



London Borough of Hackney – Decisions taken by the Licensing Sub Committee B on Tuesday, 22 January 2019

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

5	Premises License: Chef Cafe Bistro, 273 Kingsland Road, E2 8AS	<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"><li>• The prevention of crime and disorder;</li><li>• Public safety;</li><li>• Prevention of public nuisance;</li><li>• The protection of children from harm;</li></ul> <p>The application to vary the premises licence for late night refreshment and supply of alcohol (on and off the premises) has been approved in accordance with the Council’s licensing statement with the following amendments:-</p> <ul style="list-style-type: none"><li>• The hours for licensable activity will be in accordance with the Council’s Licensing Policy LP3:</li></ul> <p>Opening Hours:</p> <table><tr><td>Monday to Thursday</td><td>08:00 - 23:30 hours</td></tr><tr><td>Friday and Saturday</td><td>08:00 - 00:30 hours</td></tr><tr><td>Sunday</td><td>08:00 – 22:30 hours</td></tr></table> <p>The Sale of Alcohol:</p> <table><tr><td>Monday to Thursday</td><td>08:00 - 23:00 hours</td></tr></table>	Monday to Thursday	08:00 - 23:30 hours	Friday and Saturday	08:00 - 00:30 hours	Sunday	08:00 – 22:30 hours	Monday to Thursday	08:00 - 23:00 hours
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		<p>Friday and Saturday 08:00 - 00:00 hours                      Sunday 08:00 – 22:30 hours</p> <p>Late Night Refreshment:</p> <p>Friday and Saturday 23:00 - 00:00 hours</p> <ul style="list-style-type: none"> <li>Condition 30 (g) of the licence to be amended, as follows:                       Deliveries will not be made between the hours of 23:30 and 07:00 the day following, on Sunday to Thursday and 00:30 and 07:00 the day following, on Friday and Saturday.</li> </ul> <p><b><u>Reasons for the decision</u></b></p> <p>The application has been approved, with the above amendments as the Licensing Sub-Committee was satisfied that the licensing objectives would not be undermined.</p> <p>The Licensing Sub-Committee took into consideration that the representations made by the Responsible Authorities: the Licensing Authority, Metropolitan Police Service and Environmental Protection.</p> <p>The Licensing Sub-Committee considered carefully the representations made that the additional hours put forward by the applicant would have a negative impact on the promotion of the licensing objectives and would result in people not only attending the premises for the proposed later hours, but would then result in patrons staying in the area for longer, thereby creating noise nuisance and a general disturbance to the surrounding residential area.</p>

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		<p>Given the concerns raised the Licensing Sub-Committee only approved the application with a reduction of hours in line with the Council's core hour's policy, taking into consideration the factors outlined within the Council's Statement of Licensing Policy LP3.</p> <p>The Licensing Sub-Committee advised the Applicant that they should communicate with the Council's Environmental Protection Team to ensure the premises are in a satisfactory condition to avoid noise nuisance and disturbance to residents in the area and that the operation of the extractor fan at the premises meets the Council's requirements.</p> <p>The Licensing Sub-Committee also advised the Applicant that in order to operate for longer hours they would need to obtain the required Planning Permission.</p> <p>In granting the additional hours throughout the week the Licensing Sub-Committee expect the licence holder and/or management for the premises to also remind patrons to be mindful of local residents so as to prevent noise nuisance due to the premises being located in a residential area. As such the Sub-Committee believed that by allowing the licence in the revised terms the licensing objectives would not be undermined.</p> <p><b>PLANNING INFORMATIVE</b></p> <p>The applicant is reminded of the need to operate the premises according to any current planning permission relating to its user class, conditions and hours.</p> <p>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.</p>

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6	Premises License: 297 Old Street, EC1V 9LA	<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"> <li>● The prevention of crime and disorder;</li> <li>● Public safety;</li> <li>● Prevention of public nuisance;</li> <li>● The protection of children from harm;</li> </ul> <p>The application for a premises licence for late night refreshment has been approved in accordance with the Council’s licensing statement with the following amendments:-</p> <p><u>Opening Hours:</u>  Monday to Saturday            08:00 - 00:00 hours  Sunday                                10:00 – 00:00 hours</p> <p><u>Late Night Refreshment:</u>  Monday to Sunday                23:00 - 00:00 hours</p> <p>the following additional conditions:</p> <ul style="list-style-type: none"> <li>● The premises shall install and maintain a comprehensive CCTV system as per the minimum requirements of a Metropolitan Police Crime Prevention Officer. All entry, exit points and public areas 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</li> </ul>

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		<p>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 Police or authorised officer throughout the preceding 31-day period.</p> <ul style="list-style-type: none"> <li>● 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 must be able to show a Police or authorised council officer recent data or footage when requested.</li> <li>● Signs will be prominently displayed at all exit points reminding customers to leave quietly and respect local residents.</li> <li>● The premises will have a venue management policy, approved by the police licensing officer and/or Crime prevention officer, detailing the following;             <ul style="list-style-type: none"> <li>a. Dispersal Policy</li> <li>b. Drugs Policy</li> <li>c. Weapons Policy</li> <li>d. Smoking Policy</li> </ul> </li> <li>● An incident log shall be kept at the premises, and made available on request to an authorised officer of the council or the police, which will record the following.             <ul style="list-style-type: none"> <li>a. All crimes reported:</li> <li>b. All ejections of patrons</li> <li>c. Any complaints received.</li> <li>d. Any incidents of disorder.</li> <li>e. Seizure of drugs or offensive weapons.</li> </ul> </li> </ul>

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		<ul style="list-style-type: none"> <li>f. Any faults in the CCTV system or searching equipment or scanning equipment.</li> <li>g. Any visit by a relevant authority or emergency service.</li> <li>h. All and any concerns about the welfare of children</li> </ul> <ul style="list-style-type: none"> <li>● Signs will be prominently displayed by entry and exit points reminding customs:               <ul style="list-style-type: none"> <li>a) CCTV in operation.</li> <li>b) Drugs policy.</li> <li>c) Weapons policy.</li> </ul> </li> <li>● The licence holder shall maintain a dedicated telephone number of the Premises Licence Holder or Duty Manager for use by any Responsible Authority or any person who may wish to make a complaint. This contact number shall be provided to licensing authority, police and to any local residents upon request.</li> <li>● Also the licence holder and all staff shall be aware and familiar of the means of safeguarding children and the relevant Authorities to contact e.g. police and Local Authority's Emergency Children Services</li> <li>● Patrons of the premises shall be encouraged, by signs within the premises visible at all exit points, to disperse from the area of the premises quietly.</li> <li>● The premises shall ensure that the front of the premises and the curtilage of the building is kept tidy and free of litter.</li> <li>● All tables and chairs shall be rendered unusable after 22:00 hours each night. All food orders after 22:00 hours shall be for takeaway only.</li> </ul>

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		<ul style="list-style-type: none"> <li>● After 22:00hrs there shall be a maximum of 8 customers in the shop at any one time. This shall be monitored by at least one staff/door supervisor.</li> <li>● SIA registered door supervisors shall be employed at the premises on an ongoing risk assessment basis. All security staff and stewards shall be clearly identifiable at all times. All door supervisors shall enter their full details in a premises daily register at the commencement of work. They shall record their full name, home address and contact telephone number, their SIA registration number and the time they commence and conclude working. If the supervisor was provided by an agency, the name, registered business address and contact telephone number shall also be recorded. This register will be available to police or other authorised officer upon request.</li> <li>● 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 a prominent place where it can be referred to at all times by staff.</li> <li>● 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>● The Licensee's premises are situated in an area within which refuse may only be left on</li> </ul>
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		<p>the public highway at certain times (time bands). If the Licensee’s waste carrier cannot or does not comply by collecting the refuse within an hour after the close of any time band imposed by the waste authority, the Licensee must remove the refuse from the public highway and/or keep it within the premises until such time as his/her waste carrier arrives to collect the refuse.</p> <ul style="list-style-type: none"> <li>● 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.</li> <li>● 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.</li> <li>● 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 297 Old Street. This should remain unobstructed at all times and should clearly identify:-             <ul style="list-style-type: none"> <li>a) the name of the registered waste carrier</li> <li>b) the date of commencement of trade waste contract</li> <li>c) the date of expiry of trade waste contract</li> <li>d) the days and times of collection</li> <li>e) the type of waste including the European Waste Code</li> </ul> </li> </ul> <p><b><u>Reasons for the decision</u></b></p>



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		<p>The application has been part approved, with the above amendments as the Licensing Sub-Committee was satisfied that the licensing objectives would not be undermined.</p> <p>The Licensing Sub-Committee considered carefully the representations made by the Responsible Authorities that the additional hours applied for would have a negative impact on the promotion of the licensing objectives, because the premises were on a busy part of the Shoreditch Special Policy Area, which would result in people attending the premises for the proposed later hours and then staying in the area for longer. The Licensing Sub-Committee were satisfied that the hours, as approved, would not add to the cumulative impact that is currently being experienced within the Shoreditch Special Policy Area.</p> <p>In granting the licence, as amended, the Licensing Sub-Committee took into consideration the following factors;</p> <ul style="list-style-type: none"> <li>i) The Applicant had agreed the relevant conditions proposed by the Metropolitan Police Service and Environmental Protection Team.</li> <li>ii) The Applicant had applied for a number of Temporary Event Notices in the summer of 2018 which were successfully run, without any incidents or concerns.</li> <li>iii) The premises would only be heating cooked food, mainly pizza, and there would be no customers seated after 22:00 hours only a take-away service would be available from that time.</li> <li>iv) The Applicant agreed to provide additional security at the premises.</li> <li>v) The applicant that he was an experienced and responsible operator</li> </ul>

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		As such the Licensing Sub-Committee believed it appropriate to allow the licence on the terms, as set-out, having regard to the promotion of licensing objectives.
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