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LICENSING SUB-COMMITTEE

7 AUGUST 2017

(10.31 am - 12.46 pm)

PRESENT Councillors (in the Chair), Councillor Judy Saunders,
Councillor John Bowcott and Councillor John Sargeant

1 APPOINTMENT OF CHAIR (Agenda Item 1)

RESOLVED: That Councillor Judy Saunders be appointed Chair of the meeting.

2 APOLOGIES FOR ABSENCE (Agenda Item 2)

There were no apologies for absence.

3 DECLARATIONS OF PECUNIARY INTEREST (Agenda Item 3)

There were no declarations of interest.

4 MITCHAM MINT, 1A LILIAN ROAD, STREATHAM, SW16 5HN (Agenda Item 4)

The Chair, Councillor Judy Saunders opened the meeting and introduced the Committee. The Applicant confirmed they had received all of the papers and the procedure for the meeting was outlined.

Karen Cochrane, speaking on behalf of the Applicant, presented the Application on behalf of Stars Pubs and Bars Limited, who dealt with the premises at arms length, with the Premises Licence itself being in the name of the tenant. However, if a long term tenant is not found, then the premises will be managed by Stars Pubs and Bars Limited, which was the case for the Mitcham Mint.

The Application sought the variation of the Premises Licence to amend the plans to include an outside area, and to make various amendments to the conditions (including relaxing the prohibition on use of the outside area, adding a more robust CCTV condition, amending the opening hours to allow early breakfast opening, and amendment of the embedded conditions to remove the restrictive hours on Good Friday and Christmas Day),

The Applicant stated that the concerns raised by local residents arose during tenancies by temporary managers appointed to run the premises at arms length, and the reason for this new variation application was to try and improve the outside areas and invest in the premises, giving an example of hanging baskets and quality outside barriers as examples of some proposals. The premises wanted to retain a long term tenant and also to make the external area more attractive and comfortable for patrons.

Councillor Saunders asked for clarification on the outside area to be added to the licensing plans, which had been applied for, and the Applicant confirmed that this was an area adjacent to the footpath at the front of the premises.

The Applicant advised the Committee that they were all agreed that the premises needed to change and they wanted to change the way it was both operated and perceived. The Applicant also observed that there had been no representations received from any Responsible Authority, which the Applicant felt was significant. The Applicant noted that should there be any issues, the Premises Licence could be reviewed.

The CCTV condition amendment arose because the Police had asked the Applicant to amend and improve condition 5, and therefore this proposed condition 5 had been submitted in consultation with the Police.

Referring to the Opening Hours, the Applicant advised that they had applied to open earlier to provide coffee/breakfast as this would be what a community/family-friendly premises would do and stated that they were not asking for an extension to the licensing hours or the closing time of the premises.

The Applicant addressed the representations received from residents, submitting that this showed that the premises had some history (resulting in the current conditions on the licence), but reiterated that they wanted to change and improve the premises, and were asking for a chance to try and make the premises more attractive to a responsible operator.

Ms Cochrane informed the Committee that Star Pubs and Bars was a family business with over 40 pubs in the chain and was a well known and respected operator and that the Designated Premises Supervisor had resolved issues in other premises successfully.

The Applicant advised the Committee that the premises was in a residential area opposite a nursery and advised that they were open to discussion on how to manage the area and to any suggested conditions to keep smokers away from the nursery.

Councillor Sargeant asked for further information on the premises, with the Applicant responding that they had been associated with the premises for approximately 10 years, and over that period there had been 7 tenants in the premises.

Councillor Bowcott asked for confirmation from the Applicant as to what they were proposing at the side of the property. The Applicant advised that they were planning bench seating, branded café-style barriers and hanging baskets, further to the one bench which was currently outside the premises and shown on the plan.

Councillor Saunders asked the Applicant if they had any questions or comments on the representations received from residents contained within the pack and supplementary agendas. The Applicant responded that they had no questions. However the Applicant noted that a lot of the concern referred to a worry that this was

an extension of hours and the Applicant wanted it to be clear that the premises would not be opening later. The Applicant stated they were unsure why serving breakfast would be an issue.

Councillor Sargeant asked the Licensing Officer present if there was any further information on the number of previous incidents referred to in the representations. The Licensing Officer advised that none had been substantiated and none had resulted in any action by the Licensing or Noise Teams.

Councillor Sargeant asked the Applicant if they had a logbook with the number of incidents. The Applicant advised that there had been 2 incidents in the last 18 months, one of which was an assault by two men on another man. This was raised by the Police and the Applicant had then met with the tenant regarding this. The Applicant stated that these reports were from before the new tenant had taken over and there had been no incidents since the new tenant took over in June 2017. The Applicant also cited the example of the Goat Pub in Mitcham (now The Crown of Mitcham) which had experienced issues. However with the new DPS, these had now been resolved.

Councillor Sargeant asked the Applicant about the references to after hours drinking in the paperwork adding that the impression was that this was not infrequent. The Applicant advised this was a fair assessment, that this was an issue with a previous tenant and that they had been told to stop as soon as the Applicant was made aware of the issue.

A brief discussion took place regarding the use of glass drinking vessels outside. The Applicant was advised by the Licensing Officer and Legal Adviser that they had not applied to amend the condition requiring no glass outside, and therefore that could not be considered. However an application for a minor variation to the Premises Licence could be undertaken by the Applicant.

In closing, the new tenant spoke of his concern that residents were not discussing their concerns with the premises and advised that he intended to write to neighbours and residents to engage with them and wished to reassure them that he would bring the premises back into line, stating they wanted to provide an asset to the community and wanted to improve.

The Committee retired to make their decision at 11:12.

The Committee reconvened at 12:38 to relay their decision, and the Chair closed the meeting at 12:46.

RESOLVED: That the Licence variation is granted with conditions as detailed on the Notice of Determination.