



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

Tuesday, 24th April, 2018

at 7.00 pm

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

Councillors sitting:

**Cllr Christopher Kennedy, Cllr Patrick Moule
and Cllr Sharon Patrick (Substitute)**

**Tim Shields
Chief Executive**

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

The press and public are welcome to attend this meeting

AGENDA

Tuesday, 24th April, 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 Minutes of the Previous Meeting		(Pages 1 - 6)
5 Licensing Sub Committee Hearing Procedure		(Pages 7 - 8)
6 Maregade Brew Co., Railway Arch 214, Ponsford Street, E9 6JU	Homerton	(Pages 9 - 44)
7 Convenience Store, Finsbury Park Filling Station, 314-322 Seven Sisters Road, N4 2AP	Brownswood	(Pages 45 - 72)
8 Ribbons & Taylor Cafe, Basement And Ground Floor, 157 Stoke Newington Church Street, N16 0UH	Clissold	(Pages 73 - 100)

Licensing Sub-Committee Hearings

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

A Licensing Sub-Committee will be held if:

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

Prior to your item being heard:

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

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

Making decisions on the items being heard:

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

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

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

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

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

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

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

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

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

Before the meeting starts:

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

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

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

Attending the hearing that concerns you:

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

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

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

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

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

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

Timings

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

Rights of Press and Public to Report on Meetings

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

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

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

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

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

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

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

Providing oral commentary during a meeting is not permitted.

Lobbying of Councillors

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

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

Reports

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

Appeals

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

Withdrawal of an Item or Cancellation of a Hearing

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

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

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

Facilities

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

Contacts

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

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

Telephone: 020 8356 1266
E-mail: governance@hackney.gov.uk

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

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

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

ADVICE TO MEMBERS ON DECLARING INTERESTS

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

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

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

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

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

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

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

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

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

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

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

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

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

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

Further Information

Advice can be obtained from Suki Binjal, Interim Director of Legal, on 020 8356 6234 or email suki.binjal@hackney.gov.uk



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Relevant Extracts from Hackney's Statement of Licensing Policy

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

LP1 Planning

Licence applications should normally be from premises where:

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

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

LP2 Provisional Statements

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

The application form for provisional statements is to include:

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

LP3 The Application Form and Operating Schedule (minimum requirements)

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

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

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

Note:

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

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

LP4 Crime and Disorder

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

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

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

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

LP5 Public Nuisance

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

For example, the application should where necessary:

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

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

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

avoid the obstruction of any public highway

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

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

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

NOTE:

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

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

LP6 The Protection of Children from Harm

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

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

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

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

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

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

LP7 Access to Cinemas, Theatres, Auditoriums and similar premises

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

LP8 Public Safety

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

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

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

LP9 Premises Safety

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

LP10 Personal Licences

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

LP11 Temporary Event Notices

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

temporary events linked to the organiser and/or the premises

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

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

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

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

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

LP12 Licensing Hours

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

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

undue disturbance to local residents.

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

LP13 Special Policy Area – Shoreditch

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

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

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

LP14 Special Policy Area – Dalston

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

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

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

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

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

[✓ = yes * = no]

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

LP15 Cumulative Impact – General

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

LP16 The Olympic and Paralympic Games 2012

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

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

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

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MINUTES OF A MEETING OF THE LICENSING SUB COMMITTEE A

TUESDAY, 13TH FEBRUARY, 2018

Councillors Present: Councillor Richard Lufkin in the Chair

**Cllr Patrick Moule and Cllr Sharon Patrick
(Substitute)**

Officers in Attendance: Mike Smith (Principal Licensing Officer), David Tuitt (Licensing), Justin Farley (Legal Services Officer), and Rabiya Khatun (Governance Services Officer).

Also in Attendance:

Mr Ash- applicant's representative
Mr Peter Conisbee- applicants licensing consultant

Other Persons:

Mr Burr, Mr Lord, Mr and Mrs Ellams, Mr Zackiewicz,
Mr Robinson Mr Hall, Mr Bangura, residents from
Cadogan Terrace, Wick Road, Buxhall Crescent and
Benn Street

Cllr Jessica Webb

1 Election of Chair

1.1 Cllr Lufkin was duly elected to Chair the meeting.

2 Apologies for Absence

2.1 There were no apologies for absence

3 Declarations of Interest - Members to declare as appropriate

3.1 Cllr Patrick declared a non-pecuniary interest for agenda item 5- Ground Floor, 331 Wick Road – advising that she was acquainted with the report author who was her work colleague.

4 Licensing Sub Committee Hearing Procedure

4.1 The Chair outlined the hearing procedure at the meeting.

5 Variation Premises Licence : Ground Floor, 331 Wick Road, E9 5DH

5.1 NOTED the additional information circulated at the meeting.

5.2 Mike Smith introduced the report and outlined the variation application to include films, live and recorded music, two outside areas included in the licensable

area, and the supply of alcohol on and off premises. The licensee had an existing premises licence.

5.3 Mr Smith advised that representations had been received from the Police, Licensing, Environmental Protection and Other Persons, however, the Police and Environmental Protection were unable to attend the meeting. Members noted their written representations.

5.4 Mr Peter Conisbee, agent on behalf of the Licensee outlined the application and advised that the licensee had the lease on the property for over 6 years. The Licensee was aware that the premises was an eyesore and the public nuisance associated with the previous tenant, which the licensee had no connection with. To address these nuisance issues the licensee planned to redevelop the venue. There had been no licensing activities occurring at the premises for many years due to the issues associated with the previous business. The current premises licence was too restrictive for the proposed redevelopment of the building and a variation application had been submitted to include regulated entertainment. The proposal included inclusion of the outside areas with unlimited capacity and acoustic fencing surrounding the outside areas to minimise noise nuisance for local residents. The licensee was a responsible person that had already invested over £2000 on this proposal and had engaged with the responsible authorities and residents to address their concerns. If the variation licence was granted a responsible occupier would be sought to operate the licensed premises. The potential operator would be given training and expected to operate the premises responsibly complying with licensing conditions so that the premises did not contribute to the public nuisance in the area and adversely impact on local residents.

5.5 David Tuitt outlined Licensing's representation to the variation application on the grounds of the prevention of public nuisance. The premises had historically operated as a pub since 1930s and a premises licence had been granted in 2006 with licensable operations ceasing in 2010. A variation premises licence application had been submitted and refused in 2014 and a planning application to convert the building into residential flats had been rejected in 2015 due to concerns relating to public and noise nuisance, pollution and current and future occupiers. The proposed two metre high acoustic fencing was subject to planning approval and no details of the table and seating arrangements had been provided. In addition, the provision of private hire vehicles and taxis would cause a nuisance especially when the tube closed at midnight and patrons relied on taxis to disperse from the areas. Mr Tuitt enquired the off sales and highlighted that the plan of the premises at page 35 of the submitted report was inaccurate and a revised plan needed to reflect the premises away from the kerb.

5.6 The Chair sought clarification regarding the off sales, dispersal plan and premises plan. Mr Conisbee stated that the licensee intended to sell alcohol in the outside areas and not off the premises and therefore requested that the off sales be removed from the application. The dispersal plan included SIA door supervisors being on duty for half an hour after closing hours to encourage people to leave the area by taxi and public transport. It was confirmed that the use of the outside area at the front of the premises had been included in the licensable area but was subject to planning approval.

5.7 The Other Persons outlined their representation to the application on the grounds of the prevention of crime and disorder, prevention of public nuisance, public safety and protection of children from harm. The following points were made: concern was expressed regarding the potential public and noise nuisance in the area from patrons inside and outside the premises, potential noise nuisance escaping from inside the premises while showing films and playing music due to inadequate soundproofing and also from patrons and smokers making noises in the outside areas, noise disturbance from opening and closing external doors and the use of taxis and private hire vehicles near residential properties, the area already suffered from anti-social behaviour including people using the stairs leading to the street for drug use and dealing and people congregating in the area, and due to the limited public transport available from midnight there would be a higher demand for taxis which made the proposed dispersal plan unfeasible.

5.8 Moreover, the location was unsuitable for regulated entertainment as the premises was located within a residential area and within close proximity to an underpass which would cause issues with parking. Residents had formally complained of issues of public and noise nuisance and anti-social behaviour associated to the premises including parties being held on the roof terrace of the premises but no measures had been taken to address these issues, the residents had no confidence in the licensee operating the premises responsibly especially as no action had been taken to address the issues with the existing tenants for many years and the proposed regulated entertainment would attract more people to the area and exacerbate the existing issues and reduce residents' quality of life. In addition, there was no information on the management of these events especially controlling and managing the number of people attending the events and queuing outside the premises. The limited availability of public transport past midnight would make it a challenge to disperse patrons from the area.

5.9 Cllr Webb emphasised that the premises had never operated as a local pub and the premises being located within a residential area made it unsuitable for regulated entertainment. The proposal would attract more visitors into the area exacerbating the existing public nuisance and parking issues already experienced in the area.

5.10 In response to a question from Cllr Moule, Mr Lord confirmed that the area was a designated controlled parking zone and parking was restricted until 18.30 hours.

5.11 In response to the concerns raised by Other Person and points of clarification from Members regarding the fencing, addressing residents' complaints of public nuisance including anti-social behaviour, whether there was a demand for the proposed venue, maximum capacity for the outside areas and the dispersal policy, Mr Ash clarified that the outside area at the front of the premises included the area up to the bollards and the outside areas would be surrounded by a two metre high fence. The public nuisance associated with the premises could only be addressed by re-developing the entire premises and making it more upmarket in order to attract responsible occupiers. The applicant had researched the market and there was a demand for this particular venue in the borough. Mr Conisbee confirmed that the maximum capacity for ground floor was 250 but no capacity limit would be set for the outside areas until the acoustic report had been submitted. Finally, the outside areas/beer gardens would close at 22.00 hours and the front of the premises would be

a designated taxi point to encourage controlled and orderly dispersal therefore minimising nuisance in the vicinity.

5.12 Mr Farley, Legal Services confirmed that any fencing above one metre on the highway was subject to planning permission.

5.13 The Other Persons expressed concern that the complaints relating to anti-social behaviour at the premises had not been addressed whilst the premises had been operating without licensable activities, no information had been provided of the new occupiers and the adverse impact on residents and the area from patrons not dispersing from the area due to limited public transport from midnight. To address Other Persons concerns Cllr Patrick proposed that the outside area at the front of the premises could close at 20.00 hours and door supervisors could remain for one hour after closing to assist with dispersal.

5.14 Mr Conisbee responded that the SIA door supervisors would remain at the premises until all patrons had left. The earlier proposed closing time for the outside area would adversely affect business in the summer. Mr Ash assured the Sub-Committee that the licensee had learnt from his mistakes and was a responsible and successful landlord that had successfully managed approximately five licensed premises within London without any issues. The licensee had invested in the re-development of the premises and would now lease the property to responsible occupiers.

5.15 The Other Person asked about these other licensed premises. Mr Ash stated that he could not disclose details of the other venues.

5.16 With regard to the dispersal policy and capacity at the venue, Mr Tuitt responded that due to the minimal public transport provision most of the dispersal would be by foot and therefore contributing to public nuisance and the maximum capacity would have to set following the fire assessment.

5.17 In their closing remarks, Mr Tuitt expressed concern at the potential rise in public nuisance if the licence was granted and issues with the current dispersal plan. The Other Person expressed concern at the submitted proposal and that residents did not have confidence in the licensee.

5.18 Mr Conisbee emphasised that the licensee was a responsible person that had 30 years' experience in the managing licensed premises and would vet any new occupier and ensure that training was provided so that the new operator could comply with the licensing conditions minimising issues of public nuisance.

Decision

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

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

the application be refused in accordance with Licensing Policy LP4 and LP5 within the Council's licensing statement.

Reasons for the decision

The Licensing Sub-Committee, having heard from the licensing authority and other persons, and responses given by the applicant believed that granting the variation application was likely to result in the public nuisance/crime and disorder licensing objectives of being undermined.

The Sub-committee heard from other persons' that they did not have confidence in the applicant as a result of the running of the premises for non-licensable activities. The applicant's response was to explain that the only way to resolve these non-licensable issues was to re-development the whole premises and occupy the same with good occupiers.

The Licensing Sub-committee asked questions of the applicant regarding their proposals for the premises which included two outside areas which would require acoustic fencing the details of which were not available.

The Sub-committee therefore asked questions regarding the capacity limits for the outside areas, but the applicant's representative said that he could not give details regarding the same until the acoustic report had been completed.

The Sub-committee was provided with a dispersal policy, which was considered by the licensing authority who in closing said that the policy should be discussed with them as public transport was very poor resulting in dependence on private hire vehicles and taxis.

The Licensing Sub-committee had already heard from other persons' the noise disturbances they already experience from people using private hire vehicles and taxis.

The Sub-committee also heard from other persons and responsible authorities about other concerns regarding the proposed operation at the premises, but were not provided with detailed information and measures to address the same.

The Licensing Sub-committee were also surprised that the applicant did not bring any proposed DPS or persons with experience of managing one of the applicant's other licensed premises so that information could be given to the Sub-committee regarding the measures and steps that could be taken to ensure the operation of the premises did not undermine the licensing objectives.

On balance, the Licensing Sub-committee were not therefore satisfied that the applicant had proposed adequate measures to address the issues arising from the use of the premises as a music venue nor any confidence that the applicant would adhere to the same with their previous experience of not doing enough to resolve existing problems with the premises.

The assurances given by the applicant's representative were considered, but the Licensing Sub-committee noted that the representative on the application form was not the representative at the hearing.

6 Premises Licence : Yellow Warbler, 9 Northwold Road, N16 7HL

6.1 The application was withdrawn.

7 Temporary Event Notices - Standing Item

7.1 There were no temporary event notices.

Duration of the meeting: 7.00 - 10.15 pm

Signed

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Chair of Committee

Contact:

Governance Services Officer:

Tel 020 8356 8407

Agenda Item 5

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

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

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

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REPORT OF GROUP DIRECTOR, NEIGHBOURHOODS AND HOUSING		
LICENSING SUB-COMMITTEE: 24/04/2018	Classification DECISION	Enclosure
Application for a Premises Licence Maregade Brew Co., Railway Arch 214, Ponsford Street, E9 6JU	Ward(s) affected Homerton	

1. SUMMARY

Applicant(s) Maregade Brew Co Ltd	In SPA No
Date of Application 02/03/2018	Period of Application Permanent
Proposed licensable activity Supply of Alcohol (On and Off Premises)	
Proposed hours of licensable activities	
Supply of Alcohol	Standard Hours: Fri 16:00-20:00 Sat 12:00-20:00 Sun 12:00-20:00
INDOOR:	Non-Standard Hours: 1200 to 2000 on bank holidays.
The opening hours of the premises	
INDOOR	Standard Hours: Fri 16:00-20:30 Sat 12:00-20:30 Sun 12:00-20:30
	Non-Standard Hours: 1200 to 2030 on bank holidays.
Capacity: Not known	
Policies Applicable	LP3 (Operating Schedule), LP4 (Crime and Disorder), LP5 (Public Nuisance), LP6 (Protection of Children from Harm), LP8 (Public Safety),
List of Appendices	A – Application for a premises licence and supporting documents B – Representations from responsible authorities C – Representations from other persons D – Location map
Relevant	<ul style="list-style-type: none"> • Planning Authority

Representations	<ul style="list-style-type: none"> • Other Persons
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2. APPLICATION

2.1 **Maregade Brew Co Ltd** has made an application for a premises licence under the Licensing Act 2003:

- To authorise the supply alcohol for consumption **on and off** the premises

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. A previous application, which sought sale of alcohol daily until 23.00, was refused by Licensing Sub-Committee on 14 December 2017.

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

<u>Start date</u>	<u>end date</u>	<u>start time</u>	<u>end time</u>
10/03/2018	10/03/2018	12.00	20.00
24/03/2018	24/03/2018	12.00	20.00
30/03/2018	31/03/2018	12.00	20.00
07/04/2018	07/04/2018	12.00	20.00
14/04/2018	14/04/2018	12.00	20.00
21/04/2018	21/04/2018	12.00	20.00

4. REPRESENTATIONS: RESPONSIBLE AUTHORITIES

From	Details
Environmental Health Authority (Environmental Protection)	Have confirmed no representation on this application
Environmental Health Authority (Environmental Enforcement)	Representation received on the grounds of the prevention of public nuisance
Environmental Health Authority (Health & Safety)	Have confirmed no representation on this application
Weights and Measures (Trading Standards)	No representation received
Planning Authority (Appendix B)	Informative
Area Child Protection Officer	Have confirmed no representation on this application
Fire Authority	Have confirmed no representation on this application
Police	Have confirmed no representation on this application

Licensing Authority	No representation received
Health Authority	Representation withdrawn following acceptance of proposed condition.

5. REPRESENTATIONS: OTHER PERSONS

From	Details
4 representation received from and on behalf of local residents opposing the application (Appendices C1-C4) and 4 in support (appendices C5 – C8)	Representation received on the grounds of The Prevention of Crime and Disorder, Public Safety, Prevention of Public Nuisance, The Protection of Children from Harm,

6. GUIDANCE CONSIDERATIONS

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

7. POLICY CONSIDERATIONS

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

8. OFFICER OBSERVATIONS

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

Supply Of Alcohol (On/Both)

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

purpose of encouraging the sale or supply of alcohol for consumption on the premises -

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

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

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

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

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

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

6. The responsible person must ensure that:

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

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

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

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

Minimum Drinks Pricing

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

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

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

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

(i) P is the permitted price,

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

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

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

(i) the holder of the premises licence,

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

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

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

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

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

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

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

Conditions derived from operating schedule

8. There will be written notice of 'authority' record for all staff who sell alcohol.

9. Contact details of the Designated Premises Supervisor to be readily available to staff and to the authorities

10. All staff to be trained in their responsibilities under the Licensing Act 2003 and training records to be kept and updated every 6 months and shall, upon request, be made immediately available to Officers of the Police and the Council.

11. Any sales of alcohol shall be charged at no less than 50p per unit* of alcohol. The licence holder shall prepare a price list calculating the units for each available product which shall be made available to the police or Licensing Enforcement Officer upon request. *A unit of alcohol =10ml of ethanol.

12. A comprehensive CCTV system as per the minimum requirements of the Metropolitan Police Crime Prevention Officer. All public areas, entry and exit points will be covered enabling frontal identification of all persons entering in any light condition. The CCTV system shall continually record whilst the premises are being used for licensable activities and during times when customers remain on the premises. All recordings shall be retained for a minimum period of 31 days with date and time stamping. Recordings shall be made available immediately upon the request of the police or an authorised officer of Hackney Borough Council.

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

14. There shall be 'CCTV in Operation' signs prominently displayed.

15. An Incident Log shall be kept at the premises and made available immediately to the police or authorised officer of Hackney Borough Council which will record the following:

- All crimes reported to the venue
- Any complaints received
- Any incidents of disorder
- Any faults in the CCTV system
- Any refusal of the sale of alcohol
- Any visit by a relevant authority or emergency service

16. All instances of crime or disorder shall be reported by the Designated Premises Supervisor or responsible member of staff to an agreed police contact point, as agreed with the police.

17. The premises shall adhere to the Hackney Police drugs and weapons policies and any updates thereof.

18. Alcohol will not be permitted to be removed from the property in open vessels or containers.

19. Food and non-intoxicating beverages, including drinking water, shall be available on the premises whenever alcohol is being sold.

20. The premises and public areas nearby to be kept free from litter associated with the operation of the business.

21. Hourly dB levels will be taken and recorded from outside the front of the premises to ensure noise levels are in keeping with the usual for the area –

recent levels taken have shown that these are usually 60-70dB, or 70-80dB when trains or heavy traffic are passing by.

22. Deliveries and waste removal are undertaken at a time and in a manner that does not cause disturbance.

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

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

25. In streets or areas where the London Borough of Hackney imposes a requirement that refuse may only be left on the public highway at certain times, the licence holder must ensure that he/she complies with any orders or notices served by the council and if the waste carrier cannot or does not comply by collecting the refuse within an hour after the close of any time band imposed by such order or notice, the licence holder must remove the refuse from the public highway and keep it within the premises until such time as his/her waste carrier arrives to collect the refuse.

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

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

28. From 7pm daily, all entrances and exits for the premises will remain closed except for normal ingress and egress or in the case of an emergency.

29. There shall be no more than 5 smokers at any one time permitted to use the outside space.

30. There shall be seating available for all patrons and there shall be a maximum of 45 patrons inside the premises at any one time.

31. All music to be played at a background level to allow a face to face conversation.

32. A dispersal policy to be provided.

33. There will be an effective age verification policy in accordance with the mandatory code.

34. A Challenge 25 policy will be applied for age-restricted products. Notices to be displayed indicating that any customer not appearing to have reached the age of 25 will be required to produce appropriate identification proving that they have turned 18. Appropriate ID will be a valid passport, photo driving licence, PASS accredited proof of age card or other reliable photo-ID that is recommended and approved for acceptance by the police or other authorities.

35. Staff training will occur before a staff member is authorised to sell alcohol within the premises.

36. Off sales of alcohol shall be restricted to those in sealed containers, cans or growlers of beer or cider

9. REASONS FOR OFFICER OBSERVATIONS

9.1 Conditions 8 to 35 above are derived from the applicant's operating schedule. Condition 36 to 19 has been proposed by Public Health and has been accepted by the applicant.

10. LEGAL COMMENTS

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

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

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

11. HUMAN RIGHTS ACT 1998 IMPLICATIONS

11.1 There are implications to;

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

12. MEMBERS DECISION MAKING

A. Option 1

That the application be refused

B. Option 2

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

13. CONCLUSION

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

Group Director, Neighbourhoods and Housing	Kim Wright
Lead Officer (holder of original copy):	Mike Smith Principal Licensing Officer Licensing Service 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: Maregade Brew Co., Railway Arch 214, Ponsford Street, E9 6JU	Licensing Service 1 Hillman Street London E8 1DY

Printed matter

Licensing Act 2003
LBH Statement of Licensing Policy

APPENDIX A

Hackney
LA01

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

PLEASE READ THE FOLLOWING INSTRUCTIONS FIRST

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

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

I/We Mr Maregade Brew Co. Ltd.
(Insert name(s) of applicant)

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

Part 1 – Premises details

Postal address of premises or, if none, ordnance survey map reference or description Maregade Brew Co. RAILWAY ARCH 214 PONSFORD STREET HACKNEY LONDON			
Post town	LONDON	Postcode	E9 6JU

Telephone number at premises (if any)	
Non-domestic rateable value of premises	£8700

Part 2 - Applicant details

Please state whether you are applying for a premises licence as appropriate

Please tick

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

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

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

Please tick yes

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

- I am making the application pursuant to a
 - statutory function or
 - a function discharged by virtue of Her Majesty's prerogative

(A) INDIVIDUAL APPLICANTS (fill in as applicable)

Title Mr			
Surname		First names	
I am 18 years old or over ..			
Date of birth			
Nationality			
Current residential address if different from premises address		UK-England	
Post town		Postcode	
Daytime contact telephone number			
E-mail address (optional)			

SECOND INDIVIDUAL APPLICANT (if applicable)

Title Mr			
Surname		First names	
I am 18 years old or over		..	Please tick yes
Date of birth			
Nationality			

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

(B) OTHER APPLICANTS

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

Name Maregade Brew Co. Ltd.
Address [REDACTED] [REDACTED]
Registered number (where applicable) 09628453
Description of applicant (for example, partnership, company, unincorporated association etc.) Private Limited Company
Telephone number (if any) [REDACTED]
E-mail address (optional) [REDACTED]

Part 3 Operating Schedule

When do you want the premises licence to start?

DD	MM	YYYY
31	03	2018

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

DD MM YYYY

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

- This application relates to the ground floor and front outside space of Railway Arch 214 in Ponsford Street.
- Maregade Brew Co. is an established and highly regarded micro-brewery producing craft ales for supply to the trade.
- This application will enable Maregade Brew Co. to continue its micro-brewery operation at this site but also to develop a tap room that allows customers to drink at the source.
- The taproom will also serve both alcoholic and non-alcoholic beverages from other producers.

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

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

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

	Provision of regulated entertainment (please read guidance note 2)	Please tick any 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 (optional, fill in box C)	..
d)	boxing or wrestling entertainment (if ticking yes, fill in box D)	..
e)	live music (optional, fill in box E)	..
f)	recorded music (if ticking yes, fill in box F)	..
g)	performances of dance (optional, fill in box G)	..
h)	anything of a similar description to that falling within (e), (f) or (g) (if ticking yes, fill in box H)	..
	<u>Provision of late night refreshment</u> (if ticking yes, fill in box L)	..
	<u>Supply of alcohol</u> (if ticking yes, fill in box J)	<input checked="" type="checkbox"/>

In all cases complete boxes K, L and M

J

Supply of alcohol Standard days and timings (please read guidance note 7)			Will the supply of alcohol be for consumption – please tick (please read guidance note 8)	On the premises	
				Off the premises	
				Both	<input checked="" type="checkbox"/>
Day	Start	Finish	State any seasonal variations for the supply of alcohol (please read guidance note 5)		
Mon					
Tue					
Wed					
Thur					
Fri	16:00	20:00			
Sat	12:00	20:00			
Sun	12:00	20:00	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) 1200 to 2000 on bank holidays.		

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

Name Mr Ian Morton	
Date of birth [REDACTED]	
Address [REDACTED]	
UK-England	
Postcode	[REDACTED]
Personal licence number (if known) [REDACTED]	
Issuing licensing authority (if known) [REDACTED]	

K

Please highlight any adult entertainment or services, activities, other entertainment or matters ancillary to the use of the premises that may give rise to concern in respect of children (please read guidance note 9).

