



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

Thursday, 20th April, 2017

at 7.00 pm

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

Councillors sitting:

**Cllr Sade Etti, Cllr Sharon Patrick (Substitute)
and Cllr James Peters (Substitute)**

TIM SHIELDS
Chief Executive

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

The press and public are welcome to attend this meeting

AGENDA

Thursday, 20th April, 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		
5 Licensing Sub-Committee Hearing Procedure		(Pages 1 - 2)
6 Application for a Premises Licence - Red Planet Pizza, 26 Kingsland Road, E2 8DA	Hoxton East & Shoreditch	(Pages 3 - 28)
7 Application for a Premises Licence- Tortilla, 16 Kingsland High Street E8 2JP	Dalston	(Pages 29 - 64)
8 Application for a Premises Licence - The Yard Shoreditch, Eighty nine and a half Worship Street, EC2A 2BF	Hoxton East & Shoreditch	(Pages 65 - 100)
9 Temporary Event Notices - Standing Item		

Licensing Sub-Committee Hearings

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

A Licensing Sub-Committee will be held if:

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

Prior to your item being heard:

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

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

Making decisions on the items being heard:

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

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

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

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

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

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

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

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

Before the meeting starts:

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

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

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

Attending the hearing that concerns you:

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

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

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

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

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

Timings

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

Rights of Press and Public to Report on Meetings

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

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

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

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

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

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

wishes of those who do not wish to be filmed and photographed may result in the Chair instructing them to cease recording or in their exclusion from the meeting.

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

Providing oral commentary during a meeting is not permitted.

Lobbying of Councillors

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

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

Reports

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

Appeals

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

Withdrawal of an Item or Cancellation of a Hearing

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

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

Facilities

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

Contacts

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

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

Telephone: 020 8356 3578
E-mail: governance@hackney.gov.uk

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

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

Telephone: 020 8356 4970
Fax: 020 8356 4974
E-mail: licensing@hackney.gov.uk

ADVICE TO MEMBERS ON DECLARING INTERESTS

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

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

- The Corporate Director of Legal, HR and Regulatory Services;
- The Legal Adviser to the committee; or
- Governance Services.

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

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

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

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

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

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

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

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

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

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

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

Further Information

Advice can be obtained from Yinka Owa, Director of Legal, on 020 8356 6234 or email Yinka.Owa@hackney.gov.uk



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Relevant Extracts from Hackney's Statement of Licensing Policy

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

LP1 Planning

Licence applications should normally be from premises where:

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

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

LP2 Provisional Statements

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

The application form for provisional statements is to include:

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

LP3 The Application Form and Operating Schedule (minimum requirements)

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

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

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

Note:

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

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

LP4 Crime and Disorder

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

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

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

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

LP5 Public Nuisance

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

For example, the application should where necessary:

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

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

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

avoid the obstruction of any public highway

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

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

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

NOTE:

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

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

LP6 The Protection of Children from Harm

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

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

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

- (b) Alcohol is not to be served to under 18s, except in the limited circumstances allowed for by the Licensing Act 2003. For example children aged between 16 and 18 are only permitted to consume beer, wine or cider on licensed premises if accompanied by an individual aged 18 or over and if eating a table meal (this excludes bar snacks). (This excludes venues holding a club premises certificate where over 18s only are allowed alcohol.)
- (c) Where relevant representations have been made, the Council will not normally permit children to be admitted where:
 - (i) Entertainment of an adult or sexual nature is commonly provided
 - (ii) There have been convictions for serving alcohol to under 18s
 - (iii) Certain gambling activities take place (see Council guidance note)
 - (iv) There have been convictions of harbouring drug dealings or the premises has a known association with drug dealers

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

- (d) Where limiting access to children is considered necessary, the Council will consider the following options:
 - (i) A limit on the hours when children may be present
 - (ii) An age limitation (for under 18s)
 - (iii) A limitation or exclusion when certain activities are taking place
 - (iv) A requirement for children to be accompanied by an adult
 - (v) Access may be limited to certain parts of the premises
- (e) No conditions will be imposed requiring that children be admitted to any premises and, where no limitation is imposed, this will be left to the discretion of the individual licensee
- (f) Events provided primarily for children will not be permitted to sell alcohol on or from the premises
- (g) Where internet access is provided measures may be put in place to ensure children are suitably supervised in those areas.

LP7 Access to Cinemas, Theatres, Auditoriums and similar premises

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

LP8 Public Safety

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

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

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

LP9 Premises Safety

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

LP10 Personal Licences

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

LP11 Temporary Event Notices

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

temporary events linked to the organiser and/or the premises

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

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

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

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

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

LP12 Licensing Hours

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

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

undue disturbance to local residents.

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

LP13 Special Policy Area – Shoreditch

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

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

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

LP14 Special Policy Area – Dalston

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

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

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

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

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

[✓ = yes * = no]

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

LP15 Cumulative Impact – General

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

LP16 The Olympic and Paralympic Games 2012

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

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

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

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Agenda Item 5

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

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

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

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REPORT OF GROUP DIRECTOR, NEIGHBOURHOODS AND HOUSING		
LICENSING SUB-COMMITTEE: 20/04/2017	Classification DECISION	Enclosure
Application for a Premises Licence Red Planet Pizza, 26 Kingsland Road, E2 8DA	Ward(s) affected Hoxton East & Shoreditch	

1. SUMMARY

Applicant(s) Sonia Alam	In SPA: Shoreditch Area
Date of Application 27/02/2017	Period of Application Permanent
Proposed licensable activity Late Night Refreshment	
Proposed hours of licensable activities	
Late Night Refreshment	Standard Hours: Mon 23:00-23:59 Tue 23:00-23:59 Wed 23:00-02:59 Thu 23:00-02:59 Fri 23:00-03:59 Sat 23:00-03:59 Sun 23:00-23:59
The opening hours of the premises	
	Standard Hours: Mon 11:00-23:59 Tue 11:00-23:59 Wed 11:00-02:59 Thu 11:00-02:59 Fri 11:00-03:59 Sat 11:00-03:59 Sun 11:00-23:59
Capacity: Not known	
Policies Applicable	LP3 (Operating Schedule), LP4 (Crime and Disorder), LP5 (Public Nuisance, LP8 (Public Safety), LP13 (Special Policy Area - Shoreditch)

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"> • Environmental Health Authority (Environmental Protection and Environmental Enforcement) • Police • Licensing Authority • Other Persons

2. APPLICATION

- 2.1 Sonia Alam has made an application for a premises licence under the Licensing Act 2003:
- Late night refreshment
- 2.2 The application is attached as Appendix A. The applicant has not proposed any conditions.

3. CURRENT STATUS / HISTORY

- 3.1 The premises are not currently licensed for any activity. A previous premises licence was revoked by the Licensing Sub-committee on July 2016 following a review application by the Police.

4. REPRESENTATIONS: RESPONSIBLE AUTHORITIES

From	Details
Environmental Health Authority (Environmental Protection)	No representation received
Environmental Health Authority (Environmental Enforcement) (Appendix B1)	Representation received on the grounds of the prevention of public nuisance and public safety
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 B2)	Representation received on the grounds of The Prevention of Crime and Disorder, Prevention of Public Nuisance, Licensing Hours and Special Policy Area.

Licensing Authority (Appendix B3)	Representation received on the grounds of The Prevention of Crime and Disorder, Prevention of Public Nuisance, Licensing Hours and Special Policy Area.
Health Authority	Have confirmed no representation on this application

5. REPRESENTATIONS: OTHER PERSONS

From	Details
Representation received from a local resident. (Appendix C)	Representation received on the grounds of The Prevention of Crime and Disorder, Public Safety and 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 LP13 (Special Policy Area) 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:

None.

9. REASONS FOR OFFICER OBSERVATIONS

No conditions have been proposed by applicant or responsible authorities.

10. LEGAL COMMENTS

- 10.1 The Council has a duty as a Licensing Authority under the Licensing Act 2003 to carry out its functions with a view to promoting the following 4 licensing objectives;
- The Prevention of Crime and Disorder
 - Public Safety
 - Prevention of Public Nuisance
 - The Protection of Children from Harm

10.2 It should be noted that each of the licensing objectives have equal importance and are the only grounds upon which a relevant representation can be made and for which an application can be refused or terms and conditions attached to a licence.

11. HUMAN RIGHTS ACT 1998 IMPLICATIONS

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

12. MEMBERS DECISION MAKING

- A. **Option 1**
That the application be refused
- B. **Option 2**
That the application be approved, together with any conditions or restrictions which Members consider necessary for the promotion of the Licensing objectives.

13. CONCLUSION

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

Group Director, Neighbourhoods and Housing	Kim Wright
Lead Officer (holder of original copy):	Shan Uthayasangar Licensing Officer Licensing Service 2 Hillman Street E8 1FB Telephone: 020 8356 2431

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: Red Planet Pizza, 26 Kingsland Road, E2 8DA	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 SONIA ALAM

(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 RED PLANET PIZZA RED PLANET PIZZA 26 KINGSLAND ROAD HACKNEY LONDON			
Post town	LONDON	Post code	E2 8DA

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

Part 2 - Applicant Details

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

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

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

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

Please tick yes

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

(A) INDIVIDUAL APPLICANTS (fill in as applicable)

Title Mrs			
Surname Sonia Alam		First names Sonia	
I am 18 years old or over Yes <input checked="" 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) [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 [REDACTED]
Address [REDACTED] [REDACTED] UK-England
Registered number (where applicable) [REDACTED]
Description of applicant (for example, partnership, company, unincorporated association) [REDACTED]
Telephone number (if any) [REDACTED]
E-mail address (optional) [REDACTED]

Part 3 Operating Schedule

When do you want the premises licence to start?	28-02-2017
-------------------------------------------------	------------

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

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

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

4

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

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

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

Complete boxes K, L and M (optional)

A

Plays Standard days and timings (please read guidance note 6)	<u>Will the performance of a play take place indoors or outdoors or both – please tick</u> (please read guidance note 2)	Indoors	
		Outdoors	

Late night refreshment Standard days and timings (please read guidance note 6)			Will the provision of late night refreshment take place indoors or outdoors or both – please tick (please read guidance note 2)	Indoors	<input checked="" type="checkbox"/>
				Outdoors	<input type="checkbox"/>
				Both	<input type="checkbox"/>
Day	Start	Finish			
Mon	23:00	23:59	<u>Please give further details here</u> (please read guidance note 3)		
Tue	23:00	23:59			
Wed	23:00	02:59	<u>State any seasonal variations for the provision of late night refreshment</u> (please read guidance note 4)		
Thur	23:00	02:59			
Fri	23:00	03:59	<u>Non standard timings. Where you intend to use the premises for the provision of late night refreshment at different times, to those listed in the column on the left, please list</u> (please read guidance note 5)		
Sat	23:00	03:59			
Sun	22:00	23:59			

Supply of alcohol Standard days and timings (please read guidance note 6)			Will the supply of alcohol be for <u>consumption (Please tick box)</u> (please read guidance note 7)	On the premises	
				Off the premises	
Day	Start	Finish		Both	
Mon			State any seasonal variations for the supply of alcohol (please read guidance note 4)		
Tue					
			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)		
Wed					
Thur					
Fri					
Sat					
Sun					

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

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

K

Please highlight any adult entertainment or services, activities, other entertainment or matters ancillary to the use of the premises that may give rise to concern in respect of children (please read guidance note 8).
THERE IS NOT ANY ENTERTAINMENT OR ANY ALCOHOL ACTIVITIES. ONLY HOT FOOD SUCH PIZZA, BURGER AND CHINESE FOOD

L

Hours premises are open to the public Standard timings (please read guidance note 6)			State any seasonal variations (please read guidance note 4)
Day	Start	Finish	
Mon	11:00	23:59	
Tue	11:00	23:59	
Wed	11:00	02:59	
Thur	11:00	02:59	
			<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)

Fri	11:00	03:59	
Sat	11:00	03:59	
Sun	11:00	23:59	

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)

b) The prevention of crime and disorder

SINCE WE HAVE BEEN HERE, WE NEVER BEEN INVOLVE WITH ANY CRIME OR ANY ILLEGAL ACTIVITIES .

c) Public safety

WE DO CARE PUBLIC SAFETY. HERE IS NOTHING DANGEROUS.

d) The prevention of public nuisance

ITS JUST A SMALL SITTING AREA WHERE CAN BE GATHERED MAX 5 TO 8 PEOPLE AT A TIME. AND WE DON'T SELL ANY ALCOHOL AS WELL ONLY HOT FOOD.

e) The protection of children from harm

THERE IS NOTHING HARM TO CHILDREN

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	SONIA ALAM
Date	27/2/2017
Capacity	DIRECTOR

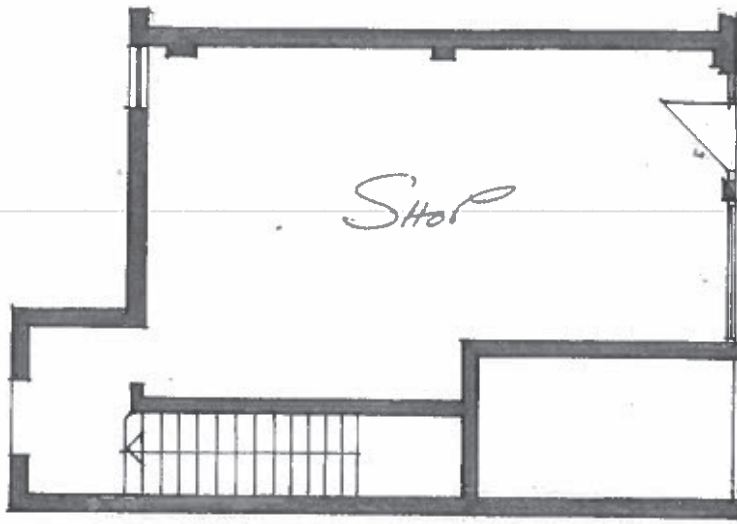
For joint applications, signature of 2nd applicant or 2nd applicant's solicitor or other authorised agent (please read guidance note 12). **If signing on behalf of the applicant, please state in what capacity.**

Signature	
Date	27/2/2017
Capacity	

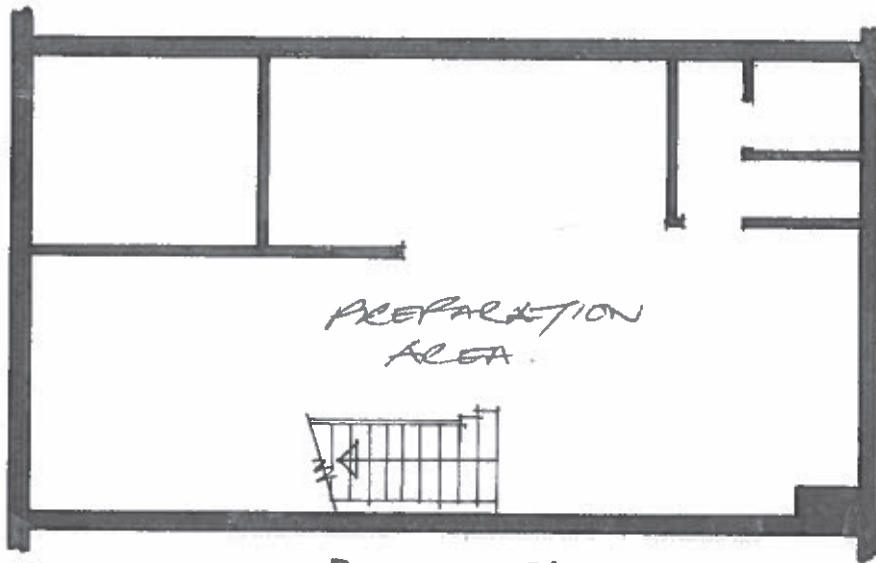
<p>Contact name (where not previously given) and postal address for correspondence associated with this application (please read guidance note 13) Applicant address</p>			
UK-England			
Post town		Postcode	
Telephone number (if any)			
If you would prefer us to correspond with you by e-mail, your e-mail 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.



Ground Floor Plan



Basement Plan

 <p>david silverman architectural consultant 70 woodland drive, watford, herts wd17 3bz mobile: 07941 306 146</p>	
<p>SITE</p> <p>26 Kingsland Road</p> <p>London E2 8DA</p>	
<p>CLIENT</p>	
<p>DETAIL</p>	
<p>DATE</p>	<p>DRAWING NUMBER</p>
<p>SCALE 1:100</p>	<p>16/259/1</p>
<p>DRAWN BY</p>	

APPENDIX B1

RESPONSIBLE AUTHORITY REPRESENTATION: APPLICATION UNDER THE LICENSING ACT 2003

RESPONSIBLE AUTHORITY DETAILS

NAME OF AUTHORITY	Environmental Health (Environmental Enforcement)
ADDRESS OF AUTHORITY	4 th Floor, Hackney Service Centre, 1 Hillman Street, London E8 1DY
CONTACT NAME	Jacey Frewin
TELEPHONE NUMBER	0208 356 4567
E-MAIL ADDRESS	Jacey.frewin@hackney.gov.uk

APPLICATION PREMISES

NAME & ADDRESS OF PREMISES	Red Planet Pizza 26 Kingsland Road London E2 8DA
NAME OF PREMISES USER	Tastebite Group Limited

COMMENTS

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

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

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

ENVIRONMENTAL LICENCE CONDITIONS IN RESPECT OF

Red Planet Pizza, 26 Kingsland Road, E2 8DA

The business is located in Kingsland Road which is an area where waste is not allowed to be stored on the public highway for any length of time. Businesses have a legal requirement to ensure that they have adequate arrangements in place for the storage and disposal of waste generated by the business. Also there should be measures put in place to prevent littering to the detriment of the area.

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

Information and Evidence – we have received complaints in the past regarding littering and build-up of waste in the area, There is a pending prosecution against the previous owners of this business for the illegal deposit of waste on the public highway, and we do not believe that the current waste contract in place for the business is sufficient for the amount of waste they are producing. There have been instances in the past where Enforcement Officers have found evidence of the illegal disposal of waste from this business.

Experience has also shown that there is the probability that there will be cigarette litter outside these premises due to the smoking ban.

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

Applicant should contact Jacey Frewin by phone or email, to discuss some conditions which could allay our concerns.

Signed jacey.frewin@hackney.gov.uk

Name Jacey Frewin

**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	Red Planet Pizza 26 Kingsland Road London E2 8DA
NAME OF PREMISES USER	Red Planet Pizza

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 to for a new Premises Licence at RED PLANET PIZZA, 26 KINGSLAND ROAD, LONDON, E2 for the following reason(s):

Red Planet Pizza is located within the Shoreditch Special Policy Area. This area is already saturated with licensed premises. LBH's Statement of licensing policy states that 'where a relevant representation is made to any application within the area of Shoreditch SPA, the application will be refused unless there are exceptional circumstances. This policy is to be strictly applied. Police would like to ask the applicant what the 'exceptional circumstances' are in this case?

Shoreditch has an extremely high footfall, especially at weekend, where tens of thousands of people come to eat and drink. Police deal with countless incidents of drunkenness, ASB (urination, vomiting, fighting), crime and disorder every night and another venue on this incredibly busy street will undoubtedly add to this.

Police are familiar with this particular venue as police reviewed the licence when the licence holders consistently breached their conditions, were the subject of various visits from Immigration Officers and stayed open beyond their specified opening hours. This process resulted in the premises licence being revoked.

This premises is located in one of the busiest spots in Shoreditch as there is a long bank of licensed bars surrounding it. During the early hours of the morning I have observed on numerous occasions as members of the public have had to step into the road to pass the crowds loitering on the pavements. There is a very busy bus lane directly outside, which has seen many near misses. People naturally loiter outside and around a hot food establishment during the early hours of the morning waiting for friends or deciding what to do/go instead of moving on and finding transport home or another destination.

Is the applicant aware that their premises is within a Special Policy Area? This application seeks a licence to be open very late. Police cannot support this application.

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)

B3

RESPONSIBLE AUTHORITY REPRESENTATION: APPLICATION UNDER THE LICENSING ACT 2003

RESPONSIBLE AUTHORITY DETAILS

NAME OF AUTHORITY	Licensing Authority
ADDRESS OF AUTHORITY	Licensing Service 2 Hillman St London E8 1FB
CONTACT NAME	David Tuitt
TELEPHONE NUMBER	020 8356 4942
E-MAIL ADDRESS	david.tuitt@hackney.gov.uk

APPLICATION PREMISES

NAME & ADDRESS OF PREMISES	Red Planet Pizza 26 Kingsland Road E2 8DA
NAME OF APPLICANT	Sonia Alam

COMMENTS

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

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

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

The premises is located in the Shoreditch Special Policy Area (SPA) therefore Policy LP13 applies. This area has been identified as suffering from negative cumulative impact as a result of the high concentration of licensed premises in the area. And as part of a review of the Council's Statement of Licensing Policy a study was carried out by the Council's Corporate Policy Team to look at the impact of the night time economy in the locality. This study was used to formulate the report which was presented to the Licensing Committee on 25th March 2015. The study made a number of findings, however the following are particularly notable:

- 342 premises were granted across Hackney between 1st January 2011 and 31st December 2014.
- 33% of all current licences granted between 1st January 2011 and 31st December 2014 were in the Special Policy Area and the wider Shoreditch area.
- Shoreditch contained 28% of the alcohol licences in Hackney.
- Where areas containing the top 50% of crimes [robbery, violence and thefts] have been singled out, the pattern of crime also appears to follow the trajectory of commercial premises locations.
- Figures from the London Ambulance Service show that between 2011 and 2014, 15% of alcohol related ambulance call outs were in the Hoxton East and Shoreditch ward, a trend which is increasing.

LP13 of the Council's Statement of Licensing Policy states the following:

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.**

It is noted that the proposed hours are well in excess of the hours authorised by a premises licence that was revoked by the Licensing Sub-Committee on 7 July 2016 following a review application by the Police. See:

<http://mginternet.hackney.gov.uk/ieListDocuments.aspx?CId=267&MId=3670>.

It is also noted that no exceptional circumstances have been offered by the applicant as to why there should be a diversion from the policy as set out above.

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

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

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

N/A

Name: David Tuitt (Licensing Officer)

Date: 27/03/2017

3. Prevention of Public Nuisance

- (a) The premises is already open from 11am until 12am (midnight) every day of the week. The extension of hours requested will create a magnet for persons leaving late night drinking establishments who are often intoxicated. I believe it will be impossible for the applicant to ensure peace and quiet for residents of the building and neighbouring buildings. By its very nature the operations of the business will create a noise nuisance late at night which far outweighs any service to the public offered by an extended license. As stated above, the clients of this business during the late licensing hours requested will more likely than not be intoxicated. This I believe also makes it more likely that they will cause excess noise, litter, confrontation, altercations and other nuisance which will adversely affect the residents of the building and its neighbours.
- (b) The applicant has recently changed the nature of the business from a Pizza parlor to a purveyor of all types of deep fried and fried foods. This has already resulted in nuisance to the building through the installation of an addition to the extraction venting which was carried out with no notice to the other tenants of the building. Presently, it is almost impossible to sleep until the venting system is shut down at midnight. An extension of hours would make this problem intolerable. In summer opening the front windows is out of the question due to noise from the applicant's clientele loitering outside. Opening the rear windows is similarly a problem due to noise and vibration from the applicant's venting system.
- (c) I would respectfully ask that this licensing application for a late license be denied.

For all of the reasons stated above I would respectfully ask that this licensing application for a late license be denied.

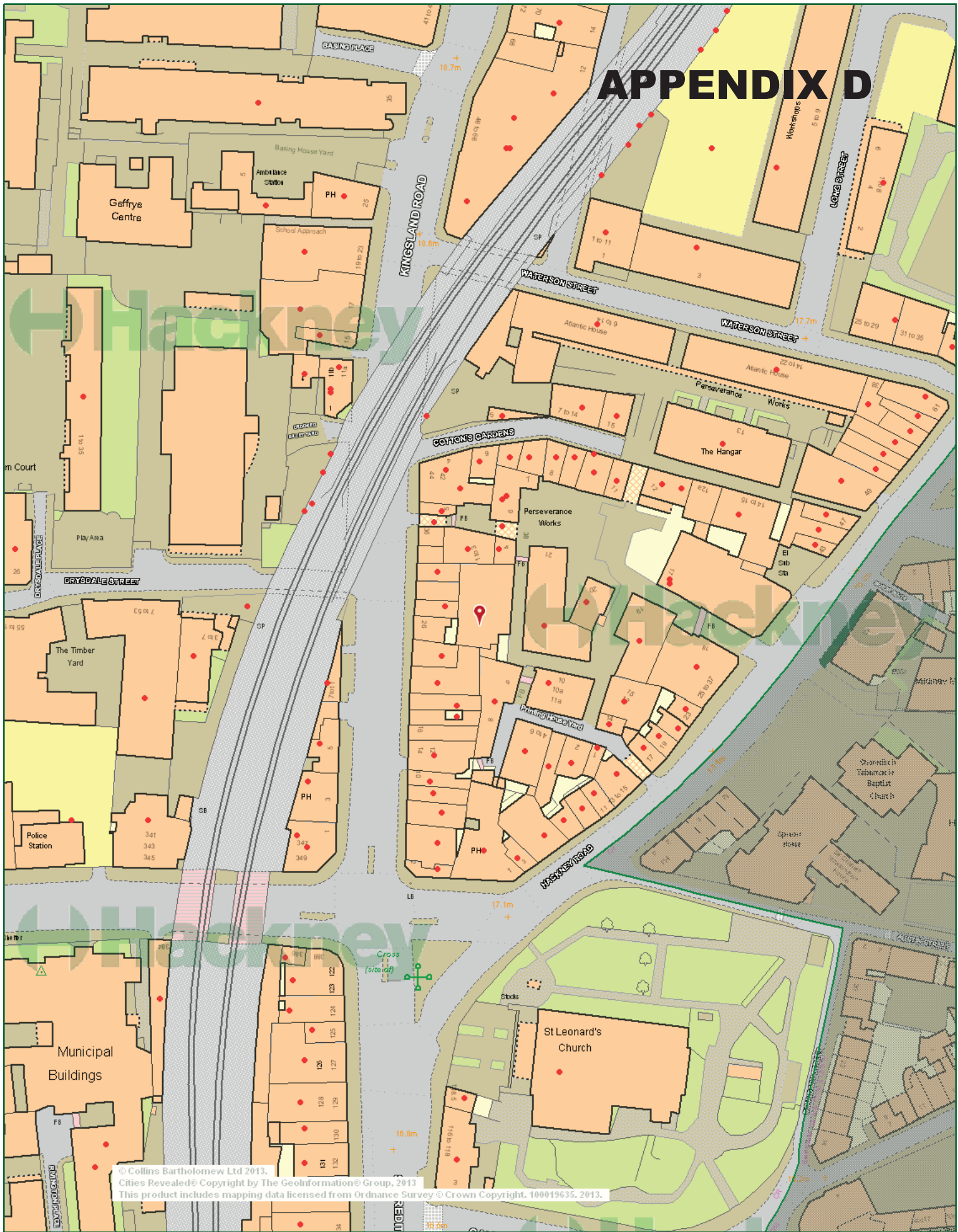
I would be more than happy to discuss these issues in person with the Licensing Service and again respectfully request that this late license application be rejected.

Yours faithfully,

[Redacted signature block]

20.03.2017

APPENDIX D



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Red Planet Pizza

Scale 1/1250 at A4





REPORT OF GROUP DIRECTOR, NEIGHBOURHOODS AND HOUSING		
LICENSING SUB-COMMITTEE: 20/04/2017	Classification DECISION	Enclosure
Application for a Premises Licence Tortilla, 16 Kingsland High Street E8 2JP	Ward(s) affected Dalston	

1. SUMMARY

Applicant(s) Mexican Grill Limited	In SPA Dalston Area
Date of Application 27/02/2017	Period of Application Permanent
Proposed licensable activity Late Night Refreshment Supply of Alcohol (On and Off Premises)	
Proposed hours of licensable activities	
Late Night Refreshment BOTH:	Standard Hours: Mon 23:00-23:30 Tue 23:00-23:30 Wed 23:00-23:30 Thu 23:00-23:30 Fri 23:00-00:00 Sat 23:00-00:00
Supply of Alcohol INDOOR:	Standard Hours: Mon 10:00-23:00 Tue 10:00-23:00 Wed 10:00-23:00 Thu 10:00-23:00 Fri 10:00-23:30 Sat 10:00-23:30 Sun 10:00-22:00
The opening hours of the premises	
INDOOR	Standard Hours: Mon 08:00-23:30 Tue 08:00-23:30 Wed 08:00-23:30 Thu 08:00-23:30 Fri 08:00-00:00 Sat 08:00-00:00 Sun 08:00-22:30

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

2. APPLICATION

- 2.1 **Mexican Grill Limited** has made an application for a premises licence under the Licensing Act 2003:
- To authorise the supply alcohol for consumption on and off the premises
 - To provide 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)	Representation received on the grounds of the prevention of public nuisance
Environmental Health Authority (Environmental Enforcement) (Appendix B1)	Representation received on the grounds of the prevention of public nuisance
Environmental Health Authority (Health & Safety)	Have confirmed no representation on this application
Weights and Measures (Trading Standards)	Have confirmed no representation on this application
Planning Authority	No representation received
Area Child Protection Officer	No representation received
Fire Authority	Have confirmed no representation on this application

Police (Appendix B2)	Representation received on the grounds of Prevention of Crime and Disorder, Prevention of Public Nuisance and Special Policy Area
Licensing Authority (Appendix B3)	Representation received on the grounds of Prevention of Crime and Disorder, Prevention of Public Nuisance and Special Policy Area
Health Authority	No representation received

5. REPRESENTATIONS: OTHER PERSONS

From	Details
1 representation received from and on behalf of local residents. (Appendix C)	Representation received on the grounds of The Prevention of Crime and Disorder, Public Safety, Prevention of Public Nuisance, The Protection of Children from Harm and Special Policy Area

6. GUIDANCE CONSIDERATIONS

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

7. POLICY CONSIDERATIONS

- 7.1 Licensing Sub-Committee is required to have regard to the London Borough of Hackney's Statement of Licensing Policy ("the Policy") adopted by the Licensing Authority.
- 7.2 The Policy applies to applications where relevant representations have been made. With regard to this application, policies LP3 (Operating Schedule), LP4 (Crime and Disorder), LP5 (Public Nuisance), LP6 (Protection of Children from Harm), LP8 (Public Safety) and LP14 (Special Policy Area - Dalston) are relevant

8. OFFICER OBSERVATIONS

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

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. Alcohol shall not be consumed on the premises otherwise than to persons who are taking a substantial table meal and that the consumption of alcohol by such persons is ancillary to taking such meals.

9. The supply of alcohol for consumption off the premises shall only be sold in sealed containers to customers purchasing a substantial takeaway meal.

10. The premises shall install and maintain a comprehensive CCTV system as per the minimum requirements of a Metropolitan Police Crime Prevention

Officer. All entry and exit points will be covered enabling frontal identification of every person entering in any light condition. The CCTV system shall continually record whilst the premises is open for licensable activities and during all times when customers remain on the premises. All recordings shall be stored for a minimum period of 31 days with date and time stamping. Viewing of recordings shall be made available immediately upon the request of Police or authorised officer throughout the preceding 31 day period.

11. 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 is open. This staff member must be able to provide a Police or authorised council officer copies of recent CCTV images or data with the absolute minimum of delay when requested.

12. The premises shall install and maintain a comprehensive CCTV system as per the minimum requirements of a Metropolitan Police Crime Prevention Officer. All public areas and all entry and exit points will be covered enabling frontal identification of every person entering in any light condition. The CCTV system shall continually record whilst the premises is open for licensable activities and during all times when customers remain on the premises. All recordings shall be stored for a minimum period of 31 days with date and time stamping. Recordings shall be made available immediately upon the request of Police or authorised officer throughout the preceding 31- day period.

13. Any staff member from the premises who is conversant with the operation of the CCTV system shall be on the premises at all times when the premises are open to the public. This staff member must be able to show a Police or authorised council officer recent data or footage upon request.

14. A Challenge 25 proof of age scheme shall be operated at the premises where the only acceptable forms of identification are recognised photographic identification cards, such as driving licence or passport.

15. An incident log shall be kept at the premises, and made available on request to an authorised officer of the council or the police, which will record the following.

- a. All crimes reported:
- b. Any complaints received.
- c. Any ejections
- d. Any incidents of disorder.
- e. Seizure of drugs or offensive weapons.
- f. Any faults in the CCTV system
- g. Any refusal of the sale of alcohol.
- h. Any visit by a relevant authority or emergency service.

16. All staff will be given refresher training every twelve months on the legislation relating to the sales of alcohol to underage persons and drunken persons. Written or electronic records shall be kept and produced to police or an authorised officer upon request.

17. The licence holder shall maintain a dedicated telephone number of the Designated Premises Supervisor for use by any Responsible Authority or any

person who may wish to make a complaint. This contact number shall be provided to licensing authority, police and to any local residents upon request.

18. There shall be no drink, glass or open containers taken outside the premises at any time.

19. The Licensee shall ensure that all staff are fully trained and made aware of the legal requirement of businesses to comply with their duty of care as regards the disposal of waste produced from the business premises. The procedure for handling and preparing for disposal of the waste shall be in writing and displayed in a prominent place where it can be referred to at all times by staff.

20. The Licensee shall ensure that any contract for general and recyclable waste disposal shall be appropriate in size to the amount of waste produced by the business. The Licensee shall maintain an adequate supply of waste receptacles provided by his registered waste carrier (refuse sacks or commercial waste bins) in order to ensure all refuse emanating from the business is always presented for collection by his waste carrier and shall not use any plain black or unidentifiable refuse sacks or any other unidentifiable or unmarked waste receptacles.

21. The Licensee's premises are situated in an area within which refuse may only be left on the public highway at certain times (time bands). If the Licensee's waste carrier cannot or does not comply by collecting the refuse within an hour after the close of any time band imposed by the waste authority, the Licensee must remove the refuse from the public highway and/or keep it within the premises until such time as his/her waste carrier arrives to collect the refuse.

22. The Licensee shall erect a sign asking customers to refrain from littering the public highway outside the premises and will also instruct member of staff to make regular checks of the area immediately outside and within 10 metres either side of the premises and remove any litter, bottles and glasses emanating from the premises. A final check should be made at close of business.

23. The Licensee shall provide a safe receptacle for cigarette ends to be placed outside for the use of customers, such receptacle being carefully placed so as not to cause an obstruction or trip.

24. Notices must be prominently displayed at the exits reminding patrons to depart in an orderly manner.

Conditions derived from Responsible Authority representations

25. The premises shall maintain a comprehensive CCTV system as per the minimum requirements of a Metropolitan Police Crime Prevention Officer. All public areas, entry and exit points will be covered enabling frontal identification of every person entering in any light condition. The CCTV system shall continually record whilst the premises is open for licensable activities and during all times when customers remain on the premises. All recordings shall be stored for a minimum period of 31 days with date and time

stamping. Recordings shall be made available immediately upon the request of Police or authorised officer.

26. A staff member from the premises who is conversant with the operation of the CCTV system shall be on the premises at all times when the premises are open to the public. This staff member shall be able to show Police or an authorised officer of Hackney Borough Council recent data or footage with the absolute minimum of delay when requested.

27. An incident log shall be kept at the premises, and made available immediately to an authorised officer of the Hackney Borough Council or the Police, which will record the following:

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

28. 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.

29. Where the sale or supply of alcohol is taking place employees of the premises must request sight of evidence of the age of any person appearing to be under 25 years of age (Challenge 25). Such evidence may include a driving licence or passport.

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

31. The premises will display and maintain appropriate signage advising customers of the contact details of the Designated Premises Supervisor or duty manager.

32. There shall be prominent signage requesting customers to leave the premises quietly and respect local residents.

33. All staff will be given refresher training every twelve months on the legislation relating to the sales of alcohol to underage persons and drunken persons. Written records of this training shall be kept on the premises and produced to police or other authorised officer upon request.

34. Intoxicating liquor shall not be sold, supplied or consumed otherwise than to persons who 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.

35. The premises shall adhere to Hackney Police Theft, Weapons and Drugs Policies and any updates thereof.

36. Any music played at the venue shall be at background level only, allowing a face to face conversation at normal speech level.

37. There shall be SIA registered door supervisors employed at the premises on a risk assessment basis with identity badges displayed at all times. All door supervisors will enter their full details in a register at the commencement of their work. They shall record their full name, home address and contact telephone number, their SIA registration number and the time they commence and conclude working. If the door supervisor was supplied by an agency, the name, business address and contact details of that agency shall also be recorded.

38. The Licensee shall ensure that all staff are fully trained and made aware of the legal requirement of businesses to comply with their duty of care as regards the disposal of waste produced from the business premises. The procedure for handling and preparing for disposal of the waste shall be in writing and displayed in a prominent place where it can be referred to at all times by staff.

39. The Licensee shall ensure that any contract for general and recyclable waste disposal shall be appropriate in size to the amount of waste produced by the business. The Licensee shall maintain an adequate supply of waste receptacles provided by his registered waste carrier (refuse sacks or commercial waste bins) in order to ensure all refuse emanating from the business is always presented for collection by his waste carrier and shall not use any plain black or unidentifiable refuse sacks or any other unidentifiable or unmarked waste receptacles.

40. The Licensee's premises are situated in an area within which refuse may only be left on the public highway at certain times (time bands). If the Licensee's waste carrier cannot or does not comply by collecting the refuse within an hour after the close of any time band imposed by the waste authority, the Licensee must remove the refuse from the public highway and/or keep it within the premises until such time as his/her waste carrier arrives to collect the refuse.

41. The Licensee shall erect a sign asking customers to refrain from littering the public highway outside the premises and will also instruct member of staff to make regular checks of the area immediately outside and within 10 metres either side of the premises and remove any litter, bottles and glasses emanating from the premises. A final check should be made at close of business.

42. The Licensee shall provide a safe receptacle for cigarette ends to be placed outside for the use of customers, such receptacle being carefully placed so as not to cause an obstruction or trip.

43. The current trade waste agreement/duty of care waste transfer document shall be conspicuously displayed and maintained in the window of the premises where it can be conveniently seen. This should remain unobstructed at all times and should clearly identify:-

- the name of the registered waste carrier
- the date of commencement of trade waste contract
- the date of expiry of trade waste contract

- the days and times of collection
- the type of waste including the European Waste Code

9. REASONS FOR OFFICER OBSERVATIONS

- 9.1 Conditions 8 to 24 above are derived from the applicant's operating schedule. Conditions 25 to 37 have been proposed by the Police and 38 to 43 by Environmental Enforcement.

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 individual's 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
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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: Tortilla, 16 Kingsland High Street, Hackney, London, E8 2JP	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 Mr Mexican Grill Limited

(Insert name(s) of applicant)

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

Part 1 – Premises Details

Postal address of premises or, if none, ordnance survey map reference or description			
Tortilla			
16 KINGSLAND HIGH STREET HACKNEY LONDON			
Post town	LONDON	Post code	E8 2JP

Telephone number at premises (if any)	tbc
Non-domestic rateable value of premises	£not currently rated (construction)

Part 2 - Applicant Details

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

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

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

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

Please tick yes

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

(A) INDIVIDUAL APPLICANTS (fill in as applicable)

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

SECOND INDIVIDUAL APPLICANT (if applicable)

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

E-mail address (optional)	
-------------------------------------	--

(B) OTHER APPLICANTS

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

Name Mexican Grill Limited
Address 142 - 144 NEW CAVENDISH STREET LONDON W1W 6YF UK-England
Registered number (where applicable) 05553988
Description of applicant (for example, partnership, company, unincorporated association) private limited company
Telephone number (if any) [REDACTED]
E-mail address (optional) [REDACTED]

Part 3 Operating Schedule

When do you want the premises licence to start?	28-03-2017
-------------------------------------------------	------------

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

<p>Please give a general description of the premises (please read guidance note 1)</p> <p>Speciality Mexican food premises</p>

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

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	
				Outdoors	
				Both	<input checked="" type="checkbox"/>
Day	Start	Finish	<u>Please give further details here</u> (please read guidance note 3) The provision of hot food and drink.		
Mon	23:00	23:30			
			<u>State any seasonal variations for the provision of late night refreshment</u> (please read guidance note 4)		
Tue	23:00	23:30			
			<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)		
Wed	23:00	23:30			
Thur	23:00	23:30			
Fri	23:00	00:00			
Sat	23:00	00:00			
Sun					

J

Supply of alcohol Standard days and timings (please read guidance note 6)			Will the supply of alcohol be for consumption (Please tick box) (please read guidance note 7)	On the premises				
				Off the premises				
				Both	<input checked="" type="checkbox"/>			
Day	Start	Finish	State any seasonal variations for the supply of alcohol (please read guidance note 4)					
Mon	10:00	23:00						
Tue	10:00	23:00						
Wed	10:00	23:00						
Thur	10:00	23:00				Non standard timings. Where you intend to use the premises for the supply of alcohol at different times to those listed in the column on the left, please list (please read guidance note 5)		
Fri	10:00	23:30						
Sat	10:00	23:30						
Sun	10:00	22:00						

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

Name : Mr McCarthyEoin	
Address c/o (for private address see consent form) [REDACTED] LONDON UK-England	
Postcode	[REDACTED]
Personal licence number (if known) [REDACTED]	
Issuing licensing authority (if known) [REDACTED]	

K

Please highlight any adult entertainment or services, activities, other entertainment or matters ancillary to the use of the premises that may give rise to concern in respect of children (please read guidance note 8).

n/a

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	23:30	
Tue	08:00	23:30	
Wed	08:00	23:30	<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	23:30	

Fri	08:00	00:00	
Sat	08:00	00:00	
Sun	08:00	22:30	

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

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

The applicant is an experienced and responsible operator with 33 existing Mexican food premises known as 'Tortilla'.

All sales of alcohol will be ancillary to meals and there will be no regulated entertainment.

Please see attached proposed conditions to ensure the promotion of all four licensing objectives.

b) The prevention of crime and disorder

Please refer to box a) above

c) Public safety

Please refer to box a) above

d) The prevention of public nuisance

Please refer to box a) above

e) The protection of children from harm

Please refer to box a) above

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	Thomas & Thomas Partners LLP
Date	27/2/2017
Capacity	Solicitors on behalf of 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	27/2/2017
Capacity	

Contact name (where not previously given) and postal address for correspondence associated with this application (please read guidance note 13)			
Thomas & Thomas Partners LLP			
38a MONMOUTH STREET			
UK-England			
Post town	LONDON	Postcode	WC2H 9EP
Telephone number (if any)	[REDACTED]		
If you would prefer us to correspond with you by e-mail, your e-mail address (optional)			
[REDACTED]			

Notes for Guidance

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

Application for Premises Licence
Tortilla
16 Kingsland High Street, London E8 2JP

Proposed Conditions

1. Alcohol shall not be consumed on the premises otherwise than to persons who are taking a substantial table meal and that the consumption of alcohol by such persons is ancillary to taking such meals.
2. The supply of alcohol for consumption off the premises shall only be sold in sealed containers to customers purchasing a substantial takeaway meal.
3. The premises shall install and maintain a comprehensive CCTV system as per the minimum requirements of a Metropolitan Police Crime Prevention Officer. All entry and exit points will be covered enabling frontal identification of every person entering in any light condition. The CCTV system shall continually record whilst the premises is open for licensable activities and during all times when customers remain on the premises. All recordings shall be stored for a minimum period of 31 days with date and time stamping. Viewing of recordings shall be made available immediately upon the request of Police or authorised officer throughout the preceding 31 day period.
4. 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 is open. This staff member must be able to provide a Police or authorised council officer copies of recent CCTV images or data with the absolute minimum of delay when requested.
5. The premises shall install and maintain a comprehensive CCTV system as per the minimum requirements of a Metropolitan Police Crime Prevention Officer. All public areas and all entry and exit points will be covered enabling frontal identification of every person entering in any light condition. The CCTV system shall continually record whilst the premises is open for licensable activities and during all times when customers remain on the premises. All recordings shall be stored for a minimum period of 31 days with date and time stamping. Recordings shall be made available immediately upon the request of Police or authorised officer throughout the preceding 31-day period.
6. Any staff member from the premises who is conversant with the operation of the CCTV system shall be on the premises at all times when the premises are open to the public. This staff member must be able to show a Police or authorised council officer recent data or footage upon request.
7. A Challenge 25 proof of age scheme shall be operated at the premises where the only acceptable forms of identification are recognised photographic identification cards, such as driving licence or passport.
8. An incident log shall be kept at the premises, and made available on request to an authorised officer of the council or the police, which will record the following.
 - a. All crimes reported:
 - b. Any complaints received.
 - c. Any ejections
 - d. Any incidents of disorder.
 - e. Seizure of drugs or offensive weapons.
 - f. Any faults in the CCTV system

- g. Any refusal of the sale of alcohol.
 - h. Any visit by a relevant authority or emergency service.
-
9. All staff will be given refresher training every twelve months on the legislation relating to the sales of alcohol to underage persons and drunken persons. Written or electronic records shall be kept and produced to police or an authorised officer upon request.
 10. The licence holder shall maintain a dedicated telephone number of the Designated Premises Supervisor for use by any Responsible Authority or any person who may wish to make a complaint. This contact number shall be provided to licensing authority, police and to any local residents upon request.
 11. There shall be no drink, glass or open containers taken outside the premises at any time.
 12. The Licensee shall ensure that all staff are fully trained and made aware of the legal requirement of businesses to comply with their duty of care as regards the disposal of waste produced from the business premises. The procedure for handling and preparing for disposal of the waste shall be in writing and displayed in a prominent place where it can be referred to at all times by staff.
 13. The Licensee shall ensure that any contract for general and recyclable waste disposal shall be appropriate in size to the amount of waste produced by the business. The Licensee shall maintain an adequate supply of waste receptacles provided by his registered waste carrier (refuse sacks or commercial waste bins) in order to ensure all refuse emanating from the business is always presented for collection by his waste carrier and shall not use any plain black or unidentifiable refuse sacks or any other unidentifiable or unmarked waste receptacles.
 14. The Licensee's premises are situated in an area within which refuse may only be left on the public highway at certain times (time bands). If the Licensee's waste carrier cannot or does not comply by collecting the refuse within an hour after the close of any time band imposed by the waste authority, the Licensee must remove the refuse from the public highway and/or keep it within the premises until such time as his/her waste carrier arrives to collect the refuse.
 15. The Licensee shall erect a sign asking customers to refrain from littering the public highway outside the premises and will also instruct member of staff to make regular checks of the area immediately outside and within 10 metres either side of the premises and remove any litter, bottles and glasses emanating from the premises. A final check should be made at close of business.
 16. The Licensee shall provide a safe receptacle for cigarette ends to be placed outside for the use of customers, such receptacle being carefully placed so as not to cause an obstruction or trip.
 17. Notices must be prominently displayed at the exits reminding patrons to depart in an orderly manner.

CLIENT REFERENCE	DALSTON
REVISION	~

NOTES:

1. THIS DRAWING IS NOT TO BE SCALED.
2. FOLLOWING COMMENCEMENT OF WORK ON SITE, ISSUED DRAWINGS AND DETAILS MAY BE SUBJECT TO CHANGE DUE TO UNFORESEEN CONDITIONS.
3. ALL WORK SHALL BE IN ACCORDANCE WITH THE REQUIREMENTS AND SATISFACTION OF LOCAL AND STATUTORY AUTHORITIES, IN PARTICULAR THE CURRENT BUILDING REGULATIONS AND CODES OF PRACTICE.
4. ALL DIMENSIONS ARE TO BE VERIFIED WITH THE CONTRACTOR ON THE DESIGNER'S SITE.
5. QUANTIFY DESIGN MUST BE INFORMED OF ANY AMENDMENTS TO THE DESIGNER'S SITE.
6. QUANTIFY DESIGN MUST BE INFORMED OF ANY CHANGES TO THE DESIGNER'S SITE.
7. IT IS THE RESPONSIBILITY OF THE CONTRACTOR TO ENSURE THAT ALL WORK IS COMPLETED IN ACCORDANCE WITH ALL APPLICABLE REGULATIONS AND CURRENT HEALTH AND SAFETY REQUIREMENTS.

PRELIMINARY

ALL DATE	ISSUE	BY

LICENSING

TORTILLA
Real California Burritos & Tacos

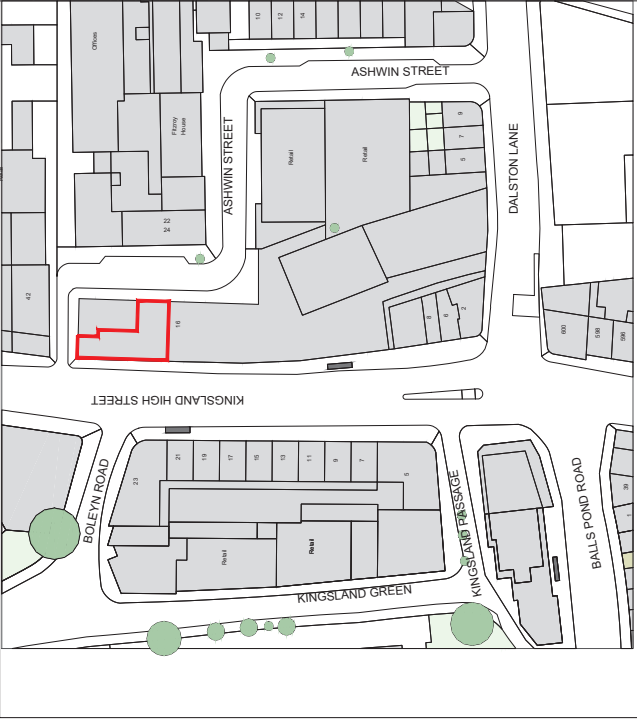
PROJECT
TORTILLA
UNIT 04 DALSTON WESTERN
CURVE
16 KINGSLAND HIGH STREET
LONDON E8 2JP

PROJECT NO. J000676
DATE: 08/02/2017
SHEET TITLE: PROPOSED LICENSING LAYOUT

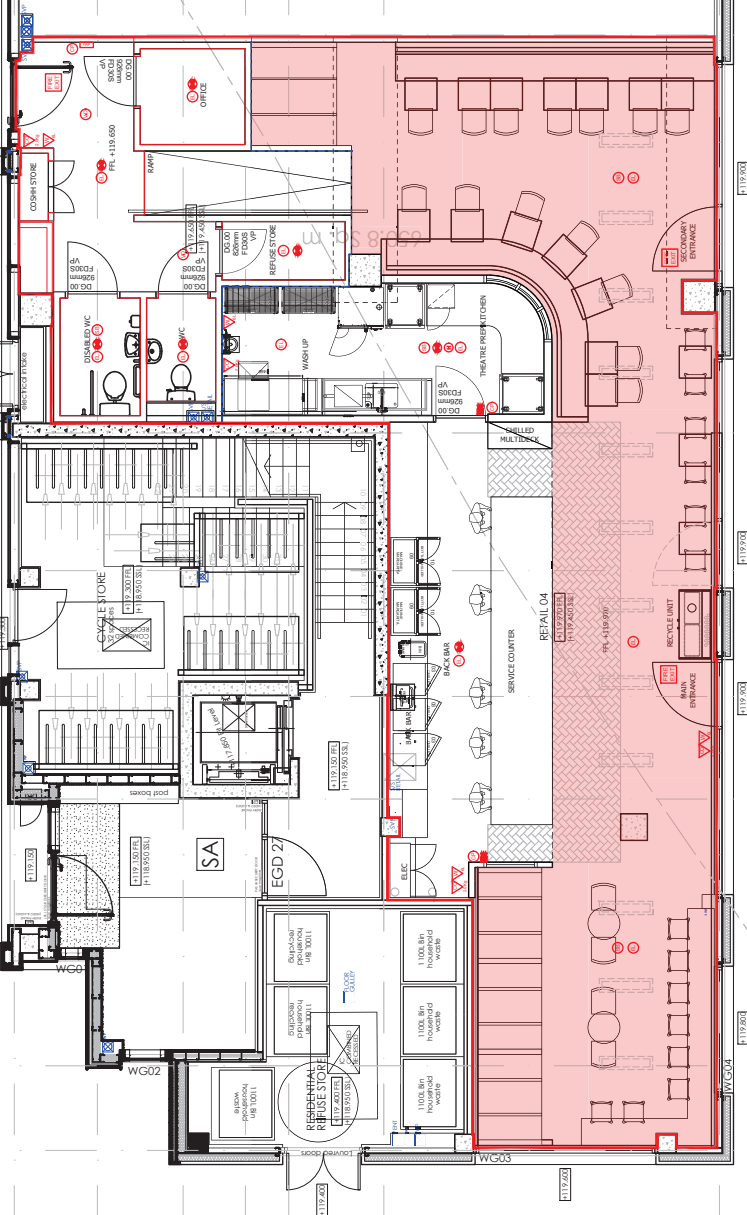
SCALE: AS SHOWN @ A1
DRAWN BY: J000676_A2_03

23 KINGS ROAD
REAR ROAD
R6 3AP
T: 0118 951 091
E: info@quadrantdesign.co.uk
W: www.quadrantdesign.co.uk

QUADRANT DESIGN



LOCATION PLAN
SCALE 1:1250



PROPOSED LICENSING LAYOUT
SCALE 1:100

LICENSING KEY

INDICATES AREA OF LICENSEABLE ACTIVITIES

IN THE UK, RESTAURANT ALCOHOL WILL ONLY BE ALCOHOL SERVED TO ACCOMPANY MEALS

- WATER FIRE EXTINGUISHER
- CO2 FIRE EXTINGUISHER
- MANUAL FIRE ALARM POINT
- LOCATION OF FIRE EXIT DOOR
- SMOKE DETECTOR
- FIRE ALARM CALLER
- FIRE ALARM SMOKE/HEAT SENSORS
- DRINK DISPENSER
- EMERGENCY LIGHTING
- VIDEO DETECTION
- FIRE ALARM PANEL

NOTE:
The following list of fire safety equipment will be achieved by the completion of the works of following the Fire Officer's report and the Fire Safety Consultant's assessment. Layout may also be varied further after the Risk Assessment, Management and Fire Safety Strategy advice must be incorporated into the new scheme.

AREA: RESTAURANT - 907 SQM
BOH: 25 SQM
GROSS: 1664 SQM

Subject: FW: Application for a premises licence - 16 Kingsland High Street, E8 2JP

From: Justice Awe
Sent: 13 March 2017 13:38
To: [REDACTED]
Cc: Ashton Liburd <Ashton.Liburd@Hackney.gov.uk>
Subject: RE: Application for a premises licence - 16 Kingsland High Street, E8 2JP

Dear Ms Burton,

I write further to our conversation.

Please find below, the list of guidelines we (Enforcement) do encourage premises to adhere to.

Enforcement Guidelines

1. The Licensee shall ensure that all staff are fully trained and made aware of the legal requirement of businesses to comply with their duty of care as regards the disposal of waste produced from the business premises. The procedure for handling and preparing for disposal of the waste shall be in writing and displayed in a prominent place where it can be referred to at all times by staff.
2. The Licensee shall ensure that any contract for general and recyclable waste disposal shall be appropriate in size to the amount of waste produced by the business. The Licensee shall maintain an adequate supply of waste receptacles provided by his registered waste carrier (refuse sacks or commercial waste bins) in order to ensure all refuse emanating from the business is always presented for collection by his waste carrier and shall not use any plain black or unidentifiable refuse sacks or any other unidentifiable or unmarked waste receptacles.
3. The Licensee's premises are situated in an area within which refuse may only be left on the public highway at certain times (time bands). If the Licensee's waste carrier cannot or does not comply by collecting the refuse within an hour after the close of any time band imposed by the waste authority, the Licensee must remove the refuse from the public highway and/or keep it within the premises until such time as his/her waste carrier arrives to collect the refuse.
4. The Licensee shall erect a sign asking customers to refrain from littering the public highway outside the premises and will also instruct member of staff to make regular checks of the area immediately outside and within 10 metres either side of the premises and remove any litter, bottles and glasses emanating from the premises. A final check should be made at close of business.
5. The Licensee shall provide a safe receptacle for cigarette ends to be placed outside for the use of customers, such receptacle being carefully placed so as not to cause an obstruction or trip.
6. The current trade waste agreement/duty of care waste transfer document shall be conspicuously displayed and maintained in the window of the premises where it can be conveniently seen. This should remain unobstructed at all times and should clearly identify:-

the name of the registered waste carrier
the date of commencement of trade waste contract
the date of expiry of trade waste contract
the days and times of collection
the type of waste including the European Waste Code

Regards,

Justice A.K Awe

Principal Environmental Enforcement Officer
Environment and Waste Strategy
Public Realm
Neighbourhoods & Housing Directorate
Hackney Council
Hackney Service Centre
1 Hillman Street
London. E8 1DY
Justice.awe@hackney.gov.uk
www.hackney.gov.uk
D/L 0208 356 4875

P-Save the planet: do you really need to print this e-mail?

From: Ashton Liburd

Dear all,

An application, dated **27/02/2017**, has been received from **Thomas & Thomas Partners LLP** on behalf of **Mr Mexican Grill Limited** who wish to apply for a premises licence in respect of the following location:

**Tortilla
16 Kingsland High Street
Hackney
London
E2 2JP**

Tel: 020 7042 0415 (Contact: Tilly Burton at Thomas & Thomas Partners LLP)

Can you please confirm that you are in receipt of this application and your comments on the application are received by **27/03/2017**.

Thank you for your assistance.

**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	Tortilla 16 Kingsland High Street London E8 2JP
NAME OF PREMISES USER	Mexican Grill Limited

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 TORTILLA, 16 KINGSLAND HIGH STREET, LONDON, E8 2JP for the following reason(s):

This venue is situated within the Dalston Special Policy Area. This area currently has a high concentration of licensed premises and the streets are extremely busy during the night and early hours of the morning. There are numerous incidents of ASB related to drunkenness and the consumption of alcohol

Police would like further information about the premises as follows:

- What is the capacity of the venue?
- Will there be any outside space used?
- Is the premises currently open?
- Police do not have the plans that accompany the application, is the application for the ground floor only?

The police have attached a set of conditions to ensure the promotion of the licensing objectives.

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

Application submitted

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

Signed PC 691GD RYAN (By E-mail)

Name (printed)

Conditions for Tortilla,
16 Kingsland High Street,
London, E8 2JP

1. The premises shall maintain a comprehensive CCTV system as per the minimum requirements of a Metropolitan Police Crime Prevention Officer. All public areas, entry and exit points will be covered enabling frontal identification of every person entering in any light condition. The CCTV system shall continually record whilst the premises is open for licensable activities and during all times when customers remain on the premises. All recordings shall be stored for a minimum period of 31 days with date and time stamping. Recordings shall be made available immediately upon the request of Police or authorised officer.
2. A staff member from the premises who is conversant with the operation of the CCTV system shall be on the premises at all times when the premises are open to the public. This staff member shall be able to show Police or an authorised officer of Hackney Borough Council recent data or footage with the absolute minimum of delay when requested.
3. An incident log shall be kept at the premises, and made available immediately to an authorised officer of the Hackney Borough Council or the Police, which will record the following:
 - a. all crimes reported to the venue
 - b. any complaints received
 - c. any incidents of disorder
 - d. any faults in the CCTV system
 - e. any refusal of the sale of alcohol
 - f. any visit by a relevant authority or emergency service.
4. 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.
5. Where the sale or supply of alcohol is taking place employees of the premises must request sight of evidence of the age of any person appearing to be under 25 years of age (Challenge 25). Such evidence may include a driving licence or passport.
6. There shall be no glass, drinks or open containers taken outside of the premises at any time.
7. The premises will display and maintain appropriate signage advising customers of the contact details of the Designated Premises Supervisor or duty manager.
8. There shall be prominent signage requesting customers to leave the premises quietly and respect local residents.
9. All staff will be given refresher training every twelve months on the legislation relating to the sales of alcohol to underage persons and drunken persons.

Written records of this training shall be kept on the premises and produced to police or other authorised officer upon request.

10. Intoxicating liquor shall not be sold, supplied or consumed otherwise than to persons who 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.
11. The premises shall adhere to Hackney Police Theft, Weapons and Drugs Policies and any updates thereof.
12. Any music played at the venue shall be at background level only, allowing a face to face conversation at normal speech level.
13. There shall be SIA registered door supervisors employed at the premises on a risk assessment basis with identity badges displayed at all times. All door supervisors will enter their full details in a register at the commencement of their work. They shall record their full name, home address and contact telephone number, their SIA registration number and the time they commence and conclude working. If the door supervisor was supplied by an agency, the name, business address and contact details of that agency shall also be recorded.

ADDITIONAL CONDITIONS MAY BE ADDED AFTER DISCUSSIONS WITH THE APPLICANT.

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

NAME OF AUTHORITY	Licensing Authority
ADDRESS OF AUTHORITY	Licensing Service 2 Hillman St London E8 1FB
CONTACT NAME	David Tuitt
TELEPHONE NUMBER	020 8356 4942
E-MAIL ADDRESS	david.tuitt@hackney.gov.uk

APPLICATION PREMISES

NAME & ADDRESS OF PREMISES	Tortilla 16 Kingsland High Street London E8 2JP
NAME OF APPLICANT	Mexican Grill Limited

COMMENTS

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

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

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

I write to make a representation in relation to this application as the premises is located within the boundary of the Dalston Special Policy Area (SPA). The SPA is an area that has been identified as suffering from the negative cumulative impact of the concentration of licensed premises in the area. LP14 (Special Policy Area - Dalston) of the Council's Statement of Licensing Policy states: *All **new or variation** applications within the Dalston SPA will have to show:*

- *High standards of management, (an example would include a Management Strategy)*
- *The quality and track record of the management*
- *The good character of the applicant*

I am satisfied that the proposed hours are consistent with those for restaurants as set out in LP14. However the applicant should demonstrate high standards of management as set out in the Council's Policy.

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

The Licensing Act 2003, Statement of Licensing Policy 2016 and S182 Guidance issued by the Home Office.

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

The applicant should supply examples of the training material as referred to in the proposed conditions (9) and (12) which can then be reviewed and considered by officers.

Name: David Tuitt, Team Leader – Licensing (Policy and Operations)

Date: 27/03/2017

From: [REDACTED]
Sent: 22 March 2017 17:04
To: Licensing
Cc: choshun8@hotmail.com
Subject: OBJECTION - Grill Limited Tortilla 16 Kingsland High Street London E2 2JP

Dear Licensing,

I would like to make several objections to the licence application made by Mexican Grill Limited Tortilla 16 Kingsland High Street London E2 2JP on the ground of public nuisance, crime and disorder.

The application seeks to provide on and off sales of alcohol within the SPA, together with late night refreshments and extended terminal hours. I am a resident who lives behind the site and believe the Off sales of alcohol, would cause problems of anti social behaviour to the resident living above and behind the premises. This would exasperate the area if there were also outside seating.

I would suggest off sales are removed from this application in the first instance and that the business is operated for several months before any off sales are considered. This would enable residents myself, and interested parties, to can make a fair assessment of the occupiers potential to promote the licensing objectives.

Secondly, all on sales of alcohol should be subject to the same scrutiny as recent applications within the Dalston SPA, and if any licence is granted, there should be restrictions. One of those restrictions being, alcohol only consumed with a substantial table meal and by seated table service only. There should also be a minimum pricing unit applied, no promotional sale of alcohol.

I also believe that the operating hours are too excessive for a new operator in the area, and that weekend hours should be restricted to 11pm. Once again, in order for residents to assess the impact of an new restaurant. This three story parade is made residential occupiers on all floors, a new selection of commercial units on the ground floor. I also doubt the new operators have any experience dealing with police, licensing and environmental health on SPA issues within hackney, and should therefore be approached with caution.

We residents welcome new restaurants within the area but we must take a cautions approach when permitting operators seeking late hours with the SPA. For this reason, I object to the application, but if it were granted, than there should be no outside seating, no off sales of alcohol, and the weekend terminal hours should be 11pm and last orders of alcohol terminating 30 minutes before close.

I would like my personal details to be kept confidential and to be kept in formed of any subcommittee hearing date.

Kind regards,

[REDACTED]
[REDACTED]

[REDACTED] Laurel Street
London
E8 [REDACTED]

APPENDIX D



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Tortilla

Scale 1/1250

at A4



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REPORT OF GROUP DIRECTOR, NEIGHBOURHOODS AND HOUSING		
LICENSING SUB-COMMITTEE: 20/04/2017	Classification DECISION	Enclosure
Application for a Premises Licence The Yard Shoreditch, Eighty nine and a half Worship Street, EC2A 2BF	Ward(s) affected Hoxton East & Shoreditch	

1. SUMMARY

Applicant(s) Indigofera PR Limited	In SPA No
Date of Application 27/02/2017	Period of Application Time-limited 28/03/2017 – 01/01/2022
Proposed licensable activity Films Live Music Recorded Music Supply of Alcohol (On Premises)	
Proposed hours of licensable activities	
Films Primary:	Standard Hours: Mon 11:00-23:30 Tue 11:00-23:30 Wed 11:00-23:30 Thu 11:00-23:30 Fri 11:00-00:30 Sat 11:00-00:30 Sun 11:00-23:00 Non-Standard Hours: On any day preceding a Bank Holiday the hours for licensable activities at the premises will reflect those for Saturdays.
Live Music Primary:	Standard Hours: Mon 11:00-23:30 Tue 11:00-23:30 Wed 11:00-23:30 Thu 11:00-23:30 Fri 11:00-00:30 Sat 11:00-00:30 Sun 11:00-23:00

	<p>Non-Standard Hours: On any day preceding a Bank Holiday the hours for licensable activities at the premises will reflect those for Saturdays.</p>
<p>Recorded Music</p> <p>Primary:</p>	<p>Standard Hours: Mon 11:00-00:00 Tue 11:00-00:00 Wed 11:00-00:00 Thu 11:00-00:00 Fri 11:00-01:00 Sat 11:00-01:00 Sun 11:00-23:30</p> <p>Non-Standard Hours: On any day preceding a Bank Holiday the hours for licensable activities at the premises will reflect those for Saturdays.</p>
<p>Supply of Alcohol</p> <p>Primary:</p>	<p>Standard Hours: Mon 11:00-23:30 Tue 11:00-23:30 Wed 11:00-23:30 Thu 11:00-23:30 Fri 11:00-00:30 Sat 11:00-00:30 Sun 11:00-23:00</p> <p>Non-Standard Hours: On any day preceding a Bank Holiday the hours for licensable activities at the premises will reflect those for Saturdays.</p>
<p>The opening hours of the premises</p> <p>Primary</p>	<p>Standard Hours: Mon 08:00-00:00 Tue 08:00-00:00 Wed 08:00-00:00 Thu 08:00-00:00 Fri 08:00-01:00 Sat 08:00-01:00 Sun 08:00-23:30</p> <p>Non-Standard Hours: On any day preceding a Bank Holiday the hours for licensable activities at the premises will reflect those for Saturdays.</p>
<p>Capacity: Not known</p>	
<p>Policies Applicable</p>	<p>LP3 (Operating Schedule), LP4 (Crime and Disorder), LP5 (Public Nuisance), LP6 (Protection of Children from Harm), LP8 (Public Safety)</p>
<p>List of Appendices</p>	<p>A – Application for a premises licence and supporting documents B – Representations from responsible authorities C – Representations from other persons D – Location map</p>

Relevant Representations	<ul style="list-style-type: none"> • Environmental Health Authority (Environmental Protection and Environmental Enforcement) • Police • Other Persons
---------------------------------	----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------

2. APPLICATION

2.1 **Indigofera PR Limited** has made an application for a premises licence under the Licensing Act 2003:

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

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

3. CURRENT STATUS / HISTORY

3.1 The premises are not currently licensed for any activity.

3.2 Temporary Event Notices have been given for the premises as follows:

26/06/16 – 30/06/16	13.00 – 21.30
06/09/16	11.00 – 21.00
29/10/16	18.00 – 23.00
12/03/17	14.00 – 19.00

4. REPRESENTATIONS: RESPONSIBLE AUTHORITIES

From	Details
Environmental Health Authority (Environmental Protection) (Appendix B1)	Representation received on the grounds of The Prevention of Public Nuisance
Environmental Health Authority (Environmental Enforcement)	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 B2)	Representation received on the grounds of The Prevention of Crime and Disorder, Prevention of Public Nuisance
Licensing Authority	Have confirmed no representation on this application

Health Authority	Have confirmed no representation on this application
------------------	------------------------------------------------------

5. REPRESENTATIONS: OTHER PERSONS

From	Details
1 representation received from and on behalf of local residents. (Appendix C)	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) 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.

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 derived from operating schedule

10. Appropriate induction training will be undertaken with all relevant staff to cover appropriate subjects for their role including:

- a. The responsible sale of alcohol.
- b. The prevention of under-age sales of alcohol, the Challenge 25 policy and in checking & authenticating accepted forms of identification.
- c. The responsibility to refuse the sale of alcohol to any person who is drunk.
- d. Fire safety & emergency evacuation procedures

11. The premises will maintain written reports and registers. These will be kept for a minimum of 12 months and made available to the police and any authorised officer of the licensing authority on request. Records will be maintained of the following:

- a. Any complaint against the premises in respect of any of the licensing objectives
- b. Any crime reported at the premises
- c. Any illegal drug related incident
- d. A 'register of refusals' highlighting any refusal in the sale of age-restricted products; for any reason.
- e. Any fault in the CCTV system

All written reports and registers will be regularly checked by the DPS.

12. A suitable member of the Premises Licence holders events team will manage all events taking place on the premises including the employment of Door Supervisors where required.

13. Where third parties (such as stall holders at community events) are selling alcohol, the Premises Licence holder will ensure that a representative of that party:

- a. Holds a Personal Licence
- b. Is briefed prior to any sale of alcohol taking place
- c. Ensures compliance with the conditions set out on the premises licence
- d. Maintains a register of refusals, in relation to the sale of alcohol

14. The venue shall maintain a CCTV system. The CCTV system shall continually record whilst the venue is open for licensable activities and / or when customers remain on the premises. All recordings shall be time & date stamped, maintained for a 31 day period and be made available to the Police or authorised officer of the licensing authority upon request.

15. Sufficient competent persons should be authorised by the premises licence holder to provide the Police with downloaded CCTV footage and / or images in an appropriate recorded format (usually to a disc or memory stick) when formally requested to do so. The authorised person(s) should be sufficient to enable such data to be obtained by the police within 48 hours of a formal request being made.

16. A Zero Tolerance Policy towards the use, possession and supply of illegal drugs will be adopted and enforced.

17. Door Supervisors will be employed at the premises when licensable activities are taking place under the following criteria:

- a. Where more than 100 patrons are present at the premises after 20.00 and until the last patron has left the premises and dispersed from the area immediately to the front of the premises.

- b. When door supervisors are required, a minimum of two SIA Registered Door Supervisors shall be employed.
- c. Where a requirement for door supervisor is identified, a register of door supervisors employed will be maintained. This register will record their name, SIA Door Supervisor Licence number and contact details.

18. Alcoholic drinks will not be permitted to leave the premises at any time.

19. Non-intoxicating beverages including drinking water shall be available in all parts of the premises where alcohol is sold or supplied on the premises.

20. Internal risk assessment will be carried out in relation to each event taking place at the premises. These will be made available to an authorised officer of the Licensing Authority upon request.

21. A fire risk assessment will be conducted and regularly reviewed. In-line with the Fire Risk Assessment:

- a. An integrated fire detection and alarm system is installed, checked, regularly tested and maintained by a competent person.
- b. Fire extinguishers are installed in accordance with the recommendations of the fire risk assessment.
- c. Emergency lighting is installed in accordance with the recommendations of the fire risk assessment.
- d. All emergency exits are marked on the premises plan.

22. Adequate & suitable first aid boxes will be maintained.

23. Regular waste disposal is undertaken in accordance with the council's requirements.

24. The area immediately outside the premises will be maintained to ensure that any litter generated by the premises and / or its customers is regularly cleared.

25. Acoustic levels are controlled by the event's organisers at predetermined levels.

26. No amplified music shall be played in the external areas of the premises

27. No noise shall emanate from the premises nor vibration be transmitted through the structure of the premises which gives rise to a nuisance.

28. A sign requesting customers to respect local residents and leave the premises quietly, will be displayed at each public the exit to the premises.

29. A Challenge 25 policy will be enforced, where any person reasonably looking under the age of 25 shall be asked to prove their age when attempting to purchase alcohol; signs to this effect will be displayed at the premises. The only acceptable forms of identity will be those photographic identification documents recognised in the Home Office guidance; including passports, photo-card driving licence or proof of age card bearing a PASS hologram.

30. A register of refusals will be maintained at the premises.

Conditions derived from Responsible Authority representations

31. The premises shall maintain a comprehensive CCTV system as per the minimum requirements of a Metropolitan Police Crime Prevention Officer. All public areas, entry and exit points will be covered enabling frontal identification of every person entering in any light condition. The CCTV system shall continually record whilst the premises is open for licensable activities and during all times when customers remain on the premises. All recordings shall be stored for a minimum period of 31 days with date and time stamping. Recordings shall be made available immediately upon the request of Police or authorised officer. (To be discussed)

32. A staff member from the premises who is conversant with the operation of the CCTV system shall be on the premises at all times when the premises are open to the public. This staff member shall be able to show Police or an authorised officer of Hackney Borough Council recent data or footage with the absolute minimum of delay when requested. (To be discussed)

33. An incident log shall be kept at the premises, and made available immediately to an authorised officer of the Hackney Borough Council or the Police, which will record the following:

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

34. There shall be "CCTV in Operation" signs prominently displayed.

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. Where the sale or supply of alcohol is taking place employees of the premises must request sight of evidence of the age of any person appearing to be under 25 years of age (Challenge 25). Such evidence may include a driving licence or passport.

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

38. The premises will display and maintain appropriate signage advising customers of the contact details of the Designated Premises Supervisor/Duty Manager.

39. There shall be prominent signage requesting customers to leave the premises quietly and respect local residents.

40. All staff will be given refresher training every twelve months on the legislation relating to the sales of alcohol to underage persons and drunken persons. Written records of this training shall be kept on the premises and produced to police or other authorised officer upon request.

41. The premises shall adhere to Hackney Police Theft, Weapons and Drugs Policies and any updates thereof.

42. After 22:00hrs there shall be a maximum of ** tbc ** smokers outside the venue at any one time. This shall be monitored by staff.

9. REASONS FOR OFFICER OBSERVATIONS

9.1 Conditions 10 to 30 above are derived from the applicant's operating schedule. Conditions 31 to 42 have been proposed by the police. There is some duplication.

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: The Yard Shoreditch, Eighty nine and a half Worship Street, , EC2A 2BF	Licensing Service 2 Hillman Street London E8 1FB

Printed matter

Licensing Act 2003
LBH Statement of Licensing Policy

APPENDIX A

Application for a premises licence to be granted under the Licensing Act 2003

I/We Indigofera PR Limited

(Insert name(s) of applicant)

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

Part 1 – Premises Details

Postal address of premises or, if none, ordnance survey map reference or description			
The Yard Shoreditch 89 & 1/2 Worship Street Shoreditch			
Post town	London	Postcode	EC2A 2BF
Telephone number at premises (if any)			
Non-domestic rateable value of premises		£88,000	

Part 2 - Applicant Details

Please state whether you are applying for a premises licence as

Please tick as appropriate

- | | | |
|-------------------------------------------------------------------------------------------------------------------------------------------------------------------------|--------------------------|-----------------------------|
| a) an individual or individuals * | <input type="checkbox"/> | please complete section (A) |
| b) a person other than an individual * | | |
| i. as a limited company | ✓ | please complete section (B) |
| ii. as a partnership | <input type="checkbox"/> | please complete section (B) |
| iii. as an unincorporated association or | <input type="checkbox"/> | please complete section (B) |
| iv. other (for example a statutory corporation) | <input type="checkbox"/> | please complete section (B) |
| c) a recognised club | <input type="checkbox"/> | please complete section (B) |
| d) a charity | <input type="checkbox"/> | please complete section (B) |
| e) the proprietor of an educational establishment | <input type="checkbox"/> | please complete section (B) |
| f) a health service body | <input type="checkbox"/> | 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 | <input type="checkbox"/> | 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 | <input type="checkbox"/> | 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)

Mr <input type="checkbox"/>	Mrs <input type="checkbox"/>	Miss <input type="checkbox"/>	Ms <input type="checkbox"/>	Other Title (for example, Rev)	
Surname			First names		
I am 18 years old or over				<input type="checkbox"/> Please tick yes	
Current postal address if different from premises address					
Post town				Postcode	
Daytime contact telephone number					
E-mail address (optional)					

SECOND INDIVIDUAL APPLICANT (if applicable)

Mr <input type="checkbox"/>	Mrs <input type="checkbox"/>	Miss <input type="checkbox"/>	Ms <input type="checkbox"/>	Other Title (for example, Rev)	
Surname			First names		
I am 18 years old or over				<input type="checkbox"/> Please tick yes	
Current postal address if different from premises address					
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 Indigofera PR Limited
Address 89 & 1/2 Worship Street Shoreditch London EC2A 2BF
Registered number (where applicable) 06837734
Description of applicant (for example, partnership, company, unincorporated association etc.) Private Limited Company
Telephone number (if any)
E-mail address (optional)

Part 3 Operating Schedule

When do you want the premises licence to start?

DD	MM	YYYY
2	8	032017

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

DD	MM	YYYY
0	1	012022

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

The Yard Shoreditch is a conferencing and event space which delivers high end events, primarily to corporate clients for private events.

The area is run by the events team of Indigofera PR Limited which operates its primary business as a Fashion PR company and this is reflected in many of the events they deliver.

A premises licence is sought for the ground floor & basement of the premises.

The basement which is also operated by the applicant, is primarily used for non-licensable activities; primarily as a showroom, showing private client collections. However on infrequent occasions this area could be used as part of an event or a separate space for small meetings and showcases and as such is included in this application.

The ground floor premises operates as an event space where most events do not involve licensable activities, such as day-time conferences, meetings, fashion shows, product launches and similar private events.

A premises licence is sought at this time to allow them to expand the range of activities and services they can offer their corporate clients.

The application is for a time-limited Premises Licence for 5 years, which covers the term of their three year lease and the option they have to extend by a further two years.

Excellent Past History – The applicant has been organising events at this location for the past five years, using Temporary Events Notices where required. These events have passed without incident and the premises will continue to operate to its existing high standards.

Operating Hours - Although the terminal operating hours in this application state 00.00 (Sunday to Thursday) and 01.00 (Friday & Saturday), this only reflects the flexibility required for the event schedule, which is irregular and therefore the maximum hours are unlikely to be used on a frequent basis.

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 checked="" type="checkbox"/>
c) indoor sporting events (if ticking yes, fill in box C)	<input type="checkbox"/>

- d) boxing or wrestling entertainment (if ticking yes, fill in box D)
- e) live music (if ticking yes, fill in box E)
- f) recorded music (if ticking yes, fill in box F)
- g) performances of dance (if ticking yes, fill in box G)
- h) anything of a similar description to that falling within (e), (f) or (g) (if ticking yes, fill in box H)

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

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

In all cases complete boxes K, L and M

A

Plays Standard days and timings (please read guidance note 6)			<u>Will the performance of a play take place indoors or outdoors or both – please tick</u> (please read guidance note 2)	Indoors	<input type="checkbox"/>
Day	Start	Finish		Outdoors	<input type="checkbox"/>
				Both	<input type="checkbox"/>
Mon			<u>Please give further details here</u> (please read guidance note 3)		
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)		
Sat					
Sun					

B

Films Standard days and timings (please read guidance note 6)			<u>Will the exhibition of films take place indoors or outdoors or both – please tick</u> (please read guidance note 2)	Indoors	<input checked="" type="checkbox"/>
				Outdoors	<input type="checkbox"/>
				Both	<input type="checkbox"/>
Day	Start	Finish	<u>Please give further details here</u> (please read guidance note 3)		
Mon	11.00	23.30			
Tue	11.00	23.30	<u>State any seasonal variations for the exhibition of films</u> (please read guidance note 4)		
Wed	11.00	23.30			
Thur	11.00	23.30	<u>Non standard timings. Where you intend to use the premises for the exhibition of films at different times to those listed in the column on the left, please list</u> (please read guidance note 5)		
Fri	11.00	00.30			
Sat	11.00	00.30	Bank Holidays – On any day preceding a Bank Holiday the hours for Licensable Activities at the premises will reflect those for Saturdays.		
Sun	11.00	23.00			

C

Indoor sporting events Standard days and timings (please read guidance note 6)			<u>Please give further details</u> (please read guidance note 3)		
Day	Start	Finish			
Mon					
Tue			<u>State any seasonal variations for indoor sporting events</u> (please read guidance note 4)		
Wed					
Thur			<u>Non standard timings. Where you intend to use the premises for indoor sporting events at different times to those listed in the column on the left, please list</u> (please read guidance note 5)		
Fri					

Sat		
Sun		

D

Boxing or wrestling entertainments Standard days and timings (please read guidance note 6)			<u>Will the boxing or wrestling entertainment take place indoors or outdoors or both – please tick</u> (please read guidance note 2)	Indoors	<input type="checkbox"/>			
				Outdoors	<input type="checkbox"/>			
				Both	<input type="checkbox"/>			
Day	Start	Finish	<u>Please give further details here</u> (please read guidance note 3)					
Mon								
Tue								
Wed						<u>State any seasonal variations for boxing or wrestling entertainment</u> (please read guidance note 4)		
Thur								
Fri						<u>Non standard timings. Where you intend to use the premises for boxing or wrestling entertainment at different times to those listed in the column on the left, please list</u> (please read guidance note 5)		
Sat								
Sun								

E

Live music Standard days and timings (please read guidance note 6)			<u>Will the performance of live music take place indoors or outdoors or both – please tick</u> (please read guidance note 2)	Indoors	<input checked="" type="checkbox"/>
				Outdoors	<input type="checkbox"/>
				Both	<input type="checkbox"/>
Day	Start	Finish	<u>Please give further details here</u> (please read guidance note 3)		
Mon	11.00	23.30			
Tue	11.00	23.30			

Wed	11.00	23.30	State any seasonal variations for the performance of live music (please read guidance note 4)
Thur	11.00	23.30	
Fri	11.00	00.30	Non standard timings. Where you intend to use the premises for the performance of live music at different times to those listed in the column on the left, please list (please read guidance note 5)
Sat	11.00	00.30	
Sun	11.00	23.00	Bank Holidays – On any day preceding a Bank Holiday the hours for Licensable Activities at the premises will reflect those for Saturdays.

F

Recorded music Standard days and timings (please read guidance note 6)			Will the playing of recorded music take place indoors or outdoors or both – please tick (please read guidance note 2)	Indoors	<input checked="" type="checkbox"/>
				Outdoors	<input type="checkbox"/>
				Both	<input type="checkbox"/>
Day	Start	Finish	Please give further details here (please read guidance note 3)		
Mon	11.00	00.00			
Tue	11.00	00.00			
Wed	11.00	00.00	State any seasonal variations for the playing of recorded music (please read guidance note 4)		
Thur	11.00	00.00			
Fri	11.00	01.00	Non standard timings. Where you intend to use the premises for the playing of recorded music at different times to those listed in the column on the left, please list (please read guidance note 5)		
Sat	11.00	01.00			
Sun	11.00	23.30	Bank Holidays – On any day preceding a Bank Holiday the hours for Licensable Activities at the premises will reflect those for Saturdays.		

G

Performances of dance Standard days and timings	Will the performance of dance take place indoors or outdoors or both – please tick (please read	Indoors	<input type="checkbox"/>
-----------------------------------------------------------	--------------------------------------------------------------------------------------------------------	---------	--------------------------

(please read guidance note 6)			guidance note 2)	Outdoors	<input type="checkbox"/>
Day	Start	Finish		Both	<input type="checkbox"/>
Mon			<u>Please give further details here</u> (please read guidance note 3)		
Tue					
Wed			<u>State any seasonal variations for the performance of dance</u> (please read guidance note 4)		
Thur					
Fri			<u>Non standard timings. Where you intend to use the premises for the performance of dance at different times to those listed in the column on the left, please list</u> (please read guidance note 5)		
Sat					
Sun					

H

Anything of a similar description to that falling within (e), (f) or (g) Standard days and timings (please read guidance note 6)			Please give a description of the type of entertainment you will be providing		
Day	Start	Finish	<u>Will this entertainment take place indoors or outdoors or both – please tick</u> (please read guidance note 2)	Indoors	<input type="checkbox"/>
Mon				Outdoors	<input type="checkbox"/>
				Both	<input type="checkbox"/>
Tue			<u>Please give further details here</u> (please read guidance note 3)		
Wed					
Thur			<u>State any seasonal variations for entertainment of a similar description to that falling within (e), (f) or (g)</u> (please read guidance note 4)		
Fri					

Sat			<u>Non standard timings. Where you intend to use the premises for the entertainment of a similar description to that falling within (e), (f) or (g) at different times to those listed in the column on the left, please list</u> (please read guidance note 5)
Sun			

I

Late night refreshment Standard days and timings (please read guidance note 6)			Will the provision of late night refreshment take place indoors or outdoors or both – please tick (please read guidance note 2)		Indoors	<input type="checkbox"/>
					Outdoors	<input type="checkbox"/>
Day	Start	Finish			Both	<input type="checkbox"/>
Mon			<u>Please give further details here</u> (please read guidance note 3)			
Tue						
Wed			<u>State any seasonal variations for the provision of late night refreshment</u> (please read guidance note 4)			
Thur						
Fri			<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						
Sun						

J

Supply of alcohol Standard days and timings (please read guidance note 6)			<u>Will the supply of alcohol be for consumption – please tick</u> (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	<u>State any seasonal variations for the supply of alcohol</u> (please read guidance note 4)		
Mon	11.00	23.30			
Tue	11.00	23.30			
Wed	11.00	23.30			
Thur	11.00	23.30			
Fri	11.00	00.30			
Sat	11.00	00.30			
Sun	11.00	23.00			
			<u>Non standard timings. Where you intend to use the premises for the supply of alcohol at different times to those listed in the column on the left, please list</u> (please read guidance note 5)		
			Bank Holidays – On any day preceding a Bank Holiday the hours for Licensable Activities at the premises will reflect those for Saturdays.		

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

Name Jessica Elizabeth Leyton	
Address [REDACTED]	
Postcode	[REDACTED]
Personal licence number (if known)	
Issuing licensing authority (if known) [REDACTED]	

K

Please highlight any adult entertainment or services, activities, other entertainment or matters ancillary to the use of the premises that may give rise to concern in respect of children (please read guidance note 8).
N/A

- b. Any crime reported at the premises
- c. Any illegal drug related incident
- d. A 'register of refusals' highlighting any refusal in the sale of age-restricted products; for any reason.
- e. Any fault in the CCTV system

All written reports and registers will be regularly checked by the DPS.

4. **Bank Holidays** - On any day immediately preceding a Bank Holiday, the operating hours and those hours for all licensable activities will reflect the hours permitted on Saturdays
5. **Management of Events** - A suitable member of the Premises Licence holders events team will manage all events taking place on the premises including the employment of Door Supervisors where required.
6. **Subcontractors** - Where third parties (such as stall holders at community events) are selling alcohol, the Premises Licence holder will ensure that a representative of that party:
 - a. Holds a Personal Licence
 - b. Is briefed prior to any sale of alcohol taking place
 - c. Ensures compliance with the conditions set out on the premises licence
 - d. Maintains a register of refusals, in relation to the sale of alcohol

b) The prevention of crime and disorder

7. **CCTV** - The venue shall maintain a CCTV system. The CCTV system shall continually record whilst the venue is open for licensable activities and / or when customers remain on the premises. All recordings shall be time & date stamped, maintained for a 31 day period and be made available to the Police or authorised officer of the licensing authority upon request.
8. **CCTV** - Sufficient competent persons should be authorised by the premises licence holder to provide the Police with downloaded CCTV footage and / or images in an appropriate recorded format (usually to a disc or memory stick) when formally requested to do so. The authorised person(s) should be sufficient to enable such data to be obtained by the police within 48 hours of a formal request being made.
9. **Drugs Zero Tolerance Policy** - A Zero Tolerance Policy towards the use, possession and supply of illegal drugs will be adopted and enforced.
10. **Door Supervisor** - Door Supervisors will be employed at the premises when licensable activities are taking place under the following criteria:
 - a. Where more than 100 patrons are present at the premises after 20.00 and until the last patron has left the premises and dispersed from the area immediately to the front of the premises.
 - b. When door supervisors are required, a minimum of two SIA Registered Door Supervisors shall be employed.
 - c. Where a requirement for door supervisor is identified, a register of door supervisors employed will be maintained. This register will record their name, SIA Door Supervisor

Licence number and contact details.

11. **No Alcohol Permitted to Leave the Premises** - Alcoholic drinks will not be permitted to leave the premises at any time.
12. **Soft Drinks** - Non-intoxicating beverages including drinking water shall be available in all parts of the premises where alcohol is sold or supplied on the premises.

c) Public safety

13. **Risk Assessments** - Internal risk assessment will be carried out in relation to each event taking place at the premises. These will be made available to an authorised officer of the Licensing Authority upon request.
14. **Fire Safety** - A fire risk assessment will be conducted and regularly reviewed. In-line with the Fire Risk Assessment:
 - a. An integrated fire detection and alarm system is installed, checked, regularly tested and maintained by a competent person.
 - b. Fire extinguishers are installed in accordance with the recommendations of the fire risk assessment.
 - c. Emergency lighting is installed in accordance with the recommendations of the fire risk assessment.
 - d. All emergency exits are marked on the premises plan.
15. **First Aid** - Adequate & suitable first aid boxes will be maintained.

d) The prevention of public nuisance

16. **Refuse Disposal** - Regular waste disposal is undertaken in accordance with the council's requirements.
17. **Litter** - The area immediately outside the premises will be maintained to ensure that any litter generated by the premises and / or its customers is regularly cleared.
18. **Acoustic Levels** - Acoustic levels are controlled by the event's organisers at predetermined levels.
19. **Noise Escape** - No amplified music shall be played in the external areas of the premises
20. **Noise Escape** - No noise shall emanate from the premises nor vibration be transmitted through the structure of the premises which gives rise to a nuisance.
21. **Exit Signage** - A sign requesting customers to respect local residents and leave the premises quietly, will be displayed at each public the exit to the premises.

e) The protection of children from harm

22. Challenge 25 - A Challenge 25 policy will be enforced, where any person reasonably looking under the age of 25 shall be asked to prove their age when attempting to purchase alcohol; signs to this effect will be displayed at the premises. The only acceptable forms of identity will be those photographic identification documents recognised in the Home Office guidance; including passports, photo-card driving licence or proof of age card bearing a PASS hologram.

23. Recording Practices - A register of refusals will be maintained at the premises.

Checklist:

Please tick to indicate agreement

- I have made or enclosed payment of the fee. *(The payment will be made by telephone today)*
- 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. *(Application Has Been Sent Electronically for the Licensing Authority to Forward)*
- 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	[REDACTED]
Date	27/02/2017
Capacity	Peter Mayhew - Agent

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

Peter Mayhew
Beyond the Blue Limited

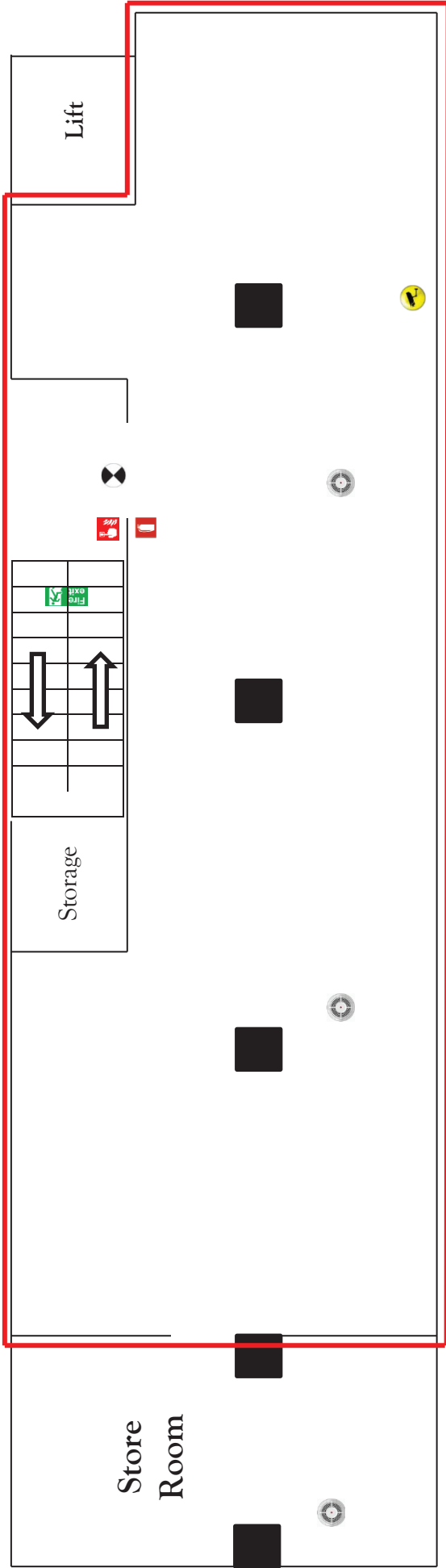
[REDACTED]

Post town	[REDACTED]	Postcode	[REDACTED]
-----------	------------	----------	------------

Telephone number (if any)	[REDACTED]
---------------------------	------------

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

[REDACTED]



Key

-  Area Covered by Licence
-  CCTV Camera
-  Fire Extinguisher
-  Fire Alarm Control
-  Smoke / Heat Detector
-  Fire Call Point
-  Emergency Lighting
-  Step

The Yard Shoreditch (Basement)
89 & 1/2 Worship Street, London EC2A 2BF

APPENDIX B1

RESPONSIBLE AUTHORITY REPRESENTATION: APPLICATION UNDER THE LICENSING ACT 2003

RESPONSIBLE AUTHORITY DETAILS

NAME OF AUTHORITY	London Borough of Hackney
ADDRESS OF AUTHORITY	Environmental Protection Team, Third Floor, Annex, 2 Hillman Street London E8 1FB
CONTACT NAME	Olalekan Olaosebikan
TELEPHONE NUMBER	020 8356 4658
E-MAIL ADDRESS	olalekan.olaosebikan@hackney.gov.uk

APPLICATION PREMISES

NAME & ADDRESS OF PREMISES	The Yard Shoreditch 89 & 1/2 Worship Street Shoreditch. London EC2A 2BF
REFERENCE	Premises licence number LBH-PRE-T-
NAME OF LICENCE HOLDER/ DESIGNATED PREMISES SUPERVISOR	

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 x
- 4) the protection of children from harm

Representation in relation to:

The prevention of public nuisance **LP5:**

We (Environmental Protection Team) will be objecting to the application for a new premises licence to be granted under the Licensing Act 2003 for The Yard Shoreditch 89 & 1/2 Worship Street Shoreditch. London EC2A 2BF and wish to make a representation.

The applicant has not demonstrated in full that the following Licensing Policy requirement would be met:

LP5 Public Nuisance:

Applicant is expected to demonstrate within the application that problems such as noise and smoke can be minimised through steps they propose. For example, the applicant should where necessary:

- (a) Restrict the hours of use of the courtyard area where smoking will be permitted
- (b) Provide details of the location and types of noise/music attenuation measures used to minimise noise escaping the premises when playing amplified music.

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

The Environmental Protection Team is concerned that the request to use the designated areas may cause noise or/and smoke nuisances to nearby residents if the time that the designated smoking area (courtyard) is not restricted. Therefore, the applicant is to contact us to discuss concerns **a and b** above in order to fully consider the application.

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

The applicant is welcomed to contact Olalekan Olaosebikan or Environmental Protection Team to discuss the conditions proposed in my email to Mr Peter Mayhew on 24/03/2017.

Signed

Name: Olalekan Olaosebikan

Date: 24th March 2017

APPENDIX B2

RESPONSIBLE AUTHORITY REPRESENTATION: APPLICATION UNDER THE LICENSING ACT 2003

RESPONSIBLE AUTHORITY DETAILS

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

APPLICATION PREMISES

NAME & ADDRESS OF PREMISES	The Yard Shoreditch 89½ Worship Street London EC2A 2BF
NAME OF PREMISES USER	Indigofera PR Limited

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 **The Yard Shoreditch, 89½ Worship Street, London, EC2A 2BF** for the following reason(s):

This premises is located just outside of the Shoreditch Special Policy Area, however, this area is becoming increasingly popular and busy as new hotels, apartments, restaurants and bars are being built and becoming operational. Previously, a relatively quiet area in Shoreditch, this has and will see a marked increased footfall, as will Shoreditch as a whole. Police are concerned that the increase in licensed premises in this small area will increase the ASB and disorder issues already being experienced here.

Police would like further information as follows:

- Are all events run at this venue, managed and booked by Indigofera PR Limited?
- How many people does the premises hold?
- How regularly are events held?
- Will the operation remain the same, except with the addition of the ability to sell alcohol?
- How far in advance are bookings made for events?
- During any event, is a member of the public allowed access? Or is it all guestlist only?
- Are there any CCTV cameras installed?
- Is there a dispersal policy in place?
- What experience does the proposed DPS have of managing licensed venues and events?

The police have attached a set of conditions to ensure the promotion of the licensing objectives.

Police would like to meet the applicant on site to discuss this application in further detail.

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)

Conditions for The Yard Shoreditch
89½ Worship Street, London, EC2A 2BF

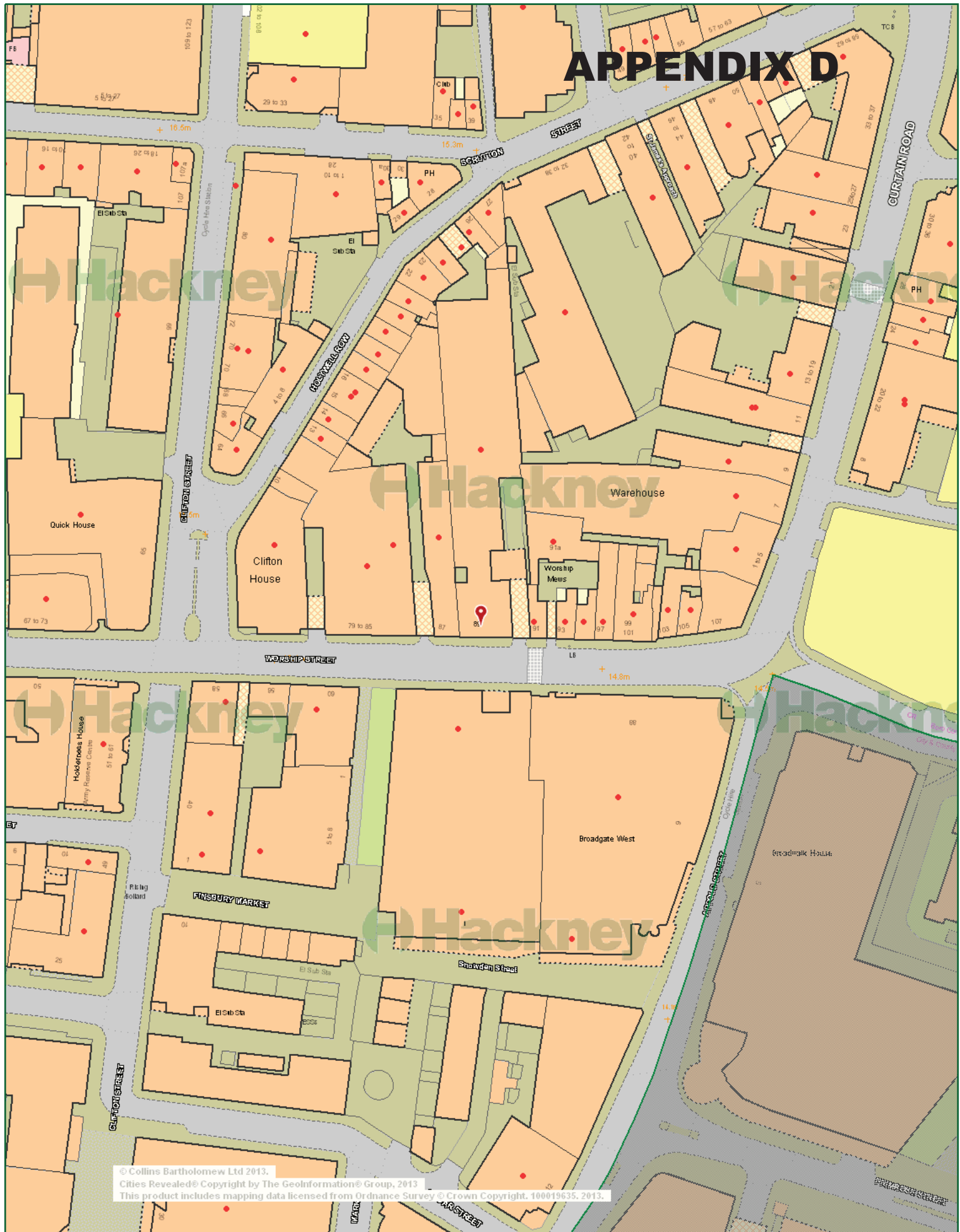
1. The premises shall maintain a comprehensive CCTV system as per the minimum requirements of a Metropolitan Police Crime Prevention Officer. All public areas, entry and exit points will be covered enabling frontal identification of every person entering in any light condition. The CCTV system shall continually record whilst the premises is open for licensable activities and during all times when customers remain on the premises. All recordings shall be stored for a minimum period of 31 days with date and time stamping. Recordings shall be made available immediately upon the request of Police or authorised officer. (To be discussed)
2. A staff member from the premises who is conversant with the operation of the CCTV system shall be on the premises at all times when the premises are open to the public. This staff member shall be able to show Police or an authorised officer of Hackney Borough Council recent data or footage with the absolute minimum of delay when requested. (To be discussed)
3. An incident log shall be kept at the premises, and made available immediately to an authorised officer of the Hackney Borough Council or the Police, which will record the following:
 - a. all crimes reported to the venue
 - b. any complaints received
 - c. any incidents of disorder
 - d. any faults in the CCTV system
 - e. any refusal of the sale of alcohol
 - f. any visit by a relevant authority or emergency service.
4. There shall be "CCTV in Operation" signs prominently displayed.
5. 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.
6. Where the sale or supply of alcohol is taking place employees of the premises must request sight of evidence of the age of any person appearing to be under 25 years of age (Challenge 25). Such evidence may include a driving licence or passport.
7. There shall be no glass, drinks or open containers taken outside of the premises at any time.
8. The premises will display and maintain appropriate signage advising customers of the contact details of the Designated Premises Supervisor/Duty Manager.
9. There shall be prominent signage requesting customers to leave the premises quietly and respect local residents.
10. All staff will be given refresher training every twelve months on the legislation relating to the sales of alcohol to underage persons and drunken persons.

Written records of this training shall be kept on the premises and produced to police or other authorised officer upon request.

11. The premises shall adhere to Hackney Police Theft, Weapons and Drugs Policies and any updates thereof.
12. After 22:00hrs there shall be a maximum of ** tbc ** smokers outside the venue at any one time. This shall be monitored by staff.

ADDITIONAL CONDITIONS MAY BE ADDED AFTER DISCUSSIONS WITH THE APPLICANT.

APPENDIX D



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The Yard

Scale 1/1250

at A4



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Date 11/4/2017

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