

LICENSING COMMITTEE

Monday, 23 May 2022

Minutes of the meeting of the Licensing Committee held at Committee Room - 2nd Floor West Wing, Guildhall on Monday, 23 May 2022 at 1.45 pm

Present

Members:

Brendan Barns

Sophie Anne Fernandes

Deputy Marianne Fredericks

Martha Grekos

David Sales

James Tumbridge

Ceri Wilkins

Officers:

Gavin Stedman

Frank Marchione

Rachel Pye

Jo Purkiss

Jenny Pitcairn

Peter Davenport

Caroline Hay

Paul Holmes

John Cater

- Markets & Consumer Protection Department
- Comptroller & City Solicitor's Department
- Markets & Consumer Protection
- Environment Department
- Chamberlain's Department
- Markets & Consumer Protection Department
- City of London Police
- City of London Police
- Town Clerk's Department

1. APOLOGIES

Apologies were received from Caroline Addy, Deputy Peter Dunphy, Mary Durcan, Anthony Fitzpatrick, Deputy John Fletcher, Deputy Shravan Joshi, Deputy Graham Packham, and Jason Pritchard.

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

There were no declarations.

3. ORDER OF THE COURT OF COMMON COUNCIL

The Committee received the Order of the Court of Common Council from Thursday, 21st April 2022 appointing the Licensing Committee until the first meeting of the Court in April 2023.

4. ELECTION OF CHAIRMAN

A list of Members who had expressed an interest in and were eligible to stand was read by the Town Clerk; James Tumbridge expressed a willingness to serve.

RESOLVED – that James Tumbridge be elected Chairman in accordance with Standing Order 29 for the year ensuing.

The Chairman thanked Members for their support and looked forward to working with them over the ensuing year.

5. **ELECTION OF DEPUTY CHAIRMAN**

A list of Members who had expressed an interest in and were eligible to stand was read by the Town Clerk; Sophie Anne Fernandes expressed a willingness to serve.

RESOLVED – that Sophie Ann Fernandes be elected Deputy Chairman in accordance with Standing Order 30 for the year ensuing.

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

After requesting expressions of interest, it was:

RESOLVED – that, alongside the Chairman, the Deputy Chairman and the former Chairmen of the Committee, namely, Deputy Peter Dunphy and Deputy Marianne Fredericks, the following appointments be made to chair Licensing (Hearing) Sub Committee meetings and serve on the Reference Sub Committee for the ensuing year.

- Caroline Addy
- Brendan Barns
- Deputy John Fletcher
- David Sales
- Ceri Wilkins

7. **VOTE-OF-THANKS**

Deputy Marianne Fredericks moved a Vote of Thanks to Sophie Fernandes, the immediate past Chairman.

RESOLVED UNANIMOUSLY: That the Members of this Committee take great pleasure in expressing to

SOPHIE ANNE FERNANDES

their sincere gratitude and appreciation for the dedication she has shown in all aspects of work of this Committee, and the exemplary manner in which she has presided over proceedings during the last three years as Chairman of the Licensing Committee.

She has been very active in the work of the Committee and has shown great leadership in steering the Committee and supporting the licensing trade through a period of challenge and turbulence through the course of the Covid-19 pandemic.

Sophie oversaw the introduction of the City's first AI-Fresco Dining Policy and was instrumental in the delivery of the Covid Business Recovery Fund of up to £50m aimed at SME's. Both initiatives have been essential in supporting businesses to return and the recovery in the Square Mile.

Despite the unprecedented challenges brought by the pandemic, the City has remained one of the safest places to socialise in London, particularly for women. Sophie was instrumental in the City signing up to the Mayor's Women's Night Safety Charter, the delivery of Safer Sounds Partnership vulnerability training to licensed venues, alongside WAVE training, and worked with officers to launch the Ask for Angela scheme in the City.

Sophie continues to recognise the need for a flourishing night-time economy in the City and across London, including supporting the work of the GLA's Night Czar and contributing to the work of the Night-time Borough Champions Network.

The City has bounced back and again provides a vibrant day-time and night-time economy with a diverse array of hospitality opportunities.

UNDER Sophie's chairmanship, a revised Statement of Licensing Policy and a new Statement of Licensing Principles, in line with the Gambling Act 2005, were put forward by the Committee.

DURING her tenure, only 12 licensing hearings took place including one review, and she paid particular attention to ensuring Hearings were conducted in a fair, clear and open manner. There were also no successful appeals against the decisions of the Licensing Sub-Committees under her chairmanship.

THROUGHOUT her term of office, Sophie has managed the Committee's deliberations with a fair and firm hand to ensure that the Committee executed its duties in a competent manner.

AND SO, in taking leave of Sophie Fernandes as their Chairman, Members of this Licensing Committee wish to thank her for her service and excellent leadership of the Corporation's licensing affairs during this challenging period. The Committee gives to her their very best and heartfelt thanks for her future happiness and health.

8. **PUBLIC MINUTES**

The public minutes of the meeting held on 2nd February were approved as a correct record.

9. **LICENSING SERVICE BUSINESS PLAN 2021/22: PROGRESS**

The Committee received a Report of the Executive Director Environment concerning the Licensing Service Business Plan.

RESOLVED – that the Committee noted the Report.

10. **PANDEMIC: NEW AND CLOSED LICENSED PREMISES 24 MARCH 2020 TO 1 APRIL 2022**

The Committee received a Report of the Executive Director Environment concerning the number of premises that closed permanently as a result of the pandemic.

Officers confirmed that, as a response to the pandemic, payment plans had been made available to businesses to spread the payment for a license over the course of a 12-month period.

RESOLVED – that the Committee noted the Report.

11. **LATE NIGHT LEVY - 12 MONTH REPORT (1 OCT 2020 - 30 SEP 2021)**

The Committee received a Report of the Executive Director Environment concerning the Late Night Levy.

In response to a query, officers confirmed that, whilst the City Corporation had discretion over operating the Levy, the amount charged was proscribed by statute. The Chairman informed new Members that the Committee had previously looked at how the Corporation find more flexibility to ensure the amount received and spent was aligned, and if we could not spend it all that we looked at ways to reduce the amount gathered. It was agreed officers would look further at options, especially in light of the Chairman pointing out that we had arranged a discount for those taking part in Safety Thirst.

RESOLVED – that the Committee noted the Report.

12. **GAMBLING ACT 2005: REVIEW OF STATEMENT OF LICENSING PRINCIPLES**

The Committee considered a Report of the Executive Director Environment concerning the Gambling Act 2005.

A Member urged officers to ensure that all residents across the City should be involved in these types of consultations going forward, as opposed to just the main, headline residential associations. The Chairman welcomed this comment and would raise it with officers outside of the Committee.

RESOLVED – the Committee agreed that the draft Statement of Licensing Principles (Appendix 1), The Gambling Local Area Profile (Appendix 2) and the Guidance on Undertaking Local Gambling Risk Assessments (Appendix 3) as the Corporation's 'Statement of Licensing Principles' should be recommended to the Court of Common Council for adoption in line with paragraph 17.

13. **POLICE LICENSING REPORT**

The Committee received a Report of the Commissioner of the City of London Police concerning crimes committed linked to Licensed Premises (LPs) between January and April 2022.

RESOLVED – that the Committee noted the Report.

14. **STRATEGIC DELIVERY PLAN FOR VIOLENCE AGAINST WOMEN AND GIRLS**

The Committee received a Report of the Commissioner of the City of London Police concerning the Strategic Delivery Plan for Violence Against Women and Girls.

In response to a query, officers provided an overview of the work being undertaken in this area; the Chairman noted that there was a significant cross-over of responsibilities and focus between the Licensing Committee and the Police Authority Board and he would reach out to the Chairman of the Board to discuss ways in which the Committee and the Board could work together, with particular emphasis around ensuring that communications were as effective as possible.

A Member asked that an update on this vital work be provided to the Committee in due course.

RESOLVED – that the Committee noted the Report.

15. **OP REFRAME - CITY OF LONDON POLICE**

The Committee received a Report of the Commissioner of the City of London Police concerning Operation Reframe.

RESOLVED – that the Committee noted the Report.

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

The Committee received a Report of the Executive Director Environment concerning premises licences, and variations to premises licences, granted under the Licensing Act 2003 and administered by the Licensing Service from 1 January 2022 to 31 March 2022.

RESOLVED – that the Committee noted the Report.

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

There were several questions.

Officers confirmed that no new licensing appeals had been received since the last meeting of the Committee. In response to a specific query, Members were informed that Blank Gallery (Throgmorton Street) had reopened under a new management team.

In response to a separate query, officers provided a brief overview of the government's new proposals around the future of the pavement licensing regime. Details and timescales were still emerging and an update with more information would be provided to the Committee in July. Given the broad developments in this area, the Chairman informed Members that he had held

positive discussions with the Chairman of the Planning and Transportation Committee regarding which committee should have responsibility for the City's pavement licensing regime policy going forward; he would continue to explore options with the Chairman of P&T and would provide an update to the Committee in due course.

In response to a query, the officers confirmed that the Safety Thirst Awards would take place in February 2023 (with the awards audit taking place in November and December).

The Deputy Chairman informed Members that the City Beer Fest will be taking place in the Guildhall Yard on Thursday 7th July; in response to a query, officers would come back to the Deputy Chairman about the level of take-up from industry after the meeting (the event was being managed by the City Remembrancer's Team).

18. **ANY OTHER BUSINESS THAT THE CHAIRMAN CONSIDERS URGENT**
There were no urgent items.
19. **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.
20. **NON-PUBLIC MINUTES**
The non-public minutes of the meeting held on 2nd February were approved as a correct record.
21. **NON-PUBLIC QUESTIONS RELATING TO THE WORK OF THE COMMITTEE**
There were no non-public questions.
22. **ANY OTHER BUSINESS THAT THE CHAIRMAN CONSIDERS URGENT AND WHICH THE COMMITTEE AGREE SHOULD BE CONSIDERED WHILST THE PUBLIC ARE EXCLUDED**
There was no other business.

The meeting ended at 2.55 pm

Chairman

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