

## Licensing Sub-Committee

MINUTES of the OPEN section of the Licensing Sub-Committee held on Thursday 26 May 2016 at 12.00 pm at Ground Floor Meeting Room G01C - 160 Tooley Street, London SE1 2QH

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<b>PRESENT:</b>	Councillor Jon Hartley (Chair) Councillor Sunil Chopra Councillor Eliza Mann
<b>OTHERS PRESENT:</b>	Thomas O'Maoileoin, applicant's representative Alex Maclaughlan, applicant's representative Councillor Adele Morris, ward councillor
<b>OFFICER SUPPORT:</b>	Rebecca Millardship, legal officer Yagazie Nwaigwe, legal officer (observing) Wesley McArthur, licensing officer Chidilim Agada, principal constitutional officer

### 1. APPOINTMENT OF CHAIR

That Councillor Jon Hartley be appointed chair of the sub-committee.

### 2. APOLOGIES

There were none.

### 3. CONFIRMATION OF VOTING MEMBERS

The members present were confirmed as the voting members.

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

There were none.

**5. DISCLOSURE OF INTERESTS AND DISPENSATIONS**

There were none.

**6. LICENSING ACT 2003: HAWKSMOOR, 16 WINCHESTER WALK, LONDON SE1 9AQ**

The licensing officer presented their report and asked that it should be noted that for page two, paragraph 8, of the report, the first bullet point should read:

- Late night refreshment (indoors and outdoors)  
Sunday – Thursday from 23:00 to 23:30  
Friday & Saturday from 23:00 to 00:00

Members had no questions for the licensing officer.

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

The ward member, Councillor Adele Morris addressed the sub-committee. Members had questions for the ward member.

All parties were given an opportunity for summing up.

The meeting went into closed session at 12.25pm.

The meeting resumed at 1.10pm and the chair read out the decision of the sub-committee.

**RESOLVED:**

That the application by Underdog Restaurant Limited for a premises licence to be issued under the Licensing Act 2003 in respect of Hawksmoor, 16 Winchester Walk, London SE1 9AQ is granted as follows:

<b>Licensable activity</b>	<b>Hours</b>
Late night refreshment (indoors and outdoors)	Sunday to Thursday from 23:00 to 23:30 Friday and Saturday from 23:00 to 00:00
Supply of alcohol (On) the premises	Monday to Thursday from 12:00 to 23:30 Friday from 12:00 to 00:00 Sat 10:00 to 00:00 (10:00 to 12:00 ancillary to food) Sunday from 10:00 to 23:00 (10:00 to 12:00 ancillary to food)
Opening Hours of premises	Sunday to Thursday from 08:00 to 23:30 Friday and Saturday from 08:00 to 00:00
Non standard timings	From the end of the permitted hours on New Years Eve to the start of permitted hours on New Years Day.

## **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 conditions agreed between the applicant, the police, public health and the licensing authority during the conciliation process.

Condition 14 of the operating schedule dated 18 May 2016 has been removed, namely: "notwithstanding condition 13, alcohol maybe supplied and consumed from 12.00 hours in the basement."

The following additional conditions agreed by the sub-committee shall also apply:

1. That patrons shall not be permitted to take drinks outside or to gather outside the premises to smoke and socialise in significant numbers for extended periods of time. There must be no more than five patrons outside the premises at any one time.
2. That deliveries to the premises shall be arranged between: 07:00 and 20:00 on Monday to Friday, 08:00 and 20:00 on Saturday and 10:00 and 16:00 on Sunday.
3. That there shall be a dedicated telephone number made available on request to report any concerns regarding increase in noise and nuisance emanating from the business.

## **Reasons**

The reasons for the decision are as follows:

The applicant addressed the sub-committee and explained that a number of conditions had already been agreed prior to the matter coming before the sub-committee. The applicant then discussed the ways in which it would adhere to Southwark's Licensing Policy and acknowledged the fact that the premises fell within a saturation zone. The applicant clearly set out why it fell within the exceptions of this policy. The applicant offered conditions regarding the hours of delivery, limit to number of smokers outside the premises and a telephone number for residents as set out in the conditions above.

The sub-committee noted that the police, public health and the licensing authority had conciliated with the applicant.

The ward councillor addressed the sub-committee and acknowledged the conditions that had been offered by the applicant. She expressed that the conditions satisfied the concerns raised.

The sub-committee noted the written representation from the local resident objecting to the application. The local resident was not in attendance.

## **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) 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.

Meeting ended at 1.15 pm

**CHAIR:**

**DATED:**