MINUTES OF THE LICENSING COMMITTEE
WEDNESDAY 18 OCTOBER 2017 at 7.30 pm

Present: Councillor Stamirowski (Chair) Councillor Britton (Vice Chair) Councillors Barnham, Bell, Elliott, Johnston-Franklin, Michael, and Slater.

Apologies for absence were received from Councillor Upex

Also Present:

199/201 Lewisham Way SE4 1UY

Iyaeode Popoola and Samuel Popoola.

Objectors

Richard Thomas - resident

Officers In attendance

Lisa Spall - Crime Enforcement and Regulation Manager
Petra Der Man – Principal Lawyer
P.C Gerry – Metropolitan Police

1. Minutes

RESOLVED that the minutes of the meeting of the Licensing Committee held on 4 October 2017 be confirmed and signed as a correct record.

2. Declarations of Interests

None.

3. 199/201 Lewisham Way SE4 1UY

3.1 The Chair welcomed all parties to the meeting and introductions were made. She then invited Ms Spall to speak.

3.2 Ms Spall said that objections had been received from residents in the near residential area. The application had been received for a new premises licence for 199/201 Lewisham Way. Members were asked to consider two objections under the licensing objectives of crime & disorder and public nuisance. The premises was recently known as the Curve Bar. This application had been made by a different licensee and it was proposed that the premises be used as a function room.

3.3 Councillor Britton asked for details of the application. Ms Spall outlined the details; she said that although the application included plays and films, it was not expected that there would be many occasions when these were shown.

Applicant

3.4 Mrs Popoola said that the premises would be used as a function room. She said that for 20 years she managed a restaurant and entertainment business. However,
due to ill heath, she was unable to work and so she let the premises to a licensee who managed the curve bar. The premises was not managed well and residents suffered from noise nuisance and crime and disorder. She was not involved in the running of this bar. Her son would be taking over the running of the proposed new business. It would be a function room for family and children’s parties, weddings and wakes. It would not be a club attracting teenagers.

3.5 Councillor Barnham asked whether the function room would be open to the public generally or whether access would be by invitation only. He also said that the report was lacking in detail with regard to the promotion of licensing objectives. Ms Spall said that a meeting had been held with the applicants to discuss the previous management of the premises and how they could prevent problems re-occurring. As a result of these discussions, a list of 25 conditions had been agreed by the applicants and would be added to the licence. One of the conditions was that it will only be used as a pre booked function hall. There will not be any promoters, a full 696 will be sent to Police for regular DJs that are used. There would be CCTV, provision for smoking areas, door staff and queuing areas and a raft of other conditions. Members of the Committee had not seen these conditions and a copy was circulated at the meeting.

3.6 Councillor Johnston-Franklin said that under Appendix M, she thought there could be a typographical error because it states that there should be no underage serving without ID. Although it was confirmed that this is an error, she was concerned that it is a public document. Ms Spall said that the new conditions would supersede all those currently on the licence application.

3.7 Councillor Bell said that he was concerned about the late opening hours and asked what type of events would be going on until 0030 during the working week and 01:00 at the weekend. It would create a lot of noise for nearby residents. Mrs Popoola said that when she had previously managed a restaurant at these premises; she had a premises licence until 0330. She did not have any complaints about the running of this business. She did not intend to hold a function every evening. She understands that residents had been affected by recent management of the night club and intends to ensure that the premises are run well so that after 6 months she will be able to apply for a licence until 0330 or 0400.

3.8 The Chair asked whether the function room in the basement of the premises is sound proofed. Mrs Popoola said that there is sound proofing. Ms Spall confirmed that there is sound proofing, that officers had negotiated opening times with the applicants, and officers supported the proposed opening hours.

3.9 Councillor Bell said that residents could suffer from noise as patrons leave the premises. Ms Spall did not expect much activity in the premises Monday to Thursday. Mrs Popoola said that she intended to employ two security staff on the front door and they would control any noise. She accepts that residents had suffered from noise nuisance from previous management, but she would ensure that this does not happen if the new licence is agreed.

3.10 Councillor Barnham said that there was no condition regarding id and age related requirements. Ms Spall said that Challenge 25 was not included and could be added to the list if members agreed.
Representation

3.11 Mr Thomas said that his main objections were associated with the previous licence holder. He was pleased to note that a number of conditions had been agreed and would be added to the licence. However, residents had endured noise nuisance and anti-social behaviour when it was a club. Access to the premises is on the corner of the road, so patrons queue down the side street where the pavement is very narrow. There is no designated area and residents at the rear of the premises face the back of the club. There is a school nearby and there is no legal parking for anyone after 5pm. The applicant claims that they will not open for as long as in their licence application allows. However, if granted could trade every Sunday until the early hours of the morning. There is a Mosque only 5 feet away from the premises and after midnight 100 worshippers leave their premises after Eid and bump into many revellers waiting to get into the premises.

3.12 Mr Thomas said that the premises has a history of crime and disorder because the pavement outside is narrow and there is no parking in the area. He said that the premises attracts the wrong crowds; Police had not been called to the premises, and crime in the area had reduced since the licence for the bar was revoked.

3.13 The Chair said that members of the committee were considering a new application and the premises would be used as a restaurant not a club. Parking could not be into account.

3.14 Mr Thomas said that since curve bar closed there has been less anti-social behaviour. He has concerns with the lateness of hours and the picking up and dropping off of patrons in a narrow street.

3.15 Councillor Bell asked how often Muslims would be leaving the Mosque at midnight. Mr Thomas said that Eid takes place for 1 or 2 weeks at a time. They pray late into the night and is very well attended. If it is a hot night, people will pray on top of the roof. Eid takes place 2 or 3 times a year.

3.16 Members of the Committee then withdrew to make their decision. When they returned it was:--

RESOLVED that the application be approved with the 25 conditions agreed by the applicant and officers and the addition of the condition which relates to Challenge 25.

3.17 The Chair said that in arriving at this decision, members of the Committee were very mindful that residents had experienced crime and disorder and noise nuisance under the previous management. She said that the Crime and Disorder team would monitor the premises to ensure that residents do not experience nuisance again. She reminded those present that if the premises is not managed correctly, anyone has the power to request a review of the premises licence.

The meeting ended at 7.50pm

Chair