

London Borough of Hackney – Decisions taken by the Licensing Sub Committee D on Thursday 17 August 2023

Agenda Item No	Topic	Decision
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Items considered in public

4	Minutes of the Previous Meeting	The minutes of the previous meeting, held on 28 June 2023 and 13 July 2023, be approved as an accurate record of those meetings' proceedings.
6	Application for a premises licence: Dalston Corner, 1 Stoke Newington Road, London, N16 8BH	<p>The Licensing Sub-Committee in considering this decision from the information presented to it within the report and at the hearing on 17 August 2023 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 Licensing Sub-committee decided that the premises licence for Dalston Corner, 1 Stoke Newington Road, London, N16 8BH be approved in accordance with the Council's Statement of Licensing Policy and the proposed conditions set out in paragraph 8.1 of the published application report:</p> <p>And the following additional conditions:</p> <ul style="list-style-type: none"> ● The front and rear of the premises for licensable activities. ● The Licence holder will display signage prominently requesting customers leave the proximity of the shop quickly and quietly respecting any local residents. ● The front of the premises will be monitored at busy times after 18:00 to ensure large groups of customers do not congregate at the busy junction and potentially dangerous crossings which is a risk to public safety. ● The garden area shall not be used for licensable activities and there shall be regular

London Borough of Hackney – Decisions taken by the Licensing Sub Committee D on Thursday 17 August 2023

Agenda Item No	Topic	Decision
		<p>litter checks and collection of litter in the area.</p> <ul style="list-style-type: none"> • The Licensee shall ensure that all staff are fully trained and made aware of the legal requirement of businesses to comply with their duty of care as regards the disposal of waste produced from the business premises. During the hours of operation of the premises, the licence holder shall ensure sufficient measures are in place to remove and prevent litter or waste arising or accumulating from customers in the area immediately outside the premises, and that this area shall be swept and or washed, and litter and sweepings collected and stored in accordance with the approved refuse storage arrangements by close of business. • No deliveries to the premises shall take place between 23:00 and 08:00 on the following day. • 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. • The Licensee 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. • In order to minimise the amount of time any waste remains on the public highway in readiness for collection, the Licensee will ensure the timeframe within which it may expect its waste carrier to collect is adhered to. The Licensee must ensure he/she complies with any orders or notices served by the Council. • The Licensee shall erect a sign asking customers to refrain from littering the public highway outside the premises and will also instruct members of staff to make regular checks of the area immediately outside and within 10 metres either side of the premises and remove any litter, bottles and glasses emanating from the premises. A final check should be made at close of business.

London Borough of Hackney – Decisions taken by the Licensing Sub Committee D on Thursday 17 August 2023

Agenda Item No	Topic	Decision
		<p>Reasons for the decision</p> <p>The application 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 there were no objections from the Responsible Authorities and there were two objections from Other Persons (local residents). The Sub-committee took into consideration the concerns raised by the local residents.</p> <p>The Sub-committee took into consideration that the Applicant's agent confirmed that the premises would put up signage to advise local residents to leave quietly and they would monitor the front entrance and ask people to move along and not build up crowds at the busy junction and crossings.</p> <p>The Sub-committee took into consideration that the Other Persons (local residents) were not satisfied with the representations made by the Applicants agent and the written response that was provided by the Applicant they felt that it did not address the issues. The Other Persons wanted conditions to protect the back garden and areas where rubbish and litter could build up. The Sub-committee noted it is a busy junction with two sets of crossings, and the Other Persons had concerns about the level of noise that could come from the premises. The Sub-committee hopes that the Applicant will do everything to ensure there is no noise breakout during operation of the premises.</p> <p>The Sub-committee had concerns about where the premises were permitted to put their rubbish and refuse out each week as they were concerned about rubbish and litter being dumped at the front of the premises which they wanted to prevent.</p> <p>The Sub-committee noted that the hours of the premises were compliant with the Councils off</p>

London Borough of Hackney – Decisions taken by the Licensing Sub Committee D on Thursday 17 August 2023

Agenda Item No	Topic	Decision
		<p>sales hours under Policy LP4.</p> <p>The Sub-committee took into consideration that the Applicant agreed not to use the outside space for licensable activity, and that they would manage the front with notices to tell people to go quietly and not to disturb local residents in the area.</p> <p>The Sub-committee took into consideration that the premises is a small off-licence and that the impact on the local area would be low given that the premises closes at 23:00 and is not a late night premises.</p> <p>Having taken all of the above factors into consideration, the Licensing Sub-committee was satisfied, when granting this application for a premises licence, that the licensing objectives would be upheld.</p> <p>Public Informative</p> <p>The Licence holder is recommended to keep an eye on the front area of the premises, which is situated at a dangerous crossing and a busy junction which together are a risk to public safety.</p>
7	Application for a premises licence: The Bibliotheque, 325 Kingsland Road, E8 4DL	<p>The Licensing Sub-Committee in considering this decision from the information presented to it within the report and at the hearing on 17 August 2023 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 Licensing Sub-committee decided that the premises licence for the Bibliotheque, 325 Kingsland Road, E8 4DL be approved in accordance with the Council’s Statement of Licensing</p>

London Borough of Hackney – Decisions taken by the Licensing Sub Committee D on Thursday 17 August 2023

Agenda Item No	Topic	Decision
		<p>Policy and the proposed conditions set out in paragraph 8.1 of the report with the following amendments:</p> <ul style="list-style-type: none"> • To remove live music, performance of dance, and anything of a similar description from the application which overcame Licensing Sub-Committee members' concerns about the premises. • The Applicant to Submit a revised Plan of the premises removing the Basement from the licensable area and to clearly identify the Kitchen area and extractor fan on the revised Plan of the premises. • Amend Condition 9 as follows: <p>"Security (SIA qualified staff) are to be employed at the venue on Friday and Saturday nights from 2200hrs - 01:30. On other days security will be considered as part of an operational risk assessment. 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 time they commence and conclude working. If the door supervisor was provided by an agency the name, registered business address and contact telephone number will also be recorded. This register will be made available to police or authorised officers immediately upon request. Also the Licence holder shall prepare written details of their dispersal process and procedures a copy of which shall be kept on the premises and made available to police or other authorised officers upon request".</p> • Amend Condition 21 as follows: <p>"Alcohol shall not be sold, supplied, or consumed on the premises otherwise than to persons who are taking substantial table meals and that the consumption of alcohol by</p>

London Borough of Hackney – Decisions taken by the Licensing Sub Committee D on Thursday 17 August 2023

Agenda Item No	Topic	Decision
		<p>such persons is ancillary to taking such meals. The supply of alcohol shall be by waiter or waitress service only".</p> <p>And the following additional conditions:</p> <ul style="list-style-type: none"> • There shall be no more than 5 smokers at the front of the premises at any one time. • The Licence holder shall display the telephone number/email address of the Designated Premises Supervisor for use by any Responsible Authority or any person who may wish to make a complaint during the operation of the licence in a prominent external location at the premises that is easily accessible to the public. • The Licence holder will provide details of local taxi firms to customers leaving the premises <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 Licensing Sub-Committee took into consideration that both the Environmental Enforcement and the Metropolitan Police Service had agreed conditions with the Applicant in advance of the hearing and had withdrawn their objections. The Sub-Committee took into consideration the objections raised by the Other Persons (local residents).</p> <p>The Licensing Sub-Committee took into consideration that there were no other Responsible Authorities that made representations or objections to the application.</p> <p>The Licensing Sub-Committee took into consideration that the Applicant is an experienced operator and currently operates the premises next door at 321 Kingsland Road which is a</p>

London Borough of Hackney – Decisions taken by the Licensing Sub Committee D on Thursday 17 August 2023

Agenda Item No	Topic	Decision
		<p>similar premises. The Licensing Sub-Committee noted that the Applicant has been the licence holder at 321 Kingsland Road for the last eight years without incident and there have been no issues arising. The Licensing Sub-Committee noted that there have been no complaints from neighbours in the area.</p> <p>The Licensing Sub-Committee took into account that there are no local residents living above the premises. The Licensing Sub-Committee heard that the area above the premises will be used as storage.</p> <p>The Licensing Sub-Committee felt reassured that the Applicant agreed to remove live music, performance of dance, and anything of a similar description from the application which overcame their concerns about the premises undermining the licensing objectives. The Licensing Sub-Committee noted that the Applicant's agent also agreed to a condition to provide contact details of the premises to local residents and also to provide details to customers for taxis in the area as they leave the premises.</p> <p>The Licensing Sub-Committee were satisfied that the Applicant agreed that the Security Industry Authority (SIA) licensed door security would operate from 22:00 to 01:30 from Friday to Saturday each week, and that the SIA staff would be present 30 minutes after the premises closes to ensure that there were no incidents.</p> <p>The Licensing Sub-Committee felt that there was a need for the premises to provide details of the process and procedures for dispersal to be available for inspection if necessary. This requirement was added to the SIA door security requirements in condition 9 of the premises licence.</p> <p>The Licensing Sub-Committee took into account that the Applicant had a good track record and was an experienced operator for the last eight years at the premises next door at 321 Kingsland Road. The Licensing Sub-Committee was satisfied that the basements and</p>

London Borough of Hackney – Decisions taken by the Licensing Sub Committee D on Thursday 17 August 2023

Agenda Item No	Topic	Decision
		<p>regulated entertainment were taken out of the application. The Licensing Sub-Committee were pleased to hear that the Applicant had trained their staff in courses such as "Ask Angela" and that they were open to doing more staff training on welfare and vulnerability issues to protect customers.</p> <p>Having taken all of the above factors into consideration, the Licensing Sub-committee was satisfied, when granting this amended application for the premises licence, that the licensing objectives would be upheld.</p> <p>Public Informative</p> <p>The License holder is advised to arrange for staff to undertake free training through Hackney Nights that they may find useful and relevant to their business, for example, on Welfare and Vulnerability, Staff Welfare, Hate Crime and Crime Prevention, Sexual Violence and Misogyny, Sustainability Practices, Drink Spiking and Conflict Resolution.</p>
8	Temporary Event Notices - Standing Item	Following Environmental Protection withdrawing their objection, the Temporary Event Notice (TEN) was withdrawn from the meeting agenda.