

## Licensing Sub-Committee

MINUTES of the OPEN section of the Licensing Sub-Committee held on Monday 14 November 2011 at 10.00 am at Ground Floor Meeting Room G02B - 160 Tooley Street, London SE1 2QH

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<b>PRESENT:</b>	Councillor Linda Manchester (Chair) Councillor David Hubber Councillor Althea Smith
<b>OTHERS:</b>	Raheel Choudhary, applicant Alex Farly, applicant's witness Tom Bailey, objector Alice Crawford, objector Cheryl Wiltshire, objector Mark Wiltshire, objector
<b>OFFICER SUPPORT:</b>	David Swaby, licensing officer Caroline Hayward, legal services Andrew Weir, constitutional team

### 1. APOLOGIES

There were no apologies.

### 2. CONFIRMATION OF VOTING MEMBERS

The three members present were confirmed as voting members. In the absence of the chair, Councillor Linda Manchester, the vice chair of the licensing committee, chaired the sub-committee.

### 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 - PAPA JOHN'S PIZZA, 168A TOWER BRIDGE ROAD, LONDON SE1 3LS

The licensing officer presented his report. The members had no questions for the officer. The applicant and his witness addressed the sub-committee. Members had questions for

the applicant.

The meeting adjourned at 10.12am for legal advice. The meeting reconvened at 10.28am.

The local residents then addressed the sub-committee. Members had questions for the local residents.

All parties were given five minutes to sum up. At 10.55am the meeting went into closed session to consider the application.

At 11.37am the meeting resumed and the chair read out the decision as follows:

**RESOLVED:**

**Decision**

That the application by KSC Limited for a premises licence under Section 17 of the Licensing Act 2003 in respect of the premises known as Papa John's Pizza, 168 Tower Bridge Road, London SE1 3LS be approved as follows:

	Monday to Thursday	Friday to Saturday	Sunday
Start & Finish	23:00 00:30	23:00 02:00	23:00 00:00
<b>Activities:</b> Late night refreshment	Late night refreshment	Late night refreshment	Late night refreshment

**Conditions**

The operation of the premises under the licence shall be subject to compliance with the operation schedule highlighted in Section P of the application form and the following conditions agreed by the sub-committee:

1. That there shall be no access o the premises by members of the public on Monday to Thursday between 23.00 to 00.30, Friday to Saturday 23.00 to 02.00 and on Sunday 23.00 to 00.00.
2. That no refuse shall be placed into receptacles outside the premises between the hours of 23.00 to 07.00 Monday to Sunday.

**Reasons**

The reasons for this decision are as follows:

This was an application by KSC Limited for a new premises licence in respect of the premises known as Papa John's Pizza, 168a Tower Bridge Road, London SE1 3LS to allow the provision of late night refreshment on Monday to Thursday between 23.00 to 00.30, Friday to Saturday 23.00 to 02.00 and on Sunday 23.00 to 00.00.

The sub-committee heard evidence from the applicant that this application is only for the provision of pizza delivery and not service to customers, the granting of which will not have

an adverse impact on the objectives in the Licensing Act.

The sub-committee heard evidence from local residents that their main concerns were public nuisance caused by delivery mopeds being parked on the street, cars stopping on the red route and potential instances of crime and disorder with one instance of theft being witnessed but not reported to the police. The residents submitted that nuisance is also caused by the noise and smell of the extractor fan.

The sub-committee noted that the premises is located in a saturation zone and that no objections were raised by the police or the environmental health team about crime and disorder or noise nuisance.

The sub-committee was satisfied, provided the premises are operated as outlined by the applicant in their representations, that there would be limited negative cumulative impact on crime, disorder and public nuisance in the area and that the operating schedule would sufficiently deal with any likely impact.

However, in order to ensure that the operating schedule is effective the sub-committee considered it necessary and proportionate to add the following conditions:

- No access to the premises by members of the public on Monday to Thursday between 23.00 to 00.30, Friday to Saturday 23.00 to 02.00 and on Sunday 23.00 to 00.00
- No refuse is to be placed into receptacles outside the premises between the hours of 23.00 to 07.00 Monday to Sunday.

Therefore, having considered all the licensing objectives, the council's statement of licensing policy and all representations the sub-committee decided 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 11.42am.

**CHAIR:**

**DATED:**