



CITY OF WESTMINSTER

MINUTES

Licensing Committee

MINUTES OF PROCEEDINGS

Minutes of a meeting of the **Licensing Committee** held on **Wednesday 7th July, 2021**,

Members Present: Councillors Heather Acton, Barbara Arzymanow, Susie Burbridge, Rita Begum, Murad Gassanly, Jim Glen, Louise Hyams, Tim Mitchell, Karen Scarborough, Jacqui Wilkinson, Aziz Toki and Matthew Green (Chairman)

1 MEMBERSHIP

- 1.1 Apologies for absence were received from Councillors Maggie Carman, Richard Elcho and Aicha Less.

2 DECLARATIONS OF INTEREST

- 2.1 There were no declarations of interest.

3 MINUTES

- 3.1 **RESOLVED:** That the minutes of the Licensing Committee on 24 March 2021 were approved as a correct record of proceedings.

4 PROPOSED REVISION TO THE COUNCIL'S STATEMENT OF LICENSING POLICY - DELIVERIES OF LICENSABLE PRODUCTS AND SHOPS

- 4.1 Kerry Simpkin, Head of Licensing, Place and Investment Policy, introduced a report setting out proposed revisions to the Council's Statement of Licensing Policy (SLP). The reasons set out for these proposed revisions centred on the growing concern about the increase in delivery services that provided licensable products, such as alcohol or late-night refreshment. Residents had raised issues around public nuisance that was caused by these services. Therefore, to ensure that the Council's approach to determining applications for delivery services was established a new policy would be required for both ancillary delivery services and for delivery centres.

- 4.2 It has also been identified that the current SLP did not provide a policy approach to shops who wanted to provide licensable activities other than the off sales of alcohol. Due to the increase in applications for licensable activities in shops a new policy approach for shops could possibly be required. As such it was proposed that the Council revised its SLP to include policies that would address these types of applications. Consultation on these proposals had commenced on the 14 June 2021 and would end on the 25 July 2021.
- 4.3 The Committee noted the proposed revisions and stressed the importance of ensuring the SLP was updated to ensure it was appropriate to address current developments within the industry. In particular, concerns had been raised over retail premises offering alcohol and the potential for them to operate as more of an alcohol-led establishment. It was confirmed that the intention of the revisions was to ensure that these retail premises did not slowly transition into bar type operations. The proposals in the policy set out that the provision of licensable activities needed to be ancillary to the main function of the property and if there was any indication the premises wanted to supply a significant amount of alcohol, or other regulated activities, these would be considered as part of the application. The wording within the proposals would be carefully assessed however to provide assurance that there would be no relaxation of the shops provision in order to prevent them becoming significant alcohol-led establishments and ensuring licensable activities continued to be ancillary to that of its main function.
- 4.4 In response to further questions the Committee was informed that consultation had taken place with the Council's neighbouring London Boroughs regarding the proposals. Currently no detailed discussions had taken place but once the outcome of the consultation was finalised detailed engagement with them would take place to ascertain their intentions regarding the areas of concern identified. It was noted that under the requirement of the Licensing Act 2003 each local authority set their own policy, but discussions would take place to address any potential cross-border issues.
- 4.5 The Committee expressed its thanks for the update and requested that the points raised during the discussion be noted when revising the policy.

5 RUPERT STREET MARKET LAYOUT - STANDARDISATION, DEMARCATION AND NUMERATION OF PITCHES

- 5.1 Catherine Brice, Programme Director - Market Development Team, introduced a report setting out the proposed standardisation, demarcation and numeration of pitches for Rupert Street Market. It was noted that the rationale for amending the layout and reducing the overall number of pitches of the current market was to ensure the market thrived and prospered alongside fulfilling the Council's vision for the area, as set out in the Markets Strategy.
- 5.2 The Committee was interested to learn that the number of pitches were being reduced from 31 to 15 in order to standardise the pitch sizes which would maximise visibility and result in an increase in pitch size for traders. The aim

of which was to create a modern destination market, where vendors could trade safely, and visitors navigate more easily.

- 5.3 Members were informed that one representation had been submitted in response to the formal consultation and this had been included as an appendix to the report for their information. Applicants would be invited to apply for temporary 6-month licences that were renewable bi-annually. It was proposed that applicants would only be permitted to apply for single pitches.
- 5.4 The Committee welcomed the standardisation of pitches at Rupert Street Market in line with those at other Westminster markets and in line with the Westminster Market Strategy. The 1 metre distance between pitches would assist in reducing any issues arising, particularly with regard to fire related issues as many of the pitches at Rupert Street Market served hot food.

RESOLVED:

That

- 1) The proposal for the standardisation of the market pitches to 3m x 3m be approved; and
- 2) The reduction in the number of pitches from 31 to 15 be approved.

6 OVERVIEW OF THE WORK UNDERTAKEN BY THE LICENSING SERVICE DURING THE COVID-19 PANDEMIC

- 6.1 The Director of Public Protection the Licensing and the Head of Licensing & Regulatory Services provided an update on the work the Licensing Service had undertaken during the Covid-19 pandemic.
- 6.2 Updates on the following major pieces of work were provided:
- Virtual Licensing Committees – the team had worked closely with Committee Services to set up and implement Virtual Licensing Committees and had held over 120 meetings.
 - Fee Reviews due to Government Restrictions – officers had worked with Members to support street traders by waiving Licence Fees for April and May 2020 and delaying the agreed fee increase from April to July 2020. This was ratified by the Licensing Committee in June. A further waiver was implemented following the second and thirds lockdowns in November 2020 and January to April 2021.
 - Fast Track Licences – Due to the time gap between the reopening of hospitality sector, 4 July, and the implementation of the new Pavement Licence scheme the service set up a new Fast Track Licence scheme for Tables and Chairs to support businesses. The Service received 405 applications and issued 315.

- Pavement Licences – In July, the new Pavement Licence scheme was implemented. This was an entirely new online application process for Tables and Chairs. To date the service had processed over 1700 pavement licence applications and there are currently over 750 valid licences across the city.
- Licensing Advice Line - In May the service began working closely with Highways on the reopening of the hospitality sector. This involved setting up a Licensing Advice Line for businesses.

6.3 In response to questions from the Committee it was confirmed the Service was prepared for the full reopening of the hospitality sector on 19 July 2021. It was expected that there would be an increase in Temporary Event Notices shortly, but arrangements were in place in anticipation of this. The Service was always looking to improve and develop and therefore new methods of working were being assessed including the development of a new software system for administering licences which would allow them to be processed in an even timelier manner.

6.4 The Committee noted the work undertaken by the Licensing Service and expressed its thanks for all its hard work and effort over the previous 18 months in extremely challenging circumstances. In particular thanks were provided for the work undertaken in developing Westminster's own pavement licence scheme which had implemented before the Business and Planning Act 2020 was introduced by the Government. This ran successfully until October 2020 enabling valuable support to be provided to local businesses to allow al fresco dining which helped protect and even create jobs within Westminster. Thanks and recognition were also expressed for the swift and seamless switch to virtual Licensing Sub-Committee meetings during this period enabling applications to continue to be heard during the pandemic and ensuring local businesses continued to be supported.

The Meeting ended at 10.38 am

CHAIRMAN: _____

DATE _____