

## Licensing Sub-Committee

MINUTES of the OPEN section of the Licensing Sub-Committee held on Tuesday 29 November 2016 at 10.00 am at Ground Floor Meeting Room G02A - 160 Tooley Street, London SE1 2QH

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**PRESENT:** Councillor Renata Hamvas (Chair)  
Councillor Eliza Mann  
Councillor Adele Morris

**OTHERS PRESENT:** Rod Eslamieh, applicant, Chapter 72 Ltd  
Ellie Eslamieh, applicant, Chapter 72 Ltd  
Councillor Damian O'Brien, ward councillor  
Clare Birks, local resident  
Richard Kenyon, local resident  
Stephen Whittle, local resident

**OFFICER SUPPORT:** Joanne Devlin, legal officer  
Dorcas Mills, licensing officer  
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: CHAPTER 72 LTD, 72 BERMONDSEY STREET, LONDON SE1 3UD**

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

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

The local residents and the ward councillor representing a local resident, objecting to the application addressed the sub-committee. Members had questions for the local residents and the ward councillor.

All parties were given five minutes for summing up.

The meeting went into closed session at 11.49pm.

The meeting resumed at 12.45pm. As none of the parties were present the chair did not read out the decision of the sub-committee.

**RESOLVED:**

That the application made by Chapter 72 Ltd for a premises licence to be granted under the Licensing Act 2003 in respect of the premises known as Chapter 72 Ltd, 72 Bermondsey Street, London SE1 3UD is granted as follows:

<b>Licensable activity</b>	<b>Hours</b>
Sale and supply of alcohol (on the premises)	Monday to Saturday from 11:00 to 22:00 Sunday from 11:00 to 21:00
Operating hours	Monday to Saturday from 07:00 to 22:30 Sunday from 08:00 to 21:30.

**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, the conciliated conditions agreed with the responsible authorities and the following additional conditions agreed by the sub-committee:

1. That no alcoholic drinks shall be taken off the premises at any time.
2. That no more than five patrons will be permitted outside the premises to smoke at any one time.
3. That all deliveries and collections of waste shall be made between the hours of 08:00 and 20:00 each day.
4. That the depositing of waste glass into external waste receptacles shall not take place between 20:00 and 08:00 the following day.

5. That the premises shall display and make available a telephone number for the management to be contacted.
6. That the premises shall not operate happy hours drink promotions at the premises at any time.
7. That alcohol shall only be consumed by persons who are seated in the premises.

### **Reasons**

The reasons for the decision are as follows:

The licensing sub-committee heard from the applicant who informed the sub-committee that they had 14 years of experience within the hospitality industry. They advised that they intend to work with the residents in order to ensure that there are good relations and to minimise any negative impact.

The applicant informed the sub-committee that the primary purpose of the premises is as a coffee shop which would also offer some light food options.

The applicant stated that the alcohol selection would be limited to a small selection of cocktails, a couple of wines, one beer and alcoholic coffees. They advised that they would be aimed at the higher end of the market and would not offer happy hour promotions.

The licensing sub-committee noted that the Metropolitan Police Service and the public health authority had conciliated with the applicant prior to the meeting.

The licensing sub-committee noted the written representations from eight local residents and heard from three of them and a ward councillor representing one local resident, objecting to the application. The residents' concerns were in relation to the prevention of public nuisance and the protection of children from harm.

They stated that they lived very close to the premises and other existing licenced premises. They advised that the area is densely populated with licensed premises. They had issues with noise nuisance in the area and their concerns related to potential anti-social behaviour and noise nuisance arising from this premises. Specific mention was made about potential noise nuisance within the residents' properties, particularly in the evening when children were in bed.

The residents stated that they did not have major issues with the current proposed model for the business and asked, that if the sub-committee were minded to grant the licence that the committee exercised their powers in order to ensure that the premises operated in a responsible manner.

The licensing sub-committee considered all of the oral and written representations before it and were of the opinion that the conditions conciliated between the responsible authorities and the applicant, in addition to the conditions imposed by the sub-committee today, would assist in enabling the applicant in operating the premises in a responsible manner and in promoting the licensing objectives.

In reaching this decision the sub-committee had regard to all the relevant considerations and the four licensing objectives and considered that this decision was appropriate and

proportionate.

### **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 12.45 pm

**CHAIR:**

**DATED:**