



NOTICE OF DECISION

LICENSING SUB-COMMITTEE – 8 JUNE 2016

LICENSING ACT 2003: BALABAYA, 25 OLD UNION ARCHES, 229 UNION STREET, LONDON SE1 0LR

1. Decision

That the application by Sefardi Limited for a premises licence to be granted under the Licensing Act 2003 in respect of the premises known as Balabaya, 25 Old Union Arches, 229 Union Street, London SE1 0LR is granted as follows:

Licensable Activity	Hours
Films (indoors)	Thursday to Saturday from 21:00 to 23:00
Recorded music (indoors)	Thursday to Saturday from 21:00 to 23:00
Supply of alcohol (on the premises)	Monday to Friday from 12:00 to 23:30 Saturday and Sunday from 10:00 to 23.30
Opening hours	Monday to Sunday from 07:00 to 23:30

2 Conditions

The operation of the premises under the licence shall be subject to relevant mandatory conditions, conditions derived from the operation schedule highlighted in Section M of the application form and the conditions conciliated with the responsible authorities and the following additional condition:

1. That the supply of alcohol at the premises shall only be to persons seated taking a table or bar meal and for consumption by such persons as ancillary to their meal.

3 Reasons

The reasons for the decision are as follows:

The licensing sub-committee heard from the applicant who stated that this was a food led establishment and provided details of the business concept. He explained that this was a modern take on a Middle-Eastern restaurant and that the dishes served would adopt a sharing concept. They had made very substantial investments into the kitchen and used this to set out their commitment to follow their business plan.

They advised that due to the nature of the food being served that some flexibility would be required in order for them to ensure compliance with conditions that may be applied to the licence. The applicant acknowledged that the premises fall within a cumulative impact zone and demonstrated a commitment to maintaining the safety of both his patrons and the general public.

The licensing sub-committee noted that the police had conciliated with the applicant prior to the hearing.

The licensing sub-committee heard from this council's licensing responsible authority who stated that the premises were situated in a cumulative impact zone. They added that they felt that a condition relating to alcohol being served with a table meal was required in order that the premises did not turn into a vertical drinking establishment in the future.

The licensing sub-committee having heard the evidence from both parties considered that the above condition would properly address the concerns of the licensing authority and make sure that the licensing policy had been properly considered and administered. The licensing sub-committee would like to emphasise that snacks such as olives, nuts or crisps do not constitute a meal.

In reaching this decision the sub-committee had regard to all the relevant considerations and the four licensing objectives and considered that this decision was appropriate and proportionate.

4 Appeal rights

The applicant may appeal against any decision:

- a) To impose conditions on the licence
- b) To exclude a licensable activity or refuse to specify a person as premises supervisor.

Any person who made relevant representations in relation to the application who desire to contend that:

- a) The licence ought not to be been granted; or
- b) That on granting the licence, the licensing authority ought to have imposed different or additional conditions to the licence, or ought to have modified them in a different way

may appeal against the decision.

Any appeal must be made to the Magistrates' Court for the area in which the premises are situated. Any appeal must be commenced by notice of appeal given by the appellant to the justices' clerk for the Magistrates' Court within the period of 21 days beginning with the day on which the appellant was notified by the licensing authority of the decision appealed against.

Issued by the Constitutional Team on behalf of the Director of Law and Democracy

Date: 8 June 2016