



London Borough of Hackney – Decisions taken by the Licensing Sub Committee B on Thursday, 21 July 2016

Agenda Item No	Topic	Decision
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Part A – Items considered in public

5	Premises Licence- The Gravy, Basement, 20 Stamford Hill, N16 6XZ	<p><b><u>The decision</u></b> 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:</p> <p>the application has been approved in accordance with the Council's licensing statement and the proposed conditions set out in paragraph 8.1 of the report, with the following amendments:</p> <ul style="list-style-type: none"><li>• Sunday to Thursday the opening hours will be from 11.00 to Midnight with all licensable activities ceasing at 23.30 hours and on Friday to Saturday the opening hours will be from 11.00 to 01.30 hours, the day following, with all licensable activities ceasing at 01.00 hours, the day following</li><li>• The non-standard hours be deleted</li><li>• Conditions 10 and 28 be deleted</li><li>• Condition 22 be amended so that there shall be a maximum of 100 customers.</li></ul> <p>and the following additional conditions:</p> <ul style="list-style-type: none"><li>• There shall be a maximum of 6 smokers outside of the premises only, at any one time, at the front of the premises only.</li><li>• The following Environmental Enforcement conditions to be added:<ol style="list-style-type: none"><li>1. The Licensee shall ensure that all staff are fully trained and made aware of the legal requirement of businesses to comply with their duty of care 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</li></ol></li></ul>
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		<p>a prominent place where it can be referred to at all times by staff.</p> <ol style="list-style-type: none"> <li>2. 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.</li> <li>3. 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.</li> <li>4. The Licensee shall erect a sign asking customers to refrain from littering the public highway outside the premises and will also instruct a member of staff to make regular checks of the area immediately outside and within 10 metres either side of the premises and remove any litter, bottles and glasses emanating from the premises. A final check should be made at close of business.</li> <li>5. The Licensee shall provide a safe receptacle for cigarette ends to be placed outside for the use of customers, such receptacle being carefully placed so as not to cause an obstruction or trip hazard.</li> <li>6. 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 at the façade of the building. This should remain unobstructed at all times and should clearly identify:- <ul style="list-style-type: none"> <li>the name of the registered waste carrier</li> <li>the date of commencement of trade waste contract</li> </ul> </li> </ol>

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		<p>the date of expiry of trade waste contract                      the days and times of collection                      the type of waste including the European Waste Code</p> <ul style="list-style-type: none"> <li>• The following Pollution conditions to be added:                             <ol style="list-style-type: none"> <li>1. The licensee shall submit to the Council an acoustic report prepared by a reputable noise consultant (who is a member of the Institute of Acoustics or similar recognised association), which demonstrates how live music and amplified sound and voices generated at the premises will be contained within the said premises, thereby not causing a nuisance to neighbouring premises. The report shall have regard to any noise caused by any ventilation system and any likely escape of noise from the system, the opening of doors for patrons, acoustic characteristics of fire doors, windows, and the general fabric of the building. Where sound transmission is likely through the structure of the building to one attached, the report must show in detail how this will be eradicated, for example by improved sound insulation of the building.</li> <li>2. The report should also include details of how smoking, patrons queuing or congregating outside will be managed.</li> <li>3. The report is to be submitted to the Community Safety Team for their written approval. All recommendations within the report which have been approved by the Community Safety Team should be completed prior to any licensable activities taking place.</li> <li>4. A suitable sound limiting device (s) must be installed to all systems generating music and/or amplified voices. The limiting device (s) should be set to ensure that noise nuisance is not caused in the nearest residential premises. This level must be</li> </ol> </li> </ul>

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		<p>agreed with the officer of the Community Safety Team. A certificate of compliance should be submitted to the Community Safety Team for their approval. The limiter (s) should be protected in such a manner as to prevent tampering with (i.e. locked in a tamper - proof box and only accessible by management or / and protected by a key).The sound limiting device shall be used at all times when music is played on the premise.</p> <p>5. Any entertainment involving live and / or recorded music can only take place if conditions 1 to 4 have been implemented to the satisfaction of the Community Safety Team.</p> <p>6. Notices must be prominently displayed at the exits reminding patrons to depart in an orderly manner.</p> <p><b><u>Reasons for the decision</u></b>                      The application has been approved, with the above amendments and additional conditions, as the Licensing Sub-Committee was satisfied that the licensing objectives would not be undermined by such approval.</p> <p><b><u>Public informative</u></b></p> <p>It was noted that the plan of the premises is set out on page 32 of the agenda with the Licensable area indicated as 'LLA', extending to the wall dividing the main room from the toilets.</p> <p>The applicant is also reminded of the need to operate the premises according to any current planning permission relating to its user class, conditions and hours.</p>

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		It 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.
6	Variation Premises Licence - Il Cudega Enogastronomy and Bar, Railway, Arch 358 To 359, Westgate Street, E8 3RL	This item has been withdrawn.
7	Variation Premises Licence- Binis Limited T/a Ozlem Restaurant, 1 Prince George Road, N16 8DL	<p><b><u>The decision</u></b>                      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:</p> <p>the application has been approved in accordance with the Council’s licensing statement and the existing and proposed conditions set out in paragraphs 3.1 and 8.1 of the report, with the following amendments:</p> <ul style="list-style-type: none"> <li>• The hours for late night refreshment shall be Monday to Sunday 23.00 to 01.30 hours</li> <li>• Conditions 8 to 13 in paragraph 3.1 be deleted</li> <li>• Condition 12 in paragraph 8.1 be amended to insert after the words “persons who are” the following words “seated at a table and who are”</li> <li>• Condition 14 in paragraph 8.1 be amended so that there shall be a maximum of six smokers outside at any one time.</li> </ul> <p>and the following additional conditions</p> <ul style="list-style-type: none"> <li>• No alcohol shall be consumed on the premises after 00.30 hours Monday to Saturday</li> </ul>

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		<p>and 22.30 hours on Sundays.</p> <ul style="list-style-type: none"> <li>• All doors and windows shall be closed after midnight except to allow egress and ingress.</li> <li>• There shall be a maximum capacity of 150 persons at any one time.</li> <li>• The outside area shall be limited to 12 persons from 19.00 to 21.00 hours and closed from 21.00 hours.</li> <li>• The additional area licensed by this decision, as delineated on the amended plan to be provided, shall be closed after midnight. A copy of this plan is also to be retained and kept on the premises at all times.</li> </ul> <p><b><u>Reasons for the decision</u></b></p> <p>This variation application to increase the capacity of licensed premises located within the Dalston SPA has been approved given the additional restrictions placed on the capacity of the venue along with ensuring that the premises is to be used as a restaurant at all times. It was felt that with the additional conditions placed on the licence, this variation would not unduly add to the problems already being experienced in the area.</p> <p>It was for this reason the application has been approved, with the above amendments and additional conditions, as the Licensing Sub-Committee was satisfied that the licensing objectives would not be undermined.</p>