

**LONDON BOROUGH OF TOWER HAMLETS**

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

**HELD AT 5.30 P.M. ON TUESDAY, 5 JUNE 2018**

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

**Members Present:**

Councillor Peter Golds (Chair)

Councillor Victoria Obaze (Member)

Councillor Zenith Rahman (Member)

**1. DECLARATIONS OF DISCLOSABLE PECUNIARY INTEREST**

There were no declarations of disclosable pecuniary interest made.

**2. RULES OF PROCEDURE**

The rules of procedure were noted.

**3. MINUTES OF THE PREVIOUS MEETING(S)**

The unrestricted minutes of the Licensing Sub Committee meetings held on 20<sup>th</sup> March, 4<sup>th</sup> April, 11<sup>th</sup> April and 24<sup>th</sup> April 2018 were agreed as a correct record of proceedings.

**4. ITEMS FOR CONSIDERATION**

**4.1 Application for a New Premises Licence for Yumcha 137 Brick Lane,  
London E1 6SB**

**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 and in particular to have regard to the promotion of the four licencing objectives:

1. The Prevention of Crime and Disorder;
2. Public Safety;

3. Prevention of Public Nuisance; and
4. The Protection of Children from Harm

### **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 and noted the written objections made by local residents, whom were not present at the meeting.

Members welcomed the efforts made by the Applicant by offering and accepting conditions in consultation with the Responsible Authorities and accepting the condition 'that the consumption of alcohol can only be by persons seated within the premises' this gave Members the assurance that the premises would not be used as a vertical drinking establishment.

Members noted the concerns raised about noise emanating from the premises, therefore Members believed that the condition to keep doors and windows closed during operational hours from 7pm onwards would help prevent this and alleviate some of those concerns. Members were also satisfied that a modification of the hours on the license would also relieve the concerns of local residents and avoid any future disturbances.

Members believed that restricting the use of the smoking area outside the premises to four people at any one time would also help with noise control.

Members reached a decision and the decision was unanimous. Members granted the application subject to conditions to help promote the licensing objectives.

Accordingly, the Sub Committee unanimously

### **RESOLVED**

That the application for a New Premises Licence for Yumcha, 137 Brick Lane, London E1 6SB be **GRANTED** with conditions.

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

Monday to Sunday from 12:00 hrs to 23:30 hrs.

#### Provision of Late Night Refreshments

Monday to Sunday from 23:00 hrs to 23:30 hrs.

#### Hours premises Open to the Public

Monday to Sunday from 08:00 hrs to 00:00 hrs (midnight).

#### Conditions

1. No drinks allowed to be taken outside the premises at any time.
2. CCTV shall be installed at the premises. The scope of the coverage shall be agreed with the Police. The system shall be kept in good working order and recording kept for a minimum of 31 days with a trained member of staff on duty while the premises are open.
3. CCTV is to be made available to Police or other Licensing Authority on request.
4. Written operating policy including:
  - I. Drugs Policy
  - II. Incident Book
  - III. Refusal Book
  - IV. Transport and Dispersal
5. Refusals and Incident Log are made available to Police or other Licensing Authority on request.
6. Staff shall be trained on drug and alcohol policy
7. Doors and windows shall be kept closed during operational hours post 19:00 hours
8. Management of refuse disposal shall be completed each morning, refraining from night time disturbance.
9. A Challenge 25 Policy shall be in place in relation to the sale of alcohol.
10. The consumption of alcohol can only be by persons seated within the premises except when operating a pre booked private function, where the general public have no access to the premises.
11. No more than 4 people to smoke outside the premises at any one time.

**4.2 Application for a New Premises Licence for Chao Zhang, 62 Wentworth Street, London E1 7AL**

**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 and in particular to have regard to the promotion of the four licensing objectives:

1. The Prevention of Crime and Disorder;
2. Public Safety;
3. Prevention of Public Nuisance; and

#### 4. The Protection of Children from Harm

##### **Consideration**

Each application must be considered on its own merits and the Chair stated that the Sub Committee in the absence of the objectors had carefully considered the written objections in the agenda and listened to the representations made on behalf of the Applicant by their Licensing Representative.

Members noted the reduction in the hours for the sale of alcohol and welcomed the efforts made by the Applicant to add conditions in consultation with the Police and also the agreement to remove off sales from the application this helped give assurance that the premise would not have a negative impact on the area. Members were satisfied that the condition 'the supply of alcohol at the premises shall only be to a person for consumption by such a person as ancillary to their meal' together with the other conditions would help alleviate the concerns of the local residents and promote the licensing objectives.

Therefore Members made a decision and the decision was unanimous. Members granted the application with conditions.

##### **Decision**

Accordingly, the Sub-Committee unanimously –

##### **RESOLVED**

That the application for a New Premises Licence for, Chao Zhang (Xian Biang Biang), 62 Wentworth Street, London E1 7AL be **GRANTED** with conditions.

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

Monday to Sunday from 11:00 hours to 22:30 hours

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

Monday to Sunday from 11:00 hours to 23:00 hours

##### **Conditions**

1. No off sales.
2. Open containers shall not be taken from the premises.
3. 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 a driving licence, passport or proof of age card with the PASS Hologram.

4. Staff shall undertake regular training and written training records to be kept.
5. A CCTV system to be put in place, the cameras are to be of sufficient quality so that people's faces are clearly identifiable from the footage. The cameras are to be placed in such a way as they cover areas of the premises specified by the Police. The system is to record the footage and to keep it for a minimum of 31 days and a copy of CCTV footage is to be made available to Police or the Local Authority upon request. (subject to data protection legislation).
6. While the premises are open to the public a member of staff must be on duty who can operate the CCTV system.
7. An Incident Report book is to be kept and used to record all incidents of crime and disorder as well as any incidents of note. This book is to be made available on request to any Police officer or representative of a responsible authority.

#### 5. EXTENSION OF DECISION DEADLINE: LICENSING ACT 2003

The Chair agreed to extend the decision deadlines for the following applications;

Premises	Hearing Date
Nelson's Head, 32 Horatio Street, Bethnal Green London E2 7SB	19/06
Cookies and Cream Unit 5 The Chronos Building, 9-25 Mile End Road, London, E1 4TW	19/06
Whitepost Café, 92 Whitepost Lane, London E9 5SN	10/07
Angel Convenience, 23 Roman Road, London E2 0HU	10/07
Sharwama, 84 Brick Lane, London E1 6RL	24/07

The meeting ended at 6.45 p.m.

Chair,  
Licensing Sub Committee