

**LONDON BOROUGH OF TOWER HAMLETS**

**MINUTES OF THE LICENSING COMMITTEE**

**HELD AT 6.45 P.M. ON TUESDAY, 10 MARCH 2015**

**THE COUNCIL CHAMBER, 1ST FLOOR, TOWN HALL, MULBERRY PLACE, 5  
CLOVE CRESCENT, LONDON, E14 2BG**

**Members Present:**

Councillor Amy Whitelock Gibbs (Chair)  
Councillor Khales Uddin Ahmed  
Councillor Rachel Blake  
Councillor Gulam Kibria Choudhury  
Councillor Andrew Cregan  
Councillor Mohammed Mufti Miah  
Councillor Muhammad Ansar Mustaqim  
Councillor Candida Ronald

**Others Present:**

Alison Fagan – Inspector Licensing Unit –  
Metropolitan Police  
– PC Licensing Unit – Metropolitan  
Police  
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**Officers Present:**

Agnes Adrien – (Team Leader Enforcement &  
Litigation, Legal Services)  
Cam Lieng – (Licensing Officer)  
John McCrohan – (Trading Standards & Licensing  
Manager)  
David Tolley – (Head of Consumer and Business  
Regulations Service, Safer  
Communities, Communities Localities  
& Culture)  
Antonella Burgio – (Democratic Services)

**Apologies**

Councillor Rajib Ahmed  
Councillor Suluk Ahmed  
Councillor Mahbub Alam  
Councillor Shah Alam  
Councillor Amina Ali  
Councillor Peter Golds

Councillor Md. Maium Miah

## **1. DECLARATIONS OF DISCLOSABLE PECUNIARY INTEREST**

No declarations of disclosable pecuniary interests were made.

## **2. MINUTES OF THE PREVIOUS MEETING(S)**

The minutes of the Licensing Committee held on 9<sup>th</sup> December 2014 were approved as a correct record of proceedings.

## **3. ITEMS FOR CONSIDERATION**

### **3.1 Licensing Act 2003 - Cumulative Impact Zone**

Head of Consumer and Business Regulations Service, CLC presented the update report requested by the Committee on 16 October 2014 and highlighted how the cumulative impact zone (CIZ) affected the exercise of the Council's licensing functions.

Responding to Member's questions the Committee was informed that:

- Applications in a CIZ were not subject to automatic refusal.
- Members were required to adjudicate applications according to normal processes and for this type of application must also to consider how the premises would impact the CIZ.
- Applicants making applications in the CIZ should demonstrate how their activities will not detrimentally affect the Zone or how they would mitigate any impacts that might arise.

The Committee noted that:

- Residents living in a CIZ were dissatisfied that licences continued to be granted in these zone. This was because they misunderstood its function and mode of operation.
- The burden of meetings was increased as the Police tended to automatically make a representation against CIZ applications, although, at times the grounds of the objection were small.

The Committee also requested the following:

- That the Police and Licensing Authority practice of routinely making representations for applications in CIZ's be reviewed internally, to mitigate the need for hearings in cases where the grounds for objections were small and to assess how the objection can be employed proportionately
- That a copy of the Member guidance produced by TH Legal Services on CIZ applications be made available to members at all meetings where this type of application was to be determined
- Comparative information, by Ward, pre and post CIZ implementation, including conditions added at the grant of the licence, to indicate whether/how the CIZ has impacted complaints and antisocial behaviour

and all relevant data in this regard be circulated to Members by end of April

- That a summary of applications determined be circulated to members so that information may be promulgated to residents
- Details of how details of licence applications can be found on the Council's website

**RESOLVED:**

That the report be noted

### **3.2 Touting - Brick Lane Area**

Head of Consumer and Business Regulations Service, CLC presented the update report which was brought forward at Member's request. He advised that:

- The touting policy had been introduced to address three main areas of concern that were evidenced in the practice:
  - Aggressive touting
  - False and misleading claims
  - Creation of inter-business tensions
- The policy had been in operation since 2012 and provided a strategy with incremental levels of action to deter the practice.
- A number of diverse approaches e.g. trained 'meeters and greeters' and directed surveillance were operated.
- Requests for reviews arising from touting issues were subject to controls to ensure that enforcement was undertaken in a balanced way
- Data presented to Committee indicated that complaints had reduced by over 90% since the scheme was implemented.

The Committee discussed:

- The effectiveness and issues around CCTV conditions and issues with obtaining CCTV evidence from premises.
- The changing patterns of patronage of Brick Lane restaurants

The Committee also requested the following:

- The number of premises in the Brick Lane area and the number which have been subject to enforcement with a view to identifying if some premises are more likely to incur enforcement
- That the touting policy including the directed surveillance process be circulated to the Committee

**RESOLVED:**

That the report be noted

### **3.3 Update in Relation to Prosecutions and Appeals - Quarters 1-3 2014/2015**

The Team Leader Enforcement & Litigation, Legal Services the update report informing Members of licensing related prosecutions and appeals for the period April - December 2014. She also informed the Committee that some prosecutions were yet to be actioned and these would be reported in due course.

Members noted:

- That the appeals training previously requested would be incorporated in to Members' annual Licensing training and regulations update.
- That, in future, a quarterly summary of Licensing Sub-Committee Decisions be brought to committee to include data on decisions, appealed and prosecutions.

**RESOLVED:**

That the report be noted

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

The Chair agreed to receive the following verbal notifications:

- i. Legal Communication – the Committee noted that in the event that a Licensing Appeal application is made to the Magistrates Court and objections were received to the application from any Councillors, they will be notified of the appeal by the lawyer dealing with the case within Legal Services. The Chair of the Panel will also be notified of any appeals.
- ii. Community Alcohol Partnership – The Licensing Education and Outreach Officer gave a verbal update on her work promoting responsible approaches towards alcohol via the Community Alcohol Partnership. Data was shared verbally and being collated on the outcomes and progress of a number of initiatives in the Wards of Bethnal Green and St Peters. These would be reported formally in due course.
- iii. Extraordinary Licensing Committee 17<sup>th</sup> March 2015 – Members were reminded to attend the meeting which had been called to determine an SEV.

**RESOLVED:**

That the verbal updates be noted

The meeting ended at 7.55 p.m.

Chair, Councillor Amy Whitelock Gibbs  
Licensing Committee