



Licensing Committee Minutes

Monday 12 June 2023

PRESENT

Committee members: Councillors Mercy Umeh (Chair), Paul Alexander (Vice-Chair), Asif Siddique, Zarar Qayyum, Wesley Harcourt, Florian Chevoppe-Verdier, Patrick Walsh, Jose Afonso, Dominic Stanton and Genevieve Nwaogbe

Officers: Adrian Overton, Licensing Policy & Enforcement Manager, Karen Layug, Licensing Administration Team Leader, Lorna McKenna, Licensing Compliance Officer, Jo Woodward, Director of Planning and Property, Economy Department, Matt Butler, Assistant Director of Development Management, Economy Department, Gerta Kodhelaj, Senior Planning, Licensing Solicitor and Charles Francis, Committee Coordinator.

1. APOLOGIES FOR ABSENCE

Apologies for absence were received from Councillors Bora Kwon and Aliya Afzal-Khan.

2. DECLARATIONS OF INTEREST

There were no declarations of interest.

3. MINUTES

The OPEN minutes of the meeting held on 27 June 2022 were agreed as an accurate record.

4. ANNUAL LICENSING COMMITTEE REPORT APRIL 2022 TO MARCH 2023

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 2022/23 and Financial update on income and debt. Further topics included 2022 - 2023 Licensing Sub-Committees and an enforcement update for 2022/23.

Adrian Overton provided an overview of the Licensing Activities which the Department oversaw and then provided details of the new structure and the Licensing Department's move to Planning.

Move to Planning and New Structure

The Committee noted that Licensing had moved from the Environment Department to Planning (under the Economy Department). Adrian Overton explained the rationale for the move, which was to:

- Develop more cohesive strategies for delivering increased economic activity in H&F.
- Allow staff from across the Planning and Licensing disciplines to share practice and align more closely on proposals for new developments.
- Allow the function of licensing to be viewed through an economic lens rather than a purely regulatory one.

Staffing Update

The following staff changes were noted:

- a) Lorna Mckenna was temporarily filling the Licensing Compliance officer role as maternity cover.
- b) Recruitment for a second Licensing Enforcement Officer – James Dismore.
- c) Sophia Barrett had started a Regulatory Compliance Officer Apprenticeship.
- d) Formal Environment divisional reorganization was implemented in early 2023 with confirmed a permanent role for a Licensing Policy and Administration Team Leader.

Markets and Street Trading

Adrian Overton provided an overview of the service which included the monitoring, regulation, and enforcement of 119 pitches across the borough including North End Road, Lyric square and Wood Lane. As well as, Match Day Football pitches around the 3 main clubs and other miscellaneous sites.

Details were provided on the North End Regeneration project, day to day duties and also the regular site inspections which were necessary.

The Team's Performance in 2022/23

Karen Layug, Licensing Administration Team Leader, drew the Committee's attention to some of the key statistics in relation to the work from the previous year.

Key points included:

- 11% increase in applications compared to 2021/22.
- 27% increase in Temporary Event Notices (TENs) compared to 2021/22.
- New Personal Licence applications increased from 127 (in 2021/2) to 144 (2022/23).

- Premises Licence application with a full variation from 20 (in 2021/2) to 31(2022/23).
- Total number of applications processes by the Team increased from 1240 (in 2021/2) to 1382 (2022/23).
- In 2022/23, 43 licensing sub-committee meetings took place, compared to 31 in 2021/22

Financial Management

In terms of the Financial Management for the period, Karen Layug, Licensing Administration Team Leader explained that income generated from licensing activities during 2022/23 was £320,466, which was a decrease of £60,740 (43%) compared to 2021/22 (£381,206) which was due to a reduction in the income stemming from application fees.

It was noted that there had been a small increase in the total number of applications received in 2022/23. The application fees under the Licensing Act were set by statute and could not be amended by local authorities.

In relation to overdue licensing debt, as of 31 March 2023, this was £17,200 compared to £9,900 at 31 March 2022.

An update was also provided on the financial situation for markets, and it was noted that the total income for 2022/23 was £259,729.75, compared to £208,000 in 2021/22 which primarily stemmed from street trading fees. Details were also provided on pre-application income generation.

Service Improvements

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

1. Introduction of a new business friendly Statement of Licensing Policy in July 2023.
2. Ask for Angela / WAVE visits and test purchasing across the borough.
3. Increased work with partner agencies such as Immigration.
4. Continue with test purchasing operation for online sales of alcohol.
5. New anonymous representations policy.
6. Started the migration process to a new case management system (NEC).

And several service improvements were planned in the medium term which included:

1. New Sex Establishment Policy.
2. Night Surgery, Night time strategy and NTE Working Group Action Plan.
3. Martyn's Law – visits and advice to large and medium sized venues.
4. Gambling Visits – Focus on preventative measures for problem gamblers.
5. New Film Rating fees.

Details were provided on the (NTE) Economy Working Group which was started in 2021. This sought to bring a number of partners together, stimulate the NTE and

increase the number of licensing applications in non-residential areas. Areas of work covered by the NTE included:

1. Developing a Business-friendly licensing policy.
2. Developing a Night Time Economy Action Plan.
3. Safety of Women at Night (SWAN).
4. Making 'Ask for Angela' – Visible.
5. Further Night Surgery and introduction of a new Night Time Strategy.

Licensing Enforcement

Adrian Overton provided an overview of the inspection and enforcement activities for the period 2022/23. The following points were noted:

- The number of complaints received by the Enforcement Team – 630
- The number of warning letters issued for the breach of licence – 97
- The number of visits / inspections to a premises including checking for compliance, monitoring and test purchases – 205
- The number of full risk assessments undertaken at a premises – 88
- The number of occurrences where advice has been given by enforcement officers including to businesses and residents – 564
- The number of meetings with businesses, multi-agency meetings and residents' meetings - 135

Details were also provided on a number of enforcement interventions, including: Chelsea Lodge, Polo in the Park and the Queens Club Tennis Tournament.

Questions?

In relation to the income generated from street markets and waste (from markets), Councillor Paul Alexander asked how waste was being apportioned against which markets within the borough, and, if this was a cost against tonnage or volume? In response, Adrian Overton confirmed the waste contract covered all markets, but he would need to reply outside the meeting to as to whether it was by tonnage or volume.

Action – That Adrian Overton confirm whether waste from markets was calculated as tonnage or volume.

Councillor Paul Alexander explained there had been complaints from stall holders who alleged they were being over charged for waste when, in some cases, they were not generating as much waste as their neighbours. In response, Adrian Overton confirmed he would ask the Markets Team Leader to provide a breakdown of the costs.

Action – That the Markets Team Leader provide a breakdown of waste costs per market across the borough.

Councillor Florian Chevoppe-Verdier asked about the policy in relation to anonymised representations, and whether there would be both anonymised and non-anonymised representations circulated to Committee members. And in addition, whether the representation would be fully anonymised or if these would provide a general idea of where the resident lived. In response, Adrian Overton confirmed that the current policy was that committee members would receive a semi-redacted version of representations so that Councillors would know roughly where the resident was from, whereas a fully redacted version would be published to the public website.

Adrian Overton confirmed that Westminster had adopted the same policy, and at a pan-London Licensing Managers Forum, the consensus was that most London Authorities were doing the same as Hammersmith and Fulham.

Councillor Dominic Stanton enquired about films, noting that, in some cases, the Council set the certificate rating. Adrian Overton confirmed this was correct and the Council used exactly the same certification criteria as the BBFC to assess the film.

The Chair, Councillor Mercy Umeh was encouraged to learn about the Licensing Apprenticeship Scheme and asked if this person was from Hammersmith and Fulham. In response, Adrian Overton confirmed that it was an officer that had been working for the Council for some time but had subsequently decided to carry out an apprenticeship.

Closing the public part of the meeting, the Chair, Councillor Mercy Umeh thanked officers for their hard work and for providing such a comprehensive report.

RESOLVED –

- 1. That the Committee approves the Annual Licensing Committee Report 2022/23.**

5. 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: 6.30 pm
Meeting ended: 7.17 pm

Chairman

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