

LONDON BOROUGH OF TOWER HAMLETS**MINUTES OF THE LICENSING SUB COMMITTEE****HELD AT 6.30 P.M. ON TUESDAY, 14 SEPTEMBER 2021****THE COUNCIL CHAMBER, TOWN HALL, MULBERRY PLACE, 5 CLOVE
CRESCENT, LONDON, E14 2BG****Members Present:**

Councillor Shah Ameen (Chair)

Councillor Zenith Rahman
Councillor Rajib Ahmed**Officers Present:**

Luke Wilson	– (Legal Services)	
Mohshin Ali	– (Senior Licensing Officer)	
Simmi Yesmin	– (Democratic Services Committees, Governance)	Officer,

Representing applicants	Item Number	Role
Jack Speigler	4.1	(Legal Representative)
Augustin Brosse	4.1	(Applicant)

Representing objectors	Item Number	Role
Duncan Campbell	4.1	(Resident)

Representing supporters	Item Number	Role
Sara Dixon	4.1	(Resident)
David Batchelor	4.1	(Resident)
John Moore	4.1	(Resident)
Isla Haigh	4.1	(Resident)
Corinna Juines	4.1	(Resident)

Apologies

None.

1. DECLARATIONS OF INTEREST

There were no declarations of interest made.

2. RULES OF PROCEDURE

The rules of procedure were noted.

3. MINUTES OF THE PREVIOUS MEETING(S)

The minutes of the meetings held on 29th June, 15th and 27th July and 2nd August were agreed and approved as a correct record.

4. ITEMS FOR CONSIDERATION**4.1 Application for Variation of a Premises Licence for Printers and Stationers, 21a Ezra Street, London E2 7RH**

At the request of the Chair, Mr Mohshin Ali, Licensing Officer, introduced the report which detailed the application for a variation of the premises licence for Printers and Stationers, 21a Ezra Street, London E2 7RH. It was noted that objections had been received from local residents.

At the request of the Chair, Mr Jack Speigler, Legal Representative on behalf of the Applicant, briefly explained that the application was to remove an existing condition on the licence that 'no drinks are to be taken outside the premises'. He said that the premises was currently offering food and drinks safely to customers and had been operating with temporary event notices to serve drinks outside the premises without any problems or complaints.

Mr Augustin Brosse, Applicant, explained that the premises was a small business in a vibrant community. His clientele were local residents who were in support of the application. He said that he sympathised with objectors but believed that offering tables and chairs would help alleviate the concerns objectors have about customers drinking outside on Ezra Street. He concluded by saying that it was a small premises which was trying to survive in this current climate.

Mr Speigler explained that there were 36 residents in support of the application, there were no responsible authorities objecting to the application and no serious concerns or complaints had been raised about the premises. He noted that the concerns raised by objectors related to public nuisance and anti-social behaviour in the area in general and were not specific to the premises. He noted that residents felt safer when the premises was open, the premises was not in the cumulative impact zone and the applicant was a responsible applicant who will promote the licensing objectives and improve and contribute to the area.

Members then heard from Mr Duncan Campbell, resident objector, who confirmed that he had met with the applicant during a couple of mediation meetings. He stated that he does not object to Printers and Stationers having a licence but he was concerned that the removal of the condition would result in more people drinking on the streets. He explained that many residents were unaware of the application and others were unclear about the nature of the application; hence, not many had objected. He said that he had lived in Ezra street for many years. It was once a quiet street but now it was a noisy and crowded place, especially on Sundays. Mr Campbell said that there was a busker attracted to the area who caused noise nuisance on a regular basis. Mr Campbell also noted that people were frequently eating and drinking on the street. He said that he would compromise by agreeing to the applicant having two tables outside with no more than 10 people sitting outside the premises at any one time. He believed that when people see a crowded area, it encourages them to come and join with their own drinks. This can result in public nuisance.

Members then heard from Ms Sara Dixon, Mr David Batchelor, Mr John Moore, Ms Isla Haigh and Ms Corinna Juines, local residents in support of the application. All expressed similar views in support of the premises. The supporters noted the applicant's good nature, his responsible operation of the premises and the way he looks after his customers and the local area. It was further noted how the premises was an integral part of the local community, keeping the area safe, clean and well-lit. The supporters stated that they feel safer when the premises is operating. The supporters expressed their love for the premises and emphasised the personal touch the applicant provided. They described how the applicant went above and beyond to take care of the surroundings and the local community.

In response to questions the following was noted:

- The premises had a capacity of 25.
- The busker was not related to the premises.
- Noise nuisance, littering and public urination were experienced by residents as a result of people drinking outside on the streets.
- The objector suggested that signs should be put up asking customers to respect the needs of local residents and leave the area quietly.
- Customers of the premises would be supervised by the applicant and staff.
- litter around the premises was collected daily.
- the premises had been operating since 2008.
- One of the supporters said it would impact on the resident if the premises was to close down, there would be no sense of community safety and no meeting point for local people.
- there have been no complaints or problems during the temporary event notices.
- There was no designated smoking area as it was not a late night venue.

Concluding remarks were made by all parties.

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 Home Office Guidance and the Council's Statement of Licensing Policy and in particular to have regard to the promotion of the four licensing objectives:

1. The Prevention of Crime and Disorder;
2. Public Safety;
3. Prevention of Public Nuisance; and
4. The Protection of Children from Harm

Consideration

Each application must be considered on its own merits. The Sub-Committee carefully considered all of the evidence before them, including written and verbal representations from the Applicant and his Legal Representative, and from residents in support and in objection to the application with particular regard to the prevention of public nuisance.

The Sub-Committee noted the representations made by the residents in objection to the application regarding the existing levels of public nuisance and the likely disturbance to residents nearby if a variation was to be granted. Emphasis was made on the saturation of licensed premises in the area and the increase in street drinking as a result of licensed premises. Members were of the view that there was insufficient evidence to suggest that the public nuisance and anti-social behaviour described in the area was specifically related to the premises.

The Sub-Committee noted the strong support from many local residents for the premises and the applicant, which demonstrated that the applicant was a strong and responsible premises licence holder. The Sub-Committee noted that during the past months of trading there had been no complaints regarding the premises.

The Sub-Committee was satisfied that the measures put in place, as detailed in the External Area Management Procedures contained in the supplemental agenda, together with the condition agreed with the Licensing Authority, would alleviate the concerns raised by the objectors and uphold the licensing objectives. Members were satisfied that the variation, if granted, would not result in additional public nuisance and that the applicant would successfully promote the licensing objectives.

Accordingly, the Sub Committee unanimously;

RESOLVED

That the application for a variation of the Premises Licence for Printers and Stationers, 21a Ezra Street, London E2 7RH be **GRANTED with conditions.**

Removal of Condition 2 – Annex 2

‘No drinks are to be taken outside the premises’

Additional Conditions to be added to the premises licence

1. All customers consuming alcohol outside the front of the premises, must be seated in the area authorised under the tables and chairs licence, issued by the Local Authority, except on a Sunday until 17:00 hours, and during the months of November and December for the Christmas Markets.

4.2 Application to Review the Premises Licence for Cabby's Rum Bar, Railway Arch 411, St Paul's Way, London E3 4AG

This item was adjourned to the next meeting of the Licensing Sub Committee 28th September 2021.

4.3 Application for a Variation of a Premises Licence for La Luna Italian Pizza & Deli, Unit E, 43a Commercial Street, London E1 6BD

This item was withdrawn by the Applicant prior to the meeting.

5. EXTENSION OF DECISION DEADLINE: LICENSING ACT 2003

Nil items.

The meeting ended at 8.00 p.m.

Chair, Councillor Shah Ameen
Licensing Sub Committee