



City of Westminster

# Licensing Committee Report

<b>Date:</b>	Wednesday 21 <sup>st</sup> March 2018
<b>Classification:</b>	For General Release
<b>Title:</b>	Licensing Service Overview 2015/16 to 2017/18
<b>Report of:</b>	Director of Public Protection and Licensing
<b>Wards Affected:</b>	All
<b>Financial Summary:</b>	N/A.
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## 1. Executive Summary

- 1.1 The report sets out an overview of the work that has been completed by the Licensing Service over the past three financial years. The report shows the level and breadth of work undertaken within the Service as well as issues that may impact the Service in the next financial year.
- 1.2 The report also sets out the potential future development of the Council's Licensing Policies.

## 2. Recommendations

- 2.1 The Licensing Committee is asked to note the contents of this report.

## 3. Reasons for Decision

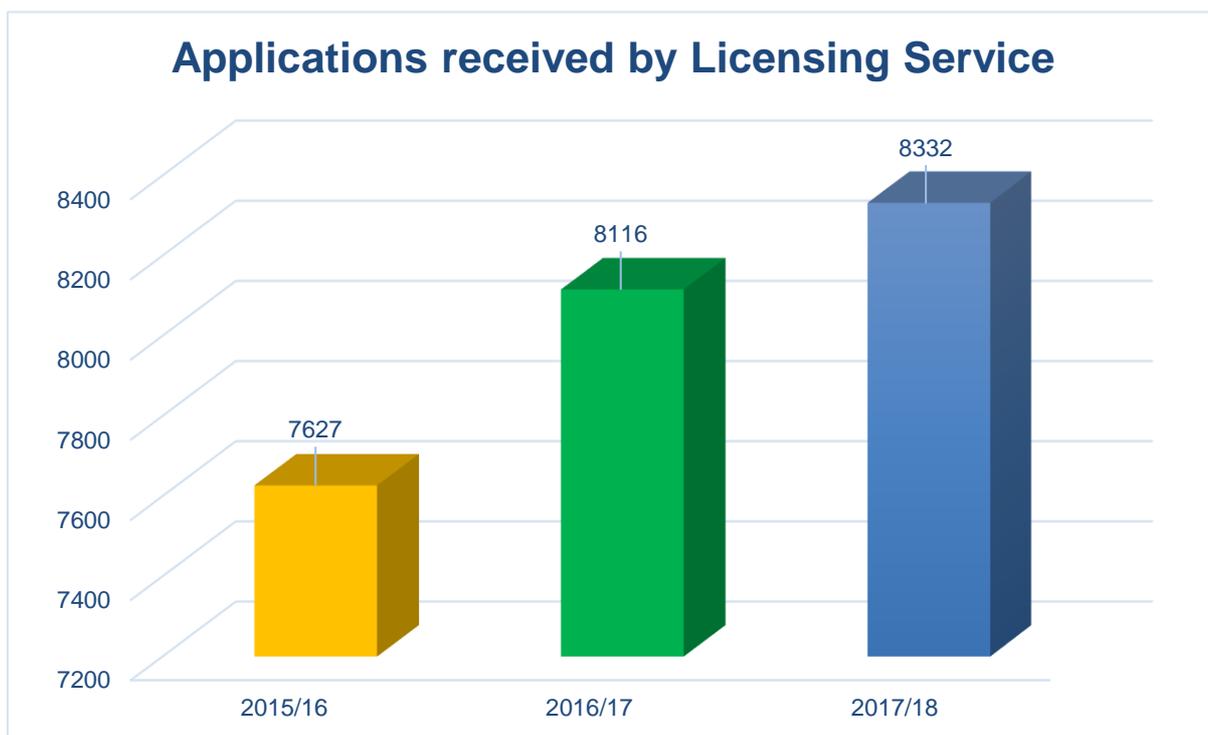
- 3.1. The report has been provided for information purposes only and no formal decision is required by the Licensing Committee.

## 4. The Licensing Service

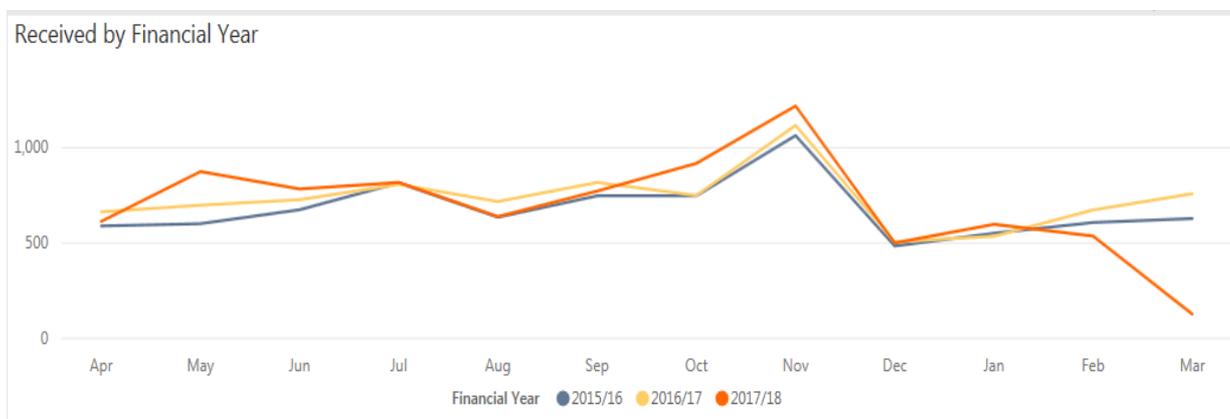
- 4.1 Westminster City Council is the busiest municipal licensing authority in the UK. The Council's Licensing Service is responsible for the majority of regulatory licensing regimes. Westminster is considered a major leading authority in licensing. A number of the officers working in the service are leads in their fields and often provide advice to relevant government departments, the LGA, London Councils and promote the work the Council does at conferences.
- 4.2 The Licensing Service comprises of four teams. These are:
  - 4.2.1 Two Licensing Teams, jointly responsible for processing and managing applications and licensing processes
  - 4.2.2 The Environmental Health Consultation Team which supports businesses with regulatory advice and act as the consultee for both the licensing and planning authorities, and
  - 4.2.3 The Market Inspectors' Team which is responsible for ensuring street trading compliance through advice and enforcement and provides support and assistance for traders.
- 4.3 Prior to 2017/18 the two Licensing Teams had separate areas of responsibility. One team was responsible for premises based licensing (alcohol, entertainment, sex establishments, gambling, special treatment, marriage venues, etc) and the other team was responsible for street based licensing, (street trading, markets, loudspeaker consents). The two Licensing Teams' responsibilities were merged in 2017/18. The merger of responsibilities provided additional resilience for the Service in managing peaks in work volumes as well as increasing the knowledge of staff within the teams.
- 4.4 The Licensing Service collaborates closely with colleagues in West End and City Operations, Policy and Strategy and the Legal Team to deliver the Council's statutory responsibility for over 25 different types of licensing regimes. These regimes cover an array of different authorisations, permissions and regulation. The largest proportion of work-undertaken within the Service is for licensing of alcohol, entertainment and late night refreshment premises under the Licensing Act 2003. However, the management of Street Trading activity represents a significant amount of work for the Service.

## 5. Licensing Application and Granted Licence Volumes

5.1 The graph below shows the number of applications received by the Service in the last three financial years. Over the past three-financial years, we have seen a significant increase in the number of applications received by the Service, with an increase in applications across all licensing regimes and a marked increase in street trading and basic notification applications.



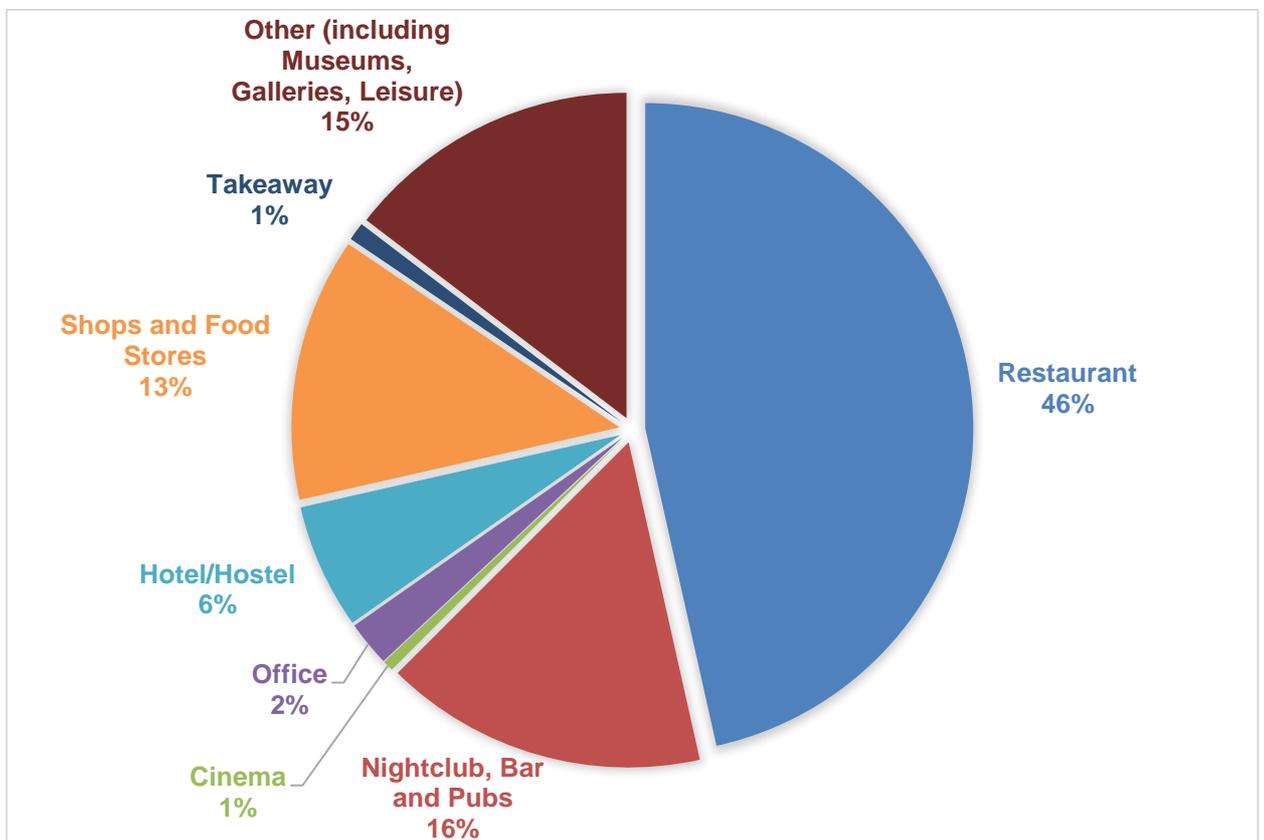
5.2 The trend in application volumes per month for each financial year is reasonably consistent. The graph below shows the trend in applications received by the Licensing Service for 2015/16, 2016/17 and 2017/18. There are seasonal peaks that are easily identifiable in July and between September and November each year.



5.3 The increases in July represents a peak in the number of notification of interest applications under the Licensing Act 2003. These applications renew annually. Each

year anyone who has a statutory right of interest in a premises licence, for example a property owner, can submit an application declaring that interest. The Licensing Authority are required to inform them of any application or change to that licence during the period in which the notice has effect.

- 5.4 The increase in applications in September to November each year represents the peak in workload for the Licensing Teams. The Licensing Teams will process the vast majority of renewal applications for Special Treatment premises in September as well as applications for the storage of explosives (fireworks) for the upcoming Halloween and Bonfire celebrations. September also represents the start of the period when Temporary Event Notices are received for the festive season and New Year. November is the busiest month of the year for applications (in excess of 1000) that require processing. The majority of these are Temporary Event Notices for the festive season and New Year.
- 5.5 The Licensing Act 2003 licensing regime represents 63% of the total number of applications received by the service in 2017/18. Street trading and the other licensing regimes represented 37% (21% street trading and 16% other licensing regimes) of the applications received this financial year.
- 5.6 The type of premises that are licensed under the Licensing Act 2003 has remained reasonably consistent throughout the three-year period. The pie chart below shows the percentage split between the different types of licensed premises operations within the City.



5.7 The Licensing Service in 2017/18 received 3 applications to review licensed premises under the Licensing Act 2003. We have seen a significant reduction in the number of review applications in the past three financial years (10 applications in 2015/16 and 5 applications in 2016/17). The table below lists the reviews that were made in 2017/18 and their outcome.

<b>Review applications received in 2017/18</b>				
<b>Premises name and address</b>	<b>Applicant</b>	<b>Reason for review</b>	<b>Review decision</b>	<b>Decision date</b>
Smiths Bar And Grill 25 Sheldon Square London W2 6EP	Local Residents	Crime and Disorder and Public Nuisance	N/A	To be determined
The Clifton 96 Clifton Hill London NW8 0JT	Local Residents	Public Nuisance	No action	7 <sup>th</sup> December 2017
The Union 88-90 George Street London W1U 8PA	Local Residents	Public Nuisance	Conditions modified	13 <sup>th</sup> July 2017

5.8 The Licensing Service has continued to offer a pre-application advice service. This has proved popular with applicants and their agents. The pre-application advice service is provided on a cost recovery basis. The pre-application advice service enables the applicant to receive technical guidance and support with their proposals. This process benefits the Licensing Authority as it reduces the need for these applications to go before a Licensing Sub-Committee and the potential impact the premises operation could have on the licensing objectives. In 2017/18 the Licensing Service received 120 pre-application advice applications which is an increase from the two previous years.

## **6. Operational Delivery and Successes**

### Betting shop refusals and reviews

6.1 On the 26<sup>th</sup> March 2015 the Licensing Service received an application from Bet Fred for a new Betting Shop at the site of the Prince of Wales Pub, Harrow Road. The application received over 50 representations from local residents who referred to significant issues in the area such as street drinking, begging, drug dealing and general antisocial behaviour. A high proportion of this was taking place outside William Hill that was located nearby. There were concerns that the new venue would add to the issues in the area and that the problems occurring at William Hill would take place at these premises if the licence was granted.

- 6.2 The Licensing Service undertook an investigation, in partnership with the local City Inspector team to identify the issues in and around the proposed premises. The Licensing Service made a representation to this application and opposed the grant of the licence as it would not be possible for any new betting shop operator to mitigate the risk to the Licensing Objectives through any measures. On the 1<sup>st</sup> July 2015 the Licensing Sub-Committee determined that the application was refused. The applicant initially appealed this decision but later withdrew the appeal prior to a Court hearing.
- 6.3 On the 30<sup>th</sup> June 2015 the Licensing Service made its first review of a Betting Shop Premises Licence under the Gambling Act 2005. The review was made in respect of William Hill, 357 Harrow Road. The premises was identified by local residents and via observations to have a significant issue with crime and antisocial behaviour as well as having a high degree of risk to the vulnerable. The premises is located in an area, which had significant issues associated with street drinking and begging and was surrounded by premises that supported the vulnerable.
- 6.4 The Licensing Service worked closely with a core group of local residents, Police, problem solvers and City Inspectors to build its case. The Sub-Committee heard the review on the 9<sup>th</sup> November 2015. It determined to add over 30 conditions to the licence. These included a requirement to change to the operation of the premises, change the design of the premises to eliminate blind spots and employ a SIA door supervisor between midday and 10pm each day. These conditions are the most robust conditions placed on any gambling premises in the country.

#### Gambling risk assessments

- 6.5 The Licensing Service is the leading local authority for gambling licensing in the UK. It works closely with the Gambling Commission and the gambling industry to ensure that local authority views and concerns are addressed through national guidance and regulatory practices. The Licensing Service was involved in the development of the Gambling Commission's condition for gambling operator licences that required them to undertake a local gambling risk assessment to identify and mitigate identified local risks.
- 6.6 In May 2015 the Licensing Service consulted with gambling operators and other local authorities on a guidance document that set out the expectation from the Council on how gambling risk assessments should be completed, when they should be amended and what information should be contained within them. The Service received a number of responses from the premises based gambling industry. Some were positive and others less so. However, the Licensing Service worked with Coral at the time to develop the guidance, which was released in February 2016. A number of local authorities adopted this guidance for their area and most of the premises based gambling industry adopted, with their own adaptation the risk assessment template that we produced as part of the guidance. The local risk assessment requirement came into effect in April 2016.

#### London Zoo licence inspections

- 6.7 London Zoo is the world's oldest scientific zoo. With over 1.2 million visitors, a year ZSL London Zoo is one of our high profile venues. The Zoo has a number of licences issued by the Council. These are a premises licence for the sale of alcohol and provision of entertainment under the Licensing Act 2003, Marriage and Civil Partnership approval under the Marriages and Civil Partnerships (Approved Premises) (Amendment) Regulations 2011, the storage of explosives under the Explosives Regulations 2014 and a Zoo licence issued under the Zoo Licensing Act 1981. The Zoo licence has a term of 6 years. The Licensing Service undertake annual inspections of the Zoo with the City of London's Animal Welfare Officer. There are joint inspections carried out with the Department for Environment Food and Rural Affairs (DEFRA) Zoo Inspectors prior to the renewal of the licence and on the 3<sup>rd</sup> year of the licence term.
- 6.8 The Licensing Service was involved in the investigation into the escape of a male silverback Gorilla from its enclosure into a non-public area of the zoo on the 13<sup>th</sup> October 2016. The investigation was undertaken with the Council's Health and Safety Team with the co-operation of the Zoo. Following the investigation and to prevent further escapes from that enclosure officers placed a number of additional conditions on the licence.

#### Immigration Checks

- 6.9 The Immigration Act 2016 came into force on the 12<sup>th</sup> May 2016. This Act was intended to create a compliant environment ensuring that those who do not have the right to work in the UK would find it very difficult to obtain work. The Immigration Act introduced an amendment to the Licensing Act 2003, which made it a requirement for the Licensing Authority to ensure that applicants for premises licences had the right to work in the UK.
- 6.10 The Licensing Service worked closely with HM Immigration to develop the approach that Licensing Authorities within London would take in checking the right to work documentation and ensure that applicants can be issued a licence. This engagement ensured that the method of communication and checking with HM Immigration limited the overall impact on the Licensing Service. The requirement to ensure that applicants for new premises licences under the Licensing Act 2003 came into effect in April 2017. This system has been implemented successfully with no significant impact to the Service or applicants.

#### Online Forms and Digital Transformation

- 6.11 The Licensing Service has been providing an online application process since 2009. The Licensing Service has utilised the Gov.uk online form platform since 2009 however, this system was extremely user intensive and was not integrated with the Licensing Services databases. In 2016 the Licensing Service, working with the Council's Digital Transformation Team began work on implementing its own integrated online forms. These forms are easy for customers to use and reduce the requirement for data entry.

- 6.12 In 2017 the roll out of the new online forms began. The development and implementation of these online forms required a great deal of work by the Licensing service. The Licensing Service now has the vast majority of its forms available online for applicants to access. The feedback received from our customers has been positive and 70% of all applications received by the Licensing Service are now submitted using online forms.

#### Westminster Responsible Authority Group (WRAG)

- 6.13 In 2017 the Licensing Service found that there was a need to have a forum to enable responsible authorities and City Inspectors to meet and discuss applications. To facilitate this the Licensing Service created a weekly WRAG meeting which included representatives from the Licensing Team, EH Consultation Team, Police and City Inspectors. Each week the group discusses major applications that have been received and co-ordinate their approach to that application. This may be in the form of joint visits, information sharing or operational tasking to gather further information. This group has been extremely successful in co-ordinating the responsible authorities approach to major applications. The benefits from this group have included earlier consideration of applications, better communication and information sharing, dedicated tasking to gather information to support the consideration of the application and joint inspections that reduce duplication and the burden on the applicant.

#### Grenfell Tower Fire Response

- 6.14 Licensing Service staff were active in supporting the Council's response to the Grenfell Tower fire in June and early July 2017. This involved Licensing Service staff supporting the co-ordination of the Council's response and providing aid and support in the local area. The Market Inspectors were deployed to give out food and clothing for displaced residents at the local sports centre. Licensing Service staff were keen to assist in any way they could and some worked through their rest days, changed their hours and took on extra responsibilities to ensure that the Licensing Service were able to continue to provide the same level of service to its customers whilst supporting the Council response to this disaster.

#### Notting Hill Carnival 2017

- 6.15 The Licensing Service authorises sound systems, the sale of alcohol from private gardens and street trading stalls within Westminster's Carnival footprint. Sound systems may operate via a premises licence or Temporary Event Notice issued under the Licensing Act 2003. The Licensing Service was heavily involved with the planning stages of the 2017 Notting Hill Carnival. It worked closely with the Council's Events and Filming team, Police and other key partners. The 2017 Carnival took place after several terrorist attacks, which meant that additional measures were introduced to ensure the safety of participants and visitors at the Carnival. The additional security measures put in place required far more documentation from licensed street traders, premises licence and temporary event notice operators.

- 6.16 To facilitate this change the Licensing Service engaged with applicants and existing licensees over several months prior to the Carnival. This ensured that applicants and licensee were informed of the new requirements early in the process. The sound system operators and street traders saw the Licensing Services early and pro-active engagement as positive. This engagement resulted in improved compliance during the Carnival. The Licensing Service also provided detailed licensing advice to the Council Events and Filming team throughout the planning phase. A requirement was placed on sound system operators to produce an event management plan for their sites. This was a new requirement for the 2017 Carnival. The Licensing Service worked with the sound system operators to produce these plans which resulted in improved barriers and safety routes surrounding some sound systems. The Licensing Service granted 23 street trading licences and authorised 6 sounds systems for the 2017 Notting Hill Carnival.
- 6.17 During the Notting Hill Carnival, our Market Inspectors worked with the Police to secure the entry of the trader's vehicles and ensuring that the traders had a licence to trade. The Market Inspectors assisted traders during the Carnival with setting up and working to solve problems that arose.

#### Street Licensing

- 6.18 There have been a number of improvements made to the way in which street trading is regulated since 2015. In addition, officers in Licensing have worked collaboratively with officers in Policy and Economic Development on key issues relating to street trading this year. This collaborative approach is important to ensure that the complex issues that arise in relation to street trading and markets can be affectively addressed and markets across Westminster can develop and improve.
- 6.19 The standard conditions attached to street trading and temporary licences have been amended and were implemented in January 2017.
- 6.20 The work to license vacant pitches on Berwick Street market began in April 2017 and concluded in September, with 47 applications for street trading licences taken to Licensing Sub-Committee hearing on 27<sup>th</sup> and 28<sup>th</sup> September, 21 of which were approved.
- 6.21 We have implemented improvements to the information on the Westminster website for applicants, including information on pitches already occupied, parking arrangements, provision of electricity and water on each market.

#### Film Classification

- 6.22 Premises that are permitted to exhibit films under their Licensing Act 2003 premises licences are required to ensure films are classified either by the Licensing Authority or the British Board of Film Classification (BBFC) as its agent. The Licensing Service has classified films since before the introduction of the Licensing Act 2003. Westminster is unique in the number of requests for film classifications. This is because of the number of film festivals that take place within Westminster, including the BFI and Frightfest. The Licensing Service also receive a high number of

classification requests from licensed Cinemas to enable them to show independent and foreign films for one off viewings. The Licensing Service receives on average 300 requests for film classifications per year. The Licensing Service has never charged for this function but a charge will be introduced in 2018/19.

- 6.23 The Licensing Service has been working closely with the BFI to develop an approach to classifying the films that they display during their festival. The BFI film festival is the largest film festival in the UK and its exhibits in excess of 233 films during that festival. On average 212 of their films require classification by the Licensing Authority. Through the collaboration with the BFI a new approach is being developed to enable a more efficient classification process for film festivals.

## **7. Emerging Trends**

- 7.1 The Licensing Service has identified a number of emerging trends, which it will continue to monitor over the coming year. These represent the changing nature of the venues and their use.

### Deliveries and the Gig Economy

- 7.2 The growth in the use of food delivery companies such as Uber Eats and Deliveroo has created a number of issues that has effected local residents. The nature of the gig economy means that the Council has very little control over the impact that the delivery drivers have on local residents. Licensing controls are limited in tackling these issues as the sale of hot food and drink is only licensable after 11pm when the majority of the delivery issues occur before that time and are therefore unlicensable.
- 7.3 The key issues that affect residents are the congregation of delivery drivers and the associated noise nuisance, litter and general anti-social behaviour. The Licensing Service is working with the Planning Department and Residential Problem Solving teams to find effective ways of reducing the impact on residents. A recent success came from planning enforcement action against Nandos in Westbourne Grove. This approach may form a possible tool to address some of the issues residents face when a premises is involved.

### Mixed Use Vibe Dining

- 7.4 Licensed premises have been traditionally classified as a single operation type, such as a pub, nightclub or restaurant. However, operators are looking to maximise the amount of income they can bring in from the premises by providing a changing offer through the day and night.
- 7.5 Vibe dining is a new form of experience led operation that has come from the United States. Rather than venues having, a clear split between a restaurant and entertainment area vibe dining venues offer a combined experience. For example diners can have a drink at the bar, then have dinner with a DJ providing music in the background, before continuing the after-party in the restaurant.

### Cafes, Health Shops and Gyms

- 7.6 There has been an increase in the number of venues applying for licences to sell alcohol who have traditionally not been associated with that activity. These have included coffee shops such as Starbucks, sandwich and snack retail premises such as Pret, health shops or gyms. This diversification in the types and style of premises that offer alcohol is something that is growing within London where businesses look to maximum income.
- 7.7 The Council's Licensing Policy is routed in the standard operation types for licensed premises. This can cause issues with applicants understanding which policy is applicable to them, especially when they are providing different types of operation through the day and night. This change in operation may attract different customer demographics that may present different levels of risk depending on the operation offered. To adapt to the growing trends in the diversification of premises operations the Council may need to consider the current licensing policies and whether it requires amendment to account for this diversification.

### **8. Future Work and Potential Impacts on the Service**

- 8.1 The Licensing Service has a number of key pieces of work that are already planned for the next financial year. These align with the Council's City for All vision and service priorities. The service also operates a pro-active approach to identifying risks and potential issues that may affect the service or the Council. The following provide a summary of the key pieces of work and identified risks to service delivery in 2017/18.

### General Data Protection Regulations (GDPR) Implementation

- 8.2 The Licensing Service will be reviewing its approach to data in light of the GDPR that come into effect from the 25<sup>th</sup> May 2018. We will be adjusting any data collection and use practices to ensure that we meet the Council's approach to complying with these new regulations.

### Licensing Charter and Nightsafe Project

- 8.3 The Licensing Charter is a City for All vision that the Licensing Service is leading on. The pilot within the Heart of London Business Alliance Business Improvement District (BID) has been a success and allowed us to develop the Licensing Charter to enable it to expand to other areas. Interest in adopting the Licensing Charter has been expressed from other BIDs, large property owner and a partnership of nightclub operators.
- 8.4 The Licensing Service will be seeking to promote the Licensing Charter to other areas and build upon the concepts already developed. The priority will be to create effective partnerships in a local area that will drive forward initiatives to meet Licensing Charter aims. The Licensing Charter supports Westminster's Evening and Night Time

Economy principles, promoting protection of those made vulnerable through intoxication, and working with partners to encourage business to operate high quality well managed premises, in turn driving up standards in the local area. It promotes the safety and wellbeing of residents, workers and visitors, in the context of a welcoming, inclusive, diverse and rich cultural and entertainment offer. It ensures we balance the needs of local areas and residential amenity whilst also providing the right environment for businesses to thrive.

- 8.5 The Licensing Service will continue to work with key partners and evening and night-time economy businesses to promote the Licensing Charter. Further consideration may be given to whether the Council's Licensing Policy can be amended to promote the Licensing Charter but also make suitable allowances for venues in areas where marked improvements have been made as a result of their approach to achieving the Charter aims.

#### Nightsafe Project

- 8.6 Under the umbrella of the Licensing Charter the Licensing Service has developed the Nightsafe Project. The Initiatives that will be delivered are:
- 8.6.1 Nightsafe Hub – A safe space for visitors to recover if they have drunk to much alcohol, be reunited with friends, charge mobile phones and receive information on how to get home safely.
  - 8.6.2 Nightsafe Ambassadors – A network of volunteers that will provide visitor information to visitors to the evening and night-time economy and support visitors who need assistance due to their level of intoxication.
  - 8.6.3 Nightsafe Dispersal – Larger licensed venues will enable their SIA security to leave their doors at closing and help people safely and calmly disperse. They will also identify people who may be vulnerable and need further assistance to get home safely.
  - 8.6.4 Nightsafe Corridor – The Nightsafe Ambassadors and a dedicated team of Special Constables will be deployed along a designated route to support visitors to leave the area safely, assist anyone who is vulnerable and deter criminal and antisocial behaviour.
- 8.7 The Nightsafe project will promote the Licensing Charter aims. It will also promote the Mayor of London's '24 Hour vision for London' and 'A Safer City for Women and Girls, The London tackling violence against women and girls strategy 2018 - 2022'.
- 8.8 The Licensing Service has secured funding from the Leaders fund to deliver these initiatives in 2017/18 and 2018/19. The initiatives will be evaluated to ascertain the successes of the project and the aim will be to evidence that these initiatives can be sustainable becoming a key aspect of our evening and night-time economy. The Nightsafe initiatives are planned to commence in September 2018.

#### World Cup

- 8.9 The World Cup will be taking place between the 14<sup>th</sup> June and 15<sup>th</sup> July 2018. The Licensing Service may see an increase in the number of temporary event notices for this period to enable premises to stay open later. The Licensing Service will monitor any influx in temporary event notices and work closely with the Police and City Inspectors to ensure that the licensing objectives are promoted.

