Open Agenda

Southwark

Licensing Committee

Tuesday 26 July 2011 7.00 pm Town Hall, Peckham Road, London SE5 8UB

Supplemental Agenda No.1

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5. Minutes from the Licensing Committee

To approve as a correct record the minutes of the open section of the meeting held on 15 March 2011.

6. Minutes from the Licensing Sub-Committees

To agree as a correct record the minutes of the open sections of the meetings held on the dates below:

- 21 March 2011
- 28 March 2011
- 18 April 2011
- 27 April 2011
- 9 May 2011
- 12 May 2011
- 25 May 2011
- 6 June 2011
- 27 June 2011
- 4 July 2011
- 13 July 2011

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MINUTES of the OPEN section of the Licensing Committee held on Tuesday 15 March 2011 at 7.00 pm at Town Hall, Peckham Road, London SE5 8UB

- PRESENT: Councillor Lorraine Lauder MBE (Chair) Councillor Sunil Chopra Councillor Robin Crookshank Hilton Councillor Dan Garfield **Councillor Norma Gibbes Councillor Jeff Hook** Councillor David Hubber Councillor Eliza Mann Councillor Michael Mitchell Councillor the Right Revd Emmanuel Oyewole Councillor Althea Smith OTHERS John McHenry, Markets Development Manager PRESENT: Richard Parkins, Health Safety Licensing & Environmental Protection Unit Manager OFFICER Felix Rechtman, Legal Officer
- **SUPPORT:** Sean Usher, Constitutional Team

1. APOLOGIES

Apologies were received from Councillors Wilma Nelson, Ian Wingfield, Catherine Bowman and Darren Merrill.

2. CONFIRMATION OF VOTING MEMBERS

The members listed above 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

Councillor Robin Crookshank-Hilton declared a non prejudicial interest in item 9 as she was at the Dulwich Community Council meeting on 9 February 2011.

Councillor Michael Mitchell declared a non prejudicial interest in item 9 as he was at the Dulwich Community Council meeting on 9 February 2011.

5. MINUTES FROM THE LICENSING COMMITTEE

RESOLVED:

That the open minutes of the committee meeting held on 6 January 2011 were agreed as a correct record and signed by the chair.

6. MINUTES FROM THE LICENSING SUB-COMMITTEES

RESOLVED:

That the minutes of the open sections of the meetings held on 20 December 2010, 12 January 2011, 7 February 2011 and 28 February 2011 were agreed as a correct record and signed by the chair.

7. THE LICENSING ACT 2003 - CONSIDERATION OF LOCAL SATURATION POLICIES DEALING WITH THE "CUMULATIVE IMPACT" OF LICENSED PREMISES - BOROUGH AND BANKSIDE, CAMBERWELL AND PECKHAM AREAS

The officer presented his report and discussed the statistics in all three saturation areas. Members had questions.

RESOLVED:

- 1. That the committee agreed, that on the basis of the partnership analytical report and the report from the environmental protection team, it is appropriate and necessary to maintain the existing saturation policies in
 - a) Camberwell; and
 - b) Peckham.
- 2. That the committee agreed, that on the basis of the partnership analytical report; the report from the environmental protection team; and the response from the local consultation, it is appropriate and necessary to recommend to council assembly the extension of the western boundary of the Borough and Bankside saturation area to take in The Cut and Isabella Street.
- 3. That the committee agreed to recommend an extension of the Borough and Bankside saturation area to council assembly, the committee confirmed the new proposed boundary as that set out in appendix 2 of the report and the classes of premises to be incorporated as set out in paragraph 27.

8. THE LICENSING ACT 2003 - CONSIDERATION OF LOCAL SATURATION POLICIES DEALING WITH THE "CUMULATIVE IMPACT" OF LICENSED PREMISES -ELEPHANT & CASTLE; OLD KENT ROAD CORRIDOR (NORTH & SOUTH); AND WALWORTH ROAD/EAST STREET AREAS

The licensing officer presented the statistics on the three areas being monitored. Members had questions. The officer stated that the statistical evidence did not support the monitoring of Shad Thames at this time.

RESOLVED:

- 1. That the committee agreed that on the basis of the partnership analytical report and the report from the environmental protection team, the following areas remain under ongoing monitor:
 - a) The Elephant & Castle;
 - b) The Old Kent Road; and
 - c) The Walworth Road / East Street.
- 2. That the committee agreed that the Elephant & Castle area under monitor be extended northward to run flush with the current Borough and Bankside zone.

9. THE EXTENSION OF PITCHES: DESIGNATION OF NORTHCROSS ROAD

The officer presented his report. Members had questions.

After the discussion the chair moved to the vote on the recommendations as set out in the report, the outcome of which was the recommendation as stated were not carried.

The meeting then adjourned for 5 minutes for the chair to take legal and constitutional advice.

At the end of the 5 minute adjournment, the chair invited the committee to vote on an amended recommendation including a new recommendation (9.6) regarding further consultation on Sunday trading.

RESOLVED:

- 1. That the committee resolved to vary the designation of North Cross Road as a license street to extend the number of pitches from twenty (20) to thirty (30), with effect from 1 May 2011.
- 2. That the committee resolved to defer the designation of North Cross Road as a license street on Sunday.
- 3. That the Committee limited the number of pitches Monday to Thursday to ten (10).
- 4. That following the marking up and allocation of pitches, licensed traders are not required to occupy their pitch until 9am on Saturday.
- 5. That the Committee agreed to a further review of these arrangements after 6 months of operation.
- 6. That at the end of the 6 month period a further consultation should take place on a Sunday trading pilot scheme at the Lordship Lane end of Northcross Road.

The meeting closed at 8.25pm.

CHAIR:

DATED:

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MINUTES of the OPEN section of the Licensing Sub-Committee held on Monday 21 March 2011 at 10.00 am at Town Hall, Peckham Road, London SE5 8UB

PRESENT:	Councillor Eliza Mann Councillor Jeff Hook (Chair) Councillor Wilma Nelson
OTHERS PRESENT:	Councillor Ian Wingfield, ward councillor Brunswick Park PC Paul Compton, Southwark Police Licensing Service Alan Blissett, Enviromental Protection Team Bill Masini, Trading Standards Alex Cameron, Planning Enforcement
	Ms R Stone, applicant for review, Nese Restaurant Mr M Arif, licensee, Nese Restaurant Mr Gutierrez Pardo, applicant, Las Delicias Mr Rocha, agent for applicant, Las Delicias Elsa Marques, local resident, Miquel Pacheco, local resident Steven Appleby, local resident
OFFICER SUPPORT:	Kristie Ashenden, Licensing Officer Tracy McCarthy, Licensing Officer David Perry, Legal Officer Sean Usher, Constitutional Team

1. APOLOGIES

There were none.

2. CONFIRMATION OF VOTING MEMBERS

The 3 members present were confirmed as the voting members. In the absence of the chair or vice-chair, the members nominated Councillor Jeff Hook as chair for this sub-committee.

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

There were none.

4. DISCLOSURE OF INTERESTS AND DISPENSATIONS

There were none.

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5. LICENSING ACT 2003 - NESE RESTAURANT (FORMERLY WABI SHEBELE), 189 -191 NEW KENT ROAD, LONDON, SE1 4AG

The licensing officer presented her report and notified the sub-committee that the item had already been heard on 20 December 2010 and that the licensee had appealed the decision and the magistrates court had requested the item be re-heard.

Members had questions for the licensing officer.

The applicant for the review, Ms Stone, then addressed the sub-committee with her reasons for the review. She also noted that the premises had been operating with less disturbances since the review hearing in December 2010. Members had questions for the licensing officer.

The Environmental Protection officer addressed the sub-committee and raised the issue of sound limiting devices and noise nuisance concerns. Members had questions for the officer. The licensee had questions for the officer.

The licensee then addressed the sub-committee and informed them he had been operating with less disruption to his neighbours and that he had purchased a more up to date sound limiting system and was awaiting a sound engineer to install it. Members had questions for the licensee.

All parties were then given 5 minutes to sum up.

The meeting then went into closed session to discuss the application.

At 11.15am the meeting resumed and the chair read the following decision.

RESOLVED:

The Council's Licensing Sub-Committee, having had regard to the application by Rosalynde Stone for a review of the premises granted under the Licensing Act 2003 to Mustafa Arif in respect of the premises known as Nese Restaurant, 189 - 191 New Kent Road, London, SE1 and having had regard also to all other relevant representations has decided it necessary for the promotion of the licensing objectives to add additional conditions below whilst maintaining the hours as per the licence issued on 18 November 2005.

Conditions

- All electronically amplified sound shall be played through a compressor sound limiting device, the level of which shall be set by the operators sound engineer in consultation with the council's Environmental Protection Team and local residents and maintained to the agreed level thereafter.
- The licensee shall implement any additional sound-proofing works identified by the council's Environmental Protection Team within 28 days.
- No more than six people shall use the outside area at any one time.

Reasons

The reasons for the decision are, as follows:

The Licensing Sub Committee heard evidence from the applicant and her supporting witnesses, the Environmental Protection Team and the licensee, and all relevant representations. The sub-committee was satisfied that there had been a factual change in the way the premises is operated, namely that it is now operated as a restaurant and not a night club.

The sub-committee found that the premises does still adversely affect the prevention of public nuisance objective, in particular there is a problem with noise from the premises in neighbouring properties. The sub-committee therefore decided it was necessary and proportionate to prevent noise nuisance that the conditions and section 2 above be added to the license.

Appeal rights

This decision is open to appeal by either

- a) The applicant for the review;
- b) The premises licence holder; or
- c) Any other person who made relevant representations in relation to the application

This decision is open to appeal by either

- d) The applicant for the review;
- e) The premises licence holder; or
- f) Any other person who made relevant representations in relation to the application

Such appeal must be commenced by notice of appeal given by the appellant to the justices chief executive for the magistrates court for the area within the period of 21 days beginning with the day on which the appellant was notified by this licensing authority of the decision. This decision does not have effect until either

- a) The end of the period for appealing against this decision; or
- b) In the event of any notice of appeal being given, until the appeal is disposed of.

6. LICENSING ACT 2003 - LAS DELICIAS, 99 SOUTHAMPTON WAY, LONDON SE5 07SX

The licensing officer presented her report. Members had no questions for the officer.

The licensee and his representative addressed the sub-committee. The members had questions for the applicant. The ward councillor had questions for the applicant.

There were 4 responsible authorities present, the Police, Trading Standards, Environmental Protection and Planning Control, they each addressed the sub-committee in turn. Members had questions for the representatives. The ward councillor had

questions for the representatives as did the licensee's representative.

The ward councillor addressed the sub-committee and called upon the 3 local residents as witnesses. Members had questions for the ward councillor.

All parties were then given 5 minutes to sum up then the meeting went into closed session.

At 1.15pm the meeting resumed and the chair read out the following decision.

RESOLVED:

That the application by Nelson Gutierrrez Pardo for a grant of a Premises Licence issued under the Licensing Act 2003 in respect of Las Delicias, 99 Southampton Way, London SE5 is granted in part as follows:

Licensable Activity	Sunday to Thursday	Friday	Saturday
Sale and supply of alcohol	09.00-	09.00-	09.00-
	21.00	23.00	23.00
Opening hours	09.00-	09.00-	09.00-
	21.30	23.30	23.30

Conditions

The following additional conditions are to be applied to the licence:

- Clearly legible notices shall be prominently displayed at all exits from the premises requesting people to leave the premises in a quiet and orderly manner so as not to disturb local residents.
- A contact telephone number for the Designated Premises Supervisor (DPS) be prominently displayed at the premises.
- Customers shall use no outside area after 22.00 other than those temporarily leaving the premises to smoke. Those leaving the premises should not be permitted to consume drinks whilst outside.
- The 4 conditions proposed by Trading Standards at page 115 of the Report.

Reasons

The reasons for the decision are as follows:

The licensing sub-committee heard from the applicant, his agent and his landlord. It also heard from the Police, Environmental Protection Team (EPT), Trading Standards and Planning Control. The sub-committee also heard from Councillor Ian Wingfield (local ward councillor) and 3 local residents.

Having heard about the unsuitability of the premises for loud music and dancing from the EPT and the problems already experienced in neighbouring properties, the sub-committee

was satisfied that the premises would cause a noise nuisance.

Having had regard to all relevant representations and the 4 licensing objective the subcommittee decided to grant the licence in part, as above with the only licensable activity permitted being the sale and supply of alcohol. The hours are detailed in the table above. In addition to the above conditions and hours the sub-committee also felt that it was necessary for the protection of children from harm that all conditions proposed by the Trading Standards department, be added to the licence.

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 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 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 1.30pm.

CHAIR:

DATE:

Southwark

MINUTES of the OPEN section of the Licensing Sub-Committee held on Monday 28 March 2011 at 10.00 am at Town Hall, Peckham Road, London SE5 8UB

PRESENT:	Councillor Lorraine Lauder MBE (Chair) Councillor Dan Garfield Councillor Norma Gibbes
OTHERS PRESENT:	PC Ian Clements, Southwark Police Licensing Service PC Paul Compton, Southwark Police Licensing Service Bill Masini, Trading Standards Nick McCormack, Dulwich Hamlet Football Club Sally O'Reilly, Dulwich Hamlet Football Club
OFFICER SUPPORT:	Dorcas Mills, Licensing Officer David Perry, Legal Officer Sean Usher, Constitutional Team

1. APOLOGIES

There were none.

2. CONFIRMATION OF VOTING MEMBERS

The 3 members listed above 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 - DULWICH HAMLET FOOTBALL CLUB, EDGAR KAIL WAY, LONDON SE22 8BD

The licensing officer presented her report. There were no questions.

The police officers presented their review of the licence and additional conditions they wanted added to the licence by the sub-committee. Members had questions for the police officers.

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Licensing Sub-Committee - Monday 28 March 2011

The trading standards officer presented to the sub-committee in support of the review by the Police. Trading standards had proposed 4 conditions to be added to the licence. Members had questions for the officer. The licensees had questions for the officer.

The licensees then addressed the sub-committee and explained what they would do to address the Police and Trading Standard's concerns. Members had questions for the licensees.

All parties were given 5 minutes to sum up in reverse order then the sub-committee went into closed session to discuss the review application.

At 11.49am the meeting resumed and the chair read out the following decision.

RESOLVED:

The council's licensing sub-committee, having had regard to the application by Metropolitan Police for a review of the premises granted under the Licensing Act 2003 to Dulwich Hamlet Football Club Ltd in respect of the premises known as Dulwich Hamlet Football Club, situated at Edgar Kail Way, London SE22 8BD and having had regard also to all other relevant representations have made the following decision:

- The permitted hours for live and recorded music, performance of dance and late night refreshment and sale of alcohol are to be reduced to 23:30 on Fridays and Saturdays.
- The opening hours are reduced to 00:00 on Fridays and Saturdays.

Conditions

In addition to the modified hours, the following conditions are to be applied to the licence:

• The 4 conditions proposed by Trading Standards and listed on page 23 of the agenda are to be added to the licence in full.

Police conditions listed below are to be added to the licence:

- The personal licence holder must be on the premises at all times that intoxicating liquor is being provided.
- That a CCTV system is installed at the premises and be maintained in good working order and be continually recording at all times the premises are in used 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 31 days and shall, upon request, be made available immediately to officers of the Police and the council.
- Condition 303 is replaced with the following conditions:
 - When the premises is used for an event promoted either internally by the premises or by an external promoter, where it is advertised in the press and on

websites and where people pre-purchase a ticket or pay at the door, the organiser must complete a Promotion/Event Assessment Form (MP696) supplied by the Police and ensure that a copy of that and the agreement is provided to the Police and Licensing Unit a minimum of 14 days prior to the date of hire. This requirement does not apply to events directly associated with a registered charity.

- When events as described above take place at least 2 SIA registered door staff should be employed at all times from 21:00 to the terminal hour the premises is being used. They shall be provided with hand-held metal detectors and ensure that searches are carried out in respect of all admissions including members of the public, performers and their assistants and the door-staff will also be provided with a mechanical counting device to ensure the accommodation limit is not exceeded.
- You shall notify the Police and the Licensing Unit on all other occasions when the premises is hired out to any third party at least 7 days prior to the date of the event.
- If requested by the Police and Licensing Unit a Promotion/Event Assessment Form will be submitted and security staff be employed as above.
- The DPS and premises management will hold meetings with the Police and Licensing Unit to discuss operational issues as and when requested.

Reasons

The reasons for the decision are, as follows:

The licensing sub-committee hear from the Police, Trading Standards and from the bar manager and Designated Premises Supervisor of the premises about the incident which took place on 28 January 2011.

The sub-committee considered the licensing objective, in particular the prevention of crime and disorder, public nuisance and protecting children from harm and decided that the conditions and changes in licensing hours above were necessary and proportionate.

Appeal Rights

This decision is open to appeal by either

- a) The applicant for the review;
- b) The premises licence holder; or
- c) Any other person who made relevant representations in relation to the application.

This decision is open to appeal by either

- d) The applicant for the review;
- e) The premises licence holder; or
- f) any other person who made relevant representations in relation to the application.

Such appeal must be commenced by notice of appeal given by the appellant to the justices chief executive for the magistrates court for the area within the period of 21 days beginning with the day on which the appellant was notified by this licensing authority of the decision. This decision does not have effect until either

- a) The end of the period for appealing against this decision; or
- b) In the event of any notice of appeal being given, until the appeal is disposed of.

The meeting closed at 11.55am.

CHAIR:

DATED:

Licensing Sub-Committee - Monday 28 March 2011

Southwark

MINUTES of the OPEN section of the Licensing Sub-Committee held on Monday 18 April 2011 at 10.00 am at Town Hall, Peckham Road, London SE5 8UB

PRESENT:	Councillor Althea Smith Councillor Catherine Bowman (Chair) Councillor Sunil Chopra
OTHERS PRESENT:	Mr Ali, applicant Mr Bitrick, local resident
OFFICER SUPPORT:	Alan Blissett, Environmental Protection Team Wesley McArthur, Licensing Officer Felix Rechtman, Legal Officer Sean Usher, Constitutional Team

1. APOLOGIES

There were none.

2. CONFIRMATION OF VOTING MEMBERS

The 3 members present were confirmed as voting members and Councillor Catherine Bowman as vice-chair of the licensing committee, took the role of chair for this subcommittee.

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 - PAYLESS 94-96 PECKHAM ROAD, LONDON SE15 5LQ

The sub-committee agreed to give the applicant an extra 15 minutes to await their representative. The licensing officer presented his report, there were no late items relating to the application. The applicants and their representative addressed the sub-committee members had questions, the local residents asked the applicant questions.

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Licensing Sub-Committee - Monday 18 April 2011

The planning officer and the trading standards officer addressed the sub-committee and outlined their representations. Members had questions for the officers. The representative for the applicant had questions for the officers.

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

All parties were given 5 minutes to sum up then the meeting went into closed session for the members to consider the application.

The meeting resumed at 11.55am and the chair read out the following decision:

RESOLVED:

That the application by Shafait Ali for a grant of a premises licence issued under the Licensing Act 2003 in respect of Payless, 94-96 Peckham Road, London SE5 5LQ be refused.

Reasons

The reasons for the decision are, as follows:

The sub-committee heard evidence from the Council's Trading Standards officer that the applicant, Mr Ali, also held premises licenses for 2 other premises in the borough, namely Express Payless (49 – 51, Peckham Park Road, SE15 6TU) and Payless (121- 125 Peckham High Street, SE15 5SF). Trading standards carried out test purchases at these 2 premises for underage sales on 4 separate occasions in the past 7 months and this resulted in 8 sales of age restricted products to a child. In view of this history of underage sales by the applicant, the sub-committee considers that granting this licence will have an adverse impact on the protection of children from harm objective in the Licensing Act 2003. In addition the applicant was offered training to prevent underage sales which he failed to attend. 6 of the 8 underage sales referred to above took place after training had been provided to the staff.

The offer by the applicant to replace the Designated Premises Supervisor is unacceptable as no details were provided in that respect.

In addition the premises are located in a saturation zone and the sub-committee found that the applicant failed to satisfy the sub-committee that there will be no negative cumulative impact on 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 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 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.

6. LICENSING ACT 2003: SHUNT, 42 - 44 BERMONDSEY STREET, LONDON, SE1 3UD

The sub-committee were informed that the applicant for the review, Mr Rosenthal was not attending and was happy for the sub-committee to consider the application in his absence. The sub-committee took an extra ten minutes to read the review report and application.

The environmental protection officer addressed the sub-committee in support of the review. Members had questions for the officer. The planning officer addressed the sub-committee and members had questions for the officer. The licensee and representatives had questions for the officers.

The licensee and representatives addressed the sub-committee. Members had questions for the licensee. The environmental protection officer had questions of the licensee.

All parties were given 5 minutes to sum up and at 12.57pm the meeting went into closed session to consider the review application.

At 1.24pm the meeting resumed and the chair read out the following decision.

RESOLVED:

The council's licensing sub-committee, having had regard to the application by Mr Rosenthal in respect of the premises known as Shunt, 42 - 44 Bermondsey Street, SE1 3UD, and having had regard also to all relevant representations has decided it necessary for the promotion of the licensing objectives to take no further action.

Reasons

The reasons for the decision are, as follows:

The sub-committee considered the application by Mr Rosenthal for a review of the premises licence of the premises known as Shunt, such application being made under Section 51 of the Licensing Act 2003 by a local resident.

The sub-committee also heard representation from Planning and Environmental Protection and the licensee. The sub-committee found that the applicant's complaints relate solely to the use of the premises under temporary event notices and not during the normal hours of the licence. In these circumstances the sub-committee did not consider it necessary to take any action against the licence on this occasion.

Appeal rights

This decision is open to appeal by either

- a) The applicant for the review;
- b) The premises licence holder; or
- c) Any other person who made relevant representations in relation to the application

Such appeal must be commenced by notice of appeal given by the appellant to the justices chief executive for the magistrates court for the area within the period of 21 days beginning with the day on which the appellant was notified by this licensing authority of the decision.

This decision does not have effect until either:

a) The end of the period for appealing against this decision; or In the event of any notice of appeal being given, until the appeal is disposed of.

The meeting closed at 1.30pm.

CHAIR:

DATED:

Southwark

MINUTES of the OPEN section of the Licensing Sub-Committee held on Wednesday 27 April 2011 at 10.00 am at Town Hall, Peckham Road, London SE5 8UB

PRESENT:	Councillor Michael Mitchell Councillor the Right Revd Emmanuel Oyewole Councillor David Hubber (Chair)
OTHERS PRESENT:	Julia Metzner, head of events Dulwich College Saba Naqshbandi, Counsel Torben Adorsen, Acoustic Consultant
OFFICER SUPPORT:	Dave Swaby, Licensing Officer Felix Rechtman, Legal Officer Alan Blissett Principal Environmental Protection Officer Bola Roberts, Constitutional Officer

1. APOLOGIES

There were none.

2. CONFIRMATION OF VOTING MEMBERS

The 3 members listed above were confirmed as the voting members. In the absence of the chair, Councillor David Hubber was nominated to to chair the meeting, this was seconded by Councillor Michael Mitchell.

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

The licensing officer Dave Swaby informed members that Councillor Lewis Robinson had requested that a letter be circulated for information. Members agreed that the letter be circulated. The applicant also agreed for the letter to be circulated.

4. DISCLOSURE OF INTERESTS AND DISPENSATIONS

There were none.

5. LICENSING ACT 2003 - PLANET NOLLYWOOD, 319 CAMBERWELL ROAD, LONDON SE5 0HQ

This item was removed from the agenda prior to the meeting.

6. LICENSING ACT 2003 - DULWICH COLLEGE, DULWICH COMMON LONDON SE21

The licensing officer presented his report and circulated a map of the vicinity of Pond Cottages. Members had questions for the licensing officer.

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

The resident detailed her and other residents objections to the application. Members had questions for the applicant.

All parties were given 5 minutes to sum up then the meeting was adjourned at 11.10am for members to consider the application.

The meeting resumed at 11.45am and the chair read out the following decision:

RESOLVED:

That the application made by the Dulwich College Enterprise Limited for the grant of a premises licence issued under the Licensing Act 2003 in respect of the premises known as Dulwich College, Dulwich Common, London SE21 is granted as follows:

Licensable Activity	Monday - Thursday	Friday	Saturday	Sunday
Provision of regulated entertainment	9.00 – 23.00	09.00-23.30	09.00-23.30	09.00-23.00
Provision of late night refreshment		23.00-23.30	23.00-23.30	
Sale of alcohol on the premises	9.00 – 23.00	09.00-23.30	09.00-23.30	09.00-23.00
Opening hours	9.00 – 23.30	9.00–00.00 (midnight)	9:00–00.00 (midnight)	09:00-23.30

Conditions

The following additional conditions are to be applied to the licence:

- 1. The areas to be licensed are as follows:
 - Pavilion Salle
 - The Edward Alleyn Theatre
 - The Great Hall
 - The Lower Hall
 - The North Cloister
 - The South Cloister
 - The Old Library

(drawing "A") (drawing "B") (drawing "C") (drawing "D") (drawing "D") (drawing "D")

(drawing "E")

- Christison Hall (drawing "F")
- 2. The premises will not be open to the general public and admittance to any part of the premises will to be restricted to members of Dulwich College, their bona fide guests and those attending pre-booked private functions.
- 3. CCTV shall be installed to cover all areas where regulated activities will take place. All cameras shall continue to record whilst the premises are open to the public and the video recordings shall be kept for a minimum of five weeks with time and date stamping;
 - recordings shall be made available to an authorised officer or police officer upon request;
 - recordings for the preceding two days shall be made available immediately upon request. Recordings outside this period shall be made available on 24 hours notice.
- 4. The premises have a high level of internal security with SIA registered security staff to be in attendance when the premises are used for regulated entertainment.
- 5. A Designated Premises Supervisor, Personal Licence Holder or nominate person will be on the premises at all times.
- 6. The number of patrons attending the premises will be carefully monitored to prevent overcrowding.
- 7. The premises shall operate an agecheck 'Challenge 25' policy whereby customers purchasing alcohol who look or appear to be under 25 years of age will be asked for an approved form of proof of age to verify their age. Approved forms shall include a driving licence, passport or a PASS approved proof of age card such as the Southwark Proof of Age (SPA) card.
- 8. All staff involved in the sale of alcohol shall be trained in the agecheck 'Challenge 25' policy. A record of their training, including the dates that each member of staff is trained, shall be available for inspection at the premises on request by the Council's authorised officers or the Police.
- 9. Agecheck or 'Challenge 25' signage shall be displayed at areas where alcohol is displayed for sale and at points of sale to inform customers that an agecheck 'Challenge 25' policy applies and proof of age may be required.
- 10. A register of refused sales of alcohol shall be maintained in order to demonstrate effective operation of the policy. The register shall be available for inspection at the premises on request by the Council's authorised officers or the Police.
- 11. An evacuation policy is in place. All staff members have been trained in fire and emergency evacuation procedures. Arrangements are in place for the safe evacuation of the disabled.
- 12. All escape routes and exits shall be clearly identified and maintained unobstructed.
- 13. Staffs routinely check the premises during opening hours to ensure that the premises 3

are clear of any potential hazards.

- 14. Adequate and appropriate First Aid equipment is available. At least one trained first aider will be on duty when the public are present.
- 15. A comprehensive risk assessment policy is in place.
- 16. All fire fighting equipment shall be checked on a regular basis and any fire warning system tested on a weekly basis.
- 17. All fire doors are maintained effectively self closing.
- 18. Access for emergency vehicles shall be kept clear and free from obstruction.
- 19. If required, legible notices shall be displayed at all exits requesting those attending the premises to leave the premises and surrounding areas quietly.
- 20. Persons under the age of 18 shall not be permitted in the areas where regulated activities are taking place unless attending a pre booked private event and must be supervised by a responsible adult.
- 21. All doors and windows will be kept closed when regulated entertainment takes place.
- 22. No electronically amplified live and/or recorded music shall be played outside.
- 23. Music and dancing in any outside area shall cease at 21.00 hours.
- 24. The main door to the Lower Hall and South Cloisters shall be kept locked shut at all times when regulated entertainment is taking place.
- 25. A dedicated contact telephone number shall be made available to local residents.
- 26. Sound limiters to be installed in two locations (South Cloister) and (Lower Hall) and all electronic music brought on to the location shall be played through the said sound limiters. Sound limiter levels to be set by the colleges' acoustic expert following consultation with residents.

Reasons

The reasons for the decision are as follows:

The Licensing Sub Committee heard evidence from the applicant's representative. The sub-committee also heard from local residents who objected to the application on the basis that the granting of the application will increase noise nuisance in the area.

The sub-committee consider that the granting of this application together with additional conditions referred to above and by limiting the hours during the week will have no adverse impact on the four objectives in the Licensing Act 2003.

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 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 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 noon.

CHAIR:

DATED:



MINUTES of the OPEN section of the Licensing Sub-Committee held on Monday 9 May 2011 at 10.00 am at Town Hall, Peckham Road, London SE5 8UB

PRESENT:	Councillor Ian Wingfield Councillor Eliza Mann Councillor Jeff Hook (Chair)
OTHERS PRESENT:	Mr Biagio Caroleo, applicant Myriam Benhanini, premises manager Mr Peter Tilly, applicant's legal representative Councillor Adele Morris, ward councillor Louise Baker, local resident
OFFICER SUPPORT:	Kristie Ashenden, licensing officer David Perry, legal officer Sean Usher, constitutional team

1. APOLOGIES

There were none.

2. CONFIRMATION OF VOTING MEMBERS

The 3 members present were confirmed as voting members. Councillor lan Wingfield was nominated and appointed as Chair for this sub-committee meeting.

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

The police and applicant had agreed revised police conditions and these were circulated at the meeting.

4. DISCLOSURE OF INTERESTS AND DISPENSATIONS

There were none.

5. LICENSING ACT 2003 - BIAGIO@BANKSIDE, 32 SOUTHWARK BRIDGE ROAD, LONDON, SE1 9EU

The licensing officer presented her report. The members had questions for the officer.

The applicant and his legal representative addressed the sub-committee. Members had

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questions for the applicant. The local resident and the ward councillor had questions for the applicant.

The local resident and the ward councillor then addressed the sub-committee. Members had questions for the resident and ward councillor. The applicant had questions for the local resident and ward councillor.

All parties were given 5 minutes to sum up. At 11.17am the meeting went into closed session to consider the application.

At 12.04pm the meeting resumed and the chair read out the decision as follows:

RESOLVED:

That the application by Biagio Caroleo for the variation of the premises licence issued under the Licensing Act 2003 in respect of Biagio@Bankside, 32 Southwark Bridge Road, London, SE1 9EU be granted as follows, with additional conditions:

Licensable Activity	Monday to Thursday	Friday and Saturday	Sunday
Live Music	12.30 - 01.30	12.30 - 02.30	12.00-00.00
Recorded Music	09.00 – 01.30	09.00 - 02.30	10.00-00.00
Anything similar to live/recorded music and dancing	12.00 - 01.30	12.00 – 02.30	12.00–00.00
Provision of facilities for making music	10.30 – 01.30	10.30 – 02.30	11.30–00.00
Provision of facilities for dancing	12.00 - 01.30	12.00 - 02.30	12.00-00.00
Late night refreshment	23.00 - 01.30	23.00 - 02.30	23.00-00.00
Supply of alcohol on and off the premises	08.00 - 01.00	08.00 - 02.00	11.30-00.00
Opening Hours of premises	07.00 - 01.30	08.00 - 02.30	09.00-00.30
No off-sales			

Conditions

The following additional conditions are to be applied to the licence:

All appropriate mandatory conditions as defined by the Licensing Act 2003 (as amended); and the following conditions put forward by the Police and the Licensing Sub-Committee:

• That SIA registered door supervisors, at least one of whom shall be a female, shall be employed at all times after 22.00 hours 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.

- 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 Council.
- The premises shall not be hired out to any external promoters.
- That a personal licence holder is on the premises and on duty at all times that intoxicating liquor is supplied.
- There shall be no new entry or re-entry (except for those who temporarily leave the premises to smoke a cigarette) after 23.00 hours.
- No open containers of alcohol to be taken from the premises.
- No more than 6 people are permitted to smoke outside the premises at any one time.

Reasons

The reasons for the decision are, as follows:

The licensing sub-committee heard representations from the applicant and his legal representative and his premises manager. The sub-committee also heard from a local resident and a local ward councillor. It also took into account all other relevant representations.

It was noted that the representations from the Police were conciliated and that there were no representations from other responsible authorities.

The premises are located within the Borough and Bankside Saturation Zone.

The sub-committee considered that the variation may add to the cumulative impact on nuisance in the saturation zone, namely increases in noise related to customers arriving and leaving and smoking at the premises. However, the sub-committee was satisfied that the applicants operating schedule and the additional conditions imposed by the sub-committee would result in no negative cumulative impact.

The sub-committee did not consider that there would be a negative cumulative impact on the other licensing objectives.

Having considered all representations, the licensing objectives and the saturation policy, the sub-committee therefore grants the application as above with the additional conditions listed in section 2.

Appeal rights

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The applicant may appeal against any decision to modify the conditions of the licence; and Any person who made relevant representations in relation to the application who desire to contend that

- a) That variation ought not to have been made; or
- b) That, 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 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 magistrate's 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 12.15pm.

CHAIR:

DATED:



MINUTES of the OPEN section of the Licensing Sub-Committee held on Thursday 12 May 2011 at 10.00 am at Town Hall, Peckham Road, London SE5 8UB

PRESENT:	Councillor Althea Smith Councillor Michael Mitchell (Chair) Councillor Norma Gibbes
OTHERS PRESENT:	Mr Adekunie Adejumo, licensee Ms Mendes, bar manager Cary Grant, legal representative for Planet Nollywood PC Paul Compton
OFFICER SUPPORT:	Jayne Tear, Licensing Officer Dorcas Mills, Licensing Officer David Perry, Legal Officer Sean Usher, Constitutional Officer

1. APOLOGIES

There were none.

2. CONFIRMATION OF VOTING MEMBERS

The three members present were confirmed as voting members. In the absence of the chair of the licensing committee, Councillor Michael Mitchell was nominated and appointed as chair for this sub-committee.

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 - PLANET NOLLYWOOD, 319 CAMBERWELL ROAD, LONDON SE5 0HQ

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

The police presented their application for a review of the premises. Members had questions. The legal representative of the licensee had questions for the police.

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The licensee and his legal representative and the bar manager of the premises addressed the sub-committee and asked for permission to operate on 2 nights even if the premises was closed. Members had questions for the licensee, the legal representative and the bar manager. The police had questions for the licensee.

All parties were given 5 minutes to sum up.

At 11.04am the meeting went into closed session to discuss the application.

At 11.29am the meeting resumed and the chair read out the following decision.

RESOLVED:

The council's Licensing Sub-Committee, having had regard to the application made by the Commissioner of Police for the Metropolis under Section 53a of the Licensing Act 2003 for an expedited review of the premises licence issued to Adekunie Adejumo in respect of the premises known as Planet Nollywood, situated at 319 Camberwell Road, London, SE5, has decided it necessary to take the following interim steps for the promotion of the licensing objectives:

Suspend the licence until June 6 2011.

Reasons

The reasons for the decision are, as follows:

The licensing sub-committee heard representations from the police and the licensee, his legal representative and his bar manager. The bar manager also acts as a promoter and organiser of a Salsa night at the premises.

The sub-committee were satisfied that a serious incident of crime and disorder took place at the premises on 6 May 2011, in particular a person entered the premises with 2 loaded firearms.

The sub-committee was also satisfied that there had been previous incidents of crime and disorder at or connected with the premises.

The sub-committee considered that if was necessary and proportionate to suspend the premises licence in order to promote the licensing objectives, in particular the prevention of crime and disorder, with immediate effect.

The sub-committee was not satisfied that the steps proposed by the licence holder were sufficient to ensure that their 2 proposed Salsa nights could take place without a risk of crime and disorder taking place and therefore rejects the licence holders request that the premises be allowed to open on those 2 occasions (14 May and 28 May 2011).

Appeal Rights

This decision takes effect immediately.

- a) The premises licence holder may make representations against the interim steps taken by the Licensing Authority.
- b) On receipt of the representation the Licensing Authority will hold a hearing with 48 hours of receipt.
- c) The full review hearing is scheduled for the 6 June 2011.

The meeting closed at 11.35am.

CHAIR:

DATED:

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Licensing Sub-Committee - Thursday 12 May 2011



MINUTES of the OPEN section of the Licensing Sub-Committee held on Wednesday 25 May 2011 at 10.00 am at Town Hall, Peckham Road, London SE5 8UB

PRESENT:	Councillor Sunil Chopra (Chair) Councillor Wilma Nelson Councillor Catherine Bowman
OTHERS PRESENT:	Mr Ian Gough, licensee PC Ian Clements
OFFICER SUPPORT:	Dorcas Mills, licensing officer Roy Fielding, licensing officer Felix Rechtman, legal officer Caroline Hayward, legal officer Paula Thornton, constitutional officer

CONFIRMATION OF CHAIR

The constitutional officer informed the meeting that Councillor Sunil Chopra had been appointed Chair of the Licensing Committee for the municipal year 2011/12 at Council Assembly on 24 May 2011 and would chair this meeting of the licensing sub-committee.

1. APOLOGIES

There were none.

2. CONFIRMATION OF VOTING MEMBERS

The three members present were confirmed as 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.

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5. LICENSING ACT 2003 - GLENGALL TAVERN, 1 BIRD IN BUSH ROAD, LONDON SE15 6RN

The licensing officer presented her report.

The police presented their application for a review of the premises. Members had questions.

The licensee of the premises addressed the sub-committee. Members had questions for the licensee.

All parties were given five minutes to sum up.

At 11.15am the meeting went into closed session to discuss the application.

At 11.50am the meeting resumed and the chair read out the following decision:

RESOLVED:

The council's licensing sub-committee, having had regard to the application made by the Commissioner of Police for the Metropolis under Section 51 of the Licensing Act 2003 for a review of the premises issued to Mr Ian Gough in respect of the premises known as Glengall Tavern, situated at 1 Bird in Bush Road, London SE15 6RN, has decided it necessary to take the following steps for the promotion of the licensing objectives:

- 1. Remove the current designated premises supervisor (DPS) Mr Ian Gough.
- 2. Add the following conditions to the licence:
 - 2.1. That there be a personal licence holder on the premises at all times when licensed activities are undertaken.
 - 2.2. That there be at least one Security Industry Association (SIA) approved door staff on the premises after 10.00pm until close on Fridays, Saturdays and Sundays.

Reasons

The reasons for the decison are as follows:

The licensing sub-committee heard representations from the Police and the licensee, Mr Gough.

The sub-committee found the premises had been mismanaged by Mr Gough and Mr Allen which resulted in large quantities of cannabis being stored at the premises. The sub-committee found this incident to be a very serious one which had a significant adverse impact on the prevention of the crime objective in the Licensing Act, regardless of whether Mr Gough or Mr Allen were aware of stored cannabis.

In the circumstances, the sub-committee found it necessary to remove Mr Gough from being the designated premises supervisor (DPS) and further found it necessary to add a

condition to the licence that a personal licence holder be present at all times when licensable activities are undertaken.

The sub-committee also accepted evidence from the police that there have been several recent incidents of assault and actual body harm (ABH) at the premises and as a result found it necessary to add a condition requiring Security Industry Association (SIA) door staff to be present at certain times as requested by the police.

Appeal Rights

This decision is open to appeal by either:

- a) The applicant for the review
- b) The premises licence holder or
- c) Any other person who may representations in relation to the application

Such appeal must be commenced by notice of appeal given by the appellant to the justices chief executive for the magistrates court for the area within the period of 21 days beginning with the day on which the appellant was notified by this licensing authority of the decision.

The decision does not have effect until either

- a) The end of the period for appealing against this decision or
- b) In the event of any notice of appeal being given, until the appeal is disposed of

The meeting closed at 11.55am.

CHAIR:

DATED:



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MINUTES of the OPEN section of the Licensing Sub-Committee held on Monday 6 June 2011 at 10.00 am at Ground Floor Meeting Room G02C - 160 Tooley Street, London SE1 2QH

PRESENT:	Councillor Linda Manchester (Chair) Councillor Althea Smith Councillor the Right Revd Emmanuel Oyewole
OTHERS PRESENT:	Adejumo Kunle, Planet Nollywood Paula Mendez, Planet Nollywood Gary Grant, barrister Indy Kenth, Enterprise Inns Adebayo Adejumo, Planet Nollywood Bill Masini, Trading Standards Local resident PC Ian Clements, Metropolitan Police Service Mr N Yeo, Metropolitan Police Service James West, Metropolitan Police Service legal services Councillor Adele Morris (observing)
OFFICER SUPPORT:	Jayne Tear, Licensing unit Dorcas Mills, Licensing unit Felix rechtman, Legal services Caroline Kayward, Legal services (observing) Virginia Wynn-Jones, Constitutional team

1. APOLOGIES

There were none.

2. CONFIRMATION OF VOTING MEMBERS

The three members present were confirmed as voting members. In the absence of the chair, the vice-chair chaired the meeting.

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

The chair gave notice of the following additional papers relating to item 5 and 6 which were circulated at the meeting:

- Proposals by the premises license holder
- Job confirmation from security firm.

4. DISCLOSURE OF INTERESTS AND DISPENSATIONS

There were none.

5. LICENSING ACT 2003 - PLANET NOLLYWOOD, 319 CAMBERWELL ROAD, LONDON SE5 OHQ (EXPEDITED REVIEW)

The expedited and summary reviews on the premises were heard together.

6. LICENSING ACT 2003 - PLANET NOLLYWOOD, 319 CAMBERWELL ROAD, LONDON SE5 OHQ (SUMMARY REVIEW)

The sub-committee adjourned at 10.30am to read the late and urgent papers. The sub-committee reconvened at 10.50am.

The chair of the sub-committee agreed that each party would have 25 minutes rather than 15 to present their cases.

The licensing officer presented her report. Members had questions of the licensing officer.

The police presented their application for a review of the premises. Members had questions. The licensee's barrister had questions.

A local resident addressed the sub-committee. Members had questions for the local resident. The licensee's barrister had questions for the local resident.

The sub-committee adjourned at 11.55am for a comfort break, and reconvened at 12.05pm.

The representative of the freeholder addressed the sub-committee. Members had questions for the representative. The licensee's barrister had questions for the representative.

The licensee of the premises addressed the sub-committee. Members had questions for the licensee. The police's barrister had questions for the licensee.

All parties were given five minutes to sum up.

At 1.50pm the meeting went into closed session to discuss the application.

At 3.30pm the meeting resumed and the chair read out the following decision:

RESOLVED:

That the council's Licensing Sub-Committee, having had regard to the application by Metropolitan Police for a summary review under Section 53A of the Licensing Act 2003 of the premises licence granted to Mr Adekunle Adejumo in respect of the premises known as Planet Nollywood, situated at 319 Camberwell Road, London SE5 0HQ and having had regard also to all other relevant representations has decided it necessary for the promotion

of the licensing objectives and specifically the prevention of crime and disorder objective and public safety objective:

- 1. To suspend the premises licence for a period of 28 days.
- 2. That all licensable activities Sunday –Thursday must terminate by 23.00 hours with a closing time of 23.30 hours.
- 3. That at all licensable activities Friday Saturday must terminate by 01.00 hours with a closing time of 01.30 hours.
- 4. That the present designated premises supervisor, Mr Adejumo, is to be replaced forthwith.
- 5. That a sound limiter be installed at the premises with levels set in conjunction with the council's environmental protection team.
- 6. That new conditions 4 7 (as at a) d)) as per proposals by premises licence holder be added to the licence:
 - a) The premises shall operate an agecheck 'Challenge 25' policy whereby customers purchasing alcohol who look or appear to be under 25 years of age will be asked for an approved form of proof of age to verify their age. Approved forms shall include a driving license, passport or PASS approved proof of age card such as the Southwark Proof of Age (SPA) card.
 - b) All staff involved in the sale of alcohol shall be trained in the agecheck 'Challenge 25' policy. A record of their training, including the dates that each member of staff is trained, shall be available for inspection at the premises on request by the council's authorised officers or the police.
 - c) Agecheck or 'Challenge 25' signage shall be displayed at entrances to the premises, areas where alcohol is displayed for sale and at points of sale to inform customers that an agecheck 'Challenge 25; policy applies and proof of age may be required.
 - d) A register of refused sales of alcohol shall be maintained in order to demonstrate effective operation of the policy. The register shall be available for inspection at the premises on request by the council's authorised officers or the police.
- 7. That condition 290 be amended so that 2 SIA registered door supervisors (one of whom should be a female) be required to be on the premises after 21.00 hours till close under this licence on Fridays and Saturdays.
- 8. That condition 308 be amended so that there is no re-admission after midnight on Friday and Saturday.
- 9. That existing condition 331 be deleted.
- 10. That existing condition 342 be deleted.
- 11. That a new condition be added to the licence whereby 'No drinks are allowed outside the premises at any time'.

For the avoidance of any doubt when reaching this decision the sub-committee did not rely on submissions relating to noise by two local residents who refused to identify their names and addresses to the licensee.

Reasons

The reasons for this decision are as follows:

This was a hearing of an application by the Metropolitan Police for a review of the premises licence in respect of the premises known as Planet Nollywood as well as a hearing of a further application by the Metropolitan Police for a summary review of the

premises licence of the premises known as Planet Nollywood following a hearing which took place on 12 May 2011 in which the licence was suspended until today.

The sub-committee heard evidence from the Metropolitan Police that there has been a number of serious crime related incidents at the premises in recent months to include an incident on 6 May 2011 in which two firearms were found on an individual within the premises. The police therefore submitted that the premises are connected to serious crime and further submitted that the premises had been mismanaged by the current designated premises supervisor (DPS), Mr Adejumo, by allowing such incidents to take place at the premises. The police further submitted that Mr Adejumo had mismanaged the premises and failed to adhere to the conditions attached to his licence.

The licensee accepted that he was naive and mismanaged the premises which he claimed was due to inexperience rather than any intentional act. On the morning of the hearing counsel acting for the licensee submitted two further documents indicating that the licensee now intends to rethink the business and have decided not to run a nightclub anymore but instead decided to run a restaurant and bar. The licensee further offered to step down as DPS and attended accompanied by Ms Mendez who he proposed to take over from him as DPS.

The sub-committee were satisfied that a number of serious incidents of crime and disorder had taken place at the premises in recent months. The sub-committee further were satisfied that Mr Adejumo was inexperienced and mismanaged the premises.

Appeal Rights

This decision is open to appeal by either:

- a) The applicant for the review
- b) The premises licence holder or
- c) Any other person who may representations in relation to the application

Such appeal must be commenced by notice of appeal given by the appellant to the justices chief executive for the magistrates court for the area within the period of 21 days beginning with the day on which the appellant was notified by this licensing authority of the decision.

The decision does not have effect until either:

- a) The end of the period for appealing against this decision or
- b) In the event of any notice of appeal being given, until the appeal is disposed of.

The meeting closed at 3.50pm.

CHAIR:

DATED:



Licensing Sub-Committee

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MINUTES of the OPEN section of the Licensing Sub-Committee held on Monday 27 June 2011 at 10.00 am at Town Hall, Peckham Road, London SE5 8UB

PRESENT:	Councillor Sunil Chopra (Chair) Councillor Eliza Mann Councillor David Hubber
OTHERS PRESENT:	Councillor Renata Hamvas (Observing) Mr Shafait Ali, Licensee Barry Craig, Licensing agent David Murphy, Local resident Bill Masini, Trading Standards (Applicant)
OFFICER SUPPORT:	Dorcas Mills, Licensing Officer Felix Rechtman, Legal Officer Sean Usher, Constitutional Team

1. APOLOGIES

There were none.

2. CONFIRMATION OF VOTING MEMBERS

The 3 members listed above 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 - PAYLESS, 121-125 PECKHAM HIGH STREET, LONDON SE15 5SF

The licensing officer presented her reports. Members had questions for the officer.

The trading standards officer presented his application for review. Members had questions for the officer.

The licensee with his representative addressed the sub-committee and asked for leniancy. Members had questions for the licensee.

All parties were then given 5 minutes to sum up then the sub-committee went into closed session to consider the review application.

The sub-committee resumed at 11.15am and the chair read out the following decision:

RESOLVED:

The council's licensing sub-committee, having had regard to the application by Trading Standards for a review of the premises granted under the Licensing Act 2003 in respect of the premises known as Payless, situated at 121-125 Peckham High Street, London SE15 5SF and having had regard also to all other relevant representations has decided it necessary for the promotion of the licensing objectives to:

Modify the licence by adding the 4 additional conditions proposed by Trading Standards in their submissions which are listed as follows:

- The premises shall operate an age-check 'Challenge 25' policy whereby customers purchasing alcohol who look or appear to be under 25 years of age will be asked for an approved form of proof of age to verify their age. Approved forms shall include a driving licence, passport or a PASS approved proof of age card such as the Southwark Proof of Age (SPA) card;
- All staff involved in the sale of alcohol shall be trained in the age-check 'Challenge 25' policy. A record of their training, including the dates that each member of staff is trained, shall be available for inspection on request by the council's authorised officers or the Police;
- Age-check or 'Challenge 25' signage shall be displayed at entrances to the premises, areas where alcohol is displayed for sale and at points of sale to inform customers that an age-check 'Challenge 25' policy applies and proof of age may be required;
- A register of refuse sales of alcohol shall be maintained in order to demonstrate effective operation of the policy. The register shall be available for inspection at the premises on request by the council's authorised officers or the Police.

Reasons

The reasons for the decison are as follows:

The sub-committee heard evidence from Trading Standards that on one occasion alcohol and cigarettes were sold to a minor. The sub-committee found this to be a clear breach of the protection of children from harm objective in the Licensing Act 2003 and view such breach seriously. The sub-committee also heard evidence from the licensee that since the said incident, the premises took action to prevent further

breaches which included a change of DPS and removal of staff who made the underage sale. The licensee also accepted all the conditions suggested by Trading Standards and these are now added to the license and are stated above. In the circumstances the sub-committee considered it necessary and proportionate to modify the licence by including the 4 additional conditions (page 13 of the agenda).

Appeal Rights

This decision is open to appeal by either

- a) The applicant for the review;
- b) The premises licence holder; or
- c) Any other person who made relevant representations in relation to the application

Such appeal must be commenced by notice of appeal given by the appellant to the justices chief executive for the magistrates court for the area within the period of 21 days beginning with the day on which the appellant was notified by this licensing authority of the decision.

This decision does not have effect until either

- a) The end of the period for appealing against this decision; or
- b) In the event of any notice of appeal being given, until the appeal is disposed of.

The meeting then adjourned for a 5 minute break.

6. LICENSING ACT 2003 - PAYLESS, 49-5, PECKHAM PARK ROAD, LONDON SE15 6TU

The licensing officer presented her reports. Members had questions for the officer. It was noted that the licensee was the same for this premises and that in Item 5.

The trading standards officer presented his application for review. Members had questions for the officer.

The licensee with his representative addressed the sub-committee and asked for leniancy. Members had questions for the licensee.

All parties were then given 5 minutes to sum up then the sub-committee went into closed session to consider the review application.

The sub-committee resumed at 12.05pm and the chair read out the following decision:

RESOLVED:

The council's licensing sub-committee, having had regard to the application by Trading Standards for a review of the premises granted under the Licensing Act 2003 in respect of the premises known as Payless, situated at 49-51 Peckham Park Road, London SE15 6TU and having had regard also to all other relevant representations

has decided it necessary for the promotion of the licensing objectives to:

Modify the licence by adding the 3 additional conditions (condition 2 modified by the sub-committee) proposed by Trading Standards in their submissions which are listed as follows:

- The premises shall operate an age-check 'Challenge 25' policy whereby customers purchasing alcohol who look or appear to be under 25 years of age will be asked for an approved form of proof of age to verify their age. Approved forms shall include a driving licence, passport or a PASS approved proof of age card such as the Southwark Proof of Age (SPA) card;
- All staff involved in the sale of alcohol shall be trained in the age-check 'Challenge 25' policy. A record of their training, including the dates that each member of staff is trained, shall be available for inspection on request by the council's authorised officers or the Police. Such training to be provided by Trading Standards and to be attended by the licensee and all his staff within 28 days from today's date.
- Age-check or 'Challenge 25' signage shall be displayed at entrances to the premises, areas where alcohol is displayed for sale and at points of sale to inform customers that an age-check 'Challenge 25' policy applies and proof of age may be required;

Existing conditions 347 and 348 shall be removed.

Reasons

The reasons for the decision are as follows:

The sub-committee heard evidence from trading standards that on 3 separate occasions sales of alcohol and cigarettes were made to a minor. The sub-committee further heard evidence that following the first sale, that trading standards offered free training to the licensee and his staff but that the licensee failed to attend the said free training. The sub-committee found this conduct to be unacceptable and in clear breach of the protection of children from harm objective in the Licensing Act 2003 and view such breaches very seriously.

The sub-committee heard from the licensee that he accepted there was a failure on his part and the part of management which resulted in breaches of the licensing objective. Having accepted responsibility for the breaches the licensee, in an attempt to remedy the situation, took the following steps:

- Replaced the Designated Premises Supervisor
- Trained staff
- Applied to be removed as a licence holder.

In the circumstances the sub-committee found it is necessary and proportionate to add to the license the 3 conditions proposed by trading standards (listed above) and removal of conditions 357 and 348.

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In view of the serious nature of the breaches, the sub-committee also found it necessary to modify condition 2 to include the wording "Such training to be provided by Trading Standards and to be attended by the licensee and all his staff within 28 days from today's date"

Appeal rights

This decision is open to appeal by either

- d) The applicant for the review;
- e) The premises licence holder; or
- f) Any other person who made relevant representations in relation to the application

This decision does not have effect until either

- c) The end of the period for appealing against this decision; or
- d) In the event of any notice of appeal being given, until the appeal is disposed of.

Such appeal must be commenced by notice of appeal given by the appellant to the justices chief executive for the magistrates court for the area within the period of 21 days beginning with the day on which the appellant was notified by this licensing authority of the decision.

The meeting closed at 12.15pm.

CHAIR:

DATED:



Licensing Sub-Committee

MINUTES of the Licensing Sub-Committee held on Monday 4 July 2011 at 10.00 am at Town Hall, Peckham Road, London SE5 8UB

PRESENT:	Councillor Sunil Chopra (Chair) Councillor Adele Morris Councillor Renata Hamvas
OTHERS PRESENT:	Councillor Dora Dixon-Fyle (Observing) Councillor Michael Bukola (Observing) Bill Masini, Trading Standards (Applicant) Ilknur Kilic, licensee Ali Kilic Justin Shale, Barrister Salman Tumay, licensee Suleyman Yuzuguzel, licensee Colin Turner, Barrister
OFFICER SUPPORT:	Jayne Tear, Licensing Officer Felix Rechtman, Legal Officer Kenny Uzodike, Constitutional Officer

1. APOLOGIES

There were none.

Councillors Michael Buloka and Dora Dixon-Fyle were in attendance to observe the proceedings.

2. CONFIRMATION OF VOTING MEMBERS

The three members present were confirmed as voting members.

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

There were none.

4. DISCLOSURE OF INTERESTS AND DISPENSATIONS

Councillor Adele Morris declared a personal and non prejudicial interest in item 6. She

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Licensing Sub-Committee - Monday 4 July 2011

informed the committee that she resides in the area but not within 100 meters of the location of the premises.

5. LICENSING ACT 2003 - DULWICH SUPERMARKET, 18 LORDSHIP LANE, LONDON SE22 8NH

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

The trading standards officer presented the application for a review of the premises license. Members had questions. The licensees' legal representative had questions for the officer.

The licensees' legal representative addressed the sub-committee.

All parties were given 5 minutes to sum up.

At 10.40am the meeting went into closed session to discuss the application.

At 11.00am the meeting resumed and the chair read out the following decision:

RESOLVED:

The council's licensing sub-committee, having had regard to the application by the council's trading standards department for a review under section 51 of the Licensing Act 2003 of premises licence granted to Mr Salman Tumay and Mr Suleyman Yuzuguzel in respect of premises known as Dulwich Supermarket, 18 Lordship Lane, London SE22 8NH and having had regard also to all other relevant representations has decided it necessary for the promotion of the licensing objectives and specifically the protection of children from harm objective to modify the licence as follows:

- 1. Add the 4 additional conditions proposed by Trading Standards in their submissions which are listed as follows:
 - The premises shall operate an age-check 'Challenge 25' policy whereby customers purchasing alcohol who look or appear to be under 25 years of age will be asked for an approved form of proof of age to verify their age. Approved forms shall include a driving licence, passport or a PASS approved proof of age card such as the Southwark Proof of Age (SPA) card;
 - All staff involved in the sale of alcohol shall be trained in the age-check 'Challenge 25' policy. A record of their training, including the dates that each member of staff is trained, shall be available for inspection on request by the council's authorised officers or the Police;
 - Age-check or 'Challenge 25' signage shall be displayed at entrances to the premises, areas where alcohol is displayed for sale and at points of sale to inform customers that an age-check 'Challenge 25' policy applies and proof of age may be required;
 - A register of refused alcohol and cigarettes sales, which is clearly marked 2

with the details of the premises, address and name of licence holder, shall be maintained in order to demonstrate effective operation of the policy. The register shall be available for inspection at the premises on request by the council's authorised officers or the Police.

Such conditions to be implemented within 28 days from the date of the subcommittee meeting.

2. The sub-committee also found it necessary to add a further condition whereby "A personal licence holder shall be present on the premises at all times when licensable activities are undertaken."

Reasons

The reasons for this decision are as follows:

The sub-committee heard evidence from trading standards that on 3 separate occasions sale of cigarettes were made to a minor.

The sub-committee further heard evidence from trading standards that free training was offered following the first sale and attended by the seller and one of the Designated Premises Supervisor (DPS). The sub-committee further heard from trading standards that 4 conditions should be added to the licence as per page 14 of the Agenda.

The sub-committee found this conduct to be unacceptable and in clear breach of the protection of children from harm objective in the Licensing Act 2003 and view such breaches very seriously.

The sub-committee heard from the licensee that they accepted there was a failure on their part and the part of management which resulted in breaches of the licensing objective. Having accepted responsibility for the breaches, the licensee, submitted that the 4 conditions proposed by trading standards should be added to the licence and that no further breaches will occur.

The sub-committee also heard evidence from the licensing officer that an inspection took place on 22 June and premises were found in full compliance with their licence.

In the circumstances the sub-committee found it is necessary and proportionate to add to the license the 4 conditions proposed by trading standards (referred to above) and necessary to amend the proposed condition 4 to read "a Register of refused alcohol and cigarettes sales, which is clearly marked with the details of the premises, address and name of licence holder, shall be maintained in order to demonstrate effective operation of the policy. The register shall be available for inspection at the premises on request by Council's authorised officers or the police."

The sub-committee also found it necessary to add a further condition whereby "A personal licence holder shall be present on the premises at all times when licensable activities are undertaken."

Appeal Rights

This decision is open to appeal by either:

- a) The applicant for the review;
- b) The premises licence holder; or
- c) Any other person who made relevant representations in relation to the application

Such appeal must be commenced by notice of appeal given by the appellant to the justices chief executive for the magistrates court for the area within the period of 21 days beginning with the day on which the appellant was notified by this licensing authority of the decision.

This decision does not have effect until either

- a) The end of the period for appealing against this decision; or
- b) In the event of any notice of appeal being given, until the appeal is disposed of.

6. LICENSING ACT 2003 - BLUE MOON, 38 - 40 HARPER ROAD, LONDON SE1 6AD

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

The trading standards officer presented the application for a review of the premises. Members had questions. The legal representative of the licensee had questions for the officer.

The sub-committee heard from the licensee and asked questions.

All parties were given 5 minutes to sum up.

At 11.46am the meeting went into closed session to discuss the application.

At 12.08pm the meeting resumed and the chair read out the following decision:

RESOLVED:

The council's licensing sub-committee, having had regard to the application by Trading Standards for a review of the premises licence granted under the Licensing Act 2003 to Ilknur Kilic in respect of the premises known as Blue Moon Supermarket, 40 Harper Road, London SE1 6AD and having had regard also to all other relevant representations has decided it necessary for the promotion of the licensing objectives and specifically the protection of children from harm objective to modify the licence as follows:

- 1. Add the 4 additional conditions proposed by Trading Standards in their submissions which are listed as follows:
 - The premises shall operate an age-check 'Challenge 25' policy whereby customers purchasing alcohol who look or appear to be under 25 years of

age will be asked for an approved form of proof of age to verify their age. Approved forms shall include a driving licence, passport or a PASS approved proof of age card such as the Southwark Proof of Age (SPA) card;

- All staff involved in the sale of alcohol shall be trained in the age-check 'Challenge 25' policy. A record of their training, including the dates that each member of staff is trained, shall be available for inspection on request by the council's authorised officers or the Police;
- Age-check or 'Challenge 25' signage shall be displayed at entrances to the premises, areas where alcohol is displayed for sale and at points of sale to inform customers that an age-check 'Challenge 25' policy applies and proof of age may be required;
- A register of refused alcohol and cigarettes sales (to be approved by Trading Standards), which is clearly marked with the details of the premises, address and name of licence holder, shall be maintained in order to demonstrate effective operation of the policy. The register shall be available for inspection at the premises on request by the council's authorised officers or the Police.

Such conditions to be implemented within 28 days from the date of the subcommittee meeting.

2. The sub-committee also found it necessary to add a further condition whereby "A personal licence holder shall be present on the premises at all times when licensable activities are undertaken."

Reasons

The reasons for this decision are as follows:

The sub-committee heard evidence from trading standards that on 2 separate occasions sale of alcohol and cigarettes were made to a minor and on the 3rd occasion cigarettes alone were sold to a minor.

The sub-committee further heard evidence from trading standards that free training was offered following the first sale and attended by the seller and the licence holder. The sub-committee further heard from trading standards that 4 conditions should be added to the licence as per page 39 of the Agenda.

The sub-committee found this conduct to be unacceptable and in clear breach of the protection of children from harm objective in the Licensing Act 2003 and view such breaches very seriously.

The sub-committee heard from the licensee that they accepted there was a failure on their part and the part of management which resulted in breaches of the licensing objective. Having accepted responsibility for the breaches, the licensee, implemented a challenge 25 policy at premises and further introduced a refusal register at the premises. The licensee further submitted that the 4 conditions proposed by trading standards should be added to the licence and that no further breaches will occur.

In the circumstances the sub-committee found it is necessary and proportionate to add to the license the 4 conditions proposed by trading standards (referred to above) and to amend the proposed condition 4 to read "a register of refused alcohol and cigarettes sales (to be approved by Trading Standards), which is clearly marked with the details of the premises, address and name of licence holder, shall be maintained in order to demonstrate effective operation of the policy. The register shall be available for inspection at the premises on request by council's authorised officers or the police."

The sub-committee also found it necessary to add a further condition whereby "A personal licence holder shall be present on the premises at all times when licensable activities are undertaken."

Appeal Rights

This decision is open to appeal by either

- d) The applicant for the review;
- e) The premises licence holder; or
- f) Any other person who made relevant representations in relation to the application

Such appeal must be commenced by notice of appeal given by the appellant to the justices chief executive for the magistrates court for the area within the period of 21 days beginning with the day on which the appellant was notified by this licensing authority of the decision.

This decision does not have effect until either

- c) The end of the period for appealing against this decision; or
- d) In the event of any notice of appeal being given, until the appeal is disposed of.

The meeting closed at 12.08pm.

CHAIR:

DATED:

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Southwark

Licensing Sub-Committee

MINUTES of the OPEN section of the Licensing Sub-Committee held on Wednesday 13 July 2011 at 10.00 am at Town Hall, Peckham Road, London SE5 8UB

PRESENT:	Councillor Sunil Chopra (Chair) Councillor Linda Manchester Councillor the Right Revd Emmanuel Oyewole
OTHERS PRESENT:	Ms Angela Baez, representing the licensee Mr Jose Guapiterria, licensee Pc Ian Clements, Southwark Licensing Police Alan Blissett, Environmental Protection Team Councillor Michael Bukola (Observing)
OFFICER SUPPORT:	Kay Riley, Licensing Officer David Perry, Legal Officer Sean Usher, Constitutional Team

1. APOLOGIES

Apologies were received from Councillor Dora Dixon-Fyle.

2. CONFIRMATION OF VOTING MEMBERS

The three voting members were confirmed.

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

The licensing officer circulated additional photos of the premises. All parties agreed to accept these items.

4. DISCLOSURE OF INTERESTS AND DISPENSATIONS

There were none.

5. LICENSING ACT 2003 - PARRILLADUS DEL SUR, 186-188 OLD KENT ROAD, LONDON, SE1 5TY

The licensing officer presented her report and members had questions relating to the hours of the application and about what regulated entertainment had been applied for.

The licensee's representative addressed the sub-committee. Members had questions

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Licensing Sub-Committee - Wednesday 13 July 2011

for the representative and the licensee. The environmental protection officer had questions for the licensee.

The police officer addressed the sub-committee and detailed the conditions they sought if the extended hours were granted.

The environmental protection officer addressed the sub-committee and informed the sub-committee that the property was unsuitable for the late hours due to sound containment. Members had questions for the officer.

All parties were given 5 minutes to sum up.

At 11.10am the meeting went into closed session to consider the application.

At 11.40am the meeting resumed and the chair read out the following decision:

RESOLVED:

That the application by Mr Jose Guapiterria, for the variation of the premises licence issued under the Licensing Act 2003 in respect of Parrilladus Del Sur, 186-188 Old Kent Road, London, SE1 5TY be refused.

Reasons

The reasons for this decision are as follows:

The sub-committee heard representations from the applicant and his representative, the Police and the Environmental Protection Team. The sub-committee considered one written representation from a local resident. The sub-committee noted that the representation was accompanied by a petition with 21 signatures. As the petition did not make reference to the licensing objectives, the sub-committee treated this as supporting information and not 21 additional representations.

The sub-committee disregarded the representation from the planning department as it was received out of time.

The sub-committee was satisfied that there had been breaches of the existing licence, generally in relation to conditions 9502 and 9503, and specifically on 26 June 2011. The sub-committee did not feel that the building was constructed in a way which would effectively contain the sound. The sub-committee believed that there would be noise escape causing nuisance to local residents if music and DJs played for the hours asked for. The sub-committee also felt that there would be noise nuisance from patrons arriving and leaving. The sub-committee was not satisfied that the operating schedule put forward by the applicant would resolve these issues.

Having considered the licensing objectives, in particular the prevention of nuisance, the sub-committee felt it necessary and proportionate to reject this application.

Appeal Rights

This decision is open to appeal by either

- a) The applicant for the review;
- b) The premises licence holder; or
- c) Any other person who made relevant representations in relation to the application

Such appeal must be commenced by notice of appeal given by the appellant to the designated officer for the magistrates court for the area within the period of 21 days beginning with the day on which the appellant was notified by this licensing authority of the decision.

This decision does not have effect until either

- a) The end of the period for appealing against this decision; or
- b) In the event of any notice of appeal being given, until the appeal is disposed of.

The meeting closed at 11.45am.

CHAIR:

DATED:

DISTRIBUTION LIST	MUNICIPAL YEAR 2011/12
Open	
LICENSING COMMITTEE SUPPLEMENTAL AGENDA NO.1	Date of Meeting: Tuesday 26 July 2011 Time: 7.00pm – Town Hall

Note: Original held in Constitutional Team; all amendments/queries to Sean Usher, Constitutional Team, Tel: 020-7525-7222.

Councillors (1 Copy Each)	External copies to:
Councillor Sunil Chopra (Chair)	
Councillor Linda Manchester (Vice Chair)	
Councillor Michael Bukola	
Councillor Robin Crookshank Hilton	
Councillor Dora Dixon-Fyle	
Councillor Dan Garfield	
Councillor Norma Gibbes	
Councillor Renata Hamvas	
Councillor David Hubber	
Councillor Eliza Mann	
Councillor Michael Mitchell	
Councillor Adele Morris	
Councillor the Right Revd Emmanuel Oyewole	
Councillor Althea Smith	
Councillor Ian Wingfield	
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John McHenry	
Total Copies to be printed: 24	Total Copies to be circulated: 18
Please bring your papers to the meeting.	Spares to be delivered to Sean Usher, c/o Town Hall Post Room
	DAY OF DESPATCH: 22 July 2011