

Decisions of the Licensing Committee

7 November 2022

Members Present:-

Councillor Claire Farrier (Chair)
Councillor Danny Rich (Vice-Chair)

Councillor Richard Barnes	Councillor Jennifer Grocock
Councillor Andrea Bilbow OBE	Councillor Anne Hutton
Councillor Alison Cornelius	Councillor Zakia Zubairi
Councillor Val Duschinsky	

Apologies for Absence

Councillor Philip Cohen	Councillor Barry Rawlings
Councillor Eva Greenspan	

1. MINUTES

RESOLVED that the minutes of the meeting held on 10 November 2021 be agreed as a correct record.

2. ABSENCE OF MEMBERS

Apologies were received from Councillor Barry Rawlings, Councillor Eva Greenspan and Councillor Philip Cohen.

Apologies for lateness was received on behalf of Councillor Jennifer Grocock.

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. MEMBERS ITEM (IF ANY)

None.

7. REPORT ON WALKER OF MULTIPLE DOGS

James Armitage, the Regulatory Services Director presented the report. Approval from Committee was sought to draft a licensing regime for commercial dog walking in Barnet.

In response to Member's questions, it was noted that dog walkers would have to produce evidence of their license, failure of which could result in fixed penalty notices.

Cllr Grocock joined the meeting at 6.07pm.

Members agreed with recommendations from the Dogs Trust in relation to walkers having no more than four dogs at any one time.

Members requested for information on charges imposed by other Boroughs for comparison.

Declan Khan, Assistant Director of Counter Fraud, Community Safety & Protection updated the Committee on the Public Spaces Protection Order (PSPO) consultation. Five hundred responses had been received for consideration. The results of the consultation would enable formulation of the new PSPO by the Chair in consultation with the Executive Director of Assurance.

It was noted that any material change would be reported back to Committee for approval.

RESOLVED that the Licensing Committee consider the report and confirm that Officers progress with the drawing up of a Commercial Dog Walking Licensing regime which will be prepared for the Licensing Committee late 2022.

8. REVISED FILM CLASSIFICATION POLICY 2022-2027

James Armitage presented the report highlighting the periodic review of Barnet's policy.

RESOLVED that the Committee approve the revised Draft Policy and accompanying application and guidance documents.

9. LICENSING COMMITTEE - PAVEMENT LICENCE UPDATE

James Armitage presented the report. It was noted that as a result of the pandemic, a more streamlined and cheaper route enabled businesses to acquire a licence to trade from the street.

Proposals of the Levelling and Regeneration Bill amended features of the scheme including renewal of annual fees and conditions to breach of licence.

In response to Members regarding the provision of parklets, it was noted that parklets fell outside the remit of the pavement licensing scheme and were issued by Regeneration and Development.

It was noted that Street Licensing Officers were out on patrol and Members were encouraged to report any concerns to the Licensing Authority.

Members highlighted that brass studs in pavements to indicate the parameters within which businesses needed to operate were missing from some locations.

It was noted that the placing of studs pavements was the responsibility of Highways.

RESOLVED that the Licensing Committee consider and note the content of the report.

10. REVISED SEX ESTABLISHMENT AND SEX ENTERTAINMENT VENUES POLICY

In response to Members questions, it was noted that as part of the licensing process, the lease of the establishment would be consulted on and representations would be taken into account. Regular inspections of premises would aid in the detection of any nefarious activity.

RESOLVED that the Committee:

- 1. Approve the draft Sex Establishment and Sex Entertainment Venues Policy in Appendix A.**
- 2. Authorise the Licensing Department to undertake a public consultation and consult the Metropolitan Police, Children and Families, Environmental Health, the Fire Brigade and all ward Councillors.**

11. LICENSING AUTHORITY - ANNUAL REPORT ON LICENSING APPLICATIONS

The Chair requested for an updated on unusual licensing applications that may be noted as learning points.

Baljeet Virdee, Senior Lawyer and Assistant Team Leader from HB Public Law, spoke about a variation application made by Pizza Go Go, which was appealed following the Licensing Sub Committee's decision to refuse the application. He spoke briefly about the appeals procedure and about the evidence provided by the parties in this matter, after which the applicant decided to withdraw their appeal.

It was also mentioned that recent case law meant that successful appellants may now be able to recover more costs from the Council.

Baljeet Virdee also referred to Heathpark which concerned the renewal of a Special Treatment Licence covered by the London Local Authorities Act 1991. An inspection carried out by the Council's Licensing Team gave rise to concerns on how the establishment was run leading them to recommend the licence renewal be refused under section 8 of the 1991 Act. A brief explanation of the issues discovered during the inspection was provided, along with a summary of the grounds on which the Sub-Committee refused the renewal application. The Sub-Committee's decision was not appealed.

RESOLVED that the Licensing Committee note the annual report of applications received by the licensing department between April 2021 and March 2022.

12. MEMBERS' LICENSING CODE - TO FOLLOW

RESOLVED that the Licensing Committee comment on and approve this Code for referral to Council for inclusion in the Constitution.

13. ANY ITEM(S) THAT THE CHAIRMAN DECIDES IS URGENT

None.

The meeting finished at 7.25pm