

## Licensing Sub-Committee

MINUTES of the OPEN section of the Licensing Sub-Committee held on Thursday 2 December 2021 at 10.00 am at Online/Virtual: please contact [andrew.weir@southwark.gov.uk](mailto:andrew.weir@southwark.gov.uk) for a link to the meeting and the instructions for joining the online meeting

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**PRESENT:** Councillor Renata Hamvas (Chair)  
Councillor Sunny Lambe  
Councillor Jane Salmon

**OFFICER SUPPORT:** Toyin Calfos, legal officer  
Dorcas Mills, licensing officer  
Andrew Weir, constitutional officer

### 1. APOLOGIES

This was a virtual licensing sub-committee meeting.

The chair explained to the participants and observers how the virtual meeting would run. Everyone then introduced themselves.

There were no apologies for absence.

### 2. CONFIRMATION OF VOTING MEMBERS

The voting members were confirmed verbally, one at a time.

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

There were no late and urgent items of business.

### 4. DISCLOSURE OF INTERESTS AND DISPENSATIONS

There were none.

**5. LICENSING ACT 2003: UNIT A1, 9 TANNER STREET, LONDON SE1 3LE**

The licensing officer presented their report. They confirmed that the premises was not in a cumulative impact area but was in a strategic area. They further advised that the authorities and the ward councillor had withdrawn their representations, following conciliating with the applicant.

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

The local resident objecting to the application addressed the sub-committee. Members had no questions for the local resident.

Both parties were given up to five minutes for summing up.

The meeting adjourned at 11.12am for the sub-committee to consider its decision.

The meeting reconvened at 11.33am and the chair advised everyone of the decision.

**RESOLVED:**

That the application made by Mapp (Property Management) Limited for a premises licence to be granted under Section 17 of the Licensing Act 2003, in respect of the premises known as Unit A1, 9 Tanner street,, London SE1 3LE b3 granted as follows:

The sale by retail of alcohol (on sales)	Sunday to Thursday 10:00 to 22:30 Friday to Saturday: 10:00 to 23:30
The sale by retail of alcohol (off sales)	Sunday to Thursday 10:00 to 22:30 Friday to Saturday: 10:00 to 23:30
Late Night Refreshment	Friday to Saturday: 23:00 to 23:30
Opening hours	Sunday to Thursday 10:00 to 23:00 Friday to Saturday: 10:00 to 00:00

**Conditions**

The operation of the premises under the licence shall be subject to relevant mandatory conditions, conditions derived from the operating schedule highlighted in Parts A, B, C, E, F, G, H, I, J, K, L, and M of the application form and the conditions agreed with the Metropolitan Police Service and the Licensing Unit during the conciliation process.

## Reasons

On 16 September 2021, Mapp (Property Management) Limited applied under section 17 of the Licensing Act 2003, for a new premises licence in respect of the premises known as Unit A1, 9 Tanner street, London SE1 3LE.

The licensing sub-committee heard from the licensing officer who presented her report. She stated that the Responsible Authorities and Councillor Hougbo had conciliated with the applicant and had therefore withdrew their representations. The licensing officer confirmed that premises was outside the cumulative impact area but was within the Bankside, Borough, London Bridge Strategic Cultural Area.

The licensing officer confirmed that conciliation was able to take place as the applicant had agreed to a number of conditions, produced a dispersal policy and reduced the hours licensable activities would take place on the premises, in order to make the application compliant with Southwark Council's Statement of Licensing Policy 2021-2026.

The applicant's legal representative addressed the licensing sub-committee. He stated that the applicant is the landlord of the premises building and, the proposed licenced unit would be situated on the ground floor. The rest of the building is comprised of several floors of newly refurbished units which the applicant had either rented out or intended to rent out.

The legal advisor stated the application for a licence was made in advance of finding a tenant for the premises. The applicant was of the view that an already licenced premises would facilitate finding the highest calibre of tenant. The applicant believed taking control of the application process, would ensure that appropriate hours and conditions are imposed so that the premises could be run responsibly. The legal representative went on to say that the applicant's primary focus rested with the other 95% of the building which was rented to tenants, confirming that the remaining 5% of the building formed the premises that was the subject of this application.

The representative commented that it was the applicant's intention to lease the licenced premises to compliment the rest of the building and that the applicant would place appropriate controls on the new tenant through conditions within the lease. The representative said that the applicant envisioned an all-day coffee-shop/bakery type food outlet operated by an organisation who had local experience within the borough of Southwark. He stated food will be available throughout the day. He went on to say that alcohol would be integral to the overall offer but would not be the primary activity as the premises would not be run as a late night noisy pub or bar as this would cause conflict with his existing tenants.

The legal representative confirmed that the application had been amended so as to be compliant with the statement of licensing policy and; reiterated that the premises did not fall within the cumulative impact area so the presumption not to grant a licence did not apply in this circumstance. It was also stated that there were a number of green clauses within the lease, which was compatible with

Southwark's licensing policy in relation to climate change. It was stated that the potential tenant aspired to the same objectives.

The applicant agreed to close the outside area to licensable activities at 10pm to help eliminate potential noise nuisance.

The licensing sub-committee heard from the resident who objected to the application. In essence, his objections were borne out of a lack of clarification as to how the proposed licence premises would co-exist with existing residential tenants. He was concerned that the proposed pavement use of the outdoor space was inadequate as the pavement would be too small to accommodate tables and chairs and therefore believed that proposal to be unworkable. He stated that he wanted assurances on the use of the outdoor space in the evenings, would not cause a nuisance, as he believed this would be impact on local residents.

The applicant responded by stating that there is an active management regime that policed the external area within the building complex, which did not form part of the application. Nonetheless, the applicant stated that there were a number of clauses within all of the leases which prohibited tenants breaching the quiet enjoyment of the other tenants.

The licensing sub-committee considered all of the objections raised including those put by absent parties. The licensing sub-committee were of the view that all of the objections were allayed by the conditions the applicant had agreed to through reconciliation.

In reaching this decision, the sub-committee had regard to all of 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.

The meeting ended at 11.38am.

**CHAIR:**

**DATED:**