

## Westminster City Council Consultation for Statement of Licensing Policy (SLP)

Consultation information & questionnaire: <https://www.westminster.gov.uk/licensing-consultation>  
Consultation responses to WCC: [licensingconsultation@westminster.gov.uk](mailto:licensingconsultation@westminster.gov.uk)  
Consultation closes: **15<sup>th</sup> November 2020.**

### The Northbank BID response

The Northbank BID area has high quality hospitality, theatres, cultural, universities, retail and other leisure industries. The area is the gateway to the West End which attracts visitors from around the world to enjoy the night life. We wish to nurture the best London offer for visitors to enjoy and we are passionate about ensuring that “offering” is of the highest quality; including evening and night experience which is safe and welcoming.

The BID area is a busy multi transport hub for day and night travel. This includes many 24 hour tube and bus routes for buses, underground services. As such many people are traveling through the area while on their way to other areas in the West End.

The BID prioritises area safety and we work to align priorities, resources and information by working closely with partners including is working closely with partners including: neighbouring area BID's, Met Police, BTP, business members, and Safer Business Network, GLA and Amy Lame, Night Czar.

The Northbank BID welcomes and supports Westminster City Council's work to create an appropriate Licensing Statement Policy which recognises, that Covid has created extremely challenging times for the hospitality sector due to “the current unprecedented nature of the impact that COVID19 has had on footfall in the area, the Licensing Authority will not seek to impose an expansion of the West End Cumulative Impact Zone or introduce the presumption of refusal to other premises use types within this zone at this time. It is believed that this approach, at this time, will not impact the Council’s duty to promote the Licensing Objectives. However, as the city recovers, visitor numbers increase, and associated incidents rise outside the current West End Cumulative Impact Zone, the Licensing Authority will review this approach.”

Businesses currently need support and stability to enable them to plan for the challenging times in the short and mid term and beyond. A key part of that is providing continued regulatory stability and consistency by maintaining the existing policy approach which businesses and residents are familiar with. Businesses need to be able to adapt to the new trading environment to deliver central London recovery for a thriving economy.

### Proposed changes to the Statement of Licensing Policy

WCC recognises the large contribution by licensed premises make to the city and the economy, the Licensing Policy also aims to enable WCC to promote the following objectives: prevent crime and disorder, ensure public

safety, prevent public nuisance, and protect children from harm. The current Statement of Licensing Policy is proposals include changes for:

- a. Addition of a statement on the Licensing Authority's expectation on licensed premises' approach to inclusion in the evening and night-time economy. Reflecting Equality Act 2010 to promote and embrace inclusion
- b. Summary of 2020 CIA
- c. Introducing a revised policy framework for the Licensing Objectives Policies:
  - CD1: Prevention of Crime and Disorder
  - PS1: Public Safety
  - PN1: Prevention Public Nuisance
- d. Revision of the Protection of Children from Harm Policy (CH1) and including safeguarding as a key consideration within that policy
- e. Retention of the existing West End Cumulative Impact Zone boundary, except for the North East area beyond Covent Garden, and to revising the Cumulative Impact Policy – CIP1.
- f. Removing Cumulative Impact Zone designations for Edgware Rd and Queensway/ Bayswater.
- g. Introducing a revised Core Hours Policy - HRS1 framework based on premises uses rather than licensable activities
- h. Introducing a new Special Consideration Zone Policy- SCZ1.
- i. Updating the policy framework for premises use policies and associated updates to policy narrative where necessary.
- j. Removing qualifying clubs from the theatres, cinemas and other performance venues policy, and expanding the policy to include a wider variety of cultural venues and live sporting venues.
- k. Creating a stand-alone policy for Qualifying Clubs.



- Orange: Zone 1 West End Cumulative Impact Zone (CIZ) with revised Cumulative Impact Policy (CIP1)
- Yellow: Zone 2 West End buffer SZ1 Policy Area, Special Consideration Zones (policy SZ1)
- Dotted line: West end stress area 2016

Area Name	West End Zone 1	West End Zone 2	West End Stress Area	Queensway & Bayswater	Edgware Road	Victoria	Paddington	Oxford St - Marylebone Corridor	Mayfair	Fitzrovia North
Relative incident Rate	8.84	3.86	7.27	2.9	3.85	1.86	0.99	1.27	1.67	1.02

## Proportion of Borough's Public Realm Crimes 2017 – 2019, by Area

Area	Unique License Locations	Footprint	Footprint Licenses Ratio	Proportion of Borough Total between 2017 – 2019 by Area			
				Serious violent crimes – Night	Robberies – Night	Thefts – Night	Drug Offences – Night
West End 1 + 2	39%	7%	5.2	46%	54%	54%	53%
West End Zone 1	25%	3%	8.1	38%	44%	47%	45%
West End Zone 2	13%	4%	3.1	15%	21%	21%	13%
West End Stress Area	32%	4%	7.2	14%	20%	21%	12%
Marylebone Corridor	6%	3%	2.3	1%	3%	4%	1%
Paddington	4%	2%	1.8	2%	2%	2%	1%
Mayfair	4%	1%	4.0	2%	2%	2%	1%
Victoria	3%	1%	3.7	2%	1%	2%	1%
Fitzrovia North	3%	2%	1.8	1%	2%	1%	0%
Queensway & Bayswater	3%	1%	5.2	2%	1%	1%	1%

Questionnaire responses

1. Do you agree that the Licensing Authority should implement a Cumulative Impact Policy?

Yes

2. If you have any comments about the implementation of a Cumulative Impact Policy, please provide them below:

The Northbank BID supports the implementation a Cumulative Impact Policy with accurate area evidence.

We wish for this to be balanced with supporting the future growth of the hospitality sector in the Northbank area and to allow them flexibility to evolve and adapt to future challenges particularly in the recovery from Covid and its impacts. We wish to see how temporary changes bought in during this time can be adapted to be more permanent.

We are yet to see the full impact of Covid on the hospitality sector for our area and support licensing policy which can help new businesses which may be needed to replace ones which have closed as a result of the pandemic. Footfall in the Northbank area has seen a drastic reduction and it may be some time before they return to pre-covid levels.

We are also working to use the current window of opportunity to ensure a high standard of operation with partners including: neighbouring area BID's, Met Police, BTP, business members, and Safer Business Network, GLA and Amy Lame, Night Czar.

We wish to encourage all support for the pubs, bars, restaurants, hotels and nightclubs, all of which make such a vital contribution to London's nightlife, making it a world class destination for international and domestic visitors.

3. Do you have any views on the findings of the 2020 Cumulative Impact Assessment? The summary of these findings can be found on pages 8-18 on this link.

We welcome the commitment of WCC to review the Cumulative Impact Policy and we also welcome the decision of WCC not to expand its current Cumulative Impact Zones in the current climate. Cumulative Impact Policies should be reviewed at a suitable time so that that they do not hamper the recovery of business and the hospitality.

Both zone 1 and 2 are busy connections for rail, underground and bus routes so attract a higher proportion of people to them. The cause of incidents are driven by people travelling to the transport hubs and interchanges.

The good transport links themselves, can attract issues and crime as it provides efficient and easy access and dispersal for those wishing to attain drugs, which leads to other anti-social behaviour. This can be seen by the hotspots at Charing Cross Station and Embankment Station.

4. The Licensing Authority aims to include its expectation that licensed premises, as part of their application process, demonstrate how they can promote inclusion in Westminster. Do you agree with the inclusion of this expectation?

Yes

5. Comments

The Northbank BID supports inclusivity with its member organisations and is currently reviewing how to enhance this.

6. Do you agree with the proposal to include a summary of the 2020 Cumulative Impact Assessment?

Yes

7. Comments

N/A

8. Do you agree with the proposed changes to the Licensing Objectives policies CD1, PS1 and PN1? This includes their criteria and considerations, listed in clauses B of each policy.

