

LONDON BOROUGH OF TOWER HAMLETS

MINUTES OF THE LICENSING COMMITTEE

HELD AT 6.30 P.M. ON THURSDAY, 16 OCTOBER 2014

**COMMITTEE ROOM C1, 1ST FLOOR, TOWN HALL, MULBERRY PLACE, 5
CLOVE CRESCENT, LONDON, E14 2BG**

Members Present:

Councillor Amy Whitelock Gibbs (Chair)

Councillor Rajib Ahmed
Councillor Suluk Ahmed
Councillor Shah Alam
Councillor Rachel Blake
Councillor Gulam Kibria Choudhury
Councillor Andrew Cregan
Councillor Peter Golds (Vice-Chair)
Councillor Muhammad Ansar Mustaqim
Councillor Candida Ronald

Other Councillors Present:

None

Officers Present:

Kirsty Panton – (Legal Services)
David Tolley – (Head of Consumer and Business Regulations
Service, Safer Communities, Communities
Localities & Culture)
Simmi Yesmin – (Democratic Services)

Apologies

Councillor Khales Uddin Ahmed –
Councillor Mahbub Alam –
Councillor Amina Ali
Councillor Mohammed Mufti Miah

1. DECLARATIONS OF DISCLOSABLE PECUNIARY INTEREST

There were no declarations of disclosable pecuniary interests.

2. MINUTES OF THE PREVIOUS MEETING(S)

RESOLVED

That the minutes of the Licensing Committee meeting held on 15th July 2014 were confirmed and agreed as a correct record.

3. ITEMS FOR CONSIDERATION

3.1 Fees Review - London Local Authorities Act 1991 and the Performing Animals (Regulation) Act 1925

Mr David Tolley, Head of Consumer and Business Regulations introduced the report which detailed the review which took place with regards to licence fees that could be set locally. It was noted that the fees under consideration were those for Massage, Special Treatments and Performing Animals Registration.

Mr Tolley explained the rationale behind the proposed licence fee increases and explained that fee increases were set at values that would enable the Council to recover the administrative and enforcement cost associated with the relevant licences.

In response to questions from Members the following was noted;

- That where a business operated a selection of beauty treatments and intense pulse light laser treatment, only the higher fee of the two would be payable.
- That neighbouring local authorities licence fees were taken into consideration when setting the fees.
- The breakdown of the hours worked by Officers in order to determine an application was noted.
- The detailed procedures that are followed through to ensure animal welfare were noted.
- That the provision for sun bed treatments was covered under Intense Pulse Light Laser treatment.

Members questioned the basis for using RPI to determine the increased fee. It was **AGREED** that Mr Tolley would update Members on what the rationale was for using RPI when setting the fees and seek clarification on whether this would be used again when setting fees in the future.

RESOLVED

1. That the fee for Massage and Special Treatment licences, including Intense Pulse Light laser treatment, be increased by RPI 2.5% raising Massage and Special Treatment Licences from £311 to £319 and Intense Pulse Light laser treatment licences (including sun beds) from £500 to £513.

2. That where a business operates a selection of beauty treatments and Intense Pulse Light laser treatment, that only the higher fee is payable.
3. That the fee for Performing Animals registration is raised from £188 to £360, based on the calculations in Appendix One.
4. That a fee for a Variation of a Performing Animals registration be set at £269 based on the calculations in Appendix One.
5. That all fees are non- refundable once an application has been submitted, due to the commencement of processing the licence.
6. That these fees will commence on 1 November 2014 and will apply to all new and renewed licences applications and all performing animal registrations and variation applications received on or after that date.

3.2 Cumulative Impact Zone Report

Mr David Tolley, Head of Consumer and Business Regulations introduced the report and explained that at the Licensing Committee on 15th July 2014, Members had requested for an update on the licences issued within the Cumulative Impact Zone (CIZ) to enable Members to consider the impact of the CIZ.

It was noted that on 1st November 2013, the CIZ for the Brick Lane area came into effect after the adoption of the Statement of Licensing Policy at Full Council. It was further noted that this Policy was subject to a review in 2018 (every 5 years). Mr Tolley gave a brief background on the CIZ, its consultation process, summary of all the decisions made by the Licensing Sub Committees with regards to applications and variations within the CIZ and highlighted the comments from Responsible Authorities on the current impact on the CIZ.

After much discussion the following points were noted;

- That there was a general confusion, amongst objectors/residents and Councillors, about the powers available to the Licensing Sub Committees, when applying the Special Cumulative Impact Policy to applications.
- That the Police were currently reviewing their Policy of objecting to all applications within the CIZ.
- That the Chair of SPIRE should be notified that Licensing Committees are public meetings and are open to all members of the public to attend and observe.
- That all Councillors be briefed on the CIZ, its impact and its remits in order to get a better understanding of the current Policy
- The benefits of having the CIZ were noted.
- That as a result of the CIZ, two applications for bars were withdrawn.

- That there has been the same level of licences issued despite the CIZ being in place.
- That as a result of the CIZ a lot more conditions had been imposed on licences, providing more control over licensed premises.
- That a standard wording on the CIZ should be included as part of the decision notification.
- That the increase in licensed premises was contributing to the increase in crime and disorder and public nuisance in the area.
- That the Council may have to review the Special Cumulative Impact Policy sooner than the 5 years due to the impact of Crossrail coming to effect from 2017 and therefore possibly look to extend the CIZ to include the Crossrail area.

Members welcomed the report and **AGREED** the following;

- That a further report on the CIZ be brought back to the Licensing Committee on 10 March 2015.
- That the Licensing Committee is to review the Policy again in 2015/2016 and invite the Head of Retail for Crossrail to attend the meeting.
- That the Police be invited to attend the next meeting to update Members on their approach to objecting to all applications in the CIZ.
- Legal Officers to provide a standard wording for applications within the CIZ to be used when decisions are read out at meetings.
- Inform the Chair of SPIRE that Full Licensing Committee meetings are public meetings and are open to all members of the public to attend.

ACTION BY: David Tolley, Head of Consumer and Business Regulations
Kirsty Panton, Legal Services
Simmi Yesmin, Democratic Services

RESOLVED

That subject to the above comments the report be noted.

4. ANY OTHER BUSINESS THAT THE CHAIR CONSIDERS URGENT

Members requested that a briefing and Members Training on Sexual Entertainment Venues is to be scheduled for the next Licensing Committee meeting in December 2014, In order for Members to get a better understanding of the Policy, its remits and the challenges likely to be faced.

The meeting ended at 7.40 p.m.

Chair, Councillor Amy Whitelock Gibbs
Licensing Committee