

LICENSING COMMITTEE

Thursday, 6 February 2025

Minutes of the meeting of the Licensing Committee held at Committee Room - 2nd Floor West Wing, Guildhall on Thursday, 6 February 2025 at 1.45 pm

Present

Members:

James Tumbridge (Chairman)
Deputy John Fletcher (Deputy Chairman)
Joanna Tufuo Abeyie
Brendan Barns
Deputy Peter Dunphy
Mary Durcan
Deputy Marianne Fredericks
Michael Hudson
Jason Pritchard
David Sales

Officers:

Gavin Stedman	-	Environment Department
Rachel Pye	-	Environment Department
Aggie Minas	-	Environment Department
James Edwards	-	Remembrancer's Department
Simon Owen	-	Chamberlain's Department
Joanne Hill	-	Environment Department
Charles Smart	-	Town Clerk's Department
Ross Morton	-	City of London Police
Raquel Pinto	-	Town Clerk's Department
Paul Holmes	-	City of London Police
Emma Anckorn	-	City of London Police
Sadhari Perera	-	Comptroller and City Solicitor's Department

1. APOLOGIES

Apologies were received from Graham Packham.

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 of the meeting held on 31 October 2024 were approved as a correct record subject to the correction of typographical errors.

4. MINUTES OF LICENSING (HEARING) SUB-COMMITTEES

The Committee received the minutes from the Licensing (Hearing) Sub-

Committee in respect of two premises: Forge (Shadow Licence), 24 Cornhill, London, EC3V 3ND on the 11 November 2024, and Proud City, 4 Minster Pavement, London, EC3R 7PP, on the 10 December 2024.

A Member raised a concern about the hearing of Forge, noting that the person making the representation did not attend, leading to the misuse of Officer and Member time. The Member also queried whether there was dialogue with the individual making the representation to settle the issue without the need for the hearing. The Committee noted that there had been discussions with the individual, who had said they would not attend, however, they did not want to withdraw the representation and therefore a hearing was required.

A Member noted a few typographical errors on item 4b, which would be forwarded to the Town Clerk for amendment.

5. APPEALS AGAINST LICENSING (HEARING) SUB COMMITTEE DECISIONS

The Comptroller & City Solicitor provided an update in relation to one appeal logged in relation to the Sub-Committee decision regarding the hearing on the premise license for Tokyo Hit, Ground Floor & Basement, 165 Fleet Street, EC4A 2AE, held on the 10th of April 2024. The appeal hearing was taking place at Westminster Magistrates Court on February 24th, 2025. The hearing was to agree on the directions that the appellant would have to put forward, such as the nature of their claim or appeal, the court would then grant directions or order a case management conference.

Members also noted that the appeal relating to the decision undertaken by the Planning Committee had no bearing on this, and that the Applicant could seek an appeal, but this would have to be done separately to this hearing.

6. ENVIRONMENT DEPARTMENT HIGH-LEVEL BUSINESS PLAN

The Committee considered the high-level Business Plan for the Environment Department for 2025-30.

A Member raised a question about listed tasks, such as reviewing fees annually, which seemed routine and not innovative as described. The Member asked whether there were any specific goals or aspirations that the committee should aim for to make a significant impact in their role in Licensing. The Committee noted that incorporating new government regulations and legislation was crucial. Three significant pieces of regulation were expected next year, and the team needed to be trained to handle these changes. Some of these changes included tobacco and vape licensing, which would require significant resources and adaptation from the team. Nevertheless, the Licensing Team were open to suggestions for further-reaching initiatives that could be implemented alongside these changes.

Members noted that supporting Destination City through effective licensing services was a key objective. However, concerns were about the term "24-hour city" as it may not align with residents' expectations, as it implied continuous activity, which may not be desirable in all locations across the City. The Committee discussed other terms like "seven-day city" instead. Members

expressed a lack of clarity regarding the current Destination City Programme and wished for a clearer definition of the Programme and an outline of its work including consultation with members. Members also emphasised the need for broader consultation to ensure that these policies were well-understood and supported. Officers explained that the term "24-hour city" in relation to Destination City has been evolving, especially after the review conducted by Paul Martin. Officers suggested to refine the wording to better reflect the current state of this, to a "7-day city" rather than a "24-hour city." Members also noted the emphasis placed on the "balanced approach" in delivering licensing services effectively whilst ensuring that the needs of residents were taken into account.

The Chairman suggested that a message be sent to the Policy Chairman to address Members concerns on this issue of the 24-hour city in relation to Destination City. Particularly looking at how this policy was determined, for clarity on what the definition of the policy is, as well as the overall work programme to ensure the Committee can better understand and support this initiative. A Member asked that this was rigorously investigated before contacting the Policy Chairman. The Committee unanimously agreed.

A Member also noted that two items in appendix B which were intended for the committee were marked to be completed by the end of quarter 25/26. However, these tasks were annual and should also be completed by the end of quarter 24/25, in addition to 25/26, therefore this would need amending.

Members were supportive of approving the high-level business plan, subject to removing the wording on 24-hour city as per the concerns raised above, and the changes at appendix b to reflect the annual cycle in reporting.

RESOLVED – That Members: -

- Noted the factors taken into consideration in compiling the Environment Department's high-level Business Plan 2025-30; and
- Approved, subject to amendment of the wording relating to the reference to the 24-hour city and the amendment in the priority workstream timeline to reflect annual tasks, (and with reference to the list of Licensing Service priorities for 2025/26), the elements of the departmental high-level Business Plan 2025-30 which fall within the remit of the Licensing Committee.

7. REVENUE BUDGET 2025/26

The Committee considered the revenue budget for the Licensing Committee for 2025/26. The proposed revenue budget for 2025/26 totals £350k, showing a decrease in net expenditure of £5k compared to the 2024/25 Budget of £355k.

A Member expressed confusion in understanding recharges and requested clarity be provided. Officers provided explanations for recharges as follows:

- Central Recharges consisted of costs from the corporate departments such as City Solicitors, Chamberlain's, IT, Town Clerk, City Surveyors, Guildhall Admin and HR. These corporate department costs are recharged to all the

various service departments and institutions so that all operating costs are correctly allocated against the service provision they support.

- Recharges within Fund are accounting transactions within the same Fund (either City Fund, City's Estate or City Bridge Foundation) where a department/service (excluding Central Recharges of Corporate Departments) recharges its costs or receives income from another department/service located within the same Fund, which for the Licensing Department relates to City Fund. This cost for the Licensing Department estimate report mainly consisted of recharges from the Environment Department for the central Directorate Team, which covers the Executive Director Environment and her Business Services Team.
- Recharges across Fund (either City Fund, City's Estate or City Bridge Foundation) are accounting transactions charged from one Fund to another Fund (excluding Central Recharges of Corporate Departments), where a department/service recharges its costs or receives income from another department/service located within a different Fund. For the Licensing Department estimate report these relate to income received from City Bridge Foundation for the staffing costs incurred to provide enforcement support for illegal street trading on the City Bridges.

Members appreciated the explanation but felt this still needed more detail for those unfamiliar with recharges. A suggestion was made to include a clearer explanation in the committee papers for better understanding by all Members and the public.

RESOLVED – That Members:-

- Reviewed and approved the proposed revenue budget for 2025/26 for submission to Finance Committee.
- Agreed that amendments for 2024/25 and 2025/26 budgets arising from changes to recharges, or any further implications arising from subsequently approved savings be delegated to the Chamberlain in consultation with the Executive Director Environment.

8. GAMBLING ACT 2005 - ANNUAL REVIEW AND SETTING OF FEES FOR 2025-26

The Committee considered a report of the Executive Director of Environment detailing current case law pertaining to process of setting annual fees for premises requiring a licence as set out by the Licensing Act 2005.

The Chairman explained that changes were coming due to updated government guidance expected in 2025 and following the recent court approval, therefore requiring more work in the year ahead. As the charges were dictated by law, there is no flexibility to increase or decrease them arbitrarily. Therefore, the report was proposing to delegate the updating of tables and related tasks to officers. However, the importance of maintaining oversight and ensuring that charges were appropriate and not excessive was emphasised. Therefore, it was suggested that the report be approved with a condition that informational reports were still provided to the committee. The Committee unanimously agreed with this approach.

RESOLVED – That Members:-

- Agreed the proposed fees structure for 2025/26.
- Delegated authority to the Executive Director Environment to approve future annual fees on a full cost recovery basis, including adjustments for prior years' under/over recovery where relevant, and subject to any statutory limits that may apply.
- Agreed that once the fees are approved, that a report is submitted to the Licensing Committee for information to notify Members on the final fees.

9. SEX ESTABLISHMENTS - ANNUAL REVIEW AND SETTING OF FEES FOR 2025-26

The Committee considered a report of the Executive Director of Environment detailing current case law pertaining to process of setting annual fees for premises requiring a licence under the Local Government (Miscellaneous Provisions) Act 1982 as a sex establishment.

The Chairman explained that this report followed the same rationale as the previous report, with the same proposal seeking delegation. The Chairman suggested that this too be brought back as an information item, and that approach was agreed.

In response to a question from a Member, it was noted that there have been no applications received for sex establishments, but the fees must still be determined. A member enquired as to the frequency of the review of the sex establishment policy, officer will clarify this point and feedback to the committee.

RESOLVED – That Members:-

- Agreed the proposed fees structure for 2025/26.
- Delegated authority to the Executive Director Environment to approve future annual fees on a full cost recovery basis, including adjustments for prior years' under/over recovery where relevant, and subject to any statutory limits that may apply.
- Agreed that once the fees are approved, that a report is submitted to the Licensing Committee for information to notify Members on the final fees.

10. LATE NIGHT LEVY - 12 MONTH REPORT (1 OCT 2023 - 30 SEP 2024)

The Committee received a report of the Executive Director Environment with regards to the tenth year of operation of the Late-Night Levy, setting out the number of premises paying the levy, income collected and how that money has been spent to date.

The Chairman wanted to highlight the section of the report which discussed discounts and engagement with licensed premises, as this had been an issue which had been discussed in previous meetings.

During the discussion of this item, Members noted that the amounts that can be levied were prescribed nationally and cannot be changed. Over the past 10 years, the costs of doing things have not decreased, while the amount of money collected has remained the same. Initially, there were challenges in

effectively spending the collected money due to the need to allocate funds to the police. However, the Local Government Association (LGA) has lobbied the Government to look at wider licensing issues, including fees and fee setting, which have not changed since 2005.

The Committee also heard that the levy had successfully collected £4.5 million over 10 years without negatively impacting venues. The minimal cost of the levy compared to the income generated by venues staying open late has balanced the relationship between venues and the need to address night-time economy issues.

Members raised the need for more public toilets open after midnight to address urination issues. The Chairman of the Port Health & Environmental Services Committee explained that a report on the provision of toilets in the City was expected to be presented at its next meeting (this being an issue which was considerably debated at every Port Health & Environmental Services Committee). Members noted that the reopening of public conveniences would require reallocating funds from other areas. The Committee would therefore look at options and decide on priorities for expenses.

Members raised concerns over the lack of provision of public toilets after 11:00PM, an issue they felt was not well addressed. A question about public toilets would be posed to the Chairman of Policy alongside the earlier ask in relation to Destination City queries, and Members suggested the possibility of using CIL money for public conveniences to be explored.

RESOLVED – That the report be noted.

11. REVIEW OF DRINK SPIKING IN THE CITY OF LONDON

The Committee received a joint report of the Town Clerk and the Commissioner of Police which reviewed the issue of drink spiking in the City following a commitment made in the City's 2024 Serious Violence Duty strategy.

RESOLVED – That the report be noted.

12. TERRORISM (PROTECTION OF PREMISES) BILL - 'MARTYN'S LAW'

The Committee received a report of the City Remembrancer outlining the provisions of the Terrorism (Protection of Premises) Bill, also known as "Martyn's Law" and any implications for the City of London Corporation, City of London Police and Police Authority Board.

Members noted that Martyn's Law set out new legal obligations on venues with capacities of 200 to 799 and 800 plus, focusing on security provisions. The Security Industry Authority (SIA) was responsible under the Bill for assessing the suitability of security plans, not the licensing function. The Chairman highlighted the need for interplay between licensing and security plans to ensure licenses can be granted to venues which meet all criteria without security issues.

Parliament continues to scrutinise Martyn's Law, including how it will work in practice, and officers will report once the legislation has been passed.

A Member queried whether the SIA should be a consultee on premises with more than 200 people on a voluntary basis if they are not statutory consultees to the licensing process. Officers explained that the SIA's role in the licensing process was still being determined as the Bill is currently going through the House of Lords. There would be a 24-month implementation window after the Bill becomes law to address these issues. Officers would continue to monitor this.

A Member raised a suggestion regarding venue capacity. Given that the Fire Brigade held the list of venue capacities, the Member suggested that the Licensing Team start collating a list of venues to ensure they are aware of their responsibilities and to ensure overall safety. Officers explained that conversations have taken place with the Police where they are looking at lists and note that less than 10 venues would be considered in the upper tier, as the majority would fall in the standard tier. Officers explained it was too early to have definitive figures, but conversations with both the Police and SIA would continue to take place.

Members noted that Safety Thirst Accreditation included counter-terrorism measures, which was a good practice accreditation scheme that the City operates. However, under Martyn's Law, counter-terrorism preparedness would now become a duty.

RESOLVED – That the report be noted

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

The Committee received a report of the Executive Director Environment, relating to premises licences, and variations to premises licences, granted under the Licensing Act 2003 and administered by the Licensing Service from September 2024 to 30 November 2024.

RESOLVED – That the report be noted

14. QUESTIONS ON MATTERS RELATING TO THE WORK OF THE COMMITTEE

There were no questions.

15. ANY OTHER BUSINESS THAT THE CHAIRMAN CONSIDERS URGENT

There were no urgent items.

16. 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.

17. NON-PUBLIC MINUTES

RESOLVED – That the non-public minutes of the meeting held on 31 October 2024, be approved as correct record.

18. CITY OF LONDON POLICE QUARTERLY UPDATE QUARTER 4

The Committee received a report of the Commissioner of Police containing data from Quarter 4 2024, relating to the nighttime economy, offences recorded by police, and police operations.

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

The Committee received a non-public appendix relating to item 13 on the Delegated decisions of the Executive Director Environment pertaining to premises licences.

20. NON PUBLIC QUESTIONS RELATING TO THE WORK OF THE COMMITTEE

There were no questions.

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

There was no urgent business.

The Chairman closed the meeting by expressing his heartfelt gratitude for the opportunity to serve as the Chair of the Licensing Committee. The Chairman shared that this had been a rewarding experience, one which he was proud of the positive changes that have been implemented, such as improving communication with licensed premises and enhancing the mapping information tool. The Chairman deeply appreciated the support and assistance from all Members and Officers, as well as their contributions over the past three years.

The Committee in return expressed their thanks to the Chairman for his chairing and the business that had been conducted in the last three years of his chairmanship.

The meeting ended at 14:41

Chairman

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