

Licensing Sub-Committee

MINUTES of the OPEN section of the Licensing Sub-Committee held on Wednesday 7 December 2016 at 10.00 am at Ground Floor Meeting Room G02B - 160 Tooley Street, London SE1 2QH

PRESENT: Councillor Renata Hamvas (Chair)
Councillor Eliza Mann
Councillor Charlie Smith

**OTHERS
PRESENT:** Sharmin Jackson, applicant

**OFFICER
SUPPORT:** Joanne Devlin, legal officer
Wesley McArthur, 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: BRICK HOUSE ARTISAN BREAD AND PASTRY LTD, 1 ZENORIA STREET, LONDON, SE22 8HP

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

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

The meeting went into closed session at 10.36am.

The meeting resumed at 10.45am. As none of the parties were present the chair did not read out the decision of the sub-committee.

RESOLVED:

That the application by Brick House Artisan Bread and Pastry Ltd for a variation of a premises licence issued under the Licensing Act 2003 in respect of the premises known as Brick House Artisan Bread and Pastry Ltd, 1 Zenoria Street, London SE22 8HP be granted as follows:

Licensable activity	Hours
To allow the sale of alcohol off the premises	Tuesday to Friday from 11:00 to 16:00 Saturday from 11:00 to 17:00 Sunday from 11:00 to 16:30

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 conditions conciliated with the police during the conciliation process and the following additional condition agreed by the licensing sub-committee:

1. That all off sales are to be sold in sealed containers.

Reasons

The reasons for the decision are as follows:

The licensing sub-committee noted that the Metropolitan Police Service had conciliated with the applicant.

The licensing sub-committee noted the representation from the ward councillor objecting to the application on the basis of the prevention of nuisance. The ward councillor stated that the bakery has single glazed windows which allow significant noise disturbance for neighbouring properties.

The licensing sub-committee noted the representation from the local resident objecting to the application on the grounds of prevention of nuisance, noise disturbance and protection of children from harm.

The resident's objection states that the single glazed windows allow noise nuisance particularly in the evening.

Having been advised that the applicant does not wish to extend the hours the resident stated that they still objected to the application for the off-site sale of alcohol on the residential street as they failed to see how this benefits the local residential community.

The licensing sub-committee heard from the applicant who informed the sub committee that the premises operates as an artisan bakery and that alcohol sales are ancillary to the sale of food. The applicant also informed the sub committee that the alcohol would be craft beers and natural wines.

The licensing sub-committee considered all of the oral and written representations before it and concluded that the application to vary the current licence to allow off sales should be granted.

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 to modify the conditions of the licence; and

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

- a) That variation ought not to have been made; or
- b) 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.

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 10.45 am

CHAIR:

DATED: