

LONDON BOROUGH OF TOWER HAMLETS**RECORD OF THE DECISIONS OF THE LICENSING SUB COMMITTEE****HELD AT 6.30 P.M. ON TUESDAY, 7 OCTOBER 2014****THE COUNCIL CHAMBER, TOWN HALL, MULBERRY PLACE, 5 CLOVE
CRESCENT, LONDON, E14 2BG****Members Present:**

Councillor Amy Whitelock Gibbs (Chair)

Councillor Khaled Uddin Ahmed

Councillor Mahbub Alam

1. DECLARATIONS OF DISCLOSABLE PECUNIARY INTEREST

Councillor Khaled Ahmed declared a personal interest on item 4.1 Application for a Review of the Premises Licence for Preem Restaurant and Balti House, 118-122 Brick Lane London E1 6RL on the basis that the Premise Licence Holder Mr Azmal Hussain was known to him in relation to separate legal proceedings currently being undertaken. However Cllr Ahmed confirmed that he had not had any discussion with Mr Hussain regarding this particular application.

At this point Mr Frances Hoar, Legal Representative for Mr Hussain, Premises Licence Holder for item 4.1 questioned whether Councillor Mahbub Alam had a declaration of disclosable pecuniary interest to make as he believed there may be some conflict of interest in relation to separate legal proceedings that his client Mr Hussain is related to and suspected that Councillor Alam was also related.

At this point the Chair adjourned the meeting.

The Chair reconvened the meeting and stated that based on the information which had just been laid before them in relation to Councillor Mahbub Alam having not declared an interest that he had provided a witness statement in relation to a separate legal matter relating to the objector for Item 4.1. Members carefully considered this information and the Chair made a decision that this application be deferred to a later date which would be confirmed by the clerk.

At this point Mr Leo Charalambides, Legal Representative for the Metropolitan Police expressed his concern and wished it to be noted that the Sub Committee had adjourned the meeting and had taken a decision to defer the consideration of the item without taking the opportunity to seek a view from the Applicants.

It was noted that the matter had not reached the agenda item in discussion and had been raised under Item 1 Declarations of Disclosable Pecuniary Interest and therefore in light of the information received the Sub Committee decided to defer the item.

2. RULES OF PROCEDURE

The Rules of Procedure were noted

3. MINUTES OF THE PREVIOUS MEETING(S)

The minutes of the Licensing Sub Committees held on 2nd and 16th September 2014 were agreed.

4. ITEMS FOR CONSIDERATION

4.1 Application for a Review of the Premises Licence for Preem Restaurant and Balti House, 118-122 Brick Lane, London, E1 6RL

The Sub Committee decided to defer the consideration of this application to a later date.

4.2 Application for a Variation of a Premises Licence for Londis 88-90 Columbia Road, London, E2 7QB

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.

Consideration

Each application must be considered on its own merits and the Chair stated that the Sub Committee had carefully considered the representation originally made, all the evidence before them and heard the representation at the meeting from the Applicant and the Metropolitan Police.

Members had reached a decision and this decision was a majority decision. Members believed that they had not heard sufficient evidence that this premises itself would contribute to public nuisance and crime and disorder in the area. Therefore the application was granted in line with the Council's framework hours for the sale of alcohol and operating hours as applied for together with conditions proposed by the Police.

Members noted that the Police Officer had conceded that he couldn't be sure that the bottles came from the premises and that there had been no evidence

of underage sales. It was also noted that the failure to provide CCTV footage was not a breach of licensing conditions as the Applicant's current licence did not have CCTV conditions. Members felt that the conditions imposed would help promote the licensing objectives.

Decision

Accordingly, the Sub Committee –

RESOLVED

That the application for a variation for a premises licence for, Londis, 88-90 Columbia Road, London E2 7QB be **GRANTED** in part with conditions.

Sale of Alcohol (off sales only)

Monday to Thursday from 0800 hours to 23:30 hours

Friday and Saturday from 08:00 hours to 00:00 hours (midnight)

Sunday from 08:00 hours to 22:30 hours

Hours premises is open to the public

Monday to Sunday from 08:00 hours to 01:00 hours (the following day)

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 a minimum of 31 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 premises is open, a person who can operate the CCTV system must be present.
4. Use of an incident/refusal book.
5. The premises will not sell any beer, lager or cider that exceeds the strength of 6.5% abv or higher unless 3 or more bottles/cans are purchased together.
6. A personal licence holder is to be present from 21:00hours until closing time every day
7. A Challenge 25 proof of age scheme shall be operated at the premises where the only acceptable forms of identification are recognised photographic identification cards, such as a driving licence, passport or proof of age card with the PASS hologram.

5. ANY OTHER BUSINESS THAT THE CHAIR CONSIDERS URGENT

There was no other business.

The meeting ended at 8.30 p.m.

Chair, Councillor Amy Whitelock-Gibbs
Licensing Sub Committee