

## Licensing Sub-Committee

MINUTES of the OPEN section of the Licensing Sub-Committee held on Friday 26 October 2018 at 10.00 am at Ground Floor Meeting Room G02A - 160 Tooley Street, London SE1 2QH

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**PRESENT:** Councillor Renata Hamvas (Chair)  
Councillor Dora Dixon-Fyle MBE  
Councillor Sunny Lambe

**OFFICER SUPPORT:** Debra Allday, legal officer  
Wesley McArthur, licensing officer  
Rebecca Giddings, public health representative  
Jayne Tear, licensing officer as a responsible authority  
Beverley Olamijulo, constitutional officer

### 1. APOLOGIES

There were none.

### 2. CONFIRMATION OF VOTING MEMBERS

The councillors 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

Councillor Sunny Lambe declared an interest with regard to item 6, licensing application Red Sea, 85 Camberwell Road, London SE5 0EZ in that he had previously visited the premises. Councillor Lambe said he has no affiliations to the applicant or the premises.

This was not a disclosable pecuniary interest.

**5. LICENSING ACT 2003: HAWKER HOUSE, CANADA WATER RETAIL PARK, SURREY QUAYS ROAD, LONDON SE16 7PJ**

The licensing officer addressed the sub-committee and explained that he had nothing further to add other than what was presented in the report. There were no questions from members.

The applicant and their representative addressed the sub-committee. There were no questions for the applicant and their representative.

The environmental protection officer addressed the sub-committee. Members had questions for the environmental protection officer.

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 health and safety officer.

All parties were given five minutes for summing up.

The meeting adjourned at 10.35am for the members to consider their decision.

The meeting resumed at 11.20am and the chair advised all parties of the sub-committee's decision.

**RESOLVED:**

That the application made by New London Markets Limited for a time limited premises licence to be granted under Section 17 of the Licensing Act 2003 in respect of the premises known as Hawker House, Canada Water Retail Park, Surrey Quays Road, London SE16 7PJ be granted subject to the relevant mandatory conditions and conditions derived from the operation schedule highlighted in Section M of the application.

**Reasons**

The reasons for the decision are as follows:

The Licensing Sub-Committee heard from the applicant's representative who advised that the application was for a further time limited premises licence as the lease to the site was due to expire in approximately April 2019.

The premises was a street food market within the Canada Water retail park and the application sought the same conditions as permitted under their current licence number 860156. London Union was founded with a mission to transform London's food landscape, using underused and derelict corners of the city into vibrant street food markets, bringing communities together, creating employment and provide opportunities for new food entrepreneurs to establish themselves without the need for large amounts of capital. London Union was backed by some of Britain's most successful restaurateurs, food writers, broadcasters and entrepreneurs.

The applicant had been extremely disappointed that the previous time limited application

attracted over 20 objections from residents and councillors. As a result, significant efforts had been made to engage with the local residents as the applicant wanted Hawker House to be very much a part of the community. The premises now offered free entry to Water Gardens residents and this would be extended to include all new residential blocks being erected in the regeneration, posters and emails were being distributed locally; there had been four meetings with residents the first of which had over 20 attendees, the last meeting showed these numbers reduce to approximately 7; there was a dedicated telephone number for residents to contact the duty manager and the applicant had attempted to conciliate with the two objectors, but they had received no response.

It was noted that no representations had been submitted by responsible authorities.

It was noted that two representations had been submitted by other persons objecting to the application and both objectors lived at the same address. Neither of the objectors attended the meeting.

It was also noted that four representations had been submitted by other persons in support of the application, none of whom attended the meeting.

The Licensing Sub-Committee was impressed with the level of community engagement the applicant had undertaken and it appeared that there was no evidence from the responsible authorities to substantiate the complaints of noise and anti-social behaviour alleged by the objectors. As such, the licence was granted on the same terms as before.

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.

**6. LICENSING ACT 2003: RED SEA, 85 CAMBERWELL ROAD, LONDON SE5 0EZ**

The licensing officer addressed the sub-committee and said there was nothing further to add to the report. There were no questions from members.

The applicant's representative addressed the sub-committee. Members had questions for the applicant's representative.

Following questions, the sub-committee raised concerns regarding:

- Reference to hours of operation not being adhered to
- Non compliance to conditions in regard to live music taking place at the premises
- Conflicting details concerning the names of the licence holders

The meeting adjourned at 12.20pm at the request of the applicant, so she could discuss matters with her representative and the licensing officer as a responsible authority.

The meeting resumed at 12.45pm and the applicant's representative notified the sub-committee that they decided to withdraw their application.

The meeting ended at 12.50 pm

**CHAIR:**

**DATED:**