided in the Gambling Act 2005.
- 6.3 Should any protocols be established as regards information exchange with other bodies then they will be made available.

7. Enforcement

- 7.1 Licensing authorities are required by regulation under the Gambling Act 2005 to state the principles to be applied by the authority in exercising the functions under Part 15 of the Act with respect to the inspection of premises; and the powers under section 346 of the Act to institute criminal proceedings in respect of the offences specified.
- 7.2 The City of London Corporation's principle is that it will be guided by the Gambling Commission's Guidance for local authorities and will endeavour to be:
- proportionate: regulators should only intervene when necessary: remedies should be appropriate to the risk posed, and costs identified and minimised;
 - accountable: regulators must be able to justify decisions, and be subject to public scrutiny;
 - consistent: rules and standards must be joined up and implemented fairly;
 - transparent: regulators should be open, and keep regulations simple and user friendly;
 - targeted: regulation should be focused on the problem, and minimise side effects.
- 7.3 Following the Gambling Commission's Guidance for local authorities the City of London Corporation will endeavour to avoid duplication with other regulatory regimes so far as possible.

- 7.4 The City of London Corporation has adopted and implemented a risk-based inspection programme, based on;
- The licensing objectives
 - Relevant codes of practice
 - Guidance issued by the Gambling Commission, in particular at Part 36
 - The principles set out in this statement of licensing policy
- 7.5 The main enforcement and compliance role for the City of London Corporation in terms of the Gambling Act 2005 will be to ensure compliance with the premises licences and other permissions which it authorises. The Gambling Commission will be the enforcement body for the operating and personal licences. It is also worth noting that concerns about manufacture, supply or repair of gaming machines will not be dealt with by the City of London Corporation but will be notified to the Gambling Commission.
- 7.6 The City of London Corporation will also keep itself informed of developments as regards the work of the Department of Business Innovation and Skills in its consideration of the regulatory functions of local authorities.
- 7.7 Bearing in mind the principle of transparency, the City of London Corporation's enforcement/compliance protocols/written agreements will be available upon request from the Licensing Section detailed at the end of this document.

8. Licensing Authority Functions

- 8.1 Licensing authorities are required under the Act to:
- be responsible for the licensing of premises where gambling activities are to take place by issuing Premises Licences
 - issue Provisional Statements
 - regulate members' clubs and miners' welfare institutes who wish to undertake certain gaming activities through issuing Club Gaming Permits and/or Club Machine Permits
 - issue Club Machine Permits to Commercial Clubs
 - grant permits for the use of certain lower stake gaming machines at unlicensed Family Entertainment Centres
 - receive notifications from alcohol licensed premises (under the Licensing Act 2003) for the use of two or fewer gaming machines
 - issue Licensed Premises Gaming Machine Permits for premises licensed to sell/supply alcohol for consumption on the licensed premises, under the Licensing Act 2003, where there are more than two machines
 - register small society lotteries below prescribed thresholds
 - issue Prize Gaming Permits
 - receive and Endorse Temporary Use Notices

- receive Occasional Use Notices
- provide information to the Gambling Commission regarding details of licences issued (see section 6 above concerning Exchange of Information)
- maintain registers of the permits and licences that are issued under these functions

8.2 It should be noted that local licensing authorities will not be involved in licensing remote gambling at all. This will fall to the Gambling Commission via operating licences.

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PART B

PREMISES LICENCES

1. General Principles

- 1.1 Premises licences will be subject to the requirements set out in the Gambling Act 2005 and regulations, as well as specific mandatory and default conditions which will be detailed in regulations issued by the Secretary of State. Licensing authorities are able to exclude default conditions and also attach others, where it is believed to be appropriate.
- 1.2 The City of London Corporation is aware that in making decisions about premises licences it should aim to permit the use of premises for gambling in so far as it considers such use to be:
- in accordance with any relevant code of practice issued by the Gambling Commission;
 - in accordance with any relevant guidance issued by the Gambling Commission;
 - reasonably consistent with the licensing objectives; and,
 - in accordance with the authority's statement of licensing policy.
- 1.3 It is appreciated that as per the Gambling Commission's Guidance for local authorities 'moral objections to gambling are not a valid reason to reject applications for premises licences' (except as regards any 'no casino resolution' - see section 4 below concerning Casinos) and also that unmet demand is not a consideration for a licensing authority.
- 1.4 Definition of "premises". In the Act, "premises" is defined as including "any place". Section 152 therefore prevents more than one premises licence applying to any place. But a single building could be subject to more than one premises licence, provided they are for different parts of the building and the different parts of the building can be reasonably regarded as being different premises. This approach has been taken to allow large, multiple unit premises such as a pleasure park, pier, track or shopping mall to obtain discrete premises licences, where appropriate safeguards are in place. However, licensing authorities should pay particular attention if there are issues about sub-divisions of a single building or plot and should ensure that mandatory conditions relating to access between premises are observed.

The Gambling Commission states in the fourth edition of its Guidance to Licensing Authorities that: "In most cases the expectation is that a single building / plot will be the subject of an application for a licence, for example, 32 High Street. But, that does not mean 32 High Street cannot be the subject of separate premises licences for the basement and ground floor, if they are configured acceptably. Whether

different parts of a building can properly be regarded as being separate premises will depend on the circumstances.

The location of the premises will clearly be an important consideration and the suitability of the division is likely to be a matter for discussion between the operator and the licensing officer. However, the Commission does not consider that areas of a building that are artificially or temporarily separated, for example by ropes or moveable partitions, can properly be regarded as different premises.”

1.5 The City of London Corporation takes particular note of the Gambling Commission’s Guidance to Licensing Authorities which states that: licensing authorities should take particular care in considering applications for multiple licences for a building and those relating to a discrete part of a building used for other (non-gambling) purposes. In particular they should be aware of the following:

- The third licensing objective seeks to protect children from being harmed by gambling. In practice that means not only preventing them from taking part in gambling, but also preventing them from being in close proximity to gambling. Therefore premises should be configured so that children are not invited to participate in, have accidental access to or closely observe gambling where they are prohibited from participating.
- Entrances to and exits from parts of a building covered by one or more premises licences should be separate and identifiable so that the separation of different premises is not compromised and people do not “drift” into a gambling area. In this context it should normally be possible to access the premises without going through another licensed premises or premises with a permit.
- Customers should be able to participate in the activity named on the premises licence.

The Guidance also gives a list of factors which the licensing authority should be aware of, which may include:

- Do the premises have a separate registration for business rates
- Is the premises’ neighbouring premises owned by the same person or someone else?
- Can each of the premises be accessed from the street or a public passageway?
- Can the premises only be accessed from any other gambling premises?

The City of London Corporation will consider these and other relevant factors in making its decision, depending on all the circumstances of the case.

1.6 Premises “ready for gambling”

The Guidance states that a licence to use premises for gambling should only be issued in relation to premises that the licensing authority can be satisfied are going to be ready to be used for gambling in the reasonably near future, consistent with the scale of building or alterations required before the premises are brought into use.

If the construction of a premises is not yet complete, or if they need alteration, or if the applicant does not yet have a right to occupy them, then an application for a provisional statement should be made instead.

In deciding whether a premises licence can be granted where there are outstanding construction or alteration works at a premises, this authority will determine applications on their merits, applying a two stage consideration process:-

- First, whether the premises ought to be permitted to be used for gambling
- Second, whether appropriate conditions can be put in place to cater for the situation that the premises are not yet in the state in which they ought to be before gambling takes place.

Applicants should note that this authority is entitled to decide that it is appropriate to grant a licence subject to conditions, but it is not obliged to grant such a licence.

More detailed examples of the circumstances in which such a licence may be granted can be found at paragraphs 7.61 - 7.66 of the Guidance.

- 1.7 Multiple Premises - The City of London Corporation recognises that certain bookmakers have a number of premises within its area. In order to ensure that any compliance issues are recognised and resolved at the earliest stage, operators are requested to give the authority a single named point of contact, who should be a senior individual, and whom the authority will normally contact first should any compliance queries or issues arise.
- 1.8 Location - The City of London Corporation is aware that demand issues cannot be considered with regard to the location of premises but that considerations in terms of the licensing objectives can. As per the Gambling Commission's Guidance for local authorities, this authority will pay particular attention to the protection of children and vulnerable persons from being harmed or exploited by gambling, as well as issues of crime and disorder. Should any specific policy be decided upon as regards areas where gambling premises should not be located, this statement will be updated. It should be noted that any such policy does not preclude any application being made and each application will be decided on its merits, with the onus upon the applicant showing how potential concerns can be overcome.

Planning:

The Gambling Commission Guidance to Licensing Authorities states:

7.60 – In determining applications the licensing authority has a duty to take into consideration all relevant matters and not to take into consideration any irrelevant matters, i.e. those not related to gambling and the licensing objectives. One example of an irrelevant matter would be the likelihood of the applicant obtaining planning permission or building regulations approval for their proposal.

This authority will not take into account irrelevant matters as per the above guidance. In addition this authority notes the following excerpt from the Guidance:

7.67 - When dealing with a premises licence application for finished buildings, the licensing authority should not take into account whether those buildings have to comply with the necessary planning or building consents. Nor should fire or health and safety risks be taken into account. Those matters should be dealt with under relevant planning control, building and other regulations, and must not form part of the consideration for the premises licence. Section 210 of the Act prevents licensing authorities taking into account the likelihood of the proposal by the applicant obtaining planning or building consent when considering a premises licence application. Equally, the grant of a gambling premises licence does not prejudice or prevent any action that may be appropriate under the law relating to planning or building.

- 1.9 Duplication with other regulatory regimes - The City of London Corporation will seek to avoid any duplication with other statutory/regulatory systems where possible, including planning. This authority will not consider whether a licence application is likely to be awarded planning permission or building regulations approval, in its consideration of it. It will though, listen to, and consider carefully, any concerns about conditions which are not able to be met by licensees due to planning restrictions, should such a situation arise.

When dealing with a premises licence application for finished buildings, this authority will not take into account whether those buildings have to comply with the necessary planning or buildings consents. Fire or health and safety risks will not be taken into account, as these matters are dealt with under relevant planning control, buildings and other regulations and must not form part of the consideration for the premises licence.

- 1.10 Licensing objectives - Premises licences granted must be reasonably consistent with the licensing objectives. With regard to these objectives, the City of London Corporation has considered the Gambling Commission's Guidance to local authorities and some comments are made below.
- 1.11 Preventing gambling from being a source of crime or disorder, being associated with crime or disorder or being used to support crime - The City of London Corporation is aware that the Gambling Commission will be taking a leading role in preventing gambling from being a source of crime. The Gambling Commission's

Guidance does however envisage that licensing authorities should pay attention to the proposed location of gambling premises in terms of this licensing objective. Thus, where an area has known high levels of organised crime this authority will consider carefully whether gambling premises are suitable to be located there and whether conditions may be suitable such as the provision of door supervisors. The City of London Corporation is aware of the distinction between disorder and nuisance and will consider factors such as whether police assistance was required and how threatening the behaviour was to those who could see it, so as to make that distinction. Issues of nuisance cannot be addressed via the Gambling Act provisions.

- 1.12 Ensuring that gambling is conducted in a fair and open way - The City of London Corporation has noted that the Gambling Commission has stated that it would generally not expect licensing authorities to become concerned with ensuring that gambling is conducted in a fair and open way as this will be addressed via operating and personal licences.
- 1.13 Protecting children and other vulnerable persons from being harmed or exploited by gambling - The City of London Corporation has noted that the Gambling Commission's Guidance for local authorities states that this objective means preventing children from taking part in gambling (as well as restriction of advertising so that gambling products are not aimed at, or are particularly attractive to, children). The City of London Corporation will, therefore, consider, as suggested in the Gambling Commission's Guidance, whether specific measures are required at particular premises, with regard to this licensing objective. Appropriate measures may include supervision of entrances / machines, segregation of areas etc.
- 1.14 The City of London Corporation will also make itself aware of the Codes of Practice which the Gambling Commission issues as regards this licensing objective, in relation to specific premises such as casinos.
- 1.15 As regards the term "vulnerable persons" it is noted that the Gambling Commission is not seeking to offer a definition but states that 'it will for regulatory purposes assume that this group includes people who gamble more than they want to; people who gamble beyond their means; and people who may not be able to make informed or balanced decisions about gambling due to a mental impairment, alcohol or drugs.' The City of London Corporation will consider this licensing objective on a case by case basis.
- 1.16 Conditions - Any conditions attached to licences will be proportionate and will be:
 - relevant to the need to make the proposed building suitable as a gambling facility;
 - directly related to the premises and the type of licence applied for;
 - fairly and reasonably related to the scale and type of premises;
 - reasonable in all other respects.

1.17 Decisions upon individual conditions will be made on a case by case basis, although there will be a number of measures the City of London Corporation will consider utilising should there be a perceived need, such as the use of supervisors, appropriate signage for adult only areas etc. There are specific comments made in this regard under some of the licence types below. The City of London Corporation will also expect the licence applicant to offer his/her own suggestions as to the way in which the licensing objectives can be met effectively.

1.18 The City of London Corporation will also consider specific measures which may be required for buildings which are subject to multiple premises licences. Such measures may include the supervision of entrances; segregation of gambling from non-gambling areas frequented by children; and the supervision of gaming machines in non-adult gambling specific premises in order to pursue the licensing objectives. These matters are in accordance with the Gambling Commission's Guidance. The Secretary of State has prescribed the categories of gaming Machine and current details of the stakes and prizes of each category are available on the City of London's website in the licensing section.

1.19 This authority will also ensure that where category C or above machines are on offer in premises to which children are admitted:

- all such machines are located in an area of the premises which is separated from the remainder of the premises by a physical barrier which is effective to prevent access other than through a designated entrance;
- only adults are admitted to the area where these machines are located;
- access to the area where the machines are located is supervised;
- the area where these machines are located is arranged so that it can be observed by the staff or the licence holder; and
- at the entrance to and inside any such areas there are prominently displayed notices indicating that access to the area is prohibited to persons under 18 years of age.

These considerations will apply to premises including buildings where multiple premises licences are applicable.

1.20 As per the Gambling Commission's Guidance, the City of London Corporation will consider the impact upon the third licensing objective and the need to ensure that entrances to each type of premises are distinct and that children are excluded from gambling areas where they are not permitted to enter.

1.21 It is noted that there are conditions which the licensing authority cannot attach to premises licences as follows:

- any condition on the premises licence which makes it impossible to comply with an operating licence condition;

- conditions relating to gaming machine categories, numbers, or method of operation;
- conditions which provide that membership of a club or body be required (the Gambling Act 2005 specifically removes the membership requirement for casino and bingo clubs and this provision prevents it being reinstated);
- conditions in relation to stakes, fees, winnings or prizes.

1.22 Door Supervisors – The Gambling Commission advises in its Guidance to Licensing Authorities that if a licensing authority is concerned that a premises may attract disorder or be subject to attempts at unauthorised access (for example by children and young persons) then it may require that the entrances to the premises are controlled by a door supervisor, and is entitled to impose a premises licence to this effect.

Where it is decided that supervision of entrances/machines is appropriate for particular cases, a consideration of whether they need to be SIA licensed or not will be necessary. It will not be automatically assumed that they need to be licensed, as the statutory requirements for different types of premises vary (as in the Guidance, Part 33).

2. Adult Gaming Centres

2.1 The City of London Corporation will specifically have regard to the need to protect children and vulnerable persons from harm or being exploited by gambling and will expect the applicant to satisfy the authority that there will be sufficient measures to, for example, ensure that people under 18 years of age do not have access to the premises.

2.2 The City of London Corporation will expect applicants to offer their own measures to meet the licensing objectives. Appropriate measures / licence conditions may cover issues such as:

- proof of age schemes
- CCTV
- supervision of entrances / machine areas
- physical separation of areas
- location of entry
- notices / signage
- specific opening hours
- self-barring schemes
- provision of information leaflets / helpline numbers for organisations such as GamCare.

2.3 This list is not mandatory, nor exhaustive, and is merely indicative of example measures.

3. Licensed Family Entertainment Centres

3.1 The City of London Corporation will specifically have regard to the need to protect children and vulnerable persons from harm or being exploited by gambling and will expect the applicant to satisfy the authority, for example, that there will be sufficient measures to ensure that people under 18 years of age do not have access to the adult only gaming machine areas.

3.2 The City of London Corporation will expect applicants to offer their own measures to meet the licensing objectives however appropriate measures / licence conditions may cover issues such as:

- proof of age schemes
- CCTV
- supervision of entrances / machine areas
- physical separation of areas
- location of entry
- notices / signage
- specific opening hours
- self-barring schemes
- provision of information leaflets / helpline numbers for organisations such as GamCare.
- measures / training for staff on how to deal with suspected truant school children on the premises

3.3 This list is not mandatory, nor exhaustive, and is merely indicative of example measures.

3.4 The City of London Corporation will, as per the Gambling Commission's guidance, refer to the Commission's website to see any conditions that apply to operating licences covering the way in which the area containing the category C machines should be delineated. The City of London Corporation will also make itself aware of any mandatory or default conditions on these premises licences, when they have been published.

4. Casinos

4.1 No Casinos resolution – The City of London Corporation has not passed a 'no casino' resolution under Section 166 of the Gambling Act 2005, but is aware that it has the power to do so. Should the City of London Corporation decide in the future to pass such a resolution, it will update this policy statement with details of that resolution. Any such decision will be made by the Court of Common Council.

5. Bingo Premises

- 5.1 The City of London corporation notes that the Gambling Commission's Guidance states:

18.4 Licensing authorities will need to satisfy themselves that bingo can be played in any bingo premises for which they issue a premises licence. This will be a relevant consideration where the operator of an existing bingo premises applies to vary their licence to exclude an area of the existing premises from its ambit and then applies for a new premises licence, or multiple licences, for that or those excluded areas.

- 5.2 Guidance further states:-

18.6 Children and young people are allowed into bingo premises; however they are not permitted to participate in the bingo and if category B or C machines are made available for use these must be separated from areas where children and young people are allowed.

6. Betting Premises

- 6.1 Betting machines – The City of London Corporation will, as per the Gambling Commission's Guidance, take into account the size of the premises, the number of counter positions available for person-to-person transactions, and the ability of staff to monitor the use of the machines by children and young persons (it is an offence for those under 18 years of age to bet) or by vulnerable people, when considering the number/nature/circumstances of betting machines an operator wants to offer.

- 6.2 While the City of London Corporation has discretion as to the number, nature and circumstances of use of betting machines, there is no evidence that such machines give rise to regulatory concerns. This authority will normally consider limiting the number of machines only where there is clear evidence that such machines have been or are likely to be used in breach of the licensing objectives. Where there is such evidence, this authority may consider, when reviewing the licence, the ability of staff to monitor the use of such machines from the counter.

7. Travelling Fairs

- 7.1 It will fall to the City of London Corporation to decide whether, where category D machines and / or equal chance prize gaming without a permit is to be made available for use at travelling fairs, the statutory requirement that the facilities for gambling amount to no more than an ancillary amusement at the fair is met.
- 7.2 The licensing authority will also consider whether the applicant falls within the statutory definition of a travelling fair.

7.3 It has been noted that the 27 days statutory maximum for the land being used as a fair is per calendar year, and that it applies to the piece of land on which the fairs are held, regardless of whether it is the same or different travelling fairs occupying the land. The City of London Corporation will work with its neighbouring authorities to ensure that land which crosses our boundaries is monitored so that the statutory limits are not exceeded.

8. Provisional Statements

- 8.1 Developers may wish to apply to this authority for provisional statements before entering into a contract to buy or lease property or land to judge whether a development is worth taking forward in light of the need to obtain a premises licence. There is no need for the applicant to hold an operating licence in order to apply for a provisional statement.
- 8.2 S204 of the Gambling Act provides for a person to make an application to the licensing authority for a provisional statement in respect of premises that he or she:
- expects to be constructed;
 - expects to be altered; or
 - expects to acquire a right to occupy.
- 8.3 The process for considering an application for a provisional statement is the same as that for a premises licence application. The applicant is obliged to give notice of the application in the same way as applying for a premises licence. Responsible authorities and interested parties may make representations and there are rights of appeal.
- 8.4 In contrast to the premises licence application, the applicant does not have to hold or have applied for an operating licence from the Gambling Commission (except in the case of a track) and they do not have to have a right to occupy the premises in respect of which their provisional application is made.
- 8.5 The holder of a provisional statement may then apply for a premises licence once the premises are constructed, altered or acquired. The licensing authority will be constrained in the matters it can consider when determining the premises licence application, and in terms of representations about premises licence applications that follow the grant of a provisional statement, no further representations from relevant authorities or interested parties can be taken into account unless:
- they concern matters which could not have been addressed at the provisional statement stage, or
 - they reflect a change in the applicant's circumstances.
- 8.6 In addition, the authority may refuse the premises licence (or grant it on terms different to those attached to the provisional statement) only by reference to matters:

- which could not have been raised by objectors at the provisional statement stage;
- which in the authority's opinion reflect a change in the operator's circumstances; or
- where the premises has not been constructed in accordance with the plan submitted with the application. This must be a substantial change to the plan and this licensing authority notes that it can discuss any concerns it has with the applicant before making a decision.

9. Reviews:

9.1 Requests for a review of a premises licence can be made by interested parties or responsible authorities. However, it is for the licensing authority to decide whether the review is to be carried-out. This will be on the basis of whether the request for the review is relevant to the matters listed below:

- in accordance with any relevant code of practice issued by the Gambling Commission;
- in accordance with any relevant guidance issued by the Gambling Commission;
- reasonably consistent with the licensing objectives;
- in accordance with the authority's statement of licensing policy.

Consideration will also be given as to whether the request for a review is frivolous, vexatious or substantially the same previous representations or requests for review.

9.2 The licensing authority can also initiate a review of a licence on the basis of any reason which it thinks is appropriate.

Once a valid application for a review has been received, representations can be made by responsible authorities and interested parties during a 28 day period. This period begins 7 days after the application was received by the licensing authority, who will publish notice of the application within 7 days of receipt.

The licensing authority must carry out the review as soon as possible after the 28 day period for making representations has passed.

9.3 The purpose of the review will be to determine whether the licensing authority should take any action in relation to the licence. If action is justified, the options open to the licensing authority are:-

- (a) add, remove or amend a licence condition imposed by the licensing authority;
- (b) exclude a default condition imposed by the Secretary of State or Scottish Ministers (e.g. opening hours) or remove or amend such an exclusion;
- (c) suspend the premises licence for a period not exceeding three months; and

(d) revoke the premises licence.

In determining what action, if any, should be taken following a review, the licensing authority must have regard to the principles set out in section 153 of the Act, as well as any relevant representations.

- 9.4 In particular, the licensing authority may also initiate a review of a premises licence on the grounds that a premises licence holder has not provided facilities for gambling at the premises. This is to prevent people from applying for licences in a speculative manner without intending to use them.
- 9.5 Once the review has been completed, the licensing authority must, as soon as possible, notify its decision to:
- the licence holder
 - the applicant for review (if any)
 - the Commission
 - any person who made representations
 - the chief officer of police or chief constable; and
 - Her Majesty's Commissioners for Revenue and Customs

PART C

PERMITS / TEMPORARY & OCCASIONAL USE NOTICE

1. **Unlicensed Family Entertainment Centre (FEC): Gaming Machine Permits (Statement of Principles on Permits - Schedule 10, Paragraph 7)**
- 1.1 Where a premises does not hold a premises licence but wishes to provide gaming machines, it may apply to the licensing authority for this permit. It should be noted that the applicant must show that the premises will be wholly or mainly used for making gaming machines available for use (Section 238).
- 1.2 The Gambling Act 2005 states that a licensing authority may prepare a statement of principles that they propose to consider in determining the suitability of an applicant for a permit and in preparing this statement, and/or considering applications, it need not (but may) have regard to the licensing objectives and shall have regard to any relevant guidance issued by the Commission under section 25.

The Gambling Commission's Guidance for local authorities also states:

'In its Licensing Authority Statement of Policy, a licensing authority may include a statement of principles that it proposes to apply when exercising its functions in considering applications for permits. In particular it may want to set out the matters that it will take into account in determining the suitability of the applicant. Given

that the premises will particularly appeal to children and young persons, licensing authorities may want to give weight to matters relating to child protection issues.

1.3 Guidance also states:

‘An application for a permit may be granted only if the licensing authority is satisfied that the premises will be used as an unlicensed FEC, and if the chief officer of police has been consulted on the application....Licensing authorities might wish to consider asking applications to demonstrate:

- a full understanding of the maximum stakes and prizes of the gambling that is permissible in unlicensed FECs;
- that the applicant has no relevant convictions (those that are set out in Schedule 7 of the Act) and
- that staff are trained to have a full understanding of the maximum stakes and prizes.’

1.4 It should be noted that a licensing authority cannot attach conditions to this type of permit.

1.5 Statement of Principles - The City of London Corporation will expect the applicant to show that there are policies and procedures in place to protect children from harm. Harm in this context is not limited to harm from gambling but includes wider child protection considerations. The efficiency of such policies and procedures will each be considered on their merits, however, they may include appropriate measures / training for staff as regards suspected truant school children on the premises, measures / training covering how staff would deal with unsupervised very young children being on the premises, or children causing perceived problems on / around the premises.

2. Alcohol Licensed Premises: Gaming Machine Permits - Schedule 13, Paragraph 4(1)

2.1 There is provision in the Act for premises licensed to sell alcohol for consumption on the premises, to automatically have two gaming machines, of categories C and/or D. The premises merely need to notify the licensing authority. The licensing authority can remove the automatic authorisation in respect of any particular premises if:

- provision of the machines is not reasonably consistent with the pursuit of the licensing objectives;
- gaming has taken place on the premises that breaches a condition of section 282 of the Gambling Act (i.e. that written notice has been provided to the licensing authority, that a fee has been provided and that any relevant code of practice issued by the Gambling Commission about the location and operation of the machine has been complied with);

- the premises are mainly used for gaming; or
 - an offence under the Gambling Act has been committed on the premises.
- 2.2 If a premises wishes to have more than two machines, then it needs to apply for a permit and the licensing authority must consider that application based upon the licensing objectives, any guidance issued by the Gambling Commission issued under Section 25 of the Gambling Act 2005, and ‘such matters as they think relevant.’ The City of London Corporation considers that “such matters” will be decided on a case by case basis but generally there will be regard to the need to protect children and vulnerable persons from harm or being exploited by gambling and will expect the applicant to satisfy the authority that there will be sufficient measures to ensure that people under 18 years of age do not have access to the adult only gaming machines. Measures which will satisfy the authority that there will be no access may include the adult machines being in sight of the bar, or in the sight of staff who will monitor that the machines are not being used by those under 18. Notices and signage may also be of help. As regards the protection of vulnerable persons applicants may wish to consider the provision of information leaflets / helpline numbers for organisations such as GamCare.
- 2.3 It is recognised that some alcohol licensed premises may apply for a premises licence for their non-alcohol licensed areas. Any such application would most likely need to be applied for, and dealt with as an Adult Gaming Centre premises licence.
- 2.4 It should be noted that the licensing authority can decide to grant the application with a smaller number of machines and/or a different category of machines than that applied for. Conditions (other than these) cannot be attached.
- 2.5 It should also be noted that the holder of a permit must comply with any Code of Practice issued by the Gambling Commission about the location and operation of the machine.
- 3. Prize Gaming Permits: Statement of Principles on Permits - Schedule 14, Paragraph 8 (3)**
- 3.1 The Gambling Act 2005 states that a licensing authority may ‘prepare a statement of principles that they propose to apply in exercising their functions under this Schedule’ which ‘may, in particular, specify matters that the licensing authority propose to consider in determining the suitability of the applicant for a permit’.
- 3.2 The City of London Corporation has prepared a Statement of Principles which is that the applicant should set out the types of gaming that he or she is intending to offer and that the applicant should be able to demonstrate:
- that they understand the limits to stakes and prizes that are set out in Regulations;

- and that the gaming offered is within the law.
- 3.3 In making its decision on an application for this permit the licensing authority does not need to have regard to the licensing objectives but must have regard to any Gambling Commission guidance.
- 3.4 It should be noted that there are conditions in the Gambling Act 2005 with which the permit holder must comply, but that the licensing authority cannot attach conditions. The conditions in the Act are:
- the limits on participation fees, as set out in regulations, must be complied with;
 - all chances to participate in the gaming must be allocated on the premises on which the gaming is taking place and on one day; the game must be played and completed on the day the chances are allocated; and the result of the game must be made public in the premises on the day that it is played;
 - the prize for which the game is played must not exceed the amount set out in regulations (if a money prize), or the prescribed value (if non-monetary prize);
 - participation in the gaming must not entitle the player to take part in any other gambling.

4. Club Gaming and Club Machines Permits

- 4.1 Members Clubs and Miners' welfare institutes (but not Commercial Clubs) may apply for a Club Gaming Permit or a Clubs Gaming machines permit. The Club Gaming Permit will enable the premises to provide gaming machines (three machines of categories B, C or D), equal chance gaming and games of chance as set-out in forthcoming regulations. A Club Gaming machine permit will enable the premises to provide gaming machines (three machines of categories B, C or D).
- 4.2 Gambling Commission Guidance states:
- ‘...members’ clubs must have at least 25 members and be established and conducted ‘wholly or mainly’ for purposes other than gaming, unless the gaming is restricted to bridge and whist. Members’ clubs must be permanent in nature, but there is no need for a club to have an alcohol licence....’
- 4.3 The Commission Guidance also notes that ‘licensing authorities may only refuse an application on the grounds that:
- (a) the applicant does not fulfil the requirements for a members’ or commercial club or miners’ welfare institute and therefore is not entitled to receive the type of permit for which it has applied;
 - (b) the applicant’s premises are used wholly or mainly by children and/or young persons;
 - (c) an offence under the Act or a breach of a permit has been committed by the

- applicant while providing gaming facilities;
- (d) a permit held by the applicant has been cancelled in the previous ten years; or
- (e) an objection has been lodged by the Commission or the Police.’

4.4 There is also a ‘fast-track’ procedure available under the Act for premises which hold a Club Premises Certificate under the Licensing Act 2003 (Schedule 12 paragraph 10). As the Gambling Commission’s Guidance for local authorities states ‘Under the fast-track procedure there is no opportunity for objections to be made by the Commission or the police, and the ground upon which an authority can refuse a permit are reduced.’ and ‘The grounds on which an application under the process may be refused are:

- (a) that the club is established primarily for gaming, other than gaming prescribed under Schedule 12;
- (b) that in addition to the prescribed gaming, the applicant provides facilities for other gaming; or
- (c) that a club gaming permit or club machine permit issued to the applicant in the last ten years has been cancelled.’

4.5 There are statutory conditions on club gaming permits that no child uses a category B or C machine on the premises and that the holder complies with any relevant provision of a code of practice about the location and operation of gaming machines.

5. Temporary Use Notices

5.1 There are a number of statutory limits as regards temporary use notices. Gambling Commission Guidance is noted that ‘The meaning of "premises" in part 8 of the Act is discussed in Part 7 of this guidance. As with "premises", the definition of "a set of premises" will be a question of fact in the particular circumstances of each notice that is given. In the Act "premises" is defined as including "any place’. In considering whether a place falls within the definition of "a set of premises", licensing authorities will need to look at, amongst other things, the ownership/occupation and control of the premises. This is a new permission and licensing authorities should be ready to object to notices where it appears that their effect would be to permit regular gambling in a place that could be described as one set of premises.’

6. Occasional Use Notices:

6.1 The licensing authority has very little discretion as regards these notices aside from ensuring that the statutory limit of eight days in a calendar year is not exceeded. The City of London Corporation will though consider the definition of a ‘track’ and whether the applicant is permitted to avail him/herself of the notice.

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Report – Policy and Resources Committee

Criminal Records Bureau Rechecking

*To be presented on Thursday, 17th January 2013
To the Right Honourable The Lord Mayor, Aldermen and Commons
of the City of London in Common Council assembled.*

Summary

1. At its meeting on 19th January 2012 the Court considered a report on the introduction of a Criminal Records Bureau (CRB) re-checking process for relevant members (every 4 years from the date of first election to a relevant Committee/Board). The Court asked Officers to consider the potential impact of the Protection of Freedoms Bill on the CRB checks process. The Bill was enacted in April 2012, the Home Office issued guidance in July 2012 and the first phase came into force in September 2012. On 1st December 2012 the CRB became part of the new Disclosure and Barring Service (DBS) but the disclosures will continue to be referred to as CRB in the report for ease of reference in relation to previous reports. This has led to revised proposals being considered and supported by your Policy and Resources Committee, the various School Boards and the Community and Children's Services Committee.
2. The changes to the national disclosure regime brought about by the Protection of Freedoms Act, mean that checks and re-checks on Members should now be carried out where they have relevant contact with children and vulnerable adults, and not simply by virtue of their membership of a previously relevant Board of Committee.

Recommendations That:-

- a) the fact that legislation now requires a CRB check be carried out on any Member whose work with children or adults (through the City of London Corporation) meet the relevant criteria be noted. Automatic checks for all Members of previously relevant Committees and Boards would, therefore, cease;
- b) the introduction of an annual review and self-declaration process be approved to ensure that relevant Members who are eligible for checks are identified; and
- c) re-checking be introduced for Members requiring an initial check, but only at the point when the streamlined national process goes live. Updating checks would then be made every 4 years from the point at which a check is first required and disclosure checks repeated only where required.

Main Report

Background

1. A report was presented to all affected Committees and Boards and the Policy and Resources Committee during late 2011 proposing, at the request of members, to introduce a CRB re-checking process for relevant members (every 4 years from the date of first election to a relevant Committee/Board). When the report was considered by the Court of Common Council in January 2012, officers were asked to consider the potential impact of the Protection of Freedoms Bill on the CRB checks process. The Bill was enacted in April 2012 and the Home Office has now issued guidance on and implemented the changes, enabling the relevant Committees and Boards, and now this Court, to consider a revised proposal.

Current Position

2. The Safeguarding Vulnerable Groups Act 2006 sets out that a) Members of the governing body of an educational establishment and b) Members of a local authority involved in discharging any education or social services functions are subject to enhanced Criminal Records Bureau (CRB) checks.
3. Enhanced CRB checks are currently carried out on Members who sit on the Board of Governors for the three independent schools, the Guildhall School of Music and Drama and the Community and Children's Services Committee; as they are elected. Periodic repeat checks for Members who continue either on one Committee/Board or transfer to other relevant committees with no break in membership are not currently undertaken.
4. The changes introduced by the Protection of Freedoms Act 2012 are (in summary of the relevant sections):
 - a. New definitions of 'regulated activity' in relation to children and adults; the repeal of ISA registration and monitoring, controlled activity, and additional information provisions; and the introduction of a minimum age of 16 for checks. Other changes include a more rigorous relevancy test for locally held and released police information for enhanced CRB checks; and a right to review the information contained in a CRB disclosure for applicants before the organisation sees it; the provision of statutory guidance on what 'supervision' of children means; and some changes to barring criteria.
 - b. Membership of certain local authority committees and governing bodies of educational establishments is currently a "regulated activity" under the Safeguarding Vulnerable Groups Act 2006. The Act removes these functions from the scope of 'regulated' activity, as part of a considerable reduction in the scope of the scheme, but imposes a duty to check out checks where relevant 'regulated' or 'supervised' activity is undertaken. Where relevant, the check will provide organisations with information about whether an individual is barred from working in regulated activity with children and vulnerable adults.
 - c. From 2013; there is a simplified arrangement which combines the work of the Criminal Records Bureau (CRB) and Independent Safeguarding Authority (ISA) into the Disclosure and Barring Service (DBS). Checks will be portable and there will be an updating process for checking if any

changes have occurred since the original certificate was provided. If changes have occurred, a new disclosure can be requested.

5. The Home Office confirmed in July that the first phase of changes, including the removal of the statutory position checks, came into force in September 2012. There has only been one new member appointment since that time but this report allows a policy to be put in place for the future.

Proposals

6. From September 2012 there will no longer be any legal duty to make enhanced criminal record checks on Members simply by virtue of their appointment to a relevant Committee or Governing Body. However, there will be a duty to carry out enhanced CRB checks where Members otherwise meet the criteria for 'regulated' activity (the criteria relate to type, regularity and place of interaction) or 'supervised' activity (the criteria relate to supervision arrangements such as who is supervising, and the regularity and reasonableness of supervision). Those engaged in 'regulated' activity or carrying out 'supervised' paid work in a specified place (including schools) will need an enhanced CRB check along with a check of the relevant ISA Regulated Activity Registers (sometimes referred to as the 'barred lists'). Those carrying out other 'supervised' activity, (such as supervised voluntary work in schools) will require a check under a new category of 'Police Act 1997' Disclosure; which is an enhanced check, but without searches of the barred lists. This is the category Members will most likely fall under.
7. The proposal is, therefore, only to check members who meet the new criteria by virtue of the nature of their work on behalf of the City Corporation a) giving them supervised or regulated access to children and/or b) engaging them in relevant activities in relation to adults. This would be achieved through the relevant school or department reviewing annually to see if any Members will be likely to meet either of the two sets of criteria (clearly if it becomes apparent at any point that they are meeting the criteria, then a check should be actioned immediately). This will be supplemented by a process of self-declaration by any member who feels they may meet the criteria as a result of their activities across different Corporation schools/activities or changing levels of involvement over time. The Schools and relevant departments have been consulted on this and are content that this process can be managed. Full guidance on the definitions will be made available and the schools /departments and Corporate HR will be able to advise members on whether they are likely to require a check, and if so, at what level.
8. This approach reduces the administrative burden and bureaucratic process, is consistent with Government expectations, and ensures we are confident in meeting the CRB eligibility criteria (the CRB has the power to remove a body's registered status if they continually submit ineligible checks).
9. In relation to the options for re-checking, the legislation introduces an Updating Service whereby once an original certificate has been issued it will be possible to check with the CRB whether there have been any changes to a person's record since that time (maximum frequency annually). If there has been a change then a new disclosure check can be applied for to update the disclosure information available. If not, the organisation can assume there has been no

change in the record and will not need to request a new certificate. This process has been introduced to vastly simplify re-checking and reduce associated costs; however, there are no statutory requirements for re-checks, or Government recommendations as to the frequency of re-checks. There has been no implementation date agreed for this process but it is timetabled for 2013. Costs for the Update Service have not yet been published but the Home Office have said it will be significantly cheaper than a full check (current estimates are at least 75% cheaper). Portability of checks will also come into effect at that time, and is another measure that will reduce the number of checks needed to be carried out on each person where they have multiple relevant roles across different organisations.

10. It is recommended that re-checking against the Update Service is undertaken for Members that qualify for checks under the new definitions, but only at the point when the national service goes live to ensure the process is as efficient as possible. This would take the form of an update request every 4 years, in line with the original proposal agreed by the relevant Committees and Boards. Applications for new CRB disclosures will only be made where the update notification indicates there is a change to the record. Members will be given guidance on this process and advance notice of the date of introduction when it becomes available from the Home Office.
11. If this proposal is agreed, a short guidance note for Members would be produced on the disclosure process, criteria and expected standards.

Corporate & Strategic Implications

12. This proposal fits with the efforts to reduce bureaucracy but still maintains our commitment to managing a disclosure and barring process consistent with Government expectations.

Implications

13. The financial implications are minor as costs were small in the first place (a notional maximum of £3,700 for initial checks). There will be a smaller number of initial checks required and update checks will be significantly cheaper (and only undertaken ever 4 years); so we are likely to see costs reduce and not increase. In order to manage risk, those Members with relevant contact with children and vulnerable adults will still be checked, and this approach is in line with Government expectations.

Conclusion

14. In order to implement the changes to the national disclosure regime brought about by the Protection of Freedoms Act, checks and re-checks on members should now be carried out where they have relevant contact with children and vulnerable adults.

All which we submit to the judgement of this Honourable Court

DATED this 4th day of October 2012
SIGNED on behalf of the Committee

Mark John Boleat
Chairman



Report of the Policy & Resources Committee

City of London Corporation Employability Partnership

*To be presented on Thursday, 17th January 2013
To the Right Honourable The Lord Mayor, Aldermen and Commons
of the City of London in Common Council assembled.*

Summary

1. In October 2012 the Court agreed proposals for a new initiative to help tackle the growing problem of rising numbers of young people not in employment, education or training (NEETs), entitled “Get Young People Working – The Youth Offer”. At that time the Court acknowledged that there was a further need for the City Corporation to explore how it could do more to support this important area of work with its partners and neighbouring boroughs. Your Policy and Resources Committee undertook to consider how an additional project, which complements the Get Young People Working initiative, might be progressed.
2. Officers have subsequently developed a project in partnership with Central London Forward (CLF) aimed specifically at the City Corporation’s neighbouring boroughs.¹ These boroughs have some of the highest deprivation levels in the country. CLF covers 6 Central London boroughs and the City. It should be noted that the project would also complement City Bridge Trust’s £1m awarded to 11 organisations for horticultural work training and apprenticeships in several London boroughs.
3. The project comprises three strands, training, mentoring and an Employability Passport for 14 – 16 year olds. It would benefit unemployed residents of the CLF boroughs, as well as the City. Tower Hamlets and Hackney would also have the

¹ CLF authorities: Camden, Islington, City of London, Lambeth, Southwark, City of Westminster, Royal Borough of Kensington & Chelsea. Tower Hamlets and Hackney also have the option to join the initiative.

option to join. Up to £2.1m over two years would be provided from Bridge House Estate's revenue surplus to support it. The funds would be used to leverage additional funding and commitment from wider organisations and it also includes a budget of £100,000 to cover the commissioning, managing and monitoring of the programme. The aim would be to achieve approximately 2000 jobs/apprenticeships, along with 1,200 additional mentoring, skills and skills passport interventions. The City Corporation would also gain credit as the driver for project.

Recommendation

4. That approval be given to:-
 - a) the approach outlined in this report for a new employability initiative for Central London, the City and neighbouring boroughs; and
 - b) a sum of £2.1m being allocated over 2013/4 -2014-15 (for a £2m programme plus a £100,000 (5%) budget for management costs) from the revenue surplus in the Bridge House Estates Fund towards a potential sum of £4-5m levered from other organisations.

Main Report

Background

5. In October 2012 the Court agreed proposals for a new initiative to help tackle the growing problem of rising numbers of young people not in employment, education or training (NEETs), entitled "Get Young People Working – The Youth Offer". The initiative was established to assist the 32 London Boroughs with the cost of a project(s) designed to help at least 1,000 young people across London to access employment or apprenticeships. It involved London Boroughs being invited to apply for a grant of up to £100,000 over a 2 year period to assist with this. The cost was to be met from Bridge House Estates income.
6. At that time the Court acknowledged that there was a further need for the City Corporation to explore how it could do more to support this important area of work with its partners and neighbouring boroughs. Your Policy and Resources Committee undertook to consider how an additional project, which complements the Get Young People Working initiative, might be progressed. Officers have subsequently developed a project in partnership with CLF aimed specifically at the City Corporation's neighbouring boroughs. These boroughs have some of the highest deprivation levels in the country. CLF covers 6 Central London boroughs and the City.
7. The project comprises three strands, training, mentoring and an Employability Passport for 14 – 16 year olds. It would benefit unemployed residents of the CLF boroughs, as well as the City. Tower Hamlets and Hackney would also have the

option to join. The aim would be to achieve approximately 2000 jobs/apprenticeships, along with 1,200 additional mentoring, skills and skills passport interventions. It should be noted that as well as complementing the Get Young People Working project the proposed initiative would also complement City Bridge Trust's £1m awarded to 11 organisations for horticultural work training and apprenticeships in several London boroughs. In addition the City Corporation would gain credit as the driver for the project.

Current Position

8. Nationally, the government has recognised youth unemployment as a particular priority and is implementing a range of measures targeted at young people amid broader reforms to welfare, education and training.
9. The boroughs surrounding the City experience high levels of unemployment:-
 - One in four economically active young adults in London is unemployed, compared to the average of one in ten for all working-age adults. The young adult unemployment rate in Inner London is higher and has risen faster than the rate in Outer London.
 - Of the 51,000 18-24 year olds currently unemployed claiming Jobseekers Allowance (JSA) in central London, 8,000 (16%) have been unemployed for more than 12 months.² However, we should not lose sight of the fact that 134,000 25-49 year old central Londoners are also unemployed claiming JSA, with 42,000 (30%) unemployed for over 12 months.

The project will therefore include, but not be exclusive to, work with young people.

Proposals

10. The following proposal has been worked up by CLF as part of its employability work-stream, following analysis of the most successful models, and in consultation with a working group of CoL officers from the Economic Development Office, City Bridge Trust, Community and Children's Services Department and Public Relations Office.
11. It is intended that, as well as the CLF boroughs, this project would benefit unemployed residents of Tower Hamlets and Hackney, as well as the City.
12. The preferred option is to provide a flexible menu of joined-up, cross-borough provision able to meet the needs of both employers and unemployed people across Borough boundaries. It would use £2m from Bridge House Estates to leverage in additional funding and commitment from wider organisations. Some key players have already demonstrated an appetite for such an approach.
13. This approach (with a single fund , potentially up to a total of £4-5m), joining up key London stakeholders in a more simplified, streamlined, offer would, crucially,

² Nomis, October 2012

meet the expressed needs of employer businesses who consistently cite multiple initiatives, strands, entry points and 'blind alleys' as a key barrier to engagement with a disparate, confusing employment and skills system. Addressing this employer need, joining up the offer and leveraging additional funding and partner commitment would deliver greater outcomes than the City Corporation and CLF developing a separate initiative.

14. It is considered that this sum would be sufficiently sizeable to make a difference as a stand-alone project and /or to leverage in other funds. In the latter case it also ensures that the City Corporation remains the biggest single funder and so can ensure its priorities are met.

The proposed programme

15. The following activities would be funded:

- **Pre-employment training through training providers** – including bespoke pre-recruitment preparation aligned to the skills, attitudes, behaviours and branding requirements of employers undertaking large-scale recruitment and tackling the core issues of employability and soft skills. Provide more pre-apprenticeship/pre-employment support for people who are not equipped with the skills necessary to present themselves well to employers.
- **Employability Passport for 14 – 16 year olds** – including supporting and increasing local recruitment and encouraging local businesses to take young people on work placements and in apprenticeships and support for schools and colleges to develop and extend their links with business
- **Mentoring between employees / unemployed** - work with employers to extend mentoring programmes between their employees and unemployed local people.

Delivery partners

16. The project could be delivered by organisations which meet the requirements of the City Bridge Trust, i.e. registered charities and properly constituted, not for profit/social enterprise organisations in the eight Boroughs.

Funding partners

17. The following partners have been identified. A number of these have already expressed interest and possible commitment of funds:-

- the six 'other' CLF Boroughs (and potentially Hackney and Tower Hamlets - to fit the "neighbouring boroughs" remit),
- GLA,
- London's allocation of the EU's European Regional Development Fund (ERDF) which has an underspend in excess of £11m,
- London Enterprise Panel (LEP) employment and skills working group,

- JobCentrePlus (JCP),
- Employer Ownership of Skills (EOS) programme (BIS/UK Commission on Employment and Skills).

Outputs

18. Estimating a metric of £1.5k per job, which is in line with known comparators³, a total fund of £4m (with £2m provided by the City Corporation) could provide, over 2 years:-

- 2000 people into jobs /apprenticeships, along with
- 1,200 additional mentoring, skills and skills passport interventions
- 17 schools engaged with employer links facilitated and capacity building delivered and
- demonstration of the value and impact of a joined-up but semi-autonomous, devolved London-level skills and employment funding stream
- support 3rd sector employment and skills providers who have valuable experience and community engagement as well as some innovative delivery models.

19. City residents would be able to benefit from the programme, as well as residents of the eight boroughs.

Monitoring and Evaluation

20. A budget of £100,000 (5%) would be added to cover the commissioning, managing and monitoring of the programme.⁴

21. CLF would develop with the City Bridge Trust a detailed monitoring and evaluation process and provide regular monitoring reports. Payments will be released in instalments and will be subject to satisfactory progress.

Profile

22. The Working Group officers feel that this proposal offers the potential to act as a catalyst and game-changer for London's employment and skills system. The opportunity to leverage in additional funding and partner commitment shows the

³ This approximation is based on combined programme start and job output payments for a Job Seekers Allowance (JSA) claimant Work Programme participant, equates to previous delivery by the London Employer Accord and has also been 'sense checked' with current Department for Work and Pensions (DWP) provision in London, funded under JCP District Flexibility Funds

⁴ 5% is the same percentage as is used by London Councils for commissioning and monitoring EU-funded programmes. This is a complex project. While the management and financial reporting arrangements have yet to be settled, it is likely that Central London Forward would work to leverage in the funds. Discussions will be held with appropriate bodies (eg Cross River Partnership) who would manage procurement and commissioning.

capacity to add impact and value above and beyond the core funding for which the authority is sought. Because of these significant potential wider impacts, this proposal is also broadly supported by the GLA, Jobcentre Plus and the LEP as well as the Boroughs.

23. For these reasons, the additional impact and added value, as well as the positive PR and kudos accruable to the City Corporation as the driver and major funder of such an initiative, we recommend this proposal for approval.
24. The Public Relations Office will ensure that the City Corporation obtains maximum recognition for its contribution.

Corporate & Strategic Implications

25. This proposal fits within three of the strands of the community strategy – “is competitive and promotes opportunity”, “supports our communities” and “is safer and stronger”. It also supports the Corporate Plan objective of providing “valued services to London and the nation” – and key policy priority to “be a good neighbour”. It meets the priorities within the business plans of the City Bridge Trust, the EDO and the Community and Children’s Services Department.

Implications

26. While the larger, partnership, project proposed will produce greater impact overall than each partner using its own funds for separate initiatives, it inevitably carries with it a risk of delays in assembling all of the funding and of a more involved monitoring and reporting process. This is considered worthwhile in order to achieve a ground-breaking initiative.
27. Should it not prove possible to piece together all of the proposed funding within a reasonable timescale, a worthwhile project could still be implemented with a smaller total amount of funding than the £4-5m or with the £2m City Corporation funding alone.⁵
28. The ambition would be to get the initiative out to tender as early as possible in 2013. The timeline on this will be challenging given the partners and additional funding to align. Delivery could commence within the first quarter of 2013/14 and the funding would be profiled over the two financial years 2013/14 and 2014/15.
29. The Comptroller and City Solicitor has advised that grants for charitable purposes associated with addressing employability made to organisations which meet the criteria for funding by City Bridge Trust may be regarded as within the Guidelines and the purposes of the Charitable Scheme.

⁵ For £2m we would anticipate 800 jobs, 500 mentoring, skills and passport interventions and 8 schools engaged. It would not be the game changer or generate the broader impacts envisaged for the larger project..

Conclusion

30. Unemployment in Central London and surrounding boroughs is a particular concern. The opportunity has arisen to implement a ground-breaking project which joins up funding sources and agencies to produce greater impact than any single agency acting alone. With £2m of City Corporation funds there is the opportunity to achieve £4-5m worth of outputs, to lay the ground for a different way of doing things to tackle unemployment in London and to bring credit to the City Corporation as a catalyst and single major funder.

All of which we submit to the judgement of this Honourable Court.

DATED this 13th day of December 2012

SIGNED on behalf of the Committee

Mark Boleat
Chairman of the Policy and Resources Committee

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