



L I C E N S I N G S U B C O M M I T T E E D

Thursday 1 December 2022
at 2.00 pm

**Supplementary paper: Agenda item 6 Revised
Variation report***

*Supersedes previously published version on 23 November 2022.

Members of the Sub-Committee:

Councillor Zoë Garbett (substitute)

Councillor Gilbert Smyth

Councillor Sheila Suso-Runge

Mark Carroll
Chief Executive
Thursday 24 November 2022
www.hackney.gov.uk

Contact:
Gareth Sykes
Governance Officer
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**Licensing Sub Committee D
Thursday 1 December 2022**

**Supplementary paper: Agenda item 6 Revised
Variation report***

*Supersedes previously published version on 23 November 2022.

- 6 Variation of a Premises Licence: The Haggerston Pub, 438 Kingsland Road, London, E8 4AA (Pages 11 - 56)**

Licensing Sub-Committee Hearings

This guide details the procedure for Licensing Sub-Committee hearings under the Licensing Act 2003. Whilst this will be used in most cases, the procedure will be altered in exceptional circumstances and when for example Personal Licences, Temporary Event Notices and Reviews are considered.

Until further notice, all Licensing Sub-Committee Hearings will be held remotely using the Google Meets platform. Licensing Sub-Committee Hearings are public meetings that are live-streamed. Hearings are available to be viewed by the public online.

A Licensing Sub-Committee will be held if:

- The applicant has applied for a Premises Licence, Provisional Statement, Club Premises Certificate or expressed their intention to vary their existing licence/certificate and has advertised this in a local newspaper and displayed a distinctive blue notice at the premises, following which representations have been made by a Responsible Authority or Other Person/s.
- A Review has been requested by a Responsible Authority or Other Person/s and the Review has been advertised by displaying a distinctive blue notice at the premises and also at the Council's office and website.
- An application is made to transfer a Premises Licence or for interim authority and the Police have issued an objection
- The applicant has made a Personal Licence application and the Police have objected to the Licence being granted.
- A Temporary Event Notice has been given and the Police and/or those in the Council that exercise environmental health functions have issued an objection.

Prior to your item being heard:

- The Licensing team upon receiving representations will form a view as to whether the representations are irrelevant, frivolous, vexatious or for review applications; repetitious.
- The Licensing team would have provided written notice to all parties in advance of the hearing and would have responded to any request relating to personal details being removed from the agenda.

If you do not believe this to have happened, please contact the Licensing Service on 020 8356 4970 or email licensing@hackney.gov.uk as soon as possible. For further information on the application process, please see the guidance notes at www.hackney.gov.uk/licensing.

Making decisions on the items being heard:

Hearings will normally be held in public unless the Sub-Committee believe it not to be in the public interest to do so. Although the Chair will try to make the proceedings as informal as possible, these hearings are of a quasi-judicial nature, and the rules of natural justice shall apply.

Only those Responsible Authorities and Other Persons who have made a relevant representation in writing at the consultation stage **can register to speak at a subsequent hearing**. Applicants, Other Persons and Responsible Authorities will all be given a fair opportunity to put their case and the Sub-Committee will take these representations into account when making their decision. The Sub-Committee may still make a decision on any matter even if any party fails to attend the hearing. However, in these circumstances, it will only be that party's written representation that may be taken into account.

For new applications relating to Premises Licences and Club Premises Certificates, Members can grant with additional conditions attached to the licence, exclude any licensable activities, refuse a Designated Premises Supervisor (DPS) if appropriate or reject the application.

Members when making decisions on variation applications regarding a Premises Licence or Club Premises Certificate, can modify (add, delete or amend) conditions on the licence or reject the application in whole or part. Members will be considering the request for a variation and the impact that this may have. Therefore, representations should be focused on the impact of the variation, although concerns relating to the existing terms of the licence may be relevant in considering the track record of the applicant. However, Members may consider other issues which relate to the promotion of the licensing objectives, although only if it is reasonable and proportionate to do so.

For Provisional Statements, Members can consider any steps that are necessary having regard to the representations made in order to ensure the licensing objectives are not undermined.

Members when deciding a Review application can modify (add, delete or amend) the conditions of the licence, exclude any licensable activities, remove a DPS if appropriate, suspend the licence/certificate for up to 3 months or revoke the licence/certificate completely.

For transfer of Premises Licences, interim authority requests and Personal Licence applications Members can only refuse or grant the application.

Members when deciding on an objection made against a Temporary Event Notice (TEN) will determine whether or not to issue a Counter Notice, which if issued will prevent the proposed event from proceeding. If a TEN has been given for a premises that already has a licence/certificate, Members may impose any of those conditions from the existing licence/certificate to the TEN.

Before the meeting starts:

The Sub-Committee Members are requested to report for business no more than half an hour before the meeting starts to deal with any administrative/procedural issues. This will allow Members to consider;

- the appointment for any substitutes if required
- the appointment of the chair
- any procedural issues
- obtain the list of attendees
- late documents delivered prior to the meeting and to ensure all the paperwork is in order

The Sub-Committee will not be considering any of the actual points raised within the Report itself and no Responsible Authority or Other Person/s shall be present when the Sub-Committee deal with the above issues.

Attending the hearing that concerns you:

All Applicants, Other Persons and Responsible Authorities involved will be informed in writing of the date and time that their application will be considered by the Licensing Sub-Committee. Please contact the Licensing Service on 020 8356 4970 or email licensing@hackney.gov.uk to confirm whether you wish to attend and/or register to speak at the Sub-Committee hearing or if you wish for someone else to speak on your behalf. If you are unable to attend, the application may be heard in your absence.

All parties should arrive promptly at the outset of the scheduled meeting regardless of when the item is listed to be heard on the agenda.

Please contact the Licensing Service for advice within 4 working days from the date on the notice letter if any of the following apply;

- you have special requirements to help make your representation, because of a disability or you need a translator for example
- you wish to supply additional [documentary] information such as photographs and videos/DVDs

Please note that if you wish to provide additional relevant information, this should be given at least **5 working days** before the hearing. Any additional information provided once the hearing has started will only be accepted if all parties agree.

Please note that the use of videos/DVDs is at the Sub-Committee's discretion – requests to show these should be made in advance to the Committee Officer.

Timings

In most cases the application will last no longer than 1 hour, and the times to be allocated to each section are shown on the relevant hearing procedure. If you think that your evidence is likely to exceed this time period, please let the Licensing Service know **within 4 working days of the date on the notice letter** and the Sub-Committee will be advised. If your request is agreed, all parties will also be granted the same extension of time.

Rights of Press and Public to Report on Meetings

Where a meeting of the Council and its committees are open to the public, the press and public are welcome to report on meetings of the Council and its committees, through any audio, visual or written methods and may use digital and social media providing they do not disturb the conduct of the meeting and providing that the person reporting or providing the commentary is present at the meeting.

Those wishing to film, photograph or audio record a meeting are asked to notify the Council's Monitoring Officer by noon on the day of the meeting, if possible, or any time prior to the start of the meeting or notify the Chair at the start of the meeting.

The Monitoring Officer, or the Chair of the meeting, may designate a set area from which all recording must take place at a meeting.

The Council will endeavour to provide reasonable space and seating to view, hear and record the meeting. If those intending to record a meeting require any other reasonable facilities, notice should be given to the Monitoring Officer in advance of the meeting and will only be provided if practicable to do so.

The Chair shall have discretion to regulate the behaviour of all those present recording a meeting in the interests of the efficient conduct of the meeting. Anyone acting in a disruptive manner may be required by the Chair to cease recording or may be excluded from the meeting. Disruptive behaviour may include: moving from any designated recording area; causing excessive noise; intrusive lighting; interrupting the meeting; or filming members of the public who have asked not to be filmed.

All those visually recording a meeting are requested to only focus on recording councillors, officers and the public who are directly involved in the conduct of the meeting. The Chair of the meeting will ask any members of the public present if they have objections to being visually recorded. Those visually recording a meeting are asked to respect the wishes of those who do not wish to be filmed or photographed. Failure by someone recording a meeting to respect the wishes of those who do not wish to be filmed and photographed may result in the Chair instructing them to cease recording or in their exclusion from the meeting.

If a meeting passes a motion to exclude the press and public then in order to consider confidential or exempt information, all recording must cease and all recording equipment must be removed from the meeting room. The press and public are not permitted to use any means which might enable them to see or hear the proceedings whilst they are excluded from a meeting and confidential or exempt information is under consideration.

Providing oral commentary during a meeting is not permitted.

Lobbying of Councillors

If a person or an organisation wants to make a representation to the Licensing Sub-Committee, they must **NOT** contact Sub-Committee Members directly. Licensing Sub-Committee Members have to retain an open mind on any application and determine it on its merits. Members can not be in anyway biased towards a party. Therefore, if a Member of the Sub-Committee has had any prior involvement they must ensure that they come to the hearing with an open mind.

Local ward councillors may be able to speak on behalf of objectors if requested to do so, provided that if they have a disclosable pecuniary interest (further information provided below) they leave the meeting room when the application is being considered unless they have been granted dispensation.

Reports

Agendas and Reports for Licensing Sub-Committees are published on the Council's website (www.hackney.gov.uk) 5 working days before the hearing takes place. Copies are also available by contacting Governance Services on 0208 356 3578 or email governance@hackney.gov.uk. Copies of applications together with the detail of any objections will be included in the report.

Appeals

Applicants or any party to the hearing can appeal against the decision made by the Sub-Committee. The appeal to the Thames Magistrates Court must be made within 21 days of the decision being sent formally in writing. However, TEN's have the added restriction that no appeals can be made later than 5 working days before the event is scheduled to take place.

Withdrawal of an Item or Cancellation of a Hearing

An item may be withdrawn from the agenda of a Licensing Sub-Committee meeting at short notice due to the withdrawal or resolution of the representations or objections to an application or notice. A hearing by the Licensing Sub-Committee may therefore be cancelled at short notice if there are no substantive items remaining on the agenda.

As much advance notice as is practicable of the withdrawal of an item on the agenda or cancellation of a meeting of the Licensing Sub-Committee will be provided on the Council's website but please note that this might be as little as a few hours before the hearing if the applicant chooses to leave it that late to satisfactorily address any representation or objection giving rise to the need for a hearing.

Contacts

If you have a query about Licensing Sub-Committee procedures and protocols then please contact Governance Services: governance@hackney.gov.uk

.If your query relates general licensing matters or to specific applications then you are advised to speak to the Licensing Service. They can be contacted at:

Telephone: 020 8356 4970

E-mail: licensing@hackney.gov.uk

Advice to Members on Declaring Interests

If you require advice on declarations of interests, this can be obtained from:

- The Monitoring Officer;
- The Deputy Monitoring Officer; or
- The legal adviser to the meeting.

It is recommended that any advice be sought in advance of, rather than at, the meeting.

Disclosable Pecuniary Interests (DPIs)

You will have a Disclosable Pecuniary Interest (*DPI) if it:

- Relates to your employment, sponsorship, contracts as well as wider financial interests and assets including land, property, licenses and corporate tenancies.
- Relates to an interest which you have registered in that part of the Register of Interests form relating to DPIs as being an interest of you, your spouse or civil partner, or anyone living with you as if they were your spouse or civil partner.
- Relates to an interest which should be registered in that part of the Register of Interests form relating to DPIs, but you have not yet done so.

If you are present at any meeting of the Council and you have a DPI relating to any business that will be considered at the meeting, you **must**:

- Not seek to improperly influence decision-making on that matter;
- Make a verbal declaration of the existence and nature of the DPI at or before the consideration of the item of business or as soon as the interest becomes apparent; and
- Leave the room whilst the matter is under consideration

You **must not**:

- Participate in any discussion of the business at the meeting, or if you become aware of your Disclosable Pecuniary Interest during the meeting, participate further in any discussion of the business; or
- Participate in any vote or further vote taken on the matter at the meeting.

If you have obtained a dispensation from the Monitoring Officer or Standards Committee prior to the matter being considered, then you should make a verbal declaration of the existence and nature of the DPI and that you have obtained a

dispensation. The dispensation granted will explain the extent to which you are able to participate.

Other Registrable Interests

You will have an 'Other Registrable Interest' (ORI) in a matter if it

- Relates to appointments made by the authority to any outside bodies, membership of: charities, trade unions,, lobbying or campaign groups, voluntary organisations in the borough or governorships at any educational institution within the borough.
- Relates to an interest which you have registered in that part of the Register of Interests form relating to ORIs as being an interest of you, your spouse or civil partner, or anyone living with you as if they were your spouse or civil partner; or
- Relates to an interest which should be registered in that part of the Register of Interests form relating to ORIs, but you have not yet done so.

Where a matter arises at any meeting of the Council which affects a body or organisation you have named in that part of the Register of Interests Form relating to ORIs, **you must** make a verbal declaration of the existence and nature of the DPI at or before the consideration of the item of business or as soon as the interest becomes apparent. **You may** speak on the matter only if members of the public are also allowed to speak at the meeting but otherwise must not take part in any discussion or vote on the matter and must not remain in the room unless you have been granted a dispensation.

Disclosure of Other Interests

Where a matter arises at any meeting of the Council which **directly relates** to your financial interest or well-being or a financial interest or well-being of a relative or close associate, you **must** disclose the interest. **You may** speak on the matter only if members of the public are also allowed to speak at the meeting. Otherwise you must not take part in any discussion or vote on the matter and must not remain in the room unless you have been granted a dispensation.

Where a matter arises at any meeting of the Council which **affects** your financial interest or well-being, or a financial interest or well-being of a relative or close associate to a greater extent than it affects the financial interest or wellbeing of the majority of inhabitants of the ward affected by the decision and a reasonable member of the public knowing all the facts would believe that it would affect your view of the wider public interest, you **must** declare the interest. You **may** only speak on the matter if members of the public are able to speak. Otherwise you must not take part in any discussion or voting on the matter and must not remain in the room unless you have been granted a dispensation.

In all cases, where the Monitoring Officer has agreed that the interest in question is a **sensitive interest**, you do not have to disclose the nature of the interest itself.

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For Consideration By	Licensing Sub-Committee
Meeting Date	01 December 2022
Type of Application	Vary a Premises Licence
Address of Premises	The Haggerston Pub, 438 Kingsland Road, London, E8 4AA
Classification	Decision
Ward(s) Affected	London Fields
Group Director	Rickardo Hyatt

1. **Summary**

1.1. This is an application to vary a premises licence to allow authorisation for:

- To extend live music, recorded music and supply of alcohol
- To increase the number of patrons allowed in the back yard smoking area to 40 and to limit this area to smoking only/no drinks after 2300hrs

2. **Application**

2.1. ACME Bars Ltd has made an application to vary a premises licence under section 34 of the Licensing Act 2003.

2.2. The premises is located within Dalston special policy area.

2.3. The applicant is seeking authorisation for the following licensable activities and times:

Live Music	Standard Hours: Mon 11:00-23:00 Tue 11:00-23:00 Wed 11:00-23:00 Thu 11:00-00:00 Fri 11:00-02:00 Sat 11:00-02:00 Sun 11:00-01:00
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Recorded Music	Standard Hours: Mon 11:00-23:00 Tue 11:00-23:00 Wed 11:00-23:00 Thu 11:00-00:00 Fri 11:00-02:00 Sat 11:00-02:00 Sun 11:00-01:00
Supply of Alcohol (On sales)	Standard Hours: Mon 11:00-23:00 Tue 11:00-23:00 Wed 11:00-23:00 Thu 11:00-00:00 Fri 11:00-02:00 Sat 11:00-02:00 Sun 11:00-01:00
The opening hours of the premises	Standard Hours: Mon 11:00-00:30 Tue 11:00-00:30 Wed 11:00-00:30 Thu 11:00-00:30 Fri 11:00-02:30 Sat 11:00-02:30 Sun 11:00-02:30

2.4. The application is attached as Appendix A. The applicant has proposed some additional measures to address the licensing objectives.

3. **Current Status/History**

3.1. The current premises licence was granted on 24 March 2010 (attached as Appendix C).

3.2. Below is the list of temporary event notices given by the premises for this premises in last twelve months.

Dates of the event(s)	Hours
23/07/2022 to 24/07/2022	00:00 to 01:30am
30/07/2022 to 31/07/2022	00:00 to 01:30am
06/08/2022 to 07/08/2022	11:00 to 02:00am
13/08/2022 to 14/08/2022	11:00 to 02:00am
20/08/2022 to 21/08/2022	11:00 to 02:00am

27/08/2022 to 28/08/2022	11:00 to 02:00am
03/09/2022 to 04/09/2022	11:00 to 02:00am
10/09/2022 to 11/09/2022	11:00 to 02:00am
17/09/2022 to 18/09/2022	11:00 to 02:00am
24/09/2022 to 25/09/2022	11:00 to 02:00am
01/10/2022 to 02/10/2022	11:00 to 02:00am
08/10/2022 to 09/10/2022	11:00 to 02:00am
15/10/2022 to 16/10/2022	00:00 to 02:00am

4. **Representations: Responsible Authorities**

From	Details
Environmental Health Authority (Environmental Protection) (Appendix B1)	Representation received on the grounds of The Prevention of Public Nuisance
Environmental Health Authority (Environmental Enforcement)	Have confirmed no representation on this application
Environmental Health Authority (Health & Safety)	No representation received
Weights and Measures (Trading Standards)	No representation received
Planning Authority	No representation received
Area Child Protection Officer	No representation received
Fire Authority	Have confirmed no representation on this application
Police	Representation withdrawn based on agreed hours as set out in para 2.3 and condition as set out in para 8.1
Licensing Authority (Appendix B2)	Representation received on the grounds of The Prevention of Public Nuisance
Health Authority	No representation received

5. **Representations: Other Persons**

From	Details
4 representations received in support from and on behalf of local residents. (Appendices C1-C4)	Representation received on the grounds of The Prevention of Crime and Disorder, Public Safety, Prevention of Public Nuisance and The Protection of Children from Harm.

6. **Guidance Considerations**

- 6.1. The Licensing Authority is required to have regard to any guidance issued by the Secretary of State under the Licensing Act 2003.

7. **Policy Considerations**

- 7.1. Licensing Sub-Committee is required to have regard to the London Borough of Hackney's Statement of Licensing Policy ("the Policy) adopted by the Licensing Authority.
- 7.2. The Policy applies to applications where relevant representations have been made. With regard to this application, policies, LP1 (General Principles), LP2 (Licensing Objectives), LP3 (Core Hours), LP6 (External Areas and Outdoor Events) and LP11 (Cumulative Impact-General) are relevant.

8. **Officer Observations**

- 8.1. If the Sub-Committee is minded to approve the application, the following additional conditions should be applied the licence:
 1. All staff engaged in the sale of alcohol shall be fully trained and made aware of the legal requirements relating to underage sales and other legal requirements relating to the sale and supply of alcohol. Such training must take place on a 12 monthly basis and written records of the training must be maintained on the premises for inspection by the Police or Authorities. This training is to include WAVE (Welfare And Vulnerability Engagement) training.

9. **Reasons for Officer Observations**

- 9.1. The applicant has agreed to amend condition 24 as agreed with the Police.

10. **Legal Comments**

- 10.1. The Council has a duty as a Licensing Authority under the Licensing Act 2003 to carry out its functions with a view to promoting the following 4 licensing objectives;
 - The Prevention of Crime and Disorder
 - Public Safety
 - Prevention of Public Nuisance
 - The Protection of Children from Harm
- 10.2. It should be noted that each of the licensing objectives have equal importance and are the only grounds upon which a relevant representation can be made and for which an application can be refused or terms and conditions attached to a licence.

11. **Human Rights Act 1998 Implications**

- 11.1. There are implications to;
 - **Article 6** – Right to a fair hearing
 - **Article 14** – Not to discriminate
 - Balancing: **Article 1**- Peaceful enjoyment of their possession (i.e. a licence is defined as being a possession) with **Article 8** – Right of Privacy (i.e. respect private & family life) to achieve a proportionate decision having regard to the protection of an individuals rights against

the interests of the community at large.

12. **Members Decision Making**

12.1. **Option 1**

That the application be refused

12.2. **Option 2**

That the application be approved, together with any conditions or restrictions which Members consider necessary for the promotion of the Licensing objectives.

13. **Conclusion**

13.1. That Members decide on the application under the Licensing Act 2003.

Appendix 8:

- Appendix A: Application to vary a premises licence
- Appendix B: Representations from responsible authorities
- Appendix C: Representations in support from other persons
- Appendix D: Current premises licence
- Appendix E: Location map

Background documents

Licensing Act 2003
LBH Statement of Licensing Policy

Report Author	Name: Suba Sriramana Title: Principal Licensing Officer Email: subangini.sriramana@hackney.gov.uk Tel: 02083564915
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← Hackney

LA07

Application to vary a premises licence under the Licensing Act 2003

PLEASE READ THE FOLLOWING INSTRUCTIONS FIRST

Before completing this form please read the guidance notes at the end of the form. If you are completing this form by hand please write legibly in block capitals. In all cases ensure that your answers are inside the boxes and written in black ink. Use additional sheets if necessary.

You may wish to keep a copy of the completed form for your records.

I/We ACME BARS LTD

being the premises licence holder, apply to vary a premises licence under section 34 of the Licensing Act 2003 for the premises described in Part 1 below

Premises licence number - LBH-PRE-T-1097

Part 1 – Premises Details

The Haggerston Pub,
438 Kingsland Road,
Hackney

Post town London

Postcode E8 4AA

Telephone number at premises (if any)

Non-domestic rateable value of premises

Part 2 – Applicant details

Daytime contact telephone number

E-mail address (optional)

Current postal address if different from premises address

Post town

Postcode

Part 3 – Variation

Please tick as appropriate

Do you want the proposed variation to have effect as soon as possible? Yes

DD MM YYYY

If not, from what date do you want the variation to take effect?

Do you want the proposed variation to have effect in relation to the introduction of the late night levy? (Please see guidance note 1) Yes No

Please describe briefly the nature of the proposed variation (Please see guidance note 2)

Public House with main ground floor bar, upstairs room and back yard smoking area.

-To extend the the times the licence authorises the carrying out of licensable activities to below:

Mon 11:00-00:00
Tue 11:00-00:00
Wed 11:00-00:00
Thu 11:00-00:00
Fri 11:00-02:00
Sat 11:00-02:00
Sun 11:00-02:00

-To extend the opening hours of the business to allow for egress and proper dispersal of patrons to below:

Mon 11:00-00:30
Tue 11:00-00:30
Wed 11:00-00:30
Thu 11:00-00:30
Fri 11:00-02:30
Sat 11:00-02:30
Sun 11:00-02:30

-To increase the amount of patrons allowed in the back yard smoking area to 40 and to limit this area to smoking only/no drinks after 2300hrs

The variations above were discussed in a meeting with Hackney Police Licensing Unit as a possibility. These have been tested on Friday and Saturday using temporary events notices every weekend since 23/07/2022 and have proven to uphold the licensing objectives.

If your proposed variation would mean that 5,000 or more people are expected to attend the premises at any one time, please state the number expected to attend:

Part 4 Operating Schedule

Please complete those parts of the Operating Schedule below which would be subject to change if this application to vary is successful.

Provision of regulated entertainment (Please see guidance note 3)

Please tick all that apply

- a) plays (if ticking yes, fill in box A)
- b) films (if ticking yes, fill in box B)
- c) indoor sporting events (if ticking yes, fill in box C)
- d) boxing or wrestling entertainment (if ticking yes, fill in box D)
- e) live music (if ticking yes, fill in box E)
- f) recorded music (if ticking yes, fill in box F)
- g) performances of dance (if ticking yes, fill in box G)
- h) anything of a similar description to that falling within (e), (f) or (g) (if ticking yes, fill in box H)

Provision of late night refreshment (if ticking yes, fill in box I)

Supply of alcohol (if ticking yes, fill in box J)

In all cases complete boxes K, L and M

A

Plays Standard days and timings (please read guidance note 8)			Will the performance of a play take place indoors or outdoors or both – please tick (please read guidance note 4)	Indoors	
Day	Start	Finish		Outdoors	
				Both	
Mon			Please give further details here (please read guidance note 5)		
Tue					
Wed			State any seasonal variations for performing plays (please read guidance note 6)		
Thur					
Fri			Non-standard timings. Where you intend to use the premises for the performance of plays at different times to those listed in the column on the left, please list (please read guidance note 7)		
Sat					
Sun					

B

Films Standard days and timings (please read guidance note 8)			Will the exhibition of films take place indoors or outdoors or both – please tick (please read guidance note 4)	Indoors	
Day	Start	Finish		Outdoors	
Mon			Please give further details here (please read guidance note 5)		
Tue					
Wed			State any seasonal variations for the exhibition of films (please read guidance note 6)		
Thur					
Fri			Non-standard timings. Where you intend to use the premises for the exhibition of films at different times to those listed in the column on the left, please list (please read guidance note 7)		
Sat					
Sun					

C

Indoor sporting events Standard days and timings (please read guidance note 8)			Please give further details (please read guidance note 5)
Day	Start	Finish	
Mon			State any seasonal variations for indoor sporting events (please read guidance note 6)
Tue			
Wed			
Thur			Non-standard timings. Where you intend to use the premises for indoor sporting events at different times to those listed in the column on the left, please list (please read guidance note 7)
Fri			
Sat			
Sun			

D

Boxing or wrestling entertainments Standard days and timings (please read guidance note 8)			Will the boxing or wrestling entertainment take place indoors or outdoors or both – please tick (please read guidance note 4)	Indoors	
Day	Start	Finish		Outdoors	
				Both	
Mon			Please give further details here (please read guidance note 5)		
Tue					
Wed			State any seasonal variations for boxing or wrestling entertainment (please read guidance note 6)		
Thur					
Fri			Non-standard timings. Where you intend to use the premises for boxing or wrestling entertainment at different times to those listed in the column on the left, please list (please read guidance note 7)		
Sat					
Sun					

E

Live music Standard days and timings (please read guidance note 8)			Will the performance of live music take place indoors or outdoors or both – please tick (please read guidance note 4)	Indoors	<input checked="" type="checkbox"/>
Day	Start	Finish		Outdoors	
Mon	11:00	00:00	Please give further details here (please read guidance note 5)	Both	
Tue	11:00	00:00			
Wed	11:00	00:00	State any seasonal variations for the performance of live music (please read guidance note 6)		
Thur	11:00	00:00			
Fri	11:00	02:00	Non-standard timings. Where you intend to use the premises for the performance of live music at different times to those listed in the column on the left, please list (please read guidance note 7)		
Sat	11:00	02:00			
Sun	11:00	02:00			

F

Recorded music Standard days and timings (please read guidance note 8)			Will the playing of recorded music take place indoors or outdoors or both – please tick (please read guidance note 4)	Indoors	<input checked="" type="checkbox"/>
Day	Start	Finish		Outdoors	<input type="checkbox"/>
Mon	11:00	00:00	Please give further details here (please read guidance note 5)	Both	<input type="checkbox"/>
Tue	11:00	00:00			
Wed	11:00	00:00	State any seasonal variations for the playing of recorded music (please read guidance note 6)		
Thur	11:00	00:00			
Fri	11:00	02:00	Non-standard timings. Where you intend to use the premises for the playing of recorded music at different times to those listed in the column on the left, please list (please read guidance note 7)		
Sat	11:00	02:00			
Sun	11:00	02:00			

G

Performances of dance Standard days and timings (please read guidance note 8)			Will the performance of dance take place indoors or outdoors or both – please tick (please read guidance note 4)	Indoors	
Day	Start	Finish		Outdoors	
				Both	
Mon			Please give further details here (please read guidance note 5)		
Tue					
Wed			State any seasonal variations for the performance of dance (please read guidance note 6)		
Thur					
Fri			Non-standard timings. Where you intend to use the premises for the performance of dance at different times to those listed in the column on the left, please list (please read guidance note 7)		
Sat					
Sun					

H

Anything of a similar description to that falling within (e), (f) or (g) Standard days and timings (please read guidance note 8)			Please give a description of the type of entertainment you will be providing		
Day	Start	Finish	Will this entertainment take place indoors or outdoors or both – please tick (please read guidance note 4)	Indoors	
Mon				Outdoors	
				Both	
Tue			Please give further details here (please read guidance note 5)		
Wed					
Thur			State any seasonal variations for entertainment of a similar description to that falling within (e), (f) or (g) (please read guidance note 6)		
Fri					
Sat			Non-standard timings. Where you intend to use the premises for the entertainment of a similar description to that falling within (e), (f) or (g) at different times to those listed in the column on the left, please list (please read guidance note 7)		
Sun					

I

Late night refreshment Standard days and timings (please read guidance note 8)			Will the provision of late night refreshment take place indoors or outdoors or both – please tick (please read guidance note 4)	Indoors	
Day	Start	Finish		Outdoors	
				Both	
Mon			Please give further details here (please read guidance note 5)		
Tue					
Wed			State any seasonal variations for the provision of late night refreshment (please read guidance note 6)		
Thur					
Fri			Non-standard timings. Where you intend to use the premises for the provision of late night refreshment at different times, to those listed in the column on the left, please list (please read guidance note 7)		
Sat					
Sun					

J

Supply of alcohol Standard days and timings (please read guidance note 8)			Will the supply of alcohol be for consumption – please tick (please read guidance note 9)	On the premises	<input checked="" type="checkbox"/>
				Off the premises	
Day	Start	Finish		Both	
Mon	11:00	00:00	State any seasonal variations for the supply of alcohol (please read guidance note 6)		
Tue	11:00	00:00			
Wed	11:00	00:00			
Thur	11:00	00:00	Non-standard timings. Where you intend to use the premises for the supply of alcohol at different times to those listed in the column on the left, please list (please read guidance note 7)		
Fri	11:00	02:00			
Sat	11:00	02:00			
Sun	11:00	02:00			

K

Please highlight any adult entertainment or services, activities, other entertainment or matters ancillary to the use of the premises that may give rise to concern in respect of children (please read guidance note 10).

L

Hours premises are open to the public Standard days and timings (please read guidance note 8)			State any seasonal variations (please read guidance note 6)
Day	Start	Finish	
Mon	11:00	00:30	
Tue	11:00	00:30	
Wed	11:00	00:30	
Thur	11:00	01:30	
Fri	11:00	02:30	
Sat	11:00	02:30	
Sun	11:00	02:30	Non-standard timings. Where you intend the premises to be open to the public at different times from those listed in the column on the left, please list (please read guidance note 7)

Please identify those conditions currently imposed on the licence which you believe could be removed as a consequence of the proposed variation you are seeking.

Please tick as appropriate

I have enclosed the premises licence

I have enclosed the relevant part of the premises licence

If you have not ticked one of these boxes, please fill in reasons for not including the licence or part of it below

Reasons why I have not enclosed the premises licence or relevant part of premises licence.

M Describe any additional steps you intend to take to promote the four licensing objectives as a result of the proposed variation:

a) General – all four licensing objectives (b, c, d and e) (please read guidance note 11)

- Continue to liaise with Hackney Police Licensing Unit frequently.
- Become an accredited member of the Hackney Nights scheme (we have signed up already)

b) The prevention of crime and disorder

- Dedicated security controlling the smoking area.
- Use re-useable plastic glassware in the venue after a designated time.

c) Public safety

- Appoint from current staff a 'women's and diversity champion' to responsibly oversee equality and safety for women and members of the LGBTQIA+ community

d) The prevention of public nuisance

- Continue to work closely with Hackney's enforcement team at later weekend hours.
- Continue to keep updating the soundproofing of the bar since a conversation with Hackney Council Licensing department.

e) The protection of children from harm

- Every patron is currently I.D checked by SIA at the door regardless of age.
- Continue to keep log books of I.D checks/challenge 25 by staff at the bar in accordance with our current licence.

Checklist:


Please tick to indicate agreement

- I have made or enclosed payment of the fee; or
I have not made or enclosed payment of the fee because this application has been made in relation to the introduction of the late night levy.
- I have sent copies of this application and the plan to responsible authorities and others where applicable.
- I understand that I must now advertise my application.
- I have enclosed the premises licence or relevant part of it or explanation.
- I understand that if I do not comply with the above requirements my application will be rejected.

IT IS AN OFFENCE, UNDER SECTION 158 OF THE LICENSING ACT 2003, TO MAKE A FALSE STATEMENT IN OR IN CONNECTION WITH THIS APPLICATION. THOSE WHO MAKE A FALSE STATEMENT MAY BE LIABLE ON SUMMARY CONVICTION TO A FINE OF ANY AMOUNT.

Part 5 – Signatures (please read guidance note 12)

Signature of applicant (the current premises licence holder) or applicant’s solicitor or other duly authorised agent (please read guidance note 13). **If signing on behalf of the applicant, please state in what capacity.**

Signature	
Date	27/09/2022
Capacity	Premesis Licence Holder/Company Director

Where the premises licence is jointly held, signature of 2nd applicant (the current premises licence holder) or 2nd applicant’s solicitor or other authorised agent (please read guidance note 14). **If signing on behalf of the applicant, please state in what capacity.**

Signature	
Date	
Capacity	

Contact name (where not previously given) and address for correspondence associated with this application (please read guidance note 15)

Peter J Clarke


Post town	██████████	Post code	██████
Telephone number (if any)	████████████████████		
If you would prefer us to correspond with you by e-mail, your e-mail address (optional)			
████████████████████			

Notes for Guidance

This application cannot be used to vary the licence so as to extend the period for which the licence has effect or to vary substantially the premises to which it relates. If you wish to make that type of change to the premises licence, you should make a new premises licence application under section 17 of the Licensing Act 2003.

1. You do not have to pay a fee if the only purpose of the variation for which you are applying is to avoid becoming liable for the late night levy
2. Describe the premises. For example, the type of premises, its general situation and layout and any other information which could be relevant to the licensing objectives. Where your application includes off-supplies of alcohol and you intend to provide a place of consumption of these off-supplies of alcohol, you must include a description of where the place will be and its proximity to the premises.
3. In terms of specific regulated entertainments please note that:
 - Plays: no licence is required for performances between 08.00 and 23.00 on any day, provided that the audience does not exceed 500.
 - Films: no licence is required for 'not-for-profit' film exhibition held in community premises between 08.00 and 23.00 on any day provided that the audience does not exceed 500 and the organiser (a) gets consent to the screening from a person who is responsible for the premises; and (b) ensures that each such screening abides by age classification ratings.
 - Indoor sporting events: no licence is required for performances between 08.00 and 23.00 on any day, provided that the audience does not exceed 1000.
 - Boxing or Wrestling Entertainment: no licence is required for a contest, exhibition or display of Greco-Roman wrestling, or freestyle wrestling between 08.00 and 23.00 on any day, provided that the audience does not exceed 1000. Combined fighting sports – defined as a contest, exhibition or display which combines boxing or wrestling with one or more martial arts – are licensable as a boxing or wrestling entertainment rather than an indoor sporting event.
 - Live music: no licence permission is required for:
 - a performance of unamplified live music between 08.00 and 23.00 on any day, on any premises.
 - a performance of amplified live music between 08.00 and 23.00 on any day on premises authorised to sell alcohol for consumption on those premises, provided that the audience does not exceed 500.
 - a performance of amplified live music between 08.00 and 23.00 on any day, in a workplace that is not licensed to sell alcohol on those premises, provided that the audience does not exceed 500.

Appendix B1



Sanaria Hussain <sanaria.hussain@hackney.gov.uk>

Licensing Act 2003- Variation to a Premises Licence Re: The Haggerston Pub, 438 Kingsland Road, E8 4AA

1 message

George Wokorach <george.wokorach@hackney.gov.uk>
To: Sanaria Hussain <sanaria.hussain@hackney.gov.uk>

25 October 2022 at 13:21

Dear Sanaria

Hope you are well

The Environmental Protection Team has concerns regarding loud music and voices from the rear yard. In June and July, the team received noise complaints in relation to the above mentioned matters. The applicant has not demonstrated how they intend to minimise noise from music and voices in the external areas of the premises. The applicant mentions sound insulation works but did not give any details regarding the time frame for the works. The applicant is advised to produce a Noise Impact Report to support the application. I will object to the application and ask the applicant to contact me with any noise mitigation measures they intend to employ to enhance the Public Nuisance Objective of the Licensing Act 2003

Regards

George Wokorach
Environmental Protection Officer
Projects and Regulatory Services
Neighbourhoods & Housing Directorate
London Borough of Hackney
Hackney Service Centre
2 Hillman Street
London
E8 1FB

Tel: 0208 356 3403

Email: George.Wokorach@hackney.gov.uk

Disclaimers apply, for full details see: <https://hackney.gov.uk/email-disclaimer>

**RESPONSIBLE AUTHORITY REPRESENTATION:
APPLICATION UNDER THE LICENSING ACT 2003**

RESPONSIBLE AUTHORITY DETAILS

NAME OF AUTHORITY	Licensing Authority
ADDRESS OF AUTHORITY	Licensing Service 1 Hillman Street London E8 1FB
CONTACT NAME	Channing Riviere
TELEPHONE NUMBER	020 8356 4622
E-MAIL ADDRESS	Channing.riviere@hackney.gov.uk

APPLICATION PREMISES

NAME & ADDRESS OF PREMISES	The Haggerston Pub 438 Kingsland Road Hackney London E8 4AA
NAME OF APPLICANT	Acme Bars Ltd.

COMMENTS

I make the following relevant representations in relation to the above application.

- the prevention of crime and disorder
- public safety
- the prevention of public nuisance x
- the protection of children from harm

Representations (which include comments and/or objections) in relation to:

The premises is located in the Dalston Special Policy Area (Dalston SPA), the Dalston SPA has been designated as such due to the impact of the number of premises within the area and their impact on the licensing objectives as well as the local amenity.

“LP10 Special Policy Areas – Dalston and Shoreditch

It is the Council’s policy that where a relevant representation is made to any application within the area of the Dalston SPA or Shoreditch SPA, the applicant will need to demonstrate that the proposed activity and the operation of the premises will not add to the cumulative impact that is currently being experienced in these areas. This policy is to be strictly applied.

It should also be noted that the;

- *quality and track record of the management;*
- *good character of the applicant; and*
- *extent of any variation sought*

May not be in itself sufficient.

It should be noted that if an applicant can demonstrate that they will not add to the cumulative impact in their operating schedule and at any hearing, then the Core Hours Policy within LP3 will apply.”

The Licensing Authority notes the hours for licensable activity on the current licence fall within core hours apart from Sundays, the additional extension sought extends the hours of the premises beyond the Core Hours set out in our licensing policy LP3.

“LP3 Core Hours

Hours for licensable activity will generally be authorised, subject to demonstrating LP 1 and LP2, as follows:

- *Monday to Thursday 08:00 to 23:00*
- *Friday and Saturday 08:00 to 00:00*
- *Sunday 10:00 to 22:30*

Hours may be more restrictive dependent on the character of the area and if the individual circumstances require it.

Later hours may be considered where the applicant has identified any risk that may undermine the promotion of the licensing objectives and has put in place robust measures to mitigate those risks.

It should be noted that this policy does not apply to those who are making an application within a special policy area (see section 3) unless they have been able to demonstrate that the proposed activity or operation of the premises will not add to the cumulative impact that is already being experienced.”

The Licensing Authority notes the proposed amendment to condition 32 in relation to the use of the garden, the application seeks to double the amount of patrons in the area to 40 persons, condition 32 states the following;

32. There shall be a maximum of 20 patrons allowed in the garden at any time and this will be limited to 15 smokers after 2200 hours. The garden shall be the designated smoking area.

The premises is mostly surrounded by non-residential premises, however, consideration should be given to the potential impact of any amendment to conditions or extension in hours that may impact the flats located above the commercial parades on Richmond Road and Kingsland Road.

The above representations are supported by the following evidence and information.

The Licensing Act 2003, Statement of Licensing Policy 2016 and Guidance issued by the Home Office.

Are there any actions or measures that could be taken to allay concerns or objections? If so, please explain.

The applicant should consider if they are prepared to propose a reduced capacity for the garden area as opposed to the currently sought doubling of capacity.

Name: Channing Riviere (Principal Licensing Officer)

Date: 25/10/2022



Sanaria Hussain <sanaria.hussain@hackney.gov.uk>

Fwd: The Haggerston

1 message

Licensing (Shared Mailbox) <licensing@hackney.gov.uk>
To: Sanaria Hussain <sanaria.hussain@hackney.gov.uk>

24 October 2022 at 12:04

Kind Regards,

Licensing Service
London Borough of Hackney
Tel: 020 8356 2431
Email: licensing@hackney.gov.uk
www.hackney.gov.uk/licensing

----- Forwarded message -----

From: [REDACTED]
Date: Mon, 24 Oct 2022 at 10:03
Subject: The Haggerston
To: <licensing@hackney.gov.uk>

To whom it may concern,

I am writing to advocate for The Haggerston maintaining their late night opening hours licence.

The Haggerston is an important cultural hub that people of all ages know and love, it supports so many upcoming artists and musicians, and is known for the amazing Sunday night live Jazz. Without the Haggerston, Hackney will have lost such an amazing hub for nightlife and it would be a shame to see Hackney without the spark of the Haggerston.

The Haggerston is a safe environment where the building is looked after and everyone is protected by the amazing security team who prevent any crime and disorderly behaviour from taking place in the pub whilst also making us feel welcome and safe.

The security and management also make a huge effort to prevent public nuisance and ensure that there is no loitering or loud noise outside the pub or in the surrounding area.

I hope this email finds you well and can help to explain why the Haggerston is such a beloved place and why the Haggerston deserves their late night licence back.

Kindest regards,
[REDACTED]

Disclaimers apply, for full details see: <https://hackney.gov.uk/email-disclaimer>



Appendix C2

Licensing (Shared Mailbox) <licensing@hackney.gov.uk>

Fwd: The Haggerston - Later Opening Hours

1 message

[Redacted]

22 October 2022 at 10:15

To: "Licensing (Shared Mailbox)" <licensing@hackney.gov.uk>

----- Forwarded message -----

From: [Redacted]

Date: Fri, Oct 21, 2022 at 5:46 PM

Subject: The Haggerston - Later Opening Hours

[Redacted]

Dear Sir/Madam,

Please allow Haggerston to keep later opening hours allowing the business to be able to make a reasonable profit and be able to strive in the Hackney nightlife.

I've lived and worked in Hackney for over 10 years and love this pub and the people who have worked there over the years. I've always felt welcome as it's such an inclusive venue.

Its cultural significance in this area is paramount. I've worked there myself, DJ'd there and know many friends who work there. It's always been a family atmosphere; the staff have always been incredible!

I now work at the [Redacted] [Kingsland High St](#) and I constantly recommend The Haggerston Pub as a great place to go for people visiting the area. All the staff there know the pub well and would hope that it manages to stay open.

I genuinely hope you're able to allow The Haggerston Pub to keep its current hours license.

Kind regards,

[Redacted signature block]

[Redacted signature block]



Appendix C3

Sanaria Hussain <sanaria.hussain@hackney.gov.uk>

Fwd: The Haggerston Application

1 message

Licensing (Shared Mailbox) <licensing@hackney.gov.uk>
To: Sanaria Hussain <sanaria.hussain@hackney.gov.uk>

24 October 2022 at 12:04

Kind Regards,

Licensing Service
London Borough of Hackney
Tel: 020 8356 2431
Email: licensing@hackney.gov.uk
www.hackney.gov.uk/licensing

----- Forwarded message -----

From: [REDACTED]
Date: Sat, 22 Oct 2022 at 16:50
Subject: The Haggerston Application
To: <licensing@hackney.gov.uk>

Hi there,

I'm a Hackney resident living very close (within earshot) to the Haggerston off of Kingsland Road. I've heard they're making an application for revised hours that will help them be a more sustainable business.

I love living in the area and the Haggerston, and cultural institutions like it, are a huge part of the reason why. In the relatively short time I've lived nearby, I've seen multiple musical and cultural events that reflect the diversity of talent and background in London, and that I've felt very fortunate to support. It's clear that the team goes out of their way to provide opportunities for grassroots and up and coming artists and providing access to a range of voices that might not get the same opportunities elsewhere.

The area feels safe, and the present of the Haggerston, its patrons, and the security team make the area feel lively and welcoming, with eyes on the street that help prevent nuisance. As a nearby resident, I walk past the Haggerston multiple times a day, including at night, and have never felt that the the patrons were creating a nuisance. As a patron, I've been annoyed by the rigour that the Haggerston staff have in keeping down noise levels and loitering outside the venue!

I hope the Council welcomes this application by the Haggerston so it can continue to serve as an important cultural institution.

Best,
[REDACTED]

Disclaimers apply, for full details see: <https://hackney.gov.uk/email-disclaimer>



Sanaria Hussain <sanaria.hussain@hackney.gov.uk>

Fwd: The Haggerston Pub

1 message

Licensing (Shared Mailbox) <licensing@hackney.gov.uk>
To: Sanaria Hussain <sanaria.hussain@hackney.gov.uk>

24 October 2022 at 12:04

Kind Regards,

Licensing Service
London Borough of Hackney
Tel: 020 8356 2431
Email: licensing@hackney.gov.uk
www.hackney.gov.uk/licensing

----- Forwarded message -----

From: [REDACTED]
Date: Sat, 22 Oct 2022 at 14:59
Subject: The Haggerston Pub
To: licensing@hackney.gov.uk <licensing@hackney.gov.uk>

Tear team,

I am a local Haggerston resident and I just wanted to email through some thoughts re "The Haggerston" pub.

For the past few years the pub has been subjected to some quite disabling restrictions. They have been propped up and have survived because of the huge community and support they receive from regulars and local residents. The fact that they managed to reopen and rebuild their business is an indicator that they are an integral part of the local community. They have come up with some really interesting creative ways of supporting local artists both in music and fashion and I'm so impressed at their ability to remain open despite the challenges they have faced.

I have been going to the Haggerston for many years and have always found it to be a uniquely diverse, welcoming and cultural hub. I've made really close friends there and have never seen any altercations of any kind. The atmosphere has always been nothing but fun and pleasant. The bar staff and security staff have always made me feel very safe and have been vigilant about politely making sure that customers are respectful to the local residents and the environment, particularly when leaving home and when in the rear garden. They make a concerted obvious effort each time that I have been to remind people that it is a residential area and to make sure people go home rather than stay and make noise. I have to say that the customers have always seemed very receptive to this and are very considerate of this situation, particularly given the difficulties that the Haggerston has been through. All were very grateful to see it reopen and are keen to see it remain so, but also to prevent upset to the local residents who have a right not to be disturbed, particularly at night. I think people are understanding of that situation.

I bought a property in Haggerston 2 years ago and the pub itself was a factor in choosing this location. The pub adds a great deal to the area and I hope you will keep this in mind.

Best wishes

[REDACTED]
[Kingsland Road, E8](#) [REDACTED]Disclaimers apply, for full details see: <https://hackney.gov.uk/email-disclaimer>

Page 42



This premises licence has been issued by:

Licensing Service
1 Hillman Street
London E8 1DY

PART A – PREMISES LICENCE

Premises Licence Number

LBH-PRE-T-1097

Part 1 – Premises details

The Haggerston
438 Kingsland Road
Hackney
London
E8 4AA

Where the licence is time limited the dates

Not Applicable

Licensable activities authorised by the licence

Films
Live Music
Recorded Music
Performance of Dance
Late Night Refreshment
Supply of Alcohol

The times the licence authorises the carrying out of Licensable activities

Films	Standard Hours: Mon 11:00-23:00 Tue 11:00-23:00 Wed 11:00-23:00 Thu 11:00-23:00 Fri 11:00-00:00 Sat 11:00-00:00 Sun 11:00-01:00
Live Music	Standard Hours: Mon 11:00-23:00 Tue 11:00-23:00 Wed 11:00-23:00 Thu 11:00-23:00

	Fri 11:00-00:00 Sat 11:00-00:00 Sun 11:00-01:00
Recorded Music	Standard Hours: Mon 11:00-23:00 Tue 11:00-23:00 Wed 11:00-23:00 Thu 11:00-23:00 Fri 11:00-00:00 Sat 11:00-00:00 Sun 11:00-01:00
Performance of Dance	Standard Hours: Mon 11:00-23:00 Tue 11:00-23:00 Wed 11:00-23:00 Thu 11:00-23:00 Fri 11:00-00:00 Sat 11:00-00:00 Sun 11:00-01:00
Late Night Refreshment	Standard Hours: Fri 23:00-00:00 Sat 23:00-00:00 Sun 23:00-01:00
Supply of Alcohol	Standard Hours: Mon 11:00-23:00 Tue 11:00-23:00 Wed 11:00-23:00 Thu 11:00-23:00 Fri 11:00-00:00 Sat 11:00-00:00 Sun 11:00-01:00
The opening hours of the premises	Standard Hours: Mon 11:00-23:30 Tue 11:00-23:30 Wed 11:00-23:30 Thu 11:00-23:30 Fri 11:00-00:30 Sat 11:00-00:30 Sun 11:00-01:30

Where the licence authorises supplies of alcohol whether these are on and/or off supplies

On Premises

Part 2 –

Name, (registered) address, telephone number and e-mail (where relevant) of holder of premises licence

Acme Bars Limited
5th Floor
34 Threadneedle Street
London
EC2R 8AY

Registered number of holder, for example company number, charity number (where applicable)

05206883

Name, address and telephone number of designated premises supervisor where the premises authorises the supply of alcohol

Joseph Wesley Howe

Personal licence number and issuing authority of personal licence held by designated premises supervisor where the premises licence authorises the supply of alcohol

Date of Grant: 24 March 2010

Signed:

Gerry McCarthy
Head of Community Safety, Enforcement and Business Regulation
Document re-issued: 14 June 2022

Annex 1 - Mandatory Conditions

Supply of Alcohol

1. No supply of alcohol may be made under the premises licence:
 - (a) At a time when there is no designated premises supervisor in respect of the premises licence.
 - (b) At a time when the designated premises supervisor does not hold a personal licence or his personal licence is suspended.
2. Every supply of alcohol under the premises licence must be made or authorised by a person who holds a personal licence.
3. (1) The responsible person must ensure that staff on relevant premises do not carry out, arrange or participate in any irresponsible promotions in relation to the premises.
 - (2) In this paragraph, an irresponsible promotion means any one or more of the following activities, or substantially similar activities, carried on for the purpose of encouraging the sale or supply of alcohol for consumption on the premises -
 - (a) games or other activities which require or encourage, or are designed to require or encourage, individuals to;
 - (i) drink a quantity of alcohol within a time limit (other than to drink alcohol sold or supplied on the premises before the cessation of the period in which the responsible person is authorised to sell or supply alcohol), or
 - (ii) drink as much alcohol as possible (whether within a time limit or otherwise);
 - (b) provision of unlimited or unspecified quantities of alcohol free or for a fixed or discounted fee to the public or to a group defined by a particular characteristic in a manner which carries a significant risk of undermining a licensing objective;
 - (c) provision of free or discounted alcohol or any other thing as a prize to encourage or reward the purchase and consumption of alcohol over a period of 24 hours or less in a manner which carries a significant risk of undermining a licensing objective;
 - (d) selling or supplying alcohol in association with promotional posters or flyers on, or in the vicinity of, the premises which can reasonably be considered to condone, encourage or glamorise anti-social behaviour or to refer to the effects of drunkenness in any favourable manner.
4. dispensing alcohol directly by one person into the mouth of another (other than where that other person is unable to drink without assistance by

reason of a disability).

5. The responsible person must ensure that free potable water is provided on request to customers where it is reasonably available.
6. 5.1. The premises licence holder or club premises certificate holder must ensure that an age verification policy is adopted in respect of the premises in relation to the sales or supply of alcohol.
5.2 The designated premises supervisor in relation to the premises licences must ensure that the supply of alcohol at the premises is carried on in accordance with the age verification policy.
5.3. The policy must require individuals who appear to the responsible person to be under 18 years if age (or such older age as may be specified in the policy) to produce on request, before being served alcohol, identification bearing their photograph, date of birth and either:-
 - A. a holographic mark or
 - B. an ultraviolet feature.
7. The responsible person shall ensure that:
 - a) where any of the following alcoholic drinks is sold or supplied for consumption on the premises (other than alcoholic drinks sold or supplied having been made up in advance ready for sale or supply in a securely closed container) it is available to customers in the following measures:
 - beer or cider: 1/2 pint;
 - gin, rum, vodka or whisky: 25ml or 35ml; and
 - still wine in a glass: 125ml; and
 - a. these measures are displayed in a menu, price list or other printed material which is available to customers on the premises; and
 - b. where a customer does not in relation to a sale of alcohol specify the quantity of alcohol to be sold, the customer is made aware that these measures are available.

Minimum Drinks Pricing

7.1 A relevant person shall ensure that no alcohol is sold or supplied for consumption on or off the premises for a price which is less than the permitted price.

7.2 For the purposes of the condition set out in paragraph 7.1 above -

(a) "duty" is to be construed in accordance with the Alcoholic Liquor Duties Act 1979;

(b) "permitted price" is the price found by applying the formula - $P = D + (D \times V)$
Where -

(i) P is the permitted price,

(ii) D is the amount of duty chargeable in relation to the alcohol as if the duty were charged on the date of the sale or supply of the alcohol, and

(c) V is the rate of value added tax chargeable in relation to the alcohol as if the value added tax were charged on the date of the sale or supply of the alcohol;

(d) "relevant person" means, in relation to premises in respect of which there is in force a premises licence -

(i) the holder of the premises licence,

(ii) the designated premises supervisor (if any) in respect of such a licence, or
(iii) the personal licence holder who makes or authorises a supply of alcohol under such a licence;

(e) "relevant person" means, in relation to premises in respect of which there is in force a club premises certificate, any member or officer of the club present on the premises in a capacity which enables the member or officer to prevent the supply in question; and

(f) "value added tax" means value added tax charged in accordance with the Value Added Tax Act 1994.

7.3 Where the permitted price given by Paragraph 8.2(b) above would (apart from this paragraph) not be a whole number of pennies, the price given by that sub-paragraph shall be taken to be the price actually given by that sub-paragraph rounded up to the nearest penny.

7.4 (1) Sub-paragraph 7.4(2) below applies where the permitted price given by Paragraph 7.2(b) above on a day ("the first day") would be different from the permitted price on the next day ("the second day") as a result of a change to the rate of duty or value added tax.

(2) The permitted price which would apply on the first day applies to sales or supplies of alcohol which take place before the expiry of the period of 14 days beginning on the second day.

Exhibition of Films

8. Admission of children (under 18) to the exhibition of any film must be restricted in accordance with: -

- (a) Recommendations made by the film classification body where the film classification body is specified in the licence, or
- (b) Recommendations made by the licensing authority where the film classification body is not specified in the licence, or the relevant licensing authority has not notified the holder of the licence that this subsection applies to the film in question.

"film classification body" means person('s) designated under s4 of the Video Recordings Act 1984 (c.39).

Door Supervision

9. Each individual who is to carry out a security activity at the premises must be licensed by the Security Industry Authority.

Annex 2 – Conditions consistent with the Operating Schedule

10. The premises shall maintain a comprehensive CCTV system as per the minimum requirements of a Metropolitan Police Crime Prevention Officer. All public areas, entry and exit points will be covered enabling frontal identification of every person entering in any light condition. The CCTV system shall continually record whilst the premises is open for licensable activities and during all times when customers remain on the premises. All recordings shall be stored for a minimum period of 31 days with date and time stamping. Recordings shall be made available immediately upon the request of the Police or authorised officer.
A staff member from the premises who is conversant with the operation of the CCTV system shall be on the premises at all times when the premises are open to the public. This staff member shall be able to show Police or an authorised officer of Hackney Borough Council recent data or footage with the absolute minimum of delay when requested.
11. The Premises Licence Holder will take responsible steps to ensure that the DPS or other suitably trained and authorized persons participate in any local Pubwatch scheme.
12. The premises will operate a zero tolerance policy to drugs and will comply with Hackney Police and Council Drugs and Weapons Policies.
13. Toilets shall be checked hourly from 2000 hours until all customers have left the premises. There shall be a written record of these checks which can be produced to police or other authorised officer upon request.
14. Signs will be displayed to inform all customers that the premises operate a zero tolerance drugs policy.
15. An emergency action plan shall be in place with relevant fire extinguishers, fire exits and meeting points indicated. The staff shall be trained with respect to the action plan.
16. There will be adequate safety/security lighting outside the premises with consideration being given to light pollution of neighbouring properties.
17. When amplified music (other than background music) is being played the bar shift manager shall after midnight conduct inspections outside the premises to make sure that there is no noise breakout.
18. Save for access to and egress from the premises all windows and doors shall remain closed at all times when amplified music (other than background music) is being played.
19. There shall be clear and prominent signage asking all customers to leave quietly and respect local residents.
20. External doors shall be fitted with acoustic seals.

21. Bottle bins will not be emptied outside the premises between 23:00 - 07:00
22. No children will be allowed in the bar after 19:00 hours save for those attending a function.
23. Where the sale or supply of alcohol is taking place employees of the premises must request sight of evidence of the age of any person appearing to be under 25 years of age (Challenge 25). Such evidence may include a driving licence or passport.
24. All staff will be given refresher training every twelve months on the legislation relating to the sales of alcohol to underage persons and drunken persons. Written records of this training shall be kept on the premises and produced to police or other authorised officer upon request.
25. An incident log shall be kept at the premises, and made available immediately to an authorised officer of the Hackney Borough Council or the Police, which will record the following:
 - all crimes reported to the venue
 - any complaints received
 - any incidents of disorder
 - any faults in the CCTV system
 - any refusal of the sale of alcohol
 - any visit by a relevant authority or emergency service.

Conditions derived from Responsible Authority representations

26. There shall be a minimum of 1 SIA Door Supervisor per 75 patrons or part thereof on duty from 20:00hrs until 30 minutes after close every Friday and Saturday night. There shall be additional SIA Door Supervisors employed on an operational risk assessment basis. Door supervisors will be responsible for ensuring that any queues are orderly and not blocking the pavement. All security staff shall wear a high visibility vest and shall enter their details in a daily register at the commencement of their work. They shall record their full name, home address and contact telephone number, their SIA registration number and the time they commence and conclude working. If the supervisor was provided by the agency, the name, registered business address and contact telephone number will be recorded. This register will be made available to police or authorised officer immediately upon request.
27. All amplified music shall be played through a sound limiting device. Such device to be set to ensure the music is not audible a metre from the facade of the nearest noise sensitive premises after 2300.
28. There shall be no glass, drinks or open containers taken outside the front of the premises at any time save for a maximum of 16 seated patrons using the table and chairs where there is a table and chairs permission from LBH and then no consumption after 2200hrs. This will be monitored by staff.

Annex 3 – Conditions attached after a hearing by the licensing authority

29. All instances of crime or disorder to be reported by the designated premises supervisor or responsible member of staff to an agreed police contact point, as agreed with the Police.
30. The premises will display and maintain appropriate signage advising customers of the contact details of the Designated Premises Supervisor.
31. The Licence holder shall submit a written Dispersal Policy to be deemed acceptable and to be agreed by the Police and the Licensing Authority a copy of which shall be kept on the premises and made available to the Police or other authorised officers upon request at any time.
32. There shall be a maximum of 20 patrons allowed in the garden at any time and this will be limited to 15 smokers after 2200 hours. The garden shall be the designated smoking area.
33. The Licence holder shall submit an up to date Fire Risk Assessment to be deemed acceptable by the Police and the Licensing Authority and subject to their approval the maximum number of persons (excluding staff) allowed at the premises shall not exceed 250 subject to the following maximum occupancies:

First Floor 70 persons
Ground Floor 180 persons
34. The licence holder shall maintain a dedicated contact telephone number and email address that must be available at all times to all local residents, the Environmental Health Officers, the Licensing Authority, the Police, and any responsible authority or any person wishing to make a complaint. These contact details shall be included on the website of the premises, and on display at the premises, which can be used to report concerns or complaints about the premises to a duty manager, a responsible person or a member of the management team at the premises as and when they occur.
35. The Licence holder to hold and publicise quarterly liaison meetings with local residents to address any concerns or complaints about the premises from local residents to prevent public nuisance and to ensure public safety.

Annex 4 – Plans

PLAN/LBH-PRE-T-1097/070709 (GROUND FLOOR)
PLAN/LBH-PRE-T-1097/070709 (BASEMENT FLOOR)

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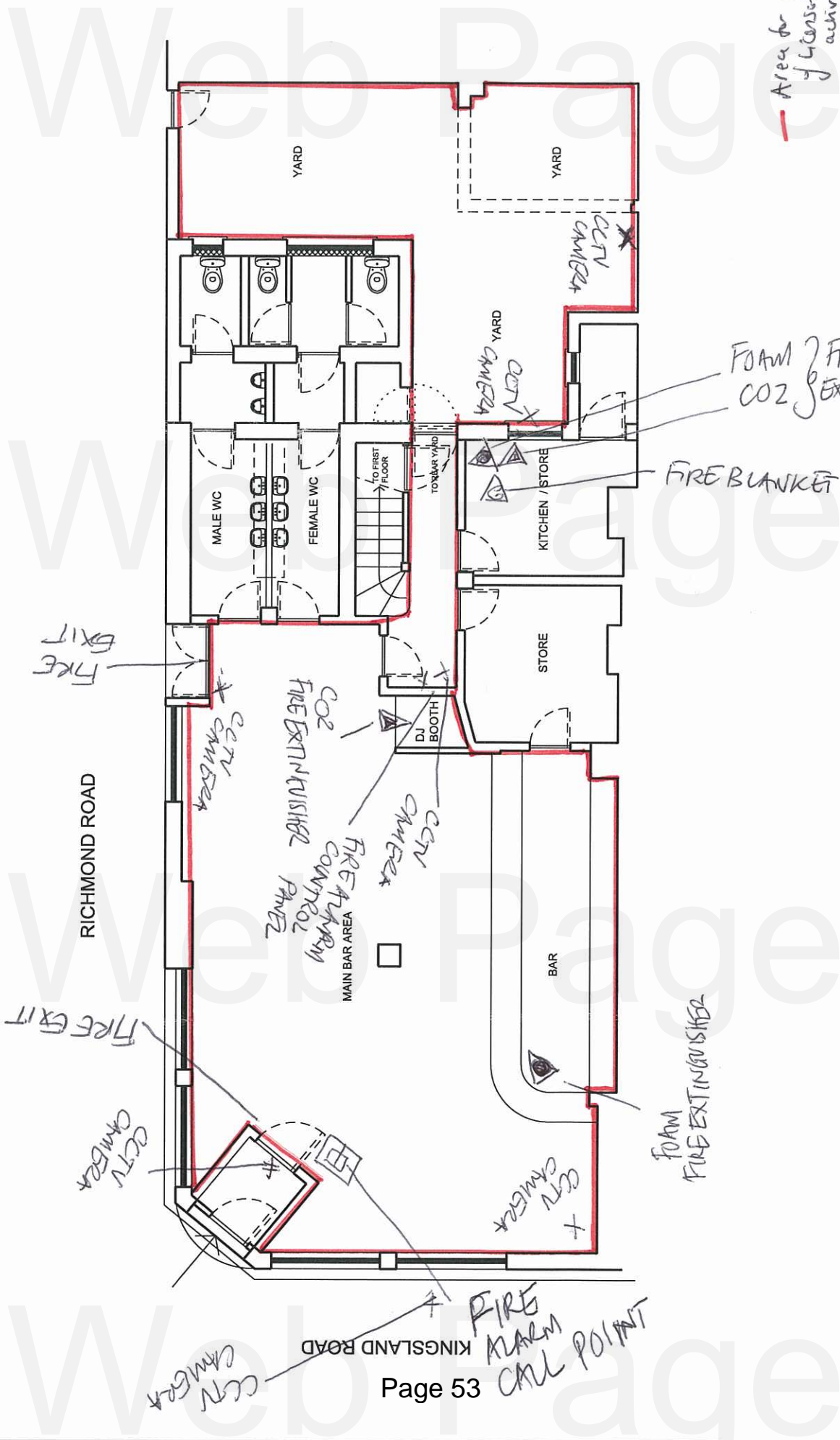
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Area for provision of portable extinguishers

FOAM } FIRE EXTINGUISHERS
CO2 } FIRE EXTINGUISHERS

FIRE BLANKET

FOAM FIRE EXTINGUISHER

FIRE ALARM CALL POINT

FIRE EXIT

FIRE EXIT

RICHMOND ROAD

KINGSLAND ROAD

<p>NOTES:</p> <ol style="list-style-type: none"> DO NOT SCALE ALL DIMENSIONS ARE IN METRES OR MILLIMETRES UNLESS NOTED OTHERWISE ALL DISCREPANCIES TO BE NOTIFIED TO THE ARCHITECT IMMEDIATELY ALL CONSTRUCTION WORK TO COMPLY WITH LOCAL AUTHORITY CODES AND BUILDING REGULATIONS, BRITISH STANDARDS AND OTHER REGULATIONS APPLICABLE TO BOTH DESIGN AND EXECUTION OF THE WORK. 	<p>PROJECT DETAILS:</p> <p>THE HAGGERSTON PUB 438 Kingsland Road, London E8 4AA</p>	<p>DRAWING TITLE:</p> <p>EXISTING GROUND FLOOR PLAN</p>	<p>DRAWING NO:</p> <p>101</p>	<p>DATE:</p> <p>17.06.09</p>
	<p>SCALE:</p> <p>1:100</p>	<p>PAPER SIZE:</p> <p>A4</p>		



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Area for provision of
inaccessible activities

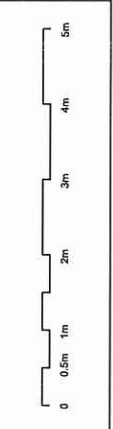


DRAWING NO.:	102	DATE:	17.06.09
SCALE:	1:100	PAPER SIZE:	A4

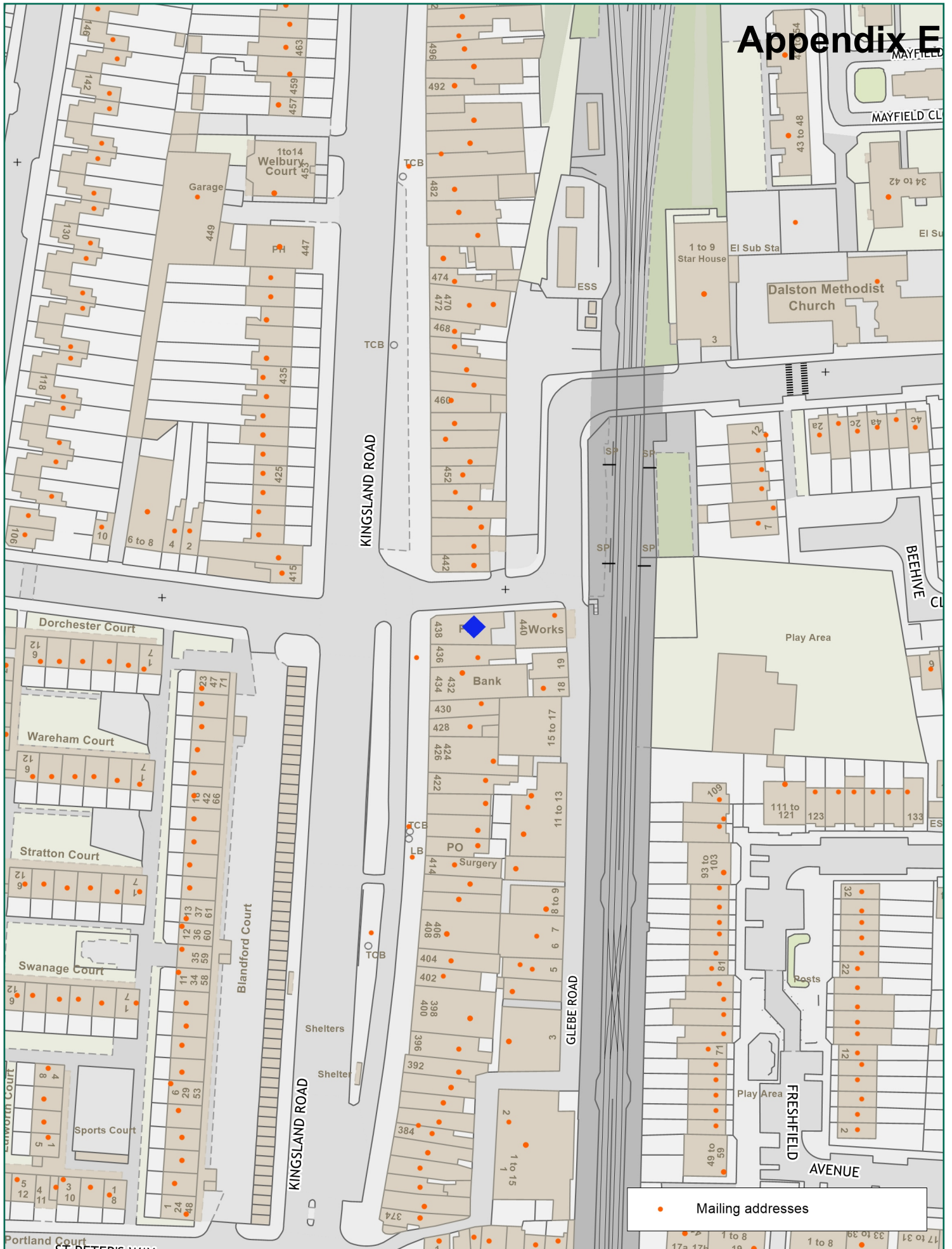
DRAWING TITLE:
EXISTING
FIRST FLOOR PLAN

PROJECT DETAILS:
THE HAGGERSTON PUB
438 Kingsland Road,
London E8 4AA

NOTES:
1. DO NOT SCALE
2. ALL DIMENSIONS ARE IN METRES OR MILLIMETRES UNLESS NOTED OTHERWISE
3. ALL DISCREPANCIES TO BE NOTIFIED TO THE ARCHITECT IMMEDIATELY
4. ALL CONSTRUCTION WORK TO COMPLY WITH LOCAL AUTHORITY CODES AND BUILDING REGULATIONS, BRITISH STANDARDS AND OTHER REGULATIONS APPLICABLE TO BOTH DESIGN AND EXECUTION OF THE WORK.



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