

NOTICE OF MEETING

REGULATORY COMMITTEE SUPPLEMENTARY PACK

Monday, 5th October, 2020, 7.00 pm - MS Teams

Members: Councillors Sarah Williams (Chair), Gina Adamou (Vice-Chair), Dhiren Basu, John Bevan, Luke Cawley-Harrison, Justin Hinchcliffe, Peter Mitchell, Sheila Peacock, Reg Rice, Viv Ross, Yvonne Say, Daniel Stone, Preston Tabois

Quorum: 4

5. MINUTES (PAGES 1 - 8)

To approve the minutes of the meetings held on 6, 14 and 31 July 2020.

Note: Minutes of the meetings 6 and 31 July 2020 to follow.

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Friday, 02 October 2020

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MINUTES OF MEETING REGULATORY COMMITTEE HELD ON MONDAY, 6TH JULY, 2020, 7.00 - 9.30 PM

PRESENT:

**Councillors: Sarah Williams (Chair), John Bevan, Mike Hakata,
Luke Cawley-Harrison, Peter Mitchell, Reg Rice, Viv Ross, Yvonne Say
and Preston Tabois**

ALSO ATTENDING:

103. FILMING AT MEETINGS

Election of Chair

In the absence of a Chair and Vice-Chair, the Clerk asked for nominations from the Members present. Councillor Mitchell nominated Councillor Williams and this was seconded by Councillor Rice.

Councillor Williams in the Chair

The Chair informed all present that the meeting was being live streamed on the Council's website.

104. APOLOGIES FOR ABSENCE

Apologies for absence were received from Councillors Adamou and Basu.

105. URGENT BUSINESS

The Chair advised that there was a late addition to item 8 of the agenda, which was circulated to Members last week. These were comments from Legal on the report, which were not available at the time of agenda publication.

106. DECLARATIONS OF INTEREST

None.

107. MINUTES

RESOLVED that the minutes of the meetings held on 16 January and 2 March 2020 be approved as a correct record.

108. LICENSING ACT 2003 REVIEW OF LICENSING POLICY 2021-2026

Daliah Barrett, Licensing Officer, introduced the report as set out. There had been no major changes to the legislation, and all changes had been listed in the report. Following this meeting, consultation of the policy would be carried out with local stakeholders. On completion of consultation, the policy would be considered again by the Regulatory Committee.

The following was provided in response to questions and comments from the Committee:

- Paragraph 3.7 – clarity was required in the paragraph around the number of premises which closed at 23.00 as it implied that less than 10% of premises were open beyond this time.
- Guidance on alcohol consumption – consumption figures to be clarified with Public Health.
- The term ‘alcohol dependent’ read strangely in the policy – Ms Barrett agreed to refer back to Public Health to provide further explanation of the term.
- Page 29 – the 1st sentence was repeated at the end of the paragraph.
- Paragraph 19.23 – ‘developing Northern West riverside of the borough’ did not make sense. Ms Barrett agreed to speak to Regeneration colleagues, but would remove from the paragraph.
- Drugs and weapon boxes – Ms Barrett advised that this would involve conversations with Licence Holders on how searches would be carried out and it was expected that the Police would collect any weapons found.
- Page 58 – safe drinks area – Ms Barret advised that it would be up to the applicant to decide what was suitable for their premises and would not be under any obligation to include this.
- The sustainability commitment was too brief and should provide more detail. Ms Barrett advised that as this was not a licensing objective, further detail could not be added.
- Consultation needed to be meaningful and provide an input into the final draft. Ms Barrett advised that in the last consultation, under 20 responses were received and these were considered when producing the final draft of the policy.

RESOLVED that

- i. the draft Haringey Statement of Licensing Policy 2021-2026 be approved for consultation;**
- ii. the arrangements for public consultation as set out in section six of the report be noted and approved; and**
- iii. following consultation, the responses will be brought back to the Regulatory Committee for consideration and recommendation to Full Council for adoption of the policy.**

109. BUSINESS AND PLANNING ACT 2020 -ADOPTION OF CONDITIONS AND SETTING FEE LEVEL

Daliah Barrett, Licensing Officer, provided a verbal update on the new Business and Planning Act 2020. The Act was currently going through the Parliament process and it was expected that the 3rd reading would take place on 20 July 2020. The introduction of the Act was in response to the impact of Covid-19 on businesses. The Act would enable businesses with existing on-sales alcohol permissions to sell off-sales without any changes to their licence, and would allow premises to make use of outside space on the public footpaths to serve food and drinks.

In response to a question from the Committee, Ms Barrett advised that the fee for pavement licences would be capped at £100. The current pavement licensing fee was based on the amount of space available to use by the premises. There would be some businesses who would benefit from the cap, as the payment would be less than under the current regime. Work would also be carried out with the Highways team to ensure that there was adequate space on the pavements for both use by a premises and for the general public using the pavements.

The Committee noted the update.

110. HOUSING DELIVERY TEST ACTION PLAN

Rob Krzyszowski, Head of Planning Policy, Transport & Infrastructure, introduced the report as set out. All Local Authorities were tested to ensure that they were meeting housing targets, and the test was backwards looking over the past three years. Haringey had delivered 55% of its target over the last three years. Due to this, an action plan was required to set out how housing delivery would be boosted in the borough to better meet the target in future years. The Action Plan must be published by August 2020. Section 5 of the report set out the Action Plan, which pulled together existing Council strategies and actions.

The following was provided in response to questions and comments from the Committee:

- The housing target for the past three years was 1502. The target in the new London Plan was 1592, but this had not yet been formally adopted.
- Some figures were old in the report and would be amended for the Cabinet report.
- The Wood Green and Council office accommodation report was due to be discussed in the Autumn, although Covid-19 and changes to staff working arrangements may have an impact on the report.
- It was difficult to meet targets due to the fact that they had increased so steeply over time. Eight years ago, the target was around 500 units. This then increased to around 1000 units, then to 1502 units. The Council had increased delivery year on year but it would never have been possible to meet new targets as the delivery programmes were not in place.
- Table 7 should read February 2022 – this would be amended in the Cabinet report.
- The Action Plan would set out a good news story in that the Council was being proactive, even though the target had not been achieved.

- Annual figures on builds could give a misleading picture depending on the sizes of developments in any particular year. It was better to analyse monthly figures.
- It was too early for Covid-19 to have any impact on land prices.
- The Housing and Regeneration Team were actively looking for sites and engaging with developers to encourage builds.
- Where developers were not building on land with planning permission, Compulsory Purchase Orders were the only option. However, this was a long and difficult process.
- The five year land supply suggested that building targets over the next five years could be met.

RESOLVED that the Housing Delivery Test Action Plan 2020 be endorsed for adoption by Cabinet.

111. PLANNING SERVICES 2019 - 2020 ANNUAL UPDATE & 2020/21 (1ST APRIL - 17TH JUNE) UPDATE

Dean Hermitage, Head of Development Management, introduced the report as set out.

Officers responded to questions and comments from the Committee:

- A module could be added to the training schedule on lessons learnt from Planning Appeals.
- Decisions on CIL distribution was an executive decision and a Cabinet Member Signing in March 2020 had signed off spending on 41 projects.
- The Building Control team was continuing to work outside the borough and continued to win larger applications within the borough.
- Since lockdown, 545 planning applications had been received with 542 determined.

RESOLVED that the report be noted.

112. NEW ITEMS OF URGENT BUSINESS

None.

113. DATES OF FUTURE MEETINGS

5 October 2020

CHAIR: Councillor Sarah Williams

Signed by Chair

Date

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MINUTES OF MEETING REGULATORY COMMITTEE HELD ON FRIDAY, 31ST JULY, 2020, 10.00 - 11.15 AM

PRESENT:

Councillors: Gina Adamou (Vice-Chair), John Bevan, Mike Hakata, Luke Cawley-Harrison, Peter Mitchell, Reg Rice, Viv Ross, Yvonne Say and Sarah Williams (Chair)

ALSO ATTENDING:

7. FILMING AT MEETINGS

The Chair informed the Committee that the meeting would be live streamed on the Council's website.

8. APOLOGIES FOR ABSENCE

There were no apologies for absence.

9. URGENT BUSINESS

None.

10. DECLARATIONS OF INTEREST

None.

11. BUSINESS AND PLANNING ACT 2020 - PAVEMENT LICENCE CONDITIONS AND FEES AS PART OF THE COVID 19 RECOVERY MEASURES

Daliah Barrett introduced the report as set out. The Business and Planning Act 2020 came into force on 22 July 2020 and introduced a number of urgent measures to help businesses operate in the pandemic. The measures introduced were temporary until 30 September 2021, unless extended by the Government. Part of the Act introduced a new 'Pavement Licence' regime to be administered by Local Authorities and was designed to make it easier for premises which served food and drink to seat and serve customers outdoors. Pavement licences could be granted subject to such conditions as the Council considered reasonable to impose. It was important to note that if the Council chose not to impose conditions, the Pavement Licences would still be granted, which would make enforcement difficult and leave the Council having to justify its reasons repeatedly when taking any enforcement action.

Ms Barrett responded to questions and comments by the Committee:

- Under the national conditions made by the Government, premises must maintain a clear route of access along the highway.
- Patrons would not be able to stand outside premises to drink, it would be seating areas only.
- Premises would need to clearly mark out a smoking area outside of premises, however Public Health information to Councils states that Councils could make their own determinations in relation to smoking and could make the area outside the premises non-smoking.
- There would be no additional budget provided for the enforcement of these licences. The set fee of £100 per licence would lead to the Licensing Service operating at a loss (from the Street Trading budget). Under the old regime, the fees for a pavement licence were set according to the amount of space available to a premises and this would exceed £100 for some premises, therefore the set fee would mean that some premises would not need to pay as much as they would have in the past.

Following a discussion and subsequent vote on smoking areas, the Committee requested that a condition be added that smoking areas would not be permitted outside the premises.

The Committee also requested that a condition be added (or existing condition be amended) to state that cooking of food should not take place outside of the premises.

The Committee RESOLVED to

- i. Agree the pavement licence conditions as outlined in Appendix A which will be the Council's published standard conditions.
- ii. Note that the Licensing Authority can set further conditions as required on a case by case basis.
- iii. Agree the application fee of £100.
- iv. Note that the length of the grant of the licence cannot go beyond 30th September 2021 unless extended by the Secretary of State but there may be reasons to determine a shorter period on a case by case basis.

12. DATES OF FUTURE MEETINGS

5 October 2020

CHAIR: Councillor Sarah Williams

Signed by Chair

Date