

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

<p>6</p>	<p>APPLICATION TO VARY THE PREMISES LICENCE : Best American Pizza,16A Pitfield Street, Hackney, N1 6EY</p>	<p>The sub-committee in considering this decision from the information presented to them within the report and at the hearing today by the applicant, the Responsible Authorities (Licensing Authority and the Police) and Other Persons have 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 was refused in accordance with Licensing Policy (LP) 1, 2, 3 and 10 within the council's licensing statement.</p> <p><b><u>Reasons for the decision</u></b></p> <p>The licensing sub-committee, took into consideration the issues raised both in advance of the hearing and at the hearing itself and believed that the granting of the variation to the licence is likely to result in the licensing objectives being undermined. The sub-committee took the view that the applicant had not sufficiently demonstrated how the variation of the premises licence would not contribute and add to the negative cumulative impact in the Shoreditch Special Policy Area (SPA) which is already being experienced.</p> <p>It was noted that the premises is within the Shoreditch SPA and that the recent pedestrianisation of the immediate area around the premises would only exacerbate the problem of people staying around this already busy area for even longer, especially in the summer period, which would inevitably result in even more nuisance and disorder.</p>
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**London Borough of Hackney – Decisions taken by the Licensing Sub Committee E on Tuesday, 18 February 2020**

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		<p>The sub-committee also took into account the concerns raised by the Other Person in attendance from the University of Westminster, who was representing student groups that reside within the residential accommodation above the premises. It was explained that the university had a duty of care for the students whilst they live above the premises. Because of concerns relating to public safety and nuisance emanating from the premises itself, they were unable to support the amended application.</p> <p>In making their decision the committee felt that although the removal of the limited alcohol sales would have been welcomed, they were still not convinced that the longer hours could be managed to an extent that the problems in the area would not get worse, even if the condition, which the licensee refused to accept, of only allowing deliveries after 3am had been added to the licence. This was due to the concerns of the licensee being able to practically achieve this in terms of managing the expectations of the passing trade at that time. It was also felt that although there had been an improvement in the previous poor management and operation of the premises, which had initially led to the licence being revoked, this in itself didn't justify the licensee being rewarded by having his licence extended within such a challenging area.</p> <p>It was for the reasons set-out above that the sub-committee, after carefully considering the comments and responses provided by the applicant's legal representative, and the representations and concerns raised by the Responsible Authorities (Licensing Authority and the Police) and Other Person, were of the view that the applicant was unable to demonstrate that the licensing objectives would be promoted by the amended application being granted.</p>
7	APPLICATION TO VARY THE PREMISES LICENCE : L'Atelier,31 Stoke Newington Road, N16 8BJ	<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> </ul>

**London Borough of Hackney – Decisions taken by the Licensing Sub Committee E on Tuesday, 18 February 2020**

Agenda Item No	Topic	Decision
		<ul style="list-style-type: none"> <li>• Prevention of public nuisance;</li> <li>• The protection of children from harm;</li> </ul> <p>The application to vary the premises licence has been approved in accordance with the Council's licensing statement and the suggested amendments set out in paragraph 8.1 of the report, with the following amendments agreed between the applicant and the Responsible Authorities (the police) and also recommended by the Licensing Authority:</p> <ul style="list-style-type: none"> <li>• The removal of off sales from the licence</li> <li>• Condition 14 on the current licence to be reworded to read: Except for no more than 10 patrons at any one time, alcohol shall only be sold, supplied or consumed on the premises to persons who are taking a substantial table meal from the menu and that the consumption of alcohol (apart from those 10 patrons) shall be ancillary to the taking of such meals.</li> </ul> <p>Along with the additional conditions being added to the licence:</p> <ol style="list-style-type: none"> <li>1. Save for a maximum of five smokers, the use of the outdoor areas shall cease after 2100hours.</li> <li>2. There shall be no glass, drinks or open containers taken outside the premises after 2100hours.</li> <li>3. There shall be no more than 30 patrons on site at any time.</li> <li>4. The premises in cooperation with and at the request of the police, will facilitate a premises drug testing operation using the Ion itemiser or similar device.</li> <li>5. All patrons will be seated and be served by waiter or waitress service only.</li> <li>6. There shall be no dancing or area for dancing on the premises.</li> <li>7. There shall be no disc jockeys on the premises.</li> <li>8. There shall be no standing at the bar.</li> </ol>

**London Borough of Hackney – Decisions taken by the Licensing Sub Committee E on Tuesday, 18 February 2020**

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		<p><b>Reasons for the decision</b>                      The Licensing Sub-Committee had taken into consideration that the Metropolitan Police had withdrawn their representation and had agreed with the applicant a number of amendments to conditions. After hearing from the agent for the applicant, the applicant themselves, the representation from the Licensing Authority, and the written representation from Other Persons, the sub-committee were satisfied that the variation to the licence with the additional conditions, would not undermine the licensing objectives within the Dalston SPA.</p> <p><b><u>Public Informative:</u></b></p> <p>It was also noted for the public record that the licensee should submit an updated plan to the Licensing Service to reflect the revised seating plan.</p>
8	APPLICATION TO VARY THE PREMISES LICENCE : Shoreditch Platform, 1 Kingsland Road, E2 8AA	<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 has been approved in accordance with the Council's licensing statement and the additional conditions set out in paragraph 8.1 of the report, along with confirmation that there would be no change in the overall capacity, which would remain as contained within condition 39 of the existing licence.</p>

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<b>Agenda Item No</b>	<b>Topic</b>	<b>Decision</b>
		<p><b>Reasons for the decision</b></p> <p>The licensing sub-committee, having heard representations from the agent for the applicant, the applicant themselves and from the Responsible Authority (the Licensing Authority) were satisfied that the application to vary the premises licence would not undermine the licensing objectives.</p> <p>The sub-committee noted, from the representation made by the Licensing Authority, that the premises was located in the Special Policy Area (SPA) in Shoreditch, which had been identified as suffering negative cumulative impact from the concentration of licensed premises. The sub-committee noted that the effect of this variation to the licence would be the extension of the licensing area to include the first floor, and would not result in an increase in the overall capacity by 40 people. It was confirmed that the maximum capacity for the premises, across both the first and second floor would remain as set out in the existing licence of no more than 100 patrons.</p> <p><b>Public Informative</b></p> <p>The licensing sub-committee reminded the applicant that with the granting of this variation on the premises licence they would expect the licensee, as had been indicated in the hearing, to reduce the number of Temporary Event Notices (TENs) that they submitted for the premises.</p>