

MINUTES OF A MEETING OF THE LICENSING SUB COMMITTEE D

THURSDAY, 20TH AUGUST, 2020

Councillors Present: Councillor Brian Bell in the Chair

Cllr Gilbert Smyth (Substitute)

Apologies: Councillor Emma Plouviez

Officers in Attendance: Amanda Nauth, Legal Officer
Suba Sriramana, Principal Licensing Officer
Gareth Sykes, Governance Services Officer

Also in Attendance: Andina

Applicant: Jack Speigler (legal representative)
Shelley Ward (landlord)

Other Person: Andrew Kanter

Hackney Bridge

Applicant:
Nathan Gee (Hackney Bridge Limited)
Gary Grant (Legal Counsel)
Andrew Newman (Consultant)
Tony Westbrook (LLDC in support)

Also in attendance for applicant

Roanna Fawcett - (Hackney Bridge Ltd - Head of Operations)
Andrew Atkins (support for application)

Responsible Authorities:
David Tuit (Licensing Authority)

Other Persons:

Hackney Wick Ward Cllr Nick Sharman

1 Election of Chair

1.1 Councillor Brian Bell was duly elected as Chair of the meeting.

2 Apologies for Absence

1.2 Councillor Emma Plouviez gave her apologies for absence.

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 There were no minutes for consideration.

5 Licensing Sub-Committee Hearing Procedure

5.1 The Chair outlined the hearing procedure to be followed by all parties present, as set out in the agenda pack and circulated prior to the meeting.

6 Application for a Premises Licence - Andina, 1 Redchurch Street, Hackney, London, E2 7DJ

6.1 The Principal Licensing Officer, Suba Sriramana, introduced the application for a premises licence for Andina, 1 Redchurch Street, Hackney London E2 7DJ. The proposed licensable activity was for late night refreshment and the supply of alcohol (on premises). It was also noted that:

- The licence had been surrendered by the previous licensee on the 9th August
- But when the building owner found out, they applied for it to transferred to them instead on 14 August
- The transfer application had been approved and the old licence was now back in place
- All responsible authorities had withdrawn their objections but submissions from two other persons remained
- The applicant had provided additional documentation which had been circulated to the committee members

6.2 The legal representative for the applicant, Jack Speigler, made his submission raising a number of points including the following:

- The application was for a shadow premises licence on the same terms as the existing premises licence. The applicant was the freehold owner of the premises and they were currently engaged in complex negotiations with the outgoing temporary tenant
- Examples were cited of similar shadow premises licences e.g. Extreme Oyster Company
- The application had been made because there were concerns that the existing tenant would imperil the outgoing premises licence.
- The shadow premises licence could still be pursued in order to protect the premises especially in light of the current unprecedented times when licensed operators were going out of business
- With the shadow premises licence there would be an insurance that the licence holder would keep the premises licence on its existing terms as previously approved by the licensing authority. It was felt this would avoid the risk of overly ambitious operators
- It was noted that the responsible authorities had withdrawn their representation and it was also noted that the Licensing Authority in their

Thursday, 20th August, 2020

submission accepted that this application would not result in a new premises licence in the Shoreditch Special Policy Area (SPA) and the cumulative impact. Therefore for the applicant was of the view that LP 10 and 11 were not engaged and even if they were there was no cumulative impact as it was an existing premises licence and not a variation on a premises licence

- In relation to the additional submitted paperwork, the submissions from the two interested parties were welcomed and it was acknowledged that there was some confusion in terms of the proposals but it was felt that the objections that were made were not good grounds for rejection of the application
- The applicant had written to the objectors twice to engage and clarify the application but those invitations had gone unanswered
- He believed those concerns expressed about a new premises licence in Shoreditch had been addressed, and noted the comments raised about the application in relation to Covid19, which the applicant also had raised. It was reiterated that there was no additional licensed premises and no additional cumulative impact. It was also recognised that the pandemic would continue to have a material impact on the number of persons visiting licensed premises in the Shoreditch area for the foreseeable future. This would result in a lower recorded cumulative impact in the area than the last time levels were recorded
- The applicant was a responsible landlord who had taken steps to ensure an incoming tenant has a premises license on the same terms as previously agreed by the licensing authority. There would be no adverse effect on the licensing objectives or additional cumulative impact

- 6.2 In response to a question from the chair of the committee, the legal representative for the applicant replied that the licensing authority had helpfully included suggested conditions from the Council's Environmental Health Officer in their representation. However, that officer's representation had been withdrawn with no requirement for additional conditions partly because it's a shadow licence and partly because there were a number of conditions included in the operation manual. If the application was granted it was suggested that there would be no need to impose conditions 36 to 38 because no one was asking for them anymore. A copy of the email from the Environmental Health Officer to the legal representative for the applicant, regarding the aforementioned matter was forwarded to the legal officer. A licensing officer had been copied into the original correspondence.
- 6.3 The chair of the committee stated that the application would be treated as a new application but with the committee members aware that the application was for a premises that already exists. Therefore it was up to someone else to make the case for whether there was an additional cumulative impact in the case of this application.
- 6.4 There were no submissions from the responsible authorities as they had withdrawn their representations.
- 6.5 The committee heard from other persons. The following points were raised:
- It was understood that they were under the impression that the existing licence had lapsed and that this application was for an entirely new licence but it appeared that this was not the case

Thursday, 20th August, 2020

- Even if this was to be treated as a shadow licence it had to be made clear the impact of the baseline of licensed premises in the area. Local residents were well aware of the impact of the Night Time Economy on neighbours and the police. It was empirical in March 2020 crime was down in Shoreditch and now it was beginning to rise again. In that context the application needed to be considered as a new licence
- Their main concern was not knowing who the landlord would be that was moving into the premises. It was felt that under the council's licensing objectives and the licensing act a blanket application such as this one should be rejected
- It was accepted that compared to eight months ago the situation in Shoreditch had now changed when there had been greater levels of crime and anti-social behaviour. The situation in the area was the new baseline from which this application should now be considered

- 6.6 The chair of the committee recognised that this was a complex matter and that the original application was surrendered, then it was reactivated. The application before the committee was a shadow licence. The chair was of the view that the other persons had not made the case for why the application would add to the cumulative impact. The other persons replied that the impact on the night time economy and the addition of more people into Shoreditch and additional alcohol sales. Another licensed premises inevitably attracts more people to the area. He believed there was a direct correlation between an increased number of people on the street and incidents of anti-social behaviour and the negative impact on the health of and safety of children for example. The chair of the committee understood that all attendees at the meeting were now agreed while that the application under discussion was new, it was not creating an additional licensed premises. The chair of the committee repeated that the existing premises license had been surrendered, but then reactivated by the landlord. The applicant was now applying for this "shadow" licence for commercial reasons. The other persons agreed with this assessment but felt that both the committee members and the applicant should recognise that there would be some impact on the area.
- 6.7 In response to a question from Councillor Smyth, the other person replied that the previous operator on the site was particularly bad when it came to leaving their waste outside the premises. It was a narrow footpath in front of the venue with other busy licensed premises adjacent to the site. Piles of recycling would cause an obstruction. It was noted that there were conditions on the licence that regulated this matter.
- 6.8 In response to a question from the council's legal officer, the other person replied that in terms of Covid19 and its impact on footfall in the area, it appeared that it had not been lowered. People appeared to be spending more time on the streets. The streets appeared to be as busy as they ever were although the venues were not as full.
- 6.9 The applicant confirmed that there was no outside area attached to the licence. There was no intention to change this in the future.

6.10 In closing, the legal representative for the applicant thanked the other persons for his submissions. He emphasised that the application was for a shadow licence. The other persons made no further comments.

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 for a premises licence has been approved in accordance with the Council's Statement of Licensing Policy and paragraph 8.1 of the report, with the following amendments :-

- Not to add conditions 36 and 38 to the licence as agreed with Environmental Enforcement.

Reasons for the decision

The application for the premises licence has been approved, as members of the Licensing sub-committee were satisfied that the licensing objectives would not be undermined within the Shoreditch Special Policy Area (SPA).

The sub-committee took into consideration that the Metropolitan Police Service, and Environmental Enforcement had withdrawn their representations, and agreed conditions with the applicant.

The sub-committee also took into consideration the representations made by the Other Persons and their concerns about the potential impact on local residents. The premises is located in the Shoreditch SPA and therefore it is subject to policy LP10.

The applicant's representative made representations that the application was for a "shadow" premises licence on the same terms as existing premises. The proposed licensable activities, hours and conditions are identical to the existing premises licence. The applicant is the freehold owner of the premises. The application was made to ensure that there was a valid premises licence capable of being transferred to an incoming tenant. There is no intention to add licensable activities, extend hours or relax conditions which might add to cumulative impact in the Shoreditch SPA.

The Responsible Authority (Licensing) acknowledged that the application would not result in an additional licensed premises in the Shoreditch SPA.

Having taken all of the above factors into consideration the sub-committee were satisfied that the licensing objectives would continue to be promoted within the Shoreditch SPA, by granting this application.

7 Application for a Premises Licence - Hackney Bridge - Block A, Aluminium Building, East Bay Lane, London, E15 2BH

7.1 The Principal Licensing Officer, Suba Sriramana, introduced the application for a premises licence for Hackney Bridge the following three blocks:

- Block A, Aluminium Building, East Bay Lane, London, E15 2BH. The Proposed licensable activities were Late Night Refreshment and the Supply of Alcohol (On Premises).
- Block B, Beta Building, East Bay Lane, London, E15 2BL
- Block C, Charlie Building, East Bay Lane, London, E15 2DJ

The proposed licensable activity for blocks A to C were for films, indoor sporting events, live music, recorded music, performance of dance and late night refreshment and the supply of alcohol (on and off Premises)

The meeting participants noted that revised hours and conditions had been agreed between the applicant, police and environmental health teams for Blocks A, B and C. It was noted that subsequent to the publication of the main meeting pack, the applicant had submitted additional paperwork in support of their application, which had been forwarded to all parties.

There remained submissions from one Responsible Authority (Licensing) and other persons, a local ward councillor.

7.2 The legal representative for the applicant made his submission raising the following points:

- They believed this was a significant opportunity for the area and would be hugely beneficial to Hackney and the neighbouring boroughs
- The applicant had a proven track record of undertaking projects like this in Brixton and Peckham
- The application had been three years in the making
- Extensive discussions had taken place with the police and the council's environmental health department which had led to an agreed set of hours and conditions. These were a carefully considered set of conditions for blocks A, B and C. Each block had a different use; block A was a pub and two restaurants, block B was a food hall and mezzanine and block C was a multi-use event space and cocktail bar. Community events would take place mostly in block C
- Planning permission had been granted of the project
- The hours applied for were now less than that originally proposed
- It was stressed that there was a great detail of community aspect to the applications with free use of the event space, in block C, for up to 25 per cent of the time, but it was acknowledged to make it financially viable it needed to be paid for and this was affected by the reduced hours
- The objection from the licensing authority was noted on the grounds of licensing policy as well as the submission from the local ward councillor

Thursday, 20th August, 2020

- If the application was kept within core hours, as suggested by the licensing authority, would not allow the premises to undertake the community work on site
- LP 3 set the core hours but the applicant noted that extended hours may be considered where the applicant has identified a risk to the promotion of the licensing objectives and has put in place robust measures to mitigate those risks. It was argued that those robust measures were in place which already satisfy the police and environmental health. These robust measures were set out in the supplementary papers e.g. the travel and dispersal plans
- Their expectation was that it was highly unlikely that a great deal of people would disperse into the residential areas. The premises were close to two railway stations. It was expected that most people attending the premises would be local. Street marshals would be deployed into strategic positions when there was a busy event
- Letters of support from the heads of regeneration from two local councils where the applicant had licensed premises, had been submitted. Those two councils had also confirmed that there had been no licensing issues
- The applicant gave a brief overview of the premises dispersal policy explaining that they had done an extensive community engagement project through the duration of the development of the premises
- It was noted that the premises would provide supported space, lower than market rent, for those who could not afford it and otherwise get on to that commercial property ladder
- Embedded in the lease was that 70 per cent or more tenants need to be members of the local community
- The dispersal policy would apply to all three blocks. It was felt that this policy would result in minimal impact on local residents
- It was understood that the nearest residential development to the site would also be within Hackney Bridge. The developer director for this residential site explained that licensed premises was a good community fit for residential use of their site. He explained that his marketing suite for the residential development would be the building closest to the application premises
- The development director for the residential site gave a brief overview of the their project
- The hours proposed had been carefully considered by the police, environmental health and the applicant to ensure staggered dispersal times
- It was understood that no local residents had raised objections to the application

7.3 In response to a question from the chair of the committee, the legal representative for the applicant replied that there was not a street marshals condition. It had already been contained in the planning documents in the supplementary papers pack. The number of marshals used would be determined through a risk assessment by the applicant. The chair explained that the committee would want a separate licensing condition requiring these.

7.4 In response to a question from the chair of the committee, the applicant replied that the cocktail bar in block C would be open all the times applied for. Committee members were concerned that it might become a 'second pub'. The

- applicant replied that the use would be mostly supplementary to the event space as it would generate the most income during the time the event space was open, but it would be open to the public all the time.
- 7.5 In response to a question from Councillor Smyth, the applicant repeated that the cocktail bar was largely supplementary to the event space and would feed off the event space in terms of the higher foot fall.
- 7.6 The entire capacity for block C was 626 persons. The capacity for the cocktail bar, which was located in block C, was 60 persons.
- 7.7 The licensing authority in their submission confirmed that the proposed scheme did date back sometime (May 2017). The licensing authority reiterated their concerns regarding the hours for A and C being outside the core hours and council licensing policy and that there were already some licensing premises in the area. The legal representative for the applicant explained at the end of the evening licensable activities would wind down but late night refreshment would remain to allow patrons to have a tea and coffee while the premises closed. This would also be part of the staggered dispersal policy. The chair of the committee raised concerns about this approach. The expectation was that the stopping of all licensable activities would be part of the wind down period and then patrons would leave the premises. The serving of anything would encourage patrons to hang around. The legal representative for the applicant agreed the serving of tea and coffee at the end of the evening could be removed. The winding down period would be after all licensable activities had stopped.
- 7.8 The local ward councillor made his submissions raising a number of points including:
- The original thinking behind the proposed scheme was community orientated workshops. These would be built around the artistic community in the Hackney Wick area. It now appeared that the community was now being asked to subsidise a very considerable entertainment centre
 - It was also felt that there had been no engagement with local councillors. They appeared to have not been asked about the proposed hours
 - Concerns were raised about the spilling out of 600 plus people into the residential areas without enough consideration of the negative impact of proposed licensable activities on future and current residents of the area
 - It was also noted that the Hackney Wick area was being transformed, the walking route to Hackney Wick station would not remain solely a warehouse area for long and would become a mixed use residential area
 - It was felt that the patrons would be largely external people and it was felt that this would have a negative impact on local public transport. There needed to be a proper dispersal plan in place
- 7.9 During the discussion phase of the meeting the following points were raised:
- The local ward councillors were contacted at the initial stage of the development but it was felt that it was never explained as an entertainment led development

Thursday, 20th August, 2020

- Over the last weeks and months efforts had been made by the applicant to consult with local ward councillors about the proposed scheme and in particular the proposed hours
- Proper community consultation starts with local councillors and groups before any licensing hearing
- It was noted that the head of the council's regeneration team was part of the project's steering group and was made aware of the hours at an early stage
- The applicant was content to offer a street marshal condition and if necessary to have a minimum of two street marshals employed when events were happening on site on Fridays and Saturdays from midnight. Every other night the number of street marshals would be risked assessed
- The capacities for the three blocks were based on a fire risk assessment report
- On block A and the impact of covid19 it was acknowledged that the capacities would be reduced because of current covid19 regulations. The public facing spaces (restaurants, the pub etc) would not open until April 2021 whilst the offices and convenience store would be open first. Food and beverage being served to the public currently would not begin until next year to mitigate the risk of covid19 being spread to the wider community. Strict controls would be maintained
- It was not clear at this stage whether any future tenant in the pub area in block A would operate as a "sport bars". The applicant, however, had discussed with the licensing authority what conditions would be involved if this was to occur in the future
- It was reiterated that the capacity for block A was guided by the fire risk assessment capacity and the applicant would enforce a capacity once a tenants were identified
- Block A would not function until April 2021
- There was concerns raised about the longer hours for block C, for the cocktail bar, in order to pay for the community space
- The legal representative for the applicant explained that they had already made a number of concessions regarding the hours for block C following agreement with the police and environmental health. It was felt any further reduction would impact on the applicant's offer to the community
- The applicant agreed to a capacity limit to the cocktail bar, in block C, of 60 persons. A condition was proposed to this effect
- On Block B and the food hall, there would be 13 semi-permanent kiosk holders selling food and drink. Seating would be available within the area, mostly on the mezzanine level. There would also be furniture in the courtyard area as well
- The smoking areas on site were based on proposals put forward from council officers
- It was appreciated that the applicant was making efforts to recognise the concerns of local ward councillors
- The legal representative explained that there was a 'meanwhile' nature to the project. The applicant added that the lease term was 12 years but it was dependent on how the rest of the development goes across but there may be some malleability because of the impact of covid19
- It was noted that there was a local steering group closely involved in the arrangements for the use of the community events space

Thursday, 20th August, 2020

- The applicant was keen for local ward councillors to be involved with the work of the steering group. The group would meet quarterly for the first 12 months
- The legal officer had no further issues to add
- There was one night bus going through Hackney Wick. It was understood the last train times at Hackney Wick were currently from 12 midnight to 12:30am
- There was a proposal for Hackney Wick train station to run 24 hours in the future and the applicant did work with local mini cab firms to ensure there was an allotment of taxis ready
- Within the conditions, for all three blocks, there was a minimum Security Industry Authority (SIA) requirement e.g. condition four
- It was not planned to have SIA staff in the food hall
- Outside of Fridays and Saturdays a risk assessment would be made as to whether SIA staff would be needed for any of the other nights

7.10 The legal representative for the applicant in his closing remarks reiterated the reduction in hours following agreement with the police and environmental health. The applicant had deferred to everything that had been proposed by the likes of the police for example. It was also highlighted that during the licensing committee the applicant had agreed to a minimum number of door staff during peak days. They had also agreed to street marshals on Friday and Saturday nights, and to the capacity of the cocktail bar being capped at 60. It was also stressed that the wider scope of the project was devoted to a mix of uses and community led activities. The licensable activities would help pay for the latter.

7.11 The chair of the committee stressed that the committee would like to see a condition in place where all licensable activities would stop a half hour before closing time. The applicant agreed to this amendment.

7.12 The capacity numbers quoted on the drawings were taken to be the maximum capacities for each of the three blocks. The licensing authority commented that in the future these capacities may be reduced.

7.13 The other persons made no closing remarks.

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 for a the 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 amendments:

- The opening hours and the hours for licensable activity:

Opening Hours:

Sunday – Wednesday 10:00 – 00:30 hours

Thursday – Saturday 10:00 – 01:30 hours

Films (Indoors and Outdoors)

Sunday – Wednesday 10:00 – 00:00 (midnight) hours

Thursday – Saturday 10:00 – 01:00 hours

Indoor Sporting Events

Sunday – Wednesday 10:00 – 00:00 hours

Thursday – Saturday 10:00 – 01:00 hours

Live Music

Sunday – Wednesday 10:00 – 00:00 hours

Thursday – Saturday 10:00 – 01:00 hours

Recorded Music

Sunday – Wednesday 10:00 – 00:00 hours

Thursday – Saturday 10:00 – 01:00 hours

Performance of Dance

Sunday – Wednesday 10:00 – 00:00 hours

Thursday – Saturday 10:00 – 01:00 hours

Late Night Refreshment

Sunday – Wednesday 23:00 – 00:00 hours

Thursday – Saturday 23:00 – 01:00 hours

Supply of Alcohol (On the premises)

Sunday – Wednesday 10:00 – 00:00 hours

Thursday – Saturday 10:00 – 01:00 hours

Supply of Alcohol (Off the premises)

Sunday – Wednesday 10:00 – 23:00 hours

Thursday – Saturday 10:00 – 23:00 hours

- All licensable activity will cease 30 minutes before the premises closes each day.
- Non-standard hours to be removed from the application.
- Alcohol off-sales shall cease at 23:00 hours every day.
- Condition 13 to be amended and read as follows:

“There shall be a minimum of 2 SIA registered door supervisors employed at the premises on Thursdays, Fridays and Saturdays from 2100hrs until 30 minutes after close. Additional SIA registered door supervisors shall be employed subject to an operational risk assessment basis. All security staff shall be clearly identifiable at all times. All door 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 door supervisor was provided by an agency the name, registered business address and contact telephone number will also be provided. This register will be made available to police or authorised officer immediately upon request”.

- Condition 15 to be amended and read as follows:

“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. There shall be written records of all training kept at the premises and made available to police or other authorised officers upon request”.

- Condition 18 to be amended and read as follows:

“There shall be a written dispersal policy, as agreed with the relevant Responsible Authorities, implemented at the premises and a copy lodged with the Council’s Environmental Protection Team. A copy shall be kept on the premises and made available to the Metropolitan Police Service or other authorised officer upon request”.

- Delete conditions 63 and 64 as duplicate of conditions 25 and 26.
- Delete condition 65 as duplicate of condition 20.

- Delete condition 43 as duplicate of conditions 18.
- Delete condition 59 as duplicate of conditions 66.

And the following additional conditions agreed by the Applicant:

- All alcohol sold, supplied and consumed on the premises shall be ancillary to a table meal in the restaurant areas. These areas shall be clearly marked. All customers shall be seated and alcohol supplied by waiter/waitress service.
- There shall be a minimum of two (2) street marshals to assist with dispersal from midnight on Friday and Saturday nights. Additional marshals shall be deployed on a risk assessed basis. Marshals shall dispose of any waste or rubbish left by dispersing patrons, and ensure that patrons leave quietly respecting the local community.

Reasons for the decision

The application for the premises licence has been approved, as members of the Licensing Sub-committee were satisfied that the licensing objectives would not be undermined.

The sub-committee took into consideration that the Metropolitan Police Service (MPS), Environmental Health, and Environmental Enforcement had withdrawn their representations, upon agreeing revised hours and additional conditions with the applicant including providing additional SIA security as agreed with the MPS.

The applicant claimed to have proposed robust processes and procedures in response to the representations from the responsible authorities, and to mitigate any risks to the local community. The applicant had provided a Travel Plan, Site Management Plan, a Business Feasibility Study, an Acoustic Report, and a Dispersal Policy.

The sub-committee took into consideration the representations from the Licensing Authority and Other Persons represented by their ward councillor, which included the impact on local residents and dispersal from the premises late at night. The ward councillor requested that the applicant engage with local councillors better, to represent and incorporate the views of local residents in the area.

The sub-committee had particular concerns about the dispersal of patrons late at night throughout the week and especially on Friday and Saturday. In response the applicant offered to make minimum provision of security staff mandatory on Thursday, Friday and Saturday, rather than just based on risk assessments. In addition they agreed to the use of street marshals to minimise noise and disturbance to local residents. The parties also agreed at the hearing that all licensable activities would cease 30 minutes before the premises close.

The sub-committee took into consideration that the Hackney Bridge site is due to be redeveloped permanently in 10 years' time. The interim use scheme has been planned to help provide a mix of uses including space for local businesses. It relied to an extent on cross-subsidy to make these spaces possible. The amended application

with reduced hours, and conditions agreed with the responsible authorities, had mitigated many concerns.

Having taken all of the above factors into consideration the sub-committee were satisfied when granting this application that the licensing objectives would be promoted.

PUBLIC INFORMATIVE

The applicant is encouraged to engage in further meaningful dialog with regard to dispersal from the premises and improving transport links, to reduce any impact on the local residents.

8 Application for a Premises Licence - Hackney Bridge - Block B, Beta Building, East Bay Lane, London, E15 2BL

8.1 For the minutes on agenda item 8 please see agenda item 7 above.

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 for a the 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 amendments:

- The opening hours and the hours for licensable activity:

Opening Hours:

Sunday – Wednesday 10:00 – 00:30 hours

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- All licensable activity will cease 30 minutes before the premises closes each day.
- Non-standard hours to be removed from the application.
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“There shall be a minimum of 2 SIA registered door supervisors employed at the premises on Thursdays, Fridays and Saturdays from 2100hrs until 30 minutes after close. Additional SIA registered door supervisors shall be employed subject to an operational risk assessment basis. All security staff shall be clearly identifiable at all times. All door 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

Thursday, 20th August, 2020

contact telephone number, their SIA registration number, and the time they commence and conclude working. If the door supervisor was provided by an agency the name, registered business address and contact telephone number will also be provided. This register will be made available to police or authorised officer immediately upon request”.

- Condition 15 to be amended and read as follows:

“ 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. There shall be written records of all training kept at the premises and made available to police or other authorised officers upon request”.

- Condition 18 to be amended and read as follows:

“There shall be a written dispersal policy, as agreed with the relevant Responsible Authorities, implemented at the premises and a copy lodged with the Council’s Environmental Protection Team. A copy shall be kept on the premises and made available to the Metropolitan Police Service or other authorised officer upon request”.

- Delete conditions 63 and 64 as duplicate of conditions 25 and 26.
- Delete condition 65 as duplicate of condition 20.
- Delete condition 43 as duplicate of conditions 18.
- Delete condition 59 as duplicate of conditions 66.

And the following additional conditions agreed by the Applicant:

- All alcohol sold, supplied and consumed on the premises shall be ancillary to a table meal in the restaurant areas. These areas shall be clearly marked. All customers shall be seated and alcohol supplied by waiter/waitress service.
- There shall be a minimum of two (2) street marshals to assist with dispersal from midnight on Friday and Saturday nights. Additional marshals shall be deployed on a risk assessed basis. Marshals shall dispose of any waste or rubbish left by dispersing patrons, and ensure that patrons leave quietly respecting the local community.

Reasons for the decision

The application for the premises licence has been approved, as members of the Licensing Sub-committee were satisfied that the licensing objectives would not be undermined.

The sub-committee took into consideration that the Metropolitan Police Service (MPS), Environmental Health, and Environmental Enforcement had withdrawn their representations, upon agreeing revised hours and additional conditions with the applicant including providing additional SIA security as agreed with the MPS.

The applicant claimed to have proposed robust processes and procedures in response to the representations from the responsible authorities, and to mitigate any risks to the local community. The applicant had provided a Travel Plan, Site Management Plan, a Business Feasibility Study, an Acoustic Report, and a Dispersal Policy.

The sub-committee took into consideration the representations from the Licensing Authority and Other Persons represented by their ward councillor, which included the impact on local residents and dispersal from the premises late at night. The ward councillor requested that the applicant engage with local councillors better, to represent and incorporate the views of local residents in the area.

The sub-committee had particular concerns about the dispersal of patrons late at night throughout the week and especially on Friday and Saturday. In response the applicant offered to make minimum provision of security staff mandatory on Thursday, Friday and Saturday, rather than just based on risk assessments. In addition they agreed to the use of street marshals to minimise noise and disturbance to local residents. The parties also agreed at the hearing that all licensable activities would cease 30 minutes before the premises close.

The sub-committee took into consideration that the Hackney Bridge site is due to be redeveloped permanently in 10 years' time. The interim use scheme has been planned to help provide a mix of uses including space for local businesses. It relied to an extent on cross-subsidy to make these spaces possible. The amended application with reduced hours, and conditions agreed with the responsible authorities, had mitigated many concerns.

Having taken all of the above factors into consideration the sub-committee were satisfied when granting this application that the licensing objectives would be promoted.

PUBLIC INFORMATIVE

The applicant is encouraged to engage in further meaningful dialog with regard to dispersal from the premises and improving transport links, to reduce any impact on the local residents.

9 Application for a Premises Licence - Hackney Bridge - Block C, Charlie Building, East Bay Lane, London, E15 2DJ

9.1 For the minutes on agenda item 9 please see agenda item 7 above.

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 for a the 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 amendments:

- The opening hours and the hours for licensable activity:

Opening Hours:

Sunday – Wednesday 10:00 – 01:00 hours

Thursday – Saturday 10:00 – 02:00 hours

Films (Indoors and Outdoors)

Sunday – Wednesday 10:00 – 00:30 hours

Thursday – Saturday 10:00 – 01:30 hours

Indoor Sporting Events

Sunday – Wednesday 10:00 – 00:30 hours

Thursday – Saturday 10:00 – 01:30 hours

Live Music

Sunday – Wednesday 10:00 – 00:30 hours

Thursday – Saturday 10:00 – 01:30 hours

Recorded Music

Sunday – Wednesday 10:00 – 00:30 hours

Thursday – Saturday 10:00 – 01:30 hours

Performance of Dance

Sunday – Wednesday 10:00 – 00:30 hours

Thursday – Saturday 10:00 – 01:30 hours

Late Night Refreshment

Sunday – Wednesday 23:00 – 00:30 hours

Thursday – Saturday 23:00 – 01:30 hours

Supply of Alcohol (On the premises)

Sunday – Wednesday 10:00 – 00:30 hours

Thursday – Saturday 10:00 – 01:30 hours

Supply of Alcohol (Off the premises)

Sunday – Wednesday 10:00 – 23:00 hours

Thursday – Saturday 10:00 – 23:00 hours

- All licensable activity will cease 30 minutes before the premises closes each day.
- Non-standard hours to be removed from the application.
- Alcohol off-sales shall cease at 23:00 hours every day.
- Condition 13 to be amended and read as follows:

“There shall be a minimum of 2 SIA registered door supervisors employed at the premises on Thursdays, Fridays and Saturdays from 2100hrs until 30 minutes after close. Additional SIA registered door supervisors shall be employed subject to an operational risk assessment basis. All security staff shall be clearly identifiable at all times. All door 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 door supervisor was provided by an agency the name, registered business address and contact telephone number will also be provided. This register will be made available to police or authorised officer immediately upon request”.

- Condition 15 to be amended and read as follows:

“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. There shall be written records of all training kept at the premises and made available to police or other authorised officer upon request”.

- Condition 18 to be amended and read as follows:

“There shall be a written dispersal policy, as agreed with the relevant Responsible Authorities, implemented at the premises and a copy lodged with the Council’s Environmental Protection Team. A copy shall be kept on the premises and made available to the Metropolitan Police Service or other authorised officer upon request”.

- Condition 19 to be amended and read as follows:

“Clear and prominent notices shall be displayed and maintained at all exits and in a place where they can be seen and easily read by customers requiring

Thursday, 20th August, 2020

customers to leave the premises and the area quietly and respect the needs of local residents”.

- Condition 46 to be amended and read as follows:

“Clear and prominent notices shall be displayed and maintained at all exits and in a place where they can be seen and easily read by customers requiring customers to leave the premises and the area quietly and respect the needs of local residents”.

- Delete condition 40 as duplicate of conditions 13.
- Delete condition 45 as duplicate of conditions 18.

And the following additional conditions agreed by the Applicant:

- All alcohol sold, supplied and consumed on the premises shall be ancillary to a table meal in the restaurant areas. These areas shall be clearly marked. All customers shall be seated and alcohol supplied by waiter/waitress service.
- After 2300hrs there shall be no glass, drinks or open containers taken outside the premises at any time.
- The queue to head towards the back of the block, the service yard, from the main entrance to Block C.
- There shall be a minimum of two (2) street marshals to assist with dispersal from midnight on Friday and Saturday nights. Additional marshals shall be deployed on a risk assessed basis. Marshals shall dispose of any waste or rubbish left by dispersing patrons, and ensure that patrons leave quietly respecting the local community.
- In the cocktail bar in Block C there shall be a maximum of 60 patrons at any one time.

Reasons for the decision

The application for the premises licence has been approved, as members of the Licensing Sub-committee were satisfied that the licensing objectives would not be undermined.

The sub-committee took into consideration that the Metropolitan Police Service (MPS), Environmental Health, and Environmental Enforcement had withdrawn their representations, upon agreeing revised hours and additional conditions with the applicant including providing additional SIA security as agreed with the MPS.

Thursday, 20th August, 2020

The applicant claimed to have proposed robust processes and procedures in response to the representations from the responsible authorities, and to mitigate any risks to the local community. The applicant had provided a Travel Plan, Site Management Plan, a Business Feasibility Study, an Acoustic Report, and a Dispersal Policy.

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PUBLIC INFORMATIVE

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Thursday, 20th August, 2020

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Thursday, 20th August, 2020

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PUBLIC INFORMATIVE

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10 Temporary Event Notices - Standing Item

10.1 There were no Temporary Event Notices for consideration.

Duration of the meeting: 14:00 – 15:45

Signed

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Chair of Committee, Councillor Brian Bell

Thursday, 20th August, 2020

Contact:

Governance Services Officer:
Tel 020 8356 8407