

LICENSING COMMITTEE

TUESDAY, 19 NOVEMBER 2024 AT 7.00 PM
COUNCIL CHAMBER, TOWN HALL, JUDD STREET, LONDON WC1H 9JE

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SUPPLEMENTARY AGENDA

Wards

4. DEPUTATIONS

(Pages 3 -
14)

The Chair has accepted deputation requests from:

- David Kaner, representing Covent Garden Community Association
- Kate Gemmel, representing Tenants and Residents Camden Town and Kentish Road Action
- Liam O'Hare, LabTach
- Sophie Asquith, Music Venue Trust
- Andrew Hicks, Shaftsbury Capital
- Michael Nicholas

SUPPLEMENTARY AGENDA ENDS

Issued on: Monday 18 November 2024

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CGCA Deputation to Licensing Committee 19/11/24

Item 8 - Review of the Statement Of Licensing Policy

This deputation is being made by the CGCA but a number of other residents' groups agree with the points we are making.

We confirm that we agree with the points on Cumulative Impact that will be made by TRACT/KTRA in their deputation.

The proposed Licensing Policy aligns with the ENTE Strategy published earlier this year. The Strategy claims a large number of closures in various categories of premises.

An FOI request reveals that overall no licences have gone and according to data submitted by Camden to the Home Office the number has increased. There also churn, a bar closes and another opens in the same location.

Approving this policy because hospitality businesses are vanishing from our streets is a solution to a problem that does not exist.

ENTE businesses are indeed struggling. Costs are rising at the same time and customers are feeling poorer.

May seem attractive of allowing them to open later and have fewer restrictions.

Financial viability is not a Licensing Objective. The 4 Statutory Licensing Objectives. The promotion of these is the **paramount consideration at all times**.

Residents are most concerned about the **Prevention of Public Nuisance**

Policy approach says public nuisance should not "unreasonably interfere" with personal comfort or amenity

Licensing Act says that Public Nuisance should be **prevented**. Camden is setting a lower bar. **Unreasonable** is a subjective measure.

Licensing Policy is a balancing act. This Policy firmly shifts the balance towards business and away from residents. This is not what we expect from this Council.

Framework Hours

The proposed Policy extends Framework Hours by 30 minutes. These are the times beyond which premises need to mitigate their impacts. Extends this from Midnight Friday and Saturday, to Half Past Midnight.

What does this mean for residents? The Pub next door can open another 30 minutes without worrying about the impact on neighbours, they get 30 minutes less sleep.

How will this "promote diversity within the local business environment and the evening and night-time economy"? It won't. Existing pubs, bars and takeaways that can apply to go 30 minutes later without having to do anything to minimise their impact.

Framework Hours are only a guide. Changing them will only help businesses that can't open later without harming residents. We ask that you keep Framework Hours the same.

Conditions

The Policy includes an Appendix of Licensing Conditions which are "designed to help all parties maintain a consistent approach when suggesting conditions for a premises licence."

We have been advocating an approach that does this since 2017 but what is proposed does **not** achieve this.

Helpful to list the Licensing Objective that each condition addresses but **not** helpful to indicate that a condition is suitable for some types of premises and not others.

Eg. need for dispersal policies is very clear but the only types of premises for which there is a condition about dispersal is listed are pubs, nightclubs and premises providing music. What about restaurants?

This will confuse rather than clarify.

SixtillSix recommend Camden work with residents and businesses to produce a list of Model Conditions (P 266 Recommendation 6). We agree and have been offering to do this for the last 7 years.

A clear and consistent list of enforceable conditions that Applicants, Responsible Authorities, Interested Parties and Panel members can apply to licences is in everyone's interest. Insist that Licensing finally take up this offer.

Summary

ENTE in Camden is suffering from financial pressure. Solution is **not** to make life worse for resident Framework Hours extension allows any premise to open later without mitigating impact on residents. This helps business and harms residents. Please prevent public nuisance, not cause it. Keep the hours the same.

The Council wants to improve the Licensing process but has botched its attempt to have consistent approach to conditions. Please require that the Licensing Team implement SixtillSix's recommendation to a partnership approach on this point.

TRACT Deputation – Key Points

This deputation is being made by TRACT (Tenants & Residents Camden Town) and KTRA (Kentish Town Rod Action) The points in it having been agreed by several groups representing residents from across the Borough. We also agree with the points on Framework Hours and conditions made by the CGCA.

You are asked to determine whether there is evidence of Cumulative Impact. Residents and the Police say that there is

Cumulative Impact arises when there are many premises in a small area. Residents are most concerned about cumulative impact on **Prevention of Public Nuisance**

Camden Town and Seven Dials have 48% of all the Licensed Premises in the Borough in less than 6% of its area. These have been Cumulative Impact areas since the Licensing Act came into force in 2005.

The Police have told the Council that there **is** Cumulative Impact on Crime and Disorder in these areas.

Groups representing residents in the Cumulative Impact areas say that there is Cumulative Impact on public nuisance, much of it related to noise from customers in the street and outside the control of individual premises.

The SixtillSix report sits on the fence, saying “on balance, there is insufficient compelling evidence”. It also says that “**Crucially in Camden the council does not specifically collect noise complaints related to noise from customers on the street.**” (See P 218 Para 3.7.1.6). Starting to collect this data is one of the recommendations in the report (see P276).

Is there evidence of Cumulative Impact?

Crime & Disorder - the Police say there is

Public Nuisance residents say there is and the Council doesn't collect data so doesn't know.

Absence of evidence is not the same as evidence of absence.

The Council **should** publish a Cumulative Impact Assessment for consultation.

This does not mean that you have to keep the same Cumulative Impact Policy.

Wording of the current Policy may indeed dissuade some potentially good operators but also dissuades potentially bad ones. Don't discard a Policy that has protected residents for 20 years without consultation.

The FOI request made to Camden shows that the number of licences premises has increased rather than reduced so the Cumulative Impact Policy is clearly not dissuading businesses from opening.

Consult on the assessment, and only once you have the results of this consultation decide how restrictive a policy is needed or if you need one at all. The Police agree that this makes sense.

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Dear Committee

My name is Liam O'Hare, representing LabTech, a major Camden landlord. Our interests align with the Borough's and its Cumulative Impact Policy Areas. This new Statement of Licensing Policy will impact our tenants, future strategy, and the visitor experience for the next 5 years.

The delayed review due to COVID-19 means we're operating with outdated policies. People's habits have evolved, and the policy needs to reflect these changes and guide Camden towards a brighter future for its night-time economy.

LabTech: Championing Safety and Community

LabTech is dedicated to a safe and inclusive night-time economy in Camden. Our initiatives include:

- **Women's Safety:** We've endorsed the Mayor of London's Women's Safety Charter and have a dedicated Women's Safety Champion.
- **Camden Safety Hub:** We partner with the Council to provide a coordinated response to safety issues, focusing on welfare and vulnerability.
- **Estate-Wide Crime Prevention:** We have a comprehensive strategy implemented across our estate and contribute to the Camden Town Working Group.
- **Community Engagement:** We hold regular meetings with residents' associations to address concerns like noise nuisance and crime.
- **Culture-Focused Nightlife:** Our asset strategy prioritizes culture-focused concepts, aiming to bring family-friendly entertainment and diverse offerings to the town center.

Cumulative Impact Policy

LabTech supports the removal of Cumulative Impact Policy areas. The CIP has had unintended negative consequences:

- Over-reaching policies that hinder grassroots and local businesses.
- A barrier to competition, discouraging innovation.
- A focus on alcohol-led venues, neglecting diverse entertainment options.
- A decline in live music venues, comedy clubs, and LGBTQ+ spaces.

To address these issues, we propose:

- **Best Bar None Schemes:** Implementing these schemes to encourage high standards and safety.

- **Expanded PubWatch:** Including restaurants, fast-food outlets, and supermarkets to promote responsible alcohol sales.
- **Town Centre Plan:** Developing a comprehensive plan to guide the area's future.
- **Evening and Night-Time Economy Plan (ENTE):** Creating a dedicated plan for the night-time economy.
- **Public Realm Improvements:** Investing in high-quality public spaces.
- **Enhanced Cleansing:** Implementing a robust cleaning program.
- **Perception Studies:** Conducting regular surveys to identify areas for improvement.
- **Increased Guardian and Ambassador Presence:** Deploying personnel to provide security and support.
- **SOS Bus:** Introducing a mobile support service.
- **Zoning the Town Centre:** Creating designated zones for different types of entertainment.
- **Citizens' Forums:** Establishing platforms for residents to express their views.
- **Pursuing Purple Flag Accreditation:** Recognizing Camden as a vibrant and safe night-time destination.

Licensing Charter

LabTech fully supports the Licensing Charter. This framework will:

- Elevate standards and promote best practices.
- Strengthen collaboration between businesses and the police.
- Foster community engagement and social responsibility.
- Streamline the licensing process.
- Support local employment.
- Ensure ongoing quality and compliance.

By embracing these initiatives, we can create a thriving night-time economy in Camden that benefits all stakeholders.

This statement is supported by Camden Town Unlimited and further NTE support will be sought across the 12-week consultation period where an expanded vision doc will be submitted to the Licensing Committee for their consideration.

15 November 2024

Dear Rebecca,

Music Venue Trust is a UK registered charity established in 2014 that acts to protect, secure and improve the UK's Grassroots Music Venue circuit. Music Venue Trust provides advice to the government, the cultural sector and the music industry on issues impacting the network of venues and is the nominated representative that speaks on behalf of the Music Venues Alliance, an association of over 800 venues from across the UK.

Camden is an area that is world renowned for its creative and cultural impact. It has a long-standing reputation as a borough of creative and dynamic operators and providers of grassroots live music and evening & nighttime hospitality. However, the climate for evening and nighttime culture and hospitality has become increasingly challenging to operate within. Over the past 20 years 35% of Grassroots Music Venues (GMVs) have closed in the UK and this is still ongoing. At the start of 2023 Music Venue Trust reported that the UK was continuing to lose GMVs at an average rate of one a week.

In order for Camden to maintain its reputation as a borough of live music and its pledge in the 2024 drafted ENTE Strategy plan to 'support our creative and rebellious culture, nurture and protect community heritage, grow the economy and create good work opportunities which are accessible to all' we urge the council to remove its cumulative impact licensing policy to both support new business operators who want to enter the market and help existing premises with flexibility on their licensable activities.

GMVs provide new and emerging artists and musicians with a space to hone their craft, develop their fanbase and increase access to cultural opportunities for the local community. MVT makes the case to Government and industry that they are the 'research and development' arm of the music industry. However, in the aftermath of the Covid-19 Pandemic, the economic resilience of Grassroots Music Venues has been pushed to the limit. In our 2023 Annual Report we announced at Parliament the startling statistic that the average profit margin of a GMV is 0.5%, and that at its core, the provision purely of live music is a loss-making activity. The national subsidy invested by GMVs in order to provide grassroots music is £114.8 million, and it is other revenue streams like the often late-night provision of food & beverages, which enable GMVs to provide their cultural activity.

Through this cultural heavy-lifting GMVs make an enormous contribution to the national economy. MVT was able to report that the total contribution to the economy was over £500 million, and across the UK over 28,000 are employed by the sector. Music Venue Trust recognises that GMVs contribute to creating a rich cultural environment for the local community, boost the local economy and increase footfall to high streets. In Music Venue Trust's Annual Report, we announced that GMVs generated 23 million individual audience visits across the year.

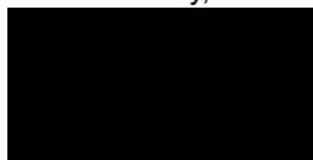
In respect of any cumulative impact policy considerations, Music Venue Trust experience is that venues rarely operate at full capacities or for full hours. What we have found is that not being able to operate whole premises to extended or later hours means operators risk losing valuable income by being limited in the scope of their programming, rather than resulting in increasing

footfall in the location over the calendar year. As such the removal of this licensing policy for especially for cultural premises would have no negative impact in the borough. Instead the removal of the cumulative impact licensing policy in Camden would be a lifeline for these grassroots music venues, which are essential to the borough's cultural vibrancy.

The current policy restricts both new licence applications for premises and variation applications for the existing venues in the borough, thus creating an unnecessary barrier for small and medium sized venues trying to establish themselves or expand their offerings. By lifting these restrictions, Camden can help support and grow their cultural offering, boost the local economy, and ensure that grassroots venues are not restricted by unnecessary policies.

A more tailored and supportive licensing framework focusing on each application on its own individual merits would better balance the needs of venues, residents, and the broader community, securing Camden's place as a cultural beacon for generations to come. It is the aim of Music Venue Trust to protect, secure and improve grassroots music venues, therefore we hope our submission is considered and our views are fully taken on board.

Yours sincerely,



Sophie Asquith

Venue Support Team Manager
Music Venue Trust

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15 November 2024

Dear Mr Akinola

Deputation: Licensing Committee 19 November 2024

We would be grateful for the consideration of our deputation at the Licensing Committee meeting on 19 November 2024.

Draft Statement of Licensing Policy

Shaftesbury Capital plc welcome the draft Statement of Licensing Policy recently published in the Licensing Committee report. In particular, we support the proposals to:

1. Extend Framework Hours by 30 minutes.
2. Remove the Special Policy Areas ("SPAs").
3. Provide greater emphasis on the promotion of equality, inclusivity, safeguarding and women's safety in licensed venues.

We have previously shared an independent night time and evening economy study undertaken by Arcola Research and Dr Philip Hadfield in respect of the Seven Dials SPA. Their findings are consistent with the conclusions of Six til Six and MAKE Associates, in particular that "*there is insufficient compelling evidence to justify the publication of a CIA to promote any of the licensing objectives in any part of the borough of Camden*" (para 4.2.3 of the Six til Six and MAKE Associates report). These independent reports, together with our own on-the-ground experience, provide a strong evidential basis to justify the removal of the SPAs.

Shaftesbury Capital plc

Our property portfolio makes up the most vibrant areas of London's West End. With a diverse mix of restaurants, cafés, bars, shops, residential and offices, our destinations include the high footfall, thriving neighbourhoods of Seven Dials, Covent Garden, Carnaby Street, West Soho, and Chinatown – we are



heavily invested across Camden and Westminster. We focus on the sustainable re-purposing of existing buildings and aim to minimise the environmental impact of our operations across the business.

We take a proactive approach to estate management and a responsible curation of licensed tenants. Our suite of measures help to ensure that our tenants have a positive impact in the West End and do not contribute to adverse cumulative impact. In Seven Dials, measures include:

- a) Extensive stewardship of the Seven Dials and wider Covent Garden estate and public realm, including 24/7 monitoring of state of the art CCTV cameras, security patrols, litter picking and safeguarding;
- b) A thoughtful curation of our ownership, introducing many new high quality, well managed operators and a careful vetting process of incoming tenants who share our values around a responsible approach to stewardship;
- c) Stringent leasehold covenants and obligations with detailed management controls, enforced through standard leases and estate regulations;
- d) Encouraging consolidated servicing and the use of electric vehicles with delivery guidelines;
- e) Partnership working with the Council on a variety of measures managing public realm, most recently including the successful implementation of street art schemes and traffic management in Seven Dials;
- f) Annual checks on all our tenants' licences and s.178 notification of interests in respect of our licensed tenants;

These comprehensive controls, together with the robust provisions contained in draft Statement of Licensing Policy and Licensing Act 2003, will continue to safeguard the promotion of the Licensing Objectives and encourage a harmonious relationship between Camden's licensed operators and local residents. Furthermore, in an increasingly challenging climate for local high streets and the hospitality sector, the new policy will help to promote and preserve Camden's reputation as a major contributor to the UK's culture, arts, world renowned music scene, retail, dining and entertainment sectors.

Thank you for your consideration of this deputation in support of your proposals.

Yours sincerely



Andrew Hicks
Estates Director
Shaftesbury Capital

Dear Rebecca,

Please accept this email as my official support for the removal of the Seven Dials and Camden Town from the Cumulative Impact Zone and the increase in framework hours .

In my opinion the presumptions contained within the Cumulative Impact Zone (CIZ) are another layer of regulation that has contributed significantly to the decline of the Late Night Economy in Camden over the last two decades. It has been used a tool to restrict trade.

I have been running late licensed premises in Camden since 1992 and in that time have owned The Monarch , The Lock Tavern , The Crown and Goose , The Hill , The Junction and The Water Rats . I still own The Enterprise , Camden Town Hotel , The Abbey Tavern and the Camden Head .

I have seen over the years a distressing decline in licensed retail premises and have been asked by numerous councillors in that time how to arrest the decline of the LNE and live music scene in the borough. While it is not impossible to save the LNE and live music scene in Camden, it requires urgent action now. The removal of these areas from the CIZ would be a significant first step forward. Right now the industry requires tangible support to encourage growth, not more restrictive regulation.

Kind regards,
Michael Nicholas
CILLA Member

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