

Committee :	Date	Classification	Report No.	Agenda Item No.
Licensing Sub-Committee		Classified		

Report of David Tolley Head of Environmental Health and Trading Standards Originating Officer: Corinne Holland Licensing Officer	Title Licensing Act 2003 Application for Review under Section 53 A of the Licensing Act 2003 for Colour Factory, Unit 8a Queens Yard, White Post Lane, London, E9 5EN Ward affected. Bow East
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1.0 Summary

Licence Holder: **Run the Booze Limited**

Name: **Colour Factory**

Address of Premises: **Unit 8a Queens Yard
White Post Lane
London E9 5EN**

Full Review under Section 53A of the Licensing Act 2003 originally triggered by a senior officer of the Metropolitan Police

2.0 Recommendations

- 2.1 That the Licensing Committee considers the application for review and then adjudicates accordingly

LOCAL GOVERNMENT 2000 (Section 97)
LIST OF "BACKGROUND PAPERS" USED IN THE DRAFTING OF THIS REPORT

Brief description of "background paper"

Tick if copy supplied for register

If not supplied, name and telephone number of holder

File
Section 182 Guidance
LBTH Licensing Policy

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3.0 **Background**

- 3.1 This is a review following an interim hearing originally triggered by an application made by a senior officer of the Metropolitan Police under Section 53A of the Licensing Act 2003.
- 3.2 The form applying for a summary licence along with the Certificate under Section 53A is contained in **Appendix 1**.
- 3.3 The premises licence is in **Appendix 2**.
- 3.4 A map of the premises is at **Appendix 3**.
- 3.5 At the interim hearing, on the **22nd February 2023**, the Licensing Sub-Committee decided to add conditions, which had been agreed between the police and the licence holder, onto the licence until the full review hearing. The decision of the interim review including the police drugs policy referred to in Condition 8 is detailed in **Appendix 4**.

4.0 **Determinations**

- 4.1 The Licensing Sub-Committee is being asked to review the premises licence, which it must do within 28 days from receipt of the senior officer's documentation (received on the 20th February 2023).
- 4.2 The Licensing sub-Committee must consider what steps it considers necessary for the promotion of the licensing objectives; and
 - consider what steps should be taken to secure the promotion of the licensing objectives including whether the interim steps should be made permanent.
- 4.3 The steps the licensing authority can take are:
 - the modification of the conditions of the premises licence;
 - the exclusion of the sale of alcohol by retail (or other licensable activities) from the scope of the licence;
 - the removal of the designated premises supervisor from the licence;
 - the suspension of the licence for a period not exceeding 3 months; and
 - the revocation of the licence.
- 4.4 Members may, of course conclude that no action is necessary.

5.0 Consultation

- 5.1 This review went through the normal procedure, that is notification to the responsible authorities and advertisement by a notice, but with a truncated response time.
- 5.2 The consultation period for the section 53a review expired at midnight on 6th March 2023. The following representation was received within the regulated timeframe.

London Legacy Development Corporation – See **Appendix 5**

5.3 Advice issued by the Home Office

The Home Office has issued advice to licensing authorities about Section 53 A of the Licensing Act 2003. The relevant Sections, along with a flow chart are in **Appendix 6**.

6.0 Legal Comments

- 6.1 A legal officer will advise Members at the hearing.

7.0 Financial Comments

- 7.1 There are no financial implications in this report.

8.0 Appendices

Appendix 1 The form applying for a summary licence review and Certificate under Section 53A.

Appendix 2 The premises licence

Appendix 3 Map of the site

Appendix 4 The Interim review decision including Drugs Policy

Appendix 5 LLDC planning representation

Appendix 6 Home Office advice