

Licensing Sub-Committee

MINUTES of the OPEN section of the Licensing Sub-Committee held on Wednesday 27 June 2018 at 10.00 am at Ground Floor Meeting Room G02B - 160 Tooley Street, London SE1 2QH

PRESENT: Councillor Renata Hamvas (Chair)
Councillor Charlie Smith
Councillor Ian Wingfield

OTHER MEMBERS PRESENT: Councillor Margy Newens (observing)

OFFICER SUPPORT: Andrew Heron, licensing officer
Helena Crossley, legal officer
Andrew Weir, constitutional team

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: JOSE, 104 BERMONDSEY STREET, LONDON SE1 3UB

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

The meeting adjourned at 10.24am for the members to consider their decision.

The meeting resumed at 10.34am and the chair advised all parties of the sub-committee's decision.

RESOLVED:

That the application by TKPC2 Limited to vary the premises licence issued under the Licensing Act 2003 in respect of the premises known as Jose, 104 Bermondsey Street, London, SE1 3UB is granted as follows:

Licensable Activities	Days	Hours
Sale of alcohol (off sales)	Monday	12:00 – 22:30
	Tuesday	12:00 – 22:30
	Wednesday	12:00 – 22:30
	Thursday	12:00 – 22:30
	Friday	12:00 – 22:30
	Saturday	12:00 – 22:30
	Sunday	12:00 – 22:00

- That the changes to the licence layout plan as provided by the Applicant are approved.
- As part of the conciliation process, it was noted that the applicant offered to cease use of the outside area at 22:00, as in line with Southwark's statement of licensing policy which was accepted by the committee.

Conditions

No additional conditions shall apply

Reasons

The reasons for the decision are as follows:

The sub-committee heard from the principal licensing officer who presented his report. The licensing officer explained that this was an application to vary the current licence to include off sales of alcohol to allow patrons to drink in a new small seating area outside of the premises and as such a new layout plan was also to be considered. The licensing officer stated that there are been no complaints received regarding the premises and that the premises have a good inspection record. They explained that the objection received was borderline in its validity and as such, in line with the section 182 guidance, he had

referred the matter to the licensing sub-committee for determination.

The sub-committee then heard from the applicant and the applicant's representative. The Applicant's representative explained that the application was a simple one, and that the new outside area would be small with a current plan for three tables and six chairs. He explained that the applicant was seeking the same hours as the current licence and the same conditions would apply to the external area, including condition 135 which states that alcohol can only be served with a table meal.

With regard to the objection received to the application, the applicant's representative stated that he had attempted to conciliate with the objector and would be happy not to use the outside area after 22:00 in an attempt to address the concerns of the objector.

In response to questions from councillors, the applicant's representative clarified that the number of tables and chairs allowed would be subject to restrictions under a tables and chairs license as the area is part of the public highway, and that the outside area would be a no smoking area.

The sub-committee had regard to, and considered the written representations of the objector before making the decision to grant the application to vary the premises licence.

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.

The meeting ended at 10.35am.

CHAIR:

DATED: