

# Licensing Policy 2023-2027

## Consultation Feedback and LBI Response

October 2022

### Section 1 Bespoke Responses

| Consultation Feedback  | LBI Response  |
|--|---|
| <b>1. Angel.london Business Improvement District</b>   |   |
| <p>Thank you for the opportunity to respond to Islington Council's licencing review. Angel.london Business Improvement District exists to champion and support the Angel economy on behalf of our some 550 members, including dozens of licenced premises, including alcohol-led venues, cultural institutions, restaurants and cinemas.</p> <p>We know that Islington Council understands the extraordinary pressures on businesses, past, present and to come, and we are grateful to the Council for its continued support of the local economy in balancing the needs of businesses with those of residents.</p> <p>We make this response not on behalf of any specific members, who will respond as individual licensees, but instead seek to consider the needs of the economy as a whole.</p> <p>We would wish to make several specific comments:</p> <ol style="list-style-type: none"> <li>1. Islington Council introduced a Late Night Levy for licenced premises that operate beyond midnight, and this levy funds the Night Safe Team and the police licensing team. The BID would seek a reintroduction of the regular meetings that took place before the pandemic to oversee the tasking of Night Safe and defrayal of the levy. Given the scheme has been in operation for a number of years, we would also recommend the council commissions a review of its efficacy and value for money.</li> </ol> | <p>The council is in the process of reintroducing the Late Night Levy Board</p> |
| <ol style="list-style-type: none"> <li>2. We are encouraged to see reference to Agent of Change principles in the Licencing Policy. However, there are reasons why businesses both licenced and unlicenced in the borough need to make noise as part of their ongoing operations.</li> </ol>   | <p>Noted</p>  |

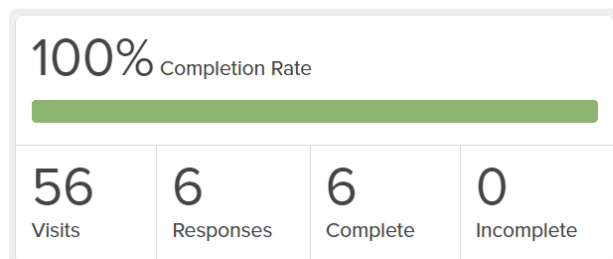
|  |   |
|--|---|
| <p>Noise complaints are received as a result of these legitimate activities and these can become repeated and vexatious. A fair process, guided by policy, should be developed to deal with such cases.</p>  |   |
| <p>3. We would suggest a sense-check is undertaken to investigate whether Low Traffic Neighbourhoods have impacted on licensees' ability to comply with Policy 20. We understand that in some cases, taxis in particular are unable to access some licenced premises, compelling patrons to walk to a main road for pick-up. This could have an impact on safety.</p>  | <p>Paragraph 115 has been amended to include reference to Low traffic Neighbourhoods.</p>                     |
| <p>4. We would ideally like to see language in the policies that reflects the Council's commitment to ensuring the council is seen as a supportive environment for licensees.</p> <p>As an example, Policy 26 reads: "The Licensing Authority recognises that where gardens, tables and chairs outside are provided for smoking, drinking or eating, users can potentially cause a nuisance." It might instead read "The Licensing Authority recognises that where gardens, tables and chairs outside are provided for smoking, drinking or eating, users can potentially cause a nuisance. However, the Council supports where appropriate the use of outside tables and chairs to ensure the resilience of licenced businesses in the Borough."</p> <p>Outdoor tables and chairs have, particularly since the pandemic, become an integral part of operations for many Angel businesses and we would hope that the Council will continue to support their use as part of a vibrant public realm.</p> | <p>Licensing Policy 26 has been amended</p>   |
| <p>5. Policy needs to come forward which strikes a balance between businesses that operate at night primarily for take away and those that operate licenses for food and alcohol to be consumed on the premises. Delivery personnel on motorbikes, in cars and on bicycles can gather in large numbers in sections of Upper</p>  | <p>Thank you for the feedback and the council welcomes the offer to work with Angel.london on this issue.</p> |

|   |   |
|---|---|
| <p>Street and this can obstruct the operations of neighbouring businesses. We have ongoing concerns for the welfare of night-time workers who lack facilities, as well as the conflict that arises between businesses using different models. We would like to work with you on this.</p> <p>Angel is one of London's best-known neighbourhoods, known across the metropolis for its vibrant night-time economy. As the cost of doing business continues to rise, there is a real possibility that our night-time offer will become irreversibly damaged.</p> <p>The decision of Wetherspoons to put its Angel branch up for sale this week is evidence of this, but we have a growing list of hospitality businesses that have closed in the Angel due to cost pressures. For this reason, we seek a proportionate and sympathetic licencing environment from the Council and are committed to working with you to support this.</p> |   |
| <b>2. LBI Building Control</b>  |   |
| <p>I would suggest that the criteria for issuing a license should include receipt of a building regulation completion certificate or final certificate. You may want to consult ourselves where an Approved Inspector has been engaged as the building control body.</p>  | <p>Licensing Policy 2 has been amended to include 'receipt of a building regulation completion certificate or final certificate where appropriate'</p>                                    |
| <b>3. Councillor</b>  |   |
| <p>We explicitly mention Ask Angela (Policy 21) and think we should also include <a href="#">'Ask for Clive'</a> and centralise LGBTQ+ safety in the policy</p> <p>Are there other vulnerable groups (ie those experiencing disabilities) whom we should explicitly reference to ensure we are promoting inclusivity in our premises?</p> <p>Would we reinstate the Licensees Charter?</p> <p>Could we include advice on preventing drink spiking?</p>  | <p>Licensing Policy 21 and paragraph 118 amended as suggested.</p> <p>Licensees Charter now included in policy in paragraph 104</p> <p>New drink spiking mitigations in paragraph 127</p> |
| <b>4. Councillor</b>  |   |

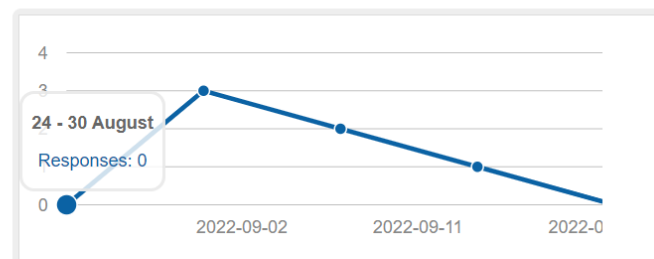
|   |   |
|---|---|
| <p>Requiring late night venues to adopt safer transport home policies for staff working late at night</p>   | <p>Licensing Policy 20 on Safer Travel at Night extended to include staff working in late night venues and new paragraph 124</p>  |
| <b>5.Licensing Committee</b>  |   |
| <p>Changes suggested by Licensing Committee:</p> <ol style="list-style-type: none"> <li>1. Minor amendments to the wording paragraph of paragraph 73</li> <li>2. Include policy approach to shadow licence applications</li> <li>3. Include more detail on toilet provision to reflect diverse range of customers' needs</li> <li>4. Minor changes to the wording on Policy 22, 24 and 25 to improve clarity of policy expectations and promote quiet deliveries</li> <li>5. Amending Licensing Policy 26 on smoking, drinking and eating outside to balance the needs of residents and business</li> <li>6. Strengthening Licensing Policy 28 on Environmental Protection and NZC</li> <li>7. Reinstate the Licensees Charter</li> <li>8. Include reference to drinking spiking mitigations</li> </ol> | <ol style="list-style-type: none"> <li>1.Paragraph 73 amended accordingly</li> <li>2. New paragraphs 88, 89, 90 ,165 and 166 on shadow licences</li> <li>3. New paragraph 93 covering sex specific and gender neutral toilet provision</li> <li>4. Licensing Policies 22,24 &amp; 25 amended accordingly.</li> <li>5. Licensing Policy 26 amended.</li> <li>6. Qualified wording deleted.</li> <li>7. New paragraph 104 includes reference to the Licensees Charter</li> <li>8. New paragraph 127 on drink spiking</li> </ol> |

## Part 2 Responses to Specific Consultation Feedback Questions

### Activity



### Responses



1. We have carried out a review of the success and need for our cumulative impact areas set out in policies 2,3 and 4. The evidence indicates they are still relevant.

Do you agree with the continuance of our cumulative impact areas in policy? | [View responses](#)

|                   |        |  |   |
|-------------------|--------|--|---|
| Yes               | 100.0% |  | 6 |
| No                | 16.7%  |  | 1 |
| Any comments?     | 0.0%   |  | 0 |
| Total respondents |        |  | 6 |

2. We have amended policy 6 covering opening hours to remove the special status given to Archway and Clerkenwell as their needs can be considered within the existing framework.

Do you agree? Required | [View responses](#)

|                                       |        |  |   |
|---------------------------------------|--------|--|---|
| Yes                                   | 100.0% |  | 6 |
| No                                    | 0.0%   |  | 0 |
| Any comments?                         | 0.0%   |  | 0 |
| Total respondents                     |        |  | 6 |
| Respondents who skipped this question |        |  | 0 |

3. We have amended policies 7 and 8 to update the standards of management we expect from licensees.

Do you agree with our proposal? | [View responses](#)

|                                       |       |  |   |
|---------------------------------------|-------|--|---|
| Yes                                   | 80.0% |  | 4 |
| No                                    | 20.0% |  | 1 |
| Any comments?                         | 0.0%  |  | 0 |
| Total respondents                     |       |  | 5 |
| Respondents who skipped this question |       |  | 1 |

4. We have added policy 9 to encourage applicants to include in applications how they will support equality and diversity.

Do you agree with the inclusion of this new policy area? | [View responses](#)

|                                       |       |  |   |
|---------------------------------------|-------|--|---|
| Yes                                   | 83.3% |  | 5 |
| No                                    | 16.7% |  | 1 |
| Any comments?                         | 16.7% |  | 1 |
| Total respondents                     |       |  | 6 |
| Respondents who skipped this question |       |  | 0 |

**Comment 1** This has no relation to licensing and the council is trying to force their policies on businesses.

5. We have updated policy 21 to reflect the changes in the approach we as a licensing authority have adopted to secure the safeguarding of young adults, women, and vulnerable people.

Do you agree with our proposals? | [View responses](#)

|                                       |       |  |   |
|---------------------------------------|-------|--|---|
| Yes                                   | 83.3% |  | 5 |
| No                                    | 16.7% |  | 1 |
| Any comments?                         | 16.7% |  | 1 |
| Total respondents                     |       |  | 6 |
| Respondents who skipped this question |       |  | 0 |

**Comment 1.** Putting more red tape doesn't help businesses, young adults etc. More police is needed and councils to reduce their costs by putting more resources into this

6. Since the last policy was adopted, the practice of delivering food and alcohol from licensed businesses has increased substantially. We have amended policies 22 and 25 to reflect the need for businesses to take account of the nuisance this activity can cause.

Do you agree with our proposals? | [View responses](#)

|                                       |       |  |          |
|---------------------------------------|-------|--|----------|
| Yes                                   | 83.3% |  | 5        |
| No                                    | 16.7% |  | 1        |
| Any comments?                         | 0.0%  |  | 0        |
| Total respondents                     |       |  | <b>6</b> |
| Respondents who skipped this question |       |  | 0        |

7. The use of outside areas by licensed businesses has increased and it has been made easier to obtain a license on public land. Policy 26 has been amended to reflect this change and the measure we expect businesses to put in place to manage the use.

Do you agree with our proposals? | [View responses](#)

|                                       |       |  |          |
|---------------------------------------|-------|--|----------|
| Yes                                   | 83.3% |  | 5        |
| No                                    | 16.7% |  | 1        |
| Any comments?                         | 16.7% |  | 1        |
| Total respondents                     |       |  | <b>6</b> |
| Respondents who skipped this question |       |  | 0        |

**Comment:** Local conservation areas mandate like-for-like (thin) glazing, which lets more noise than possible. Also with next policy in mind, prohibiting high standard insulation in surrounding buildings is counterproductive. Conservation rules should be amended.

8. The council has declared a climate emergency and aims to make Islington a net zero carbon zone by 2030. Policy 27 has been added to set out how businesses might support this ambition.

Do you agree with the inclusion of this policy? s? | [View responses](#)

|                                       |       |  |          |
|---------------------------------------|-------|--|----------|
| Yes                                   | 66.7% |  | 4        |
| No                                    | 33.3% |  | 2        |
| Any comments?                         | 33.3% |  | 2        |
| Total respondents                     |       |  | <b>6</b> |
| Respondents who skipped this question |       |  | 0        |

## Comments

1. This should also be applied to all council vehicles being low to zero carbon. Also Councils to look at how they operate their LTN's by not imposing them to the detriment of pushing vehicles to fewer roads thereby causing more pollution.

2. The wider policy of free evening parking is at odds with this. It encourages drunk driving and the road layout (in eg. Upper Street) makes cycling along these intermittently parked cars extra dangerous. This makes the policy incoherent. More needs to be done to support night time car reduction.