



LICENSING SUB-COMMITTEE

MINUTES of the meeting of the open section of the LICENSING SUB-COMMITTEE held Monday, July 28 2009 10am at the Town Hall, Peckham Road, London SE5 8UB.

PRESENT: Councillor David Hubber (chair)
Councillor Lorraine Lauder
Councillor Althea Smith

ALSO PRESENT: Ms Marilyn Longdon, Tip Toe Restaurant
Mr Samuel Benton, Tip Toe Restaurant

Fiona Halton, Cafe on The Rye
Ms P Alden, local resident
Mr Salmon, local resident

Alan Blissett, environmental protection
Dave Franklin, licensing unit
Felix Rechtman, legal officer
Sean Usher, constitutional team

1. APOLOGIES FOR ABSENCE

There were none.

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.

4. DISCLOSURE OF INTERESTS AND DISPENSATIONS

There were no disclosures of interests and dispensations.

5. LICENSING ACT 2003 - TIP TOE BAR & RESTAURANT, 278 CAMBERWELL ROAD, SE5

The licensing officer presented his case and circulated photographs of the premises.

All parties were given 5 minutes to sum up.

RESOLVED: 1. That the application by Marilyn Longdon for a variation of premises licence in respect of the premises known as Tip Toes Bar & Restaurant, 278 Camberwell Road, London SE5 be refused.

2. Reasons

The reasons for the decision are as follows:

The premises are located within the Camberwell Saturation zone and the applicant had failed to demonstrate in the operating schedule and failed to demonstrate at the hearing that there will be no cumulative negative impact on the following licensing objectives:

- The prevention of crime;
- The promotion of public safety; and
- The prevention of nuisance.

3. 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 – CAFE ON THE RYE, STRAKERS ROAD, PECKHAM RYE COMMON, LONDON SE15

All parties were given 5 minutes to sum up.

RESOLVED: 1. That the application by Fiona Halton for Premises Licence issued under the Licensing Act 2003 in respect of Cafe on the Rye, Strakers Road, Reckham Rye Common London SE15 be approved as follows:

Licensable Activity	Monday - Sunday
a) Plays	09:00 – 18:00
(b) Films	09:00 – 18:00
(e) Live Music	09:00 – 18:00
(f) Recorded Music	09:00 – 18:00
(g) Performance of Dance	09:00 – 18:00
(l) Late night refreshment	09:00 – 18:00
(m) Supply of alcohol	09:00 – 18:00
(o) Opening Hours of premises	09:00 – 01:00

2. Conditons

In addition to the decision as above, the following conditions will apply:

- A challenge-25 scheme is to be introduced.

2. Reasons

The reasons for the decision are as follows:

The sub-committee considered it necessary to limit the hours of the licensed activities to between 9am and 6pm in order to prevent crime and disorder, prevention of nuisance and the protection of children from harm.

It was felt that any special functions/events to be held after 6pm could be subject to a Temporary Event Notice.

3. 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.

The meeting closed at: 12:50pm

CHAIR:

DATED: