

## Licensing Sub-Committee

MINUTES of the OPEN section of the Licensing Sub-Committee held on Wednesday 6 June 2018 at 10.00 am at Ground Floor Meeting Room G02B - 160 Tooley Street, London SE1 2QH

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**PRESENT:** Councillor Renata Hamvas (Chair)  
Councillor Sunny Lambe  
Councillor Adele Morris

**OFFICER SUPPORT:** Rebecca Millardship, legal officer  
David Franklin, licensing officer as a responsible authority  
Andrew Heron, licensing officer  
Dr Leidon Shapo, public health 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: BATCH, 56A PECKHAM RYE, LONDON SE15 4JR**

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

The public health officer addressed the sub-committee. Members had questions for the public health officer.

All parties were given five minutes for summing up.

The meeting adjourned at 11.48am for the members to consider their decision.

The meeting resumed at 12.19pm and the chair advised all parties of the sub-committee's decision.

### **RESOLVED:**

That the application made by Twist London Limited to vary a premises licence to be granted under the Licensing Act 2003 in respect of the premises known as Batch, 56A Peckham Rye, London, SE15 4JR be granted as follows:

### **Opening Hours:**

Monday to Thursday: 16:30 to 23:30

Friday: 16:30 to 01:30

Saturday: 11:30 to 01:30

Sunday: 11:30 to 23:30

### **Licensable Activities including supply of alcohol on and off premises and live acoustic music:**

Monday to Thursday: 17:00 to 23:00

Friday: 17:00 to 01:00

Saturday: 12:00 to 01:00

Sunday: 12:00 to 23:00

### **Additional non-standard timings:**

A further additional hour into the morning every Friday, Saturday and Sunday for each: May bank holiday, Spring/Whitsun bank holiday and August bank holiday.

A further additional hour into the morning following Thursday, Friday, Saturday and Sunday of Easter bank holiday.

A further additional hour each: Christmas Eve, Boxing Day, New Years Eve and New Years Day.

## **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 the Metropolitan Police Service and trading standards during the conciliation process and the following additional conditions agreed by the sub-committee:

1. That the supply of alcohol at the premises shall only be by waiter service to a person seated at a table.
2. That drinking water shall be readily available at the table.
3. That all live music shall be acoustic and not amplified in any way.

## **Reasons**

The licensing sub-committee heard from the applicant's representative who was able to confirm that the applicant had six years experience running licensed premises, though this was the first premises within London Borough of Southwark.

The business model for the premises was set out as being a cocktail bar but that the focus was on service and that drinks would be provided to patrons at their tables. The applicant was keen to explain that there is a strong focus on the staff interaction with the patrons, thus providing an opportunity to, in effect, control how much alcohol was being consumed.

It was explained to the sub-committee that the premises was located close to local restaurants and that the service provided was one that would cater for patrons before and after their meals. The extension of hours was therefore to enable them to allow patrons to return to the premises and enjoy a cocktail before they head home.

The applicant's representative stated that the live music would be purely acoustic and used as background music. The applicant stated that they were happy for their undertaking to not amplify the music to become a condition of the licence. The applicant was able to state that whilst there are two flats above the premises, that they have a good relationship with the residents.

The sub-committee were informed that the premises were located on a busy bus route and that there was stop point for licensed taxi drop off directly outside of the premises and finally that there were paid car parking spaces on the road, albeit not directly outside the premises. The sub-committee were reminded that the existing licence did provide, by way of conditions, protections to the local community to alleviate any concerns regarding noise nuisance, a maximum capacity and requirement for SIA staff to be present on Friday and Saturdays. A comparison was drawn to other local premises and their opening hours.

The sub-committee heard representations from Licensing as a responsible authority, who stated that the premises are located within the town centre of Peckham and as such the hours that are currently in their licence are already outside of those recommended in the policy. They stated that their main concern for the extension of hours was that there would likely be disruption within a residential area when people leave the premises. It was observed that the management of the premises were clearly able to control the patrons and the premises had adopted good practises that somewhat alleviated their concerns.

A representative from public health set out that the variation to extend the hours of licensable activities and opening was also their main concern. They stated that the premises was close to a number of schools and cited World Health Organization (WHO) guidelines as to the effect of sleep deprivation on both children and adults.

In making their decision the licensing sub-committee were reassured by the applicant and the premises manager who set out the day to day managing of the premises. They were encouraged by how well the staff were able to interact with patrons whilst monitoring their alcohol intake. Finally, they were satisfied that whilst the application in this case did go outside of the scope of the policy, that the premises, in this case, were run in such a way as to achieve the licensing objectives even with hours that exceeded the recommendations.

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 12.20pm.

**CHAIR:**

**DATED:**

