

Adults, Health & Public Protection Policy & Scrutiny Committee

Date:	21 September 2016
Classification:	General Release
Title:	Review of Statement of Licensing Policy
Report of:	Julia Corkey
Cabinet Member Portfolio	Public Protection
Wards Involved:	All
Policy Context:	City for All
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1. Executive Summary

- 1.1 This report is intended to inform members of the timetable and progress to date in Stage 2 of the council's Review of its Statement of Licensing Policy, which relates to the assessment of areas of the city where special policies may apply.
- 1.2 Of particular interest is the assessment being undertaken in Mayfair following representations from residents and resident associations during the public consultation in Stage 1 of the Review.

2. Key Matters for the Committee's Consideration

- 2.1 At this stage the committee is asked to note the report, pending a further report in early 2017, detailing draft review proposals prior to public consultation.

3. Background

- 3.1 Under the Licensing Act 2003, (the Act), the council has a duty to licence premises which sell alcohol by retail, sell hot food and drink between 23.00 and 05.00, or provide regulated entertainment to the public. This typically includes all the pubs, bars, restaurants, night clubs, theatres, cinemas, hotels, off-licences, out-door concerts and late night fast-food take-aways in Westminster.
- 3.2 In carrying out its duties under the Act the council must promote the four licensing objectives. These objectives are: prevention of crime and disorder; public safety; prevention of public nuisance; and the protection of children from harm.
- 3.3 Under the Act the council also has a duty to publish, and from time to time review, a Statement of Licensing Policy for its area, which sets out how the council will carry out its duties under the Act.
- 3.4 During 2015 the council carried out a review of the Statement of Licensing Policy it had published in 2011. The review was in 2 stages. Stage 1 of the review sought to update and clarify the Statement and, following extensive discussion and public consultation, amending proposals were incorporated into a revised Statement of Licensing Policy which was published in January 2016.
- 3.5 Stage 2 of the review was to specifically examine whether it was appropriate to amend, or add to, the designated cumulative impact areas which have been identified in the policy as areas where special policies apply. These existing areas, in the West End, Bayswater, and Queensway, have been identified as being saturated with a high concentration of drink-led licensed premises and special policies in these areas create a presumption against the grant of any more such licenses in the area.
- 3.6 In response to the public consultation, residents in Mayfair expressed concern about the effect that the increase in the number of late night licensed premises in the area, over a number of years, was having on their quality of life, and made representation that the grant of further licenses in the area would not be consistent with the promotion of the licensing objectives.
- 3.7 Residents, and resident associations, provided evidence to support their request that parts of Mayfair be designated as a cumulative impact area, and that special policies restricting further growth in the numbers of late night licensed premises be adopted. The evidence related to the noise and nuisance caused by large crowds of customers from licensed premises on the street into the early hours of the morning, with related nuisance and congestion being caused by cars, licensed taxis and unlicensed private hire vehicles.
- 3.8 Following meetings with local residents, resident associations and Ward members, and to supplement the evidence submitted by residents, an independent behavioural study has been commissioned to examine the impact

of late night licensed premises in part of Mayfair. The study is scheduled to run between August and December 2016 and report by the end of the year.

- 3.9 Additional evidence is being collated over the coming months, from data relating to the impact on licensing objectives in the area, held by the council and its partners, e.g. the police, to give as full a picture as possible.
- 3.10 Analysis of the data is scheduled for early in 2017, and the conclusions of that analysis will inform proposals to revise the existing statement of licensing policy.
- 3.11 Proposals for the revision of the policy are then required to be open to public consultation for up to 12 weeks, and having considered the consultation responses, the Cabinet member for Public Protection will consider what revisions, if any, are appropriate to the policy.

**If you have any queries about this Report or wish to inspect any of the
Background Papers please contact Chris Wroe x5903
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APPENDICES:

None

BACKGROUND PAPERS

Westminster Statement of Licensing Policy - January 2016