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Licensing Sub-Committee

Meeting of held on Friday, 23 September 2022 at 10.30 am in

MINUTES

Present: Councillor Christopher Herman (Vice-Chair);
Councillors Richard Chatterjee and Nina Degrad

PART A

17/22 **Appointment of Chair**

It was **MOVED** by Councillor Chatterjee and **SECONDED** by Councillor Degrad and **RESOLVED** to appoint Councillor Herman as Chair for this meeting of the Licensing Sub-Committee.

18/22 **Minutes of the Previous Meeting**

The minutes of the Licensing Sub-Committee would be agreed at the meeting of the Licensing Committee on 26 September 2022.

19/22 **Disclosure of Interests**

There were none.

20/22 **Urgent Business (if any)**

There were no items of urgent business.

21/22 **LICENSING ACT 2003 - Application For a Premises Licence 28 George Street, Croydon**

The Licensing Sub-Committee considered the Application for a Premises Licence at **28 George Street Croydon CRO 1PB** and the representations received as contained in the report of the Corporate Director, Sustainable Communities, Regeneration & Economic Recovery.

The Sub-Committee also considered the representations made by the Applicant, and the documents submitted by the Applicant in support of their application. The Sub-Committee noted that although the objectors were not present at the hearing, they had the benefit of their written representations as part of the report.

The Sub-Committee, having reference to the licensing objectives under the Licensing Act 2003 the Statutory Guidance issued under S182 of the Licensing Act 2003 and the Council Statement of Licensing Policy, **RESOLVED to GRANT** the Application on the basis that the Sub-Committee was satisfied that it would be appropriate to promote the licensing objectives to do so.

The reasons of the Sub-Committee were as follows:

1. In respect of the prevention of crime and disorder objective, the Sub-Committee noted that there was no objection to the Application from the Police, and noted also that in accordance with the Statutory Guidance the Police should usually be the licensing authority's main source of advice on matters relating to the promotion of the crime and disorder licensing objective.
2. In respect of the prevention of public nuisance objective, the Sub-Committee noted the importance of focussing on the effects of the licensable activities at the specific premises on persons living and working (including those carrying on business) in the area around the premises which may be disproportionate and unreasonable, as is suggested by the Statutory Guidance. The Sub-Committee also noted this may include in appropriate circumstances the reduction of the living and working amenity and environment of other persons living and working in the area of the licensed premises.
3. The Sub-Committee noted that there was no objection to the Application from Environmental Health, which was the main source of advice in relation to the public nuisance licensing objective.
4. In this regard the Sub-Committee considered concerns raised relating to an increase in noise nuisance to residents and local businesses generally, from recorded music and live music, including from music as customers used the front doors, and from customers in outdoor seating at the front of the premises. The Sub-Committee also considered concerns raised about outdoor seating at the front of the premises

causing congestion on the pavement on George Street. The Sub-Committee also considered concerns raised about possible increases in drunkenness and anti-social behaviour, and concerns that the outdoor seating at the front of the premises would become a magnet for anti-social behaviour.

5. The Sub-Committee also considered the specific concerns raised by a resident living a short distance from the premises relating to an increase in noise nuisance from recorded and live music, and an increase in drunkenness and anti-social behaviour which made her feel fearful and vulnerable.
6. As regards possible increases in anti-social behaviour, the Sub-Committee was aware, and had reference to the Statutory Guidance which provided that, beyond the immediate area surrounding the premises, these were matters for the personal responsibility of individuals under the law. An individual who engaged in antisocial behaviour was accountable in their own right. The Sub-Committee was reassured by the document submitted by the Applicant entitled "Off trade licence 28 George Street" which sought to explain and allay concerns about off licence sales at the premises. The Sub-Committee was also reassured that any off-licence sales would only be over the bar, and by proposed conditions preventing any open containers of alcohol or glassware leaving the premises, and in relation to SIA door supervisors. The Sub-Committee was also reassured by the Applicant's decision not to pursue proposals for outdoor seating at the front of the premises.
7. In relation to the prevention of crime and disorder objective, and the prevention of public nuisance objective, the Sub-Committee was also reassured that the Applicant had engaged with the Police, and that following discussions with the Police licensing officer the Applicant had amended the Application to include conditions to be placed on the licence should the Application be granted, and also to reduce the permitted hours specified in the Application.
8. The Sub-Committee also noted that in the Statement of Licensing Policy, it was recognised that the diversity of premises selling alcohol covered a wide range of contrasting styles and characteristics and full regard would be had to those differences and the differing impact these would have on the local community. In this respect, the Sub-Committee noted what appeared to be a level of support from local residents and businesses as indicated in the document entitled "Supporting

Statements for licensing of 28 George Street” submitted by the Applicant.

9. The Sub-Committee was reassured by the Applicant’s representations as regards the nature of the premises and the live and recorded music, the positioning of speakers etc. and by the fact the Applicant had a noise management plan. The Sub-Committee was also reassured by the Applicant’s commitment to have a dialogue with local residents in an effort to mitigate any on-going concerns.

10. The Sub-Committee would like to thank all participants for the manner in which they engaged with and supported the hearing in providing information to allow the Sub-Committee’s consideration.

The meeting ended at Time Not Specified

Signed:

Date:

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