



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

Tuesday, 14th March, 2017

at 7.00 pm

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

Councillors sitting:

**Cllr Sharon Patrick, Cllr Emma Plouviez
(Substitute) and Cllr Caroline Selman**

**TIM SHIELDS
Chief Executive**

Contact:
Jessica Feeney, Governance Services Officer
020 8356 8407
governance@hackney.gov.uk

The press and public are welcome to attend this meeting

AGENDA

Tuesday, 14th March, 2017

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 Minutes of the Previous Meeting		(Pages 1 - 8)
5 Licensing Sub-Committee Hearing Procedure		(Pages 9 - 10)
6 Application for a Premises Licence - Gillett Square, N16 8AZ	Dalston	(Pages 11 - 92)
7 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 as soon as possible. For further information on the application process, please see the guidance notes at www.hackney.gov.uk/licensing.

Making decisions on the items being heard:

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

Only those Responsible Authorities and Other Persons who have made a relevant representation in writing at the consultation stage **can register to speak at a subsequent hearing**. Applicants, Other Persons and Responsible Authorities will all be given a fair

opportunity to put their case and the Sub-Committee will take these representations into account when making their decision. The Sub-Committee may still make a decision on any matter even if any party fails to attend the hearing. However, in these circumstances, it will only be that party's written representation that may be taken into account.

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

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

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

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

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

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

Before the meeting starts:

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

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

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

Attending the hearing that concerns you:

All Applicants, Other Persons and Responsible Authorities involved will be informed in writing of the date and time that their application will be considered by the Licensing Sub-Committee. Please contact the Licensing Service on 020 8356 4970 or email licensing@hackney.gov.uk to

confirm whether you wish to attend and/or register to speak at the Sub-Committee hearing or if you wish for someone else to speak on your behalf. If you are unable to attend, the application may be heard in your absence.

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

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

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

Please note that if you wish to provide additional relevant information, this should be given at least **5 working days** before the hearing. Any additional information provided once the hearing has started will only be accepted if all parties agree. Please note that the use of videos/DVDs is at the Sub-Committee's discretion – requests to show these should be made in advance to the Committee Officer.

Timings

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

Rights of Press and Public to Report on Meetings

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

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

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

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

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

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

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

Providing oral commentary during a meeting is not permitted.

Lobbying of Councillors

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

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

Reports

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

Appeals

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

Withdrawal of an Item or Cancellation of a Hearing

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

As much advance notice as is practicable of the withdrawal of an item on the agenda or cancellation of a meeting of the Licensing Sub-Committee will be provided on the Council's

website but please note that this might be as little as a few hours before the hearing if the applicant chooses to leave it that late to satisfactorily address any representation or objection giving rise to the need for a hearing.

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
2nd Floor Maurice Bishop House
17 Reading Lane
London, E8 1HH

Telephone: 020 8356 3578
E-mail: 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

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 Corporate Director of Legal, HR and Regulatory Services;
- 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



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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)
- (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

- (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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MINUTES OF A MEETING OF THE LICENSING SUB COMMITTEE B

TUESDAY, 22ND NOVEMBER, 2016

Councillors Present: Cllr James Peters in the Chair

Cllr Sharon Patrick, Cllr James Peters and
Cllr Emma Plouviez (Substitute)

Officers in Attendance: Emma Perry (Governance Services Officer), Mike Smith (Principal Licensing Officer), David Tuitt (Team Leader – Licensing (Policy and Operations)) and Robert Walker (Licensing and Planning Lawyer)

Also in Attendance: Pizza Pilgrims
Piers Warne, Solicitor
Tom Elliott, Applicant
Paola Masperi, Other Person
Kamal Krishnaratna – Witness of Paola Masperi
Heath Gascoigne, Other Person

1 Election of Chair

1.1 Councillor Peters was duly elected to chair the meeting.

2 Apologies for Absence

2.1 There were no apologies for absence.

3 Declarations of Interest - Members to declare as appropriate

3.1 There were no declarations of interest.

4 Minutes of the Previous Meeting

4.1 The minutes of the meeting held on 21 July 2016 were agreed as a correct record.

5 Licensing Sub-Committee Hearing Procedure

5.1 The Chair outlined the hearing procedure, as set out on page 11 of the agenda.

6 Premises Licence: Pizza Pilgrims, 136-137 Shoreditch High Street, London E1 6JE

6.1 Mike Smith, Principal Licensing Officer, introduced the report. Mike Smith advised that the hours for the supply of alcohol on Sundays had now been reduced to 10:00 – 22:00, to allow for drinking up time. He also referred to the latest version of the plan, which superseded versions detailed on pages 48 and

- 49 of the agenda. A further submission from an Other Person had also been submitted, in addition to Appendix C1.
- 6.2 In response to a question from the Chair regarding condition 22, the Applicant explained that currently no one could drink outside the premises. There would only be an outside seating area if the applicant was granted a pavement licence, which would be subject to a separate application.
 - 6.3 Piers Warne, the Applicant's solicitor, outlined the application on behalf of the Applicant. Mr Warne stated that Pizza Pilgrims was an award-winning pizza restaurant. The application would provide an exceptional premises with planning permission for A3 use, providing around 15-20 local jobs. Following a discussion with the police, the non-standard hours for New Years Eve had been removed and a drinking up time included. Mr Warne stated that it was not a vertical drinking establishment and they were willing to reduce the hours for the supply of alcohol to 23:00, Monday – Saturday, if necessary, and remove the application for late night refreshment. He added that alcohol would be ancillary to food.
 - 6.4 Mr Warne confirmed that there would be no regulated entertainment at the venue and there would be a pizza oven only, with no fryers or grills generating any noxious smells. There would be an approximate capacity of 60 patrons at the venue, which had been determined from a fire assessment.
 - 6.5 Mr Warne made reference to LP13 – Special Policy Area, Shoreditch (the "SPA"), which stated that where a relevant representation was made to any application within the SPA, the application would be refused unless there were exceptional circumstances. Mr Warne stated that "exceptional" could be viewed as 'not typical' and he stated that the application was for a small restaurant, which would not add to the cumulative impact in the area. Mr Warne highlighted the fact that there were no representations from the police or Environmental Health, who would normally raise any concerns regarding crime and order and cumulative impact.
 - 6.6 Mr Warne advised that the Applicant owned a number of other premises, all located within areas of cumulative impact and some with residential units located above, which had not caused any issues. Mr Warne advised that the Applicant always liaised with local residents and had since sat on the Soho Society Residents Association Board. He added that the hours of operation did not exceed other neighbouring licensed premises and stressed the Applicant was a good operator and would raise the standards in the area.
 - 6.7 Mr Warne referred to the *Movida v Westminster City Council* court case which dealt with the issue of exceptional circumstances. He believed that a venue could be exceptional for an accumulation of small reasons rather than because of a single, more substantial reason, and he referred to paragraph 33.8 of the Council's licensing policy.
 - 6.8 In response to a question regarding the proposed capacity at the premises, it was explained that a fire risk assessment had suggested a capacity of 60 patrons, which the Applicant confirmed would fit comfortably seated within the venue. The Applicant confirmed that soundproofing would be installed over two floors and that a condition could be added to have a condition stipulating that

there shall be no more than 4 people waiting for a table in the designated waiting area.

- 6.9 In response to a question regarding condition 16, the Applicant stated that he was unsure why that was there and he was happy for this to be deleted. The Applicant also agreed to an amendment to condition 21, if granted, to specify that only one drink would be permitted per person whilst waiting.
- 6.10 The Applicant made reference to the company's alcohol policy, reproduced on page 53 of the agenda, which could be amended accordingly if required. He added that there would be a host on the door to seat patrons, as well as managing the outside area. It was believed that the measures being taken to manage the venue would promote the licensing objectives.
- 6.11 David Tuitt, Licensing Team Leader, outlined his representation. David Tuitt referred to LP13 – Special Policy Area, Shoreditch and believed that the application would add to the cumulative impact in the area, with a correlation to crime and anti-social behaviour. He stated that the main problem areas in the SPA were between midnight and 3am and that a quarter of licensed premises in the borough were located in Shoreditch. The reduction of hours had been acknowledged, however he still believed that granting the application could add to the cumulative impact.
- 6.12 Paola Masperi, Other Person, outlined her representation. Ms Masperi stated that her objection was not personal to the applicant or their business, however she strongly opposed the application. Ms Masperi also believed that granting the application would add to the negative cumulative impact of licensed premises in the SPA. Ms Masperi did not believe that there were any exceptional circumstances to warrant granting a premises licence and added that there were already 45 other licensed premises within a 200m radius of the application site.
- 6.13 Ms Masperi raised concerns regarding the number of people visiting the premises, which she believed could be up to 120 per hour given the quick turnaround of tables. This could lead to overcrowding on the pavement outside the premises, in an area that was already strained with people being forced onto the roads. She did not believe that the pavement could take the strain of another premises being granted a licence. She made reference to the photo included on page 76 of the agenda highlighting this issue and questioned how these patrons would be managed.
- 6.14 Ms Masperi believed that the application would undermine the licensing objectives and bring more people into an already saturated area, as well as adding to the existing problems surrounding anti-social behaviour and noise nuisance. She stated that residents already felt surrounded and that the granting of one more premises licences in the area would tip the balance.
- 6.15 The Legal Officer explained that if the application was refused, the venue could be operated as a pizza restaurant up to 23:00, but with no supply of alcohol or conditions attached as proposed. Ms Masperi explained that she still believed the application should be refused as conditions could not control patrons outside of the venue. The Chair asked the Other Person to clarify whether his concerns were regarding the proposed sale of alcohol or there being another

- pizza restaurant. In response, Jimmy Couppis confirmed that his concerns were with the proposed combination of both the sale of alcohol and pizza in the SPA.
- 6.16 Mr Gascoigne, Other Person, outlined his representation. Mr Gascoigne stated that he had lived in the area for the past five years and had witnessed a number of changes during that time. Mr Gascoigne recognised the importance of boosting the local economy, however he believed that the application undermined the licensing objectives and would add to the cumulative impact of licensed premises in the area. He stated that the premises would have a high footfall resulting in an increase in the number of people congregating on the already tight pavement area. He also had an issue with the alcohol licence being applied for and did not feel that the proposal was exceptional in any way.
- 6.17 Mr Gascoigne believed that granting the application would undermine the public safety, prevention of crime and disorder and prevention of public nuisance licensing objectives. Mr Gascoigne confirmed to the Chair that he would prefer that the premises operated as a restaurant without a licence to sell alcohol.
- 6.18 Mr Krishnaratna then addressed the Sub-Committee as a witness. Mr Warne confirmed that he had no objection to Mr Krishnaratna making submissions. Mr Krishnaratna echoed the other persons' representations regarding the increased problems with footfall and public nuisance should the application be granted. He explained that the area suffered from the effects of cumulative (negative) impact and he told the Sub-Committee that people often congregated in the doorway to the building in which he lives, blocking access and that people also urinated in it. He did not consider the application to be exceptional warranting it being granted.
- 6.19 In response to concerns regarding the potential increase in footfall, the Applicant advised that he expected that the average dwelling time per person would be around 45 minutes. On a good week he expected that the venue would attract between 350 - 400 people per day maximum, with an average of around 2,100 covers per week.
- 6.20 Mr Warne added that the issue surrounding the public highway surrounding the premises was a police issue to manage and there were review mechanisms in place if the venue was found to not be adhering to the licensing objectives and conditions on the licence. He did not believe that licensing the premises would increase the number of people in the area and therefore add to the cumulative impact.
- 6.21 In response, the Other Persons referred to the other licensed premises in close proximity to the venue which caused noise nuisance to local residents. They believed that the location of the other premises operated by Pizza Pilgrims were different to this area and that the business model would not work in this particular location. The Other Persons were not satisfied by any of the conditions put forward by the applicant, as they did not believe that they could appropriately address the issues associated with patrons coming and leaving the premises.
- 6.22 The Chair queried what measures the Applicant proposed in order to alleviate the concerns raised by the Other Persons. In response, Mr Warne stated that the Applicant was a good operator and that it was difficult to manage people

once they had left the venue. The Applicant believed that his other premises in Dean Street provided an appropriate comparison, as it was located on the corner opposite a pub. This premises also had a host on the door and CCTV in that vicinity had improved crowd control in the area.

- 6.23 Councillor Patrick was concerned that it was a successful business and would therefore attract people into the area to visit the premises. In response, Mr Warne explained that the business was award-winning and therefore people in the area may wish to visit it. It was expected that the venue would attract local people who lived and worked in the area. He did not feel that footfall alone was a sufficient reason to refuse the application. He added that the operator was not responsible for people once they had left the premises and referred to the conditions regarding the management of the outside area and referred to paragraph 2.20 of the statutory guidance.
- 6.24 Further discussion took place surrounding condition 22, not permitting glass, drinks or open containers outside the premises, except for the designated outside seating area. It was explained that the designated outside area would only be able to be used if and when a pavement licence was submitted and granted. The Applicant stated that this was not fundamental to the application.
- 6.25 Further discussion took place surrounding the pavement area and the Other Persons indicated that this area was busy from early evening. The premises was previously a shoe shop which was easier to manage and did not cause neighbouring residents any nuisance once it closed for the day. The Other Persons added that if granted, there would be three licensed premises in very close proximity, all closing at similar times.
- 6.26 In closing remarks, the Other Persons queried whether the Applicant had considered opening a pizza restaurant that didn't sell alcohol.
- 6.27 Mr Warne stated that there would be limited alcohol sales at the venue and referred to the conditions in place, specifying that the sale of alcohol was ancillary to food. There was no evidence of any issues surrounding the other venues operated by the Applicant, the majority of which were located in strict SPAs. Mr Warne referred the Sub-Committee to the judgement in *Brewdog v Leeds City Council* and read out extracts. Mr Warne stressed that the premises would be a restaurant and not a bar and would cause marginal disturbance to local residents.
- 6.28 **RESOLVED that:-**

The Licensing Sub-Committee in considering this decision from the information presented to it within the report and at the hearing today has determined that having regard to the promotion of all the licensing objectives:

- The prevention of crime and disorder;
- Public safety;
- Prevention of public nuisance; and
- The protection of children from harm;

the application be refused in accordance with the Council's Licensing Policies LP4, LP5 and LP13.

The Sub-Committee having heard from the applicant, the Licensing Authority and local residents, believed that granting the application would undermine the licensing objectives, in particular the prevention of public nuisance.

The Sub-Committee had regard to the representations in respect of LP13, in particular the reasons and circumstances asserted by the applicant, which they believed to be exceptional warranting the grant of the application. However, the Sub-Committee, was not satisfied that these grounds, taken individually or collectively, were exceptional to warrant the application being granted.

The Sub-Committee also considered the concerns raised, both in writing and at the hearing, from local residents who live in close proximity to the premises, regarding the negative impact associated with licensed premises in the Shoreditch SPA. The Sub-Committee accepted the concerns raised regarding the specific location of this premises within the SPA, which they believed suffered from acute problems of cumulative impact arising from the concentration of licensed premises. As such the Sub-Committee felt that by granting the application this would inevitably result in more people drinking in the SPA and in turn increase disturbance to local residents. The Sub-Committee did not believe there were any appropriate conditions, which would prevent the licensing objectives from being undermined.

Given the reasons set-out above the Sub-Committee, having regard to LP13, believed that the application was not exceptional, as they believed that granting this application would not promote the licensing objectives, particularly the prevention of public nuisance.

7 Variation of Premises Licence: Station Place, 3a Blackstock Road, London N4 2JE

7.1 The application was withdrawn and approved under delegated authority.

8 Premises Licence: Forest Road Brewing Co., Railway Arch 355, Westgate Street, Hackney, London E8 3RL

8.1 The application was withdrawn and approved under delegated authority.

9 Temporary Event Notices - Standing Item

9.1 There were no Temporary Event Notices.

Duration of the meeting: 7:00 – 9:15pm

Signed

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Tuesday, 22nd November, 2016

Chair of Committee

Contact:

Governance Services Officer:
Tel 020 8356 8407

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Agenda Item 5

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>Step 1 Appointment of Chair and introduction</p>	<p>The Sub-Committee will appointment a Chair.</p> <p>The Chair will introduce the Sub-Committee, announce the item, and establish the identity of those taking part.</p> <p>The Sub-Committee will consider any requests to depart from normal procedure, such as holding a private session if it is considered to be in the public interest to do so or if a deferral/adjournment is requested for the item.</p> <p>The Chair (or Legal Adviser if asked by the Chair) will briefly outline how the hearing will proceed. However, Members may seek clarification on any issue raised during the hearing if required and if requested.</p>	<p>5 minutes</p>
<p>Step 2 Licensing Officer</p>	<p>The Licensing Officer will outline the report.</p>	<p>5 minutes</p>
<p>Step 3 Applicant's Case</p>	<p>The Applicant will present their case in support of their application.</p>	<p>5 minutes</p>
<p>Step 4 Responsible Authorities' Case</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>Step 5 Other Persons' Case</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>Step 6 Discussion</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>Step 7 Closing remarks</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>Step 8 - Final clarification</p>	<p>Licensing Sub-Committee Members will have a final opportunity to seek clarification on any points raised, following which the Chair will conclude the discussion.</p>	<p>5 minutes</p>
<p>Step 9 Consideration</p>	<p>The Sub-Committee will normally withdraw to consider the evidence that has been presented to them with the Committee Officer and Legal Adviser in order that the 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>Step 10 Chair announces the decision</p>	<p>The Sub-Committee will return and the Chair will announce the decision. Reasons for their decision will be given, if appropriate.</p> <p>The Licensing Officer will draw attention to any restrictions which will affect the running of the premises and provide a written record of the decision, which will be sent to the applicant.</p>	<p>5 minutes</p>

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

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REPORT OF GROUP DIRECTOR, NEIGHBOURHOODS AND HOUSING		
LICENSING SUB-COMMITTEE: 14/03/2017	Classification DECISION	Enclosure
Application for a Premises Licence Gillett Square, N16 8AZ	Ward(s) affected Dalston	

1. SUMMARY

Applicant(s) Hackney Co-Operative Developments	In SPA Yes
Date of Application 23/01/2017	Period of Application Permanent
Proposed licensable activity Plays Films Live Music Recorded Music Performance of Dance Other Entertainment Similar to Live or Rec Music or Dance Performance Late Night Refreshment	
Proposed hours of licensable activities	
Plays	Standard Hours: Mon 10:00-00:00 Tue 10:00-00:00 Wed 10:00-00:00 Thu 10:00-00:00 Fri 10:00-00:00 Sat 10:00-00:00 Sun 10:00-00:00
Films	Standard Hours: Mon 10:00-00:00 Tue 10:00-00:00 Wed 10:00-00:00 Thu 10:00-00:00 Fri 10:00-00:00 Sat 10:00-00:00 Sun 10:00-00:00

Live Music	Standard Hours: Mon 10:00-00:00 Tue 10:00-00:00 Wed 10:00-00:00 Thu 10:00-00:00 Fri 10:00-00:00 Sat 10:00-00:00 Sun 10:00-00:00
Recorded Music	Standard Hours: Mon 10:00-00:00 Tue 10:00-00:00 Wed 10:00-00:00 Thu 10:00-00:00 Fri 10:00-00:00 Sat 10:00-00:00 Sun 10:00-00:00
Performance of Dance	Standard Hours: Mon 10:00-00:00 Tue 10:00-00:00 Wed 10:00-00:00 Thu 10:00-00:00 Fri 10:00-00:00 Sat 10:00-00:00 Sun 10:00-00:00
Other Entertainment Similar to Live or Recorded Music or Dance Performance	Standard Hours: Mon 10:00-00:00 Tue 10:00-00:00 Wed 10:00-00:00 Thu 10:00-00:00 Fri 10:00-00:00 Sat 10:00-00:00 Sun 10:00-00:00
Late Night Refreshment	Standard Hours: Mon 23:00-00:00 Tue 23:00-00:00 Wed 23:00-00:00 Thu 23:00-00:00 Fri 23:00-00:00 Sat 23:00-00:00 Sun 23:00-00:00
The opening hours of the premises Public Open Space	

Capacity: Not known	
Policies Applicable	LP1 (Planning), LP3 (Operating Schedule), LP4 (Crime and Disorder), LP5 (Public Nuisance), LP6 (Protection of Children from Harm), LP8 (Public Safety), LP14 (Special Policy Area - Dalston),
List of Appendices	A – Application for a premises licence and supporting documents B – Representations from responsible authorities C – Representations from other persons D – Location map
Relevant Representations	<ul style="list-style-type: none"> • Planning Authority • Police • Other Persons

2. APPLICATION

- 2.1 **Hackney Co-Operative Developments** has made an application for a premises licence under the Licensing Act 2003:
- 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 Gillett Square has been licensed for regulated entertainment since 2006 for the same activities/ hours as now sought. The licence, which is held by the New Vortex Jazz Club, is subject to the following conditions:

Mandatory Conditions

1. Admission of children (under 18) to the exhibition of any film must be restricted in accordance with: -
 - (a) Recommendations made by the film classification body where the film classification body is specified in the licence, or
 - (b) Recommendations made by the licensing authority where the film classification body is not specified in the licence, or the relevant licensing authority has not notified the holder of the licence that this subsection applies to the film in question.
 "film classification body" means person('s) designated under s4 of the Video Recordings Act 1984(c.39).

Conditions consistent with the Operating Schedule

2. The licensee will work closely with the local police, safer neighbourhoods team and LBH community safety officers and ensure there is adequate stewarding for all organised events in the square.
3. The square shall be well covered by CCTV and close links shall be maintained with the local Business Watch system

4. A dedicated administration office shall be maintained on site with all necessary facilities and equipment for meeting public safety requirements (e.g telephone, fire blankets, fire extinguishers, first aid).
5. Trained personnel shall provide a full coverage to respond quickly and effectively to any community safety issues or emergencies
6. The licensee will work closely with the local safer neighbourhoods team, local neighbourhood and resident's associations and other outreach bodies dealing with anti-social behaviour.
7. Noise levels shall be carefully monitored and controlled to minimise disturbance to local residents.
8. All complaints shall be promptly attended to and followed up to prevent recurrence.
9. All staff shall be aware of child protection requirements and how to report concerns about the welfare of a child.
10. The Operating Schedule submitted to the Licensing Authority on 27 September 2006 shall be adhered to at all times.

4. REPRESENTATIONS: RESPONSIBLE AUTHORITIES

From	Details
Environmental Health Authority (Environmental Protection)	No representation received
Environmental Health Authority (Environmental Enforcement)	Representation withdrawn following acceptance of agreed conditions (see para 8.1 below)
Environmental Health Authority (Health & Safety)	No representation received
Weights and Measures (Trading Standards)	Have confirmed no representation on this application
Planning Authority (Appendix B1)	Have submitted an informative
Area Child Protection Officer	Have confirmed no representation on this application
Fire Authority	Have confirmed no representation on this application
Police (Appendix B2)	Representation received on the grounds of The Prevention of Crime and Disorder, Public Safety, Prevention of Public Nuisance, The Protection of Children from Harm, Licensing Hours, Special Policy Area and Cumulative Impact.
Licensing Authority	Have confirmed no representation on this application
Health Authority	Have confirmed no representation on this application

5. REPRESENTATIONS: OTHER PERSONS

From	Details
11 representations received from and on behalf of local residents. 4 opposed and 7 in support (Appendices C1-C11)	Representation received on the grounds of The Prevention of Crime and Disorder, Public Safety, Prevention of Public Nuisance, The Protection of Children from Harm, Special Policy Area

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), LP14 (Special Policy Area - Dalston) 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:

Mandatory Conditions

Film

1. Admission of children (under 18) to the exhibition of any film must be restricted in accordance with: -
- (a) Recommendations made by the film classification body where the film classification body is specified in the licence, or
 - (b) Recommendations made by the licensing authority where the film classification body is not specified in the licence, or the relevant licensing authority has not notified the holder of the licence that this subsection applies to the film in question.
- "film classification body" means person('s) designated under s4 of the Video Recordings Act 1984(c.39).

Door Supervision

2. 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

3. All events to operate with the Operating Schedule submitted with the application.

4. All events that meet level 2 or above according to the Operating Schedule will be submitted via Hackney Events Action Team (HEAT) process.

5. All events assessed as level 2 or above according to the Operating Schedule will include SIA security staff and additional stewarding where necessary.

6. Where an event is likely to impact upon local residents or businesses as a result of increased noise levels, residents and local business are to be informed of the plans in advance of the event. Noise is to be kept to reasonable levels for such an event and reviewed regularly throughout.

Conditions Proposed by Responsible Authorities

7. The Licensee shall ensure that all staff are fully trained and made aware of the legal requirement to comply with their duty of care as regards the disposal of waste produced during an event. The procedure for handling and preparing for disposal of the waste shall be communicated with event staff as part of the event briefing process.

8. 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

9. The Licensee's premises are situated in an area within which refuse may only be left on the public highway during certain time bands. If the Licensee's waste carrier cannot or does not comply by collecting the refuse during the present or any future time bands imposed by the waste authority, the Licensee must remove the refuse from the public highway and/or keep it within the premises until such time as its waste carrier arrives to collect the refuse.

10. During an event the Licensee shall erect a sign asking customers to refrain from littering the public highway outside the premises and will also instruct member of staff to make regular checks of the area immediately outside and within 10 metres either side of the event area and remove any litter, bottles and glasses emanating from the premises. The collection and removal of litter should include satisfactory disposal of spilled food and similar materials so as to leave the footway in a clean, safe and wholesome condition.

11. The Licensee shall provide a safe receptacle for cigarette ends to be placed outside, or close to the wall of the building so as not to cause an obstruction or trip, for the use of customers.

9. REASONS FOR OFFICER OBSERVATIONS

9.1 Conditions 3 to 6 above are derived from the applicant's operating schedule. Conditions 7 to 11 have been proposed by Environmental Enforcement 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.

Group Director, Neighbourhoods and Housing	Kim Wright
Lead Officer (holder of original copy):	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
Office File: Gillett Square, , London N16 8AZ	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 Hackney Co-operative Developments
(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			
Gillett Square Gillett Square GILLETT SQUARE HACKNEY LONDON			
Post town	LONDON	Post code	N16 8AZ

Telephone number at premises (if any)	020 3875 9352
Non-domestic rateable value of premises	£

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)

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

SECOND INDIVIDUAL APPLICANT (if applicable)

Title Mr			
Surname		First names	
I am 18 years old or over .. Please tick yes			
Current postal address if different from premises address		UK-England	
Post Town		Postcode	
Daytime contact telephone number			
E-mail address (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 Hackney Co-operative Developments
Address 62 BEECHWOOD ROAD HACKNEY LONDON E8 3DY UK-England
Registered number (where applicable) 1673378
Description of applicant (for example, partnership, company, unincorporated association) Community Interest Company
Telephone number (if any) [REDACTED]
E-mail address (optional) [REDACTED]

Part 3 Operating Schedule

When do you want the premises licence to start?	20-02-2017
---	------------

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

Please give a general description of the premises (please read guidance note 1)
Outdoor piazza hosting events

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

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	
		Outdoors	

Day	Start	Finish		Both	<input checked="" type="checkbox"/>
Mon	10:00	00:00			
Tue	10:00	00:00	<p><u>Please give further details here</u> (please read guidance note 3) The square is an outdoor piazza and the majority of performances would take place outside. Structures such as marquees, shipping containers, star tents, gazebos or other built structures may be temporarily added to provide indoor spaces for performances. These would be managed within the strictures of the operating schedule.</p>		
Wed	10:00	00:00	<p><u>State any seasonal variations for performing plays</u> (please read guidance note 4) Note that licence times are given to provide flexibility for incoming events and do not indicate continuous activity of this sort on a daily basis.</p>		
Thur	10:00	00:00			
Fri	10:00	00:00	<p><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</u> (please read guidance note 5)</p>		
Sat	10:00	00:00			
Sun	10:00	00:00			

B

Films Standard days and timings (please read guidance note 6)			<u>Will the exhibition of films take place indoors or outdoors or both – please tick</u> (please read guidance note 2)	Indoors	
Day	Start	Finish		Outdoors	
Mon	10:00	00:00	<u>Please give further details here</u> (please read guidance note 3) The square is an outdoor piazza and the majority of performances would take place outside. Structures such as marquees, shipping containers, star tents, gazebos or other built structures may be temporarily added to provide indoor spaces for performances. These would be managed within the strictures of the operating schedule.	Both	<input checked="" type="checkbox"/>
Tue	10:00	00:00			
Wed	10:00	00:00	<u>State any seasonal variations for the exhibition of films</u> (please read guidance note 4) Note that licence times are given to provide flexibility for incoming events and do not indicate continuous activity of this sort on a daily basis.		
Thur	10:00	00:00			
Fri	10:00	00:00	<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</u> (please read guidance note 5)		
Sat	10:00	00:00			
Sun	10:00	00:00			

C

Indoor sporting events Standard days and timings (please read guidance note 6)			<u>Please give further details</u> (please read guidance note 3)
Day	Start	Finish	
Mon			
Tue			<u>State any seasonal variations for indoor sporting events</u> (please read guidance note 4)
Wed			
Thur			<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> (please read guidance note 5)
Fri			
Sat			
Sun			

D

Boxing or wrestling entertainments Standard days and timings (please read guidance note 6)			<u>Will the boxing or wrestling entertainment take place indoors or outdoors or both – please tick</u> (please read guidance note 2)	Indoors	
				Outdoors	
Day	Start	Finish		Both	
Mon			<u>Please give further details here</u> (please read guidance note 3)		
Tue					
Wed			<u>State any seasonal variations for boxing or wrestling entertainment</u> (please read guidance note 4)		
Thur					
Fri			<u>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</u> (please read guidance note 5)		
Sat					
Sun					

E

Live music Standard days and timings (please read guidance note 6)			<u>Will the performance of live music take place indoors or outdoors or both – please tick</u> (please read guidance note 2)	Indoors	
Day	Start	Finish		Outdoors	
Mon	10:00	00:00	<u>Please give further details here</u> (please read guidance note 3) The square is an outdoor piazza and the majority of performances would take place outside. Structures such as marquees, shipping containers, star tents, gazebos or other built structures may be temporarily added to provide indoor spaces for performances. These would be managed within the strictures of the operating schedule.	Both	<input checked="" type="checkbox"/>
Tue	10:00	00:00			
Wed	10:00	00:00	<u>State any seasonal variations for the performance of live music</u> (please read guidance note 4) Note that licence times are given to provide flexibility for incoming events and do not indicate continuous activity of this sort on a daily basis.		
Thur	10:00	00:00			
Fri	10:00	00:00	<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> (please read guidance note 5)		
Sat	10:00	00:00			
Sun	10:00	00:00			

F

Recorded music Standard days and timings (please read guidance note 6)			<u>Will the playing of recorded music take place indoors or outdoors or both – please tick</u> (please read guidance note 2)	Indoors	
Day	Start	Finish		Outdoors	
Mon	10:00	00:00	<u>Please give further details here</u> (please read guidance note 3) The square is an outdoor piazza and the majority of performances would take place outside. Structures such as marquees, shipping containers, star tents, gazebos or other built structures may be temporarily added to provide indoor spaces for performances. These would be managed within the strictures of the operating schedule.	Both	<input checked="" type="checkbox"/>
Tue	10:00	00:00			
Wed	10:00	00:00	<u>State any seasonal variations for the playing of recorded music</u> (please read guidance note 4) Note that licence times are given to provide flexibility for incoming events and do not indicate continuous activity of this sort on a daily basis.		
Thur	10:00	00:00			
Fri	10:00	00:00	<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> (please read guidance note 5)		
Sat	10:00	00:00			
Sun	10:00	00:00			

G

Performances of dance Standard days and timings (please read guidance note 6)			<u>Will the performance of dance take place indoors or outdoors or both – please tick</u> (please read guidance note 2)	Indoors	
Day	Start	Finish		Outdoors	
				Both	<input checked="" type="checkbox"/>
Mon	10:00	00:00	<u>Please give further details here</u> (please read guidance note 3) The square is an outdoor piazza and the majority of performances would take place outside. Structures such as marquees, shipping containers, star tents, gazebos or other built structures may be temporarily added to provide indoor spaces for performances. These would be managed within the strictures of the operating schedule.		
Tue	10:00	00:00			
Wed	10:00	00:00	<u>State any seasonal variations for the performance of dance</u> (please read guidance note 4) Note that licence times are given to provide flexibility for incoming events and do not indicate continuous activity of this sort on a daily basis.		
Thur	10:00	00:00			
Fri	10:00	00:00	<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> (please read guidance note 5)		
Sat	10:00	00:00			
Sun	10:00	00:00			

H

Anything of a similar description to that falling within (e), (f) or (g) Standard days and timings (please read guidance note 6)			<u>Please give a description of the type of entertainment you will be providing</u> Multi-media events, performance art, circus arts, acrobatics, community activities, community stalls, play & games, craft workshops		
Day	Start	Finish	<u>Will this entertainment take place indoors or outdoors or both – please tick</u> (please read guidance note 2)	Indoors	
Mon	10:00	00:00		Outdoors	
				Both	<input checked="" type="checkbox"/>
Tue	10:00	00:00	<u>Please give further details here</u> (please read guidance note 3) The square is an outdoor piazza and the majority of performances would take place outside. Structures such as marquees, shipping containers, star tents, gazebos or other built structures may be temporarily added to provide indoor spaces for performances. These would be managed within the strictures of the operating schedule.		
Wed	10:00	00:00	<u>State any seasonal variations for entertainment of a similar description to that falling within (e), (f) or (g)</u> (please read guidance note 4) Note that licence times are given to provide flexibility for incoming events and do not indicate continuous activity of this sort on a daily basis.		
Thur	10:00	00:00	<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> (please read guidance note 5)		
Fri	10:00	00:00			
Sat	10:00	00:00			
Sun	10:00	00:00			

I

Late night refreshment Standard days and timings (please read guidance note 6)			<u>Will the provision of late night refreshment take place indoors or outdoors or both – please tick</u> (please read guidance note 2)	Indoors	
Day	Start	Finish		Outdoors	
				Both	<input checked="" type="checkbox"/>
Mon	23:00	00:00	<u>Please give further details here</u> (please read guidance note 3) The square is an outdoor piazza and the majority of activities would take place outside. Structures such as marquees, shipping containers, star tents, gazebos or other built structures may be temporarily added to provide indoor spaces for activities. These would be managed within the strictures of the operating schedule.		
Tue	23:00	00:00			
Wed	23:00	00:00	<u>State any seasonal variations for the provision of late night refreshment</u> (please read guidance note 4)		
Thur	23:00	00:00			
Fri	23:00	00:00	<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> (please read guidance note 5)		
Sat	23:00	00:00			
Sun	23:00	00:00			

J

Supply of alcohol Standard days and timings (please read guidance note 6)			Will the supply of alcohol be for consumption (Please tick box) (please read guidance note 7)	On the premises				
				Off the premises				
				Both				
Day	Start	Finish	State any seasonal variations for the supply of alcohol (please read guidance note 4)					
Mon								
Tue								
Wed								
Thur						Non standard timings. Where you intend to use the premises for the supply of alcohol at different times to those listed in the column on the left, please list (please read guidance note 5)		
Fri								
Sat								
Sun								

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

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

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

<p>Hours premises are open to the public Standard timings (please read guidance note 6)</p>			<p>State any seasonal variations (please read guidance note 4) NB the premises is an open outdoor public space so general opening hours are not applicable</p>
Day	Start	Finish	
Mon	00:00	00:00	
Tue	00:00	00:00	
Wed	00:00	00:00	
Thur	00:00	00:00	<p>Non standard timings. Where you intend the premises to be open to the public at different times from those listed in the column on the left, please list (please read guidance note 5) NB the premises is an open outdoor public space so general opening hours are not applicable</p>

Fri	00:00	00:00	
Sat	00:00	00:00	
Sun	00:00	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)

All events in Gillett Square since 2006 have been planned and produced in accordance with a full and detailed Operating Schedule, which outlines a 3 tier approach, grouping events according to their complexity/risk and likely audience numbers. This schedule addresses all the licensing objectives and includes protocols to follow for events at each tier. HCD has always been at the forefront of managing planning and communication regarding events and adhering to the guidelines of the Operating Schedule, and will continue the practice of notifying relevant parties via the HEAT committee circulation, particularly where events meet level 2 or above according to the schedule.

b) The prevention of crime and disorder

Events assessed as Level 2 or 3 according to the schedule will include SIA security staff and additional stewarding where necessary. Direct contacts for the local SNT are held by event staff for use if necessary. Ongoing liaison and communication with the Metropolitan Police and LB Hackney's Community Safety team form part of HCD's wider project management work regarding Gillett Square.

c) Public safety

A full risk assessment is undertaken and submitted with event plans to the HEAT committee where an event is Level 2 or 3 according to the schedule. Considerations regarding crowd control first aid, fire, food, safety of structure and other procedures are built into the Operating Schedule and event planning process for all events.

d) The prevention of public nuisance

Where an event is likely to impact upon local residents or businesses as a result of increased noise levels, residents & local business are informed of the plans in advance of the event. Noise is kept to reasonable levels for such an event and reviewed regularly throughout. Other possible local impacts such as car park or street closures are also informed in advance.

e) The protection of children from harm

Gillett Square is an open public space and it is therefore the responsibility of parents/carers to ensure their children are safe. However, during programmed activity HCD invokes some safeguarding responsibilities.

HCD maintains a safeguarding policy which is annually reviewed by the safeguarding lead, and all relevant staff are provided with safeguarding training.

The Operating Schedule requires a lost child point to be set up for events of level 2 or 3. A procedure around lost children is communicated to event staff at briefing.

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.**

Signature	Clarissa Carlyon
Date	23/1/2017
Capacity	Applicant

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

Signature	
Date	23/1/2017
Capacity	

Contact name (where not previously given) and postal address for correspondence associated with this application (please read guidance note 13)			
Applicant address			
UK-England			
Post town		Postcode	
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 whether you intend children to have access to the premises, for example (but not exclusively) nudity or semi-nudity, films for restricted age groups or the presence of gaming machines.
9. Please list here steps you will take to promote all four licensing objectives together.
10. The application form must be signed.
11. An applicant's agent (for example solicitor) may sign the form on their behalf provided that they have actual authority to do so.
12. Where there is more than one applicant, each of the applicant or their respective agent must sign the application form.
13. This is the address which we shall use to correspond with you about this application.

OPERATING SCHEDULE

**Gillett Square
Dalston
London**

Hackney Co-operative Developments CIC

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Section 1

Overview of the square within the locality

Gillett Square was a pivotal development for Hackney and a launch pad for the regeneration of Dalston.

The License is being applied for in the name of Hackney Co-operative Developments CIC (HCD). It is important to note that HCD has been the lead partner for activities in the square during its first ten years, and has acted as the responsible party for upholding the obligations of the current licence throughout that time. This operating schedule is the same in format as the operating schedule accompanying the original premises licence for the space and has been updated to accurately reflect the current parties involved and the current licencing process.

The vision for Gillett Square is to create a lively and accessible place to be enjoyed by Londoners and visitors alike. HCD pro-actively seeks to create partnerships with local organisations and individuals in animating the space, and works closely with L.B. Hackney Regeneration and Culture Departments towards the sustainable and sound management and inclusiveness of the square as an attractive and safe place for all sections of the local community and for visitors to Dalston.

The 3 tier template in place will continue to be adhered to as this has become the backbone of the operating schedule. Level 1 events – small scale events with low risk, and regular activities managed in a low-risk way, will be managed by HCD and their employees, contractors and partners. All events assessed as level 2 or 3 shall be notified via the council's HEAT committee with the relevant supporting documents attached. All events and activities will be advertised on the website for Gillett Square.

Section 2

Summary of activity within the Square

2.1 Description of licensable activities

- A- Performance of a play
- B- Exhibition of a film
- E- Live music
- F- Recorded music
- G- Performance of dance
- H - Anything of a similar description of E, F, G
- I – Late night refreshment

2.2 Venue

Gillett square is over 1100 (increasing to over 2100 in extended form) sq metres of open paved space, flanked by HCD's Bradbury Street workspaces and the Gillett Square trading pods to the south, the Vortex and the Dalston Culture house to the west, the Gillett Street car park and Stamford Works workspace to the north. The rear of Kingsland High Street premises are on the east side.

As shown on the site plan the pedestrianised area of the square forms the standard area used for events and activities under this licence, however the licenced area also covers the Gillett Street car park, and the connected sections of Bailey Place and Gillett Street, which would be used to extend the event area for larger events by arrangement with L.B. Hackney.

It has been designed to have good access from Gillett Street, Bradbury and Boleyn Road. It is close to Kingsland high road overland station and Ridley Road market. It should be well lit and maintained and has good disabled access.

2.3 Capacity

The capacity for the each event will be assessed using the 3-tiered schedule. It is envisaged that the small regular events will attract a passing audience. The medium and large events will have an agreed capacity with London Borough of Hackney and the infrastructure and site facilities will be based on the number agreed. Permanent Fire and First aid facilities will be present on site.

For small events the capacity is 3000

For medium and large events capacity will be calculated for each event taking into account structures within the square.

2.4 Hours of Licensable activities

The events will be held year round.

Music, Dancing, Cinema, and Entertainment on any day: 10.00 hrs – 00.00 hrs

2.5 Opening hours

Gillett Square is public space with no gates but for the purpose of events the space will be used from 10.00 hrs –00.00 hrs.

2.6 Audience/user Profile

The audience and users of Gillett Square vary in profile. Consideration will be given to the audience profiles on an event-by-event basis. For example at an event that would attract families in groups we would ensure that there is a lost Children's facility adjacent to a first aid point.

2.7 Production Schedule

This will vary from event to event; smaller events will need little or no setup time. Medium to large events will have individual schedules produced.

2.8 Premise Licence Holder

The Premise Licence Holder (PLH) will be the Chief Executive Officer of HCD CIC.

The PLH will be in charge of the premises at all times when licensed activities are being undertaken. In the event that the PLH is not available during an event the responsibilities will be delegated to a Designated Premises Supervisor. A record will be kept of who the Designated Premises Supervisor is when medium to large licensed activities are being undertaken. The day-to-day team will supervise small performances.

The PLH will be responsible for carrying out the provisions of this Operating schedule and Risk Assessment and will be available to attend meetings of the multi agency forum and the Gillett Square Partnership (GSP).

The PLH will be in charge and will remain upon the licensed site whilst it is being used for licensed purposes. He/She will not be engaged in any other duties that prevent them from exercising general supervision and control.

The PLH will take due care and precautions for the safety of the public, employees and performers, will retain control over all areas of the licensed site and will take reasonable steps to ensure the prevention of crime and disorder, public safety, the prevention of public nuisance and the protection of children from harm.

The PLH will have an assistant, during build up and planning of large events within the square, the title will be Licence Compliance Coordinator (LCC). The LCC will be briefed by the PLH so that in the event of the PLH's unavoidable absence the event can continue.

For large events the LCC will manage and ensure compliance with the licence conditions and will liaise with the HEAT Multi Agency Forum regarding the event. The LCC will report directly to the PLH and will attend or be represented at on site Multi Agency meetings to ensure any issues raised at these meetings are addressed directly.

2.9 Operating Schedule and Risk Assessment

The Operating schedule and Risk assessment have been written with reference to the London Borough of Hackney statement of licensing policy January 2005, the licensing act 2003 and Section 182 guidance as well as other guidance such as the event safety guide

and consultation with the relevant bodies. Continuous consultation with all relevant bodies will take place in the planning stages of major events. These will inform the Operating schedule and risk assessments for the events/ performances and be implemented.

2.10 Event management plan and Risk Assessment

It has been agreed after consultation within the Gillett Square partnership that there should be a 3-tiered structure that governs levels of activity within the Square. This will form the Event management plan.

A Level One, small event, for example individual performer with minimal equipment and no more than a single 13A power connection; regular small scale activities such as play and games activities.

- The performer and content will be vetted and the performers/artists will be contracted by HCD. The contract will include Health and safety provision and risk assessment for the activity.
- There will be a designated person that is responsible for the safety of the public, employees and performers, and will retain control over all areas of the licensed site.
- The PLH / LCC will be the main point of contact and liaison with performers/artists.
- The performers/artists will have access to a first aid point and given contact numbers for support.

A Level two, medium sized event/performance is activated when equipment, staging, greater electrical power, props are brought into the Square.

- The performer and content will be vetted and the performers/artists will be contracted by HCD. The contract will include Health and safety provision and risk assessment for the activity.
- There will be a designated person that is responsible (the PLH / LCC) for the safety of the public, employees and performers, will retain control over all areas of the licensed site.
- The PLH / LCC will be the main point of contact and liaison with performers/artists.
- The performers/artists will have access to the HCD office, first aid point and given contact numbers for support.
- Barriers will be erected around equipment
- Mobile fire appliances will be sited around the activity
- The Police and Fire Brigade will be notified
- Additional Stewarding/ Security will be arranged, of which one will be a First Aider
- A first Aid point and lost child point will be set up
- Additional refuse and cleaning will be arranged as necessary
- Debrief meeting to highlight any problem areas

At Level three, a large event that is expected to attract a capacity crowd.

- The performer and content will be vetted and the performers/artists will be contracted by HCD. The contract will include Health and safety provision and risk assessment for the activity.

- There will be a designated person that is responsible (the PLH / LCC) for the safety of the public, employees and performers, will retain control over all areas of the licensed site.
- The PLH / LCC will be the main point of contact and liaison with performers/artists.
- The performers/artists will have access to the HCD office, first aid point and given contact numbers for support.
- Barriers will be erected around equipment
- Mobile fire appliances will be sited around the activity
- The Police and Fire Brigade will be notified and planning meetings held
- Additional Stewarding/ Security will be arranged, of which a proportion will be will be First Aiders or St Johns Ambulance will be contracted.
- A first Aid point and lost child point will be set up
- Additional refuse and cleaning will be arranged
- Debrief meeting to highlight any problem areas

Section 3 Licensing objectives

Under the licensing Act 2003 there are 4 licensing objectives. Each objective will be addresses in this section.

3.1 The prevention of Crime and Disorder

3.1.1 Metropolitan Police

The PLH and the Metropolitan Police will agree a Statement of intent setting out their respective responsibilities within the Square and during performances/events. This demarcation is especially important during day-to-day small events within the Square a minimum level of Police presence will be agreed.

Medium to large events will be subject to a consultation process with the Metropolitan Police when the need for Special Police services will be assed based on the programme of planned events.

The Metropolitan Police will be notified weekly on the planned timetable for forthcoming Level one events, level two and three will be timetabled monthly.

3.1.2 Sale of Alcohol

HCD are not applying for an Alcohol licence for Gillett Square as there are licensed premises that flank the Square.

3.1.3 Private Security Industry act 2001

We will ensure compliance with the SIA by all security companies that are employed at the events.

3.1.4 Security and Stewards- Schedule and deployment

As part of the planning process for events we appraise the security and stewarding requirements on an event-by-event basis to determine the requirements for each event. A separate log will be maintained to record the name, date of birth, address and unique reference number for each member of Security or Steward.

Security deployments are Risk Assessed on an event-by-event basis and a schedule produced for each event. A schedule will be inserted into the Event management plan.

3.1.5 Security and Stewards - Uniforms

All security, Stewards, traffic marshals and fire wardens will wear high visibility tabards, which will denote their job. Supervisors or Team leaders will be identifiable by their tabards. The tabards will be marked front and rear.

3.1.6 Security and Stewards – Training

All security and stewards will be trained briefed and equipped to a standard that reflects their responsibilities. Details of training are available on request. Obviously when SIA personnel are required we will ensure that SIA personnel are deployed.

3.1.7 Security and Stewards – Contractors and Offices

Security and Steward offices will be located within the HCD offices during events.

3.1.8 Drugs Policy

Gillett Square is a high profile development in Dalston and inclusiveness of the square as an attractive and safe place for all sections of the local community and for visitors to Dalston is pivotal to its success. Besides the functions of the curtilage spaces and basic policing and maintenance, the animation of the square through Arts and Enterprise will be the key means of ensuring that the square becomes neither a haven for anti-social behaviour nor a sanitised “dead” space.

To this end the message will be to actively discourage dealers and users from the Square not just during events but also on a day-to-day basis with the assistance of the Police. There is CCTV surveillance on the square, which is transmitted to Stoke Newington Town Hall.

There will be signage during events and security will be briefed about reporting dealers.

Section 4

Public Safety

We regard it our duty of care in relation to theft, alcohol and drugs abuse to create a safe environment within Gillett Square during events. During day to day operating and level one events regular police patrols throughout the day will take place. When level two and three events take place within the square there will be liaison between, stewards, security and the Police with backup from CCTV.

A Health and Safety, Crime and site rules has been put together in consultation with Hackney Council and is attached. These will include approved working practices and procedures and we comply with all the relevant acts and regulations of legislation applicable to the square.

All phases of events (levels 1,2,or 3) within the square, including the set up, the event itself and the breakdown are given equal status as far as health and safety are concerned. We will take all reasonable steps that all employees, self employed people, contractors and sub-contractors have the necessary training, experience competence and expertise to carry out their work safely. All contractors and Artists are required to sign our Statement of Co-operation and supply their own method statements, risk assessments and health and safety policies. All companies and Artists are given a copy of the site rules.

The PLH and event team will monitor all work onsite and regular safety inspections will take place. All users are briefed to conduct visual checks prior to using equipment. We will conduct regular internal safety checks and audits at regular debriefs held by the Gillett Square partnership.

4.1 Risk Assessment.

Risk Assessments will be prepared for each level of event and each level 2 or 3 event will have tailored risk assessment.

The Risk assessment will be brought to the attention of all staff, contractors, artists and stallholders.

We will ensure that the risk control measures, identified in the assessment are being adhered to and suitable competent staff are available to ensure that risks are monitored and adequately controlled at all times.

4.2 Event Safety co-ordinator

During level 1 activity HCD staff that are based in the HCD offices and have the relevant training will cover this role.

With Level 2 and 3 events a trained member of staff will be dedicated to this role. The ESC will brief stewards, security staff, artists and contractors prior to the event and liaise with the event team to ensure all checks have been conducted. The ESC will also ensure that the event team are fully briefed with the evacuation programme.

4.3 Structures

All structures will be marked on the square plan, with structural drawings and calculations, certified by the PLH and submitted as part of documentation required by HEAT or any LBH department which is successor to that function.

All structures will be checked by the event safety officer and the relevant contractor will self-certify the structure. Records will be kept in the HCD office and will be available for inspection by the LBH Building control officers.

4.4 Power supply

It has been agreed that there will be a basic kit held in the event office for small to medium events. This will be regularly checked and will have its own weather protection.

This will include: -

Extension Leads

Conversion outlets BS4343, 13A and 15A.

There are external electrical supplies built within the square for sound, lighting and safety services (see attached drawing).

For small events any electrical equipment brought on site will have been checked and certificated.

For medium to large events a competent electrical contractor will ensure that all site electrical installations and generators are installed and checked for compliance with the current edition of the regulations for Electrical Installations issued by the Institution of Electrical Engineers, relevant and current British Standards and HSE guidance Note GS50 (second edition: 1997) and HSG195 'the Event Safety Guide'. Any defects will be properly corrected and an electrical certificate in the form prescribed in the Institution of Electrical Wiring Regulations will be submitted to the Licensee before any member of the public is admitted to the site. All electrical cable runs to areas where the public have access will be flown so as to protect them against damage and prevent trip hazards.

Before Large events we will submit an Electrical Completion Certificate, provided by our contractor, to LBH before the public are admitted to site. This certificate states that 'the power and public lighting equipment is in good repair and condition and has been installed to industry standards with particular regard to public safety'.

We will ensure that Portable Appliance Testing (PAT testing) has been carried out and evidence of PAT testing is kept on site by operators to be made available to the Licensing Authority at the pre-event inspection on request.

4.4 Litter

An arrangement has been made with LBH to clean the square and is addressed in the management plan, which is attached. The 'Diary' will be supplied to LBH cleansing department to notify them of activity within the square in good time to build it into their schedule.

This process will be monitored to ensure that it continues to be effective.

4.5 Provisions for Persons with Special Needs

We will install viewing platforms for persons with special needs. These will be stewarded to ensure no authorised access.

4.6 Water Supply

All first aid points will be supplied with drinking water.

4.7 Sanitary Accommodation

There are toilets on Ridley road market, in the Vortex and in the Café

During large events we will install portaloos

4.8 Medical Provision

Using guidance in Chapter 20 of the Event Safety guide, we will ensure that the appropriate number of stewards and security have first aid certificates and resources are in scale with the expected audience. If a large-scale event is expecting a capacity audience then we will contract the St Johns Ambulance.

The London Ambulance Service will be advised of the dates and profiles of the events. There will be a permanent first aid point.

Our Medical provider will be included on the event communication system, which will operate during level 2 and 3 events. During Level 1 events the artist/ performer will have direct contact with the HCD office and the LCC will make regular patrols of the square. The Square is less than 30 minutes from definitive care in AE department.

4.9 Fire Safety

- a) A Fire Risk Assessment will be produced for each event
- b) LFEPA will be called to any outbreak of fire
- c) All security/ stewarding personnel will be given basic instruction in the use of fire fighting equipment and their duties in the event of a fire
- d) The mobile Fire equipment will be held in the HCD foyer during level 1 events. For level two and three events additional equipment will be brought in when required.
- e) Appropriate Fire Equipment and exit signs will be provided in locations where required. All fire points will be clearly signed and all equipment available for instant use. The number of fire extinguishers and fire blankets will be appropriate to the type and size of event taking place.

4.91 Marquees

All fabrics and other sheeting used in the construction of tents, booths, stalls and similar structures- roof coverings, weather protection covers and all scenery, curtains, drapes and decorations used in or upon structures will be rendered flame retardant and be maintained in that condition when tested to BS5438. Certification will be held by the LCC in the HCD office.

Appropriate fire fighting equipment will be supplied to marquees in prominent positions.

4.92 Drapes and Decorations

All curtains, drapes, artificial or dried foliage and decorations supplied and used during the events or brought in by contractors will carry flame retardancy certification or be inherently flame retardant. The details of such materials will be gathered by the LCC and held in HCD office.

4.93 Means of Escape

At level 2 and 3 events where we have barriers at entrance and exit points in the square, each gate will be manned throughout the build up and duration of the event. In the event of a Fire or incident stewards and security will implement the exit strategy guiding the audience out of the various exits from the square. This will ensure that no one exit is over crowded.

4.94 Means of Escape Marquees

We will install an appropriate number of evenly spaced exits of sufficient exit width positioned evenly around the marquees.

In respect of such exits: -

- The exits will be formed either by providing openings in the sides of the marquee, with the canvas secured back or by the provision of fixed doors and frames
- Any fixed doors used to provide exits will be hung to open outwards, maintained unobstructed and only fastened with pressure release devices.
- Above each exit will be signage conforming to the Health and Safety regulations (Safety Signs or Signals) 1996. These signs will be kept free of obstruction at all times.
- Any structures or marquees containing seating, displays, and artwork will be planned, arranged and maintained so as to provide direct access to the exits provided.
- As the square is a granite finish the marquees will be aluminium frame and will have no guy ropes as trip hazard.

The marquee exit calculations, seating plans and the square evacuation strategy will form part of the event diary submitted every 28 days to the Licensing Department and HEAT.

4.95 Gangways

Any passages or gangways between structures will be maintained at a width of at least 1100mm wide and will lead directly to the exit provided.

Security and stewards will be briefed to ensure that no person will be allowed to sit or stand in a gangway, passage, and corridor or exit route unless previously agreed with LBH.

4.96 Lighting

We will install emergency lighting to enable the public to see their way out of the marquees in the event of the failure of the general lighting. Unless otherwise approved it will be in accordance with current legislation.

4.97 Explosive materials

Combustible materials will not be stored under any stage.

No explosives, gunpowder, fireworks, or pyrotechnics will be stored on site unless LFEPA and LBH have been notified. This will be part of the monthly produced "diary".

4.98 Refuse

It has been agreed through the Gillett square partnership that LBH will undertake additional cleansing before and after events. 28 days notice will be given for level 2 and 3 events.

This has been addressed in the management plan, which is attached

4.99 Trade Catering

There are a large number of catering outlets on Kingsland Road and there is a café bar below HCD as well as a bar at the Vortex. Therefore it is not envisaged that catering concessions will play a part in the squares activity.

Catering concessions will only be allowed to trade on site by invitation only.

A condition of being allowed to trade within the square is that they comply with current fire safety legislation and allow a fire safety check to be carried out prior to the opening of the event.

The check will include: -

- LPG appliances have been correctly installed
- The amount of LPG will not exceed that which can reasonably expected to be used on that stall during the event.
- All concessions have 5kg dry powder extinguisher and fire blanket
- That fixed piping has been used where practical and where not flexible
- Tubing is used it should be fir for purpose, well maintained and secured by crimped or jubilee clips.
- That LPG is stored correctly in an upright position and any excess supplies are moved to the onsite LPG store.

- Petrol generators will not be allowed to operate within the square or to power their concession from the engine of their vehicle if petrol driven.
- No heating or cooking appliance will be installed in a structure, which is not specifically designed for the purpose.

We will ensure that all stalls comply with LBH and LFEPA guidance on the keeping and use of LPG.

4.991 Lasers

If there are any laser displays we will ensure that the laser contractor supplies a suitably qualified safety officer. The contractor's operator and safety officer will be required to attend a Gillett Square partnership event planning meeting with LBH officer in attendance at least 7 days in advance of the event.

Guidance will be taken from the current versions of 'The Radiation Safety of Lasers used for Display Purposes' and the 'Event Safety Guide'.

If outdoor lasers are used we will inform the Civil Aviation Authority.

All documentation, plans, risk assessment, technical details, operating procedures will be submitted as part of the event 'Diary' to LBH.

As a condition of contract our laser contractor will sign off on the installation and operation of the lasers stating that they have been installed and will sign off on the installation and operation of the lasers stating that they have been installed and will be operated with particular regard for public safety. The contractor's safety officer will be on site throughout the period that the lasers are in operation.

4.992 Special Effects

a) Fireworks/Pyrotechnics.

If any Fireworks or Pyrotechnics are used at the event we will ensure that they are supplied by a competent contractor and that the full details including the fire positions are agreed with LFEPA.

The storage and operation of Fireworks/Pyrotechnics will follow the advice given in the current 'The Event Safety Guide' and 'Working together on Fireworks Displays' and British Standard 7114:1988.

For Fireworks displays, the technical information required, including a site plan and measurements will be provided to the Licensing Authority in the event diary in the previous month.

b) Smoke and Fog

Smoke and fog will only be provided from solid Carbon Dioxide (dry ice), liquid nitrogen, fog machines or portable carbon dioxide extinguishers. Care will be taken that equipment is placed, sited or used in such positions to ensure that there is no risk of burns to public, performers, artistes, technical crews or other persons, or any risk of any unacceptably high concentrations of gases which could cause asphyxiation.

All smoke/fog machines will be positioned away from exit routes and protected from unauthorised interference.

The volume of smoke will be kept to a minimum so as not to affect their escape routes or cause obstruction of exit signs or cause false alarms in any smoke detection system.

All smoke and fog machines will be controlled by a competent operator at all times, following the instructions given by the smoke machine's manufacturers and in accordance with current legislation and guidance.

c) Strobe Lights

All strobe lights will be operated on a flicker rate of not more than 4 flashes per second.

Where more than one strobe light is in use, the flashes will synchronise. Continuous operation of strobe lighting for long periods will be avoided.

Where strobe lights are in use warning notes of their use will be conspicuously displayed at the entrance of any structures and to the square itself. Siting of any strobe lights will be in accordance with current guidelines.

Stewards in areas where strobe lighting is used will be trained in dealing with persons suffering from epileptic fits.

d) Ultraviolet Lights

Ultraviolet Lamps will be only be used strictly in accordance with the manufactures instructions.

Exposure of performers and staff to Ultraviolet Lamps will be kept as low as reasonably practicable and no lamps will be used which do not incorporate a UVB filter either integral with the lamp (double skinned lamp) or in the lamp housing. Lamps will not be used if the lamp is broken or the filter is missing from the housing.

If any real flame, explosives or smoking in stage are planned we will consult with LFEPA and LBH and ensure that their consent has been obtained no less than 7 days before an event.

4.993 Fairground Attractions

This will be included in the 'Diary' of events on a month-by-month basis but a list of specific rides will be provided 14 days before the event.

The list will include for each attraction

- The name and nature of the attraction
- The name address of the operator
- Insurance for the attraction
- Test and Maintenance certificates for the attraction.

All attractions will comply with current regulations and associated documents with Hackney byelaws.

All relevant maintenance, inspection, test and insurance certificates and records for each attraction will be held on site and made available to any authorised Authority on request.

4.994 Communication

During level 2 and 3 events key staff will be issued with an event radio, contact list and instructions for radio use. Any Contactors wishing to internally issue their staff with their own set of communication must ensure that the frequencies do not clash.

Staff who work in noisier areas or are undertaking manual work will be issued with earpieces.

Distribution of radios will be from the HCD office. An appointed production office staff member will manage the radio system.

A radio protocol will be established on site and contingency radios will be available.

4.995 Landlines

Landlines are in the HCD office.

4.996 Directory

A full landline, mobile and radio channel contact directory of all key personnel and management will be supplied with the 'diary' to the Licensing department and the HEAT no later than 7 days prior to any event.

4.997 Meetings

We will agree times for on site Multi Agency meetings if deemed necessary. In collaboration with HEAT and LBH a uniform terminology will be put in place regarding the Squares structure and procedures.

4.998 Emergency Communication

Public information can be broadcast immediately around the square, from any stages or marquees by Stage managers, who will only take instruction from the PLH or LCC. This would be used in an event of an emergency or Major incident. Loud hailers will be used by security and stewards to give information to the public.

Please see attached Emergency evacuation matrix

4.999 Major Incident Planning

We will formulate a major incident plan for the square in collaboration with HEAT and LBH. This will be discussed and revised and attached to the monthly 'Diary'.

Section 5

The Prevention of Public Nuisance

5.1 Noise

In general the results of specific and ongoing consultation with local businesses and residents reveals a high level of support and enthusiasm for Gillett Square as a well managed occasional entertainment site and is welcomed as a vast improvement upon the historic use of this space as a busy and noisy car park area. Sensitive and close working relationships with all sections of the local community, businesses and residents will be a hallmark of the management of this square's arts and enterprise agenda, with constant openness for feedback of any individual concerns relating to environment and social impacts and regular opportunities for group discussion and action on such issues, as well as a responsive linkages to the local LBH neighbourhood forum, local councillors and neighbouring residents associations.

- a) In consultation with LBH we will agree acceptable noise levels.
- b) During Level 2 and 3 events where there are either stages or installations with significant sound systems, these systems will be available for testing 24hours before the event. All testing of the amplified equipment will be agreed before the events with LBH.
- c) Agreed levels will be set prior to the event during the sound test in agreement with LBH.
- d) We will have full control over all amplified noise sources on site and will arrange for any noise sources to be reduced or eliminated if necessary.
- e) In the 'Diary' we will submit include a plan layout of all loudspeakers and mixing desks. This will include a schedule of amplification equipment and will include any sponsor activities.
- f) Our security personnel will ensure that no unauthorised amplification equipment is brought into the Square. During an event unauthorised amplification equipment will be confiscated and returned post event.
- g) Any noise propagation tests, rehearsals or sound checks will take place between 1000 and 1800 hours for a maximum of 2 hours unless agreed by LBH.
- h) A leaflet drop will be carried out locally in advance of the large capacity scale events advising of a complaints line. This will be in the HCD office and will be monitored throughout the event. All calls will be logged and the log will be made available at all times to officers at LBH

5.2 Fly Posting

We will not undertake any Fly posting in connection with any of the events that we organise in the Square.

Section 6

The Protection from Children from Harm

6.1 Underage Drinking

As events within the Square will not be serving alcohol, the licensed premises around the Square will monitor this. In addition Security staff will be monitoring the final destination for alcoholic drinks brought by those over 18.

6.2 Cinema

In the event that we install a screen within the Square any Films showing Certificate 15, Security will not allow admission to any under 15's as far as reasonably practicable. Any screenings showing Certificate 18, Security will not allow admission to any under 18's as far as reasonably practicable.

Security will be briefed and conduct random checks to look out for and evict any underage members of the audience while certificate 15 or 18 films are being shown.

6.3 Lost children

If any of the events planned for the Square are deemed likely to attract large numbers of children, a Lost Child Service will be provided situated next to the first aid area. There will be 2 readily identifiable CRB checked attendants.

All enquiries and dealings with lost children will be directed to the Lost Children's tent and all staff onsite will be briefed about this. The details of the lost child will be recorded in writing and parents or guardians looking for the lost child will be interviewed.

Trained and qualified staff will look after the children in an environment, which is designed to calm and occupy the child, thus reducing the trauma of being lost.

The goal of the lost children policy's reunited each lost child with its parents or guardians. However if there is any evidence or suspicion of abuse or neglect of the child, then it is our duty to pursue this further. To this end links with LBH social services will be established and onsite there will be links with Medical provision and the Metropolitan Police.

Once the lost child service establishes they are bona fide, are fit to be in charge of a child (for example not under the influence of alcohol) and we have a child matching their description, they will be reunited with their child. Before a child is allowed to leave, their parent or guardian will have to sign a form and provide some identification. If the child is reluctant to go with a parent or guardian a second opinion will be sort from the Metropolitan Police.

All staff that work with Children either as part of the event, Lost Child Service or medical providers must have clearance documentation from the Criminal Records Bureau and references will be taken up before each appointment. Staff will be trained in the potential problems related to inappropriate handling or touching of children and staff will be conversant with procedures for discipline and dealing with uncooperative

children or their parents. Practices that threaten frighten or humiliate children or any form of corporal punishment will not be used under any circumstances.

We will ensure that facilities and medical provision are suitable for children as well as adults.

Section 7 – Site Plan

7.1 A plan of the square is included in the management plan in the appendix

When structures or installations are planned within the square a specific plan will be drawn for each event and supplied with to LBH, HEAT and Licensing.

The format for plans will follow a 1:1000 scale at A1

Along with access points, the site plan will show the locations of any structures, any toilets, water points, raised electricity supply, fire fighting equipment, medical and lost child area and stage heights.

7.2 Plan with Electricity and Water points



- KEY**
- EP Electrical point
 - ⊗ EP Electrical point (no longer provided)
 - WP Water point

FOR INFORMATION

whitelaw+turnkington
 landscape architects

324 Kensington Road London SE11 4LD
 Tel: 020 7620 0388 Fax: 020 7627 3838
 e-mail: info@whitelaw.com

Job Title: Glass Square

Drawing Title:
 Electrical and water point locations

Drawn: ES Checked: AS

Date: 25/09/06 Scale: 1:400 O/A3

Draw No: 632 L 09 Revision:

Section 8 – Management Structure

8.1 Structure

- a) The HCD CEO will function as the square PLH for arts and enterprise events as covered in this schedule.
- b) The PLH will be immediately accountable to the HCD, the accountable body for licensable activities
- c) The PLH will thus be an employee of HCD CIC and have line management responsibility for all staff, sub-contractors and volunteers delivering events and performances in the square licensed under this operating schedule

Section 9 – Insurance

The PLH will take out Employers Liability Insurance, Public Liability and third party insurance adequate for the total capacity of the licensed site. All contractors will be required to supply their own certification of insurance. Any Funfair rides or installations will be required to supply their own certification of insurance. Copies will be kept in the HCD office.

Copies of specific insurance policies will be attached to the event planning and risk assessment documentation submitted to LBH or supplied upon request.

Section 10

Appendix

10.1 Emergency Evacuation procedure

EMERGENCY EVACUATION PROCEDURE/CODEWORDS

1. Notify security control direct or via your supervisor if a fire has started, using relevant code word. Never use the word **FIRE** on the radio as it may cause alarm if overheard by the public.

The code word for a small fire that does not require the fire brigade intervention is **"Mr Ash"**.

The code word for a large fire, i.e. tent or structure is **"Mr England"**.

Attack fire, without taking personal risk to yourself with the nearest appliance.

2. If you see a suspect package, secure the immediate area and contact your supervisor or inform control direct, using code word **"Mr Case"**. **Do not use radios or mobile phones (within 25m) as this could trigger a device.**

An immediate assessment of the situation will be made by a security director/manager. If necessary and after full consultation with all parties concerned, the emergency evacuation procedure will be implemented.

3. On hearing the coded message:

"Will Security contact the production office".

This is a warning that the alert state has gone to **amber**.

Standby and await instructions from your supervisor or control.

4. On hearing the coded message:

"Will the security contact the production office immediately".

This is a warning that the alert state has gone to **red**.

An evacuation of the site will follow.

If a full evacuation of the site is to be carried out, you will hear the following announcement:

"Ladies and gentlemen, this is a security message. Due to circumstances beyond our control, will you please vacate the venue/site by walking to all available exits as quickly and quietly as possible".

5. On hearing the announcement, **"open all exit gates"**, direct the people in directions you wish them to leave, saying in a loud voice "This way out please".

When all persons have left the site, secure your area to prevent re-entry until the all clear is given.

On hearing the evacuation order all exit gates must be opened.

All toilet areas must be checked to ensure that everyone has been evacuated.

6. On completion of evacuation remain in your position, providing by doing so you do not endanger yourself. If, however, you are required to evacuate, report to the R.V. Point for roll call. All Stewards not on a position should report immediately to R.V. Point.

If it is decided not to evacuate, the following stand down message will be broadcast:

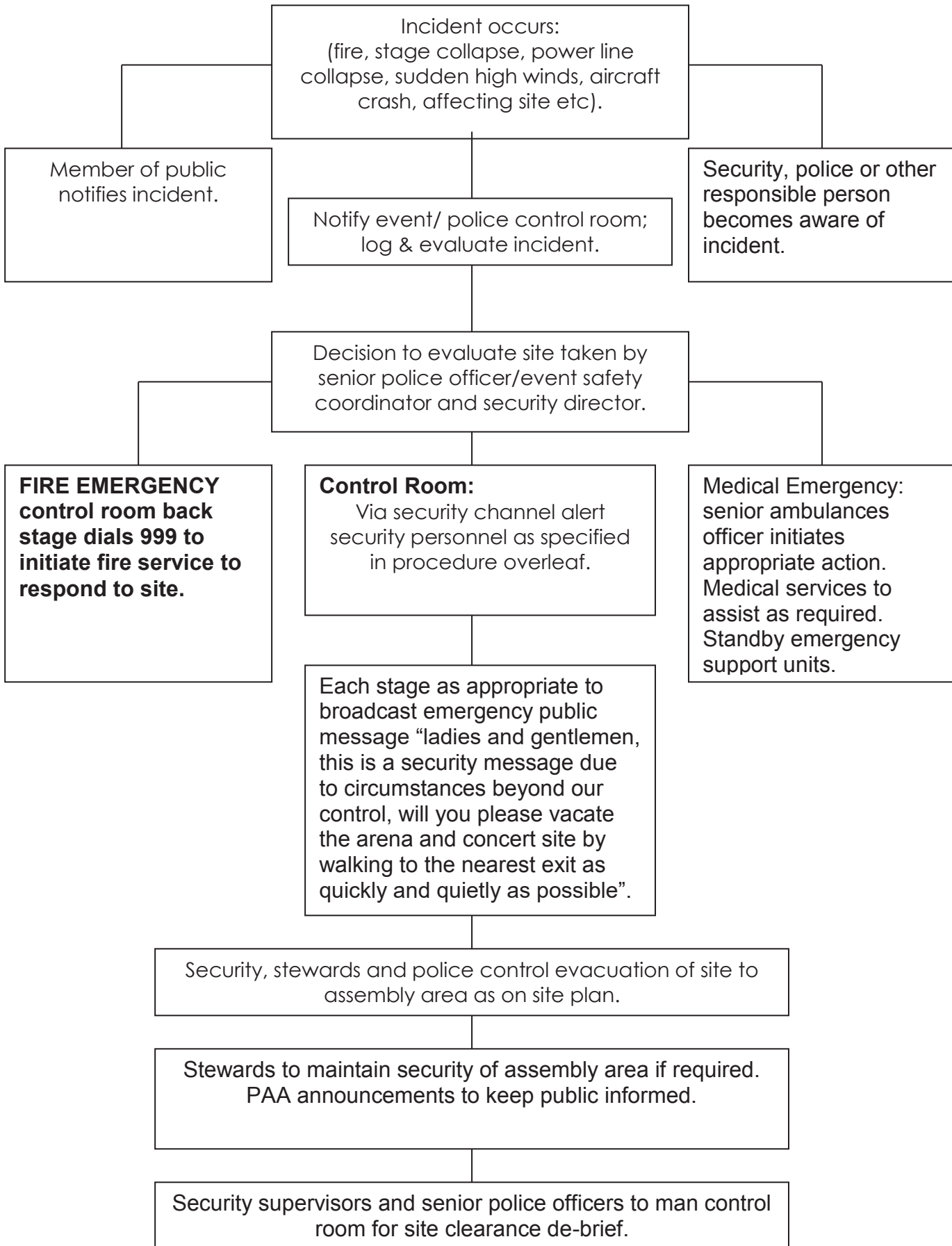
"The previous message for security is cancelled".

In the event of personal injury to a member of the public, advise your supervisor/control/First Aid direct.

7. Due to nature of site, the evacuation of disabled persons is considered hard, due to uneven ground. Stewards must, therefore, assist with evacuation, paying particular attention to users of disabled viewing platform.

8. The code word for any other incident, i.e. fight, crowd disorder, is **"Mr Wellhard"** (example, **Mr Wellhard is in the Marquee, would indicate a problem in the Marquee**

10.2 Emergency Evacuation Matrix



10.3 Event Kit

The list below forms the basis for the event kit, which will be held at the HCD offices. Other kit to be brought in as and when required. All portable appliances will be regularly tested.

1. Extension leads, with Weather protection
2. Conversion outlets BS 4343, 13A and 16A with Weather protection.
3. Hand fire appliances 2 x 9l water/AFFF, 1 x carbon dioxide
4. One fire blanket.
5. Loudhailer.
6. Set of Walkie Talkies
7. Large Torch
8. First Aid Kit to include as a minimum
 - 1 Guidance card
 - 20 Individually wrapped sterile adhesive dressings (assorted sizes)
 - 6 Sterile eye pads
 - 2 Saline solution in sealed container
 - 6 Individually wrapped triangular bandages
 - 6 Safety pins
 - 2 Large sterile individually wrapped unmediated wound dressing
 - 6 Individually wrapped moist antiseptic cleaning wipes

10.4 Accident/Incident Reporting Checklist

Immediate Actions

- Assist injured person
- Get help if necessary
- Remove or nullify hazard
- Administer First Aid
- Warn others of danger
- Preserve the accident scene until the investigation is complete

Subsequent Actions

- Notify Supervisors
- Complete accident book
- Complete accident form
- Get witnesses' names and addresses
- Note events leading up to accident
- Draw sketch plan
- Take photographs of the scene if possible
- Preserve the accident scene until the investigation is complete

Accident Investigation

- Get written statements from witnesses and injured person (if possible)
- Note the work activity being carried out at the time of the accident
- Consider contributory factors
- Consider changes, which could have prevented accident
- Complete accident investigation report form
- Consider the need for further investigation or study

10.5 3 -Tier Checklist

Level One- small event, for example individual performer with no equipment or back projection on the Vortex.

EVENT NAME- LEVEL ONE	ACTIVITY	INFO TO /FROM	DONE
	The performer and content vetted	HCD	
	the performers/artists contracted	HCD	
	Performance added to Diary	HCD/LBH	
	Health and safety provision	PLH / LCC/LBH	
	Risk assessment for the activity.	PLH / LCC/LBH	
	Confirm designated person that is responsible (the PLH / LCC) for the safety of the public, employees and performers, will retain control over all areas of the licensed site.	LBH	
	Event Kit check	LCC	
	First Aid Kit check	LCC	
	Contact numbers supplied to performers	LCC	

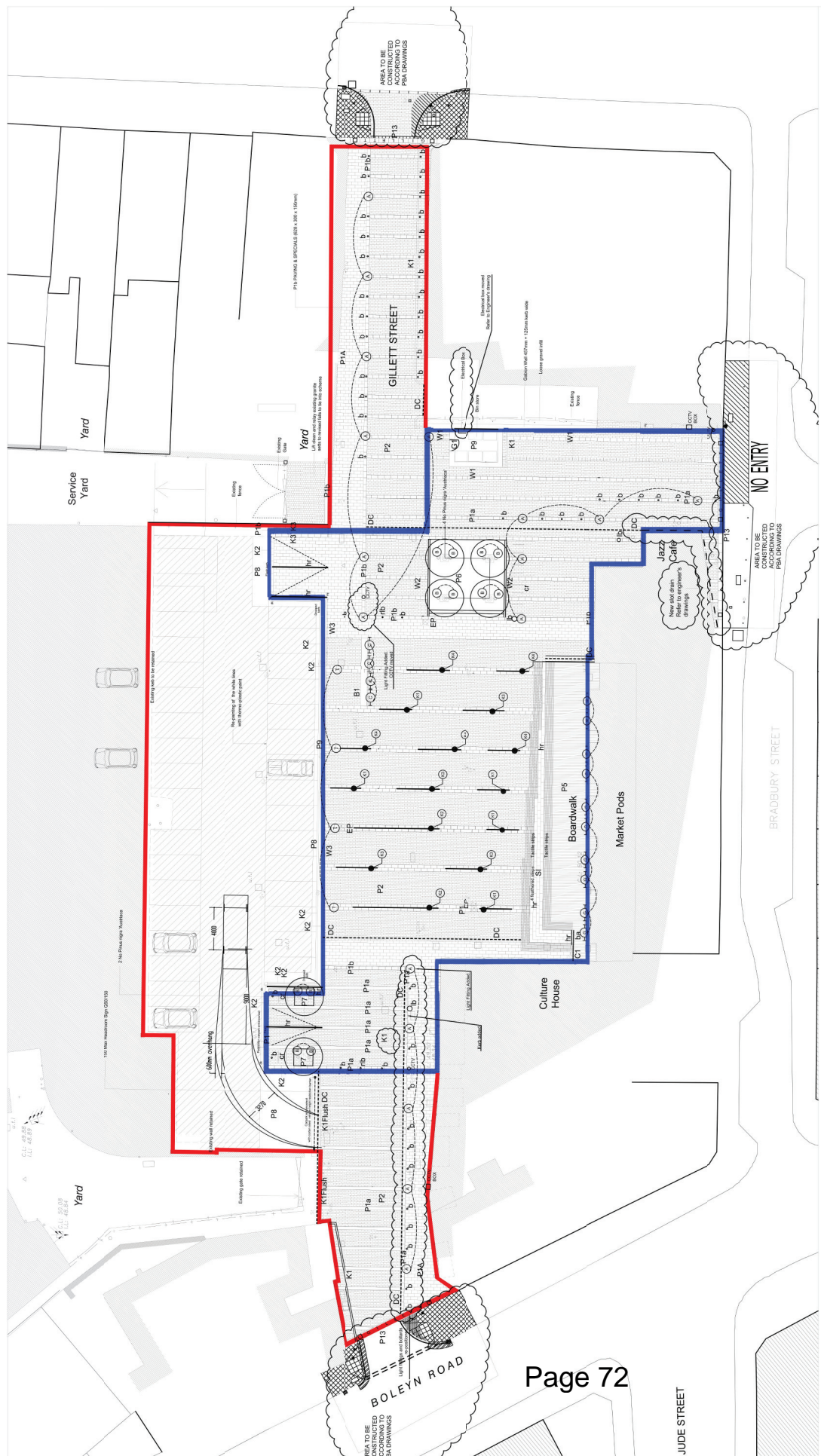
Level two- medium sized event/performance is activated when equipment, staging, electrical, props are brought into the Square.

EVENT NAME- LEVEL TWO	ACTIVITY	WHO	DONE
	The performer and content vetted	HCD	
	the performers/artists contracted	HCD	
	Performance added to Diary submitted to LBH 21 days before event	HCD	
	Police and Fire Brigade notified	HCD	
	Cleansing at LBH notified	PLH / LCC	
	Licensing at LBH Notified	PLH / LCC	
	Health and safety provision added to Diary	PLH / LCC	
	Risk assessment for the activity added to Diary to LBH	PLH / LCC	
	Plan drawn with equipment, barriers, fire appliances, first aid/ lost child point marked added to Diary to LBH		
	Confirm designated person that is responsible (the PLH / LCC) for the safety of the public, employees and performers, will retain control over all areas of the licensed site.	LBH	
	Event Kit check	LCC	
	First Aid Kit check	LCC	
	Additional Stewarding/ Security arranged	PLH / LCC	
	Additional fire appliances, first aid etc arranged if required	PLH / LCC	
	First Aiders contracted	PLH / LCC	
	Contact numbers supplied to performers and event crew	LCC	

Level three- a large event that is expected to attract a capacity crowd.

EVENT NAME- LEVEL THREE	ACTIVITY	WHO	DONE
	The performer and content vetted	HCD	
	the performers/artists contracted	HCD	
	Performance added to Diary 28 days before event	HCD	
	Police and Fire Brigade notified	HCD	
	Cleansing at LBH notified	PLH / LCC	
	Licensing at LBH Notified	PLH / LCC	
	Planning meeting held with HEAT	PLH / LCC	
	Health and safety provision added to Diary	PLH / LCC	
	Risk assessment for the activity added to Diary to LBH	PLH / LCC	
	Plan drawn with equipment, barriers, fire appliances, first aid/ lost child point marked added to Diary to LBH		
	Confirm designated person that is responsible (the PLH / LCC) for the safety of the public, employees and performers, will retain control over all areas of the licensed site.	LBH	
	Event Kit check	LCC	
	First Aid Kit check	LCC	
	Additional Stewarding/ Security arranged	PLH / LCC	
	Additional fire appliances, first aid etc arranged if required	PLH / LCC	
	First Aiders/ St John's Ambulance contracted	PLH / LCC	
	Contact numbers supplied to performers and event crew	LCC	
	Debrief meeting arranged	PLH / LCC	

PAVING	
C1 - Stone cladding Q25.215	
K1 - Stone kerbs Q10.120	
K2 - P.C.C. Q10.130	
K3 - Stone kerb Q10.140	
P1a - Natural Granite slabs 150 x 300 x 60mm thick Q25.200	
P1b - Natural Granite slabs 150 x 300 x 60mm thick Q25.200	
P2 - Natural Granite Sills 150 x 300 x 60mm thick Q25.500	
P3 - Omitted	
P4 - Timber deck Q50.300 Dwg 632.D.06	
P6 - Raised timber slabs Dwg 632.D.05	
P7 - Tree pit paving lily Q25.510 Dwg 632.D.14	
P8 - Macadam Paving Q22.130	
P9 - In situ concrete paving Q25.900	
P10 - Tactile paving Q25.220	
P11 - Paving to match existing Q22.221	
P12 - Omitted	
W1 - Galvan fence 2.5m high Q50.100 Dwg 632.D.10	
W2 - Concret Q50.115 Dwg 632.D.07	
W3 - Decorative steel screen Q50.140	
S1 - Stone steps Q25.210 Dwg 632.D.08	
G1 - Mild steel framed, timber clad lockable gate. Lock to be electronic keypad format. Q50.120 Dwg 632.D.11	
B1 - Timber bench formed of 75x75mm slats on steel frame set in concrete foundation Q50.220 Dwg 632.D.09	
b - Stainless steel bollards Q50.190	
rb - Removable bollard Q50.190	
cr - Cycle rack Q50.410	
lb - Litter bin - Q50.240	
DC - Drainage Channel, refer to latest Engineer's drawings	
CCTV - refer to latest Engineer's drawings	
B - Uplighters to trees Dwg 632.D.05.D.14	
Tr - Hair rail - Q50.116 Dwg 632.D.08	
BA - Ballustrade - Q50.118	
Sh - Stainless steel handrail, 50mm x 50mm	
www.specialpaving.com (07005 880181) Q50.500	
Plus sign (⊕) - Australia 7.8m high, 3m clear stem	
Circle with cross (⊗) - Manhole cover access within timber boardwalk Q50.390	
Circle with dot (⊙) - Electricity point, refer to Engineer's drawings	
NOTE: To be used in conjunction with civil, structural, mechanical, electrical and lighting consultants layout.	
Rev. 0 23.03.09 AS	
Rev. 1 20.04.06 AC	
Rev. 2 20.04.06 AC	
Rev. 3 23.03.09 AS	
Rev. 4 23.03.09 AS	
Rev. 5 23.03.09 AS	
Rev. 6 23.03.09 AS	
Rev. 7 23.03.09 AS	
Rev. 8 23.03.09 AS	
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Rev. 98 23.03.09 AS	
Rev. 99 23.03.09 AS	
Rev. 100 23.03.09 AS	



ADDITIONAL OCCASIONAL AREA

STANDARD AREA PEDESTRIANISED

- P Column mounted asymmetric luminaire engineering luminaires. For 2 x 150W metal halide lamps. See ELD drawing 1772SK07.
- G Column mounted asymmetric luminaires engineering luminaires. With opaque diffuser for even light output. 60 LEDs per metre.
- K1 Inground linear LED single colour feature light. With opaque diffuser for even light output. 60 LEDs per metre.
- K2 Inground linear LED single colour feature light. With opaque diffuser for even light output. 60 LEDs per metre.
- K3 Inground linear LED single colour feature light. With opaque diffuser for even light output. 60 LEDs per metre.
- K4 Inground linear LED single colour feature light. With opaque diffuser for even light output. 60 LEDs per metre.

- A Column mounted indirect asymmetric luminaires. Modified to take Iwaki Eye SDX E27 100W White SON. Mounting on 5 metre column ingress protection: IP54/Mark: Shier. With opaque diffuser for even light output. 60 LEDs per metre. Mounted within lantern head.
- B Inground linear fluorescent wash light. Asymmetric distribution. Recessed into ground to uplight front of linear benches. Installation: Beacon. Six degree beam.
- C Inground linear fluorescent wash light. Asymmetric distribution. Recessed into ground to uplight front of linear benches.
- D Galvan Walled LED linear colour changing system. One 1200mm unit comprised of 4 x 1m, 1m, 1m and 1m LED's. 12 in total.
- G Wall mounted linear fluorescent wash light. Linear distribution.

KEY LIGHTING - Ref to equation lighting latest drawings for light locations and fitting type

FOR CONSTRUCTION
whiteley+turnkinton
landscape architects

354 Kennington Road London SE11 4LD
Tel: 020 7820 0388 Fax: 020 7597 3859
e-mail: mail@whiteley.com

Job Title: Gillett Square
Drawing Title:
General Arrangement Plan Phase 1A
Drawn: BMA Checked: TG
Date: 24.05.04 Scale: 1:200 @A1
Dwg No: 632.L.02 Revision: Q

APPENDIX B1

Planning Authority Representation: Application under the Licensing Act 2003

Details of Authority	2 Hillman Street, Hackney, London, E8 1FB
Officer contact name	Sandy Ampomah
Officer telephone number	020 8356 8066
Officer's email address	sandybaffoe.ampomah@hackney.gov.uk

APPLICATION PREMISES

Name and address of premises	Gillett Square 1 Gillett Square N16 8AZ
Applicant name	Hackney Co-Operative Developments

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.

Application for a premises licence for plays, films, live music, recorded music, performance of dance and anything of similar description from 10:00 to 00:00am Mon to Sun and late night refreshment from 23:00 to 00:00am Mon to Sun.

It is possible that these events benefit from permitted development under Class B (temporary use of land), Part 4, Schedule 2 of the General Permitted Development Order (2015) as amended.

Permitted development comprises "...the use of any land for any purpose for **not more than 28 days** in total in any calendar year, of which not more than 14 days in total may be for the purposes of—
(a) the holding of a market;
(b) motor car and motorcycle racing including trials of speed, and practising for these activities, and the provision on the land of any moveable structure for the purposes of the permitted use."

Please refer to the GPDO for the full list of restrictions. If the scope of the events are more than permitted by the GPDO please note that planning permission would be required and the Local Planning Authority should be contacted to discuss.

Please provide the following information (if applicable)

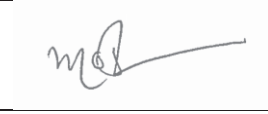
Area (that permission applies to)	
Permitted use	
Permitted hours	
Specific/restrictive conditions	
Recent applications	

Decisions	
Pending decisions	
Reasons for refusal	
Relevant Conditions/discharges	

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

Informative:

If the scope of the events exceed that permitted by Class B (temporary use of land), Part 4, Schedule 2 of the General Permitted Development Order (2015) as amended then planning permission would be required and an application should be submitted.

Signed	
Name	Mary O'Shaughnessy
Date	20 February 2017

APPENDIX B2

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	Gillett Square Hackney London N16 8AZ
NAME OF PREMISES USER	Hackney Co-operative Developments

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 Premises Licence for GILLETT SQUARE, LONDON, N17 8AZ for the following reason(s):

This venue is situated within the Dalston Special Policy Area. This area currently has a high concentration of licensed premises and the streets are extremely busy during the night and early hours of the morning. This particular location is a hotspot for many street drinkers to gather and drink and for groups of young people to gather late at night into the early hours of the morning. There are often fights, disorder and incidents of ASB in this location.

Gillett Square has hosted licensed events in the past, but TENs (Temporary Event Notices) have been used to authorise licensable activity. Police would like further information as follows:

- What events are going to be held here that require the space to have a permanent licence?
- The application mentions a 3 tiered structure for the level of activity within the Square. What capacities do you expect for a medium or large event, given that a figure of 3000 people has been placed on a small event?
- Police are concerned about some of the areas to be covered by the licence, for example Gillett Street leading up to Kingsland High Street. This area should be kept sterile, to ensure that the High Street is not impacted by any event taking place in the Square. The High Street is already very crowded during both the day and night and a large event in Gillett Square should not add to this. This could push people into the main road, putting them at risk of being involved in a road traffic accident. People spilling out of this area will also impact on the car traffic up and down the High Street.
- What dispersal policies are in place? After a large event, thousands of people will be pushed onto an already packed High Street to find further entertainment/alcohol venues or transport hubs, most of which are on the High Street.
- What policies and procedures are in place around people bringing in bottles and drinking alcohol in the street considering that Gillett Square is a Designated Public Place?

Police are concerned about the numbers proposed for events being regularly held in Gillett Square, especially when the weather is good and how they will be managed and dispersed without cause a huge impact on the area around it for both visitors to the area and local residents, especially as Section 3 of the operating schedule states an expectation for police to be present at all events

Police would like to meet with the applicant to discuss this application and create a set of conditions that ensure the promotion of the licensing objectives.

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)

From: [REDACTED]
Sent: 09 February 2017 12:02
To: Licensing
Cc: Wardens Mailbox; Peter Snell (Cllr); Soraya Adejare (Cllr); Richard Lufkin (Cllr); Michelle Gregory (Cllr); Guy.Hicks@met.pnn.police.uk; [REDACTED]
Subject: Gillett Square Gillett Square London N16 8AZ

CORRECTED SUBJECT

Dear Hackney Licensing,

I am writing on behalf of the Rio Cross Residents Association to OBJECT to the application from Hackney Cooperative Developments for a premises licence for plays, films, live music, recorded music, performance of dance and anything of similar description from 10:00 to 00:00am Mon to Sun and late night refreshment from 23:00 to 00:00am Mon to Sun on Gillett Square London N16 8AZ.

GS2 describes the square as ‘a place to walk through; a place to sit; a place to share; a place to meet; a place to see, hear, feel, smell, taste and discover wonderful and incredible things.’ The unfortunate side effect of public events is that there are often somewhat less wonderful and incredible things to see, hear, feel, smell, taste and discover, and these need to be carefully managed. One way is through licensing controls.

Whilst Gillett Square is a wonderful asset to the local community and perfect location for public events, it is unreasonable to expect residential and business neighbours to tolerate the less appealing impacts of such events potentially seven days a week until midnight (or realistically beyond midnight given the likelihood of continued revelling). Increased numbers of visitors to the square and consumption of alcohol at public events means that in addition to the noise disturbance that comes with events, local residents are put at risk of suffering the discomfort of overcrowding of pavements, increase in litter, the unpleasant odours and risk to health of public urination, vomiting and defecation, damage to vehicles, crime and harassment of minors.

There is no evidence of an existing premises licence for Gillett Square, and so the means by which current events are licensed is uncertain; presumably an application is made for each event and each is judged on its own merits. It seems reasonable that this procedure remains in place.

Yours sincerely,

[REDACTED]

[REDACTED]

From: [REDACTED]
Sent: 10 February 2017 14:31
To: Subangini Sriramana
Cc: Tim Shields
Subject: The application for a license for performances etc. in Gillet Square

Dear Sirs

I have been a resident of [REDACTED] John Campbell Road since 2010 and my husband since 1994.

We both work at home and not only have a small garden at the back of our house which backs onto what used to be the [REDACTED] on Gillette square, but also now have created a first floor deck where we grow vegetables in the spring/summer/autumn months. We also sleep with our windows wide open most of the year and our bedrooms are at the rear of the property.

We realise that Gillette square is to be used as a community space, but we don't feel that the council takes enough account of it's working residents when considering planning applications for the 'night time economy'. We need a good night's sleep and when there is late night events/ partying/ drinking in the square.

I also feel that Hackney/Dalston planners are not taking into consideration the blocks of new Taylor Wimpey apartments going up on the Dalston Kingsland side of the Gillette Square, the apartments will overlook the square and the new residents, who I can only assume are part of the working population given the price of an apartment, will also not appreciate a disturbed nights sleep, 7 days a week.

I would appreciate it if the hire of the square in the evening could be kept to the current arrangements, just Friday's and Saturday nights and special occasions requiring permission. All of which I feel should end at 11pm

I don't want to spoil the money coming in from this 'economy' BUT I strongly don't feel that the Council can have it both ways, ie encourage badly needed housing and encouraging all night, 7 day a week party goers.

Regards

[REDACTED]

From: Licensing
Subject: FW: RE: Re: Licence Application - weekending 27/01/2017

From: [REDACTED]
Sent: 20 February 2017 21:43
To: Licensing <Licensing@Hackney.gov.uk>
Subject: Aw: RE: Re: Licence Application - weekending 27/01/2017

Dear Sir or Madam

We would like to register a representation against the application from Hackney Cooperative Developments for a premises licence for plays, films, live music, recorded music, performance of dance and anything of similar description from 10:00 to 00:00am Mon to Sun and late night refreshment from 23:00 to 00:00am Mon to Sun on Gillett Square London N16 8AZ, on the grounds that this will lead to more crime and disorder, public nuisance, less public safety and less protection of children from harm.

As you'll no doubt be aware, the area around Gillett Square already suffers from huge issues of all the above.

With best wishes

[REDACTED]
[REDACTED]

||

From: Amalia Isla <lala@lalaisla.co.uk>
Sent: 10 February 2017 13:34
To: Tim Shields
Cc: Butta Singh; Mike Smith; Peter Snell (Cllr); subangini.saram@hackney.gov.uk;
 [Redacted]
 [Redacted]
 [Redacted]
 [Redacted]
 [Redacted]
 [Redacted]
 [Redacted]
 [Redacted]

Subject: Gillet Square

[Redacted] John Campbell Road, London N16 [Redacted]
 [Redacted]

10 February 2017

Tim Shields
 Chief Executive
 London Borough of Hackney
 Hackney Service Centre
 1 Hillman Street
 London E8 1DY

Dear Sir,

I have been a neighbour of John Campbell Road for the past 37 years. I have seen with my own eyes the changes in Dalston and I belong to a group of "pioneers" that helped those changes with our active participation. Like a lot of my neighbours I am a freelance worker. I write in Spanish for Spain and in my first book there is a chapter about Hackney. This book has been studied in King's College for the past nine years.

I am also a member of the Rio Cross Association since the very beginning.

The back of my house -where I have a small garden- is just opposite Gillet Square. While I accept that the square can help the community for many of us is a hub of noise that interferes with our work. In the Summer we cannot open the windows due to the noise and we heard clearly the guys that use the skating

boards until very late at night. Sometimes we heard the fights and the music from places like the Jazz cafe. Many weekends we cannot use the gardens due to the noise.

According to the Human Rights Convention we have the right to sleep at night and a lot of noise can contravene our rights. Hackney Council has not been always very efficient in protecting neighbours like me.

Now we have been told that there is a proposal to give permission to have events and noise every day in the week. As [REDACTED] said: "as a resident that does back on to the square, I consider that the capacity to hold plays, films, live music, recorded music, performance of dance and anything of similar seven days a week from 10am until midnight is not reasonable. The odd music festival and event through the summer at the weekends is clearly exactly what the square is designed for and is absolutely fine - I assume they apply for one off licences for such occasions. Im not sure why they are unable to stick with the current arrangements.

I totally oppose this proposal that will deteriorate greatly our quality of life and interfere with our work.

Yours sincerely

[REDACTED]

Ps: Peter Snell
Subangini Saram

Mike Smith

Butta Singh

Members of the Rio Cross association

From: [REDACTED]
Sent: 15 February 2017 12:01
To: Licensing
Subject: Hackney Cooperative Developments Application for Premises Licence at Gillett Square, Dalston, London N16 8JH

Dear Sirs

I am writing in support of Hackney Co-operative Development's application for an entertainment licence in Gillett Square. I am **a local resident / business owner** and I serve as a voluntary member of HCD's governing body. We consider the work in the square to be an essential part of HCD's work in achieving its objective of bringing together economic with social and community development. We also believe that through our work in the square we have created a deep impact for the benefit of the local community. This is why we have continued to invest resources, time, money and expertise into the project since the square was built 10 years ago. Please grant this licence so that HCD can continue with this important work.

Kind regards
[REDACTED]

From: [REDACTED]
Sent: 16 February 2017 13:49
To: Licensing
Subject: Hackney Co-operative Developments application for Premises Licence at Gillett Square, Dalston, London N16 8JH

Dear Sirs

I am writing in support of Hackney Co-operative Development's application for an entertainment licence in Gillett Square. We are a charity and have had the opportunity to work directly with HCD on Gillett Square Playdays events in the square in **2016**. HCD took the responsibilities as outlined in the current licence very seriously, and thus ensured the safety and success of our event. I believe they should continue their work as named licence holder for Gillett Square.

Kind regards

[REDACTED]
[REDACTED]

From: [REDACTED]
Sent: 17 February 2017 11:44
To: Licensing
Subject: Hackney Co-operative Developments application for Premises Licence at Gillett Square, Dalston, London N16 8JH

Dear Sirs

I am writing in support of Hackney Co-operative Development's application for an entertainment licence in Gillett Square. I am **a local resident** and I serve as a voluntary member of HCD's governing body and I have supported other residents to put on events in Gillett Square in 2016. We consider the work in the square to be an essential part of HCD's work in achieving its objective of bringing together economic with social and community development. It is also critically important for social cohesion and inclusiveness in Dalston. We believe that through HCD's work in the square we have created a deep impact for the benefit of the local community. This is why HCD has continued to invest resources, time, money and expertise into the project since the square was built 10 years ago. Please grant this licence so that HCD can continue with this important work.

Kind regards

[REDACTED]
[REDACTED]

From: [REDACTED]
Sent: 20 February 2017 17:34
To: Licensing
Subject: Premises licence Gillett Square

Hello

I am the owner of [REDACTED] in Gillett Square and a member of HCD
And a Board Director of HCD
I fully support the current remixes Licence application

Yours Sincerely

[REDACTED]

Sent from my Samsung Galaxy Alpha - powered by Three

From: [REDACTED]
Sent: 20 February 2017 19:10
To: Licensing
Subject: Hackney Co-operative Developments application for Premises Licence at Gillett Square, Dalston, London N16 8JH

Dear Sir/Madam

I am writing in support of Hackney Co-operative Development's application for an entertainment licence in Gillett Square. I am a local business owner and I serve as a voluntary member of HCD's governing body.

I have had my business in the studios directly on the square for the last 4-5 years and have seen directly how the work of HCD benefits the square. It is an unusual community square in that it has such an extremely varied community and it requires sensitive and subtle management and support. It is my observation that this can only be achieved by a team who are in the square regularly, involved in the day to day, and know the various strong personalities that make it what it is. I have never known a square quite like it in its varying community needs.

HCD have been doing an impressive and admirable job of navigating the different needs of the Gillett Square's community, from a grassroots level right up to large scale events.

We consider the work in the square to be an essential part of HCD's work in achieving its objective of bringing together economic with social and community development. We also believe that through our work in the square we have created a deep impact for the benefit of the local community. This is why we have continued to invest resources, time, money and expertise into the project since the square was built 10 years ago.

Please grant this licence so that HCD can continue with this important work.

Warm regards

[REDACTED]

[REDACTED]

Our ref: RCT
Your ref:

Hackney Office

(correspondence address)

Licensing Service,
London Borough of Hackney
1 Hillman Street,
London E8 3DY

By Post and email: licensing@hackney.gov.uk

7th February 2017

Dear Sirs

RE: Hackney Co-operative Developments application for Premises Licence at Gillett Square, Dalston, London N16 8JH

I am writing in support of Hackney Co-operative Development's ("HCD") application for an entertainment licence in Gillett Square. I am a local business owner located in Gillett Square for the last 18 years. I serve as the Chair of HCD's governing body of voluntary Directors.

I am aware that the original licence for Gillett Square was granted in 2006 and was in the name of the New Vortex Jazz Club, with an attached Operating Schedule in the name of "The Vortex Jazz Club Ltd in association with appointed agent Hackney Cooperative Developments (HCD Ltd)" which also states that the "Premise Licence Holder (PLH) will be Adam Hart, Executive Director HCD Ltd."

In 2014 HCD applied to transfer the name on the licence to Dominic Ellison, current CEO of HCD, and understood that this had gone through; however we have since learned that due to an administrative error the application was ineffective.

The original licence was applied for and granted before the first events in the square, and in the intervening years a number of things have changed; in particular the envisaged formal partnership of local stakeholders to oversee the square has not (and is unlikely to) become a going concern. Furthermore, although the Vortex Jazz Club remains HCD's tenant, HCD's role has expanded considerably in respect of the Square since 2006.

HCD now has over 10 years experience of carrying out a huge range of events in the Square – many of them quite high profile - and understands the practical realities of the operation as well as the obligations of an entertainment license holder. HCD has also invested a great deal in the Gillett Square project throughout that time and the active responsibility for the safe planning and execution of the events has remained firmly within HCD.

In light of all the above, LB Hackney officers have asked us to apply for a licence in HCD's name, maintaining the current Operating Schedule, and have requested that Vortex rescind the licence in their name once this is approved.

We consider the work in the square to be an essential part of HCD's remit in achieving its objective of bringing together economic, social and community development. We also believe that through our work in the square we have created a deep impact for the benefit of the local community.

We very much hope you will grant the application in order that HCD can continue with the above-mentioned work as the formal licence holder for Gillett Square.

Yours sincerely,





██████████ **C11**
Square,
London
██████████

██
16 February 2017

Licensing Service
1 Hillman Street
London
E8 1DY

Dear Sir or Madam,

Reference premises licence application for Gillett Square submitted by Hackney Co-operative Developments (HCD).

I am writing to let you know that the New Vortex Jazz Club Ltd (Vortex) is aware that HCD are applying for an entertainment licence for Gillett Square and we are writing to state that the Vortex does not object to HCD having a licence.

Also we would like to let you know that the Vortex are keeping the licence for events that we manage in the square and will coordinate with HCD and others in order to avoid conflicting events.

We would also expect HCD to coordinate their events with us.

Yours sincerely,



Tim Ward
Director

Cc: D Ellison, HCD



APPENDIX D



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Gillett Square

Scale 1/1250

at A4



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Date 3/3/2017

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