

## Licensing Sub-Committee

MINUTES of the OPEN section of the Licensing Sub-Committee held on Friday 17 August 2012 at 10.00 am at Ground Floor Meeting Room G02A - 160 Tooley Street, London SE1 2QH

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<b>PRESENT:</b>	Councillor Sunil Chopra (Chair) Councillor David Hubber Councillor Althea Smith
<b>OTHERS PRESENT:</b>	Gavin Evans, applicant Alun Thomas, applicant's agent
<b>OFFICER SUPPORT:</b>	Wesley McArthur, licensing officer David Paabo, legal officer Everton Roberts, constitutional officer

### 1. APOLOGIES

There were no apologies for absence.

### 2. CONFIRMATION OF VOTING MEMBERS

Those members listed as present, were confirmed as the voting members for the meeting.

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

There were no late items.

### 4. DISCLOSURE OF INTERESTS AND DISPENSATIONS

There were no disclosures of interests or dispensations.

### 5. LICENSING ACT 2003 - MILLENNIUM DIAMOND, CHERRY GARDEN PIER, BERMONDSEY WALL EAST, LONDON SE16 4TU

The licensing officer presented his report. He advised the sub-committee that the interested party was unable to attend the meeting, however he had stated that he wished for his representations to still be considered.

The sub-committee heard representations from the applicant and the applicants agent. The sub-committee asked questions of the applicant. Following questions, the applicant was invited to sum up.

At 10.34am it was moved, seconded and resolved that the press and public be excluded from the meeting to allow the sub-committee to consider the evidence.

At 10.57am the public were readmitted to the meeting and informed of the sub-committee's decision as follows:

**RESOLVED:**

That the application made by City Cruises Ltd for a premises licence to be granted under the Licensing Act 2003 in respect of the premises known as the Millennium Diamond, Cherry Garden Pier, Bermondsey Wall East, London SE16 4TU be granted as follows:

<b>Licens- able Activity</b>	<b>Mon</b>	<b>Tues</b>	<b>Wed</b>	<b>Thur</b>	<b>Fri</b>	<b>Sat</b>	<b>Sun</b>
(b) Films	10:00 – 02:00	10:00 – 02:00	10:00 – 02:00	10:00 – 02:00	10:00 – 02:00	10:00 – 02:00	10:00 – 02:00
(e) Live Music	10:00 – 02:00	10:00 – 02:00	10:00 – 02:00	10:00 – 02:00	10:00 – 02:00	10:00 – 02:00	10:00 – 02:00
(f) recorded music	10:00 – 02:00	10:00 – 02:00	10:00 – 02:00	10:00 – 02:00	10:00 – 02:00	10:00 – 02:00	10:00 – 02:00
(g) perform- ances of dance	10:00 – 02:00	10:00 – 02:00	10:00 – 02:00	10:00 – 02:00	10:00 – 02:00	10:00 – 02:00	10:00 – 02:00
(h) Anything of a similar descrip- tion to (e), (f) or (g)	10:00 – 02:00	10:00 – 02:00	10:00 – 02:00	10:00 – 02:00	10:00 – 02:00	10:00 – 02:00	10:00 – 02:00
(i) provision of facilities for making music	10:00 – 02:00	10:00 – 02:00	10:00 – 02:00	10:00 – 02:00	10:00 – 02:00	10:00 – 02:00	10:00 – 02:00
(j) Provision of facilities for dancing	10:00 – 02:00	10:00 – 02:00	10:00 – 02:00	10:00 – 02:00	10:00 – 02:00	10:00 – 02:00	10:00 – 02:00

<b>Licens- able Activity</b>	<b>Mon</b>	<b>Tues</b>	<b>Wed</b>	<b>Thur</b>	<b>Fri</b>	<b>Sat</b>	<b>Sun</b>
(k) provision of facilities for entertainment of a similar description to (i) or (j)	10:00 – 02:00	10:00 – 02:00	10:00 – 02:00	10:00 – 02:00	10:00 – 02:00	10:00 – 02:00	10:00 – 02:00
(l) late night refreshment	23:00 – 02:00	23:00 – 02:00	23:00 – 02:00	23:00 – 02:00	23:00 – 02:00	23:00 – 02:00	23:00 – 02:00
(m) supply of alcohol	10:00 – 02:00	10:00 – 02:00	10:00 – 02:00	10:00 – 02:00	10:00 – 02:00	10:00 – 02:00	10:00 – 02:00
(o) hours premises are open to the public	10:00 – 02:00	10:00 – 02:00	10:00 – 02:00	10:00 – 02:00	10:00 – 02:00	10:00 – 02:00	10:00 – 02:00

### **Conditions**

In addition to the hours granted above, the following conditions will apply:

1. There shall be no promoted events at the premises. A promoted event is an event involving music and dancing where the musical entertainment is provided at any time between 23:00 and 07:00 by a disc jockey or disc jockeys one or some of whom are not employees of the premises licence holder and the event is promoted to the general public.
2. When the premises is in operation and regulated entertainment is being provided and the terminal hour for any particular event is greater than 00:00 then the premises will employ the services of security personnel registered with the Security Industry Authority (SIA). The designated premises supervisor will be responsible for recording the details of all security personnel, to include SIA badge number employing company and time they commenced work at the premises. This will be recorded and made available for inspection by police or other authorised officer on request.
3. The security personnel will be employed solely for the purpose of security screening, crowd management, conflict management and to facilitate the safe entry and exit from the premises. The security personnel will be employed solely for the above

purposes and should not have any other or additional responsibility with regard to the operation of the vessel. They will be employed by the premises and not by any outside promoter or any other persons hiring the premises.

4. All staff involved with the sale of alcohol shall have regular training with regard to their responsibilities under the licensing act 2003. A record of this training will be maintained and made available for inspection on request of the police or other authorised officer.
5. There shall be no embarkation or disembarkation of customers and/or passengers from the vessel via Cherry Garden Pier after 00:15 on any day or via Butlers Wharf or Bankside Piers after 23:00 on any day.
6. The premises shall operate an agecheck 'Challenge 25' policy whereby customers purchasing alcohol who look or appear to be under 25 years of age will be asked for an approved form of proof of age to verify their age. Approved forms shall include a driving licence, passport or a PASS approved proof of age card such as the Southwark Proof of Age (SPA) card.
7. All staff involved in the sale of alcohol shall be trained in the agecheck 'Challenge 25' policy. A record of their training, including the dates that each member of staff is trained, shall be available for inspection at the premises on request by the council's authorised officers or the police.
8. Agecheck or 'Challenge 25' signage shall be displayed at entrances to the premises, areas where alcohol is displayed for sale and at points of sale to inform customers that an agecheck 'Challenge 25' policy applies and proof of age may be required.
9. A register of refused sales of alcohol and if applicable, cigarette sales which is clearly marked with details of the premises, address and name of licence holder shall be maintained in order to demonstrate effective operation of the policy. The register shall be available for inspection at the premises on request by the council's authorised officers or the police.

### **Reasons**

This was an application for a premises licence for the boat, 'Millennium Diamond'. The place of usual mooring is Cherry Garden Pier SE16 and for this reason the premises licence was sought in respect of that location notwithstanding the intention to conduct cruises on the river.

Following the application a number of detailed and well considered conditions were agreed as between the applicant and the police, trading standards department, the planning department and the environmental health department. These conditions go along way to meeting the licensing objectives. The conditions cover the use of the pier, security personnel and, staff training.

The sub-committee heard from the applicant and his lawyer and were satisfied that he was a reputable operator and that the boat being new was structurally appropriate for the prevention of noise nuisance. The sub-committee noted that approximately eight other operators used the pier for mooring and there was no evidence that this had impacted on

the licensing objectives.

The sub-committee carefully considered the representation made by a local resident. This representation focused primarily on noise arising from cruise boats on the river generally and not in relation to this specific boat. The sub-committee considered that if problems were to arise from the use of this boat then local residents should make an application for the review of this licence.

In the circumstances the sub-committee decided to grant the application in its modified form incorporating each of the conditions agreed with the responsible authorities.

### **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 11.00am.

**CHAIR:**

**DATED:**