

LONDON BOROUGH OF TOWER HAMLETS

RECORD OF THE DECISIONS OF THE LICENSING SUB COMMITTEE

HELD AT 2.00 P.M. ON TUESDAY, 4 NOVEMBER 2014

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

Members Present:

Councillor Peter Golds (Chair)

Councillor Khaled Uddin Ahmed

Councillor Rajib Ahmed

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 Committees held on 23rd September, 30th September and 7th October 2014 were agreed as a correct record.

4. ITEMS FOR CONSIDERATION

**4.1 Application for a New Premises Licence for Inito, Unit 6, 31 Bell Lane,
London E1 7LA**

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 all of the evidence before them and had heard representations from the Applicant's representative and noted the written objections from the residents.

Members reached a decision and the decision was unanimous. Members decided to grant the application with conditions offered by the Applicant and those agreed with the Police. Members noted that the premises was within the cumulative impact zone, however, Members were satisfied that having seen the evidence prior to and at the meeting, the Applicant had done everything they could to mitigate further impact within the cumulative impact zone and Members were content that the conditions proposed would promote the licensing objectives.

Decision

Accordingly, the Sub-Committee unanimously –

RESOLVED

That the application for a New Premises Licence for, Inito, Unit 6, 31 Bell Lane London E1 7LA be **GRANTED with conditions.**

Sale of Alcohol (on and off sales only)

Monday to Thursday from 11:00 hours to 22:30 hours
Friday and Saturday from 11:00 hours to 23:00 hours
Sunday from 11:00 hours to 21:30 hours

The Provision for Late Night Refreshments

Friday and Saturday from 23:00 hours to 23:30 hours

Hours Premises is open to the Public

Monday to Thursday from 11:00 hours to 23:00 hours
Friday and Saturday from 11:00 hours to 23:30 hours
Sunday from 11:00 hours to 22:00 hours

Conditions

1. Substantial food and suitable beverages other than alcohol, including drinking water, shall be equally available during the whole of the permitted hours in all parts of the Premises where alcohol is sold or supplied.
2. The sale of alcohol shall be ancillary to food.
3. The outside area will close at 21:00.

4. The premises will implement a smoking policy to ensure no nuisance is caused by smokers.
5. The premises will implement a dispersal policy to ensure no nuisance is caused by persons leaving the premises.
6. Clear signage is to be displayed prominently and maintained at all exits of the premises requiring patrons to leave and enter the premises and area quietly out of respect for local residents.
7. No noise shall emanate from the premises nor vibration be transmitted through the structure of the premises which gives rise to a nuisance.
8. All doors and windows shall be closed after 22:00hrs except to access and egress.
9. All staff will be trained in respect of the promotion of all four licensing objectives under the Licensing Act 2003.
10. CCTV camera system covering internal areas to the premises is to be installed.
11. 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 description.
12. At all times when the premises are open, a person who can operate the CCTV system must be present on the premises.
13. An incident log shall be kept at the premises, and made available on request to an authorised Officer of the Council or the Police, which will record the following:
 - a) All crimes reported to the venue;
 - b) All ejections of patrons;
 - c) Any complaints received;
 - d) Any incidents of disorder;

- e) All seizures of drugs or offensive weapons;
- f) Any faults in the CCTV system;
- g) Any refusal of the sale of alcohol;
- h) Any visit by a relevant authority or emergency service.

14. During the hours of operation of the premises, the licence holder shall ensure sufficient measures are in place to remove and prevent litter or waste arising or accumulating from customers in the area immediately outside the premises, and that this area shall be swept and or washed, and litter and sweepings collected and stored in accordance with the approved refuse storage arrangements by close of business.

15. A suitable under-age scheme shall be implemented and appropriate identification shall be sought from any person who appears under the age of 25. The only acceptable forms of identification shall be passport, photo driving licence and those carrying the PASS logo. Staff shall be fully trained regarding under-age sales and a refusals shall book kept.

16. The placing of refuse - such as bottles - into receptacles outside the premises takes place at times that will minimise the disturbance to nearby properties

4.2 Application for a New Premises Licence for Lonzo, 10A Lamb Street, Old Spitalfields Market, London E1 6EA

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 all of the evidence before them, it was noted that the Applicant was not present at the meeting and had no correspondence with Democratic Services and Licensing Services despite being sent notification of the meeting and the agenda within the prescribed timelines. Therefore Members noted the written application contained in the agenda and briefly heard representations from the Police and local resident.

Members noted the concerns of public nuisance and noted the fact that the premises was within the cumulative impact zone. Members believed that the lack of attendance at the meeting showed a lack of confidence in the applicant

to uphold the licensing objectives and taking into consideration the objections raised Members unanimously refused the application.

Decision

Accordingly, the Sub-Committee unanimously –

RESOLVED

That the application for a New Premises Licence for Lonzo, 10A Lamb Street, Old Spitalfields Market, London E1 6EA be **REFUSED**.

4.3 Application for a New Premises Licence for Poplar Spice Ltd, 185 East India Dock Road, London E14 0EA

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 all of the evidence before them, it was noted that the Applicant was not present at the meeting and had no correspondence with Democratic Services and Licensing Services despite being sent notification of the meeting and the agenda within the prescribed timelines. Therefore Members noted the written application contained in the agenda and briefly heard representation from the Police.

Members noted the concerns of public nuisance and anti-social behaviour in the area and noted that the premise was found to be open outside trading hours. Members believed that the lack of attendance at the meeting showed a lack of confidence in the applicant to uphold the licensing objectives and taking into consideration the objections raised Members unanimously refused the application.

Decision

Accordingly, the Sub-Committee unanimously –

RESOLVED

That the application for a New Premises Licence for Poplar Spice, 185 East India Dock Road, London E14 0EA be **REFUSED**.

4.4 **Application to Review the Premises Licence for Bethnal Green Food Centre, 438 Bethnal Green Road, London E2 0DJ**

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 all of the evidence before them and had heard representations from PC Alan Cruickshank and noted the lack of attendance and communication from the Premise Licence Holder.

Members reached a decision and the decision was unanimous. Members noted the number of repeated breaches of the licence where the applicant had been found selling outside trading hours, this together with the concerns raised by the Police and Licensing Authority, Members decided to revoke the premises licence.

Decision

Accordingly, the Sub-Committee unanimously –

RESOLVED

That the application for a Review of Premises Licence for Bethnal Green Food Centre, 438 Bethnal Green Road, London E2 0DJ be **GRANTED** with the revocation of the Premise Licence.

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

There was no other business.

The meeting ended at 3.00 p.m.

Chair, Councillor Peter Golds
Licensing Sub Committee