



Licensing Sub-Committee

MINUTES of the OPEN section of the Licensing Sub-Committee held on Wednesday 1 September 2010 at 10.00 am at Town Hall, Peckham Road, London SE5 8UB

PRESENT:	Councillor Catherine Bowman (Chair) Councillor Eliza Mann Councillor Althea Smith
OTHERS MEMBERS:	Tobias Jackson, +Venture Graeme Harris, agent for the applicant Madeleine Worrall, local resident Joseph Borg, local resident Katherine Berry, local resident Kristin Watt-Bonar, local resident Alan Blissett, environmental protection team
OFFICER SUPPORT:	Dorcas Millis, licensing officer Kate Heap, legal officer Sean Usher, constitutional team Bola Roberts, constitutional team (observing)

1. APOLOGIES

Apologies for lateness were received from Councillor Eliza Mann.

2. CONFIRMATION OF VOTING MEMBERS

The three members present were confirmed as the voting members. In the absence of the chair of the licensing committee, Councillor Catherine Bowman acted as chair of the sub-committee.

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

There were no late items but the licensing officer circulated photographs of the premises to confirm the works required by the noise team had been carried out.

4. DISCLOSURE OF INTERESTS AND DISPENSATIONS

There were none.

5. LICENSING ACT 2003 - ADVENTURE +, 72 LORDSHIP LANE, LONDON SE22 8HF

The licensing officer presented her report and introduced a letter on behalf of Ms Catherine Berry. The letter was a letter of objection rather than a letter of support so the letter was rejected by the sub-committee as it had been received after the deadline.

The applicant and his agent then presented to the sub-committee. Members had questions for the applicant. The local residents had questions for the applicant.

The noise officer addressed the sub-committee and informed them that on completion of the requested works, he was satisfied that noise containment had been addressed and that he would be withdrawing his objection based on the noise containment issue. The noise officer discussed the issue of noise related to dispersal and proposed remedial conditions. Members had questions for the officer. Local residents had questions for the officer.

The chair asked the 5 members of the public to address the sub-committee or nominate a spokesperson. The members of the public chose to speak in turn. Members had questions for the local residents. The applicant had questions for the local residents. The noise officer had questions for the local residents.

All parties were then given 5 minutes to sum up. At 12.03pm the meeting went into closed session. The meeting resumed at 1.19pm. The chair announced the following decision.

RESOLVED:

The licensing sub-committee having considered the application by +Venture Battersea Limited for a variation of a Premises Licence issued under the Licensing Act 2003 in respect of Adventure +, 72 Lordship Lane, London SE22 have decided to refuse with the following exceptions and conditions:

Licensable Activity	Monday to Wednesday	Thursday	Friday and Saturday	Sunday
Recorded Music	10.00- 00.00	10.00-01.00	10.00- 02.00 10.00- 02.00	10:00-00:00
These hours are in line with the hours applicable to the existing sale and supply of alcohol.				

Conditions

Licence conditions 340 and 341 are removed and replaced by the following conditions, worded in accordance with the conditions numbered 1 and 2 in the police letter of representation dated 30 July 2010 (pages 83 and 84 of the agenda).

Condition 340: That Security Industry Association (SIA) registered door supervisors, at least one of whom shall be a female, shall be employed at all times after 22.30 when the

terminal hours is after 00.30 and provided with hand held metal detection units in order to ensure that searches are carried out in respect of all admissions to the premises, whether members of the public or performers and their assistants and mechanical counting devices to ensure that the maximum accommodation limit of the premises is not exceeded.

Condition 341: That you shall require any regular and external promoters hiring the premises to complete the 'Venue Hire Agreement' and, once completed, you shall ensure that a copy of the agreement is provided to the Police Licensing Unit a minimum of fourteen days prior to the date of hire.

Reasons

The reasons for this decision are as follows:

The licensing sub-committee considered all the written representations and heard oral representations from Alan Blissett, principal environmental health officer and five local residents. Mr Tobias Jackson and his licensing agent made submissions on behalf of the applicant, +Venture Battersea Limited. The sub-committee noted that the Metropolitan Police representation had been conciliated and that the applicant had agreed to incorporate two new conditions as drafted by the police (on pages 83 and 84 of the agenda) and listed above, to replace the existing conditions 340 and 341.

Having heard from the applicant and Mr Blissett, the sub-committee was satisfied that the applicant had taken satisfactory steps to address the licensing objective of the prevention of nuisance by reason of the escape of music from the premises. Having considered the written representations of local residents and having heard from those residents present, the sub-committee was not satisfied that the applicant had adequately addressed the licensing objective of the prevention of nuisance in so far as it related to anti-social behaviour as aggravated by the excessive consumption of alcohol.

The sub-committee noted that two sixteen year old girls had recently been admitted to the premises and had been served alcoholic cocktails. The sub-committee was not satisfied that the bar staff and door staff were taking adequate steps to refuse entry and service to those under the influence of alcohol. The sub-committee noted that the premises had no outdoor space and that many complaints related to the consequences of drunken behaviour outside the premises and in nearby streets, in particular, fighting, shouting, slamming of car doors, public urination and vomiting. The sub-committee noted that Mr Jackson, the designated premises supervisor, visited the premises once or twice a week and appeared to be unaware of these problems which residents stated had been exacerbated since the licence was varied on 20 April 2009. The sub-committee noted that resident A20 (page 62 of the agenda) complained of nuisance on three occasions when a Temporary Event Notice (TEN) had been granted in July 2010.

Accordingly the sub-committee considered it was both necessary and proportionate, having regard to the licensing objective of the prevention of nuisance to refuse the application in so far as it related to the extension of hours for licensable activities.

The details of the variation granted are detailed above.

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 desire to contend that

- a) That 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 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 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 closed at 1.23pm.

CHAIR:

DATED: