

LONDON BOROUGH OF TOWER HAMLETS
MINUTES OF THE LICENSING SUB COMMITTEE
HELD AT 1.00 P.M. ON MONDAY, 10 JULY 2023

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

Members Present in Person:

Councillor Suluk Ahmed
Councillor Ahmodul Kabir
Councillor Shahaveer Shubo
Hussain

Apologies: There were no apologies for absence

Others In Attendance Virtually:

Mr Rhys Rose
PC Mark Perry

Officers In Attendance Virtually:

Mr Jonathan Melnick, Principal Enforcement Lawyer
Ms Nicola Cadzow, Environmental Protection Officer
Ms Farzana Chowdhury, Democratic Services
Ms Lavine Miller-Johnson, Licensing Officer

1. DECLARATIONS OF INTEREST

There were no declarations of interest.

2. RULES OF PROCEDURE

The rules of procedure were noted.

3. ITEMS FOR CONSIDERATION

**4. APPLICATION FOR A TEMPORARY EVENT NOTICE FOR BOAT LIVE, 90
WHITE POST LANE HACKNEY WICK LONDON E9 5EN**

Applicant

This is an objection by the Metropolitan Police and Environmental Health in respect of a TEN given by Rhys Rose for Boat Live, 90 White Post Lane, London, E9. The MPS and EH expressed concerns as to the risk of crime and disorder, prevention of public nuisance, and public safety. In brief, there were concerns about noise breakout from the premises and noise breakout from patrons in the yard.

PC Perry noted that there had been some work done in relation to the yard, such as matting having been put down. Soundproofing had not been completed, as far as he was aware, and he had asked for an acoustic assessment which had not been produced. PC Perry noted that an electrical certificate had been provided albeit he still had concerns as to that. Environmental Health too expressed concern about the risk of noise breakout. PC Perry had also expressed concerns of overt drug-taking when he had visited last August and which concerns had been dismissed by the management. During questioning it was clarified that the person he had spoken to was the owner, not Mr. Rose.

Other Party

Mr. Rose apologised for being a little unprepared. He confirmed the electrical supply had been dealt with and that the noise management plan was expected to be ready on Wednesday. He said this was intended to be a test event and that he could withdraw the music and run it as a bar as a test. He was willing to work with the police and Environmental Health. Mr. Rose also spoke to his experience within the entertainment and licensing industry.

Mr. Rose commented that he understood if, in the light of the lack of documentation, the Sub-Committee issued a counter-notice. The Sub-Committee was concerned about the impact of public nuisance and crime and disorder. The premises were located very close to residential blocks. It had been accepted that the boat could accommodate around forty to fifty people.

That meant potentially one hundred and fifty people in the yard, with the inevitable consequence of noise nuisance that could not really be effectively controlled. The Sub-Committee also were considered about the adequacy of soundproofing on the boat; it would have been helpful if Mr. Rose had contacted Ms. Cadzow in advance to try to test the efficacy of the soundproofing and perhaps assess an appropriate noise level. The Sub-Committee considered a degree of public nuisance to be inevitable and that was before one factors in the effects of intoxication and loud music.

Similarly, the Sub-Committee accepted that the likelihood of patrons attending with drugs and that the measures proposed by Mr. Rose would not be adequate. Music, large crowds and drink and drugs gave rise to a risk of an increase in crime and disorder. Whilst the Committee noted and took account of Mr. Rose's experience in dealing with large events and accepted he would

try to ensure that there were no problems, the Sub-Committee did not consider that this sufficed to mitigate the risks to the licensing objectives.

Decision

The Sub-Committee accepted that some work had been done to the site and the boat. However, the lack of documentation was a problem. In particular, the lack of a noise management plan, coupled with the proximity to residential premises, meant that the Sub-Committee found the risk of public nuisance to be highly likely. Whilst the plan was due to be completed on Wednesday, without that to hand, the Sub-Committee could not be satisfied that the event could proceed without causing public nuisance. As the premises are not currently licensed, it is not possible to impose conditions on the TEN, were it to go ahead.

Having regard to the oral and written submissions, the Sub-Committee was satisfied that allowing the TEN to proceed would undermine the licensing objectives of the prevention of crime and disorder, the prevention of public nuisance. The decision of the Sub-Committee is therefore to issue a counter-notice.

The Sub-Committee would add, for completeness, that although TENs are a light touch regime, this was not the sort of application where it was appropriate to test the site and see if problems arise. Ideally steps ought to be taken to carry out noise testing, for example, ideally with input from Environmental Health, in advance of any event so that the risks to public nuisance can be more suitably addressed, if at all possible.

5. EXTENSION OF DECISION DEADLINE: LICENSING ACT 2003

Wicked Fish Queen Yard White post Lane, London, E9 5EN VARIATION **25th July**

Wicked Fish Queen Yard White Post Lane, London E9 5EN REVIEW **25th July**

Denni's Off-Licence 103 Brabazon Street London E14 6BL **25th July**

Pefecto Pizza 391 Cambridge Heath Road **25th July**

Boat Live 90 White Post Lane, London E9 5EN **25th July**

The meeting ended at 2.30 p.m.

Chair, Councillor Suluk Ahmed
Licensing Sub Committee