

## MINUTES OF A MEETING OF THE LICENSING SUB COMMITTEE D

**THURSDAY 24 NOVEMBER 2022**

Livestream link: [https://youtu.be/WZlv8C3T\\_W4](https://youtu.be/WZlv8C3T_W4)

- Councillors Present:** **Councillor Gilbert Smyth in the Chair**  
**Cllr M Can Ozsen and Cllr Sheila Suso-Runge**
- Officers in Attendance:** Rabiya Khatun – Governance Officer  
Amanda Nauth – Licensing and Corporate Lawyer  
Suba Sriramana – Principal Licensing Officer  
David Tuitt - Licensing
- Also in Attendance:** **Variation - Beechwood, Principal Place.**  
Steven Kirby - Applicant  
Gareth Hughes Legal representative for the Applicant
- Variation - Blondies, 205a Lower Clapton Road**  
Verity Cox - Applicant
- Others Persons:  
In support  
Jerry Perkins - Nominated Local Resident speaker  
(B13 & B57)  
J. Waghorn  
K. Ryan  
J. Weir  
J. Clare  
E. Crook
- Against  
Cllr Rathbone

**1 Election of Chair**

1.1 Cllr Smyth was duly elected as Chair of the meeting.

**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 Minutes of the Previous Meeting**

4.1 There were no minutes for consideration.

**5 Licensing Sub-Committee Hearing Procedure**

5.1 The hearing procedure was noted by all present.

**6 Premises Licence Variation - Beechwood, Principal Place, 115 Worship Street, EC2A 2BA**

6.1 The sub-committee heard from the Principal Licensing Officer, Counsel for the applicant and the Licensing Authority. During the course of submissions and a discussion of the application, the sub-committee noted the following:

- Since the publication of the officer report, the applicant had proposed further conditions to address the concerns expressed.
- Counsel for the applicant stated that the applicant was seeking to extend the hours on Sunday for the sale of alcohol from 10:00 to 01:00 hours and late night refreshment from 23:00 to 01:30 hours during the months of September to March, the premises was a restaurant and bar that would be exclusively showing sports events, the sale of alcohol would be ancillary to the live screening of events, there would be no entry from 23.00 hours, an additional four conditions had been submitted to address the concerns related to crime and disorder and public nuisance, and no objections had been received from the local residents and Responsible Authorities except the Licensing Authority.
- The Licensing Authority's representative stated that the premises was located within the Shoreditch Special Policy Area (SPA), the proposed activity would further exacerbate the negative cumulative impact identified in the area as a result of the large concentration of licensed premises, and further clarification was sought regarding the nature of the televised sporting events.
- Counsel for the applicant clarified that the bar would be broadcasting exclusively NFL American Football live sporting events and college football.
- In response to questions from the sub-committee, Counsel for the applicant responded that the premises were located within a quiet corner of Shoreditch, an average 30 to 50 patrons were expected at any event which was 50% of the total seating capacity inside the premises, the ambience would be relaxed with games estimated to last approximately 2 to 3 hours, alcohol would be sold ancillary to food, patrons would need to book in advance for an event via a booking system which would allow management to know the numbers expected, a minimum of two SIA door supervisors would be employed to manage dispersal in order to minimise any negative impact on the area, no more than five smokers would be permitted at any one time and no drinks outside, the clientele would include local residents, Amazon was above the premises but it was closed on Sunday, and dispersal from the exit doors leading directly into the City of London would have minimal impact as there were not many residents living in the area.
- A risk assessment would be undertaken for each event to determine if more than two SIA door supervisors were required.

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- The applicant reassured the sub-committee that there would be no vertical drinking at the premises and that alcohol would be served ancillary to food by waiter service or if ordered online. A full kitchen would be open until closing hours and patrons would have the choice of ordering food such as wings, nacho, burgers.
- The applicant and the Licensing Authority's representative agreed to the late night refreshment ceasing at 01.00 hours in line with the hours for the supply of alcohol.

## **RESOLVED:**

### The decision

The Licensing Sub-Committee, in considering this decision from the information presented to them within the report and at the hearing today and having regard to the promotion of the licensing objectives:

- The prevention of crime and disorder
- Public safety
- Prevention of public nuisance
- The protection of children from harm

The amended application to vary a premises licence has been approved in accordance with the Council's Statement of Licensing and the proposed conditions set out in paragraph 8.1 of the report, and the following conditions will be added to the premises licence proposed by the Premises Licence holder, these conditions only apply during the operation of extra hours on Sundays in the months of September to March each year:

- The Sale of alcohol after 2300 shall at all times be ancillary to the screening of a television broadcast of a live sporting event.
- Last entry to the premises will be 23:00 during the months of September to March and ancillary to the screening of a television broadcast of a live sporting event.
- The maximum number of persons permitted outside to smoke shall not exceed 5 persons at any one time. Such persons are not permitted to take drinks outside. The designated smoking area is immediately outside the building at the side entrance alcove on Worship Street.
- At least two SIA licensed door supervisors shall be on duty. The licence holder will also have full regard to its own written risk assessment when considering each event and in determining whether more than two door supervisors are required. That risk assessment to be kept under constant review.

### **Reasons for the decision**

The application to vary this premises licence has been approved, as members of the Licensing Sub-committee were satisfied that the licensing objectives would not be undermined in the Shoreditch Special Policy Area (Shoreditch SPA)

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The Sub-committee took into consideration the objection to the application made by the Licensing Authority on the grounds of the prevention of public nuisance in the Shoreditch SPA. The Sub-committee noted that there were no objections from the other Responsible Authorities and there were no objections from local residents.

The Sub-committee took into consideration the representations made by the Licensing Authority, and their concerns about the impact on the Shoreditch 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 Shoreditch SPA and therefore it is subject to Policy LP10.

The Sub-committee took into account that the Premises Licence holder applied to extend the hours for the sale of alcohol and late night refreshment on Sunday nights into Monday mornings during the months of September to March each year and when “ancillary to the screening of a television broadcast of a live sporting event”.

The Sub-committee after hearing from the Applicant and the Licensing Authority were satisfied that the premises would not add to the cumulative impact in the area, and would not threaten the licensing objectives in the Shoreditch SPA. The Sub-committee took into consideration the nature of the business, and that it is a modest size premises. The Sub-committee noted it was a food led premises and food will be available at all times when alcohol is served.

The Sub-committee also took into consideration that the above conditions proposed by the Premises Licence holder, these conditions only apply during the operation of extra hours on Sundays in the months of September to March each year.

Having taken all of the above factors into consideration the Sub-committee was satisfied that by granting this variation of the premises licence, the licensing objectives would continue to be promoted in the Shoreditch SPA.

## **7 Premises Licence Variation - Blondies, 205a Lower Clapton Road, London, E5 8EG**

7.1 The sub-committee heard from the Principal Licensing Officer, the applicant and the Other Persons. During the course of submissions and a discussion of the application, the sub-committee noted the following:

- Since the publication of the officer report, the applicant had submitted additional information.
- The applicant was a responsible operator and owned the business for seven years.
- She had successfully run over 100 TENs over 7 years without any complaints or issues.
- The applicant emphasised that it was a rock and roll venue, a community hub and safe space especially for women and LGBT, it attracted local and international artists and fans, they had successfully gained accreditation of the Hackney Nights Accreditation Scheme, the activities would be controlled to minimise any impact on the area, they had submitted many policies including Noise and Nuisance Management, dispersal, counter terrorism and burns protection, they had held bi-monthly meetings which residents had not attended, the nuisance experienced in the area were not related to her

- premises, 181 people had signed the petition in support of the application and 57 written representations in support had been submitted.
- The applicant responded that the noise management report findings indicated the sound limiter had been effective in controlling the sound levels within the premises and that the traffic noise from the busy road was louder than the noise inside.
  - The applicant replied that the drug use in Lower Clapton Road had been an ongoing issue but had gradually improved over the years. The Other person added that the issues of drug use and anti-social behaviour in the area were not related to this premises.
  - The Other Persons present expressed their support for the application emphasising that the premises provided a safe space particularly for female and elderly people, the venue was a community hub that had a positive impact on the neighbourhood, it had provided opportunities for young and old artists and technicians, it was a forward thinking bar playing live music, there had been no issues at the premises, they had confidence in the management, it was a great cultural asset for Clapton, the venue had attracted an international clientele and was well publicised on YouTube.
  - The Other Person indicated that the evidence submitted and the representation from the applicant had assured him that the premises was well managed, however, he expressed concern that the hours being sought for live music in a residential area especially on a school and working day would cause a public nuisance to local residents and in particular children. Local residents needed assurance from the applicant that the previous issues of nuisance would not recur and scheduling regular residents' would provide reassurance for local residents as they could raise and have their concerns addressed.
  - The applicant confirmed that the capacity was 55 persons and that there were posters displayed asking patrons to leave quietly and that dispersal was staggered throughout the evening.
  - Music was played below conversation level to prevent a public nuisance and artists/bands understood they were playing in a small soundproofed premises with 10% of the income generated from the alcohol sales given to the artist.
  - The noise assessment was undertaken when the premises was hosting a band and DJ to ensure an accurate reading of the sound levels were taken.
  - To minimise noise the applicant ceased playing live music at 22.00 hours during weekends, this was earlier than permitted on their licence.
  - The applicant held approximately two to five live performances annually but no more than 10. However, since Covid-19 pandemic they had not played any live music.

**RESOLVED:**

The decision

The Licensing Sub-Committee, in considering this decision from the information presented to them within the report and at the hearing today and having regard to the promotion of the licensing objectives:

- The prevention of crime and disorder
- Public safety
- Prevention of public nuisance
- The protection of children from harm

The amended application to vary a premises licence has been approved to change the layout of the premises in accordance with the Council's Statement of Licensing and the proposed conditions set out in paragraph 8.1 of the report, with the following amendments:

- The hours for licensable activities, shall be, as agreed:

Recorded Music:

Monday - Wednesday 23:00 - 23:30

Thursday - Saturday 23:00 - 01:00

Supply of Alcohol (on-sales)

Monday – Wednesday 12:00 - 01:00

Thursday - Saturday 12:00 - 01:00

Opening hours of the premises

Monday – Wednesday 12:00 - 01:30

Thursday - Saturday 12:00 - 01:30

- Condition 32 shall be amended as follows:

“The maximum number of smokers permitted at the front of premises at any one time shall not exceed 8 persons”.

- Condition 35 shall be amended as follows:

“There will be no drinks at the front of the premises after the tables have been taken in at 21:30”.

- Condition 36 shall be amended as follows:

“There shall be no use of the outside space after 21:30”.

### **Reasons for the decision**

The application to vary this premises licence has been approved, as members of the Licensing Sub-committee were satisfied that the licensing objectives would not be undermined.

The Sub-committee took into consideration that the Environmental Protection Team had withdrawn their representations, and agreed conditions with the licence holder in advance of the hearing.

The Sub-committee noted there was only one representation from a local resident against the application on the grounds of the four licensing objectives and 56 representations were received in support.

The Sub-committee noted that the premises are not situated in a Special Policy Area. Also the Premises Licence holder demonstrated that they have listened to concerns

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raised and there was a great deal of support from the community, and music industry bands.

The Sub-committee took into consideration that the premises had a good dispersal policy, the noise report was professional, and overall they had good policies and accreditation to operate the premises responsibly. The Sub-committee took into account that the premises had local co-operation and strong support from local residents.

Having taken all of the above factors into consideration the Sub-committee was satisfied that by granting this variation of the premises licence, the licensing objectives would continue to be promoted.

## **8 Temporary Event Notices - Standing Item**

8.1 There were no temporary event notices for consideration.

**Duration of the meeting:** 2.00pm

**Councillor Smyth, Chair of Licensing Sub-Committee**

**Contact:**

Governance Services Officer:

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