



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

Wednesday, 8 March 2023 at 7.00 pm
Council Chamber, Hackney Town Hall
Mare Street E8 1EA

Live stream link: <https://youtu.be/myf0jh-esUA>

Back up link: <https://youtu.be/P8YCH3wJ9u8>

Members of the Committee:

Cllr Gilbert Smyth (Chair), Cllr Sophie Conway, Cllr Susan Fajana-Thomas, Cllr Eluzer Goldberg, Cllr Zoë Garbett, Cllr Richard Lufkin (Vice Chair), Cllr Sem Moema, Cllr M Can Ozsen, Cllr Sharon Patrick, Cllr Midnight Ross, Cllr Anya Sizer, Cllr Sheila Suso-Runge, Cllr Joe Walker and Cllr Penny Wrout.

Mark Carroll
Chief Executive
28 February 2023
www.hackney.gov.uk

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

Licensing Committee

Wednesday, 8 March 2023

Agenda

- 1 Apologies for Absence**
- 2 Declarations of Interest - Members to declare as appropriate**
- 3 Minutes of the Previous Meeting:** Enclosed (Pages 7 - 12)
To consider the minutes of the previous meeting held on 8 December 2022.
- 4 Late Night Levy Year 6 Quarter 1 Update:** Enclosed (Pages 13 - 18)
- 5 Licensing Policy Consultation 2023-2028**
Report to follow.
- 6 Any Other Urgent Business**

Public Attendance

Following the lifting of all Covid-19 restrictions by the Government and the Council updating its assessment of access to its buildings, the Town Hall is now open to the public and members of the public may attend meetings of the Council.

We recognise, however, that you may find it more convenient to observe the meeting via the live-stream facility, the link for which appears on the agenda front sheet.

We would ask that if you have either tested positive for Covid-19 or have any symptoms that you do not attend the meeting, but rather use the live stream facility. If this applies and you are attending the meeting to ask a question, make a deputation or present a petition then you may contact the Officer named at the beginning of the Agenda and they will be able to make arrangements for the Chair of the meeting to ask the question, make the deputation or present the petition on your behalf.

The Council will continue to ensure that access to our meetings 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. The latest general advice can be found here - <https://hackney.gov.uk/coronavirus-support>

Rights of Press and Public to Report on Meetings

The Openness of Local Government Bodies Regulations 2014 give the public the right to film, record audio, take photographs, and use social media and the internet at meetings to report on any meetings that are open to the public.

By attending a public meeting of the Council, Executive, any committee or sub-committee, any Panel or Commission, or any Board you are agreeing to these guidelines as a whole and in particular the stipulations listed below:

- Anyone planning to record meetings of the Council and its public meetings through any audio, visual or written methods they find appropriate can do so providing they do not disturb the conduct of the meeting;
- You are welcome to attend a public meeting to report proceedings, either in 'real time' or after conclusion of the meeting, on a blog, social networking site, news forum or other online media;
- You may use a laptop, tablet device, smartphone or portable camera to record a written or audio transcript of proceedings during the meeting;
- Facilities within the Town Hall and Council Chamber are limited and recording equipment must be of a reasonable size and nature to be easily accommodated.
- You are asked to contact the Officer whose name appears at the beginning of this Agenda if you have any large or complex recording equipment to see whether this can be accommodated within the existing facilities;
- You must not interrupt proceedings and digital equipment must be set to 'silent' mode;
- You should focus any recording equipment on 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 to respect the wishes of those who do not want to be filmed and photographed may result in the Chair instructing you to cease reporting or recording and you may potentially be excluded from the meeting if you fail to comply;

- Any person whose behaviour threatens to disrupt orderly conduct will be asked to leave;
- Be aware that libellous comments against the council, individual Councillors or officers could result in legal action being taken against you;
- The recorded images must not be edited in a way in which there is a clear aim to distort the truth or misrepresent those taking part in the proceedings;
- Personal attacks of any kind or offensive comments that target or disparage any ethnic, racial, age, religion, gender, sexual orientation or disability status could also result in legal action being taken against you.

Failure to comply with the above requirements may result in the support and assistance of the Council in the recording of proceedings being withdrawn. The Council regards violation of any of the points above as a risk to the orderly conduct of a meeting. The Council therefore reserves the right to exclude any person from the current meeting and refuse entry to any further council meetings, where a breach of these requirements occurs. The Chair of the meeting will ensure that the meeting runs in an effective manner and has the power to ensure that the meeting is not disturbed through the use of flash photography, intrusive camera equipment or the person recording the meeting moving around the room.

Advice to Members on Declaring Interests

If you require advice on declarations of interests, this can be obtained from:

- The Monitoring Officer;
- The Deputy Monitoring Officer; or
- The legal adviser to the meeting.

It is recommended that any advice be sought in advance of, rather than at, the meeting.

Disclosable Pecuniary Interests (DPIs)

You will have a Disclosable Pecuniary Interest (*DPI) if it:

- Relates to your employment, sponsorship, contracts as well as wider financial interests and assets including land, property, licenses and corporate tenancies.
- Relates to an interest which you have registered in that part of the Register of Interests form relating to DPIs as being an interest of you, your spouse or civil partner, or anyone living with you as if they were your spouse or civil partner.
- Relates to an interest which should be registered in that part of the Register of Interests form relating to DPIs, but you have not yet done so.

If you are present at any meeting of the Council and you have a DPI relating to any business that will be considered at the meeting, you **must**:

- Not seek to improperly influence decision-making on that matter;
- Make a verbal declaration of the existence and nature of the DPI at or before the consideration of the item of business or as soon as the interest becomes apparent; and
- Leave the room whilst the matter is under consideration

You **must not**:

- Participate in any discussion of the business at the meeting, or if you become aware of your Disclosable Pecuniary Interest during the meeting, participate further in any discussion of the business; or
- Participate in any vote or further vote taken on the matter at the meeting.

If you have obtained a dispensation from the Monitoring Officer or Standards Committee prior to the matter being considered, then you should make a verbal declaration of the existence and nature of the DPI and that you have obtained a dispensation. The dispensation granted will explain the extent to which you are able to participate.

Other Registrable Interests

You will have an 'Other Registrable Interest' (ORI) in a matter if it

- Relates to appointments made by the authority to any outside bodies, membership of: charities, trade unions,, lobbying or campaign groups,

voluntary organisations in the borough or governorships at any educational institution within the borough.

- Relates to an interest which you have registered in that part of the Register of Interests form relating to ORIs as being an interest of you, your spouse or civil partner, or anyone living with you as if they were your spouse or civil partner; or
- Relates to an interest which should be registered in that part of the Register of Interests form relating to ORIs, but you have not yet done so.

Where a matter arises at any meeting of the Council which affects a body or organisation you have named in that part of the Register of Interests Form relating to ORIs, **you must** make a verbal declaration of the existence and nature of the DPI at or before the consideration of the item of business or as soon as the interest becomes apparent. **You may** speak on the matter only if members of the public are also allowed to speak at the meeting but otherwise must not take part in any discussion or vote on the matter and must not remain in the room unless you have been granted a dispensation.

Disclosure of Other Interests

Where a matter arises at any meeting of the Council which **directly relates** to your financial interest or well-being or a financial interest or well-being of a relative or close associate, you **must** disclose the interest. **You may** speak on the matter only if members of the public are also allowed to speak at the meeting. Otherwise you must not take part in any discussion or vote on the matter and must not remain in the room unless you have been granted a dispensation.

Where a matter arises at any meeting of the Council which **affects** your financial interest or well-being, or a financial interest or well-being of a relative or close associate to a greater extent than it affects the financial interest or wellbeing of the majority of inhabitants of the ward affected by the decision and a reasonable member of the public knowing all the facts would believe that it would affect your view of the wider public interest, you **must** declare the interest. **You may** only speak on the matter if members of the public are able to speak. Otherwise you must not take part in any discussion or voting on the matter and must not remain in the room unless you have been granted a dispensation.

In all cases, where the Monitoring Officer has agreed that the interest in question is a **sensitive interest**, you do not have to disclose the nature of the interest itself.



MINUTES OF A MEETING OF THE LICENSING COMMITTEE

THURSDAY, 8 DECEMBER 2022

- Councillors Present:** Councillor Gilbert Smyth in the Chair
Cllr Susan Fajana-Thomas, Cllr Zoë Garbett and Cllr Anya Sizer
- Apologies:** Cllr Sophie Conway, Cllr Richard Lufkin, Cllr M Can Ozsen, Cllr Sharon Patrick, Cllr Midnight Ross, Cllr Sheila Suso-Runge, Cllr Joe Walker and Cllr Penny Wrouth.
- Officers in Attendance:** Samantha Mathys – Late Night Levy Manager
Amanda Nauth – Licensing and Corporate Lawyer
David Tuitt – Business Regulation Team Leader
Natalie Williams – Senior Governance Officer

1 Apologies for Absence

- 1.1 Apologies for absence were received from Councillors Conway, Lufkin Ozsen, Patrick, Ross, Suso-Runge, Walker and Wrouth.
- 1.2 It was noted that Cllr 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 6 September 2022 be agreed as a true and accurate record of proceedings.

3.1 Matters arising:

It was noted that following a question at paragraph 5.4 of the minutes, relating to one of the deployable cameras not being operational, the Head of

Community Safety, Enforcement and Business Regulation had committed to providing a response outside of the meeting. An email was sent to the Member in question prior to the meeting and the Committee was updated as follows:

‘LNL cameras in Old St were not working but were back up and operational by Friday 9 September 2022. All of these cameras are under warranty. Repairs are carried out as a priority. However, if there is a part which needs replacing, then reliance on third parties can cause a delay’.

The Committee **NOTED** the response.

4 Late Night Levy - Year 5, Quarter 4 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 fourth quarter of Year 5 (1 August 2022 to 31 October 2022). It was explained that the levy year ran from 1 November to 31 October.

4.2 The following points were highlighted:

Income

- There was a return to normal income levels. The total receipts in Year 5 amounted to £492,277. Overdue payments for amounts owed from previous years due to the pandemic were being received.
- A balance of £146,232 was carried over from previous years.
- An annual financial report will be prepared at the end of the financial year.

Expenditure

- Year 5 expenditure was set out in Appendix 1 paragraph 2.1. The first 3 columns related to the administration of the levy including officer salaries and law enforcement service which were taken at the end of each financial year.
- The police spend from July 2020-July 2022 was £197,961. There was always a long delay between dates of policing provision and invoicing dates.
- The policing agreement ran over a six month period. Final confirmed spending past July 2022 would be confirmed in 2023.
- Redeployable Camera Data Package had been renewed for the four redeployable CCTV cameras for 3 Years. There was also a cost associated with moving the cameras around the borough.
- Costs associated with training, print, design and recruitment were primarily due to the accreditation scheme launch in September 2022.
- A budget was being prepared for the 2023/24 financial year which would be presented to the LNL Board in January 2023 and at a future Licensing Committee.
- There was a balance remaining of just over 231k; this did not include any policing costs which were still to be invoiced.

Crime Prevention, Engagement & Education

- Regular direct engagement with licensed premises continued. This ensured staff were well informed about implementing preventative measures. Subsequently, the database of managers and contacts continued to grow.
- Regular training via the online Hackney Nights portal and in person continued to be offered free of charge to licensed premises.

- There were 7 accredited venues with approximately 12 applications for accreditation pending.

Enforcement and Welfare of Night Time Economy Users

- This included police, enforcement, CCTV and the medics team.
- An agreement was in place with the police until the end of the financial year which amounted to 115k. The police would be reducing resources January-March 2023 hence the lower contracted costs.
- The partnership between the police, venues and medics was felt to be particularly strong and effective. As such, the LNL Board agreed a further six month contract for the medics, with additional resources over the Christmas season.
- The radio scheme had been extended to an additional 16 premises. This was coupled with an additional CCTV operator during Night Time Economy hours. The feedback had been positive.

Communication and Information Sharing with Stakeholders

- There was a commitment to ensure that guidance and best practice was readily available and businesses were aware of how to access information they required. The main vehicle for this remained the Hackney Nights Portal
- Engagement visits were also geared at signing up new premises to the portal.
- The winter edition of the newsletter went out to all licensed premises across the borough. This was believed to have accounted for the increased uptake of applications for the accreditation scheme.

4.3 Concluding, it was felt that the investment in preventative programmes and schemes had paid off. There was still some resistance to paying LNL fees but a pragmatic approach continued to be taken. In preparation for the festive period and the World Cup, the highest amount of staff training had been undertaken than any previous year.

4.4 Following the update, Members asked question which were responded to as follows:

- Police resources were being reduced between January 2023 and March 2023 from 1 Inspector, 4 Sergeants and 24 Police Constables across NTE areas to 1 Inspector, 3 Sergeants and 18 Police Constables. This was a police-led decision taken at the LNL Board. There would be a reduced cost, however previous resource levels were expected to resume during the spring and throughout the busier months.
- It was difficult to give an overview of finances mid financial year. The remaining balance did not account for any incoming invoices from the police that were expected to be received. Income was also still being received. A clearer response could be provided at the first committee meeting of the municipal year, in May 2023 (**ACTION: Samantha Mathys**).
- It was reported that Amy Lamé, Night Czar, Chair of the Night Time Borough
- Champions Network. had visited Hackney for a walkabout of the NTE. In addition, there was a NTE Lead Members' Forum. Cllr Fajana-Thomas had been liaising with her Islington counterpart with regard to Hackney's LNL.
- Ideas of how to share best practise and successes were welcomed. Members suggested that officers investigate the possibility of the Council's

Communication team providing some wider publicity on Hackney's NTE and LNL. **(ACTION: Samantha Mathys)**.

- A police officer was assaulted within the NTE area and was attended to by an on duty LNL medic. He had since made a full recovery.
- It would be ensured that all Committee members were on the distribution list and receive the newsletters **(ACTION: Samantha Mathys)**.

RESOLVED: To note the report and the appendices

5 Timetable for the Review of the Statement of Licensing Policy and Cumulative Impact Assessment

- 5.1 Davdi Tuitt, Business Regulation Team Leader introduced the report which provided an update on the work to review the Statement of Licensing Policy and the undertaking of a Cumulative Impact Assessment (CIA). There was a legal requirement to publish a Statement of Licensing Policy, which must promote the four licensing objectives and be reviewed every five years. The Policy had been effective since 1 August 2018. The Policy would need to reflect on: the impact of the pandemic, cost of living impact, various Council strategies, topical issues such as third party deliveries and the administration's ambitions relating to sustainability, amongst other things. The LNL would be a more prominent feature in the Policy.
- 5.2 A CIA may be published by a licensing authority to help limit the number or types of licence applications granted in areas. The assessment would be commissioned to understand whether there was a problem of cumulative impact in areas across the borough. This would determine whether there should be special policies for any identified areas.
- 5.3 The proposed timetable set out at paragraph 4 was highlighted. The draft policy would be presented to the Licensing Committee at its meeting on 8 March 2023 and to Full Council for approval in July 2023. The CIA would be presented to Full Council in November 2023.
- 5.4 Following the introduction, Members asked questions which were responded to as follows:
- The Licensing Act 2003 sets out that license holders and Responsible Authorities must be consulted. Work would be undertaken with colleagues within the Council's Consultation Team to establish what other groups were to be consulted and how this would take place. The consultation periods had been tweaked according to the meeting dates of the committees where they would be approved.
 - The membership and meeting notes (if possible) of the Policy Steering Group would be confirmed **(ACTION: David Tuitt)**
 - Work and consultation on both the Policy and CIA would run concurrently; however there would be more time and flexibility to engage residents on the CIA consultation,
 - Consultation was not managed by the Licensing Service but led by the Council's Consultation Team who managed publicity. The consultation dates would also be publicised via the LNL's various platforms including: Pubwatch, the Levy

Board, the newsletter, in-person engagement and the Hackney Night's Portal.

RESOLVED: To note the timetable for the Review of the Statement of Licensing Policy and Cumulative Impact Assessment.

6 Any Other Urgent Business

6.1 There was no urgent business for consideration.

End of meeting.

Duration of the meeting: 7.00-7.50pm

Cllr Gilbert Smyth
Chair of the Licensing Committee

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Title of Report	Late Night Levy - Year 6, Q1 Update
For Consideration By	Licensing Committee
Meeting Date	8 March 2023
Classification	Open
Ward(s) Affected	All wards
Group Director	Rickardo Hyatt

1. Summary

- 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 first quarter of Year 6 (1 November 2022 to 31 January 2023).

2. Recommendations

- 2.1 That the Licensing Committee notes the report and the appendices.

3. Comments of the Group Director of Finance and Corporate Resources

- 3.1 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.

4. Comments of the Director of Legal, Democratic and Electoral Services

- 4.1 The Late Night Levy Board (“the Board”) has been established to advise and oversee how the levy monies are to be spent. This report has been prepared to provide the Licensing Committee with an update to the Late Night Levy governance structure and the Terms of Reference.
- 4.2 This report is solely for noting as such there are no legal matters arising from the report that require comment on at this stage.

Appendices

Appendix 1 – Late Night Levy - Year 6, Q1 update

Exempt

Not applicable.

Background Papers

None.

Report Author	Samantha Mathys Late Night Levy Manager samantha.mathys@hackney.gov.uk Tel: 020 8356 8974
Comments for the Group Director of Finance and Corporate Resources prepared by	Avril Smith Service Accountant avril.smith@hackney.gov.uk Tel: 020 8356 3947
Comments for the Director of Legal, Democratic and Electoral Services prepared by	Amanda Nauth Licensing and Corporate Lawyer amanda.nauth@hackney.gov.uk Tel: 020 8356 6345

Late Night Levy - Year 6 Q1 Update

1. Year 6 Year To Date (YTD) Income

- 1.1 Total receipts in Year 6 Q1 amounted to £152,745.00.
- 1.2 A full financial report will be published following the end of the financial year and presented to the Licensing Committee.

2. Year 6 YTD Expenditure

- 2.1 The table below analyses YTD expenditure between 1 November 2022 and 31 January 2023.

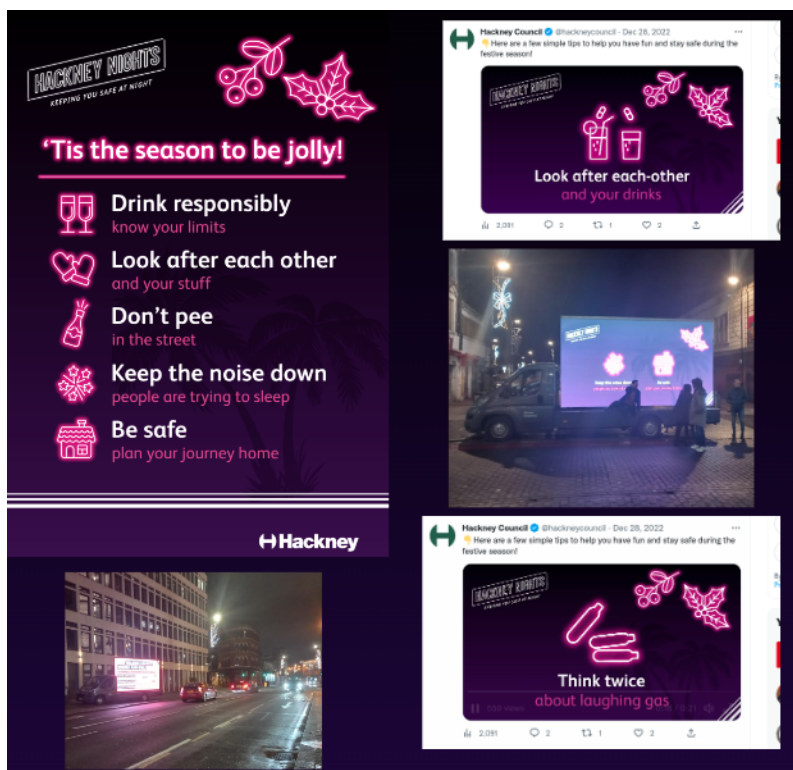
<u>Expenditure</u>	
CCTV Radio Link System for Venues	£4,320.00
Mobile Messaging Vehicle	£3,300.00
Policing	£23,251.57
Redeployable Camera Deployment and Maintenance Costs	£1,441.65
Media, Design, Advertising and Print	£1,574.05
Medical Provision (First Responders) <i>Please note this includes additional provision on Thursdays during the Month of December and special periods.</i>	£19,121.00
Training costs	£665.00
Total YTD Expenditure	£53,673.27

3. Training, Crime Prevention and Engagement

- 3.1 A special pubwatch / WAVE (welfare and vulnerability engagement) training was held with partners in November prior to the World Cup and was our largest yet with over 120 attendees. The session was an expanded version of the previous WAVE program and also gave additional insights on how to spot fake IDs as we had witnessed a rise in underage persons trying to use these to gain access to premises. The sessions also covered vulnerability, drink spiking and security measures. This was also in anticipation of the festive season. We held another session in December with 50 attendees, however, there was no session in January as most hospitality staff take the first weeks of the year off after New Year's Eve.
- 3.2 A new revamped and updated program of WAVE training conducted in partnership with the Police and Tower Hamlets has been confirmed until March 2024 and will be held monthly at no cost to the licensed premises. The

sessions cover vulnerability, welfare, venue management, drink spiking, dispersals, alcohol awareness and there is an added portion around misogyny and harassment in the night time economy in order to ensure that all our night time spaces adopt a zero tolerance approach to any of these behaviours and report all incidents.

- 3.3 Our online training also peaked in November / December as many licensees opted in for distance learning for their staff, with over 325 courses completed in vulnerability. This format is by far the most practical for venues and we will be looking to expand our offering in 2023.
- 3.4 Hackney Nights contributed to the 16 days of action campaign against the elimination of violence against women and girls. We employed the mobile messaging vehicle as well as delivered specialist bystander training. We also conducted visits to premises and delivered posters as well as our gender based violence handbook to key areas.
- 3.4 We launched our festive safety campaign across the borough which saw the distribution of safety advice out in the public space as well as online via social media. We also distributed posters to venues and utilised privately owned screens in participation with certain venues.



- 3.5 Our winter newsletter was sent out and made available on the online portal. The edition contained a lot of crucial information and links to training. Unfortunately, due to Royal Mail strikes, we received a lot of undelivered post. We hope to improve this with the next newsletter which we are aiming to send

out by the second week of March to all late night levy premises as well as non-levy bars, pubs and clubs.

4. Hackney Nights Portal

- 4.1 We now have a total of 244 users on the Hackney Night Portal. The support officer has been visiting premises and doing live demonstrations as well as providing login information for new premises. We have posted safety information as well as additional resources on a regular basis.

5. Hackney Nights Accreditation Scheme

- 5.1 The accreditation applications took a dip during the festive season as many premises did not have the resources to dedicate to policy work and training therefore applications were stagnant for a period. We have seen an increase in applications in January, and currently have pending applications we are working through.
- 5.2 The team is currently drafting a plan with communications to better advertise the scheme to premises as well as the public. We are planning to promote those venues who have already become accredited in Hackney Today and our Spring Newsletter.
- 5.3 There are currently 50 total applications in the system. We can confirm that 9 of these applications have been successful, 19 of these applications are still pending, and we have refused 20 applications, for which they will have to wait a year to re-apply. We offer free 1:1 consultations for any premises that require guidance with the application.

6. Policing, Enforcement and Welfare

- 6.1 At the Late Night Levy Board meeting in October, the Police announced that resources would be reduced to 1 Inspector, 3 sergeants and 18 constables from January to March 2023. We are also in the process of renegotiating our contract.
- 6.2 Our medical assistance program saw an increased presence during the festive period with the added provision of Thursdays in December to assist with the busy Christmas party season. Overall from November to January there were 114 interventions, with 54 of these in December alone.
- 6.3 The late night levy funded an additional CCTV operator in the control room for the month of December to deal with an influx in calls and to closely monitor night time economy areas as well as the business radio channels.

- 6.4 The late night levy also funded additional enforcement officer patrols during the festive season, in order to increase our presence and resources to deal with ASB, Nitrous Oxide and other night time economy related nuisance.
- 6.5 We have had many positive interventions by venue and security staff which is a testament to the training levels we are seeing. There are many examples of bravery and quick thinking, including one incident where security staff detained a male carrying a knife. There was also an attempted kidnapping where security intervened and stopped an unknown male putting a drunk female into his car.

7. Conclusion

- 7.1 The Hackney Nights night time economy program is working well with an excellent partnership in place between Enforcement Officers, Medics and the Police. The World Cup, festive season and New Year's Eve was a great success without many incidents of note and that will be a testament to the venues and the hardworking partnership in place.
- 7.2 2022 has been the most successful year for nightlife training in the history of Hackney Nights. We saw over 1500 nightlife and security staff being trained both in person and online. We are confident that many incidents have been prevented altogether and we will continue to focus on prevention as a major area of priority for the team.
- 7.4 The accreditation scheme will also be a focus for the Hackney Nights project and ensuring we raise the profile of this one of a kind scheme.
- 7.5 The Licensing Service will continue to prepare and present quarterly updates to the Licensing Committee which, as well as the Late Night Levy Board which will maintain oversight of the Levy moving forward.