Yes

9. If you have any comments about policies CD1, PS1 and PN1, please provide them below and state the policies and specific aspects that you are referring to:

n/a

10. Do you agree with the proposed changes to the framework of the Protection of Children from Harm Policy (CH1), including its criteria and considerations?

Yes

10. Do you agree with the proposed changes to the framework of the Protection of Children from Harm Policy (CH1), including its criteria and considerations?

Yes

11. Do you agree with the inclusion of the safeguarding of children as a key policy consideration within the Protection of Children from Harm Licensing Objectives?

Yes

12. If you have any comments about the proposed changes to policy CH1, please provide them below and state the aspects that you are referring to:

N/A

13. Do you agree with the proposed revisions to the framework of the Cumulative Impact Policy (CIP1)?

Yes

14. Do you agree with...?

- Not expanding the West End Cumulative Impact Zone to include Zones 1 and 2

Yes

- Retaining the current West End Cumulative Impact Zone (except for the North East beyond Covent Garden)  
Yes
- Excluding the area to the North East of Covent Garden, which is within the current boundary of the West End Cumulative Impact Zone, from the proposed new boundary for this Zone  
Yes

15. If you have any comments about the boundary proposals and the revision of the Cumulative Impact Policy (CP1), please provide them below and state the areas and aspects that you are referring to:

- Not expanding the West End Cumulative Impact Zone to include Zones 1 and 2
  - Zone 1: We agree that the area of Zone 1 should not be expanded
  - Zone 2: SCZ is a busy transition and transport interchange for buses, rail and underground so while the incidents are high, this cannot be attributed to licensing policy for the area.
- Retaining the current West End Cumulative Impact Zone (except for the North East beyond Covent Garden)
- Excluding the area to the North East of Covent Garden, which is within the current boundary of the West End Cumulative Impact Zone, from the proposed new boundary for this Zone.
  - We support the reduced area and the change of boundary.

16. Regarding the following Cumulative Impact Zones, do you agree with the proposal to remove the...?

N/a

17. - If you have any comments about the proposals to remove the Queensway/Bayswater and Edgware Road CIZ please provide them below.

N/A

18. Do you agree with the proposed changes to the Core Hours Policy (HRS1), including the reasoning behind them?

No

19 . If you have any comments about the proposed changes to the Core Hours Policy (HRS1), please provide them below:

We support the proposal to apply core hours to 'types' of premises rather than licensable activity as this will attract a diverse range of visitors and support the cultural organisations in our area.

We wish to support the recovery of hospitality businesses following the impact of the current health crisis, we believe that the Core Hours Policy (HRS1) for pubs and bars, Fast Food and Music and Dance venues within the West End Cumulative Impact Zone should be Monday to Sunday: 10.00 to 22.30. This would retain the distinction between the West End Cumulative Impact Zone and areas outside it, but would support venues at this difficult time by allowing a longer trading period which could reduce their need to apply for an extension of hours.

This would also be particularly helpful for any new businesses looking to start up within the Cumulative Impact Zone as a result of other premises having closed down due to the health crisis.

20. Do you agree with the proposal to introduce new Special Consideration Zones?

No

21. If you have any comments about the proposal to introduce new Special Consideration Zones, please provide them below:

We do not support the proposal to introduce new Special Consideration Zones for the following reasons:

- Businesses, including those in Zone 2, are already struggling to continue operating amidst dramatically reduced incomes because of the coronavirus. They have incurred (and continue to incur) costs to adhere

to government policy and guidelines to keep customers and staff safe. The SCZs would increase businesses' financial and operational costs further still.

- Changes to policy is unwelcome when the trading environment is tough. Businesses currently need support and stability to enable them to plan for the challenging times in the short and mid term. It is inappropriate to pursue implementation of a new policy approach such as the SCZ at this time. At this time of crisis in London and Westminster, our local businesses need support, not uncertainty nor additional burdens. A key part of that is providing continued regulatory stability and consistency by maintaining the existing policy approach which businesses and residents are familiar with.
- Designating areas as SCZs may, as a result of increased costs incurred by businesses to adhere to the policy, cause businesses to close or to significantly revise their offer, for instance in the case of hotels which may decide not to keep their bars open; such scaling back will reduce their appeal making it harder to attract business.
- No detail is provided within the draft SCZ Policy as to what additional mitigation and controls might be required. However, even if details were provided, such measures would likely impose significant additional costs upon businesses to implement measures that are not justified by the incident data and its interpretation within the CIA.

22. Do you agree with the reasoning, boundary and designation of the following zones?

West End Buffer – Zone 2      No

23. If you have any comments about the reasoning, boundary and designation of these zones, please leave your comments below and specify which specific areas and aspects you are referring to:

West End Buffer

The Northbank BID does not support Zone 2 designation as a Special Consideration Zone for the following reasons:

- The consultation document states that "This area is closely associated with dispersal due to the large number of transport hubs; which include a national rail station, a number of underground stations and large numbers of night bus routes." (p24). This presents a challenge to ascertain whether the concentration of licensed premises are key drivers of incidents recorded over the last three years, or whether other factors are of greater significance.
- The CIA draws upon British Transport Police data. BTP has previously suggested that a crime reported at a Station does not necessarily mean that it happened in the area. People travelling on public transport may often report crimes when they reach their destination where service staff and support are more likely to be readily available.
- The CIA refers to the transport hubs in Zone 2 and the multiple busy interchanges are likely to skewing data due to the numbers of people travelling.

Zone 2 is a multi-modal transport hub and includes the many 24 hour tube and bus routes. Incidents reported in the area may not originate from licensed premises in the area.

The BID is working to support high quality hospitality sector and the restrictions will bring additional challenges to them.

24. Regarding the following establishments, do you agree with the revisions to the policy framework for...?

Restaurants - Policy RTN1	Yes
Fast Food Premises - Policy FFP1	Yes
Public Houses and Bars - Policy PB1	Yes
Off sales of alcohol – Policy OS1	Yes
Music and dance premises and similar entertainment - Policy MD1	Yes

Hotels - Policy HOT1	Yes
Casinos - Policy CAS1	Yes
Combined Use Premises	Yes

25. Do you agree with the proposal to rename the Nudity, striptease and sex related entertainment – Policy NS1 to Sex Cinemas and Sexual Entertainment Venues – Policy SCEV1?

n/a

26. If you have any comments about the proposed revisions to the policy framework of the following establishments, please provide them below and specify which policies and aspects you are referring to:

Restaurants - Policy RTN1  
 Fast Food Premises - Policy FFP1  
 Public Houses and Bars - Policy PB1  
 Off sales of alcohol – Policy OS1  
 Music and dance premises and similar entertainment - Policy MD1  
 Hotels - Policy HOT1  
 Casinos - Policy CAS1  
 Combined Use Premises

N/A

27. Do you agree with the proposal to replace Theatres, Cinemas, other performance venues and Qualifying Clubs - Policy PVC1 with the following two new policies:

Cinemas, Cultural Venues, Live Sporting Premises and Outdoor Space – Policy CCSOS1  
 Qualifying Club – Policy QUC1

Yes

28. If you have any comments about the proposals to replace Policy PVC1 with the two new policies (Cinemas, Cultural Venues, Live Sporting Premises and Outdoor Space – Policy CCSOS1 and a Qualifying Club – Policy QUC1) please provide them below and specify which policies and aspects you are referring to:

We would like to see more support for theatres in the proposed policy. The sale by retail of alcohol and/or late-night refreshment after 23:00hrs should not be limited to customer, patrons or members of the audience who will or have made use of venue for enjoying plays or other dramatic performances. Instead, theatres should be given the scope to put on other events - such as lectures or community events for example - with the same licensing approach as for plays or other dramatic performances also being permitted to support these offers.

29. Do you agree with the Licensing Authority making minor changes to the statement to reflect updates to the law, guidance and council strategies or policies?

Yes

30. If you have any comments regarding the updating of the statement, please provide them below:

n/a

#### Contact for future communication:

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#### The Northbank BID

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