

DRAFT

MINUTES OF A MEETING OF THE LICENSING SUB COMMITTEE E

6TH OCTOBER 2020

Councillors Present: **Councilor Brian Bell**
 Councillor Peter Snell (Chair)
 Councillor Caroline Selman

Officers in Attendance: Subangini Sriramana (Principal Licensing Officer)
 Amanda Nauth (Lawyer), Peter Gray (Governance
 Officer)

Also in Attendance: Applicant
 Andrew Beynon
 Mrs Beyton

1. Election of Chair

1.1 Councillor Snell was appointed as Chair.

2. Apologies for Absence

2.1 There were no apologies for absence

3. Declarations of Interest - Members to declare as appropriate

3.1 There were no declarations of interest

4. Licensing Sub-Committee Hearing Procedure

The Licensing Sub-Committee noted the hearing procedure.

5. Premises Licence: 56 Broadway Market

5.1 Approved under delegated authority.

6. Premises License: 210 Ponsford Road

6.1 Approved under delegated authority.

7. Premises License: 221 City Road.

7.1 Approved under delegated authority.

8. Premises License: 20 Sidworth Street

8.1 Subangina Sriranmana (Principal Licensing Officer) introduced the application for a premises license. The Police and two other persons had withdrawn their objections based on agreed conditions and hours. Only the other person's objections remained.

8.2 The Chair asked for clarification about planning permission for the premises. Subangina Sriranmana told the sub-committee that the premises did not have proper planning permission for the stated times and that this had been communicated to the applicant. Andrew Beyton (applicant) said he had not received this. The Chair asked if the applicant would agree to a planning informative in this regard being placed on a decision if granted. Andrew Beyton agreed to this planning informative.

8.3 Andrew Beyman gave details of his work experience to the sub-committee, stating that he was invested in Hackney. He provided the sub-committee with details of the premises:

- high end restaurant
- 18 Covers and Socially distanced
- all customers arrive at the same time and test and trace is used
- the menu consists of british produce, mainly fish
- Staffing arrangements
- curfew at 10pm
- settle the bill at 9:30
- off-sales of alcohol
- no spirits
- customer focused
- pre-booking was required

8.4 The Sub-Committee asked for clarification on the closing time at the premises and it was confirmed as follows: Monday to Saturday 12:00 – 23:00 hours
Sunday 12:00 - 22:30 hours.

8.5 Councillor Selman asked for clarification in relation to the nature of offsales at the premises and the related condition 20. Councillor Snell expressed concern about drinking on London Fields with taxis accumulating and making noise. He expressed concerns at the creation of a vertical drinking area in the wine bar area.

8.6 Mrs Beyton's and Andrew Beyton clarified that as residents they did not wish to see drinking outside in the area. They submitted that no open bottles would be taken from the premises but only wrapped, sealed full bottles of wine and that this would not contribute to outside drinking in the area. It was agreed to impose a condition to this effect. Andrew Beyton confirmed that the area for wine sales was separated off by a light partition. Andrew Beyton confirmed to the Sub-Committee that the premises had previous restaurant use.

8.7 The Sub-Committee agreed to remove condition 20, to be replaced by condition 10 as proposed by the Police and that condition 25 be clarified to reflect discussion at the Sub-Committee.

8.8 Councillor Bell asked for clarification around a dispersal policy at the premises and it was confirmed that a policy would be submitted for approval. Further, the

applicant confirmed that the outside toilets would be used by the premises with a large capacity allowing for social distancing.

8.9 Councillor Snell asked about engagement with neighbours on ongoing plans for the premises. Andrew Beyton told the Sub-Committee that he had spoken to many residents and that feedback on the proposals was positive.

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 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 are:

Opening Hours:

Monday to Saturday	12:00 – 23:00 hours
Sunday	12:00 - 22:30 hours
Public Holidays	12:00 - 22:30 hours

Supply of Alcohol (on and off the premises):

Monday to Saturday	12:00 – 22:30 hours
Sunday	12:00 - 22:00 hours
Public Holidays	12:00 - 22:00 hours

- Condition 15 to be amended and reads as follows:

“Details of local taxi pick up points and booking taxi services will be prominently displayed and available on the premises”

- Condition 25 to be amended and reads as follows:

“Alcohol shall not be sold, supplied or consumed, on the premises otherwise than to persons taking a substantial meal from the menu, or those waiting to be seated on the premises. The supply of alcohol shall be by waiter/waitress service only. All off sales of alcohol shall be in sealed bottles and wrapped to take away from the premises”,

- Delete Condition 20.
- Delete Condition 12 as it duplicates condition 26.
- Delete Condition 13 as it duplicates condition 29.

- Delete Condition 18 as it duplicates condition 23.
- Delete Condition 10 as it is covered in condition 31.

And the following additional conditions

- All licensable activity will cease 30 minutes before the premises closes each day
- A Dispersal Policy shall be submitted to and deemed acceptable by the Licensing Authority.
- There shall be no open containers taken off the premises.

Reasons for the decision

The amended application has been approved, with the above amendments, as the Licensing sub-committee was satisfied that the licensing objectives would not be undermined.

The sub-committee took into consideration that the Environmental Enforcement and the Metropolitan Police Service had withdrawn their representations, and agreed conditions with the applicant. Three representations were received from Other Persons two of which were withdrawn in advance of the hearing leaving one still maintained their objection to the application due to noise and anti-social behaviour issues affecting the local residents. The premises are situated in a residential area.

The sub-committee took into consideration that local residents objected to the application because it would attract street drinkers to the area. In addition the local residents complained about noise nuisance from the premises, and there were concerns about anti-social behaviour from patrons. It was noted that the local residents made regular complaints to the Council regarding their concerns. The applicant took on board the concerns raised by the local residents and is prepared to work with the local residents to resolve the issues.

The sub-committee noted that no representations were received from the Council's Planning Services. However, the applicant confirmed that they intend to apply for Planning Permission, and they did not object to a Planning Informative being added to this decision.

The applicant lives in the borough and is familiar with the area. The premises is a small restaurant with limited capacity. The main focus will be on a fine dining experience offering quality food and high end wines for consumption with their meal. All tables will be booked in advance online. The applicant confirmed no alcohol will be served to patrons on the premises unless with a substantial meal. The applicant stated that they did not intend to run a bar on the premises. The sub-committee was informed that the restaurant will not provide take away or food for delivery to avoid litter and noise nuisance in the area. The applicant intends to offer the sale and supply of alcohol off the premises in sealed containers to patrons in the local area who wish to consume the wine at home. The applicant felt that the off sales to patrons will not add to the cumulative impact because they will have trained staff, and procedures in place to monitor patrons.

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The sub-committee having considered the representations from the applicant and the Other Persons felt that the premises would not unduly add to the cumulative impact of the area, and that the off-sales are not of the type that would attract street drinking. They noted that it is a food led premises and the supply of alcohol on the premises would be with a substantial meal at all times. They took into consideration that the premises had previous restaurant use, and patrons had to pre-book their table. The applicant demonstrated that they are a responsible operator who has invested in the area.

The sub-committee was satisfied that the reduced hours together with additional conditions would mitigate any negative impact which the application would have on the area.

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

Planning Informative

The applicant is reminded of the need to operate the premises according to any current planning permission relating to its use class, conditions and hours.

It also should be noted for the public record that the local planning authority should draw no inference or be bound by this decision with regard to any future planning application which may be made.

The applicant is encouraged to engage in meaningful dialog with the local residents regarding issues relating to the premises, and to play their part in reducing any impacts such as noise and anti-social behaviour.

6. Temporary Event Notices - Standing Item

There were no temporary events notices.

Duration of the meeting: 2pm - 3pm

Signed

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Chair of Committee

Contact:
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