



Licensing Sub-Committee

MINUTES of the OPEN section of the Licensing Sub-Committee held on Wednesday 24 July 2013 at 10.00 am at Ground Floor Meeting Room G01A - 160 Tooley Street, London SE1 2QH

PRESENT: Councillor Renata Hamvas (Chair)
Councillor David Hubber
Councillor Wilma Nelson

OTHERS PRESENT: Chris Wilson, local resident
Rebecca Bennet, local resident
Councillor Fiona Colley, ward councillor
Nick Hanton, representative from Punch Taverns
Ted Hedges, representative from Punch Taverns
Dean Hedges, Representative from Punch Taverns
Nick Rowlandhill, Representative from Punch Taverns
Mathew Phipps, Representative for Punch Taverns
P.C. Graham White, Metropolitan Police Service

OFFICER SUPPORT: Debra Allday, legal officer
Jayne Tear, licensing officer
Andrew Weir, constitutional officer

1. APOLOGIES

There were none.

2. CONFIRMATION OF VOTING MEMBERS

The three members present 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

Councillor Renta Hamvas advised that she lived in the locality of the premises and that this premises was one of several local pubs. However, she did not frequent this premises and therefore had no interests which would prejudice her.

5. LICENSING ACT 2003: THE WAVERLEY ARMS, 202 IVYDALE ROAD, LONDON SE15 3BU

The licensing officer circulated a document containing six extra representations as due to the speed that this item had to be heard there was no deadline for receiving representations in this case.

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

The representative from the police addressed the sub-committee. Members had questions for the police representative.

The local residents supporting the premises addressed the sub-committee. Members had questions for the local residents.

The representative of the Waverley Arms addressed the sub-committee. Members had questions for the representative of the Waverley Arms.

The sub-committee went into closed session at 11.00am.

The sub-committee resumed at 11.48am and the chair read out the decision of the sub-committee.

RESOLVED:

That the council's licensing sub-committee having considered the review of the premises licence in accordance with Section 167 of the Licensing Act 2003, following the issue of a closure order made by the Camberwell Green Magistrates' Court under Section 165(4) of the Act in respect of the premises known as the Waverley Arms, 202 Ivydale Road, London, SE15 3BU and having had regard also to all relevant representations has decided it necessary for the promotion of the licensing objectives to:

- a) Order the premises to remain or to be closed until that time unless such conditions as may be specified in the order are satisfied.
and
- b) Modify the conditions of the licence as follows:
 - i) A personal licence holder will be on the premises Sunday to Thursday from 4pm to closing and at all times on Friday and Saturday that intoxicating liquor is being supplied.

- ii) That all staff are trained in their responsibilities under the Licensing Act 2003 and training records to be kept and updated every six months and shall, upon request, be made immediately available to officers of the police and the council.
- iii) The premises shall install a CCTV system capable of capturing a clear identifiable facial image of all persons entering the premises, coverage shall include all public areas inside and outside of the premises. The CCTV system shall be maintained and kept in good working order and in operation at all times the premises are in operation under its licence. The CCTV footage will be kept for a minimum of 31 days and shall be made available upon request to police or other authorised persons.
- iv) A staff member from the premises who is conversant with the operation of the CCTV system shall be on the premises at all times the premises is open to the public. This staff member must be able to show the Police or other authorised officer recent data or footage with the absolute minimum of delay when requested.
- v) An incident log shall be kept at the premises, and made available on request to an authorised officer of Southwark Council or the Police, which will record the following:
 - All crimes reported to the venue
 - All ejections of patrons
 - Any complaints received
 - Any incidents of disorder
 - All seizures of drugs or offensive weapons
 - Any faults in the CCTV system
 - Any refusal of the sale of alcohol
 - Any visit by a relevant authority or emergency service.

Reasons

This was a review of the premises licence granted under the act to Punch Taverns PLC in respect of the premises known as the Waverley Arms, 202 Ivydale Road, London SE15 3BU.

The licensing sub-committee heard evidence from the police who submitted a representation to the review following an incident on 12 July 2013 when police were called to the premises in respect of a serious disturbance. During the course of the incident a large number of patrons/witnesses to the incident had been drinking inside the premises and investigating officers described them as being too intoxicated to provide the police with any assistance. The police advised that the premises did not have any CCTV inside or covering the outside of the premises.

It was noted by the licensing sub-committee that both the environmental protection team and the licensing unit had replied to the consultation but had no comments to make about the application.

The licensing sub-committee noted that there were 14 representations from other persons in support of the premises and the management of the premises. The licensing sub-committee heard oral representations from two of these other persons who both stated that the premises was a well run community pub in which they felt safe and that the Waverley Arms was a real asset to the community. The incident of the 12 July 2013 was described as a one off incident caused by strangers to the premises who had previously been barred.

The licensing sub-committee noted the written representation from an other person in support of the review.

The licensing sub-committee heard evidence from the representative from Punch Taverns PLC who did not challenge the events that took place on 12 July 2013. Since the incident 10 days ago the premises have been closed. Whilst the manager of the premises had now been discharged from hospital, he was not in attendance as he was still recuperating. Over the course of the last 10 days discussions had taken place with the police and a CCTV system had now been installed and all members of staff have been trained to use it. The representative also stated that there would be an increase in the number of personal licence holders by two. Whilst the incident of 12 July 2013 was extremely serious, they concurred with the police that this was a one off incident and that the conditions as set out above should be imposed to deter a similar incident occurring.

In reaching this decision the sub-committee had regard to all the relevant considerations.

The licensing sub-committee considered that this decision was appropriate and proportionate and would address the licensing objectives.

Appeal rights

This decision is open to appeal by:

The applicant for the review
The premises licence holder
Any other person who made relevant representations in relation to the application

Such appeal must be commenced by notice of appeal given by the appellant to the justices' clerk for the magistrates court for the area within the period of 21 days beginning with the day on which the appellant was notified by this licensing authority of the decision.

This decision does not have effect until either:

The end of the period for appealing against this decision or
In the event of any notice of appeal being given, until the appeal is disposed of.

The meeting closed at 11.52am.

CHAIR:

DATED: