

LICENSING COMMITTEE

Wednesday, 28 April 2021

Minutes of the virtual meeting of the Licensing Committee held on Wednesday, 28 April 2021 at 1.45 pm

Present

Members:

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

Officers:

Jon Averbs	- Director of Markets & Consumer Protection
Frank Marchione	- Comptroller & City Solicitor's Department
Rachel Pye	- Markets & Consumer Protection
Peter Davenport	- Markets & Consumer Protection Department
Leanne Murphy	- City of London Corporation
Gavin Stedman	- Markets & Consumer Protection Department
Jo Northmore	- City of London Police
Nick Bodger	- Cultural & Visitor Development Director
Jeremy Blackburn	- Head of Relationships & Networks
Chris Lovitt	- Deputy Director of Public Health
Jenny Pitcairn	- Chamberlain's Department

1. APOLOGIES

There were no apologies.

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

There were no declarations.

3. ORDER OF THE COURT OF COMMON COUNCIL

The Order of the Court of Common Council dated 15 April 2021 appointing the Committee and setting its Terms of Reference for the ensuing year was received.

4. ELECTION OF CHAIRMAN

An election of Chairman was conducted in line with Standing Order 29. Sophie Fernandes, being the only Member indicating a willingness to serve, was elected Chairman for the ensuing year. The Chairman thanked Members for their support.

5. **ELECTION OF DEPUTY CHAIRMAN**

The Committee proceeded to elect a Deputy Chairman in accordance with Standing Order No. 30. Shravan Joshi, being the only Member indicating a willingness to serve, was elected Deputy Chairman for the ensuing year. The Deputy Chairman thanked the Committee for their continued confidence.

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

The Committee proceeded to appoint four Licensing (Hearing) Sub Committee Chairmen for the ensuing year, in addition to the current Chairman and Deputy Chairman and Past Grand Committee Chairmen.

The following five Members declared a willingness to serve on the Reference Sub Committee and to serve as Sub Committee Chairmen: Deputy Jamie Ingham Clark, Michael Hudson, Caroline Addy, Graham Packham and James Tumbridge. The Committee agreed to increase the number of Members from four to five and a ballot was therefore not required.

RESOLVED – That the Licensing (Hearing) Sub Committee Chairmen and the Reference Sub Committee for 2021/22 comprise of the following Members:

- Sophie Fernandes (Chairman)
- Shravan Joshi (Deputy Chairman)
- Kevin Everett (Past Grand Committee Chairman)
- Marianne Fredericks (Past Grand Committee Chairman)
- Peter Dunphy (Past Grand Committee Chairman)
- Michael Hudson
- Deputy Jamie Ingham Clark
- Caroline Addy
- James Tumbridge
- Graham Packham

7. **PUBLIC MINUTES**

The public minutes of the meeting held on 3 February 2021 were approved as a correct record.

8. **APPEALS AGAINST LICENSING (HEARING) SUB COMMITTEE DECISIONS**

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

9. **GAMBLING ACT - ANNUAL REVIEW OF FEES 2021/22**

Members considered a report of the Director of Markets & Consumer Protection concerning the setting of the annual fees for those premises requiring a licence under the Gambling Act 2005.

It was noted that the proposed fees would result in less income compared with previous years due to a reduction in the forecast for the number of gambling premises in the City of London.

A Member noted reductions in the trade and queried if this was due to COVID or the growth of online betting shops. Members were advised that the change in trade was not COVID related but was likely a result of the increase in online betting as this was more lucrative.

RESOLVED – That Members agree the proposed fees for 2021/22 as set out in Appendix 1.

10. SEX ESTABLISHMENTS - ANNUAL REVIEW OF FEES 2021/22

Members considered a report of the Director of Markets & Consumer Protection concerning the setting of the annual fees for those premises requiring a licence under the Local Government (Miscellaneous Provisions) Act 1982 as a sex establishment.

It was noted that the proposed fees were the same as they were for 2020/21 and would not affect budget income targets as there were currently no premises in the City that had a Sex Establishment Licence.

RESOLVED – That Members agree the proposed fees for 2021/22 as set out in Appendix 1.

11. COVID-19 UPDATE

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

- On 12 April, the Roadmap Lockdown Easing Step 2 was implemented and despite cold weather, the City's outdoors hospitality has been busy with approximately 50 licenced premises open for al-fresco to date.
- City Officers and the City of London Police have continued with their partnership approach of the 4 E's: Engage, Explain, Encourage, Enforce and confirmed there had been a good level of compliance with the roadmap restrictions resulting in a safe and enjoyable experience. It was noted that some issues have arisen with vertical drinking, takeaway drinks resulting in gatherings and inside spaces being described and used as outdoor spaces, most of which have now been resolved.
- Simple guidance documents have been provided to premises owners alongside seminars with colleagues in Public and Environmental Health.
- Officers envisage significantly more activity in May when premises would be able to open up indoors and as more people return to work across the City.
- Pavement licence applications have continued to be received, with 58 applications since the beginning of January 2021 adding to the existing 77 tables and chairs licences in operation. Businesses have been creative about how licensing can be used flexibly to expand their offering until restrictions are removed more fully.

- To provide a proportionate decision-making tool for pavement licenses in light of CTSA advice, a decision matrix approach is currently being trialled to assist with an acceptable risk level. This will be taken to the Senior Security Board in June and the Planning & Transportation Committee for approval.
- The City Corporation has continued to raise awareness of the Business Recovery Fund linked to the Covid Compliance Accreditation scheme which is in place to assist with the confidence of returning customers which has seen a good number of applications.
- Officers also continue to assist, where they can, with the evolving Recovery Taskforce - Vibrant Offer theme.

Members made the following comments:

- The Chairman thanked Officers for the huge amount of work that had been done to get businesses back up and running. These thanks were echoed by other Members.
- A Member noted that Officers had details of all hospitality trade in the City and suggested sharing information regarding the Covid19 fund to all. It was confirmed that the fund was actively being promoted through LinkedIn, Officers were knocking on doors, and email groups had been contacted.
- A Member was concerned by the number of boarded up premises in the City and was nervous they would not reopen. A list of Applicants that have surrendered licences was requested for Members.
- There was concern that hospitality would struggle to get staff as a number of EU nationals had gone home (due to COVID and Brexit) plus some older staff no longer wanted to travel into the City. In response to a query whether support and encouragement could be made to Government and TfL, it was confirmed that work was ongoing.
- With regards to premises that had applications refused, a Member requested a list of all refusals to date. Officers confirmed there had only been seven refused to date due to the safety of pedestrians / people at tables and were now hopefully resolved by the new risk assessment scheme. It was agreed an update would come to the next meeting.
- In response to a regarding who decided the applications for tables and chairs licenses in the TfL red route, Members were advised that the City Corporation decided the applications with TfL as a consultee.
- The Deputy Director of Public Health provided an overview of local COVID statistics and shared a graph of the number of COVID cases in the City, noting the significant reduction in numbers with no COVID

cases at the end March for residents. Businesses were encouraged to take up PCR and lateral flow tests and licensed premises urged to promote all staff to test twice a week and use QR codes to ensure the Public Health team can contact people to avoid breakouts.

12. CITY OF LONDON POLICE UPDATE

The Committee received an oral update from the Chief Superintendent providing a general update on the City of London Police since the last meeting.

Members were informed that there was no report on violent crime at premises as all premises had been closed.

It was confirmed that the Police had continued to disseminate COVID guidance and engagement had been very positive. There was concern regarding the uplift in theft, but so far there had been no reports.

Members were advised there had been a number of public awareness events and were encouraged to attend an online event for general managers and SIA staff on 11 May. The Town Clerk agreed to share the details.

It was noted that there had been some issues concerning takeaway drinks and vertical drinking with the Police continuing to remind the public of the rules. Some premises had decided to stop takeaways as they could not manage the supply safely.

A policing plan is in place for premises viewing the upcoming Euros 2021, with four premises currently confirmed to showing the fixtures.

In response to a question concerning how many fines had been issued for breaches, Members were advised that only one had issued due to the premises consistently flouting vertical drinking rules after 3 engagements from officers.

13. LICENSING SERVICE BUSINESS PLAN 2020/21: PROGRESS REPORT

Members noted a report of the Director of Markets & Consumer Protection providing an update on progress made during 2020/21 against the operational performance indicators (PIs) and improvement objectives outlined in the Business Plan of the Licensing Service.

RECEIVED.

14. DIRECTOR OF PUBLIC HEALTH REPORT FOR 2019/20

Members noted a report of the Director of Community & Children's Services concerning the Director of Public Health annual report (DPHAR) for 2019/20.

Members were informed that substance and alcohol misuse was the main focus and there were six recommendations for interventions to avoid abuse and misuse. It was hoped that licensed premises would engage and respond to these recommendations.

RESOLVED – That Members note and comment on i) the recommendations within the DPHAR and ii) stakeholders to be involved in producing the response to the recommendations to be published as a follow up report.

15. **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 Interim Director of Consumer Protection and Market Operations pertaining to premises licences.

With regards to Appendix 3, Members were advised that inspections regarded the Licensing Act and not Covid legislation. It was confirmed that there had only been soft suspensions and no formal licence suspensions.

RECEIVED.

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

There were no questions.

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

There were no urgent items.

18. **EXCLUSION OF THE PUBLIC**

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

19. **NON-PUBLIC MINUTES**

The non-public minutes of the meeting held on 3 February 2021 were approved as a correct record subject to one typo.

20. **REOPENING AND RECOVERY UPDATE**

The Committee received an update from the Head of Relationships & Networks and the Cultural & Visitor Development Director concerning plans for reopening and recovery in the City.

21. **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 15 pertaining to premises licenses which included the names of each premises.

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

There was one question.

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

There were no urgent items.

The meeting ended at 3.13 pm

Chairman

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