

LONDON BOROUGH OF TOWER HAMLETS

MINUTES OF THE LICENSING SUB COMMITTEE

HELD AT 6.00 P.M. ON THURSDAY, 12 DECEMBER 2013

**THE COUNCIL CHAMBER, TOWN HALL, MULBERRY PLACE, 5 CLOVE
CRESCENT, LONDON, E14 2BG**

Members Present:

Councillor Carli Harper-Penman (Chair)

Councillor Khaled Uddin Ahmed
Councillor David Snowdon

Officers Present:

Mohshin Ali – (Senior Licensing Officer)
Kathy Driver – (Principal Licensing Officer)
Paul Greeno – (Senior Advocate, Legal Services, Chief
Executive's)
Simmi Yesmin – (Senior Committee Officer, Democratic Services)

Applicants In Attendance:

Guy Ladenburg - Counsel
PC Alan Cruickshank - Metropolitan Police
PC Mark Perry - Metropolitan Police
Insp. Kevin Weeden - Metropolitan Police
Sally McGillcrist - Solicitor

Objectors In Attendance:

Jeremy Philips - Counsel
Tom Edwards - Licensing Consultant
David Pollard - Premises Licence Holder
Algars Saveljers - Director
Gulliano Pistoni - Director
Rebecca Shaw - Rainbow Hamlets
Laura Kerrigan - Local Resident
Thomas Howard - Local Resident

1. APOLOGIES FOR ABSENCE

There were no apologies for absence.

2. DECLARATIONS OF DISCLOSABLE PECUNIARY INTEREST

There were no declarations of disclosable pecuniary interest.

3. RULES OF PROCEDURE

The rules of procedure were noted.

4. UNRESTRICTED MINUTES

The minutes of the Licensing Sub Committee meetings held on:

- 29th October 2013
- 6th November 2013 (2pm & 5pm)
- 12th November 2013
- 20th November 2013

were agreed and approved as a correct record.

5. ITEMS FOR CONSIDERATION**5.1 Application to Review the Premises Licence for Joiners Arms, 116 - 118 Hackney Road, London E2 7QL**

At the start of the meeting, Kathy Driver, Principal Licensing Officer informed Members that the objectors had raised concerns about the review process, she explained that the review process was followed, notices had been put up, review advertised accordingly and noted on the webpage with contact details of Licensing Services as there was currently no facility on the webpage to maintain the full register. Ms Driver mentioned that it was fairly limited as to what could be put on the blue notices however asserted that all requirements had been met.

Mr Jeremy Philips, Counsel for the Premise Licence Holder, stated that the notice as drafted was defective and had the potential to make the proceedings invalid. He stated that the notice did not set out the grounds of the review but only the licensing objective which could imply many things.

Mr Guy Ladenburg, Counsel for the Metropolitan Police, did not agree that the notice was defective and believed that a failure of mandatory notice did not render a hearing. He explained that the notice was an opportunity for residents to support the review and there was no reason why the proceedings become nullified or void. It was noted that there was a large number of people supporting the premises and no one supporting the review.

Having sought legal advice from Mr Paul Greeno, Senior Advocate, Members conferred on this matter and agreed to continue with the hearing.

At the request of the Chair, Mohshin Ali, Licensing Officer, introduced the report which detailed the application for a review of the premises licence for Joiners Arms, 116-118 Hackney, London E2 7QL. It was noted that the review had been triggered by the Metropolitan Police and there had been representations made in support of the premises.

At the request of the Chair, Mr Guy Ladenburg, Counsel for the Metropolitan Police explained that the review of Joiners Arms, had been triggered by the Police, although it was a much loved and cherished institution, there were serious concerns of crime and disorder. It was noted that the pub was very busy, and had very late opening hours and was vulnerable for drinkers to come when other premises had closed.

He explained that incidents of crime and disorder over the past 18 months had led to the review, he then referred to the incidents detailed on pages 56 - 66 of the agenda.

Mr Ladenburg stated that the Premise Licence Holder had listened to advice about installing CCTV cameras, and changing glassware to polycarbonate glass and had agreed to these conditions to some degree. He explained that the main issue was to do with the late hours of the premises, which attracted more inebriated people to the premises.

He requested members to reduce closing hours to 12 midnight on week days and 00.30 on weekends and suggested conditions for CCTV cameras, ID scanners, SIA door staff, and no entry or re-entry conditions.

Members then heard from Mr Jeremy Philips, Counsel for Joiners Arms, he stated that he understood the responsibility of the police, however the review shouldn't have been brought. He stated that incidents of crime and disorder mentioned by the police did not reflect the hundreds of people in support of the premises who feel safe when they come to the premises. He asked Members to look at individual events and take notice of the steps taken by staff and management. He explained that the incidents referred to was down to the behaviour of public and not staff.

Mr Philips highlighted the prevention measures now in place to prevent theft, have dedicated SIA door staff, CCTV cameras in operation, signage displayed around the premises, a clock room service now available and there was nothing more that could be done.

He highlighted the reputation of Joiners Arms and its international reputation it had amongst the Lesbian, Gay, Bisexual and Transgender (LGBT) community, how they feel safe and welcomed. He highlighted that there were also a number of incidents that were not occurring because Joiners Arms was providing a safe area for its customers.

Mr Philips concluded that in order to protect its customers, all glasses have been changed to polycarbonate glasses and happy to have this as a condition, would also employ SIA door staff, and operate and maintain CCTV cameras within the premises. He stated that an introduction of ID scanners would be an additional and unsustainable cost and would do it in the future but would not prefer this as a condition, as foreign customers may feel sensitive about having information stored in a database and also some customers of the LGBT community may not want their information known. He lastly referred to letters sent in support of the premises and asked Members to note and consider them.

Members then heard from Ms Rebecca Shaw, Laura Kerrigan and Thomas Howard, supporters of the premises who expressed similar concerns about the changes to the Joiners Arms would have on the LGBT community, how it was a safe haven for people, the concerns of having ID scanners. They also shared positive experiences they have had at the premises.

In response to Members questions the following was noted;

- That the maximum capacity of the premises was for 115 people at any one time.
- That during a typical night approximately 400 customers would frequent the premises
- That the police relation with the premises has not been as good as it was during the Olympic period
- That there have always been issues of theft, however the introduction of CCTV cameras has been helping to locate valuables or see what's happened.
- That Joiners Arms crime rates were higher then other premises in the area as other premises have introduced ID scanners
- That specific crime statistics for Joiners Arms and other venues in the area were not available
- That the level of crime had declined over the past few days
- That the reduction in hours and additional conditions would reduce the crime and disorder as later hours attracted more people to the premises
- It was noted that the Patron Saints Days were not clearly defined in the conditions of the current licence.

Members retired to consider their decision at 7.55pm and reconvened at 8.20pm.

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 Licensing Guidance and the Council's Statement of Licensing Policy.

Consideration

Each application must be considered on its own merits and after careful consideration the Chair stated that the Sub Committee had decided to grant the review application in part by adding new conditions and amending existing conditions in order to address the concerns raised in relation to the licensing objective of “the prevention of crime and disorder”.

Members noted that advice had been given by the Police which had been followed by the Premises Licence Holder. Members believed that the application for a review was premature and it was clear from the recent number of incidents that there had been a reduction from 2 reported incidents a month to one a month in the space of a couple of months and that further improvements had been made in a very short period.

Decision

Accordingly, the Sub-Committee unanimously –

RESOLVED

That the application for a Review of the Premises Licence for, Joiners Arms 116-118 Hackney Road, London E2 7QL be **GRANTED in part**, with conditions.

Amendments to Conditions on Annex 2

1. There is to be no Adult Entertainment in the premises
2. Warning signs in relation to drugs are to be placed in conspicuous parts of the premises
3. There are to be signs at all exits asking customers to leave quietly.
4. No children are to be allowed in the bar area at any time.
5. The rear outside area of the premises is not to be used for any licensable activity.
6. Condition 6 is to be deleted.

New Conditions

1. CCTV camera system covering both internal and external to the premises is to be installed.
2. The CCTV recordings are to be maintained for 30 days and to be provided upon request to either a Police Officer or an officer of any other Responsible Authority.

3. At all times when the premise is open, a person who can operate the CCTV system must be present on the premises.
4. Non standard hours restricted to specify Patrons Saints Days (St David, St Andrew, St George & St Patrick Day only).
5. Registered SIA door staff are to be present on the premises at all times on the following days and times until closing time;

Days	No of SIA Staff	Times	Total SIA Staff
Monday	1	22:00 hours	1
Tuesday & Wednesday	1	22:00 hours	2
	+1	23:00 hours	
Thursday	2	22:00 hours	4
	+ 2	23:00 hours	
Friday & Saturday	2	22:00 hours	6
	+ 3	23:00 hours	
	+ 1	01:00 hours	
Sunday	1	22:00 hours	3
	+ 2	23:00 hours	

6. ANY OTHER BUSINESS THAT THE CHAIR CONSIDERS URGENT

There was no other business.

The meeting ended at 8.30 p.m.

Chair, Councillor Carli Harper-Penman
Licensing Sub Committee