

LICENSING COMMITTEE

Wednesday, 16 October 2019

Minutes of the meeting of the Licensing Committee held at Committee Room - 2nd Floor West Wing, Guildhall on Wednesday, 16 October 2019 at 1.45 pm

Present

Members:

Sophie Anne Fernandes (Chairman)
Mary Durcan
Deputy Kevin Everett

Michael Hudson
Deputy Jamie Ingham Clark
Graham Packham

In Attendance

Jussi Tolvi

Officers:

Jon Averbs	- Director of Markets & Consumer Protection
Gavin Stedman	- Port Health and Public Protection Director
Rachel Pye	- Markets & Consumer Protection
Peter Davenport	- Markets & Consumer Protection Department
Leanne Murphy	- Town Clerk's Department
Andrew Buckingham	- Media Team, Town Clerk's Department
Frank Marchione	- Comptroller & City Solicitor's Department
Aggie Minas	- Markets & Consumer Protection
Inspector Jo Northmore	- City of London Police
Chief Inspector Jesse Wynne	- City of London Police

1. APOLOGIES

Apologies were received from Peter Dunphy, Caroline Addy, Deputy Keith Bottomley, Karina Dostalova, John Fletcher, Marianne Fredericks, Shravan Joshi and Judith Pleasance,

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

There were no declarations.

3. PUBLIC MINUTES

The public minutes of the meeting held on 16 July 2019 were approved as a correct record.

4. BREXIT PLANNING UPDATE

Members received a verbal update from the Port Health & Public Protection Director concerning Brexit planning.

Members were advised that the outcome of the 31 October 2019 deadline was still being awaited and the Department would report as appropriate concerning any impacts once the outcome was clear.

5. MINUTES OF LICENSING (HEARING SUB) COMMITTEES:

5.1 Gremio de London Ltd

Members noted the public minutes of the Gremio de London Ltd hearing on 5 July 2019.

5.2 Global Grange Limited

Members were advised that the Global Grange Limited Hearing was cancelled following an agreement reached between objector (Environmental Health) and the Applicant.

5.3 WeWork - WW Moor Place Ltd

Members noted the public minutes of the WeWork WW Moor Place Ltd hearing on 6 August 2019.

5.4 Stem & Glory - Herbivore Restaurants Ltd

Members noted the public minutes of the Stem & Glory hearing on 6 August 2019.

5.5 Daisy Green Food Ltd

Members noted the public minutes of the Daisy Green Food Ltd hearing on 13 August 2019.

A Member of the Sub Committee panel noted that the Applicant had submitted a noise assessment providing ambient noise data, etc, which was very useful.

The Member also noted that the circumstances concerning music entertainment had changed. Applicants were no longer required to obtain a licence to put on live music/play recorded music if it takes place between 8am and 11pm, takes place at an alcohol on-licensed premises and the audience is no more than 500 people. A licence was also not required for unamplified live music at any place between the same hours or amplified live music at a workplace between the same hours and provided the audience is no more than 500 people.

6. APPEALS AGAINST LICENSING (HEARING) SUB COMMITTEE DECISIONS

The Comptroller & City Solicitor advised the Committee that there were currently no appeals.

7. CLUB SODA PRESENTATION: EVALUATION AND NEXT STEPS

The Committee received a presentation by Club Soda providing an evaluation and next steps for the initiative since the City of London Corporation provided funding to develop the Club Soda Guide in 2018.

- The mission for Club Soda is to create a world where nobody has to feel out of place if they are not drinking.
- The number of City venues signed up have more than doubled with 235 since the pilot.

- City Corporation venues have a higher mean score (3.48) than the national average (3.32), and a higher percentage of venues which score the maximum of 5 (42% as compared to 35% nationally).
- Members were shown postcards, leaflets and guides which were distributed at venues, trade talks and workplaces advocating mindful drinking. The Chairman found these useful and requested that some be made available at the Safety Thirst Awards ceremony.
- An initiative, Rebel AF, was trialled at Bournemouth University advocating mindful drinking and it was hoped this would be brought to other UK universities.
- Next steps with the City Corporation included continuing to work with the City on how to use the Guide as part of the night time economy, the possibility of designating the City of London Corporation as the UK's first mindful drinking place, and additional research and campaign ideas that have come from the Guide work in the City including work with caterers, workplaces and universities to encourage and promote more mindful drinking.
- Members were advised that the seventh Club Soda Mindful Drinking Festival would take place on 18-19 January 2020 at the Old Truman Brewery.
- Club Soda would be publishing the book How to be a Mindful Drinker in time for Christmas.
- A Member noted that the location maps on the guide were not working on safari.
- The Chairman confirmed that the City Corporation was interested in becoming the first mindful Local Authority and asked what the criteria would be. Members were advised that the criteria and pilot for Local Authorities was in development and the Corporation would be invited to pilot the initiative first.
- The Director of Markets and Consumer Protection noted that the work of Club Soda complemented work being carried out by Committees across the Corporation and recommended linking in with the Health & Wellbeing Committee.
- It was noted that prices for non-alcoholic drinks ranged across premises. Members were advised that there was a lime and soda watch and the most expensive drink recorded was £5.60. The Director of Markets and Consumer Protection felt that some Trading Standards work was required to ensure value for money.

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8. SEEKING A PUBLIC SPACE PROTECTION ORDER - LONDON MARATHON RELATED DISORDER

The Committee considered a report of the Assistant Town Clerk concerning the challenges faced in the City by visitors of the London Marathon and provides a solution through a Public Space Protection Order (PSPO) to help us deal with the recurring issues of violent disorder and antisocial behaviour (ASB) taking place during the event.

Members were advised that this was the first PSPO requested by the City Corporation which it hoped would help manage issues of intoxication and ASB experienced in the City during the last London Marathon. It was noted that other Local Authorities had stronger powers to support Police in dealing with these issues.

In response to concerns that the PSPO could displace disorder to other areas in the City, Members were advised that the Order would cover the entire route of the marathon and adjacent areas within the City. Members were particularly keen that St Pauls and Paternoster Square be covered.

A Member noted that ASB was not covered as a licensable activity that the Committee had control over under its Terms of Reference. Members agreed for a recommendation to be made to the Court that the Committee's constitution in its Terms of Reference be updated to include ASB. The Town Clerk agreed to look into the legalities of this request and, if legal, update the Terms of Reference for Court in April 2020.

RESOLVED – That:-

- Members consider the report and support the Safer City Partnership in asking the Court of Common Council to approve a PSPO to deal with the issues associated with the London Marathon;
- The Terms of Reference of the Committee be updated to include ASB for submission to the Court in April 2020;
- Any further changes in the lead up to the Court's appointment of Committees be delegated to the Town Clerk in consultation with the Chairman and Deputy Chairman.

9. TRAFFIC LIGHT SCHEME AMENDMENTS TO INCLUDE IMMIGRATION OFFENCES AND CLEANSING OFFENCES IN CONNECTION WITH LICENSABLE ACTIVITIES

The Committee considered a report of the Director of Markets and Consumer Protection providing Members with an update on the Traffic Light Scheme amendments now including immigration offences and cleansing offences in connection with licensable activities.

Members were advised that minor amendments were made to the scheme based on monthly data capturing incidents for consideration concerning

cleansing/dumped rubbish and immigration issues. Members were supportive of the amendments and requested that traders be informed of the changes.

RESOLVED – That Members note the amendments to the Scheme.

10. MAPPING AND ASSESSING THE CITY'S NIGHT TIME ECONOMY - THE WAY FORWARD

The Committee considered a report of the Director of Markets and Consumer Protection outlining the proposed actions to be taken by the Licensing Team in order to address the recommendations of the City's Night Time Economy (NTE) report focussing around the areas of cumulative impact, the advent of Crossrail, City of London drinking culture and the collection of data for analysis.

Members were advised that this was a follow up report to the NTE exercise looking at the data and next steps. It was noted that a number of recommendations were already being progressed, e.g. the Licensing Team were developing maps and installation of a Police CCTV van in Bishopsgate had been approved. Members agreed with the recommendations proposed within the report.

RESOLVED – That Members:-

- Agree the actions to be taken by the Licensing Team outlined in paragraphs 8, 9, 10, 14, 18 and 19 of this report;
- Note that a further report will be submitted to the next Licensing Committee with an update of the progress made against the proposed actions.

11. CRIMES AT LICENSED PREMISES

The Committee considered a report of the Chief Superintendent regarding violent crime from licensed premises during the period July to September 2019.

Members were advised that this period had reflected a decreased trend for crime offences in and outside licensed premises.

With regards to the request that the Committee be provided with a full year of the data which would be helpful for identifying trends, Members were advised that this had not been possible on this occasion as the data analyst was sick and the annual data would be provided at the next meeting.

Members were advised that the percentages breakdown for the Reasons for VAP Offences at Licensed Premises table were as follows: 67% alcohol, 17% drugs/alcohol, 12% unknown, 3% alcohol with racial prejudice and 1% alcohol with sexual orientation.

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12. LATE NIGHT LEVY FINANCE REPORT

The Committee considered a report of the Chief Superintendent providing Members with a breakdown of the spending of the Late Night Levy from the City of London Police.

Members were advised that Inspector Jo Northmore was now in place as the new Licensing Inspector and that £43k had been approved for a CCTV van which would be in place for the upcoming Christmas period.

Members struggled to interpret the data provided in two tables and asked for this to be simplified. Members were advised that the two schedules covered the Levy year start in October and the normal annual year start. It was agreed that a table presenting the Levy year was satisfactory providing data for the last two years with the most recent data in the left column. A Member also asked that blank pages be removed. Officers agreed to update how the data was presented as recommended.

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

The Committee noted a report of the Director of Markets and Consumer Protection regarding the delegated decisions of the Director pertaining to premises licences.

Members were advised that there were two premises classified as 'red' and both should be downgraded by the next quarter.

A Member noted that Bishopsgate had more new applications than the other Wards put together which reinforced the need to look at the area and carry out a cumulative report of the area. The Town Clerk agreed to circulate information to Members concerning the offer to go out with the City of London Police one evening to experience the night time economy.

A Member was concerned that 19 premises were not paying the fee and had received a 'Live' Suspension. Members were advised that most premises paid as soon as they received the notice letter. It was noted that premises that were suspended could not operate and would be prosecuted if caught trading without paying the fee.

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14. QUESTIONS ON MATTERS RELATING TO THE WORK OF THE COMMITTEE

There were no questions.

15. ANY OTHER BUSINESS THAT THE CHAIRMAN CONSIDERS URGENT

The Chairman requested that the Town Clerk provide Members with an update regarding the following:

- The Safety Thirst Awards ceremony will take place on 5 November 2019 in the Livery Hall and Crypts at 3.15-5.15pm.

- The postcards/leaflets/guides shown during the Club Soda presentation can be requested from Club Soda or found on the website: <https://www.clubsodaguide.com/>.
- Members to inform the Town Clerk if they are interested in receiving BIIAB Certification licensing training.
- A training session regarding Equalities and Public Sector Equalities Duty in Licensing Decisions will take place at Guildhall on 25 October 2019 at 11am- 2pm.
- If Members wish to report anything at a licensed premises within the City, please contact: Guildhall number 24/7 (except Christmas Day) 020 7606 3030 or email licensing@cityoflondon.gov.uk.

16. **EXCLUSION OF THE PUBLIC**

RESOLVED – That under Section 100A(4) of the Local Government Act 1972, the public be excluded from the meeting for the following items of business on the grounds that they involve the likely disclosure of exempt information as defined in Paragraph 3 of Part I of Schedule 12A of the Local Government Act.

17. **NON-PUBLIC MINUTES**

The non-public minutes of the meeting held on 16 July 2019 were approved as a correct record.

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

The Committee received a non-public appendix report to the report under agenda item 13 pertaining to premises licenses which included the names of each premises.

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

There was one question.

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

There was none.

The meeting ended at 2.41 pm

Chairman

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