

## Licensing Sub-Committee

MINUTES of the OPEN section of the Licensing Sub-Committee held on Monday 23 January 2017 at 10.00 am at Ground Floor Meeting Room G02A - 160 Tooley Street, London SE1 2QH

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**PRESENT:** Councillor Renata Hamvas (Chair)  
Councillor Adele Morris  
Councillor Sunny Lambe

**OTHERS PRESENT:** Terry Eagle, applicant, McDonalds

**OFFICER SUPPORT:** Debra Allday, legal officer  
Jayne Tear, licensing responsible authority officer  
Wesley McArthur, licensing officer  
Bill Masini, trading standards officer  
Ray Moore, trading standards officer  
Andrew Weir, constitutional officer

### 1. APOLOGIES

There were none.

### 2. CONFIRMATION OF VOTING MEMBERS

The members present were confirmed as the voting members.

### 3. NOTIFICATION OF ANY ITEMS OF BUSINESS WHICH THE CHAIR DEEMS URGENT

There were none.

**4. DISCLOSURE OF INTERESTS AND DISPENSATIONS**

There were none.

**5. LICENSING ACT 2003: PRESCO FOOD AND WINE, 209 ROTHERHITHE NEW ROAD, LONDON SE16 2BA**

The licensing officer explained that the licensee had surrendered their licence.

The trading standards officer addressed the sub-committee and requested that the hearing be postponed until the period of the surrender of the licence had expired.

The representatives from the premises were not present.

The meeting went into closed session at 10.19am.

The meeting resumed at 10.22am and the chair advised all parties of the decision.

**RESOLVED:**

That the trading standards application for the review of the premises licence of Presco, 209 Rotherhithe New Road, London SE16 2BA be adjourned to 24 February 2017. It is in the public interest to extend time in accordance with regulations 11 and 12 of The Licensing Act 2003 (Hearings) Regulations 2005 .

**6. LICENSING ACT 2003: MCDONALDS, UNIT 16 BUTTERFLY WALK, DENMARK HILL, LONDON SE5 8RW**

The licensing officer presented their report. Members had questions for the licensing officer.

The applicant addressed the sub-committee. Members had questions for the applicant.

It was noted that the police and the applicant had now agreed conditions.

The meeting went into closed session at 10.28am

The meeting resumed at 10.30am. The chair advised everyone of the decision and informed them that an electronic version of the notice of decision would be sent to all interested parties.

**RESOLVED:**

That the application made by Manor Restaurants (UK) Limited, for a variation of the premises licence, granted under the Licensing Act 2003 in respect of the premises known as McDonalds, Unit 16 Butterfly Walk, Denmark Hill, London SE5 8RW is granted as follows:

**Conditions**

The operation of the premises under the licence shall be subject to relevant mandatory conditions, conditions derived from the operation schedule highlighted in Section M of the application form and the following additional conditions agreed by the sub-committee:

1. That on each day after 23:00 the premises will ensure that the entrance situated in Butterfly Walk is closed to the public, the shutter separating this section of the premises will also be closed as will the upstairs section of the restaurant.
2. That the premises will employ at least one SIA registered door supervisor between the hours of 23.00 and 03.00 on Friday and Saturday nights. The management of the premises will risk assess the need for the additional security on a day to day basis and employ additional staff as required.

### **Reasons**

The reasons for the decision are as follows:

The licensing sub-committee heard from the applicant who informed the sub-committee that they had agreed conditions, as listed above with the police.

The licensing sub-committee noted the written statement from the police which advised that they recommended that the variation be granted subject to the conditions listed above.

The licensing sub-committee considered all of the oral and written representations before it and were of the opinion that the conditions agreed would promote the licensing objectives.

In reaching this decision the sub-committee had regard to all the relevant considerations and the four licensing objectives and considered that this decision was appropriate and proportionate.

### **Appeal rights**

The applicant may appeal against any decision:

- a) To impose conditions on the licence
- b) To exclude a licensable activity or refuse to specify a person as premises supervisor.

Any person who made relevant representations in relation to the application who desire to contend that:

- a) The licence ought not to be been granted; or
- b) That on granting the licence, the licensing authority ought to have imposed different or additional conditions to the licence, or ought to have modified them in a different way

may appeal against the decision.

Any appeal must be made to the Magistrates' Court for the area in which the premises are situated. Any appeal must be commenced by notice of appeal given by the appellants to the

justices' clerk for the Magistrates' Court within the period of 21 days beginning with the day on which the appellant was notified by the licensing authority of the decision appealed against.

Meeting ended at 10.35 am

**CHAIR:**

**DATED:**