

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

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| <p>5</p> | <p>Review of Premises Licence: Kingsland Food and Wine, 77 Kingsland High Street, E8 2PB</p> | <p>The decision</p> <p>The Sub-Committee in considering this decision from the information presented to it within the report and at the hearing today have 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>that the premises licence for Kingsland Food and Wines, 77 Kingsland High Street, E8 2PB is suspended for a period of six (6) weeks, this suspension being effective from 19th August 2018 (as agreed with the Licensee and his legal representation) and that the current premises licence be modified to include the conditions as detailed in paragraph 9.1 of the report, subject to the following modifications: -</p> <ul style="list-style-type: none"> • Condition 1 - be amended to read ‘No 50ml miniatures bottles of spirit to be sold.’ • Condition 4 - to add the following words at the end of the sentence ‘except for deliveries of bread, milk and magazines.’ • Condition 5 be deleted (with the following existing conditions on the licence to remain, condition 16, as to no single sales and condition 17, relating to no sales of beer, lager or cider with an alcohol content above ABV of 6.5%) <p>Along with the following additional conditions or amendments to the existing conditions outlined either before the hearing by the applicant or agreed at the hearing;</p> |
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London Borough of Hackney – Decisions taken by the Licensing Sub Committee C on Tuesday, 7 August 2018

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| | | <ul style="list-style-type: none"> • The shelving and chiller cabinets given over to the display of alcohol in the shop will be reduced from the current 17.05 linear metres to 11.08 linear metres. A reduction of approximately 36%. • All alcohol will henceforth be displayed in a position where it is in a direct line of sight from the till point. • The alcohol display, existing and as it will be after the adoption of this condition is shown on the attached plan. • Other than those tobacco products contained in the dedicated cabinet in the retail area, all tobacco products will only be stored in the area shown on the attached plan hatched red. This area for the storage of tobacco products will be surrounded by a lockable cage. • Sale of alcohol shall not take place within the premises until the CCTV (and monitor within the system) is configured to the reasonable satisfaction of the Metropolitan Police. • Condition 5 within the existing licence be amended to read ‘All public areas and all entry and exit points’ • Condition 7 within the existing licence be amended to include (as f to i); <ol style="list-style-type: none"> 1. lost property 2. All ejections of customers 3. Any complaints received 4. Any seizure of drugs or offensive weapons |

London Borough of Hackney – Decisions taken by the Licensing Sub Committee C on Tuesday, 7 August 2018

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| | | <ul style="list-style-type: none"> • Condition 17 be amended to include lager, so that it reads; ‘There shall be no sales of beer, lager or cider with alcohol content above 6.5% save for such products as may be specifically agreed in writing by the licensing authority following consultation with the police. This approval can be withdrawn in writing by the licensing authority if concerns arise around the operation of the premises. • Notices will be prominently displayed by the entry / exit door and point of sale advising customers of the following: <ul style="list-style-type: none"> a) That CCTV and challenge 25 are in operation b) Advising customers of the provisions of the licensing Act regarding underage and proxy sales c) Of the permitted hours for licensable activities and the opening times of the premises d) Not to drink in the street e) To respect residents leave quietly, not to litter outside the premises or in the vicinity and to dispose of litter legally f) It is a criminal offence for a person under 18 years to purchase or attempt to purchase alcohol and that it is also an offence to purchase alcohol on behalf of a person under the age of 18 years <p>Reasons for the decision The Sub-Committee, having heard representations from the licensee, Trading Standards and other Responsible Authorities, are satisfied that the suspension of six weeks together with the additional conditions are both necessary and appropriate to ensure that the licensing objectives are not undermined.</p> |

London Borough of Hackney – Decisions taken by the Licensing Sub Committee C on Tuesday, 7 August 2018

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| | | <p>The suspension imposed serves not only as a punishment to the licensee for having undermined the licensing objectives, but is also to allow adequate and sufficient time for the Licensee to reconfigure the premises in accordance with the additional conditions. This should ensure that the Licensee and staff does not undermine the licensing objectives in their future operation.</p> <p>In making this decision the Sub-Committee were extremely concerned by what they heard, as outlined in the representations, particularly given the previous breach of conditions of the premises licence, dating back to February 2014, when the licence holder was previously referred to a Licensing Sub-Committee for a Review.</p> <p>The Sub-Committee having had regard to the recent concerns raised and the history of the premises felt that the licensing objectives had been undermined, given that those responsible for the management of the premises had not taken the effective steps to uphold the licensing objectives, especially that of the protection of children from harm.</p> <p>It was also felt that the licence holder did not consider the seriousness of the previous Review and the decision of the Sub-Committee in 2014, relating to the unauthorised sales on the premises. The failure to take his responsibility seriously, was demonstrated by the repeated breaches which has resulted in the licensing objectives being undermined.</p> <p>These recent breaches of the licence, coupled with the history, was so serious that the Sub-Committee considered revocation of the licence as a suitable and appropriate option given that the Licensing Authority’s primary consideration is to look after the interests of the wider community and in particular to promote the Licensing Objectives.</p> |

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| | | <p>However, the Sub-Committee have decided to give the licence holder one final opportunity to diligently comply with the conditions of their licence and to work with the Licensing Authority and the Police to improve the management of the premises so as to ensure that they do not undermine the licensing objectives going forward.</p> <p>The Sub-Committee in reaching their decision had regard to the Council’s Licensing Policy and the guidance issued under Section 182 of the Licensing Act 2003.</p> |
| 6 | Review of Premises Licence: Best American Pizza, 16a, Pitfield Street, N1 6EY | This application was deferred to a future meeting. |