

Licensing Sub-Committee

MINUTES of the OPEN section of the Licensing Sub-Committee held on Friday 9 November 2012 at 10.00 am at Ground Floor Meeting Room G02A - 160 Tooley Street, London SE1 2QH

PRESENT: Councillor Sunil Chopra (Chair)
Councillor Michael Mitchell
Councillor The Right Revd Emmanuel Oyewole

OTHERS PRESENT: Mr Tom Forrest, applicant
Mr Ben Ryan, applicant
Mr M Woldi, applicant
Councillor Adele Morris, ward councillor
Mr Paul Nicholas, local resident

OFFICER SUPPORT: David Paabo, legal officer
Rupinder Binning, legal officer (observing)
David Swaby, licensing officer
Sean Usher, constitutional officer

1. APOLOGIES

There were none.

2. CONFIRMATION OF VOTING MEMBERS

The three members listed above were confirmed as the voting members.

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

There were none.

4. DISCLOSURE OF INTERESTS AND DISPENSATIONS

There were none.

5. LICENSING ACT 2003 - DEL MERCATO, 192 PARK STREET, LONDON SE1 9BQ

During the initial discussion it was pointed out that the premises was located within a

saturation zone.

The licensing officer presented his report and informed the sub-committee that the applicant had reduced their hours following a conciliation meeting. Members had no questions for the licensing officer.

The applicant presented their application. Members had questions. The local resident and ward councillor had questions.

The local resident and ward councillor discussed their objections to the application. The local resident stated that due to the reduced hours, he had no outstanding objections to the application.

All parties were given five minutes to sum up.

At 11.00am the meeting went into closed session to consider the application.

At 11.28am the meeting returned to open session and the chair read out the following decision:

RESOLVED:

That the application submitted by Del Mercato Restaurant (Vinum Restaurants Limited) for a premises licence in respect of Del Mercato Restaurant, Arch 192, Park Street, London SE1 9BC be refused/granted as follows:

	Monday to Saturday	Sunday
Recorded music	09.00 to 00.00	11.00 to 22.30
The sale of alcohol	09.00 to 00.00	11.00 to 22.30
Opening hours	09.00 to 00.00	11.00 to 22.30

Conditions

The following additional conditions shall apply:

1. Each condition agreed between the applicant and the responsible authorities is attached to the licence.

Reasons

This was an application by Del Mercato Restaurant (Vinum Restaurants Limited) for a premises licence in respect of Del Mercato Restaurant, Arch 192, Park Street, London SE1 9BC.

The premises are within the council's saturation zone and as such the applicant must demonstrate that its proposed activities will not negatively further impact on the licensing objectives.

Following the application the applicant met with local residents who opposed the application. The hours sought were reduced significantly.

The licensing sub-committee heard evidence from the applicant. The applicant stated that the premises are intended to be a pizza restaurant on the ground floor and a fine dining restaurant on the 1st floor. The applicant advised that alcohol was only to be consumed with food. The applicant confirmed a number of measures relating to the use of outside areas in order to prevent public nuisance affecting local residents.

The licensing sub-committee also heard from a local resident Mr Nicholas and Councillor Adele Morris. The sub-committee notes that residents have serious concerns about noise nuisance and crime and disorder arising from the proposed activities of the premises. However the sub-committee noted that as a result of the reduction in hours sought that local residents do not oppose this application as strenuously as before.

The sub-committee has therefore decided to grant this licence in its amended form. The hours for licensable activities are reduced in accordance with the above table. Each of the conditions agreed between the applicant and the responsible authorities shall be attached to the licence.

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

The licensing sub-committee considered that it was appropriate and proportionate in reaching this decision.

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 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 - COMMERCIAL WAY FOOD & WINE, 266 COMMERCIAL WAY, LONDON SE15 1PU

This item was withdrawn prior to the meeting.

The meeting closed at 11.32am.

CHAIR:

DATED: