

Licensing Sub-Committee

MINUTES of the OPEN section of the Licensing Sub-Committee held on Monday 18 September 2017 at 10.00 am at Ground Floor Meeting Room G02C - 160 Tooley Street, London SE1 2QH

PRESENT:	Councillor Bill Williams (in the chair) Councillor Lorraine Lauder MBE Councillor Sunny Lambe (reserve)
OTHER S PRESENT:	Peter Mayhew, legal representative for the applicant Charles Tyler, applicant Councillor Kath Whittam (observing)
OFFICER SUPPORT:	Joanne Shilton, legal officer Dorcas Mills, licensing officer Andrew Weir, constitutional officer

1. APOLOGIES

Apologies, due to other council business, were received from Councillor Renata Hamvas.

Councillor Bill Williams was nominated by Councillor Lorraine Lauder MBE to chair the meeting. This was seconded by Councillor Sunny Lambe.

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: PALADAR (FORMERLY LA DOLCE VITA), 4-5 LONDON ROAD, LONDON SE1 6JZ

The licensing officer addressed the sub-committee. They advised that the premises were not situated in a saturation zone. 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 legal representative.

The applicant was given five minutes for summing up.

The meeting adjourned at 10.40am for the members to consider their decision.

The meeting resumed at 10.45am and the chair advised the applicant of the decision of the sub-committee.

RESOLVED:

That the application made by Paladar Ltd for a premises licence to be varied under the Licensing Act 2003 in respect of the premises known as Paladar, 4-5 London Road, London SE1 6JZ be granted as follows:

Licensable activity	Hours
Sale and supply of alcohol (on the premises)	Monday to Saturday from 11:00 to 02:00 Sun from 11:00 to 23:00
Sale and supply of alcohol (off the premises)	Monday to Saturday from 11:00 to 23:00 Sun from 11:00 to 23:00
Operating hours	Mon - Sat from 11:00 to 02:30 Sun from 11:00 to 23:30
Non Standard timings: On any day preceding a Bank Holiday the hours for all licensable activities will reflect those of Saturdays hours.	

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 additional conditions agreed between the environmental protection team prior to the meeting and attached to this licence.

Reasons

The reasons for the decision are as follows:

The licensing sub-committee were advised that the premises were not within the Cumulative impact zone.

The licensing sub committee heard from the applicant who advised that they had

conciliated with the environmental protection team and agreed to the addition of further conditions in order to address concerns raised by the environmental protection team and other persons and thereby minimise any potential impact to the licensing objectives.

The applicant stated that they had imposed conditions restricting the off sales of alcohol to that of specialised Latin and central / south American origin and to limit the off sales of alcohol to 23:00 on any day.

The applicant also confirmed that a condition had been agreed restricting the maximum number of patrons waiting for a table to a total of 10 and that they will only be permitted to consume alcohol at the bar whilst waiting for a table to become available.

The applicant sought to assure the sub committee that this would not lead to an increase in alcohol consumption as patrons would be consuming a meal once seated at their tables and that the applicant would ensure the premises operated in a responsible manner to reduce any impact on the licensing objectives.

The licensing sub-committee noted that the environmental protection officer had conciliated with the applicant.

The licensing sub-committee noted the written representations from two other persons objecting to the application expressing concern that the variation would allow people to consume alcohol while sat at the bar without the requirement to immediately consume a meal and they believed the sale of the alcohol without the requirement to consume a meal would be detrimental to the prevention of public nuisance objective as they believed that more people would consume higher amounts of alcohol without ingesting any or only little food and become more noisy and disorderly than if they were only drinking with a meal.

They also stated that the rear garden is a small space surrounded by tall walls which generate significant sound reverberation and amplification.

The sub committee noted that the other persons did not attend the hearing. However, the sub-committee took into account the written representations. It noted that more weight could have been attached had a representative attended the sub-committee but nonetheless the representations carried weight.

The licensing sub-committee considered all of the oral and written representations before it and were of the opinion that the variation application should be granted.

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 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 10.47am.

CHAIR:

DATED: