



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

Tuesday, 13th March, 2018

at 7.00 pm

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

Councillors sitting:

**Cllr James Peters, Cllr Ian Rathbone and
Cllr Peter Snell (Substitute)**

TIM SHIELDS
Chief Executive

Contact:
Gareth Sykes, Governance Services Officer
020 8356 1567
gareth.sykes@hackney.gov.uk

The press and public are welcome to attend this meeting

AGENDA

Tuesday, 13th March, 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 Premises Licence - 25hours, 201-207 Shoreditch High Street, E1 6LG	Hoxton East & Shoreditch	(Pages 3 - 74)
6 Variation of Premises Licence - Bar-A-Bar, 133-135 Stoke Newington Road, N16 8BT	Stoke Newington	(Pages 75 - 132)
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
London, 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 Interim Director of Legal and Governance;
- 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 and Governance, 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 GROUP DIRECTOR, NEIGHBOURHOODS AND HOUSING		
LICENSING SUB-COMMITTEE: 13/03/2018	Classification DECISION	Enclosure
Application for a Premises Licence 25hours 201-207 Shoreditch High Street, E1 6LG	Ward(s) affected Hoxton East & Shoreditch	

1. SUMMARY

Applicant(s) 25hours Hotel Company GmbH	In SPA No
Date of Application 22/12/2017	Period of Application Permanent
Proposed licensable activity Films Live Music Recorded Music Performance of Dance Late Night Refreshment Supply of Alcohol (On and Off Premises)	
Proposed hours of licensable activities	
Films	Standard Hours: Mon 10:00-02:00 Tue 10:00-02:00 Wed 10:00-02:00 Thu 10:00-02:00 Fri 10:00-02:00 Sat 10:00-02:00 Sun 10:00-02:00 Non-Standard Hours: When hours for sale of alcohol are extended hereunder these hours are also extended
Live Music	Standard Hours: Mon 10:00-02:00 Tue 10:00-02:00 Wed 10:00-02:00 Thu 10:00-02:00 Fri 10:00-02:00 Sat 10:00-02:00 Sun 10:00-02:00

	<p>Non-Standard Hours: When hours for sale of alcohol are extended hereunder these hours are also extended</p>
Recorded Music	<p>Standard Hours: Mon 10:00-02:00 Tue 10:00-02:00 Wed 10:00-02:00 Thu 10:00-02:00 Fri 10:00-02:00 Sat 10:00-02:00 Sun 10:00-02:00</p> <p>Non-Standard Hours: When hours for sale of alcohol are extended hereunder these hours are also extended</p>
Performance of Dance	<p>Standard Hours: Mon 10:00-02:00 Tue 10:00-02:00 Wed 10:00-02:00 Thu 10:00-02:00 Fri 10:00-02:00 Sat 10:00-02:00 Sun 10:00-02:00</p> <p>Non-Standard Hours: When hours for sale of alcohol are extended hereunder these hours are also extended</p>
Late Night Refreshment	<p>Standard Hours: Mon 23:00-02:00 Tue 23:00-02:00 Wed 23:00-02:00 Thu 23:00-02:00 Fri 23:00-02:00 Sat 23:00-02:00 Sun 23:00-02:00</p> <p>Non-Standard Hours: When hours for sale of alcohol are extended hereunder these hours are also extended</p>
Supply of Alcohol	<p>Standard Hours: Mon 10:00-02:00 Tue 10:00-02:00 Wed 10:00-02:00 Thu 10:00-02:00 Fri 10:00-02:00 Sat 10:00-02:00 Sun 10:00-02:00</p> <p>Non-Standard Hours: To permit sale of alcohol and regulated entertainment from 10.00 to New Year's</p>
On and Off Sales	

Eve terminal hour on 2nd January. The premises shall remain open to permit the sale of alcohol to hotel residents 24 hours a day.	
The opening hours of the premises	
<p>Standard Hours: Mon 00:00-00:00 Tue 00:00-00:00 Wed 00:00-00:00 Thu 00:00-00:00 Fri 00:00-00:00 Sat 00:00-00:00 Sun 00:00-00:00</p> <p>The premises will be open 24 hours per day, seven days per week operating as a hotel to hotel guests.</p>	
Capacity: Not known	
Policies Applicable	LP3 (Operating Schedule), LP4 (Crime and Disorder), LP5 (Public Nuisance), LP6 (Protection of Children from Harm), LP8 (Public Safety), LP15 (Cumulative Impact)
List of Appendices	A – Application for a premises licence and supporting documents B – Representations from responsible authorities C – Representations from other persons D – Location map
Relevant Representations	<ul style="list-style-type: none"> • Planning Authority • Police • Licensing Authority • Other Persons

2. APPLICATION

2.1 **25hours Hotel Company GmbH** 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
- Late night refreshment

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

3. CURRENT STATUS / HISTORY

3.1 The premises are not currently licensed for any activity.

4. REPRESENTATIONS: RESPONSIBLE AUTHORITIES

From	Details
Environmental Health Authority (Environmental Protection)	No representation received

Environmental Health Authority (Environmental Enforcement)	No representation received
Environmental Health Authority (Health & Safety)	No representation received
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	Have confirmed no representation on this application
Police (Appendix B2)	Representation received on the grounds of The Prevention of Crime and Disorder, Public Safety, Prevention of Public Nuisance
Licensing Authority (Appendix B3)	Representation received on the grounds of Prevention of Public Nuisance
Health Authority	No representation received

5. REPRESENTATIONS: OTHER PERSONS

From	Details
Representation received from and on behalf of local residents. (Appendices C1-C3)	Representation received on the grounds of The Prevention of Crime and Disorder, Public Safety, Prevention of Public Nuisance, The Protection of Children from Harm and Cumulative Impact.

6. GUIDANCE CONSIDERATIONS

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

7. POLICY CONSIDERATIONS

- 7.1 Licensing Sub-Committee is required to have regard to the London Borough of Hackney's Statement of Licensing Policy ("the Policy") adopted by the Licensing Authority.
- 7.2 The Policy applies to applications where relevant representations have been made. With regard to this application, policies LP3 (Operating Schedule), LP4 (Crime and Disorder), LP5 (Public Nuisance), LP6 (Protection of Children from Harm), LP8 (Public Safety) LP15 (Cumulative Impact).

8. OFFICER OBSERVATIONS

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

Supply Of Alcohol (On/Both)

1. No supply of alcohol may be made under the premises licence:
(a) At a time when there is no designated premises supervisor in respect of the premises licence.

(b) At a time when the designated premises supervisor does not hold a personal licence or his personal licence is suspended.

2. Every supply of alcohol under the premises licence must be made or authorised by a person who holds a personal licence.

3. (1) The responsible person must ensure that staff on relevant premises do not carry out, arrange or participate in any irresponsible promotions in relation to the premises.

(2) In this paragraph, an irresponsible promotion means any one or more of the following activities, or substantially similar activities, carried on for the purpose of encouraging the sale or supply of alcohol for consumption on the premises -

(a) games or other activities which require or encourage, or are designed to require or encourage, individuals to;

(i) drink a quantity of alcohol within a time limit (other than to drink alcohol sold or supplied on the premises before the cessation of the period in which the responsible person is authorised to sell or supply alcohol), or

(ii) drink as much alcohol as possible (whether within a time limit or otherwise);

(b) provision of unlimited or unspecified quantities of alcohol free or for a fixed or discounted fee to the public or to a group defined by a particular characteristic in a manner which carries a significant risk of undermining a licensing objective;

(c) provision of free or discounted alcohol or any other thing as a prize to encourage or reward the purchase and consumption of alcohol over a period of 24 hours or less in a manner which carries a significant risk of undermining a licensing objective;

(d) selling or supplying alcohol in association with promotional posters or flyers on, or in the vicinity of, the premises which can reasonably be considered to condone, encourage or glamorise anti-social behaviour or to refer to the effects of drunkenness in any favourable manner.

(e) dispensing alcohol directly by one person into the mouth of another (other than where that other person is unable to drink without assistance by reason of a disability).

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

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

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

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

(a) a holographic mark or

(b) an ultraviolet feature

6. The responsible person must ensure that:

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

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

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

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

Minimum Drinks Pricing

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

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

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

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

(i) P is the permitted price,

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

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

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

(i) the holder of the premises licence,

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

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

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

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

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

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

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

Exhibition Of Films

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

Door Supervision

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

Conditions derived from operating schedule

10. The use of door staff will be risk assessed on an ongoing basis by the licence holder of premises supervisor. Where engaged, door staff shall be licensed by the Security Industry Authority.

11. Staff will receive training on matters concerning underage sales, drugs policies and operating procedures.

12. There shall be a zero tolerance policy in relation to drugs at the premises and there shall be regular checks by management to prevent the use of drugs by patrons. Drugs seized shall be stored securely and handed to the police.

13. The premises shall operate a proof of age scheme and will require photographic identification from any person who appears to be under the age of 21 years.

14. The management of the premises will liaise with police on issues of local concern or disorder.

15. There shall be no drinks promotions at the premises which are inconsistent with the need to promote responsible drinking.

16. The Sanitary accommodation shall be provided in accordance with BS 6465-1+A1:2009 Sanitary Installations. Code of Practice for the design of sanitary facilities and scales of provision of sanitary and associated appliances standard for sanitary provisions or any British Standard replacing or amending the same.

17. The edges of the treads of steps and stairways shall be maintained so as to be clearly visible.

18. All external emergency doors shall be fitted with sensor alarms and visible Indicators to alert staff when the doors have been opened.

19. The approved arrangements at the premises, including means of escape provisions, emergency warning equipment, the electrical Installation and mechanical equipment shall at all material times be maintained in good condition and full working order.

20. The means of escape provided for the premises shall be maintained unobstructed, free of trip hazards, be immediately available and clearly Identified In accordance with the plans provided.

21. The Certificates listed below shall be submitted to the Licensing Authority upon written request:

- Any permanent or temporary emergency lighting battery or system
- Any permanent or temporary electrical installation
- Any permanent or temporary emergency warning system.

22. A record shall be kept detailing all refused sales of alcohol. The refusals book will be maintained at the premises and will be available for Immediate Inspection upon request by a representative of the statutory authorities upon request. Such refusals book to be inspected and signed by the DPS or in the absence of the DPS, by an alternative member of store management at Intervals not exceeding seven days. All occasions when persons have been refused service shall be recorded and kept at the premises for not less than 12 months

23. A minimum number of seats shall be provided for the following numbers for the main respective licensed areas.

- Ground floor - 80
- Tenth Floor- 50
- Twenty Seventh/Twenty Eighth Floor- 50

24. Substantial food will be available whilst the premises are open to members of the public on the ground floor in the bar restaurant area and in the 10th Floor area indicated on the licensing plan.

25. The Licensee shall install and maintain a comprehensive CCTV system as per the minimum requirements of a Metropolitan Police Crime Prevention Officer. All entry and exit points will be covered enabling frontal identification of every person entering in any light condition. The CCTV system shall as a minimum 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.

26. Recordings shall be provided immediately upon the request of Police or authorised officer throughout the preceding 31 day period.

27. No less than one member of staff who is able to operate the CCTV system shall be on the premises at all times

28. 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 as a minimum record the following.

- All crimes reported to the venue
- All ejections of patrons
- Any complaints received
- Any incidents of disorder
- Seizures of drugs or offensive weapons

- Any faults in the CCTV system or searching equipment or scanning equipment.
 - Any refusal of the sale of alcohol
 - Any visit by a relevant authority or emergency service.
29. To comply with the reasonable requirements of the fire officer from time to time.
30. The premises will have adequate safety and fire-fighting equipment and such equipment will be maintained in good operational order.
31. Staff will be trained on matters of safety, evacuation and use of emergency equipment as required.
32. Spillages and breakages will be removed as soon as possible to reduce the risk to patrons and staff.
33. Toughened glasses will be used in the premises where appropriate.
34. Fire Exits and means of escape shall be kept clear and in good operational condition.
35. Patrons will be encouraged by staff to leave quietly and respect the interests of the occupiers of any nearby noise sensitive premises, where appropriate the licensee or a suitable staff member will monitor patrons leaving at the closing time.
36. Noise or vibration shall not emanate from the premises so as to cause a nuisance to nearby properties.
37. Contact numbers for local taxi firm(s) shall be kept at the premises and made available to patrons requiring a taxi.
38. Children under the age of 16 shall not be permitted to enter the premises after 21:00 unless dining with an adult or attending a pre booked function or resident in the hotel.
39. There shall be adequate controls in place including staff training to safeguard against the sale of alcohol to persons under 18 years.
40. The premises supervisor or appointed staff member shall ensure that when children are admitted to the premises their presence is not inconsistent with the style of operation of the premises at that time and the licensable activities that are being carried out.
41. Policies in relation to children shall be adequately communicated to patrons by staff or through appropriate signage.
42. A record shall be kept detailing all refused sales of alcohol. The refusal book will be maintained at the premises and will be available for immediate inspection upon request by a representative of the statutory authorities upon request. Such refusals book to be inspected and signed by the DPS or in the absence of the DPS, an alternative member of store management at

intervals not exceeding seven days. All occasions when persons have been refused service shall be recorded and kept at the premises for not less than 12 months after the last entry recorded.

43. Where a person appears to be under the age of 21 identification in the form of a passport, photo driving licence or a proof of age card bearing the PASS hologram will be sought and if not provided service of alcohol shall be refused.

44. Prominent clear notices shall be displayed at the premises about the supply of alcohol to minors and the relevant offences involved.

9. REASONS FOR OFFICER OBSERVATIONS

9.1 Conditions 10 to 44 above are derived from the applicant's operating schedule. No conditions have been proposed by responsible authorities

10. LEGAL COMMENTS

10.1 The Council has a duty as a Licensing Authority under the Licensing Act 2003 to carry out its functions with a view to promoting the following 4 licensing objectives;

- The Prevention of Crime and Disorder
- Public Safety
- Prevention of Public Nuisance
- The Protection of Children from Harm

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

11. HUMAN RIGHTS ACT 1998 IMPLICATIONS

11.1 There are implications to;

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

12. MEMBERS DECISION MAKING

A. Option 1
That the application be refused

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

13. CONCLUSION

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

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
Office File: 25hours, 201-207 Shoreditch High Street, E1 6LG	Licensing Service 1 Hillman Street London E8 1DY

Printed matter

Licensing Act 2003

LBH Statement of Licensing Policy

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

APPENDIX A



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.

We 25hours Hotel Company GmbH apply for a premises licence under section 17 of the Licensing Act 2003 for the premises described in Part 1 below (the premises) and we are making this application to you as the relevant licensing authority in accordance with section 12 of the Licensing Act 2003

Part 1 – Premises details

Postal address of premises or, if none, ordnance survey map reference or description Proposed Hotel to be situated at 201-207 Shoreditch High Street and 1 Fairchild Street,	
Post town London,	Post code E1 6LG

Telephone number of premises (if any)

Non-domestic rateable value of premises

Part 2 - Applicant Details

Please state whether you are applying for a premises licence as

- Please tick ✓
- a) An individual or individuals* please complete section (A)
 - b) a person other than an individual*
 - i. as a limited company please complete section (B)
 - ii. as a partnership please complete section (B)
 - iii. as an unincorporated association or please complete section (B)
 - iv. other (for example a statutory corporation) please complete section (B)
 - c) a recognised club please complete section (B)
 - d) a charity please complete section (B)
 - e) the proprietor of an educational establishment please complete section (B)
 - f) a health service body please complete section (B)
 - g) a person who is registered under Part 2 of the Care Standards Act 2000 (c14) in respect of an independent hospital please complete section (B)
 - h) the chief officer of police of a police force in England and Wales please complete section (B)

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

Please tick yes

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

(A) INDIVIDUAL APPLICANTS (fill in as applicable)

Mr Mrs Miss Ms Other title (For example, Rev)

Surname First names

Date of Birth: I am 18 years old or over Please tick
Nationality:

Current postal address if different from premises address

Post Town Postcode

Daytime contact telephone number

Email address (optional)

Second Individual Applicant (if applicable)

Mr Mrs Miss Ms Other title (For example, Rev)

Surname First names

Date of Birth: I am 18 years old or over Please tick
Nationality:

Current postal address if different from premises address

Post Town Postcode

Daytime contact telephone number

Email address (optional)

(B) OTHER APPLICANTS

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

Name 25hours Hotel Company GmbH
Address Singapurstrasse 1 20457 Hamburg Germany
Registered number (where applicable) WRB 114012
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?

Day Month Year

On completion of the works – to be advised in due course

--	--	--	--	--	--	--	--	--	--

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

Day Month Year

--	--	--	--	--	--	--	--	--	--

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

N/A

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

Building site works have not commenced and therefore the appropriate fee is Band A and this fee will be payable.

It is intended that the proposed premises will operate as a stand alone Hotel with related accommodation operating under the "25hours" International Hotel brand. The brand is an international hotel brand based in Hamburg, Germany and currently operating in a number of German cities including Berlin, Hamburg, Frankfurt and Munich as well as multi nationally in Vienna and Zurich. The proposed site will be the first of its type to operate within the United Kingdom.

The proposed Hotel will have at ground floor a secure entrance lobby including Hotel reception and food and beverage offer at ground floor.

Additional licensed facilities will be provided at 10th Floor level and 27th/28th Floor.

The bedrooms will form part of the licensed area as each will contain mini bars and will comprise in all some 200 rooms on the 11th to 26th Floors.

The details of the development are shown on the drawings identified below, deposited with this application, in respect of which Planning Permission has been granted.

It is proposed that the permitted hours for licensable activities for these premises should be as follows:

1. For non residents Monday to Sunday 10.00 – 02.00 seven days per week.
2. The sale of alcohol to residents will be available 24 hours per day, seven days per week.

This application seeks to licence the premises specifically to authorise under the Licensing Act 2003 the following activities:

1. Exhibition of a film principally non-live television or educational videos.
2. The sale of alcohol.
3. The provision of late night refreshment after 23.00
4. The provision of regulated entertainment (live and recorded music, performance of dance) as detailed in the appropriate box on the following pages.

The appropriate drawings deposited with this application are the following general arrangement plans:-

- Unlicensed Basement Floors
- Detailed Ground Floor layout
- Tenth Floor Plan showing function/events area.
- Floors 11 to 26 being hotel bedrooms.
- 27th and 28th Floor

Please note that the public area edged red on the licensing drawings at (Ground Floor, Tenth Floor and 27th/28th Floor) are to be the principal areas for licensable activities.

Please further note that the hotel bedrooms are included within the licensed area as there will be mini bars/room service as part of the overall offer.

Please further note the appropriate fire safety precautions will be incorporated within the development in consultation with the Fire Safety Officer and under the Building Regulation approval process and in accordance with a fire safety strategy document.

It is not anticipated that the proposed development will adversely affect crime and disorder or public nuisance.

It is proposed that the development of the site and particularly the development of a Hotel as proposed at this location will improve the area by providing jobs for the local community and a new Hotel facility at this location.

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

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

Please tick yes

Provision of regulated entertainment (please read guidance note 2)

- 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)

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 indoors or outdoors or both – please tick {Y} (please read guidance note 3).	Indoors	
Day	Start	Finish		Outdoors	
				Both	
Mon			Please give further details here (please read guidance note 4)		
Tue					
Wed			State any seasonal variations for performing plays (please read guidance note 5)		
Thur					
Fri			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 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 {Y}(please read guidance note 3).	Indoors	
Day	Start	Finish		Outdoors	
Mon	10:00	02:00		Please give further details here (please read guidance note 4) Exhibition of a film principally video entertainment on screens and tv screens	Both
Tue	10:00	02:00			
Wed	10:00	02:00	State any seasonal variations for the exhibition of films (please read guidance note 5)		
Thur	10:00	02:00	N/A - save as below		
Fri	10:00	02:00	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 6)		
Sat	10:00	02:00	When hours for sale of alcohol are extended hereunder these hours are also extended (see box J below)		
Sun	10:00	02:00			

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			
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 entertainment Standard days and timings (please read guidance note 7)			Will the boxing or wrestling entertainment take place indoors or outdoors or both – please tick {Y}(please read guidance note 3).	Indoors	
				Outdoors	
Day	Start	Finish		Both	
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 {Y}(please read guidance note 3).	Indoors	
				Outdoors	
Day	Start	Finish		Both	✓
Mon	10:00	02:00		Please give further details here (please read guidance note 4) Live music and amplified voice as stated in part 3 above	
Tue	10:00	02:00			
Wed	10:00	02:00	State any seasonal variations for the performance of live music (please read guidance note 5) N/A – save as below		
Thur	10:00	02:00			
Fri	10:00	02:00	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 6) When hours for sale of alcohol are extended hereunder these hours are also extended (see box J below)		
Sat	10:00	02:00			
Sun	10:00	02:00			

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 {Y} (please read guidance note 3).	Indoors	
				Outdoors	
				Both	✓
Day	Start	Finish			
Mon	10:00	02:00	Please give further details here (please read guidance note 4)		
Tue	10:00	02:00	Recorded music, including juke box, with or without a DJ, during normal business hours or as part of functions as specified in part 3 above.		
Wed	10:00	02:00	State any seasonal variations for playing recorded music (please read guidance note 5)		
Thur	10:00	02:00	N/A – save as below		
Fri	10:00	02:00	Non standard timings. Where you intend to use the premises for the playing of recorded music entertainment at different times to those listed in the column on the left, please list (please read guidance note 6)		
Sat	10:00	02:00			
Sun	10:00	02:00	When hours for sale of alcohol are extended hereunder these hours are also extended (see box J below)		

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 {Y} (please read guidance note 3).	Indoors	✓
				Outdoors	
				Both	
Day	Start	Finish			
Mon	10:00	02:00	Please give further details here (please read guidance note 4)		
Tue	10:00	02:00	As stated in Part 3 above		
Wed	10:00	02:00	State any seasonal variations for the performance of dance (please read guidance note 5)		
Thur	10:00	02:00	N/A – save as below		
Fri	10:00	02:00	Non standard timings. Where you intend to use the premises for the performance of dance entertainment at different times to those listed in the column on the left, please list (please read guidance note 6)		
Sat	10:00	02:00			
Sun	10:00	02:00	When hours for sale of alcohol are extended hereunder these hours are also extended (see box J below)		

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 {Y} (please read guidance note 3).	Indoors
				Outdoors
Mon				Both
Tue			Please give further details here (please read guidance note 4)	
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 5)	
Sat				
Sun				
			Non standard timings. Where you intend to use the premises for the entertainment of 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)	

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 {Y} (please read guidance note 3).	
Day	Start	Finish		Indoors
				Outdoors
Mon	23:00	02:00		Both
Tue	23:00	02:00	Please give further details here (please read guidance note 4) As stated in Part 3 above	
Wed	23:00	02:00		
Thur	23:00	02:00		
Fri	23:00	02:00	State any seasonal variations for the provision of late night refreshment (please read guidance note 5) N/A – save as below	
Sat	23:00	02:00		
Sun	23:00	02:00		
			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 6)	
			When hours for sale of alcohol are extended hereunder these hours are also extended (see box J below)	

J

Supply of alcohol Standard days and timings (please read guidance note 7)			Will the supply of alcohol be for consumption (Please tick box Y) (please read guidance note 8)	On the premises	
Day	Start	Finish		Off the premises	
				Both	✓
Mon	10:00	02:00	State any seasonal variations for the supply of alcohol (please read guidance note 5)		
Tue	10:00	02:00			
Wed	10:00	02:00			
Thur	10:00	02:00	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)		
Fri	10:00	02:00			
Sat	10:00	02:00	To permit sale of alcohol and such regulated entertainment as authorised hereunder from 10.00 to New Year's Eve - terminal hour on 2 nd January.		
Sun	10:00	02:00	The premises shall remain open to permit the sale of alcohol to hotel residents 24 hours a day.		

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

Name: Florian Kollenz
Date of Birth: [REDACTED]
Address: [REDACTED]
Post Code:
Personal Licence number (if known):
Issuing licensing authority (if known):

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 save for the presence of AWP machines the use of which is not permitted by persons under the age of 18

L

Hours premises are open to the public Standard days and timings (please read guidance note 7)			State any seasonal variation (please read guidance note 5) Please see box J above
Day	Start	Finish	Non standard timings. Where you intend to use 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) The premises will be open 24 hours per day, seven days per week operating as a hotel to hotel guests.
Mon	00:00	24:00	
Tue	00:00	24:00	
Wed	00:00	24:00	
Thur	00:00	24:00	
Fri	00:00	24:00	
Sat	00:00	24:00	
Sun	00:00	24:00	

M

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

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

We have undertaken our own risk assessment to propose the following steps:-

The steps which we have identified in relation to the four licensing objectives are listed below

b) The prevention of crime and disorder

No further risks have been identified which need to be addressed, save as below

1. The use of door staff will be risk assessed on an ongoing basis by the licence holder of premises supervisor. Where engaged, door staff shall be licensed by the Security Industry Authority.
2. Staff will receive training on matters concerning underage sales, drugs policies and operating procedures.
3. There shall be a zero tolerance policy in relation to drugs at the premises and there shall be regular checks by management to prevent the use of drugs by patrons. Drugs seized shall be stored securely and handed to the police.
4. The premises shall operate a proof of age scheme and will require photographic identification from any person who appears to be under the age of 21 years.
5. The management of the premises will liaise with police on issues of local concern or disorder.
6. There shall be no drinks promotions at the premises which are inconsistent with the need to promote responsible drinking.
7. The Sanitary accommodation shall be provided in accordance with BS 6465-1+A1:2009 Sanitary installations. Code of Practice for the design of sanitary facilities and scales of provision of sanitary and associated appliances standard for sanitary provisions or any British Standard replacing or amending the same.
8. The edges of the treads of steps and stairways shall be maintained so as to be clearly visible.
9. All external emergency doors shall be fitted with sensor alarms and visible indicators to alert staff when the doors have been opened.
10. The approved arrangements at the premises, including means of escape provisions, emergency warning equipment, the electrical installation and mechanical equipment shall at all material times be maintained in good condition and full working order.
11. The means of escape provided for the premises shall be maintained unobstructed, free of trip hazards, be immediately available and clearly identified in accordance with the plans provided.
12. The Certificates listed below shall be submitted to the Licensing Authority upon written request: Any

- permanent or temporary emergency lighting battery or system, Any permanent or temporary electrical installation, Any permanent or temporary emergency warning system.
13. A record shall be kept detailing all refused sales of alcohol. The refusals book will be maintained at the premises and will be available for immediate inspection upon request by a representative of the statutory authorities upon request. Such refusals book to be inspected and signed by the DPS or in the absence of the DPS, by an alternative member of store management at intervals not exceeding seven days. All occasions when persons have been refused service shall be recorded and kept at the premises for not less than 12 months
 14. A minimum number of seats shall be provided for the following numbers for the main respective licensed areas.
 - Ground floor - 80
 - Tenth Floor - 50
 - Twenty Seventh/Twenty Eighth Floor - 50
 15. Substantial food will be available whilst the premises are open to members of the public on the ground floor in the bar restaurant area and in the 10th Floor area indicated on the licensing plan.
 17. The Licensee shall install and maintain a comprehensive CCTV system as per the minimum requirements of a Metropolitan Police Crime Prevention Officer. All entry and exit points will be covered enabling frontal identification of every person entering in any light condition. The CCTV system shall as a minimum 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 provided immediately upon the request of Police or authorised officer throughout the preceding 31 day period.
 18. No less than one member of staff who is able to operate the CCTV system shall be on the premises at all times
 19. 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 as a minimum record the following.
 - All crimes reported to the venue
 - All ejections of patrons
 - Any complaints received
 - Any incidents of disorder
 - Seizures of drugs or offensive weapons
 - Any faults in the CCTV system or searching equipment or scanning equipment.
 - Any refusal of the sale of alcohol
 - Any visit by a relevant authority or emergency service.

c) Public safety

No further risks have been identified which need to be addressed, save as below

1. To comply with the reasonable requirements of the fire officer from time to time.
2. The premises will have adequate safety and fire fighting equipment and such equipment will be maintained in good operational order.
3. Staff will be trained on matters of safety, evacuation and use of emergency equipment as required.
4. Spillages and breakages will be removed as soon as possible to reduce the risk to patrons and staff.
5. Toughened glasses will be used in the premises where appropriate.
6. Fire Exits and means of escape shall be kept clear and in good operational condition.

d) The prevention of public nuisance

No further risks have been identified which need to be addressed, save as below

1. Patrons will be encouraged by staff to leave quietly and respect the interests of the occupiers of any nearby noise sensitive premises, Where appropriate the licensee or a suitable staff member will monitor patrons leaving at the closing time.
2. Noise or vibration shall not emanate from the premises so as to cause a nuisance to nearby properties.
3. Contact numbers for local taxi firm(s) shall be kept at the premises and made available to patrons requiring a taxi.

e) The protection of children from harm

1. The restrictions set out in the Licensing Act 2003 will apply. No unusual or additional risks of harm to children have been identified.
2. No films or videos of any description will be shown so that they can be viewed by persons under the age of any applicable BBFC/Local Authority certification.
3. Children under the age of 16 shall not be permitted to enter the premises after 21:00 unless dining with an adult or attending a pre booked function or resident in the hotel.
4. There shall be adequate controls in place including staff training to safeguard against the sale of alcohol to persons under 18 years.
5. The premises supervisor or appointed staff member shall ensure that when children are admitted to the premises their presence is not inconsistent with the style of operation of the premises at that time and the licensable activities that are being carried out.
4. Policies in relation to children shall be adequately communicated to patrons by staff or through appropriate signage.
8. A record shall be kept detailing all refused sales of alcohol. The refusal book will be maintained at the premises and will be available for immediate inspection upon request by a representative of the statutory authorities upon request. Such refusals book to is to be inspected and signed by the DPS or in the absence of the DPS, an alternative member of store management at intervals not exceeding seven days. All occasions when persons have been refused service shall be recorded and kept at the premises for not less than 12 months after the last entry recorded.
9. Where a persons appears to be under the age of 21 identification in the form of a passport, photo driving licence or a proof of age card bearing the PASS hologram will be sought and if not provided service of alcohol shall be refused.
10. Prominent clear notices shall be displayed at the premises about the supply of alcohol to minors and the relevant offences involved.

Checklist:

Please tick to indicate agreement

- I have made or enclosed payment of the fee
- I have enclosed the plan of the premises
- I have sent copies of this application and the plan to responsible authorities and others where applicable
- I have enclosed the consent form completed by the individual I wish to be premises supervisor, if applicable
- I understand that I must now advertise my application
- I understand that if I do not comply with the above requirements my application will be rejected
- {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. (Please read guidance note 11). **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: John Gaunt & Partners.....

Date: 21st December 2017

Capacity: Solicitors.....

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: John Gaunt & Partners.....

Date:

Capacity: Solicitors.....

Contact name (where not previously given) and address for correspondence associated with this application (please read guidance note 14)

John Gaunt & Partners
Omega Court
372 Cemetery Road

Post town
Sheffield

Post code
S11 8FT

Telephone number (if any)

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

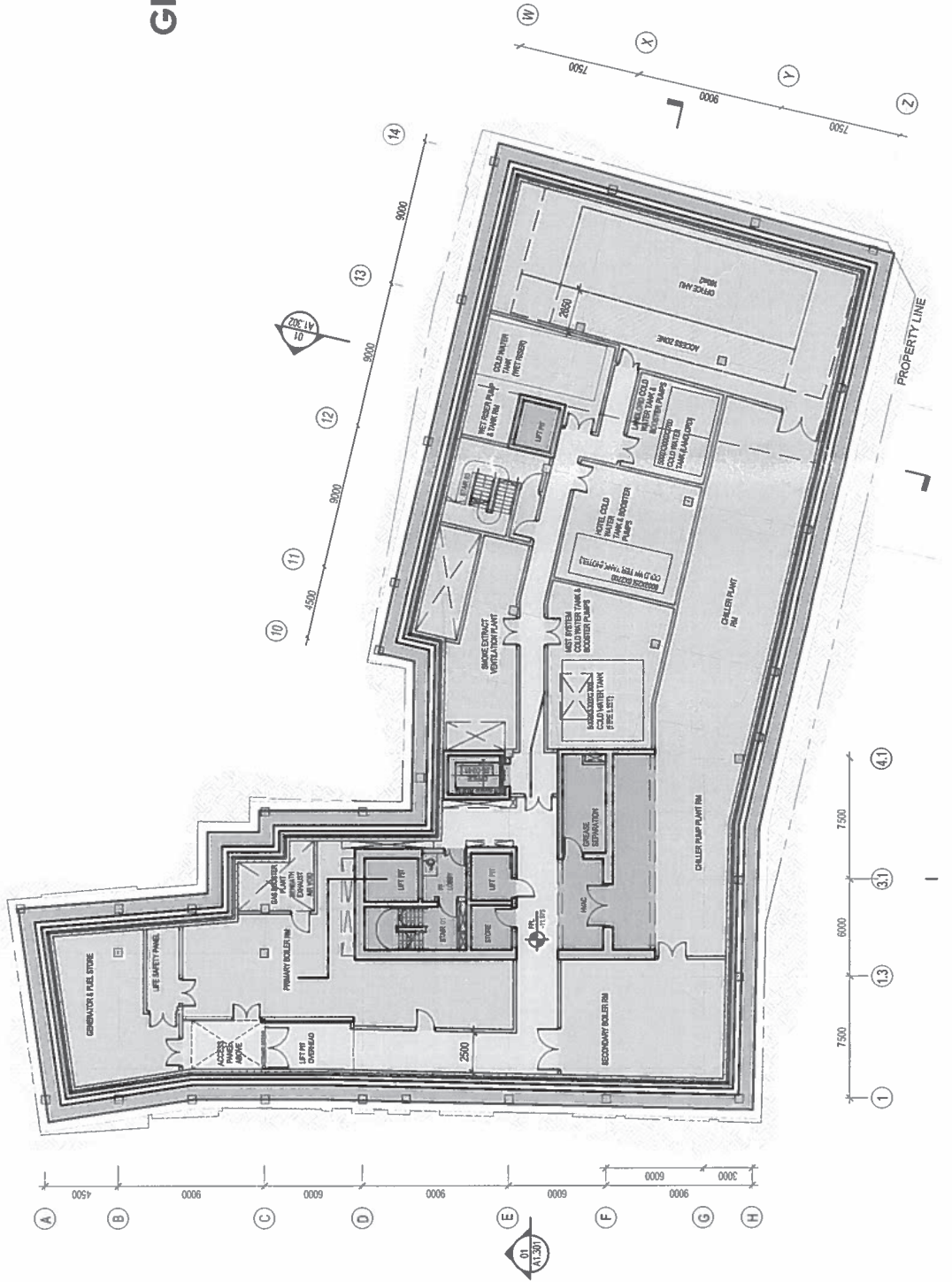
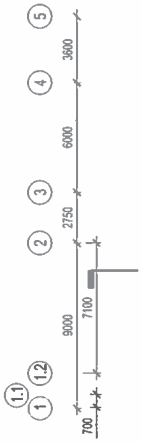
Notes for Guidance

1. Describe the premises, for example the type of premises, its general situation and layout and any other information which could be relevant to the licensing objectives. Where your application includes off-supplies of alcohol and you intend to provide a place for consumption of these off-supplies, you must include a description of where the place will be and its proximity to the premises.
2. 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 does not exceed 500, and (b) the organiser gets consent for the performance from a person who is responsible for the premises.
 - a performance of amplified live music between 08.00 and 23.00 on any day, at the non-residential premises of (i) a local authority, or (ii) a school, or (iii) a hospital, provided that (a) the audience does not exceed 500, and (b) the organiser gets consent for the performance on the relevant premises from: (i) the local authority concerned, or (ii) the school or (iii) the health care provider for the hospital.
 - Recorded Music: no licence permission is required for:
 - any playing of recorded 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.
 - any playing of recorded 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 does not exceed 500, and (b) the organiser gets consent for the performance from a person who is responsible for the premises.
 - any playing of recorded music between 08.00 and 23.00 on any day, at the non-residential premises of (i) a local authority, or (ii) a school, or (iii) a hospital, provided that (a) the audience does not exceed 500, and (b) the organiser gets consent for the performance on the

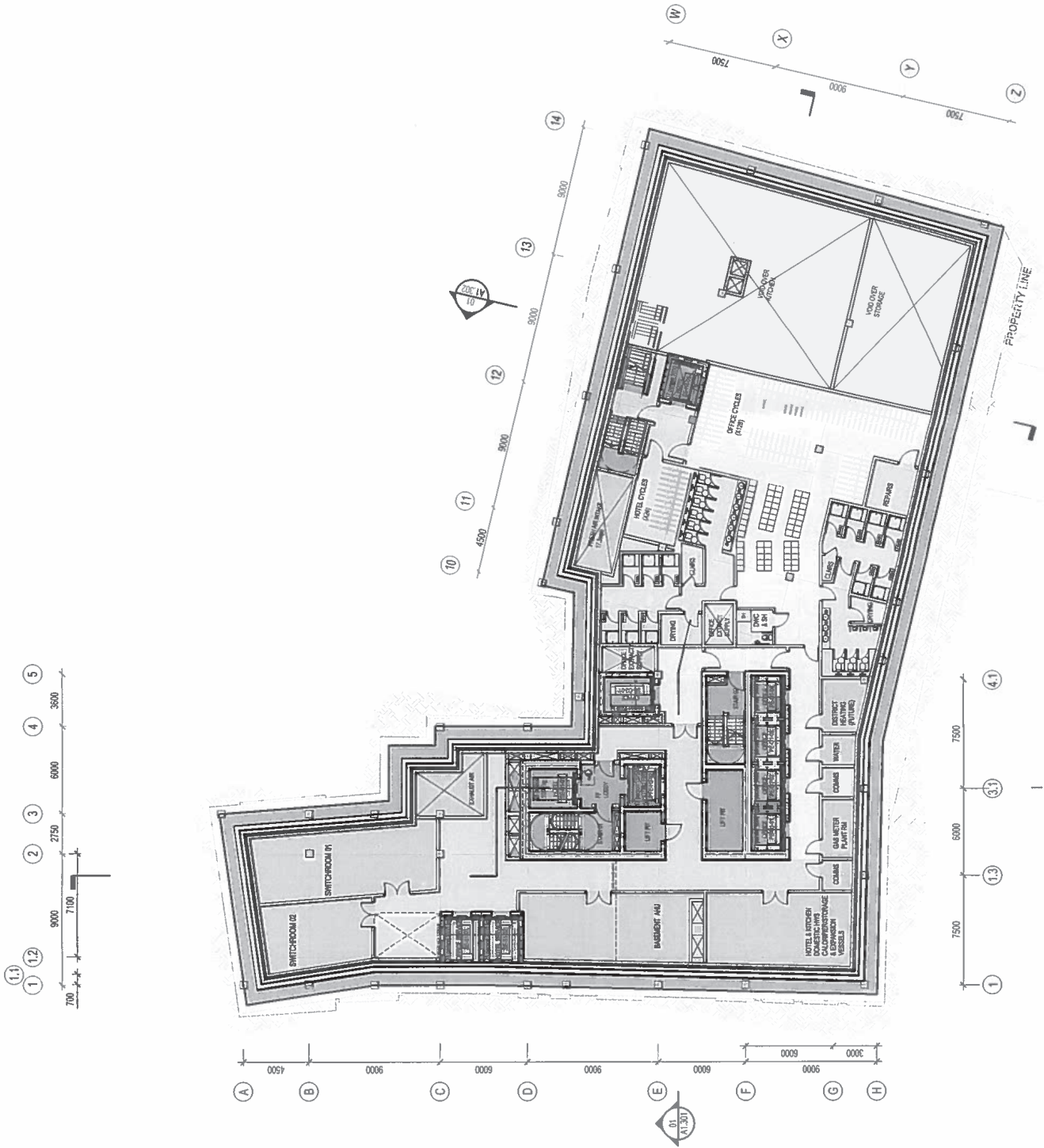
Basement 2

GIA: 1,321 m² (14,219 sqft)

REVISIONS TO CONTRACT
 22 DEC 2017
 LONDON
 OF-14-10-17



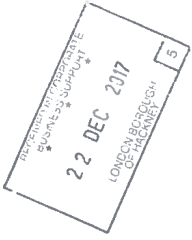
Basement 1 - Mezzanine



CYCLE STORE: 122 m²
(1,309 sqft)

CHANGING: 204 m²
(2,197 sqft)

Level 11 - Hotel Rooms & Fitness



HOTEL ROOMS

- 13 KEYS

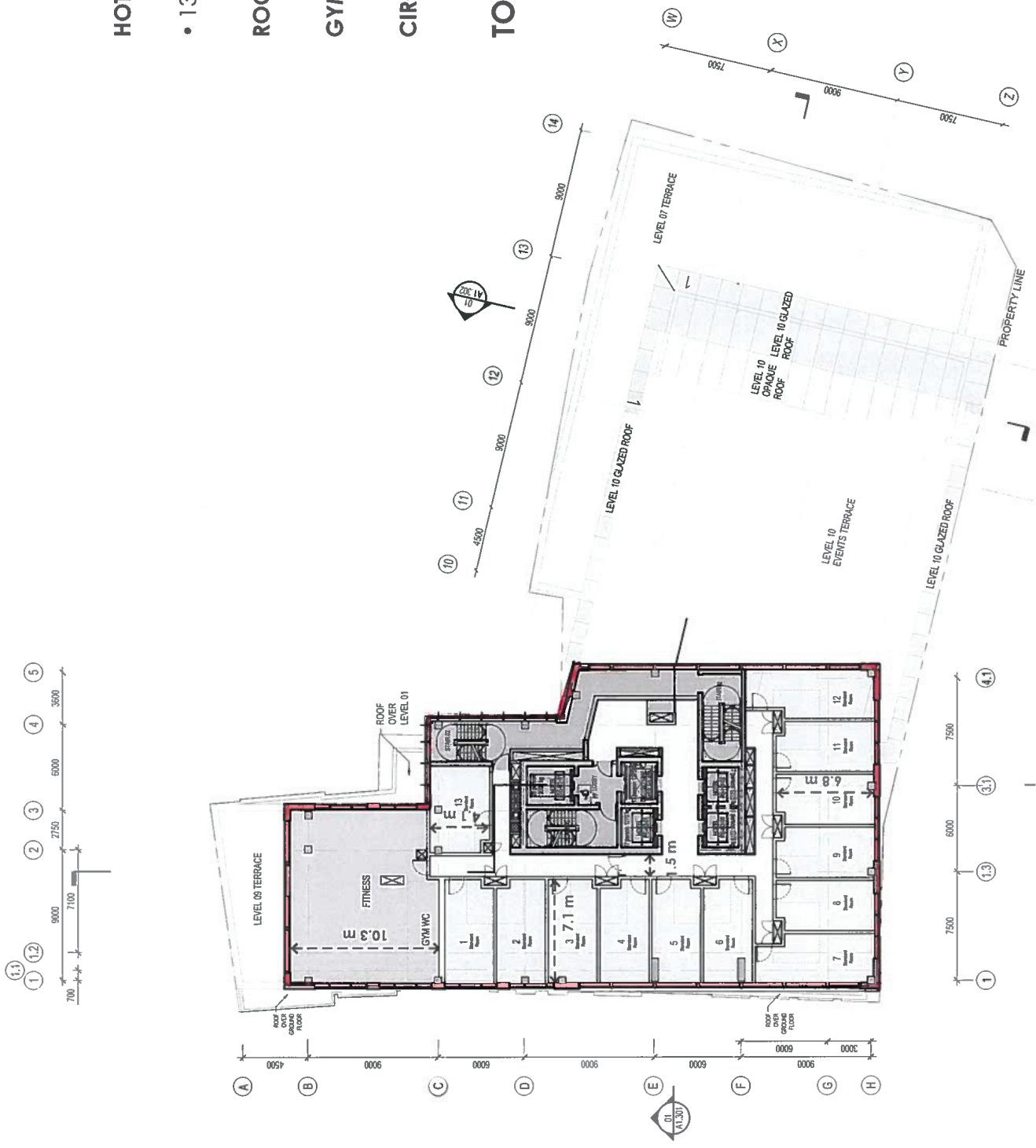
ROOMS: 315 m²
(3,386 sqft)

GYM: 124 m²
(1,331 sqft)

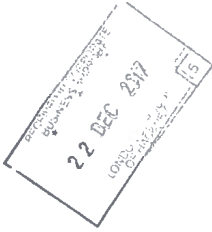
CIRCULATION: 107 m²
(1,151 sqft)

TOTAL: 545 m² (5,868 sqft)

— L I C E N S E D A N G A



Level 12 - Hotel Rooms



HOTEL ROOMS

- 19 KEYS

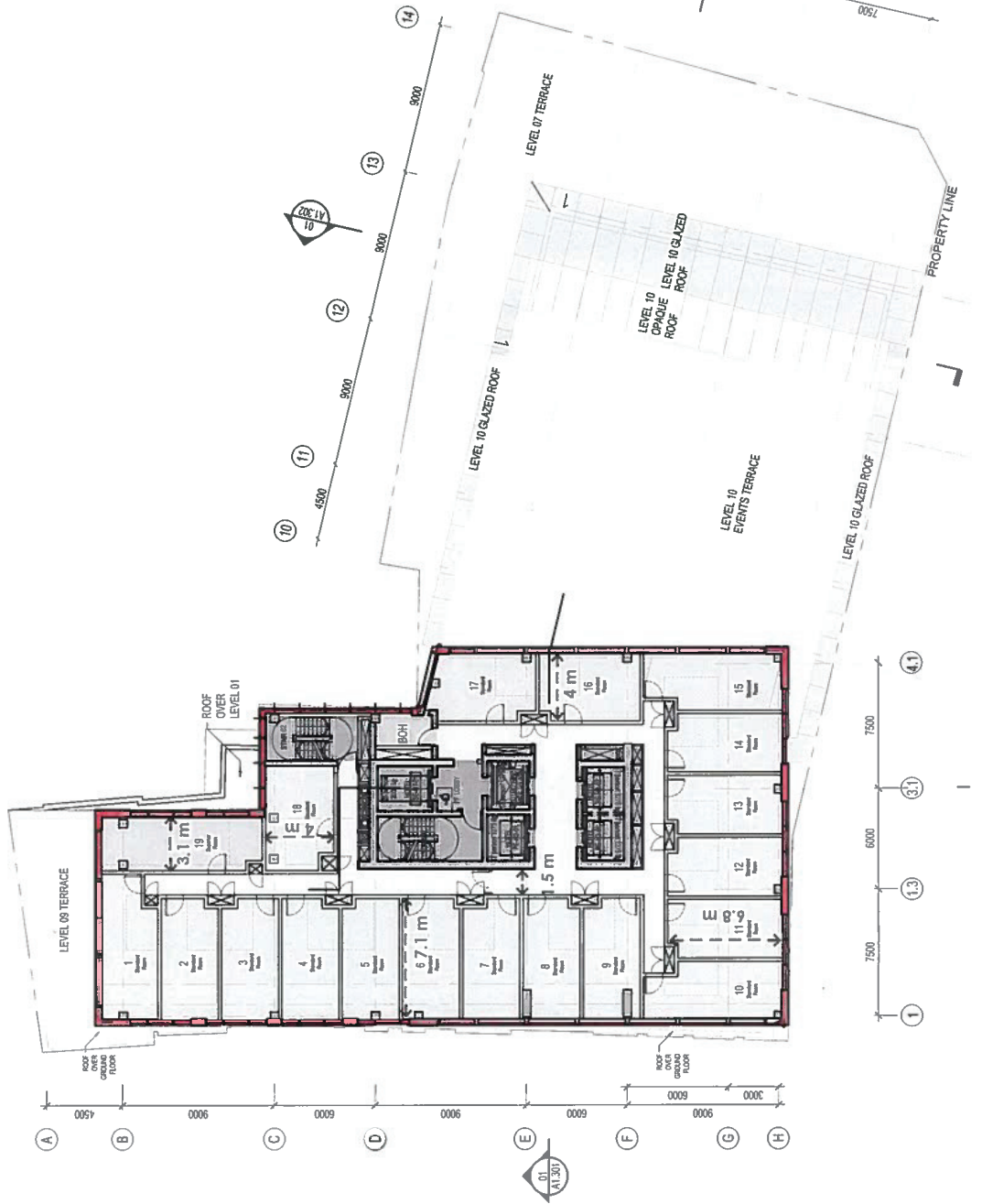
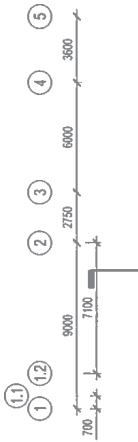
ROOMS: 470 m²
(5,055 sqft)

CIRCULATION: 104 m²
(1,118 sqft)

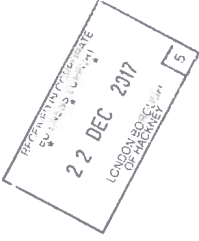
HOUSEKEEPING: 6 m²
(69 sqft)

TOTAL: 580 m² (6,242 sqft)

— LICENSED AREA



Level 13 - Hotel Rooms



HOTEL ROOMS

- 15 KEYS

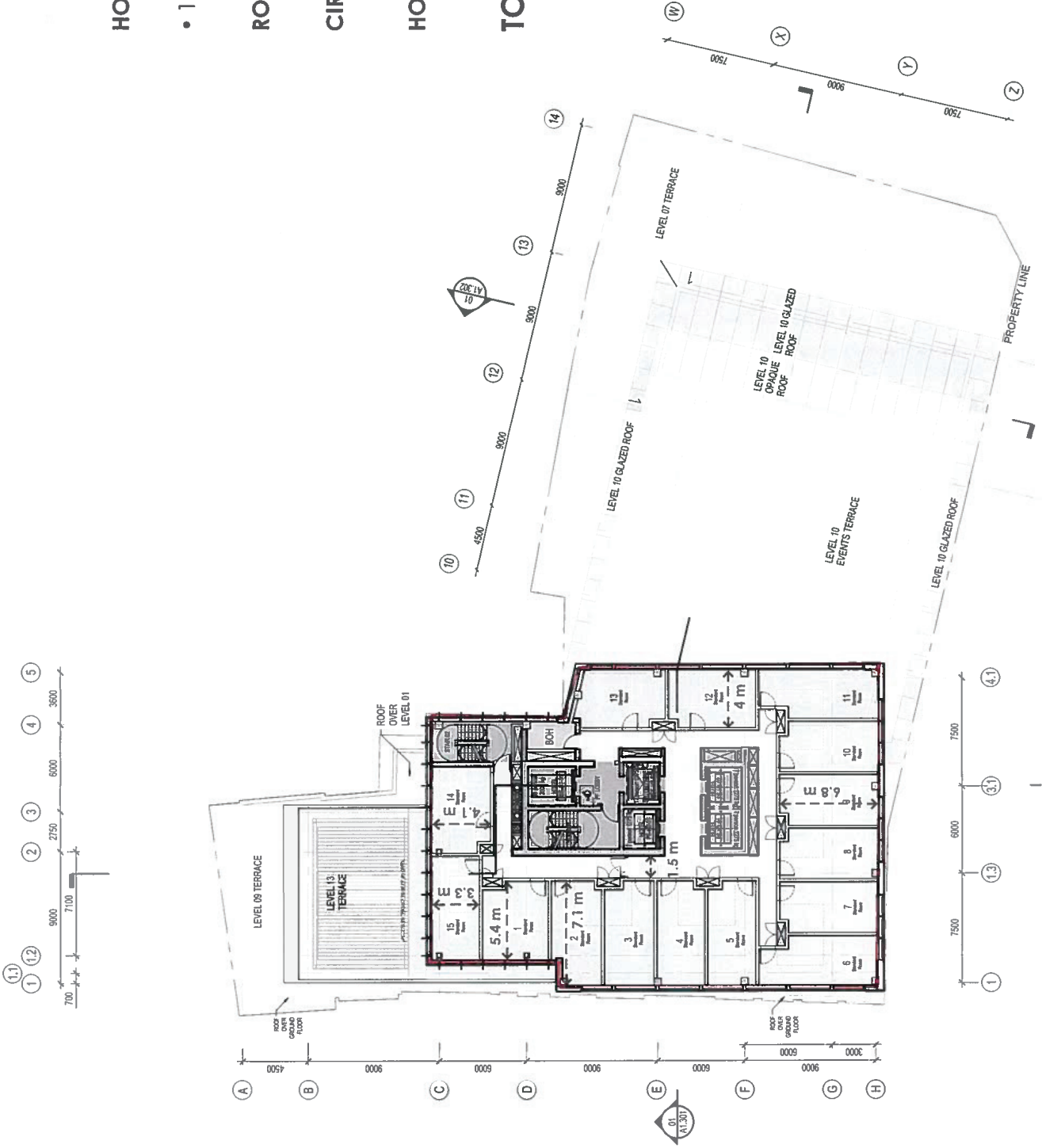
ROOMS: 360 m²
(3,876 sqft)

CIRCULATION: 90 m²
(974 sqft)

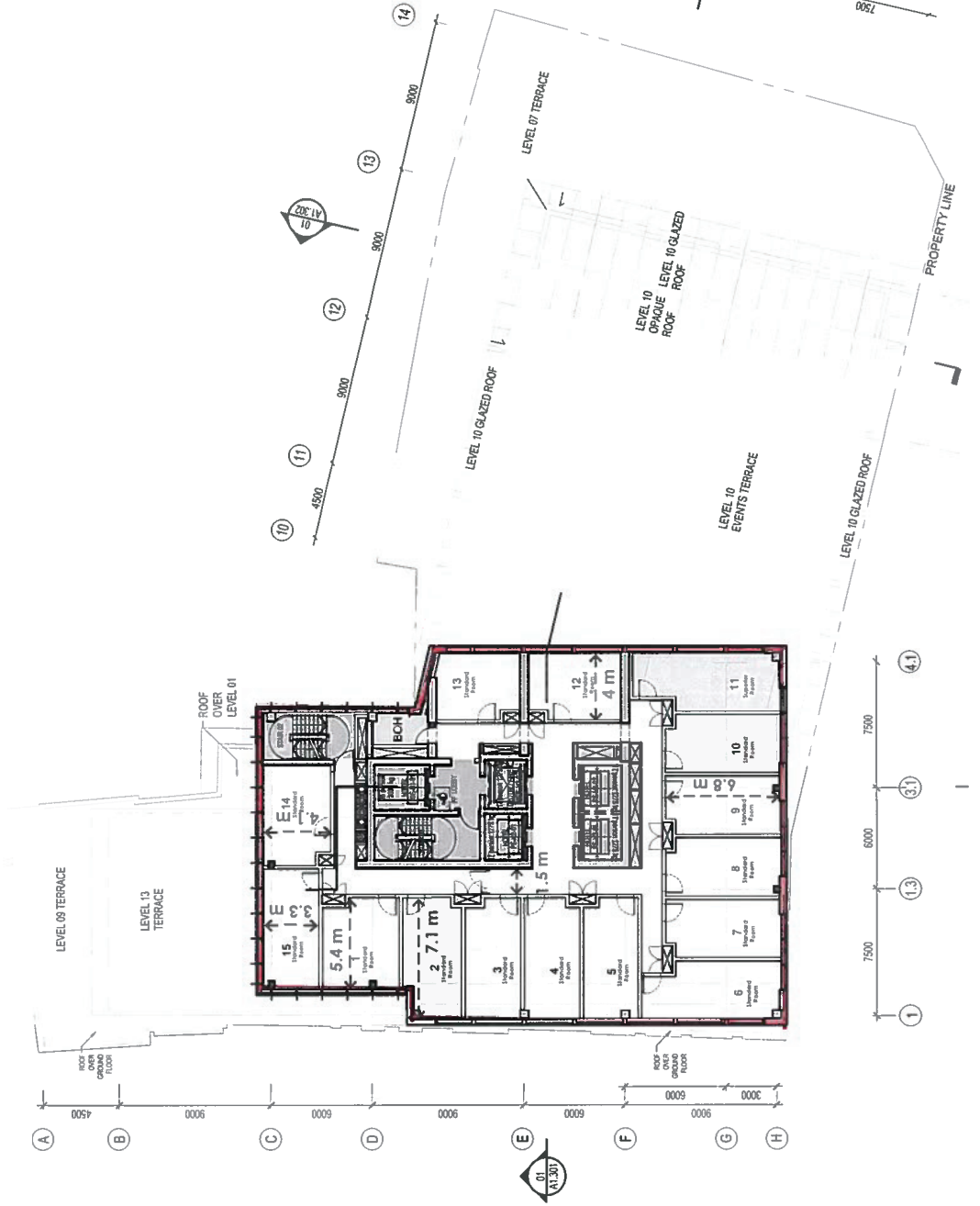
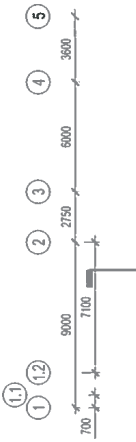
HOUSEKEEPING: 7 m²
(72 sqft)

TOTAL: 457 m² (4,922 sqft)

LICENSED AREA



Levels 18 to 19 - Hotel Typical Floor 2



HOTEL ROOMS

- 15 KEYS

ROOMS: 356 m²
(3,833 sqft)

CIRCULATION: 91 m²
(981 sqft)

HOUSEKEEPING: 7 m²
(71 sqft)

TOTAL: 454m² (4,884 sqft)

— *L166/60 ANSA*

Level 20-24 - Hotel Rooms



HOTEL ROOMS

- 9 KEYS

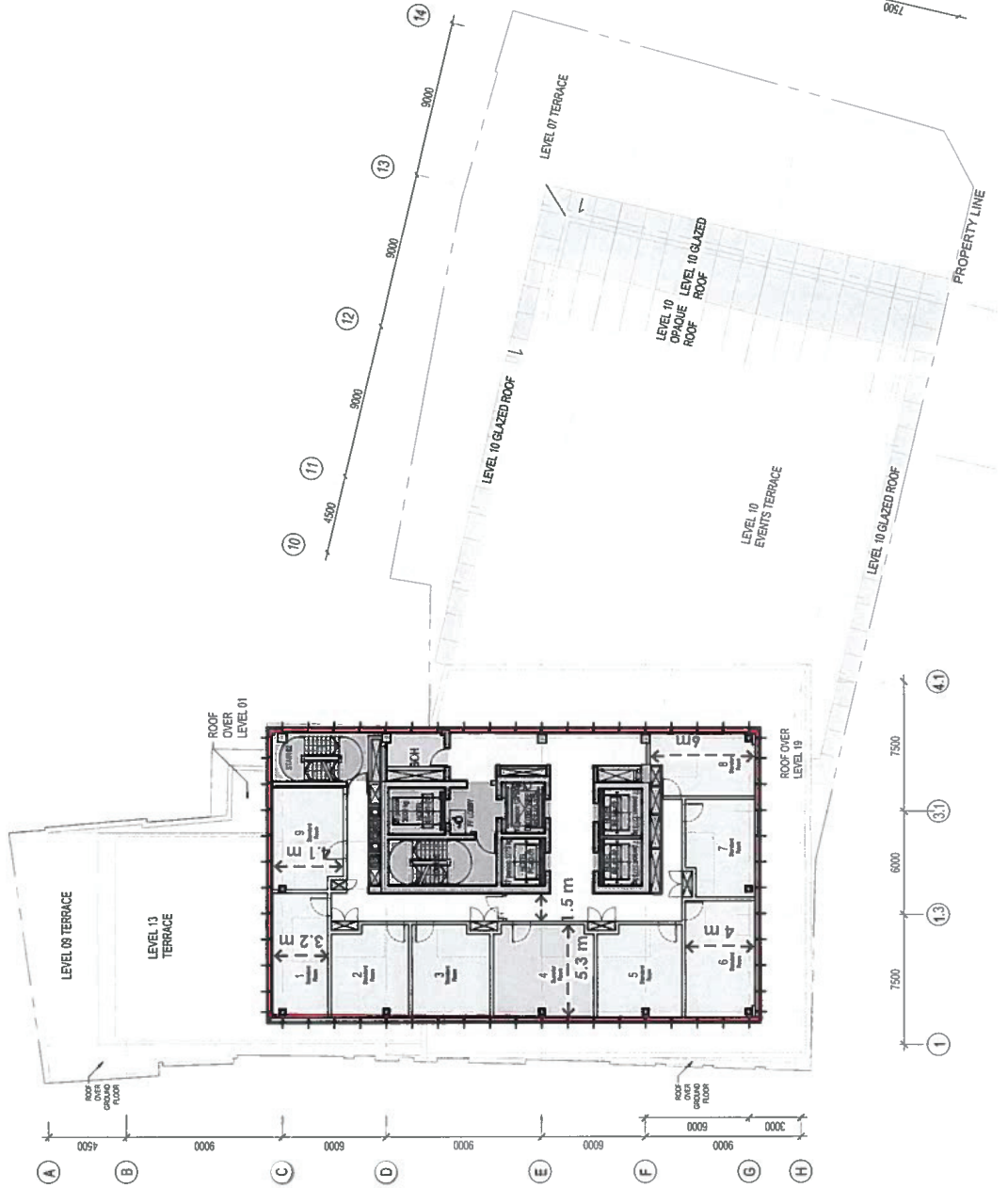
ROOMS: 228 m²
(2,458 sqft)

CIRCULATION: 88 m²
(946 sqft)

HOUSEKEEPING: 7 m²
(75 sqft)

TOTAL: 323m² (3,479 sqft)

— LIC6MS6D AM5A



Planning Authority Representation:
Application under the Licensing Act 2003

APPENDIX B1

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	201-207 Shoreditch High Street & 1 Fairchild Street London E1 6LG
Applicant name	25hours Hotel Company GmbH

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 a hotel. The following licensable activities are proposed:

Films: 10:00 – 02:00 Monday – Sunday;
Live Music: 10:00 – 02:00, Monday – Sunday;
Recorded Music: 10:00 – 02:00, Monday – Sunday;
Performances of Dance: 10:00 – 02:00, Monday – Sunday;
Late night refreshment: 10:00 – 02:00, Monday – Sunday;
Supply of alcohol: 10:00 – 02:00, Monday – Sunday; and
Hours of operation: 00:00 – 24:00, Monday to Sunday.

Planning reference 2015/2403 granted the demolition of existing buildings and structures and erection of a part 7, part 10 and part 30 storey building (plus 2 levels of basement) comprising office (Class B1) and hotel (Class C1) accommodation with ancillary retail, restaurant, event space, lounge and amenity areas; roof terraces; refuse and recycling facilities; cycle parking; servicing and plant; and landscaping.

Planning reference 2017/0892 granted the non-material amendment to application 2015/2403 dated 12/04/16 comprising amendment to the wording of condition 29 to be more precise as to which windows shall be obscure glazed.

Planning reference 2017/2206 for the demolition of existing buildings and structures at 201-207 Shoreditch High Street and 1 Fairchild Street is being considered by Council.

Planning reference 2017/2700 granted the non-material amendment to planning application 2015/2403 dated 12/04/2016 to amend the wording of conditions 5 (detailed drawings), 6 (sample panel), 10 (wheelchair accessibility) and 13 (District/Energy Heating) to amend the trigger points of the conditions.

Condition 3 of planning permission 2015/2403 states that *'Notwithstanding the details shown on the plans and documents hereby approved no more than 681m2 of the lower ground and first floor of the building shall be used for ancillary retail activities at any given time and no more than 1289m2 of the lower ground, ground and first floor of the building shall be used for hospitality uses (i.e. restaurant/bar space) at any given time unless otherwise agreed in writing by the local planning authority.'*

It is not considered that the licensing application would interfere with the operation of this condition. Licensing permission does not grant planning permission and therefore would not override or interfere with the operation of this condition. The condition will remain in effect in spite of a license being granted for the premises.

It is noted that an events space is included on Level 10 and a 'Sky lounge' at Levels 28 and 29. These areas were approved as part of the planning permission and it was expected that these areas would be licensed.

Condition 24 of planning permission 2015/2403 states that *'The hours of use by members of the public of any ancillary hotel use including all retail, café, restaurant, bar and leisure type uses shall not take place outside the hours of 7am – 11:30pm on any day.'*

It is noted that the hours of the licensing application exceed those permitted under the above condition. However, the condition only serves to restrict the use of the premises by members of the public. The patrons of the hotel are not restricted in the hours they can use the facilities ancillary to the hotel under the planning permission. Therefore, no objection is raised to the proposed hours under the licensing application. The restriction in hours to the use of the ancillary facilities by members of the public will remain in operation in spite of licensing permission being given. Licensing permission does not grant planning permission. A breach of this condition would be unlawful and may be the subject of enforcement action.

In any instance, Condition 25 requires the submission of a Hotel Management Plan which will set out how the hotel and ancillary hotel uses will be available to the public. This is required to be approved by the Local Planning Authority prior to the operation of the hotel.

Should there be any discrepancies between the approved plans and the licensing plans, the applicant would be advised to lodge an application to ensure these differences are regularised. As previously pointed out, licensing permission does not grant planning permission, and any discrepancies would be unlawful and may be the subject of enforcement action.

Please provide the following information (if applicable)

Area (that permission applies to)	Building
Permitted use	C1 (Hotel)
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 representations with informative.

Should there be any potential discrepancies between the approved plans and the licensing plans, the applicant would be advised to lodge an application to ensure these differences are regularised. As previously pointed out, licensing permission does not grant planning permission, and any discrepancies may be the subject of 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.

Signed	
Name	Graham Callam
Date	18/01/2018

**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	25 Hours – Shoreditch 201-207 Shoreditch High Street London E1 6LG
NAME OF PREMISES USER	25hours Hotel Company GmbH

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 201-207 SHOREDITCH HIGH STREET, LONDON, E1 6LG for the following reason(s):

This venue is situated on the main street running through Shoreditch. This is a new development which should be finished and ready to operate by 2021. Police have met with the applicant prior to the application being submitted where discussions around licensable activities took place. There are a couple of areas where we seek a little clarity:

- Why is there a need for off sales of alcohol? And is this really necessary until 0200hrs. Police have concerns about people buying alcohol and leaving the hotel with it and consuming it on the streets.
- Will there be any food available on floors 27/28.
- Will there always be a member of staff on duty that has a personal licence?
- Will all events be organised by hotel staff?

Police would like to see a written queue management and dispersal plan as concerns lie around the hotel hosting events that will attract crowd to the venue and the area. Consideration should be given to a last entry time, so that there are not queues of people waiting and/or expecting to get into the roof terrace/bar late at night.

Police also propose to remove non standard hours from the application. As the amount of hotels in Shoreditch rises and more high profile and promoted events are hosted on New Years Eve and other holidays, a greater strain is put on the police and emergency services. Police request that any additional hours be sought through the TEN process where a full risk assessment can be carried out by police and the area resourced accordingly.

Police will forward further/amended conditions to be discussed with the applicant.

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 Hackney Service Centre 1 Hillman St 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	25hours Hotel 201-207 Shoreditch High Street London E1 6LG
NAME OF APPLICANT	25hours Hotel Company GmbH

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 will be located on the site currently occupied by 'Majestic Wine' and the former 'Chariots' sauna.
- This area of Shoreditch is a popular, well established night time economy area in London, with a large number of licensed premises attracting high volumes of people.
- As a result, the Council receives general complaints of noise and other associated forms of anti-social behaviour. It is noted that there are some residential properties nearby.
- I am aware that the premises has been the subject of a major planning process, hence some licensing matters would have already been considered.
- It is noted that 'substantial food' will be available on the ground floor along with at least 80 seats and it appears that this area is proposed to operate as a restaurant/bar. Detail on the estimated capacity will likely assist decision making if available at this stage.
- It is noted that the building will have an outdoor terrace attached to the 10th level event space containing at least 50 seats. This may be a source of noise nuisance due to its characteristics. More detail on the proposed use of this area would be helpful.
- The 27th and 28th level 'Sky Lounge is likely to a popular destination, offering views across London. It is noted that this will have at least 50 seats. However, more detail on the proposed use of this area and estimated capacity will likely assist decision making.

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.

I met with the developer, the applicant and Solicitor at the Hackney Service Centre on 20 November 2017 where the proposal was discussed. I welcome the proposed redevelopment of what has become quite a dilapidated site in recent years. However, I do feel that, in order to ensure the promotion of the licensing objectives, some further clarification is required in relation to how the premises would operate, particularly the public areas.

Name:

David Tuitt

(Business Regulation Team Leader - Licensing and Technical Support)

Date: 19/01/18

From: [REDACTED]
Sent: 14 January 2018 21:58
To: Mike Smith
Cc: [REDACTED]
Subject: Re: Applications under the Licensing Act in December: Hotel 201-207 Shoreditch High St

Dear Mike,

The Jago Action Group (JAG) does not normally get involved in licence applications to the west of Shoreditch High Street - as this is very much the area of our friends in the Shoreditch Community Association. However, we do exceptionally object on this occasion given the potential impact on the proposals for a hotel at 201-207 Shoreditch High Street on the wider neighbourhood. This is on the grounds that the applicants have failed to follow the borough's policy as regards planning and licensing, as well as the cumulative impact on the licensing objectives regarding crime, public nuisance and children.

No doubt you will check with planning colleagues, but the application does not appear to be compatible with the planning permission given (see attached planning decision notice, downloaded from the LBH website for ease of reference) at least as regards:

- amount of space to be used for restaurant etc purposes (condition 3)
- location of such space (ditto; the planning permission does not extend above the first floor let alone to the 10th or above)
- the hours when it might be open to the public (condition 24; the application envisages an additional 2 1/2 hours per day at the peak time for 'night time economy' problems)

There also appears to be no planning permission for A4 (i.e. bar) use.

In accordance with the borough's existing and future (if the present consultation proposals go ahead) policy on sequencing planning and licensing decisions, the applicants should be told to withdraw this application and submit one that is compliant with the planning permission they have been granted.

It is also highly offensive to the local community that this hotel group, in its first venture in London, simply ignores the outcome of the planning process, which as I am sure you know was far from uncontroversial.

Were the applicants to submit a compliant application, the issue would be the likely addition to the cumulative impact suffered by the neighbourhood, either under the existing policy regarding cumulative impact outside, but very close to, the SPA (and to the Tower Hamlets CIZ) or under the proposed policy which would extend the SPA to this site. You are well aware of the evidence base reported as part of the present consultation, which shows how serious the problems are. JAG has also pointed out the problems, additionally, associated with alcohol off-sales from bars and restaurants, drug dealing, noise (of premises and of inebriated groups in the street) and abusive and threatening behaviour. The large number of people using the proposed large hotel, and the even larger number who would be expected to use it if it was open to the public as well as to hotel guests, would inevitably add to these problems.

Of course, most hotels expect to have facilities for their guests although some now concentrate on providing sleeping and working accommodation and expect their guests to go out for all meals and recreation. In the past JAG has accepted hotel operations with an alcohol licence where it is clear this provision is for guests and the impact will be contained within the building. If these applicants were to put forward such a proposal we would consider it. At the very least we would expect (the following list is not exhaustive):

- no 'off' sales;
- no (or possibly very limited) access to non-guests;

- no outdoor areas, or, if there are any, closed by 8pm (bearing in mind the applicants seem to envisage using high level external space from which noise would be disseminated widely);
- no noise of any sort audible at any residential premises at any time;
- an effective dispersal policy so the management are responsible for ensuring guests and any others leave quietly, if they leave (or return) in the evening or night;
- an enforceable commitment for the hotel to contribute positively to the locality (despite getting off to such a bad start).

kind regards,

[REDACTED]
(for JAG)

[REDACTED]
[REDACTED]
[REDACTED]

On 14 Jan 2018, at 19:17, Robin Fellgett <robin.fellgett@gmail.com> wrote:

Hi Mike,

Many thanks.

JAG has no objection to the applications by:

- Drunken Monkey. This seems to be just to add obligations to check workers' migration status. It is not clear why what is now a statutory requirement need be added as a licence condition. But there is no reason for the residents' group to object.
- Smoking Goat. The proposed change in the layout might imply a switch to these premises operating a bit more as a bar and a bit less as a restaurant, but as they have not proved a problem since opening we will give them the benefit of the doubt.

I will get back to you about the other two.

kind regards,

[REDACTED]

[REDACTED]
[REDACTED]
[REDACTED]

On 10 Jan 2018, at 10:41, Mike Smith <Mike.Smith@Hackney.gov.uk> wrote:

Hackney Council
Planning and Regulatory Services
2 Hillman Street
London E8 1FB
www.hackney.gov.uk
Hackney Reference: 2015/2403

CMA Planning
113 The Timberyard Drysdale Street
London
N1 6ND

12 April 2016

Town and Country Planning (Development Management Procedure) Order 2015

Application Number: 2015/2403

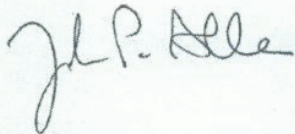
Site Address: 201-207 Shoreditch High Street and 1 Fairchild Street,
Hackney, London, E1 6LG

Thank you for your recent planning application for the above address on which a decision has now been made.

Important Information about this Decision

- The decision on your Planning Application is attached.
- Please carefully read all of the information contained in these documents.
- If you were granted permission, it may be subject to conditions. Some of the conditions may require action before you start the development and it is important that you seek to have these conditions discharged by the Council before any work commences.
- The Council's Planning Enforcement team may monitor planning permissions to ensure that development is being undertaken in accordance with the permission granted. Any breaches of planning control will be robustly pursued.
- Failing to comply with all of the conditions of this permission may result in a breach of planning control and may lead to enforcement action by the Council.
- If you decide to implement it, then it is your duty to ensure that all conditions are complied with. Failure to do so may cause difficulties if the property is sold or transferred. Failure to comply with conditions may also result in the development not being lawful.
- Where material samples have been provided as a part of the application you must return to collect these within 28 days of the date of your decision notice. If they are not collected they will be disposed of. Please arrange collection with your case officer.
- Please quote your application reference number in any correspondence with the Council, either by post to the Hackney Planning Service, 2 Hillman Street, London, E8 1FB, by email to planning@hackney.gov.uk, or by phone to 020 8356 8062.
- This permission refers only to that required under the Town and Country Planning Act 1990 (as amended) and does not relate to any other permission that may be required by any other legislation, enactment or byelaw.
- **Community Infrastructure Levy (CIL) Liability Notice – This application is liable for the London Mayor's CIL, a CIL Liability Notice is attached and forms part of this Decision Notice.**

Yours faithfully



John Allen
Assistant Director (Planning and Regulatory Services)
Legal, Human Resources and Regulatory Services

PLANNING DECISION NOTICE

**Town and Country Planning Act 1990 as amended
Town and Country Planning (Development Management Procedure) (England)
Order 2015**

Agent: CMA Planning	Applicant: HG (Europe) Shoreditch Limited and Folgate Estates Limited c/o agent United Kingdom
113 The Timberyard Drysdale Street London N1 6ND	

Part 1- Particulars of the Application	Application No: 2015/2403
	Date of Application: 03 July 2015
	Date Validated: 09/07/2015
	Application Type: Full Planning Permission - CIL liable

Proposal: Demolition of existing buildings and structures and erection of a part 7, part 10 and part 30 storey building (plus 2 levels of basement) comprising office (Class B1) and hotel (Class C1) accommodation with ancillary retail, restaurant, event space, lounge and amenity areas; roof terraces; refuse and recycling facilities; cycle parking; servicing and plant; and landscaping. [This application is accompanied by an Environmental Statement]

Location: 201-207 Shoreditch High Street and 1 Fairchild Street, Hackney, London, E1 6LG

Plan Numbers:

8197-SH-100, 101; A0-401, 402; A1-010, 208, 209, 209_M, 210, 211, 212, 214, 217, 218, 219, 220, 221, 222, 223, 224, 229, 236, 237, 238, 239, 240, 290, 301, 302, 303, 401, 402, 403, 404; A2-401, 402, 403, 404, 405, 406, 407, 408; XA0-190, 401; XA1-290; Design and Access Statement by Gensler with Rockwell Group and Space Hub dated July 2015; Ecology Survey by Tyler Grange dated July 2015; Economic Impact Assessment by Carney Green dated July 2015; Energy Assessment by Meinhardt + Etude dated July 2015; Environmental Statement Non-Technical Statement by LUC dated July 2015; Environmental Statement Vol.1 (Main ES and Figures) by LUC dated July 2015; Environmental Statement Vol.2 (Townscape and Visual Assessment) by LUC, Peter Stewart Consultancy & Cityscape dated July 2015; Environmental Statement Vol.3 (Appendices) by LUC dated July 2015; Planning

Statement by CMA dated July 2015; Statement of Consultation by Connect Communications dated July 2015; Sustainability Statement by Meinhardt + Etude dated July 2015; Transport Assessment by Peter Brett Associates dated July 2015; Travel Plan by Peter Brett Associates dated July 2015.

Part 2 – Particulars of Decision: **GRANTED SUBJECT TO CONDITIONS**

Notice is hereby given that the London Borough of Hackney as local planning authority in pursuance of its powers under the above mentioned Act and Rules, Orders and Regulations made thereunder permits the development referred to in Part1, in accordance with the plan(s) submitted and subject to the following condition(s):

Conditions:

- 1 The development to which this permission relates must be commenced no later than the expiration of THREE YEARS from the date of this permission.**

Reason: To comply with the requirements of Section 91 of the Town and Country Planning Act 1990 (as amended).

- 2 The development hereby permitted shall only be carried out and completed strictly in accordance with the submitted plans hereby approved and any subsequent approval of details.**

Reason: To ensure that the development hereby permitted is carried out in full accordance with the plans hereby approved.

- 3 Notwithstanding the details shown on the plans and documents hereby approved no more than 681m² of the lower ground, ground and first floor of the building shall be used for ancillary retail activities at any given time and no more than 1,289m² of the lower ground, ground and first floor of the building shall be used for hospitality uses (ie. restaurant / bar space) at any given time, unless otherwise agreed in writing by the local planning authority.**

Reason: To ensure that retail and hospitality uses do not have a detrimental impact on established town centres or local amenity, and remain ancillary to the hotel use.

- 4 No demolition or development shall take place until a stage 1 written scheme of investigation (WSI) has been submitted to and approved by the local planning authority in writing. For land that is included within the WSI, no demolition or development shall take place other than in accordance with the agreed WSI, and the programme and methodology of site**

evaluation and the nomination of a competent person(s) or organisation to undertake the agreed works. If heritage assets of archaeological interest are identified by stage 1 then for those parts of the site which have archaeological interest a stage 2 WSI shall be submitted to and approved by the local planning authority in writing. For land that is included within the stage 2 WSI, no demolition/development shall take place other than in accordance with the agreed stage 2 WSI which shall include:

A. The statement of significance and research objectives, the programme and methodology of site investigation and recording and the nomination of a competent person(s) or organisation to undertake the agreed works;

B. The programme for post-investigation assessment and subsequent analysis, publication & dissemination and deposition of resulting material. This part of the condition shall not be discharged until these elements have been fulfilled in accordance with the programme set out in the stage 2 WSI.

Reason: To ensure that any archaeological remains on the site are protected.

- 5 Notwithstanding the details that are shown on the drawings hereby approved details of the proposed development showing the matters set out below must be submitted to and approved by the Local Planning Authority, in writing, before the construction of the new building is commenced. The development shall not be carried out otherwise than in accordance with the details thus approved.**

- (a) Typical door and window details at 1:20**
- (b) Balconies and balustrade details at 1:20**
- (c) Ground floor elevations and signage of the building at 1:20**
- (d) Details of the roof-top cleaning cradle, including sections, at 1:50**

REASON: To ensure that the external appearance of the building is satisfactory and does not detract from the character and visual amenity of the area.

- 6 A full scale sample panel of the facade showing key features, recesses and relationship of material finishes shall be constructed on or near the site and approved by the Local Planning Authority in writing prior to the construction of the new building, and the development shall be carried out in accordance with the approved sample panel.**

Reason: To ensure that the external appearance of the building is satisfactory and does not detract from the character and visual amenity of the area

- 7 No soil stacks, soil vent pipes, flues, ductwork or any other pipework shall be fixed to the external elevations of the building other than as shown on the drawings hereby approved.**

Reason: To ensure that the external appearance of the building is satisfactory and does not detract from the character and visual amenity of the area.

- 8 No roof plant equipment (including all external enclosures, machinery and other installations) other than that shown on the approved plans shall be placed upon or attached to the roof or other external surfaces of the building.

Reason: To ensure that the external appearance of the building is satisfactory and does not detract from the character and visual amenity of the area given the visual prominence of the roof of the building.

- 9 Details of a lighting strategy for the building including details of all external light fittings, plans showing levels of illuminance and light-spillage, hours of use, and investigation of the feasibility of replacing any nearby street-lights with light fittings attached to the building, shall be submitted to and approved by the Local Planning Authority before any external light fittings are installed.

Reason: To ensure that external lighting does not result in a loss of amenity to nearby occupiers and the area generally, and to investigate the possibility of removing existing light fittings thereby reducing street clutter.

- 10 Details of the layout and location of wheelchair accessible hotel rooms, including an investigation into the feasibility of increasing the number of such rooms from 5% to 10% of the total number of hotel rooms, shall be submitted to and approved by the Local Planning Authority before the construction of the hotel commences, and the approved layouts shall be implemented in full before the first use of the hotel commences.

Reason: To ensure that the hotel is of a satisfactory standard of accessibility.

- 11 The right to carry out development permitted by Part 16 (Communications) of Schedule 2 of the Town & Country Planning (General Permitted Development) (England) Order 2015 shall not apply to the building hereby approved, and no external telecommunications equipment shall be installed on the building unless a separate planning permission is granted for such development.

Reason: To ensure the external appearance of the building is satisfactory, given its visual prominence.

- 12 A hotel management and accessibility plan shall be submitted to and approved by the Local Planning Authority before the first use of the hotel, and the hotel shall be operated in accordance with the approved plan.

Reason: To ensure that the hotel operates in a way to promote the principles of good accessibility.

- 13 Details of how the building could connect to future district energy/heating networks shall be submitted to and approved by the Local Planning Authority before the construction of the new building commences, and the development shall be carried out in accordance with the approved details.

Reason: To ensure the sustainability of the building is acceptable.

- 14 Details of the PV panels to be installed, including details of their performance and contribution towards the reduction of carbon emissions shall be submitted to and approved by the Local Planning Authority, and the approved PV panels shall be installed and connected before the first use of the building commences.

Reason: To ensure the sustainability of the building is acceptable and the reduction of carbon emissions is maximised.

- 15 The cycle parking and related facilities shown on the drawings hereby approved shall be provided before the first use of the approved building commences.

Reason: To ensure that adequate cycling facilities are provided and that the development makes a suitable contribution towards the promotion of sustainable forms of transport.

- 16 The development shall be carried out in accordance with the Construction Logistics Plan by Peter Brett Associated dated June 2015.

Reason: To ensure that the development is carried out in a sustainable manner that minimises likely harm to the local environment.

- 17 The approved uses shall operate in accordance with the Delivery and Servicing Plan by Peter Brett Associates dated June 2015.

Reason: To ensure that the operation of the approved uses minimises the potential for risk to public safety and to the local environment.

- 18 Details of the landscaping for the roof terraces hereby approved shall be submitted to and approved by the Local Planning Authority and the approved landscaping details implemented before the first occupation of the approved building.

Reason: To ensure the landscaping is of an acceptable standard and provided before the building is put to use.

- 19 The building hereby approved shall achieve a minimum BREEAM rating of excellent, and certification to demonstrate that rating shall be submitted to the Local Planning Authority within 6 months of the completion of the building. Any failure to reach that standard shall be addressed by mitigation measures that shall be submitted to and approved by the Local Planning

Authority and implemented in full within 18 months of the completion of the building.

Reason: To ensure that the sustainability of the building is acceptable.

- 20 An external advertisement strategy shall be submitted to and approved by the Local Planning Authority before first occupation of the approved building, and the future provision of external advertisements shall be in compliance with the approved strategy, whether or not an application for express consent is required.

Reason: To ensure all proposed external advertisements are visually acceptable because the building is in a visually prominent and sensitive location.

- 21 Details of measures to address the issues raised in the wind microclimate assessment submitted with the application shall be submitted to and approved by the Local Planning Authority before the relevant part of the development is commenced.

Reason: To ensure suitable wind condition for the future occupiers and other users of the building.

- 22 The development hereby approved shall be carried out in accordance with the Travel Plan.

Reason: To ensure the development does not have a detrimental impact on local transport and traffic conditions.

- 23 The details of the ventilation equipment associated with any ancillary cafe or restaurant type uses in the approved building shall be submitted to and approved by the Local Planning Authority, and the approved details implemented, prior to the commencement of any such use.

Reason: To ensure that the operation of such uses does not result in any harm to local amenity.

- 24 The hours of use by members of the public of any ancillary hotel use, including all retail, cafe, restaurant, bar, and leisure type uses shall not take place outside the hours of 7am to 11.30pm on any day.

Reason: To ensure that the use of the ancillary hotel facilities by members of the public does not lead to noise and general disturbance to local residents and the area generally.

- 25 A Hotel Management Plan that sets out how the hotel, including the ancillary uses that will be available to members of the public, is to be managed shall be submitted to and approved by the Local Planning authority prior to the commencement of the use of the hotel, and the use shall operate in compliance with the approved plan.

Reason: To minimise the risk of the hotel use having a detrimental impact on local amenity.

- 26** Reports to demonstrate compliance with 'Best Practice' measures to assess contaminated land (including unexploded ordnance) following the procedures in CLR11 Model procedures for the management of land contamination 2005 (Environment Agency) shall be submitted to and approved by the Local Planning Authority before the approved development is commenced. The reports shall comprise:

- (a) A site specific desk study;
- (b) An intrusive investigation;
- (c) A conceptual site model and risk assessment;
- (d) A remedial strategy.

The development shall be carried out in strict accordance with the approved reports.

Reason: To mitigate any unacceptable risks to health and the environment in general that may be posed by the development. This report shall be considered by the Council in conjunction with Rail for London.

- 27** A contaminated land verification report shall be submitted to and approved by the Local Planning Authority prior to first occupation of the approved building that shall set out how the remedial strategy has been implemented and demonstrate that any contamination has been dealt with in a satisfactory manner.

Reason: To ensure that any contamination does not have a harmful impact on the future users of the building.

- 28** Details of the biodiversity features set out in the Ecology Survey dated July 2015 by Tyler Grange shall be submitted to and approved by the Local Planning Authority and provided prior to the first occupation of the building, and permanently maintained thereafter.

Reason: To ensure that the biodiversity value of the site is enhanced.

- 29** The windows at levels 04-07 in the west elevation shall be fitted with obscured glazing and sealed shut.

Reason: To protect the visual privacy of adjoining occupiers.

- 30** A revised Air Quality Assessment Report shall be submitted to and approved by the Local Planning Authority before the approved works commence on site, and the development shall be carried out in accordance with the approved Report.

Reason: To ensure that the development does not have a harmful impact on

health and the environment in general.

- 31 Details of a sustainable drainage system shall be submitted to and approved by the Local Planning Authority prior to the construction of the new building, and the development shall be carried out in accordance with the approved details.

Reason: To ensure that surface water run-off is attenuated in a satisfactory manner to minimise the risk of the proposed development contributing to local flooding, and to ensure that general water efficiency measures are included in the completed development.

- 32 The approved uses shall operate in accordance with the Operational Waste Management Strategy by Peter Brett Associates dated June 2015 submitted with the application, and all refuse and recycling collections shall take place from Holywell Lane.

Reason: In the interests of public hygiene and highway safety.

- 33 A Piling Risk Assessment and Method Statement shall be submitted to and approved by the Local Planning Authority prior to the commencement of piling works and the development shall be carried out in accordance with the approved details. The Statement shall include information on existing groundwater levels, flow direction, water quality and the hydraulic conductivity of the shallow aquifer, and also include measures to ensure that piling does not create a preferential pathway from the shallow aquifer to the Chalk.

Reason: To ensure that works of construction do not result in harm to existing water resources.

- 34 Details of sound installation measures for the development hereby approved shall be submitted to and approved by the local planning authority before the relevant part of the development commences. The approved sound installation measures shall be implemented in full before use of each part of the development commences and shall be permanently maintained thereafter. The measures shall demonstrate that the internal sound levels in the hotel bedrooms shall not exceed NR20 and NR29 for all other office and commercial elements of the approved development. The measures shall also confirm that all hotel windows are to be sealed shut and demonstrate that the ventilation of all rooms will not compromise the proposed sound insulation measures. The measures must demonstrate compliance with the internal noise criteria set out in BS8233:2014.

Reason: To ensure an adequate standard of amenity for future occupiers.

- 35 The approved development shall operate in compliance with the Framework Travel Plan by Peter Brett Associates dated June 2015.

Reason: To ensure that the operation of the uses hereby approved does not

result in any additional traffic or transport congestion and the development makes a suitable contribution to the promotion of sustainable forms of transport.

- 36 The development shall be carried out and operated in accordance with the Sustainability Statement dated July 2015 by Meinhardt.

Reason: To ensure that the development is carried out and operated in a sustainable manner.

- 37 An assessment of the effect of the construction of the deep basement proposed on existing groundwater flow shall be submitted to and approved by the Local Planning Authority prior to the commencement of the construction of the basement.

Reason: To ensure the development does not have a harmful impact on existing water resources.

- 38 An assessment in accordance with BS4142:2014 shall be undertaken of building services plant noise associated with the approved development the results of which shall be submitted to and approved by the Local Planning Authority before the first occupation of the approved development.

Reason: To ensure that noise from plant does not result in a nuisance for any nearby sensitive receptor.

- 39 The approved hotel shall not accept bookings from coach parties.

Reason: To ensure that coaches do not lead to traffic congestion in the locality.

- 40 Prior to the commencement of the development details of a variation of the building line to Shoreditch High Street so that it matches that of the building to the South at 2-4 Fairchild Street, or a report to demonstrate that the change to the building line is not feasible, shall be submitted to and approved by the Local Planning Authority, and the development shall be carried out in accordance with the approved details.

Reason: To improve the width of the adjoining pavement in the interests of enhancing pedestrian safety and promoting sustainable forms of transport.

Informative/s:

1 Building Control

Your attention is drawn to the provisions of the Building Act 1984 and other Building Control legislation, which must be complied with to the

satisfaction of The Building Control Service, Hackney Service Centre, 1 Hillman Street, LONDON, E8 1DY. Telephone No: 020 8356 5000. Before any building work (including improvements to means of escape and changes of use) is commenced on site, detailed plans, together with the appropriate application form must be submitted for approval and early consultation is advised.

2 Sanitary, Ventilation and Drainage Arrangements

Before any drainage works are commenced on site, detailed plans, giving notice of intention to build/permission to drain/construct/reconstruct or alter pipes and drains must be submitted for approval under the Building Regulations 1991 to Building Control Service, Hackney Service Centre 1 Hillman Street, LONDON, E8 1DY, Telephone No: 020 8356 5000. Please note that it will be necessary to consult the Thames Water Utilities Ltd., Waste Water Connections, Kew Business Centre, Brentford, Middlesex, TW8 0EE. Telephone No: 020 7713 3865, Fax No: 020 7713 3875.

- 1) All information appertaining to the existing public sewerage system.
- 2) Requests for sewer connections. All works will be carried out by the London Borough of Hackney at the applicant expense. All new developments will be required to have new sewer connections.
- 3) Building over sewers.
- 4) System of drainage to be provided on site.
- 5) Adoption of sewers.

Advisory Note:

It should be noted that most sewers throughout the Borough flow full or surcharge during periods of heavy storm and conditions may be imposed restricting discharge to the system. The prime condition is that any large development shall not cause an increase in the rate of flow to the public sewerage system. This requirement is normally met in the case of new developments by separation on site and storage of surface water flows in tanks or oversized pipes on sites. Where sites adjoin a suitable watercourse or storm relief sewer into which surface water can be discharged by gravity then the policy is for sites to be separated and have their surface water discharged to the watercourse or storm relief sewer. In the case of developments/ rehabilitation/ conversions etc., involving the use of basements these are likely to be particularly vulnerable to the effects of surcharge and applicants must therefore demonstrate that adequate drainage arrangements exist at all times.

3 Hours Of Building Works

(Monday to Friday 08:00-18:00 hours; Saturdays 08:00-13:00 hours; at no time on Sundays and Public Holidays)

Your attention is drawn to the provisions of Section 60 of the Control of Pollution Act 1974 which imposes requirements as to the way in which building works are implemented including the hours during which the work may be carried out. This Act is administered by the Councils The Pollution

Control Service, 28-33 Independent Place, Shackwell Lane, E8 2HE,
Telephone No: 0208 356 4455 and you are advised to consult that Division at
an early stage.

- 4 The Building Regulations Approved Document B1/2, Fire Safety, require new schemes to be provided with smoke alarms that are mains-operated. If you require further clarification regarding whether your scheme requires mains wired smoke alarms please contact Building Control, Hackney Service Centre, 1 Hillman Street, London E8 1DY Tel. 0208 356 8124
- 5 Hackney Planning Service adopts a positive and proactive approach when engaging with applicants / agents in line with the National Planning Policy Framework. As part of our planning process, we send out update letters to applicants / agents post submission, highlighting any planning issues that may have arisen and providing an opportunity to submit amendments before a final decision is made. We also encourage the pre-application service to avoid delays as a result of amendments and unforeseen issues during the planning process.
- 6 It is suggested that Fairchild Street become a no-through route and is used for vehicular access only.
- 7 Naming And Numbering

Your attention is drawn to Section 5, and the Regulations made under Section 12 of the London Building Acts (Amendments) Act 1939. Section 5 requires that any proposed name for a street, way, place, row of houses or block of buildings should be submitted to the Council for approval, allowing sufficient time for the statutory consultation process. Section 12 relates to the marking of numbers and names of buildings and to the necessity for you to display such number(s) or name(s). Information may be obtained from, and application under Section 5 should be made to, The Naming and Numbering Officer, The Building Control Service, Directorate of Safer Neighbourhoods, 2 Hillman Street, E8 1FB, Telephone No: 020 8356 5000.

8 Disabled Persons' Provision

Your attention is drawn to Section 4(1) of the Chronically Sick and Disabled Persons' Act 1981, which states that any person undertaking the provision of any building or premises to the public are to be admitted, whether on payment or otherwise, shall, in the means of access both to and within the building or premises, and in the parking facilities and sanitary conveniences to be available (if any) make provision, insofar as it is in the circumstances both practicable and reasonable, for the need of members of the public visiting the building or premises who are disabled.

9 The Regulatory Reform (Fire Safety) Order 2005

Your attention is drawn to the need to comply with the provisions of the Regulatory Reform (Fire Safety) Order 2005 where applicable. The provision

of satisfactory means of escape in the event of a fire is the concern of the London Fire and Emergency Planning Authority as fire authority, and information relating thereto may be obtained from the Fire Safety Department, 210 High Street, East Ham, E6 3RS

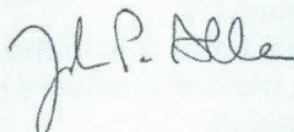
10 Consultations With The Twu

The Client Manager North London Thames Water Utilities, Sewerage and Sewage Treatment Operations. Becton Sewage Treatment Works, Jenkins Lane, Barking, Essex, IG11 OAD, should be consulted as directed in respect of proposals affecting their main sewers.

- 11 Your attention is drawn to the fact that there is a Section 106 (Legal Agreement) associated with this consent. This consent shall be in full accordance with the requirements of the S106 Agreement.
- 12 This application is liable for the London Mayor's and LBH's Community Infrastructure Levy (CIL), a CIL Liability Notice is attached and forms part of this Decision Notice.
- 13 Rail for London shall be notified (LOIP@tfl.gov.uk) of the commencement of works on site 6 weeks prior to commencement. Before RfL are sent this notification they shall be sent a copy of and be given a chance to comment on: a demolition and construction environmental management plan; a construction logistics plan including full specification for all cranes on site; a health and safety plan; a construction traffic management plan; a foundation design and construction methodology statement; ground and structure movement impact assessment and monitoring plan; emergency preparedness plan; risk assessment and method statement for structural works, excavation and service installation; details of significant temporary works and all equipment planned to be used in construction; scaffolding plan. In all these documents care should be taken to minimise the risk of damage to the railway infrastructure from debris and equipment falling onto the railway and suitable safety measures shall be incorporated. The purpose of requiring all these documents is to ensure the safe and efficient operation of the railway is protected.

Date of Decision: 12 April 2016

Signed



John Allen
Assistant Director (Planning and Regulatory Services)
Legal, Human Resources and Regulatory Services

Statement of Applicant's Rights arising from the Grant of Planning Permission

Appeals to the Secretary of State

1. If you are aggrieved by the decision of the Hackney Council to grant permission for the proposed development subject to conditions, then you can appeal to the Secretary of State under Section 78 of the Town and Country Planning Act 1990.
2. If you want to appeal against your local planning authority's decision then you must do so within 6 months of the date of this notice.
3. Appeals must be made using a form which you can get from the Secretary of State at Temple Quay House, 2 The Square, Temple Quay, Bristol BS1 6PN or online at www.planningportal.gov.uk/pcs.
4. The Secretary of State can allow a longer period for giving notice of an appeal, but will not normally be prepared to use this power unless there are special circumstances which excuse the delay in giving notice of appeal.
5. The Secretary of State need not consider an appeal if it seems to the Secretary of State that the local planning authority could not have granted planning permission for the development without the conditions imposed, having regard to the statutory requirements, to the provisions of any development order and to any directions given under a development order.
6. In practice, the Secretary of State does not refuse to consider appeals solely because the local planning authority based their decision on a direction given by the Secretary of State.

Purchase Notices

1. If either the local planning authority or the Secretary of State refuses planning permission or grants it subject to conditions, the owner may claim that he can neither put the land to a reasonably beneficial use in its existing state nor render the land capable of a reasonably beneficial use by the carrying out of any development which has been or would be permitted.
2. In these circumstances, the owner may serve a purchase notice on the Council in whose area the land is situated). This notice will require the Council to purchase the owner's interest in the land in accordance with the provisions of Chapter 1 of Part VI of the Town and Country Planning Act 1990.

NOTE:

Please quote the application number in any correspondence, which should be sent to: Planning Service, 2 Hillman Street, London, E8 1DY. Email: planning@hackney.gov.uk. Telephone 020 8356 8062.

Community Infrastructure Levy (CIL)

Liability Notice

Regulation 65, Community Infrastructure Levy Regulations (2010), as amended

Hackney Council
Planning and Regulatory Services
2 Hillman Street
London E8 1FB
www.hackney.gov.uk
Hackney Reference: 2015/2403

HG (Europe) Shoreditch Limited and Folgate
Estates Limited
c/o agent
United Kingdom

12 April 2016

Proposal: Demolition of existing buildings and structures and erection of a part 7, part 10 and part 30 storey building (plus 2 levels of basement) comprising office (Class B1) and hotel (Class C1) accommodation with ancillary retail, restaurant, event space, lounge and amenity areas; roof terraces; refuse and recycling facilities; cycle parking; servicing and plant; and landscaping. [This application is accompanied by an Environmental Statement]

Location: 201-207 Shoreditch High Street and 1 Fairchild Street, Hackney, London, E1 6LG

For other recipients, see end of notice

CIL liability

This notifies you that you will be liable to pay **LBH CIL of £1,948,770 and GLA CIL of £1,037,400** of Community Infrastructure Levy to London Borough of Hackney as CIL collecting authority on commencement of development on planning permission 2015/2403. This charge has been levied under Greater London Authority CIL charging schedule and s211 of the Planning Act 2008. Further details on payment procedure can be found overleaf.

How we calculated this figure

We calculated this figure from the following information:

LBH CIL of £1,948,770

13,361m² of B1 space (including half of the ancillary plant space) x CIL rate of £50 =
£668,050, plus

16,009m² C1 hotel (including half of the ancillary plant space) x CIL rate of £80 = £1,280,720

GLA CIL of £1,037,400

29,640m² total floor area x CIL rate of £35 = £1,037,400

Are you eligible for relief from CIL?

If you are a charity or intend to use the development for social housing you may be eligible for a reduction (partial or entire) in this CIL liability, this has already been applied in the calculation above.

When will this CIL amount be due for payment?

The payment procedure is to notify the CIL collecting authority before development commences of:

- a. Who will pay the amount, by assuming liability using CIL Form 1 "Assumption of Liability";
- b. The date on which you intend to commence development, by submitting a valid commencement notice.

Commencement Notices (form 6) are available from the Planning Portal website, please go to www.planningportal.gov.uk and search Community Infrastructure Levy.

Precise details of your payment arrangements and options will be contained in the demand notice that will be sent following submission of a valid commencement notice.

At this point in time the Mayor does not offer the option of paying by instalments as such the payment of the CIL amount will be due within 60 days of the day that development commences. If a valid commencement notice has not been submitted before development commences, payment of the CIL amount will be due in full on the day that the collecting authority believes the development to have commenced.

Consequences of non payment

If you fail to follow the payment procedure described above, the collecting authority may impose surcharges on this liability. Persistent failure to pay CIL liabilities due may result in the collecting authority imposing surcharges, serving a CIL stop notice prohibiting further development on the site and/or taking action to recover the debt due. Please see the document published by the Department for Communities and Local Government, "Consequences of failing to following the CIL Payment procedure" for more information.

The amount of CIL liability in this notice is a local land charge

This CIL liability has been registered as a local land charge against the land affected by the planning permission in this notice. This charge will be cancelled on full payment of this liability.

New liability notices may be issued

Any change in the details contained in this notice (including calculation of the chargeable amount or amount of relief granted) will lead to the collecting authority issuing a new liability notice.

Do you think we have made a mistake in our calculations?

You can ask us to review them. If you are unhappy with the calculation following this review, you can appeal to the Valuation Office Agency. Please see enclosed note on "Appeals Procedure".

From: [REDACTED]
Sent: 21 January 2018 12:12
To: [REDACTED]
Subject: Re: Applications under the Licensing Act in December: Hotel 201-207 Shoreditch High St

Dear Mr Smith

On behalf of the Shoreditch Community Association, we also object to this license application. We repeat each and every one of the reasons below.

The SCA is a community organization promoting the long term growth of Shoreditch in a responsible and sustainable manner, working to maintain Shoreditch's unique culture. Our members are local individuals, families and businesses. The SCA has significantly grown in recent years, commensurate with residential growth in the neighbourhood. The SCA membership strongly believes responsible growth balances day and night activities, and the current tilt towards the night-time economy negatively impacts residents' quality of life, and is detrimental to long-term growth.

We really don't have much to add to the below. This application is premature, and clearly designed to slip in before a new policy is approved. It is deeply cynical.

We would like to be notified of any hearing, and urge the Council to schedule the hearing in the evening.

Kind regards

[REDACTED] r
On behalf of the Shoreditch Community Association

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

Subject: Re: Applications under the Licensing Act in December: Hotel 201-207 Shoreditch High St

NOW WITH ATTACHMENT (my apologies)

[REDACTED]

On 14 Jan 2018, at 21:58, [REDACTED] wrote:

Dear Mike,

The Jago Action Group (JAG) does not normally get involved in licence applications to the west of Shoreditch High Street - as this is very much the area of our friends in the Shoreditch Community Association. However, we do exceptionally object on this occasion given the potential impact on the proposals for a hotel at 201-207 Shoreditch High Street on the wider neighbourhood. This is on the grounds that the applicants have failed to follow the borough's policy as regards planning

and licensing, as well as the cumulative impact on the licensing objectives regarding crime, public nuisance and children.

No doubt you will check with planning colleagues, but the application does not appear to be compatible with the planning permission given (see attached planning decision notice, downloaded from the LBH website for ease of reference) at least as regards:

- amount of space to be used for restaurant etc purposes (condition 3)
- location of such space (ditto; the planning permission does not extend above the first floor let alone to the 10th or above)
- the hours when it might be open to the public (condition 24; the application envisages an additional 2 1/2 hours per day at the peak time for 'night time economy' problems)

There also appears to be no planning permission for A4 (i.e. bar) use.

In accordance with the borough's existing and future (if the present consultation proposals go ahead) policy on sequencing planning and licensing decisions, the applicants should be told to withdraw this application and submit one that is compliant with the planning permission they have been granted.

It is also highly offensive to the local community that this hotel group, in its first venture in London, simply ignores the outcome of the planning process, which as I am sure you know was far from uncontroversial.

Were the applicants to submit a compliant application, the issue would be the likely addition to the cumulative impact suffered by the neighbourhood, either under the existing policy regarding cumulative impact outside, but very close to, the SPA (and to the Tower Hamlets CIZ) or under the proposed policy which would extend the SPA to this site. You are well aware of the evidence base reported as part of the present consultation, which shows how serious the problems are. JAG has also pointed out the problems, additionally, associated with alcohol off-sales from bars and restaurants, drug dealing, noise (of premises and of inebriated groups in the street) and abusive and threatening behaviour. The large number of people using the proposed large hotel, and the even larger number who would be expected to use it if it was open to the public as well as to hotel guests, would inevitably add to these problems.

Of course, most hotels expect to have facilities for their guests although some now concentrate on providing sleeping and working accommodation and expect their guests to go out for all meals and recreation. In the past JAG has accepted hotel operations with an alcohol licence where it is clear this provision is for guests and the impact will be contained within the building. If these applicants were to put forward such a proposal we would consider it. At the very least we would expect (the following list is not exhaustive):

- no 'off' sales;
- no (or possibly very limited) access to non-guests;
- no outdoor areas, or, if there are any, closed by 8pm (bearing in mind the applicants seem to envisage using high level external space from which noise would be disseminated widely);
- no noise of any sort audible at any residential premises at any time;
- an effective dispersal policy so the management are responsible for ensuring guests and any others leave quietly, if they leave (or return) in the evening or night;
- an enforceable commitment for the hotel to contribute positively to the locality (despite getting off to such a bad start).

kind regards,


(for JAG)

Mike Smith

Subject: FW: Application for a Premises Licence - 201/207 Shoreditch High Street

From: [REDACTED]
Sent: 20 January 2018 11:42
To: Licensing <Licensing@Hackney.gov.uk>
Cc: Subangini Sriramana <Subangini.Sriramana@Hackney.gov.uk>
Subject: Re: Application for a Premises Licence - 201/207 Shoreditch High Street

Hello,

I have studied this application and I wish to object to the proposed late night alcohol licence, and to the late night music and films.

My wife and I have lived in Shoreditch for more than 20 years and we live [REDACTED] the future hotel development, about [REDACTED] away. Over this period we have seen the growth of the night time economy in the area and the associated problems of noise, public nuisance and crime.

Hackney has made some attempt to control the problems, including the introduction of the Special Policy Area which restricts the granting of new licences in the area. However, applicants have found ways around the process and the overall situation is still far from ideal for residents.

This application is being made years in advance of the need for any licence. No work has started on the site, the site has not even been cleared and the existing business is still operating. It will take several years to build a 30-storey structure. I believe that the early application is being made because the site lies outside the SPA, but within the proposed extension to the SPA. The applicant wants to get a licence granted before the extension to the SPA comes into force.

It is reasonable for the new hotel to apply for a normal alcohol licence. However, there is no need for it to have a late licence for non-residents. There are plenty of other venues on the area that provide late drinking and entertainment.

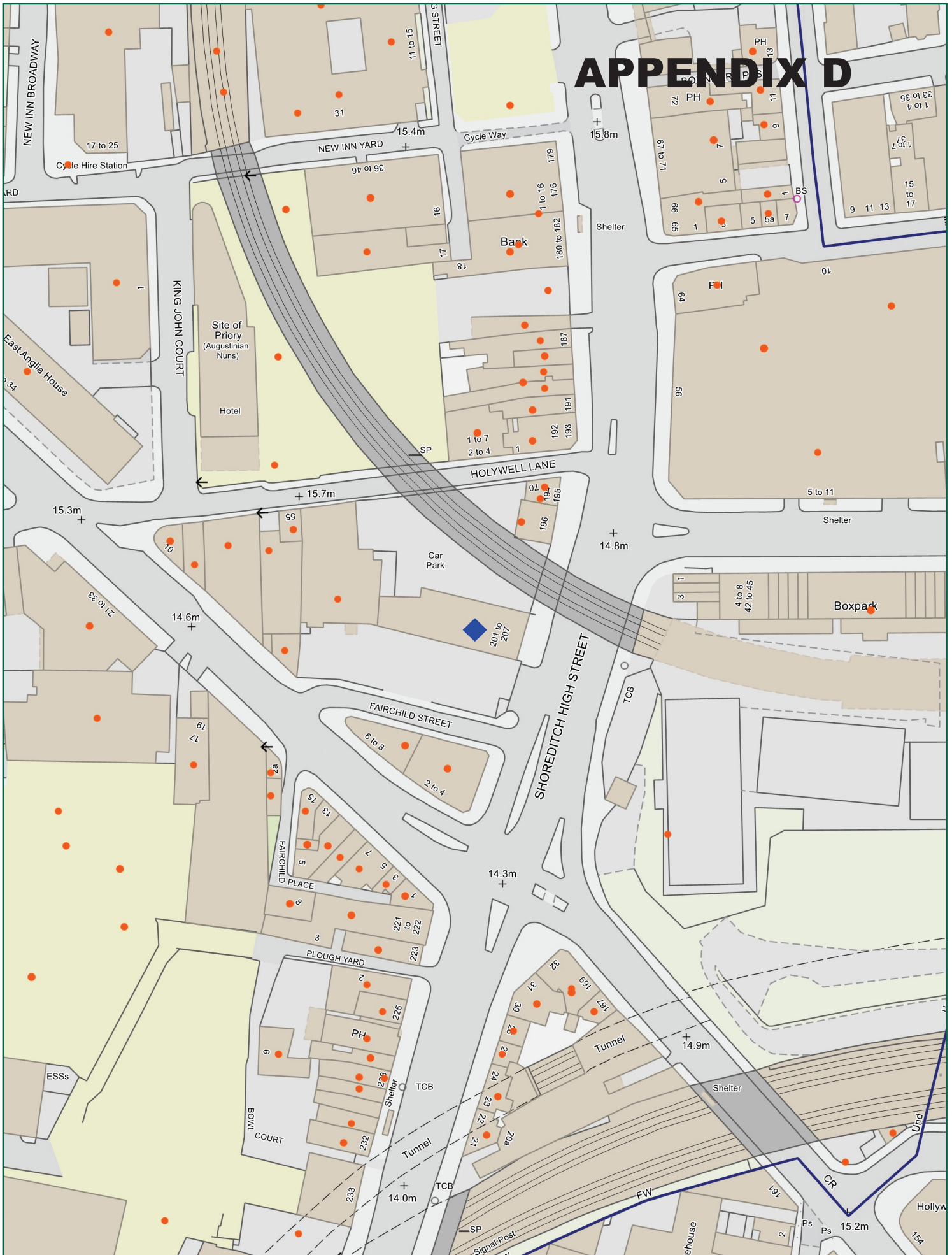
I note that the music and film offerings may be outdoors. The last thing we need is an elevated outdoor bar broadcasting music over the neighbourhood late at night. We have had persistent problems with noise nuisance from Village Underground on the adjacent site, and that venue is indoors.

I have suspicions about the application process. The application was lodged just before the Christmas/New Year holiday, which is a strategy that I have seen before to avoid attracting representations. Even though the deadline for objections is 22 January, I first noticed the sign posted at the end of Fairchild Street a couple of days ago. I walk along this street and park on this street most days and was very surprised to see the application, particularly as I have not seen the application appear in the weekly lists on the Hackney website.

I would be happy to come and state my views to the licensing committee if there is a hearing.

Regards, [REDACTED]
[REDACTED] Fairchild Place, [REDACTED]

APPENDIX D





REPORT OF THE GROUP DIRECTOR, NEIGHBOURHOODS AND HOUSING		
LICENSING SUB-COMMITTEE: 13/03/2018	Classification DECISION	Enclosure
APPLICATION TO VARY THE PREMISES LICENCE : Bar-A-Bar, 133-135 Stoke Newington Road, N16 8BT	Ward(s) affected Stoke Newington	

1. SUMMARY

Applicant(s) Wayne Lewin	In SPA Dalston SPA
Date of Application 17 January 2018	Period of Application Permanent
Proposed variation: Extension of hours Monday to Sunday to facilitate the sale of hot food. Extension of hours Sunday to Thursday to facilitate the playing of recorded music. Extension of hours on Tuesday to facilitate the sale of Alcohol (On Premises)	
Proposed hours for licensable activity	
Recorded Music	Standard Hours: Mon 12:00-01:00 Tue 12:00-01:00 Wed 12:00-01:00 Thu 12:00-01:00 Sun 12:00-01:00
Late Night Refreshment	Standard Hours: Mon 23:00-02:00 Tue 23:00-02:00 Wed 23:00-02:00 Thu 23:00-02:00 Fri 23:00-03:30 Sat 23:00-03:30 Sun 23:00-02:00
Supply of Alcohol	Standard Hours: Tue 12:00-01:00

The opening hours of the premises:	
Standard Hours:	
Mon 12:00-02:00	
Tue 12:00-02:00	
Wed 12:00-02:00	
Thu 12:00-02:00	
Fri 12:00-03:30	
Sat 12:00-03:30	
Sun 12:00-02:00	
Current activities/hours: See current licence attached as Appendix D	
Capacity: not known	
Policies Applicable	LP1 (Planning), LP3 (Operating Schedule), LP4 (Crime and Disorder), LP5 (Public Nuisance), LP6 (Protection of Children from Harm), LP8 (Public Safety), LP12 (Licensing Hours) and LP14 (Special Policy Area – Dalston).
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) • Planning Authority (Informative) • Police • Licensing Authority • Health Authority • Other Persons

2. APPLICATION

2.1 Wayne Lewin 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
- To extend hours for provision of regulated entertainment
- To extend hours for supply late night refreshment

2.2 The application is attached as Appendix A. The applicant has proposed some additional conditions described in para 8.1 to address the licensing objectives.

3. CURRENT STATUS / HISTORY

3.1 The premises have been in possession of a premises licence since conversion in 2005 and the licence was transferred to the current applicant in 2007.

3.2 The premises have operated with Temporary Event Notices in 2017 and 2018 as follows.

Date of the event(s)	Hours
01/01/2017	00:30-06:00
25/02/2017-26/02/2017	00:30-05:00
26/03/2017	00:30-06:00
15/04/2017	00:30-06:00
29/04/2017-30/04/2017	00:30-06:00
27/05/2017-28/05/2017	00:30-05:00
10/06/2017-11/06/2017	00:30-06:00
09/07/2017	00:30-06:00
06/08/2017	00:30-05:00
26/08/2017-28/08/2017	00:30-06:00
05/11/2017	00:30-06:00
02/12/2017	00:30-06:00
09/12//2017	00:30-06:00
31/12/2017-01/01/2018	00:30-06:00
14/01/2018	00:30-06:00
04/02/2018	00:30-06:00
10/02/2018-11/02/2018	00:30-06:00

4. REPRESENTATIONS: RESPONSIBLE AUTHORITIES

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

Licensing Authority (Appendix B4)	Representation received on the grounds of The Prevention of Crime and Disorder, Prevention of Public Nuisance and Special Policy Area.
Health Authority (Appendix B5)	Representation received on the grounds of The Prevention of Crime and Disorder and Special Policy Area.

5. REPRESENTATIONS: OTHER PERSONS

2 Representations received from and on behalf of local residents. (Appendices C1 & C2)	Representation received on the grounds of The Prevention of Crime and Disorder, Public Safety, Prevention of Public Nuisance, The Protection of Children from Harm and Special Policy Area.
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6. GUIDANCE CONSIDERATIONS

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

7. POLICY CONSIDERATIONS

- 7.1 Licensing Sub-Committee is required to have regard to the London Borough of Hackney's Statement of Licensing Policy ("the Policy") adopted by the Licensing Authority.
- 7.2 The Policy applies to applications where relevant representations have been made. With regard to this application, policies LP1 Planning, LP3 (Operating Schedule), LP4 (Crime and Disorder), LP5 (Public Nuisance), LP6 (Protection of Children from Harm), LP8 (Public Safety) LP12 (Licensing Hours) LP14 (Special Policy Area – Dalston) are relevant.

8. OFFICER OBSERVATIONS

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

Existing condition 25 to be amended to read - "All persons entering or re-entering the premises must be hand searched by an SIA trained member of staff. A portable security wand shall also be used. These searches will include the searching of customers' person, wallets, purses and any other items carried on or by the customer. All searches are to be conducted by SIA licensed door staff and must be carried out within an area covered by the premises CCTV system.

1. All SIA staff will be briefed and required to sign in and out at the start and end of their shift.
2. A booking sheet to be completed by management for outside events.
3. A staff member in high viz shall monitor the external smoking area after 9pm.

9. REASONS FOR OFFICER OBSERVATIONS

- 9.1 Additional conditions 1 to 3 have been proposed by the applicant and existing condition 25 to be amended to read as above. No additional conditions have been proposed by responsible authorities.

10. LEGAL COMMENTS

- 10.1 The Council has a duty as a Licensing Authority under the Licensing Act 2003 to carry out its functions with a view to promoting the following 4 licensing objectives;
- The Prevention of Crime and Disorder
 - Public Safety
 - Prevention of Public Nuisance
 - The Protection of Children from Harm
- 10.2 It should be noted that each of the licensing objectives have equal importance and are the only grounds upon which a relevant representation can be made and for which an application can be refused or terms and conditions attached to a licence.

11. HUMAN RIGHTS ACT 1998 IMPLICATIONS

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

12. MEMBERS DECISION MAKING

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

13. CONCLUSION

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

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
Bar-A-Bar 133-135 Stoke Newington Road, N16 8BT	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 WAYNE LEWIN

(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-0494

Part 1 – Premises Details

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

BAR-A-BAR
133 135 STOKE NEWINGTON ROAD
HACKNEY

Post town

LONDON

Postcode

N16 8BT

Telephone number at premises (if any)

Non-domestic rateable value of premises

£14250

Part 2 – Applicant details

Daytime contact telephone number

E-mail address (optional)

Current postal address if different from premises address

133 135 STOKE NEWINGTON ROAD
HACKNEY

UK-England

Post

LONDON

Postcode

N16 8BT

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>Extension of hours Monday to Sunday to facilitate the sale of hot food. Extension of hours Sunday to Thursday to facilitate the playing of recorded music. Extension of hours on Tuesday to facilitate the sale of Alcohol.</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:

TBC

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) | .. |
| 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"/> | .. |
| 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) | <input checked="" type="checkbox"/> |
- 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	
				Outdoors	
Day	Start	Finish		Both	
Mon			Please give further details here (please read guidance note 5)		
Tue					
Wed			State any seasonal variations for the exhibition of films (please read guidance note 6)		
Thur			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)		
Fri					
Sat					
Sun					

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	
				Outdoors	
				Both	
Day	Start	Finish			
Mon			Please give further details here (please read guidance note 5)		
Tue					
Wed			State any seasonal variations for the performance of live music (please read guidance note 6)		
Thur					
Fri			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					
Sun					

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	12:00	01:00			
Tue	12:00	01:00			
Wed	12:00	01:00			
			State any seasonal variations for the playing of recorded music (please read guidance note 6)		
Thur	12:00	01:00			
Fri			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)		
Sat					
Sun	12:00	01:00			

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	<input checked="" type="checkbox"/>
Day	Start	Finish		Outdoors	
				Both	
Mon	23:00	02:00	Please give further details here (please read guidance note 5)		
Tue	23:00	02:00			
Wed	23:00	02:00	State any seasonal variations for the provision of late night refreshment (please read guidance note 6)		
Thur	23:00	02:00			
Fri	23:00	03:30	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	03:30			
Sun	23:00	02:00			

J

Supply of alcohol Standard days and timings (please read guidance note 8)			Will the supply of alcohol be for consumption – please tick (please read guidance note 9)	On the premises	<input checked="" type="checkbox"/>
				Off the premises	
				Both	
Day	Start	Finish	State any seasonal variations for the supply of alcohol (please read guidance note 6)		
Mon					
Tue	12:00				
		01:00			
Wed					
Thur					
Fri					
Sat					
Sun			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 7) Default.LicesableActivitiesJ_plays_non_s»		

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

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	12:00		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)	
				02:00
Tue	12:00			
				02:00
Wed	12:00			
				02:00
Thur	12:00			
				02:00
Fri	12:00			
				03:30
Sat	12:00			
				03:30
Sun	12:00			
				02:00

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.

N/A

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.

The licence document remains on display / available for inspection at the premises as required by the legislation.

It will, of course, be handed in when any replacement licence document is provided

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)

All existing conditions will be retained.

Existing condition 25 to be amended to read - "All persons entering or re-entering the premises must be hand searched by an SIA trained member of staff. A portable security wand shall also be used. These searches will include the searching of customers' person, wallets, purses and any other items carried on or by the customer. All searches are to be conducted by current SIA licensed door staff and must be carried out within an area covered by the premises CCTV system.

In addition the following conditions are also offered:

- 1) All SIA staff will be briefed and required to sign in and out at the start and end of their shift.
- 2) A booking sheet to be completed by management for outside events.
- 4) A staff member in high viz shall monitor the external smoking area after 9pm

We believe the existing licence conditions together with the additional conditions will continue to promote the licensing objectives.

b) The prevention of crime and disorder

The existing conditions promote the objective

c) Public safety

The existing conditions promote the objective

d) The prevention of public nuisance

The existing conditions promote the objective

e) The protection of children from harm

The existing conditions promote the objective

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	
Date	17/1/2018
Capacity	Licensing Agent

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

Signature	
Date	17/1/2018
Capacity	

Contact name (where not previously given) and address for correspondence associated with this application (please read guidance note 15)			
Premises Address			
UK-England			
Post town		Post code	
Telephone number (if any)			
If you would prefer us to correspond with you by e-mail, your e-mail address (optional)			

Notes for Guidance

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

1. You do not have to pay a fee if the only purpose of the variation for which you are applying is to avoid becoming liable 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

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

NAME OF AUTHORITY	London Borough of Hackney
ADDRESS OF AUTHORITY	Projects and Regulatory Services Neighbourhoods & Housing Directorate London Borough of Hackney Hackney Service Centre 2 Hillman Street, London, E8 1FB
CONTACT NAME	Elzbieta Adamczyk
TELEPHONE NUMBER	(020)8356 - 5258
EH REFERENCE	WK/201808595
E-MAIL ADDRESS	elzbieta.adamczyk@hackney.gov.uk
DATE	14 th February 2018

APPLICATION PREMISES

Name and Address of Premises	Bar A Bar (basement), 133 – 135 Stoke Newington Road, London, N16
REFERENCE	n/a
Name of Licence Holder or Designated Premises Supervisor	Mr Wayne Lewin

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 | <input type="checkbox"/> |
| 1) | public safety | <input type="checkbox"/> |
| 2) | the prevention of public nuisance | <input checked="" type="checkbox"/> |
| 3) | the protection of children from harm | <input type="checkbox"/> |

X Representations (which include **comments and/or objections):**

The Environmental Protection Team have reviewed the licensing application and wish to make a representation. The applicant has not demonstrated that the following Licensing Policy requirement would be met:

LP5 Public Nuisance:

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

Environmental Protection (EP) Team objects to this application as in the past the premises was a subject of numerous complaints in relation to loud music and anti – social behaviour of patrons. The EP Team has taken many informal steps in form of letters and meetings with the DPS and the licensee. However, complaints continued and as a result, on 10th June 2016 EP Team served Community Protection Warning under the Anti – social Behaviour, Crime and Policing Act 2014. Despite of all of these steps taken further complaints concerning loud music were received in August 2016. On 19th October 2016 case officer visited the premises to inspect the sound limiter device. Upon measuring the maximum music level played through the limiter device officer noted that the levels of music were significantly higher than those stated on the sound limiter calibration certificate submitted to the LA. It was evident to the officer that the sound limiter device has been tampered with. Officer requested recalibration of the sound limiter device, which was carried out. Complaints in relation to loud music reoccurred in January 2018. As a result of recent complaints investigation has been instigated which revealed that the premises is not operating in line with licensing objectives. On 04th February 2018 at 01:32 hours out of hours officers witnessed extremely loud music on a street level. Being concerned about this level of music, they investigated further and entered off licence premises (All in one Supermarket, 133 – 135 Stoke Newington Road), which is directly above the Bar A Bar. Officers witnessed extremely loud music with so heavy bass that they felt strong vibrations from the floor and seen wine bottles shaking on the shelves. The residential premises is directly above this shop. In the officers' professional opinion the music witnessed could likely amount to a statutory noise nuisance should they have witnessed it from the residential premises above. On this basis a notice under Section 80 of the Environmental Protection Act 1990 for likely occurrence of noise nuisance was served on the Occupiers and Licensees on 9th February 2018.

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

Licence application, officer's knowledge about the premises and Council's data base.

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

Withdraw the application and carry out professional soundproofing of the premises.

Signed

Name: Elzbieta Adamczyk
Date: 14th February 2018

APPENDIX B2

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	Bar-A-Bar 133-135 Stoke Newington Road London N16 8BT
Applicant name	Wayne Lewin

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 to vary the existing license for the premises. The variations proposed are to extend the hours of operation to allow for the sale of hot food, playing of recorded music, and the sale of alcohol. Additional conditions are also proposed relating to security. The following variations to the licensable activities are proposed:

Recorded Music: Sunday – Thursday 12:00 – 01:00;
Late night refreshment: Sunday – Thursday 23:00 – 02:00, Friday – Saturday 23:00 – 03:30;
Supply of alcohol: Tuesday 12:00 – 01:00; and
Hours of operation: Sunday – Thursday 12:00 – 02:00, Friday – Saturday 12:00 – 03:30.

Planning reference 2009/1500 granted the retention of use of premises as a private members club/night club with hours of use from 12noon to 1.00am Monday to Thursday, from 12 noon to 3.30am Friday, Saturday and on Bank Holidays and from 12noon to 12.30am on Sundays.

Condition 4 of the planning permission states that *'The use hereby permitted may only be carried out from 12 noon to 3:30am Friday, Saturday and on Bank Holidays and from 12 noon to 12:30am on Sundays.'*

Condition 6 of the planning permission states that *'The use and hours hereby permitted shall be operated for a limited period only until 31/03/2011 on or before which date the use shall be discontinued.'*

Planning reference 2011/0756 for the removal of condition 6 (temporary use) of planning permission ref 2009/1500 for retention of use as a private members club/night dated 04/09/09 was granted on appeal. The appeal approved hours of operation as follows:

12 noon to 1:00am, Monday – Thursday;
 12 noon – 3:30am Friday - Saturday and Bank Holidays; and
 12 noon – 12:30am on Sundays.

The usage of the premises is therefore considered to be lawful. The hours of operation proposed under the licensing application exceed those granted under the planning permission. The applicant is reminded that licensing permission does not grant planning permission. The applicant is recommended to lodge a planning application to regularise the hours of operation of the premises. Operating outside of the planning approval for the premises is unlawful and may result in enforcement action.

Please provide the following information (if applicable)

Area (that permission applies to)	Basement
Permitted use	Sui Generis (Private Members Club/Nightclub)
Permitted hours	12 noon to 1:00am, Monday – Thursday, from 12 noon – 3:30am Friday, Saturday and on Bank Holidays and from 12 noon – 12:30am on Sundays
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.

The hours of operation proposed under the licensing application exceed those granted under the planning permission. The applicant is reminded that licensing permission does not grant planning permission. The applicant is recommended to lodge a planning application for an extension to the hours of operation in order to regularise the operation of the premises. Operating outside of the planning approval for the premises is unlawful and may result in 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.

Signed	
Name	Graham Callam
Date	02/02/2018

**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	Bar-A-Bar 133-135 Stoke Newington Road London N16 8BT
NAME OF PREMISES USER	Wayne LEWIN

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 to vary the Premises Licence at BAR-A-BAR, 133-135 STOKE NEWINGTON ROAD, LONDON, N16 8BT for the following reason(s):

This premises is situated within the Dalston Special Policy Area. The SPA is 'directed at the concentration of persons in the area and particularly those who have been drinking late at night'.

The proposed hours of licensable activity fall way outside those allowed in the table published alongside the policy. The policy also clearly states that any application shall be refused which seeks to permit any activity/use not identified or allowed for in the table and where there is a genuine concern that the proposal will have a negative impact in the area. The area is saturated with licensed premises, which empty on to the streets in the early hours of the morning. These people are most often drunk, loud, boisterous and more likely to get involved in a confrontation, urinate, vomit and cause problems, including disorder on the street.

This particular venue has recently been on an action plan implemented by police due to several conditions being consistently breached, the most problematic being the CCTV and operating after authorised hours. An allegation of a serious assault taking place in the venue was unable to be substantiated due to the poor quality and positioning of the CCTV cameras, although operating outside of their hours was clearly captured. Throughout the action plan visits, the venue continued to breach the condition and police was given several excuses as to why the CCTV cameras were not in use, not recording or not working. Right to the very end of the action plan there were still issues with it, despite eventually being signed off.

The venue have had several warnings and have to date not proven to police that they can operate responsibly and within the hours specified on their current licence. Even this morning, Saturday 10th February 2018 at 07:15hrs, despite having a TEN authorised to allow hours to be extended until 0600hrs, there was a noisy group leaving the venue. It has become increasingly frustrating for police, as the venue are given chance after chance to show improvements and a responsible attitude, to see each opportunity wasted and instead building a list of evidence as to why they shouldn't have a late licence at all.

Police are unable to support this application and we believe that there is nothing that could be done at this time to allay our concerns. Police respectfully ask for a refusal.

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 1FB
CONTACT NAME	Channing Riviere
TELEPHONE NUMBER	020 8356 4622
E-MAIL ADDRESS	Channing.riviere@hackney.gov.uk

APPLICATION PREMISES

NAME & ADDRESS OF PREMISES	Bar A Bar 133-135 Stoke Newington Road N16 8BT
NAME OF APPLICANT	Wayne Lewin

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 application seeks to extend the licensable activities of the premises within the current Dalston Special Policy Area. The current Statement of Licensing Policy 2016 states;

LP14

....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 premises entrance/exit is located on the corner of a residential road (Beatty Road). Its close proximity to residential properties in combination with extended hours may create a nuisance for local residents. The Licensing Authority believes that an extension of the premise’s licensable activities in this locality may undermine the Prevention of Public Nuisance objective. Patrons dispersing from the premises at the newly proposed closing time may be at risk of undermining the objective.

The main function of the premises is as a Nightclub, this activity/use is not currently permitted by the Dalston Special Policy Area.

[✓ = yes x = 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)	✓	x	✓	✓	x
Restaurant (without alcohol)	n/a	x	✓	✓	x
Takeaways	n/a	x	n/a	x	x
Pubs and Bars	✓	x	✓	✓	x
Nightclubs	x	x	x	x	x
Off Licences	✓	x	✓	x	x
Theatres	✓	✓	✓	✓	x
Cinemas	✓	✓	✓	✓	x
Combined Uses	✓	✓	✓	✓	x
Qualifying Clubs	✓	✓	✓	✓	x

It has also been noted that the hours applied for exceed the current Planning permission for the premises.

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

The application, Statement of Licensing Policy 2016

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

Further discussion is required with the applicant.

Name: Channing Riviere (Principal Licensing Officer)

Date: 05/02/2018

APPENDIX B5

RESPONSIBLE AUTHORITY REPRESENTATION: APPLICATION UNDER THE LICENSING ACT 2003

RESPONSIBLE AUTHORITY DETAILS

NAME OF AUTHORITY	City and Hackney Public Health directorate
ADDRESS OF AUTHORITY	City and Hackney Public Health 1 Hillman St London E8 1DY
CONTACT NAME	Lucy Appleby
TELEPHONE NUMBER	020 8356 1386
E-MAIL ADDRESS	Lucy.Appleby@hackney.gov.uk

APPLICATION PREMISES

NAME & ADDRESS OF PREMISES	Bar-A-Bar 133-135 Stoke Newington Road London N16 8BT
NAME OF APPLICANT/PREMISES USER	Wayne Lewin

COMMENTS

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

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

Dr Penny Bevan
Director of Public Health
Hackney Council

13 February 2018

RE: Representation against the Bar-A-Bar application

As Director of Public Health (a responsible authority under the Licensing Act 2004) I wish to make a representation against the application to vary the premises licence for Bar-A-Bar.

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

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

This representation is made under the **prevention of crime and disorder** licensing objective. The application is also for a venue within the Dalston Special Policy Area (SPA), as laid out in the council's Licensing Policy.

Dalston has been defined as a cumulative impact area. I am concerned that if this application is granted it will increase the availability of alcohol for consumption off premises. There is increasing recognition of the impact that high density availability has¹, which could lead to an increase in public nuisance, crime and disorder and impact adversely on health of both those consuming the alcohol but also of others who come into contact with them.

The area already has sufficient premises to meet demand and additional outlets supplying alcohol will be detrimental to the local residents in terms of noise and disturbance, anti-social behaviour and crime. This includes extra hours of alcohol provision to existing premises.

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

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

SafeStats, a service within the Greater London Authority that hosts data from emergency services and other agencies, covering the period year to May 2015. This data shows that:

- There were **160** alcohol related incidents
- **29** alcohol related incidents involved those aged under 26 years
- **55** assaults were recorded by the London Ambulance Service

According to the council's Licensing database of premises allowed to sell alcohol, there are **51 on licence premises** and **30 off licence premises** within 500m of the application venue, with a further **11 having a licence for on and off sales**.

Additional data is presented in Appendix A.

Based on the information provided **the Public Health function recommends that the application to vary the licence to supply alcohol be refused.**

Yours sincerely



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

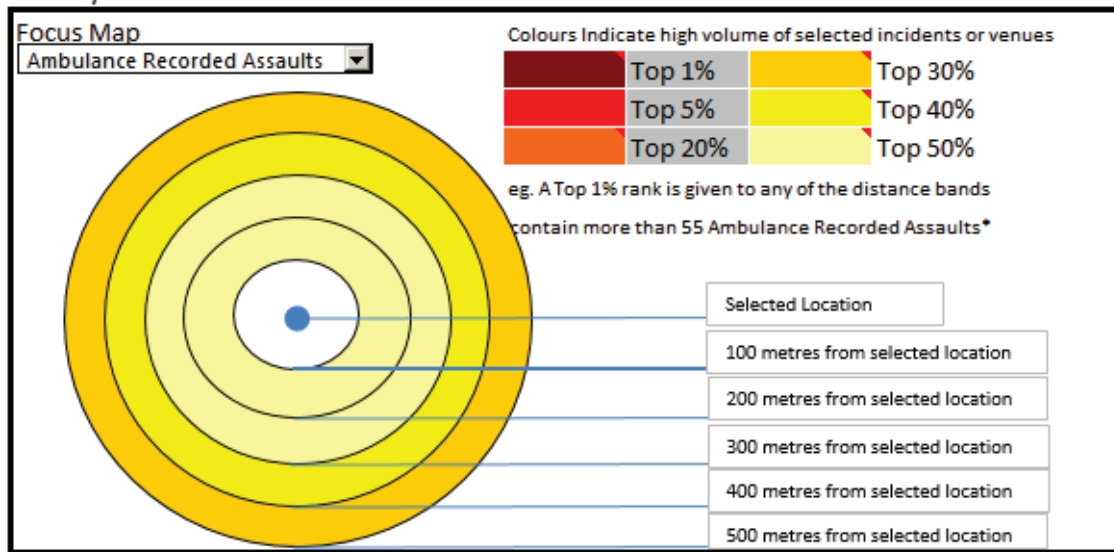
Appendix A – Bullseye Data on alcohol related incidents

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

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

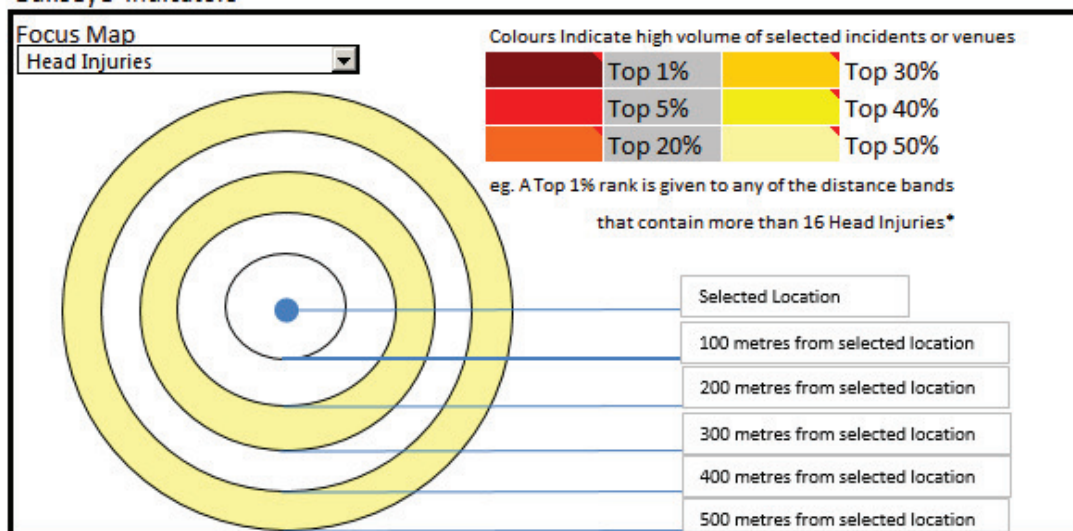
Ambulance recorded assaults

Date Range of Analysis: Year to October 2015



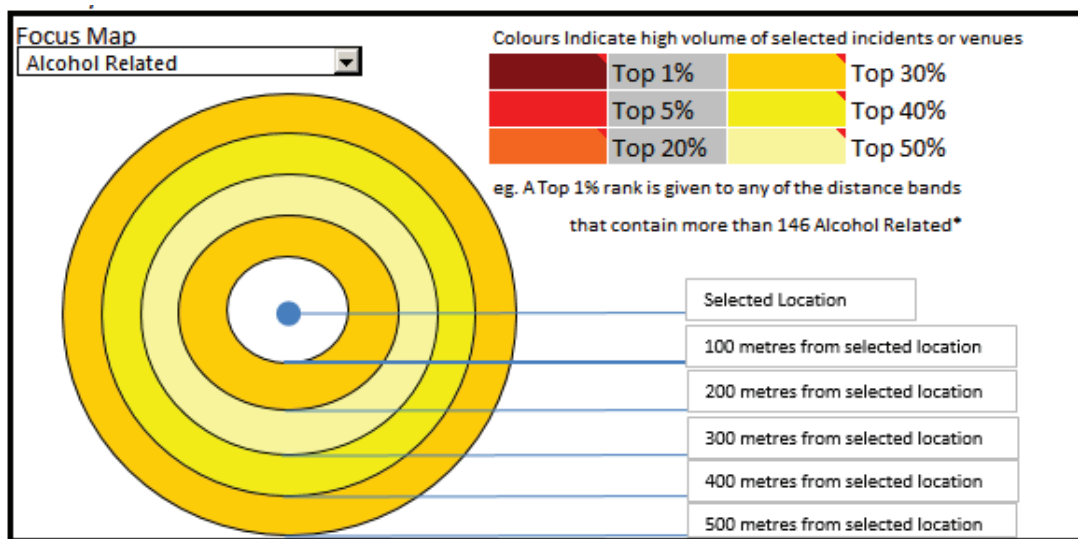
Head Injuries

Date Range of Analysis: Year to October 2015



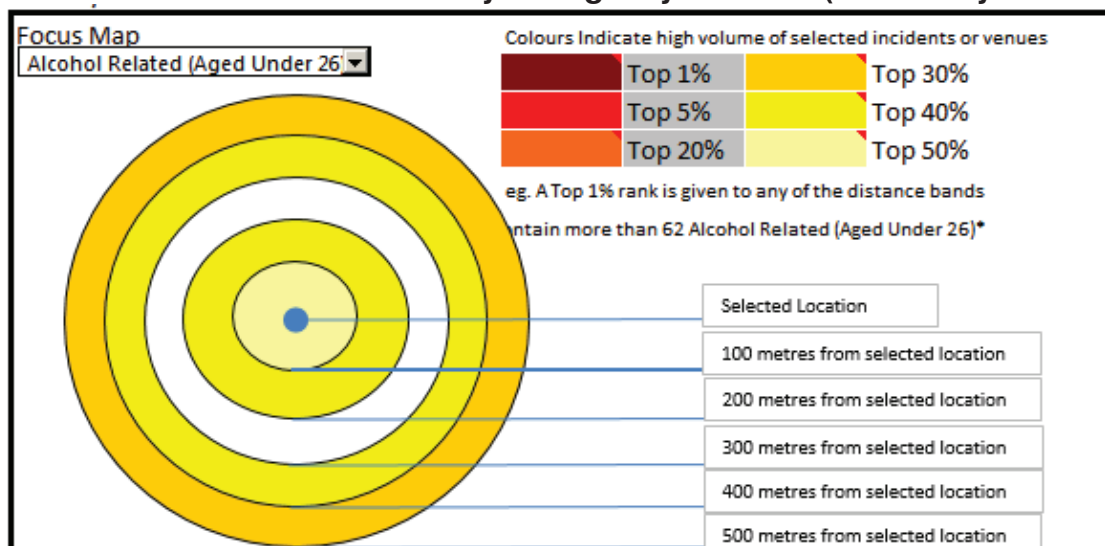
Alcohol related incidents recorded by emergency services

Date Range of Analysis: Year to October 2015



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

Date Range of Analysis: Year to October 2015



Data Quality Caveats

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

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

Shan Uthayasangar

From: [REDACTED]
Sent: 30 January 2018 20:27
To: Licensing
Subject: Bar-a-Bar extension of licence

Hackney Council

I write to object to application to change the licensing hours of Bar-a-Bar on 133 Stoke Newington Road.

I live in the [REDACTED] and regularly hear noise from the music and people outside the club queuing or smoking. I am supportive of late night venues in Hackney however Bar-a-Bar sits on the corner of Beatty Road which is an entirely residential street and I feel late opening hours should be limited to the weekends.

Whilst the club is situated on Stoke Newington road the queue and smoking area trail down Beatty Road and there are regularly people shouting and urinating in the alleyway between [REDACTED] Beatty Road and Newstoke House on the corner of Stoke Newington Road.

I trust these views and those of Beatty Road neighbours are taken into consideration in the determination of this application.

Regards,

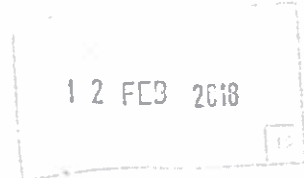
[REDACTED]

APPENDIX C2

[REDACTED]
[REDACTED]
8 January 2018

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

Dear Sir / Madame



**Notice of Application to Vary a Premises Licence
Bar-A-Bar, Basement 133-135 Stoke Newington Road N16 8BT**

We live at the address noted above, which is [REDACTED], and are writing to strongly object to the above application.

The club has been a regular source of noise and disturbance since we moved in to the property approximately 2.5 years ago. The noise levels are sufficiently loud that we are often kept awake for extended periods, including weekdays prior to having to go to work. We both have full time jobs and this had a detrimental effect on our lives due to lack of sleep.

A particular problem is the use of the alleyway [REDACTED] by visitors to the club. There are often people very late at night taking drugs, going to the toilet, being sick, shouting and holding loud conversations. [REDACTED] which means this disturbance regularly keeps us awake. When we have raised this with the club, they have said that this is carried out by people not connected with their events and it is out of their control. However, we have watched people leave the club, visit the alley, and then return to the club without being challenged by the bouncers. On one occasion we asked somebody retching in the alley to move on and were threatened with violence.

Noise issues along Beatty Road are a regular problem, and there is a great deal of people shouting, cars revving and driving fast, car horns, cars playing loud music etc. People leave the club and hang around on Beatty Road (at all hours) and the bouncers do not control the situation.

The worst issues occurred around a six-month period in 2017 (during the summer when it was warm enough for people to be outside) when people would regularly have loud fights outside the club or in the alley. Some of these went on until 5 – 6am when the club had clearly not closed and people were still wandering in and out of it. It appears that the club is attended by people who do not respect other people's environment.

The notice states that the licensing hours are to be extended to 03:30am on Friday and Saturday and 02:00am on Sunday to Thursday. I do not currently know the current licencing hours but the club seems to be open on a number of nights later than the proposed extended hours, sometimes until 5am – 6am. It would be good to seek clarification of this from the club owners and confirm whether they are contravening the current licensing times.

In the local area, there are a number of late night bars with music venues beneath and none of them have the same disturbance and noise issues as Bar-A-Bar.

We got in touch with the owner of the club via face book to make a complaint and have had text conversations with him when the problems are particularly bad. Generally, they have tried to keep people hanging around outside the club on the pavement on the main road although this has not stopped people visiting the alley and the noise issues along Beatty Road still regularly occur. I have included extracts of some of the text messages at the end of this letter as examples of the problems and the times they occurred. One particularly worrying instance was at around 7:30-9am when a group (who appeared to be between 17-21 years old) were taking care of a friend who had drug related problems until an ambulance arrived. This is unacceptable as children live in the property where they were waiting on the garden path.

On one occasion when we complained, the club's owner offered to buy us a fan so that we could keep our windows closed in summer. We feel this is an acknowledgement of the problems, and an unacceptable response.

In conclusion, over the last 2.5 years we have experienced a significant amount of noise and disturbance that has been generated by the people visiting Bar-A-Bar. The noise has been a consistent problem, including during the early hours of weekday mornings, and the lack of sleep has had a big impact on our daily lives. It is also not acceptable for a residential area to have large groups of people under the influence of drugs / alcohol hanging around at all hours. There is already an issue with crime in the area, despite the police presence.

Granting an extension to the clubs licensing hours will only make the existing problems worse, particularly on weekdays which is when they are seeking to extend the openings hours. We also feel that there are existing issues that needs addressing before an extension to the licensing hours is even considered and we would appreciate it if Hackney council could review the current way in which the club is being run.

Yours Sincerely



On-Going Notes Logging Issues

Thursday 6 July 2017

Woken up at 12:30am by group of people immediately outside of club making a lot of noise

Saturday 8 July 2017

As above, plus people in alley using it as a toilet.

Saturday 15 July 2017

4:40am, people noisy / shouting. Car Horns. Groups of people standing along Beatty Road. Girls screaming.

Saturday 15 July 2017

Watched couple come out of club, look at alley across the road, walk into alley, come out shortly after then go back in to club. No bouncers watching etc.

Sunday 4 February 2018 05:54am

People leaving the club and having a shouting fight. Kept us awake for about an hour.

Text Message to Club Owner

Saturday 5 August 04:17am

Chris. Just to let you know it is currently very noisy outside the club with people spilling across the road, shouting, loud music in cars etc. Has kept us wake for about an hour.

Monday 14 August 22:29pm

Hi Chris. Just thought I'd give you a heads up but there's a lot going on at the club for a Monday. Would be good if somebody can monitor?

Friday 18 August 23:58pm

Chris. It's being pretty noisy tonight....people coming in to the alley from the club. Please could you notify the bouncers.

Saturday 30 September 04:17am

We have been woken up at 3:30am by people in the alley who wandered back over to the club and then stood outside having a shouted conversation. And we have just been woken up now by people coming out of the club and also having a shouted conversation down Beatty Road. Please could you ask the bouncers to keep them quite.

Saturday 30 September 10:24am

Morning Chris. Following on from the texts last night, it really wasn't great and the noise disturbance was pretty bad.

Sunday 5 November 1:47am

Hi Chris. Just a quick one to say the club is being v noisy tonight with people spilling down Beatty Road and hanging out in the alley.

Sunday 4 February 2018 05:54am

Chris. There are some people leaving the club having a shouting match that is keeping us awake. Please can you see if the bouncers can sort.



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-0494

Part 1 – Premises details

Bar-A-Bar
133-135 Stoke Newington Road
Hackney
London
N16 8BT

Where the licence is time limited the dates

Not Applicable

Licensable activities authorised by the licence

Live Music
Recorded Music
Performance of Dance
Other Entertainment Similar to Live or Rec Music or Dance Performance
Late Night Refreshment
Supply of Alcohol

The times the licence authorises the carrying out of Licensable activities

Live Music

Standard Hours:

Premises:

Mon 12:00-23:00
Tue 12:00-23:00
Wed 12:00-23:00
Thu 12:00-23:00
Fri 12:00-03:30
Sat 12:00-03:30
Sun 12:00-23:30

Recorded Music

Standard Hours:

Premises:
Mon 12:00-00:00
Tue 12:00-00:00
Wed 12:00-00:00
Thu 12:00-00:00
Fri 12:00-03:30
Sat 12:00-03:30
Sun 12:00-00:00

Performance of Dance **Standard Hours:**

Premises:
Mon 12:00-00:00
Tue 12:00-00:00
Wed 12:00-00:00
Thu 12:00-00:00
Fri 12:00-03:30
Sat 12:00-03:30
Sun 12:00-00:00

Other Entertainment Similar to Live or Rec Music or Dance Performance **Standard Hours:**

Premises:
Mon 12:00-00:00
Tue 12:00-00:00
Wed 12:00-00:00
Thu 12:00-00:00
Fri 12:00-03:30
Sat 12:00-03:30
Sun 12:00-00:00

Late Night Refreshment **Standard Hours:**

Premises:
Mon 23:00-00:00
Tue 23:00-00:00
Wed 23:00-00:00
Thu 23:00-00:00
Fri 23:00-02:00
Sat 23:00-02:00
Sun 23:00-00:00

Supply of Alcohol **Standard Hours:**

Premises:
Mon 12:00-23:30
Tue 12:00-23:30
Wed 12:00-23:30
Thu 12:00-23:30
Fri 12:00-03:00
Sat 12:00-03:00
Sun 12:00-23:30

The opening hours of the premises

Premises

Standard Hours:

Mon 12:00-00:00
Tue 12:00-00:00
Wed 12:00-00:00
Thu 12:00-00:00
Fri 12:00-03:30
Sat 12:00-03:30
Sun 12:00-00:00

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

Mr Wanye Lewin



Mr Sawney Alexander



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

Not Applicable

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

Mr Christopher Lewis

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: 24 November 2005

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.
 - (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 shall ensure that free tap water is provided on request to customers where it is reasonably available.
5.
 - 5.1. 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.
 - 5.2. 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 a holographic mark.

6. The responsible person shall ensure that:
- a) where any of the following alcoholic drinks is sold or supplied for consumption on the premises (other than alcoholic drinks sold or supplied having been made up in advance ready for sale or supply in a securely closed container) it is available to customers in the following measures:
 - beer or cider: 1/2 pint;
 - gin, rum, vodka or whisky: 25ml or 35ml; and
 - still wine in a glass: 125ml; and
 - b) customers are made aware of the availability of these measures.

A responsible person in relation to a licensed premises means the holder of the premise licence in respect of the premises, the designated premises supervisor (if any) or any individual aged 18 or over who is authorised by either the licence holder or designated premises supervisor. For premises with a club premises certificate, any member or officer of the club present on the premises in a capacity that which enables him to prevent the supply of alcohol.

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

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

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

(b) "permitted price" is the price found by applying the formula -

$$P = D + (D \times V)$$

Where -

(i) P is the permitted price,

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

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

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

(i) the holder of the premises licence,

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

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

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

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

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

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

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

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. Light refreshment may be served ON the premises in the form of cold food or hot heated in the microwave or similar. (e.g Toast)
10. A club membership shall operate as optional in order to promote a feeling of responsibility and comradeship. Club conditions to be set by management.
11. Children shall not be allowed on the premises except for family occasions and they must be accompanied by either their parents or guardians.
12. Warning notices shall be displayed on the premises stating that "Drugs or firearms are not allowed on premises"
13. Fire safety equipment to be installed and maintained
14. Rubbish must be cleared at regular intervals and must not cause a nuisance to the public
15. Noise and Light pollution must not be allowed to go out of control
16. All members and non members are requested to abide by managements written code of proper behaviour.
17. Children shall not be allowed to stay on the premises after 21.00
18. No drinking shall be allowed outside the premises
19. External areas are also to be monitored by CCTV cameras

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

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

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

21. A staff member from the premises who is conversant with the operation of the CCTV system shall be on the premises at all times when the premises is open to the public. This staff member shall be able to show Police recent data or footage with the absolute minimum of delay when requested.
22. There shall be a personal licence holder on duty on the premises at all times when the premises are authorised to sell alcohol.
23. The venue will only operate SIA staff through an independent security company, it will not operate SIA security that are employed directly by the venue, the licensee or its management.
24. At least (2) SIA licensed door supervisors shall be on duty at the entrance of the premises at all times whilst it is open for business. In order for the following condition (condition 20) to be properly implemented a female door supervisor will be employed at the venue whenever licensable activity is undertaken.
25. All persons entering or re-entering the premises must be hand searched by an SIA trained member of staff. These searches will include the searching of customers' person, wallets, purses and any other items carried on or by the customer. All searches are to be conducted by current SIA licensed door staff and must be carried out within an area covered by the premises CCTV system.
26. Any person not submitting themselves to a search outlined in condition 20, shall be refused entry to the premises.
27. All entrances / exits in to / out of the premises will be suitably controlled, all fire exits shall be monitored or alarmed.
28. After 2300 hours staff will patrol the toilet area a minimum of once every thirty (30) minutes.
29. All staff engaged outside the entrance to the premises, or supervising or controlling queues, shall wear high visibility jackets or vests.
30. There shall be no new admissions to the premises after 0200hrs (excluding smokers).

31. Notices shall be prominently displayed at all exits requesting patrons to respect the needs of local residents and leave the area quietly.
32. The licence holder shall ensure that any queue to enter the premises which forms outside the premises is orderly and supervised by door staff so as to ensure that there is no public nuisance or obstruction to the public highway.
33. There shall be no promotional sales of alcohol at the premises where alcohol is sold at a price lower than that at which the same or similar alcoholic drinks are sold, or usually sold, on the premises.
34. No super-strength beer, lagers or ciders of 5.5% ABV (alcohol by volume) or above shall be sold at the premises.
35. Prominent signage indicating the permitted hours for the sale of alcohol shall be displayed so as to be visible before entering the premises, where alcohol is on public display, and at the point of sale.
36. The pavement from the building line to the kerb edge immediately outside the premises, along the building line into Beatty Road covering outside Newstoke House and up to the first residential property, including the gutter/channel, shall be swept and/or washed and litter sweepings collected and disposed of in accordance with the approved refuse storage arrangements.
37. No entertainment, performance, service, or exhibition involving nudity or sexual stimulation which would come within the definition of a sex establishment in Schedule 3 to the Local Government (Miscellaneous Provisions) Act 1982 as amended by the Greater London Council (General Powers) Act 1986 (whether or not locally adopted), shall be provided.
38. There shall be no payment made by or on behalf of the licence holder to any person for bringing customers to the premises.
39. A proof of age scheme, such as Challenge 21, shall be operated at the premises where the only acceptable forms of identification are recognised photographic identification cards, such as a driving licence or passport.
40. A log shall be kept detailing all refused sales of alcohol. The log should include the date and time of the refused sale and the name of the member of staff who refused the sale. The log shall be available for inspection at the premises by the police or an authorised officer of Hackney Borough Council at all times whilst the premises is open.
41. A daily register and incident log shall be kept at the premises, and made available on request to an authorised officer of Hackney Borough Council or the Police, which will record the following:
 - (a) all crimes reported to the venue
 - (b) all ejections of patrons
 - (c) any complaints received
 - (d) any incidents of disorder

- (e) seizures of drugs or offensive weapons
- (f) any faults in the CCTV system or searching equipment or scanning equipment
- (g) any refusal of the sale of alcohol
- (h) any visit by a relevant authority or emergency service.

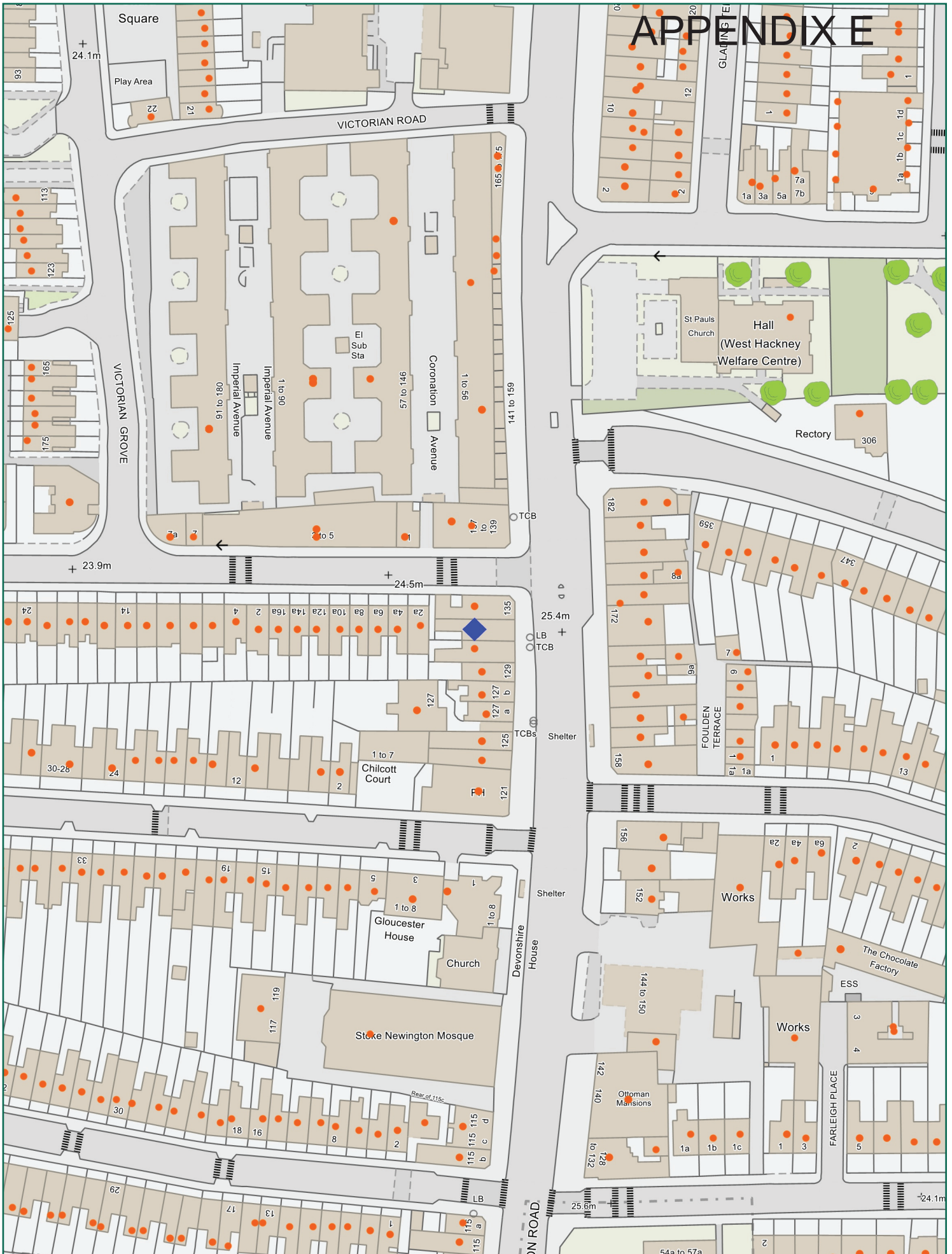
42. This record will be kept for a minimum of twelve (12) months from the date of completion, it shall be in a durable format as described in condition 40. The register shall further record the name of the person responsible for business each day including the hours of operation.
43. All door supervisors shall enter their full details in the daily register and incident log at the commencement of their work. This shall record their full name, home address, and contact telephone number, the door supervisors SIA registration number - with the time they commence and concluded working as well as the agency they are employed by .
44. The venue shall operate a secure 'drug box' approved on inspection by a Metropolitan Police Crime Prevention Officer . The box will be suitably secure to prevent removal, have a single direction anti tamper deposit method, and the keys to the box shall only be held by a maximum of two persons and these shall be the DPS and licensee.
45. Any confiscated items, which are, or are believed to be, drugs are to be placed into this box. Any seizures are to be entered into a drug seizures log, which is to remain in close proximity to the drugs box. The log will record the following details:
 - The time / date and location of the seizure
 - A brief description of the item including size / quantity
 - The member of staff seizing the item
 - The name or description of the customer from whom the item was taken
 - Any action taken at the time to contact police regarding the item seized (ie CAD number or details of officer attendance)
46. The drugs log shall be in a durable format, which protects the integrity of the contents therein. The management shall contact the police at least once every calendar month, for an officer to attend the premises, empty the drug box and sign the drugs log accordingly.
47. Police and LBH contracted drugs dogs and other drug detection equipment will be given immediate access to the premises without notice for the purpose of detecting and reducing incidences of drug misuse.
48. Signs will be prominently displayed inside and outside the premises warning customers that drug use on the premises will not be tolerated, they will be searched on entry and the police may be called if drugs are found.
49. No more than one person may be allowed in any toilet cubicle at a time

50. All staff shall be trained in dealing with persons who are incapacitated through the use of drugs or the combined effect of drugs and alcohol
51. An adequate and appropriate supply of first aid equipment and materials shall be available on the premises
52. At least one trained first-aider shall be on duty when the public are present
53. Measures will be put in place to ensure that no glass or open containers can be taken outside by those leaving the venue or those temporarily leaving to smoke.
54. The number of smokers outside the premises to be limited to 10, in a clearly designated smoking area.

Annex 4 – Plans

PLAN/LBH-PRE-T-0494/060805

APPENDIX E



Scale: 1:1250 at A4

Bar-A-Bar, 133-135 Stoke Newington Road, N16 8BT



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