



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

Tuesday, 28th February, 2017

at 7.00 pm

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

Councillors sitting:

**Cllr Emma Plouviez (Substitute),
Cllr Ian Rathbone (Substitute) and
Cllr Peter Snell**

TIM SHIELDS
Chief Executive

Gareth Sykes Governance Services Officer
02083561567
gareth.sykes@hackney.gov.uk

The press and public are welcome to attend this meeting

AGENDA

Tuesday, 28th February, 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 - 4)
5 Licensing Sub-Committee Hearing Procedure		(Pages 5 - 6)
6 Application to vary the premises: The Barge House, 46a DeBeauvoir Crescent, N1 5RY		(Pages 7 - 76)
7 Application for a premises licence: By the Bridge, 283a Kingsland Road, E2 8AS		(Pages 77 - 110)
8 Temporary Event Notices - standing agenda 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 C

THURSDAY, 12TH JANUARY, 2017

Councillors Present: Councillor Emma Plouviez in the Chair
Cllr Sade Etti and Cllr Margaret Gordon

Apologies:

Officers in Attendance: Toyin Omodara (Senior Planning Officer), Mike Smith (Principal Licensing Officer) and Shaheen Zar (Senior Environmental Health Officer)

Also in Attendance:

2 Election of Chair

2 Apologies for Absence

There were no apologies for absence.

3 Declarations of Interest - Members to declare as appropriate

There were no declarations of interest.

4 Minutes of the Previous Meeting

The minutes of the previous meetings were approved as a correct record.

5 Licensing Sub-Committee Hearing Procedure

The Committee noted the Licensing Sub-Committee Hearing Procedure.

6 Variation of Premises Licence: Eastern Tea Company, 11 Stoke Newington Road, London N16 8BH

The Principal Licensing Officer informed the committee that Mr Tunde Aroun made an application to vary a premises licence under the Licensing Act 2003:

- To vary the layout of premises (from shop to restaurant)
- To include late night refreshment (see para 2.4 below)
- To include on sales of alcohol
- To vary hours for off sales of alcohol
- To delete conditions 17 and 24 from current licence

The applicant had subsequently and following discussions with Responsible Authorities reduced the proposed hours for the sale of alcohol.

Members of the committee were made aware that following the submission of the application, the applicant submitted a minor variation for the premises to operate late night refreshments. However, this has not been determined as approval to the proposal was linked to the current variation application which was under consideration.

The Applicant explained to Members that the Eastern Tea Company was a restaurant which specialised in ancient Chinese cooking methods. It was emphasised to the committee that there would be no amplified music in the restaurant. The applicant highlighted to members of the committee the following actions which had taken place since the Licensing Sub-Committee on 6th September 2016:

- Detailed work had been carried out on the location and viability of the extraction system by architects. To revamp the previous system to ensure that there was no noise disturbance for residents.
- The Menu had been adjusted, containing more of a substantial food offer, policy had been amended to ensure that alcohol may only be ordered with a main dish.

The Objector was welcomed to the committee to make a statement in doing so it was explained that the Eastern Tea Company was primarily established to sell alcohol with no option of food. It was also felt that the area had a large number of properties with A3 usage, meaning they can only be used for "the sale of food or drink for consumption on the premises or of hot food for consumption off the premises. The Objector explained that this additional premises would encourage the consumption of alcohol and which could lead to acts of anti-social behaviour.

It was highlighted to the committee by the objector that the applicant owned another premises nearby which was busy and loud. It was also explained that the premises had recently held a lot of temporary events notices throughout September.

The Objector asked for clarification on the designated seating area and also the reasoning as to why there was a condition requiring SIA staff at the premises.

The Objector proposed the following additional conditions:

- The maximum capacity of the premises is 25 customers.
- Patrons are to be dispersed by a staff member from the premises immediately at the end of the hours of operation in a quiet and orderly fashion.
- A selection of several main dishes will be available to customers.
- All Wire mesh supported synthetic media pre-filters must be replaced every 3-4 weeks.
- All Activated carbon box filters must be replaced every 6 months.
- All washable standard grease filters must be washed twice a week.
- The duct termination shall be designed to achieve a vertical efflux velocity of at least 8 metres per second (m/s).
- Noise from machinery shall be limited to 40db at source.

The Applicant explained that the condition regarding the allocation of SIA staff at the premises was proposed by a responsible authority, it was felt that it was responsible to accept this condition and a positive action on behalf of the applicant that would ensure public safety at the restaurant. The applicant added that they had never received a

complaint regarding any of the temporary events notices that had been held at the premises.

Members welcomed the Senior Planning Officer to the committee. The sub - committee was advised that the applicant would need to submit and A1 application as the application which was previously submitted was invalid. The Applicant explained that there was a lack of understanding regarding the formatting of the plan when it was first submitted although this had now been rectified and had been resubmitted online.

The Applicant stated that off-sale alcohol and all outside designated seating areas had been withdrawn.

The Environmental Health Officer stated that he had no objections against the application. It was highlighted that the installation unit would also be reviewed when the planning application had been received. It was explained that the suggested 40 decibel limit proposed by the objector would not be required. The number of decibels would need to be assessed by an Environmental Health Officer to see if this would be appropriate as a condition.

The decision

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;
- The protection of children from harm;

The application has been approved in accordance with the Council's licensing statement along with the current and proposed conditions set out in paragraphs 3.1 and 8.1 of the report, with the following amendments:

- The floor plan for the application be amended to the one set-out at page 48 of the agenda, with a coloured hard copy to be provided to the Licensing Service
- Off sales & the request for outside seating has been removed from the application
- Conditions 8, 15, 17, and 24 from the current licence (set-out on pages 13 &14 of the agenda) be deleted.
- Conditions 16, 17, 18 and 19 from the approved variation (set-out on page 19 of the agenda) be deleted;
- The words in condition 13 "Greater London Council (General Powers) Act 1986)" (on page 19 of the agenda) shall be deleted and replaced with the Policing and Crime Act 2009.
- Condition 21 be amended to read "Intoxicating liquor shall not be sold, supplied or consumed otherwise than to persons who are seated and are taking a substantial meal from the menu and that the consumption of alcohol by such persons is ancillary to taking such meals. The supply of alcohol shall be by waiter/waitress service only."
- Condition 22 shall be amended to read "There Shall be no glass, drinks or open containers taken out of the premises at any time".

And following additional conditions:

- The maximum capacity of the premises is 25 customers.
- Patrons are to be dispersed by a staff member from the premises immediately at the end of the hours of operation in a quiet and orderly fashion.
- A selection of several main dishes will be available to customers.
- All Wire mesh supported synthetic media pre-filters must be replaced every 3-4 weeks.
- All Activated carbon box filters must be replaced every 6 months.
- All washable standard grease filters must be washed twice a week. The duct termination shall be designed to achieve a vertical efflux velocity of at least 8 metres per second (m/s).

Reasons for the decision

The application has been approved within the Dalston SPA, given the amendments made to the application, which saw the licensable and operational hours brought in-line with the matrix set-out within LP14, the revised floor plan that has reduced the capacity of the premises, in addition to the proposed and agreed conditions. As such, the Licensing Sub-Committee was satisfied that the licensing objectives would not be undermined.

The Licensing Sub-Committee also noted that a minor variation application is outstanding for Late Night Refreshment on a Friday and Saturday night and would expect this application to be approved to ensure that the premises can operate effectively in accordance with the conditions on the licence.

Public Informative:

The applicant is reminded of the need to operate the premises in accordance to any current planning permission relating to its user class, conditions and hours.

It also should be noted for the public record that the local planning authority should draw no inference or be bound by this decision with regard to any planning application which has been or is to be made.

2 Temporary Event Notices - Standing Item

Duration of the meeting: 7.00 - 8.15 pm

Signed

.....

Chair of Committee

Contact:

Governance Services Officer:
Tel 020 8356 8407

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 THE GROUP DIRECTOR, NEIGHBOURHOODS AND HOUSING		
LICENSING SUB-COMMITTEE: 28/02/2017	Classification DECISION	Enclosure
APPLICATION TO VARY THE PREMISES LICENCE : The Barge House, 46a De Beauvoir Crescent, N1 5RY	Ward(s) affected De Beauvoir	

1. SUMMARY

Applicant(s) The Barge House Ltd	In SPA Not Applicable														
Date of Application 19 December 2016	Period of Application Permanent														
Proposed variation: To remove and replace conditions from licence as follows: 50. The number of patrons allowed outside the premises including to smoke at any one time to be limited to 20. 51. All patrons outside to be seated, including smokers. 52. Remove 54. There should be no use of any outside area by customers after 22:00.															
The opening hours of the premises: To commence opening hours															
1 April to 30 September 09.00 daily (1 October to 31 March to remain as 11.00)															
Current activities/hours: <table style="width: 100%; border: none;"> <tr> <td style="width: 30%;">Films, live music, recorded music, performance of dance and similar and supply of alcohol</td> <td>Mon 11:00-23:00</td> </tr> <tr> <td></td> <td>Tue 11:00-23:00</td> </tr> <tr> <td></td> <td>Wed 11:00-23:00</td> </tr> <tr> <td></td> <td>Thu 11:00-23:00</td> </tr> <tr> <td></td> <td>Fri 11:00-23:00</td> </tr> <tr> <td></td> <td>Sat 11:00-23:00</td> </tr> <tr> <td></td> <td>Sun 11:00-21:30</td> </tr> </table>		Films, live music, recorded music, performance of dance and similar and supply of alcohol	Mon 11:00-23:00		Tue 11:00-23:00		Wed 11:00-23:00		Thu 11:00-23:00		Fri 11:00-23:00		Sat 11:00-23:00		Sun 11:00-21:30
Films, live music, recorded music, performance of dance and similar and supply of alcohol	Mon 11:00-23:00														
	Tue 11:00-23:00														
	Wed 11:00-23:00														
	Thu 11:00-23:00														
	Fri 11:00-23:00														
	Sat 11:00-23:00														
	Sun 11:00-21:30														

The opening hours of the premises	
Primary	Standard Hours: Mon 11:00-23:30 Tue 11:00-23:30 Wed 11:00-23:30 Thu 11:00-23:30 Fri 11:00-23:30 Sat 11:00-23:30 Sun 11:00-22:00
Capacity: not known	
Policies Applicable	LP3 (Operating Schedule), LP4 (Crime and Disorder), LP5 (Public Nuisance), LP6 (Protection of Children from Harm) and LP8 (Public Safety)
List of Appendices	A – Application for variation of 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"> • Licensing Authority • Other Persons

2. APPLICATION

2.1 The Barge House Ltd has made an application vary their premises licence under the Licensing Act 2003 to delete and replace conditions on licence as follows:

- 50. “The number of patrons allowed outside the premise including to smoke at any one time to be limited to 10”
to be deleted and replaced with
“The number of persons seated on the outside terrace be limited to 28 at any one time”.
- 52. “All Alcohol served outside to be by waiter/waitress and to be ancillary to a table meal”
to be deleted
- 54. “There should be no use of any outside area by customers after 18:00”
to be deleted and replaced with
"There should be no use of any outside area by customers after 22:00"

2.2 The submitted application is attached as Appendix A.

2.3 Following agreement with the Police, the application is now to amend conditions to read as follows:

- 50. The number of patrons allowed outside the premises including to smoke at any one time to be limited to 20.
- 51. All patrons outside to be seated, including smokers.
- 52. (Removed)
- 54. There should be no use of any outside area by customers after 22:00.

3. CURRENT STATUS / HISTORY

- 3.1 The premises have been in possession of a licence since November 2010 but the licence lapsed when the licensee became insolvent in May 2014. A new licence was granted on 23 September 2014 and transferred to the Barge House Ltd in May 2015. A similar application to remove conditions was refused by Licensing Sub-Committee in September 2015.
- 3.2 The current licence permits the hours described in para 1 and is subject to the following conditions:

Mandatory Conditions

Supply of Alcohol

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

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

Minimum Drinks Pricing

7. 7.1 A relevant person shall ensure that no alcohol is sold or supplied for consumption on or off the premises for a price which is less than the permitted price.

7.2 For the purposes of the condition set out in paragraph 7.1 above -
 - (a) "duty" is to be construed in accordance with the Alcoholic Liquor Duties Act 1979;
 - (b) "permitted price" is the price found by applying the formula - $P = D + (D \times V)$
Where -
 - (i) P is the permitted price,
 - (ii) D is the amount of duty chargeable in relation to the alcohol as if the duty were charged on the date of the sale or supply of the alcohol, and
 - (iii) V is the rate of value added tax chargeable in relation to the alcohol as if the value added tax were charged on the date of the sale or supply of the alcohol;
 - (c) "relevant person" means, in relation to premises in respect of which there is in force a premises licence -
 - (i) the holder of the premises licence,
 - (ii) the designated premises supervisor (if any) in respect of such a licence,
 or

- (iii) the personal licence holder who makes or authorises a supply of alcohol under such a licence;
- (d) "relevant person" means, in relation to premises in respect of which there is in force a club premises certificate, any member or officer of the club present on the premises in a capacity which enables the member or officer to prevent the supply in question; and
- (e) "value added tax" means value added tax charged in accordance with the Value Added Tax Act 1994.

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

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

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

Exhibition Of Films

8. Admission of children (under 18) to the exhibition of any film must be restricted in accordance with: -
- (a) Recommendations made by the film classification body where the film classification body is specified in the licence, or
 - (b) Recommendations made by the licensing authority where the film classification body is not specified in the licence, or the relevant licensing authority has not notified the holder of the licence that this subsection applies to the film in question.

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

Door Supervision

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

Conditions consistent with the Operating Schedule

- 10. The capacity of the premises including staff shall be 250.
- 11. The premises will operate a zero tolerance policy to illegal drugs.
- 12. During functions regular checks of the toilets and rear areas shall be undertaken and details recorded.
- 13. CCTV shall also cover outside areas.
- 14. CCTV notices to be displayed by the entrance.
- 15. Before functions the premises licence holder or DPS will undertake a full risk assessment the results of which shall be kept in writing.

16. Following a risk assessment, should a risk be identified SIA licensed door supervisors will be employed at the ratio of one door supervisor to 75 persons or part thereof and at least one shall be female. They will remind customers to be courteous and quiet when leaving the premises. All details (full name, DOB, Address, SIA badge number, company and Booking on - off times) to be recorded and to be made available to police immediately.
17. Written records of door supervisors working at the premises will be kept and made available to police or authorised officers of the council on request.
18. A written fire risk assessment and emergency plan will be prepared.
19. Adequate firefighting equipment will be provided and staff trained in fire prevention, emergency procedures and use of firefighting equipment.
20. Written training records will be kept.
21. A suitable fire alarm system and emergency lighting shall be installed.
22. Doors and windows to be closed during regulated entertainment except for entry and exit.
23. Regular external noise patrols to be carried out and noise levels monitored during regulated entertainment.
24. Notices to be prominently displayed by the exits reminding customers they are in a residential area to leave quietly.
25. Cabs to be called for customers requiring one and people waiting for a cab to wait inside the premises until it arrives
26. Challenge 25 notices will be displayed.
27. A written refusals record will be kept and produced to police or authorised council officers on request
28. All staff will receive appropriate training on induction and refresher training at regular intervals in operating challenge 25, asking for proof of age, checking forms of ID making and recording a refusal of service and completing the refusals book.
29. Written training records will be kept and produced to police or authorised officers of the council on request
30. No unaccompanied children under 16 to be permitted on the premises after 21.00.
31. The premises shall maintain a comprehensive CCTV system as per the minimum requirements of a Metropolitan Police Crime Prevention Officer. All entry and exit points will be covered enabling frontal identification of every person entering in any light condition. The CCTV system shall continually record whilst the premises is open for licensable activities and during all

times when customers remain on the premises. All recordings shall be stored for a minimum period of 31 days with date and time stamping. Recordings shall be made available immediately upon the request of Police or authorised officer. A staff member from the premises who is conversant with the operation of the CCTV system shall be on the premises at all times when the premises are open to the public. This staff member shall be able to show Police recent data or footage with the absolute minimum of delay when requested.

32. An incident log shall be kept at the premises, and made available immediately to an authorised officer of the Hackney Borough Council or the Police, which will record the following:
 - (a) all crimes reported to the venue
 - (b) all ejections of patrons
 - (c) any complaints received
 - (d) any incidents of disorder
 - (e) seizures of drugs or offensive weapons
 - (f) any faults in the CCTV system or searching equipment or scanning equipment
 - (g) any refusal of the sale of alcohol
 - (h) any visit by a relevant authority or emergency service.
 - (i) Toilets to be checked by staff randomly and at least once per hour.
33. There shall be a personal licence holder on duty on the premises at all times when the premises are authorised to sell alcohol.
34. All regulated entertainment shall only be provided in the sound proof area at the premises
35. All instances of crime or disorder to be reported by the designated premises supervisor or responsible member of staff to an agreed police contact point, as agreed with the Police.
36. There shall be no promotional sales of alcohol at the premises.
37. Non-intoxicating beverages, including drinking water, shall be available throughout the permitted hours in all parts of the premises where alcohol is served.
38. Where the sale or supply of alcohol is taking place employees of the premises must request sight of evidence of the age of any person appearing to be under 21 years of age (Challenge 21). Such evidence may include a driving licence or passport. There shall be no- readmission to the premises for those patrons who leave the same to smoke outside the front of the building.
39. No entertainment, performance, service, or exhibition involving nudity or sexual stimulation which would come within the definition of a sex establishment in Schedule 3 to the Local Government (Miscellaneous Provisions) Act 1982 as amended by the Greater London Council (General Powers) Act 1986 (whether or not locally adopted), shall be provided.

40. Premises to operate a zero tolerance policy to drugs and comply with the Hackney Police/Council Community Safety Unit Drugs and Weapons Policy where appropriate.
41. The premises will display prominent signage by every entrance and exit explaining/requesting:
 - (a) customers to leave the premises quietly and respect local residents
 - (b) CCTV in operation
 - (c) drugs policy
 - (d) weapons policy
42. The premises will display and maintain appropriate signage advising customers of the contact details of the Designated Premises Supervisor.
43. The premises will also, in cooperation with Hackney Police and no later than 3 months following granting of the premises licence, regularly facilitate a premises drug audit using the iron itemiser or similar device.
44. Refuse, including bottles, shall be not be taken outside the premises between the hours 20.00 and 0930.
45. The Licence Holder will undertake a CIMOS (Club Industry Minimum Operating Standards) report to the satisfaction of Police within one (1) month of the granting of the Licence.
46. The installation of sound limiting devices (device type to be approved by the Pollution Team) to all music systems. The limiting devices should be set to ensure inaudibility in the all nearby residential premises and a certificate of compliance should be submitted to the Pollution Team. The device should be controlled by the licensee and kept in a locked, tamper-proof box;
47. The noise limiter must be recalibrated annually to ensure that the music volume does not exceed a level at which noise would be audible in the nearest noise sensitive premises, and the methodology and copy of the calibration certificate must be submitted to the Pollution Team annually;
48. There shall be no regulated entertainment unless and until an acoustic report has been submitted to the pollution team and approved in writing; and the recommendations in the approved report to ensure inaudibility in all nearby residential premises are implemented.
49. All doors and windows to be closed, apart from for a single door/window for egress and regress at 22.00 hours'
50. The number of patrons allowed outside of the premises including to smoke at any one time be limited to 10
51. All patrons outside to be seated at tables, except for smokers.
52. All alcohol served outside to be by waiter/waitress and to be ancillary to a table meal.

Conditions attached after a hearing by the licensing authority

53. No regulated entertainment shall be provided at the premises by independent promoters.
54. There should be no use of any outside area by customers after 18.00 hours.
- 3.3 TENs have been submitted in respect of the premises over the past 12 months as follows:
- | | |
|----------------------|-------------------------------|
| 27/05/16 to 29/05/16 | 19:00 to 02:00 |
| 07/07/16 to 10/07/16 | 18:00 to 02:00 |
| 05/08/16 to 07/08/16 | 18:00 to 02:00 |
| 12/08/16 to 14/08/16 | 18:00 to 02:00 |
| 19/08/16 to 20/08/16 | 18:00 to 02:00 |
| 26/08/16 to 26/08/16 | 18:00 to 21:30 (Terrace only) |
| 08/10/16 to 09/10/16 | 19:00 to 02:00 |

4. REPRESENTATIONS: RESPONSIBLE AUTHORITIES

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

5. REPRESENTATIONS: OTHER PERSONS

26 representation received from and on behalf of local residents. (20 opposed to application and 6 in support) (Appendices C1-C26)	Representation received on the grounds of The Prevention of Crime and Disorder, Public Safety, Prevention of Public Nuisance, The Protection of Children from Harm
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6. GUIDANCE CONSIDERATIONS

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

7. POLICY CONSIDERATIONS

- 7.1 Licensing Sub-Committee is required to have regard to the London Borough of Hackney's Statement of Licensing Policy ("the Policy") adopted by the Licensing Authority.
- 7.2 The Policy applies to applications where relevant representations have been made. With regard to this application, policies LP3 (Operating Schedule), LP4 (Crime and Disorder), LP5 (Public Nuisance), LP6 (Protection of Children from Harm) and LP8 (Public Safety) are relevant.

8. OFFICER OBSERVATIONS

- 8.1 If the Sub-Committee is minded to approve the application, the following conditions should be deleted/amended to read as follows:

50. The number of patrons allowed outside the premises including to smoke at any one time to be limited to 20.

51. All patrons outside to be seated, including smokers.

52. Remove

54. There should be no use of any outside area by customers after 22:00.

9. REASONS FOR OFFICER OBSERVATIONS

- 9.1 The Police have withdrawn their representation based on the above agreement.

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
The Barge House 46a De Beauvoir Crescent, N1 5RY	Hackney Service Centre Licensing Service 2 Hillman Street London E8 1FB

Printed matter

Licensing Act 2003
LBH Statement of Licensing Policy

APPENDIX A

Hackney

LA07

Application to vary a premises licence under the Licensing Act 2003

PLEASE READ THE FOLLOWING INSTRUCTIONS FIRST

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

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

I/We The Barge House Limited

(Insert name(s) of applicant)

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

Premises licence number

062096

Part 1 – Premises Details

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

THE BARGE HOUSE
46A DE BEAUVOIR CRESCENT
HACKNEY

Post town

LONDON

Post code

N1 5RY

Telephone number at premises (if any)

02072490765

Non-domestic rateable value of premises

£49,750

Part 2 – Applicant details

Daytime contact telephone number

[REDACTED]

E-mail address (optional)

[REDACTED]

Current postal address if different from premises address

[REDACTED]

UK-England

Post town

LONDON

Postcode

N1 5RY

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Part 3 - Variation

Please tick as appropriate

Do you want the proposed variation to have effect as soon as possible?	No
If not, from what date do you want the variation to take effect?	01-02-2017
Do you want the proposed variation to have effect in relation to the introduction of the late night levy	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No

(Please see guidance note 1)

Please describe briefly the nature of the proposed variation (Please see guidance note 1)

Situated on the north of the Regents Canal between De Beauvoir Road and Kingsland Road The BargeHouse is an independently run cafe/bar restaurant with a strong links to local culture the arts. Predominly a food led business the premises also promotes local arts and cultural exhibitions, theatrical presentations, and mixed media events celebrating local creative industries.

Occasionally the space is used for private hire (birthdays etc) as well as corporate hire throughout the year. The Barge House puts on film seasons over the year in and around london wide festivals.

They provide a flexible and versatile space for tech and creative workshops. The Barge House after successfully trading for a period of 20 months without any crime or disorder, public nuisance, harm to children and with public safety at the front of our operation seeks to alter some current conditions related to outside trading. The purpose of these alterations is to accommodate one more sitting on our popular outside terrace in the early evening. It is also to allow all day use of our outside space in accordance with the needs of our customers. These changes will allow the business to grow in a direction we keen to promote while confidently being able to support the 4 key licensing objectives. The outside area will still be monitored by a waitress and manager and a reservation system on the outside space will still be in place and the preferred method of trade. The alterations will allow us to accommodate "walk up" custom making a snap decision to take advantage of fair weather conditions to sit outside and enjoy a glass a wine without being told they have to have a meal. We believe the variation is measured, thoughtful and considered and a result of genuine and repeated demand.

In 20 months of trading The Barge House has undertaken dramatic change in the direction of the previous business and license holder who left the premises with a chequered reputation. The Barge House is very much a food led and food focused operation and this is the direction we wish to pursue. We have surveyed our customers both local and corporate as well as residents and asked them if they would use an extended facility.

Our guests who are largely local professionals older in profile than many local premises are driving our business towards a casual dining/cafe/bar operation and we would like our license nearly 2 years down the line to reflect and facilitate this direction.

Our record trading is very good, our relationships with the police and noise team are warm and professional and when the noise team have contacted us regarding complaints made against the premises we were able to show on both occasions that in the first instance we had been closed several hours and the second the incident was across the canal and we were used, incorrectly, as the geographical location of a noise complaint.

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

250

Part 4 Operating Schedule

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

Provision of regulated entertainment

Please tick all that apply

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

Provision of late night refreshment (optional, fill in box L) ..

Sale by retail of alcohol (if ticking yes, fill in box J) ..

In all cases complete boxes K, L and M

A

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

L

<p>Hours premises are open to the public Standard timings (please read guidance note 6)</p>			<p><u>State any seasonal variations</u> (please read guidance note 4) The Barge House would propose to open from 09:00 from April-September</p>
Day	Start	Finish	
Mon	11:00	23:30	
Tue	11:00	23:30	
Wed	11:00	23:30	
Thur	11:00	23:30	
Fri	11:00	23:30	
Sat	11:00	23:30	
Sun	11:00	23:30	
			<p><u>Non standard timings. Where you intend the premises to be open to the public at different times from those listed in the column on the left, please list</u> (please read guidance note 5) The Barge House would open from 09:00 from April- September</p>

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

50. "The number of patrons allowed outside the premise including to smoke at any one time to be limited to 10" The Barge House wish to increase this figure to 28 seated persons at any one time on our terrace.

52. "All Alcohol served outside to be by waiter/waitress and to be ancillary to a table meal" The Barge House wish to remove this condition

54. "There should be no use of any outside area by customers after 18:00" The Barge House suggest a new condition stating "There should be no use of any outside area by customers after 22:00"

Please tick as appropriate

- I have enclosed the premises licence
- I have enclosed the relevant part of the premises licence

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

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

M

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

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

The Barge House would upgrade its CCTV and outside lighting.
The Barge House will operate a reservations system for the outside area for the new proposed hours.
The Barge House will have a dedicated waiting team manage the outside terrace area.
The Barge House team will ensure no reservations are taken after 21:00
The Barge House team will ensure all reservations are aware of our carefew time and offered alternative seating inside the premises at 22:00
The Barge house team will not take orders for food or alcohol after 21:30
The Barge House team will ensure all guests have finished eating or drinking on the terrace and that the area is clear of guests by 22:00
Each table will have a polite notice reminding our guests that residents have a right to enjoy a peaceful evening.

b) The prevention of crime and disorder

The Barge House will upgrade the outside CCTV
The Barge House will affix chelsea clips under all tables.
The Barge House waiting team and managers will remind guests to use the chelsea clips under all tables.
The Barge House will discourage the booking of the terrace for large groups after 18:00
The Barge House team will employ the Challenge 25 policy.

c) Public safety

A waiting team will constantly monitor our terrace to ensure glassware and bottles are cleared away and not allowed to accumulate on tables.
Toughened glass will be used on the terrace.
Customers will be asked to move their bikes to a bike rack further up and away from the canal path.
Customers with dogs will be asked to keep them on leads and off the canal path.

d) The prevention of public nuisance

The terrace will not be allowed to be blocked booked after 18:00
The Barge House team will ensure guest behaviour is monitored and excessive noise is discouraged
No music will be played on the terrace.
No Live music will be played on the terrace
No TV will be played in the terrace ad no sports broadcast on the terrace.

e) The protection of children from harm

The Barge House will operate a Challenge 25 policy.
 A record of Challenges will be kept on management record.
 All staff will be trained at induction and in ongoing refresher training the importance of challenge 25
 All reservations will be made aware of no children on the terrace after 20:00

Checklist:

Please tick to indicate agreement

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 5 – Signatures (please read guidance note 10)

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

Signature	Liam O'Hare
Date	15/12/2016
Capacity	Agent

Where the premises licence is jointly held, signature of 2nd applicant (the current premises licence holder) or 2nd applicant’s solicitor or other authorised agent (please read guidance note 12). **If signing on behalf of the applicant, please state in what capacity.**

Signature	
Date	15/12/2016
Capacity	

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

Liam O'Hare

[REDACTED]

[REDACTED]

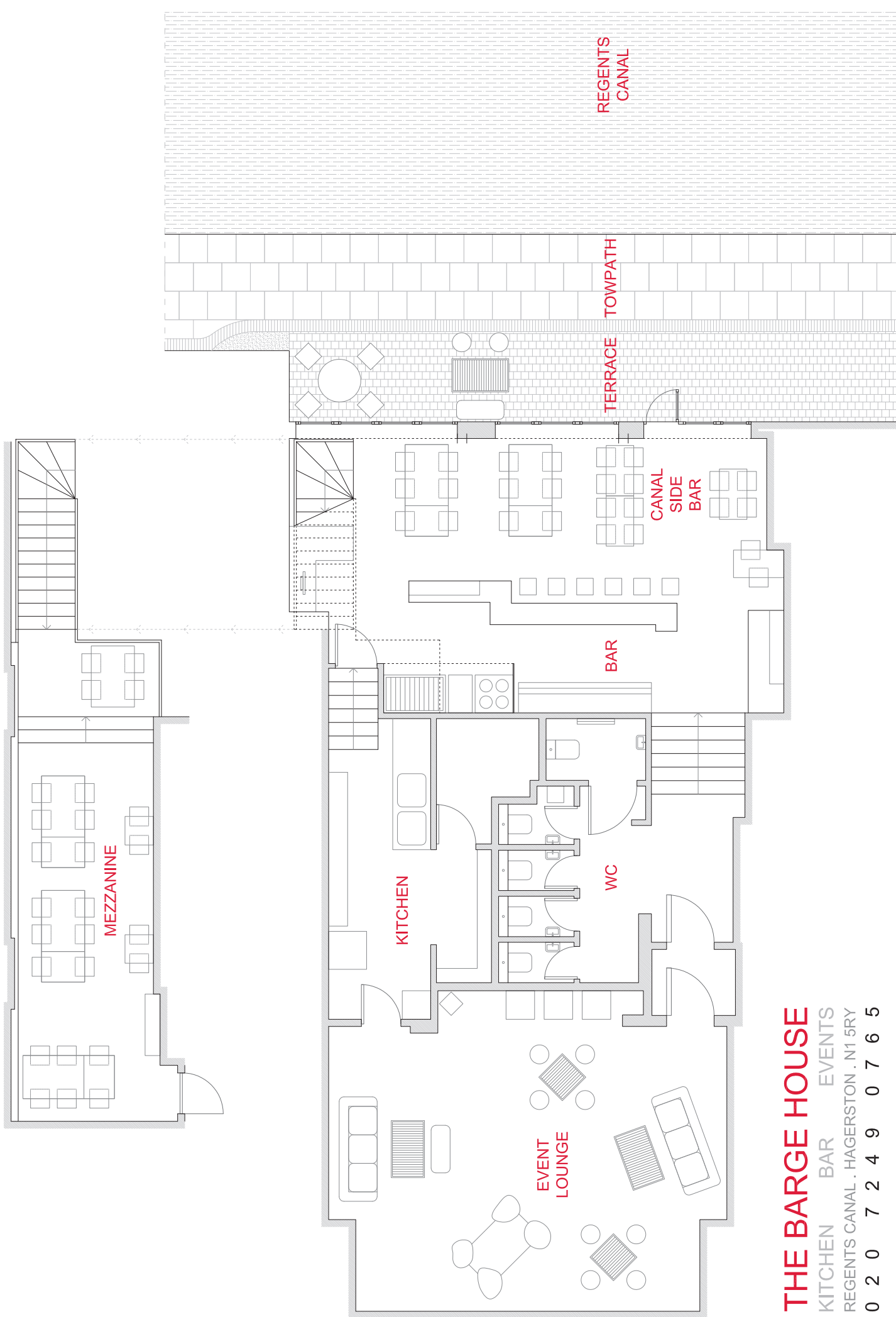
Post town	LONDON	Post code	[REDACTED]
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Telephone number (if any)	
If you would prefer us to correspond with you by e-mail, your e-mail address (optional)	

Notes for Guidance

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

1. You do not have to pay a fee if the only purpose of the variation for which you are applying is to avoid becoming liable to the late night levy.
2. Describe the premises. For example the type of premises, its general situation and layout and any other information which could be relevant to the licensing objectives. Where your application includes off-supplies of alcohol and you intend to provide a place for consumption of these off-supplies, you must include a description of where the place will be and its proximity to the premises.
3. Where taking place in a building or other structure please tick as appropriate (indoors may include a tent).
4. For example state 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.
5. For example (but not exclusively), where the activity will occur on additional days during the summer months.
6. For example (but not exclusively), where you wish the activity to go on longer on a particular day e.g. Christmas Eve.
7. 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.
8. 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'.
9. 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.
10. Please list here steps you will take to promote all four licensing objectives together.
11. The application form must be signed.
12. An applicant's agent (for example solicitor) may sign the form on their behalf provided that they have actual authority to do so.
13. Where there is more than one applicant, each of the applicants or their respective agents must sign the application form.
14. This is the address which we shall use to correspond with you about this application.



THE BARGE HOUSE

KITCHEN BAR EVENTS
 REGENTS CANAL . HAGERSTON . N1 5RY

0 2 0 7 2 4 9 0 7 6 5

Mike Smith

From: Mike Smith
Sent: 30 January 2017 15:11
To: Mike Smith
Subject: FW: The Barge House - 46a De Beauvoir Crescent N1 5RY
Attachments: BH Canal Side Terrace Table Plan .pdf; SurveyMonkey Bargehouse Responces .pdf

From: Liam O'Hare [mailto:leemohair@me.com]
Sent: 16 January 2017 11:46
To: Licensing <Licensing@Hackney.gov.uk>
Subject: The Barge House - 46a De Beauvoir Crescent N1 5RY

Dear Sir or Madam,

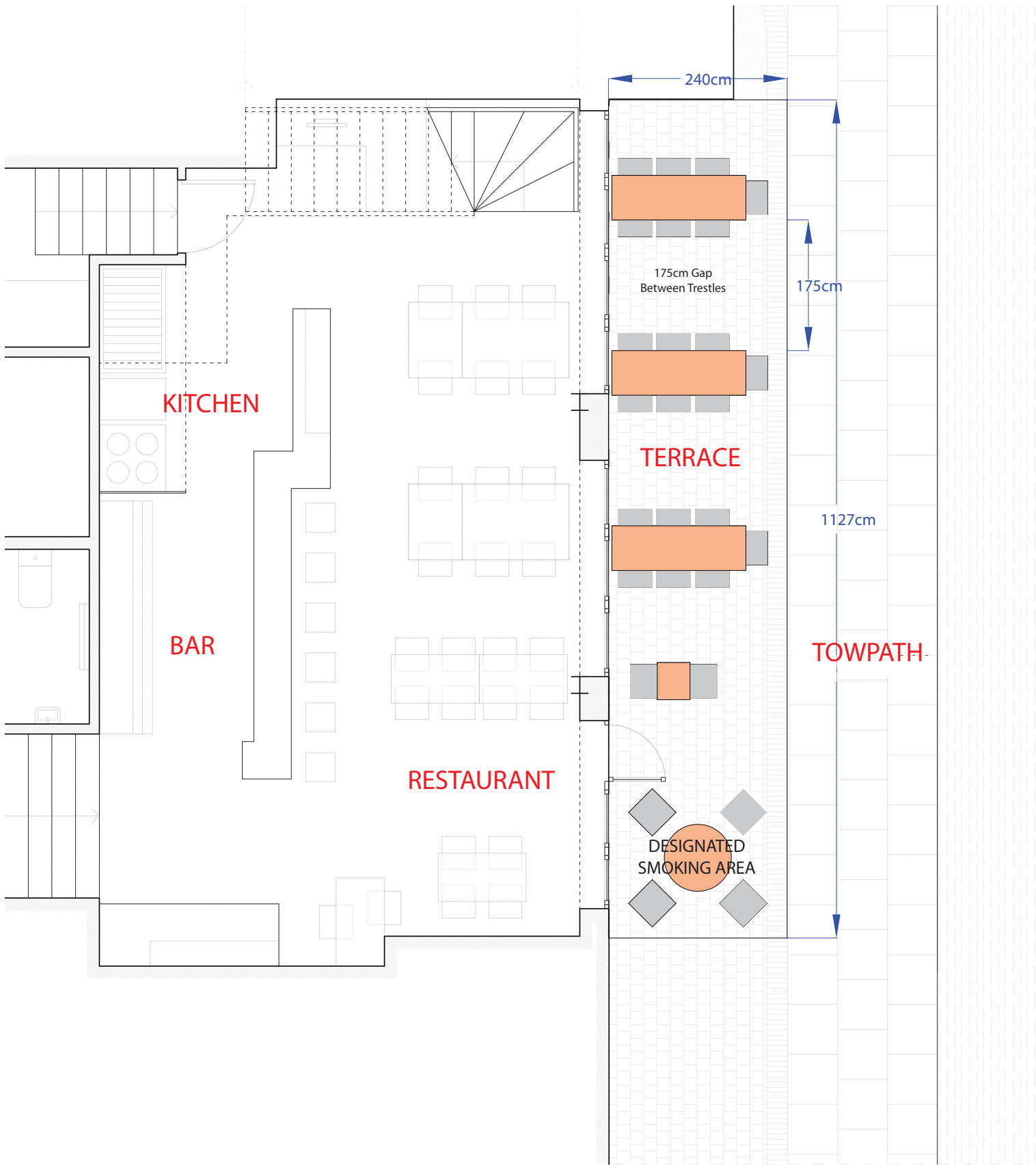
Further to our open day hosted last week at the Barge House we wish to submit 2 items as supporting documentation.

1. Canalside plan of how we intend to trade having spoke to our residents.
2. The results of survey we carried out over the consultation period including our open night of residents, workers and users of the area.

If you could acknowledge the receipt of these documents I would be most grateful.

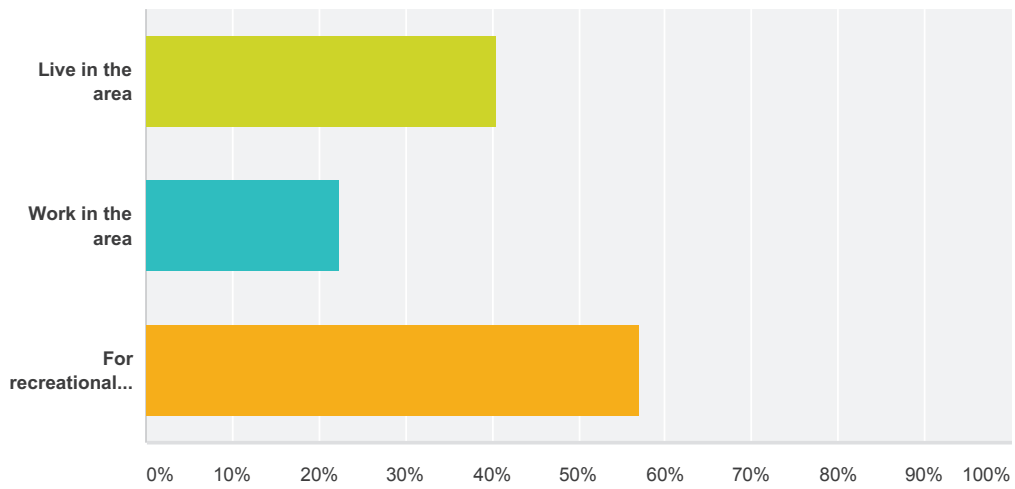
Kind regards

Liam O'Hare



Q1 Why do you use the canal?

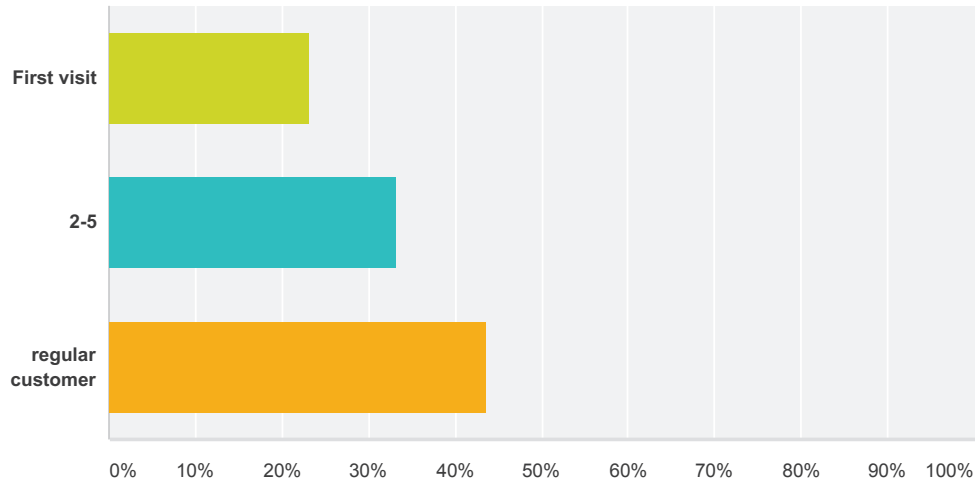
Answered: 202 Skipped: 0



Answer Choices	Responses
Live in the area	40.59% 82
Work in the area	22.28% 45
For recreational activities	56.93% 115
Total Respondents: 202	

Q2 How many times have you been to the Barge House?

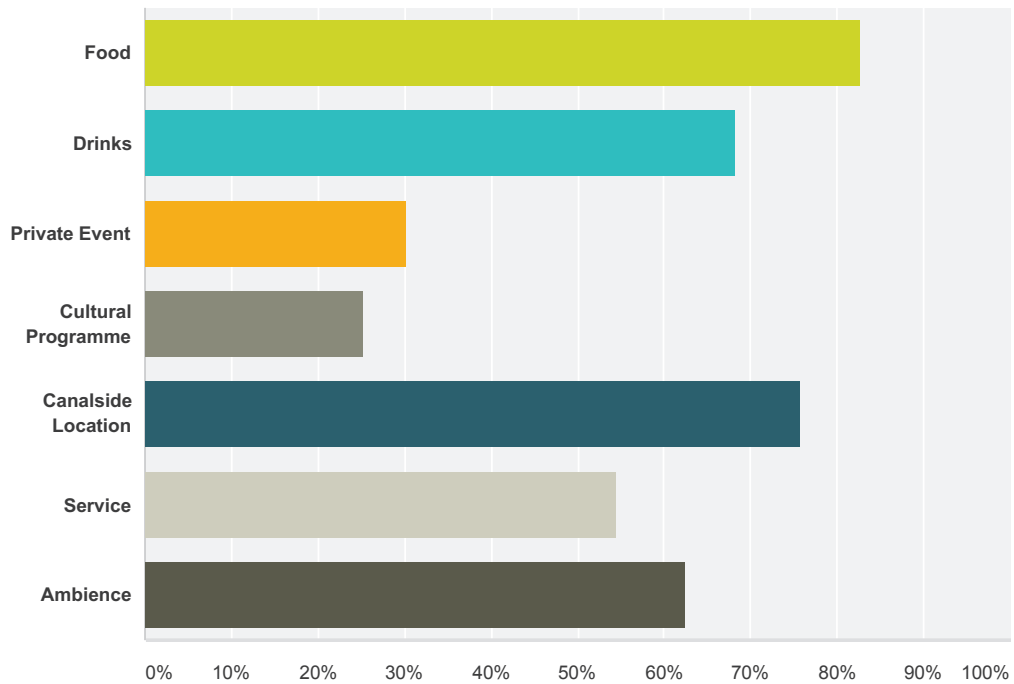
Answered: 202 Skipped: 0



Answer Choices	Responses
First visit	23.27% 47
2-5	33.17% 67
regular customer	43.56% 88
Total	202

Q3 What brings you to the Barge House. (Tick all that apply)

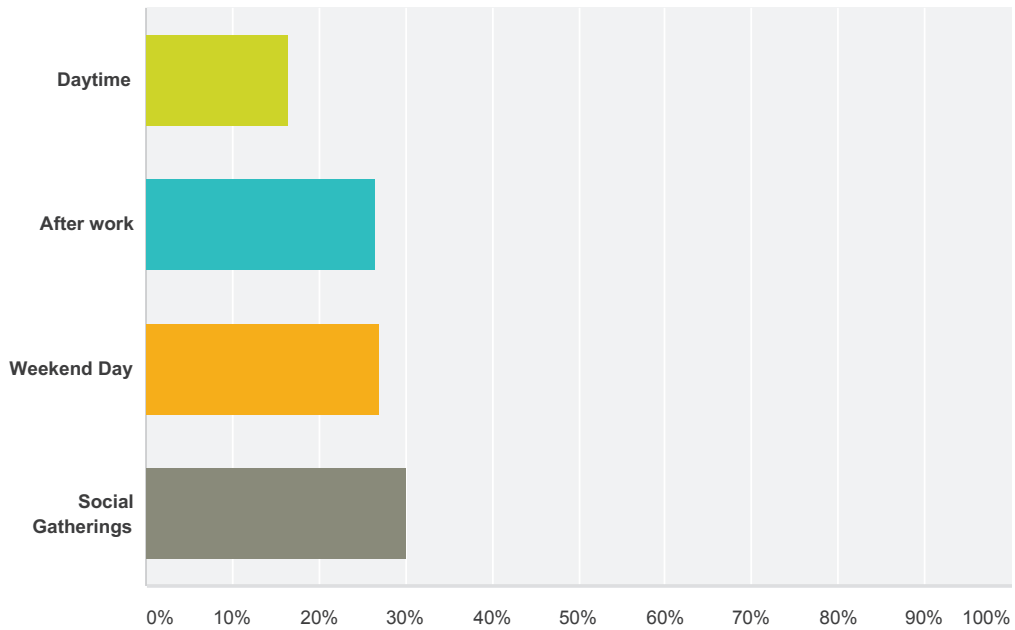
Answered: 202 Skipped: 0



Answer Choices	Responses
Food	82.67% 167
Drinks	68.32% 138
Private Event	30.20% 61
Cultural Programme	25.25% 51
Canalside Location	75.74% 153
Service	54.46% 110
Ambience	62.38% 126
Total Respondents: 202	

Q4 When do you mostly visit the Barge House?

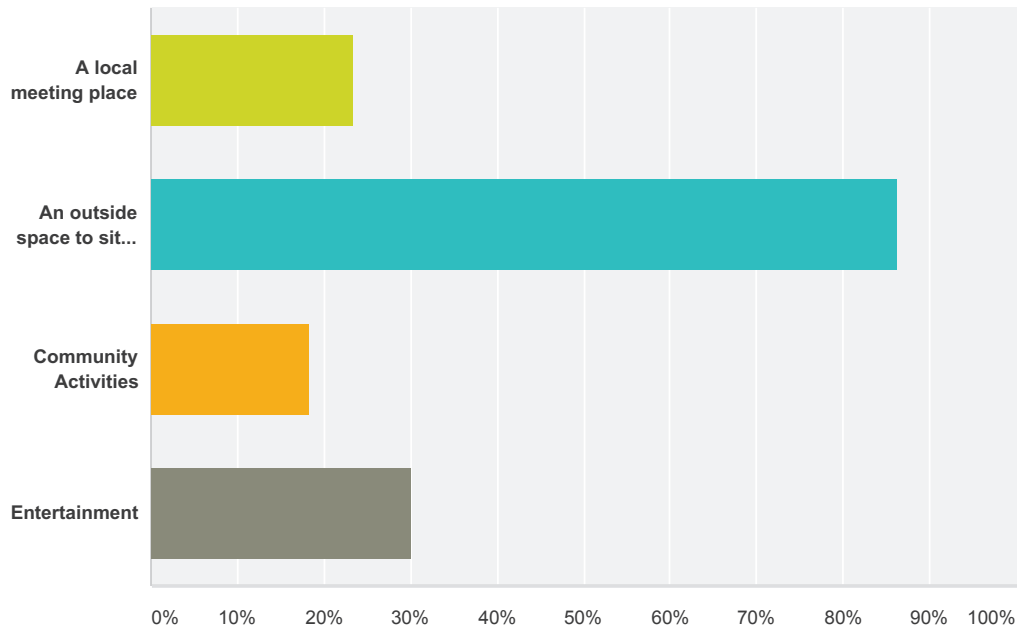
Answered: 200 Skipped: 2



Answer Choices	Responses	
Daytime	16.50%	33
After work	26.50%	53
Weekend Day	27.00%	54
Social Gatherings	30.00%	60
Total		200

Q5 What would you like to see more of on the canal or at The Barge House?

Answered: 196 Skipped: 6



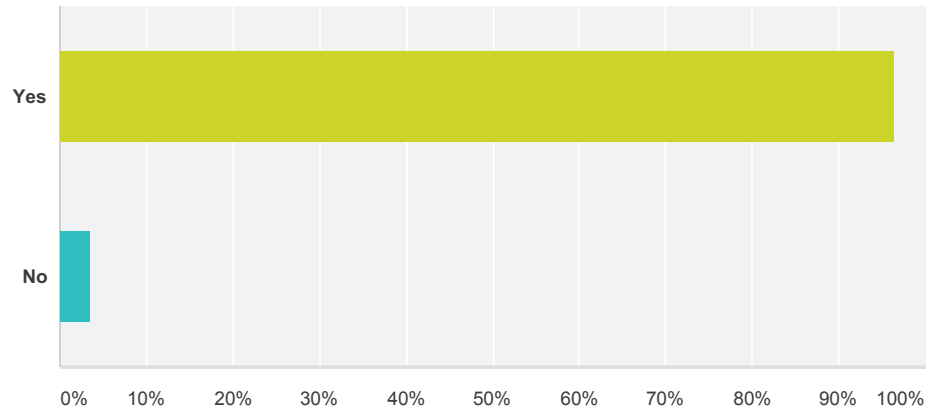
Answer Choices	Responses
A local meeting place	23.47% 46
An outside space to sit & enjoy the natural urban environment	86.22% 169
Community Activities	18.37% 36
Entertainment	30.10% 59
Total Respondents: 196	

#	Other (please specify)	Date
1	jazz	1/12/2017 5:34 PM
2	art	1/12/2017 10:30 AM
3	a shuttle from NYC (pref. faster than the speed of sound)	1/9/2017 10:33 PM
4	Cask real ale. Film screening. Autism friendly sessions.	1/9/2017 10:12 PM
5	i would love to be able to sit on the canal in a converted barge, drinking espresso's and discussing canal lifew	1/9/2017 5:48 PM
6	It's great to see the canal being used by people at night - it used to be such an unsafe place to be at night and now it's much more lively and active, thanks to places like the Barge House. It's also good to have places open in the week & weekend when people are walking along the canal, and having canal side seating during the day but also at night is really key to providing a resting point and to making the most of the canal - an amazing part of Hackney which is under-used. A mix of table seating but also some more casual seating would be great as there's much potential for informal use - like they do canal-side in Berlin 'urban beaches' for example.	1/9/2017 5:44 PM
7	Parties!	1/9/2017 12:20 PM
8	ducks	1/9/2017 11:15 AM
9	great place great people lovely spot for outdoor socialising	1/9/2017 11:12 AM
10	As a local resident who lived next to Regents Canal for 12 years I have felt the benefit of there being more activity on the canal a night. It has made it a safer place to live. It's a positive thing to have outdoor spaces where members of the community can meet for social occasions and enjoy being next to the water. For many of us they become an extension of our own living rooms.	1/8/2017 1:45 PM

11	Later opening hours and more vegan friendly food.	1/5/2017 2:31 PM
12	Having worked around the canal for numerous years it is wonderful to see it become populated with young exciting business like yours. As well as a great social life they bring safety, security and sustainability to the canal. It would be fantastic if you could open up outside more and for longer as the activity that brings to the towpath adds to the sense of security, especially as there are no moorings along this stretch.	1/5/2017 1:18 PM

Q6 Do local businesses make the canal a safer place?

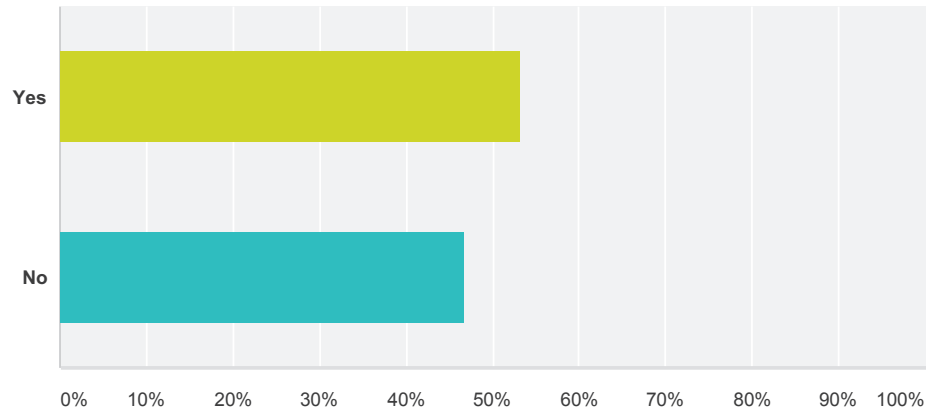
Answered: 201 Skipped: 1



Answer Choices	Responses
Yes	96.52% 194
No	3.48% 7
Total	201

Q7 Are you aware of the contribution The Barge House makes to the local community?

Answered: 201 Skipped: 1

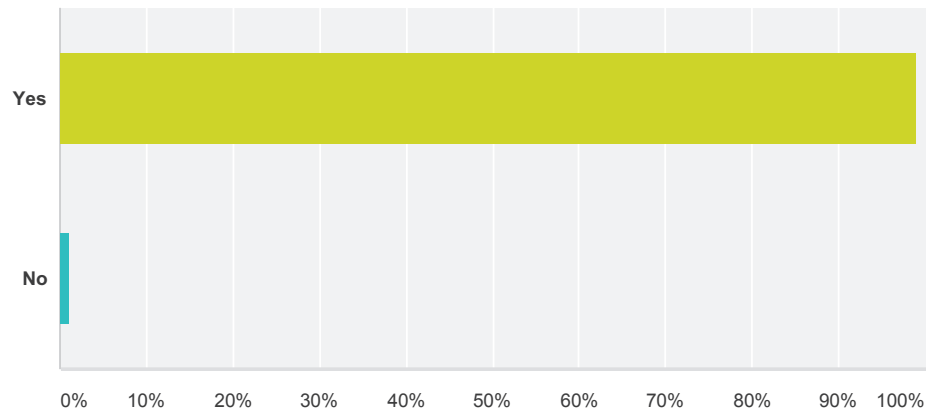


Answer Choices	Responses
Yes	53.23% 107
No	46.77% 94
Total	201

#	Could we do more? Please do share your suggestions here:	Date
1	I wish TBH was able to serve tables outside in the evening in line with other adjacent restaurants	1/12/2017 5:40 PM
2	to be able to have dinner on the canal at TBH would be wonderful for the residents. in summer you can dine next door to TBH at the Tow Path Cafe and also at the Proud East. It would be nice to do this at The Barge House where the experience is nicer.	1/12/2017 5:22 PM
3	lights make the canal a safer place	1/12/2017 5:04 PM
4	It would be great if you were open later so we can make the most of the canal in the evenings	1/12/2017 12:36 PM
5	Open Until Late Please!	1/12/2017 12:33 PM
6	see above	1/9/2017 10:33 PM
7	By not serving people who have already had too much to drink. Organising more event aimed at the long standing multi racial community, much of whom are on low incomes.	1/9/2017 10:12 PM
8	I really appreciate the opportunity to collect fresh fish, and the local flyers, and especially the 'Super 7s' open decks night - all contribute to a lively and engaging programme, and keep the community (and others) coming back. I could see more weekend programming using the back room, and also could there be a community discount card or a loyalty card?	1/9/2017 5:44 PM
9	I love the Barge House!	1/9/2017 12:20 PM
10	The Barge House puts on an excellent range of events for a wide section of the local community. They have also supported community projects that I have put on in the past through sharing information or giving raffles prizes and the such like.	1/8/2017 1:45 PM
11	Already providing a great venue and making the canal a nice place to be. Supporting sustainable fishing with the Soleshare service is also really cool. Would be great to link with the Canal Trust and the other bars and offices along this section of the canal to do a clean-up session.	1/5/2017 2:31 PM
12	The Barge House provide a great service to our business, whether through hosting networking events or providing the catering to our in-house events.	1/5/2017 1:18 PM

Q8 Would you use the terrace facilities if we were to extend from 18:00-21:00?

Answered: 201 Skipped: 1



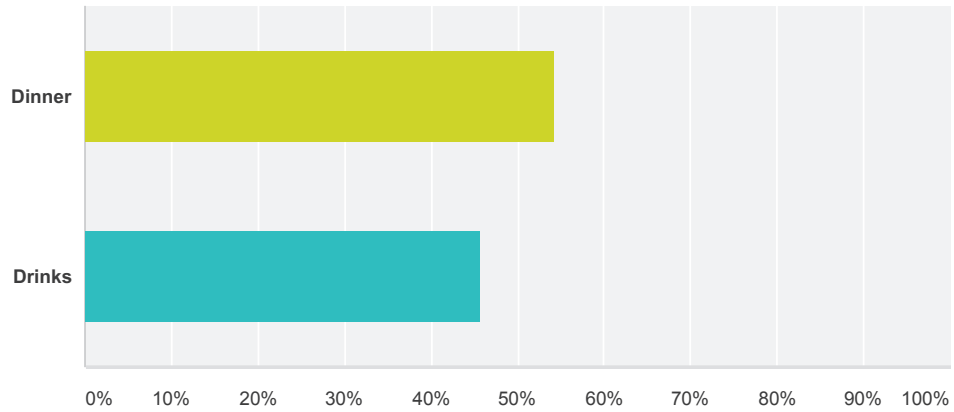
Answer Choices	Responses
Yes	99.00% 199
No	1.00% 2
Total	201

#	Any comments?	Date
1	extending the terrace facilities would serve the community whilst making the canal safer at night	1/12/2017 5:40 PM
2	It's beautiful and adds warmth & community to the canal	1/12/2017 5:34 PM
3	In the summer	1/12/2017 5:02 PM
4	this makes for a local vibrant meeting point	1/12/2017 12:42 PM
5	could be great for locals to meet and you would create customer for life amazing place	1/12/2017 12:19 PM
6	weekend brunch so cool	1/12/2017 12:14 PM
7	summer	1/12/2017 12:09 PM
8	in summer	1/12/2017 10:30 AM
9	In the warmer weather.	1/9/2017 10:12 PM
10	A wonderful idea all round!	1/9/2017 6:16 PM
11	possibly not in the winter tho...	1/9/2017 5:48 PM
12	I'd definitely use these, as would many people I know - particularly over the warmer months. It seems a shame to not have more of a connection to the canal. It would be good to have a non-smokers area though!	1/9/2017 5:44 PM
13	You do brilliantly with what you have, and could do so much more if you could use the outside terrace area past 6pm. Especially important in the spring/summer/autumn months.	1/9/2017 1:06 PM
14	Given the unqiues location of the Barge House it would be wonderful to be able to appreciate it's canal side position while enjoying a relaxing meal with friends and colleagues. In addition, I have visited the Barge House for a variety of cultural and educational activities and if it were possible to enjoy the canal side setting from the terrace whilst enjoying a meal, nature, wildlife and the Regent's Canal unique user group, this would be a perfect conclusion to any evening.	1/9/2017 11:31 AM
15	It would be lovely to sit outside and have dinner while watching the sun go down and the wildlife on the canal on balmy spring and summer evenings... When enjoying meeting up with local friends and embracing the 'Community Activities' the Barge House actively supports e.g The Super 7" Open Decks or the Women in Technology Creative Industry Hub, it would be wonderful to be able to enjoy the terrace after 6pm if catching a bite to eat at the end of a long day...	1/8/2017 6:00 PM
16	That needed. A really nice place to enjoy the canal a bit more time. Would be perfect!	1/8/2017 4:17 PM

17	Absolutely (as above) it is great that there are more spaces for communities to enjoy being outside & to the water.	1/8/2017 1:45 PM
18	It really gives the canal a much better ambiance in the evening if there are terraces. Myself living along the canal, I feel much safer when there are terraces in the evenings.	1/6/2017 4:28 PM
19	I think it would absolutely be a benefit to the local area to have the terrace facilities open later. I've seen the canal grow substantially as a hub for community gatherings over the past 18 months and it has been fantastic both for workers and local residents. The area has more vibrancy, more community and most importantly feels far safer. The increased visibility of people in the area can only be a good thing	1/5/2017 2:53 PM
20	We finish work at 6 so definitely! And especially during the summer.	1/5/2017 2:31 PM
21	See above - I think this would add to the sense of security along this section of the tow path. As there are no moorings along this section of the path, it can seem fairly unwelcoming and even dangerous. If there's more use of the outside areas this will only help security.	1/5/2017 1:18 PM
22	If warm enough	1/5/2017 10:10 AM
23	A lovely idea for the spring/summer months	1/4/2017 5:19 PM
24	Nowhere better to spend a summers evening	1/1/2017 7:27 PM
25	Never been but think so	12/14/2016 12:06 AM

Q9 If yes, would you be more likely to visit for?

Answered: 190 Skipped: 12



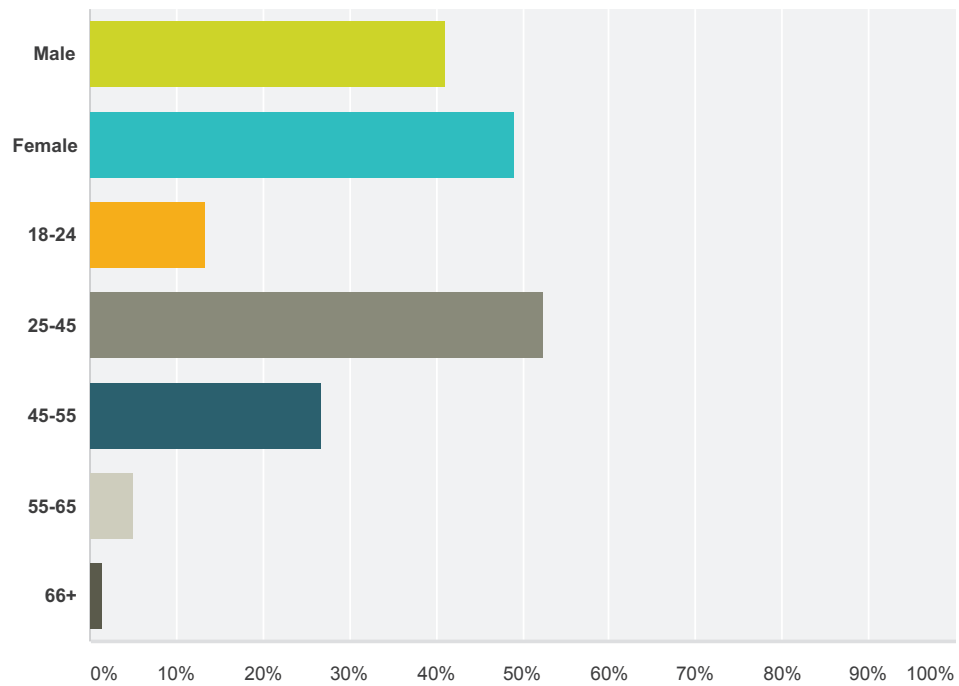
Answer Choices	Responses
Dinner	54.21% 103
Drinks	45.79% 87
Total	190

#	Other (please specify)	Date
1	both	1/12/2017 5:39 PM
2	both	1/12/2017 5:36 PM
3	especially in the summer	1/12/2017 5:34 PM
4	Both	1/12/2017 5:25 PM
5	both	1/12/2017 5:23 PM
6	Both	1/12/2017 5:22 PM
7	both	1/12/2017 5:21 PM
8	both	1/12/2017 5:18 PM
9	Both	1/12/2017 5:15 PM
10	both	1/12/2017 5:15 PM
11	Both	1/12/2017 5:13 PM
12	Both	1/12/2017 5:09 PM
13	Both	1/12/2017 5:06 PM
14	Both	1/12/2017 5:02 PM
15	Both	1/12/2017 4:58 PM
16	drinks, coffee, lunch etc	1/12/2017 11:46 AM
17	Both	1/9/2017 6:42 PM
18	Both	1/9/2017 6:20 PM
19	Dinner, drinks, snacks. It would be great to have a cheaper range of evening food - maybe a dinner deal? Music, including 'open decks'.	1/9/2017 5:44 PM
20	Drinks and Dinner!	1/9/2017 5:35 PM
21	Both !	1/9/2017 1:06 PM
22	Social meeting place	1/9/2017 11:55 AM

23	Great location to enjoy supper with friends next to the canal	1/8/2017 1:45 PM
24	Both	1/6/2017 10:01 AM
25	Both	1/5/2017 10:10 AM
26	And drinks!	1/4/2017 5:19 PM
27	Local beer	12/14/2016 3:35 PM
28	Again Need to visit	12/14/2016 12:06 AM

Q10 More About You:

Answered: 202 Skipped: 0



Answer Choices	Responses	Count
Male	41.09%	83
Female	49.01%	99
18-24	13.37%	27
25-45	52.48%	106
45-55	26.73%	54
55-65	4.95%	10
66+	1.49%	3
Total Respondents: 202		

Appendix B

Mike Smith

From: David Tuitt
Sent: 16 January 2017 22:41
To: Licensing
Subject: Application to vary the premises licence: 46a De Beauvoir Crescent

Dear colleagues,

I write to make a representation in relation to the above application. I have no concern in relation to the proposed extension of hours in the morning. However, the proposed removal of the three conditions attached in relation to the use of the outdoor area could lead to an adverse impact on the promotion of the licensing objectives, in particular, the prevention of public nuisance.

A similar application to vary the condition was considered by the Licensing Sub-Committee on 17 September 2015 (See: <http://mginternet.hackney.gov.uk/mgAi.aspx?ID=23388>). On that occasion the application was refused, in part due to the potential impact on surrounding residential premises. And, whilst it is noted that there has been a change in management, I think any relaxation of the outdoor restrictions could be counter-productive.

Kind regards,

David Tuitt
Team Leader - Licensing (Policy and Operations)
2 Hillman Street
London E8 1FB
Tel: 020 8356 4942

Sent from my Samsung Galaxy smartphone.

From: [REDACTED]
Sent: 29 December 2016 14:29
To: Licensing
Subject: The Barge House, 46a De Beauvoir Crescent, N1 5RY

Hi.
I am the owner of [REDACTED] which lies above the Barge house. I would like to put in my objection to extending the hours of the current license beyond 6pm for outdoor tables. I think this would increase the level of noise that comes from the patrons of the premises. I do not see any benefit to the residents surrounding the premises if the license hours were to increase. Therefore i think the hours should stay the same as this is a residential neighborhood which means we should be trying to decrease the outside noise levels in the evening rather than increasing them. Furthermore I would like to add that they have not even bothered to consult us before putting in this application. I would have expected them to at least try and speak with the residents before putting in the application given this has been tried and rejected in the past. To me this makes for poor relations between business and residents when the business tries to put through a change over the Christmas period when they know that people might not be looking out for notices. Given that fact i would ask if this license request is rejected again that you can put new notifying measures so that they do not try in the future to put notices up when they know the residents might be away at that time. Which to me was clearly the case in this situation.
thanks

[REDACTED]
[REDACTED]
[REDACTED] De Beauvoir Crescent
N1 [REDACTED]
[REDACTED]

From: [REDACTED]
Sent: 31 December 2016 09:01
To: Licensing
Subject: Extension application for the Barge House, 46a de Beauvoir Crescent

Dear Hackney Licensing,

I would like to object to the extension request for the prevention of public nuisance. The area in questions is predominantly residential with hundreds of homes and families above and around the location as well as lots of wildlife living on the canal that need to be protected.

As a local resident ([REDACTED] Ronann Apartments) opposite this and other venues i feel we already receive enough late night noise from revellers leaving venues and we do not need the encouragement of people standing outside the venue later at night drinking. There is simply no need, nor business case for this given the noise that will be create for hundreds of residents for a business to make an extra £100 a night possibly. We have had many occasions in the summer where people not even drinking at the venue sit out on the canal late into the night making noise and having a licensed venue later with people outside will only draw people to do so further. This is a very quiet neighbourhood most of the time and we would like to keep it this way and not see the canal turned into another version of the Dalston protection area.

For all the same reasons above i feel it important to mention the wildlife that lives on the canal that already are disturbed through the increased activity in the area over the years and having noise later at night will only make the wildlife disappear which again would be to the detriment to the area.

thanks

[REDACTED]

From: [REDACTED]
Sent: 31 December 2016 10:33
To: Licensing
Subject: Extension application for the Barge House, 46a de Beauvoir Crescent

Dear Sir/Madam

With reference to the above venue, I am a local resident living opposite the venue (at [REDACTED] Ronann Apartments).

There are two principal reasons that I must object to the extension request in the interests of preventing of public nuisance.

(1) Our area is highly residential. There is already a lot of late evening / night noise from this and other venues, both with people leaving and with people standing outside. Further addition to this would have a materially detrimental effect on the residents in the area. It would impact our enjoyment of the properties we have purchased, the ability of local children to get to sleep, and disrupt our family time.

(2) There is a lot of wildlife living on the canal which is already under threat from human intervention, including litter etc. Additional late night drinking along the canal will only be detrimental to this.

With reference to (1) above, there have in fact already been multiple occasions this summer where people not even drinking at the venue sit out on the canal late into the night making noise. Having a licensed venue later with people outside will only increase this.

I would strongly urge you to decline this application in the interests of local residents.

Kind regards

[REDACTED]

Mike Smith

From: [REDACTED]
Sent: 03 January 2017 21:29
To: Licensing
Subject: Objection to Barge House extension, N1 5RY

To whom it may concern,

I wish to register my objection to the Barge House's application for an extension. This is on the grounds of prevention of public nuisance and ensuring public safety.

Prevention of public nuisance

I live opposite the Barge House, in a large block of flats (Ronann apartments). The noise from up to 30 people seated outside drinking will be intolerable directly opposite my flat.

Ensuring public safety

The canal towpath is very busy in summer, with many pedestrians and cyclists. I am worried that up to 30 people crowded outside onto the canal, drinking alcohol, could lead to dangerous accidents on the canal (collisions with cyclists for example).

I hope you will take my concerns into consideration and prevent the extension.

Your sincerely,

[REDACTED]

[REDACTED]

From: [REDACTED]
Sent: 04 January 2017 21:27
To: Licensing
Subject: Licence Application - The Barge House Limited - 46a De Beauvoir Crescent, London, N1 5RY

Dear Sir/Madame,

I am writing to register my objection to the application for variation of premises licence located at 46a De Beauvoir Crescent.

I am a resident of Grand Canal Apartments which is located adjacent to the premises located at 46a De Beauvoir and as a local resident I object to on the grounds of public nuisance and noise control.

Residents in this area already suffer noise nuisance and antisocial behaviour and I believe the approval this application that it will only exacerbate such issues further. The local area needs food establishments and by granting a variation in the licence to allow patrons to order alcohol without a table meal is only going to encourage people to visit purely for alcohol. I am working professional that has normal sleeping patterns and in the summer months it is a common occurrence that sleep would be interrupted, sometimes very late into the night, with noise from persons standing and drinking alcohol on the canal in front of the venue.

It is a common occurrence for cigarette smoke to waft into my apartment from the patrons again standing in front. I strongly object to any potential increase in the number of people outside smoking. As a non-smoker it is not acceptable for me to sit in my own home and have cigarette smoke float into my apartment from commercial premises. This is particularly worse during the heat of the summer when I need to have the doors and windows open.

I fully appreciate the applicant is trying to operate a commercial business but I do not believe it should be permitted to do so and impact on the residents who live in the area. I support the operation of restaurants and cafes along the canal but I do not want a late night licensed premise operating in the area.

In view of the above, I would urge the Licensing Authority to refuse the application for variation of premises licence.

I'm happy to further discuss my objections if required.

Best regards,

[REDACTED]
[REDACTED] Grand Canal Apartments
[REDACTED] De Beauvoir Crescent
Haggerston
London
N1 [REDACTED]

From: [REDACTED]
Sent: 10 January 2017 15:40
To: Licensing
Cc: Laura Bunt (Cllr); James Peters (Cllr)
Subject: The Barge House Limited - Licence alteration application

Dear Sir or Madam,

I am writing to object in the strongest possible terms to the application for a late night drinking licence on the towpath from the establishment above. The application is to vary and extend the existing licence every night of the week to 10pm, to remove the need for waiter/waitress service and to increase the people permitted to be outside drinking by 3 times from 10 to 30.

I live on the other side of the canal from this bar and our bedroom windows face out onto the towpath metres from the bar entrance. As it stands the bar is noisy and poorly managed with a young and rowdy clientel. In the summer the doors are left open and the noise floods the canal - customers spill out onto the canal towpath late at night and are loud and completely unsupervised. If this licence were to be permitted the noise would be so loud that we would not be able to sleep until after they had packed up and closed - well after [11pm](#) at night, all week long - and even later at the weekend.

Even more severely affected would be the poor people in living directly above the bar.

The canal is similar to any road - with a waterway instead of a street - and this street is predominantly residential. Any noise from people standing outside our bedroom windows drinking late into the night would be amplified by the hard surfaces of the buildings and the water and ruin the peace and quiet which surely should be the right of any resident living in a residential area to enjoy.

I would like to emphasize that this bar is is not in Shoreditch but in De Beauvoir, it is a residential neighbourhood with families and children. A late night drinking licence would keep the children and babies awake late into the night and would be severely anti-social and un-neighbourly.

I have lived in first Shoreditch and then De Beauvoir for twenty seven years and have only ever objected to this annual licence application in the whole time. This application is totally un-acceptable. This is at least the third time that this application has been made - wasting the time of both the Committee and those local residents forced to attend to defend their right to enjoy a peaceful existence.

I hope and trust that the local authority and its licensing committee will look after the interests of the local residents and the community that currently are able to enjoy the area and to live in peace on the relative calm of the canal.

With thanks for your kind attention.

[REDACTED]

■ Whitmore Road
London N1 ■

■

To: Mike Smith
Subject: FW: Opposition: extension of Barge House hours

From: [REDACTED]
Sent: 15 January 2017 22:24
To: Licensing <Licensing@Hackney.gov.uk>
Subject: Opposition: extension of Barge House hours

Dear Sir/Madam,

I'm writing to make my representation **against** extending the proposed license changes as requested by the Barge House Limited (46a De Beauvoir Crescent).

I'm an owner resident in the building above the Barge House - Grand Canal Apartments, 56 De Beauvoir Crescent, and am very much against any extension of hours and more importantly their patrons presence outside the Barge House. As it stands, the Barge House's operations, attitude and respect for the surrounding residents is blasé, disrespectful and often unneighbourly. Despite having called and made the Barge House aware of the extreme noise that it (through its playing of music) and its patrons are making (often very late into the night), the Barge House has made little effort to adjust or make any change to accommodate the residential property developments on both sides of the canal. As you will be aware, any noise created whether by music or patrons is amplified in a manner which reverberates across the canal. This noise has often gone on until 2/3am on both weekends and weekdays.

Despite making phone calls each time, each time I have had to go back to square one and explain the full situation to the Barge House. Each phone call consists of speaking to the Barge House directly upon each encounter and asking them to turn down their music as well as politely asking their patrons to be respectful of its direct and immediate neighbours. It is clear that despite having complaints and explained to them, they have not taken on board any of the issues raised with them and continually choose to be disrespectful to the surrounding residential neighbourhood.

To make it even more frustrating for the surrounding residents, as many of these calls are made "after opening hours", the Barge House chooses not to pick up its phones. This is despite the Barge House very much being in full operation and its patrons continuing to occupy and create unneighbourly noise outside its venue. As previously mentioned, this noise has gone on until 3am and so in person visits have been required. Unfortunately, the message delivered by staff is the same - the music isn't that loud - and no action is taken to the patrons outside. This has affected me personally on an ongoing basis in the manner described above and you can imagine it is also not possible to sleep through the noise from music and patrons created from the Barge House. As you can see it has already been an extremely frustrating process already.

I would also note that this is only being submitted now as it was just made aware to me by a neighbour. I understand that a single notice was left on the front door of our building. Please note that this was no longer available post return from Christmas / NY break and this is the first I was made aware. I am alarmed to think that a more fulsome process was not undertaken to make those residents who are directly affected aware of what could significantly impact what should ordinarily be clean and quiet living but is already severely affected.

As it stands the Barge House is neither compliant of its existing obligations to Hackney Council (and this in itself should be a separate point to be addressed by Hackney council) or its obligations to its residential neighbour's nor receptive to adjustment when complaints are made. On this basis, I'm **strongly against** the Barge extending their licence which allows more patrons to be outside their venue and for a licensed

extension of hours. Should you have any further questions please do not hesitate to contact me via email or give me call on my mobile [REDACTED]

Kind regards,

[REDACTED]

[REDACTED]
[REDACTED] De Beauvoir Crescent
London, N1 [REDACTED]

Licensing Service

1 Hillman Street

London

E8 1DY

11th January 2017

Attn: Licensing Officer:

Re: The Barge House, 46 De Beauvoir Crescent, N15RY

The current license conditions for this commercial unit (then Ribeira) were agreed on in approximately 2011 to maintain a reasonable compromise between the residential and the commercial property. The Barge House applied for a variation 18 months ago which was declined by the council due to the many objections that were made by residents.

I am unaware of any changes in the circumstances since the initial application and I am worried that granting this extension will lead to increased noise and public nuisance in a residential area on a narrow towpath beside a peaceful canal.

I live directly above The Barge House and am on good terms with Debbie and Fred. I wish them every success with their business but there has to be some understanding that they are situated below and surrounded by residential properties beside a canal that amplifies and carries sound. Debbie has always claimed that the intention was to make The Barge House into a great restaurant to attract local residents but now the application is for drinks only without waitress service to be served outside until 22.00. This denotes a bar not a restaurant.

I have overlooked infringements to their license to maintain a good neighbourly relationship but now I must point these out.

Annex: 2

24- There is a very small notice asking customers to be quiet when leaving the premises but sadly when customers leave the premises they are often very noisy. Smokers are outside on the towpath until the premises closes and do not seem to be encouraged to be quiet.

44. Bottles and rubbish are often thrown out before 0930 and after 20.00. The bedrooms in my apartment are directly over the bin area. I'm afraid that not even the staff seem to be asked to keep quiet. During the summer they smoke and chat until after closing time directly below the bedroom windows. I have emailed and sent texts on several occasions asking that the staff are asked to be aware and quiet. I believe one of the problems is that there is a large turnover of staff and that they are not properly informed. I also have continuing issues with The Barge House about a very loud extractor fan that is often not turned off until 01.30. which is situated directly below my bedroom window.

45. I have complained on several occasions about loud music played in the front area of the restaurant. This continues to be an issue.

49. The floor to ceiling glass doors which open the wall onto the canal are never shut in warm weather until the premises closes at 23.30. These doors are not shut at 22.00 as per the license. Again, for the sake of good relations I have overlooked this infringement despite the fact that the sound from the premises can be very loud.

50. The number of customers that the Barge House has been serving at tables on the towpath during the day in the summer and especially at weekends is between 30 and 40. not 10. As long as tables are cleared by 18.00 I have not been objecting to this as it is during the day with waitress service and alcohol served only with meals. However, even during the day when my balcony windows are open the noise is pretty deafening. If drinks only were to be allowed until 22.00 it would be intolerable.

The Barge House will claim that The Towpath Café is open late. In fact they usually close around 19.00 and are shut for at least 4 months of the year. The café is situated below commercial businesses with residents occupying penthouse apartments on the 5th floor.

Il wish to make clear that I am pro business but the Regent's canal is primarily residential between Kingsland and Whitmore Bridge and I believe the terms of The Barge House license should reflect this fact. The current license conditions have not been adhered to and I am concerned that public nuisance will increase if the license in extended.

Please inform me when the hearing for the application will be held as I would like to attend.

Yours faithfully,

██████████

██

From: [REDACTED]
Sent: 13 January 2017 02:02
To: Licensing
Subject: Licencing Application - The Barge House, 46a De Beauvoir Crescent, London, N1 5RY

Dear Sir/Madam,

I refer to a Licensing Application (gazetted December 2016) relating to the above premises.

I wish to object to this application on the grounds of PUBLIC NUISANCE. This premises already creates considerable noise and disruption to pedestrian traffic on the Regent Canal towpath as a result of its inability to control patrons. Any extension of its licensing conditions will increase considerably the amount of noise generated in this area. This noise extends well into apartments on the opposite side of the canal and already necessitates keeping doors and windows closed in the summer months. To extend this necessity into the late evening will be intolerable for us and other canal-side residents.

Yours faithfully

[REDACTED]
[REDACTED] Orsman Road
N1 [REDACTED]

From: [REDACTED]
Sent: 13 January 2017 05:42
To: Licensing
Subject: The Barge House 46a De Beauvoir Crescent London N1 5RY

Hello

I am writing to object to the application to vary the premise licence for The Barge House.

This restaurant is on a narrow part of the tow path on Regent's Canal. Any tables outside this premise severely block the passage of pedestrians and bike riders and I have observed accidents in this area on a number of occasions from my apartment balcony opposite. I have also been a customer there and witnessed several near misses in particular with prams and young children. The extra tables outside can only exacerbate this problem.

A huge issue for me though is the noise that carries up the canal and at night. It was still bad enough in the early evenings last summer even after the last application (23 September 2015) was rejected. The last application was assessed by the Sub-Committee as likely to negatively impact on the premise licensing objectives. The management were not adequately able to control the number of people smoking and drinking outside in summer 2016 especially on warm evenings.

By increasing the numbers legally allowed to sit out on the towpath, the noise and would be intolerable not to mention the pollution and cigarette butts on the path. On summer evenings this is a particularly busy stretch of the tow path and the hazard of extra tables and people standing would inevitably be increased.

I trust that this application will be rejected for the same reasons as the 2015 one was,
yours sincerely

[REDACTED]

From: [REDACTED]
Sent: 15 January 2017 15:34
To: Licensing
Subject: Representation against licence extension for 'the Barge House Limited'

Dear Sir/Madam,

I'm writing to make my representation **against** extending the proposed changes as requested by the Barge House Limited (46a De Beauvoir Crescent) to their current licence.

I'm a resident of the immediate area (Grand Canal Apartments, 56 De Beauvoir Crescent), with my balcony situated above the Barge House Limited. I would consider their current licensing agreement with Hackney council borderline unneighbourly. The residential property developments on both sides of the canal unfortunately amplify and reverberate any noise created by their patrons. This has affected me as a resident both during the week as well as weekends.

I have been disturbed on numerous afternoons/evenings by their patrons past 6pm and sometimes far into the evening who have been standing outside the the Barge smoking, drinking and frequently in the excess of 10 people.

It also appears the Barge is a popular venue for private parties/hire as I have been disturbed by loud music well into the evening (past 11pm) a number of times. On all these occasions (both paragraphs above included) I have tried to phone the Barge directly asking them to turn down their music as well as politely ask their patrons to be respectful of its direct and immediate neighbours. Unfortunately, it has never been a straightforward process. Most of the times no one picks up the phone. After the initial struggle of getting hold off someone I have been told by the staff at the venue that the music isn't that loud... and more often than not the smokers outside have been allowed to continue resulting in an unnecessary back and forth between myself and the Barge.

This is more of an issue during the hot summer months, when a lot of Londoners flock to enjoy the canal and its offerings. Rather than going home most patrons will stay behind and continue their conversations near the Barge long after closing times, which as you can understand is not conducive to a full night's rest.

For the reasons outlined above I'm **strongly against** the Barge extending their licence which allows more patrons to be outside their venue. Should you have any further questions please do not hesitate to contact me via email or give me call on my mobile [REDACTED]

Best wishes,

[REDACTED]

From: [REDACTED]
Sent: 15 January 2017 22:28
To: Licensing
Cc: [REDACTED]
Subject: License Objection: The Barge House 062096

To whom it may concern,

We are writing to object to the following application:

Applicant address:
 The Barge House
 46a de beauvoir crescent
 N1 5RY
 License no.: [062096](#)
 Application for variation / removal of conditions made 19.12.16

We are writing in objection to removal or variation of conditions 51, 53 and 55 of this license.

We are local residents and consider the proposed consumption of alcohol outdoors, within a heavily residential area & with increased numbers & extended hours to be a cause of public nuisance in respect of noise, and damaging to safety on the towpath:

The area immediately adjacent to the the applicants property is a heavily residential area with a majority of single aspect flats facing only towards the canal.

It is also one that supports wildlife including nesting and unusual birds.

We believe that the proposed application will call probleamtic levels of noise, and that the quality of life of local residents and wildlife would be adversely affected should these license changes be made.

In addition to these general points:

We object to the uncoupling of consumption of alcohol with food, for the potentially heavier drinking and public nuisance in respect of a residential area that is likely to stem from this.

We also consider the proposed changes to be damaging to safety on the towpath. This route is well used by pedestrians and cyclists - but is a narrow path with open water on one side, requiring care from all users. Safety here is likely to be adversely affected by customers (potentially also drinking) sitting outdoors in close proximity in evenings.

Regards,

[REDACTED]
 [REDACTED] Reliance Wharf, N1 [REDACTED]

--
 [REDACTED]

[REDACTED]
 [REDACTED]

From: [REDACTED]
Sent: 16 January 2017 11:32
To: Licensing
Cc: [REDACTED]
Subject: The Barge House - 46A De Beauvoir Crescent

To whom it may concern,

I am writing to object to the application by the The Barge House to increase the number of customers allowed outside at later hours, an increase in the number of tables allowed and the allowance of alcohol to be served without the purchase of food. I live above the restaurant and with their existing license I find the restaurant to be more than disruptive. I have made previous noise complaints to the council as the restaurant has clearly been serving customers well passed hours their license allows, particularly in the spring and summer. On numerous occasion they serve large parties outside until the early hours of the morning. If they are granted this licence extension it will be extremely disruptive to the people who live around the restaurant. I strongly urge the council to reject the application.

Kind regards

[REDACTED] De Beauvoir Crescent)

From: [REDACTED]
Sent: 16 January 2017 21:39
To: Licensing
Subject: The Barge House licence application

Dear sirs,

I would like to object to the Barge House's application for an extension of a premises licence.

In particular, I would like to object to their application to extend the number of people allowed on their terrace to 28. I object on the basis of:

- public safety: the terrace is on a very crowded area of towpath, which has high foot and bike traffic. If The Barge House were able to seat 28 people out there, the towpath would become, in my view, dangerous, as there would be little space for foot traffic to pass and there would be an increased risk of pedestrian/cyclist clashes.

-prevention of public nuisance: as above, the restricted area on the towpath risks causing a public nuisance.

I also object to their plan to allow people outside until 10pm. The towpath is a residential area, surrounded by flats, occupied by families. On the basis of protecting children from harm, I believe that allowing outside eating and drinking should not be allowed, as it will be disruptive.

I note that they have also applied to allow people to visit the premises just for a drink, not to eat. That combined with later drinking and more people on the terrace would allow the towpath to become a drinking destination, which would be very disruptive to surrounding residents, as noise would echo around the area, and risks making the area a centre for anti-social behaviour. This is particularly risky as it is an area that borders onto the canal and also quite dark.

Many thanks

[REDACTED]
[REDACTED] Reliance Wharf

From: [REDACTED]
Sent: 16 January 2017 22:29
To: Licensing
Subject: Objection to variation of licence The Brage House Ltd (062096)

To whom it may concern,

We object to the amendments to this licence as residents of the canal who over the course of the years have had to regularly make noise complaints regarding this establishment, which in turn had had little effect in their overall behaviour. Given their history of noise complaints and inability to control their noise levels within the remit of their current licence, it would be ill advised to extend it further giving us no respite 7 days a week 9am-11.30pm in our own homes.

This is a wholly residential area and the noise generated in recent years by the Barge House with little concern for this has been problematic as it permeates into our flats and even our bedrooms where our children sleep.

The current opening hours and conditions in place are to protect the residents from having to self police the situation every day of the week especially over the summer months. Every year they apply to change those terms to erode the residents' rights and increase their own.

Kind regards,

[REDACTED]

[REDACTED] Ronann Apartments, [REDACTED]

From: [REDACTED]
Sent: 16 January 2017 22:34
To: Licensing
Subject: Objection to licence extension The Barge House Ltd [062096]

Hello,

I would like to put forward my objection to the request for a licence extension by The Barge House.

This is a heavily residential area and has been for a long time before The Barge House arrived, they are already an establishment that pushes the limits of their current licence and causes much discomfort and stress to residents.

Extending their license will just cause significantly more stress to the residents in this area, and cannot be allowed.

Kind regards,

[REDACTED]
Ronann Apartments,
26 Orsman Rd,
London
N1 5QJ

De Beauvoir Crescent
London
N1

Licensing Service
1 Hillman Street
London
E8 1DY

22nd December 2016

To The Licensing Officer:

The Barge House, 46a De Beauvoir Crescent, N1 5RY

I am the owner and resident of De Beauvoir Crescent and I am writing to you as an interested party to make an objection to the above application on the grounds of public nuisance.

I live in the same building of the above premises. My flat has a living room which looks over De Beauvoir Crescent and two bedrooms which look directly over the Regents Canal towpath. The above premises has a service entrance on to De Beauvoir Crescent and a customer entrance / terrace directly on the towpath, below both of my two bedrooms.

The application is looking to vary conditions that were specifically agreed as part of a compromise when a previous licence holder applied for a licence a few years ago. These conditions were placed on the premises to ensure that the commercial and residential premises can co-exist harmoniously. Subsequent to this, the now current licence holder made a similar application around 18 months ago. During this hearing a number of objections were made and the request to vary the licence was yet again declined.

I am not aware of any material changes since the initial licence application (around 2011), the subsequent application in mid-2015 or this current application and therefore do not consider it appropriate to remove (or relax) these conditions.

Specifically, I am concerned that granting this application (to vary the licence) will further contribute to public nuisance, in particularly the loud noise created by an increase in number of people on the terrace, and also that they would be there until later in the evening (10pm instead of 6pm).

I would like to make it clear that I am pro-business however I consider that the Regent's Canal is a primarily residential location and that this should be reflected when considering the types of licence that are granted. The existing licence should allow for a decent business. Although this is probably irrelevant, it is disappointing that the current licence holder continues to submit applications to vary the licence despite two previous rulings by the council. I am not clear what has changed in the last 18 months that would invalidate the previous rulings.

Fred and Debbie are decent people and I hope we can continue to maintain friendly relations however I hope they can understand that it is important to maintain a sensible balance whilst operating a premises immediately below residential property and immediately adjacent to an otherwise peaceful canal.

I would appreciate if you could advise me on when you are planning to hear this application so I may attend in person.

Yours faithfully,

A black rectangular redaction box covering the signature area.

From: [REDACTED]
Sent: 10 January 2017 22:06
To: Licensing
Subject: Application to amend license for license 062096

Dear Licensing Hackney team,

I am a resident of Reliance Wharf in Hertford Road and I am writing to you on behalf of the application of The Barge House to change its license (license # 062096) to which I would like to state my objections. The request to increase the number of people that can be seated outside and the request to be able to serve alcohol without it being ancillary to a table meal both will entail more people outside the restaurant itself, it will encourage more people to buy alcohol at the Barge House and then sit by the canal and it is another step towards transforming this peaceful residential area into a loud and uninhabitable party zone (for which there clearly is no need given the proximity of Shoreditch and Dalston). More people means more noise already and more alcohol consumption (what the changes clearly are targeting) will mean more noise by every single person.

I see the change in their application especially critical because along the canal noise travels extremely well and if during the summer they are allowed to have guests outside until 10pm, it basically means that there is no way I will ever be able to find a quiet minute in my place before that. Even if I didn't have to get up at 5am at times (which I do), I value coming home to relax.

Please confirm receipt of this email and please don't hesitate to be in touch, should you wish to have any more clarification.

Best regards,

[REDACTED]
[REDACTED]
[REDACTED]
[REDACTED]
[REDACTED]

From: James Peters (Cllr)
Sent: 11 January 2017 00:35
To: Licensing
Cc: Laura Bunt (Cllr); Andrew Waugh
Subject: RE: The Barge House Limited - Licence alteration application

Hello,

Further to [REDACTED] objection below, I agree that it seems inappropriate allow any extension of the licence for any of the bars/restaurant along the canal by Whitmore Bridge, including the Barge House.

Whilst those establishments are clearly a popular and pleasant venue for people to enjoy the attractive setting of the Regent's Canal, we need to be sensitive to the needs of the residents who live on either side of the canal.

Previously, I have objected to extensions of licences or the granting of new licences along this part of the canal and I would object to the proposed variation for the same reasons, namely that noise on the canal reverberates and has at least the potential to cause very severe public nuisance to the many residents who live along the canal's banks.

I note that this area is densely inhabited, with flats directly above the licensed premises, in the adjacent buildings and directly opposite.

I consider that the current licence conditions are likely to correctly strike a balance between, on the one hand, the interests of the businesses that are the restaurants and bars on this stretch of the tow path (and the utility they provide for their customers) and, on the other hand, the interests of local residents to be able to enjoy their homes peacefully and, when the weather permits, with an open window.

In addition, this section of the tow path is very congested in the summer and, probably, whenever the weather is good. Allowing further customers outside of the Barge House will probably produce a considerable risk to public safety, specifically to passing cyclists, pedestrians, waiting staff and the Barge House's customers themselves.

For the reasons, it seems to me that granting the variation to the existing licence would be likely to undermine the licensing objectives of preventing public nuisance and ensuring public safety.

I also note what [REDACTED] says below about this application reflecting similar applications made in the past. The previous objection that I made and that I refer to above may have been in relation to this same premises (although I cannot find my e-mail on the subject). I see from the Council's public licensing register ([here](#)) that there was, indeed, a similar application made in July 2015, which appears to have been rejected. Repeated applications in this vein do not seem a productive use of anyone's time.

With regards,

Cllr. James Peters

De Beauvoir ward
[REDACTED]
[REDACTED]
[REDACTED]

From: [REDACTED]
Sent: Tuesday, January 10, 2017 3:39 PM
To: Licensing
Cc: Laura Bunt (Cllr); James Peters (Cllr)
Subject: The Barge House Limited - Licence alteration application

Dear Sir or Madam,

I am writing to object in the strongest possible terms to the application for a late night drinking licence on the towpath from the establishment above. The application is to vary and extend the existing licence every night of the week to 10pm, to remove the need for waiter/waitress service and to increase the people permitted to be outside drinking by 3 times from 10 to 30.

I live on the other side of the canal from this bar and our bedroom windows face out onto the towpath metres from the bar entrance. As it stands the bar is noisy and poorly managed with a young and rowdy clientel. In the summer the doors are left open and the noise floods the canal - customers spill out onto the canal towpath late at night and are loud and completely unsupervised. If this licence were to be permitted the noise would be so loud that we would not be able to sleep until after they had packed up and closed - well after [11pm](#) at night, all week long - and even later at the weekend.

Even more severely affected would be the poor people in living directly above the bar.

The canal is similar to any road - with a waterway instead of a street - and this street is predominantly residential. Any noise from people standing outside our bedroom windows drinking late into the night would be amplified by the hard surfaces of the buildings and the water and ruin the peace and quiet which surely should be the right of any resident living in a residential area to enjoy.

I would like to emphasize that this bar is is not in Shoreditch but in De Beauvoir, it is a residential neighbourhood with families and children. A late night drinking licence would keep the children and babies awake late into the night and would be severely anti-social and un-neighbourly.

I have lived in first Shoreditch and then De Beauvoir for twenty seven years and have only ever objected to this annual licence application in the whole time. This application is totally un-acceptable. This is at least the third time that this application has been made - wasting the time of both the Committee and those local residents forced to attend to defend their right to enjoy a peaceful existence.

I hope and trust that the local authority and its licensing committee will look after the interests of the local residents and the community that currently are able to enjoy the area and to live in peace on the relative calm of the canal.

With thanks for your kind attention.

██████████

██████████████████

██████████████

████████████████████

From: [REDACTED]
Sent: 15 January 2017 17:11
To: Licensing
Subject: Licence Application - The Barge House, 46a De Beauvoir Crescent , N1 5RY

[REDACTED]
[REDACTED] De Beauvoir Wharf,
16 Hertford Road
N1 [REDACTED]
[REDACTED]
[REDACTED]

15th January 2017

Licence Application - 'The Barge House' , 46a De Beauvoir Crescent, N1 5RY

Dear Sirs

As a local resident, I write to express my support for the upcoming licence application for 'The Barge House' at 46a De Beauvoir Crescent. Since it opened, The Barge House has established itself as a very positive amenity and valued asset for the local community. It provides an excellent restaurant in a family friendly environment, and also hosts a number of interesting cultural events.

The presence of the Barge House has also contributed to the visual upgrading of this part of the canal, and the activities it provides in the evenings gives a sense of perceived additional safety to the local environment.

It appears that there must be an anomaly in the current licencing arrangements for this part of the canal as the adjacent restaurant - the Towpath Cafe, is allowed to serve food and drink outside beyond 6pm , yet The Barge House is not. The nearby establishments of the Archivist and Waterhouse Restaurant are also allowed to serve food and drink outside beyond 6pm. Consequently, I believe the licence extension for the Barge House should be approved.

Please contact me at the above address if you wish to discuss any of the points I have raised here.

Yours faithfully

[REDACTED]

From: [REDACTED]
Sent: 15 January 2017 18:11
To: Licensing
Subject: License Application - The Barge House - 46a DeBeauvoir Crescent N1 5RY

15th January 2017

Licence Application - 'The Barge House' , [46a De Beauvoir Crescent, N1 5RY](#)

Dear Sir, Madam,

I live on Hertford Road, N1 and have done for a little over 3 years now. I consider myself a local resident.

I wanted to take the time this weekend to write to you confirming my support for the upcoming licence application for 'The Barge House' at [46a De Beauvoir Crescent](#).

I love the vibrant, multi cultural community here in De Beavoir. We have our own shops, restaurants, bars, church and Dr Surgery, which all add to the joy of living in the area and not having to travel out for basic amenities.

The Barge House has a wonderful community atmosphere, they welcome residents of all ages and backgrounds to attend the wide variety of community based events that they run at the premises, as well as serving up good, honest, affordable food and drink, to cater for the varied community of which I am proud to be a part. Children, pets, push chairs and all ages are welcome!

I personally benefit enormously from the pet as well as family friendly environment and enjoy being on a first name term with the team at The Barge House. I think it is fantastic that the owners are on site daily making sure that the place is clean, safe and focused on the successful delivery of a customer as well as resident inspired service. I think it is tremendous that they are willing to have a discourse with local residents about the service that they want to offer.

I work in [REDACTED] in the lighting sector and have long been a keen supporter of local ambitions to drive forward the urban regeneration of the canal waterways across the country.

The position of the Barge House has contributed to the urban regeneration of the canal at Haggerston and has increased the ability of residents to use the towpath as a cycling highway, due to the fact that it lights a dark section of the path effectively and provides added security along the route.

I am keen to have the opportunity to enjoy the al fresco food and ambience at The Barge House beyond its 6pm outdoor policy.

Currently if want to enjoy canal side dining at The Barge House, I need to be there by 4pm, in order to finish in enough time before the curfew. This simply isn't reasonable when I, like many locals, don't finish

work till after 5.30pm. It is even less reasonable, when in summer, the restaurant 5 yards from The Barge House front door offers food and alcohol till after this time, but with no toilets offered it simply isn't somewhere one is able to enjoy a long dinner soaking up the beautiful waterside locale.

Could you please explain to me the rationale behind the differences in these current licensing arrangements ? I am perplexed that The Archivist, Dukes 99 and Waterhouse Restaurant are allowed to serve food and drink outside beyond [6pm](#) but The Barge House can not.

As a result of all of these thoughts and considerations, I felt it necessary to contact you directly, to register my full support as a local resident for the licence extension for the Barge House to be approved.

I look forward to hearing from you.

With Kind Regards



From: [REDACTED]
Sent: 10 January 2017 23:25
To: Licensing
Subject: The Barge House

Dear Sir/Madam

I would like to take this opportunity to request your support for the license application from The Barge House restaurant in De Beauvoir Terrace.

I have used the venue for numerous business and family dinners and events and must stress how much I feel this establishment has added to this particular stretch of the Regents Canal. The kitchen, service, staff and ambience of the place are all really wonderful and the restaurant has collected a rather loyal following of clientele who value a laid back and relaxed place in this area that also serves really fine food. I do not see any reason why a license should not be granted to this hard working and experienced team who have done their absolute best to bring a unique and fresh dining room and venue to the area.

I hope my comments will be added to your considerations Thanks and best wishes

[REDACTED]
[REDACTED]
[REDACTED]

From: [REDACTED]
Sent: 15 January 2017 14:40
To: Licensing
Subject: Support of Licence Application

Dear Sir/ Madam,

As a neighbouring resident to both the following applications I would like to make a representation in support of the following two license applications:

The Barge House
46a De Beauvoir Crescent
London
N1 5RY

By the Bridge Café
283a Kingsland Road
London
E2 8AS

I support the licence applications as regards:

• **The prevention of crime and disorder**

This applies to both applications, but particularly the Barge House. The canal-side towpath is poorly light and a crime hotspot. Part of the reason is poor lighting, but also that this particular stretch of canal is very secluded and largely shuts down (canal-side offices etc) in the evening – what little activity there is, is restricted to the indoors. Outdoor terraces, people on the canal, as is proposed in greater number by this application, will greatly assist in the prevention of crime and disorder such as the attacks and robberies that unfortunately occur along this stretch.

Likewise as regards By The Bridge Café, it occupies a pivotal location overlooking and adjacent to a very secluded and dark stretch of the canal, but also likewise on Kingsland Road it occupies a stretch with significantly less activity than is found further north and south. The extension of the Café's opening hours will both assist in the prevention of crime and disorder through additional 'eyes on the street' and visible activity.

Kind regards,

[REDACTED]

[REDACTED] Reliance Wharf, Hertford Road, London N1 5EW.

From: [REDACTED]
Sent: 13 January 2017 21:35
To: Licensing
Subject: Support of Licence Application

Dear Sir/ Madam,

As a neighbouring resident to both the following applications I would like to make a representation in support of the following two license applications:

The Barge House
46a De Beauvoir Crescent
London
N1 5RY

By the Bridge Café
283a Kingsland Road
London
E2 8AS

I support the licence applications as regards:

• **The prevention of crime and disorder**

This applies to both applications, but particularly the Barge House. The canal-side towpath is poorly light and a crime hotspot. Part of the reason is poor lighting, but also that this particular stretch of canal is very secluded and largely shuts down (canal-side offices etc) in the evening – what little activity there is, is restricted to the indoors. Outdoor terraces, people on the canal, as is proposed in greater number by this application, will greatly assist in the prevention of crime and disorder such as the attacks and robberies that unfortunately occur along this stretch.

Likewise as regards By The Bridge Café, it occupies a pivotal location overlooking and adjacent to a very secluded and dark stretch of the canal, but also likewise on Kingland Road it occupies a stretch with significantly less activity than is found further north and south. The extension of the Café's opening hours will both assist in the prevention of crime and disorder through additional 'eyes on the street' and visible activity.

Kind regards,

[REDACTED]

[REDACTED] Reliance Wharf, Hertford Road, London N1 5EW.

From: [REDACTED]
Sent: 16 January 2017 23:16
To: Licensing
Subject: The Barge House Limited

To Whom It May Concern,

I am a resident at [REDACTED] De Beauvoieur Crescent, I live [REDACTED]

The owners of The Barge House conduct their business in a very considerate and extremely neighbourhood focused manner. In fact in an exemplary way compared to the "Twopath" next door who have the occasional very late parties and always hear people boozing in the summer to 11, without food. They don't even have an actual indoor space but they have a license. Yet the barge house has an indoor space and they are just asking to allow people to eat and drink until the food order stops at 9.30/10.

One party has a late license and the other one doesnt which is a matter of which line you stand behind and is crazy.

In the summer the fact the barge house isnt allowed tables means so many more people congregate and make more noise.

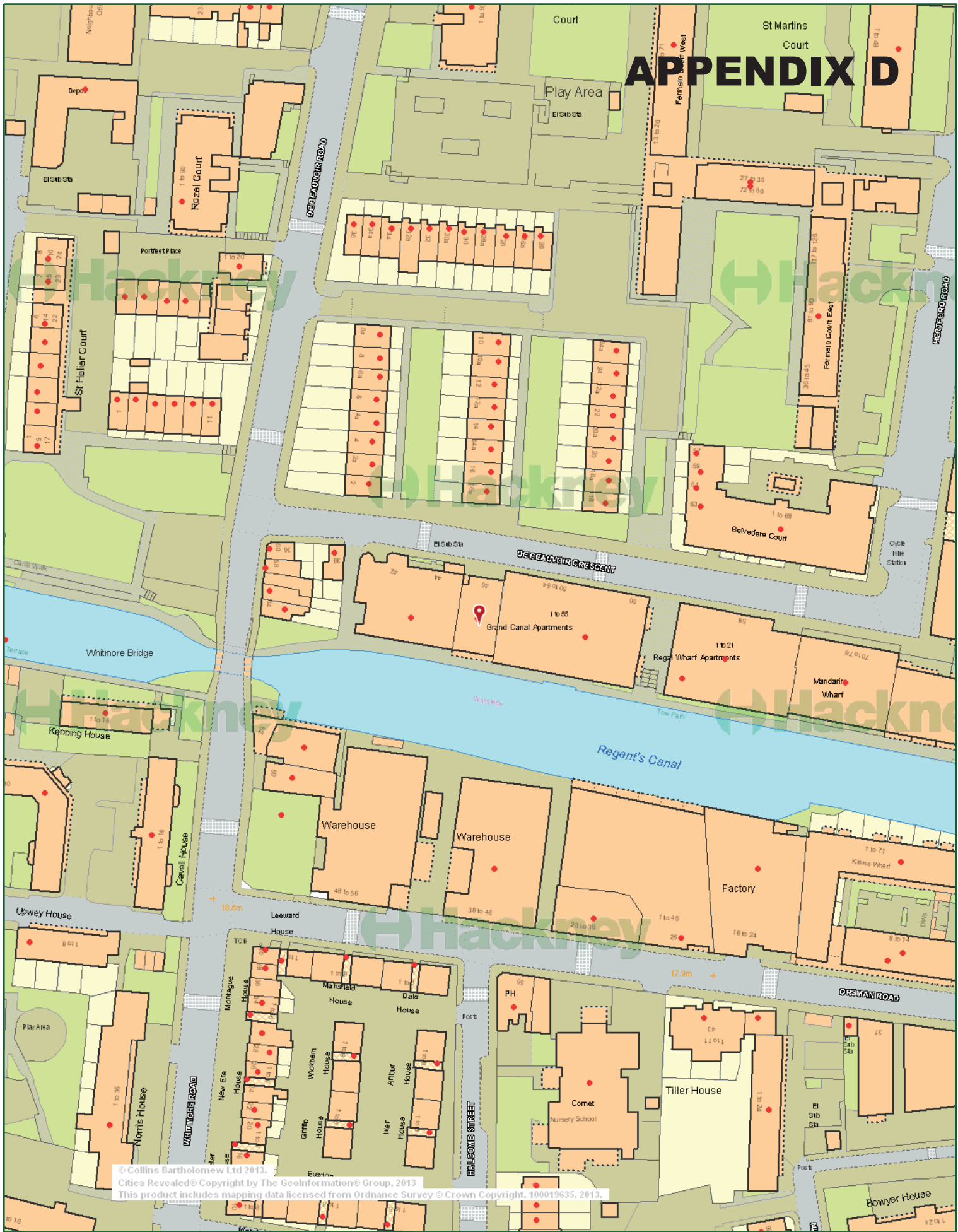
Plus [REDACTED] is a serial complainer with nothing else to do. Apparently the guy above me in [REDACTED] can here the fan when I cant and Im below. [REDACTED] tried to block the Venezuelan place in a completley different block.

I would like to please attend and speak in favour of the barge hpuse.

Kind Regards - [REDACTED]

[REDACTED]
[REDACTED]
[REDACTED]
[REDACTED]
[REDACTED]
[REDACTED]
[REDACTED]

APPENDIX D



Barge House

Scale 1/1250

at A4



Date 14/2/2017



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REPORT OF GROUP DIRECTOR, NEIGHBOURHOODS AND HOUSING		
LICENSING SUB-COMMITTEE: 28/02/2016	Classification DECISION	Enclosure
Application for a Premises Licence By The Bridge, 283a Kingsland Road, E2 8AS	Ward(s) affected Hoxton East & Shoreditch	

1. SUMMARY

Applicant(s) Sezgin Hande	In SPA No
Date of Application 22/12/2016	Period of Application Permanent
Proposed licensable activity Late Night Refreshment Supply of Alcohol (On Premises)	
Proposed hours of licensable activities	
Late Night Refreshment	Standard Hours:
INDOOR:	Mon 23:00-05:00 Tue 23:00-05:00 Wed 23:00-05:00 Thu 23:00-05:00 Fri 23:00-05:00 Sat 23:00-05:00 Sun 23:00-05:00
Supply of Alcohol	Standard Hours:
INDOOR:	Mon 12:00-05:00 Tue 12:00-05:00 Wed 12:00-05:00 Thu 12:00-05:00 Fri 12:00-05:00 Sat 12:00-05:00 Sun 12:00-05:00
The opening hours of the premises	
INDOOR	Standard Hours:
	Mon 08:00-05:00 Tue 08:00-05:00 Wed 08:00-05:00 Thu 08:00-05:00 Fri 08:00-05:00 Sat 09:00-05:00 Sun 09:00-05:00

Capacity: Not known	
Policies Applicable	LP3 (Operating Schedule), LP4 (Crime and Disorder), LP5 (Public Nuisance), LP6 (Protection of Children from Harm), LP8 (Public Safety), LP12 (licensing Hours),
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"> • Police • Other Persons

2. APPLICATION

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

3. CURRENT STATUS / HISTORY

- 3.1 The premises are not currently licensed for any activity.

4. REPRESENTATIONS: RESPONSIBLE AUTHORITIES

From	Details
Environmental Health Authority (Environmental Protection)	No representation received
Environmental Health Authority (Environmental Enforcement)	No representation received
Environmental Health Authority (Health & Safety)	Have confirmed no representation on this application
Weights and Measures (Trading Standards)	Have confirmed no representation on this application
Planning Authority	No representation received
Area Child Protection Officer	Have confirmed no representation on this application
Fire Authority	Have confirmed no representation on this application
Police (Appendix B)	Representation received on the grounds of The Prevention of Crime and Disorder and Prevention of Public Nuisance.
Licensing Authority	No representation received
Health Authority	Have confirmed no representation on this application

5. REPRESENTATIONS: OTHER PERSONS

From	Details
8 representation received from and on behalf of local residents, 6 opposed to application and 2 in support (Appendices C1-C8)	Representation received on the grounds of The Prevention of Crime and Disorder, Public Safety, Prevention of Public Nuisance.

6. GUIDANCE CONSIDERATIONS

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

7. POLICY CONSIDERATIONS

- 7.1 Licensing Sub-Committee is required to have regard to the London Borough of Hackney's Statement of Licensing Policy ("the Policy") adopted by the Licensing Authority.
- 7.2 The Policy applies to applications where relevant representations have been made. With regard to this application, policies, LP3 (Operating Schedule), LP4 (Crime and Disorder), LP5 (Public Nuisance), LP6 (Protection of Children from Harm), LP8 (Public Safety) and LP12 (licensing Hours) are relevant.

8. OFFICER OBSERVATIONS

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

Supply Of Alcohol (On/Both)

1. No supply of alcohol may be made under the premises licence:
 - (a) At a time when there is no designated premises supervisor in respect of the premises licence.
 - (b) At a time when the designated premises supervisor does not hold a personal licence or his personal licence is suspended.
2. Every supply of alcohol under the premises licence must be made or authorised by a person who holds a personal licence.
3. (1) The responsible person must ensure that staff on relevant premises do not carry out, arrange or participate in any irresponsible promotions in relation to the premises.
(2) In this paragraph, an irresponsible promotion means any one or more of the following activities, or substantially similar activities, carried on for the purpose of encouraging the sale or supply of alcohol for consumption on the premises -
 - (a) games or other activities which require or encourage, or are designed to require or encourage, individuals to;

- (i) drink a quantity of alcohol within a time limit (other than to drink alcohol sold or supplied on the premises before the cessation of the period in which the responsible person is authorised to sell or supply alcohol), or
- (ii) drink as much alcohol as possible (whether within a time limit or otherwise);
- (b) provision of unlimited or unspecified quantities of alcohol free or for a fixed or discounted fee to the public or to a group defined by a particular characteristic in a manner which carries a significant risk of undermining a licensing objective;
- (c) provision of free or discounted alcohol or any other thing as a prize to encourage or reward the purchase and consumption of alcohol over a period of 24 hours or less in a manner which carries a significant risk of undermining a licensing objective;
- (d) selling or supplying alcohol in association with promotional posters or flyers on, or in the vicinity of, the premises which can reasonably be considered to condone, encourage or glamorise anti-social behaviour or to refer to the effects of drunkenness in any favourable manner.
- (e) dispensing alcohol directly by one person into the mouth of another (other than where that other person is unable to drink without assistance by reason of a disability).

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

5.5.1. The premises licence holder or club premises certificate holder must ensure that an age verification policy is adopted in respect of the premises in relation to the sales or supply of alcohol.

5.2 The designated premises supervisor in relation to the premises licences must ensure that the supply of alcohol at the premises is carried on in accordance with the age verification policy.

5.3. The policy must require individuals who appear to the responsible person to be under 18 years of age (or such older age as may be specified in the policy) to produce on request, before being served alcohol, identification bearing their photograph, date of birth and either:-

- (a) a holographic mark or
- (b) an ultraviolet feature

6. The responsible person must ensure that:

a) where any of the following alcoholic drinks is sold or supplied for consumption on the premises (other than alcoholic drinks sold or supplied having been made up in advance ready for sale or supply in a securely closed container) it is available to customers in the following measures:

- beer or cider: 1/2 pint;
- gin, rum, vodka or whisky: 25ml or 35ml; and
- still wine in a glass: 125ml; and

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

c) where a customer does not in relation to a sale of alcohol specify the quantity of alcohol to be sold, the customer is made aware that these measures are available.

Minimum Drinks Pricing

7. 7.1 A relevant person shall ensure that no alcohol is sold or supplied for consumption on or off the premises for a price which is less than the permitted price.

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

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

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

(i) P is the permitted price,

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

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

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

(i) the holder of the premises licence,

(ii) the designated premises supervisor (if any) in respect of such a licence, or

(iii) the personal licence holder who makes or authorises a supply of alcohol under such a licence;

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

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

7.3 Where the permitted price given by Paragraph 7.2(b) above would (apart from this paragraph) not be a whole number of pennies, the price given by that sub-paragraph shall be taken to be the price actually given by that sub-paragraph rounded up to the nearest penny.

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

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

Conditions derived from operating schedule

8. "Challenge 25" information to be displayed on premises

9. CCTV with a recorder recording in real time onto a hard drive. Cameras to cover all internal and external parts of the premises. All staff will be trained in the maintenance and operation of the current CCTV systems.

10. All parts of the premises and all fittings and apparatus therein, door fastenings and notices, lighting, heating, electrical, air condition, sanitary accommodation and other installations, will be maintained at all times in good order and in a safe condition.

11. Prominent, clear and legible notices will be displayed at the exit requesting the public to respect the needs of nearby residents and to leave the premises and the area quietly.

12. All deliveries will be carried out at such a time or in such a manner as to not cause nuisance and disturbance to nearby residents.

13. Customers will be asked not to loiter outside the premises.

14. The movement of bins and rubbish outside the premises will be kept to a minimum after 11.00pm.

15. Adequate waste receptacles for use by customers will be provided

9. REASONS FOR OFFICER OBSERVATIONS

9.1 Conditions 8 to 15 above are derived from the applicant's operating schedule..

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: By The Bridge, 283a Kingsland Road, E2 8AS	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 Miss SEZGIN HANDE

(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

BY THE BRIDGE CAFE
283A KINGSLAND ROAD
HACKNEY
LONDON

Post town	LONDON	Post code	E2 8AS
-----------	--------	-----------	--------

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

Non-domestic rateable value of premises	£152
---	------

Part 2 - Applicant Details

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

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

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

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

Please tick yes

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

(A) INDIVIDUAL APPLICANTS (fill in as applicable)

Title Miss			
Surname HANDE		First names SEZGIN	
I am 18 years old or over			<input checked="" type="checkbox"/> Please tick yes
Current postal address if different from premises address		[REDACTED]	
Post Town	LONDON	Postcode	[REDACTED]
Daytime contact telephone number		[REDACTED]	
E-mail address (optional)		[REDACTED]	

SECOND INDIVIDUAL APPLICANT (if applicable)

Title Mr			
Surname		First names	
I am 18 years old or over			<input type="checkbox"/> 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
Address
UK-England
Registered number (where applicable)
Description of applicant (for example, partnership, company, unincorporated association)
Telephone number (if any)
E-mail address (optional)

Part 3 Operating Schedule

When do you want the premises licence to start?	16-12-2016
---	------------

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)
PREMISES IS CURRENTLY A VERY COSY COFFEE SHOP SELLING PREMIUM COFFEES AND TEAS WITH A SELECTION OF CIABATTAS AND SALADS. SEATING CURRENTLY 12 PERSONS.

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

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

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

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

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



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



Complete boxes K, L and M (optional)

A

Plays Standard days and timings (please read guidance note 6)			Will the performance of a play take place indoors or outdoors or both – please tick (please read guidance note 2)	Indoors	
Day	Start	Finish		Outdoors	
				Both	
Mon			Please give further details here (please read guidance note 3)		
Tue			State any seasonal variations for performing plays (please read guidance note 4)		
Wed			Non standard timings. Where you intend to use the premises for the performance of plays at different times to those listed in the column on the left, please list (please read guidance note 5)		
Thur					
Fri					
Sat					
Sun					



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	<input checked="" type="checkbox"/>
Day	Start	Finish		Outdoors	
				Both	
Mon	18:00 2300	05:00 0500	<u>Please give further details here</u> (please read guidance note 3) LATE NIGHT REFRESHMENT WILL CONSIST OF PREMIUM WINES AND BEERS SERVED ALONGSIDE SHARING FOOD PLATTERS.		
Tue	18:00 2300	05:00 0500			
Wed	18:00 2300	05:00 0500	<u>State any seasonal variations for the provision of late night refreshment</u> (please read guidance note 4)		
Thur	18:00 2300	05:00 0500			
Fri	18:00 2300	05:00 0500	<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	18:00 2300	05:00 0500			
Sun	18:00 2300	05:00 0500			

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	<input checked="" type="checkbox"/>			
				Off the premises	<input type="checkbox"/>			
				Both	<input type="checkbox"/>			
Day	Start	Finish	State any seasonal variations for the supply of alcohol (please read guidance note 4)					
Mon	12:00	05:00						
Tue	12:00	0500						
Wed	12:00	0500						
Thur	12:00	0500				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	12:00	0500						
Sat	12:00	0500						
Sun	12:00	0500						

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

Name :	
Mrs PANAGIOTADIMAKI	
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

Hours premises are open to the public Standard timings (please read guidance note 6)			<u>State any seasonal variations</u> (please read guidance note 4)
Day	Start	Finish	
Mon	08:00	05:00	
Tue	08:00	05:00	
Wed	08:00	05:00	<u>Non standard timings. Where you intend the premises to be open to the public at different times from those listed in the column on the left, please list</u> (please read guidance note 5)
Thur	08:00	05:00	

Fri	08:00	05:00
Sat	09:00	05:00
Sun	09:00	05:00

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)

TO PROMOTE ALL FOUR LICENSING OBJECTIVES WE WILL KEEP:
 Strong management controls and effective training of all staff so that they are aware of the premises licence and the requirements to meet the four licensing objectives with particular attention to:

- a/ no selling of alcohol to underage people
- b/ no drunk and disorderly behaviour on the premises area
- c/ vigilance in preventing the use and sale of illegal drugs at the retail area
- d/ no violent and anti-social behaviour
- e/ no any harm to children

- Operating Schedule providing the hours of operation and licensable activities during those hours.
- Designated premises supervisor confirmed it is obligated to be in day-to-day control of the premises, to provide good training for staff on the Licensing Act (Training Record), to make or authorize each sale
- Clear "Challenge 25" information to prevent the supply of alcohol to under-age drinkers.
- CCTV system installed with recording option available
- Roller metal exterior window shutter will be fixed to ensure that shop front is safe and secure at all times

As a licensed premises we know that it is necessary to carry out our functions or operate their businesses with a purpose of promoting these objectives. We promise to support these objectives through their operating schedules and other measures (including staff training and qualifications, policies, and strategic partnerships with other agencies).

b) The prevention of crime and disorder

Security in and around the premises - CCTV with a recorder recording in real time onto a hard drive, will deter any criminals from entering or causing any crimes in or around the premises. All cameras cover all part of the internal and external parts of the premises. All staff will be trained in the maintenance and operation of the current CCTV systems. Current alarm system will protect the premises when closed or empty which will inform the police when activated. A clear and legible notice outside the premises indicating the normal hours under the terms of the premises licence during which licensable activities are permitted. Clear and conspicuous notices warning of potential criminal activity, such as theft, that may target customers will be displayed. 1Not selling of alcohol to drunk or intoxicated customers.

Custom will not be sought by means of personal solicitation outside or in the vicinity of the premises. Prevention and vigilance in illegal drug use at the retail unit area. Staff will be well trained in asking customers to use premises in an orderly and respectful manner.

c) Public safety

Internal and external lighting fixed to promote the public safety objective. Well trained staff adherence to environmental health requirements. Training and implementation of underage ID checks. A log book or recording system shall be kept upon the premises in which shall be entered particulars of inspections made; those required to be made by statute, and information compiled to comply with any public safety condition attached to the premises licence that requires the recording of such information. The log book shall be kept available for inspection when required by persons authorised by the Licensing Act 2003 or associated legislation.

All parts of the premises and all fittings and apparatus therein, door fastenings and notices, lighting, heating, electrical, air condition, sanitary accommodation and other installations, will be maintained at all times in good order and in a safe condition.

d) The prevention of public nuisance

Noise reduction measures to address the public nuisance objective. Prominent, clear and legible notices will be displayed at the exit requesting the public to respect the needs of nearby residents and to leave the premises and the area quietly. Deliveries of goods necessary for the operation of the business will be carried out at such a time or in such a manner as to © Queen's Printer and Controller of HMSO 2009 prevent nuisance and disturbance to nearby residents.

The Licensee will ensure that staff who arrive early morning or depart late at night (ex. for unpacking, pricing newly delivered goods) when the business has ceased trading conduct themselves in such a manner to avoid causing disturbance to nearby residents. Customers will be asked not to stand around loudly talking in the street outside the premises. Customers will not be admitted to premises above opening hours. The movement of bins and rubbish outside the premises will be kept to a minimum after 11.00pm. This will help to reduce the levels of noise produced by the premises. Any lighting on or outside the premises will be positioned and screened in such a way so as to not cause a disturbance to nearby residents. Adequate waste receptacles for use by customers will be provided in the local vicinity.

e) The protection of children from harm

"Challenge 25" sign which is a retailing strategy that encourages anyone who is over 18 but looks under 25 to carry acceptable ID (a card bearing the PASS hologram, a photographic driving license or a passport) if they wish to buy alcohol. Well trained staff about requirement for persons' identification, age establishment etc. All the details provided in Training Record Book available the retail unit. Log Book will be kept upon the premises all the time. Nothing belong existing Health & Safety requirements.

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	MISS HANDE SEZGIN
Date	12/12/2016 15/12/2016
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	12/12/2016 15/12/2016
Capacity	

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

Premises 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

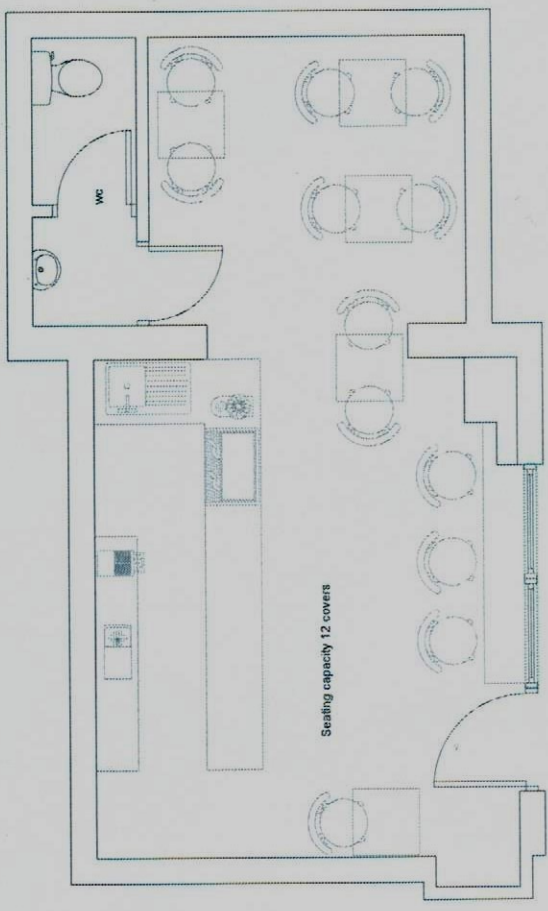
General Notes

1. Do not scale from the drawings
2. Dimensions to be checked on site
3. All work to comply with the current Building regulations
4. All works may be subject to revision on site
5. All drawings are the copyright of Deco Limited
6. This drawing may not be copied without prior permission

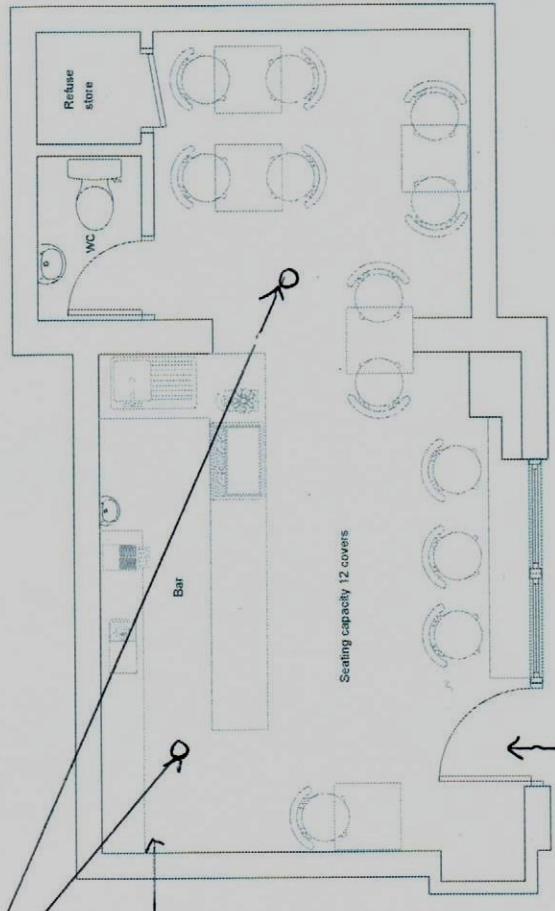


deco architecture & engineering
devrim@decoeng.co.uk

Project	283A Kingsland Road E2 8AS
Client	By The Bridge Cafe
Drawing Title	Floor plans
Project Number	28386
Date	19/02/2015
Drawn by	DS
Checked by	-
Scale	1:50@A3
Revision	-
Drawing No	BB-01



Existing Floor Plan



Proposed Floor Plan

fire alarm system
fitted onto both
ceilings

fire blanket
on wall

fire extinguisher
just below

Exit
fire exit
1 step over

APPENDIX B

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	By The Bridge Café 283a Kingsland Road London E2 8AS
NAME OF PREMISES USER	Sezgin HANDE

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 at BY THE BRIDGE CAFÉ, 283a KINGSLAND ROAD, LONDON, E2 8AS for the following reason(s):

This venue is located on a busy main road that runs through the centre of Hackney Borough. This particular stretch of road has recently become the focus of attention for police as there have been complaints from the residents about noise late at night. It concerns police that an additional venue here would increase tensions further.

Police seek to clarify points from the applications as follows:

The applications states, in section I for Late Night Refreshment, that the venue wishes to, essentially, be open 24 hours, but also states for further information that the late night refreshment will consist of premium wines and beers served alongside sharing platters. The refreshment should refer to the food only. Will there be a substantial food offering all night? There is not a kitchen shown on the plans, is it on another level of the building? What kind of food will be offered?

The timings for the end of alcohol sales are blank on the form police have received. Should the proposal be for 0500hrs each day?

Why does the applicant feel that alcohol should be offered until 0500hrs? How will they ensure the promotion of the licensing objectives, given the current concerns in the area at this time?

Further concerns for police are that the venue will be inundated with drunk people looking for further drinks, once the other venues (who already hold late licenses) close and kick out hundreds of people onto the street. Are there plans for SIA door supervisors to be employed? What experience does the applicant have of running and managing licensed premises?

The application described this venue as 'a very cosy coffee shop'. Police feel that the times submitted are far too late and would look for the premises to be closed much earlier e.g. midnight. Police cannot support this application in its current format, but will look forward to hearing from the applicant to discuss a way forward.

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: 19 January 2017 22:30
To: Licensing
Subject: By the Bridge Cafe

Dear sirs,

I would like to register my objection to the application for a premises licence for By The Bridge Café, [283A Kingsland Road](#). This is currently a small coffee shop venue on the Kingsland Road, but they have applied to open [from 11pm until 5am](#), seven days a week, to serve food and drinks. As a local resident, I object to their planned opening hours and the change from a café venue to a venue serving alcohol.

In particular, I can see no reason why such a venue would need to be open [until 5am](#). This is a residential area – the café backs onto the Regent’s Canal, and as such is within earshot of a very large number of flats – all of whom would be affected by late night noise and disruption from customers at the venue and those leaving. This appears to be entirely out of step with Hackney’s current licencing plans, and risks making a relatively quiet area a magnet for late night drinking and associated mess.

I wish to object on the following grounds:

- Prevention of crime and disorder: having a small venue open such late hours is out of step with the rest of the area, and risks becoming a magnet for late night drinkers. The venue is very small, so allowing large numbers of people to congregate is likely to produce unrest. The proposed hours are significantly later than surrounding pubs, and so the venue would become a focus for late night drinking.
- Prevention of public nuisance – staying open [until 5am](#) would cause a nuisance to the large number of residential properties surrounding the area. There is likely to be significant noise impact.
- Prevention of children from harm – a large number of children live in properties around the canal basin. They will be affected by late night noise and disruption from this venue.

Many thanks

[REDACTED]
[REDACTED] Reliance Wharf

From: Licensing
Subject: FW: Application Site Address: 283A Kingsland Road, Hackney, London, E2 8AS - Planning Application Number: 2016/2589

Importance: High

From: [REDACTED]
Sent: 16 January 2017 22:52
To: Licensing <Licensing@Hackney.gov.uk>
Subject: Fwd: Application Site Address: 283A Kingsland Road, Hackney, London, E2 8AS - Planning Application Number: 2016/2589
Importance: High

Please see the correspondence that I have sent to planning@hackney.go.uk

I look forward to hear from you with regard to my expressed concerns.

I called the Hackney Planning office today and was on hold for 10 minutes in a queue to express my thoughts to somebody in the relevant department however once put through by the customer service agent the line rang out and no one was available to speak to. Please see the forwarded email below. I am most concerned with regard to this establishment. I passed the aforementioned site address shortly before the end of the year 2016 and noticed a document attached to the wall adjacent to the property for an application to extend the opening drinking hours to 05:00hrs in the early hours of the morning. Then I noticed that the document was in fact out of date as it was dated January 2016. I took/have a photograph of the document on the wall that said 2016. However, I have noticed that the document has been changed to January 2017. I have not received any formal notification of this proposal and it's only by chance that I noticed the date on the document had changed. I am extremely concerned with regard to noise pollution in particular. My bedroom is adjacent to the building that is requesting planning. I fear the noise level will be extreme and that I will not be able to sleep.

The Glory establishment is on the other side of the road to my building and the noise levels that come from there are extremely high in the evenings , causing me unrest.

The building that is requesting planning for a bar is right next door to my bedroom so the noise levels would be somewhat considerably louder.

Please do take my heartfelt concerns into consideration.

I do not agree with the change of use to drinking establishment to 05:00hrs. The building that I live in is a quiet residential neighbourhood building not work units.

Also there will be additional general noise from bottles and beer drums being loaded , unloaded and disposed of at inconsiderate hours.

I am also concerned for litter in the beautiful canal conservation area where there are many species of wildlife and birds inhabitant.

Drinking out in the street for example and deposing of beer bottles over the bridge and into the canal.

Thank you for your time.

[REDACTED]

Written Objection

Online Objection

I would like to attend committee

I would like to speak at committee

My residential address;

[REDACTED] Canalside Studios

[REDACTED] Orsman Road

London

N1 [REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

From: [REDACTED]
Sent: 16 January 2017 00:12
To: Licensing
Subject: Licensing application resrepresentation

Dear Sir/Madam,

I am writing with regard to the licensing application made by By the Bridge Café (283a Kingsland Road, E2 8AS) which is to extend their hours to allow for 'late night refreshment from 23:00 to 05:00am Mon to Sun and to allow supply of alcohol for on sales from 12:00 to 05:00am Mon to Sun'. The proposed end time of 05:00am is significantly later than the current hours and would likely impact on the noise levels in the area and on the canal, which would affect not only residents but also the nesting wildlife, and would thus risk being a public nuisance. I support the establishment itself but not these proposed extended hours, particularly as they are Mon to Sun, and I imagine most residents would support a more reasonable closing time extension, similar to other nearby canal-side establishments.

Thank you.

Kind regards,

[REDACTED]
[REDACTED] Reliance Wharf
N1 [REDACTED]

From: [REDACTED]
Sent: 15 January 2017 23:59
To: Licensing
Subject: Objection to extension of licensing hours proposed by By the Bridge Cafe, 283a Kingsland Road, E2 8AS. Miss Hande.

Dear Licensing team,

I write to object to the requested extension to the licensing hours proposed by By the bridge cafe for their premises at 283a Kingsland Road, E2 8AS.

I live (and have done so since before these premises were opened) across the bridge, the other side of the basin, above the towpath, some 150 metres from the premises. I believe I am well placed to comment on the risks of crime and disorder, public nuisance and risks to public safety that may be increased if these premises were to be granted extended hours.

The immediate locale and towpath has become a magnet for partying, picnicking and general socialising, particularly during the summer months. In fact this area of the canal towpath has been nicknamed the Haggerston Riviera because of its reputation as a fun, entertainment destination.

With the licence conditions as they are currently, the levels of public nuisance are at an unacceptable level already. Most licensed premises are judicious in ensuring that the immediate areas outside their doors are quickly cleared of people after closing time. Despite this, customers of local canalside establishments often remain outside after closing hours, attracting other possible revellers passing by. During good weather there may be as many as 60-100 people congregating at this part of the canal until late at night (1.00-2.00am and occasionally later) with accompanying music and substantial noise levels.

On a number of occasions we have witnessed unpleasant arguments, pushing, shoving and occasionally fighting, which tends to take place at the later hours of the evening. There have been a number of falls into the canal as well. Also, pedestrians using the towpath late at night have experienced abusive behaviour and harassment from those hanging around. I make the assumption that drunkenness/excessive alcohol consumption contributes to both the levels of noise and the risky and anti-social behaviours.

If the situation described above is occurring with the licence conditions as they are I expect that an extension to opening times will exacerbate matters and mean that there is additional drunkenness, more music and noise and the risk of additional anti-social behaviours, most likely until even later at night/well into the morning.

To summarise -

High noise levels late at night are a **public nuisance** as they impact the whole local community and may prevent residents from sleeping.

Levels of **drunkenness** in the vicinity are causing **anti-social behaviours** which are a **crime and disorder** issue and put both participants and the local community at risk.

Falls into the canal are a matter of **public safety** and the risks of these occurring should be minimised.

I hope you will consider my objections justified. I would be happy to speak to you in person at a licensing committee meeting if this would be of use.

Kind regards,

██████████

██████████████████

Subject: FW: License Application Objection 083644

From: [Redacted]

Sent: 15 January 2017 22:31

To: Licensing <Licensing@Hackney.gov.uk>

Cc: [Redacted]

Subject: License Application Objection 083644

To whom it may concern,

We are writing to object to the following license application:

Applicant address:
By the bridge cafe
283a Kingsland Road
Hackney
London
E2 8AS
License no. [083644](#)
Application for the supply of alcohol and 'late night refreshment', made 22.12.16

We are local residents and object to this application on the grounds of public safety and public nuisance.

Public nuisance

The proposal suggests supply and consumption throughout the night. This is highly likely to cause significant noise pollution, in particular over the canal - where noise carries very easily. This is a heavily residential area, where quality of life would be significantly adversely affected by the proposed.
In addition, the area immediately adjacent is one that supports wildlife including nesting birds - which we believe could also be adversely affected in the granting of this license.

Public safety

This cafe is proximate to a public footpath down to the towpath. This ramped route is already a narrow and poorly lit route in which people loiter - often drinking & littering on the street, which causes public nuisance and makes for an unsafe area for pedestrians and local residents who do or would like to use this route.
Directly adjacent to this is a heavily residential area, whose access and safety is marred by above issues.
We believe that granting a license for the proposed extended hours of immediately local supply and 'late night refreshment' is likely to worsen the above issues by a significant margin and cause nuisance both to pedestrian and traffic public and local residents in respect of access.

Regards,

[Redacted signature]

--
[Redacted]

[Redacted]

From: [REDACTED]
Sent: 01 January 2017 16:32
To: Licensing
Subject: Late night licence application LA03

I have noted a sign outside of the Bridge Cafe on Kingsland Road, adjacent to Regents Canal Bridge in which there is an application for a alcohol license from midday to 0500 hours daily.

I wish to object to this on the grounds of the avoidance of public nuisance.

My objection is mainly in relation to the hours and would ask that any such permission is only given up to midnight and not beyond as i reside near these premises and would hope to avoid the area becoming as saturated as Hoxton, Shoreditch and Dalston (where we are stuck in the middle).

[REDACTED]
[REDACTED] Whitmore House
[REDACTED] Nuttall Street
London N1 [REDACTED]

[REDACTED]
[REDACTED]
[REDACTED]
[REDACTED]

From: [REDACTED]
Sent: 13 January 2017 21:35
To: Licensing
Subject: Support of Licence Application

Dear Sir/ Madam,

As a neighbouring resident to both the following applications I would like to make a representation in support of the following two license applications:

The Barge House
46a De Beauvoir Crescent
London
N1 5RY

By the Bridge Café
283a Kingsland Road
London
E2 8AS

I support the licence applications as regards:

• **The prevention of crime and disorder**

This applies to both applications, but particularly the Barge House. The canal-side towpath is poorly light and a crime hotspot. Part of the reason is poor lighting, but also that this particular stretch of canal is very secluded and largely shuts down (canal-side offices etc) in the evening – what little activity there is, is restricted to the indoors. Outdoor terraces, people on the canal, as is proposed in greater number by this application, will greatly assist in the prevention of crime and disorder such as the attacks and robberies that unfortunately occur along this stretch.

Likewise as regards By The Bridge Café, it occupies a pivotal location overlooking and adjacent to a very secluded and dark stretch of the canal, but also likewise on Kingland Road it occupies a stretch with significantly less activity than is found further north and south. The extension of the Café's opening hours will both assist in the prevention of crime and disorder through additional 'eyes on the street' and visible activity.

Kind regards,

[REDACTED]

[REDACTED] Reliance Wharf, Hertford Road, London N1 [REDACTED].

From: [REDACTED]
Sent: 15 January 2017 14:40
To: Licensing
Subject: Support of Licence Application

Dear Sir/ Madam,

As a neighbouring resident to both the following applications I would like to make a representation in support of the following two license applications:

The Barge House
46a De Beauvoir Crescent
London
N1 5RY

By the Bridge Café
283a Kingsland Road
London
E2 8AS

I support the licence applications as regards:

• **The prevention of crime and disorder**

This applies to both applications, but particularly the Barge House. The canal-side towpath is poorly light and a crime hotspot. Part of the reason is poor lighting, but also that this particular stretch of canal is very secluded and largely shuts down (canal-side offices etc) in the evening – what little activity there is, is restricted to the indoors. Outdoor terraces, people on the canal, as is proposed in greater number by this application, will greatly assist in the prevention of crime and disorder such as the attacks and robberies that unfortunately occur along this stretch.

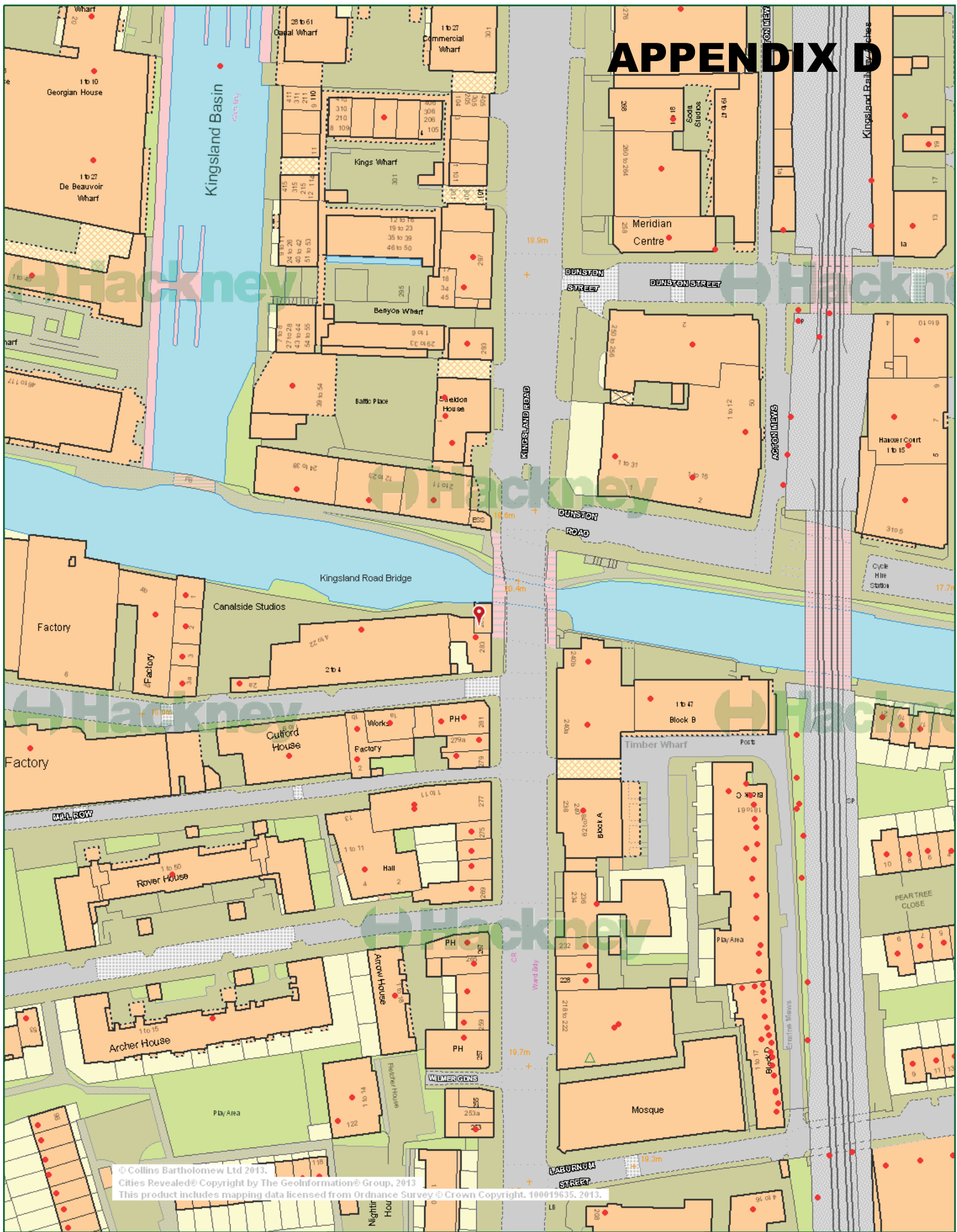
Likewise as regards By The Bridge Café, it occupies a pivotal location overlooking and adjacent to a very secluded and dark stretch of the canal, but also likewise on Kingsland Road it occupies a stretch with significantly less activity than is found further north and south. The extension of the Café's opening hours will both assist in the prevention of crime and disorder through additional 'eyes on the street' and visible activity.

Kind regards,

[REDACTED]

[REDACTED] Reliance Wharf, Hertford Road, London N1 [REDACTED]

APPENDIX D



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By the Bridge

Scale 1/1250

at A4



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