

LONDON BOROUGH OF TOWER HAMLETS

MINUTES OF THE LICENSING SUB COMMITTEE

HELD AT 6.45 P.M. ON TUESDAY, 25 APRIL 2017

MP 702, TOWN HALL, MULBERRY PLACE,

5 CLOVE CRESCENT, LONDON, E14 2BG

Members Present:

Councillor Rajib Ahmed (Chair)

Councillor Dave Chesterton

Councillor Peter Golds

Officers Present:

Mohshin Ali – (Senior Licensing Officer)

Corinne Holland – (Licensing Officer)

Gurwinder Kaur Olive – (Senior Lawyer, Legal Services)

Antoinette Duhaney – (Interim Senior Committee Officer)

1. DECLARATIONS OF DISCLOSABLE PECUNIARY INTEREST

No declarations were made.

2. RULES OF PROCEDURE

The rules of procedure were noted.

3. MINUTES OF THE PREVIOUS MEETING(S)

The minutes of the meeting were agreed and approved as a correct record.

4. ITEMS FOR CONSIDERATION

4.1 Licensing Act 2003 Application for a New Premises Licence for Poplar Union, 2 Cotal Street, London, E14 6TL

In attendance

Andrew Woods (applicant's legal representative)

Patrick Harrison, Poplar HARCA (applicant)

Babu Bahattacherjee, Poplar HARCA (applicant)

This hearing was reconvened on 25th April 2017. The previous hearing on 14th February 2017 was adjourned to allow the applicant to provide further clarification and/or propose further conditions in respect of:

- Appropriate hours for the sale of alcohol
- Operation of Challenge 21 or Challenge 25 Policies

- The segregation of licensed and unlicensed activities
- Entrance and Egress from the premises
- Staffing levels
- Measures to ensure that no alcohol is taken outside the premises
- Supervision of young children when licensed activity is taking place
- Risk assessment arrangements

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 has carefully considered all of the evidence before them and considered written and verbal representations on behalf of the applicant and written presentations from objectors with particular regard to the licensing objections of prevention of public nuisance and the protection of children from harm.

The Sub Committee noted that since the adjournment of the previous hearing, the applicants had met with residents, six Temporary Event Notices had been granted and that these events had run smoothly without any complaints or concerns being raised. It was also noted that the applicant had proposed conditions to address the concerns raised by Members and objectors at the previous hearing and that none of the objectors who had attended the previous hearing were in attendance at this reconvened hearing.

Members noted that the patio area would be used by a maximum of 15 smokers at a time and this would be offered as an additional condition to those stated in writing and the applicants further offered a condition to lock the door in the partition wall during non-compatible uses of the different parts of the premises. The applicant's offer to display a colour plan setting out the hours of use for the different areas was also noted.

There was agreement to amend condition 15, deleting all words after the word 'premises'.

Decision

The Sub Committee was satisfied that the conditions proposed by the applicant had addressed the concerns raised by objectors and Members and would promote the Licensing Objectives particularly in respect of the prevention of public nuisance and protection of children from harm.

Accordingly, the Sub Committee unanimously

RESOLVED

That the application for a New Premises Licence for Poplar Union, 2 Cotall Street, London, E14 6TL be **GRANTED** subject to the following conditions:

Hours premises is open to the public:

- Monday to Saturday from 08:00hrs to 23:00hrs
- Sunday from 09:00hrs to 21:00hrs

Hours for supply of alcohol (on sales only) in red hatched area on plan

- Monday to Friday 17:00hrs to 22:30hrs
- Saturday from 12:00hrs (noon) to 22:30hrs
- Sunday from 12:00hrs (noon) to 20:30hrs

Hours for supply of alcohol (on sales only) in blue hatched area on plan

- Monday to Saturday from 12:00hrs (noon) to 22:30hrs
- Sunday from 12:00hrs (noon) to 20:30hrs

Hours for provision of live/recorded music in red hatched area on plan

- Monday to Friday 17:00hrs to 22:30hrs
- Saturday from 12:00hrs (noon) to 22:30hrs
- Sunday from 12:00hrs (noon) to 20:30hrs

Hours for provision of live/recorded music in blue hatched area on plan

- Monday to Saturday from 12:00hrs (noon) to 22:30hrs
- Sunday from 12:00hrs (noon) to 20:30hrs

Conditions

1. CCTV system to be in place with the cameras of sufficient quality so that people's faces are clearly identifiable from the footage. The cameras are to be placed in such ways they cover areas of the inside of the venue and the entrance. The system is to record the footage and to keep it for a minimum of thirty one days, a copy of the CCTV footage is to be made available to the Police or the Local Authority upon request and supplied within 24 hours. Whilst the premises are open to the public a member of staff must be on duty who can operate the CCTV system.

2. The premises will operate a Challenge 25 policy and all those who look under 25 years of age will be asked for proof of age.
3. An incident book will be kept at the premises which will record all refusals of the sale of alcohol, all disorder and crimes that occur either in the premises or involve the premises' customers or any other incident of note.
4. Loud speakers shall not be located in the entrance lobby or outside the premises' building.
5. All windows and external doors shall be kept closed after 21:00 hours OR at any time when regulated entertainment takes place except for the immediate access and egress of persons.
6. No unaccompanied persons under the age of 16 shall be permitted on the licensed premises after 21:00 hours.
7. Staff training will include training on the protection of the vulnerable which will include persons under the age of 16 at the premises.
8. Alcohol will only be consumed inside the premises and within the red line shown on the plan. Customers will not be permitted at any time to take alcoholic drinks either in a drinking vessel or unopened outside the premises (this includes the patio area and the park).
9. The premises licence holder will risk assess at all times the requirement for additional staff to be employed so as to prevent customers taking alcohol off the premises (and in particular onto the patio area and the park). Staff will at all times ensure that customers do not take alcohol outside the premises.

10. The premises licence holder will risk assess the requirement to employ SIA licensed door supervisors to be on duty at certain events and certain times so as to ensure compliance with all conditions.
11. No customer will be permitted to be outside the premises (red line area) after 21:00 hours except for those customers who wish to smoke in a managed area on the patio and the premises licence holder will ensure compliance with this condition. Customers who go outside to smoke will not be permitted to take any drinks with them. A maximum of 15 people shall be permitted to smoke on the patio at any one time.
12. Notices shall be prominently displayed at all exits requesting patrons to respect the needs of local residents and businesses and leave the area quietly.
13. (a) A direct telephone number for an operations manager at the premises shall be publically available and operational (capable of being answered / any message left returned quickly) at all times the premises are open. The telephone number is to be made available to residents and businesses in the vicinity.

(b) An e mail address for an operations manager at the premises shall be publically available to residents and local businesses and operational at all times.

(c) Quarterly meetings with be held with local businesses and residents with details of the time and date of the meeting posted on a public notice board at the premises.
14. No super strength beer, lagers, ciders of 5.5% ABV or above shall be sold at the premises.
15. Substantial food including drinking water shall be available in all parts of the premises where alcohol is available.

16. In the area hatched red on the attached plan the hours for licensable activities will be Monday to Friday 17:00 - 22:30, Saturday 12:00 – 22:30 and Sunday 12:00 - 20:30.
17. In the area hatched blue the hours for licensable activities will be Monday to Saturday 12:00 (midday) - 22:30 and Sunday 12:00 (midday) - 20:30.
18. When the area hatched red is being used for non-licensable activities or by vulnerable persons or persons under the age of 16 it will be separated from the area hatched blue by a floor to ceiling screen with the adjoining door locked and alcohol will not be permitted in that area during those times.
19. The Premises Licence Holder will at all times Risk Assess all activities and events at the premises in particular with regard to the protection of children and the vulnerable and not permit the sale of alcohol if it does not promote the Licensing Objectives. The Premises Licence Holder will Risk Assess whether it is appropriate to allow children on the premises when alcohol is being sold to customers.
20. The floor plan showing the hours of use for the different areas of the premises shall be displayed.

4.2 Licensing Act 2003: Application for a Time Limited Premises Licence for The London Shuffleboard Club, 1 Chance Street, London E1 6JT

In attendance

Graham Hawkins (applicant)
Robin Felgett (JAG)

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 has carefully considered all of the evidence before them and considered written and verbal representation from the applicant and objectors with particular regard to the licensing objections of prevention of public nuisance and the prevention of crime and disorder.

The Sub Committee heard that this was a time limited application until 2020. The Sub Committee heard from the applicant that Shuffleboard was a passive game played on the floor or a special table using sticks to slide discs across a flat surface. The application was for the table version. There would be 4 persons to a table. The applicant stated that he had run shuffleboard events at another premise very successfully and the responsible authorities had responded positively to this application. He advised that in 2016 table shuffleboard had a time limited licence at Truman Brewery which is in the Cumulative Impact Zone and there were no complaints there. The premises were described as a 'discreet venue' with no foyer or area to congregate, which was not providing late night refreshment and could accommodate a maximum of 28 patrons at any one time with staggered arrival and departure times. The numbers involved would be negligible to the ClZ and would be tied to the activity of shuffleboard so for a limited audience.

The Sub Committee also heard oral representations from an objector regarding the impact of the premises on the Cumulative Impact Zone. The Objector stated that he had yet to be convinced that the increased footfall in the area would not impact on the potential for increased noise disturbance and anti-social behaviour outside the premises, particularly in Chance Street and Whitby Street.

Decision

The Sub Committee noted the applicant's clarification that there was no need for patrons loitering/waiting outside the premises as the majority of bookings (approximately 95%) were made in advance and patrons were granted immediate access. It was also noted that at least one SIA registered member of Security Staff would be on the premises during opening hours. The Sub Committee further noted that a ticketing system would be in place and that alcohol would only be served to those who could provide proof of a valid booking/ticket. Furthermore, a maximum of 5 patrons wishing to smoke at any one time, would be directed away from the premises towards Bethnal Green Road.

The Sub Committee was satisfied that the conditions offered by the applicant largely addressed the concerns raised by objectors and Members and would promote the Licensing Objectives particularly in respect of the prevention of public nuisance and prevention of crime and disorder. However, in order to allay concerns regarding the potential for noise nuisance and anti-social behaviour from patrons, the Sub Committee amended the conditions offered by the applicant to ensure that alcohol would only be sold to patrons with a valid booking/ticket to play Shuffleboard.

Accordingly, the Sub Committee unanimously

RESOLVED - That the application for a Time Limited Premises Licence for The London Shuffleboard Club, 1 Chance Street, London E1 6JT be **GRANTED** subject to the following conditions:

Hours premises is open to the public:

- Monday to Saturday from 12:00hrs (noon) to 23:00hrs
- Sunday from 12:00hrs (noon) to 22:00hrs

Hours for supply of alcohol (on sales only)

- Monday to Saturday from 12:00hrs (noon) to 22:00hrs
- Sunday from 12:00hrs (noon) to 21:00hrs

Hours for provision of indoor sporting events

- Monday to Saturday from 12:00hrs (noon) to 22:30hrs
- Sunday from 12:00hrs (noon) to 21:30hrs

Hours for provision of recorded music

- Monday to Saturday from 12:00hrs (noon) to 22:00hrs
- Sunday from 12:00hrs (noon) to 21:00hrs

