



MINUTES OF THE MEETING OF THE LICENSING SUB COMMITTEE E

TUESDAY, 3 AUGUST 2021

THIS MEETING WAS LIVE STREAMED AND CAN BE VIEWED AT:

https://youtu.be/dGM_qa0y_0Y

Councillors Present: **Cllr Brian Bell (Chair), Peter Snell and Cllr Penny Wrou.**

Officers in Attendance: Amanda Nauth - Licensing and Corporate Lawyer
Suba Sriramana - Acting Principal Licensing Officer
Rabiya Khatun - Governance Services Officer

Also in Attendance: **155 Stoke Newington High Street**
Daniel Fico - Applicant

Other Persons:
Mr Gutman (on behalf of seven residents)
Mr O'Brien

Rise 41 Luke Street
Leo Charalambides - Applicant's Legal Representative
Bertrand Lienafa - Applicant's Representative
(Group Event and Hospitality Development Manager for ISS)

70 Broadway Market
Mehmet Akis - Applicant
Mehmet Uzunsaka

Other Persons:
Ms Bowditch, Mr Flemen and Ms Brewood

TENs - Basement, 8 Stoke Newington Road

Ian Steele - Premises User

Gurch Patti - LBH Environmental Protection

Sian Giles - Metropolitan Police Service

PC Atkins -Metropolitan Police Service

1. Election of Chair

- 1.1 Councillor Bell was duly elected to Chair the meeting.

2. Apologies for Absence

- 2.1 There were no apologies for absence.

3. Declarations of Interest

- 3.1 Councillor Snell declared for the public record in relation to agenda item 8- Cafe Route, his knowledge of both parties and also being a founding member of the London Fields User Group over 30 years ago. He did not feel this precluded him from taking part in the decision.

4. Minutes of the Previous Meeting

- 4.1 i. The minutes of the meeting held on 24 June 2021 were agreed as a true and accurate record of proceedings subject to Cllr Peter Snell replacing Cllr Gilbert Smyth in the attendance list.
ii. The revised minutes of the meeting held on 11 May 2021 were agreed as a true and accurate record of proceedings.

5. Licensing Sub Committee Hearing Procedure

- 5.1 The hearing procedure as set out in the agenda pack was explained to all participants.

6. Application for a New Premises Licence: Basement and Ground Floor, 155 Stoke Newington High Street, N16 0NY

- 6.1 Subangini Sriramana, Acting Principal Licensing Officer introduced the report in respect of an application for a premises licence made by Atlas Grind Ltd for recorded music, late night refreshment and supply of alcohol (On and Off Premises). It was noted that the Police and Environmental Enforcement had withdrawn their representations following an agreement to conditions with the applicant; however, representations remained from Other Persons.

6.2 Mr Daniel Fico, the applicant, made submissions speaking in support of the application, highlighting the following:

- The premises was a community based venue and LGBTQIA friendly space;
- The bar was focused on offering sustainable products;
- The rear small private garden would close at 22.00 hours;
- The supply of alcohol hours had been reduced from 23.00 to 22.00 hours from Wednesday to Saturdays and he would join the Pub Watch scheme; and
- He was a responsible operator with measures in place to minimise public nuisance including no smoking at the front of the premises and a dispersal policy.

6.3 The sub-committee requested clarity regarding the rear garden and recorded music. Mr Fico confirmed that the garden would close at 22.00 hours to allow residents to enjoy peace and quiet in their properties, and agreed to an additional condition to play recorded music at a low level throughout the premises.

6.4 Mr Gutman on behalf of seven residents and Mr O'Brien, Other Persons (Appendices B1-B2) made submissions in objection to the application. The following points were highlighted:

- The area was saturated with licensed premises, and there had been issues relating to noise and violent disturbances at the premises, which had required police intervention;
- Inadequate soundproofing of the premises had adversely impacted on residents living directly above the premises with many suffering noise nuisance;
- The premises were surrounded by residential buildings, with several bedrooms very close to the rear garden. The late night drinking would generate more noise, disturbances and smoke pollution in the garden and adversely impact on residents and tenants, and children would suffer from sleep disturbance;
- There was no formal agreement for the use of the rear garden;
- The proposed opening hours and licensable activities from 07.00 until 23.00 hours including the use of the garden were excessive and would lead to more noise disturbance and continuous disruption for local residents as patrons held conversations late at the evening;
- The pavement near the premises was very narrow and sometimes leaving the building could be intimidating when patrons congregated or urinated in the doorway;

- Patrons were congregating outside the premises smoking and leaving cigarette litter on the pavement;
- The Other Person's tenants had relocated from the flat due to the noise and disturbance emanating from the premises as noise travelled into the bedrooms; and
- It would be a challenge for leaseholders living above the premises to sell, re-mortgage or rent their properties.

6.5 The sub-committee requested clarity regarding recorded music, soundproofing and noise, and Mr Fico replied that:

- It was clarified that recorded music would not be played at the cafe but staff would be playing low level music from 07.00 hours;
- Refurbishment works had been undertaken at the premises including soundproofing of the premises and the installation of a floating ceiling to minimise noise nuisance at flats 155A and B;
- The applicant had agreed two additional conditions being added to licence relating to recorded music being played at conversation level and further sound reducing measures;
- It was confirmed that the music would be turned down from 22.30 hours and this would be incorporated into the dispersal policy;
- There would be no rowdy behaviour as bar as the venue's clientele was primarily families and friends wanting to enjoy a selection of alcoholic drinks and non-alcoholic drinks; and
- With regard to managing the rear garden and minimising noise nuisance, Mr Fico proposed to reduce the closing hour of the garden until 21.00 hours on weekdays and 22.00 hours on weekends, and indicated that smokers would have to be permitted use of the front area once the rear garden closed.

6.6 The sub-committee noted that the Council's LP6 restricted the use of external areas from 22.00 hours on weekdays.

6.7 Following all submissions, the Chair led a discussion on the application, during which the following responses were made:

- Mr Fico replied that the premises had been soundproofed since the tenant had moved and there had been no further complaints of noise nuisance;
- The Other Persons argued that the rear garden closing at 22.00 hours was too late especially as the noise nuisance from this area would impact on those residents that had their bedrooms adjacent to the premises;

- The Other Person clarified that the entire premises had not been soundproofed and that there were areas within his flat where music could be heard during the early morning which caused a disturbance;
- In order to address the concern relating to recorded music, Mr Fico amended the start time from 07.00 hours to 08.00 hours;
- The Other Persons were not reassured that the proposed additional sound limiting measures would reduce the disturbance from patrons talking in the garden and there was no process to verify the acoustic levels to ensure the premises were adequately soundproofed;
- Mr Fico confirmed that planning permission was not required to change use to a cafe bar as the premises had been granted Class E use in 2020;
- Mr Fico emphasised that the venue was primarily for families, friends and people that wanted to enjoy fine wine in the evening and therefore he did not expect people to drink excessively and cause any disturbance after 22.00 hours;
- The Other Persons stated that the proposed starting time of 08.00 to 23.00 hours for recorded music was still too excessive; and
- The Other Persons stated that the granting of the licence would set a precedent for other premises;
- The Chair clarified that issues regarding tenancies and property sales were not Licensing considerations.

6.8 In his closing statement, Mr Fico sought to alleviate the concerns raised by highlighting the amendments made to the application. He reiterated that recorded music would be turned down 30 minutes before the closing hour and since the premises had been soundproofed there had been no further complaints from residents.

6.9 During closing statements, the Other Persons retained their objections to the application having felt they had not heard anything from the applicant to allay their concerns regarding the excessive hours for recorded music and inadequate soundproofing.

RESOLVED:

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

- The hours for licensable activity are:

Recorded Music:

Sunday - Tuesday	08:00 - 23:00
Wednesday to Saturday	08:00 - 23:00

Supply of Alcohol (on-sales):

Monday - Saturday	12:00 - 23:00
Sunday	12:00 - 22:30

And additional conditions:

- There shall be a written dispersal policy submitted and approved by the Licensing Authority and the Police. The approved dispersal policy shall be implemented at the premises. All staff shall be briefed on this dispersal policy. A copy of the policy shall be kept on the premises and shall be produced to a police officer or other authorised officer upon request.
- Background music shall not exceed a level that allows face to face conversation at normal speech level.
- No noise emanating from the premises to cause nuisance in nearby residential premises.
- From 22:00 each day the music will be turned down.
- Clear and prominent notices shall be displayed and maintained at all exits, requiring customers to leave the premises and the area quietly.
- Tables and chairs in the external seating area shall be rendered unusable after 22:00 on Monday to Sunday.

Reasons for the decision

The sub-committee took into consideration that the Metropolitan Police Service and Environmental Enforcement had withdrawn their representations in advance of the hearing after conditions were agreed with the applicant.

The sub-committee also took into consideration the objections raised by 4 Other Persons, and a petition received from 7 local residents objecting to the application. The sub-committee considered the representations from the local residents raising concerns about the impact the premises will have on the quality of life, and who have been affected by the cumulative impact on the residential area due to alcohol-related

public nuisance and anti-social behaviour. The local residents were concerned about music being played everyday until late which would cause a disturbance throughout the day.

The sub-committee heard the applicant's submissions that the premises is intended to be a community cafe and bar. The applicant confirmed that they have worked with the police and agreed conditions and reduced hours. This includes the use of the garden area to cease at 22:00, the sale of alcohol to end at 23:00 each night, the hours for recorded music to be the same as the alcohol hours, and the dispersal policy confirmed the wind down time would begin 45 minutes before closing. The applicant contended that they turn the music down from 22:00 and that they had invested a great deal in soundproofing the ceiling so that the local residents above would not be affected by any noise.

After hearing from the applicant, and considering the representations of the Other Persons (local residents) the sub-committee was satisfied that the additional conditions would mitigate any negative impact that granting the licence would have on the residential area. In particular the sub-committee felt the main concerns raised by the local residents were addressed by the conditions aimed at ensuring no noise nuisance to neighbouring properties. The sub-committee took into consideration that the premises would be operating within Hackney's core hours.

Having taken all of the above factors into consideration, the Licensing sub-committee was satisfied that the licensing objectives would not be undermined.

Public Informative

1. 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.
 2. The Licence holder is strongly encouraged to use sustainable cutlery, plates, cups, food containers, and recyclable disposable materials to avoid using plastic disposable items to protect the local area, to prevent litter, and to protect the environment.
- 7. Application for a New Premises Licence: Rise, 41 Luke Street, Hackney, London, EC2A 4DP**
- 7.1 Subangini Sriramana, Acting Principal Licensing Officer introduced the report in respect of an application for a premises licence made by Rise. It was noted that the Police and Environmental Enforcement had withdrawn their representations following an agreement to conditions with the applicant and further information being provided. Representations remained from Other Persons.
 - 7.2 The sub-committee noted the additional information submitted by the applicant and Other Persons, which had not been included in the agenda pack.

7.3 Mr Leo Charalambides, the applicant's legal representative, made submissions speaking in support of the application, highlighting the following:

- Rise was owned by FinTech and the applicant had taken over the premises from 1 July 2020 running a co-working and event space with permission to operate 24 hours seven days a week;
- There would be no supply of alcohol on Sundays;
- The off-sales had been withdrawn from the application to address the police's concerns, and the applicant was now applying for on-sales between 09.00 to 22.30 hours Mondays to Thursdays and until 21.00 hours on Fridays and Saturdays;
- The applicant believed they had addressed the concerns set out in the written representations from Other Persons and no further concerns had been raised relating directly to this premises;
- The venue had a capacity of 600 persons and all the events would be pre-booked and linked to the seminars. The general peak was around 15.00 hours on weekdays, with people dispersing between 16.00 to 18.00 hours;
- Mostly beers and wines would be pre-ordered for the networking events based on maximum capacity from the pre-bookings and once the drinks had finished no more alcohol would be supplied. Food would also be offered with the alcohol;
- The clientele were responsible people that would go home after the networking events had ended and there were no plans to hold parties at these networking events; and
- The Police and Environmental Enforcement had withdrawn their representations.

7.4 In the absence of Other Persons, the sub-committee noted and considered the written representations made at appendices B1 to B5.

7.5 The sub-committee requested clarity regarding the smoking condition and layout. Mr Charalambides acknowledged that the smoking conditions were complex due the nature of the premises and had been agreed with the relevant responsible authority.

7.6 In his closing statement, Mr Charalambides sought to alleviate the concerns raised by highlighting that the licence was restricted, the building had been designed to address residents' concerns and the hours of operation had been reduced. He urged the Sub Committee to approve the amended application.

RESOLVED:

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 conditions set out in paragraph 8.1 of the report, with the following amendment :-

- The opening hours of the licensable activity :

Monday to Thursday 09:00 - 23:00

Friday to Saturday 09:00 - 21:30

Supply of Alcohol (on sales):

Monday to Thursday 09:00 - 22:30

Friday to Saturday 09:00 - 21:00

- No Licensable activities will be provided on Sundays.
- Remove off-sales from the application.

Reasons for the decision

The sub-committee took into consideration that the Metropolitan Police Service made initial representations, but had withdrawn their representations in advance of the hearing after conditions were agreed with the applicant and the hours reduced. The sub-committee also took into consideration that Environmental Protection and Environmental Enforcement had withdrawn their representations, and agreed conditions with the applicant.

The sub-committee also took into consideration the objections raised by the Other Persons, and their concerns about the impact the premises will have on local residents due to noise and anti-social behaviour issues. The sub-committee noted that the premises are situated in a partially residential area.

The applicant's representative made submissions that the applicant recently took over the premises for workspace and start up companies. The sub-committee heard that the Designated Premises Supervisor is an experienced operator for Barclays Head office. The applicant's representative contended that beers and wines are pre-ordered with food only. The sub-committee heard the hours for alcohol sales on the premises had been reduced, and the movement of customers to and from the

premises was monitored and controlled by staff. The sub-committee heard that no customers are permitted to take alcoholic drinks outside the premises.

After hearing from the applicant's representative, and considering the written representations of the Other Persons (local residents) the sub-committee was satisfied that the additional conditions, and reduced hours would mitigate any negative impact that granting the licence would have on the area.

Following the amendments to the application the sub-committee felt that the application adequately addressed the concerns of the local residents. The sub-committee accepted that the applicant is a responsible and experienced operator.

The sub-committee took into consideration that it was not an alcohol led premises, and it is ancillary to the main function of the premises as a business meeting, training and conference space all of which are pre-booked for use. The sub-committee also took into consideration that members of the public could not walk off the street to access the facilities.

The sub-committee took into consideration that the times for the sale of alcohol had been amended to close at 21:00 on Friday and Saturday, and there would be no licensable activities provided on Sundays. The sub-committee noted that condition 18 sets out the restrictions for smokers on the premises including that after 22:00 no more than 5 smokers shall be permitted to congregate on Luke Street.

Having taken all of the above factors into consideration, the Licensing sub-committee was satisfied that the licensing objectives would not be undermined.

8. Application for a New Premises Licence: Cafe Route, 70 Broadway Market, London, E8 4QJ

8.1 Subangini Sriramana, Acting Principal Licensing Officer introduced the report in respect of an application for a premises licence made by Cafe Route. It was noted that the Police had withdrawn their representation following an agreement of conditions with the applicant and representations remained from the Other Persons.

8.2 The sub-committee noted the additional information submitted by the Police and the applicant, which had not been included in the agenda pack.

8.3 Mehmet Akis and Mehmet Uzunsakal, the applicants, made submissions speaking in support of the application, highlighting the following:

- They were responsible operators and brother in-laws, and Cafe Route was a family run business operating for over eight years without any issues and supporting its local community;

- They owned branches in Dalston and Haggerston and offered Mediterranean and Middle Eastern cuisine and were trying to build a brand at their cafes;
 - The proposed hours for on-sales was 11.00 to 22.30 hours from Sunday to Thursday and until 23.30 hours on Friday and Saturday;
 - They aimed to increase the food offering at their cafe and supply or sell alcohol with substantial meals and small plates. They also intended to complete their offering with a glass of wine or a cheese board; and
 - There were no plans to operate a late night venue and off-sales bottles of wine would start from £15.
- 8.4 Mr Akis confirmed that alcohol would be sold and supplied with a substantial meal.
- 8.5 Ms Bowditch, Mr Flemen and Ms Brewood (also representing other residents), the Other Persons (Appendices C11 to C13) made submissions in objection to the application and highlighted the following points:
- The premises was located within a predominately residential area that was saturated with licensed premises including over 40 licences in Broadway Market, and these were having a negative cumulative impact in the area and turning into a night-time economy;
 - The granting of another premises licence would exacerbate the existing issues in the area including street drinking and associated anti-social behaviour, noise nuisance from the premise and outside area, public nuisance and litter, which were adversely impacting on residents' quiet enjoyment of their homes and sleep;
 - There were issues with drunken behaviour within the vicinity of the premises around the time children were coming home from school. Children were also experiencing sleep disturbances that were manifesting in behavioural issues;
 - They objected to the proposed off-sales of alcohol which could exacerbate the issues of public nuisance and street drinking related anti-social behaviour in nearby streets and London Fields Park for local residents and in particular the young families and elderly residents living close to the premises;
 - Concerns were expressed about the expansion of the outside seating area, especially the inclusion of the pharmacy area, which was not in the plan held by the Licensing Service and the impact of the additional public and noise nuisance coming from this area in the late evening. With this inclusion of the pharmacy area, capacity in the external area increased to approximately 25 to 30 people and this area was not fully covered by CCTV cameras;

- The council was in the process of obtaining a Public Space Prohibition Order prohibiting alcohol in London Fields Park and managing alcohol related anti-social behaviour in the borough in order to address the adverse impact on residents' quality of life;
- The premises had no dispersal policy;
- If the sub-committee were minded to grant the licence, they requested the withdrawal of off-sales, supported the Police's proposed condition 5, and on-sales in the outside seating area should be restricted to seated persons taking a substantial meal excluding the pharmacy area.

8.6 The sub-committee also noted and considered the written representations from appendices C1 to C14.

8.7 The sub-committee requested clarity on various aspects of the application and the applicants replied as follows:

- The targeting of local people was part of their business model and they wanted to offer the same food and drinks menu at all their branches including off-sales for patrons dining at the cafe and delivery via a third party platform such as Deliveroo;
- The high pricing structure was intended to deter street drinking as the cheapest bottle of wine would start at £15.00;
- It was clarified that the music would be played at background level;
- The premises would be food led and alcohol would be served ancillary to large and small plates of food, and it was their policy not to serve people wanting to drink only;
- They had a commercial agreement with the pharmacy to use the front outside area from approximately 18.30 hours for approximately 20 persons;
- They confirmed that a Shop Front Trading licence had been granted for the tables and chairs in the outside seating area including the pharmacy frontage and their CCTV cameras covered the entire external seating area;
- The issue of street drinking in the area would continue as people could purchase cheaper alcohol from off licences and other licensed premises;
- They agreed to withdraw off-sales and live music in order to address local residents' concerns.

8.8 Following all submissions, the Chair led a discussion of the application, during which the following points were raised:

- The Other Persons did not want any off-sales or alcohol consumed in the outside seating area due to the existing issues of street drinking in

London Fields. It was highlighted that cheap alcohol in particular cocktails starting from £4.00 which would further exacerbate this issue; there were shops selling cheaper alcohol later than Cafe Route

- The Other Persons highlighted that the external seating area had narrowed the pavement making it unsafe for cyclists and an increase in taxis and Deliveroo drivers would make some surrounding streets unsafe for local children;
- The Other Persons stated that the noise nuisance emanating from the premises would significantly impact on those sleeping in the bedrooms close to the premises;
- The applicants stated that they should not be penalised for the issues in the area and that there were licensed shops in the area selling alcoholic drinks cheaper and for longer hours. Their on-sales drinks started from £4.00 and off-sales would start from approximately £15.00;
- The applicants were currently considering using the Deliveroo platform as an option for their business;
- The applicants were responsible operators complying with regulations and had operated under temporary event notices without any issues, and being raised in Hackney they understood the issues created by drinking hubs within the borough;
- The applicants indicated that if they were granted the licence and their revenues increased from the food offering they would review their plans for the Deliveroo platform;
- The applicants confirmed that they would be submitting an application to vary the premises licence to include the entire external seating area.

8.9 The sub-committee reminded the applicants that if they were minded to grant the licence, an application to vary the licence would need to be submitted incorporating the pharmacy's external area and in the meantime this area could not be used without a Temporary Event Notice. Members suggested adding a condition including a minimum price for off-sales to address residents' concerns, and indicated that licences varied at different branches due to their location and customers' expectations.

8.10 Amanda Nauth, Licensing and Corporate Lawyer, explained that the applicant would have the opportunity to demonstrate they were responsible operators running well managed premises and build a track record of compliance for any future premises licence applications.

8.11 The sub-committee and PC Atkins expressed differing views regarding the interpretation of the police's wording in condition 5 – '... the supply or sale of alcohol with a substantial meal ...' and whether this could also be applied to off-sales.

8.12 In his closing statement, Mr Uzunsakal sought to alleviate the concerns raised by highlighting the amendments made to the application, the variation application to be submitted for the external seating area and engaging with residents about the Deliveroo platform.

8.13 During closing statements, the Other Persons maintained their objections to the application having felt they had not heard anything from the applicant to allay their concerns relating to off-sales, maximum capacity for the entire premises including the external area and dispersal policy.

8.13 In response to a question from the Chair, Mr Akis confirmed that the dispersal policy had been completed and a copy would be emailed to the Licensing Service.

RESOLVED:

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 conditions set out in paragraph 8.1 of the report, with the following amendment :-

- Off-sales to be removed from the application.
- Live Music to be removed from the application
- Condition 22 shall be amended and read as follows :

“There shall be a written dispersal policy submitted to and approved by the Licensing Authority and the Police. The approved dispersal policy shall be implemented at the premises. All staff shall be briefed on this dispersal policy. A copy of the policy shall be kept on the premises and shall be produced to a police officer or other authorised officer upon request”.

Reasons for the decision

The sub-committee took into consideration that the Metropolitan Police Service had withdrawn their representations in advance of the hearing after conditions were agreed with the applicant and the hours reduced. The sub-committee also took into consideration that Environmental Protection and Environmental Enforcement had withdrawn their representations, and agreed conditions with the applicant.

The sub-committee also took into consideration the objections raised by the 14 Other Persons (local residents), and their concerns about the impact the premises will have on local residents affected by the high level of licensed premises in Broadway Market and the surrounding area. In particular they heard of the cumulative impact on the area of alcohol-related public nuisance, and anti-social behaviour issues. The council had had to take additional security and regulatory measures after drunkenness and other ASB in Broadway Market and associated public open space.

The applicant made submissions that it is a family-run business operating elsewhere in Hackney for the last 8 years. The sub-committee heard that they have a similar cafe premises in Dalston and they are not a predominantly late night venue. The applicant contended that they are a food-led premises, and they intend to serve a substantial table meal with alcohol. They confirmed they are awaiting the determination of their planning application.

The sub-committee noted that the applicant agreed to produce a dispersal policy, and once that policy had been approved it should be circulated to all the Other Persons (local residents) who made representations.

The sub-committee approved the amended application and additional conditions for on-sales of alcohol. The off-sales of alcohol and live music are to be removed from the application to prevent public nuisance and antisocial behaviour in the area. The sub-committee felt that the conditions agreed with the Metropolitan Police Service addressed some of the concerns of local residents, particularly the condition to serve alcohol with a substantial table meal.

Having taken all of the above factors into consideration, the Licensing sub-committee was satisfied that the application could be approved without the licensing objectives being undermined.

Public Informative

1. It was noted that the outside of the premises had not been included in the application.
2. A copy of the approved dispersal policy shall be sent to the Other Persons.
3. 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.
4. The Licence holder is strongly encouraged to use sustainable cutlery, plates, cups, food containers, and recyclable disposable materials to avoid using

plastic disposable items to protect the local area, to prevent litter, and to protect the environment.

9. Temporary Event Notice: Counter Notice - Basement, 8 Stoke Newington Road, London, N16 7XN

- 9.1 Subangini Sriramana, Acting Principal Licensing Officer introduced the report in respect of a temporary event notice for the Basement. It was noted that the Police and Environmental Protection had objected to the Temporary Event Notices (TENs) for an event to be held on 6 August 2021 from 22.00 hours, finishing on 8 August 2021 at 04.00 hours.
- 9.2 The sub-committee noted the additional information including video footage submitted by the Premises User and the Police, which had not been included in the agenda pack.
- 9.3 PC Giles, Metropolitan Police Service, objected to the TENs for the Basement from 6 to 8 August 2021 on the grounds of crime and disorder, public safety, the prevention of public nuisance and the protection of children from harm and outlined the reasons as follows:
- During a visit on 11 July 2021 the venue was found to be open and operating without a licence. The premises user was present at the time and admitted to selling alcohol without a licence;
 - Despite a board outside the venue advertising a £15 entry fee to watch England vs Italy match, Mr Steele initially explained it had been a private party but after further questioning he informed officers the entry charge was for his son's friends and they had been happy to pay. His version of events changed from giving away the alcohol to only charging the customers inside;
 - The disregard of the licensing legislation during the visit had led to a lack of confidence and trust in the premises user Mr Steele operating the event responsibly while upholding the licence objectives. Furthermore the venue was in an area heavily saturated with licenced premises and the hours being sought exceeded the core hours.
- 9.4 Gurch Patti, Environmental Protection, stated that they had concerns about the proposed regulated entertainment and that the noise emanating from the patrons attending the event could amount to a statutory noise nuisance, which would undermine the prevention of public nuisance. He was seeking evidence

of a noise management plan, layout plan, dispersal policy and COVID-19 risk assessment for the proposed event.

9.5 Ian Steele, Premises User, made the following points in support of the application:

- The event on Saturday 31 July 2021 was a karaoke birthday party for up to 20 people for a 69th birthday party by a member. It was agreed that Mr Steele would purchase some alcoholic drinks on behalf of the birthday girl as he could obtain them cheaper from his supplier and distribute them to her guests when the food was purchased at the premises. He would be reimbursed when she arrived. He had not understood that this constituted the sale of alcohol. He also did not understand that the sale of food needed a late night refreshment license;
- With regard to 11 July, 2021 and the finals of the European Championship, he alleged that his son had placed the notice charging the public £15 entry, without his notice. He blamed his son for the incident;
- He was disappointed in the lack of confidence in ability to responsibly operate the event and uphold the licence objectives as he believed he had worked with the police to improve relations and believed they had a better relationship.

9.6 Mr Steele stated that the date of the hearing meant that there would be insufficient time to inform his guests of the events. Therefore Mr Steele informed the sub-committee that he did not wish to proceed with the application and advised that he was withdrawing the temporary event notice for the events scheduled from 6 to 8 August.

RESOLVED

That the Temporary Event Notice be withdrawn at the request of the Premises User for the event scheduled from 6 to 8 August 2021.

Duration of the meeting: 14.00- 17.12

Contact:

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