

MINUTES OF A MEETING OF THE LICENSING SUB COMMITTEE C

TUESDAY, 11TH JULY, 2017

Councillors Present: Cllr Emma Plouviez in the Chair

Cllr Sade Etti

Officers in Attendance: Butta Singh (Senior Solicitor for Licensing) and David Tuitt (Team Leader – Licensing (Policy and Operations))

Also in Attendance: Solicitor on behalf of the Applicant
Marcus Lavell agent
Roger Wade – Director Boxpark
General Manager
Karen Rosen - Other Persons
Robin Fellgett - Other Persons

2 Election of Chair

2 Apologies for Absence

There were no apologies for absence.

3 Declarations of Interest - Members to declare as appropriate

There were no declarations of interest.

4 Minutes of the Previous Meeting

The minutes of the meeting held on the 6 June were approved as a correct record.

2 Licensing Sub-Committee Hearing Procedure

6 Application for a Premises Licence - 4 Decking areas on the First Floor Boxpark, 2-10 Bethnal Green Road, E1 6GY

The Committee was advised that the meeting had be reconvened from the Sub Committee held on the 6th June 2017.

The Sub-Committee agreed to adjourn in consideration of the application in order to allow the representatives of Box Park a further opportunity to put in place the measures that had been discussed at the hearing on the 6th June along with allowing for additional consultation with residents and responsible authorities.

The Solicitor assured the committee that the premises had aimed to trade as it would if the applicant was granted. It was highlighted that many residents felt that there was

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an improvement, the applicants had also been working with the police since the last committee.

The Police were unable to attend the meeting although they had submitted a statement which outlined the following.

- On 9th June during two visits police witnessed two premises breaching the licence which stated that the premises could only serve alcohol with food, although the other premises was open serving alcohol and approaching people in an attempt to make a sale, a police officer was also approached.
- Police were concerned over the management of Boxpark and felt there was little action in dealing with and controlling the tenants, and all confidence had been lost.
- Police advised that between the hearings Boxpark had cancelled all their events which has not given the police and the local residents the change to see how they would be affected or a true reflection given of how it would work going forward.

The Applicants highlighted that whilst the master licence was still under hearing procedures they was not in a position to do anything about the breaches pointed out by the police, however if the licence was granted they would be. It was added further that Boxpark aimed to trade as it would if the application was granted, therefore this was the reasoning for cancelling all events as events if the licence was granted would no longer take place on Thursdays and Sundays.

Robin Fellget on behalf of the Jago Action Group was invited to the committee to make a statement of objection. It was felt that there had been no improvement in the levels of noise from the premises. It was stated that part of the application had no planning permission from Tower Hamlets

The Applicants highlighted that there had been £500,000 worth of investment into noise nuisance prevention, it was stated that there had been no noise complaints and also no police alcohol related incidences. Members were advised that the applicants had met with the police and invited members of the community to work together in relation to noise nuisance.

The Responsible Authority for Licensing highlighted that his objection remained. There was concern raised over the benched seating area as it was felt that this could be moved, it was also highlighted that Officers will not be able to find out which premises had sold too much alcohol to an over intoxicated individual.

The legal adviser queried the risk of the application becoming out of control over time if granted, the solicitor acting on behalf of the applicant highlighted that there was a request for a condition to be attached the licence which would terminate the lease which would then stop the operation of the premise reverting back to its old ways.

The Chair of the Committee felt concerns over noise nuisance, it was felt that things could have been resolved previously but they were not.

The applicant explained that the majority of the events which received complaints for were for Thursdays and Sundays, however this application is proposing that events will not be held on Thursday and Sundays. Members were enlightened that there would be no amplified music on the decking or the green.

The decision

The Sub-Committee has adjourned for at least 3 weeks to establish if suitable and appropriate conditions can be placed on any proposed licence to reflect the discussions that have taken place with the applicant and other parties that have been involved in the application. The Sub-Committee would expect the Responsible Authorities to be involved and privy to any proposed conditions in order to establish whether they wish to add to or amend any of the proposed conditions.

Given the discussions and concessions made at both meetings, the onus is on the applicant to revert to the Council, in the first instance, with the draft conditions reflecting those conditions that have already been agreed along with those that have been discussed at the meetings and specifically outlined at the end of the most recent meeting.

Once the appropriate conditions are drafted to reflect the discussions that have taken place the Sub-Committee will then determine whether they need to reconvene or not, with all parties being informed of the same.

- a Boxpark - Additional Items submitted for the Meeting held on the 6 June 2017

Duration of the meeting: Times Not Specified

Signed

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Chair of Committee

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