

Licensing Sub-Committee

MINUTES of the OPEN section of the Licensing Sub-Committee held on Monday January 11 2010 at 10.00 am at Town Hall, Peckham Road, London SE5 8UB

PRESENT: Councillor David Hubber
Councillor Wilma Nelson
Councillor Ian Wingfield

OTHERS PRESENT: **Dulwich College Preparatory School**
Dave Swaby, licensing officer
Nicholas Holliday, applicant
Suzanne Warner, local resident
Lesley P M Bingham, local resident

Sierra Spot
Dorcas Mills, licensing officer
Ishmail S Koroma, applicant
Stella Pieh, applicant
Councillor Paul Bates, ward councillor

OFFICER SUPPORT: Felix Rechtman, legal services
Virginia Wynn-Jones, constitutional officer

1. APOLOGIES

There were no apologies.

2. CONFIRMATION OF VOTING MEMBERS

The members present were confirmed as the voting members.

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

The sub-committee agreed to accept the following in relation to:

- Dulwich College Preparatory School – colour photos by the licensing officer; correspondence between the school and an objector.
- Sierra Spot – colour photos by the licensing officer.

4. DISCLOSURE OF INTERESTS AND DISPENSATIONS

There were none.

5. LICENSING ACT 2003 - DULWICH COLLEGE PREPARATORY SCHOOL, 38-44 ALLEYN PARK SE21 7AA

The licensing officer highlighted the main points of the report.

The applicant presented his case. Members of the sub-committee questioned the applicant. Objectors questioned the applicant.

Local residents objecting to the application outlined their case. The sub-committee and the applicant then questioned the local residents.

The applicant and objectors then summarised their cases.

At 10.45 all parties were requested to leave the room while the meeting went into closed session. At 11.05 all parties were recalled to the meeting and the chair read out the sub-committee's decision:

RESOLVED:

That the licensing sub-committee having considered the written representations contained in the report and oral representations of those present decided that the application be granted with minor amendments.

Conditions:

- That there be no music outside the premises after 2100 on any night.
- That no third party shall be permitted to play music outside.
- That no third party shall serve alcohol at any time.

Reasons for the decision:

The sub-committee considered it necessary to limit the hours of sale of alcohol in view of protection of children from harm.

Appeal rights:

That the licensee and any person who made relevant representations in relation to the application 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 - SIERRA SPOT, 6 ARNSIDE ST, LONDON SE17 2AP

The licensing officer highlighted the main points of the report.

The applicants presented their case. Members of the sub-committee questioned the applicants. The ward councillor, representing local objectors, questioned the applicant.

The ward councillor outlined his case objecting to the application. The sub-committee and the applicants then questioned the ward councillor.

The applicants and ward councillor then summarised their cases.

At 11.45 all parties were requested to leave the room while the meeting went into closed session. At 12.10 all parties were recalled to the meeting and the chair read out the sub-committee's decision:

RESOLVED:

That the licensing sub-committee having considered the written representations contained in the report and oral representations of those present decided that the application be granted with minor amendments.

Conditions:

1. A security search of the premises is conducted prior to opening to the public and a record kept of who conducted the search.
2. That signs shall be displayed in the entrance foyer to the premises that state 'Drugs Free Zone' and 'No Search No Entry, Management reserve the right to refuse entry'.
3. That all matters relating to drugs shall be in accordance with the Metropolitan Police Best Practice Guide on the handling of drugs in pubs and clubs.
4. 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.
5. 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.
6. 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 the Council.
7. That you shall require any regular and external promoters hiring the premises to complete the 'Venue Hire Agreement' provided by Southwark Council and, once completed, you shall ensure that a copy of the agreement is provided to the Police and Licensing Unit a minimum of fourteen days prior to the date of hire.
8. That a Personal Licence holder is on the premises and on duty at all times that intoxicating liquor is supplied.
9. That there will be no loading or removal of equipment from the premises between

the terminal hours and 0800 the following day.

10. That the use of the smoking area shall be limited to no more than 6 patrons and that smokers shall be prohibited from taking drinks outside.
11. That recorded music be limited to background noise levels only throughout the opening hours.

Reasons for the decision:

The sub-committee consider it necessary to limit the hours in view of the prevention of public nuisance as premises are located in a residential area.

Appeal rights:

That the licensee and any person who made relevant representations in relation to the application 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 12.10pm.

CHAIR:

DATED: