

## **Licensing Sub-Committee**

MINUTES of the OPEN section of the Licensing Sub-Committee held on Monday 30 January 2012 at 10.00 am at Ground Floor Meeting Room G02B - 160 Tooley Street, London SE1 2QH

---

**PRESENT:** Councillor Sunil Chopra  
Councillor Dora Dixon-Fyle  
Councillor Althea Smith

**OTHERS  
PRESENT:** Catherine Brindley, applicant  
Jamie Hooper, licensee  
Cameron MacLean, licensee's representative  
Tom Harris, local resident  
Andrew Mayer, local resident  
P J Flynn, local resident  
Ana Claudia Menezes, local resident  
Andrew Mayer, local resident  
Owain McNeill, local resident  
Councillor Veronica Ward, ward councillor

**OFFICER  
SUPPORT:** Alan Blissett, principal environmental protection officer  
Dorcas Mills, licensing officer  
Felix Rechtman, legal officer  
Andrew Weir, constitutional officer

### **1. APOLOGIES**

There were no apologies.

### **2. CONFIRMATION OF VOTING MEMBERS**

The three members present were confirmed as voting members.

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

There were none.

#### **4. DISCLOSURE OF INTERESTS AND DISPENSATIONS**

Councillor Sunil Chopra, personal and non prejudicial, had attended a Labour party social on the premises.

Councillor Althea Smith, personal and non prejudicial, had attended a Labour party social on the premises.

Councillor Dora Dixon-Fyle, personal and non prejudicial, had attended a Labour party social on the premises.

#### **5. LICENSING ACT 2003 - HOOPERS BAR & CAFE, 28 IVANHOE ROAD, LONDON SE5 O2DH REVIEW**

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

The sub-committee heard from the applicant for the review. Members had questions for the applicant for the review.

The sub-committee heard from interested parties in support of the review. Members had questions for the interested parties.

The principal environmental protection officer addressed the sub-committee. Members had questions for the officer.

The sub-committee heard from interested parties, including Ward Councillor Veronica Ward. Members had questions for the interested parties.

The sub-committee heard from the licensee and his representative. Members had questions for the licensee and his representative.

The chair allowed five minutes for parties to question each other.

All parties were given five minutes to sum up. At 12.36pm the meeting went into closed session to consider the application.

At 2.10pm the meeting resumed and the chair read out the decision as follows:

#### **RESOLVED:**

The council's licensing sub-committee, having had regard to the application by a local resident for a review of the premises granted under the Licensing Act 2003 to Letthegoodtimesroll Ltd in respect of the premises known as Hoopers Bar and Cafe, 28 Ivanhoe Road, London SE5 2DH and having had regard also to all other relevant representations has decided it necessary for the promotion of the licensing objectives to:

Modify the conditions of the licence as follows:

- That live music shall be restricted to 11.00pm on Fridays and Saturdays

- That recorded music shall be restricted to 11.00pm on Fridays and Saturdays
- That no drinks shall be allowed outside after 10.00pm any day of the week
- That the external areas are not to be used after 11.00pm any day of the week
- That the existing condition 351 shall be removed.

## **Reasons**

This was a hearing of an application by a local resident for a review of the Premises Licence in respect of the premises known as Hoopers Bar. This application was made under section 51 of the Licensing Act.

The sub-committee heard submissions from the applicant that the premises presented a noise nuisance to surrounding residential premises and therefore applied for a review of the premises licence under section 51.

The applicant mainly complained about noise generated during live music events and recorded music events at the premises during the evening/night. The applicant, who lives only a short distance from the premises in question, submitted that the noise at night was intolerable and that some nights she could not even listen to the TV in her house in view of the noise from the premises. The applicant further submitted that in addition to music noise, that the patrons of the premises caused substantial further noise when they stand outside in the smoking area and that this was also adversely affecting her and other residents in the area. The applicant further submitted that she had a number of local residents who supported this review application and the sub-committee heard from several other residents that they had similar concerns to the one expressed by the applicant whereby the premises caused noise nuisance due to loud music and people standing outside smoking and making noise. Both the applicant and all those residents who supported the review application made it absolutely clear that they did not wish the pub to close but that their main concern was controlling noise during the night.

The sub-committee also heard evidence from the council's environmental protection team that the environmental protection team had some concerns about the operation of the premises and had some further concerns about the actual conditions which are on the existing licence as these conditions were somewhat misleading but the officer from the environmental protection team made it clear that he was in attendance at the sub-committee in order to assist the committee and was not there in order to formally support this review application as he did not have sufficient evidence for doing so.

The sub-committee then heard evidence from the licensee that the licensee has taken many steps in recent years to try and improve the situation by installing double lobby doors and by making other arrangements as requested and therefore submitted that the premises were being managed properly and that the licence should not be touched in the circumstances in order to allow the business to continue operating profitably or at all. The licensee also submitted that he had previously listen to complaints from local residents and that he has done his best to try and address all the concerns expressed to date and therefore asked the sub-committee not to vary the licence or add any condition to the

same. In addition to the licensee, the sub-committee was also directed to a large number of letters in support of the premises and further the sub-committee heard from a ward councillor and a number of residents that in their view the premises were managed properly and that they, as residents who live nearby the premises, had no complaints about noise nuisance but that in their view the premises were an asset for the community and that the licence should not be adversely affected.

The sub-committee found that, at present, the premises do cause a certain degree of public nuisance to local residents late at night and therefore the sub-committee decided in the circumstances in order to promote the licensing objectives of preventing public nuisance, that it was necessary to restrict the hours for live and recorded music to 11.00pm on Fridays and Saturdays. This minor restriction the sub-committee found was necessary and proportionate in the circumstances in order to address some of the residents' concerns about public nuisance while allowing the pub to operate without major restrictions on the way it does its business. Here the sub-committee also considered that noise generated by people standing outside the premises and smoking was a further example of public nuisance and therefore found it necessary to impose a restriction on the licence whereby no drinks will be allowed outside the premises after 10.00pm and that the external areas are not to be used after 11.00pm. In view of these further reductions, the sub-committee found it necessary to remove condition 351 from this licence and to amend condition 342, as stated above to make it absolutely clear that no drinks are allowed outside the pub after 10.00pm any day of the week.

### **Appeal Rights**

That the licensee and any person who made relevant representations in relation to the application 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 designated officer 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 2.20pm.

**CHAIR:**

**DATED:**