

Licensing Committee

14 December ~~2014~~ 2017

Note of Councillor Dave Chesterton, Chair Overview & Scrutiny Committee

During the annual SEV reviews in September 2016, the Licensing Committee sought advice on the extent to which the changing nature of neighbourhoods could be considered when determining SEV License applications. This principally, but not exclusively, related to the two SEV establishments in close proximity to the Goodmans Fields development at Aldgate. One of these establishments is on the junction of Leman Street and Aile Street, the other a few yards away in Aile Street. This neighbourhood has profoundly changed in the course of the last few years, and is continuing to change. This area once comprised relatively low end office and commercial premises, it now is rapidly changing to become a very densely developed residential community. The view of the Licensing Committee is that this area may no longer be an acceptable location for SEV establishments. This area of Aldgate is of course not the only part of the borough that is changing in this way and that any review of the SEV policy should consider the changing nature of the borough as a whole; so over time other SEV establishments find themselves in a similar position.

In September 2016 the Licensing Committee specifically asked for work on this SEV issue be undertaken with a view including consideration of this during the 2017 SEV reviews. Members raised this several times during the past 12 months and believed progress was being made. I think it fair to say members of the Licensing Committee were very upset to find in advance of the 2017 SEV reviews that in fact no work had been undertaken. In response to the Licensing Committee's frustration, officers cobbled together some 2014 data on the changing nature of the Aldgate area. The barrister advising the Licensing Committee to one look at this and advised the Committee that it couldn't use it in determining SEV Licenses; indeed he had to specifically tell the Applicants that the Committee had been advised to discard the report.

The barrister did however go on to explain to the Licensing Committee that what the Committee was seeking to do could almost certainly be done. He did however warn the Committee that this would have to be undertaken properly and that before doing anything the Council would need to secure expert advice. This would not only need to cover any change to the policy, but also the nature of any evidence relied upon by the Committee. He went on to say that if the Council commenced the process before the end of 2017, it should have everything in place for the 2018 SEV reviews. There is though a sting in the tail, he advised that if the Council left this too long and the new neighbourhoods became well established, SEV License holders would be able to say the neighbourhood changed some time ago and the Council has missed the boat.

In frustration at the lack of progress by officers, together with the clear advice that the Council needs to move at some pace on this, I raised this matter at OSC on 25 October and reported this to Cabinet on 31 October; when Cllr Golds also spoke on this issue.

I understand that legal advice is now to be sought on this matter, but that it is unlikely this will result in changed so the SEV policy in time for the 2017 reviews.