

LICENSING COMMITTEE

15 MARCH 2006

(19:15 to 20:15)

PRESENT: Councillors Martin Whelton (Chair), Steve Austin, Matt Bird, John Bowcott, Philip Jones, Gilli Lewis-Lavender, David Simpson, David Williams and Ron Wilson.

ALSO PRESENT: Steve Clark (Head of Planning and Public Protection), Richard Nash (Licensing Manager), Solomon Agutu (Legal Services) and Colin Millar (Democratic Services)

Apologies for absence were received from: Councillors George Reynolds, Mickey Spacey and Peter Southgate

1 MINUTES OF THE MEETING HELD ON 15 NOVEMBER 2005

RESOLVED: That the minutes are agreed.

2 LICENSING SECTION PROGRESS REPORT

Richard Nash advised that unlicensed premises had been given advice and a warning letter telling them to cease licensable activities until they obtained a licence. If they did not cease unlicensed activities they would face prosecution.

Steve Clark said that the Council would formally allocate responsibility for gambling at the annual meeting.

The Licensing policy was to be reviewed for report back to Council by the end of 2006.

3 LICENSING SUB-COMMITTEE SCHEDULE OF MEETINGS

RESOLVED: (1) That the Licensing Committee recommends to Council that the Chief Executive be given delegated authority to establish, in consultation with post-election group leaders, a Licensing Committee for the period 8 to 23 May for the purpose of allowing licensing sub-committees to meet and discharge the Licensing Authority's duties under the Licensing Act 2003.

(2) That the arrangement of sub-committee meetings should continue on an ad-hoc basis.

4 APPROACH TO LICENSING APPEALS

Members agreed that decisions taken by members should only be modified by members except where a court order was in place.

RESOLVED: (1) That all appeals to Magistrates courts be notified to residents associations and individuals who had been present at the original hearing and

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by email wherever possible.

(2) That an advisory note be prepared for residents associations and individuals to assist their understanding of the new licensing regime.

(3) That subject to the power to settle proceedings already vested in the Head of Civic and Legal Services the operational conduct of litigation on licensing matters be delegated to the same licensing sub-committee responsible for the decision being appealed.

5 CONSISTENCY OF LEGAL ADVICE TO LICENSING SUB-COMMITTEES
RECEIVED

6 LICENSING OF CASINOS WITHIN MERTON

RESOLVED: (1) That the Licensing Committee recommends to Council that it should resolve not to have casinos within the Borough.

(2) That the Licensing Committee recommends to Council that casino licences should not be issued within the London Borough of Merton and operators should not be allowed to make application for one or more premises licenses for casinos.

Before closing the meeting the Chair expressed his thanks, on behalf of the Licensing Committee, to individual members for their commitment over the past year and to Colin Millar, Richard Nash and Solomon Agutu and staff in Civic and Legal Services and Licensing Section for the support and advice they had provided.