

Licensing Sub-Committee

MINUTES of the OPEN section of the Licensing Sub-Committee held on Friday 14 August 2015 at 10.00 am at Ground Floor Meeting Room G02a - 160 Tooley Street, London SE1 2QH

PRESENT: Councillor Renata Hamvas (Chair)
Councillor Sunny Lambe
Councillor Sandra Rhule

OTHERS PRESENT: Sam Bompas, applicant, Bompas and Parr
Harry, Parr, applicant, Bompas and Parr
Miles Kirby, applicant, Caravan
Laura Harper-Hinton, applicant, Caravan
Alun Thomas, legal representative, Bompas and Parr and Caravan
Ed Thompson, local resident
James Hatts, London SE1 community website

OFFICER SUPPORT: Debra Allday, legal officer
Dorcas Mills, licensing officer
David Franklin, licensing officer representing the council as a responsible authority
Debbi Gooch, head of litigation (observing)
Andrew Weir, constitutional officer

1. APOLOGIES

There were none.

2. CONFIRMATION OF VOTING MEMBERS

The members present were confirmed as the voting members.

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

There were none.

4. DISCLOSURE OF INTERESTS AND DISPENSATIONS

There were none.

5. LICENSING ACT 2003: BOMPAS AND PARR, 1 CATHEDRAL STREET, LONDON SE1 9DE

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

The applicants and their legal representative addressed the sub-committee. Members had questions for the applicants and their legal representative.

The licensing officer representing the council as a responsible authority addressed the sub-committee. Members had questions for the licensing officer.

All parties were given five minutes for summing up.

The meeting went into closed session at 11.54am.

The meeting resumed at 12.55pm and the chair read out the decision of the sub-committee.

RESOLVED:

That the application submitted by Bompas & Parr Studio Ltd for the grant of a time limited premises licence issued under the Licensing Act 2003 in respect of Bompas & Parr, 1 Cathedral Street, London SE1 9DE be granted as follows:

Licensable Activity	Monday to Sunday
Sale and supply of alcohol (on the premises)	11.00 to 23.00
Hours premises are open to the public	11.00 to 23.30

Conditions

The operation of the premises under the licence shall be subject to relevant mandatory conditions, conditions derived from the operation schedule highlighted in Section M of the application and the following additional conditions as agreed by the licensing sub-committee:

1. That 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 Proof of Age London (PAL) card.

2. That all staff involved in the sale of alcohol shall be trained and this will include training 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.
3. That '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.

Reasons

This was a meeting to consider the application made by Bompas & Parr Studio Ltd for the grant of a premises licence issued under the Licensing Act 2003 in respect of Bompas & Parr, 1 Cathedral Street, London SE1.

The licensing sub-committee heard from the applicants and their representative who advised that this was a time limited premises licence application (expiring on 21 February 2016) in respect of a pop up experimental bar and food museum that would be restricted to persons who had paid an admission fee, were attending a pre-booked private event or were bona fide guests of the management.

The applicants advised that the premises would be home to the British Museum of Food and that there would be a separate entrance for the bar/cloud room. The cloud room would be a theatrical experience which would last for a maximum of 50 minutes. All patrons will receive a safety briefing before entering the cloud room where there would be a dense mist that would consist of gin and tonic and water and customers would experience an enhanced taste sensation. There would be a maximum of 40 patrons in the cloud room at any one time. They informed the sub-committee that there is a separate bar from the cloud room where alcohol could be purchased. All alcohol served here would be based on a monastical theme and consumption would be within the 50 minute time limit.

Whilst there was no specific bar area within the museum, the applicants proposed that there would be events where alcoholic beverages would be served by waiter service.

The applicants were content that any conditions could be added to the licence.

The licensing sub-committee heard from the licensing officer representing the council as a responsible authority who advised that they had concerns regarding the objectives of prevention of crime and disorder and prevention of public nuisance. He advised that the premises were located within the Borough and Bankside saturation zone and that it was for the applicant to prove that the premises would not contribute to crime and disorder and public nuisance. The officer raised concerns regarding the consumption/absorption of alcohol and the effect that it would have on each individual.

The classes of premises within the Borough and Bankside saturation zone applies to night clubs, public houses and bars, restaurants and cafes, off licences and supermarkets and grocers. The licensing sub-committee were not satisfied that the premises as described by the applicants falls within any of these categories. Furthermore, concerning the British Food Museum, that forms part of this application, alcohol would be served ancillary to the museum facilities. The bar/cloud room is described as a theatrical experience and the consumption/absorption of alcohol over the 50 minute period is minimal and on this basis

this sub-committee are of the view that there will be no impact on the Borough and Bankside saturation zone.

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

Appeal rights

The applicant may appeal against any decision

- a) To impose conditions on the licence
- b) To exclude a licensable activity or refuse to specify a person as premises supervisor.

Any person who made relevant representations in relation to the application who desire to contend that:

- a) That the licence ought not to be been granted or
- b) That on granting the licence, the licensing authority ought to have imposed different or additional conditions to the licence, or ought to have modified them in a different way

may appeal against the decision.

Any appeal must be made to the Magistrates' Court for the area in which the premises are situated. Any appeal must be commenced by notice of appeal given by the appellant to the justices' clerk for the Magistrates' Court within the period of 21 days beginning with the day on which the appellant was notified by the licensing authority of the decision appealed against.

6. LICENSING ACT 2003: CARAVAN BANKSIDE, 30 GREAT GUILDFORD STREET, LONDON SE1 0HS

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

The applicants and their legal representative addressed the sub-committee. Members had questions for the applicants and their legal representative.

The licensing officer representing the council as a responsible authority addressed the sub-committee. Members had questions for the licensing officer.

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

All parties were given five minutes for summing up.

The meeting went into closed session at 2.30pm.

The meeting resumed at 4.06pm and the chair read out the decision of the sub-committee.

RESOLVED:

That the application submitted by Metal Box Traders Ltd for the grant of a premises licence issued under the Licensing Act 2003 in respect of Caravan Bankside, 30 Great Guildford Street, London SE1 0HS be granted as follows:

Licensable Activity	Monday to Saturday	Sunday and Bank Holidays
Late night refreshment	23.00 to 00.30	23.00 to 23.30
Sale and supply of alcohol (on the premises)	08.00 to 00.00	08.00 to 23.00
Hours premises are open to the public	07.00 to 00.30	07.00 to 23.30

Conditions

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

1. That non-standard timings for all licensable activities and opening hours from the end of permitted hours on New Years Eve to start of permitted hours on New Years Day shall apply.
2. That an adequate and appropriate supply of first aid equipment and materials shall be available on the premises.
3. 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.
4. 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.
5. That the licensee shall prominently display a notice reminding the patrons to leave the premises in an orderly fashion.
6. That substantial food and suitable beverages other than intoxicating liquor shall be available during trading hours.
7. That the premises will be operated in accordance with health and safety and related legislation in order to ensure the safety of customers and staff.
8. That a register of refused sales of alcohol and if applicable, cigarette sales, which is clearly marked with 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.

9. That servicing in terms of deliveries shall be between 08.00 and 20.00 Monday to Saturday.
10. That waste and bottle disposal shall be between 08.00 and 20.00 Monday to Saturday and 09.00 and 20.00 on Sunday.
11. That the premises shall operate a 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 PASS approved proof of age card such as the Southwark Proof of Age (SPA) card.
12. That any doors at the premises leading directly to the outside of the premises will be fitted with door bottom and perimeter acoustic seals so as to minimise noise escape from the premises.
13. That all staff involved in the sale of alcohol shall be trained in the 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.
14. That 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 a Challenge 25 policy applies and proof of age may be required.
15. That customers shall not be permitted to use any outside area after 22:00 other than those who temporarily leave the premises to smoke, and no more than 5 at any one time.
16. That no drinking shall be permitted outside the premises at any time.
17. That a noise dispersal plan shall be submitted to the licensing authority within 14 days.
18. That the premises shall provide and display a dedicated telephone number for residents to contact the management of the premises should the need arise.
19. That a dedicated smoking area shall be provided on Wardens Grove
20. That signage shall be erected directing customers to the dedicated smoking area on Wardens Grove. Staff shall also direct all smokers to the dedicated smoking area.

Reasons

This was a meeting to consider the application made by Metal Box Traders Ltd for the

grant of a premises licence issued under the Licensing Act 2003 in respect of Caravan Bankside, 30 Great Guildford Street, London SE1 0HS.

The licensing sub-committee heard from the applicants and their legal representative who advised that Caravan Bankside is a restaurant and bar at ground floor level offering food using seasonal ingredients and their own roasted coffee. From their experience of running two other restaurants the sales ratio of food to alcohol was 80% food to 20% alcohol. Planning permission had recently been granted for A3 restaurant usage and alcohol was sold as ancillary to food. The expected clientele would be for breakfast meetings, laptop workers, parents with children, officer workers and a primarily female audience.

They advised that they wanted to be part of the regeneration of the area and that they would have a positive impact on the area. They further added that this is a busy commercial area and any negative impact would be minimal. Furthermore, by occupying the premises this would deter any crime and anti-social behaviour in the vicinity of the premises.

The licensing sub-committee heard from the licensing officer representing the council as a responsible authority who advised that he had concerns relating to the prevention of crime and disorder and prevention of public nuisance licensing objectives. The premises is situated within the Borough and Bankside saturation zone and the premises operating schedule did not address how patrons would not add to crime and disorder or public nuisance once they have left the premises.

The licensing sub-committee heard from a local resident who informed the sub-committee that since he had purchased and moved into his property in 2012 the area had been transformed and that the noise he now endured was unbearable. The resident feared that the premises would create further noise and that the noisy entrance and exit of patrons, particularly noisy late night smokers, would further make his life intolerable.

The licensing sub-committee noted the four other representations from local residents objecting to the application.

The licensing sub-committee were pleased that the applicant had taken on board the concerns of the local residents and the licensing authority and were willing to work with all parties in the future. The sub-committee were also happy as to how amenable the applicant was in amending the proposed conditions and operating schedule in addition to taking on board the suggestions raised during the course of the meeting. The sub-committee are now content that it is highly unlikely that the premises will have a negative impact on the local community and the overall cumulative impact zone.

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

Appeal rights

The applicant may appeal against any decision:

- a) To impose conditions on the licence
- b) To exclude a licensable activity or refuse to specify a person as premises supervisor.

Any person who made relevant representations in relation to the application who desire to contend that:

- a) That the licence ought not to be granted or
- b) That on granting the licence, the licensing authority ought to have imposed different or additional conditions to the licence, or ought to have modified them in a different way

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Any appeal must be made to the Magistrates' Court for the area in which the premises are situated. Any appeal must be commenced by notice of appeal given by the appellant to the justices' clerk for the Magistrates' Court within the period of 21 days beginning with the day on which the appellant was notified by the licensing authority of the decision appealed against.

7. LICENSING ACT 2003: TASTY SPICE, 207 RYE LANE, LONDON SE15 4TP - TEMPORARY EVENT NOTICE (TEN)

This item had been withdrawn prior to the meeting.

Meeting ended at 4.15 pm

CHAIR:

DATED: