



- a) Noise levels are kept to a minimum
  - b) Drugs or weapons are seized
  - c) Patrons disperse from the area quickly and quietly
- A complaints phone line will be available to residents, the number made available by emailing a dedicated email address ensuring that any anti-social behaviour is addressed immediately.

### **Reasons for the decision**

The application to vary the premises licence relating to the seated external area has been approved, with the above conditions, as the Licensing sub-committee was satisfied that the licensing objectives would not be undermined in the Dalston Special Policy Area (Dalston SPA).

The sub-committee took into consideration that the Metropolitan Police Service and one representation from Other Persons on behalf of the local residents both maintained their objections on the grounds of crime and disorder, public nuisance and public safety. It was noted there were no other representations received from the Responsible Authorities.

The sub-committee took into consideration the representations made by the Metropolitan Police Service that they had concerns about the additional hours for the external area contrary to Policy LP6, and the negative impact it would have on the residential area due to potential noise levels, and the premises is situated on a busy street. After hearing from the applicant the Metropolitan Police Service maintained their objection to the application.

The sub-committee took into consideration the representations made by the Other Person that noise levels late at night e.g. taxi doors slamming do have an impact on the local residents, and that commercial considerations were not relevant to the Council's Licensing Policy. The Other Person contended that the burden of proof was on the applicant to prove their case, and they did not feel that the applicant proved their case. After hearing from the applicant the Other Person maintained their objection to the application.

The sub-committee heard from the applicant that they had been running the premises for the last ten years without incident or complaints from local residents, and they had a good relationship with the local community. The applicant made submissions that the external seating area has eight tables in a covered area with a roof. The sub-committee heard that the applicant always has security monitoring the outside area to prevent noise nuisance and anti-social behaviour, and they have CCTV in place to monitor the premises. The sub-committee heard that the SIA security helps with dispersal from the premises, and assists customers with taxis or finding transport when they leave the premises.

After hearing from the applicant, the Metropolitan Police Service, and the Other Persons the sub-committee felt that there was not sufficient evidence presented to them to show that the premises were causing problems with noise nuisance, and undermining the licensing objectives.

The sub-committee were convinced by the control measures that the applicant had put in place for the external area to help operate the external area responsibly. The sub-committee took into consideration that a roof had been installed in the external area which would help reduce the impact of noise on the residential area. The sub - committee noted it was a small seated external area. The sub - committee took into consideration that the applicant employed SIA security to ensure the neighbours are not disturbed by activities and dispersal from the premises.

The sub-committee was satisfied that an extra hour until 23:00 on Sundays would limit any negative impact that granting the variation to the licence would have on the area.

The sub-committee considered the conditions proposed by the Other Person, however, it was noted that there were conditions already in place that covered the same concerns.

Having taken all of the above factors into consideration, the Licensing sub-committee was satisfied, when granting this application to vary the premises licence, that the licensing objectives would continue to be promoted in the Dalston SPA.