

**LONDON BOROUGH OF TOWER HAMLETS**

**MINUTES OF THE LICENSING SUB COMMITTEE**

**HELD AT 6.30 P.M. ON THURSDAY, 9 DECEMBER 2010**

**MEETING ROOM M72, TOWN HALL, MULBERRY PLACE, 5 CLOVE CRESCENT,  
LONDON, E14 2BG**

**Members Present:**

Councillor Peter Golds (Chair)

Councillor Rofique U Ahmed  
Councillor Shafiqul Haque

**Officers Present:**

Cain Duncan	- (Planning Enforcement Officer)
Paul Greeno	- (Senior Advocate)
Nick Kemp	- (Licensing Officer)
John McCrohan	- (Trading Standards Service Manager)
Simmi Yesmin	- (Senior Committee Officer)

**Applicants In Attendance:**

PC Alan Cruickshank - (Metropolitan Police)

**Objectors In Attendance:**

Mr Shamin Ali	- (Chillies)
Mr Toby Hall	- (Monsoon – Counsel)
Mr Shams Uddin	- (Monsoon)

The Chair welcomed everyone to the meeting, ensured that introductions were made and then briefly outlined the procedure of the meeting.

**1. APOLOGIES FOR ABSENCE**

There were no apologies for absence.

**2. DECLARATIONS OF INTEREST**

There were no declarations of interests made.

### **3. RULES OF PROCEDURE**

The Rules of Procedures were noted.

### **4. UNRESTRICTED MINUTES**

The unrestricted minutes of the Licensing Sub Committees held on 12<sup>th</sup>, 26<sup>th</sup> October and 9<sup>th</sup> November 2010 were agreed as a correct record of proceedings.

Minutes of the 6<sup>th</sup> October 2010 were deferred to the next meeting where Members who attended the meeting would be in attendance in order to verify them.

### **5. ITEMS FOR CONSIDERATION**

#### **5.1 Application to Review the Premises Licence for Chillies, 76 Brick Lane, London, E1 6RL (LSC 47/011)**

At the request of the Chair, Mr Nick Kemp, Licensing Officer, introduced the report which detailed the application for a review of the premises license for Chillies, 76 Brick Lane London E1 6RL. It was noted that the review had been triggered by Trading Standards.

At the request of the Chair, Mr John McCrohan, Trading Standards Service Manager explained that a test purchase was carried out at the premises on the evening of 18<sup>th</sup> August 2010 where the test purchasers were induced to enter the premises by a male tout who escorted them to the restaurant. The encounter with the tout was captured on a covert video camera. Licensing officers went to the premises after the test purchasers had left and were accosted by a male tout offering inducements to enter the premises. Mr McCrohan explained that touting by restaurants in the Brick Lane area has been subject of concerns over crime and disorder for a number of years. In particular, there are a high number of restaurants in parts of Brick Lane to which custom of passing members of the public is highly sought after and this had resulted in some restaurants employing touts. The activities of these touts has led to a considerable number of complaints over the past few years as the methods used by the touts are causing nuisance and/or obstruction to others as well as local residents being threatened and occasionally assaulted by the touts. It was noted that the Council enacted a bye law to ban touting and there have been a number of prosecutions of individual touts in recent years. It was noted that complaints were still received about touting in Brick Lane by the restaurant trade. For example it was noted that the Council's CCTV manager reported that over the weekend of the 24<sup>th</sup> & 25<sup>th</sup> July 2010, the police were called twice to the junction of Hanbury Street and Brick Lane where touts had started fighting amongst themselves.

Mr McCrohan concluded by recommending that in order to improve the management of the premises in accordance with the Council's Licensing

Policy and concerns about crime and disorder that two conditions specifically in relation to touting be imposed.

PC Alan Cruickshank, Metropolitan Police, referred to his statement on page 75 of the agenda highlighting that touting often lead to crime and disorder and public nuisance and in effect breaches the conditions of the licensing objectives. He then referred to incidents of touting which occurred at the premises.

At the request of the Chair Mr Shamin Ali, Premise License Holder explained that he had recently transferred the licence to his name and explained that touting was a concern, however felt that it happened all the time and that all restaurants employed touts to gain custom. He stated that he would only stop touting if all restaurants in Brick Lane were to stop too.

At this point the Chair raised his concerns in regards to touting and how socially unpleasant it was and formed a bad perception of the borough. In response to further questions it was noted that Police had been called during incidents of anti-social behaviour and touting in Brick Lane, however could not give any specific details of the outcome. Members wished it to be noted that officers should have all information relating to an application when attending meetings.

In response to further questions it was noted that since the transfer of the license had not yet been recorded, Mr Ali was still the named Designated Premises Supervisor handling the day to day running of the premises and therefore could represent on behalf of the premises. Members expressed their concerns over Mr Ali's commitment to stop touting. To which Mr Ali stated that he would stop recruiting touts if all restaurants in Brick Lane stopped touting.

The Chair advised that the Sub Committee would at 7.00pm adjourn to consider the evidence presented. Members reconvened at 7.15pm. The Chair reported that;

Having heard representations from both parties and based on the evidence provided. Members considered the application in relation to compliance with the local touting byelaw. The Sub Committee found that the evidence to be sufficient enough to take action. However, on this occasion Members decided not to suspend/revoke the licence but to impose conditions on the license.

Members were very concerned about touting in the Brick Lane area and felt that in order to commence with the 'No Touting Policy' across the restaurant trade in Brick Lane they needed to start with this premises by imposing the recommended conditions. It was also noted that if the conditions of the license were to be breached, a further review would be conducted, where suspension or revocation would be considered by the Licensing Sub Committee due to a breach of the licence.

### **RESOLVED**

That the review application for the premises license for Chillies, 76 Brick

Lane, London E1 6RL be **GRANTED** with the following conditions to be imposed immediately.

Conditions

1. No person shall be employed to solicit for custom or be permitted to solicit for custom for business for the premises in any public place within a 500 metres radius of the premises.
2. Clear signage to be placed in the restaurant windows stating that the premises supports the Council's 'No Touting Policy'.

**5.2 Application to Review the Premises Licence for Monsoon, 78 Brick Lane, London, E1 6RL (LSC 48/011)**

At the request of the Chair, Mr Nick Kemp, Licensing Officer, introduced the report which detailed the application for a review of the premises license for Monsoon, 78 Brick Lane, London E1 6RL. It was noted that the review had been triggered by Trading Standards.

Mr Toby Hall, Counsel for Mr Shams Uddin, Premises License Holder reported that having spoken to Mr McCrohan, they have come to an agreement and were happy to add the two recommended conditions to their license.

The Chair advised that the Sub Committee would at 7.20pm adjourn to consider the evidence presented. Members reconvened at 7.25pm. The Chair reported that;

The Sub-Committee welcomed the agreement between the interested parties for the introduction of conditions in relation to compliance with the local touting byelaw.

Members were also very concerned about this premises, however felt that the introduction of the recommended conditions would help start making an impact on the local area. The Chair reiterated that if the conditions of the license were to be breached, a further review would be conducted, where suspension or revocation would be considered by the Licensing Sub Committee due to a breach of the licence.

**RESOLVED**

That the review application for the premises license for Monsoon, 78 Brick Lane, London E1 6RL be **GRANTED** with the following conditions to be imposed immediately.

Conditions

1. No person shall be employed to solicit for custom or be permitted to solicit for custom for business for the premises in any public place within a 500 metres radius of the premises as shown edged red on the attached plan marked Appendix 1.
2. Clear signage to be placed in the restaurant windows stating that the premises supports the Council's 'No Touting Policy'.

**6. EXCLUSION OF PRESS AND PUBLIC**

Item 6.1 was deferred at the start of the meeting and therefore there was no business under exclusion of press and public.

**6.1 Application to Review the Premises Licence for Cinnamon, 134 Brick Lane, London E1 6RU (LSC 49/011)**

This item was deferred and scheduled to be considered for 11<sup>th</sup> January 2011.

**7. ANY OTHER BUSINESS THAT THE CHAIR CONSIDERS URGENT**

There was no other business.

The meeting ended at 7.40 p.m.

Chair, Councillor Peter Golds  
Licensing Sub Committee