



## Licensing Sub-Committee

MINUTES of the OPEN section of the Licensing Sub-Committee held on Friday 31 July 2015 at 10.00 am at Ground Floor Meeting Room G02B - 160 Tooley Street, London SE1 2QH

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<b>PRESENT:</b>	Councillor Renata Hamvas (Chair) Councillor Adele Morris Councillor Sandra Rhule
<b>OTHERS PRESENT:</b>	Ben Hopkinson, applicant Steve Keegan, applicant Ken Taylor, local resident Hervé Goffings, local resident
<b>OFFICER SUPPORT:</b>	Debra Allday, legal officer David Franklin, licensing officer Tim Murtagh, constitutional officer (observing) Andrew Weir, 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

There were none.

### 4. DISCLOSURE OF INTERESTS AND DISPENSATIONS

There were none.

**5. LICENSING ACT 2003: THE BEER REBELLION, 129 QUEENS ROAD, LONDON SE15 2ND**

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

The applicant addressed the sub-committee. Members had questions for the applicant.

The licensing sub-committee heard from local residents objecting to the application. Members had questions for the local residents.

All parties were given five minutes for summing up.

The meeting went into closed session at 11.05am.

The meeting resumed at 12.27pm and the chair read out the decision of the sub-committee.

**RESOLVED:**

That the application submitted by Late Knights Pubs & Bars Ltd to vary the premises licence in respect of the premises known as The Beer Rebellion, 129 Queens Road London SE15 2ND is granted as follows:

<b>Licensable Activity</b>	<b>Sunday to Thursday</b>	<b>Friday and Saturday</b>
Sale and supply of alcohol (on the premises)		12.00 to 00.30
Sale and supply of alcohol – offsales		12.00 to 00.30
Open to the public	12.00 to 23.30	12.00 to 01.00

**Conditions**

The operation of the premises under the licence shall be subject to relevant mandatory conditions, the existing conditions on the licence and the following additional conditions:

1. That condition 342 be amended to read “All staff shall be trained in their responsibilities under the Licensing Act 2003. The licensee shall ensure that all staff working at the premises are trained on the conditions of the licence with particular regard to noise control and patron management. All training records shall be kept and updated every six months and made available to council officers or the police on request.

2. That condition 344 be amended to read “External waste handling, collections, deliveries and the cleaning of external areas shall only occur between the hours of 09.00 and 20.00.
3. That condition 351 be amended to read “That clearly legible signage shall be prominently displayed at all patron exits, where it can be easily seen and read, requesting that patrons leave the premises in a quiet and orderly manner that is respectful to neighbours”.
4. That patrons shall use no outside area after 22.00 other than those who temporarily leave the premises to smoke and no more than five people at any one time.
5. That the premises licence holder shall display a dedicated telephone number for local residents to contact management of the premises as and when necessary.
6. That all audio equipment used in the premises, permitted under the Licensing Act 2003 or the Live Music Act 2012 shall be played through an installed sound limiting device which shall be set and approved by the council’s environmental protection team.
7. That the sound limiting device shall be installed, set and maintained to ensure that the maximum volumes of music and bass of music, song or speech, from the premises, permitted by the amplification system does not cause a public nuisance in the vicinity of the premises or intrude inside the nearest or most exposed noise sensitive residential premises.
8. That all speakers within the premises shall be re-positioned on advice from the environmental protection team to minimise any potential noise nuisance to local residents.
9. That an air conditioning system shall be installed in the premises and the premises shall be adequately cooled to ensure that all windows are closed at all times. The rear door is to be closed at all times to patrons other than in an emergency. The front door is for the purpose of ingress and egress only.

## **Reasons**

This was a meeting to consider the variation application made by Late Knights Pubs & Bars Ltd.

The licensing sub-committee heard evidence from the applicant who informed the sub-committee that they had been in business for approximately three years and they ran a number of other similar premises. They advised that the usual capacity of the premises was around 40 but it could hold a maximum of 70 persons. The focus of the business was on craft beer and a premium customer experience. The company were very community based. They advised that they stocked local suppliers and employed local staff. The reason that they sought the variation was not because their customer base wanted “a big night out” but rather they wanted to remain at the premises for a little longer.

The licensing sub-committee heard from two local residents one of whom lived in very close proximity to the premises. Their primary concern was the noise emanating from the

premises and the location of the speakers, in addition to the rear door being left opened which allowed noise escape. The noise was having a detrimental effect on the local residents. There was a suggestion that an acoustic consultant should be commissioned to address issues of sound proofing and the positioning of speakers. One of the residents also noted that there had been an increase in persons urinating in and around their home.

The sub-committee also noted the written representation from a third local resident who was not in attendance.

The sub-committee noted that the police had conciliated with the applicant on the basis of condition number 4, listed above, being attached to the licence.

The sub-committee also noted the advisory comments from the environmental protection team who did not object to this variation.

The licensing sub-committee were pleased that the applicant made a number of concessions in their application in particular in relation to condition numbers 2,3,4,5,6,8 and 9 listed above. The sub-committee were sympathetic to the residents' concerns but were of the opinion that the additional conditions listed above would address the concerns raised by them. The operating hours of the premises were increased by half an hour each day with the agreement of all parties as this would improve patron management.

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 it was appropriate and proportionate to attach these conditions in order to address the licensing objectives.

### **Appeal rights**

The applicant may appeal against any decision

- a) To reject the application in whole or part, or
- b) To modify or impose conditions on the licence.

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

- a) Any variation ought not to have been made or
- b) 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 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.

Meeting ended at 12.35 pm

**CHAIR:**

**DATED:**