

LICENSING COMMITTEE

Meeting held on Wednesday 30th March 2016 at 6:30pm in the Council Chamber, the Town Hall, Croydon

MINUTES - PART A

Present: Councillor Jane Avis (Chair), Councillor Sue Bennett, Councillor Margaret Bird (Vice Chair), Councillor Carole Bonner, Councillor Richard Chatterjee, Councillor Pat Clouder, Councillor Maddie Henson, Councillor Karen Jewitt (Vice Chair), Councillor Bernadette Khan, Councillor Sue Winborn and Councillor David Wood

Absent: Councillor Matthew Kyeremeh (Reserve Councillor Bernadette Khan) and Councillor Andrew Pelling (Reserve Councillor Carole Bonner).

Apologies: Councillor Matthew Kyeremeh and Councillor Andrew Pelling.

Councillor Jane Avis welcomed Members, applicants and members of the public to the meeting.

A01/16 MINUTES

RESOLVED: that the minutes of the Licensing Committee meeting held on Wednesday 18 November 2015 be agreed and signed by the Chair.

A02/16 DISCLOSURE OF INTEREST

No disclosures of interest were made during the meeting.

A03/16 URGENT BUSINESS (IF ANY)

None.

A04/16 EXEMPT ITEMS

RESOLVED: to confirm the allocation of business between Part A and Part B of the agenda as printed.

A05/16

MINUTES OF THE LICENSING SUB-COMMITTEE MEETINGS HELD ON 18 FEBRUARY, 22 FEBRUARY, 7 MARCH, 10 MARCH AND 21 MARCH 2016 AND NOTES OF HEARINGS TO CONSIDER APPLICATIONS FOR SUMMARY LICENCE REVIEWS ON 12 FEBRUARY 2016 (Agenda Item 6).

The minutes of the Minutes of the Licensing Sub-Committee meetings held on 18 February, 22 February, 7 March, 10 March and 21 March 2016 and notes of hearings to consider applications for summary licence reviews on 12 February 2016 were agreed and signed by the Chair.

A06/16

LONDON LOCAL AUTHORITIES ACT 1990: APPLICATION FOR 4 STREET DESIGNATION ORDERS (Agenda Item 7)

The Licensing Manager was in attendance and introduced each application.

A Mobile vehicle on the highway in Ampere Way, Croydon adjacent to Therapia Lane Tram Stop

The applicant was present to assist the Committee with queries including those relating to the towing car, the position of the serving hatches in relation to the pavement, the pedestrian alley way and islands on the highway, the speed of traffic and the frequency of large and/ or heavy goods vehicles in the area. The applicant confirmed that the trailer was left in position from Monday morning to Thursday or Friday evening and that he had not experienced any difficulties to date in parking or manoeuvring the trailer into position.

The Committee considered that further information about the size of the proposed designated site was needed as it was not clear whether a larger site would be necessary to enable the trailer to be moved into position if cars were parked in the unregulated bays alongside the site.

The Licensing Manager confirmed that licensing officers had not been aware that the trailer was parked on the site overnight and that parking services had not therefore been provided with the opportunity of commenting on this aspect of the application.

The Committee **RESOLVED** that the application for a site designation for a mobile vehicle on the highway in Ampere Way, Croydon adjacent to Therapia Lane Tram Stop be adjourned pending more information about the size of the designated area required and any traffic management issues. The Committee further resolved to delegate authority to the Licensing Manager to

refuse the application as set out in Appendix A if necessary in order to allow an application for a bigger designated space to be submitted for consideration by the Committee on a future date and that the temporary licence be extended to cover this period if necessary.

B On the footway outside 86-88 Church Street, Croydon CR0 1RB

The applicant was present to assist the Committee with any queries.

The Members of the Committee considered the application and **RESOLVED** that the site on the footway outside 86-88 Church Street, Croydon CR0 1RB be designated for the purposes of street trading, as set out in Appendix B, and that a street trading licence be **GRANTED** with the Council's standard conditions.

C On the footway outside 18-24 Station Road SE25 5AJ

Representatives of the applicant were present to assist the Committee with any queries.

The Committee received advice that the London Local Authorities Act 1990 (section 25) required applicants to provide a description of goods for sale as part of the application and that this was lacking.

Members of the Committee considered the application and sought background information about the community project, the frequency of the market, the number of stalls and the range goods likely to be sold.

The Committee was informed that goods sold included hot food and beverages, bric-a-brac, fashion accessories, homewares and crafts and also included a creative arts stall for children and parents. It was confirmed that craft beer had been sold during the course of the 'test' markets, generally in gift boxes, and that the trader had applied for a Temporary Event Notice to cover the sale of alcohol. It was also confirmed that following consultation with the Police it was not intended to hold the market on football home match days and that the market was likely to comprise 8-10 stalls though the organisers believed 12 could be accommodated on the designated site applied for.

The Licensing Manager confirmed that in the view of licensing officers 8 stalls was the maximum that could be safely

accommodated though potentially some stalls could be shared. The Licensing Manager informed the Committee that the selling of alcohol as a commodity would be a deviation from existing street trading policy as customers would be able to buy alcohol on the highway and that this was therefore distinct from other street trading where tables and chairs outside a pub or other licensed premises provided customers with a service as purchases of alcohol take place within the premises. The Licensing Manager also provided information about the Temporary Event Notice process that would enable the sale of alcohol, as a licensable activity to take place, under the Licensing Act 2003.

The Committee was informed that the Police would not have been aware that the application included the potential for alcohol sales.

The Committee **RESOLVED** that the site on the footway outside 18-24 Station Road SE25 5AJ be designated for the purposes of street trading, as set out in Appendix C and as follows:

- To display: 8 market stalls with authority delegated to the Licensing Manager to increase this to 12 market stalls if in his opinion these can be safely accommodated within the site designated;
- To sell: General household goods, toys, crafts, food and beverages and to delegate authority to the Licensing Manager to add additional categories in consultation with the applicant if necessary;
- Proposed times of trading: As in Appendix C with the exception of home first team football matches at Crystal Palace

And that the Licensing Manager be delegated authority to re-notify consultees, including the Police, that traders may sell alcohol including craft beer in gift boxes and that the Licensing Manager be delegated authority to GRANT the street trading licence with the Council's standard conditions if no objections are received.

D On the footway outside Unit 2, 344 London Road, Croydon CR0 2TJ

The applicant's brother was present to assist the Committee with any queries.

The Members of the Committee considered the application and thanked him for providing information relating to the limited amount of space inside the shop and the need for the business to advertise its goods on the pavement.

The applicant's representative was not aware that as this site is on London Road, in accordance with Council Policy the Committee would generally be minded to refuse any further requests for designation as 'additional sites would have a detrimental impact on the safe and convenient passage of pedestrians in that part of the street'. He was unable to confirm that the applicant had discussed this presumption to refuse with the licensing officer who visited the premises or that the applicant had received the letter (attached as Appendix D5) confirming this presumption. The Licensing Manager confirmed that all procedures had been followed correctly.

The Committee **RESOLVED** not to designate the site on the footway outside Unit 2, 344 London Road, Croydon CR0 2TJ for the purposes of street trading having taken into account the following policy considerations:

- The proximity and nature of road junctions and pedestrian crossing points;
- The negative effect on the character and appearance of the area;
- The potential for relevant Council policies relating to the town or district centre in question whose implementation could be impeded or compromised by the designation.

A08/16

EXTRA MEETING OF THE LICENSING COMMITTEE

The Chair of the Licensing Committee informed Members that an extra meeting of the Licensing Committee will be held on Wednesday 27 April 2016 at 6:30pm.

MINUTES - PART B

None

The meeting ended at 7:56pm