

MINUTES OF A MEETING OF THE LICENSING SUB COMMITTEE B

TUESDAY, 27TH JUNE, 2017

- Councillors Present:** Cllr James Peters in the Chair
Cllr Richard Lufkin (Substitute)
Cllr Emma Plouviez (Substitute)
- Apologies:** Councillor Sharon Patrick
- Officers in Attendance:** Mike Smith (Principal Licensing Officer)
Justin Farley (Licensing Lawyer)
Gareth Sykes (Governance Services Officer)
- Also in Attendance:** The Dialogue
Ezgi Yildirim (representing the applicant)
Sevince Erdogan (the applicant)
Plus two members of Ms Erdogan's family
- Black Opium
Mark Worthington, Agent
Jermaine Hagan, applicant
- 194 Shoreditch High Street
Gianni Romagno, applicant

1 Election of Chair

1.1 Councillor James Peters was duly elected to chair the meeting.

2 Apologies for Absence

2.1 There were apologies for absence from Councillor Sharon Patrick.

3 Declarations of Interest - Members to declare as appropriate

3.1 There were no declarations of interest.

4 Minutes of the Previous Meeting

4.1 The Committee agreed the minutes of the previous Licensing Sub Committee meeting held on 16 February 2017.

5 Licensing Sub-Committee Hearing Procedure

5.1 The attendees noted the procedure.

6 Application for a Premises Licence - The Dialogue, 130 Upper Clapton Road, Hackney E5 9JY

6.1 Mike Smith, Principal Licensing Officer, outlined to the Licensing Sub-Committee the application for a Premises Licence for the Dialogue, 130 Upper Clapton Road, Hackney E5 9JY. The application was for late night refreshment and for the supply of alcohol (on premises). There were no representations received from responsible authorities. The planning authority had written that the authorised use of the premises was A1 for a shop. The applicant was advised of the need to apply for planning permission to change the use of the premises. One written objection had been submitted against the application.

6.2 The Chair reminded the applicant that they must make clear that alcohol should only be consumed on the premises by persons who are seated at a table and eating a meal from the menu. The supply of alcohol would be by waiter/waitress service only. Those present noted the written submission from a local resident objecting to the application. They raised a number of concerns including the proximity of the premises to a residential area and the possibility of crime in the area due to the intoxication of people. The objector cited the alleyway as one particular problem area as it formed access to all of the businesses as well as the residential area. Concerns were also expressed about rubbish being left outside. The objector also highlighted that there were already more than three places to drink and eat in the area.

6.3 The Chair asked the applicant about the alleyway. The applicant replied that they were not aware of any crime occurring in this area.

6.4 Committee members noted that there was one toilet on the ground floor, at the rear of the premises. The fire exit, at the rear, was kept shut.

6.5 Councillor Plouviez enquired about where customers could smoke at the premises, and how many should be allowed outside at the same time without causing a nuisance. The applicant agreed to an additional condition of a maximum of five smokers outside of the premises, all of whom should be at the front of the premises, at any one time.

6.6 The committee noted that any rubbish, when stored inside, would be placed in a store room, next to the toilet, at the rear on the ground floor.

6.7 The Chair reminded the applicant that they would need to find out what the time bands for collection of waste are for the area and only put waste out during those bands. The applicant agreed to do this and they also confirmed that they were currently going through the planning application process.

6.8 The applicant confirmed that they had no connection to the previous owner. They added that the maximum capacity for the premises would be 45 patrons (including baby chairs).

7 Application to vary the premises license - Ambassador Service Station, 144-150 Stoke Newington Road, Hackney N16 7XA

7.1 The item was deferred at the request of the applicant and withdrawn from the meeting agenda.

8 Application for a Premises Licence - Black Opium Coffee shop, 362-364 Old Street, EC1V 9LT

8.1 Mike Smith, Principal Licensing Officer, outlined to the Licensing Sub-Committee the application for a Premises Licence for Black Opium coffee shop at 362-364 Old Street, EC1V 9LT. The application was for the supply of alcohol (on sales). The Environmental Health Authority had withdrawn its representation after conditions had been agreed. The Planning Authority had submitted an informative and the police had withdrawn their representation after conditions had been agreed. The committee noted that no representation had been received from the licensing authority and that there had been written submissions from three local residents objecting to the application.

8.2 Mark Worthington, representing the applicant, made a submission to the Licensing Sub-Committee in support of the application. The application was for a basement jazz bar for the provision of live music, taking place during deregulated hours (which is why the licence application contained no reference to regulated entertainment). The applicant was aware of the Council's licensing policies LP13 and LP15 the potential for a licence granted in response to the present application to exacerbate the problems of the cumulative impact of licensed premises in the Shoreditch area. Mr Worthington told the Sub-Committee that the nature of the premises means that this application should be regarded as presenting exceptional circumstances within the meaning of LP13. Currently, Black Opium coffee was a library supported by a coffee shop. The Applicant is looking to expand the business into the basement and provide live jazz music in the evenings. The total capacity for the premises was 57 people. Mr Worthington explained that the premises would not become a high volume vertical drinking establishment because of the size of the premises and the condition requiring alcoholic drinks only to be served to patrons who are seated. Mr Worthington added that it was not that kind of application, citing the lack of objections from the licensed authorities as evidence of this. Mr Worthington believed that with a robust series of proposed conditions the premises would not add to the cumulative impact on the Shoreditch Special Policy Area (SPA).

8.3 The attendees noted that no representation from the licensing authority had been received because, due to unforeseen circumstances, this application had been overlooked by the authority.

8.4 The Chair asked whether the stores area on the basement floor plan would be licensable. The applicant confirmed that it was not. Committee members noted, that though they were not shown on the premises' plans, tables were included (as required by condition 9).

8.5 The Chair raised with the applicant the informative provided by the planning authority (appendix b). It was highlighted that the current proposed hours in the licensing application were not in accordance with the planning permission. Mr Worthington replied that the Applicant intended to go through the planning process shortly.

8.6 The Committee noted that there was no application for music as it would not be played after 11pm and therefore was not licensable.

8.7 The attendees discussed the objections to the application raised by the three local residents. The applicant highlighted that one of the submissions appeared to be a duplication. The committee cited concerns that, if the application was granted, it might "*easily be abused for other purposes*". The premises was also in the immediate vicinity of many residential properties, which, according to the objectors, could present a risk to children. Mr Worthington replied that Black Opium Coffee shop was nothing like nearby Electricity Ballroom and Blues Kitchen for example. The applicant had made an offer to local residents to visit the premises but no-one came. Mr Worthington emphasised that the Applicant was trying to create a more relaxed atmosphere and to attract a different type of patron to the area.

8.8 Summing up, Mr Worthington cited the police's withdrawal of its representation and their agreement of the conditions as evidence of the Applicant's suitability to run the premises under the proposed licence. The objections from residents had been noted and the Applicant had presented a robust series of proposed conditions. Mr Worthington asked the Sub-Committee to grant the application, as it was felt that the Applicant would provide an opportunity for new kind establishment in the area.

9 Application for a Premises Licence - 194 Shoreditch High Street, Hackney, London E1 6LG

9.1 Mike Smith, Principal Licensing Officer, outlined to the Licensing Sub-Committee the application for a Premises Licence for 194 Shoreditch High Street, Hackney London E1 8LG. The application was for the supply of alcohol (on and off sales). No representations had been received from responsible authorities. The police had withdrawn their representation following acceptance of conditions they had proposed. The Sub-Committee noted that a number of written representations objecting to the application had been submitted.

9.2 The applicant, Mr Gianni Romagno, made a submission to the Licensing Sub-Committee in support of his application. Mr Romagno explained that the premises were being completely refurbished and would be used as a coffee shop. The basement would be used for storage and would include a bathroom. The ground floor would have a counter that would be used to serve coffee and various cafeteria products. Customers would be able to drink their beverages inside, sitting on stools, or take their drinks away. The premises would also display retail products such as bags of coffee beans, coffee cups and mugs and coffee liqueurs. The company behind the business, Sevengrams UK Limited, focused not only on selling a complete and exclusive range of products for coffee lovers but also to provide a high-quality certified educational programme to professional baristas and restaurant owners. The shop would host training courses run by visiting top international baristas. These baristas would often use ingredients that included small amounts of alcohol, particularly coffee liqueurs. Mr Romagno was keen not to restrict these baristas when they were giving demonstrations. Mr Romagno explained that the premises would not involve late night drinking, citing the 9.30pm and 10pm closing times.

9.3 In response to a query from the Chair, Mr Romagno replied that capacity for the premises was unlikely to exceed 50 people. Mr Romagno added that there would only be tables out the front, to attract customers into the shop. The Sub-Committee noted that the off sales of alcohol would only involve coffee liqueurs.

9.4 Councillor Lufkin raised concerns about the off sales of alcohol. His concerns specifically focused on what might happen if the business was to close. If the Sub-Committee approved the licence for the off sale of alcohol there would be nothing to prevent any future business from using the premises as an off licence for example. This in turn could have a cumulative impact on the area.

9.5 The Sub-Committee discussed written submissions from residents objecting to the application. Members noted concerns about the shop being so close to the Shoreditch special licensing policy area (or "SPA") and also some busy bars and clubs. Some residents commented that the small size of the shop made it unsuitable for licensable activities.

9.6 Following further discussion, Mr Romagno agreed to a maximum capacity of 35 for the premises.

9.7 Councillor Lufkin re-iterated his earlier concerns about the off sales of alcohol. Members agreed to an additional condition stating that there be no sale of alcohol unless the alcohol was mixed with coffee or is a sale of a coffee liqueur.

10 Application for a Premises Licence - WeWork, 115 Mare Street, E8 4RU

10.1 Approved under delegated authority. The item was withdrawn from the meeting.

11 Temporary Event Notices - Standing Item

11.1 There were no Temporary Event Notices raised at the meeting

Duration of the meeting: 19:00 – 20:45 hours

Signed

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Chair of Committee

Contact:

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