



London Borough of Hackney – Decisions taken by the Licensing Sub Committee B on Tuesday, 25 June 2019

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

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| 6 | Personal License Application: Christine Maria Abraham | <p><u>The decision</u></p> <p>The Licensing Sub-Committee RESOLVED that the application for a personal licence be ADJOURNED on this final occasion to enable the Applicant to attend.</p> |
| 7 | Premises License: Still Life, 263 Well Street, E9 6RG | <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 for a premises licence has been approved in accordance with the Council's licensing statement and paragraph 8.1 of the report, with the following amendments :-</p> <ul style="list-style-type: none">• The opening hours and the hours for licensable activity as agreed are: <p><u>Opening Hours:</u></p> |

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| | | <p>Monday to Thursday 10:00 – 23:00 hours Friday to Saturday 10:00 – 00:00 hours Sunday 10:00 - 23:00 hours</p> <p><u>Supply of Alcohol</u> (off the premises):</p> <p>Monday to Thursday 10:00 – 20:00 hours Friday to Saturday 10:00 – 22:00 hours Sunday 10:00 - 21:00 hours</p> <ul style="list-style-type: none"> • Condition 12 to be amended and read as follows: <p>“ Use of the back garden area, shown on the plan, shall cease at the following times:</p> <p>Monday – Thursday 20:00 hours Friday - Saturday 22:00 hours Sunday 21:00 hours</p> <ul style="list-style-type: none"> • The Applicant agreed to the following condition to be added to the licence to prevent noise in the garden in the future : |
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| | | <p align="center">“The external door that leads to the garden, at the premises, shall be kept closed at all times, except for the access and egress of patrons and staff, and shall only be used until 20:00 hours onwards on Monday to Thursday, until 9pm on a Sunday and until 22:00 hours from Friday to Saturday, with the appropriate signage stating the same”.</p> <p><u>Reasons for the decision</u></p> <p>The application has been approved, with the above amendments as the Licensing Sub-Committee were satisfied that the licensing objectives would not be undermined.</p> <p>The Licensing Sub-Committee took into consideration that the Metropolitan Police Service and the Council’s Environmental Enforcement Team had withdrawn their objections in advance of the hearing as the Applicant had agreed the proposed conditions.</p> <p>It was noted from the Applicant’s representations that the proposed licence to sell alcohol, was to simply add to the coffee shop with a vegan menu restaurant. The sale of alcohol is intended for customers to enjoy with brunch, lunch or an evening meal. The Applicant felt the proposed hours fitted comfortably in the area and alcohol will only be served at a table, in-line with the Council’s Policies LP1 and LP2, and that they do not intend to run the premises as a pub. The Applicant lives above the premises and demonstrated he is familiar with the area. He also explained he was running the premises responsibly since they opened in November 2018 and as such was capable of operating the premises in accordance with the licensing objectives. It was noted that the Applicant had not applied for any Temporary Event Notices or a music licence and that the premises has a 5 star food rating, along with there will be a Designated Premises Supervisor on the premises at all times. It was also noted that the premises provides seating for 28 inside the premises and seating for 6 in the garden.</p> <p>The applicant highlighted that there were no previous complaints and that he had worked with</p> |

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| | | <p>and was committed to working with neighbouring local residents to mitigate any impact caused by the operation of the premises. As a result the Applicant agreed to reduce the hours that the back garden could be used each day.</p> <p>The Sub-Committee also noted that although there were four representations opposing this application, there were a number of local residents who supported the application including neighbouring residents who have young families. It was noted that those who were supporting application felt the premises brought the community together for events.</p> <p>However, the Sub-Committee in making their decision took into consideration the concerns of the local residents who stated that they did not object to what the business brings to the area and that the Applicant was offering something unique, along with wanting to move forward as neighbours and a community. The Sub-Committee also accepted their concerns relating to how children who live next to the premises could be affected on week nights from 20:00 hours onwards by the noise emanating from the premises and that it affected their right to privacy. These local residents stated in their representations that it would be difficult for the Applicant to control the noise level created by patrons and Well Street already experienced issues of drunk and disorderly behaviour in the area. These local residents also stated that the premises is close to a residential and mixed use area, as such the effect of the noise from the premises bounces to the back wall where young children are affected. The local residents pointed out that this level of noise was not experienced by local residents previously when the premises was as a fish and chip shop, which closed at a reasonable time, and when it was run as a taxi service.</p> <p>Notwithstanding the above, the Sub-Committee felt the Applicant had demonstrated that he was willing to agree to measures to prevent noise levels such as restricting access to the garden, and restricting use of the door that leads to the garden to avoid noise breakout after a specific time. In addition to this, the Applicant stated that he would consider other measures</p> |

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| | | <p>such as acoustic boards and planting shrubs to reduce the noise impact to local residents, as well as continuing to communicate with neighbouring residents to ensure noise levels were kept to a minimum. The Sub-Committee also noted that following the complaints received from neighbouring residents about the level of noise from the Applicant's "open mic night" the Applicant will no longer hold such events and will only have background music in the premises.</p> <p>Having taken all of the above factors into consideration the Licensing Sub-Committee were satisfied, when granting the amended application, that the licensing objectives would not be undermined, particularly in relation to the prevention of public nuisance.</p> <p>Public Informative</p> <p>The applicant is encouraged to continue engaging with residents to ensure noise levels are acceptable, as well as he and his staff reminding patrons to be mindful of local residents to prevent noise nuisance given the residential nature of the area. The Sub-Committee felt this would avoid the Licensing objectives from being undermined in the future.</p> |
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