

**LONDON BOROUGH OF TOWER HAMLETS****RECORD OF THE DECISIONS OF THE LICENSING SUB COMMITTEE****HELD AT 5.30 P.M. ON TUESDAY, 26 JANUARY 2021****ONLINE 'VIRTUAL' MEETING - [HTTPS://TOWERHAMLETS.PUBLIC-I.TV/CORE/PORTAL/HOME](https://towerhamlets.public-i.tv/core/portal/home)****Members Present:**

Councillor Peter Golds (Chair)

Councillor Shad Chowdhury (Member)

Councillor Victoria Obaze (Member)

**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 Licensing Sub Committee held on 1<sup>st</sup> and 3<sup>rd</sup> December 2020 were agreed and approved as a correct record.**4. ITEMS FOR CONSIDERATION****4.1 Application for a New Premise Licence for Lime Grill, 332 Burdett Road, London, E14 7DL****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. 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 the resident objectors, with particular regard to the prevention of public nuisance and the prevention of crime and disorder.

The Sub-Committee heard representations made by the Applicant's Legal Representative, that the hours applied for was due to customer demand and for those customers working unsociable hours and welcomed conditions to promote the licensing objectives.

Members also heard objections from Officers representing the Metropolitan Police and Environmental Health, that the hours applied for were beyond the Council's Framework Hours and were far too excessive, and the likelihood that a late night venue would attract people who have been drinking, who are intoxicated and are more likely to be less aware of their surroundings and cause noise nuisance or alcohol related crime and disorder.

Members noted the proposed hours suggested by the Police and supported by Environmental Health and were of the view that the reduced hours would be the most appropriate hours to be granted in order to keep a balance between the objectives of the business, the effects on residents nearby and commensurate to the licensing objectives.

Members were satisfied that the reduction in hours together with the conditions proposed would also help alleviate concerns raised by the responsible authorities and help reduce the risk of any disturbances.

The Sub Committee was therefore satisfied that the granting of the application with the reduced hours and conditions would not negatively impact on the area and the conditions imposed would help promote the licensing objectives.

Accordingly, the Sub Committee unanimously;

### **RESOLVED**

That the application for a New Premises Licence for Lime Grill, 332 Burdett Road, London E14 7UL be **GRANTED in part with conditions**

#### Late Night Refreshments

Sunday to Thursday from 11:00 hours to 01:00 hours (the following day) –  
From 00:00 hours (midnight) this is only for delivery only via food ordering websites.

Friday and Saturday from 11:00 hours to 02:00 hours (the following days) –  
From 01:00 hours this is only for delivery only via food ordering websites.

#### Hours premises are open to the Public

Sunday to Thursday from 11:00 hours to 01:00 hours (the following day)  
Friday and Saturday from 11:00 hours to 02:00 hours (the following day)

Conditions

1. The premises shall install and maintain a comprehensive CCTV system as per the minimum requirements of the Tower Hamlets Police Licensing Team. All 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 when customers remain on the premises. All recordings shall be stored for a minimum period of 31 days with date and time stamping. Viewing of recordings shall be made available immediately upon the request of Police or authorised officer throughout the entire 31 day period.
2. A staff member from the premises who is conversant with the operation of the CCTV system shall be on the premises at all times when the premises are open. This staff member must be able to provide a Police or authorised council officer copies of recent CCTV images or data with the absolute minimum of delay when requested.
3. 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.
4. No noise generated on the premises, or by its associated plant or equipment, shall emanate from the premises nor vibration be transmitted through the structure of the premises which gives rise to a nuisance.
5. No idling of vehicles, being either patron or delivery vehicles outside the premise whilst premises is in operation.
6. Notices shall be displayed in the premises asking customers to leave quietly and respect the needs of local residents.

#### **4.2 Application for a New Premise Licence for Enola's Kitchen, 'Sundial Centre', 11 Shipton Street, London, E2 7RU**

##### **The Licensing Objectives**

In considering the application, Members are normally 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. The Prevention of Public Nuisance; and
4. The Protection of Children from Harm

##### **Consideration**

Each application must be considered on its own merits. The Sub-Committee 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 one of the objectors and the Licensing Representative representing objectors with particular regard to concerns over the prevention of public nuisance and the prevention of crime and disorder.

The Sub-Committee noted the representations on behalf of the Licensing Authority and residents in particular regarding the impact of another premises selling alcohol in the local area and the concerns relating to the likely disturbance to residents nearby. However, Members noted that the business model was clear that the premises would not be alcohol led, and that alcohol would be sold ancillary to a meal and there would be no off sales. It was also noted that the premises was very small with a capacity of 24.

Members welcomed the efforts made by the Applicant in accepting and agreeing to the conditions proposed by the Responsible Authorities and also agreeing to reduce the hours that had originally been applied for. The Sub-Committee believed that a further reduction in the hours for the sale of alcohol to 10pm would create a balance in a residential area where there are concerns of anti-social behaviour. It was also noted that there would only be background music and unamplified acoustic music played at the premises which would not require regulated entertainment licensing.

The Applicant's agreement during the hearing to accept a condition to restrict drinks from being consumed outside the premises also gave Members the assurance that the licensing objectives would be upheld.

The Sub Committee was therefore satisfied that the granting of the application with the reduced hours and conditions would not negatively impact on the area and the conditions imposed would help promote the licensing objectives.

Decision

Accordingly, the Sub Committee unanimously;

**RESOLVED**

That the application for a New Premises Licence for Enola's Kitchen, Sundial Centre, 11 Shipton Street, London E2 7RU be **GRANTED in part with conditions.**

Sale of Alcohol (on sales only)

Monday to Sunday from 11:00 hours to 22:00 hours

Regulated Entertainment (in the form of Films)

Monday to Friday from 12:00 hours to 22:00 hours  
Saturday to Sunday from 10:00 hours to 22:00 hours

Hours premises are open to the Public

Monday to Sunday from 08:00 hours to 22:30 hours

Conditions

1. The premises shall install and maintain a comprehensive CCTV system as per the minimum requirements of the Tower Hamlets Police Licensing Team. All 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 when customers remain on the premises. All recordings shall be stored for a minimum period of 31 days with date and time stamping. Viewing of recordings shall be made available immediately upon the request of Police or authorised officer throughout the entire 31day period.
2. A staff member from the premises who is conversant with the operation of the CCTV system shall be on the premises at all times when the premises are open. This staff member must be able to provide a Police or authorised council officer copies of recent CCTV images or data with the absolute minimum of delay when requested.
3. 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.
4. 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.
  5. Signage of the 'Challenge 25' policy shall be prominently displayed on the premises.
  6. Notices shall be prominently displayed at all exits requesting patrons to respect the needs of local residents and businesses and leave the area quietly.
  7. All staff will be trained as to their responsibility under the Licensing Act 2003. This training shall be recorded and the records to be available on request to the Police or any authorised officer.
  8. There shall be no off sales
  9. No alcohol shall be consumed outside the building
  10. Alcohol shall only be sold ancillary to a meal.
  11. There shall be no congregation of customers outside the premises once the premises is closed to the public.
  12. A written dispersal policy shall be in place and implemented at the premises to move customers from the premises and the immediate vicinity in such a way as to cause minimum disturbance or nuisance to neighbours. This should include the deployment of security/stewards to enable this to be done effectively. The Policy to be agreed with the Licensing Authority and Police.
  13. No Music or Amplified Sound shall be generated on the premises to give rise to a nuisance to neighbouring residents.
  14. Loudspeakers shall not be located in the entrance lobby or outside the premise building.
  15. All windows and external doors shall be kept closed when regulated entertainment takes place, except for the immediate access & egress of persons.
  16. Patrons permitted to temporarily leave and then re-enter the premises, e.g. to smoke, shall be limited to 5 persons at any one time.

17.No noise generated on the premises, or by its associated plant or equipment, shall emanate from the premises nor vibration be transmitted through the structure of the premises which gives rise to a nuisance.

#### 5. EXTENSION OF DECISION DEADLINE: LICENSING ACT 2003

Members agreed to extend the decision deadlines for the applications below to the dates stated; Licensing applications were extended due to the impact of the pandemic, and were adjourned under regulation 11 of the Licensing Act 2003 (Hearings) Regulations 2005, and was in the public interest to do so and did not require representation from parties of the application.

<b>Premises</b>	<b>Extended to:</b>
Greenglow, Railway Arches,296-297 Cambridge Heath Road	<b>30/04</b>
The Breakhouse Café), Unit 17, Bloc Riverbank, 455 Wick Lane, London, E3 2TB	<b>30/04</b>
The Milk Float, Sweet Water Trading Mooring Whit Post Lane Hackney Wick E9 5EN	<b>30/04</b>

The meeting ended at 7.40 p.m.