

LONDON BOROUGH OF TOWER HAMLETS

MINUTES OF THE LICENSING SUB COMMITTEE

HELD AT 2.00 P.M. ON WEDNESDAY, 20 DECEMBER 2017

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

Members Present:

Councillor Peter Golds (Chair)
Councillor Rajib Ahmed
Councillor Khaled Uddin Ahmed

Officers Present:

Kathy Driver	–	(Principal Licensing Officer)
Vivienne Walker	–	(Senior Prosecution Lawyer)
David Wong	–	(Legal Services)
Nicola Cadzow	–	(Environmental Health Officer)
Simmi Yesmin	–	(Senior Committee Officer, Democratic Services)

Apologies

None

1. DECLARATIONS OF DISCLOSABLE PECUNIARY INTEREST

There were no declarations of interest.

2. RULES OF PROCEDURE

The rules of procedure were noted.

3. MINUTES OF THE PREVIOUS MEETING(S)

The minutes of the Licensing Sub Committee held on 8th August, 18th October, 1st & 15th November 2017 were agreed as a correct record of proceedings.

4. ITEMS FOR CONSIDERATION

4.1 Application for a Temporary Event Notice for Resident, Arch 252 Paradise Row, London E2 9LE

At the request of the Chair, Ms Kathy Driver, Licensing Officer, introduced the report which detailed the application for a temporary event notice for Resident, Arch 252 Paradise Row, London E2. It was noted that an objection had been received on behalf of Environmental Health.

In the absence of the Applicant, Members asked officers to contact the applicant (Mr Lee Curtis) to confirm his attendance. Ms Driver telephoned Mr Curtis and then informed Members that Mr Curtis had advised that he would not be attending the meeting as he had a party of customers at his premises to which he had to attend to as he was short staffed.

Therefore in the applicant's absence Members noted and considered the application included in the agenda pack.

Members then heard from Ms Nicola Cadzow, Environmental Health Officer, who explained the potential impact of public nuisance that would be caused due to the event. She informed Members that the hours applied for were beyond the Council's framework hours. She said that she had offered the applicant a 03:00 am finish however the applicant had not agreed to the hours proposed.

Ms Cadzow was of the view that the application failed to comply with the objective of the Licensing Act 2003 relating to public nuisance for the following reasons, noise breakout from the venue affecting neighbouring residents, access and egress to and from the venue of patrons, especially due to patrons likely to be in high spirits and the hours applied for were excessive.

In response to Members questions it was noted that the event was for bar staff around London who were working during the New Year celebrations who would then be able to come to the venue and celebrate the New Year later on into the early hours of the morning.

Members adjourned the meeting at 2.45pm for deliberations and reconvened at 2.50pm.

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. Prevention of Public Nuisance; and
4. The Protection of Children from Harm

Consideration

Each application must be considered on its own merit. The Sub Committee had carefully considered all of the evidence before them and listened to the verbal representations made by Nicola Cadzow, Environmental Health, and in the absence of the applicant, Members noted the application detailed in the agenda with particular regard to the licensing objectives of the prevention of public nuisance.

Members delayed the start of the meeting to allow the applicant the opportunity to attend the meeting, further to contacting the applicant Members were informed that he would not be attending it was noted that the applicant made no attempt to inform the Council that he was unable to attend the meeting. Therefore Members were unable to ask questions of the Applicant to determine aspects of the application.

Members noted the fact that groups of people would be attending the venue as late as 2-3am and in the early hours of the morning which was likely to cause noise nuisance as well as the potential to cause public nuisance during access and egress to the venue. It was also noted that the venue was located close to residential properties and in the absence of the Applicant, Members were unable to hear what measures would be put in place to mitigate or prevent public nuisance.

Members also noted the fact that Environmental Health had proposed an earlier closing time of 3am, but this was not agreed by the applicant. Members made a decision and the decision was unanimous, Members decided to refuse the application as they were concerned about the potential public nuisance and anti-social behaviour that would arise especially considering the date and hours applied for.

Accordingly, the Sub Committee unanimously

RESOLVED

That the application for a temporary event notice for Resident, Arch 252, Paradise Row, London E2 9LE be **REFUSED**.

5. EXTENSION OF DECISION DEADLINE: LICENSING ACT 2003

There were no applications that required a deadline extension.

The meeting ended at 2.50 p.m.

Chair, Councillor Peter Golds
Licensing Sub Committee