

**LONDON BOROUGH OF TOWER HAMLETS**

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

**HELD AT 4.00 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. ITEMS FOR CONSIDERATION**

**3.1 Application for a New Premises Licence for The Grocer, 4 Crispin  
Square, Crispin Place, London, E1 6DW**

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, the Applicant and objections from PC Alan Cruickshank and local residents.

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.

Members reached a majority decision and the decision was to grant the application with conditions. 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 additional conditions imposed in relation to off sales, restrictions on the use of the outside areas and allowing drinking up time would further help promote the licensing objectives.

#### Decision

Accordingly, the Sub-Committee –

#### **RESOLVED**

That the application for a New Premises Licence for, The Grocer, 4 Crispin Square, Crispin Place London E1 6DW be **GRANTED with conditions**.

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

Monday to Saturday from 10:00 hours to 22:30 hours  
Sunday from 10:00 hours to 21:30 hours

#### Hours Premises is open to the Public

Monday to Saturday from 10:00 hours to 23:00 hours  
Sunday from 10:00 hours to 22:00 hours

#### Conditions

1. There shall be no off sales
2. There shall be no customer use of the northern terrace after 20:00 hours on any day (The northern side is all areas north from the main entrance doors as detailed on the map)
3. There shall be no customer use of the southern terrace after 22:00 hours on any day (The southern side is all areas south from the main entrance doors as detailed on the map)

4. Whenever the premises are open for licensable activities then the following minimum number of seats will be maintained:-
  - a. In the north patio area- 40
  - b. In the south patio area- 60
5. Waiter/waitress service will always be available in the whole of the premises.
6. The CCTV system shall incorporate a recording facility and any 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 .

7. An incident log shall be kept at the premises and made available on request to an Authorised Officer of the Local Authority or the Police which will record the following :-
  - a. All crimes reported to the venue.
  - b. All ejections of patrons from both inside and outside the premises.
  - c. Any complaints received concerning crime and disorder.
  - d. Any complaints received from any local residents or Residents' Association in relation to the premises.
  - e. Any faults in the CCTV system .
  - f. Any refusal of the sale of alcohol.
  - g. Any visit by a Responsible Authority .
8. Substantial food will always be available whenever the premises are open to the public.
9. The premises will if invited to do so meet with the local Residents' Association promptly to discuss any concerns in relation to the operation of the premises.
10. The Premises Licence Holder and Designated Premises Supervisor will be responsible for training of all staff who have

direct dealings with customers on the following :-

- a. Licensing law and in particular that relating to the sale of alcohol.
- b. The Challenge 21 Policy.
- c. The Premises Licence and its conditions.
- d. The management of the outside areas and how to encourage, if necessary, good and quiet customer behaviour.
- e. Vigilance in relation to security inside the premises and in particular relating to customers' personal possessions.

This training will be recorded and will be refreshed every 6 months and records will be available to the Authorised Officer of the Council and Police.

11. The Designated Premises Supervisor, management and staff will be responsible for managing the outside areas and if necessary will encourage customers to be respectful of the presence of local residents.
12. Notices reminding customers to be respectful of local residents and to be quiet when leaving the premises will be displayed at the exit of the premises.
13. A Challenge 21 Policy will be operated at the premises in relation to the sale of alcohol.
14. Any music emanating from the premises must not be audible at the nearest affected facade.
15. No music is to be played in the outside area.
16. Loading and unloading shall be restricted to:  
  
Monday to Friday (08:00hrs- 18:00hrs)  
Saturday (08:00hrs to 13:00hrs)  
Not at all on Sundays and bank holidays.
17. The area outside and around the immediate vicinity of the premises will be cleared and maintained in a clean and satisfactory state.

### **3.2 Application to Review the Premises Licence for Sweetpoint, 2 Old Montague Street, London, E1 5NG**

#### 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, Trading Standards and all interested parties supporting the review. It was noted that the Premise License Holder was not present at the meeting. Therefore Members noted the written application contained in the agenda and briefly heard representations from the Applicant and interested parties.

Members expressed grave concerns regarding the public nuisance, crime and disorder and anti-social behaviour linked to the premises. Members noted the overwhelming evidence provided by all parties especially by the representative from the local women's hostel.

Members were satisfied that there were no other conditions they could be imposed on the licence to promote the licensing objectives as the mismanagement of the premises was evident. Members believed that the lack of attendance at the meeting showed a lack of confidence in the Premises Licence Holder to uphold the licensing objectives and taking into consideration the objections raised Members unanimously revoked the premises licence.

#### Decision

Accordingly, the Sub-Committee unanimously –

#### **RESOLVED**

That the application for a Review of the Premise Licence for Sweet Point, 2 Old Montague Street, London E1 5NG be **GRANTED** with the revocation of the premises licence.

### **3.3 Application to Review the Premises Licence for SD Retail, 2 Spey Street, London E14 6PZ**

#### 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 Mark Perry, The Licensing Authority and from the Legal Representative on behalf of the Designated Premises Supervisor.

Members reached a decision and the decision was unanimous. Members noted the number of repeated breaches of the licence where the DPS was found to have been selling to an intoxicated person, not supplying officers with CCTV footage, opening beer bottles for customers and allegations of selling to underage persons. Members were satisfied that there were no other conditions that could be imposed that would help promote the licensing objectives and therefore Members decided to revoke the premises licence.

#### Decision

Accordingly, the Sub-Committee unanimously –

#### **RESOLVED**

That the application for a Review of the Premises Licence for SD Retail, 2 Spey Street London E14 6PZ be **GRANTED** with the revocation of the premises licence.

The meeting ended at 6.15 p.m.

Chair, Councillor Peter Golds  
Licensing Sub Committee