NIL

L

Hours premises are open to the public Standard days and timings (please read guidance note 7)			State any seasonal variations (please read guidance note 5)
Day	Start	Finish	
Mon			Non-standard timings. Where you intend the premises to be open to the public at different times from those listed in the column on the left, please list (please read guidance note 6) 1200 to 2030 on bank holidays.
Tue			
Wed			
Thur			
Fri	16:00	20:30	
Sat	12:00	20:30	
Sun	12:00	20:30	

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

a) General – all four licensing objectives (b, c, d and e) (please read guidance note 10)

The premises licence holder, DPS, management and staff will constantly assess any risks to the licensing objectives. They will work in partnership with the authorities and local people alike in this respect. The staff will be properly authorised, equipped, trained and motivated in this task. There will be:

- A written notice of 'authority' record for all staff who sell alcohol
- Contact details of the Designated Premises Supervisor readily available to staff and to the authorities
- A commitment that all staff are trained in their responsibilities under the Licensing Act 2003 and training records to be kept and updated every 6 months and shall, upon request, be made immediately available to Officers of the Police and the Council.
- Any sales of alcohol shall be charged at no less than 50p per unit* of alcohol. The licence holder shall prepare a price list calculating the units for each available product which shall be made available to the police or Licensing Enforcement Officer upon request. *A unit of alcohol = 10ml of ethanol.

b) The prevention of crime and disorder

The management and staff will take all necessary steps to ensure that the premises remain free from crime and disorder. This will include:

- A comprehensive CCTV system as per the minimum requirements of the Metropolitan Police Crime Prevention Officer. All public areas, entry and exit points will be covered enabling frontal identification of all persons entering in any light condition. The CCTV system shall continually record whilst the premises are being used for licensable activities and during times when customers remain on the premises. All recordings shall be retained for a minimum period of 31 days with date and time stamping. Recordings shall be made available immediately upon the request of the police or an authorised officer of Hackney Borough Council.
- A staff member of the premises who is conversant with the operation of the CCTV system shall be on the premises at all times when the premises are open to the public. This staff member shall be able to show the police or authorised officer of Hackney Borough Council recent data or footage with the minimum of delay when requested.
- There shall be 'CCTV in Operation' signs prominently displayed.
- An Incident Log shall be kept at the premises and made available immediately to the police or authorised officer of Hackney Borough Council which will record the following:
 - o All crimes reported to the venue
 - o Any complaints received
 - o Any incidents of disorder
 - o Any faults in the CCTV system
 - o Any refusal of the sale of alcohol
 - o Any visit by a relevant authority or emergency service
- All instances of crime or disorder shall be reported by the Designated Premises Supervisor or responsible member of staff to an agreed police contact point, as agreed with the police.
- Staffing levels maintained appropriately to ensure adequate security.
- High value items stored securely
- Staff being trained on security issues including how to identify and refuse service to customers that are drunk or appear to be drunk.

- The premises shall adhere to the Hackney Police drugs and weapons policies and any updates thereof
- Alcohol will not be permitted to be removed from the property in open vessels or containers.
- Food and non-intoxicating beverages, including drinking water, shall be available on the premises whenever alcohol is being sold.

c) Public safety

The management and staff will have an effective policy to maintain a safe venue for customers and staff. Any risk to safety will be assessed before the premises are opened to the public each day and throughout the hours of operation. The DPS will liaise with the authorities to ensure that all aspects of public safety are adhered to. The policy will include:

- Ensuring that the entrance and any walkways within the premises are kept free from obstruction
- Appropriate fire fighting equipment being installed and maintained at the premises and staff trained in its use.
- Fire risk assessments being undertaken and acted upon in accordance with current recommendations and requirements.
- Effective lighting maintained and operated to ensure the safety of the public and staff.

d) The prevention of public nuisance

The DPS and staff are mindful of the need to reduce the impact of any nuisance caused by the operation of the premises, will constantly assess the risk of public nuisance and take immediate steps to eliminate the problem. Staff will ensure:

- The premises and public areas nearby are kept free from litter associated with the operation of the business.
- Noise, vibrations, smells, light pollution and any other potential nuisance is monitored and kept to an acceptable level.
- Hourly dB levels will be taken and recorded from outside the front of the premises to ensure noise levels are in keeping with the usual for the area - recent levels taken have shown that these are usually 60-70dB, or 70-80dB when trains or heavy traffic are passing by.
- Deliveries and waste removal are undertaken at a time and in a manner that does not cause disturbance.
- The licence holder shall ensure that all staff are fully trained and made aware of the legal requirement of businesses to comply with their duty of care with regard to the disposal of waste produced from the business premises. The procedure for handling and preparing for disposal of the waste shall be in writing and displayed in a prominent place where it can be easily referred to at all times by staff.
- The licence holder shall ensure that any contract for general and recyclable waste disposal shall be appropriate in size to the amount of waste produced by the business. The licence holder must maintain an adequate supply of waste receptacles provided by his registered waste carrier (refuse sacks or commercial waste bins) in order to ensure all refuse emanating from the business is always presented for collection by his waste carrier and shall not use any plain black or unidentifiable refuse sacks or any other unidentifiable or unmarked waste receptacles.
- In streets or areas where the London Borough of Hackney imposes a requirement that refuse may only be left on the public highway at certain times, the

licence holder must ensure that he/she complies with any orders or notices served by the council and if the waste carrier cannot or does not comply by collecting the refuse within an hour after the close of any time band imposed by such order or notice, the licence holder must remove the refuse from the public highway and keep it within the premises until such time as his/her waste carrier arrives to collect the refuse.

- The licence holder shall erect a sign asking customers to refrain from littering the public highway outside the premises and will also instruct staff to make regular checks of the area immediately outside and within 10 metres either side of the premises and to remove any litter, bottles and glasses emanating from the premises. A final check should be made at the close of business.
- The licence holder shall provide a safe receptacle for cigarette ends to be placed outside for the use of customers, such a receptacle being carefully placed so as not to cause an obstruction or trip.
- From 7pm daily, all entrances and exits for the premises will remain closed except for normal ingress and egress or in the case of an emergency.
- There shall be no more than 5 smokers at any one time permitted to use the outside space.
- There shall be seating available for all patrons and there shall be a maximum of 45 patrons inside the premises at any one time.
- All music to be played at a background level to allow a face to face conversation.
- A dispersal policy is available incorporating many of these points.

e) The protection of children from harm

The premises will be promoted as family friendly and suitable for all ages. There will be no inappropriate entertainment, promotions, activities or behaviour tolerated at the premises that might put children at risk. There will be an effective age verification policy in accordance with the mandatory code. This policy will be one of Challenge 25 for age-restricted products and include:

- The display of notices relating to the policy within the premises.
- These notices will indicate that any customer not appearing to have reached the age of 25 will be required to produce appropriate identification proving that they have turned 18 before being sold alcohol.
- Appropriate ID will be a valid passport, photo driving licence, PASS accredited proof of age card or other reliable photo-ID that is recommended and approved for acceptance by the police or other authorities.
- Staff shall be trained in aspects of responsible alcohol retailing and in particular the Protection of Children including the Challenge 25 policy.
- Staff training will occur before a staff member is authorised to sell alcohol within the premises.
- Staff training records will be available for inspection by the police or other responsible authority upon request.

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 designated premises supervisor, if applicable.

- I understand that I must now advertise my application. ☑
- I understand that if I do not comply with the above requirements my application will be rejected. ☑
- ☑
 [Applicable to all individual applicants, including those in a partnership which is not a limited liability partnership, but not companies or limited liability partnerships] I have included documents demonstrating my entitlement to work in the United Kingdom (please read note 15).

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

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

Part 4 – Signatures (please read guidance note 11)

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

Declaration	<ul style="list-style-type: none"> • [Applicable to individual applicants only, including those in a partnership which is not a limited liability partnership] I understand I am not entitled to be issued with a licence if I do not have the entitlement to live and work in the UK (or if I am subject to a condition preventing me from doing work relating to the carrying on of a licensable activity) and that my licence will become invalid if I cease to be entitled to live and work in the UK (please read guidance note 15). • The DPS named in this application form is entitled to work in the UK (and is not subject to conditions preventing him or her from doing work relating to a licensable activity) and I have seen a copy of his or her proof of entitlement to work, if appropriate (please see note 15)
Signature	Ian Morton
Date	2/3/2018

Capacity	Applicant
----------	-----------

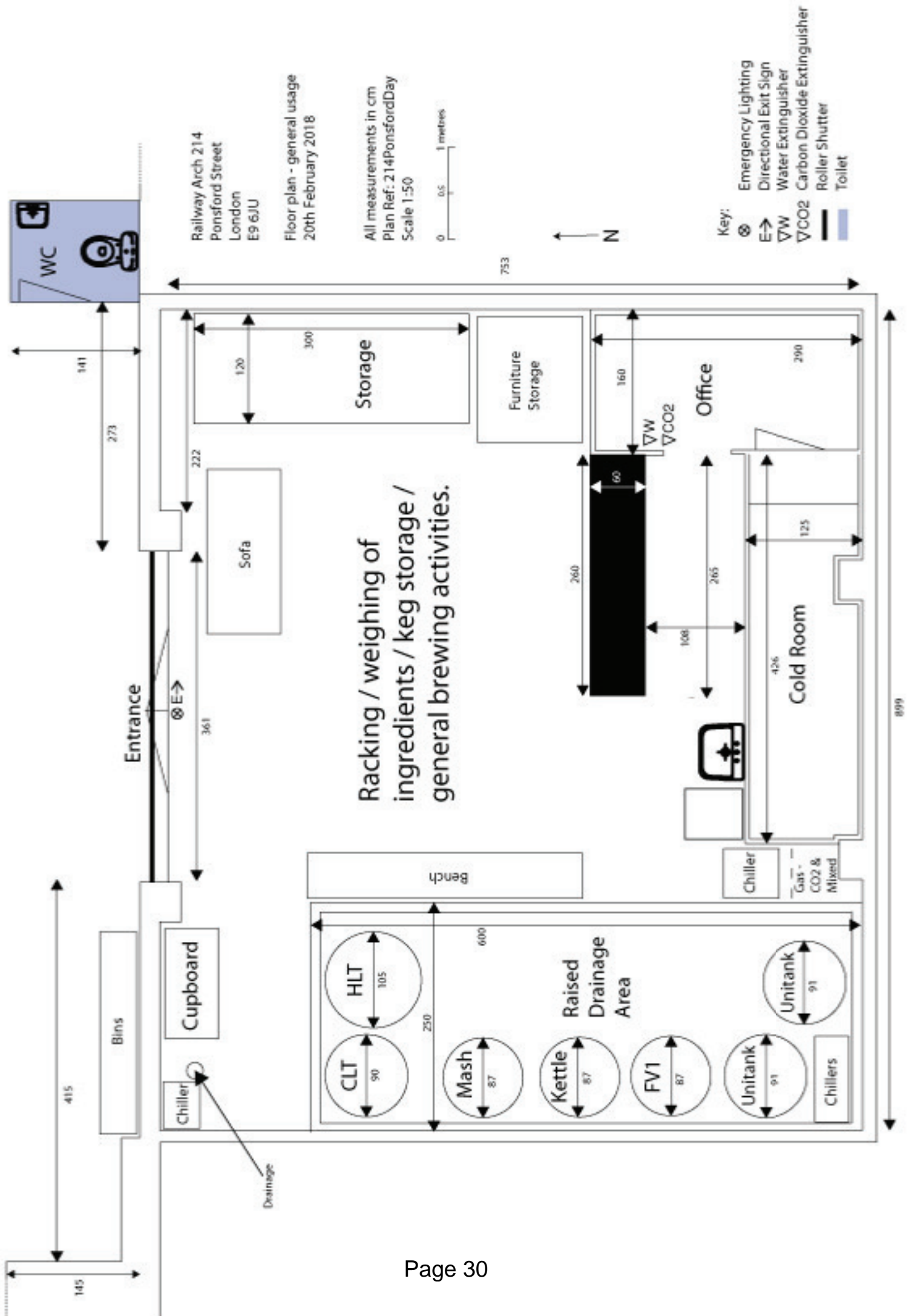
For joint applications, signature of 2nd applicant or 2nd applicant's solicitor or other authorised agent (please read guidance note 13). If signing on behalf of the applicant, please state in what capacity.

Signature	
Date	2/3/2018
Capacity	

Contact name (where not previously given) and postal address for correspondence associated with this application (please read guidance note 14) Applicant address			
UK-England			
Post town		Postcode	
Telephone number (if any)			
If you would prefer us to correspond with you by e-mail, your e-mail address (optional)			

Notes for Guidance

1. Describe the premises, for example the type of premises, its general situation and layout and any other information which could be relevant to the licensing objectives. Where your application includes off-supplies of alcohol and you intend to provide a place for consumption of these off-supplies, you must include a description of where the place will be and its proximity to the premises.
2. 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.





APPENDIX B

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	Maregarde Brew Co. Railway Arch 214 Ponsford Street London E9 6JU
Applicant name	Maregarde Brew Co. Ltd

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 Micro-brewery to continue its operation and to allow for the installation of a tap to allow for the service of alcoholic and non-alcoholic drinks at the premises. The following licensable activities are proposed:

Supply of alcohol: 16:00 – 20:00 Friday – Sunday; and
Hours of operation: 16:00 – 20:30 Friday, 12:00 – 20:30 Saturday – Sunday.

Planning reference 2012/3532 granted the demolition of existing infills to Railway Arches 213 - 222 and construction of new front and rear arch infills with block work walls, roller shutters and integral doors.

No approval has been found for the operation of a micro-brewery and tap room (sui generis) at Railway Arch 214, Ponsford Street. Licensing approval does not grant planning approval. However, subject to the specific operation of the tap room, it may be ancillary to the main use of the premises as a brewery. If this were to be the case then planning permission would not be required for the use. If the proposed tap room use is to be ancillary to the main use as a brewery, then the applicant is advised to seek a certificate of lawfulness for formal confirmation that this is the case.

Please provide the following information (if applicable)


Area (that permission applies to)	Ground floor
Permitted use	Industrial
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.

No approval has been found for the operation of a micro-brewery and tap room (sui generis) at Railway Arch 214, Ponsford Street. Licensing approval does not grant planning approval. However, subject to the specific operation of the tap room, it may be ancillary to the main use of the premises as a brewery. If this were to be the case then planning permission would not be required for the use. If the proposed tap room use is to be ancillary to the main use as a brewery, then the applicant is advised to seek a certificate of lawfulness for formal confirmation that this is the case.

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	05/04/2018

APPENDIX C1

Shan Uthayasangar

From: [REDACTED]
Sent: 08 March 2018 10:37
To: Licensing
Subject: Licence number: 094282

Appeal against license Application:

Maregade brew co.
Arch 214
Ponsford street
E96ju

Dear hackney

We want to appeal against this application.

Reason below:

- 1). This unit is location 10secs away from two main hackney secondary schools. (Cardinal Pole & city hackney secondary school)
- 2) arch's are location in a residential area where family's living.
- 3) keep the area safe from alcohol related crime.
- 4) this will lead to other units applying for licences then, area will start leading to late night drink, party place which will affect the family living there and local schools. We should Educate children of the health and crime affect of alcohol.
- 5) residents living opposite the unit fully object on the grounds, noise nuisance, crime increase and affect their way of life. None of the residents wants these units selling alcohol.

Also please note kids from Cardinal Pole school leave school at this time and this unit is near the entrance of this school.

Please stop the area from changing from a family populated area to a Bar club area.

We have full trust in Hackney. Hackney will always make the right decision.

Thank you

[REDACTED]
[REDACTED] Brooklime house
[REDACTED]
[REDACTED]
[REDACTED]

To whom it may concern,

I am writing to formally object to the Application for a premises licence (094282) to authorise supply of alcohol for consumption on and off the premises from 16:00 to 20:00 Friday and from 12:00 to 20:00 Sat and Sun at Arch 214, Ponsford Street, London, E9 6JU by Maregade, Brew Co Ltd.

This is the second application in less than four months. I feel exactly the same as four months ago.

The arches in question back on to my property, [REDACTED] Ponsford St, E9 [REDACTED] From my [REDACTED]
[REDACTED]. It is [REDACTED]s away. See pictures below from a Temporary Special Licence at the premises in question on the 10/03/18.

A licensed premises in this arch will significantly contribute to public nuisance and potentially crime and disorder. A licensed premises will have drunks, shouting, loud talking, potentially people urinating in the alley way (as already happens), people will be outside smoking. This will mean we cannot open our windows/balcony door without disturbance especially in the summer months. People outside your window until 8pm at night is going to be disturbing for my daughter, wife and myself and neighbours.

Additionally if alcohol is to be sold off the premises there is also nothing to stop people buying alcohol and sitting in the alleyway all night making noise especially in the summer months.

There is no lobby door so the door will be as good as open constantly. There are no indoor toilets, only two outdoor toilets (as in picture 1) for use by all business arches so there will be a constant stream of smokers, clientele using toilets and entering and leaving outside.

When we bought our property all of the arches were Use Class B, as they still are. No application to change the usage has been submitted to date. We have already had significant disturbance with a café and noise in the alleyway (late nights, shouting, parties and disorder). I do not want a repeat of this. We have not bought a property next to a pub and are complaining about it.

The weekends are a time for relaxation and for our family. I do not want the nuisance of a pub and off licence outside my home. Having a pub and off licence planted outside my home is additionally not protecting mine or my neighbours children from harm.

I would like the application thrown out in its entirety. I do not want any sale of alcohol from these premises.

Best wishes

[REDACTED]

[REDACTED] Brookline, Chervil and Marion Court Tenants and Residents Association

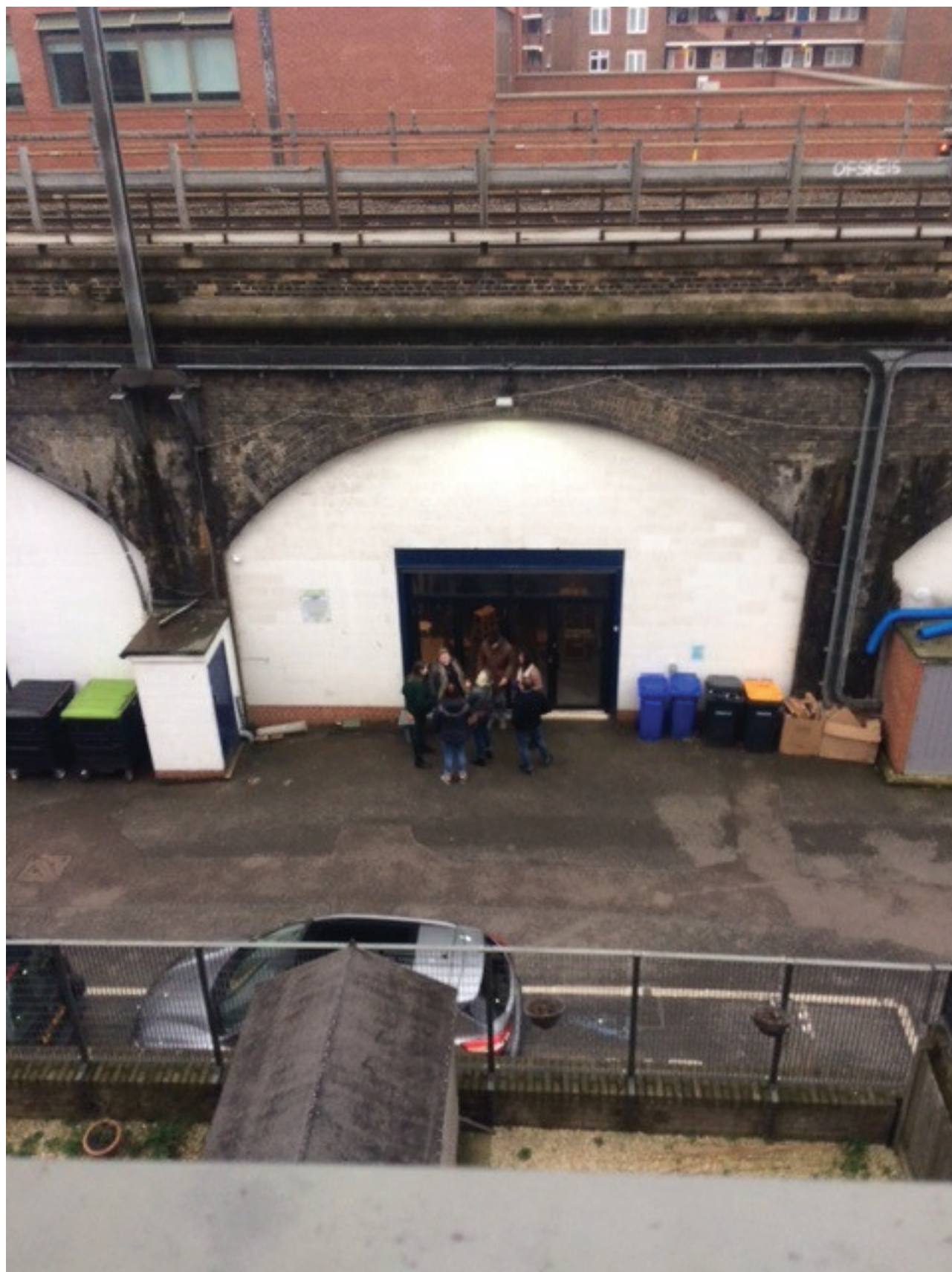
[REDACTED]

[REDACTED]

[REDACTED]

|

[REDACTED]



21/03/18



From: [REDACTED]
Sent: 22 March 2018 17:31
To: Licensing
Subject: Maregade, Arch 214, Ponsford Street, London, E9 6JU

To whom it may concern,

I would like to lodge my objection to licencing Arch 214 Ponsford Street, I live [REDACTED] the arches and its use as a pub would be unbearable due to noise there are all ready two business that use the arches for customers and we have noise and all weekend with people sitting outside but that is during the day and can be tolerated but if that continued into the night we would have no respite at all. The alley/road is a magnet for anti social behaviour as it is it lends itself to people hanging around due to the outside space when the coffee shop in the alley puts on evening events the noise and crowds it attracts is unbearable for us and our neighbours not to mention the use of the alley as a toilet.

We in [REDACTED] have to tolerate train noise, noise from the two secondary schools, the ambulance station and fire station all off which we knew about when we moved in if there was now a pub outside our bedrooms windows so we can't leave them open in the evening that would just make our lives a living nightmare.

Please take this objection into consideration when making a decision.

Kind regards

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

Maregade, Arch 214, Ponsford Street, London, E9 6JU
Homerton Maregade
Brew Co Ltd
Application for a premises licence to authorise supply of alcohol for consumption on and off the premises

Mike Smith

From: [REDACTED]
Sent: 27 March 2018 22:36
To: Licensing
Subject: Meregade Brew Co application, 214 Railway Arch, Ponsford Street, E9 6JU

I oppose this application on the following grounds: -

1. The applicant knowingly applies for a license to sell alcohol for consumption on and off the premises, despite being aware that numerous local residents are opposed to persons consuming alcohol in the access road adjacent and below Brooklime and Chervil Houses, on the grounds that there is a reasonable assumption that this is likely to result in anti-social noise nuisance to the local residents.
2. The area consisting of the access road which services the arches, is not suitable for use as an area in which groups of persons (more than 5) congregate to socialise, due to the natural element of echoing and exacerbating noise resulting from the construction of the area.
3. Other premises in the immediate vicinity, are awaiting the outcome with the intention of using a successful application as a precedent to apply for their own alcohol license.
4. There are several disabled residents in Brooklime and Chervil House, who suffer with acute head pain conditions and chronic stress, and any anti-social noise nuisance is likely to have an adverse effect on them.
5. The premises are not suitable for an alcohol licensed premise.
6. There are only 2 water closets, both of which are outside of the premise.
7. A takeaway food outlet occupies half of an arch close to 214, and the opportunity to purchase and consume alcohol in the immediate vicinity is likely to increase the possibility of anti-social noise nuisance.

Yours sincerely,

[REDACTED]
[REDACTED], [REDACTED]
[REDACTED]
[REDACTED]



Maregade BrewCo <maregadebrewco@gmail.com>

support

20 March 2018 at 22:08

[REDACTED]
To: Ian Morton <ian@maregade.com>

The East London and City Branch of CAMRA (Campaign For Real Ale) wish it to be known that we support Ian Morton of Maregade Brewery, Arch 214 Ponsford Street 9 6JU with his Licence application. We believe him to be a responsible and considerate person. The Brewery Tap would be another good venue and attraction for visitors to the borough.

Yours faithfully

[REDACTED]

[REDACTED]



Monday 5 Mar • 10:40

Good morning, my name is [REDACTED] and i have just read your letter. I'm ok with it. I'm young man so i understand where you coming from. Ps if there is any job opening i would to apply. Thank you.



I live at number [REDACTED] shepherd's lane e9 [REDACTED] Thanks

Tuesday 6 Mar • 10:13

Hi [REDACTED] Thank you for your text, it's great to know that local residents are supportive of the taproom. If and when the taproom opens we may need part time bar staff. Thanks again, Ian.



You 're welcome. Thanks

6 Mar, 10:13



Text message





Maregade BrewCo <maregadebrewco@gmail.com>

Support

19 March 2018 at 14:00

[REDACTED]
To: ian@maregade.com

Hi Ian,

Here's my 2 pence on Maregade. Hope it helps.

mikael

Hi,

I'd like to give my support to the Maregade brewery project on Ponsford arches.

I believe the potential benefit for the development of the community and the area deserves that we welcome young entrepreneurs in the area.

I support efforts to regenerate the locality and to make Homerton a more inviting place for people of all ages and backgrounds.

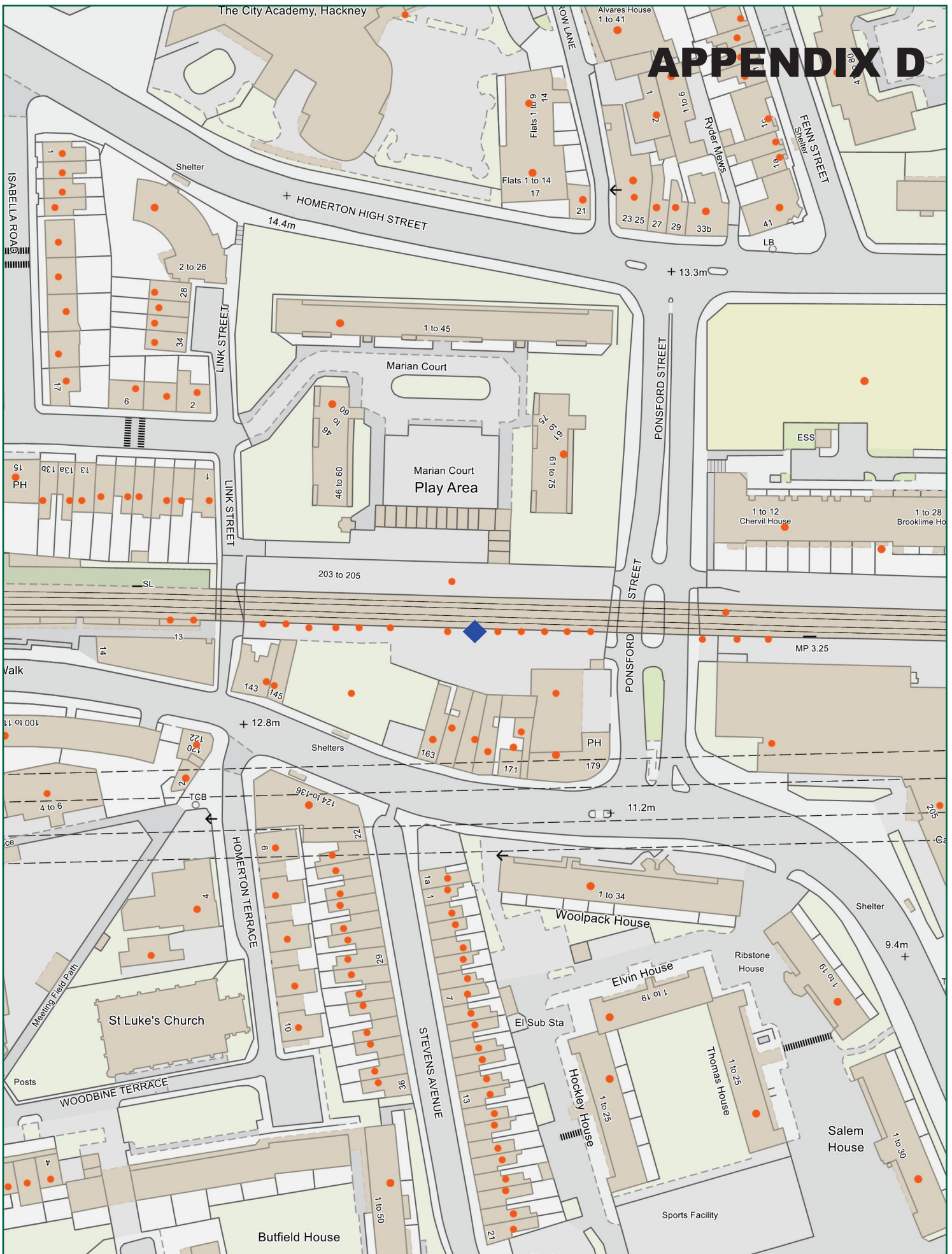
Many thanks

[REDACTED]

We, the undersigned, wish to let it be known that we support the granting of a premises licence for Maregade Brew Co. at Railway Arch 214, Ponsford Street, London, E9 6JU.

Petition containing 46 signatories

APPENDIX D



Scale: 1:1250 at A4



Ref:

13 April 2018

Page 44

From: [unspecified]

email:

please specify copyright statement



REPORT OF THE GROUP DIRECTOR, NEIGHBOURHOODS AND HOUSING		
LICENSING SUB-COMMITTEE: 24/04/2018	Classification DECISION	Enclosure
APPLICATION TO VARY THE PREMISES LICENCE : Convenience Store, Finsbury Park Filling Station, 314-322 Seven Sisters Road, N4 2AP	Ward(s) affected Brownswood	

1. SUMMARY

Applicant(s) Motor Fuel Group Limited	In SPA No
Date of Application 6 March 2018	Period of Application Permanent
Proposed variation: 24 hour supply of alcohol (Off Premises)	
Proposed hours for licensable activity	
Supply of Alcohol	Standard Hours: Mon 00:00 – 23:59 Tue 00:00 – 23:59 Wed 00:00 – 23:59 Thu 00:00 – 23:59 Fri 00:00 – 23:59 Sat 00:00 – 23:59 Sun 00:00 – 23:59
The opening hours of the premises:	Standard Hours: Mon 00:00 – 23:59 Tue 00:00 – 23:59 Wed 00:00 – 23:59 Thu 00:00 – 23:59 Fri 00:00 – 23:59 Sat 00:00 – 23:59 Sun 00:00 – 23:59
Current activities/hours: See licence attached at Appendix D	
Capacity: not known	

Policies Applicable	LP3 (Operating Schedule), LP4 (Crime and Disorder), LP5 (Public Nuisance), LP6 (Protection of Children from Harm), LP8 (Public Safety), LP12 (Licensing Hours)
List of Appendices	A – Application for variation of premises licence and supporting documents B – Representations from responsible authorities C – Representations from ‘other persons’ D – Premises Licence E - Location map
Relevant Representations	<ul style="list-style-type: none"> • Police • Licensing Authority • Health Authority • Other Persons

2. APPLICATION

- 2.1 Motor Fuel Group Limited has made an application vary their premises licence under the Licensing Act 2003:
- To extend hours for supply of alcohol for consumption **off** the premises
- 2.2 The application is attached as Appendix A.

3. CURRENT STATUS / HISTORY

- 3.1 The current premises licence was granted by Licensing Sub-Committee in August 2016. The licence was transferred to Motor Fuel Ltd in December 2017.

4. REPRESENTATIONS: RESPONSIBLE AUTHORITIES

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

Licensing Authority (Appendix B2)	Representation received on the grounds of The Prevention of Crime and Disorder, Prevention of Public Nuisance, Licensing Hours
Health Authority (Appendix B3)	Representation received on the grounds of The Prevention of Crime and Disorder, Prevention of Public Nuisance,

5. REPRESENTATIONS: OTHER PERSONS

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

6. GUIDANCE CONSIDERATIONS

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

7. POLICY CONSIDERATIONS

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

N/A

9. REASONS FOR OFFICER OBSERVATIONS

- 9.1 No additional conditions have been proposed

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
Convenience Store Finsbury Park Filling Station, 314-322 Seven Sisters Road, N4 2AP	Hackney Service Centre Licensing Service 1 Hillman Street London E8 1DY

Printed matter

Licensing Act 2003

LBH Statement of Licensing Policy

SR : 697325-
LDR: 314

APPENDIX A

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.

BH 6104 8537 5GB 

I/We MOTOR FUEL LTD

(Insert name(s) of applicant)

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

Premises licence number 079729

Part 1 – Premises Details

Postal address of premises or, if none, ordnance survey map reference or description CONVENIENCE STORE FINSBURY PARK FILLING STATION 314-322 SEVEN SISTERS ROAD			
Post town	LONDON	Postcode	N4 2AP

Telephone number at premises (if any)	[REDACTED]
Non-domestic rateable value of premises	£13000

Part 2 – Applicant details

Daytime contact telephone number	[REDACTED]	London Borough of Hackney Projects & Regulatory Services 05 MAR 2018	
E-mail address (optional)	[REDACTED]		
Current postal address if different from premises address	[REDACTED]		
Post town	[REDACTED]	Postcode	[REDACTED]

Part 3 - Variation

Please tick as appropriate

Do you want the proposed variation to have effect as soon as possible? Yes No

If not, from what date do you want the variation to take effect? DD MM YYYY

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 No

Please describe briefly the nature of the proposed variation (Please see guidance note 2)

EXTEND THE HOURS FOR THE SALE OF ALCOHOL – NO CHANGES ARE ENVISAGED TO THE DEPOSITED MODIFIED PLAN

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:

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

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

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

X

In all cases complete boxes K, L and M

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 type="checkbox"/>			
				Off the premises	X			
				Both	<input type="checkbox"/>			
Day	Start	Finish	State any seasonal variations for the supply of alcohol (please read guidance note 6)					
Mon	00.00	24.00						
Tue	00.00	24.00						
Wed	00.00	24.00						
Thur	00.00	24.00				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 7)		
Fri	00.00	24.00						
Sat	00.00	24.00						
Sun	00.00	24.00						

K

<p>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).</p> <p>NONE</p>
--

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	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	

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)

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.

HOURS RESTRICTIONS ON THE SALE OF ALCOHOL

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.
TO FOLLOW DIRECT FROM HEAD OFFICE

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)

OTHER EXISTING AND MANDATORY CONDITIONS TO REMAIN - ALARM SYSTEM, CCTV SYSTEM WITH RECORDING FACILITIES, TRAINED STAFF WITH RECORDED ONGOING ALCOHOL TRAINING REGIME, CHALLENGE 25 AND PROOF OF AGE INITIATIVE EMBRACED, INSTORE CHALLENGE SIGNAGE, REFUSALS SYSTEM WITH REFUSALS BOOK AND INCIDENT LOG, ACCESS AT THE DISCRETION OF THE CASHIER BETWEEN 23.00 AND 05.30

b) The prevention of crime and disorder

ALARM SYSTEM, CCTV SYSTEM WITH RECORDING FACILITY, TRAINED STAFF, CHALLENGE 25, REFUSALS SYSTEM AND INCIDENT LOG

c) Public safety

STAFF TRAINED IN FIRE SAFETY PROCEDURES AND THE USE OF FIRE SAFETY EQUIPMENT, FIRE FIGHTING EQUIPMENT

d) The prevention of public nuisance

STAFF TRAINED TO DEAL WITH SITUATIONS, USEABLE WASTE BINS PROVIDED ON THE FORECOURT

e) The protection of children from harm

FULL ALCOHOL TRAINING REGIME IN USE, ONGOING RECORDED ALCOHOL TRAINING AND REFRESHER TRAINING, CHALLENGE 25 TRADING INITIATIVE EMBRACED, CHALLENGE SIGNAGE, REFUSALS SYSTEM AND REFUSALS BOOK

Checklist:

Please tick to indicate agreement

- I have made or enclosed payment of the fee: or X
- 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. X
- I have sent copies of this application and the plan to responsible authorities and others where applicable. X
- I understand that I must now advertise my application. X
- I have enclosed the premises licence or relevant part of it or explanation. X
- I understand that if I do not comply with the above requirements my application will be rejected. X

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	1 ST MARCH 2018
Capacity	LICENSING SOLUTIONS – DULY AUTHORISED 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	
Capacity	

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

			
Post town		Post code	
Telephone number (if any)	07831 159450		
If you would prefer us to correspond with you by e-mail, your e-mail address (optional)			
			

APPENDIX B1

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 134GD Eva
TELEPHONE NUMBER	020 7275 3022
E-MAIL ADDRESS	hackneylicensing@met.police.uk

APPLICATION PREMISES

NAME & ADDRESS OF PREMISES	Convenience Store Finsbury Park Filling Station 314-322 Seven Sisters Road London N4 2AP
NAME OF PREMISES USER	Motor Fuel Ltd

COMMENTS

I make the following relevant representations in relation to the above application to vary the Premises Licence at the above address.

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

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

Police make the following representations in relation to the application for a Premises Licence at the Convenience Store, Finsbury Park Filling Station, 314-322 Seven Sisters Road, London N4 2AP for the following reason(s):

Back in July 2016 the previous operator applied for a premises licence and was granted the sale of alcohol until 2300 hours. The new operator now wishes to vary the alcohol licence applying to sell alcohol 24 hours a day. The police are unable to support this application as this stretch of road suffers from crime and anti-social behaviour. Even though this venue hasn't come to our notice for crime, police feel if it was allowed to sell alcohol even later it would without doubt contribute to what happens on the street after 2300 hours undermining the Licensing objectives.

For our last visit to a committee hearing for a variation for an off-licence a few doors down from this venue, a ward officer attended to tell the panel about the impact that alcohol related crime/anti-social behaviour was having on the local residents. On that application we were awarded a positive result and police feel that the community will feel that we have taken one step forward and two steps back if this application was approved.

The police feel that they already have ample alcohol selling time from 0600 - 2300.

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

Application submitted and Police Knowledge

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

Signed PC 134GD Eva (By E-mail)

Name (printed)

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

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

APPLICATION PREMISES

NAME & ADDRESS OF PREMISES	Convenience Store 314-322 Seven Sister's Road London N4 2AP
NAME OF APPLICANT	Motor Fuel Ltd

COMMENTS

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

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

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

The premises is prominently located at the junction of Seven Sisters Road and Wilberforce Road. The concern is that the additional availability of alcohol between the hours of 23:00 and 06:00 could lead to the premises becoming a focal point for crime and anti-social behaviour late at night as well as during the early hours. There are also residential premises nearby which may suffer nuisance as a result of the additional activity at the premises. Therefore, I have concerns that the proposal could have a negative impact on the promotion of the licensing objectives, in particular the prevention of crime and disorder and the prevention of public nuisance.

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

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

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

Discussion with the applicant in relation to the points raised above, including any further measures that could be implemented in addition to those already attached to the existing premises licence.

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

Date: 03/04/18

**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	Convenience Store Finsbury Park Filling Station 314-322 Seven Sisters Road London N4 2AP
NAME OF APPLICANT/PREMISES USER	Chris Mitchener

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 **x**
- 4) the protection of children from harm

03 April 2018

RE: Representation against the variation to premises licence application for Convenience Store Finsbury Park Filling Station

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 Convenience Store Finsbury Park Filling Station.

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** and the **prevention of public nuisance** licensing objectives.

The provision of off sales is a priority issue for the Public Health function. Alcohol is usually far cheaper per unit than drinks provided at on sales venues and the consumption of that alcohol (as well as the problems associated with it) can take place on the streets or in people's homes. Once the sale is concluded the issue moves from the point of sale to public spaces or homes and the problems are hidden. Alcohol Concern have found that off-licenced sales are the predominant direct and indirect source of access to alcohol for young people under 18 years old, and growing international evidence links off-licence density with various negative alcohol-related consequences.

Information drawn from SafeStats, a service within the Greater London Authority that hosts data from emergency services and other agencies, covering the period year to December 2017, shows that:

- There were **151** alcohol related incidents
- **52** alcohol related incidents involved those aged under 26 years
- **98** assaults were recorded by the London Ambulance Service



We are concerned that if this application is granted, these figures may increase and feel that the applicant has not given sufficient evidence in their application to show how they will mitigate the potential negative impacts, therefore the **Public Health function recommends that this application is refused.**

Yours sincerely

A black rectangular box containing the handwritten signature 'Penny Bevan' in white ink.

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

Subject: FW: Licence application-OBJECTION

From: Abraham Jacobson (Cllr)

Sent: 16 March 2018 15:29

To: Subangini Sriramana <Subangini.Sriramana@Hackney.gov.uk>

Subject: Licence application-OBJECTION

We wish to formally object to the 24 hour alcohol licence at 314-322 Seven Sister Road, Finsbury Park N4 2AP.

It will be against several of our licencing objectives including and not restricted to crime and disorder.

Motorists, many of whom are key workers do not wish to be harassed by drunks which will use the fuel station as a magnet to hang out in.

I would be grateful if the Police are copied into this email.

Councillor Abraham Jacobson
together with Councillor Ian Sharer

Liberal Democrats Councillors

APPENDIX D



This premises licence has been issued by:

Licensing Service
2 Hillman Street
London E8 1FB

PART A – PREMISES LICENCE

Premises Licence Number

079729

Part 1 – Premises details

Mace Convenience Store
314-322 Seven Sisters Road
London
N4 2AP
020 8211 7264

Where the licence is time limited the dates

Not Applicable

Licensable activities authorised by the licence

Late Night Refreshment
Supply of Alcohol

The times the licence authorises the carrying out of Licensable activities

Late Night Refreshment

Standard Hours:

Premises:

Mon 23:00-05:00
Tue 23:00-05:00
Wed 23:00-05:00
Thu 23:00-05:00
Fri 23:00-05:00
Sat 23:00-05:00
Sun 23:00-05:00

Supply of Alcohol Standard Hours:

Premises: Mon 06:00-23:00
 Tue 06:00-23:00
 Wed 06:00-23:00
 Thu 06:00-23:00
 Fri 06:00-23:00
 Sat 06:00-23:00
 Sun 06:00-23:00

The opening hours of the premises

Standard Hours:

Mon 00:00-23:59
Tue 00:00-23:59
Wed 00:00-23:59
Thu 00:00-23:59
Fri 00:00-23:59
Sat 00:00-23:59
Sun 00:00-23:59

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

Off Premises

Part 2 –

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

Motor Fuel Group Limited
Building 2
Abbey View
Everard Close
St Albans
AL1 2QU

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

02546195

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

Niteba Selvarasa

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: 16 August 2016

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.
 - 3.1. 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.
 - 3.2 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.
 - 3.3. 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.Minimum Drinks Pricing
4.
 - 4.1 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.
 - 4.2 For the purposes of the condition set out in paragraph 4.1 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.

4.3 Where the permitted price given by Paragraph 4.2(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.

4.4 (1) Sub-paragraph 4.4(2) below applies where the permitted price given by Paragraph 4.2(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.

Annex 2 – Conditions consistent with the Operating Schedule

None

Conditions derived from Responsible Authority representations

5. The premises shall maintain a comprehensive CCTV system as per the minimum requirements of a Metropolitan Police Crime Prevention Officer. All public areas, entry and exit points will be covered enabling frontal identification of every person entering in any light condition. The CCTV system shall continually record whilst the premises is open for licensable activities and during all times when customers remain on the premises. All recordings shall be stored for a minimum period of 31 days with date and time stamping. Recordings shall be made available immediately upon the request of Police or authorised officer.
6. A staff member from the premises who is conversant with the operation of the CCTV system shall be on the premises at all times when the premises are open to the public. This staff member shall be able to show Police or an authorised officer of Hackney Borough Council recent data or footage with the absolute minimum of delay.
7. An incident log shall be kept at the premises, and made available immediately to an authorised officer of the Hackney Borough Council or the Police, which will record the following;
 1. any incidents of alcohol related crime or disorder
 2. any faults in the CCTV system
 3. any visit by a relevant authority or emergency service.
8. There shall be "CCTV in Operation" signs prominently displayed.

9. All instances of crime or disorder to be reported by the designated premises supervisor or responsible member of staff to an agreed police contact point, as agreed with the Police.
10. Where the sale or supply of alcohol is taking place employees of the premises must request sight of evidence of the age of any person appearing to be under 25 years of age (Challenge 25). Such evidence may include a driving licence or passport.
11. The premises will display and maintain appropriate signage advising customers of the contact details of the Designated Premises Supervisor.
12. There shall be prominent signage requesting customers to leave the premises quietly and respect local residents.
13. All staff will be given refresher training every twelve months on the legislation relating to the sales of alcohol to underage persons and drunken persons. Written records of this training shall be kept on the premises and produced to police or other authorised officer upon request.

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

14. Any alcohol sales refusals to be recorded in a refusals books which is to be made available to the Police or authorised officer upon request.
15. There shall be no sale of lager, beer or cider with an alcohol content above ABV 6.5%, except for such products specifically agreed in writing by the licensing authority. This approval can be withdrawn in writing by the licensing authority if concerns arise around the operation of the premises.

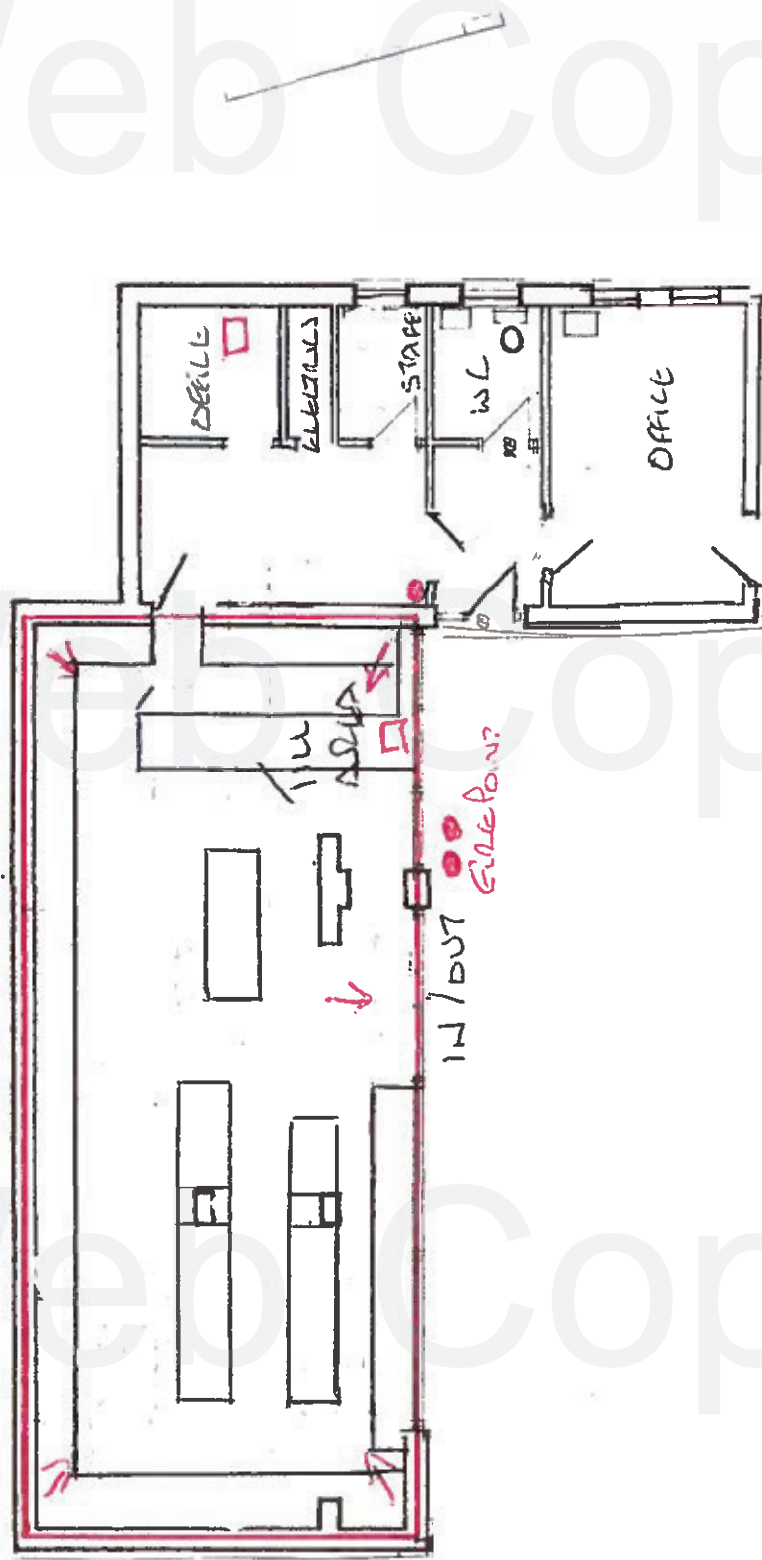
Annex 4 – Plans

PLAN/079729/16082016

**SECTOSURE LTD T/A MACE CONVENIENCE STORE,
FINSBURY PARK SERVICE STATION, 314-322 SEVEN SISTERS RD, LONDON N4 2AP**

Shop Layout Scale 1:100 June 2016

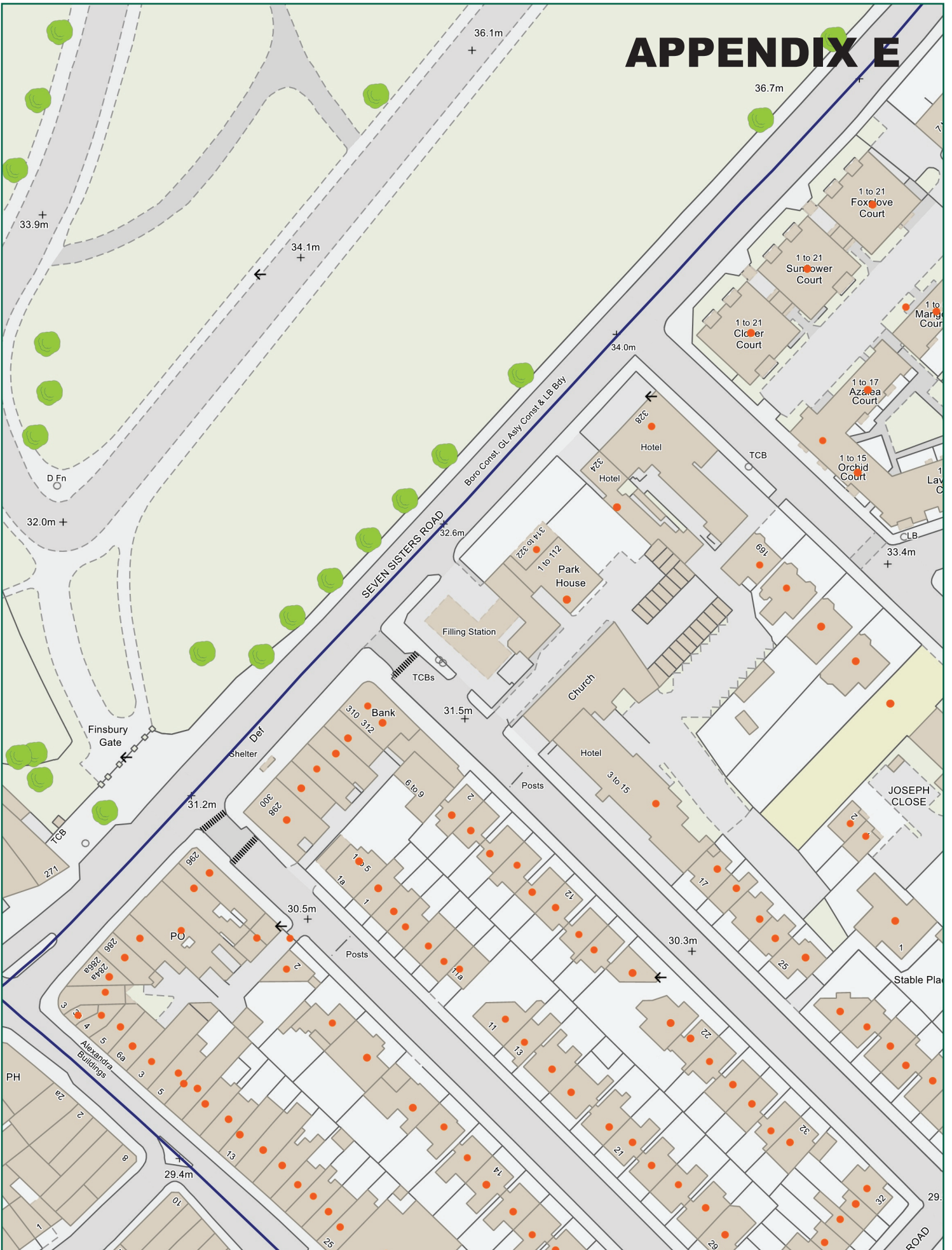
LICENSING SOLUTIONS CJM 06/017a



**ALCOHOL DISPLAY THROUGHOUT THE STORE
WITHIN RED BORDER**

- Key:
- Cctv Camera 
 - Extinguisher 
 - Cctv Monitor 

APPENDIX E



Scale: 1:1250 at A4



Ref:

