



London Borough of Hackney – Decisions taken by the Licensing Sub Committee A on Tuesday 9 August 2022

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

6	Variation Premises Licence: Timbar, Ground Floor, 8 Stoke Newington Road, London, N16 7XN	<p><b>RESOLVED:</b></p> <p><b>The decision:</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> <p>The prevention of crime and disorder; Public safety; Prevention of public nuisance; The protection of children from harm;</p> <p>the application to vary a premises licence has been refused in accordance with Licensing Policies LP1, LP2, LP3, and LP10 within the Council’s Statement of Licensing Policy.</p> <p><b>Reasons for the decision</b></p> <p>The Licensing Sub-committee, having heard from the Other Persons (local residents) believed that granting the application would result in the licensing objectives being undermined, and would have a negative impact on the Dalston Special Policy Area (Dalston SPA).</p> <p>The Sub-committee took into consideration the representations of the Other Persons who objected to this application due the impact it would have late at night on local residents. The Sub-committee noted that the premises is in the centre of the Dalston SPA, and the premises currently holds a premises licence for the sale of alcohol.</p>
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		<p>The Sub-committee took into account that the Applicant had not sufficiently demonstrated how they would not add to the cumulative impact in the Dalston SPA. The Sub-committee took into consideration that the proposed hours for recorded music until 02:00 would attract customers late at night.</p> <p>The Sub-committee carefully considered the representations made by the Applicant, and the Applicant’s joint owner/ business partner, and they took into consideration the work they had done to improve the premises to prevent noise breakout alongside the representations of the Other Persons. The Applicant did not allay the concerns raised by the Other Persons.</p> <p>The Sub-committee was not convinced that the Applicant’s proposed hours for recorded music until 02:00 would justify them making an exception to grant hours outside the Council’s Statement of Licensing Policy. The Sub-committee after hearing from the Applicant felt that the Applicant lacked the understanding of the importance of having a robust Dispersal Policy.</p> <p>The Sub-committee took into consideration that the premises is currently open 24 hours, and near a residential area that will have a negative impact on local residents if the premises operated to a late hour, and could give rise to public nuisance in the Dalston SPA.</p> <p>The Sub-committee sympathised with the Applicant’s circumstances, and the impact on the premises following the Covid-19 restrictions during the pandemic. However, the Applicant has not been able to demonstrate adequate exceptional circumstances, to justify the proposed hours in the Dalston SPA. The Sub-committee cannot take into consideration financial circumstances as a reason to grant the variation.</p> <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</p>

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		refuse the application in its entirety.
<b>7</b>	Application for a Premises Licence: 255 Mare Street, London, E8 3NS	<p><b>RESOLVED:</b></p> <p><b>The decision:</b></p> <p>The Licensing Sub-Committee heard from the parties, however, before the hearing concluded the Applicant decided to WITHDRAW their application.</p>
<b>8</b>	Temporary Events Notice –Standing Item	There were no temporary event notices.