

## MINUTES OF A MEETING OF THE LICENSING SUB COMMITTEE E

TUESDAY, 6TH JUNE, 2017

**Councillors Present:** Cllr Emma Plouviez in the Chair

Cllr Sade Etti (Substitute)

**Apologies:** Councillor Simche Steinberger

**Officers in Attendance:** Mike Smith, Principal Licensing Officer.  
David Tuit, Licensing Officer  
Butta Singh, Licensing Solicitor

**Also in Attendance:** Ms Sarah Le Fevre – Counsel for the Applicant  
Mr Roger Wade – CEO Boxpark Ltd  
Ms Agee Rose – Retail Director  
Mr Michael Murrant – DPS  
Mr Sean Keelan – Director MJB Group Ltd  
Mr Richard Vivian – Principal Acoustician Big Sky Acoustics Ltd  
Kerrie Ryan PC  
Many residents who made representations.

### **3 Declarations of Interest - Members to declare as appropriate**

There were no declarations of interest.

### **4 Licensing Sub-Committee Hearing Procedure**

Member noted the Licensing Sub Committee hearing procedure.

### **5 Application for a Premises Licence - Weino BIB, 39 Balls Pond Road, N1 4BW**

This application was approved under delegated authority.

### **6 Application for a Premises Licence - B'Acino, Basement And Ground Floor 54-56 Scrutton Street, EC2A 4PH**

This application was approved under delegated authority.

### **7 Application for a Premises Licence, Stokey Bears, 29 Stoke Newington High Street, , N16 0PH**

This application was approved under delegated authority.

**8 Application for a Premises Licence - 4 Decking areas on the First Floor, Boxpark, 2-10 Bethnal Green Road, E1 6GY**

The Principal Licensing Officer informed the committee that Boxpark Limited had made an application for a premises licence under the Licensing Act 2003: To supply alcohol for consumption on and off the premises. The applicant proposed Measures that could be converted to conditions.

Members were advised that the premises had held a licence for regulated entertainment since July 2012. The permitted activities and hours were, Plays, Films and Performance of dance Mon- Sat from 11:00 to 21:00 and Sun from 10:00 to 18:00, Live music, Recorded music and other entertainment similar Thu from 18:00 to 21:00 and Sun from 13:00 to 16:00. Supply of alcohol 12:00 to 23:00 Monday to Saturday and 12:00 to 20:30 on Sunday.

The barrister acting on behalf of the applicant gave a brief overview of the application. It was highlighted to members that in the past month all the separate units at Boxpark had their clauses renewed which resulted in law binding measures for each box. Members were also enlightened that Boxpark were not allowing alcohol off sales. It was added further that the premises CCTV system had been refurbished.

Councillor Etti asked for clarification in relation to entertainment noise levels at the venue and how this would be set. The Solicitor acting on behalf of the applicant explained that a noise limiter would be set, The Principal Acoustician Big Sky Acoustics Ltd Mr. Vivien was introduced to provide further clarity. Mr Vivien explained that a separate sound limiter would be installed in the event music system and background music system which would be set at a level to ensure the absence of noise nuisance to residents in the local vicinity.

The Applicant explained that complaints had been received since January 2017 from Mr Johnson a nearby resident, it was highlighted that the majority of his complaints were concerning Sunday evenings, the applicant stated that whilst exploring the new application for Boxpark they decided to eliminate the risk of nuisance on Sunday evenings by reducing the hours of operation.

The barrister on behalf of the applicant explained that it would be possible to impose relevant conditions that would result in certainty and lines of responsibility that allows for a review if the conditions were not abided by.

The Police were invited to the committee to make a statement. It was requested that SIA Door Staff were to be in operation on each entrance to the premises. Further discussion took place around the maximum capacity of 300 persons and how the numbers would be controlled, the Applicant clarified this by explaining that each individual would be counted when entering the premises and once the maximum capacity was reached there would be a one in one out policy.

The responsible authority representing Licensing was invited to make his statement it was highlighted that the area of Shoreditch where the site was located was a popular night-time destination area in London, with a large number of licensed premises attracting high volumes of people. The following points were raised:

- As a result, the Service receive general complaints of noise and other forms of anti-social behaviour.

- Evidence gathered during the recent policy review shows high volumes of crime, disorder, anti-social behaviour and ambulance call outs which appear to correlate with the locations of alcohol licensed premises.
- Officers had concerns about Boxpark overall due to the number of individually licensed units which effectively result in the entire site operating as a single large destination venue, adding to the cumulative impact in the area.
- The fear is that any increase in the availability of alcohol would further exacerbate the problems already being experienced.

Residents that had made written representations were invited to the committee to make their statements: the following key concerns were raised.

- Noise Nuisance until 2pm at night.
- Violence.
- The Area was currently overpopulated with alcohol licences, an extended licence would further the effect on residents.
- Protection against harm in relation to children was engaged, as there was often glass, vomit and urine on the streets, residents feared for the safety of their children.
- Located near the Special Policy Area.

The Committee asked if all the current licences could be surrendered, The Applicants explained that they were unable to suspend or facilitate the surrender of the individual licences for each unit. It was also questioned if sales of alcohol could cease at 9pm. The applicants responded by stating that all the tenants could trade up until 11pm, it was not possible to reduce this to 9pm as if was felt that there would be a risk of being sued by the tenants.

The barrister acting on behalf of the applicant summed up, it was stated that the application was to regularise the current licenced area. Members were informed that if the individual units were to break their lease conditions their lease would be terminated. It was also explained that there would be permanent seating areas outside on the decking.

## **DECISION**

### **The decision**

The Sub-Committee has agreed to an adjournment to 6<sup>th</sup> or 11<sup>th</sup> July 2017 (depending on availability of those who attended the hearing today).

### **Reasons for the decision**

The Sub-Committee has agreed to adjourn consideration of the application in order to allow the representatives of BoxPark a further opportunity to put in place the measures that have been discussed at the hearing today along with allowing for additional consultation with residents and responsible authorities.

## **2 Temporary Event Notices - Standing Item**

**Duration of the meeting:** 5.01pm

**Signed**

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Tuesday, 6th June, 2017

**Chair of Committee**

**Contact:**

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