

**LONDON BOROUGH OF TOWER HAMLETS****MINUTES OF THE LICENSING SUB COMMITTEE****HELD AT 5.30 P.M. ON WEDNESDAY, 4 DECEMBER 2019****THE COUNCIL CHAMBER, TOWN HALL, MULBERRY PLACE, 5 CLOVE  
CRESCENT, LONDON, E14 2BG****Members Present:**

Councillor Peter Golds (Chair)

Councillor Shad Chowdhury

Councillor Zenith Rahman

**Officers Present:**

Luke Wilson

– (Legal Services)

Lavine Miller-Johnson

– (Licensing Officer)

Simmi Yesmin

– (Democratic Services)

<b>Representing applicants</b>	<b>Item Number</b>	<b>Role</b>
Harris Sarwar	3.1	(Applicant's Representative)

<b>Representing objectors</b>	<b>Item Number</b>	<b>Role</b>
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None

**Apologies**

None

**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 Variation of a Premises Licence for Papa John's Pizza, 6 Cable Street, London E1 8JG**

At the request of the Chair, Ms Lavine Miller-Johnson, Licensing Officer, introduced the report which detailed the application for a variation of a premises licence for Papa John's Pizza, 6 Cable Street, London E1 8JG. It was noted that objections had been received by local residents.

At the request of the Chair, Mr Harris Sarwar, Applicant's representative explained that the application sought was to provide a late night opportunity for customers to buy pizza. He explained that they had 20 members of staff, the company valued the local community and their main aim was to serve the local community. He stated that there had been no complaints of crime and disorder at the premises.

It was noted that a silencer had been added to the extractor fan to reduce noise, exhaust silencers had also been added to the delivery vehicles and they were currently looking at the waste policy to make bags more durable.

It was noted that the objectors were not present at the meeting and therefore the Sub-Committee noted and considered the written objections contained in the agenda pack.

In response to Members' questions, the following was noted;

- A takeaway order usually takes 20-25 minutes.
- The incident referred to in the objection, where the premises was seen to be open beyond trading hours, occurred when staff were waiting for a customer to collect their order.
- It can take up to two hours to close down the premises.
- There were other premises on Cable Street which also used delivery drivers and vehicles.
- Papa John's staff and motor vehicles could easily be identified by their uniform/logos.
- They had purchased new bikes with built in silencers to help reduce noise.
- Since opening, they had been taking extra precautions and measures – and were willing to adopt any new conditions the Sub-Committee felt necessary and proportionate.
- The latest CCTV camera system had been installed. The system was serviced every four weeks and all staff had been trained on how to use the system and download images.
- A silencer had been added to the extractor fan and seven new vehicles with exhaust silencers had been purchased to help reduce noise.
- Staff had been re-trained.
- Staff cleaned the outside of the premises regularly each day.
- Signs asking customers to leave quietly and respect the needs of local residents were displayed in the premises.

Members adjourned the meeting at 6.20pm for deliberations and reconvened at 6.35pm.

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

### **Consideration**

Each application must be considered on its own merits. The Sub-Committee carefully considered all of the evidence before them including the application and written objections contained in the agenda pack and the representations at the meeting from representatives on behalf of the Applicant.

The Sub-Committee considered the objectors' concerns about the likely increase in noise, public nuisance, crime and anti-social behaviour if the application were to be granted.

The Sub-Committee considered that there was insufficient evidence in the application and operating schedule to demonstrate or satisfy the Sub-Committee that the granting of the application would promote the licensing objectives, in particular the prevention of public nuisance.

The Sub-Committee was not satisfied that conditions would adequately mitigate the risk of public nuisance caused by noise from staff, customers and delivery drivers at late night in an increasing densely populated residential area.

Accordingly, the Sub-Committee unanimously:-

### **RESOLVED**

That the application for a variation of the Premises Licence for Papa John's, 6 Cable Street, London E1 8JG be **REFUSED**.

#### **4. EXTENSION OF DECISION DEADLINE: LICENSING ACT 2003**

There were no applications that required extensions to decision deadlines.

The meeting ended at 6.40 p.m.

Chair, Councillor Peter Golds  
Licensing Sub Committee