

LICENSING COMMITTEE

Thursday, 26 October 2023

Minutes of the meeting of the Licensing Committee held at Committee Room - 2nd Floor West Wing, Guildhall on Thursday, 26 October 2023 at 1.45 pm

Present

Members:

Deputy John Fletcher (in the Chair)
Brendan Barns
Mary Durcan
Anthony David Fitzpatrick
Deputy Marianne Fredericks
Michael Hudson
Deputy Shravan Joshi
Graham Packham

In Attendance

David Sales

Officers:

Raquel Pinto	–	Town Clerk's Department
Frank Marchione	–	Comptroller & City Solicitor's Department
Gavin Steadman	–	Environment Department
Rachel Pye	–	Environment Department
Joanne Hill	–	Environment Department
Paul Holmes	–	City of London Police
Peter Barlow	–	Communications and External Affairs

1. APOLOGIES

Apologies for absence were received from Deputy Peter Dunphy, Ms Sophie Anne Fernandes, Mr Jason Pritchard and Mr James Tumbridge. Apologies were also received from David Sales who was unable to attend the meeting in person but was observing online.

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

There were no declarations.

3. PUBLIC MINUTES

RESOLVED – That the public minutes and summary of the meeting held on 7th July 2023, be approved as a correct record, subject to the following amendment:

- On page 10, it should read "top ten premises".

Matters arising:

- A Member raised that with regards to the bottom of page 6 of the minutes, they had visited Portsoken ward with another Member and reported issues to the cleaning team.
- Members noted that the report on the model conditions which was expected to come to this Committee was pushed to the following Committee meeting to allow Members and the Chairman time to consider these without time pressures.

4. **MINUTES OF LICENSING (HEARING) SUB-COMMITTEES**

The Committee received the minutes from the Licensing (Hearing) Sub-Committees in respect of the personal license holder hearing on the 27 July 2023 and the premises Urban Retreat, 18-19 Long Lane, London, EC1A 9PL, on 11th September 2023.

Members raised some amendments regarding these minutes:

- Page 13 – to read Deputy Peter Dunphy in the Members section.
- Page 17 – the correct spelling of Deputy Shravan Joshi

Members wanted an update following the concerns raised on pages 18 and 21 on the accessibility of portal as there was an action for officers to investigate this matter. Members noted that the website had a technical fault for about a week, however all the statutory consultations were done in accordance with the usual protocols. The resident was in contact with the department to let them know and all the information the residents required was passed on. The issue was now rectified. Members also raised this was a wider City Corporation issue as other sites and portals like the Planning Committee portal often crashes too, therefore it was important to know who monitors these to ensure they were working.

The Chair provided the Committee with some observations having been a Panel Member for hearings. The first hearing was different as it was the first ever instance where the Panel might have had to revoke an individual's license. The Chair thanked the Chairman of the Committee for his legal expertise and guidance which helped achieve a good decision, as the punishment for the crime had been given out by the court and therefore the panel did not wish to inflict further punishment, as his license was not a danger to the four principles which the Committee abided by. Regarding the second hearing, the representatives had withdrawn their objection at the hearing following the work of the officers and the panel in coming up with conditions which applied to their objections. This was seen as a measure of the departments success in achieve a balance between getting licensed premises in the city without upsetting residents.

RECEIVED.

5. **PREMISES LICENCE APPLICATION NON-STATUTORY CONSULTATIONS**

The Committee received a report of the Executive Director (Interim) Environment on the Premises Licence Application Non-Statutory Consultations,

which looked at the process of notifying non-statutory stakeholders about new and modified licensing applications.

Members wanted to thank officers for their work in investigating this matter and for being transparent and honest. Whilst the consultation emails were non-statutory they were extremely important and Members wanted to thank the team for their work in sorting these issues out, and expressed their confidence in noting this issue had been resolved with notifications being sent out within one or two days of being received. The Chair added that this was exemplar in showing how issues should be raised and dealt with from beginning to end and congratulated the team for all their work. The Chair asked for the Committee's agreement for this piece of news to be passed on to the Town Clerk.

RESOLVED – That the report be noted.

6. DELEGATED DECISIONS OF THE EXECUTIVE DIRECTOR ENVIRONMENT PERTAINING TO PREMISES LICENCES

The Committee received a report of the Executive Director (Interim) Environment, on the Delegated decisions of the Executive Director Environment pertaining to premises licences.

Members raised concerns over the length of the condition, as these made it difficult for those who wanted to check a premises compliance when calling in and wondered whether all of the conditions were necessary. Concerns were also raised regarding the Police Constables who had to also read these conditions out and enforce them, as these must be clear and compliable. The Committee noted that some of the conditions were offered by the applicant, which explained why they looked differently to some of the standard conditions. However, the team had worked hard and in collaboration with Members of the Committee at the workshop to look at these, which should hopefully be more concise and reasonable set of pool conditions to be presented at the next Committee meeting.

Members raised the discrepancy in the number of conditions of some premises, as some premises such as Galaxy restaurant had 20 conditions and others like Bandaloop had one. It was asked if officers were offered these numerous conditions whether they may suggest to the applicant to restrict to those that were most needed, which was noted by officers. Members also raised that it would not be appropriate for officers to start picking which conditions were relevant as applicants often offer these to resolve any potential objections that may arise, and it was suggested that it would be wiser to make the existing pool of conditions clear. Members also asked that when the proposal comes to Committee with the changes to the conditions that these are done in marked mode so Members can see changes easily and be able to comment. The Chair assured the Committee that this was to be the case.

Members asked if the department gathered all the noise complaints coming into the Corporation. This was often raised in hearings by residents who would have submitted complains but the environmental health officers would not have a record of these. A Member had raised a complaint about a premise which was

located in the City of London, Oyster Shed as they had received complaints, and they could not see their complaint as part of the logs. Members noted that the team are usually thorough in recording noise complaints which come through in a number of ways, such as emails, the contact us form and through the out of hours noise line, however the list provided in the report only went up to the 24th of August. Officers would take this away as some data was missing and this would be circulated to Members shortly after the meeting.

RESOLVED – That the report be noted.

7. **APPEALS AGAINST LICENSING (HEARING) SUB COMMITTEE DECISIONS**
The Comptroller & City Solicitor advised the Committee that there had been no appeals against Licensing (Hearing) Sub-Committee decisions.

RECEIVED.

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

There were no questions.

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

The Following items of urgent business were raised –

A) Licensing Forum

- The Licensing Forum was held on the 24th of October which was reported as a great success.
- This was a chance to remind people of a few issues coming up to the busy Christmas period, particularly around crime, scene preservation and about counter terrorism issues.
- There were 235 people in attendance which was a record for the team.

Members enquired if feedback from attendees was gathered so that lessons could be taken for the following year. Officers would enquire to ascertain if a feedback form was distributed. If this had not been distributed this could be something to incorporate for the following year.

Members asked for an update on the Police's proposals for the Christmas campaign particularly around sexual harassment, and what was being done to encourage licenced premises to ensure their staff are trained on these matters. Officers explained that 'Ask for Angela' and wave training were rolling programmes which had been received by many venues and their staff. This was a rolling programme due to staff turnover, and this was tested by officers who would provide feedback as to whether the premises had been successful or not. Operation Reframe had been a monthly operation throughout the year, which focused on safety, the next one would take place on the 2nd of November. This would focus on the launch of the new taxi rank in Liverpool street, which would enable people to get to get around safely. The City of London Police was always present alongside their partners like the Licensing Authority, Samaritans, St Johns Ambulance and others, as well as Members.

The Chair encouraged Members of the Committee to attend an Operation Reframe if they have not done so already as this was highly educational.

Members highlighted a scheme that was in operation by Starbucks where if women or young girls were receiving unwanted attention or being pestered, a staff member would bring a drink to the customer. If the lid was taken off the drink it would signify they were uncomfortable, if they left it on there was no issue. Members enquired if this scheme could be made more general across licensed premises. Officers explained that other venues have similar schemes in place which provided a safe haven however they would investigate this scheme in more detail.

Members also raised serious concerns regarding the rise in drink spiking. There was a fentanyl epidemic in the US which would soon reach the UK and Europe, and this caused major concerns and Members wanted to raise this, particularly with the Police so it could be looked at more pro-actively. The Chair echoed these concerns and added that although the drink spiking rates in the City were down, this was something to flag to officers, which would be covered in more detail under item 12.

The Town Clerk advised Members that there was a vacancy in the Licensing Committee in the room of a Member stepping down which would be advertised in the December Court of Common Council meeting.

10. **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 Part I of Schedule 12A of the Local Government Act.

11. **NON-PUBLIC MINUTES**

RESOLVED – That the non-public minutes and summary of the meeting held on 7th July 2023 be approved as a correct record.

12. **CITY OF LONDON POLICE QUARTERLY UPDATE**

The Committee received a report of the Commissioner of Police containing data for Quarter 3, July to September 2023.

13. **APPENDIX 4: DELEGATED DECISIONS OF THE EXECUTIVE DIRECTOR ENVIRONMENT PERTAINING TO PREMISES LICENCES**

RESOLVED – That the appendix be noted.

14. **NON PUBLIC QUESTIONS RELATING TO THE WORK OF THE COMMITTEE**

There were no questions.

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

There were no items of urgent business.

The meeting ended at 14:38pm.

Chairman

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