

**LONDON BOROUGH OF TOWER HAMLETS**

**MINUTES OF THE LICENSING SUB COMMITTEE**

**HELD AT 6.40 P.M. ON TUESDAY, 22 APRIL 2014**

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

**Members Present:**

Councillor Carli Harper-Penman (Chair)  
Councillor David Snowdon  
Councillor Ann Jackson

**Other Councillors Present:**

Councillor John Pierce

**1. DECLARATIONS OF DISCLOSABLE PECUNIARY INTEREST**

There were no declarations of disclosable pecuniary interest.

**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 25th March 2014 were agreed.

**4. ITEMS FOR CONSIDERATION**

**4.1 Application for a New Premises Licence for Tapas Revolution, Unit 8  
Ground Floor, 58 Bethnal Green Road, London, E1 6JW.**

**5. EXCLUSION OF THE PRESS AND PUBLIC**

The Chair Moved and it was: -

**Resolved:**

That in accordance with the provisions of Section 100A of the Local

Government Act 1972, as amended by the Local Government (Access to Information) Act 1985, the press and public be excluded from the remainder of the meeting for the consideration of the Section Two business on the grounds that it contained information defined as exempt or confidential in Part 1 of Schedule 12A to the Local Government, Act 1972.

#### **5.1 Application for a Variation of Designated Premises Supervisor for Low Cost Food and Wine, 34 White Church Lane, London, E1 7QR.**

At the request of the Chair, Mr Mohshin Ali, Licensing Officer, introduced the report which detailed the application for a variation of the Designated Premises Supervisor for Low Cost Food and Wine, 34 White Church Lane, London E1 7QR. It was noted that an objection had been made by the Metropolitan Police.

At the request of the Chair Mr Mohammed Rafique, proposed DPS, explained his experiences of running off licences and restaurants since 1992 without any complaints. He accepted that he had missed two out of three visits made by the Licensing Officer, but had been available for one. Mr Rafique explained that he had mitigating circumstances during this time as his brother had suddenly passed away due to a heart attack which had left him depressed and vulnerable and he himself had also been suffering from medical problems.

It was noted that they were currently in the process of recruiting a personal licence holder to cover duties when Mr Rafique would be off and to help run the premises. Mr Rafique concluded that he did understand the responsibility of being a designated premises supervisor and would ensure that there were no breaches of the licence conditions. It was noted that the CCTV could now be operated by all members of staff and the premises licence was displayed at the premises.

Members then heard from PC Cruickshank who explained that it was a rare that the police objected to a variation of DPS and would only do this when there were serious concerns. PC Cruickshank then went on to refer to page 110 of the agenda which detailed offences which started from 2012 when smuggled wine was found at the premises till present date, 7th April 2014 when there had been breaches of the current licence conditions, the sale of single cans of larger which were of 9% abv.

It was also noted that staff employed at the premises have issues regarding immigration having no visa to remain in the county. PC Cruickshank also explained that Mr Rafique was not present during visits made at the premises on 16th and 17th February 2014, and that CCTV camera footage was not available at the request of an officer as the employees were unable to operate the CCTV system, which was in breach of the current licence condition.

In response to questions Members expressed concerns about two addresses listed for Mr Rafique, it was noted that one was his previous address where his ex-wife currently lived with his children and the other one was where he

currently lived separate from his family. He explained that he had forgotten to update the records and would do so immediately.

Members retired to consider their decision at 8.40pm and reconvened at 8.55 pm.

#### 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.

Each application must be considered on its own merits and after careful consideration the Chair stated that the Sub Committee had carefully listened to both Mr Mohammed Rafique and PC Cruickshank's submissions. Members noted that there had been a history of mismanagement of the premises and a failure to adhere to licensing regulations and licence conditions for example not being able to provide CCTV footage upon request, and selling super strength single cans of lager.

Members were not confident that Mr Rafique would carry out the duties of a responsible Designated Premises Supervisor and therefore did not think it was appropriate to grant the application as Members felt that it would undermine the Licensing Objectives of crime and disorder, and public nuisance.

#### Decision

Accordingly, the Sub-Committee unanimously –

#### **RESOLVED**

That the application for a Variation for Designated Premises Supervisor for Low Cost Food & Wine, 34 White Church Lane, London E1 7QR be **REFUSED**.

#### **6. ANY OTHER BUSINESS THAT THE CHAIR CONSIDERS URGENT**

There was no other business.

The meeting ended at 9.00 p.m.

Chair, Councillor Carli Harper-Penman  
Licensing Sub Committee