

LONDON BOROUGH OF TOWER HAMLETS**MINUTES OF THE LICENSING SUB COMMITTEE****HELD AT 2.00 P.M. ON WEDNESDAY, 29 NOVEMBER 2017****C1, 1ST FLOOR, TOWN HALL, MULBERRY PLACE, 5 CLOVE CRESCENT,
LONDON, E14 2BG****Members Present:**

Councillor Rajib Ahmed (Chair)
 Councillor Khales Uddin Ahmed
 Councillor Shah Alam

Officers Present:

Kathy Driver	–	(Principal Licensing Officer)	
Vivienne Walker	–	(Senior Prosecution Lawyer)	
Simmi Yesmin	–	(Senior Committee Officer, Democratic Services)	

Representing applicants	Item Number	Role
PC Mark Perry	4.1	Metropolitan Police
Mostak Ahmed Askor	4.2	Mangal
Seydur Uddin	4.2	Mangal

Representing objectors	Item Number	Role
Stephen Baldwin	4.1	Angel & Crown

Apologies

None

1. DECLARATIONS OF DISCLOSABLE PECUNIARY INTEREST

Councillor Khales Ahmed declared a personal interest on item 4.2, Application for a New Premises Licence for Mangal, 514 Commercial Road, London E1 0HY on the basis that he knew of the Licensing Agent representing the Applicant in his capacity as a Labour Party Member, however he confirmed that they had not discussed this application prior to the meeting.

Councillor Rajib Ahmed declared a personal interest on item 4.2, Application for a New Premises Licence for Mangal, 514 Commercial Road, London E1 0HY on the basis that he knew of the Licensing Agent representing the Applicant in his capacity as a Labour Party Member, however he confirmed that they had not discussed this application prior to the meeting.

2. RULES OF PROCEDURE

The rules of procedure were noted.

3. MINUTES OF THE PREVIOUS MEETING(S)

The minutes of the meetings held on 19th September and 24th October 2017 were agreed and approved as a correct record.

4. ITEMS FOR CONSIDERATION

4.1 Application to Review the Premises Licence for the Angel and Crown, 170 Roman Road, London, E2 0RY

At the request of the Chair, Ms Kathy Driver, Licensing Officer, introduced the report which detailed the application for a review of the premises licence for The Angel and Crown, 170 Roman Road, London E2 0RY. It was noted that the review had been triggered by the Metropolitan Police and supported by local residents.

At the request of the Chair, PC Mark Perry, Metropolitan Police, explained that the pub had a long history of being poorly run and public nuisance associated with the premises. He explained that various visits had been made to the premises and Police have found the following; customers drinking in the bar when they were so intoxicated they could barely stand up unaided, groups of youths hanging around outside the pub drinking alcohol and using nitrous oxide, groups of customers outside drinking on the street, being loud and intimidating. Strong traces of drugs found in the premises and generally found the pub to be poorly run with no effective management. He explained that there had been a series of complaints and reports to the police from residents/neighbours also raising concerns about similar problems.

PC Perry went on to describe other reports from visits that had been made at the premises where he had witnessed customers being served drinks when they were drunk. It was noted that the pub was located right next to residential properties and therefore often caused disturbance to local residents. He explained that he had met with Mr Baldwin, Premises Licence Holder, and as an outcome a minor variation was put in place to reduce the hours and added conditions. This worked well for a few months but then went back to how it was again as SIA Door Staff were not being employed. It was noted that there had been complaints again in June 2017 which were detailed on page 62 of the agenda.

PC Perry concluded by saying that the local gang had taken over the pub, and was openly dealing in drugs etc. Mr Baldwin had failed to hire SIA door staff, and there have been numerous complaints from residents. PC Perry felt that there were no conditions that could be imposed to alleviate the concerns and therefore asked for the licence to be revoked.

Members then heard from Mr Stephen Baldwin, Premise Licence Holder, who explained that he had tried working with the Police, he had installed CCTV cameras and also had cameras installed outside the premises. Mr Baldwin explained that having two SIA door staff was very costly. He said that they now close the premises at 7pm on Fridays and Saturdays and have had no complaints since September 2017. He stated that he was 66 years old and had 27 years of experience. He said that he and his family used to live above the premises but once the landlords sold the lease he had to move out.

Mr Baldwin explained that he recently went into an agreement with a Mr Anthony Hynes who was going to take over the premises. He got rid of the pool table, games machines and introduced the challenge 25 policy but then left. He explained that all previous staff had been dismissed. It was noted that they generally had loyal customers, but the day to day sales were down especially with the newspapers labelling the pub as the worst pub in London. Mr Baldwin concluded by admitting that he had lost control of the premises but explained that he was in the process of selling the lease and therefore needed the pub to stay open for viewing etc. for potential buyers. He also stressed the issues about the nitrous oxide canisters and that customers that are known to use these have been barred from the premises. He said that the corner the pub had a very wide pavement which attracted people to congregate there and these people were not necessarily customers of the pub.

In response to questions the following was noted;

- That since 4th September 2017, the premises closes at 7pm on Fridays and Saturdays.
- There have been no complaints or incidents reported since 4th September 2017.
- PC Perry believed that if the premises closed at 7pm on Fridays and Saturdays then the problems would be resolved.
- Mr Baldwin confirmed that he had no intention of opening after 7pm on Fridays and Saturdays.
- The police felt that Mr Baldwin had demonstrated that he was not trustworthy and was not adhering to conditions on the licence.
- Police confirmed that they would be happy for the hours to be reduced on the licence to 7pm on Friday and Saturdays and if there were to be any events after 7pm then there should be an SIA door staff on duty until closing time.

Members retired to consider their decision at 3.00pm and reconvened at 3.20pm.

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 PC Mark Perry, Metropolitan Police and from the Licensee, with particular regard to the licensing objectives of crime and disorder and prevention of public nuisance.

Members noted the fact that following the reduction in opening hours on Friday and Saturdays to 7pm there had been no complaints from residents or concerns reported to the Police. Members also accepted the agreement from the Licensee that he was happy to modify the hours on his licence to alleviate the concerns the Police had of it attracting public nuisance and disorder to the local area by staying open late on Fridays and Saturdays. It was also noted that the Licensee would continue to run the day to day running of the premises until the business was sold.

Members noted the serious concerns raised about customers drinking outside the premises, leaving glasses outside and causing disturbance to passers-by, therefore Members believed that a condition to restrict people from taking drinks outside the premise would help alleviate some of those concerns raised. Members were also satisfied that a modification of the hours on the license would also relieve the concerns of the police and local residents and avoid any future disturbances.

Accordingly, the Sub Committee unanimously

RESOLVED

That the application for a Review of the Premises Licence for Angel and Crown, 170 Roman Road, London E2 0RY be **GRANTED IN PART** with conditions imposed.

The hours to be **modified** on Fridays and Saturdays to the following;

Sale of Alcohol

Fridays and Saturdays from 09:00 hrs to 19:00 hrs.

Regulated Entertainment

Fridays and Saturdays from 09:00 hrs to 19:00 hrs.

Hours premises Open to the Public

Fridays and Saturdays from 09:00 hrs to 19:00 hrs.

Condition

No drinks allowed to be taken outside the premises at any time.

Condition 5 from Annex 2 of the Premises Licence to be replaced with the following condition

Any event that goes beyond 7pm on Fridays and Saturdays. One SIA security staff must be on duty at the premises until the premises are closed and the last customers have left the premises. The security must sign in and out in the record book at the start and end of their shifts and must clearly be identifiable as security.

4.2 Application for a Premises Licence for Mangal, 514 Commercial Road, London E1 0HY

At the request of the Chair, Ms Kathy Driver, Licensing Officer, introduced the report which detailed the application for a new premises licence for Mangal, 514 Commercial Road, London E1 0HY. It was noted that there had been one objection from a local resident.

It was noted that the objector was not present at the meeting and therefore members noted and considered the written objection contained in the agenda.

Members then heard from Mr Mostak Askor, Licensing Representative on behalf of the Applicant who explained that upon the suggestion of Environmental Health, a carbon filter duct had been installed to reduce the smell emanating from the premises which Environmental Health were satisfied with.

He concluded that it was a fine dining restaurant, selling Turkish food, family orientated, and employed local people. Mr Askor explained that the applicant now had a contract with the waste collection services and had also installed the carbon filter duct.

In response to questions it was noted that it usually took 15 mins to prepare an order. It was also noted that there were no parking restriction after 7pm and that there was a local minicab office and its drivers usually park their cars around that area.

Members retired to consider their decision at 3.40pm and reconvened at 3.50pm.

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 licencing 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 merits and the Chair stated that the Sub Committee in the absence of the objector had carefully considered the written objections in the agenda and listened to the representations made on behalf of the Applicant by their Licensing Representative.

Members noted the reduction in the hours for late night refreshments which was agreed with Environmental Health and welcomed the efforts made by the Applicant to install a carbon filter duck to eliminate the odour and the contract for the waste bin outside the premises and the conditions offered in their operating schedule. Members were satisfied that these conditions would help alleviate the concerns of the local resident and promote the licensing objectives.

Therefore Members made a decision and the decision was unanimous. Members granted the application with conditions to help promote the licensing objectives.

Decision

Accordingly, the Sub-Committee unanimously –

RESOLVED

That the application for a New Premises Licence for, Mangal, 514 Commercial Road, London E1 8DR be **GRANTED** with conditions consistent with the operating schedule.

The Provision for Late Night Refreshments

Monday to Sunday from 23:00 hours to 01:00 hours (the following day)

Hours premises are open to the public:

Monday to Sunday from 23:00 hours to 01:00 hours (the following day)

Conditions

Last orders to be made by 00:30 hours for eating and last orders for takeaway to be made by 00:45 hours.

Training to be provided to all serving staff to have a good knowledge and awareness of prevention of crime and disorder and drug awareness.

CCTV will be installed and the recorded materials shall be retained and stored in a suitable/secure manner for a minimum of 31 days.

- α) A system shall be in place to maintain the quality of the recorded image and a complete audit trail maintained.
- β) The system will comply with essential legislations.
- χ) CCTV will be operational during opening hours.
- δ) Recordings and images will be available for police or responsible authorities on demand.

Management will control the premises, will not cause or permit a person to solicit for custom for the premises in any street or public places

Premises to have experienced staff who will run our premises, adequate door control will be taken to prevent crowd outside of our premises.

Premises to ensure that all customers leave quietly. If any customers need to wait for a taxi, staff will try to keep them on the premises until the taxi arrives. Premises will offer them a complimentary coffee/ tea.

Premises will not allow anyone to queue in front of our restaurant.

If anyone comes to pick up their friend or family member from our restaurant we will ask them not to blow their car horn.

Premises will provide low key volume recorded music that will not be heard from flat above to our premises or nearby residents.

Outside of the premises will be kept tidy, all spillage will be cleaned. I.e. Bottles, glass, litter etc.

Bottled drink or food will be not allowed to be consumed in front of the restaurant. (Except take away food which will be taken from the restaurant to eat at customers home).

No early morning delivery or collection or late delivery/collection will take place

Un-accompanied children Under 16 are not allowed in into the premises between midnight to 5 am.

5. EXTENSION OF DECISION DEADLINE: LICENSING ACT 2003

There were no applications that required deadline extensions.

6. EXCLUSION OF PRESS AND PUBLIC

The Chair exercised his power to exclude the press and public from the meeting.

6.1 Application for a Review under Section 53A of the Licensing Act 2003 for Denni's News, 15 Swaton Road, London E3 4ES

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 licencing 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 with particular regard to the licensing objectives of the prevention of crime and disorder, and the protection of children from harm.

Kathy Driver, Licensing Officer introduced the report and stated this was a Section 53a application following an incident regarding an employee of Denni's News. The interim hearing took place on the 14th November 2017 and the licensee agreed to remove the member of staff from his employment. Members were asked to note the withdrawal of the Review and accept that no further steps need to be taken in relation the review application.

Decision

Accordingly, the Sub-Committee unanimously

RESOLVED

That no further steps are taken in relation to the application for a Section 53A Review of the Premises Licence for Denni's News, 15 Swaton Road, London E3 4ES.

The meeting ended at 4.30 p.m.

Chair, Councillor Rajib Ahmed
Licensing Sub Committee