

LICENSING COMMITTEE  
10 NOVEMBER 2009

(7.15pm – 8.00pm)

PRESENT: Councillors Oonagh Moulton (in the Chair), Richard Chellew, Chris Edge, Philip Jones, Ian Munn, David Simpson CBE, Gregory Udeh and Ron Wilson.

ALSO PRESENT: Mike Barrett (Environmental Health Manager), Alan Powell (Principal Licensing Officer), Fabiola Hickson (Senior Litigation Lawyer) and Lynne Hartley (Democratic Services Officer).

Apologies for absence were received from Councillor Martin Whelton.

1 DECLARATIONS OF INTEREST (Agenda Item 1)

No declarations were made.

2 MINUTES (Agenda Item 3)

RESOLVED: That the minutes of the meeting held on 24 June 2008 are agreed as a correct record, subject to the addition of Councillor Gregory Udeh's name to the list of those giving apologies.

In agreeing the minutes the Committee noted that 12 hearings had been held between 8 December 2008 and 4 November 2009. This figure was in line with the number of hearings held in the 12 months prior to the previous meeting and it was agreed that, as there had been no difficulties in establishing sub committees, there was no need to revisit the composition of the Committee at that time.

3 GAMBLING POLICY REVIEW (Agenda Item 4)

Alan Powell introduced the report and circulated a paper showing proposed amendments to the policy statement which had been omitted from the draft published with the agenda. He asked that the second bullet point of section 3.2 be further amended by the deletion of "(Gambling Commissions Guidance)".

Members noted that the reference to the Local Transport Plan in section 2.5 was no longer relevant but that any current transport plans should be taken into account in accordance with the provisions of section 2.4. Cross reference to section 2.4 in section 2.4 was deemed unnecessary and confusing.

Members of the Committee accepted all of the other proposed amendments and agreed that it was sufficient to provide a link to the Regulators Compliance Code in Appendix C to the statement. Councillor Gregory Udeh asked to be provided with a copy of the Code.

After discussion Members also agreed the following amendments to the statement:-

- section 1.6 - insert "(other than casinos)" after "a variety of permissions" to reflect the decision not to allow applications for premises licenses for casinos
- section 1.9 - the word "principals" to be amended to read "principles" in the last line of the first paragraph

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- section 2.2 – an explanation of “provisional statement” to be included in the glossary of terms
- section 2.4 - the word “policies” in to be amended to read “policies”
- section 4.2 - the word “criteria” in to be amended to read “criterion”.

In response to a question about ward councillors representing constituents at gambling and licensing hearings Fabiola Hickson agreed to circulate guidance for members and Councillor Chris Edge asked that this be appended to the council report.

In agreeing to recommend renewal of the decision not to allow applications for casinos the Committee noted that no objections had been raised in response to the consultation and no challenge had been made to the original policy statement.

RESOLVED: That the Committee (1) recommend the statement of Gambling Policy circulated as appendix 2 to the report and as amended at the meeting for approval by Council on 25 November 2009; and

(2) specifically renew the decision not to issue casino licences within Merton or allow operators to make applications for premises licences for casinos.

4 DISCUSSION ON ENFORCEMENT ISSUES

RESOLVED: To close the meeting, and hold an informal discussion on enforcement issues.