

**DRAFT MINUTES OF THE LICENSING COMMITTEE  
HELD ON  
THURSDAY, 9 SEPTEMBER 2021 AT 7.00PM**

**THIS MEETING WAS LIVE STREAMED AND CAN BE VIEWED HERE:**

<https://youtu.be/YJ2BdnSaW8Y>

**Chair:** Cllr Emma Plouviez

**Councillors in Attendance:** Cllr Brian Bell, Cllr M Can Ozsen, Cllr Sharon Patrick  
Cllr Peter Snell, Cllr Gilbert Smyth, Cllr Susar  
Fajana-Thomas

**Apologies:** Cllr Sophie Conway, Cllr Kofo David, Cllr Margaret  
Gordon, Cllr Sem Moema, Cllr Harvey Odze, Cllr  
James Peters, Cllr Anya Sizer and Cllr Penny Wrout

**Officers in Attendance:** Samantha Mathys (Late Night Levy Manager)  
Amanda Nauth (Licensing and Corporate Lawyer)  
Natalie Williams (Governance Services Officer)

**1. Apologies for Absence**

- 1.1 Apologies for absence were received from Councillors: Conway, David, Gordon, Moema, Odze, Peters, Sizer and Wrout.
- 1.2 It was noted that Councillors: Gordon and Sizer had joined the meeting remotely.
- 1.3 David Tuitt (Licensing Team Leader) and Robert Gardner (Enforcement and Business Regulation Manager) joined the meeting remotely.

**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 Licensing Committee meeting held on 8 June 2021 be agreed as a true and accurate record of proceedings.

- 3.2 The minutes of Licensing Sub Committee C held on 23 June 2020 were **NOT APPROVED** as members of the sub-committee were not present.
- 3.3 **RESOLVED:** That the minutes of Licensing Sub Committee C held on 24 September 2020 be agreed as a true and accurate record of proceedings.
- 3.4 **RESOLVED:** That the minutes of Licensing Sub Committee C held on 10 December 2020 be agreed as a true and accurate record of proceedings.

#### 4. Late Night Levy - Report on the 2021 Consultation

- 4.1 Samantha Mathys (Late Night Levy Manager) introduced the report which provided an update on the consultation held on changing the terms of the Late Night Levy (“the Levy”). There was a statutory requirement to consult in order to apply a 30% reduction in fees to licensees that gained the Hackney Night’s accreditation. The consultation ran from 24 May 2021 to 24 July 2021.
- 4.2 There had been a low response rate to the consultation, with a total of 25 respondents out of the 309 Levy payers. The full results were set out at Appendix 1 and were summarised as follows:
- Question 1 - 30% fee reduction: 52% stated they were in support, 36% stated they were not in support and 12% stated they were undecided.
  - Question 2 - the accreditation having a positive or negative impact on their business: 48% stated they have neither a positive nor negative view on the impact, 24% stated that the accreditation scheme would have a very positive impact on business, 4% stated that the introduction of an accreditation scheme would have a negative impact and 8% did not answer the question.
  - Question 3 - other themes which could be included in the accreditation scheme: there were 12 respondents and suggestions include, public and venue safety, noise reduction, apprenticeships, First Aid, environmentally friendly practices.
  - Question 4 - how Levy funds should be spent: respondents stated the levy fund could be used on CCTV, punishment for repeat offenders, enforcement, improvements to the public realm, Night time ASB response, toilet provision, street cleaning, Shelter for the homeless.
  - Respondents were mostly residents (60%) and premises holders (24%).
- 4.3 Following questions and comments from Members, Samantha Mathys confirmed that:
- She would look into how the Late Night Levy could assist with providing information and support with regard to noise pollution and reduction.
  - The report to Full Council would recommend the approval of the reduction scheme.

**RESOLVED:**

- (i) To note the report and the appendices.
- (ii) To commend the report to Full Council and recommend that the Late Night Levy reduction scheme be adopted.

**5. Late Night Levy Update Report (Quarter 3, Year 4)**

5.1 Samantha Mathys introduced the report and provided an overview of the financial situation and activities between 1 May 2021 and 31 July 2021 and highlighted the following:

Financial Update

- Income continued to be affected. Reminders had been sent out to businesses to pay their Levy fees. It was believed that income should start to return to normal levels.
- Businesses would be liable for the fees from the point at which they stopped paying it.
- Total receipts in year 4 to date (November 2020-June 2021) was £44,137 at this point within an average year, this would be £230k.
- The balance carried forward from previous years was £260,073
- Spend had been relatively low, with money spent on policing (£38,695), Licensee Radio Scheme (£4,070) and CCTV deployment (£510)

Enforcement

- Patrols resumed from April 2021 onwards.
- The reopening of the Night Time Economy (NTE) had presented some challenges. There had been an Increase in violence towards police and enforcement officers
- The police had worked to tackle drug supply/misuse and reduce sexual offences.
- Early enforcement action would be taken when offences were identified.
- The police were scrutinising all Temporary Event Notices and objecting to all TENs within the Shoreditch Special Policy Area.

Other Matters

- The radio scheme had been extended to Shoreditch venues and licensees had been provided with free handsets.
- The accreditation scheme criteria would be presented at the next Licensing Committee meeting in December 2021. This had been co-produced with the police, council departments and other stakeholders.
- All committee members would be able to access the portal once the accreditation scheme had been finalised.
- A community safety bid for the Home Office's Women's Safety Fund had been submitted. This would fund a variety of pilot projects which would be reviewed and a decision made for further funding from the Late Night Levy in 2022.

- Licensees were required to submit their accreditation by 31 October 2021 to qualify for the fee reduction.

5.2 Following the outline of the report, Members made a number of comments and asked questions to which Samantha Mathys confirmed:

- With regard to the sustainability agenda, the banning of single use plastics was part of the accreditation's mandatory criteria. Other aspects included: use of local suppliers, recycling and packaging. Visits would be carried out in a similar way to Environmental Enforcement to review and check compliance.
- There was a legal requirement to collect Levy fees from the time at which point businesses stopped paying them. Licensees had been made aware of this. The Authority had lobbied and consulted with other Licensing Authorities to have the legislation amended so that fees were not required to be paid for the periods during which businesses were closed as a result of the pandemic. A pragmatic approach had been taken and the Authority had halted the suspension of licenses for businesses who had not paid Levy fees. Ongoing communication with businesses regarding this matter would continue.

**RESOLVED:** To note the report and the appendices

## **6. Gambling Act 2005 Statement Of Principles**

- 6.1 David Tuitt (Licensing Team Leader) introduced the report which provided an update following the statutory consultation on how provisions for gambling would be made within the borough. The consultation concluded on 29 August 2021. In total, 20 responses were received, the details of which are set out at Appendix 1. It was noted that the Statement would be required to be considered by Cabinet on 13 October and Full Council at its meeting on 20 October 2021, before coming into effect in January 2022. The Committee was informed that the consultation did not lead to any substantive changes to the proposed Statement. The proposal was for the continuation of the 'no casino' resolution for a further three years.
- 6.2 Members noted their limited scope in relation to the Gambling Act 2005 as Local Authorities must aim to permit gambling. It was suggested that in future consultations it may be useful to have a preamble advising of this.

**RESOLVED:**

- (i) To note and make any comments on the content of the proposed Policy at Appendix 1 and commend the proposed Policy to Cabinet for recommendation to Full Council for approval.
- (ii) To note the report on the consultation at Appendix 2.
- (ii) To authorise the Group Director of Neighbourhoods and Housing to make any non-substantive changes to the proposed Policy as appropriate.

## 7. Annual Report of the Licensing Service 2020/21

7.1 David Tuitt (Licensing Team Leader) outlined the report which set out the activities and performance of the Service during the 2020/21 municipal year and the aims and targets for the forthcoming 2021/22 year. It was reported that the pandemic, lock-down and the cyber-attack had impacted the service. The following was highlighted:

- The number of premises licences granted remained fairly consistent with previous years, with a slight decrease.
- The number of variations of licences followed a similar trend, however it was noted that following the first lock-down in March 2020, a number of operators sought to add off-sales to their licences.
- The number of Temporary Event Notices submitted was significantly reduced.
- It was noted that legislation was currently being amended to increase the number of Temporary Event Notices (TENs) that can be submitted in a calendar year.
- There were 5 Reviews.
- The amount of personal licence applications were significantly reduced owing to the impact of the pandemic on the hospitality industry.
- There were 49 sub-committees held, which is slightly more than the previous year.
- The number of betting shops and licences continued to fall (currently 34) however there remained a feeling within the community that there were too many betting shops.
- Current and future projects/activities included: digital transformation, introduction of a new data-base, resumption of the inspection regime following restrictions, work to evaluate the Statement of Licencing Policy looking at cumulative impact as a whole and a fees review.

7.2 Members made a number of comments and asked questions to which David Tuitt confirmed the following:

- ICT identified that processing of TENs could be automated by using additional robotic software. Unfortunately this had not been possible due to the cyber-attack but work was underway for a replacement system for processing TENs which would work together with the new database.
- The three years prior (2015/16, 2016/17 and 2017/18) did not have information regarding the collection of fees due to the nature in which they were collected. Following the implementation of the Levy, the ways in which fees were collected were changed. This provided clearer and more accurate data on the collection of annual fees.

**RESOLVED:** To note the report and the appendix

## **7. Any Other Business**

7.1 The Licensing Committee noted the dates of meetings for the remainder of the Municipal Year 2021/22 as follows:

- 8th December 2021
- 9th March 2022

7.2 There was no other business for consideration.

**End of Meeting.**

**Duration of the meeting:** 19:00 - 20:08

**Contact:**

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**Chair of the Meeting:**

Cllr Emma Plouviez - Chair of the Licensing Committee