

LONDON BOROUGH OF TOWER HAMLETS

RECORD OF THE DECISIONS OF THE LICENSING SUB COMMITTEE

HELD AT 6.30 P.M. ON TUESDAY, 10 JULY 2018

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

Members Present:

Councillor Peter Golds (Chair)

Councillor Faroque Ahmed (Member)

Councillor Leema Qureshi (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 minutes of the Licensing Sub Committee held on 5th June 2018 were agreed as a correct record of proceedings.

4. ITEMS FOR CONSIDERATION

**4.1 Application for Variation of a Premises Licence for Whitepost Café, 92
Whitepost Lane, London E9 5EN**

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 had carefully considered all of the evidence before them and heard representations made by the Applicant and also heard from the objectors present at the meeting.

In reaching their decision, Members noted the current demographics of the area and noted that the area that was once derelict, was now full of industry, amenities, entertainment venues and most importantly a rapidly growing residential community. Members noted that the objections from local residents covered a wide range of concerns which was evident in demonstrating that there was already public nuisance in the form of noise nuisance. Members were concerned that permitting an increase in the licensable hours of the premises would exacerbate this noise nuisance.

Members welcomed the efforts made by the Applicant by reducing the hours and offering conditions in consultation with Environmental Health, however, the individual objections and the supporting documents (noise nuisance diary submitted by the local resident) demonstrated that there was a cause for concern and the likelihood that later hours would have a negative impact on the lives of residents, infringe on their quality of life with a likelihood of an increase in anti-social behaviour and general noise nuisance.

Members looked carefully at the location and although the Applicant agreed to use the entrance via the tow path route only as a fire exit after the terrace area is closed, Members of the Sub Committee were of the view based on the evidence put before them that residents especially from Omega Works would suffer noise pollution.

Members reached a decision and the decision was unanimous. Members refused the application.

Accordingly, the Sub Committee unanimously

RESOLVED

That the application for a variation of the Premises Licence for Whitepost Café, 92 Whitepost Lane, London E9 5EN be **REFUSED**.

4.2 Application for a New Premises Licence for Quick Grill Ltd, 194 Mile End Road, London, E1 4LJ

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. In the absence of the Applicant, Members heard representations made on behalf of the Applicant by their Licensing Representative and also heard representation on behalf of the Licensing Authority and the Metropolitan Police.

In reaching their decision, Members noted the previous breaches of conditions, trading without a licence, a number of failings and breaches in the Applicant's other licensed premises at 41 Brick Lane, and pending enforcement action in relation to both those other premises at 41 Brick Lane and also in relation to the premises at 194 Mile End Road. Whilst the premises at 41 Brick Lane are not the subject of this application, what had happened regarding those other premises is relevant because it demonstrates the degree to which the applicant in running those other licensed premises can be trusted to uphold the licensing objectives, in particular, the crime and disorder objective.

Breaches of licensing conditions and trading without a licence are offences. Therefore, when such matters taking place do not uphold the crime and disorder objective.

Although it was noted that the Applicant would relinquish all ties with the premises in Brick Lane and concentrate on the current premises he is applying for, Members had no confidence that hours and conditions would be adhered to and therefore referred to the concerns raised by both the Responsible Authorities and their evidence showed that the applicant is unable to comply with licence times and conditions, and on a balance of probability is likely to do the same if this current application were to be granted.

Members were not satisfied that the Applicant would uphold the licensing objectives of the prevention of crime and disorder and the prevention of public nuisance in relation to the objections raised by the Police and the Licensing Authority.

Members reached a decision and the decision was unanimous. Members refused the application.

Accordingly, the Sub Committee unanimously

RESOLVED

That the application for a New Premises Licence for Quick Grill, 194 Mile End Road, London E1 4 LJ be **REFUSED**.

5. EXTENSION OF DECISION DEADLINE: LICENSING ACT 2003

There were no applications that required a deadline extension.

The meeting ended at 8.50 p.m.