



Licensing Sub-Committee

MINUTES of the OPEN section of the Licensing Sub-Committee held on Tuesday 21 May 2024 at 10.00 am at Online/Virtual

PRESENT: Councillor Renata Hamvas (Chair)
Councillor Barrie Hargrove
Councillor Sunny Lambe

OFFICER SUPPORT: Charlotte Precious, legal officer
Andrew Heron, licensing officer
Wesley McArthur, licensing responsible authority officer
Andrew Weir, constitutional officer

1. APOLOGIES

The chair explained to the participants and observers how the meeting would run.

Everyone then introduced themselves.

Apologies for absence were received from Councillor Ian Wingfield.

Councillor Barrie Hargrove was in attendance as the reserve member.

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 none.

4. DISCLOSURE OF INTERESTS AND DISPENSATIONS

There were none.

**5. LICENSING ACT 2003: THE TANKARD, 176-178 WALWORTH ROAD,
LONDON SE17 1JL**

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 licensing responsible authority officer advised that they would withdraw their representation as the applicant had accepted their proposed conditions.

The other person objecting to the application addressed the sub-committee. Members had questions for the other person.

Towards the end of the meeting, the other person advised that they were happy to withdraw their objection.

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

The meeting adjourned at 11.01am for the sub-committee to consider its decision.

The meeting reconvened at 11.27am and the chair advised everyone of the decision.

RESOLVED:

That the application made by Walworth Arms Limited for a premises licence to be granted under Section 17 of the Licensing Act 2003 in respect of the premises known as The Tankard, 176-178 Walworth Road, London SE17 1JL be granted as follows:

1. Supply of alcohol for consumption on & off the premises:
 - Thursday to Saturday: 11:00 to 23:30
 - Sunday to Wednesday: 11:00 to 22:30
2. Provision of late night refreshment:
 - Thursday to Saturday: 23:00 to 23:30
 - Sunday to Wednesday: 23:00 to 22:30
3. The provision of regulated entertainment in the form of live and recorded music and the performances of dance (indoors)
 - Thursday to Saturday: 11:00 to 23:30
 - Sunday to Wednesday: 11:00 to 22:30

4. Opening hours:
 - Thursday to Saturday: 11:00 to 00:00
 - Sunday to Wednesday: 11:00 to 23:00
5. Seasonal variations for all licensable activities and opening hours:
 - New Year's Eve, Christmas Day, Boxing Day, St George's Day, St Patrick's Day: 11:00 to 01:00, with all licensable activities to cease 30 minutes before the terminal hour.

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 conditions agreed with the Metropolitan Police Service and Licensing and the following additional conditions as agreed by the licensing sub-committee:

1. That the CCTV system shall cover all interior and exterior areas of the premises, including the frontage of the premises, and shall collect clearly defined / focused footage.
2. That the requirement for the deployment of SIA registered door supervisors at the premises shall be risk assessed on an ongoing basis. We would expect that risk assessments would be undertaken regarding any 'special events' at the premises such as parties, receptions, wakes, discos, major sporting events, any events where a large number of customers are expected at the premises and other any other events that the licensee considers deems necessary to risk assess. Copies of any such risk assessments shall be kept at the premises for a minimum of 6 months and shall be provided to responsible authority officers immediately on request.
3. That when SIA registered door supervisors are deployed at the premises, the door supervisors will be employed to control entry to the premises, to deal with the searching / scanning of customers, to deal with any anti-social or disorderly behaviour at the premises, to de-escalate confrontations, to assist with emergency escape from the premises, to deal with the ejection of people from the premises, to assist management in liaising with the police regarding instances of crime and to assist with ensuring that the premises' dispersal policy is adhered to. When deployed, they shall remain at the premises until all patrons have vacated the premises and until at least 30 minutes after the premises close. The door supervisors shall be easily identifiable.
4. That clearly legible signage shall be prominently displayed where it can easily be seen and read by customers and staff identifying all emergency escape routes and emergency exits at the premises. Such signage shall be kept free from obstructions at all times.

5. That all emergency exits, emergency escape routes and entry / exit doors at the premises shall be kept free from obstructions at all times that the premises are in use.
6. That appropriate first aid equipment / materials shall be kept at the premises in a dedicated first aid box / boxes. The first aid box(es) shall be kept easily accessible and unobstructed at all times. All staff shall be made aware of where the first aid boxes are located.
7. That an accident book / recording system shall be maintained at the premises and be available and in use at all times that the premises are in operation. The accident book / recording system shall meet all current legislative requirements. Details of any accidents will be recorded in the accident book / recording system contemporaneously. The accident book / recording system shall be made immediately available to responsible authority officers on request. Relevant staff shall be trained in this, and details of such training including the printed name(s) of the trainee(s), and the date(s) that the training was given, shall be recorded in the staff training logs at the premises.
8. That all public areas of the premises (including any public toilets) shall be kept in a sanitary, clean and tidy state at all times that the premises are in operation so that there is no risk to public health or safety regarding the cleanliness of the premises.
9. That any spills of liquid onto the floor of the premises' shall be cleared away as soon as possible on a continuous basis whilst the premises are in use. Any wet floors will be clearly demarcated as such to prevent slips being caused by the wet floors. All relevant staff shall be trained in this, and details of such training including the printed name(s) of the trainee(s), and the date(s) that the training was given, shall be recorded in the staff training logs at the premises.
10. That broken or waste glass / earthenware shall be cleared away as soon as possible on a continuous basis whilst the premises are in use to minimise risk of injury. All relevant staff shall be trained in this, and details of such training including the printed name(s) of the trainee(s), and the date(s) that the training was given, shall be recorded in the staff training logs at the premises.
11. That all areas of the premises and all fittings and equipment, door fastenings, notices, lighting, heating, electrical, toilet, washing and other installations, will be maintained in good order and in a safe condition at all times.
12. That the premises shall be sufficiently ventilated or cooled so that external doors and windows can be kept closed and the premises maintains a comfortable temperature.

13. That external waste, recycling or waste glass / bottle handling, collections of goods from the premises, deliveries of goods to the premises and the cleaning of external areas shall only occur between the 07:00 hours and 20:00 hours.
14. That any litter caused by the operation of the premises shall be cleared away from the immediate vicinity of the premises periodically throughout operating hours, and at the end of trade, on each day that the premises are in operation. Relevant staff shall be trained in this, and details of such training including the printed name(s) of the trainee(s), and the date(s) that the training was given, shall be recorded in the staff training logs at the premises.
15. That, if and when required, staff shall interact with customers to ensure that customers behave at the premises in an orderly manner, leave the premises and locale in a quiet and orderly manner and do not block the roads or pavements in the immediate vicinity of the premises. Customers deemed by staff to be engaging in anti-social behaviour shall be asked to leave the premises. Staff shall be trained in this and details of such training, including the printed name(s) of the trainee(s) and the date(s) that the training was given, shall be recorded in the staff training logs at the premises.
16. That suitable external containers for customer's cigarette butts shall be provided at all times that the premises are in use. Such containers shall be emptied regularly to ensure that they can be used at all times that the premises are in use, and so that they do not overflow and cause cigarette butt litter in the vicinity.
17. That external doors at the premises shall be kept closed except for immediate, and emergency, access and egress to and from the premises.
18. That any external openable windows at the premises shall be kept closed at all times that licensable activities are taking place at the premises.
19. That clearly legible signage shall be prominently displayed where it can easily be seen and read by customers, at all exits from the premises and in any external areas, requesting to the effect that customers leave the premises and locale in a quiet and orderly manner with respect to local residents. Such signage shall be kept free from obstructions at all times.
20. That no person under 18 years old shall be permitted on the premises unless they are accompanied by an adult.

Reasons

This was an application made by Walworth Arms Limited for a premises licence to be granted. The licensing officer and administrator of the application explained that the application was for a very old pub that had been in the borough since the 1860s. The licence was surrendered by the previous owners and lapsed after it wasn't transferred within the requisite 28-day period, leading to the need for a new application.

The applicant informed the sub-committee that they agreed to the conditions suggested by licensing as a responsible authority. It was explained that they would have confirmed this prior to the hearing but there was a breakdown in communication with the firm representing them which meant that they did not receive the emails sent by licensing. As a result of the conditions being accepted, licensing as a responsible authority withdrew their representation.

The applicant stated their parents ran pubs for a living which meant they grew up within pubs and gained a lot of experience working behind a bar. They also worked as a nurse, employed as a matron within the NHS which evidenced their management and operational experience.

They proceeded to explain that they had agreed to all conditions suggested by the responsible authorities, they had reduced their operating hours and would remove external speakers to prevent nuisance as a result of noise. Any live and recorded music would take place within the pub, not externally, and would not be to excessive levels. They stated that they had not received any complaints, are accessible to local residents and have worked to build a good relationship with them.

The applicant confirmed they did not use single use plastics and had no intention to. There is an external area of the premises which contains five benches and the outside area would close at 22:00 as agreed with the responsible authorities.

The applicant called the freeholder of the premises as a witness who explained that he was disappointed the previous landlord surrendered the licence instead of transferring it. He was very supportive of the application; he considered the applicant to be a responsible manager who was providing local employment and investing in the pub and community.

One other person was in attendance at the hearing after submitting written representations on the grounds of the prevention of public nuisance. They initially wanted to introduce new evidence before the committee, this was objected to by the applicant and was not taken into consideration in accordance with Regulation 18 of the Licensing Act 2003 (Hearings) Regulations 2005.

After being informed of the Live Music Act 2003 and listening to the submissions that had been made at the hearing, the other person stated they considered the premises to be well run and agreed to withdraw their representation.

The sub-committee noted that all objectors had withdrawn their representations and considered that comprehensive conditions had been agreed that would mitigate concerns and promote the licensing objectives. It was also noted that the hours applied for were less than those granted on the previous licence and were predominantly compliant with Southwark's Statement of Licensing Policy 2021-2026.

The applicant appeared to be responsible and experienced at running a premises as well as keen to build and maintain a good relationship with local residents. In order to assist with this and to further promote the licensing objectives, the sub-committee recommended the premises make a contact number available for local residents in the event of any issues that may arise.

It is on this basis that the application has been granted.

In reaching this decision, the sub-committee had regard to all the relevant considerations, the public sector equality duty 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 desires to contend:

- a) That the licence ought not to have been granted; or
- b) That, on granting the licence, the licensing authority ought not 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 11.31am.

CHAIR:

DATED: