

Agenda Item 3

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LICENSING COMMITTEE

14 OCTOBER 2021

(7.17 pm - 7.55 pm)

PRESENT Councillors Councillor Nick Draper (in the Chair),
Councillor David Simpson, Councillor Stan Anderson,
Councillor Pauline Cowper, Councillor Nigel Benbow,
Councillor Paul Kohler, Councillor Stephen Alambritis,
Councillor John Dehaney and Councillor Russell Makin

ALSO PRESENT Amy Dumitrescu (Democracy Services Manager)

ATTENDING Councillor Janice Howard and Councillor Oonagh Moulton
REMOTELY

Guy Bishop (Senior Lawyer - Litigation and Licensing), Caroline Sharkey (Licensing Manager), David Ryan (Senior Licensing Officer) and Richard Seedhouse (Democratic Services Officer)

1 APOLOGIES FOR ABSENCE (Agenda Item 1)

Apologies were received from Councillor Mary Curtin.
Councillors Janice Howard and Oonagh Moulton attended remotely.

2 DECLARATIONS OF PECUNIARY INTEREST (Agenda Item 2)

There were no declarations of interest.
Councillor Nigel Benbow noted that the third street trading application was in Abbey ward and not Colliers Wood ward as stated within the report.

3 MINUTES OF THE PREVIOUS MEETING (Agenda Item 3)

RESOLVED: That the minutes of the meeting held on 13 July 2021 were agreed as an accurate record.

4 REPORT ON THE PROPOSED REVISED STATEMENT OF PRINCIPLES UNDER THE GAMBLING ACT 2005, INCLUDING CONSIDERATION ON WHETHER TO RE-STATE THE 'NO CASINO' POLICY, FOLLOWING PUBLIC CONSULTATION. (Agenda Item 4)

The Licensing Manager presented an overview of the report. Following agreement by the Committee at its' meeting on 13th July to agree the draft statement of principles, a public consultation was undertaken between 19th July and 27th September 2021 and the report provided a summary of the responses to that consultation on the revised statement of principles under the Gambling Act 2005. It was noted that the majority of respondents were in support of the policy and of the retention of the no-casino policy as currently in place.

Section 349 of the Gambling Act 2005 requires licensing authorities before each successive period of three years to

“prepare a statement of the principles that they propose to apply in exercising their functions under this Act during that period, and publish the statement” For the London Borough of Merton, the revised statement of principles was required to be adopted by 31 December 2021.

Some amendments were also proposed to the statement of principles as a result of feedback received and these were outlined within the report.

A Local Area Profile had been developed and included within the statement of principles and this would inform operators what was expected when carrying out risk assessments and what should be taken into consideration about the locality when operating.

If approved, the revised statement of principles would be forwarded to Full Council for approval of its’ adoption at the upcoming meeting in November.

In response to questions from members, the Licensing Manager confirmed that the existing wards would be amended within the maps once the planned boundary changes were introduced following local elections in May 2022.

In response to further questions, the Licensing Manager advised that in regards to complaints, there was an enforcement protocol which would be followed including an investigation process which would include obtaining information from all parties before a decision on any further action was taken. The Licensing Manager informed members that compliance visits were undertaken for all gambling premises in Merton and they were well self-regulated and only one further follow up visit to one premises with the Police was required. Any enforcement action would be undertaken in consultation with the relevant responsible authorities including the Police and the Fire Authority.

RESOLVED:

A. That the Committee re-stated the no casino resolution and recommended it for adoption by full Council on 17 November 2021;

B. That the Committee considered the comments received during the public consultation process on the draft Gambling Statement of Principles, which took place between 19 July and 27 September 2021;

C. That the Committee approved the Statement of Principles 2022-2025 attached at Appendix A of the report (subject to any amendments required by the Committee);

D. That the Committee recommended it for adoption by full Council on 17 November 2021.

5 THE DESIGNATION OF PART OF THE HIGHWAY AS LICENCE STREETS FOR THE PURPOSES OF STREET TRADING (Agenda Item 5)

The Senior Licensing Officer presented the report on the designation of part of the highway for the purposes of street trading. The Senior Licensing Officer gave an overview of the report which concerned three applications for new designations for the following

1)An area of 12m x 1.5m outside 248-252 Grand Drive, Raynes Park, London, SW20 9NE. This had been operating for just over a year.

2)An area of 3m x 3m outside Britannia Point, 7-9 Christchurch Road, Colliers Wood, London. This was a new site and following redevelopment works a small site had now been obtained under the jurisdiction of the Council.

3) An area of 6m x 2.4m on the paved area between Holmes Road and Merton High Street Colliers Wood. This had been put forward by a local trader and had been operating for six months on a temporary licence.

All three had been operating under a temporary licence and if approved, any designations agreed would be renewed annually.

In response to questions from members, the Senior Licensing Officer advised that under the terms and conditions of the licence, applicants would need to adhere to certain noise requirements.

It was noted that a revised Street Trading Policy would be brought to the Committee within the next calendar year.

Members reviewed and commented on each application in turn and it was

RESOLVED:

That the Licensing Committee resolved to grant the proposed designations.

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