



London Borough of Hackney – Decisions taken by the Licensing Sub Committee A on Monday 4 December 2023

Decisions listed below that are Key Decisions will come into force and may then be implemented on the expiry of 5 clear working days unless called-in by at least 5 non-executive members in writing and submitted to the Monitoring Officer using the form; Executive Decision Call-in Request.

Agenda Item No	Topic	Decision
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Items considered in public

6	Premises Licence: 83 Rivington Street, London EC2A 3AY	<p><b>RESOLVED:</b></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"><li>• The prevention of crime and disorder;</li><li>• Public safety;</li><li>• Prevention of public nuisance;</li><li>• The protection of children from harm;</li></ul> <p>the application for a premises licence has been refused in accordance with Licensing Policies LP1, LP2, LP3, LP6 and LP12 within the Council’s Statement of Licensing Policy.</p> <p><b>Reasons for the decision</b></p> <p>The Licensing Sub-committee, having heard from the Licensing Authority, the Metropolitan Police Service (“the Police”) and Other Persons (local residents objecting to the application) believed that granting the application for a shadow premises licence would result in the licensing objectives being undermined.</p>
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		<p>The Sub-committee took into consideration the representations of the 49 Other Persons who objected to this application due the impact it would have on local residents late at night. The Sub-committee took into account representations about the impact of sleep deprivation on local residents, and that the premises had a negative impact on the area. The Sub-committee took into account that there were also public safety concerns In a densely populated area where no consideration was given to local residents.</p> <p>The Sub-committee took into consideration the representations made from 11 local residents who supported the Applicant’s application that the grant of the premises licence would help to make the area more of a community, and it will add to community safety.</p> <p>The Sub-committee took into consideration the representations made by the Police’s legal representative that there has to be conformity and transparency of licensing decision-making. Unless there is a good reason to depart from the decision in July 2023, then the decision should be a balancing act when determining the application, which, if granted, would circumvent concerns of local residents.</p> <p>The Sub-committee took into account the Applicant’s representations that he does not intend to trade or operate the premises, if the shadow licence is granted, and that the premises would remain closed pending the sale of the premises. The Applicant made representations that he has empathy for the local residence, and that Luke Alford is the Designated Premises Supervisor, who is a solicitor, and he would not allow Shoreditch Bar Group to trade in any circumstances. It is a framework premise licence and it will be conditioned.</p> <p>After carefully considering all the representations and evidence from the Licensing Authority, the Police and their legal representative, and a number of representations from local residents both for and against the application, and the Applicant and their legal representative the Sub-committee felt that they could not grant the shadow premises licence.</p>

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		<p>The Sub-committee felt that the Applicant and their legal representative had said nothing that gave them confidence about how the premises would operate if the shadow premises licence was granted. The Sub-committee felt that the Applicant had not addressed their concerns relating to the impact the premises would have on local residents and the area. The Sub-committee felt that the business issues raised by the Applicant were not grounds for granting the shadow premises licence.</p> <p>The Sub-committee took into consideration the representations made by the local residents who objected to the application and their concerns about public nuisance and the impact of anti-social behaviour. The Sub-committee felt the local residents made a compelling case.</p> <p>The Sub-committee felt that the licensing objectives would be undermined, and they took into consideration the representations from the Police and the Licensing Authority. The Sub-committee took into account that although there were 42 conditions proposed to operate the premises the Licensing Authority were not persuaded by this. The Sub-committee also took into account the concerns raised about the proposed management of the premises. The Sub-committee felt that the Police and their legal representative made a compelling case as to why a shadow premises licence should not be granted.</p> <p>The Sub-committee were not convinced that there was a material change in the representation made at this hearing from the representations and evidence presented on 13 July at the review of the premises licence. The Sub-committee felt there was no good reason to go against the decision that the Sub-committee made on 13 July 2023. The Sub-committee felt that Simmons as the new operator should have made an application for a premises licence as previously advised and to address the concerns and objections raised. The Sub-committee also were not convinced that Simmons would be able to operate a restaurant because they had no experience of operating restaurants.</p>

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		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 application for a shadow premises licence, and as such believed it was appropriate to refuse the application in its entirety.