

LONDON BOROUGH OF TOWER HAMLETS

MINUTES OF THE LICENSING SUB COMMITTEE

HELD AT 6.30 P.M. ON THURSDAY, 11 FEBRUARY 2010

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

Members Present:

Councillor Peter Golds (Chair)

Councillor Rupert Eckhardt
Councillor Rachael Saunders

Other Councillors Present:

Councillor Joshua Peck

Officers Present:

Mohshin Ali	- (Acting Senior Licensing Officer)
Zakir Hussain	- (Solicitor)
Paul Johnson	- (Environmental Health Officer)
Simmi Yesmin	- (Senior Committee Officer)

Applicants In Attendance:

Clare Eames	- All Star Lanes
Mark Von Westenholz	- All Star Lanes
Graham Hall	- All Star Lanes
Sharif Ansar	- All Star Lanes

Objectors In Attendance:

David Hornbrook	- Balman's Kebab House
Alex Josephy	- Balman's Kebab House
Heather Dyer	- Balman's Kebab House
Simon Reynolds	- Balman's Kebab House

1. APOLOGIES FOR ABSENCE

There were no apologies for absence.

2. DECLARATIONS OF INTEREST

There were no declarations of interest made.

3. RULES OF PROCEDURE

The rules of procedures were noted.

4. ITEMS FOR CONSIDERATION

4.1 Application for a Variation of the Premises Licence for Balman's Kebab House, 401 Roman Road, London E3 5QS (LSC 052/910)

At the request of the Chair, Mohshin Ali, Acting Senior Licensing Officer introduced the report which detailed the variation application for Balman's Kebab House, 401 Roman Road, London E3 5QS. It was noted that objections had been received from local residents.

It was noted that the applicant was not present at the meeting, therefore in the applicants absence the Sub Committee noted and considered the application for variation of the premises licence.

At the request of the Chair, Councillor Joshua Peck spoke on behalf of the residents of Ellesmere Road. He stated that residents objected to the extension of the hours for the provision of late night refreshments due to the cumulative impact it would have on the residents. He explained that residential houses were in very close proximity to the premises, and residents are often unable to sleep due to the anti-social behaviour, noise nuisance and public disorder he explained that residents often find customers sitting on their door steps, urinating, vomiting and throwing litter on the streets.

Councillor Peck explained that Balman's Kebab House together with the 24 hour licensed Mini Supermarket attracted late night clubbers and disorderly drunken people to the area creating a night time economy providing food and alcohol in a residential area.

A letter from the Metropolitan Police was tabled by Councillor Peck, addressed to the Premises License Holder of Balman's Kebab House stating there concerns and their intent to make an objection to the application for variation. Councillor Peck concluded that it was inappropriate to extend hours for the provision of late night refreshments as it would increase public nuisance, crime and disorder and anti-social behaviour.

Members asked questions about the types of public nuisance residents witnessed and encountered.

The Chair advised that the Sub Committee would at 6.48pm adjourn to consider the evidence presented. The Members reconvened at 6.59pm, the Chair reported that the Sub Committee had;

Resolved

That the application for a Variation of the Premises License for Balman's Kebab House, 401 Roman Road London E1 5QS be **REFUSED**.

4.2 Application for a New premises licence for Barworks (Brick Lane) Limited, 143 - 147 Brick Lane, London E1 6SB (LSC 053/910)

This item has been adjourned at the request of the Applicant.

4.3 Application for a Variation of the Premises Licence All Star Lanes, 95 Brick Lane, London, E1 6QL (LSC 054/910)

At the request of the Chair, Mohshin Ali, Acting Senior Licensing Officer introduced the report which detailed the variation application for All Star Lanes, 95 Brick Lane London E1 6QL. It was noted that objections had been received by Environmental Health.

At the request of the Chair, Ms Clare Eames, Counsel for the applicant addressed the committee, she explained that the application was to extend the hours of licensable activities and hours of operation.

She gave a brief background history of All Star Lanes, its nature of business, its style of operation, its clientele and the need for extension of the hours. It was noted that they had two other branches and their branch in Holborn had already been granted extended hours. It was noted that All Star Lanes provided an all encompassing night out which catered for food, drinks and bowling. She explained that it mainly catered for corporate events with high spend, with a steady flow of movement from customers in terms of access and egress.

It was noted that it was a successful business and wished to further its current success. Ms Eames stated that on average visits are usually for 3.5 hours as 90% of the events are pre booked and therefore there is prior knowledge of those attending, however there were also provisions for entrance on the night. The capacity of the dining area was for 180 people and having made a Freedom of Information request it was confirmed that there had been no direct complaints about the premises.

Ms Eames referred to the supplemental agenda which included supporting documents submitted on behalf of the applicant and highlighted the dispersal policy, the signage when exiting, menus, taxi protocol etc. Ms Eames explained that the reception area would always be manned with SIA door

supervisors and no drinks would be allowed outside. It was noted that there was approximately 30 members of staff with 3-4 managers on duty everyday. That the outside area was cleaned regularly and CCTV cameras would be in operation inside and outside the premises. It was further noted that management had a good relationship with the police and that they would be called if needed as managers were also trained to deal with difficult situations. Ms Eames concluded by suggesting conditions such as after 11pm only main door to be used for access and egress and to possibly restrict entry to one hour before the terminal time for all licensable activities.

At the request of the Chair Mr Paul Johnson, Environmental Health Officer explained that the premises was in a noise sensitive location with residential area in close proximity giving rise to high levels of public nuisance. It was noted that there was potential for noise/public nuisance to nearby residential premises primarily from access and egress and customers smoking through operating hours. He then referred to his supporting documents with included emails from numerous residents who had been writing to Environmental Health outlining the problems associated with the number of licensed premises within the area.

Mr Johnson explained that the venue catered for large groups approximately 40 people who would arrive together and leave together and highly likely to create disorder. Egress of these customers at the proposed terminal hour would add to the already congested area and create further public nuisance to the existing residents.

Mr Johnson concluded that if the premises was to open till the hours requested it was more than probable that there would be noise and public nuisance impacting on nearby residential premises and it is likely that noise and public nuisance would be caused from members of the public frequenting the premises up till early morning hours, noise from customers leaving till the proposed hours and those outside smoking throughout the operating hours proposed.

In response to a question, Mr Johnson explained that Planning Enforcement and the Metropolitan Police would have objected to this application however due to administrative error were unable to send in their objections within the consultation period and therefore unable to make a formal objection. Ms Eames referred to her supporting documents which had evidence that all regulatory bodies had been notified of the application including Planning Enforcement and the Metropolitan Police.

Concluding remarks were sought from both parties, who gave a brief summary of their previous submissions.

The Chair advised that the Sub Committee would at 7.30pm adjourn to consider the evidence presented. The Members reconvened at 7.40pm, the Chair reported that the Sub Committee had;

Resolved

That the application for a Variation of the Premises License for All Star Lanes, 95 Brick Lane London E1 6QL be **GRANTED** in part with the following conditions;

Sale of Alcohol

Sunday to Thursday from 10:00 hours to 00:00 hours (midnight)
Friday to Saturday from 10:00 hours to 01:00 hours

Regulated Entertainment

Sunday to Thursday from 10:00 hours to 00:00 hours (midnight)
Friday to Saturday from 10:00 hours to 01:00 hours

Late Night Refreshments

Sunday to Thursday from 10:00 hours to 00:00 hours (midnight)
Friday to Saturday from 10:00 hours to 01:00 hours

Hours Premises is Open to the Public

Sunday to Thursday from 10:00 hours to 00:30 hours
Friday to Saturday from 10:00 hours to 01:30 hours

Additional Conditions

1. No admission 1 hour before the terminal time for all licensable activities.
2. After 11pm only main door to be used for ingress and egress.

The meeting ended at 7.50 p.m.

Chair, Councillor Peter Golds
Licensing Sub Committee