

LONDON BOROUGH OF TOWER HAMLETS

RECORD OF THE DECISIONS OF THE LICENSING SUB COMMITTEE

HELD AT 6.30 P.M. ON TUESDAY, 2 JUNE 2015

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

Members Present:

Councillor Amy Whitelock Gibbs (Chair)

Councillor Khales Uddin Ahmed (Member)

Councillor Amina Ali (Member)

Other Councillors Present:

Officers Present:

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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 17th & 24th February, 3rd March and 22nd April 2015 were agreed as correct records of the meetings.

4. ITEMS FOR CONSIDERATION

**4.1 Application to Review the Premises Licence for A1 Brady News, 59
Brady Street, London, E1 5DW**

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 with particular regard to the licensing objectives of the prevention of crime and disorder and the protection of children from harm.

Members noted the Premise Licence Holder/Designated Premises Supervisor's efforts in alleviating the concerns by agreeing to the conditions proposed by Trading Standards. Members also noted that Trading Standards were satisfied that the conditions would be met and that there were no concerns at the moment and therefore suspension was not appropriate.

Therefore Members decided to grant the review in part by adding conditions to the licence which would help promote the licensing objectives.

Members urged the Premise Licence Holder to ensure that all staff are regularly trained and that no underage sales are made.

Decision

Accordingly, the Sub-Committee unanimously –

RESOLVED

That the review application for, A1 Brady News, 59 Brady Street, London E1 5DW be **GRANTED in part** with conditions.

Conditions

1. No sales of alcohol to take place unless a persona/licence holder is present on the premises.
2. The premises licence holder and any other persons responsible for the purchase of stock shall not purchase any goods from door to door sellers other than from established traders who provide full receipts at the time of delivery.
3. The premises licence holder shall ensure that all receipts for goods bought include the following details:
 - i. Seller's name and address
 - ii. Seller's company details, if applicable
 - iii. Sellers VAT details, if applicable
 - iv. Vehicle registration details, if applicable

3. Legible copies of the documents referred to above shall be retained on the premises and made available to authorised officers on request.
4. The CCTV system will be maintained and fully operational throughout the hours that the premises are open for any licensable activity.

4.2 Application to Review the Premises Licence for Muhib Indian Cuisine, 73 Brick Lane, London E1 6QL

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 Members considered detailed verbal and written evidence in view of the Licensing Act 2003, Home Office Guidance and Licensing Objectives in relation to the prevention of crime and disorder and public safety. Members also viewed CCTV footage supplied by the Police.

Members found that the incident in September 2103 had already been subject to a review and resolved and therefore not relevant to this review. Members also did not consider Mr Ahad's, Premise Licence Holder, previous convictions relevant as it was relating to touting and not subject to this review and was related to a different premises. The Chair stated that there were a lot of irrelevant information submitted by the Police, including the civil matter mentioned in the agenda.

However, the incident in December 2014 was of great concern and Mr Ahad had confirmed that he was in the process of transferring the licence and indeed attended after the incident and accepted that it was his responsibility. Regardless of this Members found it wholly inappropriate and dangerous to use chairs and glasses as weapons and staff rushing into fight was also very worrying as serious injuries were sustained. It was also concerning that no manager was visible during the incident and as Mr Ahad himself said the manager was frightened and tried to leave.

Members acknowledged that training had been conducted but noted this was in April 2015, several months after the incident. Members recognised that there was new management and new staff in place and therefore felt that revocation was not reasonable or proportionate. Therefore Members decided to suspend the premise licence for all licensable activities for 12 weeks to

allow time to put improvements in place and promote the licensing objectives of crime and disorder and public safety.

Decision

Accordingly, the Sub-Committee unanimously –

RESOLVED

That the review application for Muhib Indian Cuisine, 73 Brick Lane, London E1 6QL be **GRANTED in part.**

Suspension

Twelve weeks suspension for all licensable activities (suspension to commence once decision notice is served).

5. **ANY OTHER BUSINESS THAT THE CHAIR CONSIDERS URGENT**
6. **APPLICATION FOR A TEMPORARY EVENT NOTICE FOR TOWPATH BY CANAL GATE, VICTORIA PARK, LONDON E3**

This item was withdrawn as objections had been resolved.

The meeting ended at 9.15 p.m.

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Licensing Sub Committee