

LONDON BOROUGH OF TOWER HAMLETS

RECORD OF THE DECISIONS OF THE LICENSING SUB COMMITTEE

HELD AT 2.30 P.M. ON TUESDAY, 25 SEPTEMBER 2018

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

Members Present:

Councillor Faroque Ahmed (Member)
Councillor Sabina Akhtar (Member)
Councillor Shad Chowdhury (Vice-Chair)

1. DECLARATIONS OF DISCLOSABLE PECUNIARY INTEREST

No declarations of disclosable pecuniary interests were declared.

2. RULES OF PROCEDURE

The Rules of Procedure were noted by the Sub Committee.

3. ITEMS FOR CONSIDERATION

**3.1 Application for New of a Premises Licence for Mailinda, 62 Mellish Sreet,
London E14 8NS**

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 merit. The Sub Committee had carefully considered all of the evidence before them and considered written and verbal representation from the Legal Representative on behalf of

the Applicant and noted the written objections from local residents and the Ward Councillor as well as hearing from one of the objectors present at the meeting with particular regard to the licensing objective of the prevention of public nuisance.

The Sub-Committee noted that the premises in question was situated in a densely populated residential area, with an elderly care home, and mixed residential homes with young families. Members were of the view that the type and the density of such an application if granted in this area may lead to problems of public nuisance and disorder.

The Sub-Committee also noted the written representations made by objectors and also heard verbal representation from the objector present at the meeting regarding concerns relating to the existing levels of noise nuisance and anti-social behaviour, and the lack of parking facilities etc. and noted objectors' concerns about increased noise nuisance, impact upon family environment, and the likely increased numbers of clientele in the area if the application were to be granted, and thereby the likely impact on the area.

The Sub-Committee considered that the onus lay upon the Applicant to show through the operating schedule, with appropriate supporting evidence that the operation of the premises, if licensed, would not undermine any of the licensing objectives. The Sub Committee noted the applicant's representation that the impact of the premises licence if granted, would be mitigated by the proposed conditions agreed with Environmental Health in terms of reduced hours and the installation of a sound limiter and sound proofing as well as the other conditions proposed. However, the Sub Committee was not satisfied that sufficient measures were in place to prevent public nuisance in the form of noise pollution.

The Sub-Committee was concerned that the premises would be importing a significant number of people into the area for karaoke events which in its nature would be loud and noisy. The area is already experiencing a high volume of public nuisance and anti-social behaviour. The potential increased footfall arising from any grant of the application in this instance requires a particularly robust operating schedule, which should demonstrate particular measures at the premises to address the likely impact of increased clientele. There was not sufficient measures in place for customers leaving the venue and entering into residential streets. The Sub-Committee was not satisfied that the operating schedule as presented at the Sub-Committee meeting met those requirements.

The Sub Committee was therefore not satisfied with the application and were of the view that on the balance of probability this premises if granted would cause a negative impact on the area, in that it was considered the applicant failed to demonstrate that their application for a premises licence would not undermine the licensing objectives.

Accordingly, the Sub Committee unanimously

RESOLVED

That the application for a New Premises Licence for Mailinda, 62 Mellish Street, London E14 8NS be **REFUSED**.

4. EXTENSION OF DECISION DEADLINE: LICENSING ACT 2003

There were no applications that required deadline extensions.

The meeting ended at 4.00 p.m.

Chair, Shad Chowdhury
Licensing Sub Committee