



Licensing Committee Minutes

Tuesday 3 June 2025

PRESENT

Committee members: Councillors Mercy Umeh (Chair), Asif Siddique, Wesley Harcourt, Patrick Walsh, Dominic Stanton, Jacolyn Daly and Callum Nimmo.

Officers:

Adrian Overton, Licensing Team Manager
Neil Milligan, Team Leader, Planning and Economic Development
Valerie Simpson, Assistant Director Environmental Health and Regulatory Services
Glen Egan, Assistant Director of Legal Services
Charles Francis, Committee Services

1. APPOINTMENT OF VICE-CHAIR

Councillor Mercy Umeh proposed Councillor Callum Nimmo. This was seconded by Councillor Asif Siddique and agreed by the Committee.

2. APOLOGIES FOR ABSENCE

Apologies for absence were received from Councillors Bora Kwon, Trey Campbell-Simon, Paul Alexander, Aliya Afzal-Khan, and Jose Afonso.

3. DECLARATIONS OF INTEREST

There were no declarations of interest.

4. MINUTES

The OPEN minutes of the meeting held on 30 September 2024 were agreed as an accurate record.

5. ANNUAL LICENSING COMMITTEE REPORT APRIL 2024 TO MARCH 2025

Adrian Overton, Licensing Policy & Enforcement Manager, introduced the members of the Licensing Team to the Committee.

He explained the presentation would cover a range of topics, including: Staffing Update, Licensing Team performance and work activity in 2024/25 and financial update on income and debt. Further topics included 2024 - 2025 Licensing Sub-Committees and an enforcement update for 2024/25.

Adrian Overton provided an overview of the Licensing Activities which the Department oversaw and then highlighted staffing changes.

Staffing Update

The following staff changes were noted:

- a) Cristina Perez-Trillo was currently on maternity leave for a year. Matt Tucker was currently filling this role
- b) Lorna Mckenna was also on maternity leave for a year - Fabien Simms was covering her responsibilities
- c) Recruitment for a second Licensing Enforcement Officer was currently underway
- d) Recruitment was also underway for replacement compliance assistant as Abdul Ullah recently moved to Private Sector Housing

The Team's Performance and the Licensing Act in 2024/25

Adrian Overton drew the Committee's attention to some of the key statistics in relation to the work from the previous year. Key points included:

- Overall, in 2024/25, the service dealt with a total of 1269 applications/notifications under the Licensing Act 2003 compared to 1474 in 2023/24. This was an increase of 6% from the previous year.
- New premises licenses and full variations were similar to last year with 69 new applications.
- In 2024/25 the service received 12 applications for provisional statements, compared to 18 in 2023/24. It should be noted that all of these applications were attributed to the redevelopment work at Olympia Exhibition Centre.
- A decrease in personal licenses, transfers and minor variations.
- A decrease in DPS variations, change of details.
- In 2024/25 there was a decrease in Temporary Event Notices (TENs) submitted compared to the previous year.

Licensing Sub-Committee Hearings in 2024/25

Adrian Overton provided an overview on the number of hearings in 2024/25. The following points were noted:

- There has been a 15% decrease in hearings compared to 2023/24.
- There were 3 reviews heard in 2024/25 compared to 1 in 2023/24

- All the applications bar one was heard under the Licensing Act 2003, with one review and one sexual entertainment venue license being heard.
- These figures do not include applications that the Licensing Team mediate on, which therefore no longer require a hearing.

Financial Update on Income and Debt

In terms of the Financial Management for the period, Adrian Overton, Licensing Team Manager explained that the total Income generated from licensing activities during 2024/25 totalled £337,875.

It was noted that 20 applications for the redevelopment of Olympia led to a higher figure for application fees in 2023/24. Annual fees have reduced due to a number of premises surrendering their licences in 24/25.

Adrian Overton explained that application fees under the Licensing Act are set by statute and cannot be amended by local authorities. And as of 31 March 2025, total overdue licensing debt was £20,895 compared to £16,000 at 31 March 2024.

Licensing Enforcement

Adrian Overton provided an overview of the inspection and enforcement activities for the period 2024/25. The following points were noted:

- The number of complaints received by the Enforcement Team – 246
- The number of warning letters issued for the breach of licence – 56
- The number of visits / inspections to a premises including checking for compliance, monitoring and test purchases – 158
- The number of full risk assessments undertaken at a premises – 212
- The number of meetings with businesses, multi-agency meetings and residents' meetings - 51

Pre-Application Advice Service and Service Improvements

Adrian Overton provided details of the Pre-Application Advice Service. The following points were noted:

- The pre-application advice service represents excellent value for money
- It enables businesses to obtain professional advice at a much lower cost compared to an agent/solicitor
- In 2024/25 this generated £2,229 in income
- The team offer free pre application advice for small independent businesses

Adrian Overton outlined the improvements which had been achieved. These included:

Achieved:

1. New Gambling Policy – more restrictive with new cumulative impact areas and gambling vulnerability zones

2. Development of a new Night Time Strategy
3. Increased work with partner agencies such as Immigration
4. Continued the migration process to a new case management system (NEC)

Planned:

1. Licensing Service Review – Business friendly focus
2. Licensing Policy Review – New proposed hours and an alignment with our Night Time Strategy and Upstream London
3. Finalising the Night Time Strategy
4. New fees for Film Ratings
5. Possible new Sex Establishment Policy – focus on the welfare of performers

Gambling Policy -2025 - 2028

Adrian Overton provided an overview of the policy. It was noted that the proposed changes to the new policy included the following:

1. The key changes to the new policy include the following:
 - Production of a new evidence base for the policy (known as a Local Area Profile – LAP). This provides different layers of information including data on crime and anti social behaviour, areas of deprivation, and the location and density of gambling premises.
 - Introduction of 5 new gambling vulnerability zones and three cumulative impact areas within which there is a policy presumption to refuse any more new gambling applications.
 - Reduction in the terminal hour for AGC and Bingo premises to 10pm (currently 11pm).
 - A requirement that door supervisors must be used from 10pm onwards in any gambling premises.
 - A continuation of the borough's current no casino resolution.

The Night Time Strategy

Adrian Overton provided details on the Night Time Strategy and the progress which had been made so far. The following points were noted:

Boosting our economy

The Evening and Night-time Strategy aims to boost our economy by:

- supporting existing businesses.
- attracting new investment
- creating a welcoming, vibrant, safe and inclusive post-6pm environment for residents, businesses, workers and visitors.

Progress so far

- Online workshop with the Night Time Economy Working Group
- Desk-based research
- Dedicated night tours with invited local stakeholders
- Night audits of Hammersmith, Fulham and Shepherd's Bush town centres

Questions?

Councillor Dominic Stanton asked why the Council was having such difficulty in recruiting an Enforcement Officer. In response, Adrian Overton explained that the Authority was looking to recruit an experienced officer and there was an existing officer that was learning on the job. The issue was that experienced officers appeared to be settled in their role and had been with their respective Authorities a long time. Adrian also explained that over time, the nature of the role meant that it might not be as desirable an occupation as it once was.

Referring to the previous applications of Fulham Football Club and Olympia, Councillor Dominic Stanton asked whether these applications in 2023/24 matched up to the number of hearings. In response Adrian Overton explained that these did not match up as multiple applications for Olympia were held in individual meetings.

Councillor Dominic Stanton asked about the number of complaints that had been received and if a breakdown of these could be provided, including the spread and type of complaint. And in terms of the complainants, whether there were 20 people making 10 complaints each or were there 246 people making separate complaints. In response, Adrian Overton explained the Authority did have serial complainants who would complain about a specific issue a number of times about a particular premises. But in general terms, the Licensing Authority did not receive persons complaining about multiple premises. Adrian explained that when site visit were made, sometimes the specific issue that was the source of the complaint could not be identified and although a problem might be causing a disturbance, this did not necessarily mean a premises was breaching its licence.

In terms of the types of complaint, Adrian Overton explained these were seasonal. In the summer, these focused on outdoor noise such as been garden or patrons moving and drinking away from a venue, whereas in the winter, complaints focused on amplified noise from indoors. There were also incidents of anti-social behaviour linked to the customers of some premises. Further subjects for complaints focused on street drinking, off-licence management and selling to intoxicated persons, as well as underage sales.

In terms of the Gambling Policy, Councillor Wesley Harcourt asked if the Licensing Department had investigated dependency issues and whether there was any evidence to suggest that this was increasing. In response, Adrian Overton confirmed that Licensing was working with Public Health colleagues on the issue and it was an area that the Council needed more data on. Officers had noticed that gambling premises were located in areas of high deprivation, as well as close to hostels or centres to help people with addiction issues which was concerning. Adrian Overton confirmed it was a case of using and sharing personal data which was a challenge.

In relation to the Nighttime Strategy, Councillor Wesley Harcourt asked how this was progressing as he cited there were cases where premises were still choosing to close early and not use the full extent of their licence. In response, Adrian Overton confirmed that the Council had used a consultant to gain a snapshot of how the Nighttime Economy was operating. However, there was scope for more

evidence gathering after the strategy had been introduced to assess how successful change had been. Councillor Wesley Harcourt asked about the timeline and enquired whether this would be considered at Full Council. In response, Adrian Overton explained that the Strategy would not need to be as it was an internal Council strategy but this still needed final approval so he could be specific about the adoption timescale.

Councillor Wesley Harcourt highlighted that the communications aspects of the Strategy was particularly important as it sought to boost the Nighttime Economy, given the number of premises that were underutilising their current hours and residents concerns about the extensions of hours. Adrian Overton confirmed that information would be provided to businesses, including footfall information so that they became more aware that there might be customers wishing to use their premises later in the evening. Adrian Overton also highlighted the issue of staffing costs and feasibility of running a licensed premises if there were insufficient customers.

Councillor Asif Siddique mentioned the judicial review which had been referred to earlier in the meeting and asked if the premises was still operating. In response, Adrian Overton confirmed the case related to an organisation of businesses related to bingo associations after the gambling policy had been introduced in January 2025 and the application for review was submitted in the Spring. He confirmed that legal proceedings were ongoing and the Licensing Team were awaiting a judicial decision as to whether the matters needed to be considered at a hearing.

Councillor Jacolyn Daly asked for further details about the judicial review and noted the policy covered the local area profiling and to stop any new licences being issued, and also the return of the terminal hour from 11pm to 10pm. She asked if all these aspects were covered by the judicial review or only if it was focusing on specific areas. In response, Adrian Overton confirmed that the review mainly focused on the term in the Council's policy which referred to cumulative impact areas and gambling vulnerability zones, then no more additional licences should be granted within those areas. Further details were provided on the legal arguments and aspects of the ongoing review. Adrian Overton confirmed that as the review was ongoing, the Council's current policy remained active.

Councillor Callum Nimmo asked what circumstances amounted to exceptional circumstances for a betting shop to open. In response, Adrian Overton confirmed that the gambling operator needed to provide evidence that by opening they would not have a detrimental effect on the local area and to demonstrate that they had robust training and management procedures in place. However, he agreed that the current tests were rigorous, and it was difficult to say what would amount to exceptional circumstances.

RESOLVED –

1. That the Committee note the contents of the report and provide any comments, suggestions or recommendations for the team.

6. REPORT ON THE DRAFT MARKETS AND STREET TRADING LICENSING POLICY 2025- 2030 AND UPDATED PRESCRIBED STANDARD CONDITIONS FOR STREET TRADING LICENCES

Valerie Simpson, Assistant Director Environmental Health and Regulatory Services provided a report which provided the details and rationale for having a new H&F Markets & Street Trading Licensing Policy. This also provided an update to the prescribed standard conditions and the list of commodities. The presentation covered the following points:

- Key Functions and the remit of the Markets and Street Trading Team.
- The Council's five priorities and aspirations:
 1. Attracting and retaining new traders.
 2. Addressing the economic challenges of the market.
 3. Demonstrating the wider value of markets.
 4. Professionalising Market management.
 5. Improving relationships with Traders.

The key benefits for adopting a Markets and Street Trading Licensing Policy.

- Key updates to the standard conditions for Street Trading Licenses.
- Details on the revised commodities list.
- Information on the following:
 1. Shop front licences.
 2. The declaration of Market Rights.
 3. Designating the whole borough for regulated street trading activities
 4. Details on the Market and Street Trading consultation proposals and the revised timetable for formal adoption.
 5. Details on the Enforcement Policy and speaking to Traders.

Questions?

Councillor Wesley Harcourt enquired whether the responsibility for licensing pavements and shop fronts, particularly in light of the increasing prevalence of café culture, lay with the Markets Team or the Licensing Team.

In response, Valerie Simpson, Assistant Director for Environmental Health and Regulatory Services, clarified that following the COVID-19 pandemic, pavement licences had been introduced and were now managed under Highways. She explained that Highways were responsible for setting operational hours and other related conditions. Valerie Simpson confirmed that Highways did consult with relevant internal departments, particularly in relation to issues such as noise nuisance. However, she acknowledged that there was a significant overlap between the functions of Highways and Markets and suggested that this could be explored further.

Regarding ice cream vans, Councillor Wesley Harcourt asked whether the Council had a policy prohibiting the use of diesel or petrol-powered vehicles, advocating instead for electric alternatives. Valerie Simpson responded that she was uncertain whether this was explicitly stated in the policy but confirmed that there were regulations in place prohibiting engine idling. She undertook to review the policy,

noting that similar environmental concerns applied to the use of power generators at market sites. She added that while North End Road was equipped with electricity points, other market locations were not, resulting in the use of generators, and queried whether this issue was being addressed within the policy framework.

Councillor Wesley Harcourt emphasised the Council's commitment to becoming a green borough and improving air quality and expressed the view that such environmental considerations should be incorporated into relevant policies.

Turning to the use of single-use plastics at temporary events and market stalls, Councillor Wesley Harcourt asked whether Council contracts permitted their use. In response, Valerie Simpson confirmed that the Council prohibited single-use plastics and actively enforced this condition. She explained that the Markets Team worked collaboratively with other departments, including Food Safety and Trading Standards, and had undertaken a dedicated project in the previous year to ensure compliance and follow-up with traders.

In closing, Councillor Wesley Harcourt asked about the number of permanent market pitches, noting that there were currently 35. He queried whether this represented an increase, decrease, or a stable figure, and whether there was a specific target in place. Valerie Simpson confirmed that the number had decreased, citing vacant pitches on North End Road, in contrast to a waiting list for Lyric Square. She concluded that overall, fewer pitches were operating since the pandemic.

Councillor Asif Siddique observed that a significant amount of pavement space was utilised on Uxbridge Road, whereas such use was prohibited on King Street, and queried the lack of a consistent policy.

In response, Valerie Simpson, Assistant Director for Environmental Health and Regulatory Services, clarified that where pavement use occurred on the public highway, traders were required to obtain a licence. She noted that exceptions existed, such as trading on private forecourts, which were not subject to the same licensing requirements.

Councillor Asif Siddique further enquired who held responsibility for regulating Shepherd's Bush Market, given that traders leased space from a private operator, and whether Council officers continued to undertake enforcement visits. Valerie Simpson confirmed that officers did carry out inspections to ensure food safety and to prevent the sale of counterfeit goods. However, she explained that the responsibility for issuing licences and regulating traders rested with the private market operator.

Councillor Asif Siddique asked whether the Council's licensing policy was business-friendly and accessible, particularly for new traders, referencing the Farmers Market previously held in Ravenscourt Park. Valerie Simpson responded that officers had recently updated the Council's website to improve access to information for businesses. She added that officers also visited markets to offer advice and guidance, and the Markets Team engaged directly with traders through conversations and email communications. The Committee welcomed the proactive

approach taken by officers in guiding traders through the application process, including the provision of necessary forms and advice on fees and charges.

In relation to mobile counters outside shops, Councillor Asif Siddique asked whether separate permissions were required for selling mobile phones or conducting mobile phone repairs. Valerie Simpson confirmed that the same rules applied as for shopfront licences. If trading occurred on the public highway, a licence would likely be required; however, if the activity took place on a private forecourt, an additional licence would not be necessary.

Councillor Patrick Walsh noted that Highways held responsibility for regulating tables and chairs on pavements, but that this did not apply to private forecourts. He asked how the Council ensured compliance was straightforward, given the technical nature of the regulations and the potential for traders to misunderstand their category or obligations. In response, Valerie Simpson explained that pavement licences were linked to premises selling food or drink, whereas shopfront licences related to the sale of goods and services. She emphasised that officers did not expect businesses to be familiar with the relevant legislation and confirmed that the Council's initial approach was always to advise and guide traders.

Valerie Simpson acknowledged that implementing and enforcing shopfront and pavement licences would take time due to the number of high streets and commercial areas across the borough. Councillor Patrick Walsh asked how long it would take to contact all businesses once approval to proceed had been granted. Valerie Simpson responded that Regulatory Services currently had two vacancies, but worked collaboratively with other teams, including the LET. She explained that the Council aimed to engage with businesses in specific areas simultaneously to ensure fair and consistent treatment. If fully staffed, she believed the Council could disseminate information quickly through pre-planned communications. However, enforcement could take longer if multiple visits were required. She confirmed that priority would be given to areas with the highest risk of non-compliance and estimated that advice and guidance could be delivered borough-wide within six months. The enforcement policy would adopt a graduated approach, recognising the complexity of the law and the importance of ensuring traders understood their individual circumstances.

In relation to the regulation of regular markets at North End Road, Lyric Square, and Wood Lane, Councillor Jacolyn Daly asked whether this included Bishop's Park Food Market, Addison Farmers Market, and the Hammersmith Road Food Markets. Valerie Simpson confirmed that these markets were subject to the same regulations.

Councillor Jacolyn Daly asked what regulations applied to stallholders at Farmers Markets who made and sold their own produce, and how onerous these requirements were. Valerie Simpson explained that the Events Team managed Farmers Markets and sought consistency in regulation. Traders were asked to provide health and safety information, and officers supplied contact details for further support.

Councillor Jacolyn Daly noted that Farmers Markets often had a unique character and expressed concern that the policy appeared onerous and difficult to comply

with. She emphasised the importance of preserving the distinctive nature of smaller, specialist markets. Valerie Simpson confirmed that the policy was not intended to be restrictive and that there was no desire to hinder diverse and creative forms of food retail. She stated that the consultation process would include discussions with traders to determine whether the policy was overly restrictive and whether adaptations were necessary to support innovation.

Councillor Dominic Stanton asked about the implementation and purpose of the Declaration of Market Rights, noting that Hammersmith and Fulham was surrounded by other boroughs with their own markets, such as Borough Market. Valerie Simpson responded that this was a technical area governed by overlapping legislation. She explained that the purpose of the Declaration was not to prevent the emergence of new markets. The consultation would include an explanation of the Declaration and its function, as had been done by other local authorities.

Councillor Wesley Harcourt asked how the Council determined which parts of the highway or pavement belonged to premises. Valerie Simpson acknowledged that this was difficult to define, as the space varied between premises. She emphasised that pavement usability was a key safety issue, particularly for residents using wheelchairs or pushchairs, and confirmed that ensuring a consistent approach was a priority.

RESOLVED

That the following recommendations were agreed:

1. That the Licensing Committee approves for consultation the updated Prescribed Standard Conditions for Street Trading Licences, at Appendix 1.
2. That the Licensing Committee approves, for consultation, the updated Regulation of Commodities for Street Trading Licences 2025, at Appendix 2.
3. That the Licensing Committee approves for consultation the draft recommended Markets & Street Trading Licensing Policy 2025 – 2030, at Appendix 3.
4. That the Licensing Committee notes the Inclusive and Accessible Markets and Street Trading Guidance at Appendix 4, that has been co-produced with the Inclusive Environment Disabled Residents Team.
5. That the Licensing Committee agrees that after consultation, the final policy, the prescribed standard conditions and the Regulation of Commodities can be approved under delegated authority by a Licensing Sub-Committee or the Cabinet Member for Enterprise and Skills.
6. That the Licensing Committee provides approval for officers to consult on a proposal for the council to declare market rights.
7. That the Licensing Committee provides approval for officers to consult on a proposal to designate the whole borough or more streets for regulated street trading activities.

7. DISCUSSION OF EXEMPT ELEMENTS

The sub-committee agreed, under Section 100A (4) of the Local Government Act 1972, that the public and press be excluded from the meeting during the consideration of the following items of business, on the grounds that they contain the likely disclosure of exempt information, as defined in paragraph 3 of Schedule 12A of the said Act, as it contains information relating to the financial or business affairs of any particular person (including the authority holding that information).

Meeting started: 7.00 pm

Meeting ended: 8.31 pm

Chairman

Contact officer: Charles Francis
Committee Co-ordinator
Governance and Scrutiny
☎: 07776 672945
E-mail: charles.francis@lbhf.gov.uk