13 April 2018

Page 72

Drawn by: Unspecified

email:

please specify copyright statement



REPORT OF GROUP DIRECTOR, NEIGHBOURHOODS AND HOUSING		
LICENSING SUB-COMMITTEE: 24/04/2018	Classification DECISION	Enclosure
Application for a Premises Licence Ribbons & Taylor Cafe, Basement And Ground Floor, 157 Stoke Newington Church Street, N16 0UH	Ward(s) affected Clissold	

1. SUMMARY

Applicant(s) Alexander Ross	In SPA No
Date of Application 28/02/2018	Period of Application Permanent
Proposed licensable activity Films Supply of Alcohol (On Premises)	
Proposed hours of licensable activities	
Films INDOOR:	Standard Hours: Mon 19:00-23:00 Tue 19:00-23:00 Wed 19:00-23:00 Thu 19:00-23:00 Fri 19:00-23:00 Sat 19:00-23:00 Sun 19:00-23:00
Supply of Alcohol INDOOR:	Standard Hours: Mon 12:00-22:00 Tue 12:00-22:00 Wed 12:00-22:00 Thu 12:00-22:00 Fri 12:00-22:00 Sat 12:00-22:00 Sun 12:00-22:00

The opening hours of the premises	
INDOOR	Standard Hours: Mon 08:00-23:00 Tue 08:00-23:00 Wed 08:00-23:00 Thu 08:00-23:00 Fri 08:00-23:00 Sat 08:00-23:00 Sun 08:00-23:00
Capacity: Not known	
Policies Applicable	LP3 (Operating Schedule), LP4 (Crime and Disorder), LP5 (Public Nuisance), LP6 (Protection of Children from Harm), LP8 (Public Safety)
List of Appendices	A – Application for a premises licence and supporting documents B – Representations from responsible authorities C – Location map
Relevant Representations	<ul style="list-style-type: none"> • Police • Licensing Authority

2. APPLICATION

2.1 **Alexander Ross** has made an application for a premises licence under the Licensing Act 2003:

- To authorise the supply alcohol for consumption **on** the premises
- Regulated entertainment

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)	No representation received

Planning Authority (Appendix A)	Informative
Area Child Protection Officer	Have confirmed no representation on this application
Fire Authority	No representation received
Police (Appendix B)	Representation received on the grounds of The Prevention of Crime and Disorder, Public Safety, Prevention of Public Nuisance,
Licensing Authority	Representation withdrawn following agreement on conditions (see para 8.1 below)
Health Authority	Have confirmed no representation on this application

5. REPRESENTATIONS: OTHER PERSONS

5.1 None

6. GUIDANCE CONSIDERATIONS

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

7. POLICY CONSIDERATIONS

7.1 Licensing Sub-Committee is required to have regard to the London Borough of Hackney's Statement of Licensing Policy ("the Policy") adopted by the Licensing Authority.

7.2 The Policy applies to applications where relevant representations have been made. With regard to this application, policies LP3 (Operating Schedule), LP4 (Crime and Disorder), LP5 (Public Nuisance), LP6 (Protection of Children from Harm), LP8 (Public Safety) are relevant.

8. OFFICER OBSERVATIONS

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

Supply of Alcohol (On/Both)

1. No supply of alcohol may be made under the premises licence:

(a) At a time when there is no designated premises supervisor in respect of the premises licence.

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

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

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

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

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

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

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

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

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

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

6. The responsible person must ensure that:

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

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

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

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

Minimum Drinks Pricing

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

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

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

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

(i) P is the permitted price,

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

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

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

(i) the holder of the premises licence,

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

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

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

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

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

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

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

Exhibition Of Films

8. Admission of children (under 18) to the exhibition of any film must be restricted in accordance with: -

(a) Recommendations made by the film classification body where the film classification body is specified in the licence, or

(b) Recommendations made by the licensing authority where the film classification body is not specified in the licence, or the relevant licensing authority has not notified the holder of the licence that this subsection applies to the film in question.

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

Conditions derived from operating schedule

9. Children not be permitted on the premises after 18:00 unless accompanied by a responsible adult.

10. No more than 50 people shall be permitted on the premises at any one time.

Conditions derived from Responsible Authority representations

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

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

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

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

14. All instances of crime or disorder to be reported by the designated premises supervisor or responsible member of staff to an agreed police contact point, as agreed with the Police.

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

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

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

18. The premises shall adhere to Hackney Police Weapons and Drugs Policies and any updates thereof.

19. There shall be no glass, drinks or open containers taken outside of the premises at any time, except for the designated rear seating area.

20. The capacity of the premises will be ** tbc ** excluding staff.

21. Alcohol shall not be sold, supplied, or consumed on the premises otherwise than to persons who are seated and taking substantial food from the menu and that the consumption of intoxicating liquor by such persons is ancillary to taking such meals. The supply of alcohol shall be by waiter or waitress service only.

22. The front of the premises shall be kept clean and swept at the close of business each day.

23. The garden will be closed to all customers at 22:00 each day

9. REASONS FOR OFFICER OBSERVATIONS

9.1 Conditions 9 to 10 above are derived from the applicant's operating schedule. Conditions 11 to 22 have been proposed by the Police and 23 by Licensing. Condition 23 has been accepted by the applicant.

10. LEGAL COMMENTS

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

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

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

11. HUMAN RIGHTS ACT 1998 IMPLICATIONS

11.1 There are implications to;

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

12. MEMBERS DECISION MAKING

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

13. CONCLUSION

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

Group Director, Neighbourhoods and Housing	Kim Wright
Lead Officer (holder of original copy):	Mike Smith Principal Licensing Officer Licensing Service 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: Ribbons & Taylor Cafe, Basement And Ground Floor, 157 Stoke Newington Church Street, N16 0UH	Licensing Service 1 Hillman Street London E8 1DY

Printed matter

Licensing Act 2003
LBH Statement of Licensing Policy

PLEASE READ THE FOLLOWING INSTRUCTIONS FIRST

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

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

I/We Mr Alexander Ross

(insert name(s) of applicant)

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

Part 1 – Premises details

Postal address of premises or, if none, Ordnance Survey map reference or description Ribbons & Taylor Cafe GROUND FLOOR 157 STOKE NEWINGTON CHURCH STREET HACKNEY LONDON			
Post town	LONDON	Postcode	N16 0UH

Telephone number at premises (if any)	[REDACTED]
Non-domestic rateable value of premises	£15750.00

Part 2 - Applicant details

Please state whether you are applying for a premises licence as appropriate

Please tick

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

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

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

Please tick yes

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



- I am making the application pursuant to a
 - statutory function or
 - a function discharged by virtue of Her Majesty's prerogative

(A) INDIVIDUAL APPLICANTS (fill in as applicable)

Title Mr	
Surname Ross	First names Alexander
I am 18 years old or over <input checked="" type="checkbox"/>	
Date of birth [REDACTED]	
Nationality New Zealand	
Current residential address if different from premises address	[REDACTED]
Post town [REDACTED]	Postcode [REDACTED]
Daytime contact telephone number	[REDACTED]
E-mail address (optional)	[REDACTED]

SECOND INDIVIDUAL APPLICANT (if applicable)

Title Mr	
Surname	First names
I am 18 years old or over Please tick yes	
Date of birth	
Nationality	

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

(B) OTHER APPLICANTS

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

Name
Address
UK-England
Registered number (where applicable)
Description of applicant (for example, partnership, company, unincorporated association etc.)
Telephone number (if any)
E-mail address (optional)

Part 3 Operating Schedule

When do you want the premises licence to start?

DD MM YYYY

30-03-2018

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

DD MM YYYY

Please give a general description of the premises (please read guidance note 1)
 A ground floor cafe with rear garden and small kitchen downstairs.
 There is a separate residential property on first and second floor.

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

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

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

	Provision of regulated entertainment (please read guidance note 2)	Please tick any that apply
a)	plays (if ticking yes, fill in box A)	<input type="checkbox"/>
b)	films (if ticking yes, fill in box B)	<input checked="" type="checkbox"/>
c)	indoor sporting events (optional, fill in box C)	..
d)	boxing or wrestling entertainment (if ticking yes, fill in box D)	..
e)	live music (optional, fill in box E)	..
f)	recorded music (if ticking yes, fill in box F)	..
g)	performances of dance (optional, fill in box G)	..
h)	anything of a similar description to that falling within (e), (f) or (g) (if ticking yes, fill in box H)	..
	Provision of late night refreshment (if ticking yes, fill in box L)	..
	Supply of alcohol (if ticking yes, fill in box J)	<input checked="" type="checkbox"/>

In all cases complete boxes K, L and M

B

Films Standard days and timings (please read guidance note 7)			Will the exhibition of films take place indoors or outdoors or both – please tick (please read guidance note 3)	Indoors	<input checked="" type="checkbox"/>
				Outdoors	
				Both	
Day	Start	Finish			
Mon	19:00	23:00	Please give further details here (please read guidance note 4) We plan to start a film club and show films once a week every two or three weeks.		
Tue	19:00	23:00			
Wed	19:00	23:00			
Thur	19:00	23:00	State any seasonal variations for the exhibition of films (please read guidance note 5)		
Fri	19:00	23:00	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	19:00	23:00			
Sun	19:00	23:00			

J

Supply of alcohol Standard days and timings (please read guidance note 7)			Will the supply of alcohol be for consumption – please tick (please read guidance note 8)	On the premises <input checked="" type="checkbox"/>
				Off the premises <input type="checkbox"/>
				Both <input type="checkbox"/>
Day	Start	Finish	State any seasonal variations for the supply of alcohol (please read guidance note 5)	
Mon	12:00	22:00		
Tue	12:00	22:00		
Wed	12:00	22:00		
Thur	12:00	22:00		
Fri	12:00	22:00		
Sat	12:00	22:00		
Sun	12:00	22:00		
			Non-standard timings. Where you intend to use the premises for the supply of alcohol at different times to those listed in the column on the left, please list (please read guidance note 6)	

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

Name Mr Alexander Ross
Date of birth [REDACTED]
Address [REDACTED] [REDACTED]
UK-England
Postcode [REDACTED]
Personal licence number (if known) [REDACTED]
Issuing licensing authority (if known) Hackney

K

Please highlight any adult entertainment or services, activities, other entertainment or matters ancillary to the use of the premises that may give rise to concern in respect of children (please read guidance note 9).

