

# Agenda Item 3

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## LICENSING COMMITTEE

7 FEBRUARY 2019

(7.16 pm - 7.29 pm)

PRESENT Councillors (in the Chair), Councillor David Simpson, Councillor Stan Anderson, Councillor Pauline Cowper, Councillor Nick Draper, Councillor Nigel Benbow, Councillor Billy Christie, Councillor Janice Howard, Councillor Paul Kohler, Councillor Nick McLean and Councillor Aidan Mundy

David Ryan (Technical Officer (Street Trading)) and Amy Dumitrescu (Democratic Services Officer)

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

Apologies for absence were received from Councillors Agatha Akyigyina and Rebecca Lanning.

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

There were no declarations of Pecuniary Interest.

Councillor Nigel Benbow advised in the interests of transparency that "Merton Café and Wine" applying for a street trading licence was located within his ward.

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

RESOLVED: That the minutes of the meeting of 10 October 2018 were agreed as a correct record.

### 4 DESIGNATION OF LICENSED STREETS (Agenda Item 4)

The Technical Officer – Street Trading presented the report on the designation of parts of the highway for the purposes of Street Trading. The report concerned four applications for the following:

- 1) An area of 5.8m x 1.6m outside Cocobeanz 81 London Road Morden SM4 5HP.
- 2) An area of 4.5m x 1m outside Café Rich Point, 363 West Barnes Lane, New Malden KT3 6JF.
- 3) An area of 5.25m x 1m outside Merton Café & Wine, 140 Merton High Street, Colliers Wood, London, SW19 1BA.
- 4) An area of 2.59m x 1.325m outside Greggs, 11 Fair Green Parade, London Road, Mitcham, CR4 3NA.

The Technical Officer advised that in relation to the application for Cocobeanz there had been no issues raised whilst the current Temporary Licence had been in effect.

In relation to Café Rich Point, the Technical Officer advised that there was currently no licence in place, however, there was sufficient space and therefore no reason why this would impact on the highway. Following questions from the Committee, the Technical Officer responded that all sites are regularly monitored and if any concerns or complaints were raised the site would be specifically checked.

The Technical Officer referring to Merton Café and Wine, advised that since the publication of the report the business had been sold and the owner had subsequently withdrawn the licence application. However, the Committee could decide whether to designate the area and to then consider a licence application from the subsequent owner. In response to member questions, the Technical Officer advised that the distance between the designation area and the lamppost at the edge of the pavement was 1 metre and there was currently one other designation within the street, however there was no street furniture outside that premises. It was noted there had not been any complaints regarding the other street designation and there had been no objection received from the highways department.

Members remained concerned about the narrow space and therefore agreed that a Temporary Licence could be issued and the situation monitored should the new owner proceed with an application.

In regards to the application by Greggs, Highway raised concerns about pedestrian safety on the new bus contraflow and they would withdraw permission if necessary. The Technical Officer advised that the street furniture had not been delivered to the premises as yet and therefore the area had not been satisfactorily tested with a Temporary Licence. It was therefore the officer recommendation that the decision be held until the next Committee date to allow the proper testing of the area.

RESOLVED:

That the Committee designated the proposed areas:

- 1) An area of 5.8m x 1.6m outside Cocobeanz 81 London Road Morden SM4 5HP.
- 2) An area of 4.5m x 1m outside Café Rich Point, 363 West Barnes Lane, New Malden KT3 6JF.

RESOLVED:

That the Committee refused the application for 3) An area of 5.25m x 1m outside Merton Café & Wine, 140 Merton High Street, Colliers Wood, London, SW19 1BA however issued a temporary designation.

RESOLVED:

That the Committee agreed to hold the designation of 4) An area of 2.59m x 1.325m outside Greggs, 11 Fair Green Parade, London Road, Mitcham, CR4 3NA, with the designation to be held until the next meeting of this Committee to allow for the area to be fully tested.

*Post meeting Note: Councillor Kohler requested information at the close of the meeting regarding the provision of Counsel for Licensing Sub-Committee meetings. This information was subsequently provided.*

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