Conditions: -

1. The sale of alcohol will be ancillary to those people playing or waiting to play shuffleboard. Alcohol will only be sold to those who hold a valid ticket to play shuffleboard
1. Experienced bar staff will maintain vigilance in alcohol units per customer
2. Operating hours presented/displayed in staff areas to ensure staff aware of operating hours
3. One Management Level staff member to be present at all times that the venue is open
4. SIA security present at times venue is open to public after 6pm
5. SIA security throughout the venue in pre-designated locations with industry standard equipment - protective clothing and radios

6. The level of SIA staff on site will vary according to the number of customers but will be a minimum of 1 and maximum of 4
7. Clear notices on entry and exits warning of potential criminal activity, such as theft, that may target customers shall be displayed
8. Staff will be well trained in asking customers to use premises in an orderly and respectful manner. Anyone not adhering to this will be asked to leave the premises in a controlled and orderly manner by SIA security
9. Security will involve police immediately if any illegal activity occurs
10. Security and key staff shall be on radios for communication
11. Staff will be training in and there will be implementation of underage ID checks. Staff will be well trained about requirements for persons' identification and age establishment. Training records for staff will be logged.
12. Health & Safety officer sign off on all activity
13. Risk assessments from all suppliers
14. Event management plan and event fire escape plan will be in place
15. A first aider on site at all times the premises is open to the public
16. No drinks allowed outside the venue and will be monitored by security
17. Noise reduction measures to address the public nuisance objective including decibel readings taken regularly and a limit on the sound with volume block
18. Prominent, clear and legible notices will be displayed at the exit requesting the public to leave the premises and the area quietly as well as security on exit to reiterate and manage noise proactively
19. Customers will be restricted from congregating in the street outside the premises and access of customers will be strictly maintained to opening hours
20. The movement of bins and rubbish outside the premises will be kept to a minimum after 10.00pm. This will help to reduce the levels of noise produced by the premises. Cleaning staff will operate within hours of licence
21. Attendance levels will be kept to maximum of 28 and will be proactively escorted from the venue in stages to ensure minimum noise on egress
22. A "Challenge 25" sign will be positioned at the bar. This will encourage anyone who is over 18 but looks under 25 to carry acceptable ID (a card

bearing the PASS hologram, a photographic driving license or a passport) if they wish to buy alcohol.

23. A Log Book will be kept upon the premises at all times with staff trained in its use, it will be regularly checked and staff informed of any changes to it. The book will record all refusals of the sale of alcohol, all disorder and crimes that occur either in the premises or involve the premises' customers or any other incident of note.
24. Full exclusion for anyone under 18 will be in place after 6pm and zones will be created to separate as best as possible under 18s and those consuming alcohol.
25. When possible we will host no alcohol periods for families at the start of Saturdays and Sundays for 2 hours.
26. Loudspeakers shall not be located in the entrance lobby or outside the premises building.
27. All windows and external doors shall be kept closed after 22:00 hours, except for the immediate access & egress of persons
28. The CCTV system shall incorporate a recording facility and any recordings shall be retained and stored in a suitable and secure manner for a minimum of 31 days. A system shall be in place to maintain the quality of the recorded image and a complete audit trail maintained. The system will comply with other essential legislation, and all signs as required will be clearly displayed. The system will be maintained and fully operational throughout the hours that the premises are open for any licensable activity. There must also be someone on the premises, who can download the images and present them on request by a police officer or other responsible authority.

4.3 **Licensing Act 2003: Variation to Premises Licence for Agah, 43 Commercial Street, E1 6BD**

RESOLVED – That the application for a Premises License Variation for Agah, 43 Commercial Street, E1 6BD, be **DEFERRED** to allow the applicant to provide further information on measures to rebut the presumption that the application will impact on the Cumulative Impact Zone.

4.4 **Licensing Act 2003 Temporary Event Notice for Outdoor Courtyard/Car Park, 17 Towcester Road, Bow, London E3 3ND**

Application withdrawn.

The meeting ended at 8.17 p.m.

Chair, Councillor Rajib Ahmed
Licensing Sub Committee