



London Borough of Hackney – Decisions taken by the Licensing Sub Committee A on Thursday 8 February 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	Premises Licence: Mondrian Hotel, Private Club and Rooftop, Level-3 (Part of) Level -2, (Part of) Ground Floor & Roof Terrace, 45 Curtain Road, EC2A 3PT	<p>RESOLVED:</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">• The prevention of crime and disorder;• Public safety;• Prevention of public nuisance; and• 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 Policy and the proposed conditions set out in paragraph 8.1 of the report, with the following additional conditions:</p> <ul style="list-style-type: none">• The Sub-committee approved the application seeking to authorise the supply of alcohol for consumption on the premises, late night refreshment and regulated entertainment comprising plays, films, live music, recorded music, performance of dance and anything of similar description on Monday to Sunday as applied for regulated entertainment, and conditions as set out in the report. The hours of
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		<p align="center">licensable activity applied for were approved without amendment.</p> <p>The following conditions to be added to the Premises Licence:</p> <ul style="list-style-type: none"> • The Premises Licence holder shall maintain a dedicated contact telephone number and email address that must be available at all times to all local residents, the Environmental Health Officers, the Licensing Authority, the Police, and any responsible authority or any person wishing to make a complaint. These contact details shall be included on the website of the premises and on display at the premises. • The Premises Licence holder shall hold and publicise 2 liaison meetings each year (at least every 6 months) with local residents to address any concerns or complaints about the premises from local residents to prevent public nuisance. <p><u>Reasons for the decision</u></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 Sub-committee approved the application as applied for regulated entertainment, late night refreshment and supply of alcohol for consumption on the premises Monday to Sunday and conditions as set out in the report with the above additional conditions agreed by the Applicant to be added to the premises licence. The hours of licensable activity applied for were approved without amendment.</p> <p>The Sub-committee took into consideration that there were no objections from Responsible Authorities.</p> <p>The Sub-committee took into consideration that there were representations made by 7</p>

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		<p>Other Persons (local residents of Cosmopolitan House). The Sub-committee noted that the local residents maintained their objections to the club part of the premises only, and the local residents were not persuaded by the Applicant’s representations. The Sub-committee noted that the local residents had no objections to the application made by the hotel (Item 7 on the agenda).</p> <p>The Sub-committee took into account that local residents made representations that there was no consultation on this application and that they had tried to contact the Environmental Protection Team, however, they were unable to get hold of them to check the noise limit. The local residents felt that there was no support provided for them when there were issues of noise nuisance. The Sub-committee noted that one resident complained of noise nuisance on the 29th of September 2023. The Applicant made representations that they were not aware of noise complaints in September 2023. It was noted that the rooftop is now run by a different operator.</p> <p>The local resident made representations that they were objecting on the grounds of noise nuisance. The previous owner had agreed to ambient sound so that they could have a conversation in their homes and not be disturbed by loud music or noise late at night. The local residents felt there was a lack of transparency on the change of use of the club premises.</p> <p>The local residents made representations about the impact of the noise on them and they felt the Applicant had not taken into consideration such impact. Some of the local residents had lived in the area for a number of years and were aware about the noise, pollution and antisocial behaviour that has occurred in the area which has worsened over time and has affected children and families that live in the area. The local residents felt the Applicant had not taken into consideration the impact of noise on them.</p> <p>The Sub-committee took into consideration the Applicant’s representations made by their</p>

London Borough of Hackney – Decisions taken by the Licensing Sub Committee A on Thursday 8 February 2024

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		<p>legal representative that the applications for agenda items 6 and 7 were for the premises that is split into two parts: (1) a private members club, (2) a hotel. There will be no change of use and that there would be two tenants in the premises. Each of the two separate parts will be operated by two different operators and they each will require a separate premises licence. Since mid December 2023 the premises has been operating using the existing premises licence and Temporary Event Notices. There were no issues arising.</p> <p>The Sub-committee noted the Applicants legal representative contended that this application was intended to make the operation of the premises more transparent for each part of the premises to have its own licence, and to make it more easy to enforce should there be any breach of the premises licence.</p> <p>The Sub-committee took into account the Applicant’s made representations that they were clear that they were applying for a nightclub. It was previously a nightclub, and it was being licensed again for use as a nightclub by the new tenant. The nightclub will be situated in the basement of the premises and the rooftop area was used as a restaurant previously. There is no change of use or change of conditions for each area that they are applying for a licence.</p> <p>The Sub-committee noted the purpose of the rooftop has changed. The rooftop has a swimming pool and a restaurant and they serve alcohol after 18:00. The Applicant confirmed that the existing licence does not permit music late at night and that they have been operating under the existing licence conditions since December 2023.</p> <p>The Applicant contended that there was no consultation with local residents beyond statutory requirements. There was nothing new about the premises that required consultation. The Sub-committee took into consideration that the Applicants wrote to local residents, however, only one wrote back to them. The Applicant received no complaints. The Applicant agreed to a condition to meet with the local residents to deal with any issues</p>

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		<p>arising at the premises.</p> <p>After hearing from the Applicant’s legal representative, the Applicant and local residents, the Sub-committee was satisfied with the conditions on the licence and that the premises would not add to the cumulative impact in the area. The Sub-committee took into consideration that the applicant was an experienced operator.</p> <p>The Sub-committee were also concerned about the lack of engagement with local residents and hope that the Applicant will work with local residents in the future. The Sub-committee took into consideration that there were strict conditions 30, 31 and 32 on the use of the rooftop and that there was no use of the rooftop after 22:00 which would prevent noise nuisance. The Sub-committee hopes that the meetings every six months with local residents may help resolve any issues arising at the premises.</p> <p>The Sub-committee was mindful of the Applicant being able to use their existing licence and decided to grant the two new licences.</p> <p>The Sub-committee took into consideration that the Applicant needed to comply with acoustic noise conditions to prevent public nuisance.</p> <p>The Sub-committee took into consideration that the premises had used their existing licence since December 2023, and used Temporary Event Notices which had been used without incident.</p> <p>The Sub-committee took into account that the Applicant made representations that they cannot move the smoking area for health and safety reasons.</p> <p>The Sub-committee took into account that should there be any breach of the conditions of the premises licence that local residents can apply for a review of the licence.</p>

London Borough of Hackney – Decisions taken by the Licensing Sub Committee A on Thursday 8 February 2024

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		<p>Having taken all of the above factors into consideration, the Licensing Sub committee was satisfied, when granting the application for a premises licence, that the licensing objectives would not be undermined.</p> <p>Public Informatives:</p> <ol style="list-style-type: none"> 1. The Premises licence holder is advised to obtain an Acoustic report and work with the Environmental Protection Team to resolve noise nuisance issues affecting local residents. 2. The Premises Licence holder is encouraged to work with local residents and the Responsible Authorities to reduce noise nuisance, and prevent any negative impact in the area. 3. The Premises licence holder is reminded about staff smoking outside of the premises, and to prevent any nuisance caused by the smoke to local residents.
7	Premises Licence: Ennismore Hotel, (part of) Level-2, Level-1, (Part of) Ground Floor & First to Fifth Floors (Hotel Bedrooms), Mondrian Hotel,45 Curtain Road, London, EC2A 3PT	<p>RESOLVED:</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"> • The prevention of crime and disorder; • Public safety; • Prevention of public nuisance; and • The protection of children from harm,

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		<p>the application for a premises licence has been 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 additional conditions:</p> <ul style="list-style-type: none"> • The Sub-committee approved the application as applied for regulated entertainment, late night refreshment and supply of alcohol for consumption on the premises Monday to Sunday and conditions as set out in the report. The hours of licensable activity applied for were approved without amendment. <p>The following conditions to be added to the Premises Licence:</p> <ul style="list-style-type: none"> • The Premises Licence holder shall maintain a dedicated contact telephone number and email address that must be available at all times to all local residents, the Environmental Health Officers, the Licensing Authority, the Police, and any responsible authority or any person wishing to make a complaint. These contact details shall be included on the website of the premises, and on display at the premises. • The Premises Licence holder shall hold and publicise 2 liaison meetings each year (at least every 6 months) with local residents to address any concerns or complaints about the premises from local residents to prevent public nuisance. <p><u>Reasons for the decision</u></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 Sub-committee approved the application as applied for regulated entertainment, late night refreshment and supply of alcohol for consumption on the premises Monday to Sunday and conditions as set out in the report with the above additional conditions agreed by the Applicant</p>

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		<p>to be added to the premises licence. The hours of licensable activity applied for were approved without amendment.</p> <p>The Sub-committee took into consideration that there were no objections to this application from Responsible Authorities.</p> <p>The Sub-committee took into consideration the representations made by Other Persons (local residents), however, their objections related to Item 6 on the agenda a separate premises within the same building, and the local residents confirmed that they had no objections or concerns with this application.</p> <p>The Sub-committee took into consideration the Applicant’s representations made by their legal representative that the applications for agenda items 6 and 7 was for the premises that was split into two parts: (1) a private members club, (2) a hotel. There will be no change of use and that there would be two tenants in the premises. Each of the two separate parts will be operated by two different operators and they each will require a separate premises licence. Since mid December 2023 the premises has been operating using the existing premises licence and Temporary Event Notices. There were no issues arising.</p> <p>The Sub-committee noted the Applicants legal representative contended that this application was intended to make the operation of the premises more transparent for each part of the premises that have its own licence, and to make it more easy to enforce against the current tenant, should there be any breach of the terms of the premises licence.</p> <p>After hearing from the Applicant’s representative the Sub-committee was satisfied with the conditions on the licence and that the operation of the premises would not add to the cumulative impact in the area. The Sub-committee took into consideration that the Applicant was an experienced operator.</p>

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		Having taken all of the above factors into consideration, the Licensing Sub-committee was satisfied, when granting the application for a premises licence, that the licensing objectives would not be undermined.