

THE LONDON BOROUGH OF CAMDEN

At a meeting of the **LICENSING COMMITTEE** held on **TUESDAY, 19TH NOVEMBER, 2024** at 7.00 pm in Council Chamber, Town Hall, Judd Street, London WC1H 9JE

MEMBERS OF THE COMMITTEE PRESENT

Councillors Jonathan Simpson (Chair), Lorna Greenwood (Vice-Chair), Steve Adams, Meric Apak, Joseph Ball, Pat Callaghan, Nina De Ayala Parker, Sabrina Francis, Sharon Hardwick, Matthew Kirk, Sylvia McNamara and Shah Miah

MEMBERS OF THE COMMITTEE ABSENT

Councillors Matt Cooper, Jenny Headlam-Wells and Patricia Leman

ALSO PRESENT

Councillor Richard Cotton

The minutes should be read in conjunction with the agenda for the meeting. They are subject to approval and signature at the next meeting of the Licensing Committee and any corrections approved at that meeting will be recorded in those minutes.

MINUTES

1. APOLOGIES

Apologies for absence were received from Councillors Patricia Leman and Jenny Headlam-Wells.

2. DECLARATIONS BY MEMBERS OF STATUTORY DISCLOSABLE PECUNIARY INTERESTS, COMPULSORY REGISTERABLE NON-PECUNIARY INTERESTS AND VOLUNTARY REGISTERABLE NON-PECUNIARY INTERESTS IN MATTERS ON THIS AGENDA

There were none.

3. ANNOUNCEMENTS

Broadcasting of the meeting

The Chair announced that the meeting was being broadcast live to the internet and the broadcast would remain available for six months, after which it could be made available on request. Anyone addressing the meeting was deemed to be consenting

to having their contribution recorded and broadcast and to the use of those recordings for webcasting and/or training purposes.

4. DEPUTATIONS

In relation to Agenda Item 8, Review of the Statement of Licensing Policy, deputations were heard from the following people, as set out in their written submissions contained within the supplementary agenda:

- David Kaner, Covent Garden Community Association
- TRACT and Kentish Town Road Action, represented by Kate Gemmel
- Liam O'Hare, LabTech
- Sophie Asquith, Music Venues Trust
- Shaftesbury Capital, represented by Sarah Torrance
- Michael Nicholas

The deputees responded to questions from Members, presenting their views as follows:

- The proposed increase to framework hours in the draft Statement of Licensing Policy ("the Policy") could have had a negative impact on residents. If residents lived near a licensed venue that was open 30 minutes later than previously, it could result in 30 additional minutes of noise and disruption.
- Applicants, particularly those in Cumulative Impact Policy Areas (CIAs), were required to outline how they would mitigate nuisance and impact on residents, and how they would be an exception to the policy. Removing CIAs would eliminate this requirement and mean that lower quality applications were granted.
- New applications within the current CIAs were not often refused, however, CIAs were effective because applications that would not meet the policy requirements were not submitted.
- The current policy treated each premises the same, regardless of operation, however, not every premises had the same impact. In Westminster, for example, the presumption to refuse applied to all alcohol-led premises, but not those premises where alcohol was offered ancillary to food, such as cafés and restaurants.
- Quiet residential streets with a pub on the corner could be impacted by the later framework hours if the draft Policy was approved.
- The Six-Till-Six report did not state that there was no evidence for a Cumulative Impact Policy, but indicated there was insufficient evidence, and the absence of evidence was not evidence of absence. For instance, data was not collected on street noise.
- There was a desire for resident associations to collaborate with the Council to draft a set of model conditions that could be added to each application, with opportunities to revise these when appropriate.
- The proposed changes to the Policy supported diversification within the local area and encouraged a range of different premises to come to Camden.

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- Schemes such as Best Bar None and Purple Flag had resulted in improvements to the nighttime economy and increased standards within venues in the areas that had implemented them.
- Concern was expressed that the proposed Policy would encourage applications from unscrupulous operators who had previously been deterred by the restrictions.
- Those premises that wanted extended hours would be required to apply for them and prove that they were suitable. Planning Permission might also have needed to be secured to make changes to hours.
- It was difficult and expensive to run a late-night venue in the current economic climate, so while the proposed 30-minute increase in framework hours might not have made a massive difference to licensed premises, fewer regulations and restrictions could make things easier for existing premises and attract new, diverse businesses to the area.
- The Policy would help improve women's safety, and safety in general, as premises opening later would mean that more people were in the area, more buildings with lights on, and security staff and other staff would be present, which could make people feel safer.
- Some deputies thought that smaller businesses were deterred from opening in Camden due to the restrictive policies currently in place.
- For example, a café that intended to open in Seven Dials had applied to serve alcohol alongside their day-to-day offering, but needed a restaurant condition that stated they must only serve alcohol alongside a full meal, which meant that the café could not have a diverse, flexible offering. The café decided not to open in the area.
- If a premises decided to open later, it was unlikely that hundreds of people would leave all at once and was more likely that smaller groups of people would leave at different times.
- Having the flexibility to be open later could be invaluable for people operating premises. The additional hours could enable music venues to have a phased wind-down period after shows. This could mean that venues could increase revenue but would also help stagger dispersal, resulting in less disruption and nuisance.
- Music nights were expensive to run and were often not profitable; however, they were important in supporting local creativity, culture, and arts, so anything that supported these venues was considered positive by some deputies.
- The Music Venues Trust had a crisis support line that provided support to grassroots venues, and there had been a marked increase in venues contacting the service. Over half of these venues had stated they could not afford to continue, and some owners had taken on additional jobs to support the venues.
- It was important that local councils support these cultural venues, and any policy that provided flexibility to support the continued operation of these venues was welcomed.

The Licensing Committee noted the deputations.

5. NOTIFICATION OF ANY ITEMS OF BUSINESS THAT THE CHAIR DECIDES TO TAKE AS URGENT

There was no urgent business.

6. MINUTES

RESOLVED –

THAT the minutes of the meetings held on 3 May 2023 and 21 January 2024 be approved and signed as a correct record.

7. TERMS OF REFERENCE

RESOLVED –

THAT the Licensing Committee Terms of Reference be noted.

8. REVIEW OF THE STATEMENT OF LICENSING POLICY

Consideration was given to the report of the Director of Public Safety.

The Director of Public Safety introduced the report and thanked the deputies for giving their views to the Committee.

Councillor Cotton addressed the Committee as ward councillor for Camden Town.

The Director of Public Safety provided the following information in response to questions from Committee Members:

- Framework hours were intended to serve as a guide only, as outlined in the legislation. Whilst the importance of framework hours was noted, the Licensing Act 2003 was clear that each application should be considered on a case-by-case basis, which required flexibility. The draft Policy sought to emphasise this.
- Whilst the Licensing Service had frequent dialogue with other Authorities about best practice and benchmarking could be a useful tool, it was not always relevant as it did not consider local differences.
- For example, in terms of the cumulative impact assessment that was undertaken by Six-Til-Six, the data used was specific to Camden, whereas other authorities would make different decisions on their policies based on local data.

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- There were some examples of local authorities in London that collected data on levels of noise, however this data could be subjective, and it would be difficult to attribute public nuisance caused by group of individuals to a specific venue.
- Public Safety and the Environmental Health Service had attended weekly meetings to discuss and shape the draft Policy.
- The Metropolitan Police had not submitted a deputation on the proposals and had been engaged in extensive dialogue with officers about the draft Policy.
- The proposal for a set of model conditions was intended to support and enhance the decision-making process for applications.
- The model conditions would form part of the consultation, if agreed, so comments on how they could be enhanced would be welcome.
- Local information was an important aspect of determining applications on their individual merits, therefore the information submitted by responsible authorities and interested parties would continue to form a crucial part of the decision-making process.
- It was unclear how many existing venues would submit variation applications if framework hours were amended, however the protocol was absolutely clear and set out within the draft Policy. It was intended that all Responsible Authorities would actively engage with the process to scrutinise new and variation applications.
- There will be some situations where an application did not require consideration by a Licensing Panel because there were no representations. However, if Responsible Authorities or interested parties made representations, the application would then be considered by a Licensing Panel.

Committee Members made the following comments on the report:

- The increased focus on pre-application advice was welcomed and it was positive that applicants would be encouraged to increase engagement and consultation in the early stages of submitting an application.
- The Licensing Committee Chair had undertaken valuable work on emphasising the importance of women's safety, and the addition of a women's safety action plan was welcome. A mandatory condition on Ask for Angela would further support this work.
- It was important to ensure that the Policy continued to develop to include important issues, such as Women's Safety.

Having considered the information provided in deputations, the report, officer presentation and discussion the Licensing Committee were generally favourable of the proposals outlined within the report but stated that, if agreed, it was important that the feedback received from the consultation was taken on board.

However, some Members, whilst noting positive aspects of the draft Policy, expressed concern about the proposed change to framework hours.

Therefore, upon being put to the vote, with 10 in favour and 2 opposed, it was

RESOLVED –

- i) THAT the Licensing Committee note the draft Statement of Licensing Policy 2024-2029 at Appendix 1;
- ii) THAT the Licensing Committee agree a 12-week public consultation on the draft Policy;

The Committee then considered the recommendation on Cumulative Impact.

Responding to a question, Officers clarified that if Members determined that there was insufficient evidence of cumulative impact, there would be no need to issue a statement to that effect, and therefore there would be no need for further consultation, in respect of a cumulative impact policy.

Whilst most of the Committee agreed with the findings of the report prepared by Six-Til-Six, some disagreed and had determined there was evidence of culminative impact in certain areas.

Therefore, on being put to the vote, with 9 in favour and 2 opposed, it was

RESOLVED –

- iii) THAT the Licensing Committee agree that there is not sufficient evidence of Cumulative Impact in the Camden Town and Seven Dials areas to require a Cumulative Impact Assessment Statement.

ACTION: Director of Public Safety

9. STREET TRADING LICENCE TERMS AND CONDITIONS

Consideration was given to the report of the Director of Environment and Sustainability.

The Head of Environment Services introduced the report and provided the following information in response to questions from Committee Members:

- Officers were working with Trading Standards to address the sale of counterfeit goods.
- The Street Trading Strategy aimed to give officers more flexibility to control the commodities that were on offer and there would be an increased focus on higher quality goods, such as unique and handmade items, rather than stalls selling the same things.

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- In terms of nuisance from cooking methods, electricity was being made available in more of the trading spaces so that cooking methods could be changed.
- Furthermore, guidance was being prepared on cooking methods, focusing on things like reducing smoke when cooking, which aimed to develop best practice and guide traders on the best way to reduce odours and smoke from their cooking.
- If cooking methods became a statutory nuisance enforcement action could be taken, and penalty points issued.
- There had been smoke issues reported at Leather Lane Market, so vendors have been precooking food and then reheating it at their stalls where possible.
- Following on from high profile allergy incidents, the conditions on food hygiene and food safety can specify that allergy labelling must be clear.
- The Street Trading Strategy aimed to encourage entrepreneurship by creating a vision for each market and varying the fees and charges at certain sites to encourage and incentivise traders to go there. This was being explored in Queens Crescent and Charlton Street Markets.

The Committee were supportive of the updated Terms and Conditions and the proposals outlined in the report; however, it was noted that conditions on promotion of recycling and circular economy principals and environmentally appropriate packaging had been omitted from the updated conditions.

Officers confirmed that this had been omitted in error and the draft conditions would be amended to ensure these points were included and an update would be circulated to the Committee.

Therefore, it was

RESOLVED –

THAT the Licensing Committee:

- i) Note the consultation responses to the revised standard licence conditions as set out in Appendix 6 of the report;
- ii) Approve the revised standard licence conditions, to be attached to all street trading licences with effect from 1st April 2025, subject to the amendments to the circular economy conditions; and
- iii) Delegate authority to the Executive Director Supporting Communities, following consultation with the Cabinet Member for New Homes and Community Investment, to make any future minor consequential amendments to the terms and conditions that are considered necessary.

**ACTION BY: Head of Environmental Services
Director of Environment and Sustainability**

10. ANY OTHER BUSINESS THAT THE CHAIR CONSIDERS URGENT

There was none.

The meeting ended at 9.26 pm.

CHAIR

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MINUTES END