



Licensing Sub-Committee

MINUTES of the OPEN section of the Licensing Sub-Committee held on Tuesday 18 September 2012 at 10.00 am at Ground Floor Meeting Room G02A - 160 Tooley Street, London SE1 2QH

PRESENT: Councillor Sunil Chopra (Chair)
Councillor The Right Revd Emmanuel Oyewole
Councillor Ian Wingfield

OTHERS PRESENT: Councillor David Noakes
Lourdes Barnes, Kentucky Fried Chicken representative
Zhi An, Kentucky Fried Chicken representative
Richard Thomson, London South Bank University representative
Stephen Kay, London Southbank University representative

OFFICER SUPPORT: Debra Allday, legal officer
Wesley McArthur, licensing officer
Andrew Weir, constitutional officer
Sean Usher, constitutional officer (observing)

1. APOLOGIES

There were none.

2. CONFIRMATION OF VOTING MEMBERS

The 3 members present were confirmed as the voting members.

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

There was none.

4. DISCLOSURE OF INTERESTS AND DISPENSATIONS

There were none.

5. LICENSING ACT 2003 - KENTUCKY FRIED CHICKEN, 35 CAMBERWELL CHURCH, STREET, LONDON SE5 8TR

The licensing officer presented his report. There were no questions.

No objectors were in attendance.

The applicant addressed the sub-committee. Members had questions.

The applicant was given five minutes to sum up.

At 10.20am the sub-committee went into closed session. At 10.55am the sub-committee resumed in open session and the chair read out the decision.

RESOLVED:

That the application by Kentucky Fried (GB) limited for a variation of a premises licence issued under the Licensing Act 2003 in respect of Kentucky Fried Chicken, 35 Camberwell Church Street, London SE5 8TR is granted as follows:

	Monday to Thursday	Friday	Saturday	Sunday
Extended Activities				
Late night refreshment		02.00-03.30	02.00-03.30	
Opening hours of premises		02.00-04.00	02.00-04.00	

Conditions

The following additional conditions shall apply:

1. That a litter pick shall take place before 11.00pm, 50 yards around the premises.
2. That a litter pick shall take place at 7.00am, 50 yards around the premises.

Reasons

This was an application by by Kentucky Fried (GB) limited for a variation of a premises licence issued under the Licensing Act 2003 in respect of Kentucky Fried Chicken, 35 Camberwell Church Street, London SE5 8TR.

The sub-committee noted the objection from the local resident concerning the issue of littering under the licensing objective of the prevention of nuisance.

The licensing sub-committee heard evidence from the applicant who advised that it was company policy to carry out at least five litter picks each day within a 50 yard radius of the premises. The last being carried out at 7.00pm. Any litter picks carried out after that time

would be undertaken by two members of staff for security reasons.

The licensing sub-committee considered that it was necessary and proportionate for the prevention of public nuisance to impose conditions in respect of the 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.

6. LICENSING ACT 2003 - LONDON SOUTH BANK UNIVERSITY STUDENT CENTRE, 103 BOROUGH ROAD, LONDON SE1 0AA

The licensing officer presented his report and a late item (an updated operating schedule and a document relating to security arrangements) was circulated to all parties. Members had no questions for the licensing officer.

The applicant addressed the sub-committee. Members had questions. The local ward councillor, Councillor David Noakes, had questions for the applicant.

Councillor Noakes addressed the sub-committee and members had questions for the councillor.

All parties were given five minutes to sum up.

At 11.40am the sub-committee went into closed session to consider the application. At 12.40pm the sub-committee returned and the chair read out the decision.

RESOLVED:

That in respect of the application submitted by London South Bank University for a provisional statement in respect of London South Bank University Student Centre, 103 Borough Road, London SE1 0AA, the sub-committee issues the following statement:

That, if the outstanding works are completed, the sub-committee would be minded to grant a premises licence for the hours and activities specified below, together with the conditions

specified below which the sub-committee considers appropriate to meet the licensing objectives.

Please note, a provisional statement is not a permission to conduct licensable activities. An application for a premises licence shall be required at a later date.

Licensable Activity	Monday to Wednesday	Thursday	Friday and Saturday	Sunday
(a) Plays	09:00 – 00:30	09:00 – 01:30	09:00 – 03:00	09:00 – 22:30
(b) Films	09:00 – 00:30	09:00 – 01:30	09:00 – 03:00	09:00 – 22:30
(e) Live Music	09:00 – 00:30	09:00 – 01:30	09:00 – 03:00	09:00 – 22:30
(f) recorded music	09:00 – 00:30	09:00 – 01:30	09:00 – 03:00	09:00 – 22:30
(g) performances of dance	09:00 – 00:30	09:00 – 01:30	09:00 – 03:00	09:00 – 22:30
(h) Anything of a similar description to (e), (f) or (g)	09:00 – 00:30	09:00 – 01:30	09:00 – 03:00	09:00 – 22:30
(i) provision of facilities for making music	09:00 – 00:30	09:00 – 01:30	09:00 – 03:00	09:00 – 22:30
(j) Provision of facilities for dancing	09:00 – 00:30	09:00 – 01:30	09:00 – 03:00	09:00 – 22:30
(k) provision of facilities for entertainment of a similar description to (i) or (j)	09:00 – 00:30	09:00 – 01:30	09:00 – 03:00	09:00 – 22:30
(l) late night refreshment	23:00 – 00:30	23:00 – 01:30	23:00 – 03:00	N/A
(m) supply of alcohol	11:00 – 00:30	11:00 – 01:30	11:00 – 03:00	12:00 – 22:30
(o) hours premises are open to the public	09:00 – 01:00	09:00 – 02:00	09:00 – 03:30	09:00 – 23:00

Conditions

In addition to the hours specified above, the following conditions are considered appropriate to meet the licensing objectives:

1. The conditions in the amended operating schedule entitled “Application for a Provisional Statement to be granted under the Licensing Act 2003” be included subject to the amended hours as detailed above.
2. That condition 3 of Appendix 3 of the amended operating schedule have the additional words: “after 8 o’clock in the morning”.

3. That the conditions as set out in the document entitled "Security Deployment" (dated 13 September 2012) be included.

Reasons

This was an application submitted by London South Bank University for a provisional statement in respect of London South Bank University Student Centre, 103 Borough Road, SE1 0AA.

The licensing sub-committee heard from the licensing officer that the three responsible authorities had withdrawn their representations following receipt of the operating schedule entitled "Application for a Provisional Statement to be granted under the Licensing Act 2003".

The licensing sub-committee also heard evidence from the applicant and the ward councillor, Councillor David Noakes.

The ward councillor gave evidence concerning issues of crime and disorder and nuisance that he had been advised of by local residents. The sub-committee noted that none of these issues had been submitted as formal representations. However, the licensing sub-committee considered that it was appropriate and proportionate when taking into account the Southwark saturation policy and the prevention of public nuisance, prevention of crime and disorder, to impose these conditions.

Appeal rights

That the applicant 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 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 12.45pm.

CHAIR:

DATED: