

**LONDON BOROUGH OF TOWER HAMLETS**

**RECORD OF THE DECISIONS OF THE LICENSING SUB COMMITTEE**

**HELD AT 3.00 P.M. ON TUESDAY, 19 MARCH 2019**

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

**Members Present:**

Councillor Peter Golds (Chair)

Councillor Faroque Ahmed (Member)

Councillor Victoria Obaze (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. ITEMS FOR CONSIDERATION**

**3.1 Application to Review the Premises Licence for TSB News 77 Vallance Road London E1 5BS**

**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**

The Sub Committee were advised that the Premise Licence Holder/or any representative acting on behalf of Premise Licence Holder was not present at the meeting. It was noted that the notification letter was sent to the Premises Licence Holder (PLH) 10 working days before the meeting via 1<sup>st</sup> class post, a telephone call was also made to the PLH informing him of the date, time and venue of the meeting which was noted by the PLH on the phone at the time. The agenda was also sent 5 working days before the meeting via 1<sup>st</sup> class post. Despite these correspondences no communication was made by the PLH, a further telephone call was made by Democratic Services on the day of the meeting, to which Mr Patel a representative of the PLH said that they were short staffed and would try and send someone to the meeting. It was noted that all other parties were present at the meeting.

Upon receiving this information, the Sub Committee decided to consider the application in the absence of the PLH, Members agreed that sufficient notification of the meeting had been given to the PLH and it was his responsibility to attend the meeting or send a representative.

Each application must be considered on its own merit. The Sub Committee had carefully considered all of the evidence before them and considered written and verbal representation from PC Tom Ratican representing the Metropolitan Police as the Applicant and Officers from Responsible Authorities (Licensing Authority and Trading Standards) that had supported the review application with particular regard to the licensing objectives of the protection of children from harm.

The Sub Committee carefully considered all evidence before them and had no doubt that the premises had contravened the licensing objectives of the prevention of crime and disorder, the prevention of public nuisance and in particular the protection of children from harm.

Members were extremely concerned that there had been repeated breaches of licence conditions in particular the selling of alcohol to underage children. Members were of the opinion that their carelessness and complete disregard of notification of the meeting and non-attendance at the meeting demonstrated that the PLH had total disregard to rules and regulations.

In reaching their decision Members referred to the Guidance issued under Section 182 by the Home Office for reviews in particular section 11.29, review of a premises licence following persistent sales of alcohol to children. It was noted from the Police evidence that following a failed test purchase at TSB News on 7<sup>th</sup> December 2018, when asked by the Police why he had not challenged the young person, Mr Patel the person behind the counter replied 'I don't know'. The Sub Committee stressed that a PLH had a responsible role and must be aware of their responsibilities.

Members reached a decision and the decision was unanimous. Members granted the application for a revocation of the premises licence. The Sub Committee were not satisfied that the Premise Licence Holder would comply with any of the conditions relating to the responsible sale of alcohol, given the non-compliance with exiting conditions on the licence following the failed test

purchases in that the Sub-Committee was particularly mindful of the licensing objective of the protection of children from harm.

Accordingly, the Sub Committee unanimously;

**RESOLVED**

That the application for a Review of the Premises Licence for TSB News, 77 Vallance Road, London E1 5BS be **GRANTED with the revocation of the premises licence.**

**4. EXTENSION OF DECISION DEADLINE: LICENSING ACT 2003**

There were no applications that required deadline extensions.

The meeting ended at 4.00 p.m.