

LONDON BOROUGH OF TOWER HAMLETS

MINUTES OF THE LICENSING SUB COMMITTEE

HELD AT 6.40 P.M. ON TUESDAY, 28 JANUARY 2014

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

Members Present:

Councillor David Snowdon (Chair)

Councillor Marc Francis
Councillor Joshua Peck

Officers Present:

Alex Lisowski – (Licensing Officer)
Michelle Terry – (Legal Services)
Simmi Yesmin – (Senior Committee Officer, Democratic Services)

Applicants In Attendance:

Suat Hasan - (Meze & Barbeque)
Anthony O'Connell - (Convenience Store)
Mohammed Riaz - (Convenience Store)
Nicola Boltan - (Arch 51)
Emad Handi - (Arch 51)

Objectors In Attendance:

PC Brendon O'Rourke - (Metropolitan Police)
PC Mark Perry - (Metropolitan Police)

1. APOLOGIES FOR ABSENCE

There were no apologies for absence.

2. DECLARATIONS OF DISCLOSABLE PECUNIARY INTEREST

Councillor Marc Francis declared a personal interest on agenda item 4.1, Application for a New Premises Licence for Meze & Barbeque, 150 Roman Road, London E2 0RY on the basis that he has eaten at the premises.

Councillor Joshua Peck declared a personal interest on agenda item 4.1, Application for a New Premises Licence for Meze & Barbeque, 150 Roman Road, London E2 0RY on the basis that he has eaten at the premises.

3. RULES OF PROCEDURE

The rules of procedure were noted.

4. ITEMS FOR CONSIDERATION

4.1 Application for a New Premises Licence for Meze & Barbeque, 150 Roman Road, London, E2 0RY

At the request of the Chair, Mr Alex Lisowski, Licensing Officer, introduced the report which detailed the application for a new premises licence for Meze & Barbeque, 150 Roman Road, London E2 0RY. It was noted that an objection had been received from a local resident.

At the request of the Chair, Mr Suat Hasan, Applicant, briefly stated that he had taken over the business over a year ago, he had, had refurbishments done to the premises and had installed an extractor fan. He further explained that he only wished to sell alcohol as an ancillary to the food served at the restaurant and the application was for on sales only and would only serve alcohol with food.

The objector was not present at the meeting, Members' therefore considered and noted the written representation contained in the agenda.

In response to questions from Members, Mr Hasan stated that the customers who came to the premises were not of a rowdy nature and that he had not had any problems of any form of nuisance in the past. It was also noted that drinks would not be taken outside the premises.

Members retired to consider their decision at 6.55pm and reconvened at 7.00pm.

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 Licensing Guidance and the Council's Statement of Licensing Policy.

Consideration

Each application must be considered on its own merits and after careful consideration the Chair stated that the Sub Committee had decided to grant the application. Members' had carefully listened to applicant's representation

and noted and considered the written objection contained in the agenda. Members' believed that the amended hours offered by the applicant would help address the concerns raised by the objector.

Decision

Accordingly, the Sub-Committee unanimously –

RESOLVED

That the application for a New Premises Licence for, Meze & Barbeque, 150 Roman Road, London E2 0RY be **GRANTED** with conditions from the operating schedule.

Sale of Alcohol (on sales only)

Monday to Thursday from 12:00 hours to 23:00 hours
Friday from 12:00 hours to 00:00 hours (midnight)
Saturday from 12:00 hours to 00:30 hours (the following day)
Sunday from 12:00 hours to 22:30 hours

The Provision of Late Night Refreshments (indoors)

Friday from 23:00 hours to 00:00 hours (midnight)
Saturday from 23:00 hours to 00:30 hours (the following day)

Hours Premises is open to the Public

Monday to Thursday from 12:00 hours to 00:00 hours (midnight)
Friday & Saturday from 12:00 hours to 01:00 hours (the following day)
Sunday from 12:00 hours to 23:30 hours

4.2 Application for a New Premises Licence for Convenience Store, 129 Whitechapel High Street, London E1 7PT

At the request of the Chair, Mr Alex Lisowski, Licensing Officer, introduced the report which detailed the application for a new premises licence for Convenience Store, 129 Whitechapel High Street, London E1 7PT. It was noted that objections had been received from the Metropolitan Police and the Licensing Authority.

At the request of the Chair, Mr Anthony O'Connell, Licensing Representative explained that the premise was on the border of the Special Cumulative Impact Zone. He explained that the premise was a convenience store and mainly sold groceries and that the proposed alcohol sale would be restricted to 15% of the display area in the store. He then referred Members to the proposed conditions submitted on behalf of the applicant, which covered a number of areas, restricting the sale of super strength alcohol, introducing a challenge 25 policy, having a personal licence holder on the premises at all times the store was open etc.

Members then heard from PC Brendon O'Rourke, Metropolitan Police, who referred to his statement contained in the agenda and stated that it was a new premise and that there had been no specific incidents relating to the premises. However, he said that the premises was within the Special Cumulative Impact Zone and then highlighted the crime statistics in the area. PC O'Rourke concluded that another licensed premises in the area would only attract and add to the anti social behaviour which currently exists in the area.

In response to Members questions the following was noted;

- That premises mainly sold groceries and alcohol would only form a small part of the sales.
- That the store would close at 11pm and would not impact on the night time economy
- That 15% of the display area in the store would be used to display alcohol.
- That people often preload on drinks before going into bars and clubs and this premise was located where there was a busy footfall of people travelling to and from prime locations in Brick Lane etc.
- That conditions to restrict the sale of single cans and having a UV devise would be welcomed by the applicant.

