

## Licensing Sub-Committee

MINUTES of the OPEN section of the Licensing Sub-Committee held on Friday 28 July 2017 at 10.00 am at Ground Floor Meeting Room G02C - 160 Tooley Street, London SE1 2QH

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<b>PRESENT:</b>	Councillor Adele Morris (in the chair) Councillor Sunny Lambe Councillor Lorraine Lauder MBE
<b>OTHER S PRESENT:</b>	Nigel Carter, licensing representative, Leadbelly's Paul Graham, applicant, Leadbelly's Annemarie Barwick, applicant, Leadbelly's Mark Browning, legal representative, Meatliquor Scott Collins, applicant, Meatliquor Tom Doffman, applicant, Meatliquor
<b>OFFICER SUPPORT:</b>	Debra Allday, legal officer Helena Crossley, legal officer Wesley Mcarthur, licensing officer Andrew Weir, constitutional officer

### 1. ELECTION OF CHAIR

It was noted that in the absence of the chair, Councillor Adele Morris would chair the meeting in her capacity as the vice-chair of the licensing committee.

### 2. APOLOGIES

There were none.

### 3. CONFIRMATION OF VOTING MEMBERS

The members present were confirmed as the voting members.

**4. NOTIFICATION OF ANY ITEMS OF BUSINESS WHICH THE CHAIR DEEMS URGENT**

There were none.

**5. DISCLOSURE OF INTERESTS AND DISPENSATIONS**

There were none.

**6. LICENSING ACT 2003: LEADBELLY'S BAR & KITCHEN, UNIT C, MONTREAL HOUSE, SURREY QUAYS ROAD, LONDON SE16 7AQ**

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

The applicant and their legal representative addressed the sub-committee. Members had questions for the applicant and their representative.

The meeting went into closed session at 10.45am.

The meeting resumed at 10.52am and the chair advised the applicant of the decision.

**RESOLVED:**

That the application by Paul Graham for a variation of the premises licence issued under the Licensing Act 2003 in respect of the premises known as Leadbelly's, Unit C, Montreal House, Surrey Quays Road, London SE16 7AQ is granted as follows:

<b>Licensable Activities</b>	<b>Days</b>	<b>Hours</b>
Recorded music	Monday to Thursday Friday and Saturday Sunday	09:00 to 23:30 09:00 to 00:30 09:00 to 23:00
Late night refreshment	Monday to Thursday Friday and Saturday	23:00 to 23:30 23:00 to 00:30
Sale of alcohol	Monday to Thursday Friday and Saturday Sunday	09:00 to 23:30 09:00 to 00:30 09:00 to 23:00
Opening hours	Monday to Thursday Friday and Saturday Sunday	09:00 to 00:00 09:00 to 01:00 09:00 to 23:30

- To allow for the following non standard timing in regards to the provision of late night refreshment:
  - That the terminal hour for late night refreshment on New year's Eve shall be extended until 05:00 hours on New Year's Day.
- To allow for the following non standard timing in regards to the provision licensable

activities:

- That on New Year's Eve licensable activities shall be permitted from the end of permitted hours until the start of permitted hours on New Years Day.
- To allow for the following non standard timing in regards to the opening hours of the premises:
  - That on New Years Eve the premises shall be permitted to remain open from closing time until 09:00 on New Years Day.

### **Conditions**

The operation of the premises under the licence shall be subject to relevant mandatory conditions, any conditions derived from the operating schedule in Section M of the application for and conditions agreed to between the applicant and responsible authorities.

### **Reasons**

The reasons for the decision are as follows:

The licensing sub-committee heard from the representative for the applicant who advised that the premises had conciliated with the responsible authorities and that the only two representations outstanding were from the local ward councillors. The applicant objected to the two representations, stating that both councillors had submitted representations in March 2017 and since that date, the variation application had been withdrawn and simply referring to the March objection suggested that neither of the councillors had considered the new variation application. The licensing sub-committee noted the applicant's complaint, but disagreed that it was relevant; the representation had been accepted by the licensing authority and any complaint concerning the validity of the representation should have been made when the representation was received to the licensing officer.

The representative for the applicant stated that the variation for the applicant was customer led. The representations from responsible authorities had conciliated and there had been no objections from local residents who lived either above or nearby the premises. The premises had been trading for eight months and no complaints had been received. The premises was working with the local community by leafleting invitations for events and also the designated premises supervisor's contact details were available should a resident have any concerns.

The only representations outstanding were from the two local ward councillors who were not in attendance. The representations were identical and stated that the premises were underneath a residential building and the proposed extension of operating hours would increase the possibility of noise nuisance and disturbance and are not suitable for a predominantly residential area.

The licensing sub-committee noted that the Metropolitan Police Service and environmental protection team has conciliated with the applicant.

The licensing sub-committee considered all of the oral and written representations before it. The variation application was in line with Southwark's statement of licensing policy and the responsible authorities felt there were sufficient control measures to promote the

licensing objectives. The committee agreed to grant the application but recommended that the premises ensured a continued good relationship with the local residents and updated their dispersal policy so that is in line with the licence re the outside area.

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.

## **7. LICENSING ACT 2003: MEATLIQUOR, 37 LORDSHIP LANE, LONDON SE22 8EW**

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

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

The meeting went into closed session at 11.39am.

The meeting resumed at 11.51am. and the chair advised the applicant of the sub-committee's decision.

### **RESOLVED**

That the application by Meatailer Limited for a variation of a premises licence issued under the Licensing Act 2003 in respect of the premises known as Meatliquor, 37 Lordship Lane, London SE22 8EW is granted as follows:

<b>Licensable Activities</b>	<b>Days</b>	<b>Hours</b>
Late night refreshment	Friday	23:00 to 01:00
	Saturday	23:00 to 01:00
Sale of alcohol	Friday	23:00 to 00:30
	Saturday	23:00 to 00:30
Opening hours	Monday	11:00 to 00:30
	Tuesday	11:00 to 00:30
	Wednesday	11:00 to 00:30
	Thursday	11:00 to 00:30
	Friday	11:00 to 01:00
	Saturday	11:00 to 01:00
	Sunday	12:00 to 23:30

- To change the premises licence plan to plan number 1526.GF.100.00 dated 25 February 2016.
- To amend condition 135 of the premises licence to read:  

“Intoxicating liquor shall not be sold or supplied on the premises otherwise than to persons sitting at the tables shown blue on the attached plans or those taking meals at the premises and for consumption by such persons as ancillary to their meal.”
- To delete condition 127 from the premises licence.

### **Conditions**

The operation of the premises under the licence shall be subject to relevant mandatory conditions, any conditions derived from the operating schedule in Section M of the application for, the conditions agreed with the police during conciliation and the following conditions imposed by the licensing sub-committee:

1. That there be signage next to doors used for access and egress requesting that customers leave the premises quietly, and respect the neighbours.
2. That all off sales are by way of sealed containers only and not for the consumption within the immediate vicinity of the premises.
3. That the number of smokers outside of the front of the premises be limited to six.
4. That the windows on the front of the premises be closed by 21:30 every evening.

### **Reasons**

The reasons for the decision are as follows:

The licensing sub-committee heard from the applicant who advised that they had taken steps to address the concerns of local residents. The applicant explained that a number of the complaints related to existing issues in the area, and were caused by neighbouring properties and were occurring before their premises opened in 2016. The designated premises supervisor (DPS) explained that he was working with neighbours, and companies such as Deliveroo to help improve the area.

The Deliveroo drivers are now directed to the loading bay away from neighbouring properties to collect deliveries, and are instructed to turn engines off, and ensure music is not playing from the vehicles. They have also started to jet wash the area where bins for their own, and neighbouring restaurants are kept around twice a week. They have reduced the frequency of their rubbish collections and added more bins, to ensure that neighbours are less disturbed by rubbish being collected. The DPS also explained that their rubbish collections take place after 08:00, and glass is collected once a week after 09:00 again to reduce the impact on neighbours. The DPS and founder of Meatliquor, also emphasised that they both lived in the area and were a part of the community and are communicating with local residents to address the issues raised in representations.

The applicant then turned to their application and explained that they would be happy to scale back the hours applied for to fit in line with Southwark's statement of licensing policy. They stated that the amended license would allow for more informal dining, and that having spoken to residents and having made changes to working practices to accommodate their concerns, this informal dining would not have a detrimental effect on the licensing objectives. The applicant further agreed that the windows at the front of the premises which are bi-folding will be closed by 21.30 every evening so as to further reduce noise emanating from the premises which may disturb residents. The applicant also agreed to limit the number of patrons smoking outside of the premises to 6 to further reduce noise which may disturb residents.

The licensing sub-committee did not hear from local residents, as they were unable to attend, but considered their written representations.

The licensing sub-committee did not hear from local ward councillors as they were unable to attend, but considered their written representations.

The licensing sub-committee considered all of the oral and written representations before it and granted the applicant's application. The sub-committee noted that the applicant and the police had conciliated and agreed conditions, and that no other responsible authority had put in a representation. They also noted that the applicant had taken steps to address some of the concerns raised by residents and ward councillors, such as complaints regarding the Deliveroo drivers, noisy bin collections, noise emanating from the open windows at the front of the premises, and smoke emanating from smokers outside of the premises.

The sub-committee also noted that there was one representation in support of the application from a local resident. The sub-committee were also aware that some aspects of some representations related to issues with the area as a whole rather than problems specifically emanating from Meatliquor, such as noise coming from extraction fans at neighbouring premises. The sub-committee were also aware that the applicant had agreed to limit its hours to those set out in Southwark's statement of licensing policy. As there were no outstanding representations from responsible authorities, and as Meatliquor agreed to several additional conditions to help minimise noise and disturbance to residents, in addition to the steps they are already taking to address the concerns of residents, the sub-committee granted the application.

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
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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.

The meeting ended at 11.55 am.

**CHAIR:**

**DATED:**