

## **Licensing Sub-Committee**

MINUTES of the OPEN section of the Licensing Sub-Committee held on Tuesday 19 August 2014 at 10.00 am at Ground Floor Meeting Room G02B - 160 Tooley Street, London SE1 2QH

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**PRESENT:** Councillor Renata Hamvas (Chair)  
Councillor Jon Hartley  
Councillor Sunny Lambe

**OTHERS  
PRESENT:** Lerryn Elisabeth Whitfield, applicant

**OFFICER  
SUPPORT:** Cynthia Barrientos, legal officer  
Dorcas Mills, licensing officer  
Sarah Newman, environmental protection officer  
Virginia Wynn-Jones, constitutional officer

### **1. APOLOGIES**

There were none.

### **2. CONFIRMATION OF VOTING MEMBERS**

The members present were confirmed as the voting members.

### **3. NOTIFICATION OF ANY ITEMS OF BUSINESS WHICH THE CHAIR DEEMS URGENT**

The chair accepted as late and urgent:

- an email and photos from a local resident
- a section of text on the Peckham saturation zone
- an email from the applicant to the environmental protection team, setting out proposed conditions.

### **4. DISCLOSURE OF INTERESTS AND DISPENSATIONS**

There were none.

**5. LICENSING ACT 2003: LERRYNS CAFE, 200 RYE LANE, LONDON SE15 4NF**

The licensing officer presented her report.

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

The environmental protection officer made representations to the sub-committee. Members had no questions for the environmental protection officer.

The applicant summed up her application.

The licensing sub-committee went into closed session at 10.45am

The licensing sub-committee resumed at 11.28am and the chair read out the decision of the sub-committee.

**RESOLVED:**

That the application by Lerryn Elisabeth Whitfield for a grant of a Premises Licence issued under the Licensing Act 2003 in respect of Lerryn's Cafe, 200 Rye Lane, London SE15 4NF be granted as follows:

Licensable Activity	
Sale and supply of alcohol (on the premises)	Monday to Sunday from 11.00 to 23.00
Opening hours	Monday to Friday from 07.30 to 23.30 Saturday to Sunday from 10.00 to 23.30
Non standard timings	Christmas Eve, Christmas Day, Boxing Day, New Year's Eve and New Year's Day from 07.30 to 00.00

**Conditions**

The operation of the premises under the licence shall be subject to relevant mandatory conditions and conditions derived from the operation schedule in Section M of the application form and shall be subject to the following additional conditions:

1. That a CCTV system be installed at the premises and be maintained in good working order to the satisfaction of the Metropolitan Police Service and be continually recording at all times the premises are in use under the licence. The CCTV system must be capable of capturing a clear facial image of every person who enters the premises and all licensable areas including any outside areas.
2. That all CCTV footage shall be kept for a period of thirty one days and shall, upon request, be made immediately available to officers of the police and the council.

3. That all staff are trained in their responsibilities under the Licensing Act 2003 and training records to be kept and updated every six months.
4. There shall be no more than five persons permitted on the frontage at any one time.
5. That there shall be no drinks taken to the frontage of the premises.
6. That the garden shall be closed after 21.00.
7. That no windows be opened on the premises and that doors are kept shut during opening hours.
8. That an SIA registered door officer be employed between 21.00 and close.

### **Reasons**

The reasons for the decision are as follows:

The licensing sub-committee heard evidence from the applicant, who advised that it was her intention to run a late night café, allowing patrons to extend their evening with wine and bar snacks. The applicant advised that an application had been made initially for recorded music, but had been withdrawn following discussion with the environmental protection team. In response to the local resident's objection, she explained that on the night the photographs were taken, it was the opening night which was particularly busy; at that point in time the patrons had just left the premises. In response to concerns about dispersal, the applicant advised that SIA door staff would be employed in order to encourage quiet dispersal.

The sub-committee heard from the environmental protection officer, who was content with the applicant's proposed conditions and the removal of recorded music from the application. The environmental protection team therefore withdrew their objection.

The licensing sub-committee noted that the Metropolitan Police Service had conciliated with the applicant and included conditions 1-3 above.

The licensing sub-committee noted the written representations of the local resident, and felt that the removal of recorded music and the steps taken to address the dispersal issues were sufficient to ensure that similar issues would not occur.

The licensing sub-committee, having considered the business model of the premises, the amended application and the agreed conditions listed above, concluded that this premises would not add to the cumulative impact within the Peckham saturation zone.

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.

## **Appeal rights**

The applicant may appeal against any decision:

- a) To impose conditions on the licence
- b) To exclude a licensable activity or refuse to specify a person as premises supervisor

Any person who made relevant representations in relation to the application who desire to contend that

- a) That the licence ought not to be been granted; or
- b) That on granting the licence, the licensing authority ought to have imposed different or additional conditions on the licence, or ought to have modified them in a different way.

may appeal against the decision.

Any appeal must be made to the magistrates' court for the area in which the premises are situated. Any appeal must be commenced by notice of appeal given by the appellant to the justices' clerk 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 ended at 11.33am.

**CHAIR:**

**DATED:**