

MINUTES OF A MEETING OF THE LICENSING COMMITTEE

THURSDAY, 8 DECEMBER 2022

- Councillors Present:** Councillor Gilbert Smyth in the Chair
Cllr Susan Fajana-Thomas and Cllr Zoë Garbett and Cllr Anya Sizer
- Apologies:** Cllr Sophie Conway, Cllr M Can Oxsen, Cllr Richard Lufkin, 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 has been 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 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

- 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.

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 the 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 received 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, recently occurring 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 to determine whether there should be special policies for those identified areas.
- 5.3 The proposed timetable as 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 question which were responded to as follows:
- The Licensing Act 2003 sets out who must be consulted which included licence holders and Responsible Authorities. 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 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 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