#### Street Licensing

- 8.10 Work on a new market strategy is being developed, led by officers within Policy and Economic Development teams. The strategy will set out the Council's approach to markets across the City. Licensing is supporting this piece of work and a review of the street trading policy will take place to ensure it is aligned with the market strategy. A timeline for consultation is being developed.

#### Animal Establishment Licensing

- 8.11 The Licensing Service is currently responsible for a number of animal establishment licensing regimes, which ensure animal welfare and public safety. These animal establishment licensing regimes include, Pet Shops, Animal Boarding, Dog Breeding and Riding establishments. DEFRA will be introducing regulations that will repeal the legislation for animal establishment licensing regimes and combine them into one licence which authorise each activity. The Council has very few animal establishment licences. However, the Licensing Service will prepare for the introduction of this new licensing regime which is likely to come into effect in October 2018.

#### Conditionality

- 8.12 HMRC has recently consulted on its plans to introduce legislative changes associated with the introduction of conditions that will prevent a licence being issued if the applicant cannot prove that they are registered for tax purposes. It is proposed that the conditionality requirement will apply to Street Trading, Special Treatment Premises, Scrap Metal Dealers and Houses in Multiple Occupation licensing regimes. It is anticipated that the regulatory changes may be made before the end of the next financial year.

### **9. Developing the Council's Licensing Policies**

- 9.1 The development and promotion of licensing policy remains at the core of the licensing service, linking as it does the corporate aims and aspirations of the Council with its statutory licensing duties and responsibilities.
- 9.2 The policy recognises that the scale, diversity and concentration of licensed premises, particularly in the West End, is unique and brings cultural and financial benefits to the whole city. The City Council believes that good management of its vibrant entertainment industry, and of the street environment within which it operates, is essential to the continued success of central London, and in attracting a wide range of people who want to work, visit or live there.

- 9.3 Through the promotion of the licensing objectives, the policy seeks to widen the choice and appeal of licensed premises, the development of greater diversity in the types of entertainment and cultural activity on offer and in the age groups attracted to them, and to protect the quality of life of local residents and visitors.
- 9.4 The past 4 years of this Council has seen significant policy development both for Gambling premises, and for premises licensed under the Licensing Act 2003. Working in partnership with councils in Manchester and with the Gambling Commission, the licensing team pioneered ground breaking work developing tools to risk assess potential areas of vulnerability related to gambling. Requirements for such risk assessment are now embedded in statutory policy requirements nationwide, and have become the standard for identifying areas for example where proposed additional betting shops are likely to lead to a rise in problem gambling.
- 9.5 The Licensing Act 2003 statement of licensing policy underwent a statutory review during 2015 leading to the publication of a revised policy in January 2016. This revision, whilst maintaining the overall objectives and structure of the policy, nevertheless made significant changes to it. In drafting its revised policy the Council considered the operation of the current policy, drawing on issues raised at hearings of the Licensing Sub-Committee, and which often reflect applicants' or objector's concerns over the policy, and issues raised in the courts at appeal. The policy was also revised to reflect changes in legislation, statutory guidance and Council policies and initiatives, which have been introduced since the previous review. Equally crucially, the evidence base behind the policy was also reviewed and relevant data updated.
- 9.6 The review included extensive public consultation and attracted 27 formal responses from business groups, resident associations, property owners, as well as individual residents and businesses. Following the consultation, revisions to the cumulative impact area policy were introduced which clarified circumstances when, in the Council's opinion, the daytime sales of alcohol ancillary to the use of premises for other non-licensable activity would not necessarily add to cumulative impact. Other changes clarified that events at proprietary clubs or the operation of private events did not of itself amount to an exception from the presumption to refuse an application in the cumulative impact area. Other revisions set out the Council position relating to secondary or "shadow" licences, alcohol consumption when sales have ceased, nudity in licensed premises, licensing of tables and chairs on the highway, and area licenses.
- 9.7 The ongoing development of licensing policy remains key to the successful operation of any licensing regime. Changes in legislation and an ever changing market place dictate that our policies must respond to remain relevant and useful both for the Council and those affected by them. New government proposals on how councils are required to evidence and publish policy, increased flexibility that the adoption of a Westminster Licensing Charter might allow, and the growing trends of mixed use premises and delivery services associated with licensable activity are just some examples which may inform policy development in the future.

**If you have any queries about this report or wish to inspect any of the background papers, please contact:**

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Background Papers  
None