



LICENSING SUB-COMMITTEE

MINUTES of the meeting of the open section of the LICENSING SUB-COMMITTEE held on August 19 2009 at 10.15am at the Town Hall, Peckham Road, London SE5 8UB.

PRESENT: Councillor David Hubber
Councillor Jelil Ladipo
Councillor Wilma Nelson

ALSO PRESENT:

PC Paul Compton, Metropolitan Police

Felix Rechtman, legal officer
Andrew Weir, 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 – RNB CLUB, 12A STATION WAY, SE15

The licensing officer presented the case. There were no questions of the licensing officer

The police presented their case to the sub-committee. Members questioned the police representative

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

The sub-committee asked questions of the applicants and their witness.

The environmental protection officer addressed the sub-committee. She advised that her only concern was the applicants request for opening hours until 5am on Sundays as the premises were

in a saturation area.

The sub-committee asked questions of the environmental protection officer.

All parties were offered the opportunity to have 5 minutes to sum up, however all parties agreed that this was not required.

At 10.32am all parties were requested to leave the room while the meeting went in to closed session. At 10.44am all parties were recalled to the meeting and the chair read out the sub-committee's decision as follows:

RESOLVED: 1. That the Council's licensing sub-committee, having had regard to the application made under Section 53(a) of the Licensing Act 2003 by the Metropolitan Police for a full summary review of the premises licence granted under the Licensing Act 2003 to Mr Frederick Gayle and Ms Valentine Ohagwa in respect of the premises known as R N B Nightclub situated at 12A Station Way, London SE15 4RX and having had regard to all other relevant representations and evidence from the licence holder has decided it necessary for the promotion of the licensing objectives to revoke the licence.

3. Reasons

The reasons for the decision are as follows:

Having considered the evidence presented by the police and the licence holder, the sub-committee is satisfied on the basis of the evidence that the premises are associated with serious crime and disorder following two main incidents, one on July 20 2009 and a second one on July 25 2009. The sub-committee has also accepted the police evidence from the Criminal Entries log that further minor incidents of crime and disorder had occurred at the premises or in the vicinity of the premises. The sub-committee is also satisfied from the evidence that the license conditions had been breached repeatedly.

In view of the reasons stated above the sub-committee considers it necessary to revoke the license for the promotion of the following licensing objectives:

- The prevention of crime and disorder
- Public safety and
- Protection of children from harm.

4. Appeal Rights

This decision is open to appeal by either:

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

Such appeals must be commenced by notice of appeal given to the appellant to the justices chief executive 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.

The decision does not have effect until either

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

The meeting closed at: 11.15am.

CHAIR:

DATED: