

Licensing Sub-Committee

MINUTES of the OPEN section of the Licensing Sub-Committee held on Wednesday 14 November 2018 at 10.00 am at Ground Floor Meeting Room G02A - 160 Tooley Street, London SE1 2QH

PRESENT: Councillor Charlie Smith (in the chair)
Councillor Lorraine Lauder MBE (reserve)
Councillor Kath Whittam

OFFICER SUPPORT: Debra Allday, legal officer
Dorcas Mills, licensing officer
Charlie Jerrom, licensing officer
David Franklin, licensing responsible authority officer
Graham White, Metropolitan Police Service
Andrew Weir, constitutional officer

1. APOLOGIES

Apologies were received from Councillor Sirajul Islam. Councillor Lorraine Lauder was in attendance as the reserve member.

2. CONFIRMATION OF VOTING MEMBERS

The members present were confirmed as the voting members.

Councillor Charlie Smith was nominated by Councillor Kath Whittam to chair the meeting. This was seconded by Councillor Lorraine Lauder MBE.

3. NOTIFICATION OF ANY ITEMS OF BUSINESS WHICH THE CHAIR DEEMS URGENT

There were none.

At this point the chair advised that the order of business would be varied to hear item 6 first as the applicant wished to request to defer the item to a future date to allow further conciliation.

4. DISCLOSURE OF INTERESTS AND DISPENSATIONS

There were none.

5. LICENSING ACT 2003, HOP KING BREWERY LIMITED - 16 DRUID STREET, LONDON, SE1 2EY

At this point the chair advised that he was an acquaintance of one of the objectors to item 5. The chair advised that this would have no impact when it came to making the decision.

The licensing officer presented their report. The licensing officer advised that all of the authorities had conciliated. Members had no questions for the licensing officer.

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

The licensing sub-committee heard from two local residents objecting to the application. Members had questions for the local residents.

All parties were given five minutes for summing up.

The meeting adjourned at 11.16am for the members to consider their decision.

The meeting resumed at 11.25am and the chair advised all parties of the decision.

RESOLVED:

That the application made by Hop King Brewery Limited for a premises licence to be granted under Section 17 of the Licensing Act 2003 in respect of the premises known as Hop King Brewery, 16 Druid Street, London SE1 2EY is granted as follows:.

The sale by retail of alcohol (both on and off sales)	Monday to Saturday from 11:00 to 22:30 Sunday from 11:00 to 21:30
Opening hours	Monday to Saturday from 11:00 to 23:00 Sunday from 11:00 to 22:00

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 the council's environmental protection team and licensing as a responsible authority during the conciliation process and the following additional conditions agreed by the sub-committee:

1. That there shall be no more than five patrons that may use the outside smoking area at any one time. No drinks may be taken into this area.

Reasons

The reasons for the decision are as follows:

The licensing sub-committee heard from the applicant who described the premises as primarily being a brewery which stored and distributed craft beer, but would also function as a skateboard entertainment venue located in two railway arches accommodating a skate park, shop, company offices, back of house and with facilities for consumption of alcohol on the premises.

The applicant had another premises within Southwark known as the Beer Rebellion in Gypsy Hill, which was also was a brewery/tap room. No complaints have been received in respect of this now well established premises. The applicant did not foresee the operation of the Hop King Brewery premises being any different. The applicant said that he was passionate not only about the brewing of craft beers, but also with skateboarding, which is an amazing exercise. The premises would allow free entry to the skateboard area, with under 18s only allowed entry before 18:00. The applicant also referred to a meeting that took place the week previously, amongst the local traders on Druid Street and discussed how the traders could enhance the local community. In respect of this, amongst other things, the applicant stated that it was his intention to restore and maintain the outdoor skateboard area in the local park. Regarding the concerns of noise nuisance, noise readings had been taken and no negative readings had been received.

The licensing sub-committee heard from party 5 who raised concerns of public nuisance and noise generated from the premises. They stated that Druid Street already had numerous breweries which were always very noisy, bringing unwanted alcohol related issues such as vomiting and urinating.

The licensing sub-committee heard from party 4 who raised similar concerns and felt that a brewery/skateboard park was essentially a gimmick.

The licensing sub-committee noted that the representations from environmental protection team and licensing as a responsible authority had been conciliated.

The licensing sub-committee considered the application carefully, and whilst it acknowledged that Druid Street was know as the Bermondsey Beer Mile, the Hop King Brewery offered more than just craft beers. At the full licensing committee (7 November 2018) a presentation had been given on Druid Street and the Southwark Low Line, a project regenerating areas, unlocking the potential of the railway arches as flourishing business spaces that support a mix of small and medium size businesses and navigate pedestrians along the Low Line whilst celebrating its special character and providing information about the area's heritage. The licensing sub-committee was impressed that the applicant was embracing this project and would be giving something so positive to the local community.

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, LONDIS, 53 BOROUGH HIGH STREET, LONDON SE1 1NE

The legal representative for the applicant advised that they sought to defer the hearing for three weeks to allow further discussions with the police.

The police and the licensing authority confirmed that this would be in the public interest.

The chair advised that the item would be deferred to 5 December 2018.

RESOLVED:

1. That decision whether or not to issue a counter notice in respect of temporary event notice number 865670, served by Mr Shahid Akhtar, in regards to the event to be held at Londis, 53 Borough High Street, London, SE1 1NE on 1 January 2019 between 01:59 and 08:00 be adjourned to be considered by the Southwark licensing sub-committee on 5 December 2018 at 10:00.
2. That the time be extended to 5 December 2018 as it is considered to be in the public interest pursuant to regulation 11 and 12 of the Licensing Act 2003 (Hearings) Regulations 2005.

The meeting ended at 11.26am.

CHAIR:

DATED: