

Licensing Committee

Meeting of the Licensing Committee held on Wednesday, 21 November 2018 at 6.30 pm in
Council Chamber - Town Hall

MINUTES

Present: Councillor Chris Clark (Chair);
Councillor Pat Clouder (Vice-Chair) and Councillor Michael Neal (Vice-Chair);
Councillors Patricia Hay-Justice, Maddie Henson, Karen Jewitt,
Niroshan Sirisena and Margaret Bird and Simon Brew.

Also Present: Councillor Hamida Ali, Michael Goddard (Licensing Manager), Jessica Stockton (Solicitor and Legal Advisor to the Committee), Fiona Woodcock (Market and Street Trading Compliance Officer), Director of Public Realm and Kieran Pantry-Melsom (Democratic Services).

Apologies: Councillors Steve O'Connell and Robert Ward (Cllr Simon Brew in attendance as substitute).

PART A

19/18 Minutes of the Previous Meeting

The minutes of the meeting held on 17 October 2018 were agreed as an accurate record.

20/18 Disclosure of Interests

Councillors Clouder and Jewitt declared that they were local ward Councillors for Thornton Heath.

21/18 Urgent Business (if any)

There were no items of urgent business.

22/18 Applications for Street Designation Orders - London Local Authorities Act 1990

The Committee considered the application for a street designation order for **Waitrose Ltd, 112 Brighton Road, Coulsdon, CR5 2NB** (Appendix A).

The Licensing Manager introduced the item, explaining the process of applying for street designation orders and the details of the application before the Committee. The Committee was informed that the application had been sent to responsible authorities and advertised in the local press; no representations had been received.

The applicant's representative made a brief statement to the Committee with regard to the display area of the site and indicated that he was available to answer any questions the Members may have.

In response to questions from the Committee it was confirmed that the street had not previously been designated for street trading.

The Committee **RESOLVED**:

1. To designate 112 Brighton Road, Coulsdon for the purposes of street trading.
2. To grant a street trading licence to the Applicant.

The Committee considered the application for a street designation order for **32-34 High Street, Thornton Heath, CR7 8BF** (Appendix B).

The Licensing Manager introduced the item, explaining the process of applying for street designation orders and the details of the application before the Committee. The Committee was informed that the application had been sent to responsible authorities and advertised in the local press; no representations had been received.

The applicant was not present to provide any comment on the application.

In response to questions from the Committee it was confirmed by the licensing manager that each application for a street trading designation order had to be considered by the Committee based on its individual merits even though the application site was within the saturation area designated within the Street Trading Licensing Policy.

Members were advised that there had been no complaints about the premises' goods display from members of the public and the Committee could request for the applicant to reduce the size of their goods display as a condition for granting a street trading licence if they were satisfied that it was appropriate to do so having regard to the statutory parameters.

Members discussed the area and the display extensively and expressed disappointment that the applicant was not present in order to respond to their questions. In light of the size of the display and the remaining space in the street, Members expressed concern about the safe passage of members of the public along the pavement should the application be granted as applied for.

Councillor Jewitt proposed a motion to **DEFER** the application to allow a final opportunity for the applicant to attend before the Committee to speak about their application.

Councillor Clouder seconded the motion.

Councillor Neal proposed a motion to **REFUSE** the application on the grounds that the display area was too large.

Councillor Bird seconded the motion.

The motion to defer was put forward to the vote first as being the first completed motion and was carried with seven Members voting in favour. The second motion therefore fell.

The Committee **RESOLVED** to defer the application of 32-34 High Street, Thornton Heath for the purposes of street trading to allow a final opportunity for the applicant to attend before the Committee to speak about their application. Members wished it to be made clear to the Applicant that the application as currently presented to the committee, particularly the proposed size, raised concerns regarding safe passage for members of the public along the street where the display area was proposed to be sited.

23/18 **The Gambling Act 2005 - Review of London Borough of Croydon Statement of Principles**

The Licensing Manager was invited by the Chair to present the report to the Committee. The Licensing Manager explained the purpose of the report and changes that had been made to the Council's Statement of Principles set out in Appendix 5 of the report. Local authorities are required to publish a Statement of Principles under The Gambling Act 2005 and had to be reviewed every 3 years. The London Borough of Croydon published their first Statement of Principles on 3 January 2007. The Committee were recommended to approve the revised Statement of Principles so that the fourth statutory review could be completed before 31 December 2018.

The Licensing manager summarised some of the changes made to the Statement of Principles which included amendments to reflect the reform of the General Data Protection Regulation (GDPR) and population change.

Members were also informed of the comments made by Gambling charities and residents contained in Appendix 4 of the report.

The Chair invited members' questions on the report and presentation.

In relation to the permittance of licenses under The Gambling Act 2005, the Committee heard that the Gambling Commission were responsible for licensing operators such as Online Gambling sites and the Council only issued licenses for premises on which gambling took place. This included establishments such as Betting Shops, Bingo Premises and Adult Gaming Centres.

The Committee also heard that the maximum stakes for Fixed Odds Betting Terminals (FOBT's) were being reduced from £100 to £2 by the government to reduce the risks of gambling.

The Committee **RESOLVED** to agree the revised Statement of Principles in Appendix 5 of the report under The Gambling Act 2005 and recommended them for adoption to full Council on 3 December 2018.

24/18 **Exclusion of the Press and Public**

This was not required.

The meeting ended at 7.51 pm.

Signed:

Date:

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