

CGCA Deputation to Licensing Committee 19/11/24

Item 8 - Review of the Statement Of Licensing Policy

This deputation is being made by the CGCA but a number of other residents' groups agree with the points we are making.

We confirm that we agree with the points on Cumulative Impact that will be made by TRACT/KTRA in their deputation.

The proposed Licensing Policy aligns with the ENTE Strategy published earlier this year. The Strategy claims a large number of closures in various categories of premises.

An FOI request reveals that overall no licences have gone and according to data submitted by Camden to the Home Office the number has increased. There also churn, a bar closes and another opens in the same location.

Approving this policy because hospitality businesses are vanishing from our streets is a solution to a problem that does not exist.

ENTE businesses are indeed struggling. Costs are rising at the same time and customers are feeling poorer.

May seem attractive of allowing them to open later and have fewer restrictions.

Financial viability is not a Licensing Objective. The 4 Statutory Licensing Objectives. The promotion of these is the **paramount consideration at all times**.

Residents are most concerned about the **Prevention of Public Nuisance**

Policy approach says public nuisance should not "unreasonably interfere" with personal comfort or amenity

Licensing Act says that Public Nuisance should be **prevented**. Camden is setting a lower bar. **Unreasonable** is a subjective measure.

Licensing Policy is a balancing act. This Policy firmly shifts the balance towards business and away from residents. This is not what we expect from this Council.

Framework Hours

The proposed Policy extends Framework Hours by 30 minutes. These are the times beyond which premises need to mitigate their impacts. Extends this from Midnight Friday and Saturday, to Half Past Midnight.

What does this mean for residents? The Pub next door can open another 30 minutes without worrying about the impact on neighbours, they get 30 minutes less sleep.

How will this "promote diversity within the local business environment and the evening and night-time economy"? It won't. Existing pubs, bars and takeaways that can apply to go 30 minutes later without having to do anything to minimise their impact.

Framework Hours are only a guide. Changing them will only help businesses that can't open later without harming residents. We ask that you keep Framework Hours the same.

Conditions

The Policy includes an Appendix of Licensing Conditions which are "designed to help all parties maintain a consistent approach when suggesting conditions for a premises licence."

We have been advocating an approach that does this since 2017 but what is proposed does **not** achieve this.

Helpful to list the Licensing Objective that each condition addresses but **not** helpful to indicate that a condition is suitable for some types of premises and not others.

Eg. need for dispersal policies is very clear but the only types of premises for which there is a condition about dispersal is listed are pubs, nightclubs and premises providing music. What about restaurants?

This will confuse rather than clarify.

SixtillSix recommend Camden work with residents and businesses to produce a list of Model Conditions (P 266 Recommendation 6). We agree and have been offering to do this for the last 7 years.

A clear and consistent list of enforceable conditions that Applicants, Responsible Authorities, Interested Parties and Panel members can apply to licences is in everyone's interest. Insist that Licensing finally take up this offer.

Summary

ENTE in Camden is suffering from financial pressure. Solution is **not** to make life worse for resident

Framework Hours extension allows any premise to open later without mitigating impact on residents. This helps business and harms residents. Please prevent public nuisance, not cause it. Keep the hours the same.

The Council wants to improve the Licensing process but has botched its attempt to have consistent approach to conditions. Please require that the Licensing Team implement SixtillSix's recommendation to a partnership approach on this point.