



L I C E N S I N G C O M M I T T E E

Wednesday 9 March 2022
at 7.00 pm

Council Chamber, Hackney Town Hall,
Mare Street, London E8 1EA

The live stream can be viewed here:

<https://youtu.be/HQsxsElhtDI>

Members of the Committee:

Councillor Emma Plouviez (Chair)
Councillor Brian Bell (Vice-Chair)
Councillor Sophie Conway, Councillor Kofo David,
Councillor Sem Moema, Councillor Margaret Gordon
Councillor Harvey Odze, Councillor M Can Ozsen
Councillor Sharon Patrick, Councillor James Peters
Councillor Anya Sizer, Councillor Gilbert Smyth,
Councillor Peter Snell, Councillor Susan Fajana-Thomas
and Councillor Penny Wrout

Mark Carroll
Chief Executive
1 March 2022
www.hackney.gov.uk

Contact: Natalie Williams
Governance Officer
governance@hackney.gov.uk

**Licensing Committee
Wednesday, 9 March 2022
Agenda**

- 1 Apologies for Absence**
- 2 Declarations of Interest - Members to declare as appropriate**
- 3 Minutes of the Previous Meeting (Pages 9 - 12)**
- 3.1 To consider the minutes of the meeting of the Licensing Committee held on 8 December 2021.**
- 4 Late Night Levy Update Report and Appendix 1 (Quarter 1, Year 5)
(Pages 13 - 20)**
- 5 Any Other Urgent Business**

Public Attendance

The Town Hall is not presently open to the general public, and there is limited capacity within the meeting rooms. However, the High Court has ruled that where meetings are required to be 'open to the public' or 'held in public' then members of the public are entitled to have access by way of physical attendance at the meeting. The Council will need to ensure that access by the public is in line with any Covid-19 restrictions that may be in force from time to time and also in line with public health advice.

Those members of the public who wish to observe a meeting are still encouraged to make use of the live-stream facility in the first instance. You can find the link on the agenda front sheet.

Members of the public who would ordinarily attend a meeting to ask a question, make a deputation or present a petition will be able to attend if they wish. They may also let the relevant committee support officer know that they would like the Chair of the meeting to ask the question, make the deputation or present the petition on their behalf (in line with current Constitutional arrangements).

In the case of the Planning Sub-Committee, those wishing to make representations at the meeting should attend in person where possible.

Regardless of why a member of the public wishes to attend a meeting, they will need to advise the relevant committee support officer of their intention in advance of the meeting date. You can find contact details for the committee support officer on the agenda front page. This is to support track and trace. The committee support officer will be able to confirm whether the proposed attendance can be accommodated with the room capacities that exist to ensure that the meeting is covid-secure.

As there will be a maximum capacity in each meeting room, priority will be given to those who are attending to participate in a meeting rather than observe.

Members of the public who are attending a meeting for a specific purpose, rather than general observation, are encouraged to leave the meeting at the end of the item for which they are present. This is particularly important in the case of the Planning Sub-Committee, as it may have a number of items on the agenda involving public representation.

Before attending the meeting

The public, staff and councillors are asked to review the information below as this is important in minimising the risk for everyone.

If you are experiencing covid symptoms, you should follow government guidance. Under no circumstances should you attend a meeting if you are experiencing covid symptoms.

Anyone experiencing symptoms of Coronavirus is eligible to book a swab test to find out if they have the virus. You can register for a test after checking your symptoms through the NHS website. If you do not have access to the internet, or have difficulty with the digital portals, you are able to call the 119 service to book a test.

If you're an essential worker and you are experiencing Coronavirus symptoms, you can apply for priority testing through GOV.UK by following the guidance for essential workers. You can also get tested through this route if you have symptoms of coronavirus and live with an essential worker.

Availability of home testing in the case of people with symptoms is limited, so please use testing centres where you can.

Even if you are not experiencing covid symptoms, you are requested to take an asymptomatic test (lateral flow test) in the 24 hours before attending the meeting.

You can do so by visiting any lateral flow test centre; details of the rapid testing sites in Hackney can be found here. Alternatively, you can obtain home testing kits from pharmacies or order them here.

You must not attend a lateral flow test site if you have Coronavirus symptoms; rather you must book a test appointment at your nearest walk-through or drive-through centre.

Lateral flow tests take around 30 minutes to deliver a result, so please factor the time it will take to administer the test and then wait for the result when deciding when to take the test.

If your lateral flow test returns a positive result then you must follow Government guidance; self-isolate and make arrangements for a PCR test. Under no circumstances should you attend the meeting.

Attending the Town Hall for meetings

To make our buildings Covid-safe, it is very important that you observe the rules and guidance on social distancing, one-way systems, hand washing, and the wearing of masks (unless you are exempt from doing so). You must follow all the signage and measures that have been put in place. They are there to keep you and others safe.

To minimise risk, we ask that Councillors arrive fifteen minutes before the meeting starts and leave the meeting room immediately after the meeting has concluded. The public will be invited into the room five minutes before the meeting starts.

Members of the public will be permitted to enter the building via the front entrance of the Town Hall no earlier than ten minutes before the meeting is scheduled to start. They will be required to sign in and have their temperature checked as they enter the building. Security will direct them to the Chamber or Committee Room as appropriate.

Seats will be allocated, and people must remain in the seat that has been allocated to them.

Refreshments will not be provided, so it is recommended that you bring a bottle of water with you.

RIGHTS OF PRESS AND PUBLIC TO REPORT ON MEETINGS

Where a meeting of the Council and its committees are open to the public, the press and public are welcome to report on meetings of the Council and its committees, through any audio, visual or written methods and may use digital and social media providing they do not disturb the conduct of the meeting and providing that the person reporting or providing the commentary is present at the meeting.

Those wishing to film, photograph or audio record a meeting are asked to notify the Council's Monitoring Officer by noon on the day of the meeting, if possible, or any time prior to the start of the meeting or notify the Chair at the start of the meeting.

The Monitoring Officer, or the Chair of the meeting, may designate a set area from which all recording must take place at a meeting.

The Council will endeavour to provide reasonable space and seating to view, hear and record the meeting. If those intending to record a meeting require any other reasonable facilities, notice should be given to the Monitoring Officer in advance of the meeting and will only be provided if practicable to do so.

The Chair shall have discretion to regulate the behaviour of all those present recording a meeting in the interests of the efficient conduct of the meeting. Anyone acting in a disruptive manner may be required by the Chair to cease recording or may be excluded from the meeting.

Disruptive behaviour may include: moving from any designated recording area; causing excessive noise; intrusive lighting; interrupting the meeting; or filming members of the public who have asked not to be filmed.

All those visually recording a meeting are requested to only focus on recording councillors, officers and the public who are directly involved in the conduct of the meeting. The Chair of the meeting will ask any members of the public present if they have objections to being visually recorded. Those visually recording a meeting are asked to respect the wishes of those who do not wish to be filmed or photographed. Failure by someone recording a meeting to respect the wishes of those who do not wish to be filmed and photographed may result in the Chair instructing them to cease recording or in their exclusion from the meeting.

If a meeting passes a motion to exclude the press and public then in order to consider confidential or exempt information, all recording must cease and all recording equipment must be removed from the meeting. The press and public are not permitted to use any means which might enable them to see or hear the

proceedings whilst they are excluded from a meeting and confidential or exempt information is under consideration.

Providing oral commentary during a meeting is not permitted.

ADVICE TO MEMBERS ON DECLARING INTERESTS

Hackney Council's Code of Conduct applies to all Members of the Council, the Mayor and co-opted Members.

This note is intended to provide general guidance for Members on declaring interests. However, you may need to obtain specific advice on whether you have an interest in a particular matter. If you need advice, you can contact:

- Director of Legal and Governance Services
- the Legal Adviser to the committee; or
- Governance Services.

If at all possible, you should try to identify any potential interest you may have before the meeting so that you and the person you ask for advice can fully consider all the circumstances before reaching a conclusion on what action you should take.

You will have a disclosable pecuniary interest in a matter if it:

- i. relates to an interest that you have already registered in Parts A and C of the Register of Pecuniary Interests of you or your spouse/civil partner, or anyone living with you as if they were your spouse/civil partner;
- ii. relates to an interest that should be registered in Parts A and C of the Register of Pecuniary Interests of your spouse/civil partner, or anyone living with you as if they were your spouse/civil partner, but you have not yet done so; or
- iii. affects your well-being or financial position or that of your spouse/civil partner, or anyone living with you as if they were your spouse/civil partner.

If you have a disclosable pecuniary interest in an item on the agenda you must:

- i. Declare the existence and nature of the interest (in relation to the relevant agenda item) as soon as it becomes apparent to you (subject to the rules regarding sensitive interests).
- ii. You must leave the meeting when the item in which you have an interest is being discussed. You cannot stay in the meeting whilst discussion of the item takes place and you cannot vote on the matter. In addition, you must not seek to improperly influence the decision.
- iii. If you have, however, obtained dispensation from the Monitoring Officer or Standards Committee you may remain in the meeting and participate in the meeting. If dispensation has been granted it will stipulate the extent of your involvement, such as whether you can only be present to make representations, provide evidence or whether you are able to fully participate and vote on the matter in which you have a pecuniary interest.

Do you have any other non-pecuniary interest on any matter on the agenda which is being considered at the meeting?

You will have 'other non-pecuniary interest' in a matter if:

- i. It relates to an external body that you have been appointed to as a Member or in another capacity; or
- ii. It relates to an organisation or individual which you have actively engaged in supporting.

If you have other non-pecuniary interest in an item on the agenda you must:

- i. Declare the existence and nature of the interest (in relation to the relevant agenda item) as soon as it becomes apparent to you.
- ii. You may remain in the meeting, participate in any discussion or vote provided that contractual, financial, consent, permission or licence matters are not under consideration relating to the item in which you have an interest.
- iii. If you have an interest in a contractual, financial, consent, permission or licence matter under consideration, you must leave the meeting unless you have obtained a dispensation from the Monitoring Officer or Standards Committee. You cannot stay in the meeting whilst discussion of the item takes place and you cannot vote on the matter. In addition, you must not seek to improperly influence the decision. Where members of the public are allowed to make representations, or to give evidence or answer questions about the matter you may, with the permission of the meeting, speak on a matter then leave the meeting. Once you have finished making your representation, you must leave the meeting whilst the matter is being discussed.
- iv. If you have been granted dispensation, in accordance with the Council's dispensation procedure you may remain in the meeting. If dispensation has been granted it will stipulate the extent of your involvement, such as whether you can only be present to make representations, provide evidence or whether you are able to fully participate and vote on the matter in which you have a non pecuniary interest.

Further Information

Advice can be obtained from Dawn Carter-McDonald, Director of Legal and Governance Services via email dawn.carter-mcdonald@hackney.gov.uk

This page is intentionally left blank

**DRAFT MINUTES OF THE LICENSING COMMITTEE
HELD ON
WEDNESDAY, 8 DECEMBER 2021**

THIS MEETING WAS LIVE STREAMED AND CAN BE VIEWED HERE:

<https://youtu.be/KetAOv5ERZc>

Chair: Cllr Emma Plouviez in the Chair

Councillors in Attendance: Cllr Brian Bell, Cllr M Can Ozen, Cllr Sharon Patrick and Cllr Peter Snell

Councillors Joining Virtually: Cllr Sophie Conway, Cllr Sem Moema, Cllr Gilbert Smyth and Cllr Margaret Gordon

Officers in Attendance: Robert Gardner (Enforcement and Business Manager), Peter Gray (Governance Services Officer), Amanda Nauth (Licensing and Corporate Lawyer), Samantha Mathys (Late Night Levy Manager) and David Tuitt (Business Regulation Team Leader)

1. Apologies for Absence

1.1 Apologies for absence were received from Cllr James Peters.

2. Declarations of Interest - Members to declare as appropriate

2.1 There were no declarations of interest.

3. Minutes of the Previous Meeting

3.1 **RESOLVED:** That the minutes of the meeting held on 9 September 2021 be agreed as a true and accurate record of proceedings.

3.2 **Matters arising (if applicable):** There were no matters arising.

4. Late Night Levy - Update

4.1 The Late Night Levy Manager introduced the report, highlighting the following:

- Total receipts in year 4 amounted to £64,019k.
- There was a balance carried over from the previous year of £260,073k.
- Payment reminders had been sent out for outstanding amounts.
- Total expenditure amounted to £326,703k.
- There had been an increase in violent offences, which also included an increase in assaults against the Police.
- The Police faced challenges around resources.
- Training was available to licensees with a focus on women's safety, hate crime and safety at night.
- CCTV and radio transmitters were continued to be supplied to Licensees.
- Receipts were expected to return to normal by 2022.
- Year 5 Forecasted Receipts - £450,000k.
- The main focus of Year 5 would be the new venue accreditation scheme. The accreditation criteria had been finalised and was being added to the portal along with guidance to help venues conduct their accreditation.
- The intention was to recruit a new support officer to assist with the accreditation scheme.
- There would be a new Town Centre team within the Shoreditch area.
- The Late Night Levy was considered to be in a secure position.

4.2 Councillor Snell stressed that the Council and other affected boroughs had campaigned to have the ability to waive the levy during the Pandemic. However, this had not been agreed to by the Government. He referred to a basic lack of understanding of responsibilities amongst licence holders, in particular in relation to anti-social behaviour outside premises and whether training was provided in this regard. He asked what further measures could be taken to track the anti-social behaviour to specific venues.

4.3 The Late Night Levy Manager confirmed that refresher training was offered on dealing with anti-social behaviour. It was stated that ongoing work was being carried out linking incidents of anti-social behaviour to specific venues. The Business Regulation Team Leader confirmed that enforcement arrangements were available to officers under the Licensing Act 2003.

4.4 Councillors David and Moema requested figures on stop and search outcomes and profiles of those stopped. It was agreed that this information would be provided at a future meeting.

4.5 Councillor Moema stressed that urgent action was required to support licensees in compliance with regulations, following the recent announcements around increased restrictions including mask wearing and vaccination passes.

- 4.6 Robert Gardner confirmed that new responsibilities brought about by the increase in restrictions would be conveyed to licence holders.
- 4.7 Councillor Gordon stated that given the ongoing pandemic and an increase in cases of coronavirus, further nationwide restrictions from Central Government were likely, which would impact the Late Night Levy.
- 4.8 **RESOLVED:** That the report be noted.

End of Meeting.

Duration of the the meeting: 7:00-7:45pm

Chairperson: Councillor Emma Plouvez

Contact: Peter Gray, Governance Services Officer
Tel: 020 8356 3326
Email: peter.gray@hackney.gov.uk

This page is intentionally left blank



LATE NIGHT LEVY UPDATE REPORT (QUARTER 1, YEAR 5)	
LICENSING COMMITTEE 9 MARCH 2022	CLASSIFICATION: OPEN If exempt, the reason will be listed in the main body of this report.
WARD(S) AFFECTED ALL WARDS	
GROUP DIRECTOR, NEIGHBOURHOODS AND HOUSING AJMAN ALI	

1. INTRODUCTION

- 1.1 This report has been prepared to provide the Licensing Committee with an update on the Late Night Levy (“the Levy”) activities during the third quarter of Year 5 (1 November 2021 to 31 January 2022).

2. RECOMMENDATION(S)

- 2.1 The Licensing Committee is recommended to note the report and the appendix.

3. BACKGROUND

- 3.1 The late night levy (“the levy”) is a discretionary power conferred on licensing authorities by provision in Chapter 2 of Part 2 of the Police Reform and Social Responsibility Act 2011 (“the 2011 Act”). This enables licensing authorities to charge a levy to persons who are licensed to sell alcohol late at night in the authority’s area, as a means of raising a contribution towards the costs of policing the late-night economy.
- 3.2 The Council consulted on the introduction of the Levy from 13 February 2017 until 7 May 2017. And, following a recommendation by the Licensing Committee on 21 June 2017, the Council decided to introduce the Levy at its

meeting on 26 July 2017. The effective date of the Levy was 1 November 2017.

4. COMMENTS OF THE GROUP DIRECTOR OF FINANCE AND CORPORATE RESOURCES

4.1 This report has been prepared to provide the Licensing Committee with an update on the Late Night Levy (“the Levy”) and the most recent board meetings (where available). There are no financial considerations at this time.

5. COMMENTS OF THE DIRECTOR OF LEGAL AND GOVERNANCE SERVICES

5.1 This report is solely for noting as such there are no legal implications arising from the report.

APPENDICES

Appendix 1 – Late Night Levy, Q1, Year 5 Update

EXEMPT

Not applicable.

BACKGROUND PAPERS

Not applicable.

Report Authors	Samantha Mathys Late Night Levy Manager samantha.mathys@hackney.gov.uk Tel: 020 8356 8974 David Tuitt Business Regulation Team Leader david.tuitt@hackney.gov.uk Tel: 020 8356 4942
Comments of the Group Director of Finance and Corporate Resources	Avril Smith Service Accountant avril.smith@hackney.gov.uk Tel: 020 8356 3947
Comments of the Director of Legal and Governance Services	Amanda Nauth Licensing and Corporate Lawyer amanda.nauth@hackney.gov.uk Tel: 020 8356 6345

Late Night Levy - Year 5 Q1 Update

1. Year 5 YTD Income

- 1.1 The Licensing Service has assisted licensees where possible by delaying reminder letters and licence suspensions for non-payment of the Levy where the businesses had to close under Coronavirus regulations. We have started to send out reminders and collect outstanding fees. Without a change to the Late Night Levy legislation, we are obliged to do this.
- 1.2 Instead of collecting two or more years at once, we have sent out reminders for all outstanding amounts and will wait until April 2022 to send out reminders for the upcoming year to give licensees a chance to apply for the accreditation and receive the reduction on the late night levy fees. This may mean, however, that licensees receive two letters in a one year period.
- 1.3 Total receipts in Year 5 to date amounted to £102,791.
- 1.4 There is a balance carried over from previous years of £146,232.
- 1.5 We expect to collect more than our usual annual budget as we are collecting multiple years in some cases and expect receipts to reach between £500K and £600K.

2. Year 5 YTD Expenditure

- 2.1 The table below analyses YTD expenditure.

Balance Carried over from Previous Years	£146,232
Receipts to date (November 2021 to January 2022)	£102,791
<hr/>	
Q1 Spend	
<i>Police Overtime Contract- Period covering July - October 2021</i>	£51,617
<i>CCTV Redeployable Cameras</i>	£6,038
<i>2 Cameras - 3 Year Mobile Data Renewal</i>	
<i>Administration, Operational Costs and Salaries</i>	£19,477
<i>Enforcement Patrols</i>	£16,250
<hr/>	
Total Expenditure:	£93,382

3.0 Policing & Enforcement

3.1 From November 2021, we have had the addition of a new team in the Central East BCU, the Shoreditch Town Centre Team. This dedicated team is tasked with problem solving around issues like Violence, VAWG, ASB, robbery and drugs. The addition of this team has added to the resource on Fridays and Saturdays. The Late Night Levy does not fund this team and continues to fund the NTF overtime patrols which consists of 1 Inspector, 4 Sergeants and 24 constables.

3.2 We are not spending the full budget allocated to Policing and additional resource proposals are being received from stakeholders. The legislation states that 70% of net receipts must be allocated to the Police. However, the funds do not have to be solely spent on officers. We can fund other initiatives within that budget that compliment Police activities. All new proposals for funding will be discussed firstly at Partnership Tasking, then the Night Time Economy Subgroup. When accepted, the proposal will then be presented to the Late Night Levy board for approval.

3.3 Current Activities and Proposals being evaluated

- The use of medical staff in the NTE and a safe space where vulnerable individuals can be assisted.
- CCTV Improvements including dedicated NTE operators
- Urinals able to be used by females
- CCTV Radio scheme for licensees (late night levy payees receive a free handset). We have about 50 premises already signed up.
- Data sharing agreement to be able to share photos of offenders with venue security via the Hackney Nights Portal.
- The creation of electronic briefings to be distributed on the Friday every week to nightclubs, bars and pubs ahead of the weekend via the Portal.

4.0 Communications and Campaigns

We are currently working with the Communication department and planning our calendar of Hackney Nights campaigns for 2022.

- Accreditation Scheme Launch
- Public Awareness campaign around Laughing Gas (Nitrous Oxide)
- Creating a version of “Hackney Hospitality Stars”, using videos of hospitality workers in the borough to spotlight certain issues and promote good practice on the Hackney Nights Portal, YouTube and socials.

- A June Pride campaign on inclusivity in night time spaces and pushing the accreditation with a list of inclusive venues.
- A drink spiking awareness campaign

5.0 Venue Training

Hackney Nights will continue with a constant offering of free training, both available online and in person.

5.1 Existing Training Offering:

- Drinkaware e-learning for staff working inside venues, will teach staff the ability to identify alcohol-related vulnerability and take steps to help prevent customers from coming to harm. We also deliver [Drinkaware crew training](#) in person.
- Counter Terrorism, preventing mass casualty incidents. There are E-Learning sessions available on the portal but also in person sessions being planned for March.
- Police welfare and vulnerability (WAVE) training sessions being conducted. There are 8 sessions during March 2022.
- Women's Safety Training, prevention of sexual harassment and assault in licensed premises. Provided by Good Night Out.
- To Serve or not to Serve, responsibilities in regards to serving minors and individuals who are disorderly or drunk.

5.2 Proposed Training we are evaluating:

- Inclusivity and safeguarding workshop which will aim to help venues develop a more inclusive door policy as well as train security and staff to be more accessible to victims, to prevent incidents as well encourage reporting to staff. Venues trained will get Hackney Nights inclusivity badges for security staff.
- A short induction safety course for individuals new to the bar trade (Fresher training).
- Hate Crime awareness training

5.3 Upcoming Press

- Hackney Nights Case Study by the Greater London Authority (GLA). A consultant commissioned by the GLA will be doing a full case study on the entirety of the Hackney Nights Scheme.
- The Late Night Levy Manager will present a Case Study on Transforming Community Safety Through Harnessing Licensing Powers and Improving Stakeholder Engagement at the Night Time Industry Conference in April 2022.

6.0 Portal and Accreditation Scheme

- 6.1 The service will ask licensed premises to commit to a series of essential and additional themes and benchmarks in order to gain the Hackney Nights accreditation.
- 6.1 The scheme is now in the pilot phase and working with an initial 25 venues as a focus group to test out processes. The scheme will launch publicly once all these venues have completed their accreditation journey. We will then launch our campaign about the accreditation to the public.
- 6.2 Hackney accredited venues will also be safe spaces for women who feel like they are being the victim of sexual harassment or assault. Venues must provide a safe space to help vulnerable individuals who need assistance and/or are waiting for help to arrive from the Police.
- 6.3 Each venue will receive a toolkit which includes a certificate of accreditation, badge for their window so they can display their accreditation to the public, posters, a women's safety handbook, and more.
- 6.4 More than 25 Venues have signed up for the pilot from across the borough. Engagement visits will be delivered throughout the Spring period to increase these numbers but also to visit each venue that has signed up and made an application.

7.0 LNL Support Officer

- 7.1 We will be advertising this role shortly for a part time support officer to be funded by the Late Night Levy. This role will be especially key in further investing in and deepening the reach of the accreditation scheme.
- 7.2 Outreach to Off-licences is planned for Spring and Summer. There will be attempts by the two Pubwatches in Dalson and Shoreditch to ensure that the concerns of owners and licensees are brought to the LNL Board. The support worker will also be tasked to reach out as this important business sector has historically been difficult to engage with.

8. Conclusions

- 8.1 As the night time economy re-opens, we have resumed receiving income and expect to be at regular levels by the Spring.
- 8.2 The online portal and accreditation scheme will be the main focus of the Levy in the coming months.

8.3 Notwithstanding the above, the Licensing Service will continue to prepare and present quarterly updates to the Licensing Committee which, as well as the Board, will maintain oversight of the Levy moving forward.

This page is intentionally left blank