

**MINUTES OF THE LICENSING SUB-COMMITTEE D
TUESDAY, 24 JUNE 2025 AT 2.00PM**

Councillors Present:	Cllr Joe Walker (Chair) Cllr Susan Fajana-Thomas Cllr Gilbert Smyth
Officers in Attendance:	Mark Agnew - Governance Officer Amanda Nauth - Licensing and Corporate Lawyer Suba Sriramana - Principal Licensing Officer (Acting) David Tuitt - Business Regulation Team Leader (Observing)
Also in Attendance:	<u>Application to Vary a Premises Licence - Piscos, 16 Stoke Newington Road, London, N16 7XN</u> <u>Applicant</u> Mohammad Serdouk - Applicant Aristedes Rojas Prada - Designated Premises Supervisor (DPS) <u>Other Persons</u> B1 B2

1. Election of Chair

1.1 Cllr Walker was duly elected as Chair.

2. Apologies for Absence

2.1 There were no apologies for absence.

3. Declarations of Interest

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 Licensing and Corporate Lawyer outlined the hearing procedure to be followed.

6. Application to Vary a Premises Licence - Piscos, 16 Stoke Newington Road, London, N16 7XN

6.1 The Sub-Committee heard from the Principal Licensing Officer (Acting), the Applicant, and Other Persons. The Sub-Committee noted that the application being considered was for an application to vary a premises licence to allow authorisation for the amendment of current condition 25 under section 34 of the Licensing Act 2003. The representation from the Other Persons was on the grounds of The Prevention of Crime and Disorder, Public Safety, Prevention of Public Nuisance and The Protection of Children from Harm.

6.2 During the course of submissions and a discussion of the application, the following points were noted:

- The Additional information shared by B1 in advance of the meeting was noted.
- The Applicant confirmed the application was seeking to correlate conditions with their licence allowing external tables and chairs, and discussed their complaints relating to the representations from the Other Persons, and comments provided to them by the Police.
- Other Persons confirmed their concerns, including;
 - Threats that had been received;
 - Tables and chairs seeming to be outside the allowable space, and in numbers beyond those agreed;
 - The lack of a clear smoking area;
 - The lack of a dispersal policy;
 - The lack of a sound limiter;
 - Their experience of anti-social behaviour;
 - The busyness of the pavement outside the premises;
 - The increased public nuisance as a result of the proposed extended opening hours.
- The Sub-Committee sought clarification on whether the premises was a cocktail bar or family restaurant; who was operating the premises; the number of tables and chairs outside the premises and the allowable space; whether 'a-boards' were placed outside the premises; whether SIA staff were present on Fridays and Saturday; whether there was a dispersal policy; whether there was music played on the premises; and the location of the designated smoking area.
- In response, the Applicant confirmed that the premises was a Peruvian restaurant and cocktail bar; it was operated by the Applicant and the DPS; there were three tables and 12 chairs in a space 1mX3m; there were no 'a-boards' outside the premises; SIA were present on Fridays and Saturdays from 20:00 until close; a dispersal policy could be shared with Licensing; there was no amplified music after 23:00; and smokers could sit at the external tables and chairs.
- It was then clarified by members of the Sub-Committee and the Licensing and Corporate Lawyer that the allowable number of external chairs was 8, not 12, which had been similarly highlighted for action at a

Sub-Committee hearing in April 2025; the allowable space for the 8 chairs was 1.8mX1.5m, which was smaller than the space the premises was taking up; 'a-boards' had been witnessed outside the premises; and the premises was in the Dalston and Shacklewell special consideration area,

- In response to the concerns raised, the Applicants agreed to make the following concessions:
 1. They would remove one set of tables and chairs from the external area to fulfil the conditions.
 2. They would draft and share a copy of the dispersal policy and a crowd management policy.
- The Other Persons retained their objections to the application.

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; t

The application to vary a premises licence has been refused in accordance with Licensing Policies LP1, LP2, LP6, and LP12 within the Council's Statement of Licensing Policy.

Reasons for the decision

The Licensing Sub-committee, having heard from the Other Persons (local residents), believed that granting the application would result in the licensing objectives being undermined, and would have a negative impact on the Dalston Special Consideration Area (Dalston SCA).

The Sub-Committee took into consideration the representations of the local residents who objected to this application due the impact it would have late at night.

The Sub-Committee noted that no Responsible Authorities made representations.

The Sub-Committee considered the representations made by the Premises Licence Holder, and they took into consideration the work they had done to improve the premises to prevent noise breakout.

The Sub-Committee noted that the Premises Licence Holder did not allay the concerns raised by the local residents.

The Sub-Committee took into account the difficulties that members of the public would have to walk on the narrow footpath, the potential overcrowding of the pavement, and that no Dispersal Policy or Crowd Management Plans existed.

The Sub-Committee also had concerns that conditions on the premises licence in particular condition 24 (use of the outdoor area) were not being complied with.

The Sub-Committee took into account that the Applicant had not demonstrated how they would not add to the cumulative impact in the Dalston SCA.

The Sub-Committee felt there were no mitigating factors that would justify them granting the amendment of condition 25.

The Sub-Committee cannot take into consideration financial circumstances as a reason to grant the variation. The Sub-Committee took into consideration when refusing this application that each case is considered on its merits. The Sub-Committee believed that the licensing objectives could not be promoted by granting this variation application, and as such believed it was appropriate to refuse the application in its entirety.

Public Informative

The Premises Licence Holder is reminded to comply with the conditions on the premises licence particularly condition 24 that no more than 8 persons shall be seated in the external area.

7. Application to Vary a Premises Licence - Gocci, 468 Kingsland Road, Hackney, London, E8 4AE

7.1 This agenda item was resolved under delegated authority and was withdrawn for consideration from this meeting.

8. Temporary Event Notices - Counter Notice - 90a Wallis Road, London E9 5LN

8.1 There were no temporary event notice applications for consideration.

Close of meeting.

Duration of Meeting - 2:00pm - 2.57pm

Councillor Joe Walker, Chair of the 24th of June 2025 Licencing Sub-Committee D meeting.