

LONDON BOROUGH OF TOWER HAMLETS

MINUTES OF THE LICENSING SUB COMMITTEE

HELD AT 4.00 P.M. ON THURSDAY, 15 MAY 2014

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

Members Present:

Councillor Peter Golds (Chair)

Councillor Khaled Uddin Ahmed
Councillor Rajib Ahmed

Other Councillors Present:

Councillor Joshua Peck

Officers Present:

Luke Elford – (Lawyer – Enforcement and Litigation Team)
Alex Lisowski – (Licensing Officer)
Simmi Yesmin – (Senior Committee Officer, Democratic Services)

Applicants In Attendance:

Simon Taylor - (Lovebox)
Mick Bowles - (Lovebox)
Saun DeSouza Brady - (Lovebox)
Paul Jenkins - (Peloton & Co)
Craig Baylis - (Pizzaluxe)
Paul Goodale - (Pizzaluxe)

Objectors In Attendance:

PC Alan Cruickshank - (Metropolitan Police)

Apologies

None

1. DECLARATIONS OF DISCLOSABLE PECUNIARY INTEREST

There were no declarations of disclosable pecuniary interest.

2. RULES OF PROCEDURE

The rules of procedure were noted.

3. ITEMS FOR CONSIDERATION

3.1 Application for Time Limited Premises Licence for Lovebox 2014

At the request of the Chair, Mr Alex Lisowski, Licensing Officer, introduced the report which detailed the application for a Time Limited premises licence for LoveBox 2014, Victoria Park, London E3. It was noted that an objection had been made by local Ward Councillor. It was noted that was a 4 year application for a three day event each year and this year it was planned for 18th – 20th July 2014.

At the request of the Chair Mr Simon Taylor, Legal Representative explained that this application mirrored previous applications made over the past years; however this was for a 4 year term. He explained that each year a detailed notification and consultation period would take place before an event was organised and would also seek agreement from the Police and Licensing Authority before an event was finalised. Mr Taylor then highlighted the improvements in the process leading up to the event;

- Robust consultation process
- Two public meetings with more publicity
- Engagement with responsible authorities
- Take feedback from local residents and community groups
- Employed a Crime and Reduction Manager
- Stronger Crime Reduction Policy
- Detailed Drugs Plan

He stated that crime statistics from the Metropolitan Police confirmed that there had been a reduction in crime at the last event in 2013 compared to previous years i.e. there had been 5 violent crimes in 2012 and 3 in 2013. Mr Taylor then went on to give a detailed breakdown of the crime statistics in relation to Lovebox.

Members then heard from Cllr Josh Peck, Ward Councillor for Bow West, he explained that he was representing ward residents, as complaints from residents had been made year after year with no or little change made each year.

Cllr Peck stressed that he was not against the Lovebox festival but wanted assurance that it would run well as there were serious issues which had not been addressed.

Cllr Peck referred to the three licensing objectives of the prevention of crime and disorder, public safety and the prevention of public nuisance. Cllr Peck referred to his written objection contained in the agenda on pages 55-58 and highlighted the Metropolitan Police's published crime figures which showed that there was a dramatic increase in crime and disorder in the month that Lovebox happened each year. That there were serious concerns of crowd crushes and believe that the crowd management of these events was insufficient to cope with 30,000 people leaving Victoria Park in one go. Cllr Peck lastly highlighted examples of anti-social behaviour, public nuisance and noise nuisance experienced by local residents during Lovebox events.

Cllr Peck concluded by putting forward proposed amendments and conditions;

- A one year licence for 2014
- A 10.30pm finish time on each night
- A maximum capacity of 25,000 at any one time
- Reduction in noise limit to 70db
- Stewards to be paid by the applicants
- Steward to be placed on certain roads and entrances and exits and on particular hotspot areas at particular times.

In response to questions the following was noted;

- Why concerns had not been raised with the organisers during debrief before and after the event.
- That 11pm terminal hour aids with dispersal and this theory was also supported by the Police.
- That if the terminal hour was brought forward then people would go on to other licensed venues after the event.
- That there would be 98 stewards outside the venue in addition to Police officers
- That the Applicant was happy to add additional stewards in the areas suggested by Cllr Peck
- That a four year application would show confidence in the applicants and also enable them to make more investments to improve the event.
- That there were concerns around public urination and that there would be 400 toilets made available at the event.
- That there were discrepancies over the crime figures provided by Cllr Peck in relation to those provided to Applicant from the Police. .
- The applicant assured Members that there would be more direct liaison with residents, local community groups etc.

Members retired to consider their decision at 5.20pm and reconvened at 5.40pm.

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 Licensing Guidance and the Council's Statement of Licensing Policy.

Consideration

Each application must be considered on its own merits and after careful consideration the Chair stated that the Sub Committee had considered all of the evidence before them and took account of the evidence submitted for and on behalf of the Applicant by Mr Taylor and by the objector Councillor Joshua Peck.

Members reached a decision and it was unanimous. The decision was to reject the decision on the grounds of crime and disorder and public nuisance. The Sub Committee had real concerns about the increase in crime and disorder, which Members felt was attributable to Lovebox.

Likewise the Sub Committee were concerned by the public nuisance suffered by residents of Bow West. The Sub Committee did not consider that there were any further conditions that could be added to those advanced by the Applicant and so rejected the application.

Decision

Accordingly, the Sub-Committee unanimously –

RESOLVED

That the application for a Time Limited Premises Licence for, Lovebox 2014 be **REFUSED**.

3.2 Application for a New Premises Licence for Peloton and Co, 4 Market Street, London, E1 6DT

At the request of the Chair, Mr Alex Lisowski, Licensing Officer, introduced the report which detailed the application for a new premises licence for Peloton & Co, 4 Market Street, London E1 6DT. It was noted that an objection had been made by the Metropolitan Police.

At the request of the Chair, Mr Paul Jenkins, Applicant, briefly explained that the premise was a bicycle shop/café which had been open for a year and if the application was granted it would mean that customers could have a beer whilst watching a cycle race etc. he further explained that the sale of alcohol would be a small part of his existing trade as it would only be available to existing customers and would not be advertised.

Mr Jenkins stated that this would not add to the existing problems in the areas and would consciously work with the police in promoting the licensing

objectives. He concluded that no spirits would be served, it would only be beer and there would be a waiter and table service.

Members then heard from PC Alan Cruickshank, Metropolitan Police, who referred to his statement contained in the agenda on pages 126 to 127 and explained that the representation was based on the saturation policy and not the company itself, and argued that the introduction of a licensed premises would mean more people in the Cumulative Impact Zone.

In response to a question it was noted that the premises had a capacity of 30/40 people.

Members retired to consider their decision at 6.00pm and reconvened at 6.05pm.

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 Licensing Guidance and the Council's Statement of Licensing Policy.

Consideration

Each application must be considered on its own merits and after careful consideration the Chair stated that the Sub Committee had decided to grant the application. Members' had carefully listened to Applicant and the objection made on behalf of the Metropolitan Police.

The Chair stated that the Cumulative Impact Zone should not be taken as an excuse to make a representation for every application by responsible authorities. The policy does make it clear that regard should be had to the operating schedule. Responsible authorities have the advantage of seeing this schedule. Members would therefore expect representations against to set out what is wrong with the operating schedule. An objection solely on the basis that it is within the cumulative impact zone was unhelpful.

Members' believed that CCTV conditions would help address the concerns raised by the objectors and that Members were satisfied that the operation of the premises will not add to the cumulative impact being experienced.

Decision

Accordingly, the Sub-Committee unanimously –

RESOLVED

That the application for a New Premises Licence for, Peloton and Co, 4 Market Street, London E1 6DT be **GRANTED** with conditions.

Sale of Alcohol (on sales)

Monday to Friday from 12:00 noon to 17:00 hours
Saturday and Sunday from 11:00 hours to 17:00 hours

The Provision of Regulated Entertainment (Recorded Music)

Monday to Friday from 08:30 noon to 17:30 hours
Saturday and Sunday from 11:00 hours to 17:00 hours

Hours Premises is open to the Public

Monday to Friday from 08:30 noon to 17:30 hours
Saturday and Sunday from 11:00 hours to 17:00 hours

Conditions

1. CCTV camera system covering both internal and external to the premises is to be installed.
2. The CCTV recordings are to be maintained for 30 days and to be provided upon request to either a Police Officer or an officer of any other Responsible Authority.
3. At all times when the premise is open, a person who can operate the CCTV system must be present on the premises.

3.3 Application for a Premises for Pizzaluxe, Unit 11, Avante Garde, Sclater Street, London, E1 6HZ

At the request of the Chair, Mr Alex Lisowski, Licensing Officer, introduced the report which detailed the application for a new premises licence for Pizzaluxe, Unit 11 Avante Garde, Sclater Street, London E1 6HZ. It was noted that objections had been made by the Metropolitan Police and the Licensing Authority.

At the request of the Chair, Mr Craig Baylis, Legal Representative gave a brief summary of the nature of the application and the type of venue it was. He stated that they would remove the non-standard timings applied for and accepted the conditions proposed by the Police, Trading Standards and Environmental Health.

He further explained that an average spend at the premises would be £20 per person, with approximately a 40 minutes dining experience.

Members noted and considered the written objection from the Licensing Authority.

Members then heard from PC Alan Cruickshank, Metropolitan Police, who referred to his statement contained in the supplemental agenda on pages 29 to 34 and explained that the representation was based on the Cumulative Impact Zone and the hours applied for. He argued that the introduction of another licensed premises in this parade would mean more people in the Cumulative Impact Zone especially during peak times.

Members questioned why off sales had been applied for and it was noted that it was an option for customers to takeaway drinks together with takeaway food.

Members retired to consider their decision at 6.20pm and reconvened at 6.35pm.

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 Licensing Guidance and the Council's Statement of Licensing Policy.

Consideration

Each application must be considered on its own merits and after careful consideration the Chair stated that the Sub Committee had carefully listened to the Applicant's representative, the amendments to the application and conditions offered, and noted and considered the objections made on behalf of the Metropolitan Police and the Licensing Authority.

The Chair stated that the Cumulative Impact Zone should not be taken as an excuse to make a representation for every application by responsible authorities. The policy does make it clear that regard should be had to the operating schedule. Responsible authorities have the advantage of seeing this schedule. Members would therefore expect representations against to set out what is wrong with the operating schedule. An objection solely on the basis that it is within the cumulative impact zone was unhelpful.

Members' believed that the amended hours and conditions would help address the concerns raised by the objectors and that Members were satisfied that the operation of the premises will not add to the cumulative impact being experienced.

Decision

Accordingly, the Sub-Committee unanimously –

RESOLVED

That the application for a New Premises Licence for, Pizzaluxe, Unit 11, Avant Garde, Sclater Street, London E1 6HZ be **GRANTED** with conditions.

Sale of Alcohol (on sales only)

Sunday to Wednesday from 09:00 hours to 23:00 hours

Thursday to Saturday from 09:00 hours to 00:00 hours (midnight)

The Provision of Late Night Refreshments

Thursday to Saturday from 23:00 hours to 00:00 hours (midnight)

Hours premises is open to the public

Sunday to Wednesday from 08:00 hours to 23:30 hours

Thursday to Saturday from 08:00 hours to 00:30 hours (the following day)

Conditions

1. No vertical drinking outside
2. No more than 6 smokers allowed to smoke in the external area at any one time.
3. CCTV camera system covering both internal and external to the premises is to be installed.
4. The CCTV recordings are to be maintained for 30 days and to be provided upon request to either a Police Officer or an officer of any other Responsible Authority.
5. At all times when the premise is open, a person who can operate the CCTV system must be present on the premises.
6. A Drugs Policy to be agreed with the Tower Hamlets Police Licensing Unit.
7. Two SIA door staff to be employed from 22:00 hours until closing on a Friday and Saturday.
8. F696 to be completed if there are outside promoters or DJs.
9. The premises shall operate a 'Challenge 21' policy in relation to the sale of alcohol.
10. All street furniture to be removed by 22:30 hours, thus all external area usage to cease by 22:30 hours. It might be prudent, therefore, to state that last orders are taken at 21:30 hours.

The meeting ended at 6.40 p.m.

Chair, Councillor Peter Golds
Licensing Sub Committee