



London Borough of Hackney – Decisions taken by the Licensing Sub Committee A on Thursday 18 January 2024

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	Night Group, Bohemia Place (Private Road Outdoor Street Area) Mare Street E8 1DU	<p>The Licensing Sub-committee in considering this decision from the information presented to it within the report and at the hearing on 18th January 2024 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;• The protection of children from harm; <p>the application for a premises licence has been refused in accordance with Licensing Policies LP1, LP2, and LP6 within the Council's Statement of Licensing Policy.</p> <p><u>Reasons for the decision</u></p> <p>The Licensing Sub-committee, having heard and carefully considered the representations from the Licensing Authority and Other Persons (local residents) believed that granting the application would result in the licensing objectives being undermined, and would have a negative impact on the area.</p> <p>The Sub-committee took into consideration the representations of 11 Other Persons (local residents) who objected to this application due the impact it would have on local residents and the excessive noise nuisance that this event would generate.</p>
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		<p>The Sub-committee carefully considered the representations made by the Applicant, and the Applicant’s legal representative, and they noted that the Applicant did not allay the concerns raised by the local residents and the Licensing Authority.</p> <p>The Sub-committee felt that the Applicant needed to consider the impact of the music on the local residents that live close to the premises. The Sub-committee felt that the Applicant needed to review their application and consider how to prevent noise nuisance. The Sub-committee took into consideration that the number of people attending the events would be high, over 2500 people, which would result in excessive noise in the area.</p> <p>The Sub-committee took into consideration that the Applicant is capable of running a safe and good event, and that they are experienced operators. However, the noise nuisance that is likely to arise from the events and the duration of the events are unacceptable in a residential area. The Sub-committee felt the music would be too loud and would have a severe impact on local residents who live close to the event location. The Sub-committee felt that the Applicant needed to consider low intensity events that would end around 6 pm instead of until 10 pm for a one-day event. The Sub-committee felt that eight days for the events is unreasonable and excessive given the high level of noise and disturbance that would impact local residents.</p> <p>The Sub-committee took into consideration the representations made by the local residents about the impact, the event held in 2023, had on them in their homes which they tolerated at the time because they believed it would be a one off event for a celebration. The local residents did not expect such an event, with the level of loud music, to be held regularly and for so many days due to the impact it would have on their home lives.</p> <p>The Sub-committee took into consideration that no tests were provided to show how the previous event held in 2023 was carried out and the impact at the time on the area.</p> <p>The Sub-committee felt that the location of such an event should not be so close to a</p>

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		<p>residential area, and it was an unsuitable location for such an event of this size and nature.</p> <p>The Sub-committee felt that public nuisance is a major issue that all event holders need to take into consideration when planning events of this nature. It was clear to the Sub-committee that the Applicant had not fully considered the impact on the residential area and had not carried out the required testing for noise. The Sub-committee felt that the applicant needed to engage with local residents to work out what would be best for the area when holding such events to prevent noise nuisance.</p> <p>The Sub-committee took into consideration that the Applicant had a Noise Management Plan. However, the Applicant had not presented any data and evidence as to how the noise was managed. The Sub-committee felt that there was an absence of how the Noise Management Plan data could be handled.</p> <p>The Sub-committee did recognise that the Applicant is a good indoor venue operator. However, this application undermined the licensing objectives. The Sub-committee could not find a compromise following the representations made objecting to this application.</p> <p>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 premises licence, and as such believed it was appropriate to refuse the application in its entirety.</p> <p>Public informative</p> <p>The Applicant is advised to consider a low intensity event in the future and to work with local residents and the Environmental Protection Team to prevent noise nuisance in the area.</p> <p>Your right to appeal</p>

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		<p>If you are aggrieved by any term, condition or restriction attached to this decision, you 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>