

**LONDON BOROUGH OF TOWER HAMLETS**

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

**HELD AT 6.30 P.M. ON TUESDAY, 16 JUNE 2015**

**MP701, 7TH FLOOR. TOWN HALL, MULBERRY PLACE, 5 CLOVE CRESCENT,  
LONDON, E14 2BG**

**Members Present:**

Councillor Amy Whitelock Gibbs (Chair)  
Councillor Khales Uddin Ahmed (Member)  
Councillor Peter Golds (Member)

**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. ITEMS FOR CONSIDERATION**

**3.1 Application for Variation of a Premises Licence for Art Euphoria, 186  
Hackney Road, London E2 7QL**

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 supporting residents, from residents objecting and PC Mark Perry. The representations related to the prevention of crime and disorder and the prevention of public nuisance.

Members reached a decision and the decision was unanimous. Members decided to grant the application with conditions agreed with the Police.

Members noted that the majority of residents' concerns focussed on noise disturbance and they gave specific examples of incidents. They noted the concerns of the police though there were no evidence of crime and disorder attributable to the premises.

They noted that the premises had been opened less than a year and sound proofing was yet to be completed. They also noted the concerns regarding management of the premises however, Members were satisfied that having seen the evidence prior to and at the meeting, the Applicant had done as much as he could to mitigate further impact on the amenity of the adjoining residential premises. Members resolved to grant limited extension of hours given the densely populated area and evidence of noise disturbance to local residents. They hoped that the applicant would manage the extension in a sensible, proportionate and appropriate way, to promote the licensing objectives.

#### Decision

Accordingly, the Sub-Committee unanimously –

#### **RESOLVED**

That the application for a Variation the Premises Licence for, **Art Euphoria, 186 Hackney Road, London E2 7QL** be **GRANTED** with conditions.

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

Monday to Wednesday from 11:00 hours to 00:00 hours  
Thursday to Saturday from 11:00 hours to 00:30 hours  
Sunday from 11:00 hours to 23:30 hours

With 30 minutes drinking up time.

#### The Provision of Late Night Refreshments

Monday to Wednesday from 11:00 hours to 00:00 hours  
Thursday to Saturday from 11:00 hours to 00:30 hours  
Sunday from 11:00 hours to 23:30 hours

#### Hours Premises is open to the Public

Monday to Wednesday from 11:00 hours to 00:30 hours  
Thursday to Saturday from 11:00 hours to 01:00 hours  
Sunday from 11:00 hours to 00:00 hours

#### Additional Conditions

1. CCTV camera system covering both internal and external to the premises is to be installed. (one camera to be placed outside the entrance and on entry. The CCTV system should incorporate a recording facility and any recording shall be retained and stored in a

suitable and secure manner for a minimum of 31 days. The CCTV system should be in place to maintain the quality of the recorded image and a complete audit trail maintained. The system should comply with other essential legislation and all signs as required should be clearly displayed. The system should be maintained and fully operational throughout the hours that the premises are open for licensable activity. At all times when the premises are open, a person who can operate the CCTV system must be present on the premises and present the recordings upon request to either a Police Officer or other Responsible Authority.

2. Two Security Industry Authority (SIA) trained staff be deployed on Friday and Saturday from 19:00 hours to 01:00 hours.
3. No drinks to be permitted outside at any time including outside the licensable area.
4. All doors to be closed after 22:00 hours.
5. A maximum of 4 people be allowed to smoke outside the premises at any time.
6. Sound proofing system to be installed and completed at the premises to the satisfaction of the Council's Environmental officers.
7. Contact details of the Applicant be provided to neighbouring residents by the owner of the premises.
8. A dispersal plan be formulated by the applicant and agreed by the Police.

### **3.2 Application for a Premises Licence for Towpath Bars Limited - Easting: 537232 / Northing: 184404**

#### 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 the license application 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 including the oral submissions from the Applicants and their representative and from objectors.

Members noted the concerns of public nuisance and crime and disorder.

It was noted that the Police and Environmental Health responsible authorities were satisfied with the amended hours and conditions as set out on Page 99 of the report. The Sub-Committee recognised very real concerns regarding noise disturbance to neighbours given the proximity of the premises to the canal and residential properties. However, Members found that the objections against the application did not show evidence of the premises causing crime and disorder or public nuisance. The objections related to other premises which Members considered were not relevant in the consideration of the application. They considered that there were therefore no grounds for a refusal of the application.

### Decision

Accordingly, the Sub-Committee unanimously –

### **RESOLVED**

1. That the Application to for a New Premises Licence for Towpath Bars Limited, Easting: 537232 / Northing: 184404, Hackney Wick be **GRANTED** with conditions:

#### **Sale of Alcohol (on sales only)**

- Monday to Thursday from 11:00hrs to 23:00hrs
- Friday from 11:00hrs to 00:00hrs (midnight)
- Saturday from 11:00hrs to 01:00hrs (the following day)
- Sunday from 11:00hrs to 22:00hrs

#### **The Provision of Late Night Refreshment (indoors):**

- Friday from 23:00hrs to 00:00hrs (midnight)
- Saturday from 23:00hrs to 00:00hrs (midnight)

#### **The Provision of Regulated Entertainment in the form of Recorded Music outdoors):**

- Monday to Thursday from 11:00hrs to 23:00hrs
- Friday from 11:00hrs to 00:00hrs (midnight)
- Saturday from 11:00hrs to 01:00hrs (the following day)
- Sunday from 11:00hrs to 22:00hrs

#### **Hours premises is open to the public:**

- Monday to Thursday from 11:00hrs to 23:30hrs
- Friday from 11:00hrs to 00:30hrs (the following day)
- Saturday from 11:00hrs to 01:30hrs (the following day)
- Sunday from 11:00hrs to 22:30hrs

#### **Non-standard times:**

- Sundays before Bank Holidays 11:00hrs to 01:00hrs
- New Year's Eve 11:00hrs to 09:00hrs (the following day)
- Morning British Standard Time commences to allow clock going back on hour

Additional conditions to the Operating Schedule:

1. *A CCTV camera system covering both internal and external to the premise is to be installed. The CCTV recordings are to be maintained for 31 days and to be provided upon request to either a Police Officer or an officer of any other Responsible Authority. A system shall be in place to maintain the quality of the recorded image and a complete audit trail maintained. The system will be maintained and fully operational throughout the hours that the premises are open for any licensable activity. At all times the premises is open, a person who can operate the CCTV system must be present on the premises. who can download the images and present them immediately on request by a police officer or other responsible authority;*
  2. *That an incident report book be kept and record all incidents of crime and disorder associated with the premises.*
  3. *Signs be prominently displayed both inside and in the outside asking customers to respect local residents and to be quiet when leaving the premises*
  4. *A Challenge 25 Policy to be in place.*
  5. *Regulated entertainment shall not be audible at the façade or within any affected business or residential property (as relevant) so as to cause a nuisance;*
  6. *The outside area is only used until 20:00hrs.*
2. That the new license granted be subject to the inclusion of the following additional conditions as follows:

Additional Conditions

1. A 30 minutes drinking up time.
2. The sale of alcohol to cease 30 minutes before closing time.
3. A maximum of 5 people smoking outside the premises at any given time.
4. The outside area by the towpath be only used until 20:00 hours – it should be closed with no access and egress after that time.
5. The towpath doors be closed throughout the licensable hours.
6. No drinks to be taken outside throughout the licensable hours.

**3.3 Application for a Temporary Event Notice for The Arch Gallery - 289 Cambridge Heath Road, London, E2 0EL**

The application was withdrawn by the Applicants.

**4. ANY OTHER BUSINESS THAT THE CHAIR CONSIDERS URGENT****4.1 Application for Variation of a Premises Licence for Liberty Lounge at 1a 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, from a representative of the objectors. The representations related to the prevention of crime and disorder and the prevention of public nuisance.

Members acknowledged that there were real issues relating to loss of amenity to local residents in the Bell Lane area and concerns of the residents with the request for the applicant to be granted the core hours. They however noted that the majority of residents' concerns related to the general area, not the premises under determination.

Members noted the concerns that the premises was within the cumulative impact zone. It was also noted that having regard to paragraph 8.4 of the Licensing Policy, there was a rebuttable presumption in respect of granting an application where a representation was made. Having regard to the hours applied for, the location of the premises and the conditions offered, Members were satisfied that the operation of the premises would not add to the cumulative impact zone. Members also noted that the Police was satisfied with the proposed reduced hours and conditions.

Members expressed satisfaction with the assurances from the applicant regarding the nature and management of the premises, however given the proximity residential properties they resolved to grant limited extension of hours and an additional condition to ensure that the licensing objectives relating to the prevention of crime and disorder and the prevention of public nuisance were not undermined.

Decision

Accordingly, the Sub-Committee unanimously –

**RESOLVED**

That the application for a Variation of the Premise Licence for Liberty Lounge, 1a Bell Lane, London E1 7LA be **GRANTED** with an additional condition.

Sale of Alcohol (on sales only)

Sunday to Tuesday from 12:00 hours to 23:30 hours  
Wednesday to Thursday from 12:00 hours to 00:00 hours  
Friday to Saturday from 12:00 hours to 01:00 hours

The Provision of Regulated Entertainment in the form of Live Music

Sunday to Tuesday from 12:00 hours to 23:30 hours  
Wednesday to Thursday from 12:00 hours to 00:00 hours  
Friday to Saturday from 12:00 hours to 01:00 hours

Late Night Refreshment:

Sunday to Tuesday from 23:00hours to 23:30hours  
Wednesday to Thursday from 23:30 hours to 00:00 hours  
Friday to Saturday from 23:30 hours to 01:00 hours

Opening Hours:

Sunday to Tuesday from 12:00 hours to 23:30 hours  
Wednesday to Thursday from 12:00 hours to 00:00 hours  
Friday to Saturday from 12:00 hours to 01:00 hours

Non-Standard Times:

Sundays before Bank Holidays 12:00hrs to 01:00hrs  
New Year's Eve 12:00hrs to 09:00hrs (the following day)  
Morning British Standard Time commences to allow clock going back on hour

Additional Condition:

- No more than 5 smokers outside the premises at one time;

The meeting ended at 15.45 p.m.

Chair, Councillor Amy Whitelock Gibbs (Chair)  
Licensing Sub Committee