

Licensing Sub-Committee

Meeting held on Thursday, 12 November 2020 at 10.30 am. This meeting was held remotely; to view the meeting, please click [here](#).

MINUTES

Present: Councillor Pat Clouder (Chair);
Councillors Karen Jewitt and Margaret Bird

Also Present: Michael Goddard (Head of Environmental Health, Trading Standards and Licensing)
Nicola Thoday (Solicitor and Legal Advisor to the Sub-Committee)
Thomas Downs (Democratic Services)

PART A

104/20 **Appointment of Chair**

Councillor Karen Jewitt nominated Councillor Pat Clouder as Chair.
Councillor Margaret Bird seconded the motion.

The Sub-Committee **RESOLVED** to appoint Councillor Clouder as Chair for the duration of the meeting of the Sub-Committee.

105/20 **Apologies for Absence**

There were none.

106/20 **Disclosure of Interests**

There were none.

107/20 **Urgent Business (if any)**

There were no items of urgent business.

Licensing Act 2003 - Application for a Premises Licence at 35 Westow Street, Upper Norwood, SE19 3RW

The recording of this item can be viewed by clicking on the link [here](#).

Following the item being heard the Licensing Sub-Committee's decision is as follows:

On 12 November 2020 the Licensing Sub-Committee considered the Application for a Premises Licence at **35 Westow Street, Upper Norwood** and the representations received as contained in the report of the Executive Director 'Place' (including The Noise Management Policy submitted as additional information submitted by Applicant). The Sub-Committee, have made their decision with reference to the licensing objectives under the Licensing Act 2003 and the Council Licensing Policy.

The Sub-Committee also considered the verbal representations made at the virtual hearing by the applicant (and their representative) and one of the objectors.

It has been noted that the Applicant has agreed to amend their application following conversations with the Police (Appendix A paragraph 1.4). Also, the Applicant agrees to accept the conditions proposed by the Police, and the Council's Safety Team as set out in Appendix A2 and A3 respectively.

It was agreed during the hearing that the Council's Safety Team's proposed condition (Appendix 3) will be changed to "*No licensable activity shall take place at the premises until the premises has been assessed as satisfactory by the Food & Safety Team at which time this condition shall be removed from the License by the Licensing authority*".

The Applicant has confirmed that:

- It will adhere to its Noise Management Policy.
- It will take steps to ensure that it does not cause a public nuisance, in particular noise nuisance to local residents.
- This Application does not relate to the Carberry Works area.
- It wishes to be a sustainable ethical business and wants to work with local residents.
- It plans to bring culture to the area, it will be food led, not be just a drinking pub. The aim is to be a polite enterprise that is family friendly and community focused.

The Applicant agreed to the following condition "The Applicant shall adhere to its Noise Management Policy and will not cause a noise nuisance or statutory nuisance to local residents."

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The Objector referred to other objectors withdrawing their objections on the basis that noise cannot be heard in Carberry Road. Applicant is not able to agree to this as a Licensing Condition.

To clarify that the licensable activities are being requested until 23.00 and the Opening Hours, as stated in the Application form is until 23.00.

The Sub-Committee has considered this case on its merits.

Taking into account the above, the Sub-Committee has **RESOLVED** to **GRANT** the application.

We would like to take this opportunity to remind the Objectors that should you be of the view that the Licensing Objectives are not being promoted or adhered to you should apply for a Review of the Licence.

The Sub-Committee would also like to thank the Applicant and Objectors for their thoughtful contributions and the respectful manner in which the hearing was conducted.

109/20 **Exclusion of the Press and Public**

This was not required.

The meeting ended at 11.59 am

Signed:

Date: