MINUTES OF
LICENSING SUB-COMMITTEE

Monday, 12 March 2018
(7:00 - 7:42 pm)

Present: Cllr Kashif Haroon (Chair), Cllr Hardial Singh Rai (Deputy Chair) and Cllr Peter Chand

51. Declaration of Members' Interests

There were no declarations of interest.

52. Application to Vary Premises Licence - Cafe Hasi, 99 Longbridge Road, Barking IG11 8TD

Ms Rachel Taylor, Licensing Officer (LO), introduced a report relating to an application to vary the current premises licence in respect of Café Hasi, 99 Longbridge Road, Barking, made by Mr Qazim Sokoli, the premises licence holder and Designated Premises Supervisor.

The application sought to extend the restaurant / function room area; move the bar to the back of the restaurant area; build a small platform / stage on the left of the restaurant area; extend the rear external yard; and vary the licensable activity hours. The new licensable activity hours included an additional four days of live music on Monday to Wednesday until 00:30 hours and Thursday 01:00 hours, variations of between 30 and 90 minutes on a number of existing weekday and weekend arrangements (some of which were reductions to current times) and revised Christmas and New Year arrangements.

The LO advised that the application was before the Sub-Committee as valid representations had been received from three Responsible Authorities and four local residents. The representations related to the three licensing objectives of ‘prevention of crime and disorder’, ‘protection of children from harm’ and ‘prevention of public nuisance’. The LO drew Members’ attention to the representations that were appended to the report and extracts were read by the LO and Andrew Martin, LBBD Environmental Health Officer.

The LO confirmed that the representation made on behalf of the Licensing Authority had been withdrawn prior to the meeting as the applicant had accepted the conditions proposed by the Licensing Authority to overcome weaknesses in the current operating schedule in relation to CCTV, staff training, authorisation for alcohol sales, a ‘Challenge 21’ policy and the keeping of a Refusal Book.

In response to questions from the Sub-Committee, the LO advised on the public consultation arrangements for the variation application and clarified that the Council had received no complaints relating to the premises since a noise nuisance issue was resolved in 2014.

Mr Sokoli’s legal representative, Mr Marjit Kang, addressed the meeting and stated that Mr Sokoli was also willing to accept the conditions proposed by the Public Health and Environmental Health Responsible Authorities which related to the
introduction of a ‘Challenge 25’ policy, restrictions on the use of the rear external yard area beyond 22:00 hours and a range of other noise control measures. Mr Kang explained that Mr Sokoli had installed soundproofing to the premises following the noise complaint in 2014 and had already implemented the vast majority of the latest measures proposed by the Responsible Authorities, with a panic alarm to be fitted in the premises in due course. Mr Kang also confirmed that Mr Sokoli would be willing to work with the Police and local residents to help reduce anti-social behaviour in the area.

In concluding, Mr Kang suggested that the variation application was sensible and balanced and, in view of Mr Sokoli’s impeccable record at the premises and acceptance of the proposed additional conditions, should be approved.

The Sub-Committee adjourned to deliberate at 7.20pm and reconvened at 7.38pm.

**Decision**

The Legal Advisor to the Sub-Committee, Mr Scrowther, read the decision on behalf of the Sub-Committee.

The Sub-Committee resolved, having considered all the evidence submitted and the representations made and having regard to the Licensing Act 2003 and its regulations, the national guidance and the Council’s licensing policy, to approve the application to vary the premises licence, subject to:

(i) the inclusion of the additional licencing conditions sought by the Responsible Authorities as referred to in pages 43 to 50 of the committee agenda papers;

(ii) taking into account the licensing objectives relating to the prevention of crime and disorder and the prevention of public nuisance, the inclusion of the following two further conditions:

    (a) that no opened containers of alcohol shall be permitted to the front exterior of the property; and

    (b) that the CCTV system shall cover all appropriate areas of the premises, including the rear external yard and the front exterior, to the satisfaction of the Licensing Authority.

All parties were reminded that they had a right to appeal against the decision to the Magistrates’ Court within 21 days.