

Decisions of the Licensing Committee

12 November 2018

Members Present:-

Councillor John Marshall (Chairman)

Councillor John Hart (Vice-Chairman)

Councillor Linda Freedman

Councillor Val Duschinsky

Councillor Alison Cornelius

Councillor Lachhya Gurung

Councillor Claire Farrier

Councillor Zakia Zubairi

Councillor Barry Rawlings

Councillor Danny Rich

Apologies for Absence

Councillor Wendy Prentice

1. MINUTES

RESOLVED that the minutes of the meeting held on 19 July 2018, be agreed as a correct record.

2. ABSENCE OF MEMBERS

An apology had been received from Councillor Prentice.

3. DISCLOSABLE PECUNIARY INTERESTS AND NON PECUNIARY INTERESTS

None.

4. REPORT OF THE MONITORING OFFICER (IF ANY)

None.

5. PUBLIC QUESTION AND COMMENT (IF ANY)

None.

6. LICENSING FOR ANIMAL ACTIVITIES - FEES AND CHARGES

This report sought approval from Members to adopt the new fees and charges in relation to animal activity applications.

The Chairman felt that a special meeting of this Committee should be convened in February 2019, to define the policy on this matter, as there wasn't currently one in place.

Members of the Committee asked if dog walking businesses were included in this, as there had been an increase in anti-social behaviour in this area.

Officers confirmed that dog walking was not included and was currently being dealt with separately by the Anti-Social Behaviour Team. A report on this matter could also be submitted to the special meeting in February 2019.

The following was unanimously agreed:

RESOLVED that

- 1. That the draft fees be approved by the Committee with immediate effect.**
- 2. The fees be submitted to the next Policy and Resources Committee for noting.**
- 3. A special meeting of this Committee be convened in February 2019 for the reasons outlined above.**

7. SEX ESTABLISHMENT AND SEX ENTERTAINMENT VENUES POLICY

This report sought approval from Members to adopt the 2018-2023 draft policy in relation to sex establishments and sex entertainment venues following a review of the current one and a public consultation exercise.

The following was unanimously agreed:

- 1. That the proposed Sex Establishment and Sex Entertainment Venues Policy be approved by the Committee.**

8. FIREWORKS LICENCE POLICY

The report sought approval from Members to adopt this policy in relation to Fireworks Licenses.

The following was unanimously agreed:

RESOLVED that the draft policy be approved by the Committee for adoption.

9. GAMBLING POLICY

It was noted that The Gambling Act 2005 placed a responsibility on local authorities to publish a statement of principles in respect of how it will licence gambling premises every three years. The London Borough of Barnet's policy was due for renewal and this report attached a revised statement of principles.

Officers also updated the Committee on a recent operation, which focussed on under 18's being sent into to local pubs to try and use gambling machines. Only one of the pubs stopped the under 18 from using gambling machines within their premises within three minutes of entering the premises. Members felt that there was a need to focus on this area of Licensing and to enhance publicity around this.

The Committee unanimously agreed the following:

RESOLVED

- 1. That the draft Gambling Statement of Principles (appendix 1) be approved by the Committee;**
- 2. That the Committee recommend that this Statement of Principles be adopted at the next meeting of the Full Council (18th December 2018).**

10. STREET TRADING FEES AND CHARGES

This report sought approval to adopt the fees and charges outlined in the report in relation to street trading applications.

RESOLVED that

- 1. The draft fees and charges be approved by the Committee for adoption;**
- 2. The fees be submitted to Policy and Resources Committee for noting.**

11. ANY ITEM(S) THAT THE CHAIRMAN DECIDES IS URGENT - LOCAL LICENSING AND COMMUNITY IMPACT

The Chairman declared the following item, raised by Councillor Rawlings, as urgent:

Local Licensing and Community Impact

The Public Health Update on Substance Misuse presented to the Barnet Safer Communities Board (SCPB) on 26 October highlighted the importance of local prevention opportunities to impact in some areas through a co-ordinated partnership approach across the Council.

The report noted that “the evidence indicated that influencing local licensing policy was one of the most effective ways to prevent alcohol related harm” and “recommended that there should be improved recognition of alcohol-related harm in the local licensing policy with a commitment to use local crime, health and social care data to inform policy and planning”.

There were a number of areas in Barnet where misuse of alcohol is resulting in higher levels of anti-social behaviour - including Burnt Oak (where a PSPO has just been introduced), Cricklewood and parts of Edgware. However, our local licensing policies are

currently not flexible / robust enough to prevent the proliferation of licensed premises in problem areas.

Guidance issued by the Secretary of State in April this year under Section 182 of the 2003 Licensing Act sets out that councils can use their powers to adopt policies that help reduce alcohol-related anti-social behaviour in particular areas. This had resulted in the introduction of 'Cumulative Impact Zones' (CIZ) in areas that councils had identified as problematic due to the concentration of licensed premises. In these areas, there was a rebuttable presumption that any new application for a premises licence, or variation of one that could increase alcohol sales, would be refused. The onus was on applicants to prove that their premises will not have an adverse effect on the local community.

This was one initiative that was available to the Council as an option to try to reduce alcohol-related harm.

It was moved by Councillor Rawlings and seconded by Councillor Alison Cornelius that:

a comprehensive review of LB Barnet's Licensing policy and regime is carried out with input from all relevant stakeholders and strategic partners, together with examples of all initiatives in other areas that are having a positive impact on alcohol-related harm and anti-social behaviour, with recommendations brought to the special meeting of the Licensing Committee in February 2019.

The above motion was unanimously approved.

RESOLVED that a comprehensive review of LB Barnet's Licensing policy and regime is carried out with input from all relevant stakeholders and strategic partners, together with examples of all initiatives in other areas that are having a positive impact on alcohol-related harm and anti-social behaviour, with recommendations brought to the special meeting of the Licensing Committee in February 2019.

The meeting finished at 7.42pm