

LICENSING COMMITTEE  
21 OCTOBER 2010

(7.15pm – 8.35pm)

PRESENT: Councillors David Simpson (in the Chair), Stan Anderson, Chris Edge, Suzanne Evans, Samantha George, James Holmes, Philip Jones, Sam Thomas and Gregory Udeh.

ALSO PRESENT: Alan Powell (Principal Licensing Officer), Fabiola Hickson (Senior Lawyer) and Lynne Hartley (Democratic Services Officer).

Apologies for absence were received from Councillors John Sargeant and Ray Tindle.

1 DECLARATIONS OF INTEREST (Agenda Item 1)

Councillor Samantha George declared a personal interest during discussion of agenda item 4 as a resident of a road leading off Ridgway.

2 MINUTES (Agenda Item 3)

RESOLVED: That the minutes of the meeting held on 9 March 2010 are agreed as a correct record.

In agreeing the minutes Members noted that Legal Services were preparing a report on changes to the Constitution to enable different types of licensing carried out by the Council under various pieces of legislation to be dealt with by the existing Licensing Committee or a second Licensing Committee if the licensing matter did not fall under the Licensing Act 2003. The Committee agreed to receive a report on the proposals at its next meeting on 11 January 2011.

3 REVIEW OF MERTON'S STATEMENT OF LICENSING POLICY (Agenda Item 4)

Members expressed concerns that they had not been given the opportunity to comment on the statement prior to its being sent out for consultation and were surprised that there had been so few responses. A number of Members had been told by residents and residents' associations that they had not received the consultation document.

Alan Powell confirmed that all of those bodies listed in paragraphs 3.7 and 3.8 of the report had been consulted. Copies had also so been put in local libraries. A number of telephone calls had been received which related to the Home Office consultation on rebalancing the Licensing Act and it was possible that there had been some confusion between these two exercises. It was likely that future changes to licensing legislation would necessitate a further review of the policy statement.

Members felt that there was merit in consulting on the possible extension of the Cumulative Impact Zone in order to include Wimbledon Station forecourt and platforms, where there were a number of licensed establishments not in existence when the policy was first adopted, part of Hartfield Crescent, where there had recently been a change of use application, and an extension further into Ridgway.

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In respect of other responses received (Appendix 1 to the report) the Committee agreed -

- That there was no need to pursue the reference to ward councillors speaking at hearings as officers had advised that providing they were nominated to do so by someone who had made a valid representation ward councillors could speak on behalf of the constituent; Alan Powell offered to point this out in correspondence with interested parties who had made representations
- Although some Members favoured including the wording recommended by the Greater London Authority in respect of the Olympic and Paralympic Games the Committee accepted officers' advice that it was unnecessary and covered by existing legislation
- That other proposals made in response to the consultation should not be pursued for the reasons give in the report.

In view of the need for the policy statement to be approved by 6 January 2011 it was moved by the Chairman, seconded by Councillor James Holmes and without opposition –

RESOLVED: That (1) the Statement of Licensing Policy appended to the report is recommended for approval by Council at its meeting on 24 November 2010;

(2) a further three month consultation is undertaken, starting in November, on the proposal to extend the CIZ further into Ridgway and to add Wimbledon Station forecourt and platforms and part of Hartfield Crescent;

(3) the revised wording is circulated for Members' comments and the final version is agreed by the Principal Licensing Officer in consultation with the Chairman;

(4) the list of consultees is circulated to Members to allow them to provide details of any local groups who may have been omitted.

Having declared a personal interest in respect of the proposal to extend the CIZ further into Ridgway Councillor Samantha George chose not to be party to the decision.