

## Licensing Sub-Committee

MINUTES of the OPEN section of the Licensing Sub-Committee held on Thursday 23 January 2020 at 10.00 am at Room G06 - 160 Tooley Street, London SE1 2QH

---

**PRESENT:** Councillor Renata Hamvas (Chair)  
Councillor Sirajul Islam  
Councillor Kath Whittam

**OFFICER SUPPORT:** Debra Allday, legal officer  
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: CANAVAN'S PECKHAM POOL CLUB, 188 RYE LANE, LONDON SE15 4NF

It was noted that this item had been postponed to the meeting on 20 February 2020, at the request of the applicant.

## **6. LICENSING ACT 2003: TALKING DRUM, 610 OLD KENT ROAD, LONDON SE15 1JB**

The licensing officer presented their report. Members had no questions for the licensing officer.

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

The other person objecting to the application addressed the sub-committee. Members had questions for the other person.

All parties were given five minutes for summing up.

The meeting adjourned at 10.45am for the sub-committee to consider its decision.

The meeting reconvened at 11.09am and the chair advised all parties of the decision.

### **RESOLVED:**

That the application made by Talking Drum London Limited to vary a premises licence to be granted under the Licensing Act 2003 in respect of the premises known as Talking Drum, 610 Old Kent Road, London SE15 1JB be granted as follows:

- The sale of alcohol to be consumed on the premises:

- Sunday to Thursday: 12:00 to 23:00
- Friday and Saturday: 12:00 to 23:30

- Late night refreshment:

Friday and Saturday: 23:00 to 23:30 hours

- Opening hours:

- Sunday to Thursday: 12:00 to 23:30
- Friday and Saturday: 12:00 to 00:00

### **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 following additional condition (as conciliated with the police) and amended condition agreed by the sub-committee:

1. Condition 847 be amended to read: "A personal license holder will be on site from 20:00 hours until close during days of operation".
2. That six monthly meetings taken place with local residents and the physical minutes of those meetings are held with Talking Drum's training records.

### **Reasons**

This was an application to vary the premises licence in respect of Talking Drum. The application

sought to:

- Extend the hours permitted for the sale of alcohol to: Sunday to Saturday from 22:30 hours to 23:30 hours.
- Allow the sale of late night refreshment to : Sunday to Saturday between 23:00 and 23:30
- Extend the opening hours of the premises to: Sunday to Saturday from 23:00 to 00:00 hours
- To amend condition 847 (That there shall be a personal license holder on the premises at all times when the premises are authorised to sell alcohol) to: “That a written document authorising specified staff to make sales of alcohol on behalf of the designated premises supervisor shall be kept at the premises and shall be prominently displayed at the bar service area where it can easily be seen and read. The authorisation document shall be kept free from obstructions at all times. The authorisation document shall be shown to officers of the council or police on request.”

The applicant advised the licensing sub-committee that the reason for application was to make the premises more competitive. Other restaurants in the locality had later licences and the current hours on Talking Drum’s licence was driving customers away. The applicant understood the reasoning for the objections from the other persons, but there was absolutely no intention to operate as a nightclub. The applicant advised that they had reached out to the local tenants and residents association (TRA), but this had not been reciprocated. As a result, a letter was sent to the TRA, highlighting the conditions as approved by the licensing sub-committee previously that would prevent the premises from becoming a nightclub. The applicant also referred to the temporary event notice that took place over New Year, which had passed without complaint.

The licensing sub-committee heard from one of the other persons who opposed the variation application on the basis that they believed that the applicant was attempting to revive the old Luxford Bar and disturbance would start again. They advised that since Luxford Bar had its premises licence revoked the area had become a lot calmer. They felt that the licensing sub-committee should not extend the hours of the premises operation as the premises was located in a residential area.

The other person was informed by the chair of the sub-committee that Luxford Bar no longer operated and since its demise, there had been no complaints received in respect of Talking Drum. Each application considered by the licensing sub-committee was considered on its own merit and the same would apply here.

The licensing sub-committee noted that that the Metropolitan Police Service had conciliated with the applicant and withdrew their representation.

The licensing sub-committee was sympathetic to the concerns raised by the other persons, particularly since Talking Drum had only operated for only a few months before this variation application was submitted. However, when the premises licence was granted on 16 September 2019, conditions were added that would prevent it being anything other than a restaurant bar. Southwark’s statement of licensing policy identifies the premises as being located in a residential area. Upon closer examination of the locality this licensing sub-committee considered that this is a grey area more akin to a “busy mixed use area”. For this reason, the licensing sub-committee agreed to extend the hours to those stated at the top of this decision.

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 desires to contend:

- a) That the 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 11.12am.

**CHAIR:**

**DATED:**