

Licensing Sub-Committee

MINUTES of the OPEN section of the Licensing Sub-Committee held on Thursday 21 November 2019 at 10.00 am at Room G06 - 160 Tooley Street, London SE1 2QH

PRESENT: Councillor Adele Morris (Vice-chair in the chair)
Councillor Dora Dixon-Fyle MBE
Councillor Maria Linforth-Hall

OFFICER SUPPORT: Nick Ham, legal advisor to the sub-committee
Wesley mcarthur, licensing 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: CASA COLUMBIA, ARCH 141, EAGLE YARD, HAMPTON STREET, LONDON SE1 6SP

The licensing officer presented their report. They advised that the responsible authorities had withdrawn their representations following conciliation with the applicant.

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

No other parties were present. However, the sub-committee considered the written objections of the other persons, namely local residents.

The meeting adjourned at 10.40am for the sub-committee to consider its decision.

The meeting reconvened at 11.11am and the chair advised the applicant of the decision.

RESOLVED:

That the application by Casa Columbia Limited for a premises licence in respect of the premises known as Casa Columbia, Arch 141, Eagle Yard, Hampton Street, London SE1 6SP be granted pursuant to section 18(4)(a) of the Licensing Act 2003 as follows:

Supply of alcohol for consumption on the premises	Monday to Sunday: 11.00 to 22.30
Opening Hours of the Premises	Monday to Sunday: 09.00 to 23.00

Conditions

The operation of the premises under the licence shall be subject to relevant mandatory conditions, the conditions set out in the operating schedule and the additional conditions agreed with the Metropolitan Police Service, Trading Standards and the Licensing Authority.

Reasons

The reasons for the decision are as follows:

This was an application by Casa Columbia Limited for a premises licence in respect of the premises known as Casa Columbia, Arch 141, Eagle Yard, Hampton Street, London SE1 6SP.

Written representations in respect of the application had been received from the Metropolitan Police Service, Trading Standards and the Licensing Authority as responsible authorities. However, these were all withdrawn prior to the hearing on the basis that sets of appropriate licence conditions had been agreed by the applicant.

Written representations had been received from three other persons (local residents), none of whom attended the hearing. Their concerns regarded noise from the premises, the potential for anti-social behavior and the number of similar premises already operating in the area.

The licensing sub-committee heard from the applicant, who emphasised that his business is principally a bakery with customers also having meals. The applicant advised that customers frequently request a glass of wine or a beer with their meal and he would like to provide that. He informed the sub-committee that his business is a much smaller business,

with less impact than others in the area. People do not generally sit outside in winter because of the wind and in summer only a few do so. He further added that there was no question of queues of people standing outside the premises. Smokers are already asked to go to the street about 5 metres away. Problems with local residents have largely revolved around the opening and closing of the shutters at 6.00 a.m. and 10.00 p.m. The sub-committee noted that this has no relevance to the application it was considering.

The licensing sub-committee noted that the premises is not within any cumulative impact zone. It also found that potential problems with noise and anti-social behavior were adequately addressed by the licence conditions agreed with the responsible authorities. In the sub-committee's view, these conditions were sufficient to promote the licensing objectives in this case and would result in minimal disturbance to local residents. The sub-committee also noted that the hours agreed were shorter in this case than the standard hours under the council's statement of licensing policy.

The sub-committee therefore decided to grant the premises licence pursuant to section 18(4)(a) of the Licensing Act 2003 and considered it necessary for the promotion of the licensing objectives to impose the conditions set out above.

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 desires to contend that:

- a) The licence ought not to have been granted; or
- b) 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: