

MINUTES OF A MEETING OF THE LICENSING SUB COMMITTEE B

TUESDAY, 28TH JUNE, 2016

- Councillors Present:** Cllr James Peters in the Chair
Cllr Christopher Kennedy (Substitute) and
Cllr Sharon Patrick
- Officers in Attendance:** Emma Perry (Governance Services Officer), Butta Singh (Senior Solicitor for Licensing), Mike Smith (Principal Licensing Officer) and Robert Walker (Legal Officer)
- Also in Attendance:** Round Chapel:
Philip Lloyd, Applicant
Patrick Hammill, Chair of Trustees
Laurence Elks, Trustee
Sophie Maxwell, Other Person
- 1 Election of Chair**
- 1.1 Councillor Peters was duly elected to Chair the meeting.
- 2 Apologies for Absence**
- 2.1 There were no apologies for absence.
- 3 Declarations of Interest - Members to declare as appropriate**
- 3.1 Councillor Kennedy declared a non-pecuniary interest in Item 5 – Round Chapel, as he knew Laurie Elks from other meetings he had attended.
- 3.2 Councillor Patrick declared a non-pecuniary interest in Item 5 – Round Chapel as she knew Patrick Hammill during her time as Speaker.
- 4 Licensing Sub-Committee Hearing Procedure**
- 4.1 The Chair outlined the hearing procedure, as detailed on page 1 of the agenda.
- 5 Premises Licence: Round Chapel Arts Centre, 1d Glenarm Road E5 0LY**
- 5.1 Mike Smith, Principal Licensing Officer, introduced the report and advised that the applicants had agreed that licensable activities should be brought back 30 minutes to allow a ‘wind down’ and ‘drinking up’ time. Therefore, licensable activities would cease at 22:30hrs Sunday-Thursday and 23:30hrs Friday-Saturday. Environmental Enforcement had withdrawn their representation subject to the agreement of amended conditions.

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- 5.2 Patrick Hammill, Chair of Trustees, outlined the application. Mr Hammill explained that there were two owners of the overall Round Chapel building, Hackney Historic Buildings Trust and the Clapton Park United Reformed Church. The trust raised money by hiring out the chapel hall to private individuals, event companies and promoters. The Applicants wished to change the range of activities offered at the venue and not rely on Temporary Event Notices (TENs). The objective was to re-balance the mix of uses, moving away from private parties. The venue had received increased interest from a number of events operators wishing to host events at the venue, who often requested a premises licence.
- 5.3 Mr Hammill stated that the hours being applied for were earlier than the operating hours for the TENs. Conditions had been agreed by the Police and patrons would be asked to leave the venue quietly in order not to disturb local residents. Mr Hammill confirmed that the sale of alcohol would be ancillary to the events and the venue would not be used as a night club. He added that the applicants had agreed to hold another residents meeting in the next 6 months and provide a designated point of contact for any issues.
- 5.4 Sophie Maxwell, Other Person, outlined her representation. Sophie Maxwell stated that it was a great venue and she wanted it to succeed. Sophie Maxwell welcomed the recent residents meeting and the minutes of that meeting that were circulated, and also the proposed residents meeting in the next 6 months. She also welcomed a reduction in the number of private parties held at the venue, which caused noise nuisance to neighbouring residents.
- 5.5 Sophie Maxwell stated that although she liked the idea of new types of events being offered, she requested assurances that these would not turn into big gigs, with amplified music.
- 5.6 Discussion took place surrounding the permitted hours within the planning permission and the TENs process was also clarified. The Applicants stated that they intended to operate reduced hours than those specified in the planning permission. It was explained that a condition within their planning permission also restricted the use of the venue as a nightclub.
- 5.7 In response, Sophie Maxwell welcomed the reduction in hours and recognised the reduction in noise nuisance over the past year. However, she still had concerns regarding the potential for noise nuisance generated by the various events and also the venue's dispersal policy.
- 5.8 Discussion took place surrounding the potential for noise nuisance and the Applicants stated that they had discussed this issue with the Council's Pollution Team. The Applicants stated that the Pollution Team had seen the operation and had not submitted a representation in objection to the application.
- 5.9 The Applicant stated that they would be willing for a condition to be added for all windows to be closed when amplified music was being played. They also agreed to a condition being added for a sound limiter to be fitted at the venue and set to a maximum level of 95 decibels. The Applicants advised that they had refused a number of requests to book the venue for events in the past when they believed the events could have generated noise nuisance. This was

because the Applicants wished to promote events that would be suitable for the venue and its neighbouring residents.

- 5.10 Discussion took place regarding the conditions and it was agreed that condition 9 be amended to state that all licensable activities shall only take place during pre-booked or ticketed events. It was also agreed that a maximum of 10 smokers would be permitted to smoke outside the premises and that condition 21 be amended to allow for their dispersal policy to be fully available to anyone requesting a copy of it.
- 5.11 In response to a question from the Legal Officer regarding condition 20, the Applicants explained that they would assess how many attendees each event was expected to attract and that smaller events would be run with stewards and a designated premises supervisor. It was agreed that a condition be added for there to be at least one person on duty when licensable activities are taking place, to assist patrons leaving the premises quickly and quietly.

RESOLVED that:-

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:

the application has been approved in accordance with the Council's licensing statement and the proposed conditions set out in paragraph 8.1 of the report, with the following amendments:

- The hours for all licensable activities, including the supply of alcohol, shall be:

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|-------------------|---------------|
| Sunday – Thursday | 12:00 – 22:30 |
| Friday – Saturday | 12:00 – 23:30 |
- Condition 9 – the first sentence to be deleted and replaced with the following - 'All licensable activities shall only take place during pre-booked or ticketed events'.
- Condition 21 – after the words "or other authorised officer" insert the following – "or any other person".

and the following additional conditions

- A maximum of 10 persons shall be permitted to smoke outside the premises at any one time.
- 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. 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.

- The Licensee's premises are situated in an area within which refuse may only be left on the public highway during certain time bands. If the Licensee's waste carrier cannot or does not comply by collecting the refuse during the present or any future time bands imposed by the waste authority, the Licensee must remove the refuse from the public highway and/or keep it within the premises until such time as its waste carrier arrives to collect the refuse.
- 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. The collection and removal of litter should include satisfactory disposal of spilled food and similar materials so as to leave the footway in a clean, safe and wholesome condition.
- The Licensee shall provide a safe receptacle for cigarette ends to be placed outside, either on the wall or close to the wall of the building so as not to cause an obstruction or trip hazard, for the use of customers.
- The licence holder shall maintain a dedicated telephone number of the Designated Premises Supervisor for use by any Responsible Authority or any person who may wish to make a complaint. This contact number shall be provided to the licensing authority, the police and to any local resident upon request.
- All windows and doors shall remained closed at all times during whilst amplified music is played at the premises, except for the purposes of access and egress.
- All music systems shall be routed through a sound limiting device. The limiting device(s) should be set to a maximum level of 95 decibels.
- There shall be at least one person on duty when licensable activities are taking place to assist patrons leaving the premises quickly and quietly.

Reasons for the decision

The application has been approved, with the above amendments and additional conditions, as the Licensing Sub-Committee was satisfied that the licensing objectives would not be undermined.

6 Premises Licence: Lobsters Paradise, Ground Floor, 392 Kingsland Road E8 4AA

6.1 The application was deferred at the request of the applicant.

7 Premises Licence: Costcutter, Ground Floor, 350 Queensbridge Road E8 3AR

7.1 The application was WITHDRAWN from the agenda and approved under delegated authority.

8 Temporary Event Notices - Standing Item

8.1 There were no Temporary Event Notices to consider.

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Duration of the meeting: 7:00 – 7:55pm

Signed

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Chair of Committee

Contact:

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