

Licensing Sub-Committee

MINUTES of the OPEN section of the Licensing Sub-Committee held on Monday 4 October 2010 at 10.00 am at Town Hall, Peckham Road, London SE5 8UB

PRESENT: Councillor Ian Wingfield
Councillor Lorraine Lauder MBE (Chair)
Councillor Wilma Nelson

**OTHERS
PRESENT:** Charles Hunt, British School of Osteopathy (Applicant)
Michael Cox, British School of Osteopathy (Applicant)
Elizabeth Carter, British School of Osteopathy (Applicant)

Patrick Crockford, local resident
Kathryn Crockford, local resident
Mart Stojanova, local resident
Kevin O'Neill, local resident
Fiona Clouder Richards, local resident

**OFFICER
SUPPORT:** Kristie Ashenden, licensing officer
David Perry, legal officer
Sean Usher, constitutional team

1. APOLOGIES

There were none.

2. CONFIRMATION OF VOTING MEMBERS

The three members present were confirmed as the voting members.

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

The licensing officer circulated a copy of the conciliation document produced by the applicant.

4. DISCLOSURE OF INTERESTS AND DISPENSATIONS

There were none.

5. LICENSING ACT 2003 - BRITISH SCHOOL OF OSTEOPATHY STUDENTS CLUB, 275 - 287 BOROUGH HIGH STREET, LONDON, SE1 1JE

It was agreed by all parties to open the meeting at 10am and adjourn until 10.30am to allow members, the applicant and the public to attend.

At 10.30am the chair resumed the meeting.

The licensing officer presented her report. Members had questions for the officer.

The applicant, including the representative of the College and the Student Union, addressed the sub-committee. Members had questions. The local residents had questions.

The five local residents present then addressed the sub-committee. Members had questions. The applicant had questions.

All parties were then give five minutes to sum up in reverse order.

The meeting went into closed session at 12:00pm.

The meeting resumed at 12.25pm and the chair then read out the decision as set out below.

RESOLVED:

That the application by British School of Osteopathy Students Club for the variation of the club premises certificate issued under the Licensing Act 2003 in respect of British School of Osteopathy Students Club, 275 - 287 Borough High Street, London, SE1 1JE is refused.

Reasons

The reasons for this decision are as follows:

The sub-committee heard evidence from the applicant and five local residents and considered the written representations of a further eight residents.

The premises are within the Borough & Bankside saturation zone. The sub-committee was satisfied after considering the representations of residents, that the variation would add to the impact of licensed premises in the area, in particular, noise nuisance. Having heard from the applicant the sub-committee were not satisfied that the operating schedule would prevent this increase in the cumulative impact on nuisance in the area.

Having taken into consideration the four licensing objectives and the increased impact on nuisance in the Borough & Bankside saturation zone, which will not be prevented by the applicant's operating schedule, the sub-committee was resolved to refuse the application.

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 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: