



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

Thursday 17 August 2023 at 2.00pm

**Supplementary papers: Agenda Item 8:
Temporary Event Notice- Counter Notice: The
Dolphin, 165 Mare Street, E8 3RH.**

Members of the Sub-Committee:

Councillor Yvonne Maxwell

Councillor Gilbert Smyth

Dawn Carter-McDonald
Interim Chief Executive
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www.hackney.gov.uk

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Licensing Sub Committee D

Thursday 17 August 2023

Supplementary papers: Agenda Item 8: Temporary Event Notice- Counter Notice: The Dolphin, 165 Mare Street, E8 3RH.

8 Temporary Event Notices - Standing Item (Pages 3 to 56)

- Hearing Procedure Type E (Page 3)
- 19 August 2023 (Pages 5 to 29)
- 26 August 2023 (Pages 31 to 55)

Agenda Item 8

Licensing Sub-Committee hearings, under the Licensing Act 2003 – Type E [Re; Temporary Event Notice]

<p>Step 1 Appointment of Chair and introduction</p>	<p>The Sub-Committee will appointment a Chair.</p> <p>The Chair will introduce the Sub-Committee, announce the item, and establish the identity of those taking part.</p> <p>The Sub-Committee will consider any requests to depart from normal procedure, such as holding a private session if it is considered to be in the public interest to do so or if a deferral/adjournment is requested for the item.</p> <p>The Chair (or Legal Adviser if asked by the Chair) will briefly outline how the hearing will proceed. However, Members may seek clarification on any issue raised during the hearing if required and if requested.</p>	<p>5 minutes</p>
<p>Step 2 Licensing Officer</p>	<p>The Licensing Officer will outline the report.</p>	<p>5 minutes</p>
<p>Step 3 Responsible Authorities' Case</p>	<p>The Chair will invite the Police and/or those in the Council that exercise environmental health functions to highlight their reasons for objecting to the application as contained in the report.</p>	<p>5 minutes each</p>
<p>Step 4 Premises users Case</p>	<p>The Premises user will present their case in support of their application. Licensing Sub-Committee Members may then seek clarification on any matters raised, if necessary.</p>	<p>5 minutes</p>
<p>Step 5 Discussion</p>	<p>The Chair will structure and lead a discussion on the information presented and give Sub-Committee members the opportunity to seek clarification on matters raised.</p>	<p>15 minutes</p>
<p>Step 6 Closing remarks</p>	<p>The Chair will ask all parties if they have any final comments to make. Any additional comments shall only be made in relation to issues raised during the discussion. Any comments made shall be brief.</p>	<p>10 minutes</p>
<p>Step 7 - Final clarification</p>	<p>Licensing Sub-Committee Members will have a final opportunity to seek clarification on any points raised, following which the Chair will conclude the discussion.</p>	<p>5 minutes</p>
<p>Step 8 Consideration</p>	<p>The Sub-Committee will normally withdraw to consider the evidence that has been presented to them with the Committee Officer and Legal Adviser in order that the Committee can reach a decision and obtain legal advice if required.</p> <p>The Legal Adviser will repeat any legal advice given to Members upon returning to the public hearing.</p> <p>In simple cases the Sub-Committee may not consider it necessary to retire.</p>	<p>10 minutes</p>
<p>Step 9 Chair announces the decision</p>	<p>The Sub-Committee will return and the Chair will announce the decision. Reasons for their decision will be given, if appropriate.</p> <p>The Licensing Officer will draw attention to any restrictions which will affect the running of the premises and provide a written record of the decision, which will be sent to the applicant.</p>	<p>5 minutes</p>

The Council's procedure rules are also incorporated into these hearing procedures in so far as it does not conflict the procedures as set out above. The Licensing Hearing Regulations can also be viewed by following the link below – <http://www.legislation.gov.uk/ukxi/2005/44/contents/made>

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For Consideration By	Licensing Sub-Committee
Meeting Date	17 August 2023
Type of Notice	TEMPORARY EVENT NOTICE – COUNTER NOTICE
Address of Premises	165 Mare Street, London E8 3RH
Classification	Decision
Ward(s) Affected	London Fields
Director	Rickardo Hyatt

1. **Summary**

- 1.1. The Metropolitan Police and Environmental Protection have given the Licensing Authority and the premises user notice of objections to Temporary Event Notice for an event to be held on **19/08/2023** from **00:30am** finishing on **19/08/2023** at **02:30am** at above premises. The Licensing Authority must hold a hearing to decide whether or not to allow the event to proceed.

2. **Current Status/History**

- 2.1. The premises is licensed under the Licensing Act 2003 and the licence document is attached as Appendix C.

3. **TEMPORARY EVENT NOTICE FOR EVENT TO BE HELD 19/08/2023 - 19/08/2023**

- 3.1. A TEN has been submitted to allow licensable activities to take place on the premises. A copy of the Temporary Event Notice is attached as Appendix A.

4. **Objections**

- 4.1. The Metropolitan Police and Environmental Protection have objected to the TEN on the grounds of the prevention of public nuisance. A copy of the objections are attached as Appendices B1 and B2.

5. **Guidance Considerations**

- 5.1. That the Licensing Sub-Committee consider the issuing of counter notices if it is satisfied that any of the licensing objectives would be undermined if the premises were to be used in accordance with the temporary event notice.

6. **Policy Considerations**

- 6.1 When considering an objection to a TEN the Council will:

- Expect that any existing conditions will be maintained (where relevant) in circumstances where an event is to take place at a premises that has an existing authorisation.
- Assess any history of complaints as a result of licensable activity that may or may not have been authorised by a TEN.
- Consider the track record of the premises user

- 6.2 Consider any other control measures proposed to mitigate the objection

7. **Human Rights Act 1998 Implications**

- 7.1. **There are implications for;**

- **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.

8. **Members; Decision Making**

- 8.1. **Option 1**

That the Licensing Authority decides not to give a counter notice.

- 8.2. **Option 2**

That the Licensing Authority decides to give a counter notice, giving the reasons for the decision.

9. **Conclusion**

- 9.1. That Members decide whether or not to issue a counter notice for the event scheduled to take place on **19/08/2023** from **00:30am** finishing on **19/08/2023** at **02:30am** at location **above**.

Appendices:

Appendix A – Temporary Event Notice

Appendix B – Objections from the Metropolitan Police and Environmental Protection

Appendix C – Current Premises Licence
Appendix D – Location Map

Report Author	Name: Suba Sriramana Title: Principal Licensing Officer Email: Subangini.Sriramana@hackney.gov.uk Tel: 020 8356 4915
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Temporary Event Notice

Before completing this notice, please read the guidance notes at the end of the notice. If you are completing this notice by hand, please write legibly in block capitals. In all cases, ensure that your answers are inside the boxes and written in black ink or typed. Use additional sheets if necessary. You should keep a copy of the completed notice for your records. You must send at least one copy of this notice to the licensing authority and additional copies must be sent to the chief officer of police and the local authority exercising environmental health functions for the area in which the premises are situated. The licensing authority will give to you written acknowledgement of the receipt of the notice.

I, the proposed premises user, hereby give notice under section 100 of the Licensing Act 2003 of my proposal to carry on a temporary activity at the premises described below.

1. The personal details of premises user (Please read note 1)					
1. Your name					
Title	Mr Mrs <input type="checkbox"/> Miss <input type="checkbox"/> Ms x <input type="checkbox"/> Other (please state)				
Surname	YILDIZ				
Forenames	NUVIT				
2. Previous names (Please enter details of any previous names or maiden names, if applicable. Please continue on a separate sheet if necessary)					
Title	Mr Mrs <input type="checkbox"/> Miss <input type="checkbox"/> Ms <input type="checkbox"/> Other (please state)				
Surname					
Forenames					
3. Your date of birth	<table border="1"> <tr> <td>■</td> <td>■</td> <td>■</td> <td>■</td> </tr> </table>	■	■	■	■
■	■	■	■		
4. Your place of birth	■				
5. National Insurance Number	■				
6. Your current address (We will use this address to correspond with you unless you complete the separate correspondence box below)					
■					
Post town	■				
Postcode	■				
7. Other contact details					
Telephone numbers Daytime	■				
Evening (optional)					
Mobile (optional)					
Fax number (optional)					
E-Mail address (if available)	■				
8. Alternative address for correspondence (If you complete the details below, we will use this address to correspond with you)					

Post town	Postcode
9. Alternative contact details (if applicable)	
Telephone numbers: Daytime	
Evening (optional)	
Mobile (optional)	
Fax number (optional)	
E-Mail address (if available)	

2. The premises	
Please give the address of the premises where you intend to carry on the licensable activities or, if it has no address, give a detailed description (including the Ordnance Survey references) (Please read note 2)	
165 Mare Street London E8 3RH	
Does a premises licence or club premises certificate have effect in relation to the premises (or any part of the premises)? If so, please enter the licence or certificate number below.	
Premises licence number	LBH-PRE-T-0669
Club premises certificate number	
If you intend to use only part of the premises at this address or intend to restrict the area to which this notice applies, please give a description and details below. (Please read note 3)	
Please describe the nature of the premises below. (Please read note 4)	
PUB	
Please describe the nature of the event below. (Please read note 5)	
The venue is a pub and will allow entrance to patrons aged 18 plus The activities will be socialising among friends A DJ is on site , playing a selection of music Dancing, should the patrons wish to do so A pool table is available , the pool cubes are put away by 11.00pm	

Currently no other activities are planned for the dates of the TENs applied for
 Management understands that you may wish to consider one TEN application at a time depending on the outcome of each

There will be a total of six security personnel comprising of two women and four men at the front, back and inside the premises.

Security is provided by Solid Security: REG No; 10491151. Email: o.aydemir@live.co.uk

Security will check bags and undertake body searches.

IDs will be checked at the door

There is CCTV on site in and out of the venue

A member of staff will collect glasses throughout the evening

No alcohol or glasses will be allowed outside of the venue

Security will ensure that patrons disperse from the front of the venue

There is signage in the venue informing patrons that drugs are not allowed : ZERO tolerance

Staff and security will check the toilets throughout the evening

Security will use clickers to ensure numbers are within license conditions

3. The licensable activities		
Please state the licensable activities that you intend to carry on at the premises (please tick all licensable activities you intend to carry on). (Please read note 6)		
The sale by retail of alcohol		x
The supply of alcohol by or on behalf of a club to, or to the order of, a member of the club		<input type="checkbox"/>
The provision of regulated entertainment (Please read note 7)		X
The provision of late night refreshment		<input type="checkbox"/>
Are you giving a late temporary event notice? (Please read note 8)		No
Please state the dates on which you intend to use these premises for licensable activities. (Please read note 9)		
August 19th 2023		
Please state the times during the event period that you propose to carry on licensable activities (please give times in 24-hour clock). (Please read note 10)		
00:30 to 02:30am		
Please state the maximum number of people at any one time that you intend to allow to be present at the premises during the times when you intend to carry on licensable activities, including any staff, organisers or performers. (Please read note 11)		480
If the licensable activities will include the sale or supply of alcohol, please state whether these will	On the premises only	x

be for consumption on or off the premises, or both (please tick as appropriate). (Please read note 12)	Off the premises only	<input type="checkbox"/>
	Both	<input type="checkbox"/>

Please state if the licensable activities will include the provision of relevant entertainment. If so, please state the times during the event period that you propose to provide relevant entertainment (including, but not limited to lap dancing and pole dancing). (Please see note 13)

No

4. Personal licence holders (Please read note 14)		
Do you currently hold a valid personal licence? (Please tick)	Yes	<input checked="" type="checkbox"/>
If "Yes" please provide the details of your personal licence below.		
Issuing licensing authority	[REDACTED]	
Licence number	[REDACTED]	
Date of issue		
Any further relevant details		

5. Previous temporary event notices you have given (Please read note 15 and tick the boxes that apply to you)		
Have you previously given a temporary event notice in respect of any premises for events falling in the same calendar year as the event for which you are now giving this temporary event notice?	Yes <input type="checkbox"/>	No <input checked="" type="checkbox"/>
If answering yes, please state the number of temporary event notices (including the number of late temporary event notices, if any) you have given for events in that same calendar year		
Have you already given a temporary event notice for the same premises in which the event period: a) ends 24 hours or less before; or b) begins 24 hours or less after the event period proposed in this notice?	Yes <input type="checkbox"/>	No <input checked="" type="checkbox"/>

6. Associates and business colleagues (Please read note 16 and tick the boxes that apply to you)
--

Has any associate of yours given a temporary event notice for an event in the same calendar year as the event for which you are now giving a temporary event notice?	Yes <input type="checkbox"/>	No X
If answering yes, please state the total number of temporary event notices (including the number of late temporary event notices, if any) your associate(s) have given for events in the same calendar year.		
Has any associate of yours already given a temporary event notice for the same premises in which the event period: a) ends 24 hours or less before; or b) begins 24 hours or less after the event period proposed in this notice?	Yes <input type="checkbox"/>	No X
Has any person with whom you are in business carrying on licensable activities given a temporary event notice for an event in the same calendar year as the event for which you are now giving a temporary event notice?	Yes <input type="checkbox"/>	No X
If answering yes, please state the total number of temporary event notices (including the number of late temporary event notices, if any) your business colleague(s) have given for events in the same calendar year.		
Has any person with whom you are in business carrying on licensable activities already given a temporary event notice for the same premises in which the event period: a) ends 24 hours or less before; or b) begins 24 hours or less after the event period proposed in this notice?	Yes <input type="checkbox"/>	No X

7. Checklist (Please read note 17)	
I have: (Please tick the appropriate boxes, where applicable)	
Sent at least one copy of this notice to the licensing authority for the area in which the premises are situated	x
Sent a copy of this notice to the chief officer of police for the area in which the premises are situated	
Sent a copy of this notice to the local authority exercising environmental health functions for the area in which the premises are situated	
If the premises are situated in one or more licensing authority areas, sent at least one copy of this notice to each additional licensing authority	N/A
If the premises are situated in one or more police areas, sent a copy of this notice to each additional chief officer of police	N/A
If the premises are situated in one or more local authority areas, sent a copy of this notice to each additional local authority exercising environmental health functions	N/A
Made or enclosed payment of the fee for the application	x
Signed the declaration in Section 9 below	x

8. Condition (Please read note 18)
It is a condition of this temporary event notice that where the relevant licensable activities described in Section 3 above include the sale or supply of alcohol that all such supplies are made by or under the authority of the premises user.

9. Declarations (Please read note 19)	
The information contained in this form is correct to the best of my knowledge and belief.	
I understand that it is an offence:	
(i) to knowingly or recklessly make a false statement in or in connection with this temporary event notice and that a person is liable on summary conviction for such an offence to a fine of any amount; and	
(ii) to permit an unauthorised licensable activity to be carried on at any place and that a person is liable on summary conviction for any such offence to a fine of any amount, or to imprisonment for a term not exceeding six months, or to both.	
Signature	Nuvit Yildiz
Date	July 31st 2023
Name of Person signing	Nuvit Yildiz

For completion by the licensing authority

10. Acknowledgement (Please read note 20)	
I acknowledge receipt of this temporary event notice.	
Signature	On behalf of the licensing authority
Date	
Name of Officer signing	

Noise Management Plan for The Dolphin Pub

As a responsible proprietor of these premises we acknowledge that we have a primary responsibility to ensure that our premises do not generate excessive noise disturbance. The purpose of this Noise Management Plan is to detail the procedures we aim to adopt to ensure, as far as possible, the minimisation of disturbance to residents by activities in and around The Dolphin Pub: 165 Mare Street: London E8 3RH

This Noise Management Plan outlines the methods by which The Dolphin Pub
Will take steps to minimise the potential impacts of noise generated at the venue .
The Noise Management Plan is a working document to be reviewed consistently.

Key Elements of this plan are:

- ☑ Minimise impact to patrons and residents.
- ☑ To satisfy the Licensing Authority/ Environmental Health
- ☑ A Detailed list of steps taken to manage noise pollution.

Steps taken to manage noise pollution:

Awareness of all staff of the noise pollution plan. Managers to maintain this awareness at weekly staff meetings and prior to each event.

Additional signage will be displayed on external and internal doors requesting patrons leave the premises in a quiet and orderly fashion to show respect to local neighbours.

Front doors of the premises close at 20:00 hours:

All speakers close to Mare Street are turned off at 20: 00hours.

Security personnel check the noise levels at the front and back of the premises at 30 minutes intervals and report to the duty manager.

The doors leading to the garden are closed at 20:00 hours.

The garden area is completely inaccessible to patrons beyond 23:00 hours.

Additional signage will be posted in the garden area regarding noise.

Music is not played in the garden area.

Verbal announcements regarding keeping noise to a minimum and respect for residents will be made whilst patrons are leaving at the end of the night by the DJs and duty manager. This will be reiterated by security staff in and outside the venue.

Security staff outside of the venue will encourage patrons to disperse orderly and quietly, moving them on where necessary.

When Patrons are leaving the venue, doors will not remain open unnecessarily.

Whilst patrons are queuing outside of the venue, security personnel will patrol the queue advising, encouraging patrons to queue quietly and orderly.

Patrons will be made aware of the consequences of late-night noise ,and management will be proactive in dealing with the problem should it arise. Where patrons are particularly disruptive, they will be warned, and refused future entry to the venue.

Nuvit Yildiz: Proprietor

Cenk Badik: Manager

Date: August 8th 2023



TEN for 165 Mare Street

1 message

HackneyLicensingUnit-GN@met.police.uk <HackneyLicensingUnit-GN@met.police.uk>
To: licensing@hackney.gov.uk, environmental.protection@hackney.gov.uk
Cc: HackneyLicensingUnit-GN@met.police.uk, [REDACTED]

1 August 2023 at 12:26

Dear All,

Police object to the TEN submitted for the 19th August 2023 as the venue has already submitted TENs for earlier dates and we need to ensure that these extensions pass without incident so that we may assess this events impact on the licensing objectives.

Regards

Neal



PC Neal Hunwick 3590CE

Central East Licensing Unit

Metropolitan Police Service (MPS)

T: 02072753688 Email Neal.Hunwick@met.police.uk

A: Licensing Office, Stoke Newington Police Station, 33 Stoke Newington High Street, London, N18 8DS

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Appendix B2

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

Re: TEN application-165 Mare Street 12/08/2023-TEN120823/165MARE

1 message

Gurch Patti <gurch.patti@hackney.gov.uk>

3 August 2023 at 20:10

To: "Licensing (Shared Mailbox)" <licensing@hackney.gov.uk>, [REDACTED]
Cc: Shan Uthayasangar <Shan.Uthayasangar@hackney.gov.uk>, George Wokorach <George.Wokorach@hackney.gov.uk>, Christopher Sibanda <christopher.sibanda@hackney.gov.uk>, Ashraful Haque <ashraful.haque@hackney.gov.uk>, HackneyLicensingUnit-GN@met.police.uk

TEN - OBJECTION

Dear Licensing Team,

Please see comments from the Environmental Protection Team below.

In respect to the temporary event notice scheduled for:

Start Date : 12-08-2023 End Date : 12-08-2023

Start time: 00:30 End Time: 02:30

&

Start Date : 19-08-2023 End Date : 19-08-2023

Start time: 00:30 End Time: 02:30

The Environmental Protection Team **objects** to the above Temporary Event Notice.

Grounds of Objection

The Prevention of Public Nuisance:

This premises has received complaints from nearby residents alleging disturbances from music and patrons in the garden area. The most recent complaint was received on 30/7/23 at 00:17. Environmental Protection (EP) have concerns with the addition of regulated entertainment this event could amount to a statutory noise nuisance hence undermining the licensing objective (Public Nuisance). Environmental Protection would like to see evidence of a noise management plan and dispersal policy.

Kind regards,

Gurch
[REDACTED]



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-0669

Part 1 – Premises details

The Dolphin
165 Mare Street
Hackney
London
E8 3RH

Where the licence is time limited the dates

Not Applicable

Licensable activities authorised by the licence

Indoor Sporting Events
Live Music
Recorded Music
Performance of Dance
Other Entertainment Similar to Live or Rec Music or Dance Performance
Supply of Alcohol

The times the licence authorises the carrying out of Licensable activities

Indoor Sporting Events	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 11:00-22:30
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 11:00-22:30
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 11:00-22:30
Anything of Similar Description	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 11:00-22:30
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 11:00-22:30
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 11:00-23:00

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

Ms Nuvit Yildiz
5 Brooklyn Avenue
Loughton
IG10 1BJ

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

Not Applicable

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

Ms Nuvit Yildiz

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 November 2005

Signed:

Gerry McCarthy
Head of Community Safety, Enforcement and Business Regulation
Document re-issued: 25 April 2023

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 of 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.

Door Supervision

8. 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

9. The premises shall maintain a comprehensive CCTV system as per the minimum requirements of the Metropolitan Police Crime Prevention Officer. All 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 Police or any authorised officer of Hackney Borough Council. 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 any authorised officer of Hackney Borough Council recent data or footage with the absolute minimum of delay when requested.
10. An incident log shall be kept at the premises, and made available immediately on request to any authorised officer of the Hackney Borough Council or the Police, which will record the following:
 - a. all crimes reported to the venue;
 - b. any complaints received;
 - c. any incidents of disorder;
 - d. any faults in the CCTV system or searching equipment or scanning equipment;
 - e. any refusal of the sale of alcohol;
 - f. any visit by a relevant authority or emergency service.
11. There shall be "CCTV in Operation" signs prominently displayed.
12. All instances of crime or disorder are to be reported by the Designated Premises Supervisor or a responsible member of staff to an agreed police contact point, as agreed with the Police.
13. There shall be no promotional sales of alcohol at the premises.
14. There shall be a minimum of 6 SIA registered door supervisors employed at the public house and restaurant on a Thursday, Friday and Saturday evenings from 2000 hours. Additional SIA registered door supervisors to be employed on an operational risk assessment basis. All door supervisors shall enter their full details in the premises 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 door supervisor was provided by an agency the name, registered business address and contact telephone number will also be recorded. This register will be made available to police or any authorised officer of Hackney Borough Council immediately upon request.
15. There shall be no glass, drinks or open containers outside the front of the premises at any time. Customers shall not be permitted to take glasses, drinks or open containers outside the front of the premises at any time, with the exception of water in plastic vessels.

16. Entry and exit to the premises shall be through the front main entrance directly into the premises and not the access way between the restaurant at 163 Mare Street and the Dolphin Bar at 165 Mare Street, except after 0000hours Sunday to Thursday
17. 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.
18. The premises will also, in cooperation with the police, regularly facilitate a premises drug audit using the ion itemiser or similar device
19. The premises will display prominent signage by every entrance and exit, requesting customers to leave the premises quietly and respect local residents.
20. The premises will display and maintain appropriate signage advising customers of the contact details, including telephone contact numbers, of the Designated Premises Supervisor and the manager of the premises.
21. Refuse, including bottles, shall not be taken outside the premises between the hours of 2000 and 0800.
22. All staff should receive training and have an awareness of the four licensing objectives.
23. All emergency exits will remain clearly marked at all times. Emergency escape routes will be kept free of obstruction at all times.
24. The Licensee shall ensure that all staff are fully trained and made aware of the legal requirement of businesses to comply with their duty of care as regards the disposal of waste produced from the business premises. The procedure for handling and preparing for disposal of the waste shall be in writing and displayed in a prominent place where it can be referred to at all times by staff.
25. The Licensee shall ensure that any contract for general and recyclable waste disposal shall be appropriate in size to the amount of waste produced by the business.
26. The licensee shall maintain an adequate supply of waste receptacles provided by his registered waste carrier (refuse sacks or commercial waste bins) in order to ensure all refuse emanating from the business is always presented for collection by his waste carrier and shall not use unidentifiable refuse sacks or any other unidentifiable or unmarked waste receptacles
27. In order to minimise the amount of time any waste remains on the public highway in readiness for collection, the Licensee will ensure the timeframe within which it may expect its waste carrier to collect is adhered to.
28. The Licensee shall erect a sign asking customers to refrain from littering the public highway outside the premises and will also instruct a member of staff to make regular checks of the area immediately outside and within 10 metres either

side of the premises and remove any litter, bottles and glasses emanating from the premises. A final check should be made at close of business.

29. The Licensee shall provide a safe receptacle for cigarette ends to be placed outside for the use of customers, such receptacle being carefully placed so as not to cause an obstruction or trip.
30. The Licensee's premises are situated in an area within which refuse may only be left on the public highway at certain times (time bands). If the Licensee's waste carrier cannot or does not comply by collecting the refuse within an hour after the close of any time band imposed by the waste authority, the Licensee must remove the refuse from the public highway and/or keep it within the premises until such time as his/her waste carrier arrives to collect the refuse.
31. All devices capable of playing music in either premises shall be operated through a sound limiting device. The sound limiting device shall be installed within the premises and set at a level determined by and to the satisfaction of an authorised officer of the Noise Pollution Service to allow no more than background music after 2330 hours. The operational panel of the noise limiter shall be secured to the satisfaction of the officer. The keys securing the device shall be held by the Designated Premises Supervisor or another responsible member of staff, and the device shall not be accessed via any other person. The limiter shall not be altered without prior agreement with the Noise Pollution Service
32. The premises will operate an electronic identification scanning system (e.g. ClubScan) after 2100 hrs for customers entering the premises.
33. There shall be at least one male and one female member of staff operating as 'floorwalkers' at the premises on Thursday, Friday and Saturday nights from 2000 hours. The task of the floorwalkers shall to be move around the premises, identifying unattended property and minimising losses and thefts.
34. Door staff shall use "clickers" to monitor capacity at the premises.
35. A free cloakroom service shall be provided, and suitable signage displayed encouraging customers to use it.

**Annex 3 – Conditions attached after a hearing by the licensing authority
(After the expedited/summary review hearing on 29/11/2022)**

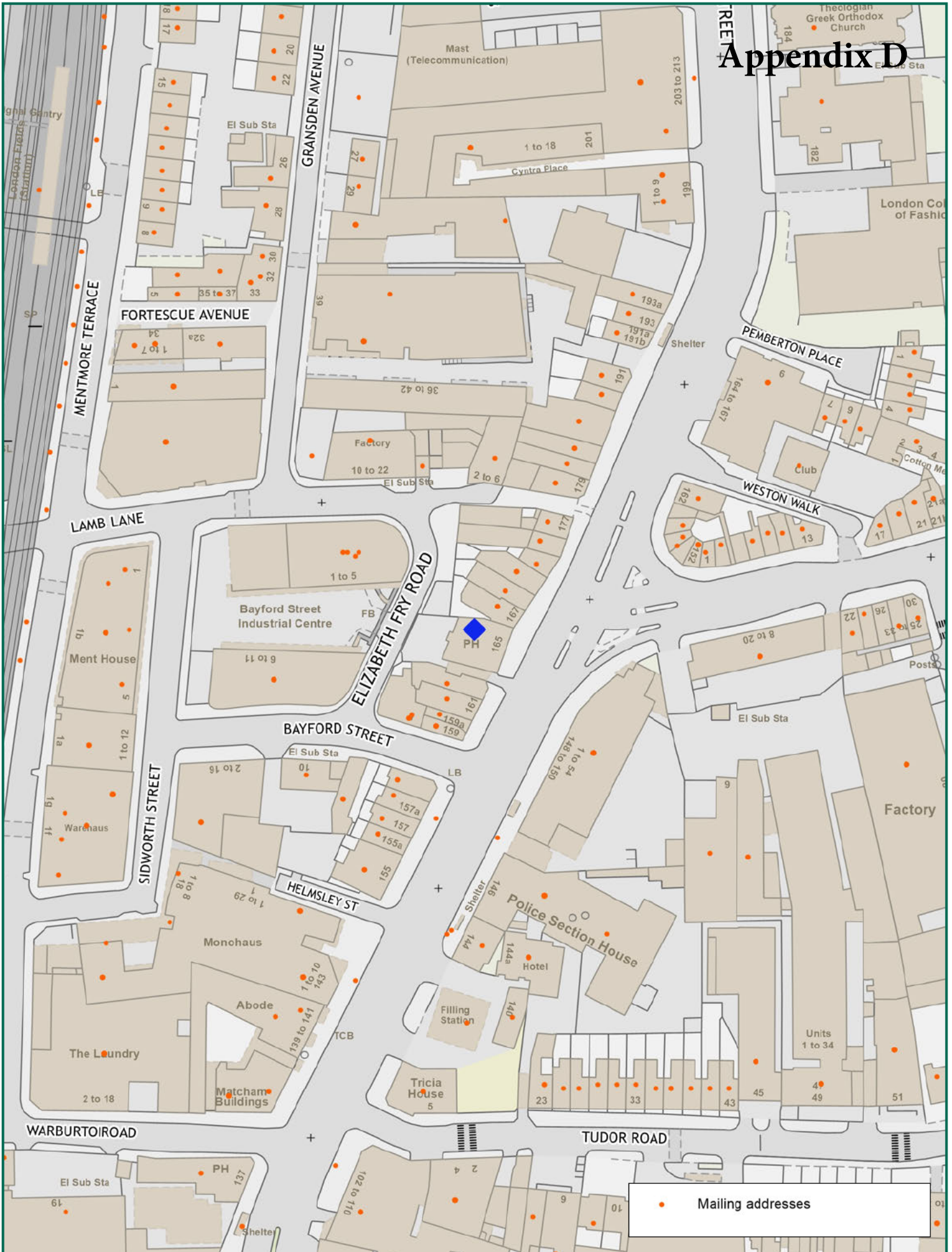
36. All staff engaged in the sale of alcohol shall be fully trained and made aware of the legal requirements relating to underage sales and other legal requirements relating to the sale and supply of alcohol. Such training must take place on a 12 monthly basis and written records of the training must be maintained on the premises for inspection by the Police or Authorities. This training is to include WAVE (Welfare And Vulnerability Engagement) training.
37. All staff will be given refresher training every six 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 officers upon request.
38. A written Dispersal Policy shall be submitted to and approved by the Licensing Authority and the Police, and a copy shall be kept on the premises and made available to the Police or other authorised officers upon request.
39. No live or recorded Music to be played in the garden.
40. The premises licence holder shall provide the Licensing Authority with a copy of their Risk Assessment.
41. The premises licence holder shall provide a new plan for the garden.
42. The capacity of the premises shall be agreed with the Licensing Authority.

Web Page

Web Page

Web Page

Web Page



NORTH

Scale: 1:1250 at A4

Hackney

165 Mare Street, London, E8 3RH

Page 29

Ref: _____ Product No: _____ please specify copyright statement

Wednesday, August 16, 2023 email: _____

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For Consideration By	Licensing Sub-Committee
Meeting Date	17 August 2023
Type of Notice	TEMPORARY EVENT NOTICE – COUNTER NOTICE
Address of Premises	165 Mare Street, London E8 3RH
Classification	Decision
Ward(s) Affected	London Fields
Director	Rickardo Hyatt

1. **Summary**

- 1.1. The Metropolitan Police and Environmental Protection have given the Licensing Authority and the premises user notice of objections to Temporary Event Notice for an event to be held on **26/08/2023** from **00:30am** finishing on **26/08/2023** at **02:30am** at above premises. The Licensing Authority must hold a hearing to decide whether or not to allow the event to proceed.

2. **Current Status/History**

- 2.1. The premises is licensed under the Licensing Act 2003 and the licence document is attached as Appendix C.

3. **TEMPORARY EVENT NOTICE FOR EVENT TO BE HELD 26/08/2023 - 26/08/2023**

- 3.1. A TEN has been submitted to allow licensable activities to take place on the premises. A copy of the Temporary Event Notice is attached as Appendix A.

4. **Objections**

- 4.1. The Metropolitan Police and Environmental Protection have objected to the TEN on the grounds of the prevention of public nuisance. A copy of the objections are attached as Appendices B1 and B2.

5. **Guidance Considerations**

- 5.1. That the Licensing Sub-Committee consider the issuing of counter notices if it is satisfied that any of the licensing objectives would be undermined if the premises were to be used in accordance with the temporary event notice.

6. **Policy Considerations**

- 6.1 When considering an objection to a TEN the Council will:

- Expect that any existing conditions will be maintained (where relevant) in circumstances where an event is to take place at a premises that has an existing authorisation.
- Assess any history of complaints as a result of licensable activity that may or may not have been authorised by a TEN.
- Consider the track record of the premises user

- 6.2 Consider any other control measures proposed to mitigate the objection

7. **Human Rights Act 1998 Implications**

- 7.1. **There are implications for;**

- **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.

8. **Members; Decision Making**

- 8.1. **Option 1**

That the Licensing Authority decides not to give a counter notice.

- 8.2. **Option 2**

That the Licensing Authority decides to give a counter notice, giving the reasons for the decision.

9. **Conclusion**

- 9.1. That Members decide whether or not to issue a counter notice for the event scheduled to take place on **26/08/2023** from **00:30am** finishing on **26/08/2023** at **02:30am** at location **above**.

Appendices:

Appendix A – Temporary Event Notice

Appendix B – Objections from the Metropolitan Police and Environmental Protection

Appendix C – Current Premises Licence
Appendix D – Location Map

Report Author	Name: Suba Sriramana Title: Principal Licensing Officer Email: Subangini.Sriramana@hackney.gov.uk Tel: 020 8356 4915
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Temporary Event Notice

Before completing this notice, please read the guidance notes at the end of the notice. If you are completing this notice by hand, please write legibly in block capitals. In all cases, ensure that your answers are inside the boxes and written in black ink or typed. Use additional sheets if necessary. You should keep a copy of the completed notice for your records. You must send at least one copy of this notice to the licensing authority and additional copies must be sent to the chief officer of police and the local authority exercising environmental health functions for the area in which the premises are situated. The licensing authority will give to you written acknowledgement of the receipt of the notice.

I, the proposed premises user, hereby give notice under section 100 of the Licensing Act 2003 of my proposal to carry on a temporary activity at the premises described below.

1. The personal details of premises user (Please read note 1)					
1. Your name					
Title	Mr Mrs <input type="checkbox"/> Miss <input type="checkbox"/> Ms x <input type="checkbox"/> Other (please state)				
Surname	YILDIZ				
Forenames	NUVIT				
2. Previous names (Please enter details of any previous names or maiden names, if applicable. Please continue on a separate sheet if necessary)					
Title	Mr Mrs <input type="checkbox"/> Miss <input type="checkbox"/> Ms <input type="checkbox"/> Other (please state)				
Surname					
Forenames					
3. Your date of birth	<table border="1"> <tr> <td>■</td> <td>■</td> <td>■</td> <td>■</td> </tr> </table>	■	■	■	■
■	■	■	■		
4. Your place of birth	■				
5. National Insurance Number	■				
6. Your current address (We will use this address to correspond with you unless you complete the separate correspondence box below)					
■					
Post town	■				
Postcode	■				
7. Other contact details					
Telephone numbers Daytime	■				
Evening (optional)					
Mobile (optional)					
Fax number (optional)					
E-Mail address (if available)	■				
8. Alternative address for correspondence (If you complete the details below, we will use this address to correspond with you)					

Post town	Postcode
9. Alternative contact details (if applicable)	
Telephone numbers: Daytime	
Evening (optional)	
Mobile (optional)	
Fax number (optional)	
E-Mail address (if available)	

2. The premises	
Please give the address of the premises where you intend to carry on the licensable activities or, if it has no address, give a detailed description (including the Ordnance Survey references) (Please read note 2)	
165 Mare Street London E8 3RH	
Does a premises licence or club premises certificate have effect in relation to the premises (or any part of the premises)? If so, please enter the licence or certificate number below.	
Premises licence number	LBH-PRE-T-0669
Club premises certificate number	
If you intend to use only part of the premises at this address or intend to restrict the area to which this notice applies, please give a description and details below. (Please read note 3)	
Please describe the nature of the premises below. (Please read note 4)	
PUB	
Please describe the nature of the event below. (Please read note 5)	
The venue is a pub and will allow entrance to patrons aged 18 plus The activities will be socialising among friends A DJ is on site , playing a selection of music Dancing, should the patrons wish to do so A pool table is available , the pool cubes are put away by 11.00pm	

Currently no other activities are planned for the dates of the TENs applied for
 Management understands that you may wish to consider one TEN application at a time depending on the outcome of each

There will be a total of six security personnel comprising of two women and four men at the front, back and inside the premises.

Security is provided by Solid Security: REG No; 10491151. Email: o.aydemir@live.co.uk

Security will check bags and undertake body searches.

IDs will be checked at the door

There is CCTV on site in and out of the venue

A member of staff will collect glasses throughout the evening

No alcohol or glasses will be allowed outside of the venue

Security will ensure that patrons disperse from the front of the venue

There is signage in the venue informing patrons that drugs are not allowed : ZERO tolerance

Staff and security will check the toilets throughout the evening

Security will use clickers to ensure numbers are within license conditions

3. The licensable activities		
Please state the licensable activities that you intend to carry on at the premises (please tick all licensable activities you intend to carry on). (Please read note 6)		
The sale by retail of alcohol		x
The supply of alcohol by or on behalf of a club to, or to the order of, a member of the club		<input type="checkbox"/>
The provision of regulated entertainment (Please read note 7)		X
The provision of late night refreshment		<input type="checkbox"/>
Are you giving a late temporary event notice? (Please read note 8)		No
Please state the dates on which you intend to use these premises for licensable activities. (Please read note 9)		
August 26th 2023		
Please state the times during the event period that you propose to carry on licensable activities (please give times in 24-hour clock). (Please read note 10)		
00:30 to 02:30am		
Please state the maximum number of people at any one time that you intend to allow to be present at the premises during the times when you intend to carry on licensable activities, including any staff, organisers or performers. (Please read note 11)		480
If the licensable activities will include the sale or supply of alcohol, please state whether these will	On the premises only	x

be for consumption on or off the premises, or both (please tick as appropriate). (Please read note 12)	Off the premises only	<input type="checkbox"/>
	Both	<input type="checkbox"/>

Please state if the licensable activities will include the provision of relevant entertainment. If so, please state the times during the event period that you propose to provide relevant entertainment (including, but not limited to lap dancing and pole dancing). (Please see note 13)

No

4. Personal licence holders (Please read note 14)		
Do you currently hold a valid personal licence? (Please tick)	Yes	<input checked="" type="checkbox"/>
If "Yes" please provide the details of your personal licence below.		
Issuing licensing authority	[REDACTED]	
Licence number	[REDACTED]	
Date of issue		
Any further relevant details		

5. Previous temporary event notices you have given (Please read note 15 and tick the boxes that apply to you)		
Have you previously given a temporary event notice in respect of any premises for events falling in the same calendar year as the event for which you are now giving this temporary event notice?	Yes <input type="checkbox"/>	No <input checked="" type="checkbox"/>
If answering yes, please state the number of temporary event notices (including the number of late temporary event notices, if any) you have given for events in that same calendar year		
Have you already given a temporary event notice for the same premises in which the event period: a) ends 24 hours or less before; or b) begins 24 hours or less after the event period proposed in this notice?	Yes <input type="checkbox"/>	No <input checked="" type="checkbox"/>

6. Associates and business colleagues (Please read note 16 and tick the boxes that apply to you)
--

Has any associate of yours given a temporary event notice for an event in the same calendar year as the event for which you are now giving a temporary event notice?	Yes <input type="checkbox"/>	No X
If answering yes, please state the total number of temporary event notices (including the number of late temporary event notices, if any) your associate(s) have given for events in the same calendar year.		
Has any associate of yours already given a temporary event notice for the same premises in which the event period: a) ends 24 hours or less before; or b) begins 24 hours or less after the event period proposed in this notice?	Yes <input type="checkbox"/>	No X
Has any person with whom you are in business carrying on licensable activities given a temporary event notice for an event in the same calendar year as the event for which you are now giving a temporary event notice?	Yes <input type="checkbox"/>	No X
If answering yes, please state the total number of temporary event notices (including the number of late temporary event notices, if any) your business colleague(s) have given for events in the same calendar year.		
Has any person with whom you are in business carrying on licensable activities already given a temporary event notice for the same premises in which the event period: a) ends 24 hours or less before; or b) begins 24 hours or less after the event period proposed in this notice?	Yes <input type="checkbox"/>	No X

7. Checklist (Please read note 17)	
I have: (Please tick the appropriate boxes, where applicable)	
Sent at least one copy of this notice to the licensing authority for the area in which the premises are situated	x
Sent a copy of this notice to the chief officer of police for the area in which the premises are situated	
Sent a copy of this notice to the local authority exercising environmental health functions for the area in which the premises are situated	
If the premises are situated in one or more licensing authority areas, sent at least one copy of this notice to each additional licensing authority	N/A
If the premises are situated in one or more police areas, sent a copy of this notice to each additional chief officer of police	N/A
If the premises are situated in one or more local authority areas, sent a copy of this notice to each additional local authority exercising environmental health functions	N/A
Made or enclosed payment of the fee for the application	x
Signed the declaration in Section 9 below	x

8. Condition (Please read note 18)
It is a condition of this temporary event notice that where the relevant licensable activities described in Section 3 above include the sale or supply of alcohol that all such supplies are made by or under the authority of the premises user.

9. Declarations (Please read note 19)	
The information contained in this form is correct to the best of my knowledge and belief.	
I understand that it is an offence:	
(i) to knowingly or recklessly make a false statement in or in connection with this temporary event notice and that a person is liable on summary conviction for such an offence to a fine of any amount; and	
(ii) to permit an unauthorised licensable activity to be carried on at any place and that a person is liable on summary conviction for any such offence to a fine of any amount, or to imprisonment for a term not exceeding six months, or to both.	
Signature	Nuvit Yildiz
Date	August 9th 2023
Name of Person signing	Nuvit Yildiz

For completion by the licensing authority

10. Acknowledgement (Please read note 20)	
I acknowledge receipt of this temporary event notice.	
Signature	On behalf of the licensing authority
Date	
Name of Officer signing	

Noise Management Plan for The Dolphin Pub

As a responsible proprietor of these premises we acknowledge that we have a primary responsibility to ensure that our premises do not generate excessive noise disturbance. The purpose of this Noise Management Plan is to detail the procedures we aim to adopt to ensure, as far as possible, the minimisation of disturbance to residents by activities in and around The Dolphin Pub: 165 Mare Street: London E8 3RH

This Noise Management Plan outlines the methods by which The Dolphin Pub
Will take steps to minimise the potential impacts of noise generated at the venue .
The Noise Management Plan is a working document to be reviewed consistently.

Key Elements of this plan are:

- ☑ Minimise impact to patrons and residents.
- ☑ To satisfy the Licensing Authority/ Environmental Health
- ☑ A Detailed list of steps taken to manage noise pollution.

Steps taken to manage noise pollution:

Awareness of all staff of the noise pollution plan. Managers to maintain this awareness at weekly staff meetings and prior to each event.

Additional signage will be displayed on external and internal doors requesting patrons leave the premises in a quiet and orderly fashion to show respect to local neighbours.

Front doors of the premises close at 20:00 hours:

All speakers close to Mare Street are turned off at 20: 00hours.

Security personnel check the noise levels at the front and back of the premises at 30 minutes intervals and report to the duty manager.

The doors leading to the garden are closed at 20:00 hours.

The garden area is completely inaccessible to patrons beyond 23:00 hours.

Additional signage will be posted in the garden area regarding noise.

Music is not played in the garden area.

Verbal announcements regarding keeping noise to a minimum and respect for residents will be made whilst patrons are leaving at the end of the night by the DJs and duty manager. This will be reiterated by security staff in and outside the venue.

Security staff outside of the venue will encourage patrons to disperse orderly and quietly, moving them on where necessary.

When Patrons are leaving the venue, doors will not remain open unnecessarily.

Whilst patrons are queuing outside of the venue, security personnel will patrol the queue advising, encouraging patrons to queue quietly and orderly.

Patrons will be made aware of the consequences of late-night noise ,and management will be proactive in dealing with the problem should it arise. Where patrons are particularly disruptive, they will be warned, and refused future entry to the venue.

Nuvit Yildiz: Proprietor

Cenk Badik: Manager

Date: August 8th 2023



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

TEN for 165 Mare Street

1 message

HackneyLicensingUnit-GN@met.police.uk <HackneyLicensingUnit-GN@met.police.uk>

11 August 2023 at 13:17

To: licensing@hackney.gov.uk, environmental.protection@hackney.gov.uk

Cc: HackneyLicensingUnit-GN@met.police.uk, [REDACTED]

Dear All,

Police object to the TEN submitted for the 26th August 2023 as the venue has already submitted TENs for earlier dates and we need to ensure that these extensions pass without incident so that we may assess this events impact on the licensing objectives.

Regards

Neal



PC Neal Hunwick 3590CE

Central East Licensing Unit

Metropolitan Police Service (MPS)

T: 02072753688 Email Neal.Hunwick@met.police.uk

A: Licensing Office, Stoke Newington Police Station, 33 Stoke Newington High Street, London, N18 8DS

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Re: TEN application- 165 Mare Street-TEN/260823/165MARE

1 message

Gurch Patti <gurch.patti@hackney.gov.uk>

14 August 2023 at 16:06

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

Cc: Shan Uthayasangar <Shan.Uthayasangar@hackney.gov.uk>, Subangini Sriramana <Subangini.Sriramana@hackney.gov.uk>, George Wokorach <George.Wokorach@hackney.gov.uk>, Christopher Sibanda <christopher.sibanda@hackney.gov.uk>, Ashraful Haque <ashraful.haque@hackney.gov.uk>, HackneyLicensingUnit-GN@met.police.uk

TEN - OBJECTION

Dear Licensing Team,

Please see comments from the Environmental Protection Team below.

In respect to the temporary event notice scheduled for:

Start Date : 26-08-2023 End Date : 26-08-2023

Start time: 00:30 End Time: 02:30

The Environmental Protection Team **objects** to the above Temporary Event Notice.

Grounds of Objection

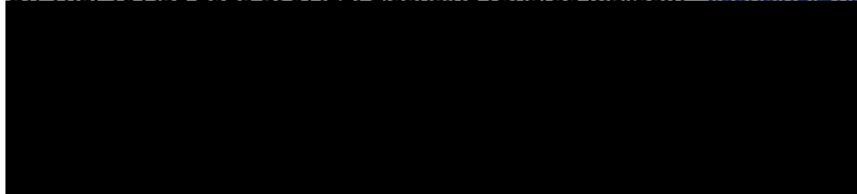
The Prevention of Public Nuisance:

This premises has received complaints from nearby residents alleging disturbances from music and patrons in the garden area. The most recent complaint was received on 11/8/23 at 22:54. Environmental Protection (EP) have concerns with the addition of regulated entertainment this event could amount to a statutory noise nuisance hence undermining the licensing objective (Public Nuisance). Environmental Protection would like to see evidence of a noise management plan and dispersal policy.

Kind regards,

Gurch

On Thu, 10 Aug 2023 at 07:22, Licensing (Shared Mailbox) <licensing@hackney.gov.uk> wrote:





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-0669

Part 1 – Premises details

The Dolphin
165 Mare Street
Hackney
London
E8 3RH

Where the licence is time limited the dates

Not Applicable

Licensable activities authorised by the licence

- Indoor Sporting Events
- Live Music
- Recorded Music
- Performance of Dance
- Other Entertainment Similar to Live or Rec Music or Dance Performance
- Supply of Alcohol

The times the licence authorises the carrying out of Licensable activities

<p>Indoor Sporting Events</p>	<p>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 11:00-22:30</p>
<p>Live Music</p>	<p>Standard Hours: Mon 11:00-23:00 Tue 11:00-23:00 Wed 11:00-23:00</p>

	Thu 11:00-23:00 Fri 11:00-00:00 Sat 11:00-00:00 Sun 11:00-22:30
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 11:00-22:30
Anything of Similar Description	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 11:00-22:30
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 11:00-22:30
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 11:00-23:00

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

Ms Nuvit Yildiz
5 Brooklyn Avenue
Loughton
IG10 1BJ

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

Not Applicable

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

Ms Nuvit Yildiz

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 November 2005

Signed:

Gerry McCarthy
Head of Community Safety, Enforcement and Business Regulation
Document re-issued: 25 April 2023

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 of 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.

Door Supervision

8. 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

9. The premises shall maintain a comprehensive CCTV system as per the minimum requirements of the Metropolitan Police Crime Prevention Officer. All 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 Police or any authorised officer of Hackney Borough Council. 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 any authorised officer of Hackney Borough Council recent data or footage with the absolute minimum of delay when requested.
10. An incident log shall be kept at the premises, and made available immediately on request to any authorised officer of the Hackney Borough Council or the Police, which will record the following:
 - a. all crimes reported to the venue;
 - b. any complaints received;
 - c. any incidents of disorder;
 - d. any faults in the CCTV system or searching equipment or scanning equipment;
 - e. any refusal of the sale of alcohol;
 - f. any visit by a relevant authority or emergency service.
11. There shall be "CCTV in Operation" signs prominently displayed.
12. All instances of crime or disorder are to be reported by the Designated Premises Supervisor or a responsible member of staff to an agreed police contact point, as agreed with the Police.
13. There shall be no promotional sales of alcohol at the premises.
14. There shall be a minimum of 6 SIA registered door supervisors employed at the public house and restaurant on a Thursday, Friday and Saturday evenings from 2000 hours. Additional SIA registered door supervisors to be employed on an operational risk assessment basis. All door supervisors shall enter their full details in the premises 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 door supervisor was provided by an agency the name, registered business address and contact telephone number will also be recorded. This register will be made available to police or any authorised officer of Hackney Borough Council immediately upon request.
15. There shall be no glass, drinks or open containers outside the front of the premises at any time. Customers shall not be permitted to take glasses, drinks or open containers outside the front of the premises at any time, with the exception of water in plastic vessels.

16. Entry and exit to the premises shall be through the front main entrance directly into the premises and not the access way between the restaurant at 163 Mare Street and the Dolphin Bar at 165 Mare Street, except after 0000hours Sunday to Thursday
17. 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.
18. The premises will also, in cooperation with the police, regularly facilitate a premises drug audit using the ion itemiser or similar device
19. The premises will display prominent signage by every entrance and exit, requesting customers to leave the premises quietly and respect local residents.
20. The premises will display and maintain appropriate signage advising customers of the contact details, including telephone contact numbers, of the Designated Premises Supervisor and the manager of the premises.
21. Refuse, including bottles, shall not be taken outside the premises between the hours of 2000 and 0800.
22. All staff should receive training and have an awareness of the four licensing objectives.
23. All emergency exits will remain clearly marked at all times. Emergency escape routes will be kept free of obstruction at all times.
24. The Licensee shall ensure that all staff are fully trained and made aware of the legal requirement of businesses to comply with their duty of care as regards the disposal of waste produced from the business premises. The procedure for handling and preparing for disposal of the waste shall be in writing and displayed in a prominent place where it can be referred to at all times by staff.
25. The Licensee shall ensure that any contract for general and recyclable waste disposal shall be appropriate in size to the amount of waste produced by the business.
26. The licensee shall maintain an adequate supply of waste receptacles provided by his registered waste carrier (refuse sacks or commercial waste bins) in order to ensure all refuse emanating from the business is always presented for collection by his waste carrier and shall not use unidentifiable refuse sacks or any other unidentifiable or unmarked waste receptacles
27. In order to minimise the amount of time any waste remains on the public highway in readiness for collection, the Licensee will ensure the timeframe within which it may expect its waste carrier to collect is adhered to.
28. The Licensee shall erect a sign asking customers to refrain from littering the public highway outside the premises and will also instruct a member of staff to make regular checks of the area immediately outside and within 10 metres either

side of the premises and remove any litter, bottles and glasses emanating from the premises. A final check should be made at close of business.

29. The Licensee shall provide a safe receptacle for cigarette ends to be placed outside for the use of customers, such receptacle being carefully placed so as not to cause an obstruction or trip.
30. The Licensee's premises are situated in an area within which refuse may only be left on the public highway at certain times (time bands). If the Licensee's waste carrier cannot or does not comply by collecting the refuse within an hour after the close of any time band imposed by the waste authority, the Licensee must remove the refuse from the public highway and/or keep it within the premises until such time as his/her waste carrier arrives to collect the refuse.
31. All devices capable of playing music in either premises shall be operated through a sound limiting device. The sound limiting device shall be installed within the premises and set at a level determined by and to the satisfaction of an authorised officer of the Noise Pollution Service to allow no more than background music after 2330 hours. The operational panel of the noise limiter shall be secured to the satisfaction of the officer. The keys securing the device shall be held by the Designated Premises Supervisor or another responsible member of staff, and the device shall not be accessed via any other person. The limiter shall not be altered without prior agreement with the Noise Pollution Service
32. The premises will operate an electronic identification scanning system (e.g. ClubScan) after 2100 hrs for customers entering the premises.
33. There shall be at least one male and one female member of staff operating as 'floorwalkers' at the premises on Thursday, Friday and Saturday nights from 2000 hours. The task of the floorwalkers shall to be move around the premises, identifying unattended property and minimising losses and thefts.
34. Door staff shall use "clickers" to monitor capacity at the premises.
35. A free cloakroom service shall be provided, and suitable signage displayed encouraging customers to use it.

**Annex 3 – Conditions attached after a hearing by the licensing authority
(After the expedited/summary review hearing on 29/11/2022)**

36. 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.
37. All staff will be given refresher training every six 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 officers upon request.
38. A written Dispersal Policy shall be submitted to and approved by the Licensing Authority and the Police, and a copy shall be kept on the premises and made available to the Police or other authorised officers upon request.
39. No live or recorded Music to be played in the garden.
40. The premises licence holder shall provide the Licensing Authority with a copy of their Risk Assessment.
41. The premises licence holder shall provide a new plan for the garden.
42. The capacity of the premises shall be agreed with the Licensing Authority.

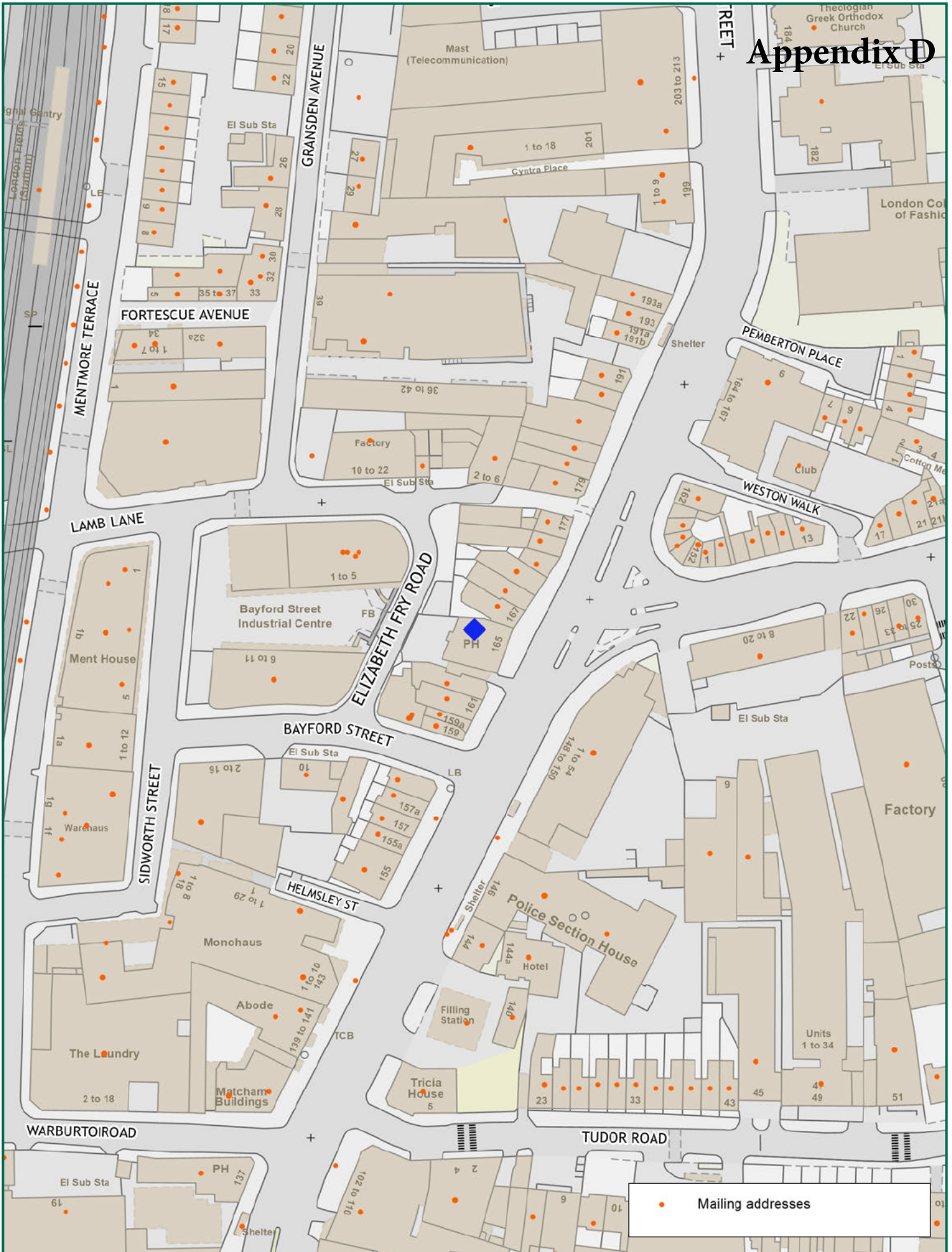
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Appendix D



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Hackney

165 Mare Street, London, E8 3RH

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