



## **LICENSING COMMITTEE**

MINUTES of the OPEN section of the meeting of the LICENSING COMMITTEE held on TUESDAY 29TH JULY 2003 at 7.00 P.M. at the Town Hall, Peckham Road, London SE5 8UB

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**PRESENT:** Councillor Dr. Abdur-Rahman Olayiwola (Chair)  
Councillors Lorraine Lauder, Neil Watson and Lewis Robinson.

**ALSO PRESENT:** Councillor Charlie Smith (Ward Councillor)

### **APOLOGIES FOR ABSENCE**

Apologies for absence were received on behalf of Councillor Jeff Hook, Norma Gibbes, Veronica Ward and Tony Ritchie.

### **CONFIRMATION OF VOTING MEMBERS**

The Members listed as being present were confirmed as the Voting Members

### **NOTIFICATION OF ANY OTHER ITEMS WHICH THE CHAIR DEEMS AS URGENT**

The Chair agreed to accept Item 3 : Entertainment Licensing – 123 Lordship Lane, London SE22 as late and urgent for the reasons as set out in the report.

### **DISCLOSURE OF INTERESTS AND DISPENSATIONS**

There were none.

### **RECORDING OF MEMBERS' VOTES**

Council Procedure Rule 1.17 (5) allows a Member to record her/his vote in respect of any motions and amendments. Such requests are detailed in the following Minutes. Should a Member's vote be recorded in respect to an amendment, a copy of the amendment may be found in the Minute File and is available for public inspection.

The Sub-Committee considered the items set out on the agenda, a copy of which has been incorporated in the Minute File. Each of the following paragraphs relates to the item bearing the same number on the agenda.

### **MINUTES**

**RESOLVED:** That the Open minutes of the meetings held on 15<sup>th</sup> July 2002, 30<sup>th</sup> September 2002 and 23<sup>rd</sup> April 2003 be agreed and signed as a correct record of the proceedings.

## **2. SUMMARY OF LICENSING DECISIONS TAKEN BY OTHER THAN THE**

**LICENSING COMMITTEE – JANUARY TO JUNE 2003 (see pages 416 – 419)**

The Borough Solicitor & Secretary's representative circulated an update to paragraph 7 (b) – Chicago's Night Club Limited appeal on 21<sup>st</sup> July 2003.

**RESOLVED:** That the report be noted.

**3. ENTERTAINMENT LICENSING – 123 LORDSHIP LANE, LONDON SE22 (see Supplemental Agenda No.1, pages 421 – 459)**

The Chair agreed to accept the report as late and urgent for the reasons as set out in the report.

The Chair outlined the procedure to be followed in respect of the application and confirmed the purpose of the hearing was to consider an application by the Ricecooker Limited for the granting of an annual weekday and Sunday public music and dancing licence in respect of the ground floor premises situation at 123 Lordship Lane, London SE22. The hours sought in the application were Monday to Wednesday to 11p.m., Thursday to 12 midnight, Friday and Saturday to 1.00 a.m. on the day following and Sunday to 10.30 p.m.

The Applicant, Applicant's Representative, five objectors and a Ward Councillor were present at the meeting.

The Committee noted that a folder of information provided by the applicant to the Committee had not been made available to the objectors. Therefore at 7.30 p.m. it was moved, seconded and

**RESOLVED:** That the Committee adjourn for ten minutes in order to allow the objectors the opportunity to read the additional papers.

The meeting reconvened at 7.45 p.m.

Upon confirming the names of the objectors present, it was noted that two of the objector had not individually registered their names with the Licensing Unit but were attended as they had signed the petition objecting to the licence (see pages 441 to 449 of the report). Therefore at 7.50 p.m. it was moved, seconded and

**RESOLVED:** That the meeting adjourn for 7 minutes in order for the Committee to receive legal advice on the petitioners right to speak as objectors.

The meeting reconvened at 8.05 p.m.

The Chair informed the meeting that the Committee had agreed that the individuals whose names appeared in the petition set out in the agenda on pages 441 to 449 would be allowed to speak as objectors.

The Licensing Officer presented her section of the report and circulated photographs submitted by an objector. Thereafter Members of the Committee asked questions of the Licensing Officer.

The Noise Officer presented his section of the report and was questioned by the objectors.

The objectors put their case and were questioned by Members of the Committee.

The Ward Councillor (Councillor Charlie Smith) spoke against the application and was questioned by the objectors and the Committee.

The Applicant's Representative presented his case and was asked questioned by the objectors and Members of the Committee.

The objectors summed up their evidence.

The Applicant's Representative summed up his evidence.

### **MOTION OF EXCLUSION OF PRESS AND PUBLIC**

At 10.25 p.m. it was moved, seconded and

**RESOLVED:** That under the Access to Information procedure Rules of the Southwark Constitution, the press and public be excluded from the meeting for the following item of business on the grounds that it involves the likely disclosure of exempt information as defined in category 4, of paragraph 10.4 of the Procedure Rules.

The Licensing Officer, the Applicant, the Applicant's Representative, the objectors and the Ward Councillor withdrew from the meeting.

The Committee considered the evidence and reached a decision.

At 10.55 p.m. the Licensing Officer, The Applicant, the Applicant's representative, the objectors and the Ward Councillor were readmitted to the meeting and informed of the decision as follows:-

- RESOLVED:**
1. That an annual weekday and Sunday public music and dancing licence in respect of the ground floor premises at 123 Lordship Lane, London SE22 not be granted.
  2. That it be noted that in reaching the above decision the Committee took into account the following:-
    - (i) noise emissions from the premises in the event that a licence was granted
    - (ii) likely disturbance of residents caused by patrons leaving the premises
    - (iii) suitability of the premises and its location.
    - (iv) however, the Committee did not take into account that the 'without prejudice offer' was a threat.

The applicant was informed that if he was aggrieved by the decision of the Committee he had the right, under Schedule 12 of the London government Act 1963, to appeal against the decision to the local magistrates court. Such an appeal must be made

within twenty-one days from the notification of the decision.

The meeting closed at 11.20 p.m.

**CHAIR:**

**DATED:**