



## Licensing Sub-Committee

MINUTES of the OPEN section of the Licensing Sub-Committee held on Wednesday November 25 2009 at 10.00 am at Town Hall, Peckham Road, London SE5 8UB

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**PRESENT:** Councillor David Hubber  
Councillor Eliza Mann  
Councillor Wilma Nelson

**OTHERS  
PRESENT:** Mr Daniel McCoughlin, DPS, Club Traffik  
Mr Lopez, Megamusic Ltd, Club Traffik  
Mr Kearse, local resident  
PC Ian Clements, Southwark Police Licensing officer  
Miss Sandra Da Costa, applicant, Banana's Bar  
Mr Rodrigues, applicant, Banana's Bar  
Mr Alan Blissett, environmental protection team

**OFFICER  
SUPPORT:** Mr Dave Franklin, licensing unit  
Felix Rechtman, legal support  
Sean Usher, constitutional team

### 1. APOLOGIES

There were none.

### 2. CONFIRMATION OF VOTING MEMBERS

The three members attending were confirmed as voting members.

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

The chair and sub-committee agreed to accept the papers for the temporary event notices and they would hear them at the end of the meeting.

### 4. DISCLOSURE OF INTERESTS AND DISPENSATIONS

There were none.

**5. LICENSING ACT 2003 - CLUB TRAFFIK, (GROUND FLOOR), 512-516 OLD KENT ROAD, LONDON SE1 5BA**

The licensing officer presented his report to the sub-committee. Members had questions for the officer.

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

The environmental protection officer addressed the sub-committee. Members had questions for the officer. The local resident addressed the sub-committee and members and the applicant had questions for the local resident.

The meeting went into closed session to consider the application.

**RESOLVED:**

That the application by Megamusic Entertainment Limited for a variation of premises licence in respect of the premises known as Club Traffik, (Ground Floor) 512-516 Old Kent Road, SE1 be granted.

The following licensable activities will be permitted under the licence during the times shown.

	<b>Mon</b>	<b>Tue</b>	<b>Wed</b>	<b>Thurs</b>	<b>Fri</b>	<b>Sat</b>	<b>Sun</b>
Supply of alcohol				03.00-04.00	04.00-05.00	04.00-05.00	02.00-04.00
Hours premises open to public	09.00-23.30	09.00-23.30	09.00-04.30	09.00-04.30	09.00-06.30	09.00-06.30	09.00-04.30

**Conditions**

The operation of the premises under the licence shall be subject to compliance with the operation schedule highlighted in Section Q of the application form and the following conditions:-

All mandatory conditions set out in the Licensing Act 2003 relating to

1. Authorisation of the retail sale of alcohol; and
2. The provision of door supervision.

**Reasons**

The reasons for this decision are as follows:

As the premises already holds a music license until 6am on a Friday and a Saturday the licensing sub-committee do not consider that extending the license for sale of alcohol, by

one hour, to 5am will have an adverse impact on the licensing objectives.

### **Appeal Rights**

1. The applicant may appeal against any decision to modify the conditions of the licence; and
2. Any person who made relevant representations in relation to the application who desire to contend that :
  - That variation ought not to have been made; or
  - 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

3. 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 - SIERRA SPOT 6 ARNSIDE STREET, LONDON SE17 2AP**

This item was withdrawn prior to the meeting.

### **7. LICENSING ACT 2003 - TEMPORARY EVENT NOTICES - BANANA'S BAR, 374 WALWORTH ROAD, LONDON SE17 2NF**

The licensing officer presented his report to the sub-committee. Members had questions. The applicants addressed the sub-committee. Members had questions. The Police addressed the sub-committee and raised their concerns over crime and disorder. The meeting went into closed session to consider the application.

### **RESOLVED:**

That the application for four temporary event notices, on December 4/5, December 11/12, December 18/19 and December 25/26 2009 by Miss Sandra Da Costa to be held at Banana's Bar, 374 Walworth Road, London SE17 2NF be rejected and counter notices be issued under Section 105 of the Licensing Act 2003.

### **Reasons**

The licensing sub-committee have considered the objection notice submitted by the Metropolitan Police Licensing Service on the four temporary Events Notice under Section 100 of the Licensing Act 2003 and having considered each of the four events, the sub-committee accept the evidence of the Police that a number of crime & disorder incidents had occurred in and outside the premises in recent weeks and as a result, consider that granting the Temporary Event Notices would have an adverse impact on the crime &

disorder objective.

### **Appeal rights**

Where the relevant licensing authority gives a counter notice under section 105(3), the premises user may appeal against that decision. An appeal under this paragraph 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.

But no appeal may be brought later than five working days before the day on which the event period specified in the temporary event notice begins.

The meeting closed at 12.45pm.

**CHAIR:**

**DATED:**