



LICENSING SUB-COMMITTEE

MINUTES of the meeting of the open section of the LICENSING SUB-COMMITTEE held on June 22 2009 10.30am at the Town Hall, Peckham Road, London SE5 8UB.

PRESENT: Councillor David Hubber
Councillor Lorraine Lauder
Councillor Sandra Rhule
Councillor Ian Wingfield (observing)

ALSO PRESENT: Wesley McArthur (licensing officer)
Felix Rechtman (legal officer)
Maureen Ogbu (legal officer)
B Uddin (applicant)
R Ahmed (applicant)
S Hilliard (counsel for applicants)
D Hill (TRA/objector)
J Black (objector)
PC P Compton
PC C McNally
G Sherratt (applicants' representative)
G Abbasi (applicant)
A Finda (applicant)
Y Khan (local objector)
B Craig (local objector)
Virginia Wynn-Jones (constitutional officer)

1. APOLOGIES FOR ABSENCE

There were no apologies for this meeting.

2. CONFIRMATION OF VOTING MEMBERS

The three members were confirmed.

3. NOTIFICATION OF ANY OTHER ITEMS WHICH THE CHAIR DEEMS AS URGENT

There were none. The chair announced a 30 minute adjournment for the meeting to start at 10.30am.

4. DISCLOSURE OF INTERESTS AND DISPENSATIONS

There were no disclosures of interests and dispensations.

5. LICENSING ACT 2003 - AS IVORY ARCH, 80 – 82 WALWORTH RD, LONDON, SE1 6SW

The licensing officer presented his case.

The applicant presented to the sub-committee. Members had questions for the applicant.

Local residents and objectors presented to the sub-committee. Members had questions for the local residents.

All parties were given 5 minutes to sum up.

- RESOLVED:** 1. That the application by Rubel Ahmed for a premises licence in respect of the premises known as Ivory Arch, 80 – 82 Walworth Rd, London, SE1 6SW be refused.

The reasons for this decision are as follows.

Having heard representations from the applicant and his legal representative, the police, the Environment Protection Team, local businesses and the local residents, we are of the view that no conditions would satisfactorily address the licensing objectives, particularly the prevention of crime and disorder and public nuisance, taking into account that Mr Uddin is the premises owner and could still be involved in the day to day operation of the premises. We have also considered previous history of the premises and previous incidents of serious crime and disorder and public nuisance.

The Council expects that all terms, conditions and restriction of the premises licence will be complied with at all times that the premises are used under the licence. The failure to comply with terms, conditions and restrictions of the premises of the premises licence is a matter to which the Licensing Sub-Committee may have regard in the event that any request is made for the review of the licence.

4. Appeal Rights

1. The applicant may appeal against any decision to modify the conditions of the licence; and
2. 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

3. 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 – COSTCUTTER, 257-259 SOUTHWARK PARK ROAD, SE16 3TP

The licensing officer presented his case.

The applicant presented to the sub-committee. Members had questions for the applicant.

Local residents and objectors presented to the sub-committee. Members had questions for the local residents.

All parties were given 5 minutes to sum up.

RESOLVED: 1. That the application by Waheed Allahgul Limited for a premises licence for Costcutter, 257-259 Southwark Park Road, SE16 3TP is granted as follows:

ACTIVITY	LICENSED HOURS
	Sunday – Saturday
Supply of Alcohol	00.00 to 23.59
Opening Hours	00.00 to 23.59

2. Conditions

The following additional conditions apply:

- That a personal licence holder shall be on the premises at all times that intoxicating liquor is sold or supplied.
- That an approved CCTV system to be installed both inside and outside of the premises with a 31 day tape library or 31 day recording capacity.
- That a recognised Proof of Age scheme, including the use of a Refusal Book for the purpose of recording all refused sales of age related products shall be adopted and implemented.
- That a recognised training scheme for all staff concerned with the sale or supply of intoxicating liquor, records of which shall be kept and made available for inspection on request by Police or Council officers shall be implemented at the premises.

3. Reasons

The reasons for the decision are as follows:

The sub-committee considered the written and oral representations made by the applicant and the responsible authorities and the relevant guidance under the Licensing Act.

The sub-committee considered it necessary and proportionate to attach additional conditions in order to prevent the licensing objectives, in particular, the prevention of crime & disorder and the prevention of public nuisance from being undermined.

4. Appeal Rights

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 12.30pm.

CHAIR:

DATED: