

LONDON BOROUGH OF TOWER HAMLETS
MINUTES OF THE LICENSING SUB COMMITTEE
HELD AT 5.30 P.M. ON TUESDAY, 28 JULY 2020

ONLINE 'VIRTUAL' MEETING - [HTTPS://TOWERHAMLETS.PUBLIC-I.TV/CORE/PORTAL/HOME](https://towerhamlets.public-i.tv/core/portal/home)

Members Present:

Councillor Mohammed Pappu (Chair)
 Councillor Leema Qureshi
 Councillor Gabriela Salva Macallan

Officers Present:

Lavine Miller-Johnson	–	(Licensing Officer)	
Luke Wilson	–	(Legal Services)	
Nicola Cadzow	–	(Environmental Health Officer)	
Simmi Yesmin	–	(Democratic Services Officer, Committees, Governance)	

Representing applicants	Item Number	Role
Lana Tricker	4.1	(Legal Representative)
Rachel Sutton	4.1	(Applicant)
Thomas O'Maoileion	4.2	(Legal Representative)

Representing objectors	Item Number	Role
Sam Alis	4.1	(Resident)
Perla Ranalli	4.1	(Resident)
Benjamin Cadou	4.1	(Resident)
Tony Roache	4.1	(Resident)

Apologies

None

1. DECLARATIONS OF INTEREST

There were no declarations of interests made.

2. RULES OF PROCEDURE

The rules of procedure were noted.

3. MINUTES OF THE PREVIOUS MEETING(S)

The minutes of the Licensing Sub-Committees held on 5th May, 9th June and 7th July 2020 were agreed.

4. ITEMS FOR CONSIDERATION

4.1 Application for a New Premises Licence for (Barber and Parlour) Soho Works Redchurch Street 64-66 Redchurch Street London E2 7DP

At the request of the Chair, Ms Lavine Miller-Johnson, Licensing Officer, introduced the report which detailed the application for a new premises licence for Soho Works Redchurch Street, 64-66 Redchurch Street London E2 7DP. It was noted that objections had been received on behalf of Environmental Health and local residents.

Ms Lana Tricker, Legal Representative on behalf of the Applicant, stated that the application had been amended to reduce the terminal hour for late night refreshments, sale of alcohol and regulated entertainment from 2am to midnight, seven days a week.

Ms Tricker explained that the premises would operate as a workspace for businesses in the creative industry, including a cinema in the basement area; however, the premises would primarily be for office use. Licensable activities would be ancillary to the office use and all facilities would be restricted to Members and not open to the public.

It was noted that the premises was already licenced. Therefore, there would be no increase in deliveries or collections at the premises. Ms Tricker confirmed that if the application for a new premises licence was granted, the existing licence would be surrendered.

Mr Tricker explained the membership process and confirmed that the premises offered hotdesking and meeting rooms for members. Any events held at the premises would be for members and their business partners or associates only and any licensable activities would be ancillary to the use of the premises as office space. Ms Tricker then highlighted the factors why the Applicant believed the granting of the licence would not add to the issues experienced in the cumulative impact zone:

- There was already a licence in place and this would be surrendered if granted.
- Not a bar, club or a late-night venue.
- Not an alcohol led premises.
- Not open to members of the public, not advertised and would be for members only.
- No off sales.
- Smoking limited to 10 people at any one time.
- No drinks allowed outside the premise.
- The terminal hour had been reduced to midnight.

- Limited range of alcohol would be served.
- Adequate toilet facilities would be available within the venue.
- There would be no cooking on the premises and no kitchen waste except for pre-packaged food waste.

Ms Nicola Cadzow, Environmental Health Officer, referred to her representation on page 110 of the agenda and stated that she welcomed the reduction in licensable hours; however, she did not support the application as there was a substantial risk of public nuisance in the area and a strong likelihood of disturbance to residential premises at the noise sensitive hours sought.

Members then heard from Sam Alis, Perla Ranalli, Tony Roche and Benjamin Cadou, local residents, who shared similar concerns regarding public nuisance issues including noise nuisance at night making it difficult for residents and young children to sleep, litter and waste blocking walkways and building entrances. The objectors were concerned that people leaving late at night in would be in high spirits and cause noise disturbance. The objectors were also concerned at the risk of potential anti-social behaviour if the licence was granted.

In response to questions the following was noted:

- The Applicant was happy to remove live music from the application as it was not a live music event space.
- The Applicant also agreed to amend the sale of alcohol start time to 9am.
- There would be a staggered dispersal policy so that everyone would not be leaving at the same time.
- All staff would be trained on closing down the workspace at night.
- The reason for new application was because the business plans and style of operation had changed.
- The Applicant confirmed that it had a contract with a new waste company and no primary food would be cooked at the premises; waste would be limited to the packaging of prepacked food.
- There would be few deliveries – one delivery slot per week.
- It was agreed that windows and doors would be kept shut after 9pm.
- Direct contact details of the manager would be given to residents in a case there was a disturbance.
- A designated smoking area would be allocated.
- The venue was not a bar or club, and alcohol would be ancillary to office or cinema use.
- The hours applied for had been reduced to help alleviate concerns of residents.

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

Consideration

Each application must be considered on its own merits. The Chair confirmed that the Sub-Committee had carefully considered all of the evidence before them and the oral representations from the Applicant, the Applicant's Legal Representative and the Objectors present at the meeting.

The Sub-Committee noted that the premises is in a cumulative impact zone (CIZ). The cumulative impact policy creates a rebuttable presumption that where relevant representations are received by one or more of the responsible authorities and/or other persons objecting to the application, the application will be refused.

The Sub-Committee noted that, under the Council's Statement of Licensing Policy, the Applicant can rebut the above presumption if it can demonstrate exceptional circumstances and that the granting of the application would not negatively add to the cumulative issues already experienced within the CIZ.

The Sub-Committee noted the representations from Environmental Health regarding the risk of noise nuisance from the premises. It also noted residents' concerns about the existing levels of noise nuisance and anti-social behaviour, and the risk of increased noise nuisance and disturbance if the premises licence was granted.

The Sub Committee welcomed the efforts made by the Applicant in offering some robust conditions and also accepting and agreeing to conditions proposed by the Responsible Authorities and the Sub-Committee. The Sub-Committee was satisfied that a reduction in hours and the imposition of robust conditions would adequately address concerns regarding public nuisance and anti-social behaviour.

The Sub-Committee was therefore satisfied that the CIZ presumption had been rebutted as the Appellant had demonstrated that the granting of the licence would not negatively add to the cumulative issues already experienced in the area. The Sub-Committee was satisfied that there were exceptional circumstances to justify a grant of the licence as the premises was not alcohol led and would operate within the framework hours. The Sub-Committee also noted that the licence would be subject to the surrender of the existing premises licence which authorised the provision of similar licensable activities.

The Sub-Committee was satisfied that the licensing objectives would be promoted and the conditions imposed would adequately mitigate the risk of public nuisance and anti-social behaviour.

Accordingly, the Sub-Committee unanimously

RESOLVED

That the application for a New Premises Licence for Soho Works, 64-66 Redchurch Street, London E2 7DP be **GRANTED in part.**

The Premise License is granted subject to the surrender of Premise Licence Number: 18407

Sale of Alcohol (On Sales Only)

Monday to Thursday from 09:00 hours to 23:30 hours
Friday and Saturday from 09:00 hours to 00:00 hours (midnight)
Sunday from 09:00 hours 22:30 hours

Provision of Regulated Entertainment – Indoors (Films)

Monday to Thursday from 07:00 hours to 23:30 hours
Friday and Saturday from 07:00 hours to 00:00 hours (midnight)
Sunday from 08:00 hours 22:30 hours

Provision of Late Night Refreshments

Monday to Thursday from 23:00 hours to 23:30 hours
Friday and Saturday from 23:00 hours to 00:00 hours (midnight)

Conditions

1. The premises shall ensure that no drinks are taken outside the premises.
2. A designated smoking area shall be assigned with appropriate cigarette bins. Premises staff shall direct patrons to the designated smoking area.
3. The premises shall ensure that no more than 10 patron smokers are permitted outside the premise to smoke at any one time.
4. The premises shall ensure that no premises rubbish is left outside the premises between 23.00 hours and 08:00 hours.

5. On ground and first floors, licensable activities shall not be provided otherwise to directors, partners, employees of Soho Works Limited, and tenants and members of the premises and their bona fide guests.
6. On ground and first floors, the retail sale of alcohol shall be ancillary to the operation of the premises as an office space
7. On the basement floor, the retail sale of alcohol shall be ancillary to an event associated with the office space or the purchase of a cinema ticket on the same day as the screening.
8. The CCTV system shall incorporate a recording facility and any recordings shall be retained and stored in a suitable and secure manner for a minimum of 31 days.
 - A system shall be in place to maintain the quality of the recorded image and a complete audit trail maintained.
 - The system will comply with other essential legislation and all signs as required will be clearly displayed.
 - The system will be maintained and fully operational throughout the hours that the premises are open for any licensable activity.
 - There shall be a disgrace member of staff who can download the images and present them on request by a Police officer or other responsible authority with minimum delay.
9. Notices shall be prominently displayed at ground floor exits requesting people to respect the local residents and leave the premises and area quietly.
10. No noise shall emanate from the premises which gives rise to a nuisance to neighbouring residents and businesses
11. The reception desk on the ground floor shall be staffed at all times the premises are in operation
12. During the hours of operation of the premises, the licence holder shall ensure sufficient measures are in place to remove and prevent litter or waste arising or accumulating from patrons in the area immediately outside the premises, and that this area shall be swept and or washed, and litter and sweepings collected and stored in accordance with the approved refuse storage arrangements by close of business.
13. All windows and external doors shall be kept closed after 21:00 hours, or at any time when regulated entertainment takes place, except for the immediate access and egress of persons
14. An incident log shall be kept at the premises, and made available on request to an authorised officer of the Council or the Police. It must be completed within 24 hours of the incident and will record the following:

- a) All crimes reported to the venue
 - b) All ejections of patrons
 - c) Any complaints received concerning crime and disorder
 - d) Any incidents of disorder
 - e) All seizures of drugs or offensive weapons
 - f) Any faults in the CCTV system, searching equipment or scanning equipment
 - g) Any refusal of the sale of alcohol
 - h) Any visit by a relevant authority or emergency service
15. 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.
16. The venue is to conduct risk assessments for its licensable activities and events. The risk assessment will describe the nature of the licensable activity and, or event, the expected number of people attending, the time the event starts and finishes, if it is a promoted event, crime and disorder risks, and any other risk that would undermine the licensing objectives.
17. If the venue is using any musical artist or promoter the venue must conduct relevant checks on the artist and promoter. These checks should include looking at the social media of artists and promoters. They will also contact venues that they have performed at previously to see if there were any issues where practicable, which will form part of the risk assessment.
18. The assessment will also include all steps taken to mitigate any identified risks, such as SIA security numbers, searching policy, access and egress plans etc.
19. All risk assessments will be written down, stored at the venue for 31 days and made available to Police or Local Authority on request.
20. In the event that a serious assault is committed on the premises (or appears to have been committed) the management will immediately ensure that:
- a) the police (and, where appropriate, the London Ambulance Service) are called without delay;
 - b) all measures that are reasonably practicable are taken to apprehend any suspects pending the arrival of the police;
 - c) the crime scene is preserved so as to enable a full forensic investigation to be carried out by the police; and
 - d) such other measures are taken (as appropriate) to fully protect the safety of all persons present on the premises.

21. A record shall be kept detailing all refused sales of alcohol at each bar. The record should include the date and time of the refused sale and the name of the member of staff who refused the sale. The record shall be available for inspection at the premises by the police or an authorised officer at all times whilst the premises is open.
22. A Soho Works Manager responsible for the premises shall ensure that the areas of the premises where alcohol is supplied under this licence shall be regularly patrolled by community management and housekeeping teams during the hours that the supply of alcohol is permitted to ensure compliance with the Licensing Act 2003
23. There will be no advertisement of events to the public
24. There will be no advertising of the availability of alcohol or event spaces on the exterior of the premises
25. There shall be no dance floor at the premises

4.2 Application for a Variation of a Premises Licence for (Dirty Bones) 1 Club Row, London E1 6JX

Mr Thomas O'Maoileion, Legal Representative on behalf of the Applicant, stated that the variation application related to another premises licence which was not included in the agenda pack. It transpired that there may have been an error during the application process which needed to be rectified before this application could be considered.

Therefore, a request was made on behalf of the Applicant for an adjournment to consider whether the application could be progressed or if a fresh application was required. The Sub-Committee granted the adjournment as it was in the interests of justice for the application to be clarified and appropriately considered.

5. EXTENSION OF DECISION DEADLINE: LICENSING ACT 2003

Members agreed to extend the decision deadlines for the following applications to 30 November 2020;

Premises
Future Leisure, 10 Brick Lane, London E1 6RF
Sake Sushi, Arch 268 Poyser Street, London E2 9RF
Brawn, 49 Columbia Road, London E2 7RG
Cookies and Cream Unit 5, 9-25 Mile End Road, London E1 4TP
Brand Events Ltd, Victoria Park, Grove Road, London E3 5TB
Enso Restaurant, 94 Brick Lane, London E1 6RL

Premises
Glenhurst Restaurant Ltd, Unit 2a, 39 Autumn Street, London E3 2TT
Backyard Cinema, Blackwall Yard, London E14 2DY

The meeting ended at 8.15 p.m.

Chair, Councillor Mohammed Pappu
Licensing Sub Committee