



Licensing Sub-Committee

MINUTES of the OPEN section of the Licensing Sub-Committee held on Monday 7 September 2015 at 10.00 am at Ground Floor Meeting Room G02A - 160 Tooley Street, London SE1 2QH

PRESENT: Councillor Renata Hamvas (Chair)
Councillor Adele Morris
Councillor Charlie Smith

OTHER S PRESENT: Anthony McKinlay, applicant, Druid Street Pizza
J O'Brien, local resident
Lindsay McNamara, local resident
Jack Beer, applicant, Artrusi Restaurant
Maurizio Pepi-Fisichella, local resident

OFFICER SUPPORT: Debra Allday, legal officer
Dorcas Mills, licensing officer
David Swaby, licensing officer
Mark Prickett, environmental protection officer
David Franklin, licensing officer representing the council as a responsible authority
Chidilim Agada, principal 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: DRUID STREET PIZZA, 132 DRUID STREET, LONDON SE1 2HH

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 local residents objecting to the application addressed the sub-committee. Members had questions for the local residents.

The meeting was adjourned at 10.57am to allow the sub-committee to seek clarification on a matter from the legal officer in closed session. The meeting resumed at 11.05am.

All parties were given five minutes for summing up.

The meeting went into closed session at 11.55am.

The meeting resumed at 1.30pm and the chair read out the decision of the sub-committee.

RESOLVED:

That the application submitted by Towercrest Ltd for the grant of a premises licence issued under the Licensing Act 2003 in respect of Druid Street Pizza, 132 Druid Street, London SE1 2HH be granted as follows:

Licensable Activity	Monday to Friday
Sale and supply of alcohol (on and off the premises)	10.00 to 22.30
Hours premises are open to the public	08.00 to 23.00
Non-standard timing	From the commencement of permitted hours on New years Eve to the end of the permitted hours on New Years Day.

Licensable Activity	Saturday
Sale and supply of alcohol (on and off the premises)	10.00 to 22.30
Hours premises are open to the public	09.00 to 23.00
Non-standard timing	From the commencement of permitted hours on New years Eve to the end of the permitted hours on New Years Day.

Licensable Activity	Sunday
Sale and supply of alcohol (on and off the premises)	10.00 to 21.30
Hours premises are open to the public	09.00 to 22.00
Non-standard timing	From the commencement of permitted hours on New years Eve to the end of the permitted hours on New Years Day.

Conditions

The operation of the premises under the licence shall be subject to relevant mandatory conditions, conditions derived from the operation schedule highlighted in Section M of the application form and conditions agreed by the applicant with the responsible authorities during the conciliation process as listed below:

1. 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 a clear facial image of every person who enters the premises.
2. That all CCTV footage be kept for a period of 31 days and shall on 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 and shall, upon request, be made immediately available to Officers of the Police and the Council.
4. That customers shall use no outside area to the front of the premises other than those who temporarily leave the premises to smoke a cigarette and No more than five people at one any time. No drinks shall leave the premises other than off sales that are sold in a sealed container for consumption away from the premises.
5. That alcohol for consumption off the premises is not sold for immediate consumption in the area around the premises and is supplied in sealed containers that require a tool such as a bottle opener or corkscrew to be opened.
6. That clearly legible signage will be prominently displayed at all patron exits, where it can easily be seen and read, requesting that patrons leave the premises in a quiet and orderly manner that is respectful to neighbours.
7. That clearly legible signage will be prominently displayed where it can easily be seen and read, requesting that alcohol sold as off sales should not be opened and consumed in the vicinity of the premises.
8. That external waste handling, collections, deliveries and the cleaning of external areas shall only occur between the hours of 08.00 and 20.00.
9. That the premises shall display a dedicated telephone number of the management

of the premises to local residents.

10. That the premises management shall regularly monitor outside the premises to ensure that the volume and bass levels of any licensed entertainment is kept at a level that does not cause disturbance at the closest or most exposed noise-sensitive facade to ensure compliance with the licensing objective regarding the prevention of public nuisance.

The following additional conditions as agreed by the licensing sub-committee shall also apply:

11. That a personal licence holder shall be on the premises at all times.
12. That self closing double doors be installed to the front of the premises to insulate against noise emission from the premises and the door to be kept closed at all times when licensable activities are taking place.

Reasons

This was a meeting to consider the application made by Towercrest Ltd for the grant of a premises licence issued under the Licensing Act 2003 in respect of Druid Street Pizza, 132 Druid Street, London SE1 2HH.

The licensing sub-committee heard from the applicant. He advised that the premises was a railway arch used for food production and shared work space for food producers, ancillary storage and restaurant space. It would allow food and drink industry start ups access to the tools needed to grow their business.

The licensing officer advised the sub-committee that the environmental protection officer had conciliated prior to the meeting and therefore the environmental protection officer, though in attendance, did not make any representations.

The licensing officer advised the sub-committee that the Metropolitan Police Service had conciliated prior to the meeting. The Metropolitan Police Service was not in attendance.

The licensing sub-committee heard from the local resident objecting to the application and from two of her witnesses, who also provided video footage of the area. They also advised that they were already opposite existing businesses/drinking outlets, which was a matter of meters from a housing estate and children's nursery. There is already existing noise disturbance from the Druid Street market and an additional premises will contribute further to the noise nuisance.

The licensing sub-committee considered this application very carefully and were mindful of the residents concerns. However, there can be no guarantee that the premises would contribute to additional noise nuisance particularly when the licence holder has conciliated with the environmental protection team not to use the outside area to the front of the premises. Regardless, the sub-committee recommends that the licensing service review the Druid Street area and whether it should form part of a saturation zone. The sub-committee also recommends that the premises install additional toilet facilities in accordance with the necessary guidance (two toilets per 50 patrons).

In reaching this decision the sub-committee had regard to all the relevant considerations

and the four licensing objectives and considered that this decision was appropriate and proportionate in order to address the licensing objectives.

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 to 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.

6. LICENSING ACT 2003: ARTUSI RESTAURANT, 161 BELLENDEN ROAD, LONDON SE15 4DH

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 local residents objecting to the application were not present at the meeting.

All parties were given five minutes for summing up.

The meeting went into closed session at 2.00pm.

The meeting resumed at 2.45pm and the chair read out the decision of the sub-committee.

RESOLVED:

That the application made by Beer Baker Restaurants Ltd to vary the premises licence granted under the Licensing Act 2003 in respect of the premises known as Artusi Restaurant, 161 Bellenden Road, London SE15 4DH is granted as follows:

Licensable Activity	Monday to Thursday	Friday & Saturday	Sunday
Late night refreshment	23.00 to 00.30	23.00 to 01.00	23.00 to 00.00
Sale and supply of alcohol (on and off the premises)	11.00 to 00.00	11.00 to 00.30	11.00 to 23.30
Hours premises are open to the public	09.00 to 00.30	09.00 to 01.00	09.00 to 00.00

Conditions

The operation of the premises under the licence shall be subject to relevant mandatory conditions, conditions derived from the operation schedule highlighted in Section M of the application form.

The following conditions agreed by the sub-committee shall also apply:

1. That the outside area be closed to all patrons after 22.00 with the exception of no more than five smokers at any one time.
2. That the disposal of bottles shall only be between the hours of 09.00 to 20.00.
3. That the door to the premises shall be closed at all times when licensable activities take place.

Reasons

This was an application made by Beer Baker Restaurants Ltd to vary the premises licence granted under the Licensing Act 2003 in respect of the premises known as Artusi Restaurant, 161 Bellenden Road, London SE15 4DH.

The licensing sub-committee heard evidence from the applicant who informed the sub-committee that this was an application to vary the hours the premises could operate and also to extend the area of licensable activity. Prior to submitting the application, they met with the relevant responsible authorities and took on board their concerns and advice, which formed part of the amended operating schedule. As a result there were no objections received from any responsible authority. There had also been four temporary event notices in June and July 2015 and no complaints had been received.

The licensing sub-committee noted that, in their written comments, the Metropolitan Police Service, the environmental protection team had no objections to this application.

The licensing sub-committee noted the written comments from that local residents objecting to the application, who were not in attendance at the meeting.

Whilst the licensing sub-committee are satisfied that issues have been resolved with the responsible authorities, it is mindful of the two representations received from other persons that have concerns of noise nuisance and odour caused by the position of the premises' wheelie bin. The sub-committee have imposed the additional conditions to address these residents' complaints.

In reaching this decision the sub-committee had regard to all the relevant considerations and the four licensing objectives and considered that this decision was appropriate and proportionate in order to address the licensing objectives.

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 granted or
- b) That on granting the licence, the licensing authority ought to have imposed different or additional conditions to 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 2.45 pm

CHAIR:

DATED: