

LONDON BOROUGH OF TOWER HAMLETS

RECORD OF THE DECISIONS OF THE LICENSING SUB COMMITTEE

HELD AT 2.30 P.M. ON TUESDAY, 10 SEPTEMBER 2019

**THE COUNCIL CHAMBER, TOWN HALL, MULBERRY PLACE, 5 CLOVE
CRESCENT, LONDON, E14 2BG**

Members Present:

Councillor Peter Golds (Chair)

Councillor Shad Chowdhury (Member)

Councillor Zenith Rahman (Member)

1. DECLARATIONS OF DISCLOSABLE PECUNIARY INTEREST

No declarations of disclosable pecuniary interests were declared.

2. RULES OF PROCEDURE

The Rules of Procedure were noted by the Sub-Committee.

3. MINUTES OF THE PREVIOUS MEETING(S)

The minutes of the Licensing Sub-Committees held on 9 and 23 July 2019 were agreed as a correct record of proceedings.

4. ITEMS FOR CONSIDERATION

4.1 Application for a New Premises Licence for Papa John's, 1A Westward Parade, Pepper Street, London E14 9DZ

The Licensing Objectives

In considering the application, Members were required to consider the same in accordance with the Licensing Act 2003 (as amended), the Licensing Objectives, the Home Office Guidance and the Council's Statement of Licensing Policy and in particular to have regard to the promotion of the four licensing objectives:

1. The Prevention of Crime and Disorder;
2. Public Safety;
3. The Prevention of Public Nuisance; and
4. The Protection of Children from Harm

Consideration

The Sub-Committee was advised that the Applicant was not present at the meeting and it had not been in contact with Democratic Services or Licensing Services. It was noted that the notification letter was sent to the Applicant ten working days before the meeting via 1st class post and via email. The agenda was also sent five working days before the meeting via 1st class post and via email. Despite these correspondences, no communication had been received from the Applicant.

Members adjourned the meeting to allow the Applicant to attend. A telephone call was also made to the Applicant, however, there was no response. Members were satisfied that sufficient notice of the meeting was given to the Applicant and noted that the Applicant had made no contact with any of the relevant officers. The Sub-Committee decided to consider the application in the Applicant's absence.

Each application must be considered on its own merit. The Sub-Committee carefully considered all of the evidence before them including the written application contained in the agenda and the written and verbal representations from officers representing the Responsible Authorities present at the meeting.

The Sub-Committee noted that the premises in question is situated in a densely populated area. Members also noted the concerns raised by Responsible Authorities, in particular the potential noise nuisance that would occur from customers visiting the premises at the later hours of the night. The Sub-Committee accepted that customers going to the premises are likely to have come from other venues and are more likely to be intoxicated which would increase the risk of noise nuisance and anti-social behaviour.

Members noted the potential public nuisance that licensed premises may cause in an area which already experiences a high level of public nuisance and anti-social behaviour. The Sub-Committee was not satisfied that the Applicant had demonstrated through its operating schedule how it would promote the licensing objectives .

Accordingly, the Sub-Committee unanimously:-

RESOLVED

That the application for a New Premises Licence for Papa John's, 1A Westward Parade, Pepper Street, London E14 9DZ be **REFUSED**.

4.2 Application for a New Premises Licence for Mailinda, 62 Mellish Sreet, London E14 8NS

This item was withdrawn by the Applicant prior to the meeting.

4.3 Application for a New Premises Licence for (Nomadic Community Gardens), Fleet Street Hill, London E1 5ES

The Licensing Objectives

In considering the application, Members were required to consider the same in accordance with the Licensing Act 2003 (as amended), the Licensing Objectives, the Home Office Guidance and the Council's Statement of Licensing Policy and in particular to have regard to the promotion of the four licensing objectives:

1. The Prevention of Crime and Disorder;
2. Public Safety;
3. The Prevention of Public Nuisance; and
4. The Protection of Children from Harm

Consideration

The Sub-Committee was advised that the Applicant was not present at the meeting and it had not been in contact with Democratic Services or Licensing Services. It was noted that the notification letter was sent to the Applicant ten working days before the meeting via 1st class post and via email. The agenda was also sent five working days before the meeting via 1st class post and via email. Despite these correspondences, no communication had been received from the Applicant.

Upon receiving this information, the Sub-Committee decided to consider the application in the Applicant's absence.

Each application must be considered on its own merit. The Sub-Committee carefully considered all of the evidence before them including the application contained in the agenda pack and heard representations at the meeting from Officers representing the Licensing Authority and Environmental Health, and local residents.

The Sub-Committee took into account the objectors' concerns about the likely increase in public nuisance, crime and anti-social behaviour if the application were to be granted.

The Sub-Committee considered that there was not sufficient evidence in the application to demonstrate or satisfy the Sub-Committee that granting of the application would promote the licensing objectives, in particular the prevention of public nuisance and prevention of crime and disorder.

Members reached a decision and the decision was unanimous. Members refused the application.

Accordingly, the Sub Committee unanimously:

RESOLVED

That the application for a New Premises Licence for Nomadic Community Gardens, Fleet Street Hill, London E1 5ES be **REFUSED**.

5. EXTENSION OF DECISION DEADLINE: LICENSING ACT 2003

The Chair agreed to extend the decision deadlines for the following applications;

Premises	Hearing Date	Decision by
Containerville, 455-459 Hackney Road, London E2 9DY (MA)	15/10	19/08
Make it Group, 5 Hancock Rd, London E3 3DA (MA)	15/10	28/08
Bier Café Ltd, 2 Gales Garden, London E2 0EJ (SN)	29/10	29/08
Old George, 379 Old Bethnal Green Road London E2 (KD)	29/10	29/08
Panetteria Number 54, 54 Hanbury Street, London E1 5JL (CH)	12/11	23/09
Bhalobashar B”B Pool Lounge, 9-13 Osborn St, London E1 6TD (CH)	12/11	16/10

The meeting ended at 4.00 p.m.