

London Borough of Hackney – Decisions taken by the Licensing Sub Committee E on Tuesday 29 November 2022

Agenda Item No	Topic	Decision
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Items considered in public

5	Premises Licence: Bohemia Place Market, 11 Bohemia Place, London,E8 1DU	<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; and• 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 proposed conditions set out in paragraph 8.1 of the report as applied for with the following amendments agreed with the Applicant:</p> <p>Supply of Alcohol (Off Sales)</p> <p>Monday to Sunday 10:00 - 23:00</p> <p>Supply of Alcohol (On Sales)</p> <p>Sunday to Wednesday 10:00 - 23:30 Thursday 10:00 - 00:00 Friday to Saturday 10:00 - 01:30</p> <p>Amend Condition 19 as follows:</p> <p>"The capacity inside the venue shall be limited to 150 persons (this does not include staff members)".</p>
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		<p>Amend Condition 20 as follows:</p> <p>“A minimum of 1x SIA door supervisors shall be employed when the venue is open after midnight and at other times on an operational risk assessment basis whenever licensable activity is taking place. All door supervisors shall enter their full details in the premises daily register at the commencement of their work. They shall record their full name, home address and contact telephone number, their SIA registration number and the times they commence and conclude working. If the door supervisor is provided by an agency, the name, registered business address”.</p> <p>Amend Condition 21 as follows:</p> <p>“Use of the external area shall be limited to 18 persons and shall cease at 20:00. Save for a maximum of 6 smokers in the external area after 20:00”.</p> <p>And an additional condition of:</p> <p>No new entry to the venue after midnight except for those with pre-booked tickets.</p> <p>Reasons for the decision</p> <p>The application for a premises licence has been approved because the Licensing Sub-Committee was satisfied that the licensing objectives would not be undermined.</p> <p>The Sub-Committee took into consideration that the Responsible Authorities (Environmental Environment and the Metropolitan Police Service (“the Police”)) agreed conditions with the Applicant in advance of the hearing, and withdrew their objections</p> <p>The Sub-Committee took into consideration that the Licensing Authority raised an objection,</p>

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		<p>and no local residents made representations. The Sub-Committee noted that the Environmental Protection team made no representations. The Sub-Committee noted that the premises had a temporary licence until July 2023, and they held 26 temporary events over an 18 month period with four live music events. The Sub-Committee noted there were no issues arising from these temporary events.</p> <p>The Sub-Committee heard that there were no specific complaints of noise allegations at the premises. The Sub-Committee noted that there was a detailed acoustic report providing recommendations should the licence be granted. The Sub-Committee noted that the premises is near Hackney Central train station and it is situated in a railway arch.</p> <p>The Sub-Committee took into account that the Applicant's noise consultant provided with the application, a dispersal policy, a risk assessment and a noise policy. The Sub-Committee noted that the nearby Tesco store is open till late at night and there can be noise coming from the car park. The Sub-Committee noted that the sound system had been tested through the temporary events over 18 months, and there are good transport links from the premises late at night. The Sub-Committee took into consideration that there are booked events that take place at the premises and that the premises are not in a cumulative impact area. The Sub-Committee heard from the Applicant's legal representative that there is a lack of objections in respect of the application. The Sub-Committee took into consideration that off sales were agreed with the Applicant to end at 23:00 hours.</p> <p>The Sub-Committee heard the Licensing Authority's representations about noise complaints. The Sub-Committee heard that the Licensing Authority's concerns were in relation to late hours beyond core hours as set out in policy LP3 on Friday, Saturdays and Sundays.</p> <p>The Sub-Committee heard the Licensing Authority's representations that the Bohemia Place is part of the night time economy and they had received noise complaints generally in respect of the area. The Sub-Committee heard that the Licensing Authority considered the acoustic report</p>

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		<p>that had been provided by the Applicant, and the Licensing Authority felt that the application is well supported by additional conditions. The Sub-Committee heard that the Licensing Authority's main concern are the hours which are outside of core hours, and may have a negative impact on the area. The Sub-Committee noted that this is not a residential area, and there were no specific noise allegations received by the Council's Environmental Protection Team. The Sub-Committee considered that the general noise complaints received related to the Tesco car park. The Sub-Committee noted that there were commercial premises in the Bohemia Place area and some residential properties on the main street.</p> <p>The Sub-committee heard that the disposal policy is a best practice policy for the premises, taking into account local transport links and dispersal in the area. The Sub-committee heard that the Licensing Authority had received complaints about music noise not about crowd noise. The Sub-committee took into consideration that the Licensing Authority had received general complaints about music and activities at Bohemia Place, but not specific to these premises. The Sub-committee noted the complaints were from Morning Lane late at night.</p> <p>The Sub-committee heard that the Applicant lived and worked in Hackney and they are committed to working with all sections of the community on projects, and in partnerships such as developing Bohemia Place. The Sub-committee heard that the Applicant cared about the local area which people have seen.</p> <p>The Sub-committee took into consideration the risk assessment that it is a large premises and they accepted the change in the capacity of the premises from 60 persons to the increased capacity of 150 persons at any one time on the premises.</p> <p>The Sub-committee took into consideration that the Applicant intended to have live music events more than 3 nights a week, and they noted that there was a noise limiter to control music that is played at the premises.</p>

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		<p>The Sub-committee took into consideration that the noise issues were addressed, and that the premises would not cause a public nuisance or antisocial behaviour. The Sub-committee were impressed by the cultural offerings in programs. The Sub-committee took into account that the Licensing Authority was satisfied with the representations made by the Applicant and the legal representative.</p> <p>The Sub-committee felt that the Applicant's acoustic report was comprehensive, and the recommendations from the report would help to prevent noise nuisance and mitigate the noise concerns.</p> <p>Having taken all of the above factors into consideration the Licensing Sub-Committee was satisfied that this application could be approved without the licensing objectives being undermined.</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 the Thames Magistrates Court, 58 Bow Road, London E3 4DJ within 21 days of the date you receive this written decision.</p>