

Licensing Sub-Committee

MINUTES of the OPEN section of the Licensing Sub-Committee held on Monday 20 March 2017 at 10.00 am at Ground Floor Meeting Room G02C - 160 Tooley Street, London SE1 2QH

PRESENT: Councillor Renata Hamvas (Chair)
Councillor Jon Hartley
Councillor Charlie Smith

**OTHERS
PRESENT:** Sefatullah Rozikha, applicant
Abdul Haleem Ayubi, applicant

**OFFICER
SUPPORT:** Yagazie Nwaigwe, legal officer
Andrew Heron, licensing officer
David Franklin, licensing officer as responsible authority
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: TAZZE GRILL (FORMALLY SHANGHAI TASTE CHINESE AND THAI RESTAURANT), 22 CAMBERWELL CHURCH STREET, LONDON SE5 8QU

The licensing officer presented their report. Members had no questions for the licensing officer.

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

The officer representing the council as a responsible authority addressed the sub-committee. Members had questions for the licensing officer.

Both parties were given five minutes for summing up.

The meeting went into closed session at 11.02am.

The meeting resumed at 12.07pm and the chair read out the decision of the sub-committee.

RESOLVED:

That the application made by Sefatullah Rozikhel, for a variation of the premises licence, granted under the Licensing Act 2003 in respect of the premises known as Tazze Grill (formally Shanghai Taste Chinese and Thai Restaurant), 22 Camberwell Church Street, London SE5 8QU is granted as follows:

Licensable activity	Hours
To extend the hours for the provision of late night refreshment to	Thursday, Friday and Saturday from 00:30 to 02:00 and Sunday from 00:30 to 01:00
To amend the opening hours of the premises to	Monday to Wednesday from 00:00 to 00:30 and Thursday, Friday and Saturday from 00:00 to 02:00 and Sunday from 23:30 to 01:00.

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 the consumption of alcohol shall cease 30 minutes after the time of last sale, as per the terms of the alcohol licence.
2. That alcohol shall only be served as ancillary to table meals.
3. That there shall be an accommodation limit of 36 people, excluding staff, in the premises at any one time.
4. That there shall be a written dispersal policy for the premises to be prominently displayed at the front counter and front window, requesting all clientele to disperse quietly and not to disturb the peace and quiet of neighbours..

5. That a suitable CCTV system shall be installed and be constantly maintained in good working condition. This CCTV system should be capable of storing the recordings for a period of 28 days and should be made immediately available to the police or council officers, upon request.

Reasons

The reasons for the decision are as follows:

The licensing sub-committee heard from the applicant who informed the sub-committee that he had run the business at the premises for a year without any complaints. The applicant referred to their written statement dated 17 March 2017, in which he put forward a number of amendments to the original variation, which addressed the concerns of the responsible authorities.

On questioning, the applicant set out ways in which he would address possible nuisance and public safety concerns that could arise as a result of the extension to the licensing hours, namely by not serving alcohol to inebriated customers and arranging mini-cabs for those who requested for one.

The licensing sub-committee heard from the licensing officer representing the council as a responsible authority who referred the sub-committee to the council's licensing policy. They advised that most of their concerns had been addressed by the applicant's suggested amendments to the original variation application. They however had outstanding concerns relating to possible nuisance and anti-social behaviour that may arise as a result of the extended hours.

The licensing sub-committee noted the written representation from the public health officer which was primarily in relation to the extension of the sale and supply of alcohol until 03:00 as proposed in the original variation application. It was noted that the applicant had now withdrawn this part of the application.

The licensing sub-committee considered all of the oral and written representations before it. Having heard from the applicant, the sub-committee were satisfied that he was a responsible licensee. They also noted that there had been no representations from the police or any record of complaints relating to the premises. Consequently, the sub-committee felt that the granting of a variation to the licence, as specified above, would pose no problems.

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 to modify the conditions of the licence; and

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

- a) That variation ought not to have been made; or
- b) That, when varying the licence, the licensing authority ought not to have modified the

conditions of 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 appellant 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.

CHAIR:

DATED: