



Licensing Sub-Committee

MINUTES of the OPEN section of the Licensing Sub-Committee held on Tuesday 22 January 2013 at 10.00 am at Ground Floor Meeting Room G01A - 160 Tooley Street, London SE1 2QH

PRESENT:	Councillor Renata Hamvas (Chair) Councillor Michael Mitchell Councillor Althea Smith
OTHERS PRESENT:	Mr John Ampem, applicant Mr Alan Abuott, applicant's representative Graham White, Metropolitan Police Ian Clements, Metropolitan Police
OFFICER SUPPORT:	Debra Allday, legal officer Rupider Binning, legal officer Wesley McArthur, licensing officer Sarah Newman, environmental protection officer Alan Blissett, environmental protection officer Mark Prickett, environmental protection officer Kenny Uzodike, constitutional officer

1. APOLOGIES

There were apologies for absence from Councillor Sunil Chopra.

2. CONFIRMATION OF VOTING MEMBERS

The three members present were confirmed as voting members. In the absence of the chair and with the consent of the other members present, Councillor Renata Hamvas, chaired the sub-committee.

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

There were none.

The environmental protection officer had additional photographs to circulate. The chair agreed for these to be considered after consent from the applicant's representative.

4. DISCLOSURE OF INTERESTS AND DISPENSATIONS

There were none.

5. LICENSING ACT 2003 - BIAGIO@BANKSIDE, 32 SOUTHWARK BRIDGE ROAD, LONDON SE1 9EU

The licensing officer addressed the sub-committee. Members had no questions for the licensing officer.

The meeting was adjourned at 10.25am at the applicant's representative's request to give him time to read the report.

The meeting was reconvened at 10.30am.

The chair agreed to extend the presentation time to the committee by five minutes at the applicant's representative's request.

The applicant's representative addressed the sub-committee and answered members' questions.

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

Officers from the Metropolitan Police addressed the sub-committee. Members had questions for the police officers.

All parties were given five minutes to make closing statements.

The sub-committee went into closed session at 11.54am.

The sub-committee resumed at 12.38pm and the chair read out the decision of the sub-committee.

RESOLVED:

That a counter notice be issued under Section 105 of the Licensing Act 2003 in respect of the temporary event notice given by Mr Biagio Caroleo in respect of the premises known as Biagio@Bankside, 32 Southwark Bridge Road, SE1 9EU.

Reasons

This was an application by Mr. Biagio Caroleo for a temporary event notice (TEN) in regards to an event proposed to take place on 27 January 2013 between 02.30 to 04.00 in respect of the premises known as Biagio@Bankside, 32 Southwark Bridge Road, SE1 9EU

The licensing sub-committee heard evidence from the applicant who stated that there had been a number of temporary event notices and that in all of the events only one incident

had taken place on 4 to 5 January 2013 where police assistance had been called. The applicant stated that they were happy to have all existing conditions from the premises licence transferred to the temporary event notice and that they believed it was one incident which they are being penalised for. The applicant believes that they are not undermining the licensing objectives.

The licensing sub-committee heard evidence from the council's environmental protection team who stated that there had been 21 complaints since September 2012, 19 of which related to temporary event notices. The principal concerns arising from the complaints were related to outside the premises and patrons leaving the premises. The main concern being the use of the fire escape as a means of exit which leads into the estate and has caused considerable disturbance to local residents. Residents have raised concerns relating to disturbed sleep, disorder and drunk and disorderly behaviour amounting to considerable disturbance and public nuisance.

The licensing sub-committee heard evidence from the Metropolitan Police Service (MPS). The objections of the MPS echoed that of the environmental protection team. The MPS did attend the premises in relation to the incident on 4 to 5 January 2013 and stated that the applicant had agreed to speak to the estate manager. The estate manager confirmed on 21 January 2013 that no one from Biagio@Bankside had contacted him or spoken to him to address the issues.

The committee were not minded to carry over the premises licence conditions to the TEN due to the current management of the premises during events in particular with regards to the use of the fire exit door, the proximity of the estate to the premises, and the very recent level of and nature of complaints. The committee considered that the use of the fire door as an exit and the dispersal of patrons could not adequately be resolved by the date of the temporary event.

In reaching this decision the sub-committee had regard to all the relevant considerations and the four licensing objectives.

The meeting closed at 12.42pm.

CHAIR:

DATED: