

<b>Committee(s)</b>	<b>Dated:</b>
Licensing	12 October 2022
<b>Subject:</b> Code of Good Practice for Licensed Premises	<b>Public</b>
<b>Which outcomes in the City Corporation's Corporate Plan does this proposal aim to impact directly?</b>	1,2,5
<b>Does this proposal require extra revenue and/or capital spending?</b>	N
<b>If so, how much?</b>	n/a
<b>What is the source of Funding?</b>	n/a
<b>Has this Funding Source been agreed with the Chamberlain's Department?</b>	n/a
<b>Report of:</b> Juliemma McLoughlin – Executive Director Environment	<b>For Decision</b>
<b>Report author:</b> Peter Davenport – Licensing Manager	

### Summary

In October 2012 the first, and current, City of London Corporation's Code of Good Practice (the Code) was brought before the Licensing Committee and came into operation in January 2013. The aim of the Code was to ensure that the operation of licensed premises do not conflict with the rights of residents and other members of the public to enjoy their lives in safety and without nuisance.

Since the introduction of the Code much has changed, and the Code has been rewritten, consulted, and updated to take into account the current expectations of the City Corporation's licensing partners in order to keep the City of London a safe place.

The Code gives guidance on how to promote the four licensing objectives and will be taken into account by the licensing authority in such matters as assessing licence applications and the operation of licensed premises.

### Recommendation

Members are asked to:

- Agree the Code of Good Practice 2022 as shown in Appendix 1.

## **Main Report**

### **Background**

1. The Licensing Act 2003 (the 'Act') focuses on the promotion of four statutory licensing objectives which must be addressed when licensing functions are undertaken namely, the prevention of crime and disorder, public safety, the prevention of public nuisance and the protection of children from harm.
2. Applicants are expected to address steps to be taken, within their application for a premises licence, to prevent these objectives being undermined. Similarly, current licence holders are expected to adhere to those steps whilst operating the premises for any licensable activity.
3. In order to assist applicants and licence holders, the Corporation's statutory Statement of Licensing Policy is a document which addresses a number of points aimed at statutory compliance. However, to try and ensure residents, visitors and other members of the public remain safe and free from nuisance from the operation of licensed premises, a Code of Good Practice (the Code) was additionally introduced in January 2013.
4. The Code supplements the Statement of Licensing Policy and provides a basis for businesses to operate well run licensed premises, reaching high operational standards and helping to keep alcohol related crime and disorder as low as possible.
5. The Corporation expects applicants of premises licences to have regard to the Code when completing their operating schedule and for licence holders to have regard ensuring a 'well run' premises. Although the Code is not a statutory document it is intended that it will be taken into consideration by the licensing authority:
  - 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 to avoid further problems
  - For the review of licenses where there is evidence that licensees are undermining the licensing objectives.
6. Additionally, the Code can be used as a guide for businesses when applying for a Safety Thirst Award and the possibility of a 30% reduction from the Late-Night Levy if relevant.

## **Current Position**

7. Since the introduction of the first Code much has changed and the document has been rewritten to take account of, or enhance, such areas as counter terrorism, drink spiking, CCTV, crime scene preservation, information sharing, drugs on premises and the safer business partnership.
8. 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. The 2022 Code identifies many of the possible risks associated with the sale of alcohol and the provision of entertainment or late-night refreshment.
9. The Code outlines what the City of London licensing authority partners currently expect in practical terms from applicants when completing their operating schedules and from licence holders when operating their premises under the terms of their licence. Comments were received from the following partners:
  - Public Health Team
  - Environmental Health Service
  - City of London Police
  - Trading Standards Service
  - Counter Terrorism Security Advisors
  - Night-time Industries Association
  - Security Industry Authority
  - Licensing Service
10. A copy of the 2022 Code can be seen as Appendix I. A copy of the original 2013 Code, amended to show the areas that have been rewritten, is attached as Appendix II.
11. A risk assessment scheme for licensed premises operates in conjunction with the Code to provide a simple but effective monitoring tool which brings together the findings of the licensing authority, other responsible authorities and members of the public. This permits the City Corporation to deal with any potential issues before they escalate.

## **Corporate & Strategic Implications**

12. The Code is in line with the City Corporation's Core Strategy and meets one or more of the 2018-2023 Corporate Plan outcomes.

## **Implications**

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

## **Conclusion**

14. The Code has been redrafted to take account of current practices and current expectations of the City Corporation's licensing partners. Members are asked to agree the 2022 Code as shown in Appendix 1

**Background Papers:**

*Code of Good Practice 2013*

**Appendices**

*Appendix 1 – Licensing Code of Practice 2022*

*Appendix II – Licensing Code of Practice 2013 showing amendments.*

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