

# LICENSING AND REGULATORY COMMITTEE

23 September 2020

<b>Title:</b> Update on Licensing Applications and Appeals	
<b>Report of the Strategic Director</b>	
<b>Open Report</b>	<b>For Decision</b>
<b>Wards Affected: All</b>	<b>Key Decision:</b> No
<b>Report Author:</b> Theo Lamptey, Service Manager Public Protection, Regulatory Services	<b>Contact Details:</b> Tel: 020 8227 5655 E-mail: <a href="mailto:theo.lamptey@lbbd.gov.uk">theo.lamptey@lbbd.gov.uk</a>
<b>Accountable Director:</b> Andy Opie, Operational Director, Enforcement Services	
<b>Accountable Strategic Director:</b> Fiona Taylor, Acting Deputy Chief Executive	
<b>Summary</b>  This report provides an update on licence applications, public hearing and appeals falling under the responsibility of the Licensing and Regulatory Committee.	
<b>Recommendation</b>  The Licensing and Regulatory Committee is asked to note the report.	

## 1. Introduction

- 1.1 The following provides an update on licence applications, determinations and appeals falling under the responsibility of the Licensing and Regulatory Committee.

## 2. Applications

- 2.1 The following applications were received, processed, and determined during the period from 1 January to 31 August 2020:

- **Licensing Act 2003**

In total 158 applications, including 14 applications for new premises licences and 24 applications for Temporary Event Notices have been received. The other 120 applications comprised a mixture of major and minor licence variations and designated premises supervisor variations; plus new personal licences, transfers and administrative amendments.

- **London Local Authorities Act 1991**

In total 75 applications have been received for new special treatments licences including 65 renewals.

- **Gambling Act 2005**

In total five applications have been received for gaming and betting licences.

- **Scrap Metal Dealers Act 2013**

In total four applications have been received over the annual renewals.

- **Explosives Regulations 2014**

In total nine applications have been received for fireworks and explosives storage.

- **Animal Welfare Act 2006 / Animal Welfare (Licensing of Activities Involving Animals) (England) Regulations 2018**

One application was received for dog breeding.

### **3. Public Hearings**

3.1 Six public hearings took place during the period 1 January to 31 August 2020:

#### **(a) Way 2 Save, 147 Ripple Road, Barking**

On 7 January 2020 the Licensing Sub-Committee considered an application for the variation of the premises licence held by Mr Murat Alma which was opposed by local ward councillors and the licensing authority's responsible authority officer. The application sought extended hours operation for the retail sale of alcohol for consumption off the premises. The Sub-Committee heard from all parties and considered all relevant matters and decided to part grant the application with additional operating conditions imposed in order to promote the licensing objectives.

#### **(b) D'Will Events Hall and Church, Selinas Lane, Dagenham**

On 19 February 2020, the Licensing Sub-Committee considered a temporary event notice in respect of a late-night event scheduled at the premises and opposed by the police. Having heard all parties concerned and considered all relevant matters the Sub-Committee decided to reject the notice and issue a counter-notice on the grounds of potential nuisance and anti-social behaviour.

#### **(c) The Royal Oak, 203 Longbridge Road, Barking**

On 3 March 2020, the Licensing Sub-Committee considered an application for a review of the premises licence submitted by the police and supported by the licensing authority's responsible authority officer. The review centred on a number of incidents that had taken place at the premises. Before the commencement of the meeting the parties involved reached agreement on a revised set of management

operating conditions intended to help prevent the recurrence of such incidents. This agreement led to the withdrawal of the review application. The agreement reached was presented to the Sub-Committee at the hearing.

**(d) The Roundhouse, Lodge Avenue, Dagenham**

On 18 March 2020, the Licensing Sub-Committee considered an application for a review of the premises licence submitted by the police and supported by the licensing authority's responsible authority officer. The review centred on a number of incidents that had taken place at the premises. Having heard from all parties and considered all relevant matters the Sub-Committee decided to remove the designated premises supervisor and suspend the licence for a period of three months. An appeal was consequently lodged by the licence holder, Mr George Hand, against the suspension of the licence. See section 4 on appeals.

**(e) WeAreFSTVL, Central Park, Dagenham**

On 14 July 2020 the Licensing Sub-Committee was due to consider an application submitted by Spring Merch Ltd for a 10-year time limited premises licence enabling an annual large scale music festival to be held at Central Park which was opposed by the police and licensing authority's responsible authority officer. At the public hearing arranged to determine the matter, however, the Sub-Committee received a request for an adjournment from the applicant to allow the application to be considered in the light of anticipated Government guidance on the holding of large outdoor events / mass gatherings during Covid-19 restrictions. The Sub-Committee granted a two-month adjournment with the matter due to have been brought back for consideration by 11 September 2020. Dialogue has continued with the applicant over the intervening period and due to the continued delay in the anticipated guidance, the applicant has recently requested that the determination of the application be further adjourned for another three months. It is expected that the matter will now be brought before the Sub-committee in December 2020.

**(f) H & Q Café, 242 Bennetts Castle Lane, Dagenham**

On 14 August 2020, the Licensing Sub-Committee considered an application by H & Q Café Shop Ltd for a new premises licence enabling the retail sale of alcohol for consumption on the premises. The application was opposed by local Ward Councillors and the licensing authority's responsible authority officer. Having heard from all parties and considered all relevant matters the Sub-Committee granted the application but with restricted hours operation and additional conditions set in order to afford protections to local residents.

**4. Appeals**

- 4.1 One appeal was settled in court and one new appeal was lodged during the period 1 January to 31 August 2020.

**(a) Bardhi / Ercan Pool Club, 70a Longbridge Road, Barking**

An appeal lodged was against the Council's decision of 10 September 2019 to revoke the licence in respect of the Bardhi Pool Club at 70a Longbridge Road, Barking. The matter was set down for hearing in March 2020. Following negotiation

by all parties, however, the matter was settled by way of a consent order which had the effect of overturning the revocation of the premises and allowing the re-imposition of the licence but with extensive additional conditions added to the licence intended to ensure there was no repeat of the concerns that gave rise to the revocation decision. The additional conditions included new membership arrangements; search and security policies; and CCTV requirements.

**(b) The Roundhouse, Lodge Avenue, Dagenham**

As noted in the previous section, the Sub-Committee's decision of 18 March 2020, to suspend the premises licence, was made subject of an appeal to the local magistrates' court. Since the appeal has been lodged the status quo has been maintained and the licence holder is not compelled to comply with the suspension until the decision may be confirmed in the court. The premises did close shortly after this decision was taken, however, due to the imposition of the Government's Covid-19 restrictions and it has not re-opened to date. A court date is awaited and in the meantime we remain in dialogue with the licence holder.

**Public Background Papers Used in the Preparation of the Report:** None

**List of appendices:** None