

Licensing Sub-Committee

MINUTES of the OPEN section of the Licensing Sub-Committee held on Friday 30 November 2018 at 10.00 am at Ground Floor Meeting Room G02C - 160 Tooley Street, London SE1 2QH

PRESENT: Councillor Renata Hamvas (Chair)
Councillor Sunil Chopra
Councillor Sirajul Islam (reserve)

OFFICER SUPPORT: Debra Allday, legal officer
Wesley McArthur, licensing officer
Andrew Weir, constitutional officer

1. APOLOGIES

Apologies were received from Councillor Maria Linforth-Hall. Councillor Sirajul Islam attended as the reserve member.

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: PECKHAM PALMS, UNITS 1-14 BOURNEMOUTH CLOSE, LONDON SE15 4PB

The licensing officer presented their report. They advised that the authorities had

conciliated with the applicant. Members had no questions for the licensing officer.

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

The sub-committee heard from a local resident objecting to the application. Members had questions for the local resident.

All parties were given five minutes for summing up.

The meeting adjourned at 10.54am for the members to consider their decision.

The meeting resumed at 11.12am and the chair advised all parties of the decision.

RESOLVED:

That the application made by Peckham Palms Limited for a premises licence to be granted under Section 17 of the Licensing Act 2003 in respect of the premises known as Peckham Palms, Units 1-4 Bournemouth Close, London SE15 4PB be granted as follows:

- The sale of alcohol to be consumed both on and off the premises:
 - Monday to Sunday from 11:00 to 22:30
- Opening hours of the premises:
 - Monday to Sunday from 11:00 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 the Metropolitan Police Service, environmental protection team and the licensing responsible authority during the conciliation process and the following additional conditions agreed by the sub-committee:

1. That a direct telephone number for the manager at the premises shall be publicly available at all times the premises is open. The telephone number is to be made available to residents in the vicinity.
2. That off sales are only permitted to be sold from the event room when events take place.
3. That at least one SIA licensed door supervisors shall be on duty at the premises at all times whilst it is open for business after 21:00.
4. That when events are taking place, the premises will carry out a risk assessment to determine the number of SIA licensed door supervisors required to be on duty whilst the event is taking place.
5. That there shall be no admittance or re-admittance to the premises after 21:00 with the exception of patrons being permitted to temporarily leave and then re-enter the premises for the purposes of smoking limited to 10 persons at any one time.

6. That only the main entrance on Bournemouth Close will be used for ingress/egress to the premises after 21:00.
7. That smoking shall only be permitted in the external seating area to a maximum of 10 patrons. After 21:00, smokers will be directed to smoke on Rye Lane.
8. That the external area will be rendered unusable after 21:00.
9. That no rubbish, including bottles shall be disposed of in outside receptacles or outside areas between 20:00 and 08:00.

The licensing sub-committee also recommends that the premises will use its best endeavors that one of the SIA licensed door supervisors is female.

Reasons

The licensing sub-committee heard from the applicant who advised that the premises is a new hair and beauty complex with individual hair and beauty salons operating from the space. The complex would also have a food and beverage space with a multifunctional bar serving hot drink, soft drinks, alcoholic beverages and food. There is a small outdoor seated area for food and beverage consumption which will mainly operate during summer. The concept of The Peckham Palms is to focus on female entrepreneurial ventures and to support traders from BAME backgrounds to develop, grow and to allow their businesses to thrive. Whilst the venture is a community based project, the applicant advised that they would like to host some larger scale events with a view to attract a more inclusive audience to the venue with events such as indoor markets with live music or a DJ at Christmas and other notable annual events.

The licensing sub-committee noted that the responsible authorities namely the environmental protection team, the Metropolitan Police Service and licensing as a responsible authority had agreed conditions and therefore withdrew their representations.

The licensing sub-committee also noted the representations of the two other persons, who were local residents from the same household. One of the other persons made verbal representations to the sub-committee opposing the application stating that the premises is located in a residential area and the main entrance to the premises is directly adjacent their back garden and is approximately 15 metres from the bedroom windows of the nearest house and their home will be effected by noise coming from the premises. Reference was also made to the consultation carried out as part of the planning application. Planning is a different regulatory regime which is not a relevant consideration under the licensing regime.

The premises are located in Peckham major town centre area. Closing times as detailed in Southwark's statement of licensing policy for public houses, wine bars or other drinking establishments are Friday and Saturday until 00:00 and Sunday to Thursday until 23:00. For restaurants and cafes and take-away establishments the hours are Friday and Saturday until 01:00, and Sunday to Thursday until 00:00. The premises therefore seek reasonable hours in line with the Southwark's Statement of Licensing Policy.

The venue is not overly large. It has an overall accommodation of 250 persons and in the specific areas the bar would accommodate 36 persons and the event space 40 persons. This licensing sub-committee is satisfied that these premises will not grow into a live music

and/or drinking venue.

Whilst live music etc was withdrawn from the application, this licensing sub-committee want to highlight to local residents that the premises would still be permitted to carry out such activities, by virtue of the Live Music Act which deregulated live amplified music and recorded music between 08:00 and 23:00 on licensed premises for an audience of up to 500 people.

However, with the additional measures included on the premises licence, the sub-committee is satisfied that the premises will be limited impact on the local residents.

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 11.15am.

CHAIR:

DATED: