



## **LICENSING SUB-COMMITTEE**

**Thursday 4 July 2019 at 7.00 pm**

### **MINUTES**

**PRESENT:** Councillor Fred Cowell, Councillor Rezina Chowdhury and Councillor Irfan Mohammed

**APOLOGIES:**

**ALSO PRESENT:**

#### **1 ELECTION OF CHAIR**

MOVED by Councillor Rezina Chowdhury, SECONDED by Councillor Irfan Mohammed and

RESOLVED: That Councillor Fred Cowell be appointed as Chair for the meeting.

#### **2 DECLARATION OF PECUNIARY INTERESTS**

None were declared.

#### **3 MINUTES**

RESOLVED: That the minutes of the previous meetings held on 21 May 2019 and 6 June 2019 be agreed and signed by the Chair as a correct record of the proceedings.

#### **4 LICENSING APPLICATIONS FOR THE GRANT / REVIEW OF A PREMISES LICENCE**

##### **4a VELHO PORTUGAL, 12A VICTORIA MANSIONS, SOUTH LAMBETH ROAD, LONDON, SW8 1QX (OVAL)**

##### **Presentation by the Licensing Officer**

The Sub-Committee was informed that this was an application for a new premises licence. The Sub-Committee's attention was drawn to chapters 2, 3, 8, 9 and 10 of the Statutory Guidance and Sections 5, 6, 13 and 14 of the Statement of Licensing Policy as the ones particularly relevant to this application. The options available to the Sub-Committee were set out in paragraph 6.2 of the report on page 39 of the agenda papers.

The Licensing Officer confirmed:

- This was an application for a new premises licence.
- The applicant was seeking the sale of alcohol from 10:00 to 01:00 Monday to Sunday.
- Two representations had been made against the application on the basis of all four licensing objectives.
- The applicant had agreed conditions with the Licensing team.
- The conditions could be found on page 65-66 of the agenda papers.
- The application could be found on pages 41 to 59 of the agenda papers.

In response to questions from Members, the Licensing Officer informed the Sub-Committee that:

- The residents that had objected to the application had been informed of the hearing but had not responded and were not present at the meeting.

### **Presentation by the applicant**

Mr Manuel Rocha, the applicant's representative and Mr Jose Teixeira, the applicant, informed the Sub-Committee that:

- The application was based on a new business venture.
- The premises was a small café which would sell tapas.
- The applicant hoped to develop the premises into an off-licence in the future.
- The applicant wanted to sell products like port wine.
- The applicant took seriously the licensing objective regarding the protection of children from harm.
- The staff was adequately trained and would employ the Challenge 25 policy. Premises staff would ask for identification where relevant.
- The premises would have an incident book (in addition to an accident book).
- The premises would have adequate signage on the door to inform patrons to respect residents.
- Managers would be present to monitor the premises including the outside area.
- Patrons would not be allowed to drink alcohol outside the premises.
- CCTV would be installed at the premises and would store footage up to 31 days.
- The applicant had not applied for the playing of recording music and therefore this should alleviate the concerns regarding noise nuisance.
- Delivery arrangements to the premises had been agreed by the Licensing team.
- No refuse would be collected after 23:00 and any littering would be cleaned.
- The premises did not have a tables and chairs licence and would encourage

people to come into the premises.

- Patrons would be eating tapas and drinking a glass of wine with a meal.

In response to questions from Members, Mr Rocha and Mr Teixeira informed the Sub-Committee that:

- The premises would cease the sale of alcohol at 23:00 and would close at 23:30.
- The idea of the off sales business (which was a future proposal) was for the premises to sell fashionable, quality products such as sardines and biscuits. The business would be similar to similar shops in other parts of London such as A Portuguese Love Affair.
- The applicant wished to compete with delis in London and have a good branding.

At this point the proceedings, the Legal Officer informed the Sub-Committee that the application included the sale of alcohol for consumption off the premises and this could be found on page 48 of the agenda papers.

In response to further questions from Members, Mr Rocha and Mr Teixeira informed the Sub-Committee that:

- The premises would have 6 tables which could fit 12 people.
- The sale of alcohol for consumption off the premises would amount to 20% of all sales. 80% of all sales would be the main business.
- There were one or two businesses in the area where people could congregate in the area and block the pavement on some occasions. However, this would not be the case with their business and was not caused by the applicant's premises as it was not yet open.
- There was another business in the area which was a professional business and paid over £1,000 a year to have tables and chairs outside the premises. The applicant did not wish to see this happen to his premises and find neighbours complaining about the business.
- There were 40 businesses in the area including an Italian restaurant and other licensed premises. He was in the area every day and had not observed any problems. However, if residents had an issue then they would be able to speak to the applicant and premises staff. A good business could only be built with a good relationship with residents in the area.
- They wanted residents to visit the premises and they were aware that on occasions, licensed premises could be made subject to a review hearing.
- A total of 5 people would be allowed to smoke outside the premises.

### **Adjournment and Decision**

At 7:19pm the Sub-Committee withdrew from the meeting together with the Legal adviser and clerk to deliberate in private. The Sub-Committee had heard and considered representations from all those who spoke.

Legal advice was given to the Sub-Committee on the options open to them and the need

for any decision to be proportionate. The Sub-Committee decided to grant the application subject to conditions.

RESOLVED: To grant the application subject to conditions.

### **Announcement of Decision**

Members returned to the meeting and the Chair informed those present of the decision to grant the application subject to the conditions proposed by the Licensing team on 65-66 of the agenda papers. The applicant would make sure that he would familiarise himself with all the conditions and ensure that all the conditions are met. Full written reasons would follow in due course.

The meeting ended at 7:25pm

CHAIR  
LICENSING SUB-COMMITTEE  
Friday 12 July 2019

Date of Despatch: Friday 12 July 2019  
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