

MINUTES OF THE LICENSING COMMITTEE HELD ON MONDAY, 29 JULY 2024, 6:00PM – 7:00PM

PRESENT: Councillors Anna Abela (Chair), Sheila Peacock (Vice-Chair), Reg Rice, Elin Weston, Nick da Costa, Mark Blake, Kaushika Amin and Nicola Bartlett

1. FILMING AT MEETINGS

The Chair referred to the filming of meetings and this information was noted.

2. APOLOGIES

Apologies had been received from Councillor Makbule Gunes.

3. URGENT BUSINESS

There was no urgent business.

4. DECLARATIONS OF INTEREST

Councillor da Costa stated that he was a trustee of Alexandra Palace and Park Charitable Trust and a Director of Alexandra Palace Trading Limited.

5. DEPUTATIONS / PETITIONS / PRESENTATIONS / QUESTIONS

There were none.

6. MINUTES

RESOLVED:

That the minutes of the Licensing Committee meeting held on 4 January 2024 be confirmed and signed as a correct record of the proceedings.

7. CONSULTATION ON DRAFT STATEMENT OF GAMBLING POLICY

Ms Daliah Barrett, Licensing Team Leader, introduced the report.

The meeting heard:

- Haringey already had a policy about what it allowed to be advertised and promoted on Haringey streets. The Council did not allow payday loan adverts, smoking and gambling. In the incident that that took place, it was a matter of getting in touch with the head office and informing them that they could not have staff outside handing out leaflets and

enticing people to come into the premises. This was why it had been addressed in the policy. Should a new application for a premises be made, this would be added as a standard condition.

- That gambling could be used for money laundering had been factored into the strategy. However, like many local authorities, the Council did not have the resources and the means to actually delve into this as an authority. For this particular objective, the Council would attend the premises with the Gambling Commission who did have more significant resources to carry out checks to the systems (such as betting systems) and would be better placed to detect any kind of money laundering.
- There was a mechanism for the Licensing Authority to ensure that operators were following through with measures to protect vulnerable people. The Council did an annual inspection of the betting operators in the borough. Aside from this, the codes of practice which were put in place by the Gambling Commission was something that betting operators had to adhere to. Operators would send through their means of operation, what the staff was required to do, the engagement that staff was required to do on site with patrons as they came in and ask questions that they were required to ask relating to patron affordability and general welfare. Staff also needed to be more visible around enabling the customer to self-exclude. Now with the increased conditions, this should, in theory, be better managed.
- If an application was allocated in a councillor's ward, that councillor was not able to sit at the Licensing Sub-Committee hearing as per the policy at the Council. However, the councillor could submit a representation regarding the application.
- On page 26 of the agenda papers, paragraph 3.6 discussed death by suicide and the paragraph would need redrafting.
- On page 39 of the agenda papers, paragraph 3.18 stated that east of the borough compared poorly with the west and this paragraph should be adjusted.
- When inspections took place, premises were inspected to ensure that they were abiding by the conditions and the Gambling Commission's code of practice. The questions asked tested the knowledge and practice of the licence holder's understanding. Observations were made on how they interacted with the patrons coming in as well. On the whole, inspections had been fine. None had to be referred back to the Gambling Commission.
- One of the changes being made by the Gambling Commission was that there would be an increase of availability of gaming machines in the adult gaming centres. It was not clear when this would take place. Betting shops had slowed down. Betting shops in the borough had been closing in the last three or four years. It was possible to condition them around needing SIA staff. They had standard operating hours. There had been success with the adult gaming centres which normally would operate on a 24-hour basis. Using the guidance from the local area local area profiles, it had been possible to make the argument for reduced hours recent applications. The typical terminal operating hour was 23:00. This also meant that the premises would typically stay open for six months to a year before submitting a planning application to increase operating hours.
- Page 68 of the agenda papers was up to date but it was not clear if the table was required on the document.
- In relation to Paragraph 9.4 on page 65 of the agenda papers, some of the maps had been updated, whereas the deprivation indices ones were still the 2019 ones which had the old wards on it.
- According to the information that was held by the Public Health team, at section 9.4 on page 65 of the agenda papers, the wards listed were the ones thought to needed to be listed as vulnerable. This was particularly for the need of the betting operator as they would need to come up with a more robust plan.
- The Chair of the Licensing Committee (in liaison with the relevant Cabinet member) could write to the government expressing concerns regarding the need for a cumulative

impact policy. The relevant Cabinet Member could write to the Government to raise the issues.

- The comment referring to the Regulatory Committee on page 27 of the agenda papers needed to be replaced.
- Page 47 of the agenda papers, paragraph 3.89 appeared to have an incomplete sentence.

RESOLVED:

1. That the Chair of the Licensing Committee (in liaison with the relevant Cabinet member) write to the government expressing the need for a cumulative impact policy.
2. To note that, following consultation, a further report would be presented to Cabinet to recommend the Statement of Gambling Policy to Full Council for final adoption.

8. BUSINESS AND PLANNING ACT 2020 - MADE PERMANENT UNDER THE LEVELLING UP & REGENERATION ACT 2023.- FEE SETTING

Ms Daliah Barrett, Licensing Team Leader, introduced the report.

The meeting heard:

- In relation to the wording on page 92 of the agenda papers, it was very difficult to have a designated smoke free seating area and to have a designated smoking area totally separated. If a smoke free area was designated, then assurances would need to be made to ensure that adequate space was taken into account. Complaints had been received from people who had been at bus stops where people have smoked and cigarette smoke had made its way over to them.
- Officers checked premises that placed tables and chairs outside the High Road in Tottenham. Conditions often were placed on licensed premises such as on match and event days where no tables, chairs or any furniture should be out. Violations would be issued with fixed penalty notices.
- Standard condition 27 stated that “the Licensee must not sub-let the licensed area or any part of the licensed area”. If a premises rented out the space to a private party, this would not fall foul of the condition. This condition was for, say, an ice cream van turning up and occupying that space.
- In relation to standard condition 29, within the pavement licence space, if a premises user would be using lighting or heaters, this needed to be displayed on the application.
- Page 90 of the agenda papers stated that processing a pavement licence application took on average four hours for a renewal, but did not specify how long it would take for a new application.
- Page 91 of the agenda papers on paragraph 6.1 stated that pavement licences could also be amended by the local authority with the consent of the licence holder if it was considered that the conditions on the licence were not being met. This related to if the Licensing Authority needed to withdraw a licence, then this could be done. This would be a matter of evidence being gathered and then discussion with the head service to determine what happens with the licence. The wording had been taken from the legislation and the guidance.
- Page 90 of the agenda papers on paragraph 4.6 stated that the new fees allowed the Council to recover the cost of processing applications, but inspecting, monitoring and enforcing pavement licensing regime would be an additional cost. These would be added as an additional resource. The Government had stated that A-Boards were becoming a public irritation. The Council had a nil-policy on A-Boards set in 1982. The

Levelling Up Act had stated that no A-Boards should be allowed in the pavement licence space. This was unpopular with some of the restaurants. If a licence holder was not being compliant, then the Council could seize these, but this would be an additional resource as to where they got stored. The information regarding these rules were on the website, but would be placed into the notes as well.

RESOLVED:

1. To agree to set the fees at the statutory maximum, that is £500 for new applications and £350 for renewal applications set out in Appendix A of the report.
2. To agree the pavement licence conditions as outlined in Appendix B which would be the Council's published standard conditions including updated information regarding more recent powers given to the Licensing Authority.
3. To note that the Licensing Authority can set further conditions as required on a case by case basis.
4. To agree that the length of the grant of the licence would be for 1 year only and that renewals will be required each year. Reasons for a shorter period may be determined on a case by case basis after discussion with Head of Service.

9. NEW ITEMS OF URGENT BUSINESS

There were no new items of urgent business.

CHAIR: Councillor Anna Abela

Signed by Chair

Date