

LICENSING COMMITTEE

Wednesday, 13 October 2021

Minutes of the meeting of the Licensing Committee held in Committee Rooms 3 and 4, 2nd Floor West Wing, Guildhall on Wednesday, 13 October 2021 at 1.45 pm

Present

Members:

Shravan Joshi (Deputy Chairman)
Deputy Peter Dunphy
Deputy Kevin Everett
John Fletcher
Marianne Fredericks

Michael Hudson
Deputy Jamie Ingham Clark
Graham Packham
Judith Pleasance

Officers:

Jon Averbs	- Director of Markets & Consumer Protection
Frank Marchione	- Comptroller & City Solicitor's Department
Gavin Stedman	- Port Health and Public Protection Director
Rachel Pye	- Markets & Consumer Protection
Simon Owen	- Chamberlain's Department
Peter Davenport	- Markets & Consumer Protection
Paul Holmes	- City of London Police
Matthew Cooper	- Media Team, Town Clerk's Department
Leanne Murphy	- Town Clerk's Department

1. APOLOGIES

Apologies were received from Sophie Fernandes, Caroline Addy, Mary Durcan, Karina Dostalova, Jason Pritchard and James Tumbridge

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 14 July 2021 were approved as a correct record.

4. MINUTES OF LICENSING (HEARING SUB) COMMITTEES

4.1 Blank Gallery Ltd 1 - Adjourned

Members noted the public minutes of the adjourned Licensing Review Hearing in respect of the premises Blank Gallery, 27B Throgmorton Street, London, EC2N 2AN on 24 August 2021.

4.2 **Blank Gallery Ltd 2 - Adjourned**

Members noted the public minutes of the adjourned Licensing Review Hearing in respect of the premises Blank Gallery, 27B Throgmorton Street, London, EC2N 2AN on 14 September 2021.

4.3 **One Stop Food and Wine**

Members noted the public minutes of the Hearing in respect of the application for One Stop Food and Wine, 8 Minorities, London, EC3N 1BJ on 15 September 2021.

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

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

6. **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.

At the time of the last meeting, the Government had just moved to Step 4 of its roadmap and an almost complete deregulation affecting the hospitality sector. The City has since re-opened and returned, in part, to the vibrancy experienced pre-pandemic.

Members were advised that the City's Al Fresco Policy and Pavement Licences had been well used, adding to that vibrancy, particularly in areas where road closures were possible, e.g. Widgate Street, Artillery Lane and Carter Lane. 90 licences were issued during 2021 with 55 to date taking advantage of the streamlined licence extension to September 2022. Officers were expecting this number to continue to increase.

The City has committed to the Transport for All 'Equal Pavements Pledge' and the policy fully complied with that Pledge.

With reference to licence fees and recovery:

- The City Corporation has a statutory duty to suspend a Licence if fees are not paid by the due date.
- During COVID restrictions, the decision was taken to delay the sending of suspension letters until premises re-opened.
- When licensed premises could re-open in July 2021, to further assist businesses, it was permitted for premises to open on the condition that if fees were not up to date, a payment plan of up to a maximum of 12 months was in place.
- To date, approximately 150 premises are still to pay their full fees and no premises has been suspended due solely to fees being late.
- Approximately 5-10% of premises in the City have closed, i.e. premises boarded up, company gone into liquidation or licence has been surrendered.

Looking forward

The Government published its Winter Plan for 2021/22 on 14 September. Plan A detailed the approach to steer the UK through a likely challenging autumn and winter.

Plan B detailed the further measures that may be required in some settings, e.g. mandatory masks, mandatory vaccines and working from home, all depend on a variety of data. It was understood that the proposal for vaccine passports for England had been scrapped but would remain in place in Wales and Scotland.

A Member enquired what restrictions were in place for patio heaters. Members were informed that pre-pandemic, all patio heaters were subject to a risk assessment. The policy would soon apply again with no heaters allowed as part of the City streetscape.

A Member voiced concern that struggling restaurants might be buying equipment and furniture that they would not be able to use when the rules reverted back to the old policy. Officers advised it had been made abundantly clear that this was a temporary provision.

7. REVENUE BUDGETS 2022/23

Members considered a joint report of the Chamberlain and Executive Director of Environment concerning revenue budgets for 2022/23.

A Member was concerned by the delays concerning the unidentified savings which would be shared with other committees and noted that shortfalls needed to be covered and books balanced. Officers confirmed that the new Executive Director of Environment was currently reviewing the TOM structure and the unidentified savings required would be picked up in the various expenditure and income streams, which should be balanced by the end of March 2022. Officers agreed to share the savings with Members when identified.

RESOLVED – That Members:-

- review and approve the proposed revenue budget for 2022/23 for submission to Finance Committee;
- authorise the Chamberlain, in consultation with the Executive Director Environment to revise these budgets to allow for any further implications arising from subsequently approved savings proposals, Target Operating Model (TOM) implementation, or changes to the resource envelope; and
- agree that amendments for 2021/22 and 2022/23 budgets arising from changes to recharges during budget setting be delegated to the Chamberlain.

8. NEW LICENSING POLICY

Members considered a report of the Executive Director of Environment concerning Licensing Act 2003: Review of Statement of Licensing Policy.

Members were informed that there were few changes to the previously shared document and mainly concerned vulnerability. It was noted that comments regarding suicide awareness had not yet been included and would be added when received from Public Health Officers. Members agreed that delegated authority be given to the Town Clerk, in consultation with the Chairman and Deputy Chairman, to review and approve these final paragraphs.

RESOLVED – That Members:-

- Consider the Licensing Policy 2022 in light of the consultation responses and agree the final text;
- Delegated authority be given to the Town Clerk, in consultation with the Chairman and Deputy Chairman, to review and approve additional paragraphs regarding suicide awareness;
- Recommend the Policy document to Common Council for their approval.

9. **CRIMES AT LICENSED PREMISES**

The Committee considered a report of the Chief Superintendent regarding violent crime from licensed premises during the period 1 July 2021 to 30 September 2021.

It was noted that licensed premises continued to return from Covid-19 closures and an increase in footfall had been seen in the City. However, different premises were following different guidelines of their own due to capacity and premises layout.

A Member noted reference to cases of administering poison with intent to injure, aggrieve and annoy. Officers confirmed there were cases of spiking investigated but that in most cases it was found the person was over intoxicated.

Members requested a wider snapshot including pre-pandemic to pick up themes and Officers agreed the data would be available for the next meeting.

It was noted that policing of the recent London marathon went well and the Committee congratulated the Police for their work keeping the marathon safe.

RECEIVED.

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

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

RECEIVED.

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

Closure of listed pubs

A Member alerted the Committee and Officers to the sad closure of The Tipperary Pub in Fleet Street advising that the contents of this listed building had been removed. The Member asked everyone to be aware of closures and ensure the contents within heritage pubs were protected.

Members acknowledged that some pub owners could see the current climate as an opportunity to remove residents and sell historic land and property. Officers agreed to raise this concern at the Licensing Liaison Partnership.

Noise nuisance

A Member noted that as the City was becoming busier, some residents were not adjusting to noise and asked that premises be reminded to be considerate, e.g. delivery times, to ensure there were no unnecessary impacts on residents. Officers confirmed the 24-hour noise service was still live and responding to complaints.

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

The Chairman advised Members that this was the last Licensing Committee meeting for the Director of Markets & Consumer Protection and read a statement thanking him for his service and hard work. Members echoed these thanks and gave best wishes for the future.

13. **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.

14. **NON-PUBLIC MINUTES**

The non-public minutes of the meeting held on 14 July 2021 were approved as a correct record.

15. **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 10 pertaining to premises licenses which included the names of each premises.

16. **RESOLUTION FROM THE HEALTH & WELLBEING BOARD**

The Committee noted a resolution from the Health & Wellbeing Board dated 16 July 2021 expressing the Board's serious concerns and noting the Town Clerk's commitment to review what can be done to prevent suicides in the City.

17. **SUICIDE PREVENTION IN THE CITY OF LONDON**

The Committee considered a report of the Deputy Town Clerk and Chief Executive concerning Suicide Prevention in the City of London.

18. NON-PUBLIC QUESTIONS RELATING TO THE WORK OF THE COMMITTEE

There was one question.

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

There was one item of any other business.

The meeting ended at 2.51 pm

Chairman

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