

LONDON BOROUGH OF TOWER HAMLETS**RECORD OF THE DECISIONS OF THE LICENSING SUB COMMITTEE****HELD AT 5.30 P.M. ON TUESDAY, 1 SEPTEMBER 2020****ONLINE 'VIRTUAL' MEETING - [HTTPS://TOWERHAMLETS.PUBLIC-I.TV/CORE/PORTAL/HOME](https://towerhamlets.public-i.tv/core/portal/home)****Members Present:**

Councillor Rajib Ahmed (Chair)

Councillor Shah Ameen (Member)

Councillor Victoria Obaze (Member)

1. DECLARATIONS OF INTEREST

There were no declarations of interest.

2. RULES OF PROCEDURE

The rules of procedure were noted.

3. ITEMS FOR CONSIDERATION**3.1 Application for a New Premises Licence for (La Verde), Unit 3, the Mosaic, 45 Narrow Street, London E14 8DN****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 merits and the Chair stated that the Sub-Committee had carefully considered all of the evidence before them and had heard representations from the Applicant's Licensing

Representative, the Ward Councillor and had also heard from the objector present at the meeting.

Members welcomed the efforts made by the Applicant, in offering robust conditions and also accepting and agreeing to the conditions suggested by the Environmental Health Team.

Members also noted the concerns raised by the objector in relation to noise and disturbance associated with the premises with patrons taking drinks outside the premises and causing public nuisance, therefore a condition of no off sales and a condition to prohibit drinks being taken outside the premises would be imposed to help minimise the likelihood of such disturbance.

The Sub Committee reached a decision and the decision was unanimous. The Sub-Committee agreed to grant the premises licence subject to the conditions, Members were satisfied that the granting of the premises licence on these conditions will help promote the licensing objectives and minimise the risk of public nuisance. In particular, the condition to ensure that alcohol is ancillary to a meal will mitigate the risk of the premises becoming a drinking only establishment.

Accordingly, the Sub-Committee unanimously

RESOLVED

That application for a new Premises Licence for La Verde, Unit 3, the Mosaic, 45 Narrow Street, London E14 8DN be **GRANTED** with conditions.

The sale by retail of alcohol (on sales only)

- Monday to Saturday, from 10:00 hours to 22:00 hours
- Sunday, from 11:00 hours to 22:00 hours

The opening hours of the premises

- Monday to Saturday, from 08:00 hours to 23:00 hours
- Sunday, from 08:00 hours to 22:30 hours

Conditions

1. There shall be no off sales.
2. Alcohol to be only served ancillary to a meal.
3. No drinks shall be taken outside the premises.
4. The premises shall maintain a comprehensive CCTV system as per the minimum requirements of a Metropolitan Police Crime Prevention

Officer. All public areas, entry and exit points will be covered enabling frontal identification of every person entering in any light condition. The CCTV system shall continually record whilst the premises is open for licensable activities and during all times customers remain on the premises. All recordings are to be stored for a minimum period of 31 days with date and time stamping. Recordings shall be made available immediately upon the request of Police or authorised officer.

5. The DPS or a personal licence holder shall be on duty from 19.00 hours to close on Friday and Saturday evenings at other times the DPS, a personal licence holder or a trained member of staff nominated in writing by the DPS shall be on duty at all times the premises are open to the public;
6. An incident book shall be kept at the premises, and made available to the police or authorised council officers, which will record the following:
All crimes reported,
 1. Lost property,
 2. All ejections of customers,
 3. Any complaints received,
 4. Any faults in the CCTV,
 5. Any refusal in the sale of alcohol.
 6. Any visit by a relevant authority or emergency service
7. The area outside of the premises shall be kept tidy at all times and be swept at close;
8. Staff will monitor the outside area, including customer conduct regularly, both physically and by use of the CCTV and all empty/dirty bottles, glasses and crockery etc shall be regularly removed. Smokers will be similarly monitored after 21.00hrs
9. Notices will be prominently displayed by the entry/ exit door and point of sale (as appropriate) advising customers:

That CCTV and Challenge 25 are in operation;
To respect residents, leave quietly, not to loiter outside the premises or in the vicinity and to dispose of litter legally
10. Staff will ensure that no more than [5] customers go outside the front after 21.00hrs to smoke.
11. Notices shall be displayed inside and outside the premises indicating restrictions on smoking after 21.00hrs.
12. Loudspeakers shall not be located in the entrance lobby or outside the premise building.

13.No noise shall emanate from the premises nor vibration be transmitted through the structure of the premises, which gives rise to a nuisance.

14.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.

3.2 Application to Review the Premises Licence for (London Oktoberfest Ltd.) Millwall Park, Isle of Dogs London E14 3BA

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 merits and the Chair stated that the Sub-Committee had carefully considered the representations made on behalf of the Metropolitan Police as the Applicant and the responsible authorities and local residents supporting the review and the representation made by the Premises Licence Holder.

The Sub-Committee were very concerned to note from the evidence presented the issues arising in relation to incidents of crime and disorder, threats to public safety and occurrences of public nuisance. The Sub-Committee also noted the Premises Licence Holder's willingness to work with the responsible authorities expressed in their representations made both in supplemental agenda pack and at the hearing of the application to review.

Where a Licensing Sub-Committee are asked to review a premises licence, they have the power to revoke that licence. However, that is not the Sub-Committee's only option in their range of powers, and any decision made must be justifiable in terms of supporting the above licensing objectives in a proportionate way. In this instance, the Sub-Committee considered that the above concerns in relation to incidents of crime and disorder, threats to public safety and occurrences of public nuisance could be adequately addressed by imposing a number of additional conditions on the premises licence, in the expectation that the Premises Licence Holder will work with the responsible authorities to implement those, and avoid the need for anymore applications for review of this premises licence.

The Sub-Committee reached a decision and the decision was unanimous. The Sub-Committee agreed to impose conditions that relate to problems raised in the review application which were considered necessary and proportionate to ensure that the licensing objectives are met.

Decision

Accordingly, the Sub-Committee unanimously –

RESOLVED

That the application for a review of the Premises Licence for, London Oktoberfest Ltd, Millwall Park, Isle of Dogs London E14 3BA be **GRANTED in part with conditions.**

Additional conditions to be imposed on the premise licence

1. A maximum capacity of 1500 people per event (per day)
2. Only traditional Bavarian music to be played at the events.
3. Adequate sanitation facilities to be available. To consult with responsible authorities on the adequacy of numbers toilets to be provided.
4. Restrict standing on benches completely and to produce a method statement to demonstrate how this will be enforced.
5. Carry out suitable and sufficient risk assessments and put adequate control measures in place to minimise the risk of slipping so far as is reasonably practicable.
6. No standing on tables and benches
7. CCTV in operation during all event opening times.
8. No alcohol shall be taken off the licensed area.
9. There shall be a personal licence holder on duty on the premises at all times when the premises are authorised to sell alcohol.
10. 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 CCYV system, searching equipment or scanning equipment
 - g) Any refusals of the sale of alcohol
 - h) Any visit by a relevant authority or emergency service.
11. 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.
 12. The licensee must ensure that all staff involved in bar operations are fully aware of and understand the requirements of the Licensing Act 2003 and all related conditions applicable to the event.
 13. Every bar must keep a refusals log detailing all refused sales of alcohol. The record should include the date and time of the refused sale and the name of the member of staff who refused the sale. The record shall be available for inspection at the premises by the police or an authorised officer at all times whilst the premises is open.
 14. A bar supervisor shall be in place to ensure refusals logs are kept in all bars and maintained for inspection by the Police or an authorised officer at all times whilst the event is open to the Public.
 15. The sales of steins to stop at 22:00 hours and thereafter only 1 pint or half pint measures to be sold.

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

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

Premises
Studio Space Ltd Unit 2, 110 Pennington Street Wapping London E1W 2BB
Discount Suit Company Ltd, 1A Bell Lane, London E1 7TB
Hoshi Fast Fresh Food, 10 Toynbee Street, London, E1 7NE
Club Mexicana Unit 4, Riverbank Business Park, 455 Wick Lane, London E3 2TB

The meeting ended at 8.50 p.m.