



London Borough of Hackney – Decisions taken by the Licensing Sub Committee C on Thursday, 28 November 2019

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

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| 5 | Application for a Premises Licence, SET, 27a Dalston Lane, E8 3DF | <p><b><u>The decision of 28<sup>th</sup> November 2019</u></b></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 Time limited application for the period 4 December 2019 to 4 December 2022 has been approved in accordance with the Council’s licensing statement and the proposed conditions as set out in paragraph 8.1 of the report, with the following amendments:</p> <ul style="list-style-type: none"><li>• The opening hours and the hours for licensable activity are:<br/><br/>Opening Hours:<br/><br/>Monday to Thursday 12:00 - 00:30 hours<br/>Friday to Saturday 12:00 - 02:30 hours<br/>Sunday 12:00 – 01:00 hours<br/><br/>Supply of Alcohol (on the premises):<br/><br/>Monday to Thursday 17:00 - 00:00 hours<br/>Friday 17:00 - 00:30 hours</li></ul> |
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|                |       | <p>Saturday 14:00 - 00:30 hours<br/>           Sunday 14:00 - 00:30 hours</p> <p>Performance of Dance</p> <p>Monday to Thursday 12:00 - 23:00 hours<br/>           Friday to Saturday 12:00 - 02:00 hours<br/>           Sunday 12:00 – 00:30 hours</p> <p>Recorded Music</p> <p>Monday to Thursday 12:00 - 00:00 hours<br/>           Friday to Saturday 12:00 - 02:00 hours<br/>           Sunday 12:00 – 00:30 hours</p> <p>Live Music</p> <p>Monday to Thursday 12:00 - 00:00 hours<br/>           Friday to Saturday 12:00 - 02:00 hours<br/>           Sunday 12:00 – 00:30 hours</p> <p>Films</p> <p>Monday to Thursday 12:00 - 23:00 hours<br/>           Friday to Saturday 12:00 - 02:00 hours<br/>           Sunday 12:00 – 00:30 hours</p> <p>Plays</p> |

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|                |       | <p align="center">Monday to Thursday 12:00 - 23:00 hours<br/>                     Friday to Saturday 12:00 - 02:00 hours<br/>                     Sunday 12:00 – 00:30 hours</p> <p>and the following additional condition:</p> <ul style="list-style-type: none"> <li>• “Comprehensive on-site staff training shall be provided to each member of staff. This will cover all licensing laws, policies and procedures in respect of the premises to be attended by all staff “</li> </ul> <p><b><u>Reasons for the decision</u></b></p> <p>This Time limited application for the period 4 December 2019 to 4 December 2022 has been approved, with the above amendments and additional condition, as the Licensing sub-committee was satisfied that the licensing objectives would not be undermined.</p> <p>It was noted that the Applicant at the hearing withdrew their application for Late Night Refreshment.</p> <p>The Licensing sub-committee took into consideration that the Metropolitan Police had withdrawn their representation in advance of the hearing following the Applicant agreeing to reduce the proposed hours for the sale of alcohol on Monday to Thursday each week. It was also agreed that the conditions from the current premises licence would be replicated to the new licence. The Applicant has also agreed to surrender the current licence once the new Licence has been issued.</p> <p>After hearing from the Applicant, and carefully considering the representations and concerns of the Other Persons the sub-committee were satisfied that the reduced hours, the conditions that</p> |

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|                       |              | <p>had been agreed together with the processes and procedures that the Applicant has in place at the premises would mitigate any negative impact in the residential area.</p> <p>The sub-committee noted that the Applicant is a charitable organisation and the premises are run as a cultural space to offer an alternative not just providing vertical drinking. The Applicant confirmed that they would provide staff training on Licensing legislation and requirements for all their staff to ensure the licensing conditions and objectives are upheld at the premises.</p> <p>The Applicant demonstrated that they have security procedures and SIA staff in place at the premises to monitor outside of the premises at all times in particular they will be monitoring the numbers of patrons in the smoking area to ensure they comply with the limit on the number of smokers permitted outside at any given time. The Applicant confirmed that when they have events the SIA security manage the queues outside of the premises in addition to having CCTV covering the relevant outside areas. The Applicant also confirmed that they have not received any compliments from the local residents in the last 12 months.</p> <p>Having taken all of the above factors into consideration the Licensing Sub-Committee were satisfied, when granting the amended application for a Time limited premises licence, that the licensing objectives would be promoted, particularly in relation to the prevention of crime and disorder and prevention of public nuisance.</p> <p><b>Public Informative</b></p> <p>The Applicant has agreed to surrender the current premises licence once the new Licence has been issued.</p> |

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| 6              | Application to vary premises license:<br>The Old Street Gallery, 62 Paul Street, EC2A 4NA | <p><b><u>The decision of 28<sup>th</sup> November 2019</u></b></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 has been approved as applied for on the application, and in accordance with the Council’s licensing statement set out in paragraph 8.1 of the report, with the following amendments:</p> <ul style="list-style-type: none"> <li>• Supply of Alcohol (on the premises): <ul style="list-style-type: none"> <li>Sunday to Thursday 10:00 - 23:00 hours</li> <li>Friday to Saturday 10:00 - 23:30 hours</li> </ul> </li> </ul> <p>And the following additional Environmental Protection conditions agreed by the Applicant:</p> <ul style="list-style-type: none"> <li>• Staff shall monitor customers smoking outside the premises from 21:00 hours to ensure that patrons do not cause a public nuisance.</li> <li>• There shall be a maximum of 4 people at any one time using the designated smoking area.</li> </ul> |

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|                |       | <ul style="list-style-type: none"> <li>• Notices shall be prominently displayed at any area used for smoking, requesting patrons to respect the needs of local residents and use the area quietly.</li> </ul> <p><b><u>Reasons for the decision</u></b></p> <p>The application to vary 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>The sub-committee took into consideration that the Metropolitan Police had withdrawn their representation in advance of the hearing, and that the applicant agreed to reduce the proposed hours for the sale of alcohol by 30 minutes each day.</p> <p>The sub-committee also took into consideration that the Environmental Protection Team had withdrawn their representation in advance of the hearing following the applicant agreeing to additional conditions relating to smoking.</p> <p>After hearing from the applicant, and considering the representations of the Responsible Authority (Licensing) and Other Persons the sub-committee were satisfied that the reduced hours, and the conditions that the applicant agreed to would promote the licensing objectives.</p> <p>The sub-committee took into consideration that the premises were to be run ancillary to an art gallery, and that the applicant had demonstrated that since the premises licence had been granted that they had complied with the conditions on their licence, and have procedures in place such as a dispersal policy, to control the guests at their private events who were invited by invitation only. It was also noted that the applicant had used a number of Temporary Event Notices for private events which took place without incident.</p> |

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|                       |              | <p>Having taken all of the above factors into consideration the Licensing Sub-Committee were satisfied, when granting the variation to the premises licence, that the licensing objectives would not be unduly undermined particularly in relation to the prevention of crime and disorder and prevention of public nuisance.</p> <p>.</p> |
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