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## LICENSING COMMITTEE

13 JUNE 2017

(7.16 pm - 7.55 pm)

PRESENT Councillor Agatha Mary Akyigyina (in the Chair),  
Councillor David Simpson, Councillor Stan Anderson,  
Councillor John Bowcott, Councillor Philip Jones,  
Councillor John Sargeant, Councillor Judy Saunders,  
Councillor Mary Curtin, Councillor Linda Taylor,  
Councillor Gregory Udeh and Councillor Jill West

ALSO PRESENT Barry Croft – Licensing Manager  
David Ryan – Technical Officer (Street Trading)  
Guy Bishop – Senior Lawyer (Litigation and Licensing)  
Amy Dumitrescu – Democratic Services Officer

### 1 APOLOGIES FOR ABSENCE (Agenda Item 1)

Apologies for absence were received from Councillor Pauline Cowper.

### 2 DECLARATIONS OF PECUNIARY INTEREST (Agenda Item 2)

There were no declarations of Interest.

### 3 MINUTES OF THE PREVIOUS MEETING (Agenda Item 3)

The minutes of the meeting of 12 October 2016 were agreed as a correct record.

### 4 REFORMS TO THE LICENSING ACT 2003 IN THE POLICING AND CRIME ACT 2017 AND THE IMMIGRATION ACT 2016 (Agenda Item 4)

The Licensing Manager presented an informative report on updates to the Licensing Act 2003 in connection with the Modern Crime Prevention Strategy 2016, the Policing and Crime Act 2017 and the Immigration Act 2016.

The Licensing Manager advised that the section on Cumulative Impact Assessments and the Late Night Levy not been enacted as yet. A Late Night Levy has never been considered for the London Borough of Merton, as the funding as a result of the Late Night Levy, could not be guaranteed to be used by Merton Police.

Other notable amendments were that Police could now appeal for suspension of revocation of personal licences to a Licensing Sub-Committee and the recently updated definition of Alcohol to include powdered and vaporised alcohol.

In regards to the Immigration Act, the Licensing Manager explained that the Immigration Service was now a Responsible Authority and that the Licensing Authority would now have to check all applications to ensure that applicants had the right to reside in the United Kingdom. All application forms had now been amended to

incorporate this change and the Licensing Authority would work with the Immigration Service to assess any documentation which required further checks.

Members discussed the possible impact of the potential introduction of Cumulative Impact Assessments, with the Licensing Manager noting that the existing statement of Licensing Policy approved in 2015 was valid until 2020 and therefore if there were no further amendments to the Licensing Act this would not need to be changed.

## 5 DESIGNATION OF LICENSED STREETS (Agenda Item 5)

The Street Trading Officer presented his report on the designation on parts of the highway for the purposes of Street Trading. The report concerned one application for the following:

- 1) An area of 6m x 2m outside Time in RO, 20 Abbotsbury Road Morden SM5  
7am – 10pm Monday – Sunday inclusive.

The Street Trading Officer advised the Committee that there had been no negative representations received, and one in support had been received from the Leader of the Council as one of the Ward Councillors. The premises had been operating with a temporary licence and this had not caused any issues.

Members asked for clarification on the barricades around the tables and chairs and the placement of the billboard on the pavement. The Applicant who was present responded that the barricades were brought into the restaurant overnight with the tables and chairs and advised that he would reassess the placement of the billboard. The Street Trading Officer in response to member questions advised that there were 2 other premises on the street with licences.

### RESOLVED

That the Committee designates the proposed areas:

- 1) An area of 6m x 2m outside Time in RO, 20 Abbotsbury Road Morden SM5  
7am – 10pm Monday – Sunday inclusive.