

Licensing Committee Minutes

Tuesday 26 June 2018

PRESENT

Committee members: Councillors Natalia Perez (Chair), Fiona Smith (Vice-Chair), Colin Aherne, Rachel Leighton, David Morton, Zarar Qayyum, Matt Uberoi, Asif Siddique, Victoria Brocklebank-Fowler, Matt Thorley

Officers: Bi-Borough Head of Environmental Health, Licensing and Trading Standards – Valerie Simpson, Licensing Manager, Adrian Overton – Licensing Officer, Lisa White – Licensing Officer, Cristina Perez-Trillo – Licensing Officer, Charles Francis, Committee Coordinator.

Responsible Authorities: Tom Stewart and Kristen Cardwell, Metropolitan Police

1. **MINUTES**

RESOLVED THAT:

The minutes of the meeting held on 29 June 2017 be confirmed and signed as an accurate record of the proceedings. The Chair noted that the suggestion made by Heidi Titcombe (Legal Services) that a working party of Councillors could meet with her to agree a new procedure had not been actioned. The Chair asked that a working party be convened in the near future and Councillors Perez, Aherne and Thorley agreed to attend the working party.

2. **APOLOGIES FOR ABSENCE**

Apologies for absence were received from Councillors Wesley Harcourt and Frances Stainton.

3. **DECLARATIONS OF INTEREST**

There were no declarations of interest.

4. **ANNUAL LICENSING TEAM UPDATE**

Valerie Simpson, Bi-Borough Head of Environmental Health, Licensing and Trading Standards introduced the Licensing Team's Annual Update. Valerie Simpson said that it had been a busy year for the team. There had been an

increase in the number of new premises licence applications, although the number of personal licence applications had fallen. Valerie Simpson said that the Licensing Sub-Committee had been effective and had been ably assisted by strong partnership working with the Police Licensing team.

An overview was provided on a variety of performance statistics for 2017/18 compared to the previous year. It was noted that most applications had been agreed in part and there had also been 3 refusals and 2 revocations. Only 1 appeal was received but this was subsequently withdrawn. Details were provided on the significant number of inspections which were conducted, as well as the work which had been done on complaints. An explanation was provided on the use of action plans and the success these had in reducing cases of crime and disorder.

Valerie Simpson outlined the steps which had been taken by the team to improve processes. Measures included the development of additional access management reports to better manage the application work flow and improve data integrity. Companies listed on licensing applications were now checked against the information held by Companies House. Further work included the refreshing of rateable value data on the Uniform database for all premises licences to ensure that the rateable value, fee band, and VOA reference number were correct as well as, updating the information on the website.

Valerie Simpson explained that the Statement of Licensing Policy had been approved by Full Council last year and that at present, the Statement of Gambling Policy was currently at the consultation stage and would come into force next year.

With regards to the priorities for next year, Valerie Simpson explained that the team would be focusing on a number of areas. These included works to improve local pub watch schemes, the use and issue of Fixed Penalty Notices for the illegal sale of alcohol to underage children and work with business intelligence to improve the report information that the team received.

Councillor Colin Aherne noted the number of complaints received (which had then been investigated) had doubled and asked what had caused this. Lisa White explained there was no particular reason for the increase in the number of complaints, but these mainly stemmed from residents being better networked and more aware of the service. Councillor Zarar Qayyum asked why inspection and enforcement visits to businesses had risen from 118 in the previous year, to 277. Lisa White explained it was normal for these to fluctuate on an annual basis. In some cases, it was normal for some premises to attract multiple complaints on the same evening for example, those made about the King's Road, which explained why the figure was so high.

Councillor Victoria Brocklebank-Fowler enquired about the CIAs and whether there were any plans to review the current arrangements and consider other zones. Adrian Overton confirmed that the 2 current CIAs would be reviewed however, there is no reason why they should not remain and there were no proposals for a new zone. Valerie Simpson confirmed it was usual practice for the CIAs to be reviewed every several years. The Chair asked whether officers worked with resident's groups on CIAs and for example, with the Barclay Road Residents Group. Lisa White confirmed that officers conducted surveys within a given area

and consultations included input from residents and local businesses. Lisa White confirmed that the team planned to meet with Barclay Road Residents Group and the Police to discuss a number of ongoing issues in the near future.

The Chair asked whether access to information and in particular CCTV footage had changed since the introduction of GDPR. In response, Tom Stewart confirmed there was no change to procedures. Councillor Victoria Brocklebank-Fowler noted that the Home Office had been appointed as a further responsible authority in 2014 and expressed concern about its ability to attend hearings as required. In response, Tom Stewart confirmed that in the Metropolitan Polices' experience, he did not have any concerns about their attendance and they were very keen to do so.

Councillor Rachel Leighton asked for more details to be provided on the 277 complaints which had been received. Adrian Overton confirmed that in the south of the borough, complaints mainly focused on pubs and pertained to asb, noise and public nuisance. In the north of the borough, complaints stemmed from late night refreshments, off licences and instances of street drinking. Following on from this, Councillor Leighton asked how the Licensing team decided what to focus on to ensure resources were used most effectively. In response, Adrian Overton acknowledged that it was a small team and that the best way to be effective was to talk to complainants about the relevant premises and the issues they were experiencing and then prioritise accordingly.

Lisa White confirmed that most complaints covered numerous aspects of noise and or ASB and therefore they often worked in conjunction with either the Noise & Nuisance Team or the Police Licensing Team to investigate complaints. Councillor Rachel Leighton asked whether the team investigated complaints which did not stem from high profile premises. Lisa White stated that all complaints were investigated, all premises were risk rated and ones which were the source of complaints were visited on a regular basis.

5. REVIEW OF THE COUNCIL'S STATEMENT OF GAMBLING POLICY

Valerie Simpson, Bi-Borough Head of Environmental Health, Licensing and Trading Standards introduced the report and provided overview of the statement of gambling policy review and public consultation process which needed to be held every three years.

The Committee noted that the main changes were in relation to children and focused on preventing under age gambling, safeguarding concerns and local risk assessments. Valerie Simpson explained that track changes within the document had been left on deliberately for transparency, to highlight where the changes were proposed.

Councillor Rachel Leighton noted the proximity of off licences to some schools and asked if there was any scope within the policy to ensure minimum distances or thresholds were established. In response, Valerie Simpson explained that while this was clearly a concern, proliferation was controlled by the Planning Authority and not the Licensing Department. However, if off-licences were situated near

schools, she explained a series of standard conditions would usually be applied to the licence, one of which was the need to have supervised door entry.

Councillor Rachel Leighton asked if there were any steps the Authority could take to stop intoxicated persons from entering betting premises. Lisa White said that all the Major Betting Operators had a training scheme which ensured that any intoxicated person was deemed to be vulnerable. As such, if a person was gambling whilst intoxicated the Operator would be in breach of its own operating schedule. Adrian Overton confirmed that all Betting Shops also required a licence from the Gambling Commission in addition to the Licence issued by the Local Authority.

The Chair asked how children could be protected from harm with regards to gambling machines in public houses. Adrian Overton confirmed that there would need to be clear lines of sight to the machines. It was also noted that gambling machines in public houses were in decline.

Councillor Zarar Qayyum noted that a number of off licences now sold alcohol online and made deliveries and asked what safeguards were in place to ensure deliveries were not made to under age persons. Adrian Overton explained that all off licences needed to have age verification measures in place and if the applicant wished to make off site sales, it was usual for the applicant to seek advice from the Licensing team to ensure their application progressed smoothly. Adrian Overton confirmed that the Police also asked for background information to be supplied for off licence applications. Tom Stewart explained that if an off licence was providing delivery services and issues arose, it was usual for links to be made between the local community and a member of the Safer Neighbourhood Team to address any problems. The Police confirmed they were aware of the issue of online alcohol sales which they were monitoring closely.

Meeting started: 7.00 pm
Meeting ended: 7.50 pm

Chair

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