

LONDON BOROUGH OF TOWER HAMLETS

RECORD OF THE DECISIONS OF THE LICENSING SUB COMMITTEE

HELD AT 2.00 P.M. ON TUESDAY, 18 AUGUST 2015

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

Members Present:

Councillor Peter Golds (Chair)

Councillor Rajib Ahmed (Member)

Councillor Muhammad Ansar Mustaquim (Member)

1. DECLARATIONS OF DISCLOSABLE PECUNIARY INTEREST

Councillors Peter Golds, Rajib Ahmed and Ansar Mustaquim asked it to be noted that the Applicant for Item 4.3 Application for a Variation of the Premises Licence for Preem, 118-122 Brick Lane, London E1 6RL, was known to them. However, they confirmed that this would not influence their decisions and they had not discussed this application prior to the hearing.

2. RULES OF PROCEDURE

The rules of procedure were noted.

3. MINUTES OF THE PREVIOUS MEETING(S)

The minutes of the Licensing Sub Committee held on 14th July 2015 was agreed as a correct record of proceedings.

4. ITEMS FOR CONSIDERATION

4.1 Application for a New Premises Licence for Truck Stop, West India Quay, Hertsmere Road, London, E14 4AE

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 representation from the Applicant's representative and PC Perry.

It was noted that the Applicants demonstrated previous knowledge and experience. However, Members gave serious weight to the Police's comments regarding the premises and its locality and therefore believed that it would be sufficient to strengthen the conditions proposed and add an additional condition that the bar stalls should not be located near the entrance of the bridge as set out in the plans.

Members reached a decision and the decision was unanimous. Members granted the application and advised the applicant to continue working with the Landlord with the aim to prevent anti-social behaviour and public nuisance.

Decision

Accordingly, the Sub-Committee unanimously –

RESOLVED

That the application for a New Premises Licence for, Truck Stop, West India Quay, Hertsmere Road, London E14 4AE be **GRANTED with conditions**.

Sale of Alcohol (On and Off Sales)

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

The Opening Hours of the Premises

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

Conditions

1. At no times should the Bar stalls be located near the bridge entrances.
2. Stewards and/or SIA registered supervisors shall be employed on an operational risk assessment basis.
3. A telephone number to the duty manager shall be available to local residents.

4. There shall be a written dispersal policy, a copy of which shall be kept on the premises and produced to police or an authorised officer upon request.
5. The premises shall operate a dispersal policy and all staff shall be trained in its implementation.
6. Customers shall be supervised when leaving the premises and shall be asked to leave quietly.
7. Signs will be prominently displayed at all exit points reminding customers to leave quietly and respect local residents.
8. A Challenge 25 proof of age scheme shall be operated at the premises where the only acceptable forms of identification are recognised photographic identification cards, such as driving licence or passport.
9. An incident log 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:
 - All crimes reported;
 - All ejections of patrons;
 - Any incidents of disorder;
 - Seizure of drugs or offensive weapons;
 - Any refusal of the sale of alcohol;
 - Any visit by a relevant authority or emergency service.
10. The premises licence will only take effect from 1 May to 31 October each calendar year.
11. The licence holder will engage with the management of adjacent licence holders and Canary Wharf central security.
12. All drinking vessels shall be polycarbonate, non-glass or other shatter proof containers.
13. SIA registered door supervisors shall be employed from 6pm until close on Thursday to Saturday evenings . At all other times stewards and/or SIA registered supervisors shall be employed on an operational risk assessment basis
14. Stewards or SIA registered door supervisors will be responsible for ensuring that any queue is orderly and noise kept to a minimum.
15. All staff will be given regular training on the legislation relating to the sales of alcohol to underage persons and drunken persons.

16. During the hours of operation of the premises, the licence holder shall ensure sufficient measures are in place to remove and prevent litter or waste arising or accumulating from customers, and that the area shall be swept and or washed, and litter and sweepings collected and stored in accordance with approved refuse storage arrangements by close of business.
17. No music other than background to be played during hours of operation.
18. To work with the Landlord to ensure that the CCTV camera system covers the licensable area.
19. 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.
20. 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.
21. To agree a security plan with Canary Wharf Security, West India Quay Management and the licensed premises on West India Quay. The security plan is to be agreed and in place at least 1 month prior to the event taking place. The security agreement will include but is not limited to:
 - Managing people using the bridge linking Canary Wharf and West India Quay.
 - A procedure for allowing people to move freely down West India Quay when the Truck Stop is operating.
 - A plan for working with security of licensed premises in West India Quay, and West India Quay Management to ensure that people to be ejected or refused entry from any licensed premises are dealt with effectively, and safely.
 - That staff are deployed to Hertsmere Road and the surrounding areas to ensure customers of Truck Stop are not causing anti-social behaviour or littering.

4.2 Application for a New Premises Licence for Real Taste - 185 East India Dock Road, London, E14 0EA

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 representation on behalf of the applicant and noted the written objections from two local residents.

Members welcomed the proposed conditions offered by the applicant and noted the conscious effort to help alleviate the concerns of local residents. Therefore Members decided to grant the application and impose conditions in conjunction with the operating schedule to help promote the licensing objectives.

Decision

Accordingly, the Sub-Committee unanimously –

RESOLVED

That the application for a New Premises Licence for the Real Taste, 185 East India Dock Road, London E14 0EA be **GRANTED with conditions**.

The Provision for Late Night Refreshments

Monday to Wednesday from 23:00 hours to 00:30 hours (the following day)
Thursday to Saturday from 23:00 hours to 02:00 hours (the following day)

Hours the premise is open to the public

Monday to Wednesday from 08:00 hours to 00:30 hours (the following day)
Thursday to Saturday from 08:00 hours to 02:00 hours (the following day)
Sunday from 08:00 hours to 23:00 hours

Conditions

- 1) There shall be no seating or eating outside the premises.
- 2) A CCTV camera system covering both the interior & exterior of the premises is to be installed & which shall be capable of taking a head and shoulders shot of persons entering the premises.
- 3) 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.

- 4) A system shall be in place to maintain the quality of the recorded image and a complete audit trail maintained.
- 5) The system will be maintained and fully operational throughout the hours that the premises are open for any licensable activity.
- 6) At all times the premises is open, a person shall be on duty who can download the images and present them immediately on request by a police officer or other responsible authority.
- 7) Notices shall be prominently displayed by the entry door and at the servery stating that CCTV cameras are in use.
- 8) No alcohol shall be permitted in or be allowed to be consumed in the premises at any time. Staff will monitor customer conduct while in the shop including the ban on alcohol. Drunk, abusive or aggressive customers will be refused service & asked to leave.
- 9) Notices shall be prominently displayed by the entry door stating that no alcohol may be taken into the restaurant or consumed in the premises.
- 10) The last order times will be: for sit down service in the restaurant 30 minutes before the terminal hour and for take away or home delivery 15 minutes before the terminal hour.
- 11) The restaurant seating shall be closed to new customers 30 minutes before the terminal hour. Staff will advise customers ordering after the seating is closed that service is take away only and notices shall be displayed to advise customers.
- 12) Notices will be prominently displayed by the entry doors advising customers of the opening hours and last order times.
- 13) Notices will be prominently displayed by the exit door requesting customers to respect residents and to leave the shop and area quietly, not to loiter or eat outside the shop and to dispose of litter legally.
- 14) Staff will receive training for their role on induction & refresher training every 6 months. Training will include acknowledging & serving customers in turn, explaining service times & delays in service, monitoring customers & avoiding conflict or disorder.
- 15) Written training logs will be kept for all members of staff which shall be signed and dated by the trainer & trainee in respect of all training received and produced to a police officer or authorised officer of the council on request.
- 16) A minimum of 3 staff shall be on duty during permitted (licensed) hours.

- 17) Management & staff will monitor the outside of the premises physically and by CCTV and actively discourage customers from loitering outside the premises & in the immediate vicinity.
- 18) An incident book shall be kept which shall be produced to police officers or authorised officers of the council on request and in which details of:
 - all crimes reported to the venue;
 - all ejections of patrons;
 - any complaints received;
 - any incidents of disorder;
 - any faults in the CCTV system;
 - any refusal of service;
 - any visit by a relevant authority or emergency service
- 19) A fire risk assessment & emergency plan will be prepared and regularly reviewed. Staff will be given appropriate fire safety training.
- 20) Notices will be prominently displayed by the exit door requesting customers to respect residents and to leave the shop and area quietly, not to loiter or eat outside the shop and to dispose of litter legally.
- 21) A rubbish bin will be provided for customers to place any unwanted material in as they leave the shop.
- 22) No deliveries of goods will be received at the premises or rubbish removed between 20.00 and 07.00 daily.
- 23) The shop frontage will be kept tidy at all times and swept at close.
- 24) A phone number will be displayed for residents to contact with any concerns.
- 25) Delivery drivers will be asked to turn off their engine outside the shop and customers premises and not to start it until they are ready to depart. They will be instructed to wait inside the shop in between deliveries.
- 26) No unaccompanied children under 16 will be allowed in the premises after 23.00 hours.

4.3 Application for variation of a Premises Licence for Preem Restaurant - 118-122 Brick Lane, London, E1 6RL

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 representation on behalf of the applicant and objectors.

Whilst Members considered the implications of the Cumulative Impact Zone, Members noted that Mr Hussain's premises on 124-126 Brick Lane which had a premises licence for late hours was no longer in operation. Members had concerns over the number of previous breaches and prosecutions however Members believed that the conditions imposed would help prevent repeat incidents and alleviate the concerns of the objectors.

Members welcomed the amended hours proposed by the Applicant. Members reached a decision and the decision was unanimous Members decided to grant the application in part with reduced hours and imposing of conditions in conjunction with the operating schedule to help promote the licensing objectives.

Decision

Accordingly, the Sub-Committee unanimously –

RESOLVED

That the application for a Variation of the Premises Licence for the Preem Restaurant, 118-122 Brick Lane, London E1 6RL be **GRANTED in part with conditions.**

Sale of Alcohol (On Sales Only)

Monday to Sunday from 23:00 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)

The Opening Hours of the Premises

Monday to Sunday from 12:00 hours to 01:30 hours (the following day)

Conditions

1. Alcohol to be only served ancillary to a meal
2. There to be no off sales of alcohol

3. Photo identification badges must be worn by staff at all times and surrendered to an officer of the responsibility authority upon request.
4. At all times two trained security staff will be on duty within the premises with one person on door control to maintain good order and public safety.
5. The management will offer customers complementary teas and coffees after a meal to positively promote leaving the premises in an orderly manner and to not cause any problems relating to anti-social behaviour.
6. No regulated entertainment is to be provided except low key background music only. A noise limiter is to be installed the settings (maximum music noise levels generated) of which are to be set and agreed beforehand with the Environmental Protection Service. To ensure, as far as reasonably practical, that patrons that enter and exit the premises, especially late at night will act quietly and considerately at all times. No anti -social behaviour (shouting and screaming) or other forms of anti-social behaviour will be tolerated.
7. No food or drinks to be allowed to be consumed immediately outside the premises in the street.
8. Patrons will be encouraged to leave the premises quietly and considerately especially late at night. A dedicated taxi or mini cab service will be made available and offered to assist patrons on leaving the premises quietly as required. They will be asked to wait at the table until a taxi or other transport arrives in order to discourage patrons from standing and talking.
9. CCTV covering the inside and outside of the premises shall be installed. It shall be capable of taking a head and shoulders shot of person entering the shop and storing image for a period of at least 31 days. The CCTV shall be in operation during all the hours that the premises are open to the public. A member of staff capable of downloading images for Police or Authorised Council Officers shall be on duty at all times the premises are open to the public.
10. No person will be employed to solicit for custom or be permitted to solicit for custom in any public place within 500 meter radius of the premises.
11. Clear signage is to be placed in the restaurants windows stating that the premises supports the Council's "No Touting Policy".

5. ANY OTHER BUSINESS THAT THE CHAIR CONSIDERS URGENT

There was no other business.

The meeting ended at 5.05 p.m.

Chair, Councillor Peter Golds
Licensing Sub Committee