

## MINUTES OF A MEETING OF THE LICENSING COMMITTEE

WEDNESDAY, 21ST JUNE, 2017

- Councillors Present:** Councillor Emma Plouviez in the Chair  
Cllr Christopher Kennedy, Cllr James Peters and Cllr Caroline Selman
- Apologies:** Councillor Brian Bell, Councillor Sophie Cameron, Councillor Margaret Gordon and Councillor Peter Snell
- Officers in Attendance:** Emma Perry (Governance Services Officer), Butta Singh (Senior Solicitor for Licensing) and David Tuitt (Team Leader – Licensing (Policy and Operations))

### 1 Apologies for Absence

- 1.1 Apologies for absence were received from Councillors Bell, Cameron, Gordon and Snell.

### 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 previous meeting held on 26 April 2017 be AGREED.

- 3.2 **RESOLVED** that the minutes of the previous Extraordinary meeting held on 24 May 2017 be AGREED, subject to the following amendment:-

- **Establishment and Composition of the following Sub-Committees**

That the establishment and membership of the Licensing Sub-Committees A to E be approved, as set out below, for the 2017/18 Municipal Year:-

**Licensing Sub-Committee A**

Councillor Sophie Cameron  
Councillor Christopher Kennedy  
Councillor Richard Lufkin

**Licensing Sub-Committee B**

Councillor Sharon Patrick

Councillor James Peters  
Councillor Ian Rathbone

**Licensing Sub-Committee C**

Councillor Sade Etti  
Councillor Margaret Gordon  
Councillor Peter Snell

**Licensing Sub-Committee D**

Councillor Brian Bell  
Councillor Barry Buitekant  
(Vacancy)

**Licensing Sub-Committee E**

Councillor Emma Plouviez  
Councillor Caroline Selman  
Councillor Simche Steinberger

**4 The Late Night Levy**

- 4.1 David Tuitt, Licensing Team Leader, Policy & Operations, introduced the report as set out in the agenda. David Tuitt advised that on 4 April 2016 the Licensing Committee had considered a report on the powers to introduce the Late Night Levy (LNL) and recommended that the Council hold a consultation. On July 2016 the Council resolved to consult on a proposal to introduce the Late Night Levy. The report provided the Licensing Committee with an update on the position following the consultation.
- 4.2 Established under the Police Reform and Social Responsibility Act 2011, the LNL was a provision enabling licensing authorities to charge a levy to persons who were licensed to sell alcohol in the local area late at night. The revenue raised was then used as a contribution towards the costs of policing the late night economy. The LNL could only apply to premises licensed to sell alcohol between the hours of midnight and 6am and must apply to the whole area covered by the licensing authority.
- 4.3 It was explained that the LNL was paid annually by each premises licence holder to the local authority. After deductions for introducing and administering the levy, the rate of the revenue split would be at least 70% to the Police, with the remainder being retained by the Licensing Authority.
- 4.4 David Tuitt advised that LNL would impact about 400 businesses within the Borough and was expected to generate around £362,000 per annum, including a contribution towards the £1.4 million cost of policing and community safety. If approved by Council on 26 July, it was expected that the Late Night Levy would be introduced on 1 November 2017.
- 4.5 Reference was made to the consultation report detailed in the agenda, which showed that overall people were in favour of the introduction of a LNL, with 52.46% in support. This represented a very even response, with a percentage difference of 4.92%.

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- 4.6 Discussion took place regarding the proposed hours for the LNL and it was explained that the hours between midnight and 3am had the highest levels of anti-social behaviour, in general.
- 4.7 Reference was made to the consultation response from Whitbread and their query regarding New Year's Eve and why this was not proposed to be exempt under the regulations. David Tuitt stated that there was an argument for New Year's Eve to be exempt and for premises to operate this under a Temporary Event Notice (TEN).
- 4.8 In response to a question from Councillor Kennedy, it was confirmed that all businesses within the borough that had a late night licence beyond midnight had been sent a letter regarding the consultation. It was explained that, if approved, there would be a 3 month period to allow any premises that wished to amend their licence before the Late Night levy was introduced.
- 4.9 In response to a question from Councillor Peters, it was confirmed that off licenses would be included in the Late Night Levy, if operating beyond midnight.
- 4.10 Discussion took place surrounding Business Improvement Districts (BIDs), which was a geographical area in which the local businesses had voted to invest together to improve their environment. BIDs were business-led organisations, funded by a mandatory levy on all eligible businesses after a successful ballot. Members queried whether BIDs could work in Hackney, as it was noted that there was already a voluntary levy operated by a number of licensed premises in the Dalston and Shoreditch areas. Councillor Selman believed that licensed premises should take a collective responsibility for the late night economy.
- 4.11 Councillor Plouviez referred to the London Fields area and suggested that there may be a need for additional wardens, given the anti-social experienced in that particular area.
- 4.12 Discussion took place regarding hotels and whether they should be excluded from the LNL, given that after midnight it was suggested that they were likely to supply alcohol to paying guests and therefore not contribute to the number of people in the surrounding area. In response to the discussion it was agreed that, if approved, there would be no exemption categories added to the LNL.
- 4.13 The Licensing Committee stated that if the LNL was introduced, they requested that they be informed of the terms of reference and the set-up of the Board and include a reporting mechanism for all relevant matters relating to the levy and how it was being used.
- 4.14 Reference was made to paragraph 4.2 of the report, which referred to the provisional offer of a reduction of up to 30% by the licensing authority. The Licensing Committee stated that they would leave it to the Board to decide on any concessions provided within the LNL.

**RESOLVED that:-**

- (i) The contents of the report and appendices be noted.
- (ii) Council be recommended to introduce the late night levy, subject to the following:

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- If approved, the Licensing Committee be informed of the terms of reference and the set-up of the Board for noting and comment. It is also expected that the terms of reference include a reporting mechanism to the Licensing Committee on all relevant matters relating to the levy and how it is being used.

**Duration of the meeting:** 19:00 – 20:15