



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

Tuesday, 28th June, 2016

at 7.00 pm

Room 102, Hackney Town Hall, Mare Street,  
London E8 1EA

**Councillors sitting:**

**Cllr Christopher Kennedy (Substitute),  
Cllr Sharon Patrick and Cllr James Peters**

**TIM SHIELDS**  
**Chief Executive**

Contact:  
Natalie Williams, Governance Services Officer  
020 8356 8407  
[governance@hackney.gov.uk](mailto:governance@hackney.gov.uk)

The press and public are welcome to attend this meeting

# AGENDA

## Tuesday, 28th June, 2016

### ORDER OF BUSINESS

Title	Ward	Page No
1 Election of Chair		
2 Apologies for Absence		
3 Declarations of Interest - Members to declare as appropriate		
4 Licensing Sub-Committee Hearing Procedure		(Pages 1 - 2)
5 Premises Licence: Round Chapel Arts Centre, 1d Glenarm Road E5 0LY	Lea Bridge	(Pages 3 - 54)
6 Premises Licence: Lobsters Paradise, Ground Floor, 392 Kingsland Road E8 4AA	London Fields	(Pages 55 - 94)
7 Premises Licence: Costcutter, Ground Floor, 350 Queensbridge Road E8 3AR	Dalston	(Pages 95 - 122)
8 Temporary Event Notices - Standing Item		

## **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.

### **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](mailto: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](http://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](mailto: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 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](http://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](mailto: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.

## **Facilities**

There are public toilets available, with wheelchair access, on the ground floor of the Town Hall. Induction loop facilities are available in the Assembly Halls, rooms 101, 102 & 103 and the Council Chamber. Access for people with mobility difficulties can be obtained through the ramp on the side to the main Town Hall entrance.

## **Contacts**

If you have a query about Licensing Sub-Committee procedures and protocols then please contact Governance Services –

Governance Services  
2<sup>nd</sup> Floor Maurice Bishop House  
17 Reading Lane  
London, E8 1HH

Telephone: 020 8356 3578  
E-mail: [governance@hackney.gov.uk](mailto: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:

Licensing Service  
Hackney Service Centre  
1 Hillman Street  
London E8 1DY

Telephone: 020 8356 4970  
Fax: 020 8356 4974  
E-mail: [licensing@hackney.gov.uk](mailto:licensing@hackney.gov.uk)

# ADVICE TO MEMBERS ON DECLARING INTERESTS

Hackney Council's Code of Conduct applies to **all** Members of the Council, the Mayor and co-opted Members.

This note is intended to provide general guidance for Members on declaring interests. However, you may need to obtain specific advice on whether you have an interest in a particular matter. If you need advice, you can contact:

- The Director of Legal;
- The Legal Adviser to the committee; or
- Governance Services.

If at all possible, you should try to identify any potential interest you may have before the meeting so that you and the person you ask for advice can fully consider all the circumstances before reaching a conclusion on what action you should take.

## 1. Do you have a disclosable pecuniary interest in any matter on the agenda or which is being considered at the meeting?

You will have a disclosable pecuniary interest in a matter if it:

- relates to an interest that you have already registered in Parts A and C of the Register of Pecuniary Interests of you or your spouse/civil partner, or anyone living with you as if they were your spouse/civil partner;
- relates to an interest that should be registered in Parts A and C of the Register of Pecuniary Interests of your spouse/civil partner, or anyone living with you as if they were your spouse/civil partner, but you have not yet done so; or
- affects your well-being or financial position or that of your spouse/civil partner, or anyone living with you as if they were your spouse/civil partner.

## 2. If you have a disclosable pecuniary interest in an item on the agenda you must:

- Declare the existence and nature of the interest (in relation to the relevant agenda item) as soon as it becomes apparent to you (subject to the rules regarding sensitive interests).
- You must leave the room when the item in which you have an interest is being discussed. You cannot stay in the meeting room or public gallery whilst discussion of the item takes place and you cannot vote on the matter. In addition, you must not seek to improperly influence the decision.
- If you have, however, obtained dispensation from the Monitoring Officer or Standards Committee you may remain in the room and participate in the meeting. If dispensation has been granted it will stipulate the extent of your involvement, such as whether you can only be present to make representations, provide evidence or whether you are able to fully participate and vote on the matter in which you have a pecuniary interest.



### 3. Do you have any other non-pecuniary interest on any matter on the agenda which is being considered at the meeting?

You will have 'other non-pecuniary interest' in a matter if:

- i. It relates to an external body that you have been appointed to as a Member or in another capacity; or
- ii. It relates to an organisation or individual which you have actively engaged in supporting.

### 4. If you have other non-pecuniary interest in an item on the agenda you must:

- i. Declare the existence and nature of the interest (in relation to the relevant agenda item) as soon as it becomes apparent to you.
- ii. You may remain in the room, participate in any discussion or vote provided that contractual, financial, consent, permission or licence matters are not under consideration relating to the item in which you have an interest.
- iii. If you have an interest in a contractual, financial, consent, permission or licence matter under consideration, you must leave the room unless you have obtained a dispensation from the Monitoring Officer or Standards Committee. You cannot stay in the room or public gallery whilst discussion of the item takes place and you cannot vote on the matter. In addition, you must not seek to improperly influence the decision. Where members of the public are allowed to make representations, or to give evidence or answer questions about the matter you may, with the permission of the meeting, speak on a matter then leave the room. Once you have finished making your representation, you must leave the room whilst the matter is being discussed.
- iv. If you have been granted dispensation, in accordance with the Council's dispensation procedure you may remain in the room. If dispensation has been granted it will stipulate the extent of your involvement, such as whether you can only be present to make representations, provide evidence or whether you are able to fully participate and vote on the matter in which you have a non pecuniary interest.

### Further Information

Advice can be obtained from Yinka Owa, Director of Legal, on 020 8356 6234 or email [Yinka.Owa@hackney.gov.uk](mailto:Yinka.Owa@hackney.gov.uk)



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# Relevant Extracts from Hackney's Statement of Licensing Policy

Please find below relevant extracts from the Statement of Licensing Policy 2011.

## **LP1 Planning**

Licence applications should normally be from premises where:

- (a) The activity to be authorised by the licence is a lawful planning use or is a deemed permitted development pursuant to the General Permitted Development Order (1995)
- (b) The hours sought do not exceed those authorised by any planning permission.

Note- Where the appropriate planning consent has not been obtained in advance and relevant representations are made, applicants will need to demonstrate that the operation of the premises would not be detrimental to the promotion of the licensing objectives.

## **LP2 Provisional Statements**

The principles to be applied for provisional statements are similar to those applied for premises licences.

The application form for provisional statements is to include:

- Clear plans of the proposed structure
- An operating schedule including details of:
  - The activities to take place there
  - The time at which such activities will take place
  - The proposed hours of opening
  - Where the applicant wishes the licence to have effect for a limited period, that period
  - The steps to be taken to promote the licensing objectives, and
  - Where the sale of alcohol is involved, whether supplies are proposed to be for consumption on or off the premises (or both) and the name of the designated premises supervisor the applicant wishes to specify.

## **LP3 The Application Form and Operating Schedule (minimum requirements)**

The application form is to outline the operations of the entire licensed business or event and must include:

- (a) Prescribed plans
- (b) A general description of the style and character of the business or event to be conducted at the premises or venue, e.g. supermarket, restaurant, cinema, nightclub, or street party

- (c) An indication of the type of entertainment available
- (d) The relevant licensable activities to be undertaken at the premises or event, preferably with a risk assessment in respect of these activities
- (e) The times during which each of the proposed licensable activities are to take place
- (f) Any other times during which it is proposed that the premises or event be open to the public
- (g) Where the applicant wishes the licence to have effect for a limited period, that period to be specified
- (h) Whether alcohol is to be supplied for consumption on or off the premises or both
- (i) Where alcohol is to be supplied, details of the designated premises supervisor (not necessary for premises holding club premises certificates unless alcohol is to be sold rather than supplied to members)
- (j) Whether they propose to have sexual entertainment involving nudity or striptease or any other activity involving full or partial nudity, e.g. topless waitresses etc, or sex related entertainment such as the showing of films or other recordings with an 18 restricted category. This will need to be licensed as a sex establishment under the Local Government (Miscellaneous Provisions) Act 1982, as amended. The applicant must demonstrate that they hold the relevant licence
- (k) The steps which are proposed to promote the licensing objectives. In doing this, applicants are strongly encouraged to address the LPs as applicable.

Note:

- The conditions that are necessary for the promotion of the licensing objectives should normally emerge initially from a prospective licence or certificate holder's application.
- If the application has been granted the details of the application will be incorporated into the licence as conditions. Breach of these conditions could result in prosecution or a review and ultimately revocation.
- Where representations are made and the matter progresses to a Licensing Sub Committee, if the Sub Committee have:
  - i) Doubts about the applicant's ability to promote the licensing objectives and comply with the terms of a licence (for example, proposed conditions, and how licensable activities will be conducted during the operation of the licence)

- ii) Doubts around the track record of the management and suitability of the DPS,
  - iii) Been notified of any actions taken by responsible authorities or the licensing authority in relation to the premises
  - iv) Been notified of recent or historical complaints
- the Council may not grant the permission as sought.

#### **LP4 Crime and Disorder**

Applicants are expected to demonstrate within their application measures to prevent crime and disorder, such as:

- (a) Details of registered door supervisors and other staff to be provided including their relevant qualifications or registrations, the number of such staff, their location whilst working at the premises and the times they will be on duty. All door supervisors are to be licensed by the Security Industry Authority ([www.the-sia.org.uk](http://www.the-sia.org.uk))
- (b) Locations of any physical security features to protect the premises, customers and staff, such as CCTV equipment, alarms systems, secure window locks to be used inside/outside the premises. When referring to CCTV, identify its coverage of the interior and exterior of the premises, that it is to be recordable, kept for a minimum of 31 days and made available to the Police and Licensing Authority on request. When details of security measures are provided, they will be kept out of the public domain
- (c) Provision of adequate search facilities where appropriate to the use of the premises. This may include use of technology such as club scan, weapon arches and search wands
- (d) Measures proposed to prevent possession, supply or consumption of illegal drugs and possession of weapons. For example, designing out areas or surfaces where there is a risk of crime, drug detection and confiscation policies, internal patrols
- (e) Measures to be implemented to promote sensible drinking and prevent binge drinking. For instance, by the display of safe drinking material or legal warnings
- (f) Arrangements for any promotional events such as “happy hours” or special offers should be avoided having regard to the mandatory conditions. If any such event is undertaken, careful consideration should be given to their duration, times, location within premises and any additional measures (such as increased security), to minimise crime and disorder
- (g) Location of lighting inside/outside the premises
- (h) Other measures aimed at preventing crime and discouraging anti-social behaviour. Careful regard should be given to the Council applying its borough wide DPPO (“Controlled Drinking Area”). Depending on the

circumstances, this may for example include the restricted sale of low cost, high strength alcohol (which may be indicated by wording such as “super” on the drinks packaging) and the display of signage highlighting that the premises is located in a Controlled Drinking Area

- (i) Whether or not the premises will be serving alcohol in glass or plastic containers; if serving alcohol in glass containers, identify what measures will be implemented to ensure patrons cannot take glass outside the premises
- (j) Whether the premises belongs to a local Pub Watch scheme or has complied with a Police Club Industry Minimum Operating Standards (CIMOS) report
- (k) The availability of drinking water
- (l) The location of any toughened glass to be installed at the premises
- (m) The details of any proof of age scheme to be implemented
- (n) The maximum capacity figure for the premises and a statement demonstrating the premises’ ability to accommodate the predicted number of patrons safely and how this is managed, for example by way of door supervision or counting mechanisms such as clickers
- (o) Whether the premises has undertaken a Police Drug Ion Itemiser Tracker assessment or cooperated with any other Police investigation in order to detect crime and disorder. Where premises have taken part in such activity, an explanation of the outcomes, including any actions taken in addressing the issues raised is encouraged
- (p) Whether queue management arrangements are in place. This may include door supervision and/or the use of barriers where these do not obstruct the public highway
- (q) Whether staff training on the licensing objectives is provided and recorded
- (r) Whether other socially responsible practices are employed, such as anti spiking measures, use of hand bag clips, notices and designated driver schemes
- (s) Whether other management practices are employed, such as maintenance of incident and accident logs, refusal of sales logs, refusal of entry logs, server training, provision of emergency contact numbers to regulatory agencies should contact with management be required as a matter of importance
- (t) Whether appropriate safeguards are in place to address the potential risks and impacts of gang related activity, particularly where the area and/or the premises are renowned for being a source of or associated with gang related activity.

## LP5 Public Nuisance

Applicants are expected to demonstrate within their application that problems such as noise, light, smoke, odour, litter, anti-social behaviour, human waste, fly posting and highways/footpath obstructions can be minimised through steps they propose.

For example, the application should where necessary:

- (a) Demonstrate that, between 11.00 pm and 7.00 am:
  - No noise is audible a metre from the façade of the nearest noise sensitive premises, or
  - No noise is audible within the nearest noise sensitive premises.
  - There is no discharge of glass recycling bins and no waste/recycling collectionsDepending on the individual circumstances, the Council may request the provision of an acoustic report
- (b) Provide details of the location and types of noise attenuation measures used to minimise noise and vibration escaping the premises and car parking areas. Such measures may include sound-proofing, acoustic lobbies and sound limitation devices
- (c) Demonstrate measures to avoid vehicular queuing on the carriageway and disturbances from patrons queuing on the footpath
- (d) Illustrate the location of any taxi ranks, bus stops, train or tube stations in relation to the premises
- (e) Provide details of the location of gardens, open-air areas and the number of tables and chairs (where relevant) within the property boundary for use by patrons drinking, eating, smoking, queuing or congregating outside, and the hours of use of such areas

Provide details of how outside areas will be managed, in particular:

- The hours of use of any outside area where for example smoking, eating and drinking will be permitted. These may explain that use of the area is prohibited after a certain time to avoid disturbance late at night where residents are located nearby
- Measures to prevent drinks being spiked where people leave these unattended
- Where there is payment for admission, how re-entry can be managed – for example by the use of wrist bands
- Measures to ensure that patrons outside do not create nuisance from noise, smoke, obstruction or litter to neighbours or members of the general public
- Use of any physical security features and CCTV
- Use of door supervisors to monitor the area and people's behaviour
- Clear delineation of outside areas in consultation with Environmental Enforcement Services and Public Realm to

avoid the obstruction of any public highway

- Provision of regular glass collection and cleaning patrols
- Any offer of a waited table service

Demonstrate that there are effective dispersal policies in place, such as:

- Door supervision
- Notices and posters asking patrons to enter and exit the premises quietly
- “Winding down” periods

NOTE:

For good practice guidance on managing the end of a night, applicants may wish to refer to the NOCTIS Dispersal Policy available at: [www.noctisuk.org](http://www.noctisuk.org)

- (f) Provide details of permissions where relevant (for example, planning permission or a street trading licence) for any gardens, open-air areas or tables and chairs to be used by patrons
- (g) Provide details of the refuse and waste management arrangements and collection times in place at the premises, including where on the premises refuse and recycling will be stored before collection. Give details of trade waste agreements that exist for the premises
- (h) Identify whether the activity will generate additional litter (including flyposters and/or illegal placards) in the vicinity of the premises, and the measures to deal with any such litter

#### **LP6 The Protection of Children from Harm**

- (a) Applicants are expected to demonstrate within their application that those factors that have the potential to harm children have been addressed. These include the potential for children to:
  - (i) Purchase, acquire or consume alcohol. (details of any proof of age schemes should be provided)
  - (ii) Be exposed to drugs, drug taking or drug dealing
  - (iii) Be exposed to gambling
  - (iv) Be exposed to activities of an adult or sexual nature including the exhibition of film, or transmission of programmes or videos that include strong language and/or sexual content
  - (v) Be exposed to incidents of violence or disorder
  - (vi) Be exposed to environmental pollution such as excessive noise
  - (vii) Be exposed to hazards

- (viii) Purchase cigarettes from vending machines. The Council expects these machines to be in sight and under the supervision of bar staff

Note – This is not intended to be an exhaustive list.

- (b) Alcohol is not to be served to under 18s, except in the limited circumstances allowed for by the Licensing Act 2003. For example children aged between 16 and 18 are only permitted to consume beer, wine or cider on licensed premises if accompanied by an individual aged 18 or over and if eating a table meal (this excludes bar snacks). (This excludes venues holding a club premises certificate where over 18s only are allowed alcohol.)

- (c) Where relevant representations have been made, the Council will not normally permit children to be admitted where:

- (i) Entertainment of an adult or sexual nature is commonly provided
- (ii) There have been convictions for serving alcohol to under 18s
- (iii) Certain gambling activities take place (see Council guidance note)
- (iv) There have been convictions of harbouring drug dealings or the premises has a known association with drug dealers

Note - The Act details a number of measures designed to protect children in licensed premises. The Council will work closely with the Police and its partners to ensure appropriate enforcement of the law, in line with the Council's Enforcement Policy

- (d) Where limiting access to children is considered necessary, the Council will consider the following options:

- (i) A limit on the hours when children may be present
- (ii) An age limitation (for under 18s)
- (iii) A limitation or exclusion when certain activities are taking place
- (iv) A requirement for children to be accompanied by an adult
- (v) Access may be limited to certain parts of the premises

- (e) No conditions will be imposed requiring that children be admitted to any premises and, where no limitation is imposed, this will be left to the discretion of the individual licensee

- (f) Events provided primarily for children will not be permitted to sell alcohol on or from the premises

- (g) Where internet access is provided measures may be put in place to ensure children are suitably supervised in those areas.



**LP7 Access to Cinemas, Theatres, Auditoriums and similar premises**

- (a) Licensees are required to restrict children from viewing age-restricted films according to the recommendations of the British Board of Film Classification or, where relevant, any age restriction agreed by the Council. The licensee should state in the operating schedule what measures are to be put in place to control such access
  - (b) For regulated entertainment especially presented for children, the Council will, where relevant representations have been made, require the following arrangements in order to control entry to and exit from the premises to ensure their safety:
    - (i) An adult member of staff to be stationed in the vicinity of every exit, subject to there being a minimum of one member of staff per 50 children or part thereof
    - (ii) No child, unless accompanied by an adult, to be permitted in the front two rows of any balcony
    - (iii) No standing to be permitted in any part of the auditorium during the performance
- Note The Council will expect these issues to be satisfactorily addressed in operating schedules. The Council will consider attaching conditions to licences and permissions to prevent harm to children.

**LP8 Public Safety**

Applicants are expected to demonstrate within their application measures to protect public safety, including:

- (a) A current fire risk assessment as required by the Regulatory Reform (Fire Safety) Order 2005. If this has not been undertaken, the Fire Authority are likely to make a relevant representation on public safety grounds
- (b) Safe use of special effects/equipments (lasers, smoke machines, strobe lights etc) which may affect public safety (particularly in music and dance venues and similar premises)
- (c) The availability of up-to-date public transport and car parking information at the premises
- (d) A detailed plan that identifies all existing and proposed fire safety features, including smoke detectors, emergency lighting, sprinkler systems and other safety features. All fire safety measures to be compliant with relevant standards
- (e) All exits to be kept unobstructed, easy to open and clearly signed
- (f) Adequate measures to be in place for disabled people to allow their safe evacuation in the event of an emergency

- (g) The availability of first aid equipment and arrangements for training staff in its use
- (h) Any equipment or fixtures of a particular standard used on the premises to be maintained and inspected with details of checks recorded in a log book.

#### **LP9 Premises Safety**

- (a) Applicants are expected to demonstrate the safety of their premises by ensuring records are kept detailing maintenance checks thereafter in respect of:
  - (i) Periodic electrical inspection
  - (ii) Annual inspection of fire alarm
  - (iii) Annual inspection of hand fire appliances
  - (iv) Emergency lighting inspection and test
- (b) Premises wishing to provide regulated entertainment, or who do not currently adequately ensure safety under current legislation, may also need to comply with prescribed standards. These may include (but are not limited to) additional certificates such as battery discharge, gas safety, passenger lifts, stage equipment, ceilings, and generators.

#### **LP10 Personal Licences**

- (a) When determining a contested application the Council will consider whether the grant of the licence promotes the crime and disorder objective. It will consider the:
  - (i) Seriousness and relevance of any conviction(s)
  - (ii) The period that has elapsed since committing the offence(s)
  - (iii) Any mitigating circumstances.

#### **LP11 Temporary Event Notices**

- (a) The Police have indicated that they will normally object to TENs where:
  - The TEN does not provide sufficient information to alleviate Police concerns
  - The TEN has not been completed fully
  - Insufficient notice has been given for the Police to satisfy themselves that the event would not undermine the crime and disorder objective
  - The premises has a history of complaints or incidents linked to the crime and disorder objective. Alternatively, the premises has had a one off serious incident affecting the crime and disorder objective
  - Previous TENs by the premises user have caused issues of Police concern
  - The premises user has failed to comply with previous advice and recommendations given by the Police with regard to the management of the premises/ event
  - Crime and disorder issues have arisen as a result of previous

temporary events linked to the organiser and/or the premises

- The venue does not already possess a premises licence, or if the event involves a departure from the terms of the premises licence, applicants have not sufficiently demonstrated that the management of the event will meet the requirements set out in the LPs as applicable and proportionate to the nature of the event
- A risk assessment of the event in consultation with and to the satisfaction of the Police has not been provided to the Police 14 days in advance of the event. The Police recommend completion of a Form 696 to help satisfy this.

The Licensing Authority treats the Police as its main source of advice on crime and disorder and so is likely to treat the advice of the Police in matters concerning TENs as worthy of significant weight.

Therefore, applicants are strongly encouraged to have regard to the factors above and provide the following data when notifying the Police and Council of a TEN:

- Accurate premises user contact details as well as alternative contact details to ensure that contact can be made
- Full details of all acts/performers
- Confirmation that the owner of the land/building has consented, preferably in writing, to the TEN
- Confirmation that the building/land are deemed suitable for the proposed TEN both in terms of patron safety and neighbouring premises and occupants safety.

- (b) The premises user is reminded that a fire risk assessment is to be completed or should be in place. Failure to do so may lead to the Fire Authority prohibiting use of the premises under their separate powers
- (c) The freeholder or leaseholder of the premises (where relevant) should have given their permission for the use of the premises for the temporary event
- (d) When the Police have made an objection based on crime and disorder and a Licensing Sub Committee uphold the objection at a hearing, a counter notice will be issued.

## **LP12 Licensing Hours**

Where relevant representations have been made, the Council adopts the following principles.

- (a) The Council supports the principle of flexibility in its approach to licensing hours and will consider the merits of each individual application. The licensing hours fixed will always reflect the individual merits of the application, the relevant representations received and the requirement to promote the licensing objectives.
- (b) Earlier hours may be set if the individual circumstances require it. Later hours will be set where it can be demonstrated by the applicant that there would be no breach of the licensing objectives. In residential areas the Council will not normally grant licences beyond 12 midnight, unless the applicant can demonstrate that operating hours beyond this will not cause

undue disturbance to local residents.

- (c) The Council would expect premises wishing to trade for longer hours to site themselves in places where they will not create disturbances to residential accommodation, and will take a stricter approach to licensing hours in residential areas.
- (d) The Council may impose conditions limiting the hours of usage of an outside area or preventing drinks being taken to the outside area beyond the stated terminal hour.

#### **LP13 Special Policy Area – Shoreditch**

It is the Council's policy that where a relevant representation is made to any application within the area of the Shoreditch SPA, the application will be refused unless there are exceptional circumstances. This policy is to be strictly applied.

The Council expects that any exceptional circumstances offered by the applicant should be genuinely exceptional and so would not include reference to:

- The quality and track record of the management
- The good character of the applicant
- The extent of any variation sought.

#### **LP14 Special Policy Area – Dalston**

All **new or variation** applications within the Dalston SPA will have to show:

- High standards of management
- The quality and track record of the management
- The good character of the applicant

Notwithstanding the above, where a relevant representation is made the policy will be to refuse any new or variation application which seeks to:

- Increase the capacity of an existing premises,
- Extend the hours of operation of an existing premises, or
- Permit any activity/use not identified or allowed for in the table below or,
- Permit any activity/use where there is a genuine concern that the proposal will have a negative impact in the area. For example this may include premises that have a large capacity or are mainly outdoors.

The policy is directed at the concentration of persons in the area and particularly those who have been drinking late at night. Therefore any application will need to demonstrate that it does not add to the issues of cumulative impact in the Dalston area.

[✓ = yes \* = no]

	Sun-Thurs Up to 23.00	Sun-Thurs Up to midnight	Fri& Sat Up to 23.00	Fri& Sat Up to midnight	Mon – Sun Post midnight
Restaurant (with alcohol)	✓	*	✓	✓	*
Restaurant (without alcohol)	n/a	*	✓	✓	*
Takeaways	n/a	*	n/a	*	*
Pubs and Bars	✓	*	✓	✓	*
Nightclubs	*	*	*	*	*
Off Licences	✓	*	✓	*	*
Theatres	✓	✓	✓	✓	*
Cinemas	✓	✓	✓	✓	*
Combined Uses	✓	✓	✓	✓	*
Qualifying Clubs	✓	✓	✓	✓	*

#### **LP15 Cumulative Impact – General**

The Council will give due regard to any relevant representations received where concerns are raised and supported around the negative cumulative impact the proposed application has on one or more of the licensing objectives.

#### **LP16 The Olympic and Paralympic Games 2012**

(a) Where, as a result of representation(s) made, it is identified that a licence, certificate or proposed event presents a risk that the licensing objectives will be undermined, it is likely that such applications will not be granted.

(b) Careful consideration will be given to representations from responsible authorities in relation to licence applications for activities before, during and after the Games which refer to the safety and security of the public.

(c) Particular regard will be given to representations received which highlight that the resources of the Police and other emergency/ regulatory services are insufficient to deal with the risks presented.

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# Agenda Item 4

Licensing Sub-Committee hearings, under the Licensing Act 2003 & Local Government (Miscellaneous Provisions) Act 1982 – Type A [Re; Premises Licence, Club Premises Certificate, Provisional Statement & Sex Establishment Licence]

<p><b>Step 1</b> <b>Appointment of Chair and introduction</b></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><b>Step 2</b> <b>Licensing Officer</b></p>	<p>The Licensing Officer will outline the report.</p>	<p>5 minutes</p>
<p><b>Step 3</b> <b>Applicant's Case</b></p>	<p>The Applicant will present their case in support of their application.</p>	<p>5 minutes</p>
<p><b>Step 4</b> <b>Responsible Authorities' Case</b></p>	<p>The Chair will invite the relevant Responsible Authorities in attendance to highlight their reasons for objecting to the application as contained within the report.</p>	<p>5 minutes each</p>
<p><b>Step 5</b> <b>Other Persons' Case</b></p>	<p>The Chair will invite the Other Persons in attendance to present their case, highlighting their reasons for objecting or supporting the application as contained in their written submissions.</p>	<p>5 minutes each</p>
<p><b>Step 6</b> <b>Discussion</b></p>	<p>The Chair will structure and lead a discussion on the information presented enabling Sub-Committee Members to clarify any points raised and ask questions if necessary.</p>	<p>15 minutes</p>
<p><b>Step 7</b> <b>Closing remarks</b></p>	<p>The Chair will ask Responsible Authorities, Other Persons, Applicants and the Licensing Officer if they have any final comments to make. These comments can <u>only</u> be in relation to issues raised during the discussion. These remarks should be brief.</p>	<p>10 minutes</p>
<p><b>Step 8 - Final clarification</b></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><b>Step 9</b> <b>Consideration</b></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 Sub-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><b>Step 10</b> <b>Chair announces the decision</b></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/uksi/2005/44/contents/made>

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<b>REPORT OF GROUP DIRECTOR, NEIGHBOURHOODS AND HOUSING</b>		
<b>LICENSING SUB-COMMITTEE:</b> 28/06/2016	<b>Classification DECISION</b>	<b>Enclosure</b>
<b>Application for a Premises Licence</b>  Round Chapel Arts Centre, 1d Glenarm Road, E5 0LY	<b>Ward(s) affected</b>  Leabridge	

## 1. SUMMARY

<b>Applicant(s)</b> Hackney Historic Building Trust	<b>In SPA</b> Not Applicable
<b>Date of Application</b> 16/03/2016	<b>Period of Application</b> Permanent
<b>Proposed licensable activity</b> Plays Films Indoor Sporting Events Boxing or Wrestling Entertainment Live Music Recorded Music Performance of Dance Other Entertainment Similar to Live or Rec Music or Dance Performance Late Night Refreshment Supply of Alcohol (On Premises)	
<b>Proposed hours of licensable activities</b>	
<b>Plays</b>  <b>INDOOR:</b>  Indoors	<b>Standard Hours:</b> Mon 12:00-23:00 Tue 12:00-23:00 Wed 12:00-23:00 Thu 12:00-23:00 Fri 12:00-00:00 Sat 12:00-00:00 Sun 12:00-23:00
<b>Films</b>  <b>INDOOR:</b>  Indoors	<b>Standard Hours:</b> Mon 12:00-23:00 Tue 12:00-23:00 Wed 12:00-23:00 Thu 12:00-23:00 Fri 12:00-00:00 Sat 12:00-00:00 Sun 12:00-23:00

<p><b>Indoor Sporting Events</b></p> <p><b>INDOOR:</b></p>	<p><b>Standard Hours:</b>  Mon 12:00-23:00  Tue 12:00-23:00  Wed 12:00-23:00  Thu 12:00-23:00  Fri 12:00-00:00  Sat 12:00-00:00  Sun 12:00-23:00</p>
<p><b>Boxing or Wrestling Entertainment</b></p> <p><b>INDOOR:</b></p> <p>Indoors</p>	<p><b>Standard Hours:</b>  Mon 12:00-23:00  Tue 12:00-23:00  Wed 12:00-23:00  Thu 12:00-23:00  Fri 12:00-00:00  Sat 12:00-00:00  Sun 12:00-23:00</p>
<p><b>Live Music</b></p> <p><b>INDOOR:</b></p> <p>Indoors</p>	<p><b>Standard Hours:</b>  Mon 12:00-23:00  Tue 12:00-23:00  Wed 12:00-23:00  Thu 12:00-23:00  Fri 12:00-00:00  Sat 12:00-00:00  Sun 12:00-23:00</p>
<p><b>Recorded Music</b></p> <p><b>INDOOR:</b></p> <p>Indoors</p>	<p><b>Standard Hours:</b>  Mon 12:00-23:00  Tue 12:00-23:00  Wed 12:00-23:00  Thu 12:00-23:00  Fri 12:00-00:00  Sat 12:00-00:00  Sun 12:00-23:00</p>
<p><b>Performance of Dance</b></p> <p><b>INDOOR:</b></p> <p>Indoors</p>	<p><b>Standard Hours:</b>  Mon 12:00-23:00  Tue 12:00-23:00  Wed 12:00-23:00  Thu 12:00-23:00  Fri 12:00-00:00  Sat 12:00-00:00  Sun 12:00-23:00</p>
<p><b>Other Entertainment Similar to Live or Rec Music or Dance Performance</b></p> <p><b>INDOOR:</b></p> <p>Indoors</p>	<p><b>Standard Hours:</b>  Mon 12:00-23:00  Tue 12:00-23:00  Wed 12:00-23:00  Thu 12:00-23:00  Fri 12:00-00:00  Sat 12:00-00:00  Sun 12:00-23:00</p>

<b>Late Night Refreshment</b>		<b>Standard Hours:</b> Fri 23:00-00:00 Sat 23:00-00:00
<b>INDOOR:</b>		
<b>Supply of Alcohol</b>		<b>Standard Hours:</b> Mon 12:00-23:00 Tue 12:00-23:00 Wed 12:00-23:00 Thu 12:00-23:00 Fri 12:00-00:00 Sat 12:00-00:00 Sun 12:00-23:00
<b>INDOOR:</b>		
<b>The opening hours of the premises</b>		
<b>INDOOR</b>		<b>Standard Hours:</b> Mon 12:00-23:00 Tue 12:00-23:00 Wed 12:00-23:00 Thu 12:00-23:00 Fri 12:00-00:00 Sat 10:00-00:00 Sun 10:00-23:00
<b>Capacity:</b> Not known		
<b>Policies Applicable</b>	LP3 (Operating Schedule), LP4 (Crime and Disorder), LP5 (Public Nuisance), LP6 (Protection of Children from Harm), LP8 (Public Safety),	
<b>List of Appendices</b>	A – Application for a premises licence and supporting documents B – Representations from responsible authorities C – Representations from other persons D – Location map	
<b>Relevant Representations</b>	<ul style="list-style-type: none"> <li>• Environmental Health Authority (Pollution and Environmental Enforcement)</li> <li>• Licensing Authority</li> <li>• Other Persons</li> </ul>	

## 2. APPLICATION

2.1 **Hackney Historic Building Trust** has made an application for a premises licence under the Licensing Act 2003:

- To supply alcohol for consumption **on** the premises
- Regulated entertainment
- Late night refreshment

2.2 The application is attached as Appendix A. The applicant has proposed measures that could be converted to conditions (see paragraph 8.1 below).

## 3. CURRENT STATUS / HISTORY

- 3.1 The premises are not currently licensed for any activity, although the annual Pigs Ear Beer Festival has in recent years obtained a 6 day time limited premises licence for sale of alcohol.
- 3.2 Temporary Event Notices have been submitted for the venue during the current calendar year as follows:

Start date	End date	Start time	End time
14/01/2016	14/01/2016	19.00	23.00
17/02/2016	17/02/2016	19.00	23.30
17/03/2016	17/03/2016	19.00	23.00
16/04/2016	16/04/2016	19.00	23.30
23/04/2016	23/04/2016	12.00	22.00
01/05/2016	01/05/2016	10.00	23.00

#### 4. REPRESENTATIONS: RESPONSIBLE AUTHORITIES

From	Details
Environmental Health Authority (Pollution)	No representation received
Environmental Health Authority (Environmental Enforcement) (Appendix B1)	Representation received on the grounds of the prevention of public nuisance
Environmental Health Authority (Health & Safety)	Have confirmed no representation on this application
Weights and Measures (Trading Standards)	Have confirmed no representation on this application
Planning Authority	Have confirmed no representation on this application
Area Child Protection Officer	No representation received
Fire Authority	Have confirmed no representation on this application
Police	Representation has been withdrawn following acceptance of proposed conditions..
Licensing Authority (Appendix B2)	Representation received on the grounds of The Prevention of Public Nuisance,
Health Authority	Have confirmed no representation on this application

#### 5. REPRESENTATIONS: OTHER PERSONS

From	Details
Representation received from and on behalf of local residents. (Appendices C1-C7)	7 representation received on the grounds of The Prevention of Crime and Disorder, Public Safety, Prevention of Public Nuisance, 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 LP3 (Operating Schedule), LP4 (Crime and Disorder), LP5 (Public Nuisance), LP6 (Protection of Children from Harm), LP8 (Public Safety), are relevant.

## **8. OFFICER OBSERVATIONS**

- 8.1 If the Sub-Committee is minded to approve the application, the following conditions should be applied the licence:

### **Supply of Alcohol (On/Both)**

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.

(e) 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).

4. The responsible person must ensure that free potable water is provided on request to customers where it is reasonably available.

5.5.1. 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

6. The responsible person must 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

b) these measures are displayed in a menu, price list or other printed material which is available to customers on the premises; and

c) 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. 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 rate 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

(iii) 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;

(c) "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;
- (d) “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
- (e) “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 7.2(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.

### **Conditions derived from operating schedule**

9. Any provision of alcohol at events shall be ancillary to the event itself. Hirers must show that they will break-even or make a profit without the sale of alcohol and that the provision of alcohol is supplementary to the exhibition, performance or event programmed.

10. Hirers are inducted at the commencement of every event with regards to potential risk, health and safety policies, the fire management plan and evacuation procedures. Detailed risk assessments are carried out prior to events in conjunction with the hirer. Bar operators are reminded of their legal duties and the required duty of care they have in respect of the attending public.

11. Children are only admitted to the building accompanied by an adult for matinee performances. Children are not permitted when alcohol is being served unless they are babies in arms

### **Conditions derived from Responsible Authority representations**

12. 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 Police or authorised officer.

13. 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.

14. 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:

- a. all crimes reported to the venue
- b. any complaints received
- c. any incidents of disorder
- d. any faults in the CCTV system
- e. any refusal of the sale of alcohol
- f. any visit by a relevant authority or emergency service.

15. 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.

16. 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.

17. There shall be no glass, drinks or open containers taken outside of the premises at any time.

18. The premises will display and maintain appropriate signage advising customers of the contact details of the Designated Premises Supervisor.

19. 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.

20. 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 authorised officer immediately upon request.

21. There shall be a written dispersal policy at the venue. This shall be kept on the premises and shall be produced to a police officer or other authorised officer upon request.

## **9. REASONS FOR OFFICER OBSERVATIONS**



9.1 Conditions 9 to 11 above are derived from the applicant's operating schedule. Conditions 12 to 21 have been proposed by the police and have been accepted by the applicant.

## 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

### A. Option 1

**That the application be refused**

### B. 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.

<b>Group Director, Neighbourhoods and Housing</b>	Kim Wright
<b>Lead Officer (holder of original copy):</b>	Mike Smith Principal Licensing Officer Licensing Service 2 Hillman Street E8 1FB Telephone: 020 8356 4973

## LIST OF BACKGROUND PAPERS RELATING TO THIS REPORT

The following document(s) has been relied upon in the preparation of the report.

Description of document	Location
<b>Office File:</b> Round Chapel Arts Centre, 1d Glenarm Road, E5 0LY	Licensing Service 2 Hillman Street London E8 1FB

### Printed matter

Licensing Act 2003

LBH Statement of Licensing Policy

Hackney LA01	Application for a premises licence to be granted under the Licensing Act 2003
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**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 Hackney Historic Buildings Trust  
(Insert name(s) of applicant)

apply for a premises licence under section 17 of the Licensing Act 2003 for the premises described in Part 1 below (the premises) and I/we are making this application to you as the relevant licensing authority in accordance with section 12 of the Licensing Act 2003

**Part 1 – Premises Details**

Postal address of premises or, if none, ordnance survey map reference or description The Round Chapel ROUND CHAPEL ARTS CENTRE 1D GLENARM ROAD HACKNEY LONDON			
Post town	LONDON	Post code	E5 0LY
Telephone number at premises (if any)	[REDACTED]		
Non-domestic rateable value of premises	£23750		

**Part 2 - Applicant Details**

Please state whether you are applying for a premises licence as  
Please tick yes

a)	an individual or individuals *	<input type="checkbox"/>	please complete section (A)
b)	a person other than an individual *	<input type="checkbox"/>	

	i.	as a limited company	..	please complete section (B)
	ii.	as a partnership	..	please complete section (B)
	iii	as an unincorporated association or	..	please complete section (B)
	iv	other (for example a statutory corporation)	..	please complete section (B)
c)		a recognised club	..	please complete section (B)
d)		a charity	<input checked="" type="checkbox"/>	please complete section (B)
e)		the proprietor of an educational establishment	..	please complete section (B)
f)		a health service body	..	please complete section (B)
g)		a person who is registered under Part 2 of the Care Standards Act 2000 (c14) in respect of an independent hospital in Wales	..	please complete section (B)
ga		a person who is registered under Chapter 2 of Part 1 of the Health and Social Care Act 2008 (within the meaning of that Part) in an independent hospital in England	..	please complete section (B)

h)	the chief officer of police of a police force in England and Wales		please complete section (B)
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\* If you are applying as a person described in (a) or (b) please confirm:

Please tick yes

- I am carrying on or proposing to carry on a business which involves the use of the premises for licensable activities; or
- I am making the application pursuant to a
  - statutory function or   a function discharged by virtue of Her Majesty's prerogative

**(A) INDIVIDUAL APPLICANTS (fill in as applicable)**

<b>Title</b> Mr			
<b>Surname</b>		<b>First names</b>	
<b>I am 18 years old or over</b>			Please tick yes
<b>Current postal address if different from premises address</b>		UK-England	
<b>Post Town</b>		<b>Postcode</b>	
<b>Daytime contact telephone number</b>			
<b>E-mail address (optional)</b>			

**SECOND INDIVIDUAL APPLICANT (if applicable)**

<b>Title</b>	
Mr	
<b>Surname</b>	<b>First names</b>
<b>I am 18 years old or over</b>	
Please tick yes	

<b>Current postal address if different from premises address</b>		UK-England	
<b>Post Town</b>		<b>Postcode</b>	
<b>Daytime contact telephone number</b>			
<b>E-mail address (optional)</b>			

**(B) OTHER APPLICANTS**

Please provide name and registered address of applicant in full. Where appropriate please give any registered number. In the case of a partnership or other joint venture (other than a body corporate), please give the name and address of each party concerned

<b>Name</b> Hackney Historic Buildings Trust
<b>Address</b> 1d Glenarm Road Hackney London E5 0LY
<b>Registered number (where applicable)</b> Registered Charity 291468 Company Number 01879857
<b>Description of applicant (for example, partnership, company, unincorporated association)</b> Registered Charity Company Limited by Guarantee
<b>Telephone number (if any)</b> 0208 [REDACTED]
<b>E-mail address (optional)</b> [REDACTED]

**Part 3 Operating Schedule**

When do you want the premises licence to start?	02-05-2016
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If you wish the licence to be valid only for a limited period, when do you want to end?

it

Please give a general description of the premises (please read guidance note 1)

Provision of regulated entertainment		Please tick any that apply
a)	plays (if ticking yes, fill in box A)	<input checked="" type="checkbox"/>
b)	films (if ticking yes, fill in box B) <input type="checkbox"/> <input type="checkbox"/>	<input checked="" type="checkbox"/>
c)	indoor sporting events (optional, fill in box C)	<input checked="" type="checkbox"/>
d)	boxing or wrestling entertainment (if ticking yes, fill in box D)	<input checked="" type="checkbox"/>
e)	live music (optional, fill in box E) <input type="checkbox"/>	<input checked="" type="checkbox"/>
f)	recorded music (if ticking yes, fill in box F)	<input checked="" type="checkbox"/>
g)	performances of dance (optional, fill in box G)	<input checked="" type="checkbox"/>

h) anything of a similar description to that falling within (e), (f) or (g) (if ticking yes, fill in box H)	<input checked="" type="checkbox"/>
<b>Provision of late night refreshment</b> (if ticking yes, fill in box L)	<input checked="" type="checkbox"/>
<b>Supply of alcohol</b> (if ticking yes, fill in box J)	<input checked="" type="checkbox"/>

A former church building with a ground floor area of approximately 500m2 with balcony. The building is hired to clients for weddings and festivals and occasional ticketed concerts live performance and film shows.

If 5,000 or more people are expected to attend the premises at any one time, please state the number expected to attend.	
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What licensable activities do you intend to carry on from the premises?

(Please see sections 1 and 14 of the Licensing Act 2003 and Schedules 1 and 2 to the Licensing Act 2003)

Complete boxes K, L and M (optional)

**A**

Plays Standard days and timings (please read guidance note 6)			<u>Will the performance of a play take place indoors or outdoors or both – please tick</u> (please read guidance note 2)	Indoors	<input checked="" type="checkbox"/>
Day	Start	Finish		Outdoors	
Mon	12:00	23:00	<b>Please give further details here</b> (please read guidance note 3) These hours are requested to allow hirers the potential to operate within these times	Both	
Tue	12:00	23:00			
Wed	12:00	23:00	<b>State any seasonal variations for performing plays</b> (please read guidance note 4)		
Thur	12:00	23:00			



			<p><b><u>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 5)</u></b></p>
Fri	12:00	00:00	
Sat	12:00	00:00	
Sun	12:00	23:00	

**B**

Films Standard days and timings (please read guidance note 6)			<p><b><u>Will the exhibition of films take place indoors or outdoors or both – please tick (please read guidance note 2)</u></b></p>	Indoors	<input checked="" type="checkbox"/>
Day	Start	Finish		Outdoors	<input type="checkbox"/>
				Both	<input type="checkbox"/>
Mon	12:00	23:00	<p><b><u>Please give further details here (please read guidance note 3)</u></b> These hours are requested to allow hirers the potential to operate within these times</p>		
Tue	12:00	23:00			
Wed	12:00	23:00	<p><b><u>State any seasonal variations for the exhibition of films (please read guidance note 4)</u></b></p>		
Thur	12:00	23:00			
Fri	12:00	00:00	<p><b><u>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 5)</u></b></p>		
Sat	12:00	00:00			
Sun	12:00	23:00			

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**C**

<b>Indoor sporting events</b> Standard days and timings (please read guidance note 6)			<b><u>Please give further details</u></b> (please read guidance note 3) These hours are requested to allow hirers the potential to operate within these times
Day	Start	Finish	
Mon	12:00	23:00	
Tue	12:00	23:00	<b><u>State any seasonal variations for indoor sporting events</u></b> (please read guidance note 4)
Wed	12:00	23:00	
Thur	12:00	23:00	<b><u>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</u></b> (please read guidance note 5)
Fri	12:00	00:00	
Sat	12:00	00:00	
Sun	12:00	23:00	

**D**

<b>Boxing or wrestling entertainments</b> Standard days and timings (please read guidance note 6)			<b><u>Will the boxing or wrestling entertainment take place indoors or outdoors or both – please tick</u></b> (please read guidance note 2)	
Day	Start	Finish		
Mon	12:00	23.00	Indoors	<input checked="" type="checkbox"/>
			Outdoors	<input type="checkbox"/>
			Both	<input type="checkbox"/>

			<b>Please give further details here</b> (please read guidance note 3) These hours are requested to allow hirers the potential to operate within these times
Tue	12:00	23:00	
			<b>State any seasonal variations for boxing or wrestling entertainment</b> (please read guidance note 4)
Wed	12:00	23:00	
Thur	12:00	23:00	
			<b>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</b> (please read guidance note 5)
Fri	12:00	00:00	
Sat	12:00	00:00	
Sun	12:00	23:00	

**E**

<b>Live music</b> Standard days and timings (please read guidance note 6)			<b>Will the performance of live music take place indoors or outdoors or both – please tick</b> (please read guidance note 2)	Indoors	<input checked="" type="checkbox"/>
				Outdoors	<input type="checkbox"/>
				Both	<input type="checkbox"/>
<b>Day</b>	<b>Start</b>	<b>Finish</b>	<b>Please give further details here</b> (please read guidance note 3) These hours are requested to allow hirers the potential to operate within these times		
Mon	12:00	23:00			
Tue	12:00	23:00			
			<b>State any seasonal variations for the performance of live music</b> (please read guidance note 4)		
Wed	12:00	23:00			
Thur	12:00	23:00			

Fri	12:00	00:00	<p><b><u>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</u></b> (please read guidance note 5)</p> <p>There may be a possibility for music festival events to require an earlier start time but no earlier than 11.00am</p>
Sat	12:00	00:00	
Sun	12:00	23:00	

**F**

<b>Recorded music</b> Standard days and timings (please read guidance note 6)			<b><u>Will the playing of recorded music take place indoors or outdoors or both – please tick</u></b> (please read guidance note 2)	Indoors	<input checked="" type="checkbox"/>
				Outdoors	<input type="checkbox"/>
				Both	<input type="checkbox"/>
Day	Start	Finish			
Mon	12:00	23.00	<p><b><u>Please give further details here</u></b> (please read guidance note 3)</p> <p>These hours are requested to allow hirers the potential to operate within these times</p>		
Tue	12:00	23.00			
Wed	12:00	23.00	<p><b><u>State any seasonal variations for the playing of recorded music</u></b> (please read guidance note 4)</p>		
Thur	12:00	23:00			
Fri	12:00	00:00	<p><b><u>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</u></b> (please read guidance note 5)</p>		
Sat	12:00	00:00			
Sun	12:00	23:00			

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**G**

<b>Performances of dance</b> Standard days and timings (please read guidance note 6)			<b><u>Will the performance of dance take place indoors or outdoors or both – please tick</u></b> (please read guidance note 2)	Indoors	<input checked="" type="checkbox"/>
				Outdoors	
				Both	
Day	Start	Finish	<b><u>Please give further details here</u></b> (please read guidance note 3) These hours are requested to allow hirers the potential to operate within these times		
Mon	12:00	23:00			
Tue	12:00	23:00			
Wed	12:00	23:00			
			<b><u>State any seasonal variations for the performance of dance</u></b> (please read guidance note 4)		
Thur	12:00	23:00			
Fri	12:00	00:00			
			<b><u>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</u></b> (please read guidance note 5)		
Sat	12:00	00:00			
Sun	12:00	23:00			

**H**

<b>Anything of a similar description to that falling within (e), (f) or (g)</b> Standard days and timings (please read guidance note 6)			<b><u>Please give a description of the type of entertainment you will be providing</u></b> Combined live performance, cabaret performances using multiple art forms and audio visuals.		
Day	Start	Finish			
			Indoors	<input checked="" type="checkbox"/>	

Mon	12:00	23:00	<b><u>Will this entertainment take place indoors or outdoors or both – please tick</u></b> (please read guidance note 2)	Outdoors	
				Both	
Tue	12:00	23:00	<b><u>Please give further details here</u></b> (please read guidance note 3) These hours are requested to allow hirers the potential to operate within these times		
Wed	12:00	23:00			
Thur	12:00	23:00	<b><u>State any seasonal variations for entertainment of a similar description to that falling within (e), (f) or (g)</u></b> (please read guidance note 4)		
Fri	12:00	00:00			
Sat	12:00	00:00	<b><u>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</u></b> (please read guidance note 5)		
Sun	12:00	23:00			

**I**

<b>Late night refreshment</b> Standard days and timings (please read guidance note 6)			<b><u>Will the provision of late night refreshment take place indoors or outdoors or both – please tick</u></b> (please read guidance note 2)	Indoors	<input checked="" type="checkbox"/>
				Outdoors	
				Both	
Day	Start	Finish	<b><u>Please give further details here</u></b> (please read guidance note 3) These hours are requested to allow hirers the potential to operate within these times		
Mon					
Tue					

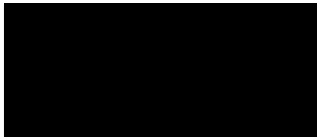

Wed			<b><u>State any seasonal variations for the provision of late night refreshment</u></b> (please read guidance note 4)
Thur			
Fri	12:00	00:00	<b><u>Non standard timings. Where you intend to use the premises for the provision of late night refreshment at different times, to those listed in the column on the left, please list</u></b> (please read guidance note 5)
Sat	12:00	00:00	
Sun			

**J**

<b>Supply of alcohol</b> Standard days and timings (please read guidance note 6)			<b><u>Will the supply of alcohol be for consumption (Please tick box)</u></b> (please read guidance note 7)	On the premises	<input checked="" type="checkbox"/>
				Off the premises	<input type="checkbox"/>
				Both	<input type="checkbox"/>
Day	Start	Finish			
Mon	12:00	23:00	<b><u>State any seasonal variations for the supply of alcohol</u></b> (please read guidance note 4)		
Tue	12:00	23:00			
Wed	12:00	23:00			
Thur	12:00	23:00	<b><u>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</u></b> (please read guidance note 5)		
Fri	12:00	00:00			

Sat	12:00	00:00
Sun	12:00	23:00

**State the name and details of the individual whom you wish to specify on the licence as designated premises supervisor:**

Name : Mr LloydPhilip	
Address 	
UK-England	
Postcode	
Personal licence number (if known)	
Issuing licensing authority (if known) Hackney	

**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 8).**

**L**



<b>Hours premises are open to the public</b> Standard timings (please read guidance note 6)			<b>State any seasonal variations</b> (please read guidance note 4)	
Day	Start	Finish		
Mon	12:00	23:00		
Tue	12:00	23:00		
Wed	12:00	23:00		
Thur	12:00	23:00		<b><u>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</u></b> (please read guidance note 5)
Fri	12:00	00:00		
Sat	10:00	00:00		
Sun	10:00	23:00		

**M** Describe the steps you intend to take to promote the four licensing objectives:

**a) General – all four licensing objectives (b,c,d,e)** (please read guidance note 9)

Hackney Historic Buildings Trust, the owners and operators of the Round Chapel exist to preserve and improve the fabric and structure of the chapel and St Augustine's Tower. In order to do this the trust raises money by hiring the chapel hall to private individuals, event companies and promoters. As a core policy the trust only hires out the building to reputable individuals and companies who have been vetted. It is our aim to provide a safe, welcoming environment to audiences who are attending events at the Round Chapel. We exist to protect the buildings in our care and therefore we do not allow any event where the audience are encouraged to become intoxicated or behave in a rowdy fashion - This will inevitably lead to damage to our listed building, annoyance to neighbours and an unwanted reputation. We have operated successfully and gained valuable experience operating under Temporary Events Notices and working with reputable hirers to operate low-key daytime and evening events.

**b) The prevention of crime and disorder**

Any provision of alcohol at events is ancillary to the event itself. Hirers must show that they will break-even or make a profit without the sale of alcohol and that the provision of alcohol is supplementary to the exhibition, performance or event programmed. Where a significant crowd is expected the Round Chapel insists on a high ratio of stewards and security personnel to effectively maintain orderly standards of behaviour both inside the hall and externally also.

Strict policies are in place regarding intoxication of the public and the prevention of drug-taking or drug dealing.

**c) Public safety**

We take the safety of our attendees very seriously. Hirers are inducted at the commencement of every event with regards to potential risk, health and safety policies, the fire management plan and evacuation procedures. Detailed risk assessments are carried out prior to events in conjunction with the hirer. Bar operators are reminded of their legal duties and the required duty of care they have in respect of the attending public.

**d) The prevention of public nuisance**

We are not a late night venue and all licensable activities cease at 11.00pm Sunday to Thursday and 12.00 midnight Friday and Saturday. The building and grounds are cleared in an efficient manner to ensure the safe and orderly dispersal of audiences.

**e) The protection of children from harm**

Children are only admitted to the building accompanied by an adult for matinee performances. Children are not permitted when alcohol is being served unless they are babes in arms.

**Checklist:**

**Please tick to indicate agreement**

- I have enclosed the plan of the premises.
- I have sent copies of this application and the plan to responsible authorities and  other s where applicable.
- I have enclosed the consent form completed by the individual I wish to be designated premises supervisor, if applicable.
- I understand that I must now advertise my application.
- I understand that if I do not comply with the above requirements my application will be

ted.

**IT IS AN OFFENCE, LIABLE ON SUMMARY CONVICTION TO A FINE NOT EXCEEDING LEVEL 5 ON THE STANDARD SCALE, UNDER SECTION 158 OF THE LICENSING ACT 2003, TO MAKE A FALSE STATEMENT IN OR IN CONNECTION WITH THIS APPLICATION.**

**Part 4 – Signatures** (please read guidance note 10)

**Signature of applicant or applicant’s solicitor or other duly authorised agent** (see guidance note 11). **If signing on behalf of the applicant, please state in what capacity.**

<b>Signature</b>	Philip Lloyd
<b>Date</b>	10/3/2016
<b>Capacity</b>	General Manager

**For joint applications, signature of 2<sup>nd</sup> applicant or 2<sup>nd</sup> applicant’s solicitor or other authorised agent** (please read guidance note 12). **If signing on behalf of the applicant, please state in what capacity.**

<b>Signature</b>	
<b>Date</b>	10/3/2016
<b>Capacity</b>	

Contact name (where not previously given) and postal address for correspondence associated with this application (please read guidance note 13)

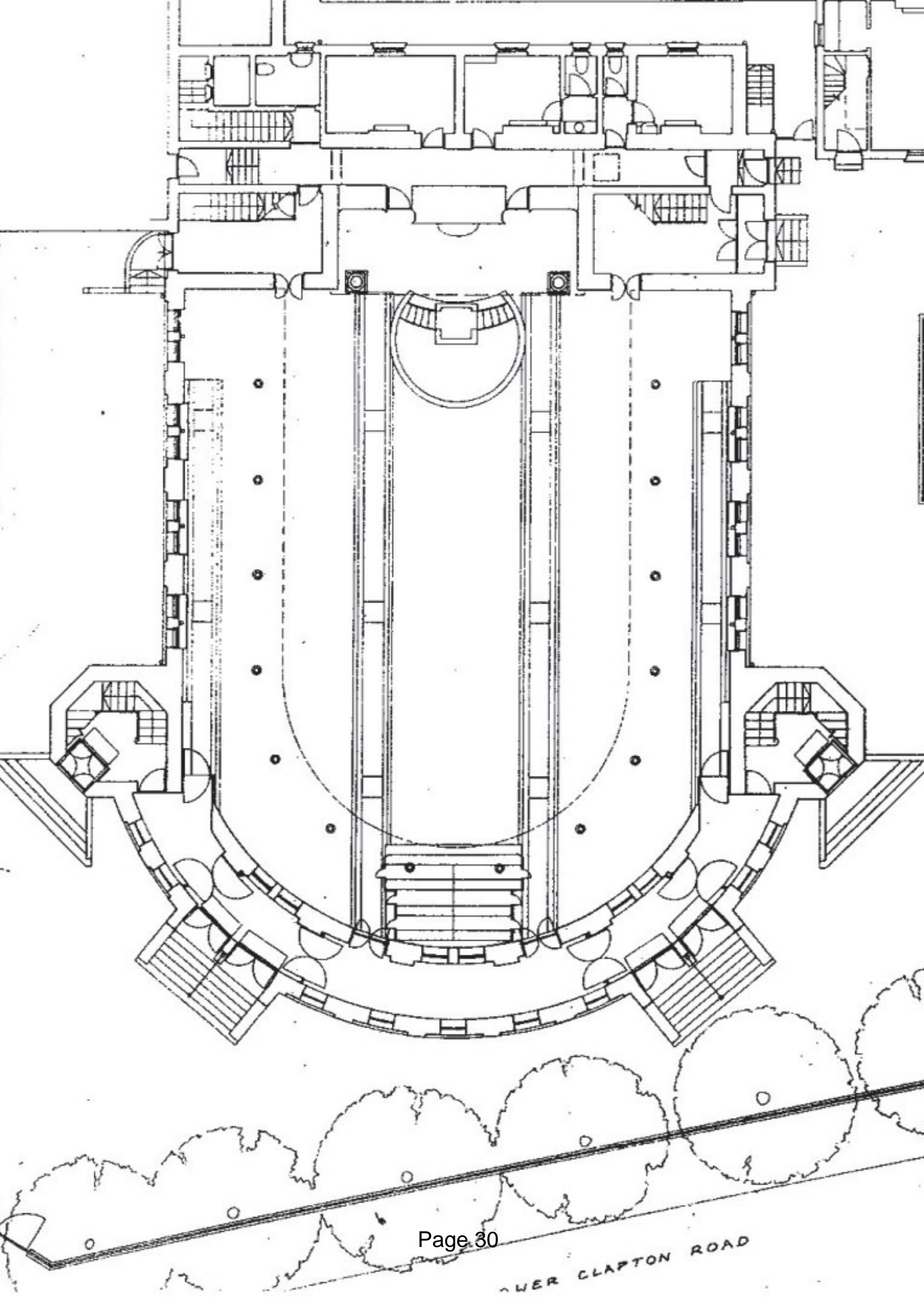
**Premises Address**

UK-England

<b>Post town</b>		<b>Postcode</b>	
<b>Telephone number (if any)</b>			
If you would prefer us to correspond with you by e-mail, your e-mail address (optional)			

**Notes for Guidance**

1. 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 for consumption of these off-supplies, you must include a description of where the place will be and its proximity to the premises.



ON THE WALL

NO. 01 REVISED

**CAZENOVE**  
ARCHITECTS CO. OPERATIVE

NO. 30

THE ROUND CHAPEL  
LOWER CLAPTON E3

FOR  
H.B.T.

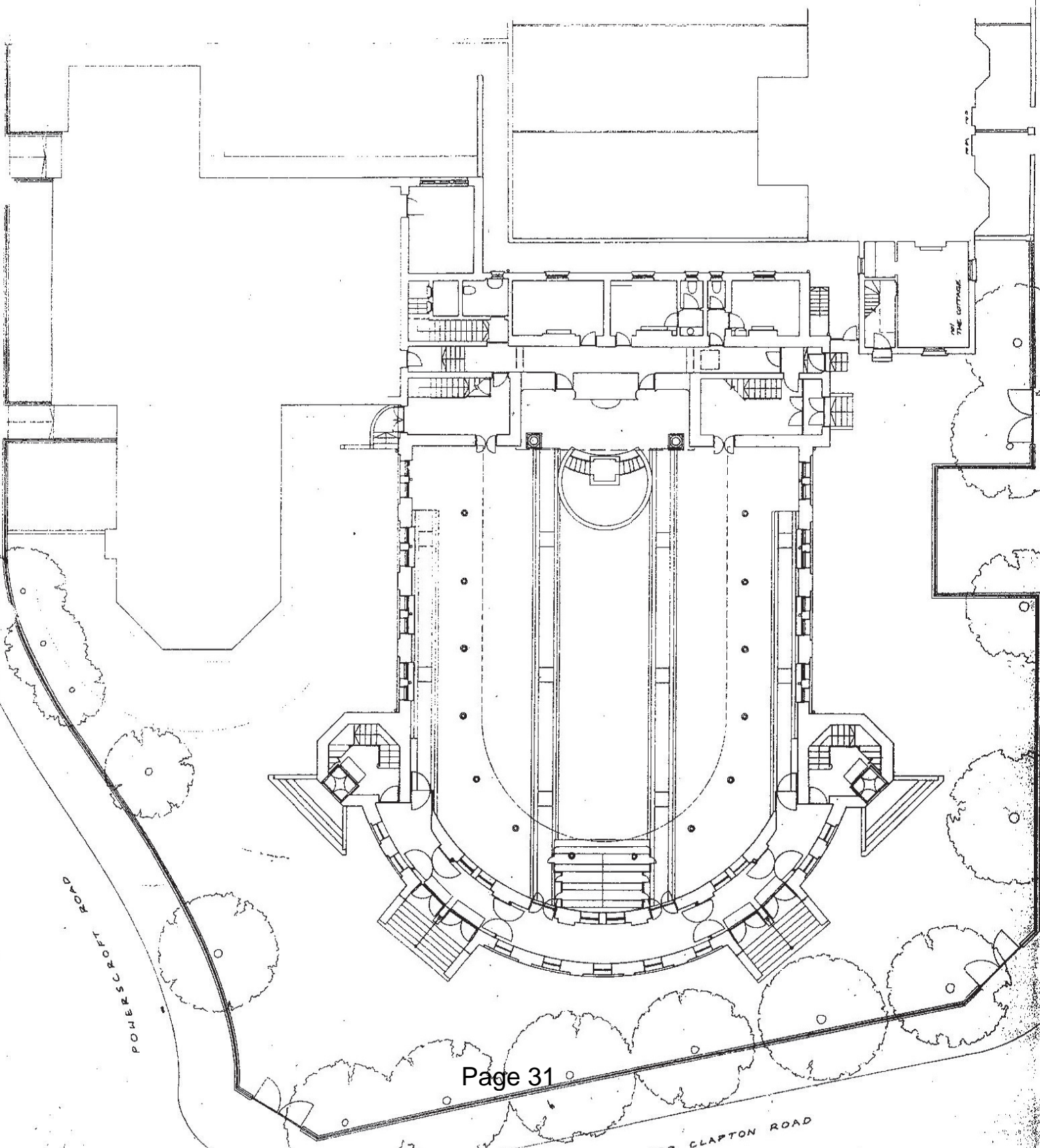
1118

GROUND FLOOR PLAN  
EXISTING

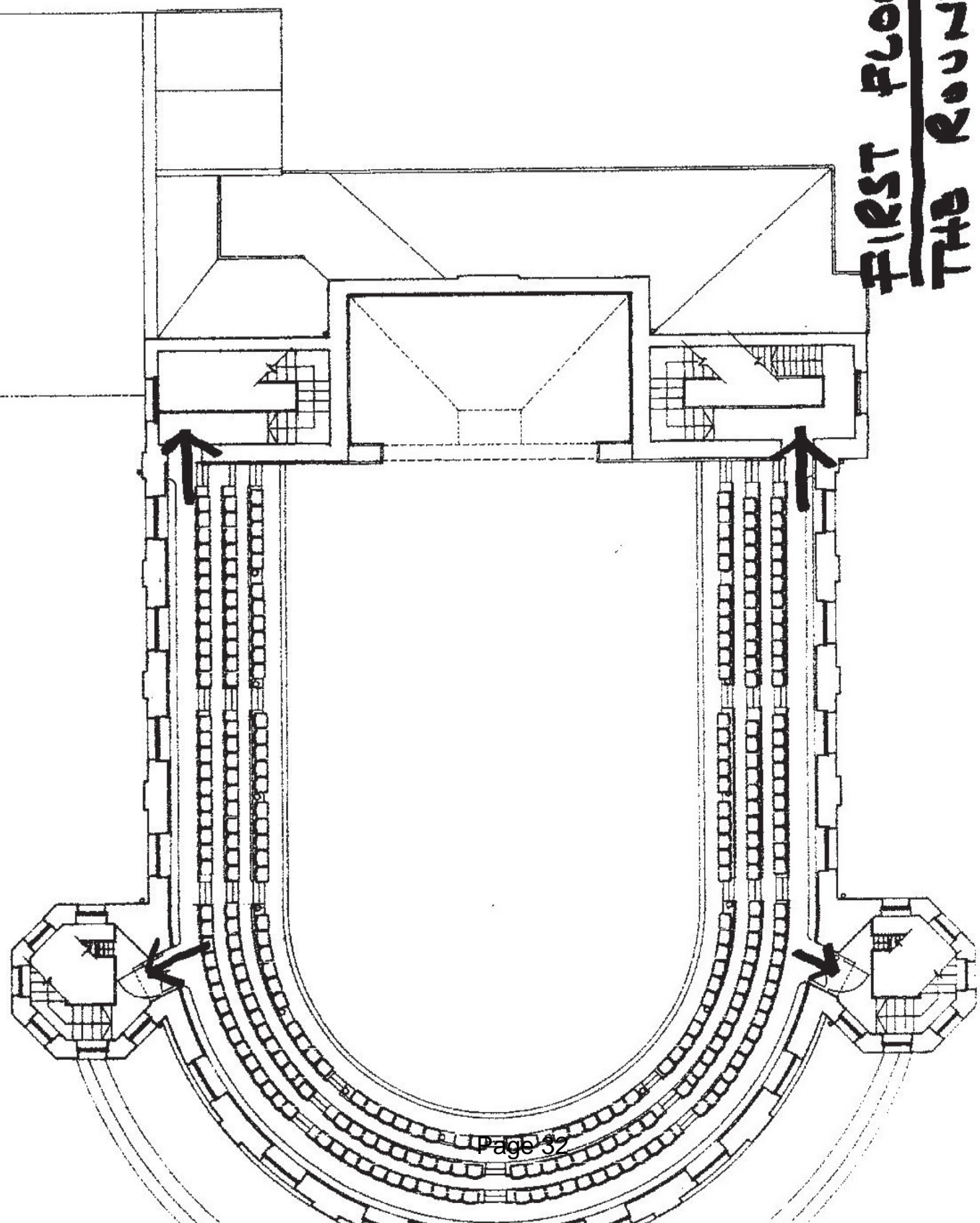
NO. 1:200

NOVEMBER 1939

610/102  
B



FIRST FLOOR,  
THE ROUND CHAPEL,  
LOWER GUAPTON RO





## **An Invitation from the Hackney Historic Buildings Trust to Discuss our Licensing Proposal for the Round Chapel**

**Dear Neighbours,**

**I expect you have heard about our application to have a Premises Licence at the Round Chapel and I know that some of you have written to the Council to express your concerns about it.**

**We have asked Hackney Council to defer considering the application for a licence so that we can meet local residents and we would like to invite you to a meeting at the Round Chapel on [May 24 at 7.00pm](#) when we can explain our plans and you can express any concerns you have about them. We would also like this to be an opportunity to hear about any other issues you have about the way we manage the premises so that we can do everything we can to be a good neighbour.**

**Clearly we need to explain ourselves better and listen to your concerns. From some of the comments made there may be some misunderstanding about what we are planning to do. As you probably know, our mission is to look after this building that we took over more than 20 years ago when its future was in doubt. It is a very expensive building to look after and we raise the money to do this by a wide variety of hires including concerts, weddings, meetings, memorial services, ceilidhs, film shoots and the annual Beer Festival.**

**Many of our hires such as the Hackney Schools Music Festival, the Vintage Fairs, weddings or wedding receptions do not require a premises license, The licensing proposal will make no difference to these events. We try to manage**

these events to prevent any anti-social behaviour but, if we are not doing as well as we should, then that is something we can and should discuss.

Licences are required for specific public events, generally where alcohol is sold. Over the last year events have included a wine tasting, and with a bar within the event, a jazz concert, a music festival, a ceilidh, and a film night, each ending at times between 5 pm and 11.30 pm. These require a licence called a Temporary Events Notice for each event.

We plan to continue with a similar range of events as a result of our getting a Premises Licence and we are definitely not extending our hours, or planning a nightclub. Indeed, as part of the proposed licence we have agreed with the Metropolitan Police that the bar will close 30 minutes before the end of each event. Having a Licence in place provides more certainty to attract new users such as the Royal Academy of Music for 6 nights in the Autumn, and the East London Comics and Arts Festival, and have less reliance on private events

At a different scale the Annual Pig's Ear Beer and Cider Festival in December has been a regular event over a number of years. We think that this is well managed by CAMRA but if there are any concerns, we would like to hear them. One last point to clear up is that we do not run the Hall in Powerscroft Road which is owned and managed by the Clapton Park United Reformed Church. We have also offered them an invitation to attend.

**We invite you to come and discuss these matters with us at the Round Chapel on Tuesday May 24th at 7.00pm**

If you cannot attend, or if you would like to discuss any concerns you have then you can contact us on [info@hhbt.org.uk](mailto:info@hhbt.org.uk) or 020 8986 0029.

**From Patrick Hammill,**

**Chair of Trustees**



**HACKNEY HISTORIC BUILDINGS TRUST**  
**Note of Meeting the Neighbours meeting at the Round Chapel on Tuesday**  
**19.00-20.15 on 24<sup>th</sup> May 2016**

**Present**

[REDACTED]	HHBT Trustee
[REDACTED]	HHBT trustee
[REDACTED]	HHBT General Manager
[REDACTED]	United Reformed Church
[REDACTED]	6 Glenarm Road
[REDACTED]	3A Glenarm Road
[REDACTED]	15 Powerscroft Road
[REDACTED]	17 Powerscroft Road
[REDACTED]	17 Powerscroft Road
[REDACTED]	5A Glenarm Road
[REDACTED]	4 Glenarm Road
[REDACTED]	21 Powerscroft Road
[REDACTED]	13 Clapton Passage
[REDACTED]	1B Glenarm Road
[REDACTED]	25 Powerscroft Road

*(Background – a letter was distributed to the adjoining dwellings in nos 1 to 49 and 2 to 46 Glenarm Road and nos 1 – 67 and 4 -32a Powerscroft Road inviting them to this public meeting about the application for a licence. Copy attached)*

**Patrick** made the following points in opening about the way we run the Round Chapel at present:

- Hackney Historic Buildings Trust (which is non-profit-making) currently lets out the building for licensed events at the Round Chapel using the Temporary Event Notice (TENS) procedure, and for other events.
- Private parties or events, where alcohol is not sold to the public, do not require a licence
- Under the terms of our planning permission we are restricted in our hours of opening to 11.30pm Sunday to Thursday and 12.30am on Friday and Saturday

- Some events such as boxing (which has happened twice in the last year) and most public performances require either a TEN or a premises licence.
- For the Pigs Ear Beer Festival an application is made for a specific premises licence.
- Applying for a premises license is a blunt instrument, designed to cover all kinds of events, you tick the boxes and provide the information required. It does not reflect the way we wish to run the Round Chapel or our ambition of changing the types of uses with fewer private parties and more public performances by arts based organisations.

It is important to note that our application for a licence

- Will not alter or extend open hours. Indeed, events will close earlier than currently allowed and in addition it has been agreed with the local police that any bar will shut 30 mins before the end of licensed events.
- Will not result in the Round Chapel becoming a nightclub or a drinking venue. Indeed, it is a condition of the planning permission that the Round Chapel cannot be used as nightclub.
- It will also be a condition of the licence that all licensed events will have their costs covered by entry costs excluding drink sales, together with a duty to avoid sales that would lead to excess consumption of alcohol.
- Will result in better security measures including CCTV and SIA registered security personnel and (i.e. Security Industry Authority approved stewards) that will be required under the License.
- Will hopefully enable us to attract more business, particularly public performances, such as the forthcoming Royal Academy of Music event (two weeks rehearsal/preparation and 6 nights of public performances finishing earlier) and reduce HHBT's dependence on bookings for private parties,
- Will reduce costs and paperwork for HHBT as it avoids the need to make separate application for each licensed event.

Patrick explained how the HHBT operates. It has owned and run the Round Chapel since 1995 which it acquired the building from the United Reformed Church. The Old School Rooms on the Powerscroft Road remains in the ownership of the URC.

HHBT hires out the Hall for a wide variety of events to raise funds to maintain and repair the church and after 20 years there are some serious costs building

up. There is a very wide variety of events including the Hackney Schools Music Festival, the Beer Festival, filming (e.g. Halifax advertisement) and film nights, memorial services, civil weddings, and wedding parties.

There is intensive use on Fridays and (particularly) Saturdays and under-use during weekdays and weekday evenings: broadly 90% weekend bookings and only 10% during Monday to Thursday. HHBT would like to alter the mix with more ticketed performance type of events which finish earlier and with the doors being open to the wider community.

██████ said the main problem was that people hung around well after events finished. If an event finishes at 12 people may not leave till 1. He would like to see private events finishing earlier.

██████ said that drunken people create problems dispersing drink, pee and vomit in Powerscroft Road, and especially in her front garden. It was agreed that the problem was much worse in Powerscroft than Glenarm as far more people seem to walk that way.

██████ said that the problem is worse in summer months when people congregate out at the front and make noise.

██████ said that licensing of itself would make this problem less not greater. The bar would be closed 30 mins before the allowable time and there would be CCTV and door staff to watch over behaviour in the gravel area at the front of the Round Chapel.

██████ said that he was supportive of the Round Chapel and of the licence but the concern is that noise goes on well after the bars closed.

After more contributions there was agreement that most of the difficulties are around the dispersal of people at the end of events and that many of the problems really arise from wedding and other private parties which are not licensed.

██████ explained that if licensed business, such as concerts, replace wedding parties, it should alleviate the problem as those events often finish earlier in the evening. HHBT has been told that the Royal Academy of Music performances will finish at 10.

That said, there was agreement that, irrespective of the licensing issue, HHBT should look very carefully at how we can manage events, especially parties, to minimise noise at the end of events.

██████ said that HHBT has made a start by recruiting Duty Managers with a specific stewarding role in place of caretakers. HHBT is paying them more, reflecting the fact that more is expected of them.

In addition, since appointed he has been at the conclusion of a number of events to ensure they close on time and people disperse. This oversight will continue with monitoring from Philip and Trustees.

HHBT would be able to adopt a policy of closing the gates promptly after an event as a way of shepherding people off the premises earlier and encouraging them to disperse.

HHBT will also consider increased stewarding for specific events to manage the dispersal issue.

██████ made the point that not all the disturbance blamed on the Round Chapel is associated with Round Chapel activities/events. There had been a very recent complaint from ████████ (Glenarm Road) of late night music but that had been due to some youths who had parked up their car and played amplified music.

It was agreed that issues could be better nipped in the bud if there was communication when problems arise. HHBT e-mail contact details had been circulated to everyone present and HHBT would do its best to respond when issues are raised. ████████ mentioned that our previous manager, Lisa, had said there had been very few complaints indeed in past years.

██████ confirmed that hirers pay a forfeitable deposit (£500). This is most often forfeited when hirers stay longer than contracted hours or fail to clear up adequately. If well-founded complaints by neighbours about after-hours disturbance are communicated promptly this might lead to more cases of forfeiting.

██████ said that it would relieve some stress on the building if HHBT could have more “non-event” weekends to enable maintenance tasks such as re-sanding the floor to go on. A better mix would help us to do this, though this will happen over time.

There was discussion about noise issues associated with the “URC side” on Powerscroft Road. The main concern was about amplified music early on Sunday morning. █████ asked that the issue be raised with the Minister and Elders, and that maybe the URC could also host a “meet the neighbours” session. █████ said he would do so and readily agreed that his contact details be added to the circulation list so that people could get in touch.

There was discussion about parking. █████ said that HHBT general terms of business provide 4 parking spaces, intended for disabled drivers or visitors, and that all our information for hirers lays great emphasis on the excellent public transport and that we always encourage people to use it. He accepted that the lack of on-site parking meant visitor/drivers might park around local streets. The problem is worse on the Glenarm Road side with on occasion people blocking the turnaround space. █████ said that ‘satnavs’ use the Round Chapel postcode to direct drivers to Glenarm Road; he is working to get this corrected, to direct people to Lower Clapton Road. There was some feeling that the increase in the ‘Night Time Economy’ in Lower Clapton Road (the Round Chapel is only a part of this) reinforced a case for extending the hours of parking controls, c.f. Hackney Central around the Empire where 11.00pm is current. The Council should be contacted, preferably by local residents/Residents’ Association, if a change is thought useful. HHBT would support any request to extend the controlled parking hours around the Round Chapel.

█████ and others wondered whether the premises licence could be limited in time to one year so that the impact could be observed by neighbours. Patrick thought that the period of the licence was 2 years and that there would then have to be fresh application. However, HHBT Trustees would look into the length of licence and would be happy to meet residents on a regular basis to ensure that all was well, initially every 6 months was proposed.

█████ was also concerned that the license could be transferred to another holder at a later date. Patrick confirmed that the License is specific to the HHBT.

Many people said they were enthusiastic supporters of the Round Chapel and would like to know more about what was going on. Philip said that everyone who had attended the meeting would be put on the mailing list of events. HHBT would also raise with organisers of hiring for performance events whether reduced price or free tickets could be offered to local residents/neighbours.

██████ thanked everyone for coming and so clearly explaining their points of view; he hoped we would maintain contact. Everyone agreed that notes should be circulated with e-mail addresses so that neighbours could keep in contact with each other.

## **The Round Chapel Lower Clapton Road Application for a License**

*Responding to Resident's Concern.*

*Raised by residents at the public meeting or in the Representations*

*1. The license will increase the hours of opening.*

Current hours are until 11.30pm Sunday to Thursday, 12.30am Friday and Saturday

The proposed license hours will close earlier, NOT later : 11.00 Sunday to Thursday, 12.00midnight Friday and Saturday.

The bar will close 30 minutes earlier, 10.30 Sunday to Thursday, 11.30 Friday and Saturday. (Agreed with Met Police.)

*2. People hang around the front area before leaving, creating noise and disturbance.*

Under the License SIA approved stewards will be employed on the door and managing the front area will be included in their job description to clear the area, ask people to leave quietly, and shut the gates promptly after an event.

Notices will be fixed at the exit doors to remind people leaving that this is a residential area, and asking them to please leave quietly (Met Police condition), we will also put these notices by the gates.

*3People will take their drinks outside on a warm summers day.*

Taking alcohol outside is not permitted by the Met Police conditions.

*4. People misbehave after leaving the building, causing noise, vomiting and urinating in the adjoining street.*

It is not clear that these instances are from people leaving the Round Chapel. We do not dispute that they happen and cause serious distress to residents. There are conditions attached to the license to ensure that the people responsible for any alcohol sales must not encourage excessive drinking. We are happy to strengthen that condition within our terms of hire to ensure alcohol is not served to any individual who may be seen to be consuming to much.

*5. Will there be more events under the license than now?*

Most events are booked for the weekends. That is unlikely to change. We are not planning for a significant increase in use but because of the license to attract different users that will pay more and encourage access for the local community..

*6. Noise can sometimes 'leak' out of the building and cause nuisance to close neighbours.*

HHBT will be employing Duty Managers for events, trained in managing events, they will be equipped with a noise meter and their tasks will include monitoring and controlling noise levels, including patrolling externally. Officers from Hackney Council Environmental Team have inspected the building and taken noise tests and have no objections to the uses proposed.

*7. Parking . due to the lack of parking at the Round Chapel users parked in Glenarm Road and Powerscroft Road and the adjoining area, causing problems for residents.*

The Round Chapel website is clear about the lack of parking and recommends the use of public transport, with detailed information set out. The HHBT is happy to work with residents to have the hours of the CPZ increased, possibly to the 11.00pm around the Hackney Empire.

*8. There has been a separate query about the proposed license for boxing and/or wrestling.*

Over the last few years there have been one or two wrestling/martial arts events each year. We are not aiming to increase this market.

*9. There has been a representation based on the assumption that 'a late night bar/drinking destination' or 'nightclub' will be created.*

The Round Chapel will not become 'a late night bar/drinking destination. All events will be ticketed, and the promoters will need to demonstrate that the event is viable from ticket sales alone, rather than the need to sell alcohol.

Under the terms of the planning permission for the Round Chapel, use as a nightclub is not permitted.

*10. Other concerns were that granting a license will lead to further nuisance locally.*

See the first point above noting that the hours will be reduced rather than extended.

Resolving problems

The contact details for the HHBT have been passed to residents so that if there were problems they could be brought to the Trusts attention promptly, and it was agreed that there would be a follow up meeting in 6 months time.



# APPENDIX B1

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

### RESPONSIBLE AUTHORITY DETAILS

NAME OF AUTHORITY	Licensing
ADDRESS OF AUTHORITY	Licensing Service Legal, HR and Regulatory Services Directorate 2 Hillman St London E8 1FB
CONTACT NAME	Darren Reilly
TELEPHONE NUMBER	020 8356 4965
E-MAIL ADDRESS	darren.reilly@hackney.gov.uk

### APPLICATION PREMISES

NAME & ADDRESS OF PREMISES	<b>The Round Chapel Arts Centre The Round Chapel 1D Glenarm Road Hackney London E5 0LY</b>
NAME OF APPLICANT/PREMISES USER	<b>Hackney Historic Building Trust</b>

### COMMENTS

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

- 1) the prevention of crime and disorder
- 2) public safety
- 3) the prevention of public nuisance x
- 4) the protection of children from harm

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

The premises is located in a residential area and licensing have concerns about the potential for public nuisance should the licence be granted. There are particular concerns given the nature of the building.

Applicant should contact licensing to discuss whether changes to the application and/or conditions being added may allay concerns and lead to agreement.

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

The licensing Policy and Licensing Objectives

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

Applicant should contact licensing to discuss

Name: Darren Reilly (Team Leader Licensing Enforcement)

Date: 13/4/16

# APPENDIX B2

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

### RESPONSIBLE AUTHORITY DETAILS

ref:076975

NAME OF AUTHORITY	Environmental Health (Environmental Enforcement)
ADDRESS OF AUTHORITY	Keltan House, 89-115 Mare Street, London E8 4RU
CONTACT NAME	Patrizia Valpondi
TELEPHONE NUMBER	0208 356 5263
E-MAIL ADDRESS	patrizia.valpondi@hackney.gov.uk

### APPLICATION PREMISES

NAME & ADDRESS OF PREMISES	Round Chapel Arts Centre The Round Chapel 1D Glenarm Road Hackney London E5 0LY
NAME OF PREMISES USER	Mr Lloyd Philip

### COMMENTS

I make the following relevant representations in relation to the above application in respect of licensable activities.

- |    |                                      |   |
|----|--------------------------------------|---|
| 1) | the prevention of crime and disorder |   |
| 2) | public safety                        | X |
| 3) | the prevention of public nuisance    | X |
| 4) | the protection of children from harm |   |

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

**ENVIRONMENTAL LICENCE CONDITIONS IN RESPECT OF**  
**Mrs Lloyd Philip**  
**Round Chapel Arts Centre**  
Businesses have a legal requirement to ensure that they have adequate arrangements in place for the storage and disposal of waste generated by the business. Also there should be measures put in place to prevent littering to the detriment of the area.

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

**Information and Evidence** – we have received complaints in the past regarding littering and build-up of waste in the area, and there is no reference as to its waste storage and collection arrangements and consequential environmental impact. The Council holds no records in relation to the waste disposal arrangements at these premises  
Experience has also shown that there is the probability that there will be cigarette litter outside these premises due to the smoking ban and that it is possible that glasses and bottles may be left outside by patrons.

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

Applicant should contact **Patrizia Valpondi** by phone or email, to discuss some conditions which could allay our concerns.

Signed patrizia.valpondi@hackney.gov.uk

Name Patrizia Valpondi

Phone 0208356526

**From:** [REDACTED]  
**Sent:** 12 April 2016 09:41  
**To:** Licensing  
**Subject:** Round Chapel

Extending the hours during weekdays is not acceptable to local residents who already put up with the noise and disruption caused by events at the Round Chapel. Residents of Powerscroft Road and Glenarm Road have been exceptionally tolerant of the Round Chapel's activities and extending the hours would have too much of an impact on residents. It should also be taken into account that many of us have young children who are often kept awake as it is.

[REDACTED]

Mike Smith

---

**From:** [REDACTED]  
**Sent:** 12 April 2016 08:26  
**To:** Licensing  
**Subject:** Lower Clapton road

Hello

We've become aware of the application for a midnight license at the round chapel on lower Clapton road and would like to object.

It's likely to create a Public nuisance and disorder on Lower Clapton road. Becoming a late night bar / drinking destination similar to Dalston would come at a cost to local residence. Our house is within ear shot of the church and the kick out time would mean we get lots of noise, rubbish and sick on the street. Shouting late at night already happens on our street and any increase will be even harder to tolerate. Lower Clapton road should not become a night life destination.

Im sure you're aware that amplified church singing starts at 8am on Sunday so there is little enough respite as it is, without extending its license into the evening.

Regards

[REDACTED]  
[REDACTED] Linscott road  
London  
E: [REDACTED]

**From:** [REDACTED]  
**Sent:** 12 April 2016 08:08  
**To:** Licensing  
**Subject:** The Round Chapel, E5

Dear Licensing Team,

There is a notice placed on a tree in the grounds of the Round Chapel with detail of a new/renewal to a Premises License, and I would like to object to the extension of hours for the sale of alcohol at weekends contained in this until midnight.

While the venue is a great community resource, the impact on the immediate neighbours is also quite high.

We have appealed to the Vicar and HHBT to be good neighbours and limit the time of more lively events so the effect on neighbours late at night is limited. Ideally this would be the sale of alcohol finishing at 10pm, so the spill out is over by 11pm.

The effect of 'happy' people leaving late at night and saying goodbye to friends, slamming car doors etc has resulted in several complaints to your EH colleagues. Additionally on occasion the use of exceptionally loud PA systems has also made life in the neighbourhood unpleasant, and resulted in complaints to the Council.

The fact the venue has no parking, no apparent travel plan, and the local CPZ does not operate at evenings and weekends means the parking on the local streets exacerbates this.

I hope you will reconsider the application.

Yours

[REDACTED]  
[REDACTED] Powerscroft Rd  
E5 [REDACTED]

From: [REDACTED]  
Sent: 12 April 2016 05:47  
To: Licensing

To whom it may concern,

I'm writing to make a representation and objection to the license application for:

*The Round Chapel 1D Glenarm Road London E5 0LY*

*Lea Bridge Hackney*

*Histotric Buildings Trust Application for a premises licence to allow the supply of alcohol, plays, films, indoor sporting events, boxing or wrestling, live music, recorded music, performances of dance and any entertainment of a similar description from 12:00 to 23:00 Sun to Thurs and 12:00 to 00:00 Fri and Sat and late night refreshment from 23:00 to 00:00 Fri and Sat.*

*Closing date: 13/04/2016*

The extension of drinking and entertainment hours of the Round Chapel on weekdays to 23.00 and Fri and Sat to 00.00 will create a serious and life changing public nuisance for us.

The noise from the Round Chapel seriously affects our families well being. We have a young family and are up very early each morning. Our bedroom and living space is at the front of the house and we are seriously disturbed by both the noise of the music bass and then the disorder follow kick out time with drunk and disorderly behavior. We can hear the bass in our rooms, often get after hours shouting outside our windows and vomit at our gate or on our car parked outside, which my children have to step over on their way to nursery and school.

The late night music and kick out time disorder always lasts half an hour after closure and prevents us getting a full nights sleep and really affects our well being, this is two fold during the summer months when there are parties every Thu - Sun night.

The bass and music amplification then also starts up again on a Sunday mornings at 8am with the Round Chapel church starting their highly amplified Sunday church bass music. Extending the hours is really causing us extreme anxiety as we are already very disturbed by both the late night parties and the Sunday morning music and feel we can't get any peace.

I have already emailed complaints to Hackney pollution support team and had visits from Peter Show to try and resolve the existing problems. Extending the hours will only make these existing problems worse.

This is a residential area and a great community, with lots of young families on both Powerscroft and Glenarm road and we need to prevent public nuisance extending later into the evenings and disturbing the residents.

Looking forward to receiving your consultation.

[REDACTED]  
Powerscroft Rd  
E5 [REDACTED]  
[REDACTED]



**From:** [REDACTED]  
**Sent:** 11 April 2016 11:38  
**To:** Licensing  
**Subject:** Round Chapel

Dear Sir / Madam

I'm writing to strongly object about the possible licence to serve alcohol until Midnight at the round chapel venue.

I'm a resident of Powerscroft Road and my main objection will be noise as its already very noisy when there are functions there and if the licence was granted... Instead of the functions coming to a natural close by about 11.45pm it would end up being closer to 1am which is unacceptable in a residential area where young children which I have two are trying to sleep.

I would like to be kept informed of any process going forward to object to this licence being granted.

Kind regards

**From:** [REDACTED]  
**Sent:** 10 April 2016 20:49  
**To:** Licensing  
**Subject:** License Request for Round Chapel

Dear Sir.Madam,.

I am writing to object to the application for a license extension for the Round Chapel. I live opposite and over many years have experienced the inconvenience of many events which have resulted in unreasonable levels of noise and anti social behaviour. Often when events finish it will be at least an hour or more before all those attending events disperse resulting in high levels of noise.

I would therefore ask that the license is not extended to cause further noise disruption late at night in a residential area.

Yours faithfully

[REDACTED]  
[REDACTED] Powerscroft Rd  
Hackney  
London  
E5 [REDACTED]

Mike Smith

---

**From:** [REDACTED]  
**Sent:** 10 April 2016 13:55  
**To:** Licensing  
**Cc:** [REDACTED]  
**Subject:** Round Chapel licensing application

Dear Hackney Licensing

We are writing to express our strong objection to the proposed hours of operation of the licensing application submitted by Hackney Historic Buildings Trust for the Round Chapel, 1a Glenarm Road.

We live on Powerscroft Road, near the Round Chapel. While we fully support this wonderful building being more fully used for community, arts or other popular events, this must be balanced with the needs of local residents. Noise from events from the Round Chapel is clearly heard in our houses and gardens both during the events and often for some considerable time afterwards as visitors leave the building and walk along the street to their cars or to catch the bus, often causing quite a lot of noise and nuisance (leaving rubbish, urinating etc) We therefore think that a closing time of 12 midnight at weekends is too late and that this should be kept at 11 pm. This is primarily a residential neighbourhood with families with young children and residents needs must be taken into account. Such a late closure would in our view likely result in a public nuisance.

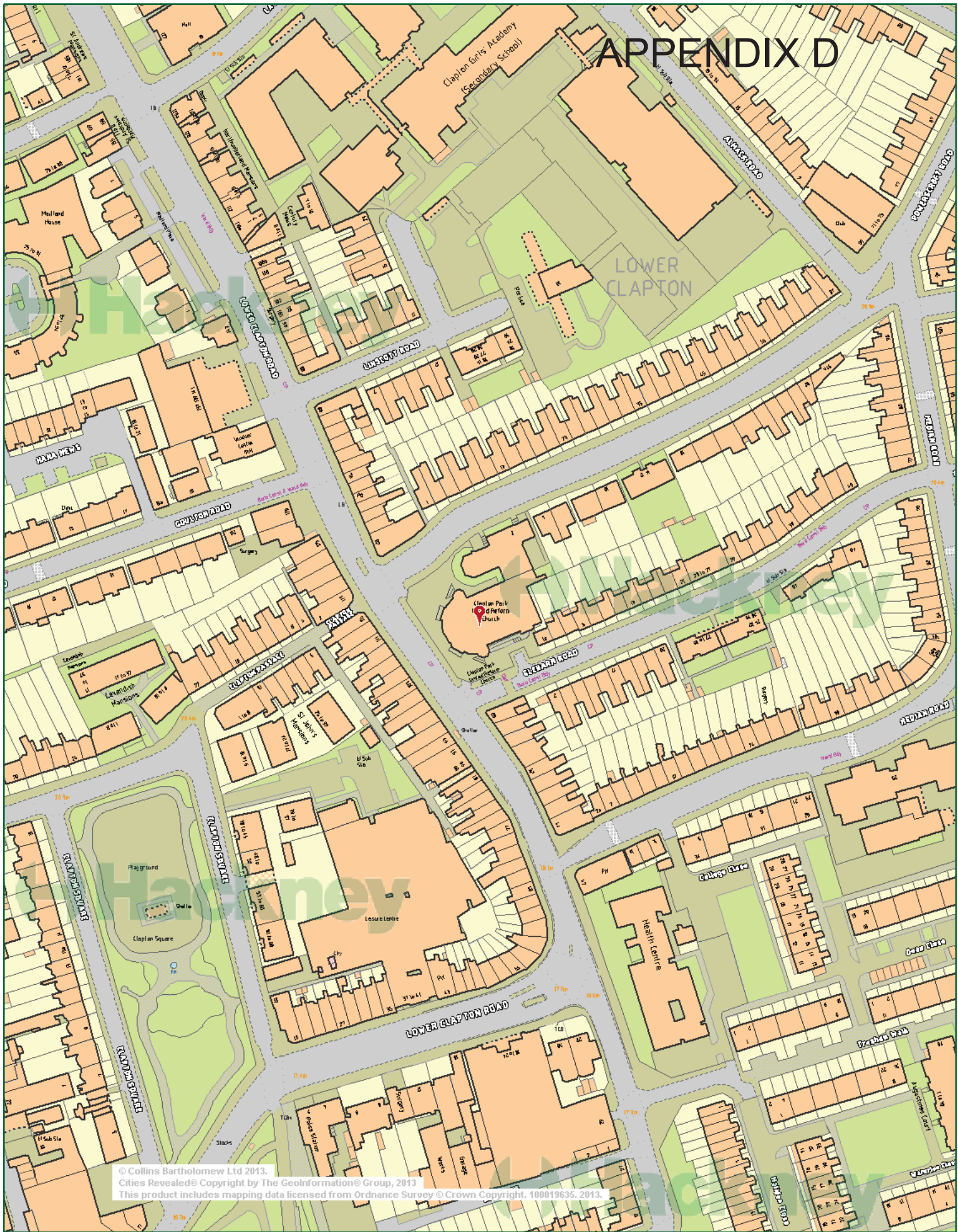
We already have a long-running struggle with the church at the neighbouring building who cause a noise disturbance on Sunday mornings. Council officers have been aware of this.

Best wishes

[REDACTED]

[REDACTED] Powerscroft Road  
London [REDACTED]  
[REDACTED]

# APPENDIX D



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Round Chapel

Scale 1/1894

at A4



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<b>REPORT OF GROUP DIRECTOR, NEIGHBOURHOODS AND HOUSING</b>		
<b>LICENSING SUB-COMMITTEE:</b> 28/06/2016	<b>Classification</b> DECISION	<b>Enclosure</b>
<b>Application for a Premises Licence</b>  Lobsters Paradise, Ground Floor, 392 Kingsland Road, E8 4AA	<b>Ward(s) affected</b>  London Fields	

## 1. SUMMARY

<b>Applicant(s)</b> Cranberry Meadow Entertainment Limited	<b>In SPA No</b>
<b>Date of Application</b> 02/05/2016	<b>Period of Application</b> Permanent
<b>Proposed licensable activity</b> Supply of Alcohol (On Premises)	
<b>Proposed hours of licensable activities</b>	
<b>Supply of Alcohol</b>	<b>Standard Hours:</b> Mon 10:00-23:00 Tue 10:00-23:00 Wed 10:00-23:00 Thu 10:00-23:00 Fri 10:00-23:00 Sat 10:00-23:00 Sun 10:00-23:00 <b>Non-Standard Hours:</b> 1 extra hour on the evening that British Summer Time commences From end of permitted hours New Year's Eve until opening New Year's Day
<b>INDOOR:</b>	
<b>The opening hours of the premises</b>	
<b>INDOOR</b>	<b>Standard Hours:</b> Mon 09:00-23:30 Tue 09:00-23:30 Wed 09:00-23:30 Thu 09:00-23:30 Fri 09:00-23:30 Sat 09:00-23:30 Sun 09:00-23:30 <b>Non-Standard Hours:</b> 1 extra hour on the evening that British Summer Time commences From end of permitted hours New Year's Eve until opening New Year's Day

<b>Capacity:</b> Not known	
<b>Policies Applicable</b>	LP1 ( Planning), LP3 (Operating Schedule), LP4 (Crime and Disorder), LP5 (Public Nuisance), LP6 (Protection of Children from Harm), LP8 (Public Safety)
<b>List of Appendices</b>	A – Application for a premises licence and supporting documents B – Representations from responsible authorities C –Location map
<b>Relevant Representations</b>	<ul style="list-style-type: none"> <li>• Environmental Health Authority (Pollution and Environmental Enforcement)</li> <li>• Planning Authority</li> <li>• Police</li> <li>• Licensing Authority</li> <li>• Health Authority</li> </ul>

## 2. APPLICATION

- 2.1 **Cranberry Meadow Entertainment Limited** has made an application for a premises licence under the Licensing Act 2003:
- To supply alcohol for consumption **on** the premises
- 2.2 The application is attached as Appendix A. The applicant has proposed measures that could be converted to conditions (see paragraph 8.1 below).

## 3. CURRENT STATUS / HISTORY

- 3.1 The premises are not currently licensed for any activity. No Temporary Event Notices have been given over the past 12 months.

## 4. REPRESENTATIONS: RESPONSIBLE AUTHORITIES

<b>From</b>	<b>Details</b>
Environmental Health Authority (Pollution) (Appendix B1)	Representation received on the grounds of the prevention of public nuisance
Environmental Health Authority (Environmental Enforcement) (Appendix B2)	Representation received on the grounds of the prevention of public nuisance
Environmental Health Authority (Health & Safety)	Have confirmed no representation on this application
Weights and Measures (Trading Standards)	No representation received
Planning Authority (Appendix B3)	Representation received on the grounds of the prevention of public nuisance & LP1 (Planning)
Area Child Protection Officer	No representation received
Fire Authority	Have confirmed no representation on this application
Police (Appendix B4)	Representation received on the grounds of The Prevention of Crime and Disorder and Prevention of Public Nuisance

Licensing Authority (Appendix B5)	Representation received on the grounds of The Prevention of Public Nuisance
Health Authority (Appendix B6)	Representation received on the grounds of The Prevention of Crime and Disorder and Prevention of Public Nuisance

## 5. REPRESENTATIONS: OTHER PERSONS

From	Details
Representation received from and on behalf of local residents.	None

## 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 (Planning), LP3 (Operating Schedule), LP4 (Crime and Disorder), LP5 (Public Nuisance), LP6 (Protection of Children from Harm), LP8 (Public Safety).

## 8. OFFICER OBSERVATIONS

8.1 If the Sub-Committee is minded to approve the application, the following conditions should be applied the licence:

### **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.
- (e) 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).

4. The responsible person must ensure that free potable water is provided on request to customers where it is reasonably available.

5.5.1. 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

6. The responsible person must 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

b) these measures are displayed in a menu, price list or other printed material which is available to customers on the premises; and

c) 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. 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 rate 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

(iii) 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;

(c) "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;

(d) "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

(e) "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 7.2(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.

### **Conditions Derived from Operating Schedule**

8. The premises shall install and maintain a comprehensive CCTV system as per the minimum requirements of a 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 authorised officer throughout the preceding 31-day period.
9. 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 must be able to show a Police or authorised council officer recent data or footage when requested.
10. Signs will be prominently displayed at all exit points reminding customers to leave quietly and respect local residents.
11. The premises will have a venue management policy, approved by the police licensing officer and/or Crime prevention officer, detailing the following;
  - a. Entry policy

- b. Drugs Policy and dispersal policy
  - c. Noise Policy
  - d. Smoking Policy
  - e. Alcohol Policy
12. A Challenge 25 proof of age scheme shall be operated at the premises where the only acceptable forms of identification are recognised photographic identification cards, such as driving licence or passport.
  13. An incident log shall be kept at the premises, and made available on request to an authorised officer of the council or the police, which will record the following.
    - a. All crimes reported:
    - b. All ejections of patrons
    - c. Any complaints received.
    - d. Any incidents of disorder.
    - e. Seizure of drugs or offensive weapons.
    - f. Any faults in the CCTV system or searching equipment or scanning equipment. Any refusal of the sale of alcohol.
    - g. Any visit by a relevant authority or emergency service.
  14. Signs will be prominently displayed by entry and exit points reminding customs:
    - a. CCTV in operation.
    - b. Drugs policy.
    - c. Weapons policy.
    - d. To leave quietly and respect local residents.
  15. The licence holder shall maintain a dedicated telephone number of the Designated Premises Supervisor for use by any Responsible Authority or any person who may wish to make a complaint. This contact number shall be provided to licensing authority, police and to any local residents upon request.
  16. Reasonable steps to be taken to ensure that an authorised person is a member of a local Pubwatch.
  17. 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.
  18. 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. 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 any plain black or unidentifiable refuse sacks or any other unidentifiable or unmarked waste receptacles.

19. 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.
20. Patrons of the premises shall be encouraged, by signs within the premises visible at all exit points, to disperse from the area of the premises quietly.

### **Conditions derived from Responsible Authority Representations**

- 21 There shall be no glass, drinks or open containers taken out of the premises at any time.
- 22 SIA registered door supervisors shall be employed at the venue on an operational risk assessment basis. All security staff shall be clearly identifiable at all times. 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 provided. This register will be made available to police or authorised officer immediately upon request.

### **9. REASONS FOR OFFICER OBSERVATIONS**

- 9.1 Conditions 8 to 20 above are derived from the applicant's operating schedule. Conditions have been proposed by 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

- A. **Option 1**  
That the application be refused
- B. **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.

<b>Group Director, Neighbourhoods and Housing</b>	Kim Wright
<b>Lead Officer (holder of original copy):</b>	Mike Smith Principal Licensing Officer Licensing Service 2 Hillman Street E8 1FB Telephone: 020 8356 4973

## LIST OF BACKGROUND PAPERS RELATING TO THIS REPORT

The following document(s) has been relied upon in the preparation of the report.

<b>Description of document</b>	<b>Location</b>
<b>Office File:</b> Lobsters Paradise, Ground Floor, 392 Kingsland Road, E8 4AA	Licensing Service 2 Hillman Street London E8 1FB

### **Printed matter**

Licensing Act 2003  
LBH Statement of Licensing Policy

# APPENDIX A

↳ Hackney

LA01

Application for a premises licence to be granted 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 Cranberry Meadow Entertainment Limited

*(Insert name(s) of applicant)*

apply for a premises licence under section 17 of the Licensing Act 2003 for the premises described in Part 1 below (the premises) and I/we are making this application to you as the relevant licensing authority in accordance with section 12 of the Licensing Act 2003

### Part 1 – Premises Details

**Postal address of premises or, if none, ordnance survey map reference or description**

Lobsters Paradise  
GROUND FLOOR  
392 KINGSLAND ROAD  
HACKNEY  
LONDON

<b>Post town</b>	<b>LONDON</b>	<b>Post code</b>	<b>E8 4AA</b>
------------------	---------------	------------------	---------------

Telephone number at premises (if any)	
---------------------------------------	--

Non-domestic rateable value of premises	£10000
---	--------

### Part 2 - Applicant Details

Please state whether you are applying for a premises licence as  
Please tick yes

a)	an individual or individuals *	<input type="checkbox"/>	please complete section (A)
b)	a person other than an individual *	<input type="checkbox"/>	

	i.	as a limited company	<input checked="" type="checkbox"/>	please complete section (B)
	ii.	as a partnership	..	please complete section (B)
	iii	as an unincorporated association or	..	please complete section (B)
	iv	other (for example a statutory corporation)	..	please complete section (B)
c)		a recognised club	..	please complete section (B)
d)		a charity	..	please complete section (B)
e)		the proprietor of an educational establishment	..	please complete section (B)
f)		a health service body	..	please complete section (B)
g)		a person who is registered under Part 2 of the Care Standards Act 2000 (c14) in respect of an independent hospital in Wales	..	please complete section (B)
ga		a person who is registered under Chapter 2 of Part 1 of the Health and Social Care Act 2008 (within the meaning of that Part) in an independent hospital in England	..	please complete section (B)
h)		the chief officer of police of a police force in England and Wales	..	please complete section (B)

\* If you are applying as a person described in (a) or (b) please confirm:

Please tick yes

- I am carrying on or proposing to carry on a business which involves the use of the premises for licensable activities; or
- I am making the application pursuant to a
  - statutory function or
  - a function discharged by virtue of Her Majesty's prerogative

**(A) INDIVIDUAL APPLICANTS (fill in as applicable)**

<b>Title</b> Mr			
<b>Surname</b>		<b>First names</b>	
<b>I am 18 years old or over</b> .. Please tick yes			
<b>Current postal address if different from premises address</b>		UK-England	
<b>Post Town</b>		<b>Postcode</b>	
<b>Daytime contact telephone number</b>			
<b>E-mail address (optional)</b>			

**SECOND INDIVIDUAL APPLICANT (if applicable)**

<b>Title</b> Mr			
<b>Surname</b>		<b>First names</b>	
<b>I am 18 years old or over</b> .. Please tick yes			
<b>Current postal address if different from premises address</b>		UK-England	
<b>Post Town</b>		<b>Postcode</b>	
<b>Daytime contact telephone number</b>			

<b>E-mail address</b> (optional)	
-------------------------------------	--

**(B) OTHER APPLICANTS**

**Please provide name and registered address of applicant in full. Where appropriate please give any registered number. In the case of a partnership or other joint venture (other than a body corporate), please give the name and address of each party concerned**

Name Cranberry Meadow Entertainment Limited
Address [REDACTED] [REDACTED] [REDACTED]
Registered number (where applicable)
Description of applicant (for example, partnership, company, unincorporated association) Limited Company
Telephone number (if any)
E-mail address (optional) [REDACTED]



### Part 3 Operating Schedule

When do you want the premises licence to start?	23-05-2016
---	------------

If you wish the licence to be valid only for a limited period, when do you want it to end?

<p>Please give a general description of the premises (please read guidance note 1) The premises will be a ground floor bar and restaurant.</p>
--

If 5,000 or more people are expected to attend the premises at any one time, please state the number expected to attend.	
--	--

What licensable activities do you intend to carry on from the premises?

(Please see sections 1 and 14 of the Licensing Act 2003 and Schedules 1 and 2 to the Licensing Act 2003)

	Provision of regulated entertainment	Please tick any that apply
a)	plays (if ticking yes, fill in box A)	<input type="checkbox"/>
b)	films (if ticking yes, fill in box B) <input type="checkbox"/> <input type="checkbox"/>	..
c)	indoor sporting events (optional, fill in box C)	..
d)	boxing or wrestling entertainment (if ticking yes, fill in box D)	..
e)	live music (optional, fill in box E) <input type="checkbox"/>	..
f)	recorded music (if ticking yes, fill in box F)	..
g)	performances of dance (optional, 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 L)

..

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



**Complete boxes K, L and M (optional)**

**A**

<b>Plays</b> Standard days and timings (please read guidance note 6)			<b>Will the performance of a play take place indoors or outdoors or both – please tick</b> (please read guidance note 2)	Indoors	
Day	Start	Finish		Outdoors	
				Both	
Mon			<b>Please give further details here</b> (please read guidance note 3)		
Tue			<b>State any seasonal variations for performing plays</b> (please read guidance note 4)		
Wed			<b>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</b> (please read guidance note 5)		
Thur					
Fri					
Sat					
Sun					

**J**

<b>Supply of alcohol</b> Standard days and timings (please read guidance note 6)			<b>Will the supply of alcohol be for consumption (Please tick box)</b> (please read guidance note 7)	On the premises	<input checked="" type="checkbox"/>
				Off the premises	<input type="checkbox"/>
				Both	<input type="checkbox"/>
Day	Start	Finish	<b>State any seasonal variations for the supply of alcohol</b> (please read guidance note 4) On the evening that commences british summer time 1 extra hour is requested		
Mon	10:00	23:00			
Tue	10:00	23:00			
Wed	10:00	23:00			
Thur	10:00	23:00	<b>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</b> (please read guidance note 5) permitted hours from the end of new years eve until opening hours on New years day		
Fri	10:00	23:00			
Sat	10:00	23:00			
Sun	10:00	23:00			

**State the name and details of the individual whom you wish to specify on the licence as designated premises supervisor:**

Name :	
Mr MCEVOYMARK	
Address	
[REDACTED]	
[REDACTED]	
UK-England	
Postcode	[REDACTED]
[REDACTED] (if known)	
Issuing licensing authority (if known)	
[REDACTED]	

## 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 8).

N/A in relation to adult entertainment.

Children will be permitted in the venue as long as they are accompanied by an adult. No supply of alcohol to anyone under the age of 18.

## L

<b>Hours premises are open to the public</b> Standard timings (please read guidance note 6)			<b><u>State any seasonal variations</u></b> (please read guidance note 4)	
Day	Start	Finish		
Mon	09:00	23:30		
Tue	09:00	23:30		
Wed	09:00	23:30		
Thur	09:00	23:30		<b><u>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</u></b> (please read guidance note 5)

Fri	09:00	23:30	
Sat	09:00	23:30	
Sun	09:00	23:30	

**M** Describe the steps you intend to take to promote the four licensing objectives:

**a) General – all four licensing objectives (b,c,d,e)** (please read guidance note 9)

please see proposed attached conditions.

**b) The prevention of crime and disorder**

please see proposed attached conditions.

**c) Public safety**

please see proposed attached conditions.

**d) The prevention of public nuisance**

please see proposed attached conditions.

**e) The protection of children from harm**

please see proposed attached conditions.

**Checklist:**

**Please tick to indicate agreement**

- I have enclosed the plan of the premises.
- I have sent copies of this application and the plan to responsible authorities and others where applicable.
- I have enclosed the consent form completed by the individual I wish to be designated premises supervisor, if applicable.
- I understand that I must now advertise my application.
- I understand that if I do not comply with the above requirements my application will be rejected.

**IT IS AN OFFENCE, LIABLE ON SUMMARY CONVICTION TO A FINE NOT EXCEEDING LEVEL 5 ON THE STANDARD SCALE, UNDER SECTION 158 OF THE LICENSING ACT 2003, TO MAKE A FALSE STATEMENT IN OR IN CONNECTION WITH THIS APPLICATION.**

**Part 4 – Signatures** (please read guidance note 10)

**Signature of applicant or applicant’s solicitor or other duly authorised agent** (see guidance note 11). **If signing on behalf of the applicant, please state in what capacity.**

<b>Signature</b>	MARK MCEVOY
<b>Date</b>	18/4/2016
<b>Capacity</b>	OPERATIONS DIRECTOR

**For joint applications, signature of 2<sup>nd</sup> applicant or 2<sup>nd</sup> applicant’s solicitor or other authorised agent** (please read guidance note 12). **If signing on behalf of the applicant, please state in what capacity.**

<b>Signature</b>	
------------------	--

<b>Date</b>	18/4/2016
<b>Capacity</b>	

Contact name (where not previously given) and postal address for correspondence associated with this application (please read guidance note 13)			
Mark McEvoy [REDACTED]			
UK-England			
Post town	LONDON	Postcode	EC2A 3AY
Telephone number (if any)	[REDACTED]		
If you would prefer us	[REDACTED]		

**Notes for Guidance**

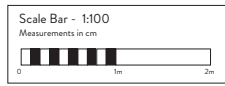
1. Describe the premises, for example the type of premises, its general situation and layout and any other information which could be relevant to the licensing objectives. Where your application includes off-supplies of alcohol and you intend to provide a place for consumption of these off-supplies, you must include a description of where the place will be and its proximity to the premises.
2. Where taking place in a building or other structure please tick as appropriate (indoors may include a tent).
3. For example the type of activity to be authorised, if not already stated, and give relevant further details, for example (but not exclusively) whether or not music will be amplified or unamplified.
4. For example (but not exclusively), where the activity will occur on additional days during the summer months.
5. For example (but not exclusively), where you wish the activity to go on longer on a particular day e.g. Christmas Eve.
6. Please give timings in 24 hour clock (e.g. 16:00) and only give details for the days of the week when you intend the premises to be used for the activity.
7. If you wish people to be able to consume alcohol on the premises, please tick 'on the premises'. If you wish people to be able to purchase alcohol to consume away from the

1. The premises shall install and maintain a comprehensive CCTV system as per the minimum requirements of a 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 authorised officer throughout the preceding 31-day period.
2. 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 must be able to show a Police or authorised council officer recent data or footage when requested.
3. Signs will be prominently displayed at all exit points reminding customers to leave quietly and respect local residents.
4. The premises will have a venue management policy, approved by the police licensing officer and/or Crime prevention officer, detailing the following;
  - a. Entry policy
  - b. Drugs Policy and dispersal policy
  - c. Noise Policy
  - d. Smoking Policy
  - e. Alcohol Policy
5. A Challenge 25 proof of age scheme shall be operated at the premises where the only acceptable forms of identification are recognised photographic identification cards, such as driving licence or passport.
6. An incident log shall be kept at the premises, and made available on request to an authorised officer of the council or the police, which will record the following.
  - a. All crimes reported:
  - b. All ejections of patrons
  - c. Any complaints received.
  - d. Any incidents of disorder.
  - e. Seizure of drugs or offensive weapons.
  - f. Any faults in the CCTV system or searching equipment or scanning equipment. Any refusal of the sale of alcohol.
  - g. Any visit by a relevant authority or emergency service.



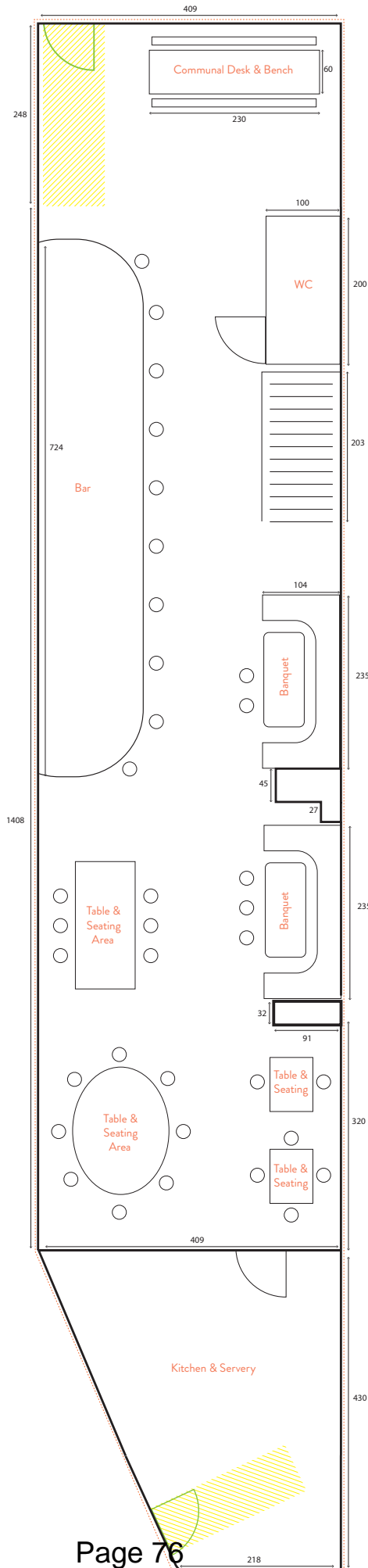
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  - a. CCTV in operation.
  - b. Drugs policy.
  - c. Weapons policy.
  - d. To leave quietly and respect local residents.
8. The licence holder shall maintain a dedicated telephone number of the Designated Premises Supervisor for use by any Responsible Authority or any person who may wish to make a complaint. This contact number shall be provided to licensing authority, police and to any local residents upon request.
9. Reasonable steps to be taken to ensure that an authorised person is a member of a local Pubwatch.
10. 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.
11. 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. 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 any plain black or unidentifiable refuse sacks or any other unidentifiable or unmarked waste receptacles.
12. 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.
13. Patrons of the premises shall be encouraged, by signs within the premises visible at all exit points, to disperse from the area of the premises quietly.

392 KINGSLAND ROAD - PROPOSED GROUND FLOORPLAN

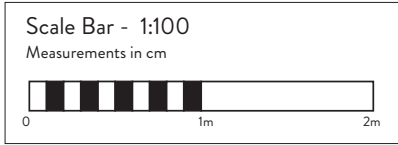


Key

- Exit/Entrance
- Reinforce of partitions
- Fire Exit
- Downways
- Stairs



# 392 KINGSLAND ROAD - PROPOSED BASEMENT FLOORPLAN



Key

-  Exit/ entrance
-  Perimeter of premises
-  Fire Exit
-  Doorways
-  Stairs



# APPENDIX B1

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

### RESPONSIBLE AUTHORITY DETAILS

NAME OF AUTHORITY	London Borough of Hackney
ADDRESS OF AUTHORITY	Community Safety Team London Borough of Hackney PO Box 70210 London E8 9FB
CONTACT NAME	Elzbieta (Ela) Wreczycka
TELEPHONE NUMBER	020 8356 5258
E-MAIL ADDRESS	Elzbieta.wreczycka@hackney.gov.uk

### APPLICATION PREMISES

NAME & ADDRESS OF PREMISES	Lobsters Paradise Ground Floor, 392 Kingsland Road, London. E8 4AA
NAME OF LICENCE HOLDER/ DESIGNATED PREMISES SUPERVISOR	Cranberry Meadow Entertainment Limited DPS - MARK PATRICK MCEVOY

### COMMENTS

I make the following relevant representations in relation to the above application to vary the Premises Licence at the above address.

- 1) the prevention of crime and disorder
- 2) public safety
- 3) the prevention of public nuisance
- 4) the protection of children from harm

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

The prevention of public nuisance LP5:

The Community Safety Team has reviewed the licensing application and wish to make a representation. The applicant has not demonstrated in full that the following Licensing Policy requirement would be met:

**LP5 Public Nuisance:**

Applicants are expected to demonstrate within their application that problems such as noise, light, smoke, odour, litter, anti-social behaviour, human waste, fly posting and highways/footpath obstructions can be minimised through steps they propose.

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

The Community Safety Team is aware that the change of use from A2 to A3 had been granted by the planning department on 01/09/2015 and assumes that in order to operate as a restaurant it uses commercial kitchen extract system. As such the submission is lacking to address prevention of noise, vibration and cooking smell/fumes from the kitchen extract system serving the premise.

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

The applicant is required to contact this Team and agree a site visit to further discuss the application and if necessary agree on suitable conditions.

Signed

Name: Elzbieta Wreczycka  
Date: 24<sup>th</sup> May 2016.

# APPENDIX B2

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

### RESPONSIBLE AUTHORITY DETAILS

NAME OF AUTHORITY	Environmental Health (Environmental Enforcement)
ADDRESS OF AUTHORITY	Keltan House, 89-115 Mare Street, London E8 4RU
CONTACT NAME	
TELEPHONE NUMBER	0208 356 4875
E-MAIL ADDRESS	justice.awe@hackney.gov.uk

### APPLICATION PREMISES

NAME & ADDRESS OF PREMISES	<b>Lobsters Paradise Ground Floor 392 Kingsland Road E8 4AA</b>
NAME OF PREMISES USER	<b>Mark McEvoy</b>

### COMMENTS

I make the following relevant representations in relation to the above application in respect of licensable activities.

- |    |                                      |   |
|----|--------------------------------------|---|
| 1) | the prevention of crime and disorder |   |
| 2) | public safety                        | X |
| 3) | the prevention of public nuisance    | X |
| 4) | the protection of children from harm |   |

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

**ENVIRONMENTAL LICENCE CONDITIONS IN RESPECT OF  
Lobsters Paradise  
Ground Floor  
392 Kingsland Road  
E8 4AA**

**The business is located in Kingsland Road which is a restricted area where waste is not allowed to be stored on the public highway for any length of time. The applicant has not indicated any provisions of waste disposal and containment on the application. Therefore, I am concern about how waste generated from the premises will be dispose off legally. Also there should be measures put in place to prevent littering to the detriment of the area**

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

**No previous complaint/problem received relation to the business/premises, however experience has also shown that there is the probability that there will be cigarette litter outside these premises due to the smoking ban, it is possible that glasses and bottles may be left outside by patrons**

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

**Applicant should contact Justice Awe to discuss via email or phone to discuss how the concern will be allayed**

Signed – [justice.awe@hackney.gov.uk](mailto:justice.awe@hackney.gov.uk)

Name - Justice Awe

# APPENDIX B3

## Planning Authority Representation: Application under the Licensing Act 2003

Details of Authority	2 Hillman Street, Hackney, London, E8 1FB
Officer contact name	Laraine Rolt
Officer telephone number	020 8356 8076
Officer's email address	laraine.rolt2@hackney.gov.uk

### APPLICATION PREMISES

Name and address of premises	Lobsters Paradise Ground Floor 392 Kingsland Road London, E8 4AA.
Applicant name	Mark McEvoy

### COMMENTS

I make the following relevant representation in relation to the above application at the above address.

- Prevention of crime on disorder
- Public safety
- Prevention of public nuisance
- Protection of children from harm

### Please supply any relevant evidence/information to support the above representation.

Planning ref. 2015/2215 granted permission for a "Change of use of the basement and ground floor to a restaurant (use class A3)". Therefore, the use of the basement and ground floor premises at 392 Kingsland Road as a restaurant is authorised.

Condition 3 of 2015/2215 limits the opening hours to between 08:00 hours and



23:00 hours Mon to Sun. The opening hours proposed in the premises licence application (09:00 hours to 23:30 hours Mon to Sun) exceed the permitted hours which could result in a public nuisance and is contrary to policy LP1.

Please provide the following information (if applicable)

Area (that permission applies to)	Basement and Ground floor
Permitted use	Class A3 (restaurant)
Permitted hours	08:00 hours to 23:00 hours Mon to Sun
Specific/restrictive conditions	2015/2215 - Condition 3 (opening hours)
Recent applications	2015/2215 - Change of use of the basement and ground floor a restaurant (use class A3).
Decisions	2015/2215 - granted
Pending decisions	N/A
Reasons for refusal	N/A
Relevant Conditions/discharges	N/A

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

**The use of the ground floor and basement of 392 Kingsland Road as a restaurant is authorised. However, the opening hours proposed in the premises licence application exceed those permitted under Condition 3 of planning permission ref. 2015/2215. The licensing applicant would need to bring the opening hours in line with those permitted. Alternatively, they would need to apply for planning permission to extend the opening hours.**

Signed	
Name	
Date	

# APPENDIX B4

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

### RESPONSIBLE AUTHORITY DETAILS

NAME OF AUTHORITY	Metropolitan Police service
ADDRESS OF AUTHORITY	Licensing Unit, Stoke Newington Police Station 33 Stoke Newington High Street London N16 8DS
CONTACT NAME	PC 691GD Kerrie RYAN
TELEPHONE NUMBER	020 7275 3022
E-MAIL ADDRESS	hackneylicensing@met.police.uk

### APPLICATION PREMISES

NAME & ADDRESS OF PREMISES	<b>Lobsters Paradise Ground Floor 392 Kingsland Road London E8 4AA</b>
NAME OF PREMISES USER	<b>Cranberry Meadow Entertainment Ltd</b>

### COMMENTS

I make the following relevant representations in relation to the above application to vary the Premises Licence at the above address.

- 1) the prevention of crime and disorder      ◆
- 2) public safety
- 3) the prevention of public nuisance      ◆
- 4) the protection of children from harm

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

Police make the following representations in relation to the application for a new Premises Licence at LOBSTERS PARADISE, GROUND FLOOR, 392 KINGSLAND ROAD, LONDON, E8 4AA for the following reason(s);

This premises is located within the Dalston Special Policy Area. LP14 of LBH's Licensing Policy states that the applicant will need to demonstrate that it will not add to the issues of cumulative impact in the area.

Police require further information as follows:

- What is the capacity of the bar/restaurant?
- Will the current applicant be running and managing this space day to day or will it be rented out to another operator?
- Will food be available until close?
- Is there any outside space that will be utilised (front or back)?

Police request that the non standard hours be removed and that all extension of hours required for events on days such as New Years Eve be applied for through the TEN process.

Police would like to add the following conditions:

- There shall be no glass, drinks or open containers taken out of the premises at any time.
- SIA registered door supervisors shall be employed at the venue on an operational risk assessment basis. All security staff shall be clearly identifiable at all times. 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 provided. This register will be made available to police or authorised officer immediately upon request.

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

Application submitted

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

Signed PC 691GD RYAN (By E-mail)

Name (printed)

# APPENDIX B5

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

### RESPONSIBLE AUTHORITY DETAILS

NAME OF AUTHORITY	Licensing
ADDRESS OF AUTHORITY	Licensing Service Legal, HR and Regulatory Services Directorate 2 Hillman St London E8 1FB
CONTACT NAME	Darren Reilly
TELEPHONE NUMBER	020 8356 4965
E-MAIL ADDRESS	darren.reilly@hackney.gov.uk

### APPLICATION PREMISES

NAME & ADDRESS OF PREMISES	<b>Lobsters Paradise Ground Floor 392 Kingsland Road E8 4AA</b>
NAME OF APPLICANT/PREMISES USER	<b>Cranberry Meadow Entertainment Ltd</b>

### COMMENTS

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

- 1) the prevention of crime and disorder
- 2) public safety
- 3) the prevention of public nuisance **x**
- 4) the protection of children from harm

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

The premises is located in a residential area on the end of the Dalston SPA and licensing do have some concerns regarding cumulative impact and saturation of bars in this area.

Applicant should contact licensing to discuss whether changes to the application and/or conditions being added may allay concerns.

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

The licensing Policy and Licensing Objectives

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

Applicant should contact licensing to discuss

Name: Darren Reilly (Team Leader Licensing Enforcement)

Date: 20/5/16

**RESPONSIBLE AUTHORITY REPRESENTATION: APPENDIX B6**  
**APPLICATION UNDER THE LICENSING ACT 2003**

**RESPONSIBLE AUTHORITY DETAILS**

NAME OF AUTHORITY	City and Hackney Public Health directorate
ADDRESS OF AUTHORITY	City and Hackney Public Health 1 Hillman St London E8 1DY
CONTACT NAME	Matt Clack
TELEPHONE NUMBER	020 8356 3341
E-MAIL ADDRESS	<a href="mailto:matt.clack@hackney.gov.uk">matt.clack@hackney.gov.uk</a>

**APPLICATION PREMISES**

NAME & ADDRESS OF PREMISES	<b>Lobster's Paradise, 392 Kingsland Rd, E8 4AA</b>
NAME OF APPLICANT/PREMISES USER	<b>Lobster's Paradise</b>

**COMMENTS**

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

- |    |                                      |   |
|----|--------------------------------------|---|
| 1) | the prevention of crime and disorder | x |
| 2) | public safety                        |   |
| 3) | the prevention of public nuisance    | x |
| 4) | the protection of children from harm |   |

Dr Penny Bevan  
Director of Public Health  
Hackney Council

16<sup>th</sup> May 2016

## **RE: Representation for the Lobster's Paradise application**

As Director of Public Health (a responsible authority under the Licensing Act 2003) I wish to make a representation against the application for a new licence for Lobster's Paradise.

The City and Hackney Public Health function recognises the role that licensed premises play in contributing to the local economy, but the dense availability of alcohol has a significant impact on the health and wellbeing of many of the borough's residents.

Tackling alcohol misuse is key to achieving the aspirations of Hackney's Health and Wellbeing Strategy. We want to establish an environment that recognises the role of alcohol in our society, whilst minimising the significant health damage caused by alcohol misuse. Licensing is an important component in the wider efforts to reduce this harm.

This representation is made under the **prevention of crime and disorder** and the **prevention of public nuisance** licensing objectives.

The application is for a venue within the Dalston Special Policy Area (SPA), as laid out in the council's Licensing Policy. Dalston has been defined as a cumulative impact area. I am concerned that if this application is granted it will increase the availability of alcohol in an area that is already densely concentrated with alcohol availability and consumption. There is increasing recognition of the impact that high density availability has, which could lead to an increase in public nuisance, crime and disorder and impact adversely on the health of both those consuming the alcohol but also of others who come into contact with them<sup>1</sup>.

The area already has sufficient premises to meet demand and additional outlets supplying alcohol will be detrimental to the local residents in terms of noise and

---

<sup>1</sup> Livingstone M. et al. Changing the density of alcohol outlets to reduce alcohol related harm. *Drug and Alcohol Review* 2007; 26: 557-566  
<http://onlinelibrary.wiley.com/doi/10.1080/09595230701499191/abstract>



disturbance, anti-social behaviour and crime. It is my opinion that this application does not meet the criteria laid out in the council's Licensing Policy to have genuinely exceptional circumstances to be granted this licence.

The area within which this premise is located has high incidences of crime and violence, including those that are alcohol related.

The information below is drawn from SafeStats, a service within the Greater London Authority that hosts data from emergency services and other agencies, covering the period year to October 2015. This data shows that within 500m of the address:

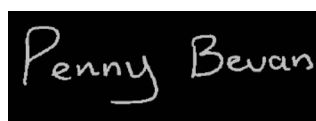
- There were **110** alcohol related incidents
- **34** alcohol related incidents involved those aged under 26 years
- **47** assaults were recorded by the London Ambulance Service
- **8** incidents led to head injuries

According to the council's Licensing database of premises allowed to sell alcohol, there are **31 on licence premises** and **21 off licence premises** within 500m of the application venue, with a further **16 having a licence for on and off sales**.

Additional data is presented in Appendix A.

Based on the information provided **the Public Health function recommends that the application for a licence to supply alcohol be refused**. If the sub committee is minded to approve the application, I would ask that the hours for sale of alcohol are considered and reduced.

Yours sincerely



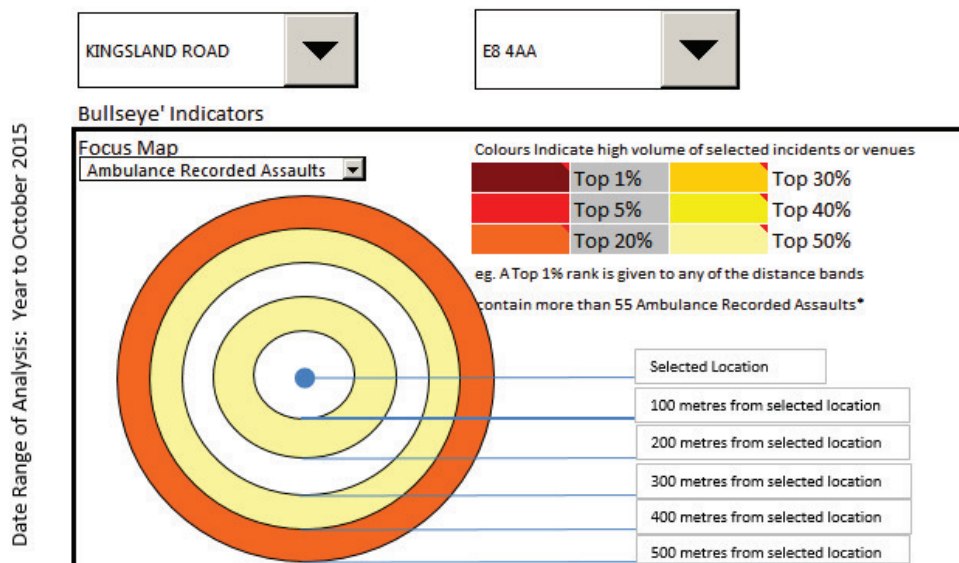
Dr Penny Bevan  
Director of Public Health  
London Borough of Hackney and City of London Corporation

## Appendix A – Bullseye Data on alcohol related incidents

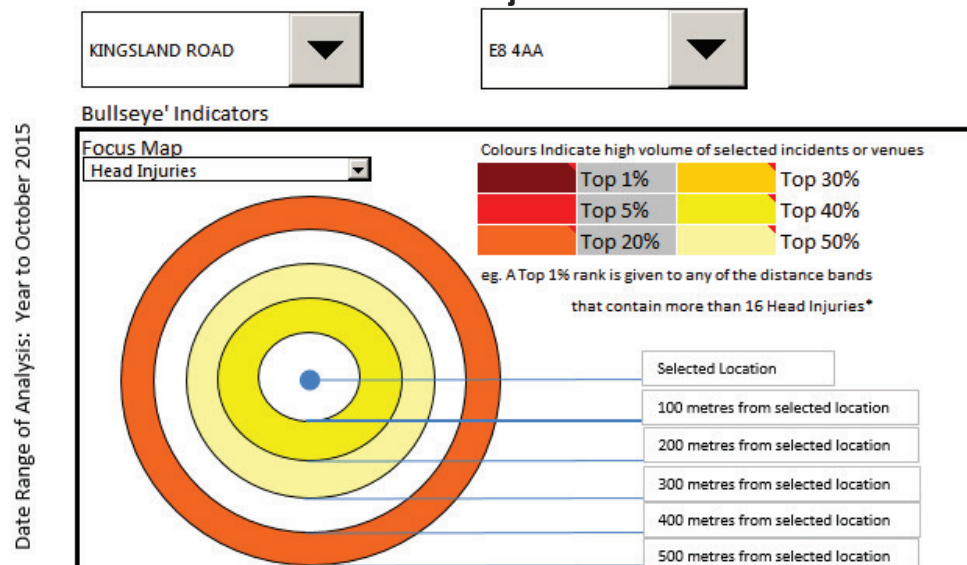
The Bullseye Dashboard was developed by the Safestats team for the purposes of scanning for and revealing crime and disorder trends related potentially to alcohol licensing.

The centre of the bullseye represents incidents that occur within 100 meters of the postcode location. The colour coding reveal whether the location is in the top 1-50% of incident counts for the relevant source data (e.g the number of ambulance recorded assaults in Hackney within a given timeframe).

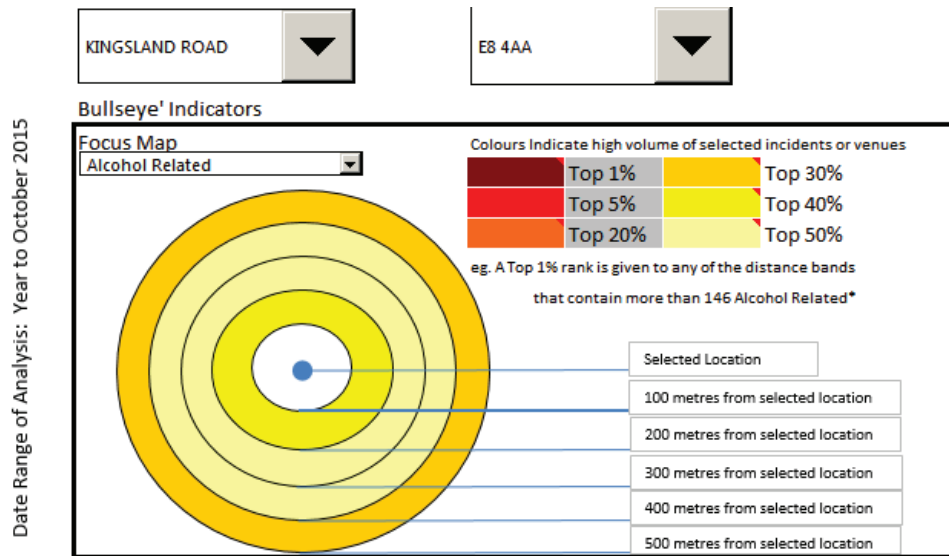
### Ambulance recorded assaults



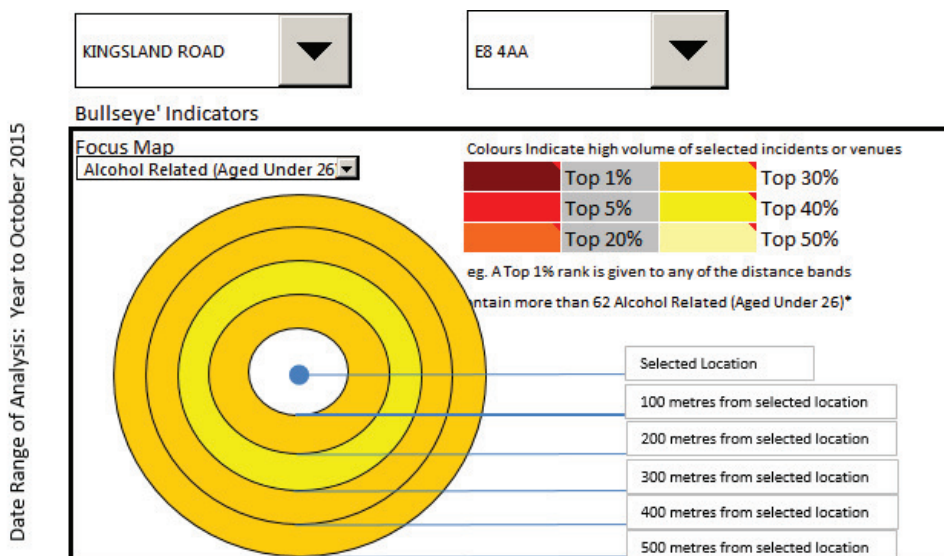
### Head Injuries



## Alcohol related incidents recorded by emergency services



## Alcohol related incidents recorded by emergency services (under 26 year olds)

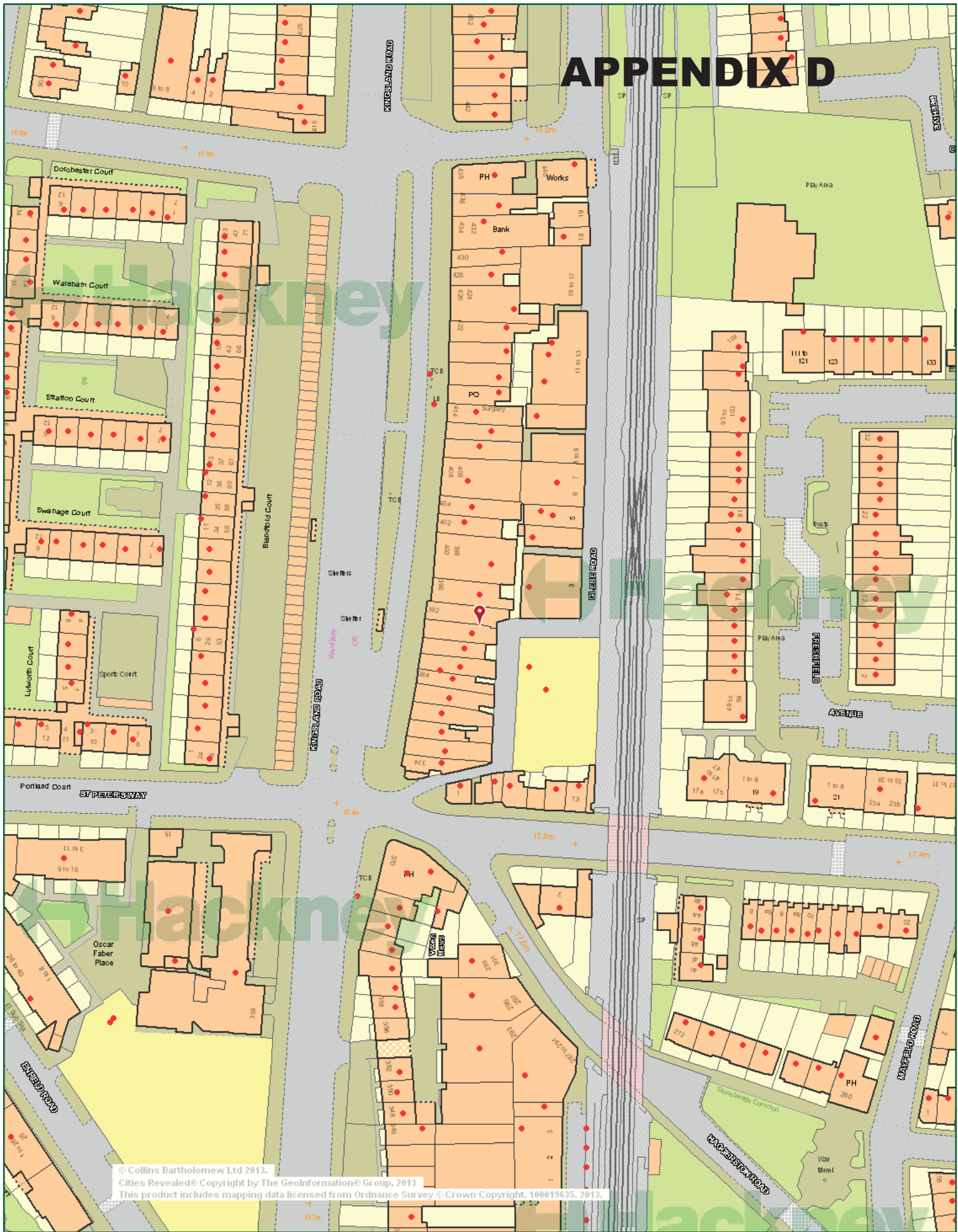


### Data Quality Caveats

There are important caveats with regard to Safetstats data quality. The bullesye dashboard tool, as seen above, is a scanning tool. It reveals general trends. The data may not be an exact mirror of events.

For the analysis of premises within 500m of the application venue, a small amount of data cleaning was undertaken (sourcing postcodes for 15 venues with missing/incomplete postcodes; corrected postcode formatting). Data accuracy may be affected by inputting accuracy.

# APPENDIX D



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Lobster's Paradise

Scale 1/1250

at A4



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Date 16/6/2016



<b>REPORT OF GROUP DIRECTOR, NEIGHBOURHOODS AND HOUSING</b>		
<b>LICENSING SUB-COMMITTEE:</b> 28/06/2016	<b>Classification</b> DECISION	<b>Enclosure</b>
<b>Application for a Premises Licence</b>  Costcutter, Ground Floor Rear, 350 Queensbridge Road, E8 3AR	<b>Ward(s) affected</b>  Dalston	

## 1. SUMMARY

<b>Applicant(s)</b> Yordanka Valkova Mutafova	<b>In SPA</b>
<b>Date of Application</b> 10/05/2016	<b>Period of Application</b> Permanent
<b>Proposed licensable activity</b> Supply of Alcohol (Off Premises)	
<b>Proposed hours of licensable activities</b> <b>Supply of Alcohol</b>	
<b>INDOOR:</b>	<b>Standard Hours:</b> Mon 08:00-00:00 Tue 08:00-00:00 Wed 08:00-00:00 Thu 08:00-00:00 Fri 08:00-01:00 Sat 08:00-01:00 Sun 08:00-00:00
<b>The opening hours of the premises</b> <b>INDOOR</b>	
	<b>Standard Hours:</b> Mon 07:00-02:00 Tue 07:00-02:00 Wed 07:00-02:00 Thu 07:00-02:00 Fri 07:00-02:00 Sat 07:00-02:00 Sun 08:00-00:00
<b>Capacity:</b> Not known	
<b>Policies Applicable</b>	LP3 (Operating Schedule), LP4 (Crime and Disorder), LP5 (Public Nuisance), LP6 (Protection of Children from Harm), LP8 (Public Safety), LP12 (licensing Hours),
<b>List of Appendices</b>	A – Application for a premises licence and supporting documents B – Representations from responsible authorities C –Location map

<b>Relevant Representations</b>	<ul style="list-style-type: none"> <li>Licensing Authority</li> </ul>
---------------------------------	---

## 2. APPLICATION

2.1 **Yordanka Valkova Mutafova** has made an application for a premises licence under the Licensing Act 2003:

- To supply alcohol for consumption **off** the premises

2.2 The application is attached as Appendix A. The applicant has proposed measures that could be converted to conditions (see paragraph 8.1 below).

## 3. CURRENT STATUS / HISTORY

3.1 The premises are not currently licensed for any activity

## 4. REPRESENTATIONS: RESPONSIBLE AUTHORITIES

From	Details
Environmental Health Authority (Pollution)	No representation received
Environmental Health Authority (Environmental Enforcement)	No representation received
Environmental Health Authority (Health & Safety)	Have confirmed no representation on this application
Weights and Measures (Trading Standards)	Have confirmed no representation on this application
Planning Authority (Appendix B1)	No objection. Planning permission must be sought and approved for proposed use
Area Child Protection Officer	No representation received
Fire Authority	No representation received
Police	Have confirmed no representation on this application
Licensing Authority (Appendix B2)	Representation received on the grounds of , Prevention of Public Nuisance, Licensing Hours,
Health Authority	Have confirmed no representation on this application

## 5. REPRESENTATIONS: OTHER PERSONS

From	Details
Representation received from and on behalf of local residents.	None

## 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, LP3 (Operating Schedule), LP4 (Crime and Disorder), LP5 (Public Nuisance), LP6 (Protection of Children from Harm), LP8 (Public Safety), LP12 (Licensing Hours), are relevant.

## 8. OFFICER OBSERVATIONS

- 8.1 If the Sub-Committee is minded to approve the application, the following conditions should be applied the licence:

### **Supply Of Alcohol (Off)**

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. 3.1. 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.  
3.2 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.  
3.3. 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.

### Minimum Drinks Pricing

4. 4.1 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.
- 4.2 For the purposes of the condition set out in paragraph 4.1 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 rate 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

(iii) 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;

(c) "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;

(d) "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

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

4.3 Where the permitted price given by Paragraph 4.2(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.

4.4 (1) Sub-paragraph 4.4(2) below applies where the permitted price given by Paragraph 4.2(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.

### **Conditions derived from operating schedule**

5. The DPS, a personal licence holder or trained member of staff nominated in writing by the DPS shall be on duty at all times the premises are open to the public.

6. a) A CCTV system covering the interior & exterior of the premises will be installed to current metropolitan police home office standards and shall be kept operational at all times the premises are open to the public.

b) It shall be capable of taking a head & shoulders shot of persons entering the premises, of recording images to an evidential standard in any light and be capable of storing images for a minimum of 31 days.

c) All staff who may work front of house shall be trained to operate the CCTV system and download images.

d) At least one member of staff trained to operate the CCTV system & download images shall be on duty at all times the Premises are open to the public. Foot age shall be shown to the Police and screenshots provided to them on request. Copies of downloaded images shall be provided to the police on a usb stick, cd or other acceptable means as soon as possible and in any case within 24 hours of the request

7. All staff who work at the till will be trained for their role on induction and be given refresher training every six months. Written training records will be kept for each staff member and be produced to police & authorised council officers



on request. Training will include identifying persons under 25, making a challenge, acceptable proof of age & checking it, making & recording a refusal, avoiding conflict & responsible alcohol retailing.

8. An incident book shall be kept at the premises, and made available to the police or authorised council officers, which will record the following:

- A) all crimes reported,
- B) lost property,
- C) all ejections of customers,
- D) any complaints received,
- E) any incidents of disorder,
- F) any seizure of drugs or offensive weapons,
- G) any faults in the CCTV,
- H) any refusal in the sale of alcohol.
- I) any visit by a relevant authority or emergency service

9. Notices will be prominently displayed by the entry/ exit door and point of sale (as appropriate) advising customers:

- A) that CCTV & Challenge 25 are in operation;
- B) advising customers of the provisions of the Licensing Act regarding underage & proxy sales;
- C) of the permitted hours for licensable activities & the opening times of the premises;
- D) not to drink in the street;

10. A fire risk assessment and emergency plan will be prepared and regularly reviewed. All staff will receive appropriate fire safety training and refresher training

11. The front of the premises shall be kept tidy at all times and be swept at close.

12. No deliveries will be received or rubbish removed from the premises between 21.00 & 07.00.

13. Any music played will only be played at background level.

14. A phone number for the premises shall be made available if required upon request to the police, any other Responsible Authority or any local resident to express any concerns caused by the operation of the premises. Any complaints and the outcome will be recorded in the incident book.

15. Challenge 25 shall be operated as the proof of age policy and only a valid passport, photo driving licence, HM forces photographic ID card or proof of age card with the pass logo or hologram on it may be accepted as proof of age.

## **9. REASONS FOR OFFICER OBSERVATIONS**

9.1 Conditions 5 to 15 above are derived from the applicant's operating schedule. No conditions have been proposed by responsible authorities.

## **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

### A. Option 1

**That the application be refused**

### B. 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.

<b>Group Director, Neighbourhoods and Housing</b>	Kim Wright
<b>Lead Officer (holder of original copy):</b>	Mike Smith Principal Licensing Officer Licensing Service 2 Hillman Street E8 1FB Telephone: 020 8356 4973

## LIST OF BACKGROUND PAPERS RELATING TO THIS REPORT

The following document(s) has been relied upon in the preparation of the report.

Description of document	Location
<b>Office File:</b> Costcutter, Ground Floor Rear, 350 Queensbridge Road, E8 3AR	Licensing Service 2 Hillman Street London E8 1FB

### Printed matter

Licensing Act 2003

LBH Statement of Licensing Policy

LPA: 078338.

SR : 501104

# APPENDIX A

↔ Hackney

LA01

Application for a premises licence to be granted 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 Ms Mutafova Yordanka Valkova  
Mr

(Insert name(s) of applicant)

apply for a premises licence under section 17 of the Licensing Act 2003 for the premises described in Part 1 below (the premises) and I/we are making this application to you as the relevant licensing authority in accordance with section 12 of the Licensing Act 2003

### Part 1 – Premises Details

Postal address of premises or, if none, ordnance survey map reference or description			
Costcuter GROUND FLOOR REAR 350-352 QUEENSBRIDGE ROAD HACKNEY LONDON			
Post town	LONDON	Post code	E8 3AR

Telephone number at premises (if any)	
Non-domestic rateable value of premises	£14500

### Part 2 - Applicant Details

Please state whether you are applying for a premises licence as  
Please tick yes

a)	an individual or individuals *	<input checked="" type="checkbox"/>	please complete section (A)
b)	a person other than an individual *	<input type="checkbox"/>	

	i.	as a limited company	..	please complete section (B)
	ii.	as a partnership	..	please complete section (B)
	iii	as an unincorporated association or	..	please complete section (B)
	iv	other (for example a statutory corporation)	..	please complete section (B)
c)		a recognised club	..	please complete section (B)
d)		a charity	..	please complete section (B)
e)		the proprietor of an educational establishment	..	please complete section (B)
f)		a health service body	..	please complete section (B)
g)		a person who is registered under Part 2 of the Care Standards Act 2000 (c14) in respect of an independent hospital in Wales	..	please complete section (B)
ga		a person who is registered under Chapter 2 of Part 1 of the Health and Social Care Act 2008 (within the meaning of that Part) in an independent hospital in England	..	please complete section (B)
h)		the chief officer of police of a police force in England and Wales	..	please complete section (B)

\* If you are applying as a person described in (a) or (b) please confirm:

Please tick yes

- I am carrying on or proposing to carry on a business which involves the use of the premises for licensable activities; or
- I am making the application pursuant to a
  - statutory function or
  - a function discharged by virtue of Her Majesty's prerogative

**(A) INDIVIDUAL APPLICANTS (fill in as applicable)**

<b>Title</b> Ms			
<b>Surname</b> Mutafova		<b>First names</b> Yordanka Valkova	
<b>I am 18 years old or over</b> <input checked="" type="checkbox"/> Please tick yes			
<b>Current postal address if different from premises address</b>		350 352 QUEENSBRIDGE ROAD HACKNEY  UK-England	
<b>Post Town</b>	LONDON	<b>Postcode</b>	E8 3AR
<b>Daytime contact telephone number</b>		[REDACTED]	
<b>E-mail address (optional)</b>		[REDACTED]	

**SECOND INDIVIDUAL APPLICANT (if applicable)**

<b>Title</b> Mr			
<b>Surname</b>		<b>First names</b>	
<b>I am 18 years old or over</b> " Please tick yes			
<b>Current postal address if different from premises address</b>		UK-England	
<b>Post Town</b>		<b>Postcode</b>	
<b>Daytime contact telephone number</b>			

<b>E-mail address</b> (optional)	
-------------------------------------	--

**(B) OTHER APPLICANTS**

**Please provide name and registered address of applicant in full. Where appropriate please give any registered number. In the case of a partnership or other joint venture (other than a body corporate), please give the name and address of each party concerned**

Name
Address
UK-England
Registered number (where applicable)
Description of applicant (for example, partnership, company, unincorporated association)
Telephone number (if any)
E-mail address (optional)

### Part 3 Operating Schedule

When do you want the premises licence to start?	07-06-2016
---	------------

If you wish the licence to be valid only for a limited period, when do you want it to end?

<p>Please give a general description of the premises (please read guidance note 1)</p> <p>Supermarket</p>
---

If 5,000 or more people are expected to attend the premises at any one time, please state the number expected to attend.	
--	--

What licensable activities do you intend to carry on from the premises?

(Please see sections 1 and 14 of the Licensing Act 2003 and Schedules 1 and 2 to the Licensing Act 2003)

	Provision of regulated entertainment	Please tick any that apply
a)	plays (if ticking yes, fill in box A)	<input type="checkbox"/>
b)	films (if ticking yes, fill in box B) <input type="checkbox"/>	**
c)	indoor sporting events (optional, fill in box C)	**
d)	boxing or wrestling entertainment (if ticking yes, fill in box D)	**
e)	live music (optional, fill in box E) <input type="checkbox"/>	**
f)	recorded music (if ticking yes, fill in box F)	**
g)	performances of dance (optional, 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)	**



<b>Provision of late night refreshment</b> (if ticking yes, fill in box L)	..
<b>Supply of alcohol</b> (if ticking yes, fill in box J)	<input checked="" type="checkbox"/>

Complete boxes K, L and M (optional)

**A**

Plays Standard days and timings (please read guidance note 6)			<b>Will the performance of a play take place indoors or outdoors or both – please tick</b> (please read guidance note 2)	Indoors	
Day	Start	Finish		Outdoors	
				Both	
Mon			<b>Please give further details here</b> (please read guidance note 3)		
Tue			<b>State any seasonal variations for performing plays</b> (please read guidance note 4)		
Wed			<b>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</b> (please read guidance note 5)		
Thur					
Fri					
Sat					
Sun					

**J**

<b>Supply of alcohol</b> Standard days and timings (please read guidance note 6)			<b>Will the supply of alcohol be for consumption (Please tick box)</b> (please read guidance note 7)	On the premises	
				Off the premises	<input checked="" type="checkbox"/>
				Both	
<b>Day</b>	<b>Start</b>	<b>Finish</b>	<b>State any seasonal variations for the supply of alcohol</b> (please read guidance note 4) N/A		
Mon	08:00	00:00			
Tue	08:00	00:00			
Wed	08:00	00:00			
			<b>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</b> (please read guidance note 5)		
Thur	08:00	00:00	N/A		
Fri	08:00	01:00			
Sat	08:00	01:00			
Sun	08:00	00:00			

**State the name and details of the individual whom you wish to specify on the licence as designated premises supervisor:**

<b>Name :</b> Miss MutafovaYordanka	
<b>Address</b>  350-352 QUEENSBRIDGE ROAD HACKNEY LONDON	
UK-England	
<b>Postcode</b>	E8 3AR
<b>Personal licence number (if known)</b> [REDACTED]	
<b>Issuing licensing authority (if known)</b> [REDACTED]	

**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 8).**

N/A

**L**

<b>Hours premises are open to the public</b> Standard timings (please read guidance note 6)			<b><u>State any seasonal variations</u></b> (please read guidance note 4) N/A
Day	Start	Finish	
Mon	07:00	02:00	
Tue	07:00	02:00	
Wed	07:00	02:00	
Thur	07:00	02:00	

Fri	07:00	02:00	
Sat	07:00	02:00	
Sun	08:00	00:00	

**M** Describe the steps you intend to take to promote the four licensing objectives:

**a) General – all four licensing objectives (b,c,d,e) (please read guidance note 9)**

Please see below;

**b) The prevention of crime and disorder**

1) THE DPS, A PERSONAL LICENCE HOLDER OR TRAINED MEMBER OF STAFF NOMINATED IN WRITING BY THE DPS SHALL BE ON DUTY AT ALL TIMES THE PREMISES ARE OPEN TO THE PUBLIC.

2) A) A CCTV SYSTEM COVERING THE INTERIOR & EXTERIOR OF THE PREMISES WILL BE INSTALLED TO CURRENT METROPOLITAN POLICE / HOME OFFICE STANDARDS AND SHALL BE KEPT OPERATIONAL AT ALL TIMES THE PREMISES ARE OPEN TO THE PUBLIC.

B) IT SHALL BE CAPABLE OF TAKING A HEAD & SHOULDERS SHOT OF PERSONS ENTERING THE PREMISES, OF RECORDING IMAGES TO AN EVIDENTIAL STANDARD IN ANY LIGHT AND BE CAPABLE OF STORING IMAGES FOR A MINIMUM OF 31 DAYS.

C) ALL STAFF WHO MAY WORK FRONT OF HOUSE SHALL BE TRAINED TO OPERATE THE CCTV SYSTEM AND DOWNLOAD IMAGES.

D) AT LEAST ONE MEMBER OF STAFF TRAINED TO OPERATE THE CCTV SYSTEM & DOWNLOAD IMAGES SHALL BE ON DUTY AT ALL TIMES THE PREMISES ARE OPEN TO THE PUBLIC. FOOTAGE SHALL BE SHOWN TO THE POLICE AND SCREENSHOTS PROVIDED TO THEM ON REQUEST. COPIES OF DOWNLOADED IMAGES SHALL BE PROVIDED TO THE POLICE ON A USB STICK, CD OR OTHER ACCEPTABLE MEANS AS SOON AS POSSIBLE AND IN ANY CASE WITHIN 24 HOURS OF THE REQUEST

3) CHALLENGE 25 SHALL BE OPERATED AS THE PROOF OF AGE POLICY.

4) ALL STAFF WHO WORK AT THE TILL WILL BE TRAINED FOR THEIR ROLE ON INDUCTION AND BE GIVEN REFRESHER TRAINING EVERY SIX MONTHS. WRITTEN TRAINING RECORDS WILL BE KEPT FOR EACH STAFF MEMBER AND BE PRODUCED TO POLICE & AUTHORISED COUNCIL OFFICERS ON REQUEST. TRAINING WILL INCLUDE IDENTIFYING PERSONS UNDER 25, MAKING A CHALLENGE, ACCEPTABLE PROOF OF AGE & CHECKING IT, MAKING & RECORDING A REFUSAL, AVOIDING CONFLICT & RESPONSIBLE ALCOHOL RETAILING.

5) AN INCIDENT BOOK SHALL BE KEPT AT THE PREMISES, AND MADE AVAILABLE TO THE POLICE OR AUTHORISED COUNCIL OFFICERS, WHICH WILL RECORD THE FOLLOWING:

- A) ALL CRIMES REPORTED,
- B) LOST PROPERTY,
- C) ALL EJECTIONS OF CUSTOMERS,
- D) ANY COMPLAINTS RECEIVED,
- E) ANY INCIDENTS OF DISORDER,
- F) ANY SEIZURE OF DRUGS OR OFFENSIVE WEAPONS,
- G) ANY FAULTS IN THE CCTV,
- H) ANY REFUSAL IN THE SALE OF ALCOHOL.
- I) ANY VISIT BY A RELEVANT AUTHORITY OR EMERGENCY SERVICE

6) NOTICES WILL BE PROMINENTLY DISPLAYED BY THE ENTRY/ EXIT DOOR AND POINT OF SALE (AS APPROPRIATE) ADVISING CUSTOMERS:

- A) THAT CCTV & CHALLENGE 25 ARE IN OPERATION;
- B) ADVISING CUSTOMERS OF THE PROVISIONS OF THE LICENSING ACT REGARDING UNDERAGE & PROXY SALES;
- C) OF THE PERMITTED HOURS FOR LICENSABLE ACTIVITIES & THE OPENING TIMES OF THE PREMISES;
- D) NOT TO DRINK IN THE STREET;

**c) Public safety**

A FIRE RISK ASSESSMENT AND EMERGENCY PLAN WILL BE PREPARED AND REGULARLY REVIEWED. ALL STAFF WILL RECEIVE APPROPRIATE FIRE SAFETY TRAINING AND REFRESHER TRAINING.

**d) The prevention of public nuisance**

- 1) THE FRONT OF THE PREMISES SHALL BE KEPT TIDY AT ALL TIMES AND BE SWEEPED AT CLOSE.
- 2) RELEVANT NOTICES WILL BE PROMINENTLY DISPLAYED BY THE ENTRY/ EXIT DOOR AND POINT OF SALE (AS APPROPRIATE)
- 3) NO DELIVERIES WILL BE RECEIVED OR RUBBISH REMOVED FROM THE PREMISES BETWEEN 21.00 & 07.00.
- 4) ANY MUSIC PLAYED WILL ONLY BE PLAYED AT BACKGROUND LEVEL.
- 5) AN INCIDENT BOOK SHALL BE KEPT AT THE PREMISES AND MADE AVAILABLE TO THE POLICE OR AUTHORISED COUNCIL OFFICERS --SEE BOX B CONDITION 5 FOR FULL DETAILS OF THE INFORMATION TO BE RECORDED.
- 6) A PHONE NUMBER FOR THE PREMISES SHALL BE MADE AVAILABLE IF REQUIRED UPON REQUEST TO THE POLICE, ANY OTHER RESPONSIBLE AUTHORITY OR ANY LOCAL RESIDENT TO EXPRESS ANY CONCERNS CAUSED BY THE OPERATION OF THE PREMISES. ANY COMPLAINTS AND THE OUTCOME WILL BE RECORDED IN THE INCIDENT BOOK.

**e) The protection of children from harm**

- 1) CHALLENGE 25 SHALL BE OPERATED AS THE PROOF OF AGE POLICY AND ONLY A VALID PASSPORT, PHOTO DRIVING LICENCE, HM FORCES PHOTOGRAPHIC ID CARD OR PROOF OF AGE CARD WITH THE PASS LOGO OR HOLOGRAM ON IT MAY BE ACCEPTED AS PROOF OF AGE.
- 2) ALL REFUSALS OF THE SALE OF ALCOHOL SHALL BE RECORDED IN THE REFUSALS SECTION OF THE INCIDENT BOOK. THE INCIDENT BOOK SHALL BE KEPT AND PRODUCED TO POLICE & AUTHORISED COUNCIL OFFICERS ON REQUEST --SEE SECTION B CONDITION 5 FOR FULL DETAILS.
- 3) RELEVANT NOTICES WILL BE PROMINENTLY DISPLAYED BY THE ENTRY/ EXIT DOOR AND POINT OF SALE AS APPROPRIATE-- SEE SECTION B CONDITION 6 FOR FULL DETAILS.
- 4) ALL STAFF WHO WORK FRONT OF HOUSE WILL BE TRAINED FOR THEIR ROLE ON INDUCTION AND BE GIVEN REFRESHER TRAINING EVERY SIX MONTHS. WRITTEN TRAINING RECORDS WILL BE KEPT FOR EACH STAFF MEMBER AND BE PRODUCED TO POLICE & AUTHORISED COUNCIL OFFICERS ON REQUEST. TRAINING WILL INCLUDE IDENTIFYING PERSONS UNDER 25, MAKING A CHALLENGE, ACCEPTABLE PROOF OF AGE & CHECKING IT, MAKING & RECORDING A REFUSAL, AVOIDING CONFLICT & RESPONSIBLE ALCOHOL RETAILING.
- 5) WRITTEN TRAINING RECORDS WILL BE KEPT FOR ALL STAFF MEMBERS AND MADE AVAILABLE TO POLICE OR AUTHORISED COUNCIL OFFICERS ON REQUEST.

6) UNLESS AN EPOS SYSTEM WITH AN AUTOMATIC PROOF OF AGE CHECK REMINDER INCORPORATED IN IT IS IN USE A MANUAL PROMPT WILL BE DISPLAYED BY THE TILL(S) TO REMIND STAFF TO CHECK PROOF OF AGE WHERE APPROPRIATE.

**Checklist:**

**Please tick to indicate agreement**

- I have enclosed the plan of the premises.
- I have sent copies of this application and the plan to responsible authorities and others where applicable.
- I have enclosed the consent form completed by the individual I wish to be designated premises supervisor, if applicable.
- I understand that I must now advertise my application.
- I understand that if I do not comply with the above requirements my application will be rejected.

**IT IS AN OFFENCE, LIABLE ON SUMMARY CONVICTION TO A FINE NOT EXCEEDING LEVEL 5 ON THE STANDARD SCALE, UNDER SECTION 158 OF THE LICENSING ACT 2003, TO MAKE A FALSE STATEMENT IN OR IN CONNECTION WITH THIS APPLICATION.**

**Part 4 – Signatures** (please read guidance note 10)

**Signature of applicant or applicant’s solicitor or other duly authorised agent** (see guidance note 11). **If signing on behalf of the applicant, please state in what capacity.**

<b>Signature</b>	cohan zedek
<b>Date</b>	10/5/2016
<b>Capacity</b>	licensing consultant

**For joint applications, signature of 2<sup>nd</sup> applicant or 2<sup>nd</sup> applicant’s solicitor or other authorised agent** (please read guidance note 12). **If signing on behalf of the applicant, please state in what capacity.**

<b>Signature</b>	
<b>Date</b>	10/5/2016
<b>Capacity</b>	

Contact name (where not previously given) and postal address for correspondence associated with this application (please read guidance note 13)

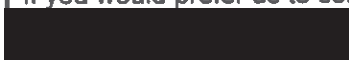


UK-England

Post town	LONDON	Postcode	
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Telephone number (if any)

If you would prefer us to correspond with you by e-mail, your e-mail address (optional)



#### Notes for Guidance

1. 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 for consumption of these off-supplies, you must include a description of where the place will be and its proximity to the premises.
2. Where taking place in a building or other structure please tick as appropriate (indoors may include a tent).
3. For example the type of activity to be authorised, if not already stated, and give relevant further details, for example (but not exclusively) whether or not music will be amplified or unamplified.
4. For example (but not exclusively), where the activity will occur on additional days during the summer months.
5. For example (but not exclusively), where you wish the activity to go on longer on a particular day e.g. Christmas Eve.
6. Please give timings in 24 hour clock (e.g. 16:00) and only give details for the days of the week when you intend the premises to be used for the activity.
7. If you wish people to be able to consume alcohol on the premises, please tick 'on the premises'. If you wish people to be able to purchase alcohol to consume away from the premises, please tick 'off the premises'. If you wish people to be able to do both, please tick 'both'.
8. Please give information about anything intended to occur at the premises or ancillary to the use of the premises which may give rise to concern in respect of children, regardless of



Signed	
Name (please print)	MutafovaYordanka
Date	

# APPENDIX B1

## Planning Authority Representation: Application under the Licensing Act 2003

Details of Authority	2 Hillman Street, Hackney, London, E8 1FB
Officer contact name	Laraine Rolt
Officer telephone number	020 8356 8076
Officer's email address	laraine.rolt2@hackney.gov.uk

## APPLICATION PREMISES

Name and address of premises	Costcutter Ground floor rear 350-352 Queensbridge Road Hackney London, E8 3AR
Applicant name	Ms Mutafova Yordanka Valkova

## COMMENTS

I make the following relevant representation in relation to the above application at the above address.

- Prevention of crime on disorder
- Public safety
- Prevention of public nuisance
- Protection of children from harm

### Please supply any relevant evidence/information to support the above representation.

Planning ref. 2009/2188 granted permission for a "Change of use of ground floor from launderette (Sui Generis) to retail (A1) at No.350 to form an extended retail unit with No.352, together with erection of 3 storey rear extension and roof extension to accommodate 3 x 2 bed & 1 x 3 bed flat on the upper floors".

Further planning permission (ref. 2011/3393) granted a "Variation of condition 7 (hours of use) attached to planning permission ref: 2009/2188 in order to allow extended hours of opening from the existing hours of: 07:00 hours to 19:00 hours on Monday to Saturday and 10:00 hours to 16:00 hours on Sunday; to the proposed hours of: 06:00 hours to 23:00 hours Monday to Saturday and 06:00 to 22:00 hours on Sunday". The proposed hours within the licensing application (07:00 hours to 02:00 hours Mon to Sat and 08:00 hours to 00:00 hours on Sun) exceed those permitted and the use would therefore be considered to be unauthorised.

Please provide the following information (if applicable)

Area (that permission applies to)	Ground floor
Permitted use	Class A1 (retail)
Permitted hours	06:00 hours to 23:00 hours Mon to Sat and 06:00 hours to 22:00 hours on Sun.
Specific/restrictive conditions	2011/3393 - Condition 1 (opening hours)
Recent applications	2009/2188 - Change of use of ground floor from launderette (Sui Generis) to retail (A1) at No.350 to form an extended retail unit with No.352, together with erection of 3 storey rear extension and roof extension to accommodate 3 x 2 bed & 1 x 3 bed flat on the upper floors.  2011/3393 - Variation of condition 7 (hours of use) attached to planning permission ref: 2009/2188 in order to allow extended hours of opening from the existing hours of: 07:00 hours to 19:00 hours on Monday to Saturday and 10:00 hours to 16:00 hours on Sunday; to the proposed hours of: 06:00 hours to 23:00 hours Monday to Saturday and 06:00 to 22:00 hours on Sunday.
Decisions	2009/2188 - granted 2011/3393 - granted
Pending decisions	N/A
Reasons for refusal	N/A
Relevant Conditions/discharges	N/A

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

**The applicant is advised that before commencing any use authorised in connection with this premises licence application, planning permission must be sought and approved for the proposed use. The applicant is also advised that these comments do not represent a formal decision of the Local Planning Authority as to the acceptability or otherwise of the proposed use and that the decision of the Licensing Authority is not prejudicial to the determination of any subsequent planning**

**application.**

Signed

Name

Date

# APPENDIX B2

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

### RESPONSIBLE AUTHORITY DETAILS

NAME OF AUTHORITY	Licensing
ADDRESS OF AUTHORITY	Licensing Service Legal, HR and Regulatory Services Directorate 2 Hillman St London E8 1FB
CONTACT NAME	Darren Reilly
TELEPHONE NUMBER	020 8356 4965
E-MAIL ADDRESS	darren.reilly@hackney.gov.uk

### APPLICATION PREMISES

NAME & ADDRESS OF PREMISES	<b>Costcutter</b> <b>352 Queensbridge Road</b> <b>London E8 3AR</b>
NAME OF APPLICANT/PREMISES USER	<b>Ms Yordanka Valkova Mutafova</b>

### COMMENTS

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

- 1) the prevention of crime and disorder
- 2) public safety
- 3) the prevention of public nuisance **x**
- 4) the protection of children from harm

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

The premises is located in a residential area and is requesting hours that exceed what would normally be considered in such an area under LP12 in the Council's licensing policy.

Applicant should contact licensing to discuss whether changes to the application and/or conditions being added could allay concerns.

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

The licensing Policy and Licensing Objectives

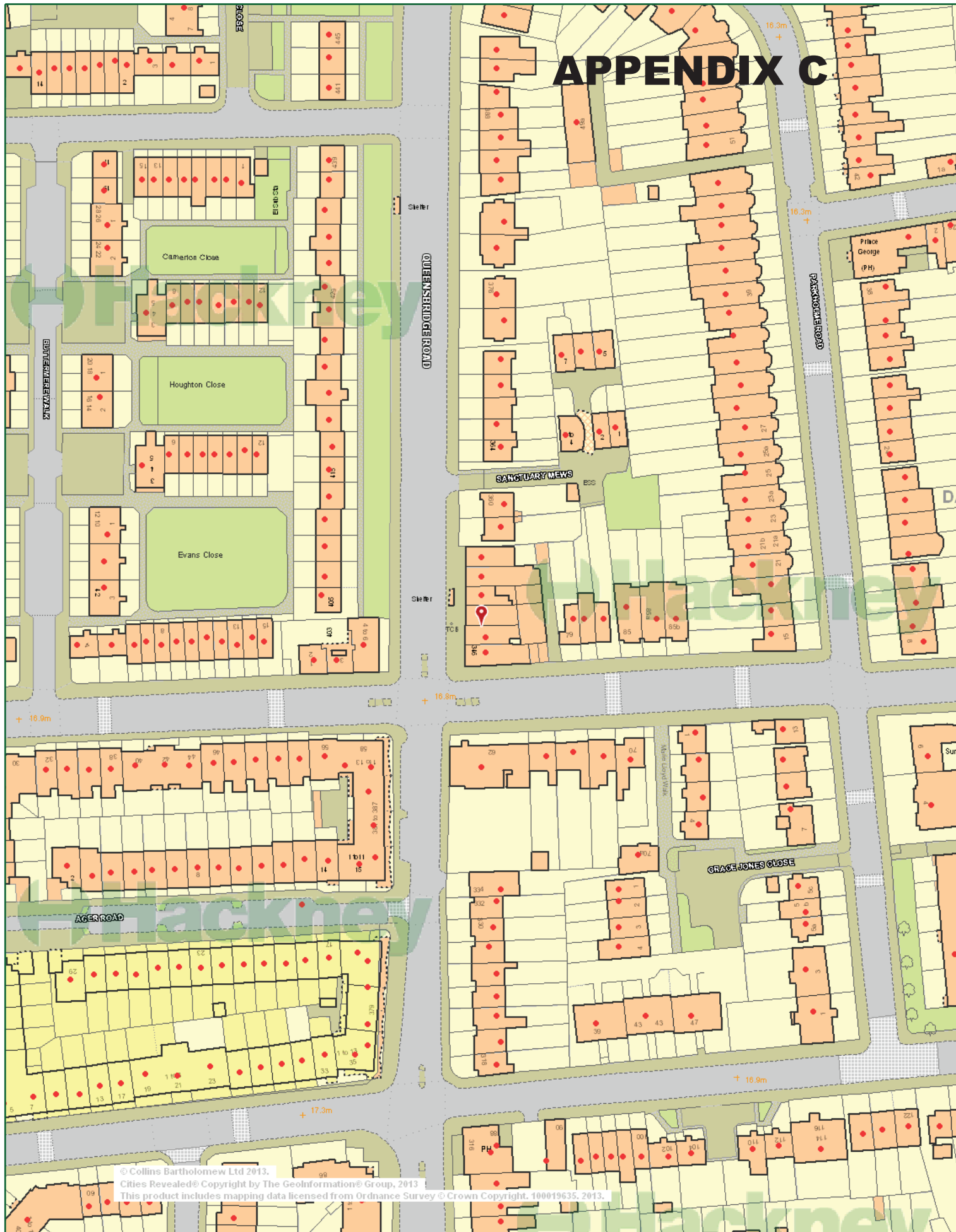
Are there any actions or measures that could be taken to allay concerns or objections? If so, please explain.

Applicant should contact licensing to discuss

Name: Darren Reilly (Team Leader Licensing Enforcement)

Date: 31/5/16

# APPENDIX C



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Costcutter

Scale 1/1250

at A4

