

LICENSING (2003 ACT) SUB-COMMITTEE

**Meeting held on 15th January 2010
in Committee Room 1, Newham Town Hall, East Ham, E6 2RP**

Present: Councillor Ian Corbett (Chair)
Councillors Khalil Kazi OBE and Ron Manley

The meeting commenced at 10.45 a.m. and closed at 11.12 a.m.

1. Declarations of Interest

There were no declarations of interest.

2. Blazin Hot, 587 Barking Road, E6

Due to one of the Members of the Sub-Committee suddenly taken ill, the Sub-Committee resolved to await the arrival of a substitute Member to allow the hearing to commence. The hearing subsequently commenced at 1045hrs. Apologies were made to all present for the inconvenience caused.

The Sub-Committee were asked to consider and determine an application made for a new premises licence in respect of Blazin Hot, 587 Barking Road, E6, representations having been made against the application.

Present at the hearing was Mr. Mandeep Singh representing the applicant.

The presenting Officer made his report to the Sub-Committee stating that the application was for the following activities and times:

Provision of Late Night Refreshment.

Monday to Thursday: 23.00 hours to 03.00 hours the days following
Friday & Saturday: 23.00 hours to 05.00 hours the days following
Sunday: 23.00 hours to 02.00 hours the days following

Premises Opening Times

Monday to Thursday: 11.00 hours to 03.00 hours the days following
Friday & Saturday: 11.00 hours to 05.00 hours the days following
Sunday: 11.00 hours to 02.00 hours the days following

Section P of the application form set out the steps the applicants proposed to take to promote the four licensing objectives of the prevention of crime and disorder, public safety, prevention of nuisance and the protection of

children from harm.

Representations

Noise and Nuisance had made representations on the grounds of the prevention of Public Nuisance.

The Metropolitan police had not made any formal representation but they reached an agreement with the applicant, that the following condition should be applied to any premises licence if granted.

To reduce the hours for 'Late Night Refreshment' at the above named premises to 2300 to 0100 on Monday to Sunday.

The licence holder shall ensure that CCTV cameras and recorders are installed to the satisfaction of police and maintained in good working order and fully operational covering both the internal and external areas of the premises when it is open to the public.

The images should be of evidential standard, and retained for a period of 28 days and should be made available to police and council officers upon request.

Should the CCTV become non-functional for any period of time this should be reported immediately to the licensing authority.

Noise and Nuisance representation

The Noise and Nuisance Officer advised the Sub-Committee that the representations being made were on the grounds of Public Nuisance.

He stated that patrons arriving late at night and vehicular associated noise may give rise to Noise Nuisance for the residents above the premises and other neighbouring residences. He added that that applicant had advised him that there was sufficient sound insulation between the premises and the residences, although no evidence of this had been forthcoming. The Officer advised Members that there had been no complaints received relating to noise nuisance from the premises on record.

Applicant

Mandeep Singh advised the Sub-Committee that the premises was situated in a commercial block. To one side of the premises was a garage and on the other side was a launderette. Opposite the premises was a parade of shops and this led Mr. Singh to disagree with the noise and Nuisance Officers' observation that the premises was in a residential area. He stated that there were, however, residences above the premises and advised Members that the premises had been fitted out in accordance with building regulations.

He advised Members that 3 layers of plasterboard had been placed between the residences and the premises, and in addition a suspended

ceiling provided an air gap, thereby further reducing noise impact. Mr. Singh observed that this was more than was necessary and this was evident by the lack of noise complaints in relation to the premises.

In addition there was unlikely to be additional vehicular noise associated with the premises, as there was a bus stop outside the premises and the main road was free flowing traffic lanes with no parking likely.

Discussions with Police have led to location of CCTV being agreed. Mr. Singh advised that the applicant would install the CCTV should the application for a licence be granted by the Sub-Committee. The applicant was willing to work with responsible authorities to resolve issues and to make the business work.

Mr. Singh advised Members that the patrons of the premises were students from the nearby Langdon School during the day and families in the evening and stated that longer opening hours would go towards improving the business.

There being no further questions or statements the Chair passed a resolution that the applicant and Officers withdraw from the meeting at **1100hrs** to allow the Sub-Committee to deliberate the application. The Clerk and Legal representative remained. Officers and the applicant returned to the meeting at 1110hrs to hear the decision of the Sub-Committee.

Decision

The Sub-Committee agreed to grant the licence subject to the conditions agreed with the Metropolitan Police being applied to the licence.

In addition the Sub-Committee imposed the following conditions:-

- Should the premises have a gaming machine on site the machine is to be switched off at 10pm
- A receptacle for waste is to be made available outside the premises for refuse and should be maintained regularly.

These conditions have been imposed to promote the licensing objectives of:-

The prevention of public nuisance
The protection of children from harm

The Licensing Officer clarified to the Sub-Committee that the premises could only introduce gaming machines if there was an on-site premises licence for alcohol and that these premises did not have such a licence. The Chair advised all parties of their right to appeal at the magistrates' court within 21 days and the hearing concluded at **1112hrs**.

