

LONDON BOROUGH OF LEWISHAM

MINUTES of the meeting of the LICENSING COMMITTEE, which was open to the press and public held on THURSDAY 31 OCTOBER 2019 in Room 3 Civic Suite, Catford Road, Catford SE6 4RU at 7.15pm.

Present

Councillor Stamirowski (Chair), Councillor Elliott (Vice Chair) Councillors Anwar, Campbell, Hall, Hordjenko, Howard, and Powell.

Apologies for absence were received from Councillors Handley, and Wise.

Also Present

Lisa Spall - Crime, Enforcement and Regulation Manager
Jay Kidd-Morton – Lawyer

Arch 2 Deptford Railway Station SE8 4NS

Applicant

Taulant and Arian Mucaj - Applicants

Representation

Struan Leslie - Objector

1. Minutes

RESOLVED that the minutes of the meeting of the Licensing Committee held on 16 October 2019 be confirmed and signed.

2. Declarations of Interests

None.

3. Arch 2 Deptford Railway Station SE8 4NS

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

Licensing Officer

- 3.2 Ms Spall said that members were being asked to consider this application for a new premises licence for Arch 2 Deptford Railway Station SE8 4NS. She outlined the application for the licensable activities which had been made by Balcca Ltd. Four representations had been received from local residents. A representation

was also received from the Deptford Society. The objections were based primarily on the grounds of the prevention of public nuisance

- 3.3 Ms Spall said that new conditions and a reduction in hours had been agreed with the applicant, the licensing authority and Police and she read them out. Following these new conditions, the Deptford Society had withdrawn their objection, the other four objections had not been withdrawn. She said that it was officers' understanding that the applicants' agreed to the new conditions and hours in a letter received from their solicitor on 23 October 2019. She asked for confirmation from the applicant that they still agreed to the new conditions and new licensed hours. Ms Spall then outlined the options available to members when making a decision. The applicants said that Thomas and Thomas (solicitors) were no longer acting on their behalf. They confirmed that they still agreed with the amended hours and conditions within the solicitor's letter. The Chair read out the amended hours within this letter.

Applicant

- 3.4 Arian Mucaj said that he wants to run a restaurant. It would not be a night club, and only background music would be played. The original application had been for a closing time of 2am but it was not expected that the restaurant would be open until this time on many occasions. The application had been made so they had the flexibility to close later if required. The business would mainly be to provide good fresh food in the restaurant.
- 3.5 Councillor Powell asked whether there would be a separate function room for parties. Taulant Mucaj said that they had not planned for a function room, but is something that could be considered in the future. A small area could be cordoned off if patrons wanted to host a party in the restaurant. Mr Ari Mucaj said that a lot of money had been spent on the premises and he expected the frontage to be an asset to the local area.
- 3.6 Members were advised that the capacity of the restaurant is 60-65. They will not be employing an online food delivery company to distribute their food.

Representation

- 3.7 Mr Leslie said that was not objecting to the application but rather the common practise of local businesses applying for a premises licence until 2am. These businesses are located in a residential areas in Deptford High Street and the local vicinity. He said that he was not against the plans for the restaurant, in fact he believed them to be very good. He had objected to the original application for the premises because it included a closing time of 2am.
- 3.8 Mr Leslie said that he has lived in Deptford High Street for many years and he had noticed that the area had changed. There had been an increase in anti-social behaviour including defecation outside his house, and an increase in litter. He also noted that music from some businesses located near to the yard, played beyond licensed hours. Bottles were emptied into bins after midnight creating noise nuisance in the early hours of the morning.

- 3.9 Mr Leslie said that the amended hours were acceptable but there was no provision for a smoking receptacle or litter control. He then outlined his concerns about the area and his desire to discuss his concerns with his local councillors.
- 3.10 The Chair asked Mr Leslie whether he was withdrawing his objection. Mr Leslie confirmed that he was but he remained concerned about the effect that licensed premises were having on the local area.
- 3.11 Councillor Campbell asked the applicants whether there would be provision for smoking outside. The applicants confirmed that provision would be made and bottles would not be decanted into bins outside the premises between 11pm and 8am. The pavement outside the premises will be swept and kept clean. The food provided will be Mediterranean, Italian and British.
- 3.12 Members of the Committee then withdrew to make their decision. When they returned it was:
- RESOLVED** that the application be granted with the hours and conditions recommended by the Police and Licensing officers as outlined in the letter from Thomas and Thomas dated 23 October 2019.
- 3.13 Ms Spall said that an appeal may be made against this decision to the Magistrates Court within 21 days from the date of the decision letter which would be sent out within 5 days of the meeting.

The meeting ended at 7.45pm

Chair