

Licensing Sub-Committee

MINUTES of the OPEN section of the Licensing Sub-Committee held on Monday 8 August 2011 at 10.00 am at Town Hall, Peckham Road, London SE5 8UB

PRESENT:	Councillor Sunil Chopra (Chair) Councillor Michael Bukola Councillor Michael Mitchell
OTHERS:	Nick Bolton, Live Bait Restaurant Ray McCylmont, Director of Operations Paramount Restaurants
OFFICER SUPPORT:	Wesley McArthur, Licensing Officer David Perry, Legal Officer Sean Usher, Constitutional Officer

1. APOLOGIES

There were no apologies for absence.

2. CONFIRMATION OF VOTING MEMBERS

The three members listed above were confirmed as the voting members.

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

A note of the the conciliation meeting for Livebait (Item 5), was tabled and accepted by all parties.

4. DISCLOSURE OF INTERESTS AND DISPENSATIONS

There were none.

5. LICENSING ACT 2003: LIVEBAIT, 41 - 45 THE CUT, LONDON, SE1 8LF

The licensing officer presented his report and introduced the note of the conciliation meeting that had taken place after the despatch of the agenda. Members took five minutes to read the item.

The applicants addressed the sub-committee. Members had questions.

No public or responsible authorities were present.

The applicant was given five minutes to sum up then the sub-committee went into closed

session at 10.28am.

At 11.00am the sub-committee returned from closed session and the chair read out the following decision, reasons and appeal rights.

RESOLVED:

Decision

That the application by Chez Gerard Restaurants Limited to vary the premises licence issued in respect of the premises known as Livebait, 41 – 45 The Cut, London, SE1 8LF is granted as follows:

Activity	Monday to Saturday	Sunday
Supply of Alcohol	23.00 to 00.00	22.30 to 23.00
Late Night Refreshment	23.30 to 00.00	N/A

Conditions

The following conditions will apply in addition to all mandatory conditions:

1. No refuse to be placed into receptacles outside the premises between 11.00pm and 8.00am.
2. The rear doors to the premises are to be kept closed when licensable activities take place on the premises.
3. Members of staff from the premises are not permitted to use the courtyard at the rear of the premises (as distinguished from the rear bin storage area) when licensable activities take place on the premises.
4. An up to date contact number for the premises manager to be displayed at the premises.

Reasons

The reasons for this decision are as follows:

The sub-committee heard representations from the applicant's representatives, namely the deputy manager and a member of the operating company.

The sub-committee considered all the written representations submitted by local residents and the two responses submitted to the conciliation statement.

The sub-committee noted that the premises is in a saturation zone, however it did not consider that the proposed variation would have a significant impact on one or more licensing objectives in the area.

The sub-committee did note the residents concerns over noise nuisance from staff which may be caused by later opening hours.

The sub-committee was of the view that given the premises is a restaurant, that a number of premises in the immediate vicinity have very similar opening hours to those proposed, and that residents did not have concerns over customers specifically from these premises, the impact on noise nuisance would be minimal.

However the sub-committee did consider it necessary and proportionate to impose the four conditions listed above.

The sub-committee, having considered all the licensing objectives, decided that the applicant's operating schedule and the above conditions meant that the application would not have a negative effect on the saturation zone policy and it was proportionate to grant the application.

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.

The meeting closed at 11.05am.

CHAIR:

DATED: