

LONDON BOROUGH OF TOWER HAMLETS

MINUTES OF THE LICENSING COMMITTEE

HELD AT 6.30 P.M. ON TUESDAY, 8 MARCH 2016

**C1, 1ST FLOOR, TOWN HALL, MULBERRY PLACE, 5 CLOVE CRESCENT,
LONDON, E14 2BG**

Members Present:

Councillor Khales Uddin Ahmed (Chair)
Councillor Peter Golds (Vice-Chair)
Councillor Rajib Ahmed
Councillor Shah Alam
Councillor Muhammad Ansar Mustaqim
Councillor Joshua Peck
Councillor Candida Ronald

Apologies

Councillor Mahbub Alam
Councillor Gulam Kibria Choudhury
Councillor Amy Whitelock Gibbs
Councillor Clare Harrison
Councillor Denise Jones
Councillor Md. Maium Miah
Councillor Rachael Saunders

Officers Present:

Agnes Adrien	– (Team Leader, Enforcement & Litigation, Legal Services, Chief Executive's)
Tom Lewis	– (Team Leader - Licensing Services)
David Tolley	– (Head of Consumer and Business Regulations Service, Safer Communities, Communities Localities & Culture)
Simmi Yesmin	– (Senior Committee Officer, Democratic Services)

1. DECLARATIONS OF DISCLOSABLE PECUNIARY INTEREST

There were no declarations of disclosable pecuniary interests.

2. MINUTES OF THE PREVIOUS MEETING(S)

RESOLVED

That the minutes of the Licensing Committee meeting held on 8th December 2015 were confirmed and agreed as a correct record.

3. ITEMS FOR CONSIDERATION**3.1 Late Night Levy Proposals**

Mr David Tolley, Head of Consumer and Business Regulations introduced the report and explained that the Police Reform and Social Responsibility Act 2011 had introduced an adoptive provision whereby Local Authorities may impose a late night levy on businesses that sell alcohol between midnight and 06.00am. It was noted that the Council could decide what times the levy would operate provided it was between midnight and 06:00am and the same time each night.

Mr Tolley explained that the purpose of the Levy was to assist Council and the Police to manage and improve the night time economy. Mr Tolley stated that the additional income raised from the levy would need to be spent on managing the night time economy and would need to be split between the Metropolitan Police and the Council on a 70:30 percentage basis. It was further noted that the money could be used for a range of things and can be given to other agencies who can assist in the reduction of crime and disorder or improve the night time economy.

To enable the levy to be introduced across the Borough a consultation of businesses and other interested groups that may be affected by the introduction of the levy would need to be carried out. If it was to be introduced, the levy would apply to any licensed premises that sold alcohol and operated within the set times of the levy and would apply to licensed premises with on and off sales of alcohol. The Council does not have the power to limit the levy to certain parts of the Borough, therefore if introduced the levy would apply borough wide.

Mr Tolley explained the benefits of the proposed levy for the Council and that the money accumulated would be used for cleaning streets, enforcement action, preventing public nuisance and fund Anti-Social Behaviour reduction programmes.

It was noted that set exemptions would apply to hotels, cinemas, bingo halls, theatres, community halls etc. and there would be discounts to those signed up to the 'best bar none' programme.

In response to questions from Members the following was noted;

- That the consultation process started on 17th February 2016 and would be for a period of three months.
- That the fees would be set according to the size of the premises.

- That the fees for the levy would be an addition to the annual licence fees and would be included as part of the licence fee.
- That the fees were set by Government.
- That the London Borough of Camden had adopted the levy but there were no actual results/reviews/evidence of success etc. as it has not been operating for a year.
- The methods used for the consultation process was noted.
- Concerns were raised about the neighbouring borough Hackney and it was noted that the Council had been contacted and Officers were awaiting comments.

RESOLVED

That the report be noted.

3.2 Update in relation to Prosecutions and Appeals - Quarter 3 2015/2016

Ms Agnes Adrien, Enforcement & Litigation Team Leader briefly introduced the regular noting report which detailed licensing related prosecutions and appeals for Quarter 3 2015/2016 (October to December 2015).

It was noted that there had been no prosecutions issued in Quarter 3 and that there had been two appeals which were both settled without costs incurred to the Council.

Following a short discussion, Members raised concerns as to why appeals were being settled, having Members worked hard at hearings and when there had been substantial evidence provided to justify the decisions they had made.

Ms Adrien explained that in the case of the two appeals there had been an oversight relating to these particular applications and the Chair and the Members of the Sub Committee were not consulted before settling the appeals. Ms Adrien assured Members this would not happen again and in future Members would be consulted during any appeal process.

Members welcomed the report, and noted the results of the prosecution and appeals detailed in the report.

RESOLVED

That the report be noted.

4. ANY OTHER BUSINESS THAT THE CHAIR CONSIDERS URGENT

The Chair and Vice-Chair of the Licensing Committee extended their thanks to the Committee Clerk, Officers and Members of the Licensing Committee for their hard work and commitment over the past year.

The meeting ended at 7.15 p.m.

Chair, Councillor Khaled Uddin Ahmed
Licensing Committee