



London Borough of Hackney – Decisions taken by the Licensing Sub Committee D on Thursday 10 February 2022

Agenda Item No	Topic	Decision
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Items considered in public

4	Minutes of the Previous Meeting	There were no minutes for consideration at the meeting.
6	Application to vary the premises licence: The Tiger, Wick Road, London, E9 5AF	<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 to vary a premises licence has been refused in accordance with Licensing Policies LP1, LP2, LP3 and LP11 within the Council's Statement of Licensing Policy.</p> <p>Reasons for the decision</p> <p>The Licensing Sub-Committee, having heard from the Responsible Authorities (the Metropolitan Police Service and the Licensing Authority) and Other Persons believed that granting the application would be likely to result in the licensing objectives being undermined, and would have a negative impact on the residential area.</p> <p>The Sub-Committee took into consideration the representations of the Metropolitan Police Service ("the police") objected to this application due the impact it would have on the area. The police made representations that the premises already benefit from hours that exceed the core hours as set out in Policy LP3 of the Council's Statement of Licensing Policy and this application if granted would further exceed those hours. In addition the police made</p>

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		<p>submissions that the premises are situated on a busy junction and close to residential premises. The police also had concerns about dispersal from the premises that the removal of condition 25 is likely to see an increase in the use of the function room and an increase in the number of persons in the premises.</p> <p>The Sub-Committee also heard from the Licensing Authority that the proposed variation for additional hours could have a negative impact on residential premises in the immediate vicinity. The Licensing Authority made representations that the premises is close to a busy junction. The Sub-Committee heard that it is expected that the volume of traffic and the ambient noise levels would drop off in the early hours of the morning.</p> <p>The Sub-Committee took into consideration the representations from Councillor Chris Kennedy, objecting on behalf of three Hackney Wick Councillors, additional hours, especially the serving of alcohol late at night and the early hours of the morning on Friday and Saturday, are likely to cause significant disturbance to local residents, not least as the 'performance of dance' is also included in the application. The proposed variation is likely to turn the pub into a club at the weekend and undermine the Council's Licensing Policy.</p> <p>The Sub-Committee heard submissions from Other Persons that the premises is close to their house in a quiet, residential area and most of the time it is a pleasant pub that only causes problems on the occasions it is open late at night. The increased hours will change that, and it will become a place of constant nuisance and disorder.</p> <p>The Sub-Committee carefully considered the representations made by the applicant, the applicant's representative together with those of the Metropolitan Police Service, the Licensing Authority and Other Persons (Councillors and local residents). However the Sub-Committee were not convinced that the applicant's proposed extended hours would justify them making an exception to grant additional hours outside the Council's Statement of</p>

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		<p>Licensing Policy.</p> <p>The Sub-Committee took into consideration the amended hours and removal of condition 25 proposed by the applicant, however, this did not go far enough to mitigate the negative impact in close proximity to local residents late at night. The Sub-Committee were concerned about the public nuisance and anti-social behaviour that may arise.</p> <p>The Sub-Committee also took into consideration objections received from local residents confirming their objections to the additional hours and the disturbance it would cause to local residents trying to sleep late at night. The Sub-Committee took into account the negative impact of noise on residential properties situated close to the premises. The Sub-Committee heard evidence that the area does not have good transport links from the premises after midnight.</p> <p>The Sub-Committee took into account the lack of public transport available after midnight at that time of night means there will be taxis coming and going for several hours into the early hours in Wick Road, Kenworthy Road, Benn Street and Bushberry Road. It was clear that the residential area would not be able to cope with the premises opening late at night. The Sub-Committee also had concerns about dispersal late at night from the premises which is located near to a busy junction.</p> <p>The Sub-Committee heard the applicant’s circumstances, and the impact on the premises as a result of the Covid-19 restrictions during the pandemic. However, the applicant has not been able to demonstrate adequate exceptional circumstances, to justify the extension of hours, and the application being approved. The Sub-Committee felt a more modest increase would have been more acceptable, and financial and economic considerations are not reasons to increase the hours.</p>

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		<p>The Sub-Committee took into consideration when refusing this application that each case is considered on its merits. The Sub-Committee believed that the licensing objectives could not be promoted by granting this variation application, and as such believed it was appropriate to refuse the application in its entirety.</p> <p>Your right to appeal</p> <p>If you are aggrieved by any term, condition or restriction attached to this decision, you have the right to appeal to Thames Magistrates at Thames Magistrates Court, 58 Bow Road, London E3 4DJ within 21 days of this date.</p>
7	Application for a Premises Licence: The Dolphin, 165 Mare Street, London E8 3RH	The premises licence was deferred to another date to be heard due to unforeseen circumstances.
8	Temporary Event Notices - Standing Item	There were no Temporary Event Notices considered at the meeting.