



LICENSING SUB-COMMITTEE

MINUTES of the meeting of the open section of the LICENSING SUB-COMMITTEE held on April 6 2009 10am at the Town Hall, Peckham Road, London SE5 8UB.

PRESENT: Councillor Linda Manchester
Councillor Dora Dixon Fyle
Councillor Lorraine Lauder

ALSO PRESENT: Mr Raj Kang, applicant
Ms Debbie Casey, licensing agent
Mr Tim Irwin, local resident
Councillor Gordon Nardell, ward councillor
Rawlene Evelyn, local resident
Dave Franklin, licensing officer
Deborah McCallum, 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 – BLUE BAR, 14 PECKHAM HIGH STREET SE15 5DT

The licensing officer presented his report. Members had questions for the licensing officer.

The applicant, Mr Kang presented to the sub-committee. Members and local residents had questions. The local residents and Councillor Nardell presented to the sub-committee. Members had questions for the local residents.

All parties were given 5 minutes to sum up.

The meeting went into closed session.

RESOLVED: 1. That the application by Metroliving Limited for a premises licence in respect of the premises known as Blue Bar, 14 Peckham High Street, London, SE15 5DT be approved in so far as:

The following licensable activities will be permitted under the licence during the times shown:

	Sunday - Thursday	Friday	Saturday
Entertainment E. Live Music F. Recorded Music G. Performance of Dance H. Any similar entertainment I. Facilities for making music J. Facilities for dancing K. Facilities for similar entertainment	10:00 – 23:00	10:00 – 00:00	10:00 – 00:00
L. Late Night Refreshment	10:00 – 23:00	10:00 – 00:00	10:00 – 00:00
M. Sale of alcohol	10:00 – 23:00	10:00 – 00:00	10:00 – 00:00
O. Opening Hours	10:00 – 23:30	10:00 – 00:30	10:00 – 00:30

2. Conditions

The operation of the premises under the licence shall be subject to compliance with the operation schedule highlighted in Section Q of the application form and the following conditions:-

- a) All mandatory conditions set out in the Licensing Act 2003 relating to
- Authorisation of the retail sale of alcohol; and
 - The provision of door supervision

The following additional special conditions developed through discussion from the original operating schedule attached to the variation application as follows:-

Conditions agreed between the applicant and the Police:

- That SIA registered Door Supervisor, including a female, shall be employed at all times after 22.00hrs and the terminal hour that the premises are in use under this licence and provided with Hand held metal detection units in order to ensure that searches are carried out in respect of all admissions to the premises, whether members of the public or performers and their assistants and Mechanical counting devices to ensure that the maximum accommodation limit of the premises is not exceeded.
- The number of SIA Staff required would be in accordance with the general formula of one SIA door staff per 100 customers;

- A security booking on log shall be maintained for each day the premises is open to the public, which must include the SIA Badge number;
- On each day the premises is open to members of the public, the premises shall be subject to a security search prior to members being permitted entry. The details of those who conducted the security search must be recorded in a log;
- That signs shall be displayed in the entrance foyer to the premises that state 'Drugs Free Zone' and 'No Search No Entry, Management reserve the right to refuse entry'
- That all matters relating to drugs shall be in accordance with the Metropolitan Police Best Practice Guide on the handling of drugs in pubs and clubs;
- That suitable notices shall be displayed and announcements made requesting people to leave the premises in a quiet and orderly manner so as not to disturb local residents;
- That a CCTV system be installed at the premises and be maintained in good working order and be continually recording at all times the premises are in use under the licence. The CCTV System must be capable of capturing an image of every person who enters the premises;
- That all CCTV footage shall be kept for a period of thirty one (31) days and shall, upon request, be made immediately available to Officers of the Police and the Council;
- That you shall require any regular and external promoters hiring the premises to complete the 'Venue Hire Agreement' provided by Southwark Council and, once completed, you shall ensure that a copy of the agreement is provided to the Police and Licensing Unit a minimum of fourteen days prior to the date of hire;
- That a Personal Licence holder is on the premises and on duty at all times that intoxicating liquor is supplied;
- That the Premises Licence holder and/or Designated Premises Supervisor join and support a local Pub Watch Scheme should there be one in existence for the area in which the premises is located;
- There shall be no new entry or re-entry to the premises after 00.00am other than those permitted under point 13;
- Customers shall use no outside area after 22.00hrs other than those who temporarily leave the premises to smoke a cigarette. Those who do temporarily leave for this reason shall be the subjected to the requirement of a further search.

Conditions agreed between the applicant and the Environmental Protection Team:

- Soundproofing works carried out between the bar area and the residential properties above. (details to be submitted to the Environmental Protection Team);
- The front and rear doors will be lobbied and acoustic seals placed around the doors;
- All windows will be acoustically treated. There are no open able windows;

- A ventilation system is to be installed that obtains 12-15 air changes per minute (details to be submitted);
- A sound limiting device to be installed and set in agreement with the Environmental Protection Team;
- No music to be played or broadcast to the rear garden. The rear garden is to be curfewed at 23.00 hours;
- After 23.00 hours smokers are to be limited to 5 persons outside the premises;

Subject to the following additional conditions agreed by the sub-committee:

- The courtyard/beer garden shall be closed from 21:00 Sunday to Thursday and 23:00 Fridays and Saturdays;
- No drinks in open containers shall be taken outside of the premises except into the beer garden.

3. Reasons

The reasons for the decision are as follows:

The sub-committee considered the representations made by the applicant and the local residents.

The sub-committee considered the proposed operation of the premises and the proximity of the premises to residential accommodation. The sub-committee considered it necessary and proportionate to modify the conditions of the premises licence by restricting the hours of operation in order to prevent public nuisance.

4. 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: 12:30

CHAIR:

DATED: