



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

Tuesday, 13th February, 2018

at 7.00 pm

Council Chamber, Hackney Town Hall, Mare
Street, London E8 1EA

Councillors sitting:

**Cllr Richard Lufkin, Cllr Sharon Patrick
(Substitute) and Cllr James Peters (Substitute)**

**Tim Shields
Chief Executive**

Contact:
Gareth Sykes, Governance Services Officer
0208 356 1567
gareth.sykes@hackney.gov.uk

The press and public are welcome to attend this meeting

AGENDA

Tuesday, 13th February, 2018

ORDER OF BUSINESS

Title	Ward	Page No
1 Election of Chair		
2 Apologies for Absence		
3 Declarations of Interest - Members to declare as appropriate		
4 Licensing Sub Committee Hearing Procedure		(Pages 1 - 2)
5 Variation Premises Licence : Ground Floor, 331 Wick Road, E9 5DH	Hackney Wick	(Pages 3 - 64)
6 Premises Licence : Yellow Warbler, 9 Northwold Road, N16 7HL	Cazenove	(Pages 65 - 104)
7 Temporary Event Notices - Standing Item		

Licensing Sub-Committee Hearings

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

A Licensing Sub-Committee will be held if:

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

Prior to your item being heard:

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

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

Making decisions on the items being heard:

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

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

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

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

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

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

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

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

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

Before the meeting starts:

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

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

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

Attending the hearing that concerns you:

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

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

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

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

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

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

Timings

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

Rights of Press and Public to Report on Meetings

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

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

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

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

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

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

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

Providing oral commentary during a meeting is not permitted.

Lobbying of Councillors

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

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

Reports

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

Appeals

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

Withdrawal of an Item or Cancellation of a Hearing

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

As much advance notice as is practicable of the withdrawal of an item on the agenda or cancellation of a meeting of the Licensing Sub-Committee will be provided on the Council's website but please note that this might be as little as a few hours before the hearing if the

applicant chooses to leave it that late to satisfactorily address any representation or objection giving rise to the need for a hearing.

Facilities

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

Contacts

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

Governance Services
2nd Floor Room 118
Hackney Town Hall
Mare Street
E8 1EA

Telephone: 020 8356 1266
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 Suki Binjal, Interim Director of Legal, on 020 8356 6234 or email suki.binjal@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 4

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

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

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

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REPORT OF THE GROUP DIRECTOR, NEIGHBOURHOODS AND HOUSING		
LICENSING SUB-COMMITTEE: 13/02/2018	Classification DECISION	Enclosure
APPLICATION TO VARY THE PREMISES LICENCE : Ground Floor, 331 Wick Road, E9 5DH	Ward(s) affected Hackney Wick	

1. SUMMARY

Applicant(s) Venus 14 Ltd	In SPA No
Date of Application 23 November 2017	Period of Application Permanent
Proposed variation: <ul style="list-style-type: none"> • To add following activities to existing hours <ul style="list-style-type: none"> Films Live Music Recorded Music Late Night Refreshment Supply of Alcohol (On and Off Premises) • To include outside areas in licensed area • To remove and replace existing conditions 	
Proposed hours for licensable activity	
Films INDOOR	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 11:00-00:00
Live Music INDOOR	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 11:00-00:00

Recorded Music INDOOR	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 11:00-00:00
Late Night Refreshment BOTH	Standard Hours: Mon 23:00-00:00 Tue 23:00-00:00 Wed 23:00-00:00 Thu 23:00-00:00 Fri 23:00-01:00 Sat 23:00-01:00 Sun 23:00-00:00
Supply of Alcohol INDOOR	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 11:00-00:00
The opening hours of the premises: INDOOR	Standard Hours: Mon 11:00-00:30 Tue 11:00-00:30 Wed 11:00-00:30 Thu 11:00-00:30 Fri 11:00-01:30 Sat 11:00-01:30 Sun 11:00-00:30
Current activities/hours: See current licence attached as Appendix D	
Capacity: not known	
Policies Applicable	LP3 (Operating Schedule), LP4 (Crime and Disorder), LP5 (Public Nuisance), LP6 (Protection of Children from Harm), LP8 (Public Safety), LP12 (Licensing Hours)
List of Appendices	A – Application for variation of premises licence and supporting documents B – Representations from responsible authorities C – Representations from ‘other persons’ D – Current Licence E - Location map

Relevant Representations	<ul style="list-style-type: none"> • Environmental Health Authority (Environmental Protection) • Police • Licensing Authority • Other Persons
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2. APPLICATION

2.1 Venus 14 Ltd has made an application vary their premises licence under the Licensing Act 2003:

- To extend hours for supply of alcohol for consumption on the premises and to include off sales
- To include provision of regulated entertainment
- To include late night refreshment
- To include outside areas in licensed area
- To remove and replace existing conditions

2.2 The application is attached as Appendix A..

3. CURRENT STATUS / HISTORY

3.1 The current premises licence was granted in 2006. The licence is attached as Appendix D. An application to extend hours and licensable activity was refused by Licensing Sub-committee in July 2013. The licence was transferred to Venus 14 Ltd in April 2014.

3.2 No TENs have been submitted in respect of the premises in 2017/2018

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)	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	Have confirmed no representation on this application
Area Child Protection Officer	No representation received
Fire Authority	Have confirmed no representation on this application
Police (Appendix B1)	Representation received on the grounds of The Prevention of Crime and Disorder, Prevention of Public Nuisance
Licensing Authority	Representation received on the grounds of

(Appendix B2)	Prevention of Public Nuisance
Health Authority	No representation received

5. REPRESENTATIONS: OTHER PERSONS

Representation received from and on behalf of local residents. (Appendices C1-C8)	Representation received on the grounds of The Prevention of Crime and Disorder, Public Safety, Prevention of Public Nuisance, The Protection of Children from Harm, Licensing Hours
--	---

6. GUIDANCE CONSIDERATIONS

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

7. POLICY CONSIDERATIONS

- 7.1 Licensing Sub-Committee is required to have regard to the London Borough of Hackney's Statement of Licensing Policy ("the Policy") adopted by the Licensing Authority.
- 7.2 The Policy applies to applications where relevant representations have been made. With regard to this application, policies LP1 Planning, LP3 (Operating Schedule), LP4 (Crime and Disorder), LP5 (Public Nuisance), LP6 (Protection of Children from Harm), LP8 (Public Safety) and LP12 (Licensing Hours) are relevant.

8. OFFICER OBSERVATIONS

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

Mandatory Conditions:

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. All instances of crime and disorder shall be reported to the police.

11. An incident book shall be used to record all instances of public disorder and incidents at the premises.

12. The holder of the premises licence shall subscribe to and participate fully in the local pub watch scheme.

13. A minimum of two SIA registered door supervisors shall be on duty from 20:00 until 01:30 on every Friday and Saturday night. On other occasions when deemed necessary by way of event based risk assessment that SIA registered door supervisors will be employed until 30 past closing time at the rate of one door supervisor for every one hundred customers.

14. CCTV shall be installed, operated and maintained in agreement with the Police. The system will enable frontal identification of every person entering the premises. The system shall record in real time and operate whilst the premises are open for licensable activities. The recordings shall be kept available for a minimum of 31 days. Recordings shall be made available to an Authorised Officer or a Police Officer (subject to the Data Protection Act 1998) within 24 hours of any request.

15. Clear and prominent notices shall be displayed on the premises warning customers of the need to guard their property and to be aware of the operation of pickpockets, bag snatchers, etc. The notices shall advise customers to report concerns to the designated premises supervisor or the person in charge of the licensed premises.

16. Safety checks shall be carried out before the admission of the public. Details of safety checks shall be kept in a Log-book on the premises. The Log-book shall be made available for inspection by authorised officers.

17. All exit routes shall be kept unobstructed, with non-slippery and even surfaces, free of trip hazards and clearly identified.

18. All exits doors shall be maintained easily operable without the use of a key, card, code or similar means.

19. Exit doors shall be regularly checked to ensure that they function satisfactorily and a record of the check shall be kept.
20. Adequate and appropriate supply of first aid equipment and materials must be available on the premises at all times.
21. The licensee shall devise a dispersal plan for evening events to be made available on request to reasonable authorities.
22. The licensee shall ensure that all staff, including Door Supervisors if required, shall be trained to carry out these tasks and to facilitate effective crowd dispersal at the end of any given evening, and ensure that they have signed a staff record form to verify that they have been trained in these process.
23. In the event of complaints of noise being received and substantiated by the council's noise officers, the licensee shall cease the activity of live music and appoint a noise consultant registered with the Institute of Acoustics or Association of Noise Consultants to prepare a scheme of further sound insulation and noise control measures, which may include the recalibration of the noise limiting device, to prevent persons in the neighbourhood from being unreasonably disturbed by noise of music, including live music, and amplified or raised voices coming from the from the premises. The scheme shall be submitted for approval by the Council, and the approved scheme fully implemented to the satisfaction of the Council and the licensee notified in writing accordingly, before live music and dancing can resume at the premises.
24. Where a noise limiting device is installed, the system must be set by the appointed noise consultant to maximum music noise levels approved by, and in conjunction with, the Council's Pollution Team.
25. No drinking shall be permitted outside except for the designated garden areas and in any seated area or other area on the public highway pre-agreed with the Council
26. After 11pm persons shall only be permitted to smoke outside in the area to right of premises as specified on second submitted plan.
27. A policy shall be devised in respect of loading and unloading of equipment in and out of the premises to minimise disturbance to local residents. Doors and windows to the premises will be kept closed, so far as practicable, at all times when noise generating regulated entertainment is taking place i.e. live and recorded music.
28. A dedicated licensed taxi/mini cab service shall be available with the premises for customers.
29. Bottling out from the premises is prohibited between 23:00 hours and 08:00 hours.

30. Refuse such as bottles must be placed into receptacles outside the premises at times that will minimise the disturbance to nearby properties.
31. The contact telephone number for the premises duty manager shall be displayed inside the premises or immediately outside the premises such that it is clearly visible from outside without the need to enter the premises.
32. The licensee shall devise a dispersal plan for evening events to be made available on request to reasonable authorities.
33. The licensee shall ensure that all staff, including Door Supervisors if required, shall be trained to carry out these tasks and to facilitate effective crowd dispersal at the end of any given evening, and ensure that they have signed a staff record form to verify that they have been trained in these process.
34. The licensee shall put arrangements in place to ensure that before serving alcohol to young persons, staff ask to see accredited proof of age cards e.g. Citizencard, a Passport, or UK Driving Licence bearing the photograph and date of birth of the bearer.
35. 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.
36. The licensee shall ensure that staff are trained about age restricted products and ensure that they sign to confirm that they have understood the training. The licensee shall keep records of training and instruction given to staff.
37. The premises will display and maintain appropriate signage advising customers of the contact details of the Designated Premises Supervisor.
38. 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.
39. The licensee should regularly monitor staff to check how they are dealing with young people who ask for alcohol and other age restricted products.

Conditions derived from Responsible Authority representations

To add the following to the SIA condition:

“All security staff and stewards shall be clearly identifiable at all times. All supervisors shall enter their full details in the premises daily register at the commencement of their work. They shall record their full name, home address and contact telephone number, their SIA registration number, and the time they commence and conclude working. If the supervisor was provided by an agency the name, registered business address and contact

telephone number will also be recorded. This register will be made available to police or authorised officer immediately upon request.”

To add the following to the CCTV condition:

“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.”

9. REASONS FOR OFFICER OBSERVATIONS

- 9.1 Conditions 10 to 39 have been proposed by the applicant. Police have proposed the above amendments.

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 1 Hillman Street E8 1DY 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
Ground Floor 331 Wick Road, Hackney, E9 5DH	Hackney Service Centre Licensing Service 1 Hillman Street London E8 1DY

Printed matter

Licensing Act 2003

LBH Statement of Licensing Policy

APPENDIX A

Hackney
LA07

Application to vary a premises licence under the Licensing Act 2003

PLEASE READ THE FOLLOWING INSTRUCTIONS FIRST

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

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

I/We Venus 14 LTd

(Insert name(s) of applicant)

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

Premises licence
number LBH-PRE-T- 0635

Part 1 – Premises Details

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

331 WICK ROAD
HACKNEY

Post town	LONDON	Postcode	E9 5DH
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Telephone number at premises (if any)

Non-domestic rateable value of premises £10000

Part 2 – Applicant details

Daytime contact telephone number	[REDACTED]		
E-mail address (optional)	[REDACTED]		
Current postal address if different from premises address	[REDACTED] UK-England		
Post	[REDACTED]	Postcode	[REDACTED]

town			
------	--	--	--

Part 3 – Variation

Please tick as appropriate	
Do you want the proposed variation to have effect as soon as possible?	Yes
If not, from what date do you want the variation to take effect?	
Do you want the proposed variation to have effect in relation to the introduction of the late night levy? (Please see guidance note 1)	Yes
	<input checked="" type="checkbox"/> No

<p>Please describe briefly the nature of the proposed variation (Please see guidance note 2)</p> <p>To add licensable activities to existing hours, to permit drinking outside in authorised areas, and to modern an out of date licence</p>

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

400

Part 4 Operating Schedule

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

- | Provision of regulated entertainment (Please see guidance note 3) | Please tick all 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) | .. |
| d) boxing or wrestling entertainment (if ticking yes, fill in box D) | .. |
| e) live music (if ticking yes, fill in box E) <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| f) recorded music (if ticking yes, fill in box F) | <input checked="" type="checkbox"/> |
| g) performances of dance (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) | .. |
| <u>Provision of late night refreshment</u> (if ticking yes, fill in box L) | <input checked="" type="checkbox"/> |
| Sale by retail of alcohol (if ticking yes, fill in box J) | .. |
| In all cases complete boxes K, L and M | |

A

Plays Standard days and timings (please read guidance note 8)			Will the performance of a play take place indoors or outdoors or both – please tick (please read guidance note 4)	Indoors	
				Outdoors	
Day	Start	Finish		Both	
Mon			Please give further details here (please read guidance note 5)		
Tue					
Wed			State any seasonal variations for performing plays (please read guidance note 6)		
Thur			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 7)		
Fri					
Sat					
Sun					

B

Films Standard days and timings (please read guidance note 8)			Will the exhibition of films take place indoors or outdoors or both – please tick (please read guidance note 4)	Indoors	<input checked="" type="checkbox"/>
				Outdoors	
				Both	
Day	Start	Finish	Please give further details here (please read guidance note 5)		
Mon	11:00 -----	00:00 -----			
Tue	11:00 -----	00:00 -----			
Wed	11:00 -----	00:00 -----	State any seasonal variations for the exhibition of films (please read guidance note 6)		
Thur	11:00 -----	00:00 -----			
Fri	11:00 -----	01:00 -----	Non-standard timings. Where you intend to use the premises for the exhibition of films at different times to those listed in the column on the left, please list (please read guidance note 7)		
Sat	11:00 -----	01:00 -----			
Sun	11:00 -----	00:00 -----			

C

Indoor sporting events Standard days and timings (please read guidance note 8)			Please give further details (please read guidance note 5)
Day	Start	Finish	
Mon			State any seasonal variations for indoor sporting events (please read guidance note 6)
Tue			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 (please read guidance note 7)
Wed			
Thur			
Fri			
Sat			
Sun			

D

Boxing or wrestling entertainments Standard days and timings (please read guidance note 8)			Will the boxing or wrestling entertainment take place indoors or outdoors or both – please tick (please read guidance note 4)	Indoors	
Day	Start	Finish		Outdoors	
Mon				Both	
			Please give further details here (please read guidance note 5)		
Mon					
Tue			State any seasonal variations for boxing or wrestling entertainment (please read guidance note 6)		
Wed					
Thur			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 (please read guidance note 7)		
Fri					
Sat					
Sun					

E

Live music Standard days and timings (please read guidance note 8)			Will the performance of live music take place indoors or outdoors or both – please tick (please read guidance note 4)	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 5)					
Mon	11:00	00:00						
	-----	-----						
Tue	11:00	00:00						
	-----	-----						
Wed	11:00	00:00				State any seasonal variations for the performance of live music (please read guidance note 6)		
	-----	-----						
Thur	11:00	00:00						
	-----	-----						
Fri	11:00	01:00	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 7)					
	-----	-----						
Sat	11:00	01:00						
	-----	-----						
Sun	11:00	00:00						
	-----	-----						

F

Recorded music Standard days and timings (please read guidance note 8)			Will the playing of recorded music take place indoors or outdoors or both – please tick (please read guidance note 4)	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 5)		
Mon	11:00	00:00			
	-----	-----			
Tue	11:00	00:00			
	-----	-----	State any seasonal variations for the playing of recorded music (please read guidance note 6)		
Wed	11:00	00:00			
	-----	-----			
Thur	11:00	00:00			
	-----	-----	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 7)		
Fri	11:00	01:00			
	-----	-----			
Sat	11:00	01:00			
	-----	-----			
Sun	11:00	00:00			
	-----	-----			

G

Performances of dance Standard days and timings (please read guidance note 8)			Will the performance of dance take place indoors or outdoors or both – please tick (please read guidance note 4)	Indoors	
Day	Start	Finish		Outdoors	
Mon				Please give further details here (please read guidance note 5)	Both
Tue					
Wed			State any seasonal variations for the performance of dance (please read guidance note 6)		
Thur					
Fri			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 (please read guidance note 7)		
Sat					
Sun					

H

Anything of a similar description to that falling within (e), (f) or (g) Standard days and timings (please read guidance note 8)			Please give a description of the type of entertainment you will be providing		
Day	Start	Finish	Will this entertainment take place indoors or outdoors or both – please tick (please read guidance note 4)	Indoors	
Mon				Outdoors	
				Both	
Tue			Please give further details here (please read guidance note 5)		
Wed					
Thur					
Fri			State any seasonal variations for entertainment of a similar description to that falling within (e), (f) or (g) (please read guidance note 6)		
Sat					
Sun					
			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 (please read guidance note 7)		

I

Late night refreshment Standard days and timings (please read guidance note 8)			Will the provision of late night refreshment take place indoors or outdoors or both – please tick (please read guidance note 4)	Indoors	
Day	Start	Finish		Outdoors	
				Both	<input checked="" type="checkbox"/>
Mon	23:00	00:00	Please give further details here (please read guidance note 5)		
Tue	23:00	00:00	State any seasonal variations for the provision of late night refreshment (please read guidance note 6)		
Wed	23:00	00:00			
Thur	23:00	00:00			
Fri	23:00	01:00	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 (please read guidance note 7)		
Sat	23:00	01:00			
Sun	23:00	00:00			

I

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 type="checkbox"/>			
				Off the premises	<input type="checkbox"/>			
				Both	X			
Day	Start	Finish	<u>State any seasonal variations</u> (please read guidance note 4)					
Mon	11:00	00:00						
Tue	11:00	00:00						
Wed	11:00	00:00						
Thur	11:00	00:00				<u>Non-standard timings. Where the club intends to use the premises for the supply of alcohol at different times from those listed in the column on the left, please list</u> (please read guidance note 5)		
Fri	11:00	01:00						
Sat	11:00	01:00						
Sun	11:00	00:00						

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 10).
None permitted

L

Hours premises are open to the public Standard days and timings (please read guidance note 8)			State any seasonal variations (please read guidance note 6)
Day	Start	Finish	
Mon	11:00	00:30	Non-standard timings. Where you intend the premises to be open to the public at different times from those listed in the column on the left, please list (please read guidance note 7)
Tue	11:00	00:30	
Wed	11:00	00:30	
Thur	11:00	00:30	
Fri	11:00	01:30	
Sat	11:00	01:30	
Sun	11:00	00:30	

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

all current to conditions to be removed.

Please tick as appropriate

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

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

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

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

a) General – all four licensing objectives (b, c, d and e) (please read guidance note 11)

See below.

b) The prevention of crime and disorder

All instances of crime and disorder shall be reported to the police.

An incident book shall be used to record all instances of public disorder and incidents at the premises.

The holder of the premises licence shall subscribe to and participate fully in the local pub watch scheme.

A minimum of two SIA registered door supervisors shall be on duty from 20:00 until 01:30 on every Friday and Saturday night.

On other occasions when deemed necessary by way of event based risk assessment that SIA registered door supervisors will be employed until 30 past closing time at the rate of one door supervisor for every one hundred customers.

CCTV shall be installed, operated and maintained in agreement with the Police. The system will enable frontal identification of every person entering the premises. The system shall record in real time and operate whilst the premises are open for licensable activities. The recordings shall be kept available for a minimum of 31 days. Recordings shall be made available to an Authorised Officer or a Police Officer (subject to the Data Protection Act 1998) within 24 hours of any request. Clear and prominent notices shall be displayed on the premises warning customers of the need to guard their property and to be aware of the operation of pickpockets, bag snatchers, etc. The notices shall advise customers to report concerns to the designated premises supervisor or the person in charge of the licensed premises.

c) Public safety

Safety checks shall be carried out before the admission of the public. Details of safety checks shall be kept in a Log-book on the premises. The Log-book shall be made available for inspection by authorised officers.

All exit routes shall be kept unobstructed, with non-slippery and even surfaces, free of trip hazards and clearly identified.

All exits doors shall be maintained easily operable without the use of a key, card, code or similar means.

Exit doors shall be regularly checked to ensure that they function satisfactorily and a record of the check shall be kept.

Adequate and appropriate supply of first aid equipment and materials must be available on the premises at all times.

d) The prevention of public nuisance

The licensee shall devise a dispersal plan for evening events to be made available on request to reasonable authorities.

The licensee shall ensure that all staff, including Door Supervisors if required, shall be trained to carry out these tasks and to facilitate effective crowd dispersal at the end of any given evening, and ensure that they have signed a staff record form to verify that they have been trained in these process.

In the event of complaints of noise being received and substantiated by the council's noise officers, the licensee shall cease the activity of live music and appoint a noise consultant registered with the Institute of Acoustics or Association of Noise Consultants to prepare a scheme of further sound insulation and noise control measures, which may include the recalibration of the noise limiting device, to prevent persons in the neighbourhood from being unreasonably disturbed by noise of music, including live music, and amplified or raised voices coming from the from the premises.

The scheme shall be submitted for approval by the Council, and the approved scheme fully implemented to the satisfaction of the Council and the licensee notified in writing accordingly, before live music and dancing can resume at the premises.

Where a noise limiting device is installed, the system must be set by the appointed noise consultant to maximum music noise levels approved by, and in conjunction with, the Council's Pollution Team.

No drinking shall be permitted outside except for the designated garden areas and in any seated area or other area on the public highway pre-agreed with the Council

After 11pm persons shall only be permitted to smoke outside in the area to right of premises as specified on second submitted plan.

A policy shall be devised in respect of loading and unloading on equipment in and out of the premises to minimise disturbance to local residents.

Doors and windows to the premises will be kept closed, so far as practicable, at all times when noise generating regulated entertainment is taking place i.e. live and recorded music.

A dedicated licensed taxi/mini cab service shall be available with the premises for customers.

Bottling out from the premises is prohibited between 23:00 hours and 08:00 hours.

Refuse such as bottles must be placed into receptacles outside the premises at times that will minimise the disturbance to nearby properties.

The contact telephone number for the premises duty manager shall be displayed inside the premises or immediately outside the premises such that it is clearly visible from outside without the need to enter the premises.

The licensee shall devise a dispersal plan for evening events to be made available on request to reasonable authorities.

The licensee shall ensure that all staff, including Door Supervisors if required, shall be trained to carry out these tasks and to facilitate effective crowd dispersal at the end of any given evening, and ensure that they have signed a staff record form to verify that they have been trained in these process.

e) The protection of children from harm

The licensee shall put arrangements in place to ensure that before serving alcohol to young persons, staff ask to see accredited proof of age cards e.g. Citizencard, a Passport, or UK Driving Licence bearing the photograph and date of birth of the bearer.

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.

The licensee shall ensure that staff are trained about age restricted products and ensure that they sign to confirm that they have understood the training. The licensee shall keep records of training and instruction given to staff.

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

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.

The licensee should regularly monitor staff to check how they are dealing with young people who ask for alcohol and other age restricted products.

Checklist:

Please tick to indicate agreement

- I have made or enclosed payment of the fee; or
- I have not made or enclosed payment of the fee because this application has been made in relation to the introduction of the late night levy.
- I have sent copies of this application and the plan to responsible authorities and others where applicable.

- I understand that I must now advertise my application.
- I have enclosed the premises licence or relevant part of it or explanation.
- I understand that if I do not comply with the above requirements my application will be rejected.

IT IS AN OFFENCE, UNDER SECTION 158 OF THE LICENSING ACT 2003, TO MAKE A FALSE STATEMENT IN OR IN CONNECTION WITH THIS APPLICATION. THOSE WHO MAKE A FALSE STATEMENT MAY BE LIABLE ON SUMMARY CONVICTION TO A FINE OF ANY AMOUNT.

Part 5 – Signatures (please read guidance note 12)

Signature of applicant (the current premises licence holder) or applicant’s solicitor or other duly authorised agent (please read guidance note 13). **If signing on behalf of the applicant, please state in what capacity.**

Signature	niall forde
Date	7/11/2017
Capacity	Consultant

Where the premises licence is jointly held, signature of 2nd applicant (the current premises licence holder) or 2nd applicant’s solicitor or other authorised agent (please read guidance note 14). **If signing on behalf of the applicant, please state in what capacity.**

Signature	
Date	7/11/2017
Capacity	

Contact name (where not previously given) and address for correspondence associated with this application (please read guidance note 15)

[Redacted contact name and address]

UK-England

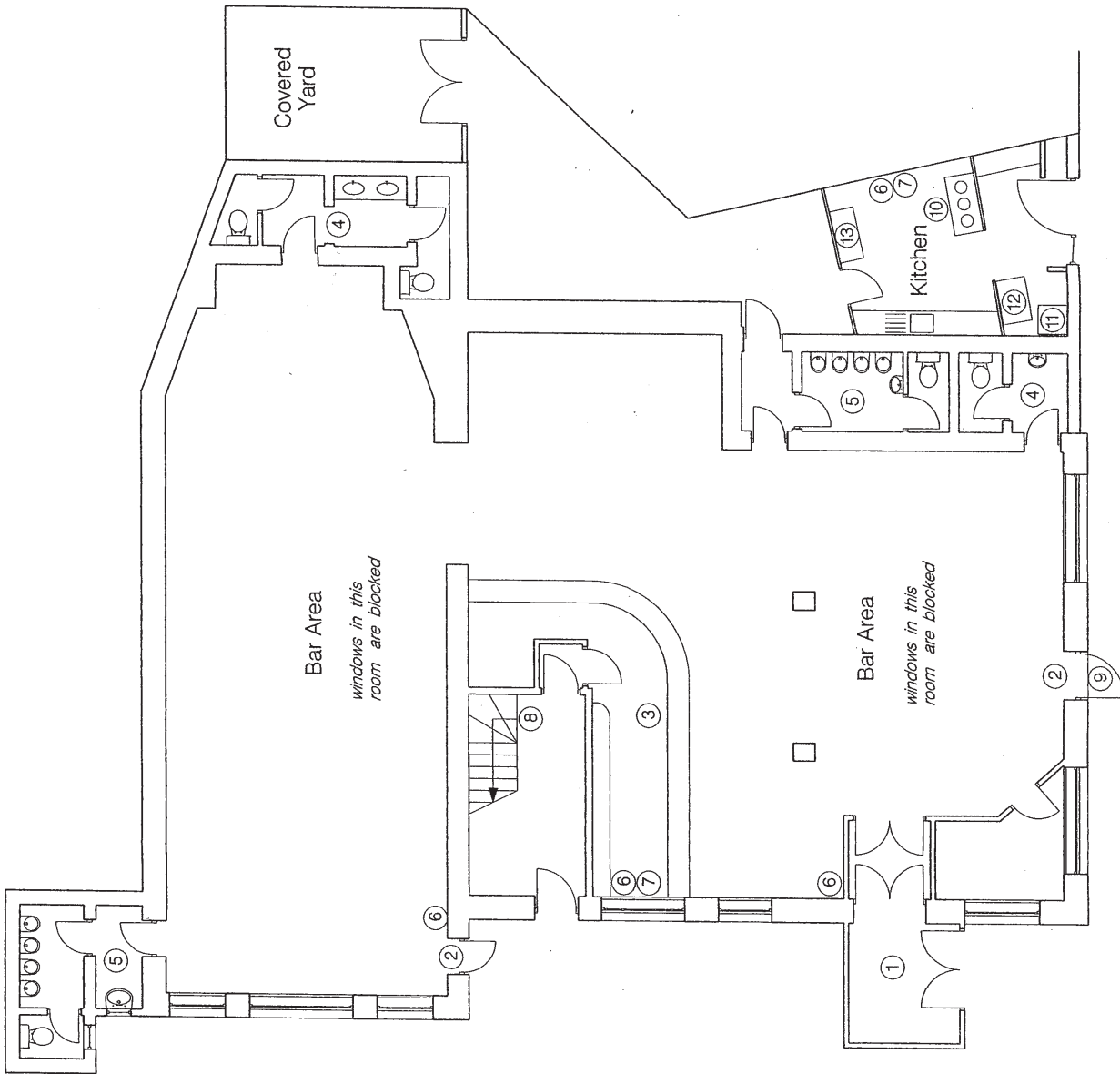
Post town	[Redacted]	Post code	[Redacted]
Telephone number (if any)	[Redacted]		

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

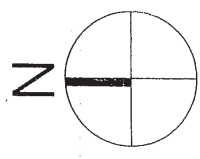
Notes for Guidance

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

1. You do not have to pay a fee if the only purpose of the variation for which you are applying is to avoid becoming liable for the late night levy
2. Describe the premises. For example, the type of premises, its general situation and layout and any other information which could be relevant to the licensing objectives. Where your application includes off-supplies of alcohol and you intend to provide a place of consumption of these off-supplies of alcohol, you must include a description of where the place will be and its proximity to the premises.
3. In terms of specific regulated entertainments please note that:
 - Plays: no licence is required for performances between 08.00 and 23.00 on any day, provided that the audience does not exceed 500.
 - Films: no licence is required for 'not-for-profit' film exhibition held in community premises between 08.00 and 23.00 on any day provided that the audience does not exceed 500 and the organiser (a) gets consent to the screening from a person who is responsible for the premises; and (b) ensures that each such screening abides by age classification ratings.
 - Indoor sporting events: no licence is required for performances between 08.00 and 23.00 on any day, provided that the audience does not exceed 1000.
 - Boxing or Wrestling Entertainment: no licence is required for a contest, exhibition or display of Greco-Roman wrestling, or freestyle wrestling between 08.00 and 23.00 on any day, provided that the audience does not exceed 1000. Combined fighting sports – defined as a contest, exhibition or display which combines boxing or wrestling with one or more martial arts – are licensable as a boxing or wrestling entertainment rather than an indoor sporting event.
 - Live music: no licence permission is required for:
 - a performance of unamplified live music between 08.00 and 23.00 on any day, on any premises.
 - a performance of amplified live music between 08.00 and 23.00 on any day on premises authorised to sell alcohol for consumption on those premises, provided that the audience does not exceed 500.
 - a performance of amplified live music between 08.00 and 23.00 on any day, in a workplace that is not licensed to sell alcohol on those premises, provided that the audience does not exceed 500.
 - a performance of amplified live music between 08.00 and 23.00 on any day, in a church hall, village hall, community hall, or other similar community premises, that is not licensed by a premises licence to sell alcohol, provided that (a) the audience



- ① Main Entrance/Fire Escape
- ② Fire Escape
- ③ Bar
- ④ Ladies' Toilets
- ⑤ Gents' Toilets
- ⑥ Fire Extinguisher
- ⑦ Fire Blanket
- ⑧ Stairs to Residential Part
- ⑨ Step 120mm
- ⑩ Cooker
- ⑪ Refrigerator
- ⑫ Freezer
- ⑬ Hot Food Storage



Wick Road (Pavement)

331 Wick Road, E9

Exst. Ground Floor Layout 1:100@A3
 Drawing 0512-SUR-APEX10 August 2005

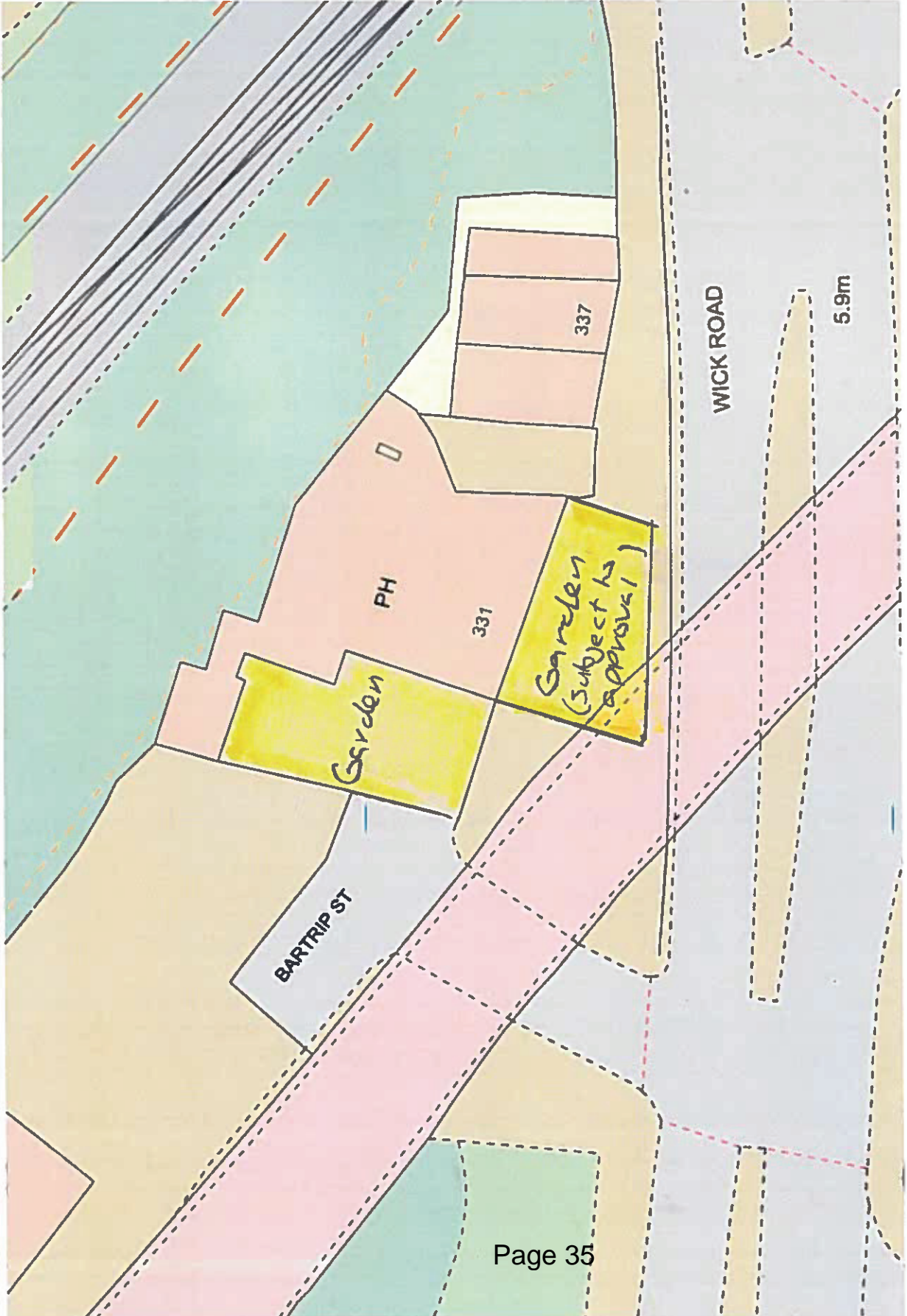
JOCHEN DRIESSE ARCHITECTS

71 Darville Road
 London N16 7PT
 Tel: 020 7502 2599
 Email: jdarchitects@gmx.net

Note: This illustrative drawing is produced for licensing and similar purposes

Title: Wick Road

Printed By:
RO RO
Printed At:
16-11-2017



**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, First Floor, Hackney Service Centre, 1 Hillman Street London E8 1DY
CONTACT NAME	Gurch Patti
TELEPHONE NUMBER	0208 356 4997
E-MAIL ADDRESS	Gurch.Patti@hackney.gov.uk

APPLICATION PREMISES

NAME & ADDRESS OF PREMISES	Venus 14 Ltd 331 Wick Road London E9 5DH
REFERENCE	Premises licence number LBH-PRE-T-0635
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:

Environmental Protection object to a variation of premises licence under the Licensing Act 2003 as applied for by Venus Ltd 331 Wick Road London E9 5DH. The applicant has not demonstrated in full that **LP5 Public Nuisance** Licensing Policy requirement would be met.

Environmental Protection Team is concerned that noise or/and smoke may cause nuisances to occupiers of nearest noise/smoke sensitive receptors and obstruction to users of the public pavement on Wick Road and nearby streets.

The applicant has not provided adequate information on completed noise mitigation works so when regulated entertainment is taking place (live music & recorded music) it will not cause a disturbance to nearby residents.

The applicant needs to identify the exact smoking area and the number of people that will using the designated smoking area at any one time is not restricted.

Therefore, the applicant is advised to contact Environmental Protection to discuss concerns above.

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

The Licensing Policy. The prevention of public nuisance **LP5**.

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

The applicant is welcome to contact Gurch Patti on 020 8356 4997 or Email: gurch.patti@hackney.gov.uk

Name: Gurch Patti

Date: 20th December 2017

**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	331 Wick Road London E9 5DH
NAME OF PREMISES USER	Venus 14 Ltd

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 variation to the Premises Licence at 331 WICK ROAD, LONDON, E9 5DH for the following reason(s):

The premises is located underneath the A12 in Hackney Wick. The rear of the premises backs on to railway tracks and residential properties in Buxhall Crescent. These residents have previously been disturbed by music from this venue. Police have seen several applications from this venue over the past few years, but the venue has remained closed.

This application seeks to include the addition of Films, Late Night refreshment, Live Music and Recorded Music and extend the opening hours by 30 minutes. This would mean that the sale of alcohol would cease an hour before closing time, which is large gap. Why is this the case? Police propose that all other licensable activity be brought back to be in line with the sale of alcohol and the premises then close 30 minutes after.

Police would like to add the following to the SIA condition set out in Section M (b):

All security staff and stewards shall be clearly identifiable at all times. All supervisors shall enter their full details in the premises daily register at the commencement of their work. They shall record their full name, home address and contact telephone number, their SIA registration number, and the time they commence and conclude working. If the supervisor was provided by an agency the name, registered business address and contact telephone number will also be recorded. This register will be made available to police or authorised officer immediately upon request.

And would like to add the following to the CCTV condition:

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.

Police would also like to meet the applicant on site to discuss this application and how the premises will operate on a day to day basis with relation to the location of smokers, sound limiting devices and outside seating areas.

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)

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

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

APPLICATION PREMISES

NAME & ADDRESS OF PREMISES	331 Wick Road London E9 5DH
NAME OF APPLICANT	Venus 14 Ltd

COMMENTS

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

- the prevention of crime and disorder
- 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 at the interchange between the A12 and the A106 (Wick Road) and is partially underneath an elevated section of the eastbound A12. Whilst the immediate location may not be classed as “residential” there are some residential properties nearby, including opposite. The road is a double lined ‘Red Route’, which prohibits stopping, thereby restricting vehicular access/egress to the adjacent Bartrip Street or possibly to Cadogan Terrace and Cowdry Road on the opposite of Wick Road.

The following proposed conditions are noted:

The licensee shall devise a dispersal plan for evening events to be made available on request to reasonable authorities.

- It would be helpful if a draft of this dispersal plan be provided as soon as practicable.

No drinking shall be permitted outside except for the designated garden areas and in any seated area or other area on the public highway pre-agreed with the Council

- According to the submitted plan, there appears to be no delineation between the area entitled “front garden” and the public footpath. Although from the photo taken from ‘Google Streetview’ there appears to be a variation in the surface and wooden posts which may suggest that this area is private land. This needs to be clarified. See image:



After 11pm persons shall only be permitted to smoke outside in the area to right of premises as specified on second submitted plan.

- The permitted number of smokers beyond 23:00 is currently unlimited so the applicant may wish to suggest an upper limit

A policy shall be devised in respect of loading and unloading on equipment in and out of the premises to minimise disturbance to local residents.

- It would be helpful if a draft of this plan be provided as soon as practicable.

Lastly, it should be noted that the premises licence currently restricts the supply of alcohol to consumption on the premises only. This application seeks to authorise consumption both on and off the premises.

Therefore I do have concerns that the proposal could have a negative impact on the prevention of public nuisance objective.

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.

Discussion with the applicant in relation to the points raised above, including the proposed outdoor activity and clarification in relation to the position of and maximum number of smokers allowed outside.

Name: David Tuitt (Business Regulation Team Leader - Licensing and Technical Support)

Date: 20/12/17

From: Nick Sharman (Cllr)
Sent: 21 December 2017 22:28
To: Licensing
Cc: Christopher Kennedy (Cllr); Jessica Webb (Cllr); Jason Lord
Subject: Variation Application for licensed premises at 331 Wick Road

Dear Licensing Service

I am writing on behalf of the three Councillors for Wick Ward to object to the variation application for the licensed premises at 331 Wick Road.

We believe the proposed extension of hours and relaxation of conditions will create wholly unacceptable problems for local residents. Indeed we believe there is a strong case for tightening the existing conditions in line with the suggested guidelines within the Borough-wide consultation over future licensing policy. The consultation suggests that there is evidence that the Borough now has enough post-midnight bars to meet demand and that venues should in future have to show exceptional circumstances to justify staying open after midnight. There are no such exceptional circumstances applying in this case and therefore we suggest the hours are cut back to 11pm for Sunday to Thursday and midnight on Friday and Saturday.

Moreover in light of the closeness of the residential area to the premises we believe it is important that standard noise conditions should be applied to prevent noise being heard to the nearby houses. Further we believe the standard outside area conditions should also be applied. This would involve all outside activities cease at 8pm every night to protect the amenity of residential families in the neighbourhood.

Yours sincerely

Nick Sharman, Chris Kennedy and Jessica Webb

Councillor Nick Sharman
Hackney Wick Ward
London Borough of Hackney

██
██

Mike Smith

From: [REDACTED]
Sent: 20 December 2017 21:18
To: Licensing
Subject: Opposition of application for variation notice at 331 Wick Road Hackney (the old White Lion / Silver Link /Geneva's)

To who it may concern,

I am responding to property 331 Wick Road's (the old White Lion / Silver Link /Geneva's) application for variation of premises license.

I write on behalf of the residents of block [REDACTED] Wick Road, as we believe that granting this license would result in regular – and serious – disruption.

Our opposition of the license is based on a number of factors:

- Residents of 331 Wick Road have historically hosted loud and disruptive parties on their rooftop that have continued into the early hours of the morning. Furthermore, they do not tidy up after these events, leaving their rubbish to either blow off the terrace into the greenery next door or onto the balcony area below where it subsequently sits and rots. Based on this behavior, we are not confident that residents would stick to the terms of the license.
- Those of us living in number [REDACTED] Wick Road work full time. Our schedule requires us to be up at 06:00 on weekday mornings and we therefore all go to bed at roughly 22:00 at night. The license being requested runs until 23:00. Should it be granted, it is likely to cause disruption to our routines and over a period of time, will affect our work.
- We have seen a number of young children living in the flats of 331 Wick Road and feel that a pub and late license could be equally negative and disruptive for them and their wellbeing.
- The nature of the license calls into question local residents' public safety and raises concerns about an increase in crime and disorder due to abuse of alcohol and it's provocation of anti-social behaviour.

We hope that these oppositions will help to prove that this license should not be granted and thank you for your kind consideration.

Should you like to discuss any of these points further, you can do so on number below:

[REDACTED]

With kind regards

From: [REDACTED]
Sent: 20 December 2017 18:36
To: Licensing
Subject: Opposition of application for variation notice at 331 Wick Road Hackney (the old White Lion / Silver Link /Geneva's)

To who it may concern,

I am responding to property 331 Wick Road's (the old White Lion / Silver Link /Geneva's) application for variation of premises license.

I write on behalf of the residents of block [REDACTED] Wick Road, as we believe that granting this license would result in regular – and serious – disruption.

Our opposition of the license is based on a number of factors:

- Residents of 331 Wick Road have historically hosted loud and disruptive parties on their rooftop that have continued into the early hours of the morning. Furthermore, they do not tidy up after these events, leaving their rubbish to either blow off the terrace into the greenery next door or onto the balcony area below where it subsequently sits and rots. Based on this behavior, we are not confident that residents would stick to the terms of the license.
- Those of us living in number 335 Wick Road work full time. Our schedule requires us to be up at 06:00 on weekday mornings and we therefore all go to bed at roughly 22:00 at night. The license being requested runs until 23:00. Should it be granted, it is likely to cause disruption to our routines and over a period of time, will affect our work.
- We have seen a number of young children living in the flats of 331 Wick Road and feel that a pub and late license could be equally negative and disruptive for them and their wellbeing.
- The nature of the license calls into question local residents' public safety and raises concerns about an increase in crime and disorder due to abuse of alcohol and it's provocation of anti-social behaviour.

We hope that these oppositions will help to prove that this license should not be granted and thank you for your kind consideration.

Should you like to discuss any of these points further, you can do so on number below:

[REDACTED]

With kind regards

[REDACTED]

From: [REDACTED]
Sent: 21 December 2017 22:46
To: Mike Smith
Cc: Licensing
Subject: Licensing Application at 331 Wick rd

Dear Sir,

I wish to register my objection to the proposed variation to licensing of 331 in the strongest possible terms. I'm re-iterating the same objections made against previous applications for this site for which I invite you to cross refer.

Prevention of crime and disorder:

The history of crime related incidents with this property are notorious. It is clear that licensed activities at this address are no longer appropriate due to changes in character in the area since licensing was originally approved.

In the last 4 years we have regularly reported noise disturbance in connection with this property, including loud music from cars parked in front of the property continuing until the very early hours. Most recently a party taking place on the rear roof terrace of the property continued until approx 4AM.

Even though the terrace faces towards the railway embankment the sound system was clearly audible at our address (cadogan Terrace). Our children's sleep was disturbed.

On previous occasions (at least twice) noise control officers have attended our property at witnessed unacceptable noise and antisocial behaviour emanating from the property. I request that you consult noise officers to confirm the lengthy catalogue of complaints.

On the occasions noise control officers have attended they were reluctant to intervene to deal with the disturbance without police support. I have called the police directly aswell on other occasions. In all cases the Police were unable to attend within a reasonable time and clearly were prioritising other activities.

This demonstrates that this site cannot be policed in any practical way and crime and disorder cannot be prevented at this locations as it is remote from areas where nighttime uses can be properly managed.

The owners of the property (applicants) have proven repeatedly over time their irresponsibility and disregard for proper management of this site. There can be no confidence that this will change.

Licensed activities even off sales need to to be concentrated in areas where there is an established nighttime economy that can be effectively managed. This is not the case here.

This property is located adjacent to a secluded industrial yard, and untended overgrown area, there is little pedestrian footfall along this pavement and as such demonstrably invites antisocial activity. There is little natural surveillance. Licensed sales here will only incite crime and disorder.

Public safety:

In terms of public safety I would add that the proximity of the busy traffic junction creates a conflict. The access road (Bartrip street) is less than ideally located on Wick rd (I question whether it meets requirements in terms of highways design). Late at night there is often fast moving traffic accelerating on to the a12 slip road. Late night activities here have attracted cars turning and the proposed activities will therefore exacerbate the danger of collision. There is therefore an increased risk public safety. Police will be able to confirm that there was a serious traffic accident at the junction opposite within the last month. Indeed the fugitive driver was apprehended fleeing into the yard at Bartip street.

Public nuisance :

There is no need for licensed activity here as there are numerous convenience stores in the locality where it is possible to buy alcohol late into the evening.

Despite the proximity to the A12, The area is now a more developed as a residential area than it was when previous licenses were operational. This the result of construction of 6/7/8 Cadogan Terrace and the development at St Mary of Eton nearby on Eastway.

Late night activity on this site has already proven to be a significant public nuisance there is a clear risk that this will be intensified should this application be approved.

The increasing provision of family homes in the vicinity means there will be increased risk of harm to children given all of the above.

Beyond that I would like to add that the area falls under the jurisdiction of the LLDC as the planning authority. They are currently consulting on a masterplan for Hackney Wick and Fish Island. There is intense pressure to retain employment uses and cheap space for creative industries for which this site could be much more positively and appropriately used.

I believe the current and proposed activities are contradictory to the local plan, and will be discouraged under the emerging area action plan (or similar planning led initiative). As such, far from varying current license - I contest that the current license should be extinguished. There has been no lawful licensed operation here for at least five years, there will be no loss of trade or employment or public amenity, if that were the case.

Please confirm that the LLDC have been consulted, and their are comments available to the licensing committee. If this not the case I would expect this application be deferred until they have had the opportunity to consider this matter.

I look forward to your response on this point in particular.

I will be happy to make my representations to the committee directly in due course so please also keep me informed of any eventual committee date.

Merry Christmas!

██████████

Sent from my iPhone

From: [REDACTED]
Sent: 13 November 2017 09:43
To: Licensing
Subject: Licence application 331 Wick Road

Dear Sir/ Madam

I would like to make a representation against the licence application for 331 Wick Road E9 5DH. I am the freeholder of 335 Wick Road.

The former pub is situated on a very busy stretch of road which is a 'red route'. The property owners rent the upper floor of the pub to a number of tenants (I presume accommodated in bedsits), and the lower floor is currently used as storage. The property is in a state of semi-dereliction with one side of the frontage in a state of collapse. Since 2009 when I purchased my property I have seen barely any attempt to improve the property. The only modification (i.e not improvement) I have noticed is that the owners recently installed some ugly steel posts to vehicles being parked on the pub forecourt. There is a HGV repair garage opposite which prevents access on Bartrip Street with lorries and large vehicles for long periods, even at weekends. Whenever there is a downpour, there are huge muddy puddles that form in front of the pub, which makes access very difficult for residents. There is an infestation of rats at the rear of the building.

I am aware that the pub was formerly a nightclub that was ordered to close after it became a focal point for crime. I am also aware that the nightclub created serious parking problems in the immediate area. In recent years since its closure, parking rules in front of the building (Bartrip Street) and on neighbouring streets have been tightened, so now there are practically no parking places available for visitors.

The owners applied for a similar licence a couple of years ago which was declined, partly on the advice of a police officer who recommended that the building is unsuitable and could again attract crime. I see no reason that this view might have changed since then.

I would feel very sorry for the tenants of the upper floor of the pub if they were forced to hear the noise and crowds of a nightclub in the same building. The application shows a complete disregard for their well-being. My tenants and their neighbours at [REDACTED] Wick Road live only [REDACTED] metres away and are anxious about the negative impact it would have on their lives. 331 and [REDACTED] Wick Road are situated at what is already a very noisy and congested junction, which a nightclub would exacerbate and would make peaceful life in the area impossible.

In summary, I consider that the building is in an unsuitable location for a nightclub and I have no confidence that the owners will observe any legal and moral obligations to improve the building so that it might be run as a hospitable and safe nighttime venue. I wholeheartedly object to their application.

faithfully,

[REDACTED]
[REDACTED] Horace Road, London [REDACTED]
[REDACTED]

From: [REDACTED]
Sent: 21 December 2017 23:22
To: Licensing
Subject: 331 Wick Road licensing objection

The Act sets out four licensing objectives which must be taken into account when a local authority carries out its functions. They are:

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

There is an application to add outdoor sales and music. I have reported disturbances on several occasions as music played under the flyover outside the pub reverberates through my home. You can feel - as well as hear - bass. And it disturbs my young daughter's sleep and is a public nuisance as well as harming my child.

The traffic in that area does not seem to recognise that pedestrians cross. I am concerned that people under the influence of alcohol would be at risk arriving at or leaving the venue because of the local environment- a concern for public safety.

I object to the licensing application.

Sent from my iPhone

From: [REDACTED]
Sent: 21 December 2017 23:48
To: Licensing
Subject: 331 Wick Road Licence Variation Representation

To whomever it may concern,

I would like to submit a representation to object the licence variation submission at 331 Wick Road, E9.

I would ask the council to consider all aspects of the variation application be refused and that the premises licence hours be reduced in line with current policy.

The venue itself is surrounded by residential properties. I live next door at 335 Wick Road, a property that consists of two flats and houses four people. Opening a venue with a capacity of 400 people would cause considerable disturbance given its close proximity to our property - not least both properties' outdoor areas, which would be more meaningfully exposed.

The surrounding area also consists of many residential properties who would be considerably inconvenienced if a large number of people were suddenly to convene around the area at the hours suggested by the licensing application. Off-sales, too, would add to the expectation of anti-social behaviour and noise disturbance in the area.

In addition, the variation application is seeking to "add licensable activities to existing hours," yet quotes hours in excess of the existing license.

The existing licence (from Feb 2006) states supply of alcohol hours of Sun-Thurs 11:00-23:30, Fri-Sat 11:00-00:30 and premises opening hours of Mon-Thurs 07:30 to 00:00, Fri-Sat 07:30-01:00, Sun 11:00-00:00.

The variation application quotes supply of alcohol Sun-Thurs 11:00-00:00, Fri-Sat 11:00-01:00 and premises opening hours of Sun-Thurs 11:00-00:30, Fri-Sat 11:00-01:30.

As you can see, these hours don't calibrate and seem to be an attempt to extend the licensing hours currently permissible on the existing license.

I am seeking for all the aspects of the variation application to be refused.

Please keep me informed about the next stages of this process.

[REDACTED]
[REDACTED] Wick Road, E9 [REDACTED]
[REDACTED]

From: [REDACTED]
Sent: 21 December 2017 19:53
To: Licensing
Cc: [REDACTED]
Subject: 331 Wick Road - Variation Application - Objections

To - The Licensing Service, Hackney Council

Re - 331 Wick Road variation application - objections

I am a local resident living very close to the above premises and I am writing to express my objections to the variation application in the strongest possible terms.

The premises have been disused for 10 years, so there is no current precedent for anything other than a boarded-up building which occasionally, and without warning, plays host to noisy parties through the night, requiring the attendance of the police and the council noise team.

With this variation attempt, the applicant seeks to transform a local pub into a music venue destination expecting attendances of 400 people. They seek to add live music, recorded music, film and late night refreshment, all during and beyond the hours currently permitted by their licence. They seek to add off sales for the first time and they seek to add outside drinking for the first time.

All of these things are wholly inappropriate in this residential location.

They also seek to cancel all conditions of the existing licence. Examples of conditions, which they seek to **remove**, include

- *No admittance after 23:00*
- *Recorded music shall be background only*
- *No supply or consumption of alcohol outside*

These conditions were, no doubt, imposed for good reason and should remain in place.

I wish to be kept informed of the process of this application, including any relevant documents and timely invitations to relevant meetings.

I vigorously object in relation to the **four licensing objectives**.

PREVENTION OF CRIME AND DISORDER

- Councillor Webb and other local residents have stated that in a previous incarnation, these premises gave rise to repeated anti-social behaviour including a shooting. There is comment on the internet which suggests that four people got shot there. It goes without saying that anything which draws attention and patronage of people who carry weapons is a terrifying thought. Precedent suggests that there is a very high risk of crime and disorder if the application were to be granted.

- This type of application tends to lead to premises which appeal to those who seek to deal and consume drugs - it goes hand in hand with music, alcohol and late licences.

- The police have previously stated that the location of the premises is in an area which is less policed than other parts of the borough in terms of licensing matters.

PREVENTION OF PUBLIC NUISANCE

- This is a residential area and the noise generated by the proposed venue would be totally unacceptable to local residents. Noise from events at the premises booms across the road. The premises are located up against a railway embankment and beneath a flyover, both of which serve to 'amplify' noise coming from the premises.

- 400 people attending a music venue will generate noise and litter. The proposal that food and alcohol be consumed outside the premises means that people would make noise and litter not just immediately outside the venue but as they wander off into the streets at the end of the night as well

- There is little or no public transport in the area, particularly at 'closing time'. 400 people heading out into the surrounding streets without transport would create noise and disruption.
- The premises are located on a TfL Red Route and so people attempting to get minicabs would naturally gravitate away from the venue and towards Cadogan Terrace. Dozens of cabs trying to find their customers late at night with the shouting and door slamming which would go with it would be completely unfair to local residents at any time of day or night but least of all at 1am or 2am.
- Even once the venue is closed to customers there would still be noise generated as the venue closes up, with equipment needing to be loaded up after closing time, taking potential disturbance to local residents even later into the early hours of the morning.
- Indeed, it is unclear how the loading and unloading of equipment would be managed at all, given that the current hard standing area outside the pub is intended to become 'garden'.
- Given the proposed change from local pub to music venue, this will become a 'drive-to' venue for many customers and yet the area which could be used for parking is intended to be used for outside drinking meaning that customers would be looking to park in nearby residential streets, particularly Cadogan Terrace, creating pressure on parking spaces and noise as cars come and go, as people talk and shout, and as car doors slam shut.

PUBLIC SAFETY

- The area is extremely treacherous for pedestrians with very fast moving traffic hammering through, and onto and off the A12. I believe it would be very dangerous to have lots of people coming and going from this venue who are unfamiliar with the roads, crossing four lanes of fast moving traffic. When you add into the mix the possibility that people would be intoxicated by drink and drugs, it is a potentially lethal combination.
- Public transport in the area is poor, especially at night. The Overground stations at Homerton and Hackney Wick are ten minutes' walk away and trains completely stop running around midnight. Customers would be wandering the streets trying to work out a way to get home.

Their options would be to walk, get a minicab or try to find an extremely infrequent night bus. None of these options is good for the safety of customers or of local residents.

PROTECTION OF CHILDREN FROM HARM

- I, and many of my neighbours, have small children, attracted to the area by the tranquility and open space of Victoria Park. The thought of a noisy venue suddenly appearing on our doorstep is horrendous. My two-year-old daughter's bedroom overlooks the venue. She goes to bed at 19:00.

Note - Hours of Operation

The existing licence (from Feb 2006) states supply of alcohol hours of Sun-Thurs 11:00-23:30, Fri-Sat 11:00-00:30 and premises opening hours of Mon-Thurs 07:30 to 00:00, Fri-Sat 07:30-01:00, Sun 11:00-00:00.

The variation application states the intention 'to add licensable activities to existing hours' and yet the application quotes hours in excess of the existing licence. This comes across as a deliberate attempt to sneak extensions of hours past Hackney Licensing without proper process. The variation application quotes supply of alcohol Sun-Thurs 11:00-00:00, Fri-Sat 11:00-01:00 and premises opening hours of Sun-Thurs 11:00-00:30, Fri-Sat 11:00-01:30.

Furthermore, given the changes in context since the current licence was issued, both locally to the premises and in the approach to licensing in the Borough more generally, I request rather that Hackney Licensing cut back the licensed hours to match the Draft Statement of Licensing Policy 2018-2023 which establishes core hours for licensable activity as Mon-Thurs 08:00-23:00, Fri-Sat 08:00-00:00, Sun 10:00-22:30.

In terms of off sales, the Policy states that these 'are more likely to lead to incidents of anti-social behaviour, such as street drinking' and states the general restricting of hours to 08:00-23:00.

In summary, I ask that all aspects of the variation application be refused completely, and that the premises licence hours be reduced into line with current licensing policy.

Many thanks in anticipation of your help.

With kind regards,

██████████

█ Cadogan Terrace, E9 ██████



APPENDIX D

This premises licence has been issued by:

Licensing Service
2 Hillman Street
London E8 1FB

PART A – PREMISES LICENCE

Premises Licence Number

LBH-PRE-T-0635

Part 1 – Premises details

Silver Link
331 Wick Road
Hackney
London
E9 5DH

020 7025 8332

Where the licence is time limited the dates

Not Applicable

Licensable activities authorised by the licence

Supply of Alcohol

The times the licence authorises the carrying out of Licensable activities

Supply of Alcohol Standard Hours:

Premises:	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 11:00-23:30

The opening hours of the premises

Premises

Standard Hours:

Mon 07:30-00:00
Tue 07:30-00:00
Wed 07:30-00:00
Thu 07:30-00:00
Fri 07:30-01:00
Sat 07:30-01:00
Sun 11:00-00:00

Where the licence authorises supplies of alcohol whether these are on and/or off supplies

On Premises

Part 2 –

Name, (registered) address, telephone number and e-mail (where relevant) of holder of premises licence

Venus 14 Ltd
58 Lower Clapton Road
Hackney
London
E5 0RN

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

03330078

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

Ms Leonissia Debria Martinez

Personal licence number and issuing authority of personal licence held by designated premises supervisor where the premises licence authorises the supply of alcohol

Date of Grant: 6 February 2006

Signed:

**David Tuitt
Team Leader - Licensing**

Annex 1 - Mandatory Conditions

Supply of Alcohol

1. No supply of alcohol may be made under the premises licence:
 - (a) At a time when there is no designated premises supervisor in respect of the premises licence.
 - (b) At a time when the designated premises supervisor does not hold a personal licence or his personal licence is suspended.
2. Every supply of alcohol under the premises licence must be made or authorised by a person who holds a personal licence.
3. The responsible person shall take all reasonable steps to ensure that staff on relevant premises do not carry out, arrange or participate in any irresponsible promotions in relation to the premises.
4. The responsible person shall ensure that no alcohol is dispensed directly by one person into the mouth of another (other than where that other person is unable to drink without assistance by reason of a disability).
5. The responsible person shall ensure that free tap water is provided on request to customers where it is reasonably available.
- 6.1. The premises licence holder or club premises certificate holder shall ensure that an age verification policy applies to the premises in relation to the sales or supply of alcohol.
- 6.2. The policy must require individuals who appear to the responsible person to be under 18 years if 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 a holographic mark.
7. The responsible person shall ensure that:
 - a) where any of the following alcoholic drinks is sold or supplied for consumption on the premises (other than alcoholic drinks sold or supplied having been made up in advance ready for sale or supply in a securely closed container) it is available to customers in the following measures:
 - beer or cider: 1/2 pint;
 - gin, rum, vodka or whisky: 25ml or 35ml; and
 - still wine in a glass: 125ml; and
 - b) customers are made aware of the availability of these measures.

Door Supervision

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

Annex 2 – Conditions consistent with the Operating Schedule

9. Illumination is to be provided to the exterior of the pub.
10. Toilets are to be checked regularly.
11. There shall be no admittance after 23:00.
12. Installation and maintenance of a CCTV system. Recordings will be kept securely for 31 days and shall be made available to the Police/Licensing Authority on request.
13. Anti drink-drive and drug prevention signs and notices shall be displayed throughout the premises.
14. Emergency lighting and fire safety equipment to be maintained.
15. Ventilation and extraction equipment to be maintained.
16. First aid box to be maintained.
17. Licensed taxi/Minicab service to be promoted. Staff is to organise taxi/minicabs for patrons when requested.
18. Pest control contract shall be maintained.
19. A smoking area shall be promoted.
20. Food handling staff shall hold a minimum basis food certificate (or equivalent).
21. Bar area windows shall be kept closed
22. Notices shall be displayed requesting patrons to respect neighbours and eave quietly.
23. "Challenge 21" or similar type scheme to be promoted on the premises. Staff are to request proof of age such as passport, photographic driving licence or proof of age card displaying the PASS hologram.
24. Recorded music shall be background music only.
25. There shall be no supply or consumption of alcohol in any outside area including the "yard" which covers the area from the kitchen to the covered yard.

Annex 3 – Conditions attached after a hearing by the licensing authority

None

Annex 4 – Plans

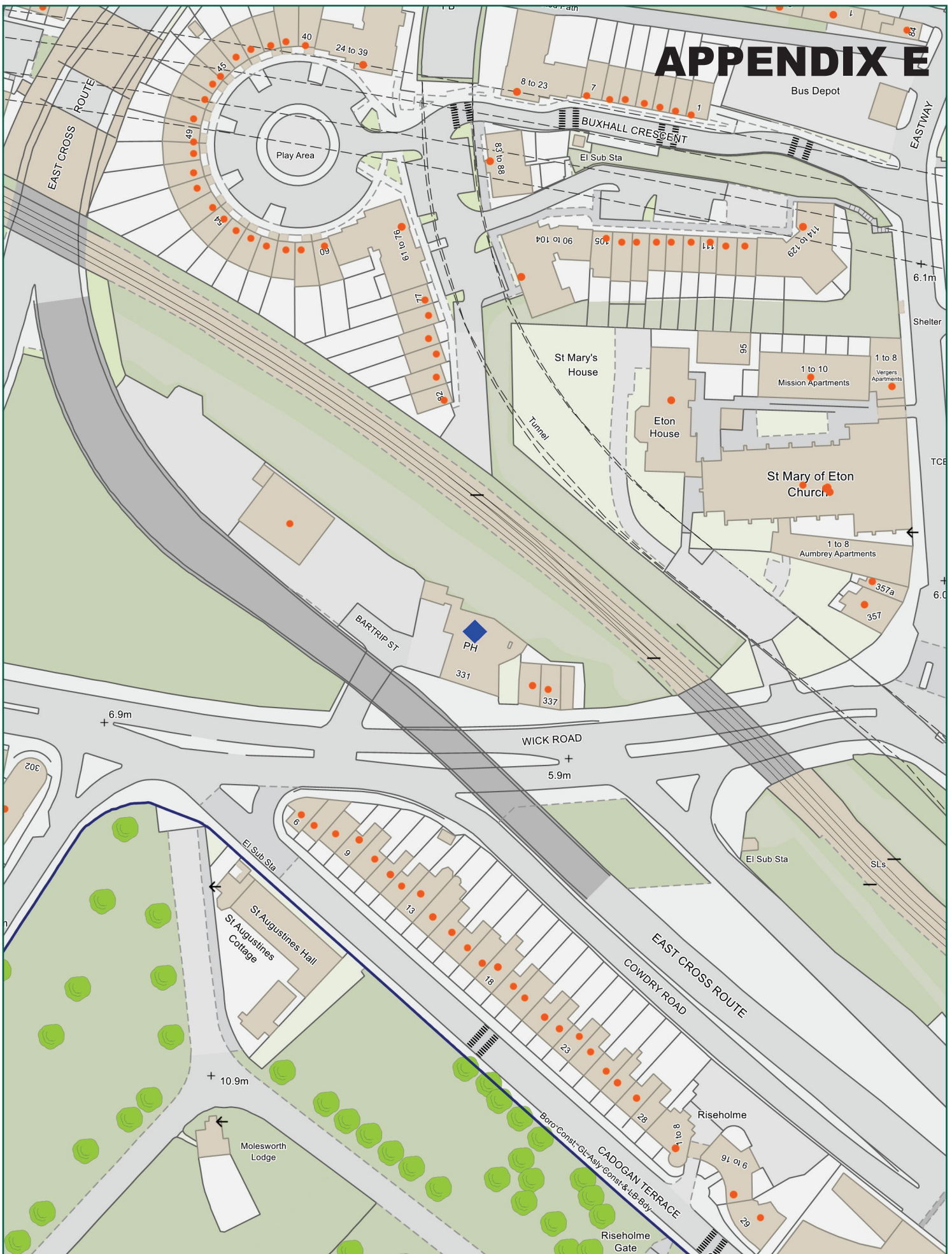
PLAN/LBH-PRE-T-0635/231105

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APPENDIX E



Scale: 1:1250 at A4



Ref:

30 January 2018

Page 63

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REPORT OF GROUP DIRECTOR, NEIGHBOURHOODS AND HOUSING		
LICENSING SUB-COMMITTEE: 13/02/2018	Classification DECISION	Enclosure
Application for a Premises Licence Yellow Warbler, 9 Northwold Road, N16 7HL	Ward(s) affected Cazenove	

1. SUMMARY

Applicant(s) Yellow Warbler Ltd	In SPA Not Applicable
Date of Application 13/12/2017	Period of Application Permanent
Proposed licensable activity Recorded Music Supply of Alcohol (On and Off Premises)	
Proposed hours of licensable activities	
Recorded Music:	Standard Hours: Mon 08:00-22:00 Tue 08:00-22:00 Wed 08:00-22:00 Thu 08:00-22:00 Fri 08:00-22:00 Sat 08:00-22:00 Sun 08:00-22:00
Supply of Alcohol:	Standard Hours: Mon 08:00-19:00 Tue 08:00-19:00 Wed 08:00-19:00 Thu 08:00-19:00 Fri 08:00-19:00 Sat 08:00-19:00 Sun 08:00-19:00
The opening hours of the premises	
	Standard Hours: Mon 08:00-22:30 Tue 08:00-22:30 Wed 08:00-22:30 Thu 08:00-22:30 Fri 08:00-22:30 Sat 08:00-22:30 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) and LP8 (Public Safety)
List of Appendices	A – Application for a premises licence and supporting documents B – Representations from responsible authorities C – Representations from other persons D – Location map
Relevant Representations	<ul style="list-style-type: none"> • Police • Planning Authority • Other Persons

2. APPLICATION

- 2.1 Yellow Warbler Ltd 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
 - Regulated entertainment
- 2.2 The application is attached as Appendix A. The applicant has amended the hours for sale of alcohol to those described in para. 1 above and has also removed non-standard hours. .

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 has been withdrawn with the agreed conditions as set out in para 8.1
Environmental Health Authority (Environmental Enforcement)	No representation received
Environmental Health Authority (Health & Safety)	Have confirmed no representation on this application
Weights and Measures (Trading Standards)	Have confirmed no representation on this application
Planning Authority (Appendix B1)	Informative
Area Child Protection Officer	No representation received
Fire Authority	No representation received
Police (Appendix B2)	Representation received on the grounds of The Prevention of Crime and Disorder and Prevention of Public Nuisance and also proposed conditions as set out in para 8.1

Licensing Authority	Have confirmed no representation on this application
Health Authority	No representation received

5. REPRESENTATIONS: OTHER PERSONS

From	Details
5 Representation received from and on behalf of local residents. (Appendix C1-C5)	Representation received on the grounds of The Prevention of Crime and Disorder, Public Safety, Prevention of Public Nuisance and The Protection of Children from Harm.

6. GUIDANCE CONSIDERATIONS

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

7. POLICY CONSIDERATIONS

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

8. OFFICER OBSERVATIONS

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

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 Responsible Authority representations

8. 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.

9. A staff member from the premises who is conversant with the operation of the CCTV system shall be on the premises at all times when the premises are open to the public. This staff member 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.
10. 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.
11. 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.
12. 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.
13. There shall be prominent signage requesting customers to leave the premises quietly and respect local residents.
14. 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.
15. The premises shall adhere to Hackney Police Weapons and Drugs Policies and any updates thereof.
16. There shall be no glass, drinks or open containers taken outside of the premises at any time.
17. The capacity of the premises will be ** tbc ** excluding staff.
18. Alcohol shall not be sold, supplied, or consumed on the premises otherwise than to persons who are seated and taking substantial food from the menu and that the consumption of intoxicating liquor by such persons is ancillary to taking such meals. The supply of alcohol shall be by waiter or waitress service only.
19. The front of the premises shall be kept clean and swept at the close of business each day.

20. No noise shall emanate from the premises nor vibration be transmitted through the structure of the premises which may give rise to a nuisance.
21. The applicant shall adequately ventilate the premises to allow doors and windows to remain closed during licensed entertainment.
22. The applicant shall close all entrance doors and windows when regulated entertainment takes place except for immediate access and egress of persons.
23. The applicant/premises shall only play recorded music at background level.
24. The applicant shall prominently display clearly legible signage at all patrons exits requesting that patrons leave the premises in a quiet and orderly manner that is respectful to the neighbours.
25. There shall be no deliveries or collection between 22:00 -07:00 hours Monday-Sunday (unless using Hackney Council as the service provider, in which case the applicant will fall in line with Hackney service collection).
26. The applicant shall not place rubbish including bottles in the outside areas between 22:00 – 07:00 hours (unless using Hackney Council as the service provider, in which case will fall in line with Hackney service collection).
27. The applicant shall properly present and place out all waste for collection no earlier than 30 minutes before collection times.
28. There shall be no more than three persons permitted to smoke outside the premises at any one time.
29. The applicant shall not allow patrons to take drinks or open containers outside of the premises at any time.

9. REASONS FOR OFFICER OBSERVATIONS

- 9.1 Conditions 8 to 19 have been proposed by the Police and 20 to 29 by Environmental Protection. All proposed conditions have been accepted by the applicant and Environmental Protection have withdrawn their representation accordingly.

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 1 Hillman Street E8 1DY 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: Yellow Warbler, 9 Northwold Road, N16 7HL	Licensing Service 1 Hillman Street London E8 1DY

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**

PLEASE READ THE FOLLOWING INSTRUCTIONS FIRST

We YELLOW WARBLER 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 on description		London Borough of Hackney Projects & Regulatory Services 13 DEC 2017	
YELLOW WARBLER 9 NORTHWOLD ROAD			
Post town	LONDON	Postcode	N16 7HL
Telephone number at premises (if any)	T.B.A.		
Non-domestic rateable value of premises	£ 9,600		

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/limited liability partnership | X | please complete section (B) |
| ii as a partnership (other than limited liability) | <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 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 (by ticking yes to one box below):

I am carrying on or proposing to carry on a business which involves the use of the premises for licensable activities; or X

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		
Date of birth		I am 18 years old or over <input type="checkbox"/>		Please tick yes
Nationality				
Current residential 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		

Nationality			
Current residential 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 YELLOW WARBLER LIMITED
Address 
Registered number (where applicable) 
Description of applicant (for example, partnership, company, unincorporated association etc.) 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

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

DD	MM	YYYY

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

The Premises is a Cafe / Restaaurant and speciality coffee shop serving various foodstuffs including pastries, panini's, sandwiches etc and also serving breakfast & lunch along with alcohol for the convenience of ours customers.

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 and Schedules 1 and 2 to the Licensing Act 2003)

Provision of regulated entertainment (please read guidance note 2)

Please tick all that apply

- a) plays (if ticking yes, fill in box A)
- b) films (if ticking yes, fill in box B)
- c) indoor sporting events (if ticking yes, fill in box C)
- 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)

X

In all cases complete boxes K, L and M

A

Plays Standard days and timings (please read guidance note 7)			Will the performance of a play take place <u>indoors or outdoors or both – please tick</u> (please read guidance note 3)	Indoors	<input type="checkbox"/>
Day				Start	Finish
				Both	<input type="checkbox"/>
Mon			<u>Please give further details here</u> (please read guidance note 4)		
Tue					
Wed			<u>State any seasonal variations for performing plays</u> (please read guidance note 5)		
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 6)		
Sat					
Sun					

B

Films Standard days and timings (please read guidance note 7)			Will the exhibition of films take place indoors or outdoors or both – please tick (please read guidance note 3)	Indoors	<input type="checkbox"/>
				Outdoors	<input type="checkbox"/>
				Both	<input type="checkbox"/>
Day	Start	Finish			
Mon			Please give further details here (please read guidance note 4)		
Tue					
Wed			State any seasonal variations for the exhibition of films (please read guidance note 5)		
Thur					
Fri			Non standard timings. Where you intend to use the premises for the exhibition of films at different times to those listed in the column on the left, please list (please read guidance note 6)		
Sat					
Sun					

C

Indoor sporting events Standard days and timings (please read guidance note 7)			Please give further details (please read guidance note 4)
Day	Start	Finish	
Mon			
Tue			State any seasonal variations for indoor sporting events (please read guidance note 5)
Wed			
Thur			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 (please read guidance note 6)
Fri			
Sat			
Sun			

D

Boxing or wrestling entertainments Standard days and timings (please read guidance note 7)			Will the boxing or wrestling entertainment take place indoors or outdoors or both – please tick (please read guidance note 3)	Indoors	<input type="checkbox"/>
				Outdoors	<input type="checkbox"/>
Day	Start	Finish		Both	<input type="checkbox"/>
Mon			Please give further details here (please read guidance note 4)		
Tue					
Wed			State any seasonal variations for boxing or wrestling entertainment (please read guidance note 5)		
Thur					
Fri			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 (please read guidance note 6)		
Sat					
Sun					

E

Live music Standard days and timings (please read guidance note 7)			Will the performance of live music take place indoors or outdoors or both – please tick (please read guidance note 3)			
			Indoors	<input type="checkbox"/>		
			Outdoors	<input type="checkbox"/>		
			Both	<input type="checkbox"/>		
Day	Start	Finish	Please give further details here (please read guidance note 4)			
Mon						
Tue						
Wed					State any seasonal variations for the performance of live music (please read guidance note 5)	
Thur						
Fri						
Sat					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 6)	
Sun						

F

Recorded music Standard days and timings (please read guidance note 7)			Will the playing of recorded music take place indoors or outdoors or both – please tick (please read guidance note 3)	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 4)	
Mon	08.00	22.00	MAINLY A LOCAL RADIO STATION	
Tue	08.00	22.00		
Wed	08.00	22.00	State any seasonal variations for the playing of recorded music (please read guidance note 5)	
Thur	08.00	22.00		
Fri	08.00	22.00	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 6) CHRISTMAS EVE & NEW YEARS EVE 08.00 TIL 01.00	
Sat	08.00	22.00		
Sun	08.00	22.00		

G

Performances of dance Standard days and timings (please read guidance note 7)			Will the performance of dance take place indoors or outdoors or both – please tick (please read guidance note 3)	Indoors	<input type="checkbox"/>
				Outdoors	<input type="checkbox"/>
Day	Start	Finish		Both	<input type="checkbox"/>
Mon			Please give further details here (please read guidance note 4)		
Tue					
Wed			State any seasonal variations for the performance of dance (please read guidance note 5)		
Thur					
Fri			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 (please read guidance note 6)		
Sat					
Sun					

H

Anything of a similar description to that falling within (e), (f) or (g) Standard days and timings (please read guidance note 7)			Please give a description of the type of entertainment you will be providing		
Day	Start	Finish	Will this entertainment take place indoors or outdoors or both – please tick (please read guidance note 3)	Indoors	<input type="checkbox"/>
Mon				Outdoors	<input type="checkbox"/>
				Both	<input type="checkbox"/>
Tue			Please give further details here (please read guidance note 4)		
Wed					
Thur			State any seasonal variations for entertainment of a similar description to that falling within (e), (f) or (g) (please read guidance note 5)		
Fri					
Sat			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 (please read guidance note 6)		
Sun					

I

Late night refreshment Standard days and timings (please read guidance note 7)			Will the provision of late night refreshment take place indoors or outdoors or both – please tick (please read guidance note 3)	Indoors	<input type="checkbox"/>
				Outdoors	<input type="checkbox"/>
				Both	<input type="checkbox"/>
Day	Start	Finish	Please give further details here (please read guidance note 4)		
Mon					
Tue			State any seasonal variations for the provision of late night refreshment (please read guidance note 5)		
Wed					
Thur			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 (please read guidance note 6)		
Fri					
Sat					
Sun					

J

Supply of alcohol Standard days and timings (please read guidance note 7)			Will the supply of alcohol be for consumption – please tick (please read guidance note 8)	On the premises	<input type="checkbox"/>
				Off the premises	<input type="checkbox"/>
				Both	<input checked="" type="checkbox"/>
Day	Start	Finish	State any seasonal variations for the supply of alcohol (please read guidance note 5)		
Mon	08.00	22.00			
Tue	08.00	22.00			
Wed	08.00	22.00			
Thur	08.00	22.00			
Fri	08.00	22.00			
Sat	08.00	22.00			
Sun	08.00	22.00			
			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 6)		
			CHRISTMAS EVE & NEW YEARS EVE 08.00 TIL 01.00		

State the name and details of the individual whom you wish to specify on the licence as designated premises supervisor (Please see declaration about the entitlement to work in the checklist at the end of the form):

Name	MANREET BRAR-THOMPSON
Date of birth	[REDACTED]
Post Code	[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 9).

NONE

L

Hours premises are open to the public Standard days and timings (please read guidance note 7)			State any seasonal variations (please read guidance note 5)
Day	Start	Finish	
Mon	08.00	22.30	
Tue	08.00	22.30	
Wed	08.00	22.30	
Thur	08.00	22.30	<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 (please read guidance note 6)</u> CHRISTMAS EVE & NEW YEARS EVE 07.00 TIL 01.00
Fri	08.00	22.30	
Sat	08.00	22.30	
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 and e) (please read guidance note 10)

b) The prevention of crime and disorder

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 following.

- (a) all crimes reported to the venue
- (b) all ejections of patrons
- (c) any complaints received concerning crime and disorder.
- (d) any incidents of disorder
- (e) any faults in the CCTV system
- (f) any refusal of the sale of alcohol
- (g) any visit by a relevant or emergency service

c) Public safety

The premises shall install and maintain a comprehensive CCTV system. 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 are open for licensable activities and during all times when customers remain on the premises. All recordings shall be stored for a minimum of 31 days with date and time stamping. Viewing of recordings shall be made available immediately upon request of Police or authorised officer throughout the preceding 31 day period. 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. This staff member must be able to provide to the Police or authorised council officer copies of recent CCTV images or data with the absolute minimum of delay when requested.

d) The prevention of public nuisance

Suitable signage must be prominently displayed requesting customers to leave quietly. Noise and vibration will not emanate from the premises such as to cause persons in the neighbourhood to be unreasonably disturbed. Noise should not be audible within any noise sensitive premises with windows open for normal ventilation especially after 23:00hr. The criteria applied, from the boundary to the nearest residential property are;

Before 22:00hr- Noise emanating from the premises will not be clearly distinguishable above other noise. After 22:00hr- Noise emanating from the premises will not be distinguishable above background levels of noise. The local authority will reserve the right in cases of tonal noise and where premises are attached to others (i.e. semi's and terraced properties), to make further assessments from within the residential property. The volume of amplified sound used in connection with the entertainment provided shall at all times be under the control of the Licensee/ Management and the controlling mechanism shall be operated from a part of the premises not accessible to the public. Windows will be kept shut during amplified entertainment to reduce noise break out.

e) The protection of children from harm

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 a driving Licence, passport or proof of age card with the PASS Hologram

Checklist:

Please tick to indicate agreement

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


[Applicable to all individual applicants, including those in a partnership which is not a limited liability partnership, but not companies or limited liability partnerships] I have included documents demonstrating my entitlement to work in the United Kingdom (please read note 15).

IT IS AN OFFENCE, UNDER SECTION 158 OF THE LICENSING ACT 2003, TO MAKE A FALSE STATEMENT IN OR IN CONNECTION WITH THIS APPLICATION. THOSE WHO MAKE A FALSE STATEMENT MAY BE LIABLE ON SUMMARY CONVICTION TO A FINE OF ANY AMOUNT.

IT IS AN OFFENCE UNDER SECTION 24B OF THE IMMIGRATION ACT 1971 FOR A PERSON TO WORK WHEN THEY KNOW, OR HAVE REASONABLE CAUSE TO BELIEVE, THAT THEY ARE DISQUALIFIED FROM DOING SO BY REASON OF THEIR IMMIGRATION STATUS. THOSE WHO EMPLOY AN ADULT WITHOUT LEAVE OR WHO IS SUBJECT TO CONDITIONS AS TO EMPLOYMENT WILL BE LIABLE TO A CIVIL PENALTY UNDER SECTION 15 OF THE IMMIGRATION, ASYLUM AND NATIONALITY ACT 2006 AND PURSUANT TO SECTION 21 OF THE SAME ACT, WILL BE COMMITTING AN OFFENCE WHERE THEY DO SO IN THE KNOWLEDGE, OR WITH REASONABLE CAUSE TO BELIEVE, THAT THE EMPLOYEE IS DISQUALIFIED.



Part 4 – Signatures (please read guidance note 11)

Signature of applicant or applicant’s solicitor or other duly authorised agent (see guidance note 12). **If signing on behalf of the applicant, please state in what capacity.**

Declaration	<ul style="list-style-type: none"> • [Applicable to individual applicants only, including those in a partnership which is not a limited liability partnership] I understand I am not entitled to be issued with a licence if I do not have the entitlement to live and work in the UK (or if I am subject to a condition preventing me from doing work relating to the carrying on of a licensable activity) and that my licence will become invalid if I cease to be entitled to live and work in the UK (please read guidance note 15). • The DPS named in this application form is entitled to work in the UK (and is not subject to conditions preventing him or her from doing work relating to a licensable activity) and I have seen a copy of his or her proof of entitlement to work, if appropriate (please see note 15)
Signature	
Date	11TH DECEMBER 2017
Capacity	APPLICANTS AGENT

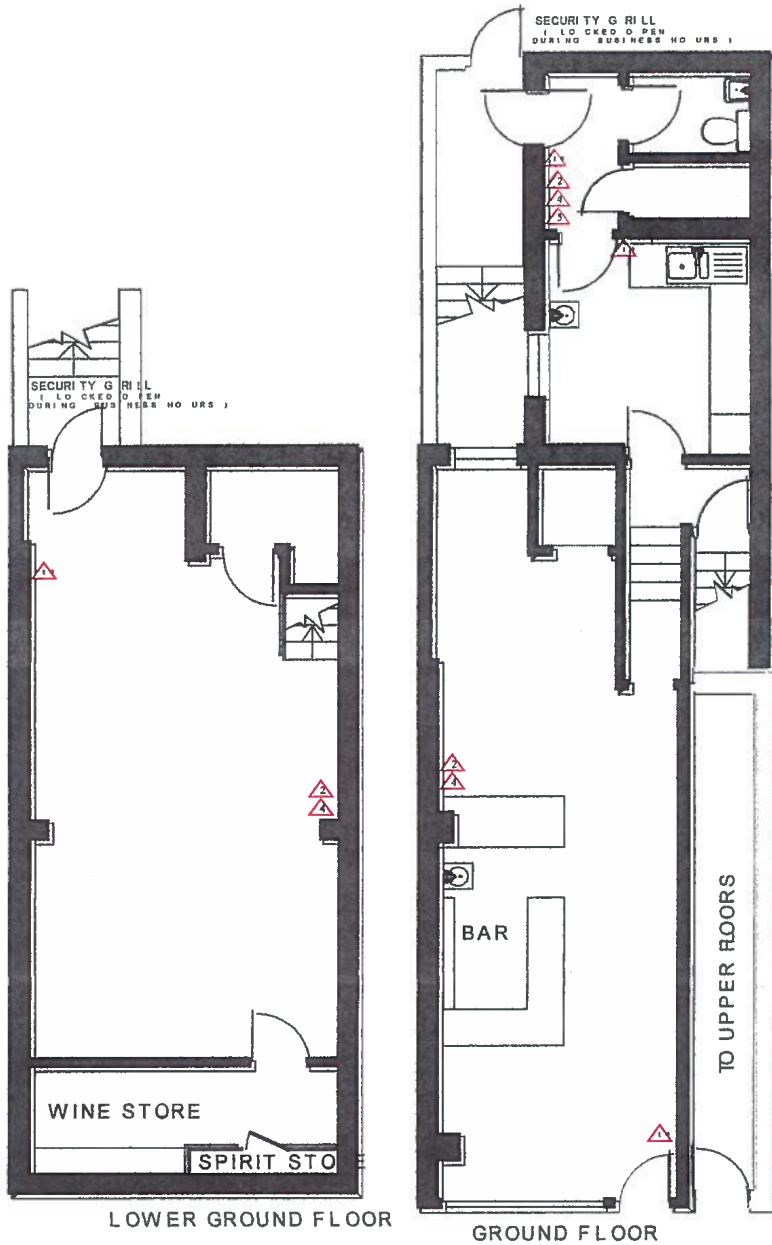
For joint applications, signature of 2nd applicant or 2nd applicant’s solicitor or other authorised agent (please read guidance note 13). **If signing on behalf of the applicant, please state in what capacity.**

Signature	
Date	
Capacity	

Contact name (where not previously given) and postal address for correspondence associated with this application (please read guidance note 14) ANDREW D McGRATH TOTAL LICENSING SOLUTIONS HONEYSUCKLE COTTAGE 3 ST MICHAELS COURT			
Post town	ASHTON	Postcode	NN7 2PP
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



LOWER GROUND FLOOR

GROUND FLOOR

PAVEMENT AREA



<p>YELLOW WARBLER 9 NORTHWOLD ROAD STOKE NEWINGTON LONDON N16 7HL</p>	<p>LICENCE PLAN</p> <p>Scale 1 to 1/10 @ A4</p> <p>GROSS INTERNAL AREA 981 SQ. FT. / 91.1 SQ. M.</p> <p>GROSS EXTERNAL AREA 70 SQ. FT. / 6.5 SQ. M.</p> <p>09.11.2017</p>
	<p>Produced by KIG DESIGN 46 THE BELFRY LUTON BEDFORDSHIRE LU2 7G A TEL: 07979 371771</p>
	<p>EMERGENCY EQUIPMENT</p> <ul style="list-style-type: none"> WATER FOAM DRY POWDER CO2 FIRE BLANKET ALARM POINT SMOKE / HEAT DETECTOR WET CHEMICALS WATER with ADDITIVES FIRE EXIT SIGN EMERGENCY LIGHTING SELF CLOSING DOOR PUSH BAR DOOR

APPENDIX B1

Planning Authority Representation: Application under the Licensing Act 2003

Details of Authority	2 Hillman Street, Hackney, London, E8 1FB
Officer contact name	Merryn McGregor
Officer telephone number	020 8356 8076
Officer's email address	merryn.mcgregor@hackney.gov.uk

APPLICATION PREMISES

Name and address of premises	Yellow Warbler 9 Northwold Road London N16 7HL
Applicant name	Yellow Warbler Limited

COMMENTS

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

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

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

The application proposes a license for an existing café. The following licensable activities are proposed.

Recorded Music: 08:00 – 22:00 Monday – Sunday;
Supply of alcohol: 08:00 – 22:00 Monday – Sunday; and
Hours of operation: 08:00 – 22:30 Monday – Sunday.

A search of Council records has found planning approval TP/82947/D/MM, dated 14 June 1991, which granted the retention of ground floor as a shop unit and conversion of first and second floors to provide two, two room (1 bedroom) flats involving the erection of rear extension at ground floor and second floor levels and alterations to the shopfront to provide separate entrance to upper floors.

No planning approval can be found for the usage of the premises as a restaurant (use class A3). Licensing approval does not grant planning approval for the usage of the premises. The applicant is advised to lodge a lawful development certificate for the usage of the premises. Operation of the premises without appropriate planning approval is unlawful and may result in planning enforcement action.

Please provide the following information (if applicable)

Area (that permission applies to)	Ground floor
Permitted use	A1 (Shop)
Permitted hours	N/A
Specific/restrictive conditions	N/A
Recent applications	N/A
Decisions	N/A
Pending decisions	N/A
Reasons for refusal	N/A
Relevant Conditions/discharges	N/A

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

No representation with informative.

No planning approval can be found for the usage of the premises as a restaurant (use class A3). Licensing approval does not grant planning approval for the usage of the premises. The applicant is advised to lodge a lawful development certificate for the usage of the premises. Operation of the premises without appropriate planning approval is unlawful and may result in planning enforcement action.

The applicant is advised that these comments do not represent a formal decision of the Local Planning Authority as to the acceptability or otherwise of the proposed use and that the decision of the Licensing Authority is not prejudicial to the determination of any subsequent planning application.

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	Yellow Warbler 9 Northwold Road London N16 7HL
NAME OF PREMISES USER	Yellow Warbler 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 objections in relation to the application for a Premises Licence at YELLOW WARBLER, 9 NORTHWOLD ROAD, LONDON, N16 7HL for the following reason(s):

This venue is situated just off the A10 on a one way street in Stoke Newington.

Police have viewed this application and would like further information as follows:

- Is the café currently operating?
- If so, what time does it currently close?
- Will there always be a member of staff on duty that has a personal licence?
- What alcoholic beverages does you intend to sell?
- Will licensable activity be taking place on the ground floor only or is the lower ground included?
- What is the capacity of the café?
- What experience does the DPS have of running and/or managing licensed premises?
- Is there any outside space to be utilised?

Police would like to visit the applicant on site to discuss the application.

Police have attached a full set of conditions to ensure the promotion of the licensing objectives. These conditions may duplicate those listed in the operating schedule.

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)

Proposed Conditions for Yellow Warbler
9 Northwold Road, London, N16 7HL

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 prominent signage requesting customers to leave the premises quietly and respect local residents.
7. 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.
8. The premises shall adhere to Hackney Police Weapons and Drugs Policies and any updates thereof.
9. There shall be no glass, drinks or open containers taken outside of the premises at any time.

10. The capacity of the premises will be ** tbc ** excluding staff.
11. Alcohol shall not be sold, supplied, or consumed on the premises otherwise than to persons who are seated and taking substantial food from the menu and that the consumption of intoxicating liquor by such persons is ancillary to taking such meals. The supply of alcohol shall be by waiter or waitress service only.
12. The front of the premises shall be kept clean and swept at the close of business each day.

**FURTHER CONDITIONS MAY BE ADDED AFTER DISCUSSIONS
WITH THE APPLICANT.**

APPENDIX C1

Licensing
Hackney Service Centre
1 Hillman Street
London
E8 1DY



08/01/18

Dear Sir/Madam

RE: Objection against License Application for Yellow Warbler at 9 Northwold Road,
London, N16 7HL

I am the landlord for the above property and the applicant who is my tenant, has made this license application without my prior knowledge or consent.

The lease does not allow for the tenant to sell alcohol at the premises and furthermore the lease strictly forbids the premises from playing loud music that will cause a nuisance to the above flats and neighbours.

Any such practice will be a violation of the lease and the tenants will be evicted if such a license is granted and practiced.

The ground floor premises practicing such a license will lead to disturbance and nuisance to the surrounding residential dwellings, which will ultimately lead to rental value loss for the above flats and a property value loss for the building as a whole, including the adjacent buildings and flats which I also own.

To prevent such factors from occurring including the possibility of the tenants getting evicted I suggest that this license application is refused on the basis that it can never get used and will be pointless..

Regards



APPENDIX C2

Shan Uthayasangar

From: [REDACTED]
Sent: 09 January 2018 09:14
To: Licensing
Cc: [REDACTED]
Subject: Yellow Warbler 9 Northwold Road London N16 7HL

Dear Sir or Madam

We act for [REDACTED], the freeholder of 9 Northwold Road London N16 7HL. Our client wishes to oppose the application for a premises licence submitted by Yellow Warbler Ltd for both the supply of alcohol for consumption on and off the premises and for the playing of recorded music.

The premises are let under a lease dated 28.02.17. This lease authorises the use of the premises as a coffee shop. There are residential flats above the premises which [REDACTED] lets. He is concerned that the supply of alcohol and the playing of recorded music and the proposed licensing hours will change the nature of the business from that of a coffee shop and lead to an increase in crime and disorder in the area and would be a nuisance.

The use of the premises as a licence venue with music will also be a disturbance to his residential tenants and lead to a reduction in the quality of life for this tenants, the possible loss of the lettings, and a reduction in the rental income from the residential parts.

He is concerned also as to the hours of operation proposed for the licence which again will be a significant impact on the quality of life for the residential occupiers and will be a public nuisance.

Yours faithfully

[REDACTED]
[REDACTED]

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

[REDACTED]
[REDACTED]
[REDACTED]

[REDACTED]

[REDACTED]
[REDACTED]



Shan Uthayasangar

From: [REDACTED]
Sent: 10 January 2018 17:16
To: Licensing

9 nhortwould road n16 2hl that name of bussnis yellow werbler coffe my name is [REDACTED] i live on top of coffe i don't like they opening late alcohol linces loudly muzic late times I hope counselling stoping linces thankfully [REDACTED]

APPENDIX C4

Licensing
Hackney Service Centre
1 Hillman Street
London
E8 1DY

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

06/01/2018

Dear Sir/Madam;

I objection to the license application made by 9 Northwold road, n16 7hl.

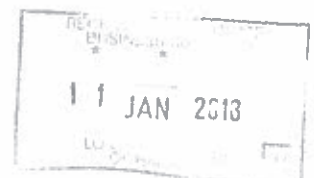
It will cause disturbance and nuisance to me and my family, as well as other people living around.

I can already hear the music played by the cafe and if they are allowed to play it louder and later, then this will affect me and my son who has to attend school.

If they start selling alcohol then people are going to get drunk and they will shout, fight and other anti-social behaviour right next to me.

Yours faithfully

[REDACTED]



Licensing
Hackney Service Centre
1 Hillman Street
London
E8 1DY

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

07/01/2018

To whom it may concern;

I live at [REDACTED] Northwold road and I believe that the café in 9 Northwold Road has applied for an alcohol & music license.

I will like to raise an objection to this application because it will cause loads of disturbance and nuisance to me and my neighbours.

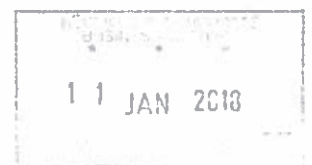
Not only will the music mean there will be loud music coming from the café but the sale of alcohol and late opening times will mean there will be more people hanging outside the premises having a smoke.

The sale of alcohol will also mean more arguments and fights in the vicinity which I will have to hear and see on a constant basis.

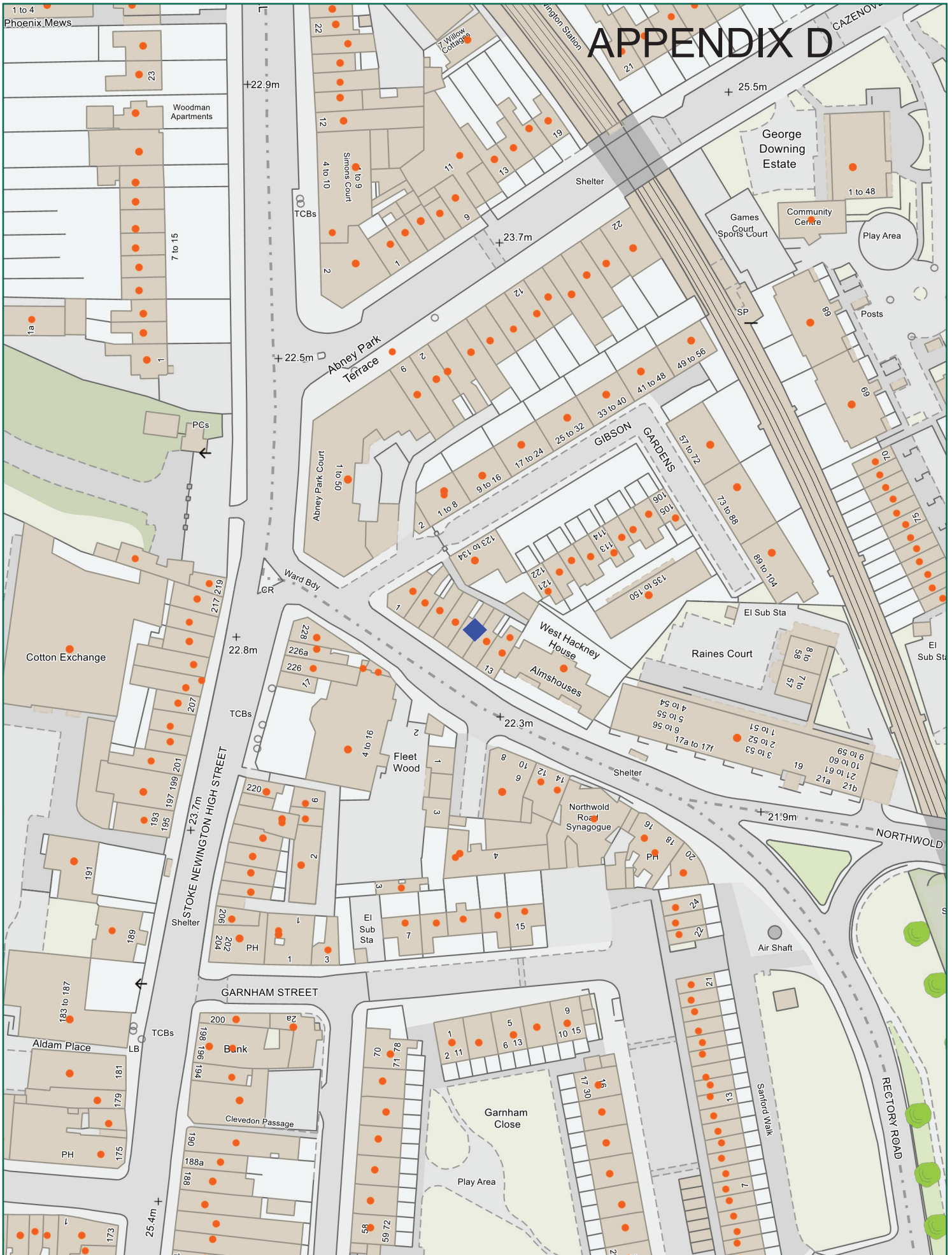
Thank you

[REDACTED]

[REDACTED]



APPENDIX D



 NORTH
 Scale: 1:1250 at A4
 Hackney

Yellow Warbler, 9 Northwold Road, N16 7HL	
Ref: 02 February 2018	Page 103 Produced by: unspecified please specify copyright statement email:

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