None

L

Hours premises are open to the public Standard days and timings (please read guidance note 7)			State any seasonal variations (please read guidance note 5)
Day	Start	Finish	
Mon	08:00	23:00	<p>Non-standard timings. Where you intend the premises to be open to the public at different times from those listed in the column on the left, please list (please read guidance note 6)</p> <p>The times on the left are standard cafe hours but for film nights or other activities such as standup comedy times will be as noted elsewhere.</p>
Tue	08:00	23:00	
Wed	08:00	23:00	
Thur	08:00	23:00	
Fri	08:00	23:00	
Sat	08:00	23:00	
Sun	08:00	23:00	

Ribbons + Taylor Cafe
 157 Stoke Newington Church St
 N16 0UH

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

a) **General – all four licensing objectives (b, c, d and e) (please read guidance note 10)**

We take the four licensing objectives seriously and will constantly strive to adhere to our aims and objectives listed below. We hope to develop a local film club and stand up comedy night and feel it is in every bodies interest to strive to maintain public safety and enjoyment.

b) **The prevention of crime and disorder**

We are part of the local radio scheme which has been very successful in keeping crime and disorder down in the area. We have installed a CCTV system in the premises. Any event held at the cafe will either be ticketed or private. We will keep numbers of patrons to a sensible number and would not allow people to drink or congregate outside on the street.

c) **Public safety**

We intend to put a risk assessment in place. We would not allow any more than 50 people in the venue at any one time to prevent any risk to the public in case of the need to evacuate the premises. We have a fire extinguisher service contract in place. There are two fire exits, one at each end of the property.

d) **The prevention of public nuisance**

We intend to try to identify any cause of nuisance and take appropriate steps. We do not envisage noise levels to exceed accepted norms. We will dissuade people from congregating outside to eliminate litter and public obstruction. Also we will monitor noise levels any any event held will finis by 2300hr at the latest.

e) **The protection of children from harm**

We will not allow children in the premises after 1800hr unless accompanied by a responsible adult. Our types of entertainment will be focused on an adult audience and therefore do not envisage children being present a great deal.

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 designated premises supervisor, if applicable.
- I understand that I must now advertise my application.
- I understand that if I do not comply with the above requirements my application will be rejected.
- [Applicable to all individual applicants, including those in a partnership which is not a limited liability partnership, but not companies or limited liability partnerships] I have included documents demonstrating my entitlement to work in the United Kingdom (please read note 15).

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

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

Part 4 – Signatures (please read guidance note 11)

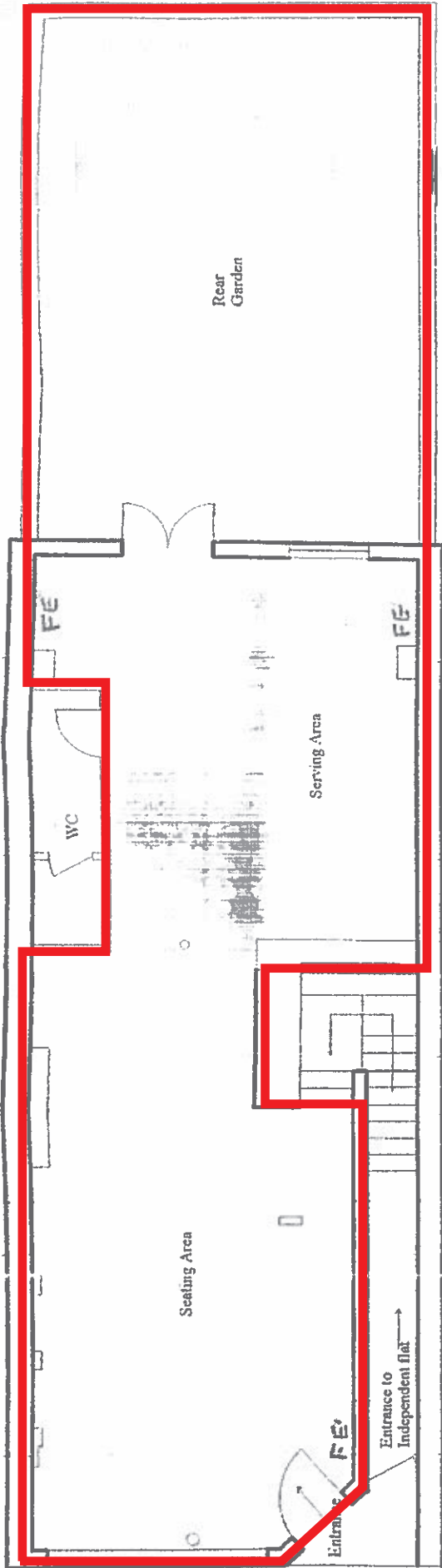
Signature of applicant or applicant's solicitor or other duly authorised agent (see guidance note 12). If signing on behalf of the applicant, please state in what capacity.

Declaration	<ul style="list-style-type: none"> [Applicable to individual applicants only, including those in a partnership which is not a limited liability partnership] I understand I am not entitled to be issued with a licence if I do not have the entitlement to live and work in the UK (or if I am subject to a condition preventing me from doing work relating to the carrying on of a licensable activity) and that my licence will become invalid if I cease to be entitled to live and work in the UK (please read guidance note 15). The DPS named in this application form is entitled to work in the UK (and is not subject to conditions preventing him or her from doing work relating to a licensable activity) and I have seen a copy of his or her proof of entitlement to work, if appropriate (please see note 15)
Signature	Alexander Ross
Date	19/2/2018
Capacity	Main applicant

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

Signature	
Date	19/2/2018
Capacity	

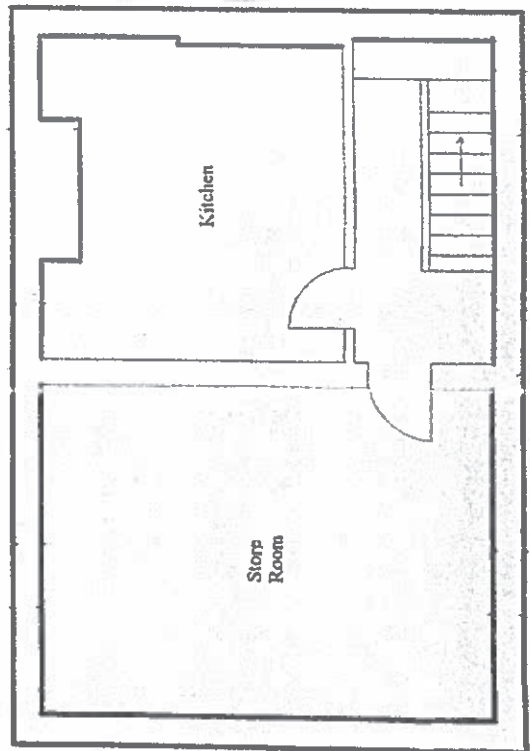
Contact name (where not previously given) and postal address for correspondence associated with this application (please read guidance note 14) Premises Address			
UK-England			
Post town		Postcode	
Telephone number (if any)			
If you would prefer us to correspond with you by e-mail, your e-mail address (optional)			



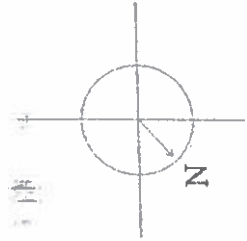
Ground Floor Plan

—
 DENOTES AREA WHERE
 LICENSABLE ACTIVITIES
 MAY TAKE PLACE

FE - FIRE EXTINGUISHER
 Ground & Basement Premises
 157 Stoke Newington
 Church Street
 N16 0NH
 February 2018



Basement Plan



APPENDIX B1

Planning Authority Representation: Application under the Licensing Act 2003

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

APPLICATION PREMISES

Name and address of premises	Ribbons & Taylor Café Ground floor 157 Stoke Newington Church Street London N16 0UH
Applicant name	Mr Alexander Ross

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 café at ground floor level. The following licensable activities are proposed:

Films: 19:00 – 23:00, every day;
Supply of alcohol: 12:00 – 22:00 every day; and
Hours of operation: 08:00 – 23:00 every day.

Planning application NORTH/532/95/FP granted the use of the ground and lower ground floors as a café/restaurant and erection of chimney flue at the rear. Condition 2 states the following: *'The use hereby permitted shall not be carried out between 2300 hours and 0900 hours on any day.'*

The usage is therefore permitted. The hours of operation are outside of what is permitted under the planning permission. The applicant is advised to lodge a planning application to regularise the hours of operation. Licensing permission does not grant planning permission. Operating outside of the approved hours of operation is unlawful and may result in enforcement action.

Please provide the following information (if applicable)

Area (that permission applies to)	Ground floor and lower ground floor
Permitted use	A3 (café/restaurant)

Permitted hours	The use hereby permitted shall not be carried out between 2300 hours and 0900 hours on any day.
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.

The hours of operation are outside of what is permitted under the planning permission. The applicant is advised to lodge a planning application to regularise the hours of operation. Licensing permission does not grant planning permission. Operating outside of the approved hours of operation 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	27/03/2018

**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	Ribbons & Taylor Café 157 Stoke Newington Church Street London N16 0UH
NAME OF PREMISES USER	Mr Alexander ROSS

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 RIBBONS & TAYLOR CAFÉ, GROUND FLOOR, 157 STOKE NEWINGTON CHURCH STREET, LONDON, N16 0UH for the following reason(s):

This premises is situated on a busy main road and is surrounded by shops and other licensed premises.

The police would like a little more information as follows:

- What is the capacity of the café?
- How many customers could use the outside space alluded to in the application?
- Is the restaurant for sit down customers only, or can food be taken away?
- What alcohol will be sold at the premises?

Police would like to visit the premises and discuss the application on site.

Police have also attached a set of conditions which the police feel would assist in promoting the licensing objectives within an area that is saturated with licensed premises.

Police look forward to hearing from the applicant soon.

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

Application submitted.

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

Signed PC 691GD RYAN (By E-mail)

Name (printed)

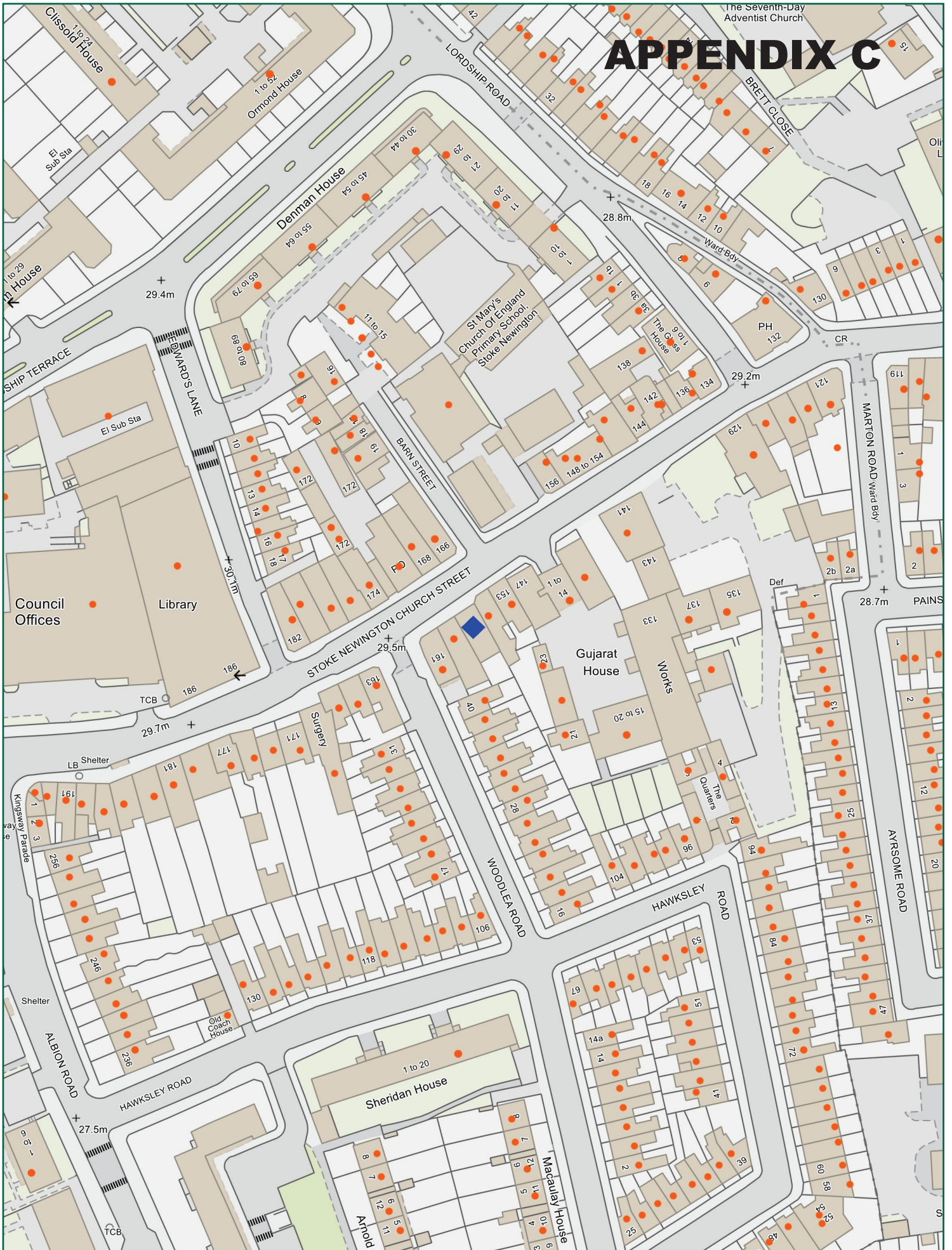
Proposed Conditions for Ribbons & Taylor Cafe,
157 Stoke Newington Church Street,
London, N16 0UH

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

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

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

APPENDIX C



Scale: 1:1250 at A4



Ref:

16 April 2018

Page 99
Product: Unspecified

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