

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

6	4 Decking Areas on the First Floor, Boxpark, 2-10 Bethnal Green Road, E1 6GY - Application to vary the Premises Licence	<p><u>APPLICATION TO VARY A PREMISES LICENCE – BOXPARK LIMITED, 4 DECKING AREAS ON THE FIRST FLOOR, BOXPARK, 2-10 BETHNAL GREEN ROAD, LONDON E1 6GY – APPROVAL</u></p> <p><u>The decision of 10th October 2019</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 amended application to vary the premises licence and the Supply of Alcohol (on the premises) 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 by the applicant:</p> <ul style="list-style-type: none">• The opening hours and the hours for licensable activity are: <p><u>Opening Hours:</u></p> <p>Sunday 10:00 - 22:00 hours</p> <p><u>Supply of Alcohol (on the premises):</u></p>
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		<p align="center">Sunday 11:00 – 21:45 hours</p> <ul style="list-style-type: none"> • Conditions 18 and 19 to be removed from the licence. • The applicant withdrew their request to amend condition 20 and to remove conditions 28 and 32. <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 in the Shoreditch Special Policy Area.</p> <p>It was noted that the applicant had amended their application to only seek an extension of the hours of licensable activity for Sundays because they did not have the necessary Planning Permission for the proposed additional hours to open until late on Fridays and Saturdays.</p> <p>In approving the application the sub-committee also noted that the applicant had amended their application in relation to amending and removing some of the existing conditions and that the removal of conditions 18 and 19 would have no impact on the licensing objectives.</p> <p>The applicant when making their revised application confirmed that prior to the application to vary the licence they had 10 successful events on Sundays using a Temporary Event Notice (TENS). The applicant also confirmed that they have sporting events on Sunday mornings when patrons like to purchase alcohol before the events.</p> <p>The sub-committee took into consideration the representations made by the Metropolitan</p>

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		<p>Police, Licensing Services and Other Persons on the grounds of the four licensing objectives being undermined and the potential negative impact that the proposed variation will have on the Shoreditch Special Policy Area. The lengthy representations made by the local residents regarding anti-social behaviour in the area was taken into consideration.</p> <p>The sub-committee took into consideration that the applicant was a responsible, and experienced operator, who demonstrated that the appropriate measures had been taken to mitigate the impact in the Shoreditch Special Policy Area.</p> <p>Having taken all of the above factors into consideration the Licensing Sub-Committee were satisfied, when granting the application, that the licensing objectives would not be undermined, particularly in relation to the prevention of public nuisance in the Shoreditch Special Policy Area.</p>
7	<p>Passione Vino, Basement And Ground Floor, 85 Leonard Street, EC2A 4QS - Application to vary the Premises Licence</p>	<p><u>APPLICATION TO VARY A PREMISES LICENCE – PASSIONE VINO, BASEMENT and GROUND FLOOR, 85 LEONARD STREET, LONDON EC2A 4QS – APPROVAL</u></p> <p>The decision of 10th October 2019</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;

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		<ul style="list-style-type: none"> • The prevention of public nuisance; and • The protection of children from harm, <p>the application to vary the premises licence and the Supply of Alcohol (on the premises) 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"> • Condition 9 be amended and will read as follows: <p>“There shall be no people gathering outside the premises, subject to obtaining an appropriate table and chairs licence allowing for 4 patrons sitting at the two outdoor seasonal tables until 21:00 hours. The two tables are to be brought back into the premises by no later than 21:15 hours”.</p> • Condition 12 be amended and will read as follows: <p>“There shall be a minimum of 2 personal licence holders on duty on the premises at all times when the premises are authorised to sell alcohol”.</p> • Condition 20 be amended and will read as follows:

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		<p>“There shall be no partly consumed or open bottles/ containers taken outside of the premises at any time except for those seated customers in the designated outside seating area. All alcohol off sales shall be wrapped and bagged/ boxed”.</p> <ul style="list-style-type: none"> • Condition 21 be amended and will read as follows: <p>“There shall be no more than 38 patrons in the 3 delineated indoor areas/rooms (i.e. Ground Floor, Mezzanine and Basement) of the premises at any one time, with no more than 20 patrons being in the Ground Floor and Mezzanine at any given time”.</p> <ul style="list-style-type: none"> • Conditions 22 to be removed from the licence. <p>and the following additional condition:</p> <ul style="list-style-type: none"> • “Alcohol shall only be sold, supplied and consumed to seated guests only, and all alcohol shall be served by waiter/waitress service”. <p><u>Reasons for the decision</u></p> <p>The application has been approved, with the above amendments, as the</p>

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		<p>Licensing sub-committee were satisfied that the licensing objectives would not be undermined in the Shoreditch Special Policy Area.</p> <p>The sub-committee took into consideration the representations made by the Metropolitan Police, Licensing Services, Planning Services, Public Health and Other Persons with regards to the potential negative impact that the proposed variation will have on the Shoreditch Special Policy Area. However, it was noted that the Metropolitan Police and Public Health withdrew their representations, in advance of the hearing following the agreement of conditions with the applicant.</p> <p>The applicant explained that were trading as a wine shop selling exclusively imported Italian wines to the UK and originally started out 10 years ago as wholesalers. They explained that the application was primarily to extend the hours that they sell alcohol by 30 minutes on the premises and to increase the capacity when holding events to be able to use the mezzanine and ground floor of the premises. The applicant explained that it was a niche business, which was effectively a wine bar without the 'bar'. They explained that they do not sell beer or cocktails and are not a vertical drinking establishment with the wine tasting done in small rooms for exclusive customers.</p> <p>It was also noted that there are no cooking facilities just a small kitchen in</p>

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		<p>which they prepare authentic snacks from Italy such as boards of cheese, as such there was no intention to turn the wine shop into a restaurant in the future.</p> <p>After hearing from the applicant and their representative along with the remaining Responsible Authority (Licensing), the sub-committee felt that by granting the application to vary the licensable hours and to increase the capacity and areas of use within the premises would not unduly add to negative impact currently being experienced in the Shoreditch Special Policy Area, given the type and style of operation.</p> <p><u>Planning Informative</u></p> <p>The applicant is reminded of the need to operate the premises according to any current planning permission relating to its use 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>
8	The Dolphin, 165 Mare Street, E8 3RH - Application for a Premises	<u>APPLICATION FOR A THE PREMISES LICENCE – THE DOLPHIN, 165 MARE STREET, E8 3RH – APPROVAL</u>

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	Licence	<p><u>The decision of 10th October 2019</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; • The prevention of public nuisance; and • 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 the conditions set out in paragraph 8.1 of the report, with the following amendments and additional condition, as agreed by the applicant:</p> <ul style="list-style-type: none"> • Condition 14 to be amended and read as follows: <p>“Whenever the premises is trading past 20:00 hours, there shall be a minimum of 6 SIA registered door supervisors employed at the premises on Thursday, Friday and Saturday evenings. Additional SIA registered door supervisors will be employed on an operational risk assessment basis. All door supervisors shall enter their full details in the premises daily register at the commencement of their work. They shall record their full name, home addresses and contact telephone number, their SIA registration number, and the time they commenced and conclude working. If the door supervisor was provided by an agency, the name, registered business address and contact telephone number will also be recorded. This register will be made available to Police or any Authorised Officer of Hackney Borough Council immediately upon their request “.</p>

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		<ul style="list-style-type: none"> Condition 24 to be amended and read as follows: “The Fire Safety capacity for the premises will be imposed as a maximum capacity condition for patrons within the premises. Details of this capacity shall be displayed within the premises”. <p>And the following additional Environmental Protection condition, as agreed by the Applicant:</p> <ul style="list-style-type: none"> Whenever regulated recorded music is being played, the rear lobby doors are to remain closed except for access and egress <p><u>Reasons for the decision</u></p> <p>The application for the premises licence 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>After hearing from the applicant, and considering the representations of the Responsible Authorities (as in the Licensing Service and Metropolitan Police), the sub-committee believed that the conditions agreed with the applicant should enable the licensing objectives to be promoted, in terms of a licence being granted that almost mirrored the existing licence for the premises.</p> <p>Public Informative:</p> <ol style="list-style-type: none"> Mr Yildiz has given the following undertakings;

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		<ul style="list-style-type: none"> a) To step down as the licence holder for the current licence for 165 Mare Street, which is currently in joint names, and b) Remove his name as the DPS from the current licence for 165 Mare Street <p>2. The sub-committee requested Mr Yildiz to consider making an application for a single premises licence for both 163 and 165 Mare Street, given that it essentially operates as one premises.</p> <p>3. If a single premises licence application is not made for both 163 and 165 Mare Street and enforcement issues arise when this premises is operating in conjunction with the premises licence for 165 Mare Street, the Responsible Authorities should give serious consideration to reviewing this premises licence to ensure there are clear conditions in place with regards to the separation of each premises.</p> <p>4. If there is a huge disparity between the fire safety capacity and what is considered as an appropriate capacity by the Responsible Authorities, then the applicant is encouraged to vary this premises licence and revise the capacity condition that has been approved.</p>