

LONDON BOROUGH OF TOWER HAMLETS
MINUTES OF THE LICENSING SUB COMMITTEE
HELD AT 5.30 P.M. ON TUESDAY, 14 JULY 2020

ONLINE 'VIRTUAL' MEETING - [HTTPS://TOWERHAMLETS.PUBLIC-I.TV/CORE/PORTAL/HOME](https://towerhamlets.public-i.tv/core/portal/home)

Members Present:

Councillor Eve McQuillan (Chair)
Councillor Shah Ameen
Councillor Zenith Rahman

Officers Present:

Nicola Cadzow	– (Environmental Health Officer)
David Wong	– (Legal Services)
Mohshin Ali	– (Senior Licensing Officer)
Corinne Holland	– (Licensing Officer)
Simmi Yesmin	– (Democratic Services)

Representing applicants	Item Number	Role
Neil Levene	4.1	(Representative on behalf of the Applicant)
Andrei Marcu	4.2	(Applicant)
Olu Olusola	4.2	(Licensing Agent)

Representing objectors	Item Number	Role
Nicola Cadzow	4.2	(Environmental Health Officer)
Corinne Holland	4.2	(Licensing Officer)

Apologies

None

1. DECLARATIONS OF INTEREST

There were no declarations of interests made.

2. RULES OF PROCEDURE

The rules of procedure were noted.

3. MINUTES OF THE PREVIOUS MEETING(S)

The minutes of the meetings held on 4th February, 3rd & 17th March and 28th April 2020 were agreed and approved as a correct record.

4. ITEMS FOR CONSIDERATION

4.1 Application for a New Premises Licence for (Brand Events Ltd/Veg in the Park), Victoria Park, Grove Road, London E3 5TB

This item was adjourned and is to be considered at a future Licensing Sub-Committee meeting. Members believed the adjournment was in the interests of justice as the representative for the applicant was unavailable to present the application due to circumstances beyond his control which had arisen at short notice.

4.2 Application for Variation of a Premises Licence for Coupette 423 Bethnal Green Road London E3 0AN

At the request of the Chair, Mr Mohshin Ali, Licensing Officer, introduced the report which detailed the application for a variation of the premises licence for Coupette, 423 Bethnal Green Road, London E3 0AN. It was noted that objections had been received on behalf of two of the Responsible Authorities, Licensing Authority and Environmental Health. The application sought was for an extension for the sale of alcohol.

At the request of the Chair, Mr Andrei Marcu, Applicant explained that the premises had been given an award for being the 23rd best bar in the country and that the variation application was to extend the hours for sale of alcohol, in order for customers to socialise and spend quality time in the venue on for longer. He explained that the business offered table service only, patrons were not permitted to drink whilst standing, and the business operated a booking only system.

Mr Olu Olusola, Licensing Representative on behalf of the Applicant explained that they were aware of the Bethnal Green Cumulative Impact Zone (CIZ), and expressed that if the application were granted, it would not negatively impact on the CIZ. It was also noted that Coupette was not a walk in cocktail bar, and there was a booking system in place.

Mr Olusola explained that management were very responsible, they operated a table service, the quality of customers were those that would not cause public nuisance, and there was a dedicated taxi service available. It was noted that the capacity of the premises was normally 45 persons, but due to the pandemic and social distancing rules, the premises could only currently provide for 30 covers. Mr Olusola stated that the Applicant was seeking an

additional 30 minutes for sale of alcohol on Mondays to Thursdays only, and considered that this would not add to the cumulative impact.

Members then heard from Ms Corinne Holland, Licensing Officer. She explained there was some confusion in the hours applied for, as the hours in the application were for Monday to Sunday until 2am and recent correspondence referred to different hours, which needed clarifying. She said that there was no mention of the CIZ in the operating schedule as there was a need to demonstrate exceptional circumstances in order for a licence to be granted.

Ms Holland said that the hours applied for exceeded the Councils Framework Hours, there was no additional provision for late night refreshments so the premises would be alcohol led for the last few hours, and therefore the application should be rejected.

Members also heard from Ms Nicola Cadzow, Environmental Health Officer, who referred to her representation on page 186-187, and explained the concerns in relation to the premises being in a CIZ particularly regarding the prevention of public nuisance. She said the hours applied for exceeded the Council's Framework Hours. Ms Cadzow stated that taxis waiting outside would cause an increase in noise nuisance. She concluded that a late night licence until 2am, 7 days a week in a residential area and in the CIZ would have a negative impact in the area, with the likelihood of noise breakout at night in a noise sensitive area.

In response to questions from Members the following was noted;

- That the hours had been amended in relation to Mondays to Thursdays from 11pm to 11.30pm, an addition of 30 minutes, with the hours for Friday, Saturday and Sunday to remain the same.
- That the normal capacity of the premises was 45 persons, now reduced to 30 persons to comply with social distancing rules.
- That 90% of patrons would be pre-booked, and the remaining 10% would be either those accompanying pre-booked persons or 'walk ins'.
- The staff discourage customers from congregating outside the premises, there was no amplified music, a dedicated taxi service was available, and had a dispersal policy was in place.
- Walk in customers could not be guaranteed a table, but where possible they were accommodated for.
- In order to prevent public nuisance, the premises had a small capacity, hence was relatively easier to manage, that they had separate booking time slots, whilst in some cases of 'walk ins' where capacity is already full, customers are asked to leave and are called back once a table was available to avoid people congregating outside.
- That the Applicant was happy to have conditions prohibiting vertical drinking and limiting the number of smokers outside the premises at any one time.

- There could normally be people waiting inside the premises for their tables, but due to the pandemic, the business could not currently allow too many people inside within social distancing guidelines.
- That there was signage displayed around the premises asking customers to leave the area quietly, and a part of the dispersal policy was to offer customers sweets and gums to reduce talking when leaving the premises.
- There was no amplified music at the premises only soft background music.
- That there have been no noise complaints.

Both parties made closing remarks.

The Chair advised all parties that a decision would be made by the Sub-Committee once this meeting was over and a decision notice, including the reasons for the decision, would be sent out to all parties within five working days.

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

Consideration

Each application must be considered on its own merits. The Chair confirmed that the Sub-Committee had carefully considered all of the evidence before them and heard oral representations at the meeting made by the Applicant and his Licensing Representative, and from the Officers representing the Licensing Authority and Environmental Health, objecting to the application, with particular regard to the prevention of public nuisance.

The Sub-Committee noted the representations from the Licensing Authority, and Environmental Health regarding the impact of the premises in the Bethnal Green Cumulative Impact Zone (CIZ) and in particular the concerns relating to the extended hours applied for. However, the Sub-Committee also noted the applicant's representation that the impact of the premises licence if granted, would be mitigated by the proposed conditions offered in the operating schedule, and the representation by the applicant of the premises as a relatively small, table service only bar. The Sub-Committee was therefore satisfied that there would be no addition to the cumulative impact in the area. It was also noted that the application had been amended, the hours for the

sale of alcohol had been vastly reduced, and the application was now for 30 minutes extra on Mondays - Thursdays.

The Sub Committee were of the view that imposing robust conditions such as no vertical drinking, no drinks allowed outside the premises and limiting the number of smokers outside the premises at any one time would promote the licensing objective of preventing public nuisance.

The Sub-Committee was satisfied that the licensing objectives would be promoted and that the conditions imposed would effectively mitigate the risk of public nuisance and help alleviate any concerns raised by the Responsible Authorities.

Therefore Members made a decision and the decision was unanimous. Members granted the application with conditions.

Accordingly, the Sub Committee unanimously;

RESOLVED

That the application for a Variation of the Premises Licence for Coupette, 423 Bethnal Green Road, London E3 0AN be **GRANTED with conditions**.

Sale of Alcohol (On and Off Sales)

Monday to Thursday from 11:00 hours to 23:30 hours
Friday from 11:00 hours to 01:00 hours (the following day)
Saturday from 10:00 hours to 01:00 hours (the following day)
Sunday from 11:00 hours 23:00 hours

Opening Hours

Monday to Thursday from 10:00 hours to 23:30 hours
Friday from 10:00 hours to 01:00 hours (the following day)
Saturday from 10:00 hours to 01:00 hours (the following day)
Sunday from 10:00 hours 23:00 hours

New Conditions to be imposed on the premises licence

1. No vertical drinking in the premises.
2. No more than 5 smokers allowed to smoke outside the premises at any one time.
3. Notices shall be prominently displayed at all public exits requesting customers to respect the needs of local residents and leave the premises and area quietly
4. A cctv camera system covering both internal and external to the premises is to be installed and recordings are to be maintained for 31 days and to be provided upon request to either a police officer or an

officer of any other responsible authority. A system shall be in place to maintain the quality of the recorded image and a complete audit trail maintained. The system will be maintained and fully operational throughout the hours that the premises are open for any licensable activity

5. At all times the premises are open, a person who can operate the cctv system must be present on the premises who can download images and present them immediately on request to a police officer or other responsible authority
6. A challenge 25 proof of age scheme shall be operated at the premises where the only acceptable forms of identification are recognised photographic identification cards, such as a driving licence, passport or proof of age card with the pass hologram.
7. No customers will permitted to drink outside the premises.
8. The premises license holder will ensure that all staff are trained regularly regarding the responsible sale of alcohol.
9. Sales of alcohol will only be made when a personal licence holder is present at the premises.
10. All door and windows of the premises shall be kept closed and shut at all times there is any music, live or recorded other than for entry or egress of customers.
11. No person under the age of 18 years shall be permitted into the premises without being under the supervision of an appropriate adult.
12. An incident log shall be kept at the premises, and be available on request to the Police or an authorised officer. It must be completed within 24 hours of any incident and will record the following:
 - a) all crimes reported to the venue;
 - b) all ejections of patrons;
 - c) any complaints received concerning crime and disorder
 - d) any incidents of disorder;
 - e) all seizures of drugs or offensive weapons;
 - f) any faults in the CCTV system, searching equipment or scanning equipment;
 - g) any refusal of the sale of alcohol;
 - h) any visit by a relevant authority or emergency service.

5. EXTENSION OF DECISION DEADLINE: LICENSING ACT 2003

Members agreed to extend the decision deadlines for the following applications to 30 September 2020;

Premises
La Verde, Unit 3 The Mosaic, 45 Narrow St, London E14 8DN
Wombats City Hostel, 7 Dock Street, London E1 8LL
Alcotraz, 212 Brick Lane, London E1 6SA
Manjal, 3 Turnberry Quay, London E14 9RD
London Oktoberfest, Millwall Park, London E14 3BA
NYX Hotel, 114-150 Hackney Road, London E2 7QL

The meeting ended at 7.15 p.m.

Chair, Councillor Eve McQuillan
Licensing Sub Committee