

## Licensing Sub-Committee

MINUTES of the OPEN section of the Licensing Sub-Committee held on Wednesday 10 May 2017 at 10.00 am at Ground Floor Meeting Room G02C - 160 Tooley Street, London SE1 2QH

---

**PRESENT:** Councillor Renata Hamvas (Chair)  
Councillor David Hubber  
Councillor Sandra Rhule

**OTHERS  
PRESENT:** Charlotte Evans, premises user

**OFFICER  
SUPPORT:** Debra Allday, legal officer  
Helena Crossley, legal officer  
Mark Orton, licensing officer  
Mark Prickett, environmental protection 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

It was agreed to hear the following late and urgent item: temporary event notice (811240) in relation to Bala Baya, Arch 25, Old Union Yard Arches, Union Street, London SE1 0UR.

### 4. DISCLOSURE OF INTERESTS AND DISPENSATIONS

There were none.

**5. LICENSING ACT 2003: DULWICH VINTNERS, 85-87 DULWICH VILLAGE, LONDON SE21 7BJ**

It was noted that this item had been conciliated prior to the meeting.

**6. LICENSING ACT 2003: BALA BAYA, ARCH 25, OLD UNION YARD ARCHES, UNION STREET, LONDON SE1 0UR**

The premises user advised that they had now withdrawn this application.

**7. LICENSING ACT 2003: BALA BAYA, ARCH 25, OLD UNION YARD ARCHES, UNION STREET, LONDON SE1 0UR (TEMPORARY EVENT NOTICE: (811240)**

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

The premises user addressed the sub-committee. Members had questions for the premises user.

The environmental protection officer addressed the sub-committee. Members had questions for the environmental protection officer.

Both parties were given five minutes for summing up.

The meeting went into closed session at 10.44am.

The meeting resumed at 11.50am. The chair did not read out the decision of the sub-committee as none of the parties were present.

**RESOLVED:**

That a counter notice not be issued under Section 105 of the Licensing Act 2003 in respect of the temporary event notice (811240) served by Ms Charlotte Evans in regards to an event to be held at Bala Baya, Arch 25, Old Union Yard Arches, Union Street, London SE1 0UR, between 23:30 on Friday 30 June 2017 and 04:00 on Saturday 1 July 2017.

**Conditions**

That all of the conditions on the premises licence shall apply to the temporary event notice with the exception of condition 840.

The following additional conditions agreed by the sub-committee shall also apply:

1. That there shall be a designated member of staff from 00:00 until all patrons have dispersed in order to ensure that patrons are dispersed in a quiet and orderly manner so as not to cause nuisance to the residents.
2. That waste disposal shall not take place before 07:00 on Saturday 1 July 2017.

3. That the doors shall remain closed at all times other than for the purpose of ingress and egress.

### **Reasons**

This was a temporary event notice (TEN) given by, Ms Charlotte Evans, the premises user, in respect of the premises known as Bala Baya, Arch 25, Old Union Yard Arches, Union Street, London SE1 0UR.

The licensing sub-committee heard evidence from the premises user who advised that the event was to allow for food service to continue until 22:30, and would be aimed at regular patrons, to socialise and network whilst at their tables. As such advertising will be via word of mouth and social media. The premises user gave evidence that this meant it was unlikely the event would attract patrons coming from other drinking establishments and was aimed at regular customers. She emphasised that they were keen to work with the environmental protection team to ensure that the event did not disturb residents. The premises user addressed a complaint that was received for a local resident regarding a noise nuisance on 30 March 2017. She stated that this was a one off incident, and that a curfew had now been imposed so that music is turned down at 22:45 or off if no patrons remained on the premises.

The licensing sub-committee heard evidence from the environmental protection officer who advised that a statutory noise nuisance had been observed at the premises previously. Loud music could be heard emanating from the premises at 22:58 on 30 March, leading to a complaint from a local resident. An enforcement officer arrived at 00:10 on Friday 31 March and observed a statutory noise nuisance. The staff cleaning the premises had left open a door, and were playing loud music inside the premises as they worked. The enforcement officer spoke with the manager at the premises and the music was turned off. Due to the co-operation from the manager, a warning letter was issued. It was noted that there were no patrons were present when the statutory noise nuisance was observed.

The environmental protection officer also advised that having spoken to the premises user, if conditions were imposed to ensure that noise was kept to an acceptable level, and patrons dispersed in a quiet and orderly manner, his concerns would be alleviated. The environmental protection officer also advised that two temporary event notices had been granted previously, and there had been no complaints regarding those events.

The licensing sub-committee considered all of the oral and written representations before it and were of the opinion that the conditions agreed between the applicant and the responsible authorities satisfied 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**

Where the relevant counter notice under Section 105(3) is given the premises user may appeal against the decision. Where counter notice is not given, the chief officer of the environmental protection team may appeal against that decision. The appeal must be made to the Magistrates' Court within a period of 21 days beginning with the day on which the applicant was notified by the licensing authority of the decision to be appealed against.

No appeal may be brought later than five working days before the day on which the event begins.

The meeting ended at 10.55 am

**CHAIR:**

**DATED:**