

LONDON BOROUGH OF TOWER HAMLETS

MINUTES OF THE LICENSING SUB COMMITTEE

HELD AT 6.40 P.M. ON TUESDAY, 22 APRIL 2014

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

Members Present:

Councillor Carli Harper-Penman (Chair)

Councillor David Snowdon
Councillor Ann Jackson

Other Councillors Present:

Councillor John Pierce

Officers Present:

Mohshin Ali	- (Senior Licensing Officer)
Luke Elford	- (Lawyer – Enforcement and Litigation Team)
Alex Lisowski	- (Licensing Officer)
Simmi Yesmin	- (Senior Committee Officer, Democratic Services)

Applicants In Attendance:

Jack Spiegler	- (Tapas Revolution)
Mac Plumpton	- (Tapas Revolution)
Omar Allibhoy	- (Tapas Revolution)
Douglas Smilie	- (Tapas Revolution)
Homaon Rashid	- (Low Cost Food & Wine)
Mohammed Rafique	- (Low Cost Food & Wine)

Objectors In Attendance:

PC Alan Cruickshank	- (Metropolitan Police)
Saadani Allali	- (Local Resident)

Apologies

None

1. DECLARATIONS OF DISCLOSABLE PECUNIARY INTEREST

There were no declarations of disclosable pecuniary interest.

2. RULES OF PROCEDURE

The rules of procedure were noted.

3. MINUTES OF THE PREVIOUS MEETING(S)

The minutes of the Licensing Sub Committee held on 25th March 2014 were agreed.

4. ITEMS FOR CONSIDERATION**4.1 Application for a New Premises Licence for Tapas Revolution, Unit 8 Ground Floor, 58 Bethnal Green Road, London, E1 6JW.**

At the request of the Chair, Mr Alex Lisowski, Licensing Officer, introduced the report which detailed the application for a new premises licence for Tapas Revolution, Unit 8, Ground Floor, 58 Bethnal Green Road, London E1 6JW. It was noted that objections had been made by the Metropolitan Police and local residents.

At the request of the Chair, Mr Jack Spiegler, Legal Representative on behalf of the Applicant briefly explained that this venue would be specialising in traditional Spanish food and drinks. It was noted that there were two other branches of Tapas Revolution which had been running successfully.

Mr Spiegler stated that the Applicants were happy to agree to PC Cruickshank's request to remove the non-standard timings applied for. It was also noted that having spoken to the residents and Councillor John Pierce, Ward Councillor, the Applicant had amended the hours for licensable activities for Monday to Sunday from 10:00 hours to 00:00 hours midnight. It was also noted that the applicant was happy to restrict drinks being taken outside the premises after 23:00 hours.

Mr Spiegler mentioned that the petition sent in by local residents did not mention concerns about the outdoor use of the premises. He then explained why the premise was not likely to have a negative cumulative impact on the licensing objectives. It was noted that it was a family friendly, and food led venue and that that this licence would not be an additional licence but would in actual fact be replacing a previous premise licence. It was also noted that planning had been granted with similar hours to what had been applied for in the Licensing application.

Mr Spiegler finally concluded that there had been two forms of representations received and both representations/concerns had been taken

into account by the applicant who had amended the original application by reducing the hours for licensable activities and proposing additional conditions.

At the request of the chair, PC Alan Cruickshank, Metropolitan Police stated that one more late night opening venue would only compound the problems at the top end of the cumulative impact zone and the availability of alcohol would mean more people staying for longer in the cumulative impact zone. It was also noted that the area suffered from high levels of anti-social behaviour. PC Cruickshank welcomed the amendments made to the application by the applicant, however was still in objection to the application based on the hours applied for.

Members then heard from Mr Saadani Allali, local resident and Councillor John Pierce on behalf of residents, who expressed similar concerns particularly on anti-social behaviour, the impact on children, and public nuisance as a result of a late night venue. Cllr Pierce also made reference to the special cumulative impact zone and questioned why the applicants had not demonstrated how they would prevent anti-social behaviour and public nuisance.

In response to questions the following was noted;

- That having 10 people smoking outside the premise at any one time was far too many and would cause public and noise nuisance.
- That it was a traditional tapas bar selling food and drinks.
- That there would be food available throughout the day.
- That the layout of the premises looked more like a restaurant with tables etc.
- That there would be a table and waiter service and no vertical drinking.
- That there was 65 covers indoors and 24 covers outdoors.

Members retired to consider their decision at 7.15pm 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.

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 in part with conditions. Members' had carefully listened to the representation made on behalf of the Applicant and noted and sympathised with the residents concerns. However Members were mindful of the number of concessions made by the Applicant to address the concerns raised by the Police and residents.

It was noted that by limiting the number of smokers and not licensing the outdoor area would help alleviate the concerns of residents and that the amended hours offered by the Applicant would also help address the concerns raised and promote the licensing objectives.

Decision

Accordingly, the Sub-Committee unanimously –

RESOLVED

That the application for a New Premises Licence for, Tapas Revolution, Unit 8, Ground Floor, 58 Bethnal Green Road, London E1 6JW be GRANTED in part with conditions.

Sale of Alcohol (on sales only)

- Monday to Sunday from 10:00 hours to 00:00 hours (midnight)

The Provision of Late Night Refreshments (indoors)

- Monday to Sunday 23:00 hours to 00:00 hours (midnight)

The Provision of Recorded Music

- Monday to Sunday from 10:00 hours to 00:00 hours (midnight)

Hours Premises is open to the Public

- Monday to Sunday from 10:00 hours to 00:00 hours (midnight)

Conditions

1. Substantial food and suitable beverages other than alcohol, including drinking water, shall be equally available during the whole of the permitted hours in all parts of the premises where alcohol is sold or supplied.
2. CCTV camera system covering both internal and external area to the premises is to be installed.
3. The CCTV recordings are to be maintained for 30 days and to be provided upon request to either a Police Officer or an Officer of any other responsible authority.
4. At all times when the premises are open, a person who can operate the CCTV system must be present on the premises.

5. An incident log shall be kept at the premises, and made available on request to an authorised officer of the Council or the Police, which will record the following;
 - a. all crimes reported to the venue
 - b. all ejections of patrons
 - c. any complaints received
 - d. any incidents of disorder
 - e. all seizures of drugs or offensive weapons
 - f. any faults in the CCTV system
 - g. any refusal of the sale of alcohol
 - h. any visit by a relevant authority or emergency service.
6. Clear signage is to be displayed prominently and maintained at all exits of the premises requiring patrons to leave and enter the premises and area quietly out of respect for local residents.
7. No deliveries or collections of waste/recycling/bottles during the hours of 20:00 hours to 08:00 hours.
8. No noise from regulated entertainment shall be audible at any affected and/or habitable room at a level that causes a public nuisance.
9. No more than 4 smokers allowed to smoke in the external area at any one time.
10. The outside area of the premises shall not be used for licensable activities.
11. All furniture places outside the premises shall be fitted with rubber, or a similar material on their feet to reduce the level of noise when they are moved.
12. All doors and windows shall be closed after 23:00 hours except for access and egress.

5. EXCLUSION OF THE PRESS AND PUBLIC

The Chair Moved and it was: -

Resolved:

That in accordance with the provisions of Section 100A of the Local Government Act 1972, as amended by the Local Government (Access to Information) Act 1985, the press and public be excluded from the remainder of the meeting for the consideration of the Section Two business on the grounds

that it contained information defined as exempt or confidential in Part 1 of Schedule 12A to the Local Government, Act 1972.

5.1 Application for a Variation of Designated Premises Supervisor for Low Cost Food and Wine, 34 White Church Lane, London, E1 7QR.

Decision

Accordingly, the Sub-Committee unanimously –

RESOLVED

That the application for a Variation for Designated Premises Supervisor for Low Cost Food & Wine, 34 White Church Lane, London E1 7QR be **REFUSED**.

6. ANY OTHER BUSINESS THAT THE CHAIR CONSIDERS URGENT

There was no other business.

The meeting ended at 9.00 p.m.

Chair, Councillor Carli Harper-Penman
Licensing Sub Committee