



L I C E N S I N G S U B C O M M I T T E E B

Tuesday 24 October 2023 at 7.00 pm

Until further notice, all Licensing Sub-Committees
will be held remotely

**Supplementary Papers Agenda Item 4: Minutes of
previous meetings**

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Licensing Sub Committee B

Tuesday 24 October 2023

Order of Business

- 4 Minutes of the Previous Meeting (Pages 3-34)**
- **Minutes of the Licensing Sub-Committee of 5 July 2022**
 - **Minutes of the Licensing Sub-Committee of 2 August 2022**
 - **Minutes of the Licensing Sub-Committee of 2 February 2023**



MINUTES OF A MEETING OF THE LICENSING SUB COMMITTEE E

TUESDAY 5 JULY 2022

Link to live stream: <https://youtu.be/7y4OQ4dvZ8c>

Councillors Present:

Councillor Gilbert Smyth in the Chair

**Cllr Sophie Conway (Substitute) and
Cllr Penny Wrout**

Officers in Attendance:

Amanda Nauth - Licensing and Corporate Lawyer
David Tuitt - Business Regulation Team Leader
Rabiya Khatun - Governance Officer
Suba Sriramana - Principal Licensing Officer

Also in Attendance:

The Cooper Street Cafe

Paul Charters - Applicant
PC Ryan – Metropolitan Police Services

Other Persons:

C1 - Mr Bruni
C2 - Mr Ho
C6 - Mr Gandz
C7 - Mr Steel
C10 – Mr Bruni
C11 - Mr van der Vijver
C12 - Mr Hearth
C13 - Ms Renevier, & Mr Collo
C14 - Ms Paybody

Garips German Doner

Erdogan Garip - Applicant
Aysen Ipek Kilic – Agent for the applicant
PC Ryan - Metropolitan Police Services

Other Persons:

C1& C10 Mr Aksu
C2 - Mr Izzo
C3 - Mr Halil
C4 - Mr Dogan
C5 - Engin Akin
C6 - Gursel Kog
C7 - Michele Cacchio
C8 - Gary Kizkmau
C9 - Mustafa

Original PFC, Ground Floor

Hafiz Mamun Ahmed - Applicant
Graham Hopkins - Agent for the applicant

1 Election of Chair

1.1 Cllr Gilbert Smyth was duly elected as Chair of the meeting.

2 Apologies for Absence

2.1 There were no apologies for absence.

3 Declarations of Interest - Members to declare as appropriate

3.1 There were no declarations of interest.

4 Minutes of the Previous Meeting

4.1 There were no minutes for consideration

5 Licensing Sub-Committee General Information & Hearing Procedure

5.1 The hearing procedure was noted by all present.

6 Premises Licence : The Cooper Street Cafe, 11 Copper Street, London, E20 3AW

6.1 The sub-committee heard from the Principal Licensing Officer, the applicant and the Metropolitan Police. During the course of submissions and a discussion of the application, the sub-committee noted the following:

- The premises was located between River Lea and Lea Canal opposite Cooper Box arena.
- The premises was currently being converted into a café and alcohol would be sold ancillary to food. To enable the business to compete with other businesses within the local area, the applicant was seeking to sell alcohol.
- They intended to open an upmarket café that would have a restaurant theme in the evening offering healthy meals and alcohol.
- The applicant had five years' experience as a DPS running a catering business catering for 400 funeral wakes including 200 wakes supplying alcohol to gatherings of approximately 100 people without any incidents.
- All staff will be given training on the legislation relating to the sales of alcohol.
- The residents of the East Wick had been invited to a community consultation meeting but none had attended.
- If the estate had a no smoking policy, the applicant could encourage patrons to smoke on the street opposite the premises. The Legal Officer indicated that this area was outside the borough of Hackney and therefore any condition would be unenforceable.
- The Principal Licensing Officer confirmed that the estate management was responsible for allowing smoking outside the premises.
- It was confirmed that the drinks menu would be limited to a good quality larger, wines and gin and tonic.

- The applicant stated that the advertising on his Instagram account was aimed at attracting families to his family orientated café.
- The Other Persons expressed concern that the proposals would further exacerbate the public nuisance and anti-social behaviour being experienced in the area and in particular during match days or sporting events at West Ham Stadium. In addition, there would be an increase in risk to public safety especially for the residents and children living in the units above the premises and within the local vicinity.
- The applicant emphasised that during match days he would discourage intoxicated football fans from drinking at the cafe to minimise the public nuisance and issues of public safety in the area.
- The Police representative highlighted that the anti-social behaviour experienced in the area mainly occurred on the street within the vicinity of the premises.
- The applicant stated that as a new business they had to be flexible and adaptable in order to compete and survive.
- The applicant confirmed that he would be willing to employ SIA door supervisors on match and sports days, agreed to the police's proposed conditions, amended condition 9 and off sales for home delivery only.

6.2 The parties present made closing remarks.

RESOLVED:

The decision

The Licensing sub-committee in considering this decision from the information presented to it within the report and at the hearing today has determined that having regard to the promotion of all the licensing objectives:

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

The application for a premises licence has been approved in accordance with the Council's Statement of Licensing Policy and the conditions set out in paragraph 8.1 of the report, with the following amendment :-

The opening hours and the hours for licensable activity are:

Opening Hours:

Monday to Saturday	08:00 - 23:00
Sunday	08:00 - 22:30

Supply of Alcohol (On and off the premises):

Monday to Saturday	12:00 - 21:00
Sunday	12:00 - 21:00

And the following conditions:

- 1) The premises shall maintain a comprehensive CCTV system as per the minimum requirements of a Metropolitan Police Crime Prevention Officer. All public areas, entry

and exit points will be covered enabling frontal identification of every person entering in any light condition. The CCTV system shall continually record whilst the premises is open for licensable activities and during all times when customers remain on the premises. All recordings shall be stored for a minimum period of 31 days with date and time stamping. Recordings shall be made available immediately upon the request of the Police or authorised officer.

2) A staff member from the premises who is conversant with the operation of the CCTV system shall be on the premises at all times when the premises are open to the public. This staff member shall be able to show Police or an authorised officer of Hackney Borough Council recent data or footage with the absolute minimum of delay when requested.

3) An incident log shall be kept at the premises, and made available immediately to an authorised officer of the Hackney Borough Council or the Police, which will record the following:

- all crimes reported to the venue
- any complaints received
- any incidents of disorder
- any faults in the CCTV system
- any refusal of the sale of alcohol
- any visit by a relevant authority or emergency service.

4) There shall be clear and prominent signage asking all customers to leave quietly and respect local residents.

5) All instances of crime or disorder to be reported by the designated premises supervisor or responsible member of staff to an agreed police contact point, as agreed with the Police.

6) Where the sale or supply of alcohol is taking place employees of the premises must request sight of evidence of the age of any person appearing to be under 25 years of age (Challenge 25). Such evidence may include a driving licence or passport.

7) The premises will display and maintain appropriate signage advising customers of the contact details of the Designated Premises Supervisor.

8) All staff will be given refresher training every six months on the legislation relating to the sales of alcohol to underage persons and drunken persons. Written records of this training shall be kept on the premises and produced to police or other authorised officer upon request.

9) Alcohol shall not be sold, supplied, or consumed on the premises otherwise than to persons who are taking a substantial table meal from the menu, and that the consumption of alcohol by such persons is ancillary to taking such meals. The supply of alcohol shall be by waiter or waitress service only.

10) There shall be no open containers or drinks taken outside the premises at any time.

11) All sales of alcohol for consumption off the premises shall be in sealed containers and ancillary to a takeaway meal that is Pre-ordered on the internet for delivery or collection, and shall not be consumed on or in the vicinity of the premises.

12) There shall be a maximum of 3 smokers outside the premises at any one time.

13) SIA door supervisors shall be employed on a risk assessment basis particularly on match and sports event days. When employed, all SIA staff shall wear a high visibility armband or vest to be easily identifiable. They shall enter their name, address, SIA number and times they begin and finish their shift in a daily register. If employed by an agency all agency contact details shall be recorded also.

Reasons for the decision

The Sub-committee approved the application with the above amendments and additional conditions agreed with the applicant for on-sales and off-sales of alcohol at the premises to prevent the licensing objectives being undermined.

The Sub-committee took into consideration that the Applicant had agreed conditions with the Metropolitan Police Service and Environmental Enforcement in advance of the hearing, and both Responsible Authorities subsequently withdrew their objections to the application. The Sub-committee noted that Environmental Protection made no representations.

The Sub-committee also took into consideration the 14 objections raised by Other Persons (local residents), and their concerns about noise nuisance from the premises which is close to the residential area. The Sub-committee noted that 5 of 14 objections from local residents were withdrawn due to agreed conditions with the Responsible Authorities and reduced hours for the supply of alcohol.

The Sub-committee took into consideration that local residents including young families who live opposite the premises objected to the sale of alcohol seven days a week until 23:00 in the residential area, that will lead to a risk of anti-social behaviour, noise nuisance, and litter from customers consuming alcohol and staying in the area for longer. The Sub-committee took into account the concerns about the Applicant's ability to control their customers consuming alcohol late at night once they leave the premises. In addition there were concerns about off-sales late at night. The Sub-committee took into consideration that there are a large number of licensed premises in the vicinity which local residents are affected by. The Sub-committee noted that there is a school and a nursery nearby.

The Sub-committee took into account that the premises are also a concern to local residents because it is close to both the Copper Box and the London Stadium, and is likely to be heavily used in the future on event days.

After considering all the representations made by the parties, the Sub-Committee felt that the premises would operate within Core hours in accordance with Policy LP3, and Sunday hours were amended to reflect Core hours for that day. The Sub-committee noted that it is a cafe with a capacity for 40 seated customers and there is no external area.

The Sub-committee took into consideration the concerns of local residents and felt that the Applicant needed a period of time to demonstrate they could comply with the conditions on their licence.

The Sub-committee took into consideration that the Applicant had worked with the Responsible Authorities to try and resolve issues, and they met and communicated with local residents of East Wick on 26 June to allay their concerns about the application. The Sub-committee felt that the Applicant demonstrated their intention to operate the premises responsibly.

Having taken all of the above factors into consideration, the Licensing Sub-committee was satisfied that the application could be approved without the licensing objectives being undermined.

Public Informative

The premises licence holder is encouraged to continue working with the local residents to deal with any issues arising relating to noise nuisance.

The premises licence holder is strongly encouraged to use sustainable cutlery, plates, cups, food containers for take away meals, and recyclable disposable materials to avoid using plastic disposable items to protect the local area, to prevent litter, and to protect the environment.

7 Variation of Premises Licence: Garips German Doner, 127 Kingsland High Street, London, E8 2PB

7.1 The sub-committee heard from the Principal Licensing Officer, the applicant the Metropolitan Police and Other Persons. During the course of submissions and a discussion of the application, the sub-committee noted the following:

- Since the publication of the report, the Other Persons had submitted additional information.
- The agent for the applicant stated the variation application was seeking to extend late night refreshment to 03.00 hours from Thursday to Saturday. The premises was located within the Dalston Special Policy Area (SPA) and a late night economy area with many late night venues. The applicant had been running the business for just over two months but had previous substantial experience in managing restaurants, and since the transfer of the license he had been providing late night refreshment until 03.00 hours Thursdays to Saturdays as advised by the previous licensee until 14 April 2022 and from 15 April 2022 until 02.00 hours in line with the license.
- The agent for the applicant stated that it had been difficult for the applicant to verify the licensing hours as the premises license was not available on the Council's website due the cyber attack.
- The applicant had complied with the closing hour of 02.00 hours after he had been informed by the Licensing Service.
- The applicant had demonstrated that he was a responsible operator in particular during the period when he had been operating until 03.00 hours without any incidents or complaints to the Council in relation to public nuisance, crime and disorder directly related to this premises.
- The agent for the applicant argued that the Cumulative Impact policy was subject to a national review in 2022 and that local authorities across England and Wales were considering removing this policy from premises licenses following the impact of Covid-19 and disruption to the night time economy.

- The Licensing Authority's and the Police representatives indicated that as licensing policy LP10 remained the proposed hours would add to the cumulative impact, issues with dispersal would have a negative impact, and there would be rise in anti-social behaviour and crime and disorder in the SPA area.
- The Police representative added that Covid-19 had impacted on the hospitality industry and adversely on the Dalston area. The current hours exceeded the Council's Core Hours policy and clarification was sought whether the license included the basement.
- The police clarified that the previous temporary event notices(TENs) granted had been risk assessed during the pandemic and based on the events operating during that period.
- The Other Persons expressed concern that the premises was located within the Dalston SPA and the area already suffered from noise outbreaks and dispersal issues from the local kebab shops in the area, the longer hours would attract drunken people, there was no dispersal policy, people congregating or waiting on the narrow pavement would add to the public nuisance such as noise, dispersal issues and littering. Prior to the pandemic the area had been out of control and impacted adversely on local residents and the basement had been sub leased to a Turkish café
- The sub-committee noted the concerns expressed by the parties that they lacked confidence in the operator as he had previously operated beyond his terminal hours and they believed that his lack of knowledge and understanding of his licensing conditions and hours had led to the breaches.
- In response to a question from the sub-committee, the Licensing Authority's representative stated that the agent for the applicant had raised some valid points in relation to the nationwide review of the cumulative impact policy and the Council's approach to this policy. The licensing policy adopted by Council remained unchanged.
- The agent for the applicant confirmed that the application was for the ground floor only and that the capacity inside would be 60 seated.
- The agent for the applicant stated that the breach relating to the terminal hours was not relevant as the applicant could not find the premises license on the Council's website and he had therefore relied on the information provided by the previous licensee. After he was made aware of the licensable hours on 14 April 2022 he had complied with the terminal hour.

RESOLVED:

The decision

The Licensing Sub-committee in considering this decision from the information presented to it within the report and at the hearing today has determined that having regard to the promotion of all the licensing objectives:

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

the application to vary a premises licence has been refused in accordance with Licensing Policies LP1, LP2, LP3, and LP10 within the Council's Statement of

Licensing Policy.

Reasons for the decision

The Licensing Sub-committee, having heard from the Responsible Authorities (the Licensing Authority and Metropolitan Police Service) and Other Persons (local residents) believed that granting the application would result in the licensing objectives being undermined, and would have a negative impact on the Dalston Special Policy Area (Dalston SPA).

The Sub-committee took into consideration the representations of the Metropolitan Police Service who objected to this application due the impact it would have late at night and the associated anti-social behaviour in the area. The Sub-committee noted that the premises is on a busy high street in the Dalston SPA, and the premises currently holds a premises licence for the sale of alcohol and Late Night Refreshment. These hours already extend outside of the Core hours under Policy LP3. The Sub-committee took into account that the applicant had not demonstrated how they would not add to the cumulative impact in the Dalston SPA in relation to issues of anti-social behaviour, and crime and disorder already being experienced in this area. The Sub-committee took into consideration that the proposed extension of hours would attract customers late at night who had been consuming alcohol for several hours.

The Sub-committee took into account from the Licensing Authority's representations that they had particular concerns about breaches of the licence conditions and the premises continually operating beyond their hours on weekdays after midnight beyond their permitted hours of operation. The Sub-committee took these breaches very seriously.

The Sub-committee carefully considered the representations made by the applicant's representative alongside those of the Metropolitan Police Service and the Licensing Authority and Other Persons. The applicant's proposals did not allay the concerns raised by the Responsible Authorities and Other Persons. The sub-committee was not convinced that the applicant's proposed extended hours would justify them making an exception to grant hours outside the Council's Statement of Licensing Policy. The Sub-committee after hearing from the applicant's representative felt that the applicant lacked the understanding and the importance of having a Dispersal Policy. The Sub-committee felt that the applicant needed to work with the Responsible Authorities to demonstrate that they can comply with the conditions of their licence.

The Sub-committee took into consideration that the premises are near a residential area that will have an impact on families if the premises operated to a late hour, and could give rise to public nuisance in the area.

The Sub-committee also took into consideration that they had not heard anything from the applicant and the applicant's representative that overcame their concerns about adding to the cumulative impact in the Dalston SPA.

The Sub-committee when making their decision took into consideration the lack of confidence in the management. They were not confident that the applicant and their staff would comply with the conditions of their licence, and the Sub-Committee felt they would not uphold or promote the licensing objectives.

The Sub-committee felt that by not granting this variation application it would help prevent anti-social behaviour in the area. These would contribute to increasing public nuisance, and to crime and disorder in the Dalston SPA.

The Sub-committee took into consideration when refusing this application that each case is considered on its merits. The Sub-committee believed that the licensing objectives could not be promoted by granting this variation application, and as such believed it was appropriate to refuse the application in its entirety.

PLANNING INFORMATIVE

The applicant is further reminded of the need to operate the premises according to any current planning permission relating to its use class, conditions and to regularise the hours as required.

It also should be noted for the public record that the local planning authority should draw no inference or be bound by this decision with regard to any future planning application which may be made.

8 Premises Licence: Original PFC, Ground Floor Shop Unit, 305 Mare Street, E8 1EJ

8.1 The sub-committee heard from the Principal Licensing Officer, the Agent for the applicant and the Metropolitan Police. During the course of submissions and a discussion of the application, the sub-committee noted the following:

- Since the publication of the report, the applicant had submitted additional information.
- The agent for the applicant stated that the provision of late night refreshment had been amended to 03:00 hours on Friday and Saturday.
- The agent for the applicant confirmed that the applicant would be installing CCTV cameras and implementing further measures to address the police's concerns relating to public nuisance and disorder.
- There had been no reported incidents or complaints relating directly to this premises and no representations had been received from Other Persons.
- The applicant could not agree to the police's request to further reduce the hours as 03.00 hours would enable him to operate as a viable business and pay his expenses.
- The applicant was a responsible operator and had submitted further conditions to address the police's concerns including reducing the opening hours, adopting a dispersal policy and employing SIA door security supervisors on Fridays and Saturdays following a risk assessment.
- The police representative expressed concern that the proposed hours exceeded the Council's Core Hours policy and that the later hours would encourage intoxicated customers to remain in the area longer leading to a rise in public nuisance and crime and disorder that would have a negative impact on local residents.
- It was confirmed that the capacity inside the premises was 28 seated.
- The applicant clarified that he would be operating a family and child friendly business that offered a healthy menu including chicken and salads.
- The agent for the applicant emphasised that the hours had been reduced from 04.00 hours to 03.00 hours to address the police's concern and

argued that a shop nearby was open until 04.00 hours had been attracting and keeping customers in the area until the early hours.

- The police's representative clarified that she was not withdrawing her objections and although she welcomed the additional conditions they did not allay her concerns in relation to people remaining in the area beyond the core hours and a potential rise in anti-social behaviour, crime and disorder.
- Discussion ensued about the proposed hours and the applicant agreed to the opening hours from Sunday to Wednesday 12.00 to 02.00 hours and Thursday to Saturday from 12.00 to 03.00 hours, and late night refreshment from Sunday to Wednesday from 23.00 to 01.30 hours and Thursday to Saturday from 23.00 to 02.30 hours.

8.2 The parties made closing remarks.

RESOLVED:

The decision

The Licensing Sub-Committee in considering this decision from the information presented to it within the report and at the hearing today has determined that having regard to the promotion of all the licensing objectives:

The prevention of crime and disorder;
Public safety;
Prevention of public nuisance; and
The protection of children from harm,

the application for a premises licence has been approved in accordance with the Council's Statement of Licensing Policy and the proposed conditions set out in paragraph 8.1 of the report, with the following amendments:

The hours for licensable activities, shall be, as agreed:

Opening Hours:

Sunday to Wednesday	12:00 - 02:00 hours
Thursday to Saturday	12:00 - 03:00 hours

Late Night Refreshment:

Sunday to Wednesday	23:00 - 01:30 hours
Thursday to Saturday	23:00 - 02:30 hours

And the following additional conditions:

All staff shall receive training on induction and be given refresher training every six months for their role, in the relevant provisions of the Licensing Act and Premises Licence, acknowledging customers, serving customers in turn, explaining any delays in cooking times, monitoring customer conduct while waiting for their order or eating in the shop, ensuring no alcohol is brought into or consumed on the premises, avoiding conflict, monitoring the outside of the premises, discouraging people loitering outside

and safeguarding children. A written training record shall be kept for each member of staff and be produced to Police or Authorised Officers on request.

Relevant notices shall be prominently displayed by the entry/exit door and servery as appropriate advising customers:

That CCTV is in operation;

Of the relevant provisions of the Licensing Act;

- i) To respect residents, leave the restaurant and area quietly, not to loiter outside the premises and to dispose of litter legally;
- ii) That no alcohol shall be taken into or be consumed in the restaurant at any time;
- iii) Not to rev engines or play loud music while waiting outside the premises;
- iv) That no unaccompanied children or young person under 18 shall be permitted in the premises or to be served after 23.00 and during permitted licensed hours.

A minimum of three (3) trained staff shall be on duty in the premises after 23.00 and during permitted licensed hours from Sunday to Thursday and a minimum of four (4) trained staff shall be on duty after 23.00 and during permitted licensed hours on Friday and Saturday.

All couriers and customers shall be instructed not to leave engines running, close car doors loudly or play loud music while outside the shop.

Customers shall not be allowed to bring alcohol into the restaurant or consume it on the premises at any time.

A written dispersal policy shall be drafted & regularly reviewed with copies provided to the Licensing Authority & Police Licensing Team.

From 23.00 until the end of permitted licensed hours, a member of staff shall be tasked to monitor the outside area of the restaurant to ensure that people do not stand outside the premises eating or loitering there. The staff member shall politely ask people loitering outside to quietly leave the shop frontage and vicinity immediately. At close the staff member shall ensure that all customers have left the shop frontage.

An ongoing Risk Assessment shall be undertaken on a daily basis by the Premises Licence Holder or a Manager/ Supervisor (nominated in writing by the Premises Licence Holder), taking into account any local knowledge or advice received from the Metropolitan Police Service to determine whether additional staff or SIA Licensed Door Supervisors need to be on duty during permitted licensed hours on any day. Details of the Risk Assessment shall be recorded in the Incident Book.

A Fire Risk Assessment and Emergency Plan shall be prepared & regularly reviewed. Staff shall be given appropriate fire safety training

No deliveries of goods to the premises or removals of rubbish shall take place between 23.00 and 05.00.

A phone number shall be clearly displayed to the front of the premises for residents to call with any concerns. Details of any complaints and the outcome shall be recorded by the Premises Licence Holder or duty manager in the appropriate section of the Incident Book.

The shop front shall be kept tidy at all times and swept at close. Adequate litter bins shall be provided for customer use and shall be regularly emptied.

Reasons for the decision

The application for Late Night Refreshment has been approved with the above amended hours and additional conditions proposed by the Applicant because the Licensing Sub-committee was satisfied that the licensing objectives would not be undermined.

The Sub-committee took into consideration that Environmental Enforcement agreed conditions in advance of the hearing with the applicant and withdrew their representation. The Sub-committee noted that there were no representations from local residents in the area, and apart from the Police objection there were no other objections from Responsible Authorities.

The Sub-committee took into consideration that the Metropolitan Police Service (“the Police”) maintained their objection that the proposed hours are excessive and does not comply with the Council’s Licensing Policy LP3 Core Hours. The Sub-committee heard that although the business wanted additional hours there were concerns about the potential for anti-social behaviour and disorder occurring. The Sub-committee noted that the capacity for the premises is 28.

The Sub-committee heard that the Applicant is seeking the additional hours due to customer demand and to make the business viable.

The Sub-committee took into account representations made by the Applicant’s representative and the Applicant that the premises hours were still less than other nearby late night premises and it is a family friendly premises, and there was no supply or consumption of alcohol on the premises.

After hearing from the Applicant, the Applicant’s representative, and from the Metropolitan Police Service, the Sub-committee was satisfied with the additional conditions proposed by the Applicant and agreed by the Police together with the reduced hours that the Applicant agreed to would mitigate any negative impact that granting the licence would have on the area. The Sub-committee also took into account that the Applicant provided a Dispersal Policy, and there was a condition that customers will not loiter outside the premises which is important late at night to prevent anti-social behaviour. The Sub-committee also took into account that SIA door security would be risk assessed.

The Sub-committee took into consideration that the Applicant demonstrated that they were a responsible operator who had addressed any concerns raised. The Sub-committee felt that the premises due to its size and capacity would have less of a negative impact on the area.

The Sub-committee took into consideration that each application is considered on its own merits.

Having taken all of the above factors into consideration, the Licensing Sub-committee was satisfied, when granting this amended application for Late Night Refreshment, that the licensing objectives would not be undermined.

Public Informative

The Applicant is encouraged to continue working with the Metropolitan Police Service to prevent any negative impact in the area.

The Applicant is strongly encouraged to use sustainable cutlery, plates, cups, food containers, and recyclable disposable materials to avoid using plastic disposable items to protect the local area, to prevent litter, and to protect the environment.

9 Temporary Event Notices - Standing Item

9.1 The sub committee noted that the temporary event notices in relation to Spring Park and 42-56 Tottenham Road had been withdrawn from the agenda

Duration of the meeting: 2.00 - 5.00 pm

Signed

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Chair of Committee

Contact:

Governance Services Officer:

Tel 020 8356 8407

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MINUTES OF A MEETING OF THE LICENSING SUB COMMITTEE E

TUESDAY 2 AUGUST 2022

THIS MEETING WAS LIVE STREAMED AND CAN BE VIEWED HERE:

[HTTPS://YOUTU.BE/HJNJJZCBe7U](https://youtu.be/HJNJJZCBe7U)

Councillors Present:	Cllr Gilbert Smyth in the Chair
	Cllr M Can Ozsen
Apologies:	None.
Officers in Attendance:	Amanda Nauth, Licensing Lawyer Suba Sriramana, Principal Licensing Officer Gareth Sykes, Governance Officer
Also in Attendance:	<u>Item 7 Club No.8, Basement, 8 Stoke Newington Road, Hackney, London, N16 7XN</u> <u>Applicant:</u> Ian Steele <u>Responsible Authority:</u> Police - A/Police Sergeant Kerrie Ryan Licensing - David Tuitt <u>Other Person:</u> Anonymous (in objection)
	June Tuitt, Acting Chair of Haringey Community Against Violence, Vice Chair of Haringey Independent Stop and Search Monitoring Group (in support).

1 Election of Chair

1.1. Cllr Gilbert Smyth was duly elected as Chair of the meeting.

2 Apologies for Absence

2.1 None.

3 Declarations of Interest - Members to declare as appropriate

3.1 None.

4 Minutes of the Previous Meeting

4.1 None.

5 Licensing Sub-Committee Hearing Procedure

5.1 The meeting participants noted the hearing procedure for the meeting.

6 Application to Vary a Premises Licence at The Angel Service Station, 241-255 City Road, Hackney, London, EC1V 1NR

The application was approved by delegated authority and withdrawn from the agenda.

7 Application for a Premises Licence at Club No.8, Basement, 8 Stoke Newington Road, Hackney, London, N16 7XN

7.1 The Licensing Sub-Committee heard from the Principal Licensing Officer, the applicant, the Responsible Authorities (Licensing and Police) and a other person, who requested to remain anonymous for the meeting.

7.2 During the course of submissions there was a discussion where the Sub-Committee noted the following points:

- The Police had proposed a number of additional conditions with the application including, for example, a comprehensive CCTV system and an incident log;
- The Applicant had submitted two letters of support from Sistah Space a charity providing support for black women against domestic abuse and a Ms June Tuitt Acting Chair of Haringey Community Against Violence, Vice Chair of Haringey Independent Stop and Search Monitoring Group;
- There remained concerns from the Responsible Authorities about the location of application on the cumulative impact of the area - the premises was in the Dalston Special Policy Area (SPA);
- The applicant confirmed that he would become the Designated Premises Supervisor (DPS);
- The other person expressed a number of concerns about the application centred on the playing of loud amplified music and noisy dispersals from premises and what they believed to be outlandish applied for hours;
- It was noted that a condition was included in the application report, condition 16, whereby a sound limiting device within the premises would be installed to control all amplified sound generated on the premises;
- Ms Tuitt spoke briefly in support of the premises and its support in providing a venue for the local community as well as her organisation;
- The premises was hired out as a venue approximately 40 times during a year;
- The Sub-Committee and Responsible Authorities remained concerned that the proposed licensable hours were well beyond the Core Hours. A closing time of 2:00am had been proposed but even this remained an ongoing concern;
- The Other Person remained concerned over the application and also what had been proposed at the meeting. They felt that the

proposed conditions provided by the Police were ambiguous and that they liked there to be some certainty going forward;

- The applicant confirmed that they had suggested that the operating hours be scaled back to 4:00 am and that a dispersal policy was in place;
- The Police confirmed that they had seen the premises' dispersal policy;
- The Applicant stressed that there were several premises in the vicinity who had operating hours that were much later than his premises. He highlighted that the premises would provide a much needed venue for local community groups;
- A previous Fire Risk Assessment (FRA) had last been carried out back in 2017. The Sub-Committee clarified that a FRA needed to be carried out by a professional at least every four years. The applicant would update their FRA. The Applicant would also provide an acoustic report;
- A maximum capacity of 90 people was agreed for the premises;
- The wording of condition 17 would be amended to take into account that no customer would be served alcohol under 25 years of age unless they were a member of a community group attending an event at the venue;
- The rear of the premises was the main entrance and exit in order to provide better access and monitoring by on-site security;
- The Applicant agreed to a maximum of eight (8) smokers outside the premises at the rear;
- The Responsible Authorities noted that the Applicant had agreed to various conditions at the meeting, however, they remained concerned because of the potential cumulative impact of the application on the Dalston SPA;
- The Other Person concluded that they were still not satisfied with what had been proposed. They insisted that no sound report and dispersal policy had been submitted by the Applicant;
- It was noted that the Council's Environmental Authority confirmed no representation based on agreed conditions at paragraph 8.1 of the application report;
- The Applicant confirmed that the doors to the rear of the premises would be closed when not in use.

The Decision

The Licensing Sub-Committee in considering this decision from the information presented to it within the report and at the hearing today has determined that having regard to the promotion of all the licensing objectives:

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

the application for a premises licence has been approved in accordance with the Council's Statement of Licensing Policy and the proposed conditions set out in paragraph 8.1 of the report, with the following amendments:

Films:

Monday to Thursday	10:00 - 23:00
Friday to Saturday	10:00 - 01:30
Sunday	10:00 - 22:30

Indoor Sporting Events:

Monday to Thursday	10:00 - 23:00
Friday to Saturday	10:00 - 01:30
Sunday	10:00 - 22:30

Live Music:

Monday to Thursday	10:00 - 23:00
Friday to Saturday	10:00 - 01:30
Sunday	10:00 - 22:30

Recorded Music:

Monday to Thursday	10:00 - 23:00
Friday to Saturday	10:00 - 01:30
Sunday	10:00 - 22:30

Performance of Dance:

Monday to Thursday	10:00 - 23:00
Friday to Saturday	10:00 - 01:30
Sunday	10:00 - 22:30

Anything of a similar description:

Monday to Thursday	10:00 - 23:00
Friday to Saturday	10:00 - 01:30
Sunday	10:00 - 22:30

Late Night Refreshment

Friday to Saturday	23:00 - 01:30
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Supply of Alcohol (on sales)

Monday to Wednesday	10:00 - 23:00
Thursday	10:00 - 00:00
Friday to Saturday	10:00 - 01:30
Sunday	10:00 - 22:30

Opening hours

Monday to Wednesday	10:00 - 23:30
Thursday	10:00 - 00:00
Friday to Saturday	10:00 - 02:00
Sunday	10:00 - 23:00

- Remove Non-standard hours from the Application.
- An updated Fire risk assessment is required following works carried out on the premises.
- Amend condition 16 as follows:

" A sound limiting device within the premises shall be installed to control all amplified sound generated on the premises. The device shall be approved by and set to the satisfaction of the Council's Environmental Protection Team and the Police and thereafter maintained for the duration of use. No additional noise generating equipment shall be used on the premises without being routed through the sound limiting device".

- Amend condition 19 as follows:

"All doors (excluding the front door at street level) shall be kept closed when regulated entertainment is in operation, except for the immediate ingress and egress of patrons. Also customers are not permitted to use Miller Terrace beyond core hours under Policy LP3"

- Amend condition 26 as follows:

"Persons under the age of 18 will not be permitted to be on premises when open to members, guests and family members after 22.00hrs; unless attending a pre-booked private event or film screening excluding "stag" and "hen" do events".

And the following conditions to the Premises Licence: :

- The Licence holder to employ a Designated Premises Supervisor that is approved by the Licensing Authority and the Police.
- No entrance or exit to the premises after 23:00 except for Fridays and Saturdays.
- SIA door security will be on duty on Fridays and Saturdays at the premises until 30 minutes after closing to deal with noise and dispersal from the premises.
- Premises to be adequately lit at the rear of the premises.
- No more than 8 persons are permitted to smoke outside at the rear of the premises at any one time until 23:00.

- There shall be no more than 90 persons at the premises at any one time.
- The Licence holder to submit a soundproof acoustic report to the Environmental Team.
- No customers permitted under 25 except family members for private events and public and community events, and no under 5's permitted at all.
- There shall be a written dispersal policy submitted to and approved by the Licensing Authority and the Police. The approved dispersal policy shall be implemented at the premises. All staff shall be briefed on this dispersal policy. A copy of the policy shall be kept on the premises and shall be produced to a police officer or other authorised officer upon request.

Reasons for the decision

The application for a premises licence has been approved because the Licensing Sub-committee was satisfied that the licensing objectives would not be undermined in the Dalston Special Policy Area (Dalston SPA).

The Sub-committee took into consideration that Environmental Enforcement, Environmental Protection, and Trading Standards agreed conditions in advance of the hearing with the Applicant and withdrew their representation.

The Sub-committee took into consideration the representations made by the Metropolitan Police Service ("the Police") that from February 2020 to date concerns set out remain the same in Dalston SPA. The Sub-committee heard that the Police had not been able to reach any agreements with the Applicant. The Sub-committee noted that customers at the premises are over 30s excluding hen parties. A Fire Risk Assessment had not been provided for the last six months and the Police had concerns about late hours. The Sub-committee heard that Dalston had increased in numbers in the area, and the Police were requesting that the late hours and non-standard hours should be removed from the application. The Sub-committee took into account that there should be no amplified music until a noise report has been considered to assess the noise levels. The Sub-committee took into account that the Applicant was going to be the Designated Premises Supervisor as he now has a personal licence.

The Sub-committee took into consideration the representations made by the Licensing Authority that the premises is located in the Dalston SPA therefore it is subject to policy LP10 and it will add to the cumulative impact in the Dalston SPA. This area has been identified as suffering from negative cumulative impact as a result of the high concentration of licensed premises.

The Sub-committee took into consideration the objection to the application raised by Other Persons (a local resident) that live close to the premises who experienced loud music and noise nuisance. The Other Person felt that the application was unrealistic, and the late hours will result in more crime and nuisance in the Dalston SPA.

The Sub-committee took into consideration the Applicant's representation that they agreed to reduce the hours to enable a phased dispersal to leave quietly and securely and staff will manage the dispersal from the premises. The Sub-committee took into

account that this application for a premises licence has been considered by the Police to try and alleviate any concerns and two supporting letters were provided in support of the application.

The Applicant contended that they are a responsible licence holder and that they would not add to the cumulative impact in the area. The Sub-committee heard that the fire risk assessment 2017 is still valid.

The Sub-committee heard a representation in support of the application. The Other Person, in support of the application, runs a number of groups and chairs groups and helps the community to celebrate events. These premises would enable the event organisers to do a lot of things and give young people time and space to enjoy events. The Sub-committee heard that the premises cater for young people and there was a shortage of spaces in the borough. The Sub-committee noted that the event organisers are inundated with requests for events membership of over 20 mainly birthdays and family celebrations. The Sub-committee heard that the events cannot just operate on Temporary Events because they have 40 events per year.

The Sub-committee took into account the objections raised by the Police that 01:00 am in the week is late given the impact on local residents in the area, and that it should be core hours on weekdays. The Sub-committee took into consideration the Police's concerns about the late night hours, and that if the premises operated the late night hours under Temporary Events the Police could monitor the hours.

The Sub-committee took into account the Licensing Authority's concerns about the lateness of the hours which were not acceptable, and that there was no dispersal policy in the Management Plan.

The Sub-committee noted that the emphasis is on community facilities and community-based events for over 30s and community members. The Sub-committee took into consideration that 90 people can be controlled if they operate as the Applicant intends to.

The Sub-committee took into consideration that the premises are situated in the Dalston Special Policy Area and the impact that the late night hours would have on local residents. The Sub-committee took into consideration the representations made by the Licensing Authority and the Police and their concerns about the operation of the premises late at night.

Having taken all of the above factors into consideration, the Licensing Sub-committee was satisfied, when granting this application for a premises licence, that the Applicant had offered adequate conditions and reduced hours, to justify them making an exception to grant this licence within the Dalston SPA.

Public Informatives

1. The Sub-committee encourages the Applicant to work with the Responsible Authorities to comply with the terms and conditions of his licence and to maintain the licensing objectives.
2. The Applicant is reminded of the need to operate the premises according to any current licensing conditions on the premises licence and planning permission relating to its use class, conditions and hours.

3. It also should be noted for the public record that the local planning authority should draw no inference or be bound by this decision with regard to any future planning Application which may be made.

8 Temporary Event Notices - Standing Item

8.1 None.

END OF MEETING

Duration of the meeting: 2:00pm – 3.35pm

Chair of the meeting: Councillor Gilbert Smyth

Contact:
Gareth Sykes
Governance Officer
Email: gareth.sykes@hackney.gov.uk

**DRAFT MINUTES OF THE LICENSING SUB COMMITTEE
HELD ON 2ND FEBRUARY 2023 AT 2PM**

**THIS MEETING WAS LIVE STREAMED AND CAN BE VIEWED
HERE:<https://youtu.be/Q2x78IWitRs>**

Chair: Cllr Fagana-Thomas in the Chair

Councillors in Attendance: Cllr Sheila Suso-Runge and Cllr Gilbert Smyth

Apologies: There were no apologies for absence

Officers in Attendance: Peter Gray (Governance Officer), Amanda Nauth (Licensing and Corporate Lawyer), Suba Srirmana (Acting Principal Licensing Officer)

Also in attendance: Variation - 14 Chatsworth Road

Applicant:
Applicant - Chandra Sarkar
Agent: Mr Hunter

Responsible Authorities:
Police - PC Amanda Griggs
Licensing - David Tuitt

Other Persons:
Cllr Ian Rathbone
Lynne Troughton

New - 13 Bradbury Street

Applicant:
Applicant - Joshua Shakes-Drayton
Consultant - Debbie Tumkaya

Responsible Authorities:
Police - PC Amanda Griggs
Channing Riviere - Licensing

1. Appointment of Chair

1.1 Cllr Fagana-Thomas was duly elected as Chair.

2. Apologies for Absence

2.1 There were no apologies for absence

3. Declarations of Interest - Members to declare as appropriate

3.1 There were no declarations of interest.

4. Application to Vary a Premises Licence: Vintage Bottle, 14 Chatsworth Road, London, E5 0LP

4.1 The Licensing Team Leader introduced the application from Palash Chandra to vary a premises licence to authorise the supply of alcohol off the premises 24 hours daily Monday to Sunday under section 34 of the Licensing Act 2003.

4.2 The Applicant, Palash Chandra made submissions in support of the Application, highlighting that there was customer demand for later hours at the premises.

4.3 The Chair asked for clarification as follow:

- What plans were in place for a 24 hour operation;
- The operating hours went beyond the hours in planning permission;
- The nature of the shop - customer/ alcohol split.

4.4 The applicant confirmed that additional staff would be recruited and the appropriate planning permission was in place. The premises sold daily provisions and alcohol.

4.5 The Principal Licensing Officer made submissions against the application, highlighting the following:

- There were concerns that the additional hours could lead to public nuisance in the area with the Licensing Objectives bring undermined;
- That there was no representations from Planning;

4.6 Councillor Ian Rathbone made submission against the application, highlighting the following:

- That there were no other premises on the street;

- The street was family friendly;
 - That the area was residential and there was agreement with the Council that there be no licensed premises after midnight;
 - Granting the licence would encourage others to apply for a licence;
 - A resident with children had expressed concerns about the licence;
 - There was an issue with planning permission at the premises;
- 4.7 Councillor Lynne Troughton made submissions against the application, highlighting the following;
- The area was residential;
 - There had been an increase in licensed premises in the area;
 - A policy of restricting opening hours was in existence;
 - There would be a negative impact on other residents in the area;
 - The granting of the licence would make it difficult for the Council to refuse other such applications;
 - Granting the licence could lead to anti-social behaviour in the area;
- 4.8 The Chair asked how the applicant would mitigate the concerns expressed about the application.
- 4.9 Councillor Suso Runge asked for clarification in regard to customers after 11pm and what parking was available in the vicinity of the premises.
- 4.10 The applicant submitted that there was customer demand after 11pm and that most of the customers walk to the premises and do not require parking bays.
- 4.11 There were no closing submissions.

Decision:

The Licensing Sub-Committee in considering this decision from the information presented to it within the report and at the hearing today has determined that having regard to the promotion of all the licensing objectives:

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

the application to vary a premises licence has been refused in accordance with Licensing Policies LP1, LP2, LP3 and LP4 within the Council's Statement of Licensing Policy.

Reasons for the decision

The Licensing Sub-Committee, having heard from the Responsible Authorities (the Licensing Authority and the Metropolitan Police Service ("the Police")) believed that granting this application is likely to result in the licensing objectives being undermined and will have an impact on the area.

The Sub-committee took into consideration that there were objections raised by Other Persons (the local ward councillor and the residents association) on the grounds of the four licensing objectives. The Sub-committee took into consideration the objections raised by the Police and the Licensing Authority on the grounds of public nuisance and crime and disorder.

The Sub-committee took into consideration the concerns of the Police who did not support this application due the impact it would have on street drinking which would lead to unregulated drinking late at night, and anti-social behaviour. The Police made representations that the premises is located on a busy road which has a number of retail outlets and the premises is in a residential area. The Sub-committee took into account that the excessive hours being sought by the Applicant would increase anti-social behaviour and will have an impact on local residents. The Sub-committee noted that the extension of hours would mean that people would have more access to alcohol for longer hours late at night.

The Sub-committee took into consideration representations made that the Applicant did not consider the local residents when making this application. The Sub-committee took into consideration that the Police and the Licensing Authority agreed that the hours applied for 24 hours each day were excessive and beyond Core hours (LP4).

The Sub-committee heard the Applicant's representations that they sell groceries, and they wanted to sell alcohol 24 hours a day following demands from customers to open later and to sell alcohol and groceries.

The Sub-committee did not feel that the Applicant understood the requirements of the application for an alcohol licence, and he would not be able to prevent public nuisance and crime and disorder in the residential area. The Sub-committee felt that the premises was more of an off-licence than a grocery store, and that there were not strong mitigating factors to support why they should be granted a licence in a quiet residential area.

The Sub-committee carefully considered the representations made by the Applicant, the Metropolitan Police Service and the Licensing Authority. The Sub-committee was not convinced that the Applicant's proposed conditions would be operational. Therefore, the Sub-committee decided to refuse the application to vary the premises licence for off sales 24 hours each day 7 days a week which is contrary to the Council's Licensing Policy and specifically Policy LP4 ("Off sales of alcohol").

The Sub-committee also felt that by not granting this variation application it would prevent anti-social behaviour, in terms of more people coming into the area, consuming alcohol, and staying in the area for longer which would contribute to increasing public nuisance, and crime and disorder in the area.

The Sub-committee took into consideration when refusing this application that each case is considered on its merits. The Sub-committee believed that the licensing objectives could not be promoted by granting this variation application, and as such believed it was appropriate to refuse the application in its entirety.

5 The Dalston Lounge, 13 Bradbury Street, N16 8JN

5.1 The Acting Principal Licensing Officer introduced the application from Joshua Shakes-Drayton for a premises licence under section 17 of the Licensing Act 2003. 1.2. The application seeks to authorise live music, recorded music, late night refreshment and to authorise the supply of alcohol for consumption on and off the premises on Monday to Sunday

5.2 Mr Hunter, the applicant's agent highlighted the following:

- That security would be provided at the premises;
- Appropriate training would be made available for staff at the premises;
- Deliveries would be at 8am and 8pm;
-
- Outside table meals with alcoholic drinks;
- A sound limiter would be in place;
- Seated capacity would be 42.

5.3 The Principal Licensing Officer made submissions against the application as follows:

- The premises was in the Special Policy Area;
- The hours applied for went beyond core hours;
- There was no Delivery Operations Plan;
- There was a need for clarification on the nature of the delivery service;
- The premises was located near to Dalston Square where there was a prevalence of Anti Social Behaviour;
- How had the applicant demonstrated that the the increased hours would add to cumulative impact in the area;
- That this was to be a seated premise was welcomed.

5.4 The applicant, Joshua Shakes-Drayton highlighted the following;

- That he was aware that the premise was located in the Special Policy Area;
- That the Police had visited the shop. There had been concerns regarding a previous premise owner;

5.5 The Chair clarified that in the transfer of the licence it had not been made clear that the licence had lapsed.

5.6 The Sub-Committee asked for clarification on

- if developments mitigated any cumulative impact and if the applicant;
- If the applicant would accept core hours;
- clarification on the circumstances around the Police visit to the premises following the use of the premises without a licence;

- clarification in relation to the door policy/ egress at the premises;
 - Clarification on the nature of the premises - whether it was a bar or restaurant;
 - Who was to be the Designated Premises Supervisor;
 - Would the applicant to no loud music or vertical drinking;
 - Clarification on the smoking policy at the premises.
- 5.7 The Principal Licensing Officer confirmed that core hours at the premises would be welcomed and that there was a need for clarification on the nature of Off-Sales. He submitted that there would be a need for a specific condition on hiring out the premises.
- 5.8 Following questions posed the applicant highlighted:
- Agreement to restrict Off Salers to delivery only;
 - Agreement to Core hours at the premises;
 - Agreement to no loud music or vertical drinking;
 - That entertainment at the premises would consist of a saxophone player or poetry reading;
 - In relation to the use of the premise without a licence, the premise had been hired out on these occasions with no sale of alcohol;
 - There was to be a door supervisor at the premises;
 - The premises was to be a sit down restaurant with music;
 - A Designated Premises Supervisor had been identified;
 - The number of smokers in the outside area had been limited to 3 people
- 5.9 There were no closing submissions.

Decision:

The Licensing Sub-Committee in considering this decision from the information presented to it within the report and at the hearing has determined that having regard to the promotion of all the licensing objectives:

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

the application for a premises licence has been approved in accordance with the Council's Statement of Licensing Policy and the proposed conditions set out in paragraph 8.1 of the report as applied for with the following amendments agreed with the Applicant.

- The hours for licensable activities, shall be, as agreed:

Live Music

Monday to Thursday 20:00 - 23:00

Friday to Saturday 20:00 - 00:00

Sunday 20:00 - 22:30

Recorded Music

Monday to Thursday 20:00 - 23:00

Friday to Saturday 20:00 - 00:00

Sunday 20:00 - 22:30

Late Night Refreshment:

Friday to Saturday 23:00 - 00:00

Supply of Alcohol

Monday to Thursday 11:00 - 23:00

Friday to Saturday 11:00 - 00:00

Sunday 11:00 - 22:30

Opening hours

Monday to Thursday 10:00 - 23:30

Friday to Saturday 10:00 - 00:30

Sunday 10:00 - 23:00

And additional conditions:

- Alcohol shall not be sold, supplied, or consumed on the premises otherwise than to persons who are taking substantial table meals and that the consumption of alcohol by such persons is ancillary to taking such meals. The supply of alcohol shall be by waiter or waitress service only.
- All off sales of alcohol sold or supplied for consumption off the premises must be in a sealed container and are to be sold only with food orders.
- The capacity of the premises shall be no more than 42 persons at any one time.
- There shall be no more than 3 smokers at any one time outside.
- 1 SIA Security door staff on Fridays and Saturdays.
- A noise limiter to be set and agreed with the Environmental Protection Team.
- The Applicant to provide a Delivery Management Plan to the Licensing Authority for approval.
- The Licensee shall ensure that all relevant staff are fully trained and made aware of the legal requirement of businesses to comply with their responsibility as regards the disposal of waste produced from the business premises. The procedure for handling and preparing for disposal of the waste shall be in writing and displayed in a prominent place where it can be referred

to at all times by staff.

- The Licensee shall ensure that any contract for general and recyclable waste disposal shall be appropriate in size to the amount of waste produced by the business. The Licensee shall maintain an adequate supply of waste receptacles provided by his registered waste carrier (refuse sacks or commercial waste bins) in order to ensure all refuse emanating from the business is always presented for collection by his waste carrier and shall not use any plain black or unidentifiable refuse sacks or any other unidentifiable or unmarked waste receptacles.
- In order to minimise the amount of time any waste remains on the public highway in readiness for collection, the Licensee will ensure the timeframe within which it may expect its waste carrier to collect is adhered to.
- The Licensee shall instruct members of staff to make regular checks of the area immediately outside the premises and remove any litter, bottles and glasses emanating from the premises. A final check should be made at close of business.
- The Licensee shall provide a safe receptacle for cigarette ends to be placed outside for the use of customers, such receptacles being carefully placed so as not to cause an obstruction or trip.
- The current trade waste agreement/duty of care waste transfer document shall be conspicuously displayed and maintained in the window of the premises where it can be conveniently seen and read by persons standing in the Dalston Lounge. This should remain unobstructed at all times and should clearly identify:-
 - the name of the registered waste carrier
 - the date of commencement of trade waste contract
 - the date of expiry of trade waste contract
 - the days and times of collection
 - the type of waste including the European Waste Code

Reasons for the decision:

The application for a premises licence for on and off sales has been approved because the Licensing Sub-Committee was satisfied that the licensing objectives would not be undermined in the Dalston Special Policy Area (Dalston SPA).

The Sub-committee noted that there were objections raised by the Responsible Authorities (Environmental Enforcement, the Metropolitan Police Service (“the Police”), and the Licensing Authority), and one Other Person (a local resident).

The Sub-committee noted that the application was for a licensed restaurant with live and amplified music, and that the hours the Applicant was seeking was in excess of Core hours Policy LP3.

The Sub-committee took into consideration that there were conditions in the licence for no vertical drinking, and that the premises are near Dalston Square, which is a busy area.

The Sub-committee heard from the Police and the Licensing Authority that the premises is situated on a side road off of Kingsland High Road, running parallel to Gillett Square, in the middle of the Dalston SPA. The Sub-committee took into consideration that the area had a high level of ASB and the Applicant needed to demonstrate how they will not add to the cumulative impact currently being experienced in the area, and why they were seeking hours in excess of Core hours.

The Sub-committee noted that the Police had concerns about the previous owner. The Sub-committee heard that the Applicant said that their shop had not been open and they were trying to work with the Licensing Authority and the Police to have a good working relationship with them going forward. The Sub-committee heard that the lease for the premises had been transferred to the Applicant and they were not responsible for any of the previous incidents that occurred at the premises. The previous business went into liquidation and the licence lapsed.

The Sub-committee noted that the Applicant agreed to off sales with food orders. The Applicant also agreed to operate to Core hours with a capacity of 42 persons at any one time. The Sub-committee heard that the Applicant will ensure that the CCTV system is working at all times. The Sub-committee took into consideration that the Police were happier with the proposed restaurant that the Applicant described to operate under Core hours.

The Sub-committee noted that there were other licensed premises in the area. However, they felt that one additional premise will not add to the cumulative impact and the problems in the area. The Sub-committee felt that the conditions and the reduced hours would help the premises operate responsibly.

Having taken all of the above factors into consideration the Licensing Sub-Committee was satisfied that this application could be approved without the licensing objectives being undermined.

Public Informative:

The Premises Licence holder is advised to inform the Licensing Authority of the Planning Permission they have obtained for the premises.

Duration of Meeting: 2pm to 4pm

Chair: Councillor Fagana Thomas

Contact:

Peter Gray

020 8356 3326

peter.gray@hackney.gov.uk

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