

Application for a Premises Licence – Unit 7 Lounge, Unit 7, 2 - 4 Orsman Road, Hackney, London, N1 5FB - REFUSAL

The decision of 21st January 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;
- The protection of children from harm,

the application for a premises licence has been refused in accordance with Licensing Policies LP1 and LP2 within the Council's Statement of Licensing Policy.

Reasons for the decision

The Licensing sub-committee, having heard from the Licensing Authority, considered that granting the application was likely to result in the licensing objectives being undermined.

The sub-committee took into consideration the fact that the Metropolitan Police Service had withdrawn its representations, and agreed conditions with the applicant before the hearing. It was also noted that there were no objections raised by other Responsible Authorities or Other Persons.

The sub-committee, when making its decision, took into consideration that the applicant was seeking a new premises licence to operate the premises as a licensed bar within a residential area. It was noted that the current premises licence permits the sale of alcohol with a substantial table meal. The sub-committee was concerned that there were fewer protections in the current licence than would normally be expected. The sub-committee took into consideration evidence that the licence holder had failed to comply with the conditions on the premises licence.

While the sub-committee noted that the premises licence had been revoked recently, it considered the present application on its own merits. The sub-committee took into consideration the Licensing Authority's concerns that the proposed application could lead to further resident complaints, and the licensing objective relating to public nuisance could be undermined. The Licensing Authority presented evidence that the applicant had, recently, operated the premises in a way as to cause public nuisance. While the weight to be attached to that evidence was disputed by the applicant, the sub-committee considered it appropriate to take it into account when arriving at its decision.

The sub-committee took into consideration when refusing this application the evidence before it of issues relating to the manner in which the applicant has run its business from the premises. The application was carefully considered on its own merits. The sub-committee was concerned that the applicant had been unable to demonstrate that it had engaged with the Licensing Authority to resolve its concerns. The sub-committee had concerns, based upon the evidence presented to it, about whether the applicant was able to manage the premises responsibly. Therefore, it was felt that the licensing objectives could not be promoted by granting this application, meaning that it was appropriate to refuse the application in its entirety.