



London Borough of Hackney – Decisions taken by the Licensing Sub Committee C on Thursday, 20 April 2017

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

6	Application for a Premises Licence - Red Planet Pizza, 26 Kingsland Road, E2 8DA	<p><u>Decision</u></p> <p>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> <ul style="list-style-type: none">• The prevention of crime and disorder;• Public safety;• Prevention of public nuisance;• The protection of children from harm; <p>the application for Late Night Refreshment be refused in accordance with Licensing Policy LP4, LP5 and LP13 within the Council’s licensing statement.</p> <p><u>Reasons for the decision</u></p> <p>The Licensing Sub-Committee, having heard from the Applicant, Responsible Authorities and Other Person at the hearing and having considered the documents provided both in support and against the application, was not satisfied that the exceptional circumstances had been met for a venue that is situated in one of the busiest parts of the Shoreditch SPA.</p> <p>The Sub-Committee believed that by granting extended hours and thereby a premises licence, it was likely to add to the negative cumulative impact that is already being experienced, by enabling more people to stay in a location that already has an extremely high footfall, for an even greater period of time. This would seem likely to exacerbate the crime, disorder and public nuisance related issues and thereby increase the problems from which the area is currently suffering.</p>
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		<p>Careful consideration was also given to the proposals put forward by the Applicant in trying to demonstrate that the licensing objectives would not be undermined. However, the Sub-Committee accepted that the acute problems suffered by the concentration of premises in this specific location was so great that the proposals submitted by the Applicant did not alleviate their concerns.</p> <p>In making this decision, the Sub-Committee accepted that there had been an improvement in the operation of the premises since the Applicant had taken over the premises and as such the outcome may have been different if the premises was outside of the Shoreditch SPA. Notwithstanding this, the Sub-Committee, when having particular regard to the concerns raised in relation to LP13 within the Council’s Statement of Licensing Policy, felt that they would not be promoting the licensing objectives if the application was approved.</p>
7	Application for a Premises Licence- Tortilla, 16 Kingsland High Street E8 2JP	<p><u>The decision</u></p> <p>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> <ul style="list-style-type: none"> • The prevention of crime and disorder; • Public safety; • Prevention of public nuisance; • The protection of children from harm; <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 agreed amendments:</p>

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		<ul style="list-style-type: none"> • Condition 8 be amended to read; Alcohol shall not be sold, supplied or consumed on the premises otherwise than to persons who are seated and taking a substantial table meal from the menu and that the consumption of alcohol by such persons is ancillary to taking such meals • Condition 35 be amended to read; The premises shall adhere to Hackney Police Weapons and Drugs Policies and any updates thereof • Conditions 10 - 14, 16, 18, 27, 34 and 38 – 42 be deleted <p><u>Reasons for the decision</u> 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>
8	Application for a Premises Licence - The Yard Shoreditch, Eighty nine and a half Worship Street, EC2A 2BF	<p><u>The decision</u> 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> <ul style="list-style-type: none"> • The prevention of crime and disorder; • Public safety; • Prevention of public nuisance; and • The protection of children from harm, <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, as agreed with the Police:</p> <ul style="list-style-type: none"> • Conditions 10, 11, 14, 15, 28, 29 & 30 be deleted.

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		<ul style="list-style-type: none"> • Condition 38 be amended to read ‘The premises shall ensure that there is a facility for members of the public to contact them via the details displayed on their website. This may be by email or telephone.’ • Condition 40 be amended to read ‘The premises shall ensure that there is a facility for members of the public to contact them via the details displayed on their website. This may be by email or telephone.’ Appropriate induction training will be undertaken with all relevant staff to cover appropriate subjects for their role including: <ul style="list-style-type: none"> - The responsible sale of alcohol - The prevention of underage sales of alcohol, the Challenge 25 policy and in checking & authenticating accepted forms of identification. - The responsibility to refuse the sale of alcohol to any person who is drunk. - Fire safety & emergency evacuation procedures. Refresher training will be given to all relevant staff every twelve months. Written records of this training shall be kept on the premises and produced to police or other authorised officer upon request.’ • Condition 41 be amended to read ‘The premises shall adhere to Hackney Police Weapons and Drugs Policies and any updates thereof.’ • Condition 42 be amended to read ‘After 22:00hrs there shall be a maximum of 5 smokers outside the premises at any one time. This shall be monitored by staff.’ <p>and the following additional conditions to be added:</p> <ul style="list-style-type: none"> • When licensable activities are taking place at the premises, the number of smokers using the courtyard (designated smoking area) should be limited to 5 persons at any one time after 22.00 hours. • The applicant is to ensure that between 23:00 hours and 08:00 hours, amplified music at the premises (The Yard Shoreditch 89 & 1/2 Worship Street Shoreditch London EC2A 2BF) is played through a sound limiting device to be set by a registered member of Institute of Acoustic or other similar professional body. The level should be set such

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		<p align="center">as not to cause nuisance to the nearest noise sensitive receptor.</p> <p><u>Reasons for the decision</u> 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> <p>The Sub-Committee determined that the additional conditions were appropriate after having heard about the complaints and concerns raised. It was felt that these amended conditions would ensure that the licensing objectives are not undermined given both the capacity of the premises and proximity to residents that have previously complained.</p>
9	Temporary Event Notices - Standing Item	There were no temporary event notices.