



London Borough of Hackney – Decisions taken by the Licensing Sub Committee E on Tuesday 6 December 2022

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

6	Variation of Premises Licence: My Ex Bar, 11 Chatsworth Road, London, E5 0LH	<p>RESOLVED:</p> <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 to vary a premises licence has been refused in accordance with Licensing Policies LP1, LP2, LP6 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 Licensing Authority and the Other Persons believed that granting this application is likely to result in the licensing objectives being undermined and will have an impact on the area.</p> <p>The Sub-committee took into consideration that there were objections raised by Other Persons (two local Ward Councillors Lea Bridge and Kings Park on behalf of the local residents) on the grounds of the four licensing objectives. The Sub-committee took into consideration objections raised by the Licensing Authority on the grounds of public nuisance.</p>
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		<p>The Sub-committee took into consideration the concerns of the Licensing Authority that additional hours in this area could have a negative impact on nearby residential properties therefore undermining the prevention of public nuisance.</p> <p>The Sub-committee took into account that there had been complaints from local residents due to the level of noise coming from the premises which affected their sleep. The Sub-committee took into consideration the alleged breaches of the conditions of the premises licence by having customers seated outside until late at night.</p> <p>The Sub-committee took into consideration representations made by the Ward Councillors on behalf of the local residents that it is not appropriate to allow outdoor seating until 23:00 at a bar in a residential area such as Chatsworth Road and the surrounding streets, especially on weekday nights and Sunday evenings.</p> <p>The Sub-committee noted that the noise disturbance from the premises during the Summer months in 2022 following its opening was significant and repeated despite residents complaining. The Sub-committee heard that the indoor section of the bar is small and so the business is strongly incentivised to exceed its outdoor seating restriction. The Sub-committee carefully considered the representations made by the Premises Licence holder, the Licensing Authority and Other Persons (Ward Councillors). The Sub-committee was not convinced by the Premises Licence holder's proposed variation of the premises licence which was contrary to the Council's Licensing Policy LP6.</p> <p>The Sub-committee felt that there were not strong mitigating factors or evidence to support why the Premises Licence holder should be granted the variation to the premises licence because it will have an impact on the residential area that was in close proximity to the premises. The Sub-committee also took into consideration the Premises Licence holder's track record.</p>

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		<p>The Sub-committee felt that the nature of the area is changing to increased daytime business as trade increases. The Sub-committee encourages more daytime use in keeping with the area.</p> <p>The Sub-committee also felt that by not granting this variation application it would prevent anti-social behaviour which would contribute to increasing public nuisance in the area.</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 refuse the application in its entirety.</p>
7	New Premises Licence: The Fisheries Work Space, 1 Mentmore Terrace, E8 3PN - TO FOLLOW	<p>RESOLVED:</p> <p>This application has been withdrawn.</p>