

**LONDON BOROUGH OF TOWER HAMLETS**  
**MINUTES OF THE LICENSING SUB COMMITTEE**  
**HELD AT 6.30 P.M. ON TUESDAY, 6 JULY 2010**

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

**Members Present:**

Councillor Carlo Gibbs (Chair)

Councillor Khaled Uddin Ahmed  
Councillor David Snowdon

**Officers Present:**

Kathy Driver – (Acting Principal Licensing Officer)  
Paul Greeno – (Senior Advocate)  
Kerry Muré – (Senior Lawyer)  
Simmi Yesmin – (Senior Committee Officer)

**Applicants In Attendance:**

Syed Hussain - (Costcutter)  
Deborah Silverston - (Costcutter)

**Objectors In Attendance:**

Peter Morgan - (Costcutter)  
Robin Millward - (Costcutter)  
Steve Nearchou - (Costcutter)  
Alan Cruickshank - (Lahori Masala)  
Thomas Doyle - (Lahori Masala)  
Reazul Haque - (Lahori Masala)

The Chair welcomed everyone to the meeting, ensured that introductions were made and then briefly outlined the procedure of the meeting.

**1. APOLOGIES FOR ABSENCE**

Apologies for absence was received on behalf of Councillor Oliur Rahman for whom Councillor David Snowdon substituted for.

**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 New Premises Licence for Costcutter, 123 Wapping High Street, London E1W 3NG (LSC 09/011)**

At the request of the Chair, Ms Kathy Driver, Acting Principal Licensing Officer, introduced the report which detailed the application for a new premises license for Costcutter, 123 Wapping High Street, London E1w 3NG. It was noted that objections had been received by local residents.

It was noted that the applicant had agreed to a condition with the Metropolitan Police detailed in page 45 of the agenda, the condition agreed was not to sell any beer, larger, cider or perry that exceeds the strength of 5.7 abh or higher.

At the request of the Chair, Ms Deborah Silvereston, on behalf of the applicant stated that Costcutter had been operating for the past 25 years with 21 stores around the London area and that staff received extensive training on the responsible sale of alcohol. At this point, with the agreement of residents, Members were, shown training records for staff as evidence. She explained that CCTV cameras would be installed and maintained and fully operational at all times and recordings would be kept for a minimum of 30 days. It was noted that Costcutter was the first to introduce the Challenge 25 policy and confirmed that Challenge 25 policy would be operated in the premises if the license was to be granted.

It was further noted that the applicant would maintain a refusal book and have till prompts, prompting staff to check ID when selling alcohol, also that there would always be two personal license holders in the store during opening hours. Ms Silverstone also highlighted that the condition agreed with the Police would discourage street drinkers. She explained the reason for wanting a alcohol license as a large proportion of customers would want to buy alcoholic drinks when buying their groceries and therefore if the premises did not sell alcohol, customers would go elsewhere where they could buy everything together.

Ms Silverston explained that the applicant acknowledged the concerns of local residents especially in relation to anti-social behaviour however did not feel that this could be identified with Costcutter as the premise was currently not open. She urged Members not to judge Costcutter due to the objections received by residents and that reiterated that Costcutter staff, were fully aware of the responsibilities in selling alcohol. It was noted that the applicant would

welcome the opportunity to work with local residents to create a safer place to live.

The Chair then invited residents who wished to address the Committee, Peter Morgan, Robin Millward and Steve Nearchou were among the residents who spoke in objection to the application, each addressing similar concerns in relation to noise nuisance, public disorder, anti-social behaviour, and crime and disorder. They explained that it was a quite residential area and believed that anti-social behaviour in the area would increase as a result of another premises selling alcohol. They also insisted that the hour of 23:00 hours was far too excessive and mentioned that local off licenses closed at 22:00 hours as a special agreement with local residents to help prevent further anti-social behaviour. It was noted that the local area was served well, and had four off licenses, five licensed pubs and several restaurants and that the premises would affect local businesses in the area too.

Members noted all written representations made by local residents, contained within the agenda.

In response to Members' questions, it was noted that the other off licenses closed at 22:00hrs by way of an informal agreement made between residents and the shop owners. The applicant stated that they would welcome a condition to close at 22:00hours, if there was a same condition on all the other premises licenses in the local area. Ms Driver confirmed that all the other off licence premises had a premise license to sell alcohol until 23:00hrs and therefore this was an informal agreement not included on the license.

In response to further questions it was noted that the other off license premises did attract anti-social behaviour and at one point a premise license holder had to employ a security staff to safeguard the premises. The applicant confirmed that Sprints would be displayed behind the till counter and wines would be displayed in the drinks area. The applicant stated that they would use 25% of the premises display area for the display of alcohol, also that the premises was not a very big premises, Members and residents in attendance were shown a map of the shop layout.

It was confirmed that CCTV cameras would be installed internally and externally. In response to another question it was confirmed that training was conducted for the sale of alcohol, however there was no specific training for combating anti-social behaviour, however if customers were out of control and causing problems, the police would be called.

Mr Paul Greeno, Senior Advocate, then referred Members to sections 9.25 and 10.21 of the guidance issued under section 182 of the Licensing Act 2003 as well as section 13 of the Council's Licensing Policy.

The Chair advised that the Sub Committee would at 7.10pm adjourn to consider the evidence presented. The Members reconvened at 7.35pm. The Chair reported that;

Members considered the representations made at the meeting by the applicant and local resident objectors and were satisfied that the granting of the licence would not lead to an increase in anti-social behaviour, as strong concerns of anti-social behaviour already existed in the local area and could not be identified with the premises and therefore did not consider this as a reason for reducing hours.

Members noted that although it had been stated that other licensed premises in the area closed at 22.00 hours, that this was an informal arrangement as it had been confirmed that those premises were licensed to 23.00 hours. Members did not therefore consider it necessary to reduce the hours to 22:00 hours but noted that the applicant had indicated during the hearing that he was prepared to informally agree with local residents and be minded to close at 22:00 hours. It was also noted that premise's operating schedule included; the introduction of the Challenge 25 policy; CCTV cameras to be installed and in operation both internally and externally within the premises, and that two personal license holders would be on duty during all opening hours.

Members also suggested that the applicant work with residents to help prevent anti-social behaviour in the area.

### **RESOLVED**

That the new application for Costcutter, 123 Wapping High Street, London E1w 3NG be **GRANTED** with the following conditions;

#### Sale of Alcohol (off sales only)

Monday to Sunday from 07:00 hours – 23:00 hours

#### Hours Premises Open to the Public

Monday to Sunday from 07:00 hours – 23:00 hours

#### Conditions

1. The premises will not sell any beer, larger, cider or perry that exceeds the strength of 5.7% abv or higher.
2. No more than 25% of the premises display area should be used to display the retail sale of alcohol.

#### **4.2 Application for a New Premises Licence for Lahori Masala, 159 Commercial Street, London E1 6BJ (LSC 10/011)**

Members were informed that the applicant was not present at the meeting and officers and interested parties had not been able to contact him. Therefore the Chair decided to consider the paper application contained with the agenda, Members also noted and considered the written objections made by the

Metropolitan Police, Planning Enforcement, Environmental Protection and local residents also contained within the agenda.

The Chair advised that the Sub Committee would at 7.40pm adjourn to consider the evidence presented. The Members reconvened at 7.50pm. The Chair reported that;

Having considered the application made the applicant and the objections received from responsible authorities and local residents and as the applicant was not present to comment on and answer questions in respect of the representations, Members felt that they could not be satisfied that the licensing objectives of crime and disorder and public nuisance would be upheld and promoted.

**RESOLVED**

That the new application for Lahori Masala, 159 Commercial Street, London E1 6BJ be **Refused**.

**5. ANY OTHER BUSINESS THAT THE CHAIR CONSIDERS URGENT**

There was no other business considered urgent by the Chair.

The meeting ended at 8.00 p.m.

Chair, Councillor Carlo Gibbs  
Licensing Sub Committee