

Decisions taken by the Licensing Committee on Tuesday, 7 May 2019

Agenda Item No	Topic	Decision
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Part A – Items considered in public

<p>A3</p>	<p>Pizza 2 Night 26a Catford Hill SE6 4PX</p>	<p>Representation in respect of the application made by Frank Olaniran of the Local Authority's Crime Enforcement department, for a Review of the Premises Licence, for Pizza 2 Night 26a Catford Hill SE6 4PX.</p> <p>IN THE MATTER OF THIS PREMISES LICENCE REVIEW, THE COMMITTEE HAS CONSIDERED ALL THE RELEVANT REPRESENTATIONS MADE BY ALL PARTIES.</p> <p>The Committee has made the following determination with a view to ensuring the promotion of the licensing objectives in accordance with the provisions of the secretary of state's guidance and the principles of our licensing policy:</p> <p>With a view to ensuring the promotion of the licensing objectives, in accordance with the provisions of the statutory guidance and the principles of our licensing policy, the licensing hours were restricted as follows:</p> <ul style="list-style-type: none"> • The provision of hot food be restricted on Monday to Thursday until 01:00; and • The provision of hot food be restricted on Friday to Sunday until 02:00 <p>In coming to a determination the Committee considered the following matters;</p> <ol style="list-style-type: none"> 1. Members of the Committee considered the representations made by the Crime, Enforcement and Regulation Service under the grounds of the prevention of Crime and disorder and the prevention of Public Disorder. 2. The Committee noted that the premises have been operating outside the licensed hours. There has also been a breach of their Annex 2 conditions which states that a staff member from the premises, who is able to operate the CCTV, shall be on the premises at all times when the premises are open to the public. In addition, following an inspection of the premises the following breaches were also observed:
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		<ul style="list-style-type: none"> • Failure to secure a premises licence or a certified copy at the premises or to prominently display a summary of the licence. • Failure to produce a premises licence or a certified copy. <p>3. Members of the Committee also noted that following trading beyond licensing hours, officers had offered the premises licence holder advice on how to uphold the licensing objectives. However after three months of being granted a licence to serve hot food until 4am, there is evidence that the business is still unable to keep within the condition of the licence and exceeding the permitted hours..</p> <p>4. The Committee noted that licensing officers still have not received a copy of the CCTV footage as requested by officers in February 2019.</p> <p>5. Members of the Committee noted the representation made by the premises licence holder. He said that the hard drive had been taken by the Police for a separate investigation that took place outside the premises and had never been returned. It was also noted that this took place 18 months ago and he did not receive a receipt for any of the three hard drives that were taken.</p> <p>6. The Premises Licence Holder said that the CCTV is now in operation, and he had evidence of this on his mobile phone. Members noted that the premises licence holder claimed that the food orders had been submitted within the licenced hours but had been delayed through a technical error.</p> <p>7. Members of the Committee considered that the restriction of the licensing hours were proportionate and would uphold the four licensing objectives, particularly the Prevention of Crime and Disorder and the Prevention of Public Disorder.</p>

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A4	Dirty South P.H 162 Lee High Road London SE13 5PR	<p>IN THE MATTER OF THE APPLICATION FOR THE VARIATION OF A PREMISES LICENCE, THE COMMITTEE HAS CONSIDERED THE RELEVANT REPRESENTATIONS MADE.</p> <p>The Committee has made the following determination:</p> <p>With a view to ensuring the promotion of the licensing objectives, in accordance with the provisions of the statutory guidance and the principles of our licensing policy, the application for the variation of a Premises Licence, was REFUSED.</p> <p>In coming to a determination the Committee considered the following matters;</p> <ol style="list-style-type: none"> 1. The Committee noted the representations made by residents. <ul style="list-style-type: none"> • They live in flats which are 15-20 metres away from the beer garden. They overlook the garden and patrons can see into their homes. • 30 patrons can be in the garden at any one time and this number of people will make noise that cannot be managed by staff. • The proposal to close the premises at 10pm would mean that children living in these flats would be unable to sleep particularly during the summer months. • Residents' homes are very close to the premises but the garden cannot be sound proofed. • At the rear of the premises there are double doors. When music is playing, the noise that escapes when patrons open these doors, affects residents' quality of life. • The garden was open to the public for two weeks in 2018. During this time residents were subjected to distressing abuse from patrons. They felt vulnerable in their own homes. 2. The Committee noted the representation made by the applicant. The venue had been a

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		<p>music venue but is now more geared to food and drink. There is background music inside the premises and there were plans to create a pleasant outdoor area for patrons. The garden is close to the car park rather than the flats.</p> <ol style="list-style-type: none"> 3. The Committee also noted the representation that the premises is already in a suburban area. There are already natural sounds in the area including emergency sirens, aeroplanes, and people talking. If the application was granted, the sound from the garden would not be heard above these natural sounds. 4. The applicant said that he has considered the events that took place when the garden was open and the abuse suffered by residents would not be repeated. He would ensure that staff police the area. He has also listened to advice from licensing officers; he has closed the garden and applied for a variation of his licence. 5. The Committee agreed that the applicant had not addressed the concerns of the residents and agreed that granting the application would not promote the four licensing objectives.
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A2		