

**LONDON BOROUGH OF TOWER HAMLETS**

**RECORD OF THE DECISIONS OF THE LICENSING SUB COMMITTEE**

**HELD AT 6.30 P.M. ON TUESDAY, 17 FEBRUARY 2015**

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

**Members Present:**

Councillor Peter Golds (Chair)

Councillor Khaled Uddin Ahmed  
Councillor Candida Ronald

**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 16<sup>th</sup> & 19<sup>th</sup> December 2014 and 8<sup>th</sup> January 2015 were agreed as a correct record of proceedings.

**4. ITEMS FOR CONSIDERATION**

**4.1 Application for a New Premises Licence for The Horn of Plenty, 36 Globe Road, London, E1 4DU**

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 after careful consideration the Chair stated that the Sub Committee had carefully listened to both interested parties. Members noted the Applicant's efforts in alleviating the concerns of objectors by agreeing to reduce hours for the sale of alcohol in accordance with the Council's Framework Hours and accepting conditions proposed by the Metropolitan Police and Environmental Health.

Members also noted the premises close proximity to the Care Home and other residential properties and therefore believed that conditions restricting drinking and smoking outside the premises, keeping the doors on Alderney Road closed and no rubbish or waste to be disposed between the hours of 22:00 hours and 08:00 hours would go as far addressing and alleviating the concerns raised by objectors and help promote the licensing objectives of crime and disorder and public nuisance.

#### Decision

Accordingly, the Sub-Committee unanimously –

#### **RESOLVED**

That the application for a New Premises Licence for, The Horn of Plenty, 36 Globe Road, London E1 4DU be **GRANTED** with conditions.

#### Sale of Alcohol (on and off sales)

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

#### The Provision for Late Night Refreshments

Monday to Saturday from 23:00 hours to 23:30 hours

#### The Provision of Regulated Entertainment in the form of Live Music

Monday to Sunday from 13:00 hours to 22:00 hours

#### The Provision of Regulated Entertainment in the form of Recorded Music

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

#### The Provision of Regulated Entertainment in the form of Films

Monday to Saturday from 14:00 hours to 23:00 hours  
Sunday from 14:00 hours to 22:30 hours

#### Hours premises are open to the public:

Monday to Thursday from 11:00 hours to 00:00 hours (midnight)  
Friday and Saturday from 11:00 hours to 00:30 hours (the following day)  
Sunday from 11:00 hours to 23:00 hours

### Conditions

1. CCTV camera system is to be installed and maintained.
2. The CCTV system shall incorporate a recording facility and recordings shall be retained and stored in a suitable and secure manner for a minimum of 31 days. A system shall be in place to maintain the quality of the recorded image and a complete audit trail maintained. The system will comply with other essential legislation, and all signs as required will be clearly displayed. The system will be maintained and fully operational throughout the hours that the premises are open for any licensable activity. There must also be someone on the premises, who can download the images and present them on request by a police officer or other responsible authority.

(one camera be placed at the entrance of the premises and one on entry to the premise)

3. Use of an incident and refusal book
4. Live and recorded music to be restricted to indoors only
5. No drinking or smoking outside the premises and signage is placed to indicate that no drinking or smoking is allowed outside.
6. No more than 10 people allowed to smoke outside in the courtyard in any one time.
7. A noise limiter is to be installed and set at a level agreed with Environmental Health.
8. Doors to the premises on Alderney Road to be kept shut during opening hours except when in use for access and egress.
9. No bottles or rubbish to be emptied or collected between the hours of 22:00 hours and 08:00 hours.

Due to the concerns raised by Residents and Councillor Amy Whitelock-Gibbs in regards to the inconsistencies in the Council's framework hours published on the Council's website, Ms Kirsty Panton, Legal Advisor apologised for the error on the website assured the Sub Committee and all interested parties that she would raise this with the Service Head of Legal Services and the Licensing Authority and would seek to rectify this as soon as possible. Ms Panton then referred to the Licensing Policy under the Licensing Act 2003

which was adopted by the Council on 1<sup>st</sup> November 2013 and advised the Sub Committee that;

Any condition setting out the hours of premises refers to the hours during which alcohol may be sold or supplied or (as appropriate) the hours during which other licensable activities may take place pursuant to the premises licence or club premises certificate. In attaching conditions on hours the Licensing Authority will generally require that customers should not be allowed to remain on the premises later than half an hour after the cessation of licensable activities.

The Licensing Authority has had regard to the Guidance to the Act when determining this policy. The end times set out in the policy are not (and should not be regarded as) the 'usual' or 'normal' terminal hour for licensable activities in the Borough. Instead, the 'framework hours' serve to identify cases where the Licensing Authority will pay particular regard to the likely effect on the local neighbourhood of carrying out the proposed licensable activities during the hours applied for. Applications for hours up to the end of the Framework Hours will not automatically be granted. This policy will be applied only where relevant representations are made. Each case will be considered on its merits.

#### **4.2 Application for a New Premises Licence for Batty Langley's, 12-14 Folgate Street, London, E1 6BX**

##### 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 after careful consideration the Chair stated that the Sub Committee had decided to grant the application. Having heard the representation from the objector, Members did not hear any evidence of crime and disorder or public nuisance. Members noted the condition agreed with the Metropolitan Police for CCTV cameras to be installed and believed that imposing this condition would also address the concerns raised by the objector and help promote the licensing objectives.

##### Decision

Accordingly, the Sub-Committee unanimously –

##### **RESOLVED**

That the application for a new premises licence for, Batty Langley's, 12-14 Folgate Street, London E1 6BX be **GRANTED**.

Sale of Alcohol (on sales)

Monday to Sunday from 10:00 hours to 01:00 hours (the following day)

The Provision for Late Night Refreshments

Monday to Sunday from 23:00 hours to 01:00 hours (the following day)

Hours premises are open to the public:

Monday to Sunday – 24 hours

Condition

1. CCTV camera system to be installed and maintained.
2. CCTV camera will be installed throughout the premises including internal HD cameras covering the guest entrance and goods entrance. 2 external HD cameras will cover both entrances, the foot of the property and the approach from both directions on Folgate Street. The system incorporates a recording facility and recordings are securely stored for a minimum of 31 days. The system will be audited on a weekly basis, in accordance with our internal operating policy, to ensure that it is operating correctly and an audit trail will be maintained. The system will comply with essential legislation including clearly displayed signage and as part of our internal operating policy the manager on duty will be trained to operate the system including the downloading of images. The system will be operational 24 hours.

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

There was no other business considered urgent.

The meeting ended at 8.15 p.m.

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Licensing Sub Committee