



London Borough of Hackney – Decisions taken by the Licensing Sub-Committee A on Tuesday 25 October 2022

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

6	Papi, 1F Mentmore Terrace, E8 3DQ - Premises Licence Application	<p><u>The decision</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 application for a premises licence has been approved in accordance with the Council's Statement of Licensing Policy and the conditions set out in paragraph 8.1 of the report, with the following amendment :-</p> <p>The opening hours and the hours for licensable activity are:</p> <p>Opening Hours:</p> <table><tbody><tr><td>Sunday to Thursday</td><td>12:00 - 22:30</td></tr><tr><td>Friday to Saturday</td><td>12:00 - 23:00</td></tr></tbody></table> <p>Supply of Alcohol (On and off the premises):</p> <table><tbody><tr><td>Sunday to Thursday</td><td>12:00 - 22:00</td></tr><tr><td>Friday to Saturday</td><td>12:00 - 22:30</td></tr></tbody></table>	Sunday to Thursday	12:00 - 22:30	Friday to Saturday	12:00 - 23:00	Sunday to Thursday	12:00 - 22:00	Friday to Saturday	12:00 - 22:30
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		<ul style="list-style-type: none"> • Remove condition 26 from the licence • Condition 25 to be amended to read as follows: " The premises licence holder shall ensure: i) that there is no smoking in the vicinity and immediately outside of the premises, and ii) that any patrons smoking outside to do so across the road opposite the premises near the railway station in an orderly manner, and ensure that there is no public nuisance". <p align="center">And the following additional conditions:</p> <ul style="list-style-type: none"> • Condition 33 on page 30 of the Licensing report has been agreed by the Applicant. • No licensable activity permitted outside of the premises. • The Licence holder shall submit a revised site plan with the external area removed and the updated licensable area for approval by the Licensing Authority. • The sale and supply of alcohol for consumption off the premises shall be limited to off-sales for customers on the premises who have consumed a table meal and shall only be permitted to purchase alcohol in sealed containers to take off the premises. • There shall be no consumption of alcohol directly outside of the premises at any time. • From 20:00 All doors and windows on the premises shall be kept closed, other than for access and egress to prevent noise breakouts and disturbance to local residents above and around the premises and in the area. • The maximum number of persons allowed at the premises shall not exceed 42 subject to the following maximum occupancies: <p>First Floor 28 persons and Ground Floor 14 persons</p> <p>Reasons for the decision</p>

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		<p>The Sub-committee approved the application with the above amendments and additional conditions agreed with the Applicant for on-sales and off-sales of alcohol at the premises to prevent the licensing objectives being undermined.</p> <p>The Sub-committee took into consideration that the Applicant had agreed conditions with the Environmental Protection and the Environmental Enforcement teams in advance of the hearing, and both Responsible Authorities subsequently withdrew their objections to the application.</p> <p>The Sub-committee noted that the Metropolitan Police Service (“the Police”) had withdrawn their representation after the Applicant agreed to remove non-standard timings from their application.</p> <p>The Sub-committee took into account that the Licensing Authority made representations objecting to the application.</p> <p>The Sub-committee heard that premises were located directly below residential apartments. Therefore the Licensing Authority was concerned that the proposed activity will have a negative impact on the promotion of the licensing objectives, in particular, the prevention of public nuisance due to the nature and character of the surrounding area. The Sub-committee heard the Licensing Authority’s representations that a condition restricting the activity to a restaurant operation would be favourable. The Sub-committee noted that the Applicant needed to resolve the Planning issues of the premises and obtain Planning Permission.</p> <p>The Sub-committee also took into account the 13 objections raised by Other Persons (local residents), and their concerns about noise nuisance from the premises which is close to the residential area.</p> <p>The Sub-committee heard the concerns raised by local residents that they did not want drunk</p>

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		<p>people loitering in the area and causing a nuisance and a disturbance in the block. The Sub-committee noted that there were also concerns about safety.</p> <p>The Sub-committee took into consideration that before the hearing the Applicant did send a letter to local residents to try and address their concerns and invited them to meet with them or let them know what their concerns were. The Sub-committee also confirmed that the Applicant is no longer seeking late night hours.</p> <p>The Sub-committee heard representations from the Applicant that the premises proposed to operate as a high end restaurant serving organic wine and they will not operate as a bar or an off licence. The Applicant contended that there will be no vertical drinking, and alcohol will not be served without food. The Applicant made submissions that the premises focus on sustainability and no waste, and they would not consider holding Temporary Events without notifying local residents. The Sub-committee heard that the Applicant intends to continue working with local residents.</p> <p>The Sub-committee felt that the Applicant agreeing to remove the outside area from the licensable area of the premises went some way towards mitigating the concerns of local residents in the area and gave them some assurances which the Licensing Authority welcomed also. In addition the Sub-committee felt that the reduction in the operational hours would reduce the impact on the local residents.</p> <p>The Sub-committee felt that the proposed restaurant and business model would not add to the cumulative impact in the London Fields area in particular public nuisance and anti- social behaviour, and the proposed measure to close windows and doors from 20:00 will prevent a disturbance to local residents.</p> <p>The Sub-committee took into consideration the concerns of local residents and felt that the</p>

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		<p>Applicant needed a period of time to demonstrate they could comply with the conditions on their licence and operate the premises responsibly.</p> <p>The Sub-committee took into consideration that the Applicant had worked with the Responsible Authorities to try and resolve their concerns.</p> <p>Having taken all of the above factors into consideration, the Licensing Sub-committee was satisfied that the application could be approved without the licensing objectives being undermined.</p> <p>Public Informative</p> <p>The premises licence holder is encouraged to continue working with the local residents to deal with any issues arising relating to noise nuisance.</p> <p>The applicant and the operator are reminded of the need to operate the premises according to any current licensing conditions on the premises licence and 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>
7	Premises Licence Application-Wavey, 9 Hackney Road, London, E2 7NX	This application was withdrawn.