

Licensing Sub-Committee

MINUTES of the OPEN section of the Licensing Sub-Committee held on Friday 25 May 2012 at 10.00 am at Ground Floor Meeting Room G02C - 160 Tooley Street, London SE1 2QH

PRESENT: Councillor Sunil Chopra (Chair)
Councillor Dora Dixon-Fyle
Councillor Adele Morris

OTHERS PRESENT: Christian Anderton, applicant
Tim Oakley, applicant

OFFICER SUPPORT: Adam Beaumont, legal officer
Debra Allday, legal officer
David Franklin, licensing officer
Andrew Weir, constitutional officer

1. APOLOGIES

There were none.

2. CONFIRMATION OF VOTING MEMBERS

The three members present were confirmed as 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 - HOUSE OF TIPPLER, 123 LORDSHIP LANE, LONDON SE22 8HU

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

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

All parties were given five minutes to sum up.

The sub-committee went into closed session at 11.10am to consider the application.

The meeting resumed at 12.08pm and the chair read out the decision as follows:

RESOLVED:

That the application made by Oscar Vegas Limited for a variation of a premises licence issued under the Licensing Act 2003 in respect of the premises known as House of Tippler, 123 Lordship Lane, London SE22 8HU be granted.

Conditions

The following condition shall apply:

- That the premises will be suitably ventilated when regulated entertainment is in progress.

The following amended conditions shall also apply:

- Condition 300 of the premises licence to now state:

When the premises is in operation under its licence and the terminal hour as detailed in the operating schedule is greater than 00:30, then the premises will employ at least two (2) SIA registered door supervisors. They will be employed on these days at all times after 21:00 until the premises is closed and all patrons have vacated the premises. They will be employed to monitor admissions and readmissions to the premises for the purposes of security, protection, screening and dealing with conflict.

- Condition 305 of the premises licence to now state:

Signs shall be displayed at the entrance to the premises that state management reserve the right to refuse entry.

- Condition 310 of the premises licence to now state:

That all doors excepting any that may be required to be locked open for the purposes of means of escape, shall be kept closed whenever regulated entertainment is being provided upon the premises.

- Condition 340 of the premises licence to now state:

That the windows will be closed when entertainment is taking place on the premises.

The following conditions shall be removed from the premises licence:

- 109 except c, 116 120, 122, 127, 145-154, 155-182, 325 and 341.

The following additional amended conditions as agreed by the licensing sub-committee shall also apply:

- Condition 309 of the premises licence to now state:

That all musicians, recorded music and DJs must play electrically amplified music/audio/PA through a sound cut off device. The cut-out device shall be maintained at levels set to the satisfaction of the council's noise team.

- Condition 342 of the premises licence to now state:

That there will be no use of the rear outside area after 22:30 hours

The following additional condition as agreed by the licensing sub-committee shall also apply:

That there will be a dedicated mobile phone number available to residents during opening hours.

Reasons

This was a hearing for an application by Christian Anderton and Timothy Oakley for a variation of the premises licence in respect of the premises known as House of Tippler, Lordship Lane, London SE22 8HU.

The sub-committee heard from the licensing officer who outlined the background to the application. The application is for the removal and amendment of a number of current conditions contained within licence. Both the police and environmental protection have conciliated their objections subject to two conditions being added to the licence. Those conditions have already been conciliated. There were also a number of written objections raised by local residents. No residents were however present at the meeting to raise such objections orally.

The sub-committee heard from the applicants that this was an application in order to bring the licence conditions in-line with their concept for the premises. The sub-committee heard that they no longer have a DJ facility and the larger speakers have been replaced with a smaller speaker system. The sub-committee heard the back yard area of the premises is intended to be used for a seating area in order for people to eat and drink and not as a designated smoking area.

The sub-committee considered the representations made by all parties. The sub-committee decided that the removal and amendment of the conditions listed within the application is appropriate, save for three exceptions.

The sub-committee feel it is appropriate in line with the licensing objectives to amend condition 342, the condition relating to the backyard area, to 10.30pm at night and not 11.00pm. The sub-committee feel that this amendment is appropriate, having particular

regard to the objections raised by local residents, their small children and the residential area as a whole.

In addition, the sub-committee amend condition 309, relating to music and sound cut off devices to include after the word "musicians" the words "recorded music" .

The sub-committee also find it appropriate to include an additional condition that there will be a dedicated mobile phone number available to residents during all opening hours.

For the above reasons this application is herewith granted, save for the above mentioned amendments.

Appeal rights

That the licensee and any person who made relevant representations in relation to the application may appeal against the decision. Any appeal must be made to the magistrate court for the petty sessions area in which the premises are situated. Any appeal must be commenced by notice of appeal given by the appellant to the designated officer 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. LONDON LOCAL AUTHORITIES ACT 1991 PART 2 SPECIAL TREATMENT PREMISES: TATTOOIST AT LYNA BEAUTY, 49A CAMBERWELL ROAD SE5 OEZ

The licensing sub-committee received legal advise from the legal officer, who advised that this item would have to be withdrawn due to the fact that an application for revocation can only take place following a conviction. Currently there was not a conviction in this case.

RESOLVED:

That this item be withdrawn.

The meeting closed at 12.13pm.

CHAIR:

DATED: