

Licensing Sub-Committee

MINUTES of the OPEN section of the Licensing Sub-Committee held on Tuesday 24 October 2017 at 10.00 am at Ground Floor Meeting Room G02A - 160 Tooley Street, London SE1 2QH

PRESENT: Councillor Renata Hamvas (Chair)
Councillor Jon Hartley
Councillor Sunny Lambe

OTHERS PRESENT: Luca Constanza, applicant
Mike Nickson, legal representative for the applicant

OFFICER SUPPORT: Rodney Frederick, legal officer
Debra Allday, legal officer (observing)
Wesley McArthur, licensing 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: LUCA'S KITCHEN AND BAKERY, 35 NORTH CROSS ROAD, LONDON SE22 9ET

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 legal representative.

The applicant and their legal representative were given five minutes for summing up.

The meeting adjourned at 11.33am for the members to consider their decision.

The meeting resumed at 11.43am and the chair read out the decision of the sub-committee.

RESOLVED:

That the application made by Costanza (UK) Limited for a premises licence to be granted under the Licensing Act 2003 in respect of the premises known as Luca's Kitchen and Bakery, 35 North Cross Road, London, SE22 9ET is granted as follows:

Licensable activity	Day	Permitted Hours
Supply of alcohol (on and off sales)	Monday to Sunday	11:00 to 22:30
Opening hours	Monday to Sunday	07:00 to 23:00

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, the conditions agreed with responsible authorities during the conciliation process and the following additional conditions agreed by the sub-committee:

1. That the inside capacity of the premises be limited to 60 people.
2. That the outside capacity be limited to 20 people to include a maximum of five smokers at any time.
3. That there be a sign displayed in a prominent position containing the contact details of the management of the premises for any complaints or issues from residents.
4. That the outside area shall be cleared and vacated by 22:00 and all furniture shall be cleared by 22:30.

Reasons

The reasons for the decision are as follows:

The licensing sub-committee heard from the applicant and their representative who informed the sub-committee that they wished to apply for the grant of a premises licence for the sale of alcohol to be consumed on and off the premises between 09:00 and 22:30. The sale of alcohol would be ancillary to the provision of food at the premises. The

opening times of the premises would be between 07:00 and 23:00.

The licensing sub-committee noted the written representations from three local residents who were concerned that the premises would give rise to noise nuisance. The sub-committee considered the residents concerns and noted that the serving of hot refreshments during the proposed opening hours of this premises did not require a license.

The licensing sub-committee considered all of the oral and written representations before it and decided to grant the application, subject to the conditions already agreed during conciliation with the Director of Public Health and the Metropolitan Police Service.

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 11.45am.

CHAIR:

DATED: