

**Application for a Premises Licence –The Doner Store, 468 Kingsland Road, London, E8 4AE – APPROVAL**

**The decision of 2nd November 2021**

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; and
- 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 with the proposed conditions set out in paragraph 8.1 of the report, with the following amendments:

- Remove non-standard hours from the application.
- Remove New Years Eve hours from the application.

And Additional conditions:

- The use of the external area shall cease by 22:00 hours when all street furniture such as tables and chairs shall be rendered unusable, and shall be removed.
- The premises shall install and maintain a comprehensive CCTV system as per the minimum requirements of a Metropolitan Police Crime. All 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 authorized officer throughout the preceding 31 day period. The CCTV system should be updated and maintained according to police recommendations.
- 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 is open to the public. This staff member must be able to show a Police or authorized council officer recent data or footage with the absolute minimum of delay when requested.

- Customers will be encouraged to leave premises quietly and promptly. The Premises Licence Holder shall display A4 size notices on entry / exit point, with clear wording no smaller than size 50 font stating "Please respect our neighbours and leave the area quietly."
- An incident log shall be kept at the premises, and made available on request to an authorised officer of the council or the police, which will record the following:
  - a. All crimes reported.
  - b. All ejections of patrons
  - c. Any complaints received.
  - d. Any incidents of disorder.
  - e. Seizure of drugs or offensive weapons.
  - f. Any faults in the CCTV system.
  - g. Any refusal of the sale of alcohol.
  - h. Any visit by a relevant authority or emergency service.
- All instances of crime and disorder witnessed or reported to staff to be reported by the Designated Premises Supervisor or responsible member of staff to police.
- All staff shall receive training on the legislation relating to the sales of alcohol to underage persons and drunken persons and shall have refresher training every 6 months. There shall be written records of such training which will be kept on the premises and produced to a police officer or other authorised officer upon request.
- All off sales of alcohol shall be ancillary to a take away meal and in sealed containers for consumption away from the premises.
- The premises shall at all times operate a Challenge 25 policy to prevent any customers who attempt to purchase alcohol and who appear to the staff member to be under the age of 25 years without having first provided identification. Only a valid British driver's licence showing a photograph of the person, a valid passport or proof of age card showing the 'Pass' hologram are to be accepted as identification. Military ID Cards can also be accepted. Notices and/or posters advertising the Challenge 25 policy shall be placed in prominent positions at the premises.
- No alcohol to be situated in the public area. The location of the alcohol is to be sited out of sight of members of the public.
- The licence holder shall maintain a dedicated telephone number of the Designated Premises Supervisor for use by a responsible authority or any

person who may wish to make a complaint. This contact number shall be provided to the Licensing authority police and any local authority upon request.

- Deliveries will not be made to public places such as parks, roadsides or landmarks. Deliveries can only be made to a home or business address given at the time of the order.
- Super Strength lagers, beers and/or ciders with an ABV of 5.5% or higher, shall not be sold at the premises.

### **Reasons for the decision**

The amended application for a premises licence for Late Night Refreshment, and the supply of alcohol for consumption off the premises has been approved, because members of the Licensing sub-committee were satisfied that the licensing objectives would not be undermined within the Dalston Special Policy Area (Dalston SPA).

The sub-committee took into account that the Metropolitan Police Service agreed to conditions and reduced hours with the applicant, and subsequently withdrew their objections in advance of the hearing.

The sub-committee also considered the representations received by Other Persons (local residents) opposing the application and the concerns raised.

The sub-committee took into consideration the representations made by the Licensing Authority, and their concerns about the impact on the Dalston SPA which suffered from public nuisance and the cumulative impact in the area. The sub-committee also took into consideration that the premises is located in the Dalston SPA and therefore it is subject to policy LP10.

The sub-committee heard submissions from the Licensing Authority that the reduced hours alleviate their concerns, and that most of their concerns were resolved so agreed with the Metropolitan Police Service.

The sub-committee after hearing from the applicant, the Licensing Authority, and considering the representations from the Other Persons were satisfied that the premises would not add to the cumulative impact in the area. In addition they felt it would not threaten the licensing objectives in the Dalston SPA. The sub-committee noted that two Temporary Events were carried out successfully at the premises without complaints.

The sub-committee took into account that the application was modified with reduced hours to ensure that food and alcohol were not sold after 23:00 when the problems in the area start which is a concern to Other Persons. They felt the reduced hours would help overcome any negative impact on the Dalston SPA.

The sub-committee took into consideration the nature of the business, and that it is a modest size premises. They noted that the applicant agreed to reduced alcohol hours that were better than the core hours set out in Policy LP3 which seemed to address the concerns raised. The sub-committee felt that the applicant was an established and responsible operator that needed to establish a track record in the area. The sub-committee also noted it was a food led premises and that the alcohol will be served ancillary to a take away meal.

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

### **Public Informative**

1. The Licence holder to manage delivery services in such a way to minimise pollution and other public nuisance.
2. The Licence holder is encouraged to engage in meaningful dialogue with the local residents to resolve any issues relating to the premises, and for the Licence holder to play their part in reducing any impacts of noise emanating from the premises, particularly during the evening and late at night.
3. The Licence holder is strongly encouraged to use sustainable cutlery, plates, cups, food containers, and recyclable disposable materials to avoid using single-use disposable items to protect the local area, to prevent litter, and to protect the environment.