

FitzWest Environment and Licensing Issues Topic Group - 25 February 2014, Newman St

Present: Yoram Blumann, Barbara Corr, Alison Matthews, Steve Oram, Gordon Tees, Aly Thobani, Amin Thobani.

Apologies: Denise Julien, Caroline Mawer, Rania Bejani, Claire-Louise John, Chris Shaw, Dianne Thomas

We introduced ourselves – all residents (most with long histories of community activism in the area) except Aly and Amin, who have a long-standing interest in Fitzrovia from running the Post Office in Newman St, now planning to open a private members' club.

Licensing/late night economy/Westminster Licensing Review

WCC are about to publish a consultation document on their review of licensing. Licensing is a legitimate part of FW's planning interest, although the legislation is separate, and we should cover it in the Neighbourhood Plan. YB said he expected that WCC were probably not looking to relax anything, notably not the core hours.

WCC's 'Core hours' policy does not mean that premises cannot open later; rather, that applicants can have an expectation that those hours will always be allowed if there are no other issues, while applications for longer hours will be determined individually on their merits.

(The core hours - when customers are allowed on the premises (for premises offering alcohol for consumption on the premises) - are:-

Friday and Saturday: 10:00am to midnight

Sundays immediately prior to Bank Holidays: Midday to midnight

Other Sundays: Midday to 22:30

Monday to Thursday: 10:00 to 23:30

There is generally half an hours drinking up time before this, so sales stop half an hour earlier.)

There are inevitable conflicts of interest between residents who might not want any late-opening premises near them, and licensees, who are running businesses. However we all have similar broad objectives – that Fitzrovia should be a pleasant place that attracts visitors, that there shouldn't be late night rowdiness, and complaints and reviews are troublesome for licensees and residents alike. Well-run premises are in everybody's interest – they are more profitable, and cause less nuisance.

We tried to spell out what our objectives are for the area in respect of late night premises that we might put in the Neighbourhood Plan.

- To be distinct from Soho
- To avoid becoming a stress area
- Cafes and restaurants more than clubs and vertical drinking establishments
- Quiet – no noise audible outside premises, no rubbish collections, glass disposal etc – between 11pm and 6 am
- Pre-consultation discussions on new developments with the Forum and local residents before developers' plans are finalised and submitted to WCC for planning permission/licensing approval.

We discussed how far it was possible to resist the considerable changes coming to Fitzrovia, many of which bring increased commercial opportunities for business. It was acknowledged that we can't stand still, but should seek to channel the changes into forms and perhaps specific areas of FW where they would be most appropriate. We could think of specifying particular zones of the area as having different characteristics and being (un) suitable for particular types of development (eg as WCC/the London Plan has suggested that Newman St and around is suitable for hotels). It is difficult to define what makes an 'ideal' FW street – for example Great Titchfield St strikes a good balance, but we wouldn't want every street to be like that – some quieter streets are needed, and some noisier streets may be acceptable (we already have Oxford St after all). But we have to agree on that collectively!

We discussed the scope for a late night levy – which Camden are planning and have just issued a consultation document on. The proceeds, at a (low) level and to a very tight formula currently fixed by central government, are earmarked for expenditure on costs associated with the late night economy. However it is something of a blunt instrument; it would apply to all licensed premises, in the whole area of any council, that sell alcohol after given hours (that fall between midnight and 6 am). AT said this would be perceived by licensees as just another tax, when they already pay substantial business rates etc, and would have no incentive effects on licensees. It is more a means of making sure there is enough resource to spend locally on the substantial costs of cleaning up, policing, etc. WCC have been considering the approach but have so far preferred instead to try to get more money from central government that can be allocated locally.

We also discussed another idea from the previous meeting – setting up a compulsory licensees'/residents forum. The chances of getting a compulsory 'licensees'/residents' forum across the board seem slender; however, we do have the opportunity to set up a Forum for licensees and residents to meet precisely within this group.

Noise/rubbish

Pavement Collections - Current collection arrangements are unsatisfactory as there can be as many as 5 separate companies working a street on any given day. At present commercial customers can choose whatever company they want, and there is cut-throat competition, with private companies undercutting WCC considerably. Nobody is supposed to collect in the middle of the night but companies (especially the cheap ones?) do not always abide by the rules.

The time periods for street collections are often awkward for residents and businesses alike, leading to rubbish being left on the street for longer than it should be (you put it out too late, it's not collected; you put it out too early, it hangs around). (We know also that some WCC collectors do not always pick up all the rubbish left out – from evidence provided by Wendy Shillam to the council)

It is possible to negotiate good arrangements as part of S106 agreements with new developments (as was done with Fitzroy Place) but we need a broader statement of principle as part of our neighbourhood plan. WCC are looking at the multiple collections problem and hoping to rationalise it down to a maximum of two. FitzWest should support this in our plan, with some general principles eg

- (as above) no audible noise from rubbish collection between 11pm and 6am and/or
- Commercial waste only to be collected between 6am and 11pm (and only once, limited no of companies as with WCC)

We should extend this to elaborate a more detailed 'best practice' guide designed to reduce the incidents of complaints (to cover both rubbish and noise from the late night economy and other environmental issues), the idea being that if a premises or development followed these guidelines, we would reassure developers/licensees that the Forum would not support complaints from residents or others, and conversely that if they failed to follow them they could expect the Forum to want to see changes/put its weight behind any objections and campaigns..

Bins The group thought we could do with **more rubbish and recycling bins in the area**. This could reduce the amount of unsightly rubbish left out on the pavement, help with the fact that existing bins are often full/overflowing and the difficulties associated with leaving it out at the right time. Good locations for the bins to be identified by the Forum. (There is a current campaign being led by Chris Shaw to move the Langham St bins onto Great Portland St, where greater visibility and accessibility should improve the present fly-tipping). To be designed so that they are accessible (better lids, not blocked by cycle racks, etc).

Greening

Plant more trees. There have been various (guerrilla) gardening efforts in FW which have had varying degrees of success. Denise Julien is the go-to person on gardening.

S106 agreements to be used to ensure that developments have some open green space and/or greenery (hanging baskets, green roofs, walls etc). – this is another thing for our best practice checklist.

Action:

The group to take ownership of this part of the Neighbourhood Plan

Steve Oram – to kick off a draft of the best practice guide for the group to add to and refine

Aly and Amin Thobani – to contact other licensees and traders that they know to create a licensees' group as an adjunct to this Environment group, to make sure we have a full input from their perspective; have their own brainstorm about their objectives, views of future pressure points, 'complaint-reducing' best practice, to compare with residents' views. Garry Wood from the Crown and Sceptre has also expressed interest previously.

Alison –contact Denise to talk more about greening, forward WCC licensing review when it arrives, think about data requirements from the Council for the Plan, next steps for the group.

Next meeting? –after the AGM (tba probably mid-April), though need to think about how to present the work of this group so far to the AGM, can do by email