

LONDON BOROUGH OF TOWER HAMLETS

MINUTES OF THE LICENSING COMMITTEE

HELD AT 6.30 P.M. ON TUESDAY, 8 DECEMBER 2015

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

Members Present:

Councillor Khales Uddin Ahmed (Chair)
Councillor Peter Golds (Vice-Chair)
Councillor Shah Alam
Councillor Gulam Kibria Choudhury
Councillor Denise Jones
Councillor Muhammad Ansar Mustaqim
Councillor Joshua Peck
Councillor Rachael Saunders

Apologies

Councillor Rajib Ahmed
Councillor Mahbub Alam
Councillor Amy Whitelock Gibbs
Councillor Clare Harrisson
Councillor Md. Maium Miah
Councillor Candida Ronald

Officers Present:

Agnes Adrien	– (Team Leader, Enforcement & Litigation, Legal Services, Law, Probity & Governance)
David Tolley	– (Head of Consumer and Business Regulations Service, Safer Communities, Communities Localities & Culture)
Simmi Yesmin	– (Senior Committee Officer, Democratic Services)

1. DECLARATIONS OF DISCLOSABLE PECUNIARY INTEREST

Cllr Denise Jones declared a personal interest on item 3.2, Licensing and Brick Lane, on the basis that she owned a bookshop on Brick Lane and confirmed that it was not a licensed premises.

2. MINUTES OF THE PREVIOUS MEETING(S)

RESOLVED

That the minutes of the Licensing Committee meeting held on 6th October 2015 were confirmed and agreed as a correct record.

3. ITEMS FOR CONSIDERATION

3.1 Sexual Entertainment Venues Review

Mr David Tolley, Head of Consumer and Business Regulations introduced the report which updated Members on the successful process the Council had recently completed to apply an updated Licensing regime to the sexual entertainment venues (SEV's) operating in the Borough.

Mr Tolley requested that Members consider setting and agreeing the Sexual Entertainment Venue Licence fees for 2016/2017. He suggested that the fee remain the same as last year at £9000.

In response to questions from Members the following was noted;

- That the fee was bench marked against other local boroughs and when compared to these boroughs, Tower Hamlets was in the medium range.
- That the fees included all administrative costs, and was noted that this year, the fees covered all the costs required for each application.
- The fees would be reviewed annually.
- That site visits should be arranged for Members when considering future SEV applications. In order for Members to gain a better understanding and knowledge of the area and the premises.
- Concerns were raised regarding the advertising of SEVs. Members asked that Officers strengthen the conditions around advertising.

RESOLVED

1. That the report be noted.
2. That the fee for Sexual Entertainment Venues Licence remain set at £9000 for the municipal year 2016/2017.

3.2 Licensing and Brick Lane

Mr David Tolley, Head of Consumer and Business Regulations introduced the report which detailed the current activities within the Brick Lane area. He

explained that due to ongoing operations within this part of the Borough, an outline of certain activities could only be given at present.

It was noted that on 1st November 2013, the Cumulative Impact Zone (CIZ) for the Brick Lane area came into effect after the adoption of the Statement of Licensing Policy at Full Council. It was noted that since the inception of the CIZ, 50 new licences had been issued within the area and this did not include variations. It was also noted that 20% of the applications received by Licensing Services on the whole were within the CIZ.

Mr Tolley then detailed non enforcement activities that had been carried out in the Brick Lane area to ensure that visitors had an enjoyable time but do not disrupt those that live in the surrounding area. He highlighting the work of the following Educational Programmes;

- Tower Hamlets Street Pastors
- Pubwatch
- The Good Trader Scheme
- Best Br None Scheme

The following enforcement initiatives were also highlighted;

- That there had been 21 reviews in the last 12 months
- There had been prosecutions, where licence holders are found to be deliberately disregarding conditions that have been set.
- Joint operations with the Police, Trading Standards and HMRC in relation to inspections of premises to ensure that conditions are being met and counterfeit and contraband material is not being sold, having had 99 visits over the last 12 months.
- There were routine evening visits by Licensing Officers to ensure conditions are being met and premises are not trading without appropriate licences
- Routine patrols by the THEO's along Brick Lane dealing with any anti-social behaviour.

Members welcomed the report, and noted the information detailed in the report.

RESOLVED

1. That the report be noted.

3.3 Gambling Policy Review 2015/16

Mr David Tolley, Head of Consumer and Business Regulations introduced the report on the Gambling Policy Review. He explained that as a Licensing Authority the Council must review the existing Gambling Policy and adopt a new policy by November 2016, as one of the responsibilities it has to administer 'high street' licences under the Gambling Act 2005.

He explained that the purpose of the policy is to define how the responsibilities under the Act were going to be exercised and administered. This was highly prescribed and limited by statute. It was noted that a statutory consultation process must be undertaken, and this had commenced on the 19 October 2015 and would last for three months and end on 17th January 2016. In addition there would be the opportunity for the local community to comment along with other partners.

It was noted that following consultation the reviewed policy will ultimately go to full Council for adoption.

Mr Tolley explained that the Gambling Act 2005 gave local authorities a range of responsibilities relating to gambling. The Gambling Policy states how the Licensing Authority would be able to exercise its authority.

The policy covered the following:

- How the Licensing Authority will use its regulatory powers in relation to applications and reviews of the activities it regulates, to the extent it is allowed by statute.
- The main licensing objectives for the authority is protecting children, preventing crime and disorder and ensuring gambling is fair and open.
- The Licensing Authorities approach to regulation
- The scheme of delegation
 - Members should note that some of the major issues and concerns about gambling are not addressed in the policy and in any consultation. For example, gambling addiction is outside the remit of the consultation, as are arguments about the public benefits, or otherwise, of a more liberal gambling regime.

Mr Tolley said that there have been several concerns raised though London Councils concerning the fixed odds betting terminals that had been installed within betting shops. These gambling machines play games of chance such as roulette. With a betting shop licence, the operator can install up to four machines, which have a maximum stake of £100 and a maximum prize of £500. London Councils are promoting that the maximum £100 stake on machines should be changed to £2 to prevent the clustering of betting shops due to the profitability of such gambling machines. It was noted that Tower Hamlets was a signatory to this campaign.

In response to questions from Members the following was noted;

- That there were four Licensing Officers in post to monitor activities around the borough.
- That staff in Trading Standards and Environmental Health are also used to carry out work across services.

- That there has been one gambling application in the last year for a Paddy Power Shop in Roman Road. This application was objected to by the community, but after consideration by the Licensing Sub Committee and legal advice the licence was issued
- That Members' supported the London Council's initiative of promoting the maximum £100 stake on machines to be changed at £2 to prevent the clustering of betting shops.
- That officers, explore options to restrict the number of machines that an operator can install with a betting shop licence, from up to four machines to two.

RESOLVED

1. That the report be noted.

4. ANY OTHER BUSINESS THAT THE CHAIR CONSIDERS URGENT

There was no other business considered urgent by the Chair.

The meeting ended at 7.40 p.m.

Chair, Councillor Khaled Uddin Ahmed
Licensing Committee