Members retired to consider their decision at 7.25pm and reconvened at 7.40pm.

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 Licensing Guidance and the Council's Statement of Licensing Policy.

Each application must be considered on its own merits and after careful consideration the Chair stated that the Sub Committee had carefully listened to both the applicant's representative and PC O'Rourke submissions. Members were not satisfied that there were any conditions that could or would prevent the concerns raised about anti-social behaviour and crime and disorder in the area. In making the decision Members paid particular attention to the Special Cumulative Impact Zone, the location of the premises and the likely rise in anti-social behaviour and crime and disorder as a result of people pre loading on alcohol before going into bars and clubs.

Decision

Accordingly, the Sub-Committee made a majority decision –

RESOLVED

That the application for a New Premises Licence for, Convenience Store, 129 Whitechapel High Street, London E1 7PT be **REFUSED**.

4.3 Application for a Temporary Event Notice for Arch 51 Pedley Street, London, E1 5ES.

At the request of the Chair, Mr Alex Lisowski, Licensing Officer, introduced the report which detailed the application for a temporary event notice for Arch 51 Pedley Street, London E1 5ES. It was noted that the Metropolitan Police had objected to the application.

At the request of the Chair, Ms Nicola Bolton, Applicant stated that the event was for a launch party for a record label for 499 people, she stated that this was a new venture and she didn't envisage there to be a problem.

Mr Emad Handi on behalf of Ms Bolton stated that the venue currently had one entry point to be used as an entrance and exit, however they would be introducing three fire exits leading outside which would help facilitate the safe and quite dispersal of 499 people. It was noted that the venue was only available to hire subject to a successful assessment of the client which Ms Bolton had passed.

Ms Bolton stated that they would employ the maximum number of security officers for the event and would also have stewards outside the venue to help with dispersal and help prevent any noise nuisance.

Members then heard from PC Mark Perry, Metropolitan Police who stated that he had been to venue and had photographs of the premises and the area. These were shown to Members in agreement with the applicant.

He stated that his concerns were as follows;

That the applicant was a first time promoter, had no mailing list for customers and therefore difficult to determine who would be attending.

That there had been no risk assessment, therefore DJ's that would be playing were unknown and unaware of what their followings were.

That the railway arch was in close proximity to residential homes and had no sound proofing, which would cause noise nuisance.

That a security plan had been submitted but was not suitable for the venue and the nature of the event.

Members retired to consider their decision at 7.45pm and reconvened at 7.55pm.

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 Licensing Guidance and the Council's Statement of Licensing Policy.

Consideration

Each application must be considered on its own merits and after careful consideration the Chair stated that the Sub Committee had decided to refuse the application.

The Sub Committee noted both comments and representations from the applicant and PC Perry. Members did not think it was appropriate to grant the application as Members felt that it would undermine the Licensing Objectives of crime and disorder, public nuisance and public safety. Members paid particular attention to the fact that the entry and exit was via one point, and that there was no risk assessment or a security plan in place.

Decision

Accordingly, the Sub-Committee unanimously –

RESOLVED

That the application for a Temporary Event Notice for Arch 51 Pedley Street, London E1 5ES be **REFUSED**.

5. ANY OTHER BUSINESS THAT THE CHAIR CONSIDERS URGENT

Members agreed to extend the deadline for decisions by dates for the applications below to the hearing dates listed. This was in the public interest to do so in order for notification letters and agendas to be published in accordance with the statutory deadlines.

Premises	Decision by	Hearing Date
Sajna, 30 Brick Lane, London E1 6TD	14/01	04/02 (am)
Best Star One, 23 Whitechapel Rd, London E1 1DU	16/01	04/02 (am)
Lupita, 60-62 Commercial Street, London E1 6LT	24/01	04/02 (am)
Private Members Club, 19-23 Bethnal Green Road, London E1 6LA	20/01	04/02 (am)
Subway, 222 Brick Lane, London E1 6SA	24/12	04/02 (pm)

Premises	Decision by	Hearing Date
Low Cost Food & Wine, 34 White Church Lane, London E1 7QR	31/12	04/02 (pm)
Low Cost Food & Wine, 34 White Church Lane, London E1 7QR	23/01	04/02 (pm)
JB Food Store, 97 Brick Lane London E1 6SE	10/12	04/02 (pm)
Cost Price, 41 Brick lane London E1 6PU	10/12	04/02 (pm)
Oval Space, 29-32 The Oval, London, E2 9DT.	19/01	11/02
Preem, 118-122 Brick Lane, London E1 6RL	04/02	11/02
London Cocktail Club, 32-42 Bethnal Green Road, London E1 6HZ	30/01	11/02
The Restaurant, 19-29 Redchurch Street, London E2 7DJ	31/12	04/03
Coburn Arms, 8 Coburn Road, London E3 2DA	12/02	04/03
Field Day - Victoria Park	14/02	13/03
Vallance Service Station, 112 Vallance Road, London E1 5BW	26/02	13/03
Swan Wharf, 60 Dace Road, London E3 2NQ	07/03	25/03
Old George, 379 Bethnal Green Road, London E2 0AN	05/03	25/03

Premises	Decision by	Hearing Date
Pretty Cuppa Ltd, 178D Brick Lane, London E1 6SA	13/03	08/04
James Manero, 189 Hackney Road, London E2 9ED	14/03	08/04
City Supermarket, 389 Cambridge Heath Road, London E2 9RA	17/03	22/04
Oktoberfest, Millwall Park	22/03	22/04

The meeting ended at 8.00 p.m.

Chair, Councillor David Snowdon
Licensing Sub Committee