

MINUTES OF A MEETING OF THE LICENSING COMMITTEE

WEDNESDAY, 8 MARCH 2023 AT 7.00PM

The meeting was live streamed can be viewed here:

<https://youtu.be/myf0jh-esUA>

- Councillors Present:** Cllr Gilbert Smyth in the Chair
- Cllr Sophie Conway(part), Cllr Zoë Garbett,
Cllr M Can Ozsen, Cllr Sharon Patrick (part),
Cllr Richard Lufkin, Cllr Sheila Suso-Runge and
Cllr Joe Walker(part)
- Apologies:** Cllr Sem Moema, Cllr Penny Wrouth, Cllr Susan
Fajana-Thomas and Cllr Anya Sizer
- Officers in Attendance:** Gerry McCarthy - Head of Community Safety,
Enforcement and Business Regulation
Samantha Mathys – Late Night Levy Manager
Amanda Nauth – Licensing and Corporate Lawyer
Josephine Sterakides - Senior Lawyer, General
Litigation (virtual)
David Tuitt - Business Regulation Team Leader
Natalie Williams – Senior Governance Officer

The Chair welcomed those who were present in the Chamber and those online. He acknowledged that it was International Women's Day and paid tribute to the Cabinet Member for Community Safety and Regulatory Services, the Late Night Levy Manager, the Legal Officer and Senior Governance Officer for their contribution to the Licensing function.

1 Apologies for Absence

- 1.1 Apologies for lateness from Cllrs: Conway and Ross
- 1.2 It was noted that Councillors Conway, Fajana-Thomas, Moema, Sizer, Ross, and Wrouth had joined the meeting remotely.
- 1.3 Councillors accessing the meeting remotely, were reminded that they were not counted as being 'present' for the purposes of the Local Government Act 1972 and may not vote on any item under consideration. At the discretion of the Chair, may however contribute to the discussion and participate in non-decision making capacity

2 Declarations of Interest - Members to declare as appropriate

2.1 There were no declarations of interest.

3 Minutes of the Previous Meeting

RESOLVED: That the minutes of the previous meeting held on 8 December 2022 be agreed as a true and accurate record of proceedings.

Update on matters arising from December's meeting:

- Paragraph 4.4 - The Late Night Levy Manager advised that work had been undertaken with the Council's Communication Team to create the Late Night Levy 2023 communication plan. Further information was provided within the report to be considered at agenda item 4.
- Paragraph 4.4 - The Late Night Levy Manager confirmed that all Committee Members had been added to the on-line portal and distribution lists.
- Paragraph 5.4 -The Licensing Team Leader confirmed that representatives for the Licensing Team had attended the Policy Steering Group.

The Committee **NOTED** the responses

4 Late Night Levy Year 6 Quarter 1 Update

4.1 Samantha Mathys, Late Night Levy (LNL) Manager introduced the report, which provided an update on the Late Night Levy activities during the first quarter of Year 6 (1 November 2022 to 31 January 2023). The levy year ran from 1 November to 31 October.

4.2 The following points were highlighted:

Income

- The levy continued to return to normal income levels. Officers were in the process of collecting the arrears accumulated during the pandemic. Income circa of 153k had so far been confirmed for quarter 1 which ran from November 2022-January 2023. A full financial report would be presented to the Committee at the first meeting of the Municipal Year.

Expenditure

- Members were referred to the table at Paragraph 2, Appendix 1 of the report and advised that the expenditure did not include the salaries or enforcement funding which would be outlined in the annual report.
- The expenditure (£4,320) on the CCTV radio link system included the purchase of additional radios for the venue radio scheme. New licensees were being signed up weekly to this scheme. Radios remained on designated premises but could be relocated if not in use. Usage was monitored and training was provided to venue staff to encourage more use.
- It was explained that the mobile messaging system was a giant digital billboard that was driven around the Night Time Economy area(s) from 8pm to 1.00am. Costs for usage was predominantly during the festive period and the 16 day campaign of eliminating violence against women and girls.
- Costs for policing (£23,251.5) were for August to October 2022.

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- Costs for the redeployable cameras covered moving them around the borough. New cameras had been installed in Lower Clapton and Kingsland High Street, Hoxton.
- Medical Provision (First Responders) costs included the additional provision for Thursdays (usually Friday-Sunday) during December and other festive periods (£19,121.00).

Training Crime Prevention and Engagement

- A special pubwatch / WAVE (welfare and vulnerability engagement) training was held with partners in November 2022 prior to the World Cup. This was the largest yet, with over 100 attendees.
- Engagement was at an all time high. This was attributed to the growth of the online portal and its ability to reach and disseminate information quickly.
- A new revamped and updated program of WAVE training conducted in partnership with the Police and Tower Hamlets had been confirmed until March 2024. This would be held monthly at no cost to licensed premises. Details of what would be covered were set out at paragraph 3.2 of Appendix 1.
- There had been a rise in the reporting of sexual harassment which was credited to the work of raising awareness and encouraging people to report such incidents.
- Online training take-up peaked in November and December 2022. Online training was shown to be the most practical method of training and the team will be looking to expand the online training offer during 2023.
- Hackney Nights' contribution to the 16 days of action campaign against the elimination of violence against women and girls was highlighted. A high percentage of licensees understood the 'Ask for Angela', safety initiative for those feeling unsafe or vulnerable on a night out.
- The aim was to send the next newsletter out to all LNL premises as well as non-levy bars, pubs and clubs by mid March 2023.
- The online portal had a total of 244 users. The LNL support officer had visited premises to provide login information and carry out demonstrations. There were a lot of pending accreditation applications that were being worked through. A plan to better advertise the scheme had been devised with the Council's communication team. There would also be a news spread in Hackney Today.

Policing, Enforcement and Welfare

- At the LNL Board meeting in October, the police announced that resources would be reduced to: 1 Inspector, 3 Sergeants and 18 Constables between January to March 2023. The contract for the 2023/24 financial year was being renegotiated.
- Additional resources were provided over the festive period which included: the Medical Provision (First Responders) extended to Thursday nights and an additional CCTV operator in the control room. Both were considered necessary due to increased activity.
- There had been many interventions from venue staff particularly in relation to the protection of vulnerable women.
- The partnership between Council officers, medics licensed premises and the police was described as being particularly strong. 2022 was hailed as being a successful year for training with over 1500 nightlife and security staff trained.
- Going forward, the priorities were: to continue to focus on prevention, promote reporting, for venues to adopt a zero tolerance approach and to raise the profile of the accreditation scheme.

4.3 At the conclusion of the update, Members asked question which were responded to as follows:

- A digital version of the gender based violence handbook was available to download on the online portal. Plans were in place to circulate to venues.
- Due to financial incentive (30% discount), some venues were not undertaking the required work and training and so therefore some applications had been refused.
- The reduced police resource was manageable due to the partnership of key stakeholders. It was anticipated that the police resource would be increased over Easter and the Bank Holiday weekends in May. The decision to reduce police levels had been risk assessed and was part of a wider reduction in the borough. Resources had been transferred to other teams within the borough.
- The mobile messaging vehicle was seen as useful for bursts of activity that required more awareness and greater reinforcement.
- Drink spiking was covered in all training delivered to venues, which included best practice (e.g. crime scene preservation, CCTV and detecting patterns in the behaviour of perpetrators).

RESOLVED: To note the report and the appendices

5 Licensing Policy Consultation 2023- 2028

5.1 David Tuitt, Business Regulation Team Leader introduced the report (contained within the supplementary agenda). which provided an update on the review of the Statement of Licensing Policy, ahead of public consultation. There was a requirement to review the policy at least once every five years.

5.2 Those required to be consulted in the preparation of the new policy included: responsible authorities, holders of premises licences, personal licences and club premises certificates. Revisions had been made to the preamble of the policy which included updated census data, reference to Hackney Nights and the Climate Action Plan. The most significant change related to the Special Policy Areas (SPAs) (Shoreditch and Dalston in current policy). This would now be generic- resulting in the general presumption to refuse applications for new and variation licences unless the applicant demonstrated they would not add to the cumulative impact. A proposed lower tier special policy would be known as Special Consideration Areas (SCAs). Where evidence identified specific issues in these areas, the expectation would be for applicants to address these in their operating schedule.

5.3 A Cumulative Impact Assessment (CIA) was required to be reviewed every three years and was also being undertaken. The document would be evidence based and determine any areas that should be considered Special Policy or Special Consideration Areas.

5.4 Members asked question which were responded to as follows:

- A traffic light system for venues based on incidents and breaches used by some other local authorities was primarily for enforcement purposes.

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- Home Office Guidance set out the criteria and steps for which to carry out a Cumulative Impact Assessment. It was the responsibility of the Authority to assess evidence and categorise areas accordingly.
- Members were able to participate in the consultation process at committee stage or by contacting officers outside of the meeting.
- In reference to the protection of children from harm Licensing Objective, the Licensing Team did not hold any data with regard to alcohol and children but this was likely to be available from other services (Public Health or Children's Services)
- Sexual Entertainment Venues (SEV) were determined by a separate policy, which was referenced and signposted in the Draft Licensing Policy. There were two SEV premises within the borough Licensed Under the Licensing Act 2003. There were no proposals to make any changes to the Sex Establishment Policy. It was quite common for a Sex Establishment Policy to set the number of premises as nil, making exceptions for experienced operators.
- The issue of cumulative impact would remain a consideration in all areas including those that were not considered SPAs, or SCAs.
- Following the close of the Draft Licensing Policy consultation at the end of May 2023, a report would be produced alongside any further required revisions to the policy which would be brought before a Special Licensing Committee in July (ACTION: Natalie Williams, Senior Governance Officer). Following consideration by the Licensing Committee, the draft policy would proceed to Full Council later in July for implementation on 31 July 2023.
- Independent personnel would be involved in undertaking work on the CIA to alleviate any doubts of bias and partiality. The draft CIA would be presented to the Licensing Committee in June and again early September following consultation. It would proceed to Full Council for ratification later in September.
- Home Office Guidance suggested that other key integrated Council strategies be referenced in the Draft Licensing Policy.
- It was acknowledged that inclusivity and disabilities (beyond physical disabilities) and sustainability issues would be further built upon in the Draft Licensing Policy in conjunction with the Council's Policy and Strategy Team. An Equality Impact Assessment would also be undertaken as part of the policy review.

RESOLVED:

- (i) To approve the Draft Statement of Licensing Policy being published for consultation.
- (ii) To authorise the Group Director of Climate Homes and Economy to make any non-substantive changes to the Draft Policy as appropriate.

6 Any Other Urgent Business

6.1 There was no urgent business for consideration.

End of Meeting.

Duration of the meeting: 7.00-8.24pm

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CLlr Gilbert Smyth
Chair of the Licensing Committee

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