

Merton Council

Licensing Committee

Membership:

Councillor David Simpson CBE - Chairman

Councillor Stan Anderson

Councillor John Bowcott

Councillor Richard Chellew

Councillor Chris Edge

Councillor Philip Jones

Councillor Logie Lohendran

Councillor John Sargeant

Councillor Linda Scott

Councillor Sam Thomas

Councillor Gregory Patrick Udeh

Councillor Martin Whelton

A meeting of the Licensing Committee will be held on:

Date: 8 June 2011

Time: 7.15 pm

Venue: Committee Rooms, first floor

Merton Civic Centre, London Road, Morden

This is a public meeting and attendance by the public is encouraged and welcomed. For more information about the agenda and the decision making process, contact democratic.services@merton.gov.uk or telephone 020 8545 3574.

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Licensing Committee

8 June 2011

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| 1 | - |
| Declarations of interest (see note1) Councillors and co-opted members must declare if they have a personal or prejudicial interest in any of the items on this agenda at the start of the meeting, or as soon as the interest becomes apparent to them. | |
| 2 | - |
| Apologies for absence | |
| 3 | 3 |
| Minutes of the meeting held on 15 March 2011 | |
| 4 | 7 |
| Licensing Section Progress Report Appendix 1 to the report to follow. | |

Note1: Declarations of interest

Councillors and co-opted members who have a personal or prejudicial interest in relation to any item on this agenda are asked to complete a declaration form and hand it to the Democratic Services Officer. Forms, together with a summary of guidance on making declarations of interest, will be available around the meeting table. If further clarification is needed members are advised to refer to "The Code of Conduct – Guide for members May 2007" issued by Standards for England, which will be available at the meeting if needed.

LICENSING COMMITTEE

15 MARCH 2011

7.15 TO 8.00 PM

PRESENT: Councillor David Simpson CBE (Chairman). Councillors Stan Anderson, Chris Edge, Suzanne Evans, James Holmes, Philip Jones, Logie Lohendran, Krystal Miller, Sam Thomas, Martin Whelton.

ALSO PRESENT: Alan Powell (Licensing Manager), Fabiola Hickson (Senior Litigation Lawyer), Susanne Wicks (Democratic Services Officer).

1 DECLARATIONS OF INTEREST.

No declarations were made.

2 APOLOGIES FOR ABSENCE

Apologies were received from Councillor John Sargeant and Councillor Gregory Udeh.

3 MINUTES OF LAST MEETING

RESOLVED: That the minutes of the meeting are agreed as an accurate record.

4 MERTON'S LICENSING POLICY: PROPOSED INCREASE OF CUMULATIVE IMPACT ZONE

After a short discussion, it was unanimously:

RESOLVED: That the Licensing Committee approves the recommendation contained within the report in respect of the proposal to increase the CIZ to include forecourt and platforms of Wimbledon Station, and that the amended policy be placed before Full Council for adoption on 6 April 2011.

An extensive debate followed on the extension of the CIZ into parts of The Ridgway and Hartfield Crescent.

Councillor David Simpson pointed out that although residents and councillors had responded to the consultation in favour of the extension, there was no support from the Metropolitan Police. The Committee also noted that the report did not recommend extending the CIZ into these two areas.

Alan Powell advised that, if approved by Council, the revised Licensing Policy could be challenged by judicial review. Fabiola Hickson advised that if anyone wanted to challenge by way of judicial review, this had to be done within three months of the decision by Full Council to adopt the extension of the CIZ in the two areas.

Alan Powell explained that the Metropolitan Police would not support an extension of

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any CIZ if without relevant evidence of crimes in the area to back this up. Environmental Health did not support the extension for similar reasons.

Councillor James Holmes pointed out that councillors have local knowledge supplied by local residents to support the extension, and that must be taken into account. He asked if members should act on the views and requests of local residents, or should only concern themselves with the information contained within the report.

Fabiola Hickson reminded the Committee that from a legal perspective, the decision to recommend an extension or not must be based on the evidence available. Although members would have local knowledge which might assist in the balancing exercise, decisions would have to be based on the evidence arising out of the consultation.

Councillor Suzanne Evans pointed the Committee to page 8 of the report, which refers to sections 13.26 – 13.28 of the guidance, which mentions “risk of cumulative impact is imminent.” She stated that because the Ridgway is between two existing CIZs, it is at such a risk, and her recent survey carried out with local residents suggests that binge drinking is a concern for them.

Councillor Philip Jones noted his concern about recommending the extension of the CIZ against the advice of the Licensing Team on the basis of the evidence supplied.

Councillor Chris Edge noted his surprise at the lack of evidence supplied by the Metropolitan Police about crimes in Hartfield Crescent, given that Police have been involved in incidents in the area.

Councillor Martin Whelton expressed the view that there was no evidence supplied to support the extension of the CIZ. He reminded the Committee of the wide range of evidence supplied when then the two CIZs were initially imposed in 2005.

Councillor Krystal Miller noted that residents’ responses mentioned The Swan and The King of Denmark, which would be contained within the extended CIZ.

Alan Powell reminded the Committee that although many residents complain about licensed premises in Wimbledon Village, there is only one establishment with a late licence.

It was moved by Councillor David Simpson and seconded by Councillor Chris Edge that the Licensing Committee accepts the responses made by local residents to the consultation on extending the Cumulative Impact Zones along the Ridgway, from Sunnyside to Hillside, and recommends that the amended policy be placed before Full Council for adoption on 6 April 2011.

The Licensing Committee voted on the resolution. 5 were in favour, 4 against, and 1 not voting. It was therefore:

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RESOLVED: That the Licensing Committee accepts the responses made by local residents to the consultation on extending the Cumulative Impact Zones along the Ridgway, from Sunnyside to Hillside, and recommends that the amended policy be placed before Full Council for adoption on 6 April 2011.

It was moved by Councillor David Simpson and seconded by Councillor Chris Edge that the Licensing Committee accepts the responses made by local residents to the consultation on extending the Cumulative Impact Zones to number 31 Hartfield Crescent, and recommends that the amended policy be placed before Full Council for adoption on 6 April 2011.

The Licensing Committee voted on the resolution. 5 were in favour, 4 against, and 1 not voting. It was therefore:

RESOLVED: That the Licensing Committee accepts the responses made by local residents to the consultation on extending the Cumulative Impact Zones to number 31 Hartfield Crescent, and recommends that the amended policy be placed before Full Council for adoption on 6 April 2011.

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