

**LONDON BOROUGH OF TOWER HAMLETS**

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

**HELD AT 3.00 P.M. ON TUESDAY, 23 SEPTEMBER 2014**

**ROOM C1, 1ST FLOOR, 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. ITEMS FOR CONSIDERATION**

**3.1 Application for a New Premises Licence for Mercado, Retail Unit D, City  
Scape, Wentworth Street, London, E1**

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 PC Alan Cruickshank.

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 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, Copita Del Mercado, Retail Unit D, City Scape, Wentworth Street, London E1 be **GRANTED with conditions.**

### Sale of Alcohol (on sales only)

Monday to Thursday from 09:00 hours to 23:00 hours  
Friday and Saturday from 09:00 hours to 23:30 hours  
Sunday from 09:00 hours to 22:00 hours

### The Provision of Late Night Refreshments

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

### Hours Premises is open to the Public

Monday to Thursday from 06:00 hours to 23:30 hours  
Friday and Saturday from 06:00 hours to 00:00 hours (midnight)  
Sunday from 06:00 hours to 22:30 hours

### Conditions

1. Outdoor seating area only to be used between the hours of 09:00 hours to 22:00 hours.
2. Alcohol to be only served to seated customers and ancillary to a meal (indoors and outdoors)
3. CCTV camera system covering both internal and external to the premises is to be installed.
4. 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.
5. At all times when the premise is open, a person who can operate the CCTV system must be present on the premises.

6. Prominent and clearly legible notices shall be displayed at all exits of the premises requesting patrons to respect the needs of local residents and to leave the premises and area quietly.

### **3.2 Application for a New Premises Licence for (Maison Trois Garcon), 45 Redchurch Street, London E2 7DJ**

#### 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 Applicants and their representative and from objectors.

Members noted the concerns of public nuisance and noted the fact that the premises was within the cumulative impact zone. However Members noted how the Applicant had agreed to various conditions prior to the meeting to address the concerns of residents and the responsible authority.

It was noted that the Police objection related to the premises being in 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 is 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.

#### Decision

Accordingly, the Sub-Committee unanimously –

#### **RESOLVED**

That the application for a New Premises Licence for Maison Trois Garcon, 45 Redchurch Street, London E2 7DJ be **GRANTED** with conditions.

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

Monday to Sunday from 10:00 hours to 22:00 hours

#### Hours premises is open to the public

Monday to Sunday from 07:00 hours to 22:30 hours

Conditions

1. There will be no more than two people allowed to smoke outside the premises at any time.
2. CCTV camera system covering both internal and external to the premises is to be installed.
3. 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 Responsible Authority.
4. At all times when the premises is open, a person who can operate the CCTV system must be present on the premises.
5. Alcohol to be served to seated customers and ancillary to a meal.
6. Only bottled beers, ciders, wines, spirits and minerals will be stocked at the premises. There will be no draft beer.
7. No refuse will be collected or placed outside the premises between the hours of 23:00 hours and 08:00 hours the next day.
8. Noise will be monitored by the house manager or his/her deputy to ensure that there is no nuisance caused to residential neighbours.
9. The side door will be kept shut at all times except for use when in emergency.
10. Outdoor seating area only to be used between the hours of 09:30 hours and 19:00 hours.
11. Outdoor seating furniture will be removed by 19:00 hours
12. An incident and refusals log book 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 incidents of disorder
  - d. all seizures of drugs or offensive weapons
  - e. any faults in the CCTV system or searching equipment or scanning equipment
  - f. any refusal of the sale of alcohol
  - g. any visit by a relevant authority or emergency service.

### 3.3 Application for a New Premises Licence for Gravalia - Unit 1C Cassilis Road, London, E14 9LQ

#### 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 representatives from the Police and Environmental Health. In the absence of the resident objectors Members noted and considered their written submissions.

Members did have concerns that the premises was in a densely populated residential area and that there was a possibility there would be an increase in anti-social behaviour and public nuisance. Members also took into account their local knowledge of the area and representations made by Environmental Health and Police and considered it appropriate to reduce the terminal hours sought for licensable activities and add conditions to help promote the licensing objectives.

#### Decision

Accordingly, the Sub-Committee unanimously –

#### **RESOLVED**

That the application for a New Premises Licence for Gravalia, Unit 1C Cassilis Street, London E14 9LQ be **GRANTED in part** with conditions.

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

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

#### Hours premises is open to the public

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

#### 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 30 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 on the premises.
4. Prominent and clearly legible notices shall be displayed at all exits of the premises requesting patrons to respect the needs of local residents and to leave the premises and area quietly.
5. An incident report book is kept and record all incidents of crime and disorder associated with the premises.
6. A dedicated telephone number to be provided for residents to contact management if they have any complaints or concerns.
7. The sale of alcohol to be ancillary to a meal.
8. No use of the outdoor area.

### **3.4 Application for a Transfer of a Premises Licence Holder 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 Applicant

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, Members decided to refuse the application for a transfer of licence.

#### Decision

Accordingly, the Sub-Committee unanimously –

#### **RESOLVED**

That the application for a Transfer of Premises Licence for Bethnal Green Food Centre, 438 Bethnal Green Road, London E2 0DJ be **REFUSED**.

The meeting ended at 4.45 p.m.

Chair, Councillor Peter Golds  
Licensing Sub Committee