

Licensing Committee

Meeting of held on Wednesday, 20 December 2017 at 6.30 pm in Council Chamber - Town Hall

MINUTES

- Present:** Councillor Jane Avis (Chair);
Councillor Patricia Hay-Justice (Vice-Chair) and Councillor Michael Neal (Vice-Chair);
Councillors Margaret Bird, Sherwan Chowdhury, Maddie Henson, Bernadette Khan, Steve O'Connell, Badsha Quadir, Sue Winborn and David Wood
- Also Present:** Councillors Hamida Ali and Andrew Pelling
- Apologies:** Councillor Oliver Lewis

PART A

8/17 **Minutes of the Previous Meeting**

In consideration of the minutes of the meeting held on 23 November 2017, it was specifically asked by Members as to whether there was a transcript of the previous committee business and the Committee noted that full transcripts of committee meetings were not taken. It was and felt that a more detailed record of the meeting would have been beneficial. Following discussion, and subject to the addition of a note within the minutes that Members would have preferred the detail contained within the minutes relating to item 6 to be more fulsome given the length of discussion, the Committee put the accuracy of the minutes to the vote and they were confirmed as an accurate record of the meeting.

9/17 **Urgent Business (if any)**

There were no items of urgent business.

10/17 **Disclosure of Interests**

There were no disclosures made.

11/17 **London Local Authorities Act 1990: Applications for Street Designation Orders**

The Committee considered an application for a street designation order and street trading licence for **Milan Bar, 14-32 High Street** as detailed in appendix A to the report.

The Licensing Manager introduced the application, detailing the process for making street designation orders and the details of the application. The Committee was informed that responsible authorities had been notified of the application and that it had also been advertised in the local press. No objections had been received.

In response to a question from the committee, the Licensing Manager confirmed that smoking would be permitted in the area covered by the proposed order.

The applicant was present and offered to answer any further questions from Members.

The Committee **RESOLVED**:

- 1 To designate the specified area outside Milan Bar, 14-32 High Street for the purposes of street trading; and
- 2 To grant a street trading licence to the Applicant.

The Committee considered an application for a street designation order and street trading licence for **1451 London Road** as detailed in appendix B to the report.

The Licensing Manager introduced the report and summarised the application, highlighting that no objections had been received during the consultation process. The Committee heard that while the application fell within a 'saturation area', the application was still to be considered upon its own merits.

The Committee noted that under the temporary licence, the applicant had not put a barrier in place and that the existing arrangement for tables and chairs left little room for a barrier. The Licensing Manager informed the Committee that the applicant would be required to place a removable barrier around the area should a licence be granted and that this would not be allowed to exceed the area specified in the application.

In response to questions from Members, the Committee received confirmation that the consultation process had allowed time for responses from Transport for London and Ward Councillors.

The applicant was not present for consideration of the applications.

The Committee **RESOLVED**:

- 3 To designate the specified area outside 1451 London Road for the purposes of street trading; and
- 4 To grant a street trading licence to the Applicant.

The Committee also considered an application for a street designation order and street trading licence for the **Market Tavern Public House, 1-4 Surrey Street** as detailed in appendix C to the report.

The Licensing Manager introduced the report and summarised details of the application. The Committee heard that the applicant had initially sought hours of 7.00am to 11.00pm Monday to Sunday. Following receipt of objections from local residents to those proposed hours, the application had been amended to seek operating hours of 9.00am to 9.00pm Monday to Sunday for street trading purposes. The revised operating hours for street trading under this application for a license had been shared with objectors and all objections had been subsequently withdrawn.

In response to questions, the Committee heard that residents would have further opportunities to raise any objections as the licence would be renewed annually and that the dropped kerb layout of the area was similar in nature to other designated areas in South End.

Representatives of the applicant were present and informed the Committee that outdoor heating would be considered if the licence were to be granted.

The Committee **RESOLVED**:

- 5 To designate the specified area outside the Market Tavern Public House, 1-4 Surrey Street for the purposes of street trading; and
- 6 To grant a street trading licence to the Applicant.

The Committee considered an application for a street designation order and street trading licence for **Dingwall Road Footway** as detailed in appendix D to the report.

The Licensing Manager introduced the report and summarised details of the application. The Committee heard that an objection had initially been received from Croydon BID but had been subsequently withdrawn following cosmetic improvements to the trading kiosk.

The Licensing Manager also informed Members that the site fell within the area for a the proposed extension to the tram network and highlighted that a designation order for the site would subsequently need to be de-designated should that extension to the tram network go ahead. In the alternative, the Licensing Manger informed the Committee that the granting of a six month temporary licence could be considered, with further six month renewals dependent upon the status of the tram extension works.

The applicant was present at the meeting and informed Members of the history of the kiosk business. Following questions from Members, the applicant confirmed that a rolling six month temporary licence would be

acceptable and that they would consider alternative sites if the extension to the tram network took place.

Following further questions from the Committee, the Licensing Manager confirmed that there would be no additional costs to the applicant by granting six month temporary licenses rather than a twelve month licence.

The Committee **RESOLVED**:

- 7 To not designate the specified area on Dingwall Road Footway for the purposes of street trading;
- 8 To grant a six month temporary licence to Mr Rivero to undertake street trading at the specified area on Dingwall Road Footway; and
- 9 To delegate decision making on future applications for any further six month temporary licenses from Mr Rivero at this site to the Licensing Manager.

12/17 **Review of Statement of Licensing Policy**

Further to Licensing Committee Minute Number 5/17, Review of Statement of Licensing Policy, the Committee considered a report that detailed proposals for a revised Licensing Policy and the outcome of consultation on those proposals.

The Cabinet Member for Communities, Safety and Justice, Councillor Hamida Ali, was invited to introduce the report in conjunction with the Licensing Manager.

The Committee heard that the report was unchanged from the report it considered at its meeting on 23 November 2017. There remained two key proposed changes to the policy, namely the removal of the special town centre cumulative impact zone (CIZ) and the removal of reference to the Metropolitan Police Service's Promotion Event Risk Assessment Form 696.

The Committee further heard that the removal of the town centre CIZ was a reflection on the significantly changed evening and night time economy in the Town Centre since it was first introduced in 2004. Members also heard that the specific references to Form 696 had been removed to allow for a broader provision in relation to the risk assessment, incorporating not only crime and disorder but also public safety. In addition, this proposed change by the Authority was timely as the Metropolitan Police Service had recently subsequently taken the decision to withdraw the Form from use following a review of its use. The proposed policy had replaced these references with broader terminology relating to risk assessment duties before events were held.

The Committee had previously deferred decision making on the proposed policy in order to seek legal advice on whether an unpublished Scrutiny Sub-Committee report on the Night Time Economy should be considered as part of the decision making process. Members were informed that the process was

for the Scrutiny Sub-Committee to formally consider its draft report and make any recommendations to the Scrutiny Committee, who in turn would make any onward recommendations. The Scrutiny Sub-Committee's report was still an unpublished draft document that was yet to be considered by the Sub-Committee and was not a matter for consideration by the Licensing Committee.

Following questions from Members, the Committee heard that the Town Centre CIZ had not been invoked since the policy was last reviewed and that applications would still be put before the Licensing Sub-Committee for consideration if relevant representations were received.

The Committee also noted that any future consultation on the Licensing Policy would include the Greater London Authority representative.

In consideration of section 6.6 of the proposed policy, the Committee noted that an erroneous reference had been made to the Traffic Management Cabinet Committee. The Committee requested that this section be amended to correctly reflect the roles of the Traffic Management Advisory Committee and the Public Transport Liaison Panel.

The Committee **RESOLVED:**

That subject to the amendment of section 6.6 of the report to correctly reflect the roles of the Traffic Management Advisory Committee and the Public Transport Liaison Panel, to recommend the adoption of the revised Licensing Policy to the next available ordinary meeting of the Full Council.

13/17 **Exclusion of the Press and Public**

This item was not required.

The meeting ended at 8.16 pm

Signed:

Date:

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