

MINUTES OF A MEETING OF THE LICENSING SUB COMMITTEE A

THURSDAY, 23RD AUGUST, 2018

Councillors Present: Cllr James Peters in the Chair
Cllr Sharon Patrick and Cllr James Peters (Substitute)

Apologies: Councillor Sophie Conway

Officers in Attendance: Sanaria Hussain (Principal Licensing Officer), Butta Singh (Senior Lawyer), Peter Gray (Governance Services)

Also in Attendance: **D Cut**
Adebola Akinrinbola
Famous/ Drury
Graham Hopkins, Agent
Ms Gumis and Mr Gumis
Geoffrye Museum
Tanith Lindon, Applicant
Emma Kotch, Other Person

1 Election of Chair

1.1 Councillor James Peters was appointed as chair.

2 Apologies for Absence

2.1 Apologies for absence were submitted on behalf of Councillor Sophie Conway.

3 Licensing Sub Committee Hearing Procedure

3.1 The Sub-Committee noted the Licensing Sub-Committee hearing procedure.

4 Declarations of Interest - Members to declare as appropriate

4.1 There were no declarations of interest.

5 Minutes of Previous Meetings

5.1 The minutes of the meetings of the Licensing Sub-Committee held on 13 February 2018 and were agreed as a correct record. As no member was present from the meeting of 24 April 2018, the minutes of that meeting could not be agreed.

6 Premises License: D Cut - 156 Mare Street, E8 3RD

6.1 Sanaria Hussain introduced the application for a premises license under the Licensing Act 2003 to authorise the supply of alcohol for consumption off the premises. She told the Sub-Committee that the Police and the Licensing Authorities

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had withdrawn their representations. The hours of sales were to be from 10:00 hours to 23:00 hours throughout the week with opening hours from 9:00 to midnight.

6.2 The applicant, Adebola Akinrinbola, made representations to the Sub-Committee in support of the application. He confirmed that alcohol would be restricted from 23:00 hours.

6.3 The Chair referred the Sub-Committee to page 36 of the papers and read out the objection to the application.

6.4 Councillor Sharon Patrick acknowledged that the hours of sales had been reduced and asked the applicant about his experience in dealing with anti-social behaviour. Adebola Akinrinbola confirmed that he had worked in clubs and bars for eight years and confirmed that it was the intention to employ security at the premises. He confirmed that he would comply with all the conditions imposed.

The decision

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 prevention of crime and disorder;
- Public safety;
- Prevention of public nuisance;
- The protection of children from harm;

the application has been approved in accordance with the Council's licensing statement, current conditions and the proposed conditions, set out below.

The following additional conditions:

- No beer, lagers or other ciders exceeding 6.5 % alcohol by volume (ABV) shall be sold or supplied at the premises
- No Miniature bottles of spirits of 50ml or less shall be sold or supplied at the premises
- Outside of the hours authorised for the sale of alcohol and whilst the premises are open to the public, all alcohol within the premises (including alcohol behind the counter) is to be secured in a locked store room or behind locked grilles, locked screens and locked cabinet doors
- All alcohol shall be covered and locked away outside of permitted hours

Reasons for the decision

The application has been approved, with the amended hours set out below report along with the conditions outlined in the report, as the Licensing Sub-Committee was satisfied that the licensing objectives would not be undermined, with;

7 Premises License: Famous/ Drury, 158 Stoke Newington Road, N16 7UY

7.1 The Senior Licensing Officer, Sanaria Hussain, introduced the application for a premises license under the Licensing Act 2003 to authorise the supply of alcohol for consumption on the premises. She told the Sub-Committee that the application had been amended as follows:

- Withdrawal of the basement from the application
- Amendment to the proposed terminal hour for sale of alcohol for consumption on the premises to be 11:00 to 19:00 daily all week and the revised opening hours to be 07:00 to 19:30 daily all week
- The sale of alcohol to be limited to beer, lager, cider and wine only
- There is to be no pool table

The Senior Licensing Officer referred the Sub-Committee to the objections to the application in the report.

7.1 Graham Hopkins (Agent) made submissions on behalf of the applicant. He told the Sub-Committee that the venue would be food led and referred to the menu as consisting of teas, coffees and Paninis with food purchased in the Borough. Food would not be cooked on site, as currently there was not a kitchen on the premises. The venue would be seated only with a waiter service. There was to be no off-sales. Graham Hopkins confirmed that the premises would open at 7am to cater for local trade. The application did not include the serving of spirits and the price of drinks was to range from six to eight pounds. He confirmed that hours of operation complied with the planning consent. There was to be a maximum of four smokers outside the premises at any time. Drinks would not be taken outside. Waste bins would be kept at the rear of the premises.

The decision

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 prevention of crime and disorder;
- Public safety;
- Prevention of public nuisance;
- The protection of children from harm;

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

Amendments to the application made in advance of the hearing by the applicant;

- Withdrawal of the basement from the application, so the application relates to the Ground Floor only
- The hours for sale of alcohol for consumption on the premises be 11:00 hours to 19:00 hours throughout the week with the revised opening hours being 07:00 to 19:30 hours

Agreed amendments to the conditions:

- Condition 18 be amended to read 'Any music will only be played at a background level so as to allow a face to face conversation at a normal speech level'
- Condition 32 be amended to read 'Alcohol shall not be sold, supplied, or consumed on the premises otherwise than to persons who are seated and taking a meal from the menu and that the consumption of alcohol by such persons is ancillary to taking such meals. The supply of alcohol shall be by waiter or waitress service only.'

- Condition 34 be amended to read 'There shall be a maximum of 4 smokers outside the front of the premises. This shall be monitored by staff.'
- Condition 36 be amended to read, '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. Waste bins to be kept at the rear of the premises'
- Conditions 10, 11, 12, 16, 25, 28 and 29 be deleted due to duplication.

The following agreed additional conditions:

- That numbers of patrons in the restaurant shall not exceed 40 persons
- The sale of alcohol to be limited to beer, lager, cider and wine only
- There is to be no pool table
- Mr Tayfun Dongel (the person who had previously sub-let the basement) is to be excluded from the management of the premises and in the running of the premises or the basement area

Reasons for the decision

The application has been approved, with the amended hours and conditions outlined in the report along with additional agreed conditions, as the Licensing Sub-Committee was satisfied that the licensing objectives would be undermined.

Public Informative

It should also be noted for the public record that the applicant has confirmed that the basement is not to be sub-let and is to be used as a work space only.

8 Premises License: Geffrye Museum, Kingland Road, E2 8EA

8.1 Sanaria Hussain, Senior Licensing Officer, introduced the application for a premises license under the Licensing Act 2003 to authorise the supply of alcohol for consumption on and off the premises and for regulated entertainment. She referred the Sub-Committee to the proposed conditions at page 150 of the papers. She told the Sub-Committee that the Police had withdrawn representations following agreement. The Chair highlighted the correspondence in opposition to the application.

8.2 Tanith Lindon, Geffrye Museum, referred to the range of events at the venue, including plays, cinema and yoga and that all events were well attended. Management at the Museum had regular contact with neighbours in the area and there were many family friendly events at the venue. She referred to the two recent incidents relating to music at the venue and confirmed that these arose from teething problems and that the vast majority of events were not disruptive. She told the Sub-committee that there had been seven recorded complaints in the previous year. She confirmed that there was no intention for this to be a late night venue.

8.3 The Chair expressed concern that the application was for a large increase in hours. Tanith Lindon confirmed that the venue would not be open every evening.

Events would be a mix of free and ticketed. She confirmed that music would not make up a large component of events at the venue.

The decision

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 prevention of crime and disorder;
- Public safety;
- Prevention of public nuisance;
- The protection of children from harm;

the application has been approved in accordance with the Council's licensing statement, current conditions and the proposed conditions with the addition of the following conditions that were also imposed by the Sub-Committee in August 2017 (subject to agreement between the applicant and the Council);

10. All staff will be advised of licensing law in writing before they are allowed to serve alcohol.

11. Training will be provided on premises specific policies relevant to the operation of the site.

12. A record will be kept of the dates and names of persons trained which can be made available for inspection by the police or licensing authority at any time.

13. An extensive monitored alarm system is in place across the site to protect it when closed or empty.

14. Extensive external lighting across the site is operated on a timer and as such is always on in hours of darkness. Additional motion activated floor lights are fitted at high levels in less accessible parts of the grounds.

15. Stewards are employed as door staff to supervise admissions and customers inside the venue. Door staff are easily identifiable in museum uniform.

16. All staff sign in to a register with a log of dates and times worked.

17. The museum has a detailed security policy, security incident report forms, evacuation plan and emergency response plan. All these policies are available for inspection at any time by the police or licensing authority.

18. All staff are briefed on the schedule and any security issues in advance of the commencement of any licensable event activity.

19. Any event specific door admission policies including age restrictions, Expected dress standards or screening of bags will be publicised on ticketing website information pages, through direct email contact with ticket holders and also clearly displayed at the entrance to the premises.

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20. Any ejecting or refusal of entry due to admission standards or inappropriate behaviour will be logged in a premises log book.
21. Capacity will be monitored and controlled to ensure the event does not exceed the limit. If capacity is reached, a 1 in 1 out policy will be implemented.
22. Events will be deliberately capped below the maximum capacity of the premises to afford a comfort factor to patrons and avoid conflict, aggression or violence.
23. No glassware drinking vessels may be taken off the premises.
24. A zero tolerance policy is in effect across the premises with relation to drugs and carrying of a weapon.
25. Any events where a search policy is in effect will be widely publicised as such with a clear "no search, no entry" message.
26. Should any customers be suspected of being in possession of drugs or weapons, the police will be called immediately.
27. Secure self-service cloakroom facilities are available at the premises.
28. A lost and found policy is in place in relation to lost/found items at the premises. Passports or ID found are handed in to the local police station.
29. Alcohol for sale by retail in the shop (off-license sales) will be carefully positioned to reduce theft. The items will be away from the doors in a well supervised and well-lit area which is clearly captured on CCTV.
30. Any drinks promotions at the premises will adhere to industry codes such as those recommended by the British Beer and Pub Association (BBPA) and The Portman Group.
31. Drink-aware posters may be displayed in the premises to remind customers of the unit content in alcoholic drinks and the safe alcohol consumption limits.
32. First aid boxes are available at the premises and maintained with sufficient in date Stock. All First Aiders are fully qualified (First Aid at Work)
33. At licensable event activity a hand held clicker is used to monitor capacity and a 1 in, 1 out policy is in place once capacity is reached.
34. Glass collection is constant with staff collecting glasses and preventing glassware from being taken off the premises. Glassware is not be allowed to accumulate or cause obstruction. Perimeter checks are made outside the premises for any glasses or bottles at regular intervals.
35. All staff are made aware of the glass collection policy and their responsibility for the task.
36. Spillages and broken glass are cleaned up immediately to prevent floors from becoming slippery and unsafe.

37. Bottle bins are secure at all times and away from public areas.

38. A written policy to deal with all types of accidents & emergency incidents is in place at the premises. The policy is based on risk assessments and includes matters such as emergency management, contingency planning and evacuation procedures in the event of fire, bomb threats or suspect packages and when to contact emergency services.

39. Evacuation responsibilities and roles are clearly communicated to staff, routes and exits are well defined and evacuation plans exercised regularly. A copy of the fire risk assessment is kept at the premises. Outdoor film screening sound will be broadcast with the use of wireless headphones Conditions derived from Responsible Authority representations

40. The premises shall maintain a comprehensive CCTV system as per the minimum requirements of a Metropolitan Police Crime Prevention Officer. All public areas, entry and exit points will be covered enabling frontal identification of every person entering in any light condition. The CCTV system shall continually record whilst the premises is open for licensable activities and during all times when customers remain on the premises. All recordings shall be stored for a minimum period of 31 days with date and time stamping. Recordings shall be made available immediately upon the request of Police or authorised officer.

41. A staff member from the premises who is conversant with the operation of the CCTV system shall be on the premises at all times when the premises are open to the public. This staff member shall be able to show Police or an authorised officer of Hackney Borough Council recent data or footage with the absolute minimum of delay when requested.

42. An incident log shall be kept at the premises, and made available immediately to an authorised officer of the Hackney Borough Council or the Police, which will record the following: a. all crimes reported to the venue b. any complaints received c. any incidents of disorder d. any faults in the CCTV system e. any refusal of the sale of alcohol f. any visit by a relevant authority or emergency service.

43. All instances of crime or disorder to be reported by the designated premises supervisor or responsible member of staff to an agreed police contact point, as agreed with the Police.

44. Where the sale or supply of alcohol is taking place employees of the premises must request sight of evidence of the age of any person appearing to be under 25 years of age (Challenge 25). Such evidence may include a driving licence or passport.

45. There shall be no glass, drinks or open containers taken outside of the premises at any time.

46. The premises will display and maintain appropriate signage advising customers of the contact details of the Designated Premises Supervisor/Duty Manager.

47. All staff will be given refresher training every twelve months on the legislation relating to the sales of alcohol to underage persons and drunken persons. Written

records of this training shall be kept on the premises and produced to police or other authorised officer upon request.

48. Alcohol shall not be sold, supplied or consumed in the restaurant otherwise than to persons who are taking a substantial meal from the menu and that the consumption of alcohol by such persons is ancillary to taking such meals. The supply of alcohol shall be by waiter/waitress service only.

49. The premises shall adhere to Hackney Police Theft, Weapons and Drugs Policies and any updates thereof.

50. There shall be a written dispersal policy, a copy of which will be kept on the premises and produced to a police officer or other authorised officer upon request.

51. SIA registered door supervisors shall be employed at the premises, on an ongoing risk assessment basis. All security staff and stewards shall be clearly identifiable at all times. Additional SIA registered supervisors to be employed on an operational risk assessment basis. All supervisors shall enter their full details in the premises daily register at the commencement of their work. They shall record their full name, home address and contact telephone number, their SIA registration number, and the time they commence and conclude working. If the supervisor was provided by an agency the name, registered business address and contact telephone number will also be recorded. This register will be made available to police or authorised officer immediately upon request.

52. All alcohol off sales shall only take place between the hours of 10:00 to 17:00

53. The age verification policy operated at the premises shall be 'Challenge 25', where any person who appears under 25 years of age shall be required to provide proof of age using an acceptable form of ID. The only forms of ID that may be accepted shall be: a) a proof of age card bearing the PASS hologram logo b) a passport c) a UK photo driving licence

54. Any sales of alcohol shall be charged at no less than 50p per unit* of alcohol. The licence holder will prepare a price list calculating the units for each available product, which shall be made available to the Police or Licensing Enforcement on request. *A unit of alcohol is 10ml of ethanol. The number of units is calculated by multiplying the % Alcohol By Volume x Volume in centilitres. Thus a half-litre of beer at 5% ABV contains 2.5 units: $(5/100 \text{ ABV}) \times 50\text{cl}$.

55. Alcohol shall not be sold, supplied or consumed on the premises otherwise than to those attending an organised event at the Museum. Conditions derived from committee hearing.

56. Sound played during any outdoor cinema screening will only be broadcasted through wireless headphones.

57. A member of staff from the Geffrey Museum will either be present or contactable during any event held at the premises. The premises licence shall run until it is surrendered or revoked and will lapse upon the death

Reasons for the decision

The application has been approved, with the amended hours set out below report along with the conditions outlined in the report, as the Licensing Sub-Committee was satisfied that the licensing objectives would not be undermined

7. Temporary Event Notices - Standing Item

7.1 There were no temporary event notices.

Duration of the meeting: 2pm – 4pm

Signed

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Chair of Committee

Contact:

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