

LICENSING COMMITTEE

18 December 2017 at 10.00 am

MEMBERS: Councillor Mary Burstow (Chair), Councillor Samantha Bourne (Vice-Chair) and Councillors David Bartolucci, Richard Clifton, Margaret Court, Marlene Heron, Richard Marston, Paul Wingfield, Tony Shields, Moira Butt and Graham Whitham

ABSENT Councillor(s) Miguel Javelot, Nali Patel and Nighat Piracha

12. APOLOGIES FOR ABSENCE AND DECLARATION OF SUBSTITUTES

There were no apologies for absence.

13. DECLARATION OF INTERESTS

There were no declarations of interest.

14. MINUTES OF THE PREVIOUS MEETING

The minutes were agreed and signed as a correct record of the meeting held on 25 September 2017.

15. REVIEW OF CUMULATIVE IMPACT POLICIES

David Kingstone, Licensing and Environmental Compliance Team Leader, presented the report and an analysis to update the Committee on the Review of the Cumulative Impact Policies.

The Chair informed the Committee that Councillor Richard Broadbent had requested to address the meeting relating to concerns around the Cumulative Impact Zones (CIZ) within his ward (Nonsuch), and also provided written submissions from two other Councillors in relation to their wards.

Councillor Richard Broadbent (Ward Councillor), addressed the Committee regarding his concerns to remove the CIZ for the North Cheam area and the impact it would have on local residents and the community.

Committee members asked about the existing CIZ areas and the impact of removing the CIZ areas and whether policies could be tailored to specific areas in the borough. Concerns were raised regarding anti-social behaviour and alcohol related crime in other

areas of the borough and the impact on communities and local residents in the North Cheam and Sutton Green areas of the borough in particular.

David Kingstone informed the Committee that the impact of the existing CIZ areas and the removal of a CIZ in an area must be based upon evidence - both evidence to create a CIZ in an area and evidence to retain a CIZ in an area in needed. The CIZ created additional responsibility on Licence applicants to demonstrate how their businesses are managed and how their activities promote the licensing objectives. It is therefore important to ensure the Committee's decisions are evidenced, as any decision relating to an application that is based on the CIZ can be appealed and the evidence behind the CIZ challenged. Any concerns and issues raised by Members in relation to business operations that might be more appropriate for an area can be used to tailor the CIZ in specific areas but again it must be evidence based.

Committee Members commented that the larger supermarkets like ASDA and Sainbury's don't sell the higher % of alcohol in comparison to the smaller convenient shops and off-licence shops and this creates problems for local residents and communities relating to street drinking, anti-social behaviour and alcohol related crime and has a detrimental impact on communities. Members also enquired about the number of staff in the Licensing team that "polices" the issues raised and concerns.

David Kingstone informed the Committee that restrictions can't be placed on specific types of businesses e.g. supermarkets, off-licence shops etc, but restrictions can be built into the CIZ, or even dis-applied from a CIZ, to make it more attractive for certain types of business activity over others.

Nick Cloke informed the Committee that between Sutton and Kingston, there are 3.5 FTE members of staff in the Licensing teams. As a result there are no scheduled annual visits to licensing premises, but it is done on a risk basis and if complaints are made as well as working with the Police and other appropriate service areas.

The Chair summarised that the concerns raised by Ward Councillors were genuine and in the interest of local residents and the boroughs' communities and as such was considered "evidence". The Chair also stated that it was all about the anti-social behaviour, street drinking, litter and other alcohol related crime that was the concerns for Ward Councillors. The Chair commented that it was up to the businesses to prove and provide evidence of meeting the licensing objectives and keeping up to date records and to provide CCTV if required.

Resolved that the Licensing Committee:

1. Considered the evidence provided in the supplementary analysis report together with the original analysis report and identified the following areas where evidence supports a Special Policy on Cumulative Impact –
 - a) Sutton Green (to be incorporated within the CIZ for Sutton Central); and

- b) North Cheam (extended along to Staines Avenue and to include Church Hill Road up to Chatsworth Road by the Cheam Social Club)

- 2. Agree to delegate to Officers, in consultation with the Chair, that the process for progressing with a draft Special Policy on Cumulative Impact be that officers and members meet to agree the finer details, followed by a period of public consultation with the results being reviewed by Committee in March 2018 before being recommended to Full Council for approval (in accordance to paragraphs 5.1 to 5.3 of the report).

16. REVIEW OF SPECIAL TREATMENT LICENSING

Nick Cloke, Lead Officer, Licensing presented the report to update the Committee on the review of the Special Treatment Licensing that included revising the conditions, reviewing the current fee structure and policies and revising the application forms to simplify and update the procedure for existing licence holders and new applicants.

Committee Members asked about the report being submitted to Council.

Nick Cloke informed the Committee that it had delegated authority to approve the report and its recommendations and would not need to be submitted to Council for approval.

Councillor Bourne highlighted a grammatical error in the Draft Standard Conditions for Special Treatment Premises appendix, at Section 87, paragraph 1, reference was made to the "United Kingston", but it should correctly read "United Kingdom".

Resolved that the Licensing Committee:

- 1. Agrees the proposed revised process and procedures.
- 2. Adopts the revised standard conditions for Special Treatment Premises Licenses.
- 3. Agrees that the above changes will take effect on the 1 April 2018.

17. ANY URGENT ITEMS

There was no urgent business brought forward.

The meeting ended at 11.07 am

Chair:

Date: