

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

6	Premises Licence: Great Beyond Brewing Company,416-418 Union Walk, London, E2 8HP	<p>RESOLVED:</p> <p><u>The decision</u></p> <p>The Licensing Sub-Committee, in considering this decision from the information presented to them within the report and at the hearing and having regard to the promotion of 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 and the proposed conditions set out in paragraph 8.1 of the report, with the following amendments:</p> <p>The opening hours and the hours for licensable activity are:</p> <p>Opening Hours:</p> <table><tr><td>Monday to Saturday</td><td>10:00 – 23:00</td></tr><tr><td>Sunday</td><td>10:00 - 21:00</td></tr></table> <p>Supply of Alcohol (on the premises):</p> <table><tr><td>Monday to Friday</td><td>16:00 – 22:30</td></tr><tr><td>Saturday</td><td>12:00 – 22:30</td></tr></table>	Monday to Saturday	10:00 – 23:00	Sunday	10:00 - 21:00	Monday to Friday	16:00 – 22:30	Saturday	12:00 – 22:30
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		<p>Sunday 12:00 - 20:30</p> <p>Supply of Alcohol (off sales):</p> <p>Monday to Saturday 10:00 – 23:00 Sunday 10:00 - 21:00</p> <p>And the following conditions:</p> <ol style="list-style-type: none"> 1. The supply of alcohol for consumption on the premises shall at all times remain ancillary to the use of the premises as a brewery with beer production, storage and distribution. 2. There shall be no licensable activities or consumption of alcohol in external areas of the premises. 3. Patrons shall not be permitted to access or exit the premises via the rear doors or rear yard shown on the licence plan, except in cases of emergency. The rear doors shall remain closed at all times licensable activities are provided, except in cases of emergency. 4. The sale and supply of alcohol for consumption off the premises shall be in sealed containers only and shall not be consumed in the vicinity of the external area of the premises. 5. A minimum of 60 seats shall be maintained in the premises at all times the premises is open for the sale of alcohol for consumption on the premises. 6. A copy of the premises Dispersal Policy shall be available at the premises for inspection by a Police officer and/or an authorised officer of the Council upon request.

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		<p>7. Notices shall be prominently displayed at any area used for smoking requesting patrons to respect local residents and use the area quietly.</p> <p>8. The Premises Licence Holder shall display a contact number or email address of the Designated Premises Supervisor (DPS) or a person responsible for the operation of the premises, for use by any Responsible Authority or any person who may wish to make a complaint during the operation of the licence. This contact number will be in a prominent location so as to be visible externally at the premises as well as being easily accessible to the public. The Premises Licence Holder's contact number will also be provided upon request. The premises telephone number and/or email shall be made available to all local residents and businesses in the vicinity of the premises.</p> <p>9. Patrons are permitted to temporarily leave and then re-enter the premises, e.g. to smoke or make a phone call, shall be limited to 8 persons at any one time.</p> <p>10. The Premises Licence Holder shall ensure that any patrons smoking outside the premises do so in an orderly manner and are properly supervised by staff, and respect local residential neighbours to prevent public nuisance.</p> <p>11. No noise, music or amplified sound, fumes, steam, odours shall emanate from the premises nor vibration be transmitted through the structure of the premises which gives rise to a nuisance within neighbouring residential dwellings or to any persons living or carrying on business in the area where the premises are situated.</p> <p>12. Loudspeakers shall not be located in the entrance and exit of the premises or outside the building.</p> <p>13. All windows and external doors shall be kept closed after 19:00 hours except for the</p>

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		<p>immediate access and egress of persons.</p> <p>14. Signage shall be displayed informing patrons that they are not permitted to use the gate located adjacent to the junction of Union Walk and Nazrul Street (except in cases of emergency) nor loiter around this area, and to respect local residential neighbours.</p> <p>15. The gate located adjacent to the junction of Union Walk and Nazrul Street shall be kept closed from 19:00 Mondays to Saturdays and 12:00 Sundays on any evening that the premises are open for the supply of alcohol for consumption on the premises.</p> <p>16. The premises maintain a comprehensive CCTV system as per the minimum requirements of a Metropolitan Police Crime Prevention Officer. All public areas, entry and exit points will be covered enabling frontal identification of every person entering in any light condition. The CCTV system shall continually record whilst the premises is open for licensable activities and during all times when customers remain on the premises. All recordings shall be stored for a minimum period of 31 days with date and time stamping.</p> <p>17. There will be a staff member at the premises who will be able to facilitate viewing and downloading of the CCTV system with the minimum of delay.</p> <p>18. An incident log shall be kept at the premises, and made available immediately to an authorised officer of the Hackney Borough Council or the Police, which will record the following:</p> <ul style="list-style-type: none"> a. all crimes reported to the venue b. any complaints received c. any incidents of disorder d. any faults in the CCTV system that you have been made aware of e. any refusal of the sale of alcohol f. any visit by a relevant authority or emergency service.

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		<p>19. All instances of crime or disorder shall be reported by the Designated Premises Supervisor or responsible member of staff to an agreed police contact point, as agreed with the Police (at this time this will be hackneylicensing@met.police.uk).</p> <p>20. Where the sale or supply of alcohol is taking place employees of the premises must request sight of evidence of the age of any person appearing to be under 25 years of age (Challenge 25). Such evidence may include a driving licence or passport.</p> <p>21. All staff engaged in the sale of alcohol shall be fully trained and made aware of the legal requirements relating to underage sales and other legal requirements relating to the sale and supply of alcohol. Such training must take place on a 12 monthly basis and written records of the training must be maintained on the premises for inspection by the Police Authorities. This training includes the Welfare And Vulnerability Engagement training.</p> <p>22. A refusals log will be kept at the premises and completed on any occasion a sale is refused, this will be made available to all Responsible Authorities on request.</p> <p>23. When the premises use a courier service, it will be with a written agreement that incorporates a challenge 25 Policy. Records of proof of age checks will be retained for a period of three months. Any courier used, will be made aware of the potential for proxy sales.</p> <p>24. Deliveries will only be made to “post code” addresses, of businesses or residential properties.</p> <p>25. The Premises Licence Holder shall ensure that all entrances, exits and passageways will be kept clear of debris or furniture.</p>

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		<p>26. No rubbish from the premises, including bottles, shall be moved, removed, or placed in outside areas between 2300 hours and 0800 hours.</p> <p>27. When the premises use drivers for their deliveries, it will ensure that vehicles are respectfully parked, do not leave engines running. A dedicated member of staff will monitor the external areas from time to time to ensure that drivers, riders and customers do not congregate in surrounding areas and cause public nuisance to neighbours. All reasonable steps shall be taken to stop patrons from congregating on the road outside the premises and from causing noise and nuisance to residents living in the vicinity of the premises.</p> <p>28. Staff will be diligent in observing those who attempt to make proxy purchases on behalf of underage persons and alert the Designated Premises Supervisor (DPS) should this occur.</p> <p>29. The Premises Licence Holder shall ensure that all staff are fully trained and made aware of the legal requirement of businesses to comply with their responsibility as regards the disposal of waste produced from the business premises. The procedure for handling and preparing for disposal of the waste shall be in writing and displayed in a prominent place where it can be referred to at all times by staff.</p> <p>30. The Premises Licence Holder shall ensure that any contract for general and recyclable waste disposal shall be appropriate in size to the amount of waste produced by the business. The Licensee shall maintain an adequate supply of waste receptacles provided by his registered waste carrier (refuse sacks or commercial waste bins) in order to ensure all refuse emanating from the business is always presented for collection by his waste carrier and shall not use any plain black or unidentifiable refuse sacks or any other unidentifiable or unmarked waste receptacles.</p> <p>31. In order to minimise the amount of time any waste remains on the public highway in</p>

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		<p>readiness for collection, the Premises Licence Holder will ensure the timeframe within which it may expect its waste carrier to collect is adhered to.</p> <p>32. The Premises Licence Holder shall instruct members of staff to make regular checks of the area immediately outside the premises and remove any litter, bottles and glasses emanating from the premises. A final check should be made at close of business.</p> <p>33. The Premises Licence Holder shall provide a safe receptacle for cigarette ends to be placed outside for the use of patrons, such receptacle being carefully placed so as not to cause an obstruction or trip.</p> <p>34. The current trade waste agreement/duty of care waste transfer document shall be displayed and maintained in the premises where it can be conveniently seen and read by persons. This should remain unobstructed at all times and should clearly identify:-</p> <ul style="list-style-type: none"> a. the name of the registered waste carrier b. the date of commencement of trade waste contract c. the date of expiry of trade waste contract d. the days and times of collection e. the type of waste including the European Waste Code <p>35. The capacity of the premises shall be limited to up to a maximum of 74 patrons at any one time.</p> <p>36. A dedicated member of staff and/or SIA door security staff shall monitor patrons leaving the premises, patrons and staff waiting for taxis or other forms of transport will be encouraged to wait within the premises and this includes delivery drivers and riders. All patrons and staff shall only smoke in the designated smoking area in the front yard shown on the premises licence plan.</p>

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		<p>37. There shall be no servicing, deliveries or waste collections via the rear doors or rear yard shown on the premises licence plan.</p> <p>38. Patrons shall not be permitted to take alcohol from Arch 416 into Arches 417 and 418.</p> <p>39. There shall be no deliveries from the premises after 18:00.</p> <p>40. The Premises Licence Holder shall organise and publicise a meeting for local residents to discuss the operation of the premises at least every 3 months. The frequency of meetings may be varied by agreement between the Premises Licence Holder and local residents.</p> <p>41. No consumption of alcohol shall be permitted in the external area in front of the building on Union Walk to prevent noise nuisance and disturbance to local residents that reside close to the premises.</p> <p>42. Signs will be prominently displayed at all entrance and exit points reminding patrons to leave quietly and respect local residents.</p> <p>Reasons for the decision</p> <p>The Application for a premises licence has been approved, because members of the Licensing Sub-committee were satisfied that the licensing objectives would not be undermined.</p> <p>The Sub-committee took into consideration there were no representations received from the Responsible Authorities except from the Environmental Protection Team who withdrew their objection after agreeing conditions with the Applicant. The Sub-committee were pleased to hear that the Responsible Authorities were able to negotiate conditions with the Applicant.</p>

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		<p>The Sub-committee took into consideration that there were 39 objections from local residents, and 16 representations from local residents in Union Walk In support of the application.</p> <p>The Sub-committee took into consideration representations from a local resident In support of the premises who confirmed that the residents in Union Walk are not affected by noise or anti-social behaviour and that the premises made a positive contribution to the community. The local resident agreed that the noise issues occurred mainly when customers were leaving the premises.</p> <p>The Sub-committee took into consideration representations made by the local residents objecting to the application made by their legal representative who made recommendations about the impact the premises will have late at night on local residents, and families that live close to the premises. The Sub-committee took into account their concerns about the hours and off sales that could result in public nuisance in the area. The Sub-committee noted that the local residents were not persuaded by the Applicant's representations and their use of Temporary Event Notices.</p> <p>The Sub-committee noted the Applicant's legal representative made submissions that planning permission is not required, and the Applicant had contacted all local residents regarding this application. The Applicant confirmed that all activity will be internal, not external and should not cause a disturbance to local residents.</p> <p>The Sub-committee took into account that the Applicant worked with Responsible Authorities. The Sub-committee noted that the Applicant offered less than core hours, and they took into account the Applicant made submissions that they were happy to continue working with Responsible Authorities, and local residents to ensure there is no disturbance and impact on local residents.</p>

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		<p>The Applicant contended that Union Walk is an inclusive and community oriented premises which makes a good contribution to the area, and that Temporary Events had been used to test the process and they had no issues.</p> <p>The Sub-Committee took into consideration representations from the Applicant that they engaged in local residents and addressed their concerns, however, no local residents complained to them about noise. The Sub-committee were reassured that the Applicant agreed to organise and publicise meetings with local residents, and that they will continue to work with local residents to prevent noise nuisance in the future.</p> <p>The Sub-Committee took into account representations from the Applicant and their legal representative about the positive response to resident engagement, and there was a good channel of communication with local residents. The Sub-committee noted that the Applicant agreed to make their contact details available to local residents to raise any concerns in the future about the premises. The Applicant informed that they would be on the premises every day and would be happy to deal with any issues that occur and are reported by local residents. This reassured the Sub-committee that the Applicant will work with local residents to prevent nuisance.</p> <p>The Sub-committee heard from the Applicant's legal representative that the premises has a noise limiter, that the rear of 416 Union Walk will not be used and the smoking area will be situated at the front of the premises. The Applicant's legal representative confirmed that the Applicant had already provided a Dispersal Policy to be approved by the Police and the Licensing Authority.</p> <p>The Sub-committee, after hearing from all the parties, felt that the Applicant presented a reasonable proposal, and there was value in having community premises in the area. The Sub-committee was satisfied that the Applicant demonstrated that they are engaging with local residents. The Sub-committee felt it was not appropriate for alcohol to be consumed in the</p>

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		<p>external area of the premises given the close proximity to local residents and to prevent public nuisance in the area. The Sub-committee was satisfied that the reduced hours were reasonable taking into account the concerns of local residents. The Sub-committee felt satisfied that the Applicant was taking into consideration the concerns raised by local residents and they were taking the necessary measures to prevent noise nuisance and were working with a noise consultant.</p> <p>The Sub-committee felt that the premises procedures, the conditions agreed with the Environment Protection Team, and the core hours will help the premises operate responsibly and not undermine the licensing objectives.</p> <p>Having taken all of the above factors into consideration, the Sub-committee was satisfied that by granting this premises licence, the licensing objectives would not be undermined.</p> <p>Public Informatives:</p> <p>The Premises Licence Holder is encouraged to continue working with local residents and Responsible Authorities to prevent any public nuisance or negative impact in the area.</p> <p>The Premises Licence Holder is further reminded of the need to operate the premises according to any current planning permission relating to its use class, conditions and to regularise the hours as required.</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>