

# Licensing Sub-Committee A Agenda

**Place**

Committee Room 6, Town Hall, Wellington Street, Woolwich  
SE18 6PW

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**Date**

Thursday, 26 March 2020

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**Time**

6:30 PM

This meeting is open to the press and public and they are entitled to take photographs, film or record the proceedings.

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**Councillors**

Matthew Morrow (Chair)	Labour
Gary Dillon	Labour
Patricia Greenwell	Conservative

**Deputies**

All other members of the Licensing  
Committee

Members are reminded that officer contacts are shown at the end of each report and they are welcome to raise questions in advance with the appropriate officer. This does not prevent further questioning at the meeting.

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If you require further information about this meeting please contact the  
Corporate Governance Officer:  
Clare Chapman  
Telephone: 020 8921 4350  
Email: [corporate-governance@royalgreenwich.gov.uk](mailto:corporate-governance@royalgreenwich.gov.uk)

## **Agenda**

### **1 Apologies for Absence**

To receive apologies from Members of the Committee

### **2 Urgent business**

The Chair to announce any items of urgent business circulated separately from the main agenda.

### **3 Declarations of Interest**

Members to declare any personal and financial interests in items on the agenda. Attention is drawn to the Council's Constitution, the Council's Code of Conduct and associated advice.

### **4 G&E African Foods, 15 Vincent Road, SE18 6RF**

The Sub-Committee is requested to consider an application for the grant of a premises licence in respect of G&E African Foods, 15 Vincent Road, Woolwich, London SE18 6RF.

Date of Issue  
Wednesday, 18  
March 2020

Debbie Warren  
Chief Executive

#### Filming and Recording Meetings

This meeting may be photographed (without the use of flash), filmed or audio recorded, except where the public is excluded because confidential or exempt items will be discussed. Any footage is likely to be publicly available.

By entering the room where the meeting is being held, you will be deemed to have consented to being photographed, filmed or audio recorded, and that will apply to any representation you make to the meeting. You will also be deemed to have consented to the possible public use of any images and sound recordings.

If you have any queries regarding the recording of meetings, please contact the Corporate Governance Manager on 020 8921 5134

## Safety

## Fire and Emergency Procedures

Users of the Committee Rooms and the Council Chamber are asked to note the following fire and emergency procedures:-

When you hear the continuous ringing of the fire alarm bells, please make your way out of the building in an orderly manner. The nearest exit from the Council Chamber and the Committee Rooms is through the main exit leading to Wellington Street (at the front of the building). Do not use the lift and do not stop to collect personal belongings. Once outside the Town Hall please make your way to the Assembly Point between Sainsbury's and The Vista via Market Street or Polytechnic Street



## Licensing Sub-Committee Information

All meetings will be held at the Town Hall.

### Terms of Reference

The Licensing Sub-Committee will undertake all functions of the Authority under the Licensing Act 2003 and the Gambling Act 2005 so delegated by the Licensing Committee in particular, the consideration of current licenses or applications for licenses where a valid representation has been made and not withdrawn.

Meetings will be held in public, with the full right of attendance for all Councillors, public and press, except where a matter is deemed to be confidential in accordance with the public interest test. An agenda for the Sub-Committee (including the Licensing Officer's report and representations) will be circulated in advance of the meeting in accordance with the requirements of the Licensing Act 2003 (Hearing) Regulations 2005 (Section 6) and the Gambling Act 2005 (Proceedings of Licensing Committees and Sub-committees) Section 9.

### Notice of Hearings

A hearing must be held within a prescribed period of time where relevant representations are made in respect of any licensing application or issue of a Temporary Event Notice (Licensing Act 2003) and notices will be sent to each party informing them of the date.

Anyone who has made representations and wishes to address the Sub-Committee must inform Committee Services by e-mail or telephone **at least one day before** the date of the hearing.

The table below lists matters dealt with by the Sub-Committee:

<b>Matters to be dealt with by the Sub Committee</b>	
Application for personal licence	If a <b>Police</b> objection made
Application for personal licence with unspent convictions	All cases
Revocation or suspension of personal licence by local authority where it becomes aware of convictions or immigration penalties	All cases
Application for premises licence/club premises certificate	If a relevant representation made.

Application for provisional statement	If a relevant representation made
Application to vary premises licence/club premises certificate	If a relevant representation made.
Application to vary designated premises supervisor	If a police objection
Application for transfer of premises licence	If a police objection
Applications for interim authorities	If a police objection
Application to review premises licence/club premises certificate	All cases
Decision to object when local authority is a consultee and not the relevant authority considering the application	All cases
Determination of a police objection to a temporary event notice.	All cases

When determining licensing applications and related matters Council Officers and Councillors must adhere to important principles set out in legislation and Central Government Guidance.

**What Members must take into account:**

The Licensing Authority has a duty under the Licensing Act to carry out its functions with a view to promoting the licensing objectives. The licensing objectives are: -

- The prevention of crime and disorder
- Public safety
- The prevention of public nuisance
- The protection of children from harm

The Licensing Authority has a duty under the Gambling Act to carry out its functions with a view to promoting the gambling licensing objectives. Those objectives are: -

- Preventing gambling from being a source of crime or disorder, being associated with crime or disorder or being used to support crime,
- Ensuring that gambling is conducted in a fair and open way, and
- Protecting children and other vulnerable persons from being harmed or exploited by gambling.

**What Members should not take into account:**

- Whether the premises will be open to the public. Current permitted hours under Planning Consent.
- The nature of any plays or the manner of performing plays except where necessary in the interests of physical safety or health.
- The number of other similar venues in the locality.

**Appeals Against Decisions**

Any person aggrieved by the decision of the Licensing Sub-Committee can appeal to the Magistrates' Court.

**LEAD OFFICERS**

Ian Andrews

Jane Dyer

Kamaljit Jandu

Group Leader, Licensing and Commercial

Licensing Team Manager

Senior Lawyer, Prosecutions & Licensing

## **Procedure for Considering Licensing Applications under the Licensing Act 2003**

**Note:** Only those parties who have made written representations in advance will be invited to and allowed to address the licensing hearing. At the start of the meeting the Chair will, confirm that all parties present have a copy of the procedure to be followed and, give an outline.

The hearing shall not be adversarial but will take the form of a discussion led by Members. Cross-examination will not be permitted unless the Sub-Committee considers that cross-examination is required for it to consider the representations, application or notice as the case may require.

***The Chair has strict control of the time. Each side, parties speaking in support of, or against, granting of the licence will have a total of 15 minutes to address the meeting. Those wishing to, may elect a spokesperson from among their number to address the Sub Committee. The Chair will remind all present that any documentary or other information they wish to produce in support of their application or representations, must have been disclosed to all parties prior to the hearing taking place. No additional material may be produced at the hearing except with the consent of all the parties.***

The Sub-Committee will disregard any information given by any party which is not relevant to —

- (a) their application, representations or notice (as applicable) or in the case of the objectors, the application representations or notice of the party requesting their appearance, and
- (b) the promotion of the licensing objectives or, in relation to a hearing to consider a notice given by a chief officer of police, the crime prevention objective.

The Sub-Committee may require any person attending the hearing who, in their opinion, is behaving in a disruptive manner to leave the hearing and may —

- (a) refuse to permit that person to return, or
- (b) permit them to return only on the conditions that they give an assurance of no further interruptions.

**Members of the Sub-Committee shall have the opportunity to ask questions at any time.**

1. The Chair will ascertain whether the parties and their witnesses, if any, are present. If any party has indicated that they will not attend or failed to indicate whether or not they will attend, the Sub-Committee may hold the hearing in that party's absence or decide to adjourn.
2. Where the applicant is present the Chair will ascertain that they understand that they may be assisted or represented, legally or otherwise.
3. The Lead Officer will give details of each application in each case and of the number and type of objections/representations received as set out in the report.
4. The applicant or their representative and their witnesses will then be invited to address the Sub-Committee confirming why they consider the issues that have been raised are irrelevant with regard to the licensing objectives and why they consider the Sub-Committee should grant the application, or notice, as applicable. Any new evidence will only be considered with the consent of all the parties. The maximum amount of time allowed will normally be 15 minutes however this may be extended at the discretion of the Chair depending on the complexity of the application.
5. Those making representation, or their representatives, will be invited to address the Sub-Committee confirming why they consider the issues they have raised to be relevant to the licensing objectives and sufficient to object to the application or notice as applicable. Any new evidence will only be considered with the consent of all the parties. The maximum amount of time allowed will normally be 15 minutes divided between those making representations however this may be extended at the discretion of the Chair depending on the complexity of the application.
6. A discussion involving all parties will ensue. Permission for cross-examination, if considered necessary, will be given.
7. The Sub-Committee will retire in the company of the Legal Adviser and Corporate Governance Officer to discuss the application and the objections.