

LICENSING COMMITTEE

15 MARCH 2011

7.15 TO 8.00 PM

PRESENT: Councillor David Simpson CBE (Chairman). Councillors Stan Anderson, Chris Edge, Suzanne Evans, James Holmes, Philip Jones, Logie Lohendran, Krystal Miller, Sam Thomas, Martin Whelton.

ALSO PRESENT: Alan Powell (Licensing Manager), Fabiola Hickson (Senior Litigation Lawyer), Susanne Wicks (Democratic Services Officer).

1 DECLARATIONS OF INTEREST.

No declarations were made.

2 APOLOGIES FOR ABSENCE

Apologies were received from Councillor John Sargeant and Councillor Gregory Udeh.

3 MINUTES OF LAST MEETING

RESOLVED: That the minutes of the meeting are agreed as an accurate record.

4 MERTON'S LICENSING POLICY: PROPOSED INCREASE OF CUMULATIVE IMPACT ZONE

After a short discussion, it was unanimously:

RESOLVED: That the Licensing Committee approves the recommendation contained within the report in respect of the proposal to increase the CIZ to include forecourt and platforms of Wimbledon Station, and that the amended policy be placed before Full Council for adoption on 6 April 2011.

An extensive debate followed on the extension of the CIZ into parts of The Ridgway and Hartfield Crescent.

Councillor David Simpson pointed out that although residents and councillors had responded to the consultation in favour of the extension, there was no support from the Metropolitan Police. The Committee also noted that the report did not recommend extending the CIZ into these two areas.

Alan Powell advised that, if approved by Council, the revised Licensing Policy could be challenged by judicial review. Fabiola Hickson advised that if anyone wanted to challenge by way of judicial review, this had to be done within three months of the decision by Full Council to adopt the extension of the CIZ in the two areas.

Alan Powell explained that the Metropolitan Police would not support an extension of

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any CIZ if without relevant evidence of crimes in the area to back this up. Environmental Health did not support the extension for similar reasons.

Councillor James Holmes pointed out that councillors have local knowledge supplied by local residents to support the extension, and that must be taken into account. He asked if members should act on the views and requests of local residents, or should only concern themselves with the information contained within the report.

Fabiola Hickson reminded the Committee that from a legal perspective, the decision to recommend an extension or not must be based on the evidence available. Although members would have local knowledge which might assist in the balancing exercise, decisions would have to be based on the evidence arising out of the consultation.

Councillor Suzanne Evans pointed the Committee to page 8 of the report, which refers to sections 13.26 – 13.28 of the guidance, which mentions “risk of cumulative impact is imminent.” She stated that because the Ridgway is between two existing CIZs, it is at such a risk, and her recent survey carried out with local residents suggests that binge drinking is a concern for them.

Councillor Philip Jones noted his concern about recommending the extension of the CIZ against the advice of the Licensing Team on the basis of the evidence supplied.

Councillor Chris Edge noted his surprise at the lack of evidence supplied by the Metropolitan Police about crimes in Hartfield Crescent, given that Police have been involved in incidents in the area.

Councillor Martin Whelton expressed the view that there was no evidence supplied to support the extension of the CIZ. He reminded the Committee of the wide range of evidence supplied when then the two CIZs were initially imposed in 2005.

Councillor Krystal Miller noted that residents’ responses mentioned The Swan and The King of Denmark, which would be contained within the extended CIZ.

Alan Powell reminded the Committee that although many residents complain about licensed premises in Wimbledon Village, there is only one establishment with a late licence.

It was moved by Councillor David Simpson and seconded by Councillor Chris Edge that the Licensing Committee accepts the responses made by local residents to the consultation on extending the Cumulative Impact Zones along the Ridgway, from Sunnyside to Hillside, and recommends that the amended policy be placed before Full Council for adoption on 6 April 2011.

The Licensing Committee voted on the resolution. 5 were in favour, 4 against, and 1 not voting. It was therefore:

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RESOLVED: That the Licensing Committee accepts the responses made by local residents to the consultation on extending the Cumulative Impact Zones along the Ridgway, from Sunnyside to Hillside, and recommends that the amended policy be placed before Full Council for adoption on 6 April 2011.

It was moved by Councillor David Simpson and seconded by Councillor Chris Edge that the Licensing Committee accepts the responses made by local residents to the consultation on extending the Cumulative Impact Zones to number 31 Hartfield Crescent, and recommends that the amended policy be placed before Full Council for adoption on 6 April 2011.

The Licensing Committee voted on the resolution. 5 were in favour, 4 against, and 1 not voting. It was therefore:

RESOLVED: That the Licensing Committee accepts the responses made by local residents to the consultation on extending the Cumulative Impact Zones to number 31 Hartfield Crescent, and recommends that the amended policy be placed before Full Council for adoption on 6 April 2011.