

LONDON BOROUGH OF TOWER HAMLETS**MINUTES OF THE LICENSING SUB COMMITTEE****HELD AT 6.30 P.M. ON TUESDAY, 26 OCTOBER 2021****COUNCIL CHAMBER, TOWN HALL, MULBERRY PLACE, 5 CLOVE CRESCENT,
LONDON, E14 2BG****Members Present:**

Councillor Peter Golds (Chair)

Councillor Shad Chowdhury

Councillor Ayas Miah

Officers Present:

Jonathan Melnick

Corinne Holland

Simmi Yesmin

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– (Principal Lawyer-Enforcement)

– (Licensing Officer)

– (Democratic Services Officer,
Committees, Governance)**Representing applicants****Item Number****Role**

Graham Hopkins

3.1

(Licensing Agent)

Linda Potter

3.1

(Licensing Agent)

Kasim Chaudry

3.1

(Applicant)

Whitney Warren

3.2

(Event Manager)

Howard Jackson

3.2

(Director)

Jason Zeelof

5

(Applicant)

Michael Watson

5

(Licensing Consultant)

Sacha Henry

6

(Premises Manager)

Representing objectors**Item Number****Role**

PC Mark Perry

3.1/5/6

(Metropolitan Police)

Nicola Cadzow

3.2

(Environmental Health Officer)

Lavine Miller-Johnson

3.1

(Licensing Officer)

Apologies

None

1. DECLARATIONS OF INTEREST

There were no declarations of interest made.

2. RULES OF PROCEDURE

The rules of procedure were noted.

3. ITEMS FOR CONSIDERATION**3.1 Application for a Variation of a premises licence for (Pasha's Peri Peri) 637 Commercial Road, London E14 7NT**

At the request of the Chair, Ms Corinne Holland, Licensing Officer, introduced the report which detailed the application for a variation of the premises licence for Pasha's Peri Peri, 637 Commercial Road, London E14 7NT. It was noted that objections had been received by Officers on behalf of the Licensing Authority and the Police.

At the request of the Chair, Mr Graham Hopkins, Licensing Agent, on behalf of the Applicant, explained that the application was for a variation and the premises was not in the cumulative impact zone. He explained that the premises had been operating for 20 years, 15 of which had been managed by the applicant, who had considerable experience of operating a late-night premises.

It was highlighted that complaints were made during May - June 2020 and prior to that there had been no problems or complaints. He said the complaints raised were not substantiated as there was no evidence provided. Mr Hopkins said that he had spoken to the Applicant and he had denied that the alleged incidents took place with the Police.

Mr Hopkins explained that staff would clean the street up to 25 metres either side of the premises at the start and end of each day.

He said that deliveries would be made by Just Eat and UberEats and that the applicant had contacted the different websites and the hours of operation had been amended. It was noted that the police were of the view the premises had been operating beyond trading hours on Thursdays as advertised as it was incorrectly advertised on the online delivery platform but Mr Hopkins pointed out that there was no evidence that the premises had been operating beyond its operating hours. In addition, the police had not formally interviewed the licence holder about the alleged breach, there were no details as to which member of staff the police had spoken to, , no request for CCTV images were made and therefore there was no evidence to support the allegations.

Mr. Chaudry, applicant, stated that he had spoken to Just Eats to correct the website but that this was over the telephone. He had no record of it. He told members that if an order came in after 02:00, it would not be delivered until the next day. He told the Sub-Committee that they would limit the number of

drivers in the Premises to two at any one time and that the Premises did not have its own drivers.

Members then heard from Ms Lavine Miller-Johnson, Licensing Officer. She explained that in May 2020, a resident made a complaint that the premises was trading beyond licensable hours and reported issues of noise nuisance and litter on streets. She said that operating hours advertised on-line were for later hours than on the premises licence. She believed that the hours applied for the variation were far too excessive and would not be acceptable for residents to endure public nuisance at such late hours. She also raised concerns as to why staff working at the premises were not informed of conditions or trading hours or whether they had simply disregarded it. Ms Miller-Johnson said she had the name of the member of staff that was spoken to on the visit made by the Police and highlighted that during the visit there was a group of males seen congregating outside the premises being loud and throwing litter and this was witnessed by officers. She said if Members were minded to grant the application a condition should be imposed for no collection or takeaway but only online delivery for the additional hours applied for.

PC Mark Perry, Police Officer, explained that a complaint was received and as part of the late night levy initiative, officers were diverted to patrol the premises and to substantiate the allegation and report what they had seen. He said that any responsible premise licence holder would check websites to see if the hours were correctly advertised. PC Perry said the premises was on a busy road with residential properties and a late night venue on the balance of probability would cause noise nuisance especially with access and egress to the premises and people congregating outside the premises at such noise sensitive hours.

In response to questions the following was noted;

- That orders from online delivery companies are paused when the premises is closed and no further orders are taken until the next day. Orders can be placed by 1.55am at the latest for collection only.
- The applicant was unaware why Thursday had been advertised to close at 4am.
- That staff did not recall speaking to officers about closing times and confirmed that shutters were down by 2am and cleaning takes place until 3am.
- There was a waste collection contract with the Council.
- Notices would be displayed asking customers to leave quietly and respect the needs of local residents, don't serve underage children and CCTV images are available on request.
- That the premises did not have its own delivery drivers, the company Just Eat operated till midnight and UberEats was used for the remainder hours, delivery drivers were trained by their companies and staff would only allow one driver into the premises at a time.
- That staff would be retrained by Mr Hopkins
- Delivery drivers used bikes and bicycles only.

Concluding remarks were made by both parties.

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

The Sub-Committee considered an application by Kasim Chaudry to vary the premises licence held in respect of Pasha's Peri Peri, 637 Commercial Road, London, E14 7NT ("the Premises"). The current licence authorises the provision of late night refreshment to 01:00 hours on Sunday, 02:00 hours Monday to Thursday, and to 04:00 hours on Friday and Saturday. The variation sought to permit the provision of late night refreshment to 04:00 hours seven days per week. The application attracted objections from the police and from the Licensing Authority. The objections alleged that the Premises had been operating outside of its hours and that complaints had been received about noise and litter from customers.

Mr. Hopkins told the Sub-Committee that the Premises had operated for about twenty years. He asserted that the allegations were unsubstantiated and were over a year old. Some of the matters referred to by the responsible authorities were hearsay. He accepted that the online platforms showed the Premises appearing to take orders beyond the permitted hours but told the Sub-Committee that these platforms were operated by third parties such as Uber Eats and Just Eat. His client had tried to contact them to get these hours corrected. He denied that the operator had provided late night refreshment in breach of its licence. The applicant denied that the Premises generated noise or litter but conditions had been offered up to address that, including sweeping the road to 25 metres of either side of the Premises.

Ms. Miller-Johnson, on behalf of the Licensing Authority, told the Sub-Committee that there had been complaints about noise and litter. Residents already endured late hours from the Premises and permitting the Premises to operate until 04:00 hours every day would not be acceptable. She referred to the fact that staff had, when asked, said that the Premises were open until 03:00 hours on 21st May 2020. On 3rd June 2020 staff had told officers that they had witnessed anti-social behaviour outside the Premises. She suggested that if the Sub-Committee was minded to grant the application, consideration should be given to ensuring that it was for delivery only and not for takeaway or collection.

PC Mark Perry echoed Ms. Miller-Johnson's concerns. He considered it unlikely that the website operators got it wrong, especially as the staff appeared to corroborate this. He reiterated that there had been complaints from residents. Further, the Premises were located on a busy road and that people purchasing food at those late hours were more likely than not to be intoxicated. That there were not more complaints was not the point; on the balance of probabilities, later hours were likely to lead to further problems.

During questions Mr. Chaudry stated that he had spoken to Just Eats to correct the website but that this was over the telephone. He had no record of it. He told members that if an order came in after 02:00, it would not be delivered until the next day. He told the Sub-Committee that they would limit the number of drivers in the Premises to two at any one time; the Premises did not have its own drivers.

The Sub-Committee understands that its role is not to determine guilt or innocence. It accepted, as did PC Perry, that there was no actual evidence of sales outside of permitted hours. As to the assertion that some of the evidence was hearsay, the Sub-Committee is entitled to receive hearsay evidence and the issue is simply as to the weight to be attached to it. Mr. Hopkins suggested that staff, when asked about closing time, might have simply meant to when they would be closing up after cleaning and did not mean that they would be trading until that time. It was just as likely that staff did in fact mean they were open to the public. Similarly, whilst it was possible that Just Eat and Uber Eats had posted incorrect information, it was also possible that they had been given this information by the operators. The Sub-Committee considered that this painted a rather confused picture and indicated that staff were not fully aware of the licence and the obligations it imposed regardless of whether or not actual breaches of the licence could be proved.

The Sub-Committee was concerned by the extension in hours sought which, if granted, would permit an additional nine hours per week. Whilst it understood that the pandemic had affected this business as it had many others, the Sub-Committee needed to make its decision with a view to the promotion of the licensing objectives. The Sub-Committee was aware that although the Premises were located on a busy road, there were many residential properties nearby. It considered that a proportion of potential patrons would be those who have been out in the night-time economy and intoxicated. The Premises being open to 04:00 hours all week was also likely to attract passing vehicles which would not have stopped otherwise. There would also be more delivery drivers in the area as a result. All of this would, in the Sub-Committee's view, inevitably lead to an increase in public nuisance in the form of noise and litter. The Sub-Committee also noted that as ambient noise levels tend to be lower at night, noise that might arise from patrons, vehicles and delivery drivers would sound louder.

Section 14 of the Council's Licensing Policy sets out the framework hours. Whilst these provide guidance, each application is decided on its own merits. However, the longer and later the hours sought, particularly having regard to

the nature of the premises and the area, the greater the likely impact on the licensing objectives. In particular, paragraph 14.9 makes clear that greater attention will be paid to those types of premises that are more likely to contribute to late-night anti-social behaviour.

The Sub-Committee, whilst welcoming the conditions proposed, did not consider that these would suffice to overcome the likely impact of the variation upon the licensing objectives. The Sub-Committee therefore decided to refuse the application.

Accordingly, the Sub Committee unanimously;

RESOLVED

That the application for a Variation of the Premises Licence for Pasha's Peri Peri, 637 Commercial Road, London E14 7NT be **REFUSED**.

3.2 Application for a New Premise Licence for Toynbee Hall, 28 Commercial Street, London, E1 6LS

At the request of the Chair, Ms Corinne Holland, Licensing Officer, introduced the report which detailed the application for a new premises licence for Toynbee Hall, 28 Commercial Street, London E1 6LS. It was noted that objections had been received by the Environmental Health Officer. It was also noted that the hours had been reduced.

At the request of the Chair, Ms Whitney Warren, Events Manager for Toynbee Hall, explained that she would be the designated premises supervisor if the application were to be granted. She gave a brief history of the venue and its mission to support charity organisations to help break down socioeconomic barriers. She explained that the venue currently hosted general events, product launches and weddings to generate income for the running of the venue and for charitable organisations. It was noted that currently promoters or venue hirers bring their own drinks to the venue, and they therefore wanted the opportunity to sell alcohol and generate more revenue to put towards their charitable objectives.

Ms Warren stated that she aware that the premises was in the cumulative impact zone (CIZ) but claimed that the venue was not alcohol-led and the nature of the venue would mitigate any impact of granting a premises licence in the CIZ. She said that the clients were currently able to bring alcohol into the venue and therefore there would not be an additional impact, nor was there any impact currently. She said in order to address concerns of public nuisance, they had agreed to conditions to have no loud speakers and would manage noise emanating from the premises, there would be no off sales of alcohol to customers or members of the public and that staff were aware of the list of attendees attending any events at the venue.

Members then heard from Nicola Cadzow, Environmental Health Officer who referred to her objection on page 137 and explained that when she received

the application, she considered the licensing objective of public nuisance. Whilst asking for lesser hours which were within the Council's framework hours the applicants had not liaised with her and there was insufficient information in the application to demonstrate how another licensed premises would not negatively impact on the area. She did not consider that the application had properly addressed issues of noise disturbance from ingress and egress or to prevent people loitering outside the Premises. In respect of further conditions offered by the applicant (at Page 139 of the report pack) Ms. Cadzow suggested some amendments in the event that the Sub-Committee was minded to grant the application.

In response to questions the following was noted;

- That the garden area outside the premise was a public place and could not be managed by staff at the venue.
- Concerns were raised about a local primary school being very close to the premises. However, it was confirmed that the school was behind the estate in which the venue was in.
- That a security team would be onsite during any events and all events would be risk assessed, there would be access to CCTV footage on request by officers of the Council or the police.
- Currently operating a bring your own policy at the venue during events and having a premises licence with conditions would in fact regulate and manage drinking on the premises.
- That the main purpose for the sale of alcohol was to generate more income for the venue and for charitable organisations.
- It was noted that opening hours would remain the same as originally applied for - 07:00 to 23:00 hours.
- The request for off sales was for seasonable events taking place outside the venue to allow flexibility, but the applicant was agreeable for this aspect to be removed if members were not minded to grant the application.

Concluding remarks were made by both parties.

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:

5. The Prevention of Crime and Disorder;
6. Public Safety;
7. The Prevention of Public Nuisance; and
8. The Protection of Children from Harm.

Consideration

The Sub-Committee considered an application by Toynbee Hall Trading Ltd. for a new premises licence to be held in respect of Toynbee Hall, 28 Commercial Street, London, E1 6LS (“the Premises”). The application originally sought authorisation for the sale of alcohol for consumption on and off the Premises from 07:00 hours to 23:00 hours seven days per week. This was subsequently amended to 11:00 hours to 23:00 hours Monday to Saturday and to 11:00 hours to 22:30 hours on Sunday. The Sub-Committee was informed that a number of conditions had been agreed with the police.

The application attracted one representation against the grant of a licence. This was from the Environmental Health Service on the basis of public nuisance and that the Premises are located in the Brick Lane Cumulative Impact Zone (CIZ).

The Sub-Committee heard from Whitney Warren and Howard Jackson on behalf of the applicant. The Sub-Committee was told that the aim of the application was to maximise the income of the Premises so that it could be redistributed to help meet their charitable objectives. The application would permit them to hold more weddings and other events, which would generate more revenue. The client base was mostly corporate and commercial clients.

Ms. Warren appreciated that the Premises were located within the CIZ but told the Sub-Committee that the nature of the Premises and the fact that alcohol could be brought in by patrons in any event meant that there would be no additional impact. She also informed the Sub-Committee that measures proposed, such as a condition prohibiting loudspeakers being placed outside, ensured that there would be no additional impact. Patrons would be monitored during ingress and egress. They were willing to have no off-sales at weddings and private events. Ms. Warren said that they did not sell to the general public. Events were pre-planned and risk-assessed.

Nicola Cadzow, on behalf of the Environmental Health Service spoke to her representation. Whilst the application sought framework hours, she considered that there was some ambiguity within the application. For example, a condition dealing with noise and vibration was, she felt, expressed in very general terms. She did not consider that the application had properly addressed issues of noise disturbance from ingress and egress or to prevent people loitering outside the Premises. In respect of further conditions offered by the applicant (at Page 139 of the report pack) Ms. Cadzow suggested some amendments in the event that the Sub-Committee was minded to grant the application. These were:

Condition 1 Loudspeakers not to be located in the entrance lobby or outside at any time rather than outside of office hours;

Condition 2 To apply when regulated entertainment was being carried on rather than “when loud noise is occurring”

Condition 4 To limit the number of smokers to five to eight persons

Condition 5 That there be no noise rather than that reasonable efforts be made to ensure that there was no noise.

These amendments were discussed with the applicant who expressed that there could be difficulty with some e.g. the garden in front of the Premises was public property. Mr. Jackson said that they would do what they could to minimise noise but was concerned that in some respects they would be required to ensure that something did or did not happen.

The Council's legal adviser discussed the matter of sales of consumption off the Premises as it was unclear, if there would be no off-sales at weddings or private parties or to the general public, when there would be off-sales. The applicant confirmed that if the Sub-Committee was minded to permit sales for consumption on the Premises on this would not be an issue.

The Sub-Committee carefully considered the application, which engaged the licensing objective of the prevention of public nuisance. It noted that the application was for framework hours and that the Premises would not be alcohol-led. The location of the Premises within the CIZ meant that it was for the applicant to demonstrate that there would be no additional impact upon the licensing objectives in an already saturated area. Notwithstanding the nature of the Premises, the grant would most likely result in more events taking place at the Premises. Many of those patrons would no doubt be drinking. This in itself gave rise to a greater likelihood, after some of those events, of patrons exiting the Premises and entering other venues in the night-time economy.

Similarly, notwithstanding efforts and conditions to mitigate the potential impacts, the Sub-Committee considered that some impact was likely. Although the Premises would not be operating in the same way that a pub or club might, the Sub-Committee noted that this was not a small venue. The venue would be used for events of a celebratory nature and where large numbers of the patrons present were likely to be drinking. The events would accommodate up to 300 patrons and at such events there was a greater likelihood of people dispersing in masses at the end of the event. This was, in the Sub-Committee's view, very likely to impact upon the area in the form of noise nuisance, especially when some of those patrons would most likely be intoxicated. Outside of the immediate vicinity of the Premises they would be outside the control of the Premises.

The Sub-Committee did not consider that the impact on the CIZ could be effectively mitigated by the imposition of conditions and it has determined that the only appropriate and proportionate step for the promotion of the licensing objectives was to refuse the application.

Accordingly, the Sub Committee unanimously;

RESOLVED

That the application for a New Premises Licence for Toynbee Hall, 28 Commercial Street, London E1 6LS be **REFUSED**.

4. 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, it was in the public interest to do so, and did not require representation from parties to the applications.

Premises	Extended to:
Classic Football Shirts, 17 Commercial Street, London, E1 6NE	31/12
Katsute, 147 Brick Lane, London, E1 6SB	31/12
Globe Town Community Association, 152-156 Roman Road, London E2	31/12

5. APPLICATION FOR A TEMPORARY EVENT NOTICE FOR 93 FEET EAST, 150 BRICK LANE, LONDON E1 6QL

At the request of the Chair, Ms Corinne Holland, Licensing Officer, introduced the report which detailed the application for a Temporary Event Notice (TEN) for 93 Feet East, 150 Brick Lane, London E1 6QL. It was noted that an objection had been received by the metropolitan police. It was noted that the applicant had offered to reduce the hours as detailed in the supporting documents to 03:00 hours on Sunday morning and 23:00 on Sunday evening.

PC Mark Perry explained that Halloween was one of the busiest nights of the year and this caused a strain on police resources as there are high reports of crime and disorder such as violence against women, alcohol fuelled anti-social behaviour etc, he explained that the area attracted high numbers of nitrous oxide canister users and suppliers but this was an on-going issue.

He said management were previously reluctant to engage or report issues to police, but now it was accepted that they were reporting incidents. He also raised concerns relating to the lack of late-night transport links at the time of closing and questioned how customers would be getting home safely. He also highlighted that there would be an extra hour of drinking as the clocks go back that weekend. There would be a likely increase in alcohol related crime and disorder as well as this there had not been sufficient information in the application but do note the policies attached in the supplemental agenda, he said they were good operators and were a member of the Pubwatch scheme, but mainly the concern was the lack of transport links at that hour.

Mr Jason Zeelof, Applicant, stated that he noted and shared concerns of the use and supply of NOX canisters in the area but said that they were not directly associated with the premises. He said there was a zero drug policy the premises and customers are thoroughly security check upon entry and police are called if sellers are seen. He said there was no crime and disorder associated with the premises and the 233 crimes reported in the objection by police refer to general crimes in the area and do not specifically relate to the

premises itself. He referred to the reduced hours proposed and the condition on the existing premises licence that could be imposed on the TEN application. He explained that the premises regularly underwent mystery shops and Michael Watson, Licensing Consultant, confirmed that the operators demonstrated clear commitment and adopted best practices.

In response to questions the following was noted;

- The premises had been operating since 2000 and had run regular events and improvements had been made over the years such as sound proofing, having a noise limiter etc to minimise noise nuisance.
- Only play low level background music.
- Clean outside the premises on regular basis and no bottles of alcohol are taken outside the premises except for soft drinks.
- That staff were trained on a regular basis, and adhere to policies, staff and security officers keep an eye on customers too.
- Have suitable signage displayed asking customers to leave quietly and if there are people congregating outside the premises they are asked to move on.
- That the premise was not close to residential properties, there was a dedicated taxi company for customers, there were night buses operating during the late hours and customers would be dispersing in via different routes which would avoid congestion and noise disturbance.
- That the premises has had TENs granted in July, September and October 2021 with no issues or problems.

Concluding remarks were made by both parties.

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:

9. The Prevention of Crime and Disorder;
10. Public Safety;
11. The Prevention of Public Nuisance; and
12. The Protection of Children from Harm.

Consideration

The Sub Committee heard from PC Mark Perry who explained that Halloween was one of the busiest nights of the year with limited police resources and transport links. PC Perry accepted that the operator is of good standing and had no specific concerns about the operation of the premise. He accepted that problems of nitrous oxide canisters were common in London and elsewhere and were not specifically related to the premises.

Mr Jason Zeelof (applicant) noted that there was no specific issues raised in the representations or heard before the Sub Committee as to how they operated the premises. It was also noted that three separate Temporary Event Notices were granted in July, September and October 2021 for the premise which did not cause any problems or generate any complaints.

The Sub Committee were not satisfied it had heard enough to issue a counter notice. The premise licence contained numerous robust conditions and given the operator's track record and recent TENS, the Sub Committee were satisfied that the appropriate step was not to issue a counter notice but for all conditions on the premises licence to be applied to the temporary event notice.

Accordingly, the Sub Committee unanimously;

RESOLVED

That the application for a counter-notice for 93 Feet East, 150 Brick Lane, London E1 6QL be **REFUSED and all conditions on the premises licence shall be imposed on the TEN.**

6. APPLICATION FOR A TEMPORARY EVENT NOTICE FOR WADADLI KITCHEN, UNIT HAMLET INDUSTRIAL ESTATE, 96 WHITEPOST LANE, LONDON E9 5EN

At the request of the Chair, Ms Corinne Holland, Licensing Officer, introduced the report which detailed the application for a Temporary Event Notice (TEN) for 96 Whitepost Lane, London E9 5EN. An objection had been made by the Metropolitan Police.

PC Mark Perry explained that Halloween was one of the busiest night of the year, and this caused a strain on police resources as there are high reports of crime and disorder. He questioned what measures were in place for the temporary event notice and questioned how 100 people would leave at the early hours of the morning from a residential area. He did say that there were buses but they were a 10 minute walk away, there would be shortage of taxi drivers during this busy night and wait times would be high. There would be no background noise to absorb the sounds of egress as it was a relatively residential area. PC Perry concluded that this TEN was for a large number of customers for excessive hours, with no satisfactory dispersal policy and therefore would be a likely increase in crime and disorder and public nuisance if it were to be granted.

At the request of the Chair, Mr Sacha Henry, Manager of the premises, explained that there would be two security staff on duty and the event had a guest list for 100 people for dinner and drinks, it was a private event and all attendees would be known to the staff. It was noted that a TEN had been granted for the premises on 17th September for another event and there were no problems or complaints. Mr Henry explained that they would stop serving

drinks at 2.30am allowing a half an hour drinking up time. He said that taxis and uber drivers this would be managed by the security officers and that the premises was situated in a yard which was secured and the premises was the only business operating from there.

In response to questions from Members the following was noted;

- That the premises was a restaurant, the TEN was for a private event for the owners family and friends.
- That the event would include dinner, dance and cocktails.
- The event would start at 8pm.
- Concerns that the additional hours would lead to noise nuisance and alcohol related crime and disorder.

Concluding remarks were made by both parties.

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:

13. The Prevention of Crime and Disorder;
14. Public Safety;
15. The Prevention of Public Nuisance; and
16. The Protection of Children from Harm.

Consideration

The Sub Committee heard from PC Mark Perry who explained that Halloween was one of the busiest nights of the year with limited police resources and transport links and that the premises in question was located in a densely residential area. Given the limited amount of public transport and information in the application, PC Perry considered that there would be an inevitable impact on the licensing objective for the prevention of public nuisance.

Mr Sacha Henry, Manager and representing the applicant told the Sub Committee that the premises was simply operating as a restaurant and the intention was to extend the hours to allow for drinks and music. However it became clear during his representation that the premises would only be operating as a restaurant until 20:00 hours and it was going to become much closer to a party after that. The Sub Committee were also told that it was organised by the owner for friends and family, therefore clearly the need for a temporary event notice and guest list was inconsistent with that intention.

The Sub Committee were not satisfied that there would be no impact on the licensing objectives as the licence itself contained very few conditions that

could be imposed. The Sub Committee agreed with the Police objection and will issue a counter notice.

Accordingly, the Sub Committee unanimously;

RESOLVED

That the application for a counter-notice for Wadadli Kitchen, Unit Hamlet Industrial Estate, 96 Whitepost Lane London E9 5EN be **GRANTED**.

The meeting ended at 9.30 p.m.

Chair, Councillor Peter Golds
Licensing Sub Committee