



LICENSING SUB-COMMITTEE

MINUTES of the Licensing Sub-Committee held on Monday 12 July 2010 at 10.00 am at Room G02c - 160 Tooley Street, Ground Floor

PRESENT: Councillor Lorraine Lauder MBE (Chair)
Councillor Eliza Mann
Councillor the Right Revd Emmanuel Oyewole

**OTHERS
PRESENT:** Biagio Caroleo, applicant
Peter Tilly, agent for applicant
Councillor Adele Morris (ward councillor)
Paul Murphy, local resident
Samantha Shaw, local resident
Kathryn Grant, local resident
Susan Gardiner, local resident
Leidilom Bernardo, local resident

**OFFICER
SUPPORT:** Kristie Ashenden, licensing officer
Kate Heap, legal officer
Virginia Wynn-Jones, constitutional officer

1. APOLOGIES

There were no apologies.

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

The chair agreed to accept one local resident's submission as late and urgent.

4. DISCLOSURE OF INTERESTS AND DISPENSATIONS

There were none.

5. LICENSING ACT 2003 - BIAGIO@BANKSIDE, 32 SOUTHWARK BRIDGE ROAD, LONDON, SE1 9EU

The licensing officer presented her case. Members had no questions for the licensing officer.

The representative for the applicants addressed the sub-committee. Members had questions for the representative.

The local resident objectors and ward councillor addressed the sub-committee. Members had questions for the local residents and ward councillor.

Each party was given 5 minutes to sum up.

The sub-committee went into closed session at 11.50am. The meeting resumed at 12.15pm.

RESOLVED:

That the application by Biagio Caroleo for the variation of the Premises Licence issued under the Licensing Act 2003 in respect of Biagio@Bankside, 32 Southwark Bridge Road, London, SE1 9EU is refused.

Reasons

The licensing sub-committee heard representations from Mr Tilly on behalf of the applicant. The licensing sub-committee considered the oral representations of Mr Andrew Parton, Chair of the Anchor Terrace Residents' Association, Ms Susan Gardiner, Mr Paul Murphy and Councillor Adele Morris, ward councillor for Cathedrals ward. The licensing sub-committee also considered all the written representations, and had particular regard to the representations from parties B, F and G. The licensing sub-committee noted that the police had withdrawn their objection as the applicant had agreed to the conditions requested to address primarily the prevention of crime objective.

The licensing sub-committee was not satisfied that the applicant had adequately addressed the licensing objective of the prevention of nuisance having regard to the fact that the premises are situated within the area of the special policy for Borough and Bankside and in close proximity to a high concentration of residential premises. Accordingly, the licensing sub-committee considered it necessary and proportionate to promote the licensing objectives to refuse the application.

Appeal Rights

The applicant or any person who made relevant representations to the application may appeal against the decision of the sub-committee.

Any appeal must be made to the magistrate court for the petty sessions area in which the premises are situated. Any appeal must be commenced by notice of

appeal given by the appellant to the justices' chief executive for the magistrate's 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 closed at 12:30pm.

CHAIR:

DATED: