



## **Licensing Sub-Committee**

MINUTES of the OPEN section of the Licensing Sub-Committee held on Thursday 18 July 2024 at 10.00 am at Online/Virtual

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**PRESENT:** Councillor Renata Hamvas (Chair)  
Councillor Sunny Lambe  
Councillor Maria Linforth-Hall (Reserve)

**OFFICER** Charlotte Precious, legal officer  
**SUPPORT:** David Franklin, licensing officer  
Raymond Binya, environmental protection team 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 Barrie Hargrove. Councillor Maria Linforth-Hall was present 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: TILOLI, 3 LORDSHIP LANE, LONDON SE22 8EW**

The licensing officer presented their report. They advised that the Metropolitan Police Service and the licensing responsible authority had conciliated with the applicant. Members had questions for the licensing officer.

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

The meeting adjourned at 10.39am to allow the environmental protection team officer to consider the conditions agreed between the applicant and the licensing responsible authority.

The meeting then reconvened at 10.45am.

The environmental protection team officer addressed the sub-committee. Members had no questions for the environmental protection team officer.

The licensing sub-committee noted the written representations of the three other persons, namely local residents, who were not present at the meeting.

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

The meeting adjourned at 10.30am for the sub-committee to consider its decision.

The meeting reconvened at 11.07am and the chair advised everyone of the decision.

**RESOLVED:**

That the application made by Elflock Limited for a premises licence to be granted under Section 17 of the Licensing Act 2003 in respect of the premises known as Tiloli, 3 Lordship Lane, SE22 8EW be granted as follows:

1. Films (indoors):
  - Monday to Sunday: 12:00 to 23:00
2. Live Music (indoors):
  - Sunday to Thursday: 12:00 to 23:30
  - Friday and Saturday: 12:00 to 00:30
3. Recorded music (indoors):
  - Sunday to Thursday: 12:00 to 23:30
  - Friday and Saturday: 12:00 to 00:30

4. Late night refreshment (indoors):
  - Sunday to Thursday: 09:00 to 23:30
  - Friday and Saturday: 09:00 to 00:30
5. Supply of alcohol (off the premises):
  - Sunday to Thursday: 12:00 to 23:30
  - Friday and Saturday: 12:00 to 00:30
6. Supply of alcohol (on the premises):
  - Sunday to Thursday: 12:00 to 23:30
  - Friday and Saturday: 12:00 to 00:30
7. Opening hours:
  - Sunday to Thursday: 09:00 to 00:00
  - Friday and Saturday: 09:00 to 01:00
8. Seasonal variations for all licensable activities and opening hours:
  - An additional hour on the Friday, Saturday and Sunday of bank holiday weekends
  - An additional two hours on Christmas Eve and New Years Eve.

### **Conditions**

The operation of the premises under the licence shall be subject to relevant mandatory conditions, any conditions derived from the operation schedule highlighted in Section M of the application form, the conditions agreed with the Metropolitan Police Service and the following additional conditions as agreed by the licensing sub-committee:

1. The premises will have a minimum of three toilets, one of which will have disabled access.
2. That the maximum number of people permitted on the premises at any one time (the 'accommodation limit') is 190 people (excluding staff). The accommodation limit shall be known by all staff and shall not be exceeded at any time.
3. That clearly legible signage shall be 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.

4. 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.
5. That appropriate first aid equipment / materials shall be kept at the premises in 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.
6. 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.
7. That clearly legible signage shall be prominently displayed where it can easily be seen and read by customers at all exits requesting to the effect that customers do not consume alcoholic drinks bought at the premises in the vicinity of the premises. Such signage shall be kept free from obstructions at all times.
8. That any 'off sales' of alcohol shall be provided in sealed containers to be taken away from the premises.
9. That only the licensee, designated premises supervisor (DPS), or any person nominated in writing by the licensee or DPS, shall have access to any amplification equipment at the premises, and only such staff shall be permitted to change any control settings on said equipment.
10. That a sound limiting device (or similar equipment) shall be installed at the premises, be maintained in full working order and be in use at all times that the premises are in operation under this licence. All amplification equipment, entertainment devices and amplified instruments shall be routed through the sound limiting device (or similar equipment) which shall be calibrated so that the sound level of amplified sound at the premises does not cause a statutory or public nuisance. Only the licensee, designated premises supervisor (DPS), or any person nominated in writing by the licensee or DPS, shall have access to the sound limiting device (or similar equipment) and shall be able to demonstrate that it is in use at the immediate request of responsible authority officers.
11. That external doors at the premises shall be kept closed except for immediate, and emergency, access and egress to and from the premises when entertainment is being provided at the premises.
12. That any openable windows at the premises shall be kept closed at all times that when entertainment is being provided at the premises.

13. That any website for the premises will advise customers that there is no readily available parking in the immediate vicinity of the premises.
14. That a challenge 25 scheme shall be maintained requiring that staff selling or delivering alcohol request that any customer who looks under 25 years old, and who is attempting to purchase or take receipt of alcohol, provides valid photographic identification proving that the customer is at least 18 years old. Valid photographic identification is composed of a photo driving licence, passport, UK armed services photo ID card, any Proof of Age Standards Scheme (PASS) accredited card (such as the Proof of Age London (PAL) card) or any age verification card accredited by the Secretary of State.
15. That all staff involved in the sale of alcohol shall be trained in the prevention of sales of alcohol to underage persons (including the prevention of 'proxy sales') and the challenge 25 scheme in operation at the premises. 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 and shall be made immediately available for inspection at the premises to council and / or police officers on request.
16. That clearly legible signs shall be prominently displayed where they can easily be seen and read by customers stating to the effect that a challenge 25 policy is in operation at the premises, that customers may be asked to provide proof of age and stating what the acceptable forms of proof of age are. Such signage shall be displayed at all entrances, points of sale and in all areas where alcohol is displayed for sale. The signage shall be kept free from obstructions at all times.
17. That a register of refused sales of alcohol shall be maintained at the premises at all times. The register shall be clearly and legibly marked on the front cover as a register of refused alcohol sales, with the address of the premises and the name of the licence holder. The register shall be used to record details of all refused sales of alcohol. The register shall be kept / be accessible at the premises at all times. The register shall be made immediately available for inspection at the premises to council or police officers on request.
18. That no deliveries of alcohol from the premises shall be permitted.
19. That any person under 16 years old must be accompanied on the premises by a responsible adult at all times.
20. That when films with a rating above PG are shown, only persons who are, at a minimum the same age as the film's rating, shall be permitted entry to the premises.

21. That all external plant required for the operation of the premises (air handling plant, condensers, kitchen extraction systems, etc.) shall be designed, installed and maintained to ensure that noise output from the external plant does not cause a public nuisance or intrude inside the nearest, or most exposed, noise sensitive premises.
22. That any kitchen extraction system required for the operation of the premises shall be installed with an appropriate discharge location (i.e. eaves height) and with adequate odour control filters installed and maintained to ensure that odour emissions do not cause a public nuisance or intrude inside in the nearest or most exposed sensitive premises.
23. That all external doors and doors to noise lobbies used by patrons to enter the premises shall have acoustic seals and brushes and self-closers (in accordance with BS 6459 Pt. 1 1984) fitted to those doors.
24. That all speakers for the broadcast of sound within the premises shall be isolated from the structure of the premises by anti-vibration mountings or mats.
25. That any background music played shall remain at a volume that permits normal conversation and the volume control of any music shall be behind the bar/counter and in the full control of staff at all times.
26. That amplified music, song or speech shall not be broadcast in external areas at any time.
27. That external waste handling, collections, deliveries and the cleaning of external areas shall only occur between the hours of 08.00 and 20.00.
28. That clearly legible signage will be prominently displayed at all patron exits, where it can easily be seen and read, requesting that patrons leave the premises in a quiet and orderly manner that is respectful to neighbours.

## **Reasons**

On 13 May 2024, Elflock Ltd applied under section 17 of the Licensing Act 2003 for a premises licence in respect of the premises known as Tiloli, 3 Lordship Lane, SE22 8EW.

The licensing sub-committee noted that the Metropolitan Police Service and licensing as a responsible authority had withdrawn their representations after the applicant amended their application and agreed to additional conditions.

The applicant explained they were also the designated premises supervisor (DPS) and had been operating the premises next door, the East Dulwich Tavern (EDT), since 1999. Tiloli aimed to facilitate and supplement the traditional pub at EDT; during the day they intended to have a takeout and bar area at the front which

would serve baked goods, sandwiches and coffee, the remainder of the premises would provide table seating for brunch or lunch. In the evening, they intended to serve British tapas style food, primarily seated but with the possibility of some people standing at the bar area towards the front.

They stated there were no residences directly above either premises, the nearest was above 5 Lordship Lane. They described the premises as food based and explained that it would operate as a restaurant/bar with only up to 60 people permitted to consume alcohol vertically. The applicant and DPS had 25 years of experience running venues and informed the sub-committee that they had an unblemished record of operating licensed premises.

The representative for the environmental protection team (EPT) initially raised concerns in respect of the prevention of public nuisance. Once the applicant agreed to further conditions and, having had sight of the conditions agreed with other responsible authorities, EPT considered their concerns had been adequately addressed and were happy for the licence to be granted.

Three other persons submitted representations in advance of the hearing, raising concerns in respect of public nuisance and crime and disorder, particularly given the proposed late operating hours. The sub-committee took these into consideration in making their decision.

After conciliating with licensing, the hours within which alcohol would be supplied were amended to reflect those recommended by the Southwark statement of licensing policy 2021-2026 (SOLP), they also permitted for half an hour of drinking-up time. The sub-committee considered that the operating hours for the premises should also reflect the recommended hours, with all licensable activities to conclude half an hour before the terminal hour.

The sub-committee were concerned the premises only had two toilets, particularly given their capacity was for 180 people. They considered this would be insufficient to prevent the risk of public nuisance and that the installation of a further toilet was necessary.

The applicant was primarily a food led business and had been operating the premises next door for 25 years. The sub-committee considered that the suite of conditions agreed with the responsible authorities, both before and during the hearing, coupled with bringing the hours to within those recommended by the SOLP, would promote the licensing objectives. The licence was granted on this basis.

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 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.

## **6. LICENSING ACT 2003: THE NEAR AND FAR, RAILWAY ARCHES 64 TO 66, GEDLING PLACE, LONDON SE1 2JS**

It was noted that this item had been withdrawn by the applicant.

The meeting ended at 12.10pm.

**CHAIR:**

**DATED:**