

London Borough of Hackney – Decisions taken by the Licensing Sub Committee C on Thursday 17 November 2022

Agenda Item No	Topic	Decision
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Items considered in public

4	Minutes of the Previous Meeting	No minutes were submitted for consideration at the meeting.
6	Premises Licence Application: The Baths, 80 Eastway, E9 5JH	<p>The Licensing Sub-Committee, in considering this decision from the information presented to them within the report and at the hearing today 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> <p>Monday to Thursday 09:00 – 23:30 Friday and Saturday 09:00 – 00:30 Sunday 10:00 - 23:00</p> <p>Plays:</p> <p>Monday to Thursday 09:00 – 23:00</p>

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		<p>Friday and Saturday 09:00 – 00:00 Sunday 10:00 - 22:30</p> <p>Films:</p> <p>Monday to Thursday 09:00 – 23:00 Friday and Saturday 09:00 – 00:00 Sunday 10:00 - 22:30</p> <p>Indoor Sporting Events:</p> <p>Monday to Thursday 09:00 – 23:00 Friday and Saturday 09:00 – 00:00 Sunday 10:00 - 22:30</p> <p>Live Music:</p> <p>Monday to Thursday 09:00 – 23:00 Friday and Saturday 09:00 – 00:00 Sunday 10:00 - 22:30</p> <p>Recorded Music:</p> <p>Monday to Thursday 09:00 – 23:00 Friday and Saturday 09:00 – 00:00 Sunday 10:00 - 22:30</p> <p>Performance of Dance:</p>

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		<p>Monday to Thursday 09:00 – 23:00 Friday and Saturday 09:00 – 00:00 Sunday 10:00 - 22:30</p> <p>Anything of similar description:</p> <p>Monday to Thursday 09:00 – 23:00 Friday and Saturday 09:00 – 00:00 Sunday 10:00 - 22:30</p> <p>Late Night Refreshment:</p> <p>Friday and Saturday 23:00 – 00:00</p> <p>Supply of Alcohol (on the premises):</p> <p>Monday to Thursday 11:00 – 23:00 Friday and Saturday 11:00 – 00:00 Sunday 11:00 - 22:30</p> <ul style="list-style-type: none"> ● Remove Boxing from the licence. ● Remove off-sales from the licence. ● Remove non-standard hours from the licence. ● The licensee shall provide a detailed acoustic report that shall be carried out by a competent

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		<p>person and should be submitted to the Licensing Authority within two months (23 January 2023). Recommendations in the report should be approved by the Environmental Protection Team.</p> <ul style="list-style-type: none"> ● The licensee shall provide information on the mobile saunas used at the premises to confirm if a licence is required. ● The licensee shall submit to the Licensing Authority a clear revised site plan of the licenced area. ● The licensee shall provide the Licensing Authority with a copy of their Risk Assessment. <p>And the following additional conditions:</p> <ul style="list-style-type: none"> ● The maximum number of persons permitted on the premises at any one time shall not exceed 350 persons. ● No smokers shall be permitted at the front of the premises at any time. ● No more than 20 persons will be permitted in the designated smoking area at the back of the premises after 22:00. ● All external doors at the premises shall be kept closed after 22:00, other than for access and egress, when regulated entertainment is taking place. ● Use of the outdoor area (shown on the plan) shall cease at 22:00 and any tables and chairs to be rendered unusable. ● The licensee shall display a contact number or email address of the Designated Premises

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		<p>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 licensee’s contact number will also be provided upon request.</p> <ul style="list-style-type: none"> ● The Licensee shall hold and publicise liaison meetings with local residents every 4 months to attempt to address any concerns or complaints. ● A written Dispersal Policy shall be submitted to and approved by the Licensing Authority and the Police, and a copy shall be kept on the premises and made available to the Police or other authorised officers upon request. ● The premises shall install and maintain a comprehensive CCTV system as per the minimum requirements of a Metropolitan Police Crime Prevention Officer. All public areas and each 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. ● Recordings shall be made available immediately upon the request of the Police or authorised officer. ● There shall be a staff member from the premises who is conversant with the operation of the CCTV system on the premises at all times when the premises are open to the public. This staff member must be able to show a Police or authorised council officer recent data or footage when requested. ● Signs will be prominently displayed at all entrance and exit points reminding customers to

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		<p>leave quietly and respect local residents.</p> <ul style="list-style-type: none"> ● An incident log shall be kept at the premises, and made available on request to an authorised officer of the council or the police, which will record the following: <ul style="list-style-type: none"> a. All crimes reported: b. All ejections of patrons c. Any complaints received. d. Any incidents of disorder. e. Seizure of drugs or offensive weapons. f. Any faults in the CCTV system. g. Any refusal of the sale of alcohol. h. Any visit by a relevant authority or emergency service. ● Premises to operate zero tolerance policy to drugs and comply with Hackney Police Drugs and Weapons policy where appropriate. ● All instances of crime and disorder to be reported by the Designated Premises Supervisor or responsible member of staff to an agreed police contact point, as agreed with the police. ● Patrons shall not be permitted to take glass drinks or open containers off the premises and into external areas of the premises at any time. ● A Challenge 25 proof of age scheme shall be operated at the premises where the only acceptable forms of identification are recognised photographic identification cards, such as driving licence or passport. ● 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

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		<p>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 or Authorities. This training is to include WAVE (Welfare And Vulnerability Engagement) training.</p> <ul style="list-style-type: none"> ● SIA door supervisors shall be employed on an operational risk assessment basis whenever licensable activity is taking place and always when licensable activity is to finish after 0000hrs. ● 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 and contact telephone number will also be recorded. This register will be made available to the Police or other authorised officer upon request. ● All door supervisors and other members of staff shall verbally request customers as they exit the premises to leave quietly and respect local residential neighbours. <p>Reasons for the decision:</p> <p>The Application for a premises licence has been approved with the above amendments 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 that the Environmental Enforcement Team had withdrawn their representations, and agreed conditions with the Applicant in advance of the hearing. The Sub-committee noted that the Applicant also agreed to conditions with the Metropolitan Police Service (“the Police”).</p> <p>The Sub-committee heard representations from the Licensing Authority and the Metropolitan</p>

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		<p>Police Service who objected to this application following noise complaints received from local residents, the excessive hours until 05:00, no agreed dispersal policy with the Responsible Authorities, and the capacity of the premises is also being excessive. After hearing from the Applicant that they agreed to the above amendments to their application and the additional conditions that they agreed to this has alleviated their concerns about the premises. The Sub-committee took into account that the Police had recently visited the premises and discussed the application with the Applicant.</p> <p>The Sub-committee took into account that Other Persons (a local resident) objected to the Application due to concerns about public nuisance, public safety, and the impact this premises will have on the area. The Sub-committee heard the Applicant's submission that the six noise complaints were made following events that were not late at night and they were not weekly events.</p> <p>The Sub-committee heard representations from the Council's Property Services who the Applicant is currently negotiating a new lease to replace the existing lease for this Council property.</p> <p>The Sub-committee heard submissions from the Applicant that they have been at the premises for some time and it was a non-profit organisation. The Applicant made submissions that they have operated a number of venues in the London area, and they provide creative projects and affordable workspaces. The Sub-committee heard that the Applicant had previously used Temporary Events to test their process and procedures for late night events which is part of their Partner companies' brand, and the Applicant had used all of the Temporary Event Notices available to them this year.</p> <p>The Sub-committee heard that the sale of alcohol on the premises is supplemental to the yoga and health treatments that the premises offers. The Sub-committee took into consideration that the Applicant agreed to remove off-sales and boxing from their Application.</p>

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		<p>The Sub-committee took into account that the Applicant did communicate with local residents prior to the hearing. The Sub-committee felt that the Applicant’s business is trying to provide a community service for the area, and they wanted to facilitate that as much as possible, however, not to inconvenience local residents in the area.</p> <p>The Sub-committee felt that the conditions agreed with the Responsible Authorities would help the premises operate responsibly, and to prevent public nuisance in the area late at night.</p> <p>The Sub-committee felt that the Applicant demonstrated that he was an experienced operator of other premises over a number of years and that he could operate the premises responsibly. The Sub-committee felt that the Applicant demonstrated that he was willing to work with local residents and the Responsible Authorities to prevent public nuisance.</p> <p>The Sub-committee were reassured to hear that the Applicant agreed to reduce the hours to core hours. The Sub-committee felt that the Applicant needed to demonstrate over a period of time that they can operate the premises responsibility within core hours under Policy LP3 and not cause nuisance or disturbance to local residents. The Sub-committee felt that they could not grant a 05:00 licence in a residential area.</p> <p>Having taken all of the above factors into consideration the Sub-committee was satisfied that by granting this premises licence with significantly reduced hours, and robust conditions, that the licensing objectives would not be undermined.</p> <p>Public Informative:</p> <p>The Applicant is encouraged to continue working with local residents and Responsible Authorities to prevent any public nuisance or negative impact in the area.</p>

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7	Variation of Premises Licence: Tre Colori Pizzeria, 19 Hackney Road, London, E2 7NX	At the behest of the applicant, the application was withdrawn from the meeting agenda.