



## Licensing Sub-Committee

MINUTES of the OPEN section of the Licensing Sub-Committee held on Tuesday 18 February 2014 at 10.00 am at Ground Floor Meeting Room G02B - 160 Tooley Street, London SE1 2QH

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**PRESENT:** Councillor Jeff Hook (Chair)  
Councillor Dora Dixon-Fyle  
Councillor Wilma Nelson

**OTHERS PRESENT:** Graham White, Metropolitan Police Service  
Craig Baylis, interested party  
James Hatts, press

**OFFICER SUPPORT:** Kristie Ashenden, licensing officer  
Joanne Devlin, legal officer  
David Swaby, licensing officer representing the council as a responsible authority  
Sarah Koniarski, constitutional 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

There were none.

**5. LICENSING ACT 2003: BLUE EYED MAID, 173 BOROUGH HIGH STREET, LONDON SE1 1HR**

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

The Metropolitan Police Service, being the applicant for the original review of the premises licence, addressed the sub-committee. Members had no questions for the police.

The licensing officer representing the council as a responsible authority addressed the sub-committee. Members had questions for the licensing officer.

The sub-committee heard representations from the legal representative of the designated premises supervisor (DPS) for the Blue Eyed Maid. Members had no questions for the legal representative.

All parties were given the opportunity to sum up their submissions.

The meeting went into closed session at 10.34am.

The meeting resumed at 11.21am and the chair read out the sub-committee's decision.

**RESOLVED:**

The licensing sub-committee, having had regard to the decision made on 8 October 2013 following determination of an application for a review of the premises licence granted under the Licensing Act 2003 to Punch Taverns PLC in respect of the premises known as Blue Eyed Maid, 173 Borough High Street, London SE1 1HR and having had regard also to the subsequent appeal and proposed conciliation between the applicant and the appellant decided it necessary for the promotion of the licensing objectives to amend the conditions as follows:

1. Suspend the licence for a period of three weeks.
2. Remove the designated premises supervisor being Kamal Hussain.
3. Modify the conditions of the premises licence as follows:
  - i. That there be a change in the senior management team of the day to day operation of the Blue Eyed Maid.
  - ii. That the operating hours be reduced on Fridays and Saturdays to 11.00 to 02.30 and all licensable activities cease at 02.00.
  - iii. That there be no entry or re-entry to the premises after 00.30 Monday to Sunday with the exception of smokers.
  - iv. An ID scanning system to the reasonable satisfaction of the police be installed and maintained. The system will be capable of sharing information about banned customers with other venues, identify the hologram of another ID and

read both passports and ID cards, able to identify fake or forged ID documents to a reasonable standard. The system will be in operation at all times after 21:00 whilst the premises are in operation under the premises licence. All persons that enter the premises including staff, patrons, DJs and associated staff will be scanned and have their details stored on the system. The details shall be stored and made available for a period of no less than 31 days.

- v. The premises will ensure that there is at least two persons on duty at all times the ID scan system is in operation, trained in its use and able to search and retrieve the information stored within.
- vi. That all staff employed in the supply of intoxicating liquor complete a refresher training course on the relevant licensing legislation.
- vii. That an incident log shall be maintained and details of all refusals recorded. This book shall be reviewed monthly by the DPS and any actions taken shall be recorded in the book and be signed off by the DPS. This log shall be maintained on the premises and shall be made available for inspection by authorised officers.
- viii. That a dispersal policy be introduced to provide quick dispersal of customers from outside the premises after closing time.

### **Reasons**

The licensing sub-committee heard evidence from the Metropolitan Police Service, being the applicant for the original review application who stated that he considered that a three week suspension would be sufficient time to allow the appellant to adhere to the proposed conditions and that the amended conditions concerning the ID scanning system would satisfy the police in respect of their concerns in view of the licensing objectives.

The licensing sub-committee heard evidence from the licensing authority in its capacity as a responsible authority who stated that he considered that the proposed amended conditions would assist the premises in complying with their requirements under the licensing objectives.

The licensing sub-committee heard evidence from a solicitor on behalf of the designated premises supervisor Kamal Hussain, who stated that he would withdraw the appeal to the magistrates' court. This would be done by way of a consent order as per the amended conditions above.

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 its decision was appropriate and proportionate in order to address the licensing objectives.

### **Appeal rights**

The sub-committee advised that its decision was open to appeal by either:

- a) the applicant for the review
- b) the premises licence holder
- c) any other person who made relevant representations in relation to the application.

The sub-committee further advised that 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.

The sub-committee explained that its decision would 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 11.27am.

**CHAIR:**

**DATED:**