



London Borough of Hackney – Decisions taken by the Licensing Sub Committee E on Thursday 12 October 2023

Agenda Item No	Topic	Decision
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Items considered in public

7	Application to vary a Premises Licence: Bar Lotus, 480 Kingsland Road, Hackney, London, E8 4AE	<p>The Licensing Sub-Committee in considering this decision from the information presented to it within the report and at the hearing on 12 October 2023 and has determined that having regard to the promotion of all the licensing objectives:</p> <p>The prevention of crime and disorder; Public safety; Prevention of public nuisance; and The protection of children from harm,</p> <p>The Sub-Committee decided that the application to vary the premises licence, for Bar Lotus, 480 Kingsland Road, Hackney, London E8 4AE, be approved in accordance with the Council's Statement of Licensing Policy and the proposed conditions set out in paragraph 8.1 of the report with the following amendments:</p> <p>The hours for licensable activities shall be amended as agreed:</p> <p>Late Night Refreshment:</p> <p>Monday - Thursday 23:00 - 00:00 Friday - Saturday 23:00 - 02:00</p> <p>Supply of Alcohol (on sales)</p> <p>Monday - Thursday 10:00 - 00:00 Friday - Saturday 10:00 - 02:00</p>
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		<p>Opening hours</p> <p>Monday - Thursday 10:00 - 00:30 Friday - Saturday 10:00 - 02:30</p> <p>Remove condition 16 from the premises licence.</p> <p>Off-sales to be removed from the application.</p> <p>Amend condition 21 as follows:</p> <p>“On Fridays and Saturdays SIA registered supervisors to be employed on an operational risk assessment basis from at least 23:00. Security staff shall be clearly identifiable at all times. Additional SIA registered supervisors to be employed on an operational risk assessment basis. Any security staff shall enter their full details in the premises daily register at the commencement of their work. This register will be made available to the Police or authorised officer immediately upon request ”.</p> <p>And agreed to the following additional conditions:</p> <ul style="list-style-type: none"> • The use of the garden shall cease at 23:00 Monday to Saturday and 22.30 Sunday. • There shall be no more than 32 persons inside and 20 persons in the garden (excluding staff) at any one time. • The sale of alcohol shall be by waiter/waitress service to customers who are seated. <p><u>Reasons for the decision</u></p>

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		<p>The application to vary a premises licence for Bar Lotus, for the updated layout of the premises, and removal of condition 16 of the 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 Licensing Authority had made representations objecting to the hours proposed by the Applicant. The Sub-Committee noted that no representations had been made at the hearing from any other Responsible Authority or Other Persons.</p> <p>The Sub-Committee heard representations from the Licensing Authority that after hearing from the Applicant Friday and Saturday remained a concern to the Licensing Authority when the premises was open until 02:00, however, the standard of the refurbishment of the premises means that the an exception could be made in the in respect of this application.</p> <p>The Sub-Committee took into account that the Applicant had agreed to employ a Security Industry Authority(SIA) trained operative on Fridays and Saturdays from 23:00 to allow for dispersal from the premises until after the premises are closed. The Sub-Committee noted that the hours on Sunday are unchanged.</p> <p>The Sub-Committee also took into account that the Applicant had been willing to reduce their operating hours, between Monday and Thursday, in response to concerns raised by the Licensing Authority in their submission at the hearing. The Licensing Authority had welcomed this response by the Applicant.</p> <p>The Sub-Committee took into consideration that the Applicant had submitted a number of additional documents in support of their application including a draft dispersal policy to be approved by the Licensing Authority.</p>

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		<p>The Sub-Committee also took into account that the Applicant had proposed additional conditions to operate the premises responsibly including the use of the garden shall cease at 23:00 Monday to Saturday and 22.30 Sunday, the capacity of the premises being set at 32 persons inside and 20 persons in the garden (excluding staff), the sale of alcohol shall be by waiter/waitress service to customers who are seated. The Sub-Committee noted that the Applicant already has contact details on the premises.</p> <p>Having taken all of the above factors into consideration, the Sub-Committee was satisfied that the licensing objectives would not be undermined.</p> <p><u>Public Informatives</u></p> <ol style="list-style-type: none"> 1. The Premises Licence Holder is advised as part of the rigorous monitoring and checking that all staff are to be well trained, and to undertake the required training including Wave training, training for vulnerable persons and other training offered by the Council’s Hackney Nights portal. 2. The Premises Licence Holder is advised that no smoking shall be in the external covered area to the rear of the premises. 3. The Premises Licence holder is strongly encouraged to use sustainable cutlery, plates, cups, food containers, and recyclable disposable materials to avoid using single-use plastic disposable items to protect the local area, to prevent litter, and to protect the environment. <p>Your right to appeal</p> <p>If you are aggrieved by any term, condition or restriction attached to this decision, you</p>

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		<p>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>
<p>8</p>	<p>Temporary Event Notices - The Gun, 235 Well Street, London E9 6RG</p>	<p><u>Temporary Event Notice for 15 and 16 October 2023</u></p> <p><u>The Gun, 235 Well Street, London E9 6RG</u></p> <p><u>The decision of 12th October 2023</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; and • The protection of children from harm <p>and in particular upon consideration of the ‘objection’ given by the Environmental Protection Team, is satisfied that the proposed event would not undermine the licensing objectives. Therefore, the Sub-committee has decided not to serve a counter notice and to allow the event to proceed.</p> <p><u>Reasons for the decision</u></p> <p>The Sub-committee took into consideration the objection received from the Environmental Protection Team for the Temporary Event Notice for the period from on 15/10/2023 from 11:30 finishing on 16/10/2023 at 02:00 am, which contended that this event would undermine the licensing objectives, on the grounds of prevention of public nuisance. The Sub-committee carefully considered the reasons for this objection.</p>

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		<p>The Sub-committee noted that the Environmental Protection Team was unable to attend the hearing and make representations. Therefore, the Sub-committee could not be satisfied that the licensing objectives would be undermined by the hours of the premises being further extended by this Temporary Events Notice.</p> <p>The Sub-committee carefully considered the evidence presented to them by the Premises User and this was an annual event at the premises.</p> <p>The Sub-committee took into consideration that there was a lack of evidence from the Environmental Protection Team. The Sub-committee felt that the Premises User was a responsible and experienced operator who has tried and is willing to work with the Environmental Protection Team. The Sub-committee noted there were no previous concerns about the premises, the Police had not made any representations, and the last Temporary Event at the premises raised no concerns.</p> <p>The Sub-committee considers each case on its own merits. On balance, the Sub-committee felt that the annual Temporary Event at the premises would not undermine the licensing objectives and it was not appropriate in this case to issue a counter notice.</p>