

## **MINUTES OF LICENSING SUB-COMMITTEE**

Wednesday, 17 August 2016  
(7:00 - 9:01 pm)

**Present:** Cllr Josephine Channer (Chair), Cllr Chris Hughes and Cllr Hardial Singh Rai

### **32. Declaration of Members' Interests**

There were no declarations of interest.

### **33. Application to Review the Premises Licence for Deuce Lounge, 20-22 London Road, Barking, IG11 8AG**

The Licensing Officer presented a report to the Sub-Committee in respect of an application to review the premises licence for Deuce Lounge, 20-22 London Road, Barking, IG11 8AG.

The Sub-Committee were advised that on 22 June 2016, a review application for the premises licence was received from Corrine Holland PC 119KG on behalf of the Chief Officer of Police for the Metropolitan Police, under the licensing objective of the prevention of crime and disorder.

The current Premises Licence was held by Deuce Management Ltd, with Ismail Adamson as the Designated Premises Supervisor. The authorised licensable activities, the time for carrying out licensable activities and a copy of the premises licence were appended to the report.

Corinne Holland, PC 119KG was invited by the Chair to present the application for review to the Sub-Committee. PC Holland advised that the review was being sought due to a serious incident occurring at the rear of the premises involving customers leaving the premises who were robbed and assaulted with a noxious substance.

Police had been called to the incident, which occurred on 31 May 2016, and arrived at 02.26 and found there were a large number of youths in the premises, with some sitting at the bar. The officers who were present were advised that the premises had been closed since 23:30 as repairs were being undertaken on a leak and the premises had let people inside when they heard the disturbance outside.

The Police and Local Authority Licensing Officer attended the premises the following day to discuss the incident and were advised that the event was a 21<sup>st</sup> Birthday party and the music had stopped at 01:00. The few individuals inside were being let out gradually when their transport arrived.

CCTV of the premises was viewed during the visit where it was noted there were males outside riding on bicycles. It was also noted that there was an 18 balloon on display. When reviewing CCTV of the bar area, it could be seen that there were a large number of customers in the bar area and drinks were being served. PC Holland stated that in all probability alcoholic drinks were being served. The

bar appeared to close and stop serving at 02:05.

PC Holland stated that the licensing hours on a Monday for the sale of alcohol were 00:00 and the playing of recorded music was 00:30am, with a closing time for the premises being 01:15. By remaining open, the management of Deuce Lounge had breached their Premises Licence.

In response to questions, PC Holland advised:

- The Premises had been open since October 2015
- There had been no other incidents at the premises
- The incident took place outside the premises in James Street

The Chair then invited the DPS and his representatives to respond. Mr Ajayi, a Director of Deuce Management Ltd who ran the premises, handed a document to the Sub Committee and other parties present detailing their response to the comments from the Police.

The Chair adjourned the meeting at 19:16 to enable those present to read through the document circulated by Mr Ajayi.

The meeting reconvened at 19:24.

Mr Ajayi, in responding to the comments made by PC Holland, advised that:

- The incident which took place on 29 May 2016 was managed by the premises and there was no need for the Police to be present;
- The incident which took place on 31 May 2016 was a private party. When the booking was placed it was for a 21<sup>st</sup> birthday however it transpired on the day of the booking that it was for an 18<sup>th</sup> birthday party. The premises insisted on using a guest list and were not open to the public during the event.
- During the event it was noticed that males on bicycles were outside of the premises. Patrons were kept inside the premises while waiting for transport home to ensure their safety.
- Mr Ajayi and the DPS went outside the premises after the males appeared to have left to ensure it was safe.

In response to questions, Mr Ajayi confirmed that the bar had been open longer than the hours of the permitted licensable activities. However, processes had been changed to ensure this would not happen again.

A representative of the charity TROAN, a charity for homeless people in East London, was present and addressed the Sub Committee in support of the premises. Deuce Lounge had been used on a couple of occasions for the work of the charity and had been very supportive.

A local resident addressed the Sub Committee, advising that he attended the premises on a regular basis. The premises closed on time and asked people to leave approximately 30 minutes before it was due to close.

The Chair invited the parties to sum up their representation before the Sub-

Committee retired to consider their decision.

## **DECISION**

The Sub-Committee in reaching their decision, had regard to the Licensing Act 2003, the statutory guidance issued under Section 182 and the Councils Licensing Policy.

The Sub Committee also had regard for the licensing objectives and in particular the licensing objective of the prevention of crime and disorder.

The Sub-Committee considered all the evidence placed before it including all written documentation and oral submissions.

The Licensing Sub Committees decision was to adopt the following conditions:

1. The DPS is to complete a LA approved licensing course within the next 3 months
2. Prominent signage indicating the permitted hours for the sale of alcohol shall be displayed so as to be visible before entering the premises and at the point of sale.
3. The operating hours shall be amended as follows
  - Monday, Tuesday and Wednesday
    - Sale of Alcohol – 00:00
    - Recorded music – 00:30
    - Late Night Refreshment – 00:30
    - Live Music on Bank Holiday Monday Only – 22:00
    - Closing – 01:00
  - Thursday, Friday, Saturday
    - Sale of Alcohol – 01:00
    - Recorded Music – 01:30
    - Late Night Refreshment – 00:30
    - Live Music (Thur/Fri Only) – 00:00
    - Closing – 02:00
  - Sunday – as per original license

The Licensing Sub Committee considered this appropriate to promote the licensing objectives. The evidence before it demonstrated poor management by the DPS, and a lack of understanding around the licensing hours. This was compounded by the fact that there was no consistence with the hours as originally granted. Therefore, the hours had been amended so as to be consistent across a number of days.

The Licensing Sub Committee considered removing the DPS, however this would have been inappropriate and the appointment of a new DPS, perhaps unfamiliar with the premises, would do more harm than good. It was appropriate that the current DPS engage in a refresher course to fully understand the importance of adhering to licensing hours, and to understand the negative effects of operating beyond them. Such a course would also assist with the apparent difficulties in closing down procedure and taxi bookings.