



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

Thursday, 21st June, 2018

at 7.00 pm, Council Chamber, Hackney Town  
Hall, London E8 1EA

**Councillors sitting:**

**TIM SHIELDS**  
**Chief Executive**

**Cllr Margaret Gordon, Cllr Gilbert Smyth and  
Cllr James Peters (substitute)**

Contact:

Gareth Sykes, Governance Services Officer

Tel: 0208 356 1567

[gareth.sykes@hackney.gov.uk](mailto:gareth.sykes@hackney.gov.uk)

The press and public are welcome to attend this meeting

# AGENDA

## Thursday, 21st June, 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 - 8)
5 Licensing Sub-Committee Hearing Procedure		(Pages 9 - 10)
6 Application for a Premises Licence: London Fields Primary School Play Ground, Westgate Street, E8 3RL		(Pages 11 - 44)
7 Application to vary the premises licence: Bull in a China Shop, 196 Shoreditch High Street, E1 6LG		(Pages 45 - 82)
8 Application for a Premises Licence: SET, 27a Dalston Lane, E8 3DF		(Pages 83 - 126)
9 Temporary Event Notices - Standing Item		

## **Licensing Sub-Committee Hearings**

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

### **A Licensing Sub-Committee will be held if:**

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

### **Prior to your item being heard:**

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

If you do not believe this to have happened, please contact the Licensing Service on 020 8356 4970 or email [licensing@hackney.gov.uk](mailto: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](http://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](mailto: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](http://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](mailto: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  
2<sup>nd</sup> Floor Room 118  
Hackney Town Hall  
London, E8 1EA

Telephone: 020 8356 1266  
E-mail: [governance@hackney.gov.uk](mailto: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](mailto: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](mailto:suki.binjal@hackney.gov.uk)



FS 566728

# 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](http://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](http://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.

This page is intentionally left blank



## MINUTES OF A MEETING OF THE LICENSING SUB COMMITTEE B

TUESDAY, 30TH JANUARY, 2018

**Councillors Present:** Cllr James Peters in the Chair

Cllr Emma Plouviez (Substitute) and  
Cllr Ian Rathbone

**Officers in Attendance:** Emma Perry (Governance Services Officer),  
Channing Riviere (Licensing Data Support Officer),  
Butta Singh (Senior Lawyer, Licensing) and Mike  
Smith (Principal Licensing Officer)

**Also in Attendance:** BSMT  
Matthew Lauezzari, Agent  
Lara Fiorentino, Applicant  
Gregory Key, Proposed DPS  
Julian Izzo, Other Person  
Fabio Dagostino, Other Person

### **1 Election of Chair**

1.1 Councillor Peters was duly elected as Chair.

### **2 Apologies for Absence**

2.1 There were no apologies for absence.

### **3 Declarations of Interest - Members to declare as appropriate**

3.1 There were no declarations of interest.

### **4 Minutes of the Previous Meeting**

4.1 **RESOLVED** – that the minutes of the previous meeting held on 26 September 2017 be AGREED as an accurate record.

### **5 Licensing Sub-Committee Hearing Procedure**

5.1 The Chair set out the hearing procedure, as set out on page 5 of the agenda.

### **6 Premises Licence: BSMT, 5d Stoke Newington Road N16 8BH**

6.1 Mike Smith, Principal Licensing Officer, introduced the application for a premises licence. Mike Smith advised that the Police had withdrawn their representation following an agreement that all licensable activities would cease at 23:30 hours and agreed conditions and Venue Management Policy. He

- added that conditions 8 and 9 within paragraph 8.1 of the report be deleted, as they were repeated elsewhere.
- 6.2 Mike Smith advised that the Other Person had submitted some additional information, which was previously circulated to members.
  - 6.3 Matthew Lauezzari, Agent, introduced the application on behalf of the applicant. Mr Lauezzari stated that the application requested to licence the basement area, which since September 2015 had been operating as an art gallery. There was no intention to sell alcohol every day and alcohol sales would be ancillary to the operation of the premises as an art gallery.
  - 6.4 Mr Lauezzari stated that the applicant was an established artist and her partner had 20 years experience of working within the hospitality industry. A number of meetings had taken place between the various responsible authorities, including discussions with local residents. The Police had since withdrawn their representation.
  - 6.5 The premises had not received any complaints from other responsible authorities and the agent stated that the applicant was a responsible operator and was a good neighbour. It was confirmed that the outside area would not be used by any customers/visitors or patrons at any time.
  - 6.6 Channing Riviere, Principal Licensing Officer, set out the representation from the Licensing Service. Mr Riviere stated that the main concerns surrounding the venue were the location of the premises within the Dalston Special Policy Area (SPA) and the cumulative impact it would have on the surrounding area with a new licensed venue. He was also concerned about the legacy of the licence going forward, especially if the applicant was to move on.
  - 6.7 Mr Riviere suggested that the premises should have a closing time of 10.30pm, with alcohol sales finishing at 10pm. If the applicant wished to operate later they had the opportunity to apply for Temporary Event Notices (TENs). He referred to a previous application for an alcohol license submitted in 2014 which had been refused. The agent subsequently advised that this was a separate operator and was not connected to the applicant.
  - 6.8 Julian Izzo, Other Person, outlined his objection to the application. Mr Izzo referred to a recent planning application for the site, which was granted permission in February 2017. He was concerned regarding the scope for the premises and any future development.
  - 6.9 Mr Izzo suggested that the applicant did not have any experience of operating a licensed premises and questioned why the use of TENs was not considered as an alternative option, especially as only one TEN was used last year.
  - 6.10 Mr Izzo believed that the hours being applied for were too late and would generate noise nuisance and disturb neighbouring residents. He referred to some photos which had been previously circulated, which showed an instance in September 2015 where the outside area had been used and caused a lot of noise nuisance to neighbouring residents. There was also a drinking event that had taken place over 4 days in February 2016, which had also caused a noise nuisance. He wished to have a guarantee that this would not happen again and



that the outside would not be used as part of the operation. He added that there was a constant use of A boards outside the premises, which was not permitted on the pavement.

- 6.11 Mr Izzo raised concern regarding the front of the premises, as he believed it was not suitable for patrons to use this area. Mr Izzo referred to the photos he had previously circulated, which showed that the entrance to the premises was located directly opposite a zebra crossing. He also referred to the number of smokers that were permitted outside the premises, as they often spoke over the traffic noise and caused a noise nuisance to neighbouring residents. He also suggested that a maximum capacity of 30 people would be more suitable for the venue.
- 6.12 Mr Izzo believed that the premises should stick to a 5pm close and referred to an issue surrounding refuse collection at the premises. Mr Izzo referred to the previous application for the premises and suggested that the following conditions be used from that application:-
- Conditions 9-14 to be taken from the previous application
  - Adapt condition 15 to restrict public access
  - Conditions 19-27 to be taken from the refused application
- 6.13 Fabio Dagostino, Other Person, also outlined his representation in objection to the application. Mr Dagostino agreed that the hours of operation should be reduced and believed that the suggestion of a 10.30pm close would be a good compromise. He requested some clarification regarding the use of the outside areas, both at the front and rear of the premises.
- 6.14 The Chair referred to the agenda and stated that there were two further representations from Other Persons, which were taken into consideration by members of the Sub-Committee.
- 6.15 During the discussion stage, the Agent stated that in response to the licensing representation, this was not a new premises and had been in operation for the past two years. The premises generally closed around 7pm, with some later hours on certain days, in line with their permitted operating hours. Therefore he did not believe that the premises would add to the cumulative impact in the area.
- 6.16 Lara Fiorentino, Applicant, gave an overview of the operation of the premises. Ms Fiorentino stated that the art world usually operated between Thursday – Saturday between 6 – 10.30pm and she wished to sustain the scope for this venue. In the past she had operated one TEN until 11pm for a live drawing event. She was passionate about creating an art platform in the area and stated that she was aware of the concerns raised by residents. Ms Fiorentino stated that no one would come into the space without their name previously being put on a list and confirmed that the rear outside space would not be used, as there was no access to this space. The event referred to by Mr Izzo in 2015 had been a one off and permission had been given by the freeholder. She indicated that she would be willing for a condition to be added to prevent this space being used. Ms Fiorentino advised that there would only be on sales of alcohol at the premises and stressed that it would not be an alcohol led venue.

- 6.17 Discussion took place regarding LP14 – Dalston Special Policy Area and the Agent reiterated that the premises had been operating for the past two years, with alcohol given away to guests on occasion, as they did not have an alcohol licence. Environmental Health had not submitted a representation, neither had the Planning Service. It was confirmed that the planning application for the site, previously referred to, had not been submitted by the applicant and was separate to the application being considered. With regard to the A boards, it was explained that these were always located hard against the venue and that the pavement was wide outside the premises. He added that Gregory Key, proposed Designated Premises Supervisor (DPS) had extensive experience within the sector.
- 6.18 The Agent advised that there would not be a fixed bar at the premises and believed that a maximum capacity of 60 people was fine for the type of venue. The Applicant was also willing for a condition to be added restricting the number of smokers outside the front of the premises.
- 6.19 In response to further concerns raised by the Other Persons, the Applicant reiterated that they wished to have more flexibility and facilitate a sustainable space, as often it was difficult to structure when particular artists were available.
- 6.20 The Applicant indicated that they would be willing to surrender the existing licence, if the application was granted. They were also willing for a condition to be added for a licensee, DPS or a member of staff to always be present at the venue whenever alcohol is being served or sold.
- 6.21 Further discussion took place surrounding the proposed hours and the Licensing Officer stated that the premises was not currently licensed and therefore was not adding to the cumulative impact in the area, however it was felt that if licensed, it would add to the cumulative impact. Mr Izzo believed that the proposed hours were too late, given the current operating hours, and was minded to propose a close of 7pm.
- 6.22 Further discussion took place regarding the potential use of TENs and the Agent stated that although TENs often gave operators the opportunity to demonstrate good management, they were not obliged to use them. He added that the Police were confident enough to withdraw their representation and Environmental Health officers had not raised any concerns.
- 6.23 In summing up, Channing Riviere believed that the licence could be granted as long as restrictions on the operating hours were applied. He suggested that a closing time of 10.30pm, with a terminal hour of 10pm for the sale of alcohol was more appropriate for the location.
- 6.24 Mr Izzo was concerned about the impact granting the licence would have on the surrounding area and suggested that a closing time of 7pm was more reasonable, given the location of the premises. Mr Izzo suggested that the conditions had been poorly thought through and the additional conditions he suggested were more applicable. He added that neighbouring residents had real concerns regarding the congregation of people outside the premises and outside their front doors.

- 6.25 The Agent emphasised that there was no particular evidence to prove that the photos showing people congregating outside the venue were linked to the premises. Appropriate weight should be given to the fact that the Police had withdrawn their representation, especially given that the premises was located within the Dalston SPA. No concerns had been raised by Environmental Health. He added that the applicant had been operating the premises for the past 2 ½ years and had not received any complaints. He asked that members consider the hours being proposed, given the good track record of the applicant, which would allow more flexibility to plan future events.

**RESOLVED that:-**

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

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

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

- Opening hours of the premises:

Mon – Sun      12:00 – 22:30

- Hours for licensable activities:

Supply of Alcohol      Mon – Sun    12:00 – 22:00

- Conditions 8 and 9 to be deleted.
- Condition 11 be amended to read 'After 10pm there shall be no more than 4 patrons and/or smokers outside the venue at any one time'.
- Condition 12 be amended to read 'The maximum capacity of the premises at any one time will be 50 excluding staff'.
- Condition 27 be amended to read 'The primary use of these premises shall be as a gallery, displaying and selling artwork. Alcohol shall only be sold to guests attending a ticketed organised event at the premises that is ancillary to its use as a gallery, and which event is operated by or on behalf of the applicant, Lara Florentino'.

and the following additional conditions:

- The licensee, DPS or a member of staff will always be present at the venue whenever alcohol is being served or sold.
- The outside area to the rear of the premises is not to be used by any customers/visitors or patrons at any time.
- Deliveries will only take place on any day between 07:00 and 20:00 hours
- The Licensee's premises are situated in an area within which refuse may only be left on the public highway at certain times (time bands). If the

Licensee’s waste carrier cannot or does not comply by collecting the refuse within an hour after the close of any time band imposed by the waste authority, the Licensee must remove the refuse from the public highway and/or keep it within the premises until such time as his/her waste carrier arrives to collect the refuse’

**Reasons for the decision**

The application has been approved, with the above amendments and additional conditions, as the Licensing Sub-Committee was satisfied that the licensing objectives would not be undermined.

The Licensing Sub-Committee considered that, given the location of the premises and the acute problems suffered in this particular area of the Dalston SPA, as described in the representations from the responsible authority and other persons, the reduced operating and licensable hours, as detailed within the decision, are both proportionate and appropriate. The applicants were reminded of the opportunity to use Temporary Event Notices (TENs) to operate later hours, if required, and that the hours granted would allow the licensee to effectively demonstrate her ability to manage the premises with alcohol sales now being included as a regular feature, which was not the case before, without undermining the licensing objectives.

**Public informative**

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

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

The licensee was reminded of the need to comply with the rules forbidding the use of “A-boards” on pavements because of the hindrance such A-boards cause to pedestrians, particularly visually-impaired pedestrians.

**7 Premises Licence: Basement, 79-81 Paul Street EC2A 4NQ**

7.1 The application was deferred at the request of the applicant.

**8 Temporary Event Notices - Standing Item**

8.1 There were no Temporary Event Notices to consider.

**Duration of the meeting:** 19:00 – 21:35

**Signed**

.....

**Chair of Committee**

Tuesday, 30th January, 2018

**Contact:**

Governance Services Officer:

Tel 020 8356 8407

This page is intentionally left blank

# 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><b>Step 1</b> <b>Appointment of Chair and introduction</b></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><b>Step 2</b> <b>Licensing Officer</b></p>	<p>The Licensing Officer will outline the report.</p>	<p>5 minutes</p>
<p><b>Step 3</b> <b>Applicant's Case</b></p>	<p>The Applicant will present their case in support of their application.</p>	<p>5 minutes</p>
<p><b>Step 4</b> <b>Responsible Authorities' Case</b></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><b>Step 5</b> <b>Other Persons' Case</b></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><b>Step 6</b> <b>Discussion</b></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><b>Step 7</b> <b>Closing remarks</b></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><b>Step 8 - Final clarification</b></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><b>Step 9</b> <b>Consideration</b></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><b>Step 10</b> <b>Chair announces the decision</b></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>

This page is intentionally left blank





<b>REPORT OF GROUP DIRECTOR, NEIGHBOURHOODS AND HOUSING</b>		
<b>LICENSING SUB-COMMITTEE:</b> 21/06/2018	<b>Classification DECISION</b>	<b>Enclosure</b>
<b>Application for a Premises Licence</b>  London Fields Primary School Play Ground, Westgate Street, E8 3RL	<b>Ward(s) affected</b>  London Fields	

## 1. SUMMARY

<b>Applicant(s)</b> The Spread Food Ltd	<b>In SPA No</b>
<b>Date of Application</b> 21/03/2018	<b>Period of Application</b> Permanent
<b>Proposed licensable activity</b> Supply of Alcohol (On and Off Premises)	
<b>Proposed hours of licensable activities</b> <b>Supply of Alcohol</b> <b>INDOOR:</b>	
	<b>Standard Hours:</b> Sat 10:00-16:00
<b>The opening hours of the premises</b> <b>INDOOR</b>	
	<b>Standard Hours:</b> Sat 10:00-16:00
<b>Capacity:</b> Not known	
<b>Policies Applicable</b>	LP3 (Operating Schedule), LP4 (Crime and Disorder), LP5 (Public Nuisance), LP6 (Protection of Children from Harm), LP8 (Public Safety)
<b>List of Appendices</b>	A – Application for a premises licence and supporting documents B — Representations from other persons C – Location map
<b>Relevant Representations</b>	<ul style="list-style-type: none"> <li>• Other Persons</li> </ul>

## 2. APPLICATION

- 2.1 **The Spread Food 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 removed the request for longer summer hours.

### 3. CURRENT STATUS / HISTORY

3.1 The premises are not currently licensed for any activity. Temporary Event Notices have been given as follows:

Start date	End date	Start time	End time
13/01/2018	13/01/2018	10.00	16.00
20/01/2018	20/01/2018	10.00	16.00
27/01/2018	27/01/2018	10.00	16.00
03/02/2018	03/02/2018	10.00	16.00
10/02/2018	10/02/2018	10.00	16.00
17/02/2018	17/02/2018	10.00	16.00
24/02/2018	24/02/2018	10.00	16.00
03/03/2018	03/03/2018	10.00	16.00
10/03/2018	10/03/2018	10.00	16.00
17/03/2018	17/03/2018	10.00	16.00
24/03/2018	24/03/2018	10.00	16.00
31/03/2018	31/03/2018	10.00	16.00
07/04/2018	07/04/2018	10.00	16.00
14/04/2018	14/04/2018	10.00	16.00
21/04/2018	21/04/2018	10.00	16.00

### 4. REPRESENTATIONS: RESPONSIBLE AUTHORITIES

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

## 5. REPRESENTATIONS: OTHER PERSONS

From	Details
7 representations received from and on behalf of local residents. (Appendices B1-B7)	Representation received on the grounds of The Prevention of Crime and Disorder, Public Safety, Prevention of Public Nuisance, The Protection of Children from Harm and Cumulative Impact.

## 6. GUIDANCE CONSIDERATIONS

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

## 7. POLICY CONSIDERATIONS

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

### **Door Supervision**

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

### **Conditions derived from operating schedule**

9. There shall be a personal licence holder on duty on the premises at all times when the premises are authorised to sell alcohol.

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

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

- a. All ejections of patrons
- b. Any complaints received.
- c. Any incidents of disorder.
- d. Seizure of drugs or offensive weapons.
- e. Any refusal of the sale of alcohol.
- f. Any visit by a relevant authority or emergency service.

12. Premises to operate zero tolerance policy to drugs and comply with Hackney Police and Council Community safety unit drugs and weapons policy where appropriate.

13. An adequate and appropriate supply of first aid equipment and materials shall be available on the premises.

14. All traders selling alcohol shall have a full and complete understanding of the legislation relating to the sales of alcohol to underage persons and drunken persons. There shall be written records that are signed by both the trader and the DPS and these records kept by the DPS on site and made available to police upon request.

15. The licence holder shall maintain a dedicated telephone number of the Designated Premises Supervisor for use by any Responsible Authority or any person who may wish to make a complaint. This contact number shall be provided to licensing authority, police and to any local residents upon request.

16. Male and Female SIA registered door supervisors to be employed on an operational risk assessment basis. All door supervisors shall enter their full details in the premises daily register at the commencement of their work. They shall record their full name, home address and contact telephone number, their SIA registration number, and the time they commence and conclude working. If the door supervisor was provided by an agency the name, registered business address and contact telephone number will also be recorded. This register will be made available to police or authorised officer immediately upon request.

17. All drinks sold on the premises will be served or decanted into plastic cups or containers.

18. All off sales of alcohol shall be in sealed containers and suitably packaged to take away.

19. Any music in the venue will be background music only which allows a normal face to face conversation.

20. The premises will have a written dispersal policy which will be kept on the premises and produced to police or authorised officer upon request.

21. There shall be no open containers, i.e. cups, bottles etc, containing alcohol taken from the premises onto the street at any time.

22. There shall be a maximum of 5 traders selling alcohol at any one time.

23. Anyone who is deemed to cause a repeated public nuisance will be refused the sale of alcohol. This will be recorded in the refusals book.

24. Off sales of alcohol shall be restricted to sealed bottles of wine or beer

25. Minimum unit pricing – as such that any sales of alcohol shall be charged at no less than 50p per unit of alcohol

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

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

28. In order to minimise the amount of time any waste remains on the public highway in readiness for collection, the Licensee will ensure the timeframe within which it may expect its waste carrier to collect is adhered to.

29. The Licensee shall instruct member of staff to make regular checks of the area immediately outside the premises and remove any litter, bottles and glasses emanating from the premises. A final check should be made at close of business.

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

## **9. REASONS FOR OFFICER OBSERVATIONS**

9.1 Conditions 9 to 22 have been proposed by the Police, 23 by Licensing, 24 and 25 by Public Health and 26 to 30 by Environmental Enforcement. All proposed conditions have 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.

<b>Group Director, Neighbourhoods and Housing</b>	Kim Wright
<b>Lead Officer (holder of original copy):</b>	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
<b>Office File:</b> London Fields Primary School Play Ground, Westgate Street, E8 3RL	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 The Spread Food Limited  
(Insert name(s) of applicant)

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

### Part 1 – Premises details

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

London Fields Primary School  
LONDON FIELDS PRIMARY SCHOOL  
WESTGATE STREET  
HACKNEY  
LONDON

**Post town**

**LONDON**

Postcode

E8 3RL

Telephone number at premises (if any)

Non-domestic rateable value of premises

£0

### 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)

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

**SECOND INDIVIDUAL APPLICANT** (if applicable)

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

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 The Spread Food Limited
Address 115 MARE STREET HACKNEY LONDON  E8 4RU UK-England
Registered number (where applicable) 09929699
Description of applicant (for example, partnership, company, unincorporated association etc.) 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  
21-04-2018

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)  
 The premises is a school playground that is used as a weekly farmers market with 30 stalls. We want two or three of our traders to be able to sell local wines and beers.

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)

	<b>Provision of regulated entertainment (please read guidance note 2)</b>	<b>Please tick any that apply</b>
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)	..
	<b>Provision of late night refreshment</b> (if ticking yes, fill in box L)	..
	<b>Supply of alcohol</b> (if ticking yes, fill in box J)	<input checked="" type="checkbox"/>

**In all cases complete boxes K, L and M**

**J**

<b>Supply of alcohol</b> Standard days and timings (please read guidance note 7)			<b>Will the supply of alcohol be for consumption – please tick</b> (please read guidance note 8)	On the premises	
				Off the premises	
Day	Start	Finish		Both	<input checked="" type="checkbox"/>
Mon			<b>State any seasonal variations for the supply of alcohol</b> (please read guidance note 5) We would like the option to stay open later from May-October on Saturdays 10:00 to 21:30		
Tue					
Wed					
Thur			<b>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</b> (please read guidance note 6)		
Fri					
Sat	10:00	16:00			
Sun					

**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):**

<b>Name</b> Mr Oliver Maitland Hundson
<b>Date of birth</b> ██████████
Address ██████████ ██████████ ██████████
Postcode   ██████████
Personal licence number (if known) ██████████
Issuing licensing authority (if known) ██████████ k

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).

L

<b>Hours premises are open to the public</b> Standard days and timings (please read guidance note 7)			<b>State any seasonal variations</b> (please read guidance note 5) We would like the option to stay open later from May-October on Saturdays 10:00 to 21:30
Day	Start	Finish	
Mon			<b>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</b> (please read guidance note 6)
Tue			
Wed			
Thur			
Fri			
Sat	10:00	16:00	
Sun			



**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)

Alcohol will not be served to anyone who is deemed to be intoxicated or disorderly  
Our site manager will be on the premises at all times and monitor the sale of alcohol  
We will have written guidelines on the sale of alcohol that our traders will have to sign  
We will have a refusals book that will be shared with our traders and updated regularly  
We will have weekly meetings with anyone selling alcohol to ensure responsible and legal sale and consumption  
We will adhere to the challenge 25 policy  
We will conduct risk assessments prior to every market and sale of alcohol  
No vehicles will be permitted on site during open hours  
No alcohol will be served in glass  
Our market manager will be first aid trained and have a fully stocked first aid kit  
We will have fire blankets and extinguishers on site at all times  
We have an evacuation procedure and safe meeting point  
No one who looks under the age of 25 will be served alcohol without an ID check  
Lost child meeting point

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

We will have a limited number of stalls serving local beers and wines for the customers of our market. We have a market manager on site at all times who will be briefed to monitor the sale of alcohol that is consumed on site.

We will be drawing up guidelines with our stall holders about the sale of alcohol and each trader who sells alcohol will adhere to the Challenge 25 Policy. Anyone traders in breach of this will be removed from our market.

Alcohol will not be sold to anyone who is intoxicated. We will have a refusal book to keep record of any customers who have been turned away in the event of an disorderly behaviour and this will be shared with all traders at the beginning of each trading day and throughout the day as necessary. Anyone who is acting in a disorderly manner will be asked to leave the site. In the unlikely event of any disorderly behaviour escalating, the authorities will be immediately notified.

We will have weekly meetings with our stall holders who sell alcohol to ensure these guidelines are being adhered to and to ensure that there are no issues that need to be addressed relating to the sale of alcohol.

**c) Public safety**

Public safety is of priority importance for our markets as they rely on being a pleasant and safe environment to come and spend the day. We have weekly meetings with our market manager to discuss all aspects of public safety and ensure it continues to be of primary importance.

Our market manager performs a daily risk assessment of the site to ensure it is a safe place for members of the public to shop/ eat/ relax.

No vehicles will be permitted on site within the opening hours of the market or while members of the public are present. No traders will be permitted to serve alcohol in glass. Our market manager will diligently ensure the site is clean at all times and the bins are emptied frequently.

Our market manager will be first aid trained and this will be kept up to date for the duration of our their employment. We have a well stocked first aid kit on site at all times. As part of our market manager safety kit we also have fire extinguishers and blankets in the unlikely event of a fire.

Our market manager is briefed on an evacuation procedure for the site and a meeting point in a safe area off site. Our market manager will be briefed to alert the relevant authorities in the unlikely event of a risk to public safety that cannot be simply resolved in house.

#### **d) The prevention of public nuisance**

Alcohol will not be served to anyone who is deemed to be causing a public nuisance or is intoxicated.

Anyone causing a public nuisance will be asked to leave the site.

Anyone who is deemed to cause a repeated public nuisance will be barred entry/ barred from alcohol sales and this will be recorded in our refusals book.

Our market manager will ensure that noise is kept to a minimum and that the site continues to provide a safe and friendly atmosphere where the public are welcome and come and spend the day.

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

Anyone who looks under the age of 25 will be asked to show a valid ID adhering to the Challenge 25 Policy.

Our markets have a lost child meeting point and the market manager is briefed on child safety.

No alcohol will be allowed to be consumed from glass on site.

We will add a child safety point to our in house risk assessment so that the protection of children from harm is focused on diligently at all times by our market manager.

**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.**

<b>Declaration</b>	<ul style="list-style-type: none"> <li>• [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).</li> <li>• The DPS named in this application form is entitled to work in</li> </ul>
--------------------	---

	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	Michael Norledge
Date	21/3/2018
Capacity	Company Owner

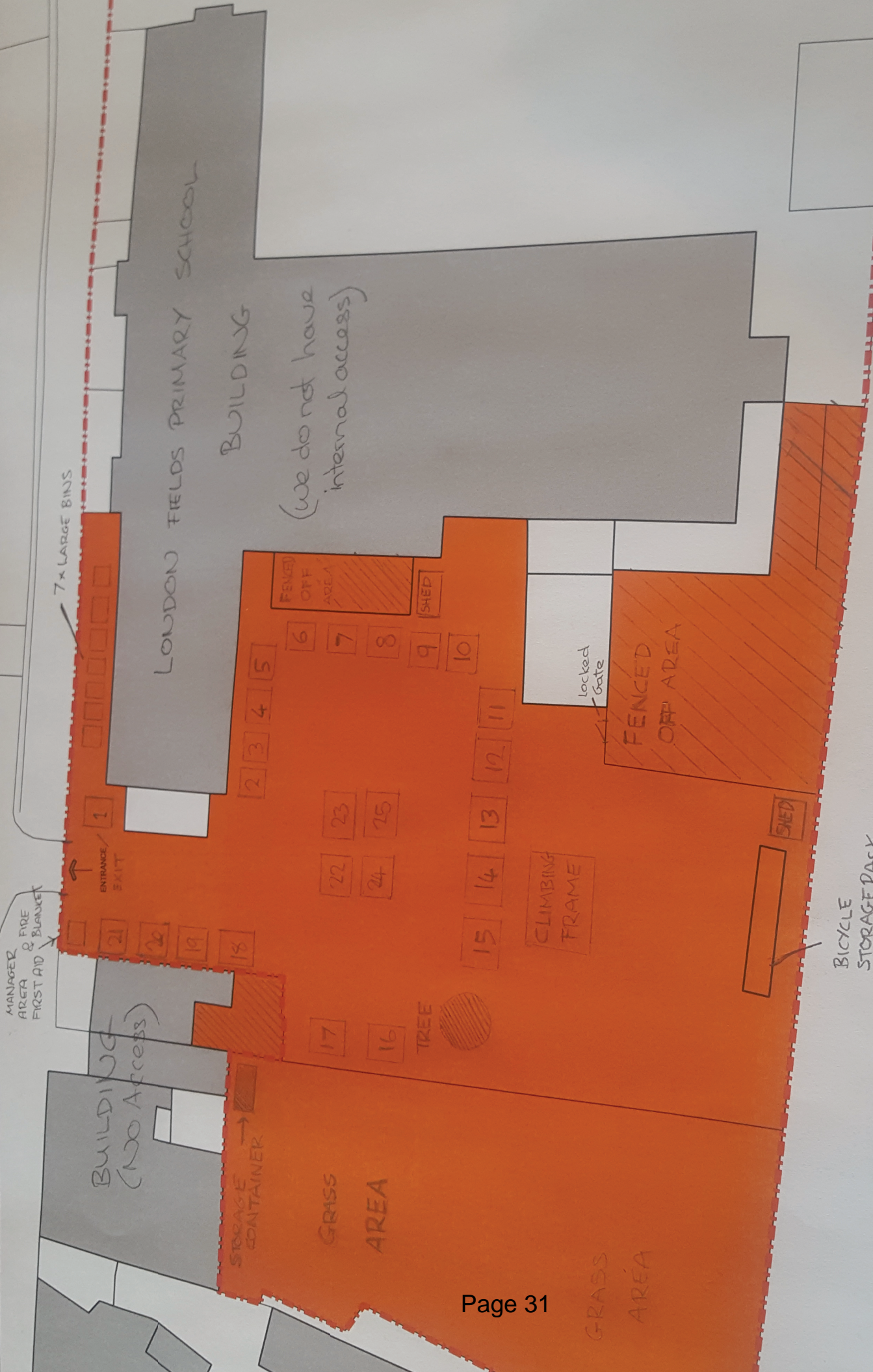
**For joint applications, signature of 2<sup>nd</sup> applicant or 2<sup>nd</sup> applicant's solicitor or other authorised agent (please read guidance note 13). If signing on behalf of the applicant, please state in what capacity.**

Signature	
Date	21/3/2018
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:



SITE LOCATION

- NUMBERS

1-25 = GAZEBO PITCHES



PROJECT TITLE		SCALE	REVISION
London Fields Primary School, Hackney		1:100 @ A0	-
SPREAD MARKET		DATE	DATE
Site Layout		02.03.18	02.03.18
PROJECT NUMBER	DRAWING NUMBER	REVISION	
(00)AP100			

<table border="1"> <tr> <td>DRAWN</td> <td>CHECKED</td> <td>DATE</td> </tr> <tr> <td></td> <td></td> <td></td> </tr> </table>	DRAWN	CHECKED	DATE				<table border="1"> <tr> <td>REVISION / DESCRIPTION</td> <td>DATE</td> </tr> <tr> <td></td> <td></td> </tr> </table>	REVISION / DESCRIPTION	DATE		
DRAWN	CHECKED	DATE									
REVISION / DESCRIPTION	DATE										

<table border="1"> <tr> <td>DRAWN</td> <td>CHECKED</td> <td>DATE</td> </tr> <tr> <td></td> <td></td> <td></td> </tr> </table>	DRAWN	CHECKED	DATE				<table border="1"> <tr> <td>REVISION / DESCRIPTION</td> <td>DATE</td> </tr> <tr> <td></td> <td></td> </tr> </table>	REVISION / DESCRIPTION	DATE		
DRAWN	CHECKED	DATE									
REVISION / DESCRIPTION	DATE										

<table border="1"> <tr> <td>DRAWN</td> <td>CHECKED</td> <td>DATE</td> </tr> <tr> <td></td> <td></td> <td></td> </tr> </table>	DRAWN	CHECKED	DATE				<table border="1"> <tr> <td>REVISION / DESCRIPTION</td> <td>DATE</td> </tr> <tr> <td></td> <td></td> </tr> </table>	REVISION / DESCRIPTION	DATE		
DRAWN	CHECKED	DATE									
REVISION / DESCRIPTION	DATE										

<table border="1"> <tr> <td>DRAWN</td> <td>CHECKED</td> <td>DATE</td> </tr> <tr> <td></td> <td></td> <td></td> </tr> </table>	DRAWN	CHECKED	DATE				<table border="1"> <tr> <td>REVISION / DESCRIPTION</td> <td>DATE</td> </tr> <tr> <td></td> <td></td> </tr> </table>	REVISION / DESCRIPTION	DATE		
DRAWN	CHECKED	DATE									
REVISION / DESCRIPTION	DATE										

**From:** [REDACTED]  
**Sent:** 18 April 2018 16:06  
**To:** Licensing  
**Subject:** OBJECTION to Application Number 094676

Dear Hackney Licensing,

Spread Food Limited has applied for a Premises license till 9.30pm at night for the London Fields Primary School Yard, Westgate Street E8 3RL under Application Number 094676.

I understand that the Police and Hackney Enforcement team have submitted an objection to this application. In consultation with the London Fields Safer Neighbourhood Ward Panel, the London Fields User Group strongly object to the proposal to increase the opening hours of the London Fields School Yard Market run by Spread Food Ltd. and to commence serving of alcohol up to 21:30 on Saturdays during the summer.

There is now a saturation of licensed premises and shops selling alcohol on Broadway Market and issues of anti-social behaviour (ASB) and late night volume of people, especially in the summer months, are now widespread and pressing. No more licensing should be allowed in the area.

Specifically, the proposed license is not acceptable for these reasons:

Procedurally, the end date of the objection period advertisement on the school gates conflicts with the end date for the consultation period or the licensing application register (18/04/08 on the Register vs 19/04/08 on the advertisement).

The proposed later opening of the market, combined with the sale of alcohol will contribute to increased anti-social behaviour.

There are already issues with barbecues, noise and alcohol consumption on London Fields. The late opening of the School Market will contribute further to these problems.

Music and crowd noise from the proposed extended market will also contribute to noise for residents of Broadway Market and surrounding streets. Music noise is already an issue with live music in the schoolyard

already louder than that on the street side, which has on occasion caused distress to residents. Though acceptable during the day, this is untenable in the evenings.

If the market hours are to be extended \*only occasionally\* then the TEN system which would be beneficial as it would likely place a more sensible restriction on the numbers involved than a premises license and ensure the use of the space was limited.

The premises are surely under the D1 planning use class for school premises and a planning application would be required.

It will further encourage the aggressive begging which already takes place in the local area.

We note that a key criteria of the Licensing Act 2003 is protection of children: Given the potential for drunkenness and anti-social behaviour which will be brought into the school grounds from the local area through the afternoon and early evening - a time when children may visit for school activities - this should not be acceptable under the Act.

Please reject this application.

Yours sincerely,

██████████ Chair of and on behalf of the London Fields User Group

██████████  
██████████  
████████████████████  
████████████████████



**From:** [REDACTED]  
**Sent:** 18 April 2018 17:03  
**To:** Licensing  
**Subject:** License for LF schoolyard.

Spread Food by virtue of It's title implies the sale of food and only food, not alcoholic beverages. To suggest the sale of alcohol on school premises suggests to me that this firm does not understand the word school and the reasons for it's existence. This application should be rejected out of hand and the company should be sent back to school for a proper education.

[REDACTED]

Get [Outlook for Android](#)

**From:** [REDACTED]  
**Sent:** 18 April 2018 17:29  
**To:** Licensing  
**Cc:** [REDACTED]  
**Subject:** OBJECTION to Application Number 094676

Dear Hackney Licensing,

Spread Food Limited has applied for a Premises license till 9.30pm at night for the London Fields Primary School Yard, Westgate Street E8 3RL under Application Number 094676.

I understand that the Police and Hackney Enforcement team have submitted an objection to this application. In consultation with the London Fields User Group and London Fields Safer Neighbourhood Panel – which includes our London Fields SNT Police, we strongly object to the proposal to increase the opening hours of the London Fields School Yard Market run by Spread Food Ltd. and to commence serving of alcohol up to 21:30pm on Saturdays during the summer.

There is now a saturation of licensed premises and shops selling alcohol on Broadway Market and issues of anti-social behaviour (ASB) and late night volume of people, excessive noise nuisance from both Music and sheer volume of people especially in the summer months are now widespread and pressing. No more licensing should be allowed in the area.

Specifically, the proposed license is not acceptable for these reasons:

Procedurally, the end date of the objection period advertisement on the school gates conflicts with the end date for the consultation period or the licensing application register (18/04/08 on the Register vs. 19/04/08 on the advertisement).

The proposed later opening of the market, combined with the sale of alcohol will contribute to increased anti-social behaviour and noise nuisance.

There are already issues with barbecues, noise and alcohol consumption on Broadway Market and London Fields. The late opening of the School Market will contribute further to these problems.

Music and crowd noise from the proposed extended market will also contribute to noise for residents of Alden House and Broadway Market and surrounding streets. Music noise is already an issue with live music in the schoolyard already louder than that on the street side, which has on occasion caused distress to residents. Though acceptable during the day, this is untenable in the evenings.

If the market hours are to be extended \*only occasionally\* then the TEN system which would be beneficial as it would likely place a more sensible restriction on the numbers involved than a premises license and ensure the use of the space was limited.

The premises are surely under the D1 planning use class for school premises and a planning application would be required.

It will further encourage the aggressive begging which already takes place in the local area.

We note that a key criteria of the Licensing Act 2003 is protection of children: Given the potential for drunkenness and anti-social behaviour which will be brought into the school grounds from the local area through the afternoon and early evening - a time when children may visit for school activities - this should not be acceptable under the Act.

Please reject this application.

Yours sincerely,

[Redacted] Chair of and on behalf of London Fields Safer Neighbourhood Panel

--

[Redacted]

[Redacted]

[Redacted]

[Redacted]

[Redacted]

[Redacted]

[Redacted]

**From:** [REDACTED]  
**Sent:** 18 April 2018 17:38  
**To:** Licensing  
**Subject:** OBJECTION to Application Number 094676

Dear Hackney Licensing,

Spread Food Limited has applied for a Premises license till 9.30pm at night for the London Fields Primary School Yard, Westgate Street E8 3RL under Application Number 094676.

We understand that the Police and Hackney Enforcement team have submitted an objection to this application. We strongly object to the proposal to increase the opening hours of the London Fields School Yard Market run by Spread Food Ltd. and to commence serving of alcohol up to 21:30pm on Saturdays during the summer.

There is now a saturation of licensed premises and shops selling alcohol on Broadway Market and issues of anti-social behaviour (ASB) and late night volume of people, excessive noise nuisance from both Music and sheer volume of people especially in the summer months are now widespread and pressing. No more licensing should be allowed in the area.

Specifically, the proposed license is not acceptable for these reasons:

Procedurally, the end date of the objection period advertisement on the school gates conflicts with the end date for the consultation period or the licensing application register (18/04/08 on the Register vs. 19/04/08 on the advertisement).

The proposed later opening of the market, combined with the sale of alcohol will contribute to increased anti-social behaviour and noise nuisance.

There are already issues with barbecues, noise and alcohol consumption on Broadway Market and London Fields. The late opening of the School Market will contribute further to these problems.

Music and crowd noise from the proposed extended market will also contribute to noise for residents of Alden House and Broadway Market and surrounding streets. Music noise is already an issue with live music in the schoolyard already louder than that on the street side, which has on occasion caused distress to residents. Though acceptable during the day, this is untenable in the evenings.

The premises are surely under the D1 planning use class for school premises and a planning application would be required.

It will further encourage the aggressive begging which already takes place in the local area.

We note that a key criteria of the Licensing Act 2003 is protection of children: Given the potential for drunkenness and anti-social behaviour which will be brought into the school grounds from the local area through the afternoon and early evening - a time when children may visit for school activities - this should not be acceptable under the Act.

Please reject this application.

Yours sincerely,

[REDACTED]

Residents of [REDACTED] Croston Street, [REDACTED]

██████████  
██████████ Broadway Market,  
London,  
E8 ██████████  
18/04/18

Re: Licensing Application – London Field’s School

As a nearby resident I strongly object to the proposal to increase the opening hours of the School yard market and to commence serving of alcohol up to 21:30 on Saturdays during the summer a number of reasons which are outlined below.

The proposed license is not acceptable for a number of reasons;

- Procedurally, the end date of the objection period advertisement on the school gates conflicts with the end date for the consultation period or the licensing application register (18/04/08 on the Register vs 19/04/08 on the advertisement).
- The proposed later opening of the market, combined with the sale of alcohol will contribute to increased anti-social behaviour. There are already social problems associated with the nearby off-licenses which routinely breach license terms by opening bottles for customers.
- There are already issues with barbecues, noise and alcohol consumption on London Fields. The late opening of the Market will contribute further to these problems.
- It will contribute to noise for residents of Broadway Market. Because of the significant break-out noise from the Cat & Mutton and Off Broadway combined with outside drinker’s behaviour on Broadway Market we value the quiet to the rear of the street. The only windows that can happily be opened on a warm summer evening are those to the rear and this would certainly be disrupted by music and crowd noise from the proposed extended market throughout the summer months. Are we supposed to keep all windows closed in the Summer? This would be unbearable.
- Music noise is already an issue with live music in the schoolyard already louder than that on the street side, which has on occasion caused distress. We accept this during the day, however it may cause distress in the evenings.
- If the market hours are to be extended only occasionally then the TEN system which would be beneficial as it would likely place a more sensible restriction on the numbers involved than a premises license.
- Assumedly the premises are under the D1 planning use class for school premises and a planning application would be required.
- It will further encourage the aggressive begging which already takes place in the local area.
- I would note that a key criteria of the licensing act 2003 is protection of children - Given the level of drunkenness and anti-social behaviour which will be brought into the school grounds from the local area, through the afternoon and early evening - a time when children may visit - is this really acceptable. At very least it should not be acceptable to the school or Hackney council.

I would expect this application to be rejected for the numerous reasons set out above.

Yours Sincerely,

██████████  
██████████

London Borough of Hackney	
<b>Hackney</b>	
LICENSING SERVICE	
18 APR 2018	
Duty Officer Demi	Acknowledged

**From:** [REDACTED]  
**Sent:** 18 April 2018 19:43  
**To:** Licensing; Pollution Support  
**Subject:** London Fields School  
**Attachments:** School Objection.docx

Dear Sirs

Re an application for London Fields School

I absolutely agree with everything stated by my neighbor [REDACTED] Email enclosed.

I am [REDACTED] at [REDACTED] Broadway Market. Owner of freehold property and my home. I strongly object to this application. We have noise and drunks constantly and the police are called on a regular basis. This school started As a Vegan market now it wants to open until 9.30 pm selling alcohol. More loud crowds more antisocial behavior. What about the residents? The crowds in the barbecue area will just congregate and drink and it will be an out of control party. We have as residents such a miserable time with the over granting of licenses to so many premises on Broadway Market. The highest in the whole of London.

Please Hackney for once think of us residents and the children and the local people.

I strongly object to this license being granted and agree with every word of the enclosed email from Mr. [REDACTED]

Yours faithfully

[REDACTED]

Sent from my iPad

**From:** [REDACTED]  
**Sent:** 18 April 2018 21:13  
**To:** Licensing  
**Subject:** Application for licence at London Field's School

Re: Licensing Application No. 094676 – London Field's Primary School

I have just heard of this application today and as local residents my family and I are completely against any more licenses being given out in this area. There are already enough places selling booze, we don't need any more.

During the summer months we are bombarded with anti social behaviour - the noise, nuisance and mess from London Fields BBQ's, and all the drinking going on around the Broadway and spilling into the surrounding streets.

The amount of places now selling alcohol in this area must surely now be at saturation level.

We have people vomiting, urinating and worse in the street, and there doesn't seem any limit to the times the corner shops are allowed to sell alcohol - different to the pubs which at least clear up after their customers and provide toilets.

When these people leave all their mess it looks like a war zone, and I don't know why we have to pay for the clean up out of our Council Tax, we don't make the mess. Whoever is making money out of allowing all these licenses is no help to us.

We - long standing residents - just get the nuisance of it and I don't see why the Council allows all these licences.

The amount of people coming into this area also attract aggressive begging, drug taking and all sorts of crime and muggings.

If London Fields School is also licensed it will mean just more noise and nuisance in the area.

Also, Lansdowne Drive/Westgate Street often comes to a complete stop at the crossing (with a lot of hooting involved and the buses can't get along either) now with people wandering across the road, so the last thing we need is something

attracting more people into this area.

Surely local residents deserve some peace and quiet during the summer months without all the mess and noise, so please reject this application.

Yours sincerely

[REDACTED]



# APPENDIX C



This page is intentionally left blank



<b>REPORT OF THE GROUP DIRECTOR, NEIGHBOURHOODS AND HOUSING</b>		
<b>LICENSING SUB-COMMITTEE:</b> 21/06/2018	<b>Classification</b>  DECISION	Enclosure
<b>APPLICATION TO VARY THE PREMISES LICENCE :</b> Bull in a China Shop, 196 Shoreditch High Street, E1 6LG	<b>Ward(s) affected</b>  Hoxton East & Shoreditch	

**1. SUMMARY**

<b>Applicant(s)</b> Stephen Chan	<b>In SPA :</b> Not applicable								
<b>Date of Application</b> 27 April 2018	<b>Period of Application</b> Permanent								
<b>Proposed variation:</b> To remove and replace conditions relating to the use of outside areas at the premises.									
<b>Proposed hours for licensable activity</b> No change to existing									
<b>The opening hours of the premises:</b> <table style="margin-left: auto; margin-right: 0;"> <tr><td><b>Standard Hours:</b></td></tr> <tr><td>Mon 07:00-00:00</td></tr> <tr><td>Tue 07:00-00:00</td></tr> <tr><td>Wed 07:00-00:00</td></tr> <tr><td>Thu 07:00-00:00</td></tr> <tr><td>Fri 07:00-00:30</td></tr> <tr><td>Sat 07:00-00:30</td></tr> <tr><td>Sun 07:00-00:00</td></tr> </table>		<b>Standard Hours:</b>	Mon 07:00-00:00	Tue 07:00-00:00	Wed 07:00-00:00	Thu 07:00-00:00	Fri 07:00-00:30	Sat 07:00-00:30	Sun 07:00-00:00
<b>Standard Hours:</b>									
Mon 07:00-00:00									
Tue 07:00-00:00									
Wed 07:00-00:00									
Thu 07:00-00:00									
Fri 07:00-00:30									
Sat 07:00-00:30									
Sun 07:00-00:00									
<b>Current activities/hours:</b> See current licence attached as Appendix D									
<b>Capacity:</b> not known									
<b>Policies Applicable</b>	LP3 (Operating Schedule), LP4 (Crime and Disorder), LP5 (Public Nuisance), LP6 (Protection of Children from Harm), LP8 (Public Safety) and LP15 (Cumulative Impact)								
<b>List of Appendices</b>	A – Application for variation of premises licence and supporting documents B – Representations from responsible authorities C – Representations from ‘other persons’ D – Current Licence E – Location map								

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

## 2. APPLICATION

2.1 Stephen Chan has made an application vary their premises licence under the Licensing Act 2003:

- To remove and replace conditions relating to the use of outside areas.

2.2 The application is attached as Appendix A. The applicant has proposed removing conditions from the current licence and replacing as detailed in paragraph 8.1 below.

## 3. CURRENT STATUS / HISTORY

3.1 The current premises licence was granted by Licensing Sub-Committee on 20<sup>th</sup> November 2014.

3.2 Temporary Event Notices have given for outside yard area in last twelve months at this premises as follows.

<b>Date of the event(s)</b>	<b>Hours</b>
26/05/18-28/05/18	12:00-22:00
05/05/18-07/05/18	12:00-22:00
25/08/17-28/08/17	12:00-22:00
18/08/17-20/08/17	12:00-22:00
11/08/17-13/08/17	12:00-22:00
04/08/17-06/08/17	12:00-22:00
14/07/17-16/07/17	12:00-21:00
30/06/17-02/07/17	12:00-21:30
17/06/17	14:00-22:00

## 4. REPRESENTATIONS: RESPONSIBLE AUTHORITIES

<b>From</b>	<b>Details</b>
Environmental Health Authority (Environmental Protection) (Appendix B1)	Representation received on the grounds of the prevention of public nuisance.
Environmental Health Authority (Environmental Enforcement)	No representation received.
Environmental Health Authority (Health & Safety)	No representation received.
Weights and Measures (Trading Standards)	No representation received.
Planning Authority	Have confirmed no representation on this application.

Area Child Protection Officer	Have confirmed no representation on this application.
Fire Authority	Have confirmed no representation on this application.
Police (Appendix B2)	Representation received on the grounds of The Prevention of Crime and Disorder, Public Safety and Prevention of Public Nuisance.
Licensing Authority (Appendix B3)	Representation received on the grounds of The Prevention of Crime and Disorder and Prevention of Public Nuisance.
Health Authority	No representation received.

## 5. REPRESENTATIONS: OTHER PERSONS

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

## 6. GUIDANCE CONSIDERATIONS

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

## 7. POLICY CONSIDERATIONS

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

## 8. OFFICER OBSERVATIONS

- 8.1 If the Sub-Committee is minded to approve the application, the following amendments should be made to the current licence:

### Existing Condition to be removed

Glass bottles shall not be removed from the premises by patrons when leaving.

### Proposed Condition to be added

Glass bottles shall not be removed from the premises by patrons when leaving, other than patrons who have been provided with a glass bottle inside the premises by a waiter /waitress, and then carries the bottle to one of the outside areas mentioned in these conditions

### **Existing Condition to be removed**

Patrons will not be allowed to take drinks, glass or open containers outside of the premises at any time.

### **Proposed Condition to be added**

Patrons will not be allowed to take drinks, glass or open containers outside of the premises at any time, other than patrons who have been provided with a glass bottle inside the premises by a waiter / waitress, and then carries the bottle to one of the outside areas mentioned in these conditions.

### **Existing Conditions to be removed**

Except for patrons smoking, the outside areas shall not be used.

#### **And**

There will be no more than 5 patrons smoking outside the premises at any one time. This will be monitored by staff.

### **Proposed Condition to be added**

The outside shown edged green, being the enclosed courtyard to the rear of the premises can be used by customers up until 22:00 for the consumption of alcohol and food. After 22:00, only persons smoking (and limited to no more than 5 in total outside the premises in any outside area) shall be permitted.

The area immediately outside to the front of the premises and edged in red, can be used by customers up until 21:00 for the consumption of alcohol and food. After 21:00, only persons smoking (and limited to no more than 5 in total outside the premises in any outside area) shall be permitted.

The area shown edged in yellow, to the front of the premises towards the railway bridge, can be used by customers up until 18:00 for the consumption of alcohol and food.

## **9. REASONS FOR OFFICER OBSERVATIONS**

- 9.1 The applicant is seeking the above amendments. No alternative wording is proposed by Responsible Authorities.

## **10. LEGAL COMMENTS**

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

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

## 11. HUMAN RIGHTS ACT 1998 IMPLICATIONS

11.1 There are implications to;

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

## 12. MEMBERS DECISION MAKING

### A. Option 1

**That the application be refused**

### B. Option 2

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

## 13. CONCLUSION

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

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

## LIST OF BACKGROUND PAPERS RELATING TO THIS REPORT

The following document(s) has been relied upon in the preparation of the report.

<b>Description of document</b>	<b>Location</b>
Bull in a China Shop 196 Shoreditch High Street, E1 6LG	Hackney Service Centre Licensing Service 1 Hillman Street London E8 1DY

### **Printed matter**

Licensing Act 2003

LBH Statement of Licensing Policy

## Hackney London Borough Council

### 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.

We Stephen Chan

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

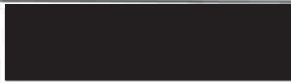

<b>Premises licence number</b> 064154
--

#### Part 1 – Premises Details

<b>Postal address of premises or, if none, ordnance survey map reference or description</b>			
Bull in a China Shop 196 Shoreditch High Street			
<b>Post town</b>	London	<b>Post code</b>	E1 6LG

Telephone number at premises (if any)	
Non-domestic rateable value of premises	£71,000

#### Part 2 – Applicant details

<b>Daytime contact telephone number</b>	
<b>E-mail address (optional)</b>	
<b>Current residential address if different from premises address</b>	
<b>Post Town</b>	London
<b>Postcode</b>	



**Part 3 - Variation**

Please tick yes

Do you want the proposed variation to have effect as soon as possible?

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

Day			Month			Year		

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 read guidance note 2)

The variation is to remove and replace conditions relating to the use of outside areas at the premises.

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

N/A

**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 read 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)

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

**In all cases complete boxes K, L and M**

**A**

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

**B**

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

**C**

<b>Indoor sporting events</b> Standard days and timings (please read guidance note 8)			Please give further details (please read guidance note 5)
Day	Start	Finish	
Mon			State any seasonal variations for indoor sporting events (please read guidance note 6)
Tue			
Wed			
Thur			Non standard timings. Where you intend to use the premises for indoor sporting events at different times to those listed in the column on the left, please list (please read guidance note 7)
Fri			
Sat			
Sun			

**D**

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

**E**

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

**F**

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

**G**

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

**H**

<b>Anything of a similar description to that falling within (e), (f) or (g)</b> Standard days and timings (please read guidance note 8)			<b>Please give a description of the type of entertainment you will be providing</b>			
Day	Start	Finish	<b>Will this entertainment take place indoors or outdoors or both – please tick</b> (please read guidance note 4)		Indoors	<input type="checkbox"/>
Mon					Outdoors	<input type="checkbox"/>
					Both	<input type="checkbox"/>
Tue			<b>Please give further details here</b> (please read guidance note 5)			
Wed						
Thur			<b>State any seasonal variations for entertainment of a similar description to that falling within (e), (f) or (g)</b> (please read guidance note 6)			
Fri						
Sat			<b>Non standard timings. Where you intend to use the premises for the entertainment of a similar description to that falling within (e), (f) or (g) at different times to those listed in the column on the left, please list</b> (please read guidance note 7)			
Sun						

**I**

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

**J**

<b>Supply of alcohol</b> Standard days and timings (please read guidance note 8)			<b>Will the supply of alcohol be for consumption (Please tick box)</b> (please read guidance note 9)	On the premises	<input type="checkbox"/>
				Off the premises	<input type="checkbox"/>
				Both	<input type="checkbox"/>
Day	Start	Finish	<b>State any seasonal variations for the supply of alcohol</b> (please read guidance note 6)		
Mon					
Tue					
Wed					
Thur					
Fri			<b>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</b> (please read guidance note 7)		
Sat					
Sun					

**K**

<b>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</b> (please read guidance note 8)
<b>None</b>

**L**

<b>Hours premises are open to the public</b> Standard days and timings (please read guidance note 8)			<b>State any seasonal variations</b> (please read guidance note 6)
Day	Start	Finish	
Mon	0700	0000	
Tue	0700	0000	
Wed	0700	0000	
Thur	0700	0000	
Fri	0700	0030	
Sat	0700	0030	
Sun	0700	0000	<b>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</b> (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  
Replacing conditions – see Licensing Objectives below.

Please tick yes

- 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 failed to enclose the premises licence or relevant part of premises licence  
The original premises licence cannot be located.

**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,e)** (please read guidance note 11)

As in box b)

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

**Existing Condition to be removed**

Glass bottles shall not be removed from the premises by patrons when leaving.

**Proposed Condition to be added**

Glass bottles shall not be removed from the premises by patrons when leaving, other than patrons who have been provided with a glass bottle inside the premises by a waiter / waitress, and then carries the bottle to one of the outside areas mentioned in these

conditions.

**Existing Condition to be removed**

Patrons will not be allowed to take drinks, glass or open containers outside of the premises at any time.

**Proposed Condition to be added**

Patrons will not be allowed to take drinks, glass or open containers outside of the premises at any time, other than patrons who have been provided with a glass bottle inside the premises by a waiter / waitress, and then carries the bottle to one of the outside areas mentioned in these conditions.

**Existing Conditions to be removed**

Except for patrons smoking, the outside areas shall not be used.

And

There will be no more than 5 patrons smoking outside the premises at any one time. This will be monitored by staff.

**Proposed Condition to be added**

The outside shown edged green, being the enclosed courtyard to the rear of the premises can be used by customers up until 22:00 for the consumption of alcohol and food. After 22:00, only persons smoking (and limited to no more than 5 in total outside the premises in any outside area) shall be permitted.

The area immediately outside to the front of the premises and edged in red, can be used by customers up until 21:00 for the consumption of alcohol and food. After 21:00, only persons smoking (and limited to no more than 5 in total outside the premises in any outside area) shall be permitted.

The area shown edged in yellow, to the front of the premises towards the railway bridge, can be used by customers up until 18:00 for the consumption of alcohol and food.

**c) Public safety**

As in box b)

**d) The prevention of public nuisance**

As in box b)

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

As in box b)

Please tick yes

- I have made or enclosed payment of the fee or
- I have not made or enclosed payment of the fee because this application has been made in relation to the introduction of the late night levy
- I have sent copies of this application and the plan to responsible authorities and others where applicable
- I understand that I must now advertise my application
- I have enclosed the premises licence or relevant part of it or explanation
- I understand that if I do not comply with the above requirements my application will be rejected



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

**Part 5 – Signatures** (please read guidance note 12)

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

Signature	[Redacted]
Date	27 April 2018
Capacity	Poppleston Allen – Solicitors for & on behalf of the applicant

**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	

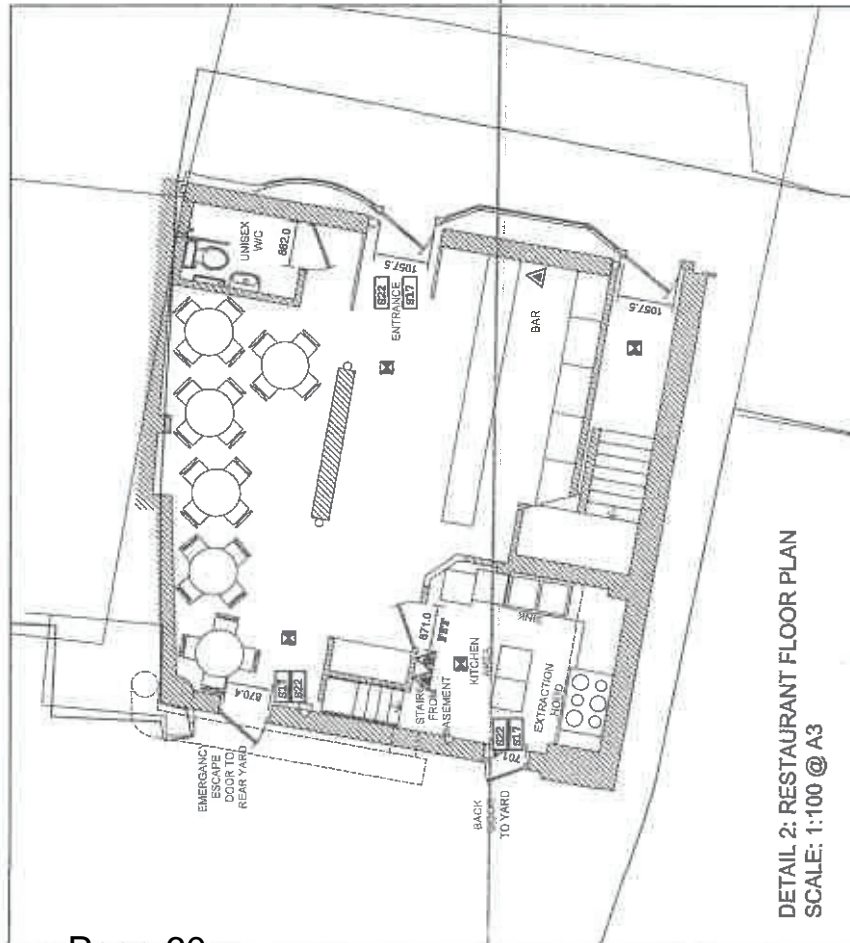
<b>Contact name (where not previously given) and address for correspondence associated with this application (please read guidance note 15)</b>			
[Redacted] Poppleston Allen Solicitors [Redacted]			
Post town	[Redacted]	Post code	[Redacted]
Telephone number (if any)	[Redacted]		
If you would prefer us to correspond with you by e-mail your e-mail address (optional) c.barwell@popall.co.uk			

**Notes for Guidance**

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

1. You do not have to pay a fee if the only purpose of the variation for which you are applying is to avoid becoming liable for the late night levy
2. Describe the premises. For example the type of premises, its general situation and layout and any other information which could be relevant to the licensing objectives. Where your application includes off-supplies of alcohol and you intend to provide a place for consumption of these off-supplies you must include a description of where the place will be and its proximity to the premises.

DETAIL 1: GROUND FLOOR PLAN  
SCALE: 1:150 @ A3



DETAIL 2: RESTAURANT FLOOR PLAN  
SCALE: 1:100 @ A3

All dimensions to be checked on site.  
Do not scale off this drawing.  
All dimensions are shown in millimetres unless otherwise indicated.  
IF IN DOUBT ASK

NO	REVISION	DATE	BY
1	ISSUED FOR APPROVAL	15/10/14	MR
2	FOR SUBMITTAL TO LOCAL AUTHORITY	15/10/14	MR
3	FOR SUBMITTAL TO LOCAL AUTHORITY	15/10/14	MR

KEY:

- From Fire Extinguisher
- Carbon Dioxide Fire Extinguisher
- Secure door open when premises are occupied
- Fire Exit
- Free From Obstruction
- Area of Assembly Activities
- Area covered with a system of Escape Lighting

RECEIVED IN SUPPORT  
BUSINESS IMPROVEMENT  
- 2 OCT 2014  
LONDON BUSINESS UNIT 23



196 Shoreditch High Street,  
London, E1 6JG

Bull In A China Shop  
Floor Plans

Drawn By	APPROVAL
Scale	1:100 @ A3
Date	26/07/14
Rev Number	01
Project Number	ARB070
Client Name	70-00
Revision	01

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

**RESPONSIBLE AUTHORITY DETAILS**

NAME OF AUTHORITY	London Borough of Hackney
ADDRESS OF AUTHORITY	Environmental Protection Team, First Floor Hackney Service Centre 1 Hillman Street London E8 1DY
CONTACT NAME	Olalekan Olaosebikan
TELEPHONE NUMBER	020 8356 4658
E-MAIL ADDRESS	<a href="mailto:olalekan.olaosebikan@hackney.gov.uk">olalekan.olaosebikan@hackney.gov.uk</a>

**APPLICATION PREMISES**

NAME & ADDRESS OF PREMISES	Bull in China 196 Shoreditch High Street London E1 6LG
REFERENCE	Premises licence number LBH-PRE-T-
NAME OF LICENCE HOLDER/ DESIGNATED PREMISES SUPERVISOR	

**COMMENTS**

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

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

**Representation in relation to:**

The prevention of public nuisance **LP5:**

Environmental Protection Team will be objecting to the application for a premises license for Bull in China 196 Shoreditch High Street London E1 6LG and wish to make a representation.

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

**LP5 Public Nuisance:**

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

(a) Propose the hours of use and the number of patrons that will be using the rear of the premises at any one time.

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

Environmental Protection Team is concerned that the request to use the rear of the premises until 22:00 may cause noise nuisance to the local residents and also as the applicant has not provided us with the number of patrons that will be using the space at any one time. Therefore we will be asking the applicant to reconsider keeping the rear of the premises for customer until 22:00 and also to provide us with reasonable number of patrons that will be using the space at any one time.

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

The applicant's representative is welcomed to contact Olalekan Olaosebikan or Environmental Protection Team to discuss the application further.

Signed

Name: Olalekan Olaosebikan

Date: 25<sup>th</sup> May 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	<b>Bull in a China Shop 196 Shoreditch High Street London E1 6LG</b>
NAME OF PREMISES USER	<b>Stephen CHAN</b>

**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 BULL IN A CHINA SHOP, 196 SHOREDITCH HIGH STREET, LONDON, E1 6LG for the following reason(s):

This premises is situated on the edge of the Shoreditch Special Policy Area and has a very high footfall throughout the day and night. Shoreditch has an incredibly busy night time economy and is visited by thousands of people each night.

This application causes police some concern. The areas outlined in red, yellow and green make the premises at least three times bigger as it is right now. The outside areas were specifically excluded from the premises licence when it was first granted, and as this area is developed and the new hotel and Shoreditch Village is built, the area will be even busier.

The yellow area in particular is of concern. This area is completely out of sight of any staff members in the premises. Part of it is set back behind the premises building line. How is it going to be monitored? How many people will be permitted to sit in this area?

The green area is set behind the premises. Is the only access to this space through the premises or is there an entrance/exit onto the road from another point? What is the capacity of the space? Will everybody be seated?

The red area is set outside the front of the venue. How many customers can sit in this area? Does the red line around this area on the plan extend to the roadside?

Police would like to visit the applicant on site to discuss the application in more detail and to ensure that the licensing objectives are not being undermined.

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

Application submitted.

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

Signed PC 691GD RYAN (By E-mail)

Name (printed)

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

**RESPONSIBLE AUTHORITY DETAILS**

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

**APPLICATION PREMISES**

NAME & ADDRESS OF PREMISES	Bull in a China Shop 196 Shoreditch High Street London E1 6HG
NAME OF APPLICANT	Stephen Chan

**COMMENTS**

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

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

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

- The premises is located in Shoreditch which is a key NTE area in London, with a large number of licensed premises attracting high volumes of people.
- As a result, the Service receives general complaints of noise and other associated forms of anti-social behaviour.
- The proposed activities at this site 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 extension of the premises into the external areas could impact on the free flow of pedestrians in an area of high footfall.

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.

- Useful if the applicant could demonstrate that discussions have begun in relation to permission from the Markets and Shop Front Trading Service and/or Transport for London in relation to any use of the public highway on Shoreditch High Street. This would assist in addressing any concerns in relation to free-flow of pedestrians.
- No tables/seating shown in any of the proposed new areas, therefore it is not possible to ascertain the additional capacity.
- Clarification in relation to the use of the word “premises”. “Premises” is defined in s193 of Licensing Act 2003. The applicant seeks to add the new areas to the current “premises”, therefore some of the revised conditions as proposed may need to be assessed further.
- Further points may arise in discussion with the applicant/solicitor.

**Name:**

David Tuitt

(Business Regulation Team Leader - Licensing and Technical Support)

**Date:** 23/05/2018



**Shan Uthayasangar**

---

**From:** [REDACTED]  
**Sent:** 07 May 2018 22:17  
**To:** Licensing  
**Subject:** Bull In A China Shop - 196 Shoreditch High Street

**Importance:** High

Dear Hackney Licensing

I would like to object in the strongest possible terms to the recent licensing application from Bull In A China Shop at 196 Shoreditch High Street, E1 6LG to use their outdoor 'smoking area' to sell alcohol and play music and to serve alcohol and food on the pavement in front of the shop and beneath the railway bridge.

From the rejection of their previous attempt to turn this small outdoor area into an extension of the bar, the owners are fully aware that there are over one dozen bedrooms located in adjacent residential properties that directly overlook this small area - including the bedroom of my [REDACTED] child. Outdoor disturbances from Bull In A China Shop will affect my child's sleep and negatively impact upon his well being and his schooling.

As the Council are aware, Shoreditch is past saturation point with licensed premises and the quality of life of local residents already suffers terribly from the consequent noise and anti-social behaviour. To allow this outdoor drinking area directly beneath the bedrooms of so many adjacent properties will be a dereliction of duty by Hackney Licensing.

The application should be rejected on the following grounds.

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

Yours sincerely,

[REDACTED]  
[REDACTED] Holywell Lane  
[REDACTED]

(I do not consent to the release of any personally identifiable information)

**Shan Uthayasangar**

---

**From:** [REDACTED]  
**Sent:** 08 May 2018 21:15  
**To:** Licensing  
**Subject:** Bull In A China Shop -OBJECTION

Dear Hackney Licensing

I have just found out the Bull In A China Shop, [196 Shoreditch High Street](#), would like to add an open air bar to their venue.

Do the owners not realise there are approx. 20 flats in close proximity and actually overlooking this proposed open-air bar area?

7 flats in [2-4 Holywell Lane](#), 4 flats in [1 Holywell Lane](#), 2 flats [194 Shoreditch High St](#). 2 flats [195 Shoreditch High St](#) and even 3 flats directly above Bull In A China Shop at [196 Shoreditch High St](#)

It is madness to allow open air revelling, drinking and music directly beneath people's bedrooms. My 6 year old's bedroom looks directly onto this proposed bar area and this application will cause even more problems for Shoreditch residents.

Please reject the application for the following reasons.

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

Yours sincerely,

[REDACTED]  
Holywell Lane  
[REDACTED]

--

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

**Shan Uthayasangar**

---

**From:** [REDACTED]  
**Sent:** 11 May 2018 11:30  
**To:** Licensing  
**Subject:** Bull In A China Shop - 196 Shoreditch High Street

Dear Hackney Licensing,

I would like to object to the above referenced license application. There are two aspects to this application:

- the extension of the license to the back patio; and
- the extension of the license to the pavement, including the broad expanse underneath the Overground bridge

Both are objectionable for many of the same reasons: the addition of yet more alcohol, right at the entrance of Shoreditch; more noise; more disorder; and more risk to children in the area.

The back patio presents unique problems of noise, being in a highly dense residential neighbourhood. This patio is literally surrounded by residences, many of whom have children. For this reason the previous application was rejected. It should be again.

The pavement and railway bridge are highly visible spots that should never be licensed at all. This is the very entrance to Shoreditch, and it is inappropriate to have bar there. Further it is wildly inappropriate to seek a license for a public pavement (under the bridge); I can't imagine that the venue actually has a lease over this property. This railway bridge regularly attracts buskers, which keep neighbouring residents up all night. Adding yet more chaos is a terrible idea.

As the Council are aware, Shoreditch is past saturation point with licensed premises and the quality of life of local residents already suffers terribly from the consequent noise and anti-social behaviour. To allow this outdoor drinking area directly beneath the bedrooms of so many adjacent properties will be a dereliction of duty by Hackney Licensing.

The application should be rejected on the following grounds.

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

Yours sincerely,

[REDACTED]  
Batemans Row

[REDACTED]  
(I do not consent to the release of any personally identifiable information)

**Shan Uthayasangar**

---

**From:** [REDACTED]  
**Sent:** 11 May 2018 11:59  
**To:** Licensing  
**Subject:** Bull in a China Shop- 196 Shoreditch High Street

Dear Hackney Licensing,

I would like to object to the above referenced license application. There are two aspects to this application:

- the extension of the license to the back patio; and
- the extension of the license to the pavement, including the broad expanse underneath the Overground bridge

I would like to object to both license extensions for the following reasons:

1. The prevention of crime and disorder-Shoreditch is already saturated with drinking establishments which increases crime and anti-social behaviour. This includes vomit and human waste on the street, litter, fighting, yelling and drug dealing. It has reached the limit. Outdoor drinking and longer hours never helps.
2. Public safety- I often don't feel safe walking in my neighbourhood on weekend nights. There are hundreds of drunken revellers, blocking the pavements, eating, drinking, getting sick and peeing in open view. I can't see any reason to add two more areas where people can do this in Shoreditch.
3. The prevention of public nuisance- Outdoor drinking is already a massive problem in Shoreditch. Not a weekend goes by that we don't complain about a venue being too noisy. The back patio presents a serious noise issue, being in a highly dense residential neighbourhood. The venue is surrounded by homes, many with children. For this reason the previous application was rejected and should be again. Any outdoor talking or music bounces off building walls and is amplified inside. We also deserve a tranquil life. The pavement and railway bridge are highly visible spots that should never be licensed at all. This is the entrance to Shoreditch and there shouldn't be a bar there. It is not appropriate to seek a license for a public pavement ( under the bridge). Does the venue even have a lease over that area? The railway bridge attracts buskers and rough sleepers who regularly keep up residents at night.
4. The protection of children from harm- I have a teenage daughter and want her and our neighbours children to be protected from harm. It's bad enough we have to deal with hundreds of indoor drinking establishments, but the outdoor ones ( especially on the pavement in front of venues) mean children literally have to walk through the mayhem just to get to and from their homes. This is not acceptable. Last week my 15 year old daughter was offered a shot of alcohol on the pavement on Curtain Road while we were walking home from dinner at 8:30 pm on a Friday night

As the Council are aware, Shoreditch is past saturation point with licensed premises and the quality of life of local residents already suffers terribly from the consequent noise and anti-social behaviour. To allow this outdoor drinking area directly beneath the bedrooms of so many adjacent properties will be a dereliction of duty by Hackney Licensing.

Yours sincerely,

[REDACTED]  
Batemans Row

[REDACTED]  
(I do not consent to the release of any personally identifiable information)

**Shan Uthayasangar**

---

**From:** [REDACTED]  
**Sent:** 11 May 2018 17:07  
**To:** Licensing  
**Subject:** objection

Hello,  
my name is [REDACTED] and I have a business on [REDACTED] Shoreditch High Street, [REDACTED]

I am concerned with the extent of outside drinking and smoking establishments in my street.

The increase in Alcohol licenses given to businesses in Shoreditch High Street has forever changed the nature of this Street.

As a daytime business I feel that we are being ignored by the council. We have to deal with a lot of drunk people and clean up the rubbish and piles of sick in the morning.

More licenses will only have an adverse effect on the daytime economy and increase the problems.

I am writing to object to 196 Shoreditch High Street " Bull in a China Shop"'s Application for variation of premises licence to remove and replace conditions relating to the use of outside areas at the premises.

Best regards,  
[REDACTED]



**This premises licence has been issued by:**

Licensing Service  
2 Hillman Street  
London E8 1FB

**PART A – PREMISES LICENCE**

**Premises Licence Number**

064154

**Part 1 – Premises details**

Bull in a China Shop  
196 Shoreditch High Street  
London  
E1 6LG

**Where the licence is time limited the dates**

Not Applicable

**Licensable activities authorised by the licence**

Films  
Late Night Refreshment  
Supply of Alcohol

**The times the licence authorises the carrying out of Licensable activities**

**Films**

**Standard Hours:**

Indoors  
Mon 10:00-23:30  
Tue 10:00-23:30  
Wed 10:00-23:30  
Thu 10:00-23:30  
Fri 10:00-00:00  
Sat 10:00-00:00  
Sun 10:00-23:30

**Late Night Refreshment**

**Standard Hours:**

Indoors  
Mon 23:00-23:30  
Tue 23:00-23:30  
Wed 23:00-23:30  
Thu 23:00-23:30

Fri 23:00-00:00  
Sat 23:00-00:00  
Sun 10:00-23:30

**Supply of Alcohol    Standard Hours:**

Mon 10:00-23:30  
Tue 10:00-23:30  
Wed 10:00-23:30  
Thu 10:00-23:30  
Fri 10:00-00:00  
Sat 10:00-00:00  
Sun 10:00-23:30

**The opening hours of the premises**

**Standard Hours:**

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

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

On Premises



**Part 2 –**

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

Stephen Chan



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

N/A

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

Stephen Chan

**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:** 20 November 2014

**Signed:**

**David Tuitt  
Team Leader - Licensing**

## Annex 1 - Mandatory Conditions

### Supply of Alcohol

1. No supply of alcohol may be made under the premises licence:
  - (a) At a time when there is no designated premises supervisor in respect of the premises licence.
  - (b) At a time when the designated premises supervisor does not hold a personal licence or his personal licence is suspended.
2. Every supply of alcohol under the premises licence must be made or authorised by a person who holds a personal licence.
3. (1) The responsible person must ensure that staff on relevant premises do not carry out, arrange or participate in any irresponsible promotions in relation to the premises.  
(2) In this paragraph, an irresponsible promotion means any one or more of the following activities, or substantially similar activities, carried on for the purpose of encouraging the sale or supply of alcohol for consumption on the premises -
  - (a) games or other activities which require or encourage, or are designed to require or encourage, individuals to;
    - (i) drink a quantity of alcohol within a time limit (other than to drink alcohol sold or supplied on the premises before the cessation of the period in which the responsible person is authorised to sell or supply alcohol), or
    - (ii) drink as much alcohol as possible (whether within a time limit or otherwise);
  - (b) provision of unlimited or unspecified quantities of alcohol free or for a fixed or discounted fee to the public or to a group defined by a particular characteristic in a manner which carries a significant risk of undermining a licensing objective;
  - (c) provision of free or discounted alcohol or any other thing as a prize to encourage or reward the purchase and consumption of alcohol over a period of 24 hours or less in a manner which carries a significant risk of undermining a licensing objective;
  - (d) selling or supplying alcohol in association with promotional posters or flyers on, or in the vicinity of, the premises which can reasonably be considered to condone, encourage or glamorise anti-social behaviour or to refer to the effects of drunkenness in any favourable manner.

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

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

5. 5.1. The premises licence holder or club premises certificate holder shall ensure that an age verification policy applies to the premises in relation to the sales or supply of alcohol.

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

6. The responsible person shall ensure that:

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

following measures:

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

b) customers are made aware of the availability of these measures.

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

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

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

-

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

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

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

Where –

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

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

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

(i) the holder of the premises licence,  
(ii) the designated premises supervisor (if any) in respect of such a licence, or  
(iii) the personal licence holder who makes or authorises a supply of alcohol under such a licence;

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

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

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

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

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

### **Exhibition of Films**

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

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

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

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

### **Door Supervision**

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

### **Annex 2 – Conditions consistent with the Operating Schedule**

10. There shall be no promotional sales of alcohol at the premises where alcohol is sold at a price lower than that at which the same or similar alcoholic drinks are sold, or usually sold, on the premises.
11. There shall be no striptease or nudity, and all persons shall be decently attired at all times, except when the premises are operating under the authority for Sexual Entertainment Venue licence.
12. No alcohol shall be consumed more than 30 minutes after the permitted hour for the supply of alcohol.
13. No noise shall emanate from the premises nor vibration be transmitted through the structure of the premises which gives rise to a nuisance.
14. All windows and external doors shall be kept closed after 21:00 hours, except for the immediate access and egress of persons.
15. All waste shall be properly presented and placed out for collection no earlier than 30 minutes before the scheduled collection times.
16. No waste or recyclable materials, including bottles, shall be moved, removed from or placed in outside areas between 24.00 hours and (08.00) hours on the following day.
17. Except for patrons smoking, the outside areas shall not be used.
18. The premises licence holder shall ensure that any patrons smoking outside the premises do so in an orderly manner and are supervised by staff to ensure that there is not public nuisance or obstruction of the public highway.

19. Glass bottles shall not be removed from the premises by patrons when leaving.
20. No deliveries to the premises shall take place between 23.00 and 08.00 on the following day.
21. The premises shall install and maintain a comprehensive CCTV system as per the minimum requirements of a Metropolitan Police Crime Prevention Officer. All entry and exit points will be covered enabling frontal identification of every person entering in any light condition. The CCTV system shall continually record whilst the premises is open for licensable activities and during all times when customers remain on the premises. All recordings shall be stored for a minimum period of 31 days with date and time stamping. Recordings shall be made available immediately upon the request of Police or authorised officer throughout the preceding 31-day period.
22. Any staff member from the premises who is conversant with the operation of the CCTV system shall be on the premises at all times when the premises are open to the public. This staff member must be able to show a Police or authorised council officer recent data or footage when requested.
23. There shall be a personal licence holder on duty on the premises at all times when the premises are authorised to sell alcohol.
24. Signs will be prominently displayed at all exit points reminding customers to leave quietly and respect local residents.
25. Intoxicating liquor shall not be sold, supplied or consumed otherwise than to persons who are taking a meal from the menu and that the consumption of intoxicating liquor by such persons is ancillary to taking such meals. The supply of alcohol will be by waiter/waitress service only.
26. A Challenge 25 proof of age scheme shall be operated at the premises where the only acceptable forms of identification are recognised photographic identification cards, such as driving licence or passport.
27. An incident log shall be kept at the premises, and made available on request to an authorised officer of the council or the police, which will record the following:
  - a. All crimes reported:
  - b. All ejections of patrons
  - c. Any complaints received.
  - d. Any incidents of disorder.
  - e. Seizure of drugs or offensive weapons.
  - f. Any faults in the CCTV system or searching equipment or scanning equipment.
  - g. Any refusal of the sale of alcohol.
  - h. Any visit by a relevant authority or emergency service.

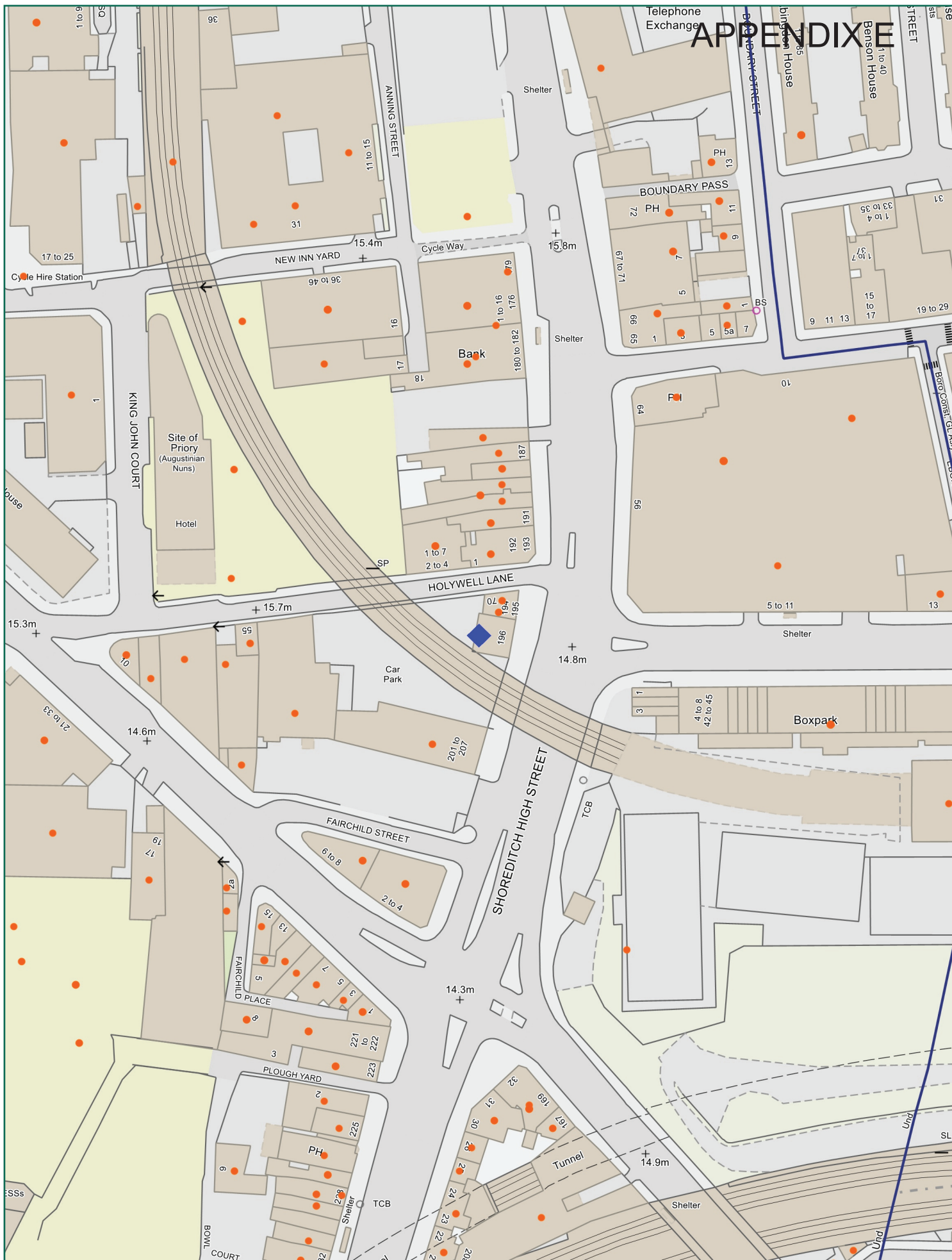
28. Premises to operate zero tolerance policy to drugs and comply with Hackney Police and Council Community safety unit drugs and weapons policy where appropriate.
29. Signs will be prominently displayed by entry and exit points reminding customs to
  - a. Leave quietly and respect local residents.
  - b. CCTV in operation.
  - c. Drugs policy.
  - d. Weapons policy.
30. An adequate and appropriate supply of first aid equipment and materials shall be available on the premises.
31. 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.
32. The licence holder shall maintain a dedicated telephone number of the Designated Premises Supervisor for use by any Responsible Authority or any person who may wish to make a complaint. This contact number shall be provided to licensing authority, police and to any local residents upon request.
33. Male and Female SIA registered door supervisors to be employed on an operational risk assessment basis. All door supervisors shall enter their full details in the premises daily register at the commencement of their work. They shall record their full name, home address and contact telephone number, their SIA registration number, and the time they commence and conclude working. If the door supervisor was provided by an agency the name, registered business address and contact telephone number will also be recorded. This register will be made available to police or authorised officer immediately upon request.
34. Bottle bins must not be discharged between 10pm and 8am.
35. Patrons will not be allowed to take drinks, glass or open containers outside of the premises at any time.
36. There will be no more than 5 patrons smoking outside the premise at any one time. This will be monitored by staff.



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

Not applicable

### **Annex 4 – Plans**

PLAN/064154/20112014



 <p>NORTH</p>	<p><b>Bull in a China Shop, 196 Shoreditch High Street, E1 6LG</b></p>		
<p>Scale: 1:1250 at A4</p>	<p>Page 82</p>		
	<p>Ref: 13 June 2018</p>	<p>From: [unspecified] email:</p>	<p>please specify copyright statement</p>





<b>REPORT OF GROUP DIRECTOR, NEIGHBOURHOODS AND HOUSING</b>		
<b>LICENSING SUB-COMMITTEE:</b> 21/06/2018	<b>Classification DECISION</b>	<b>Enclosure</b>
<b>Application for a Premises Licence</b>  SET, 27a Dalston Lane, E8 3DF	<b>Ward(s) affected</b>  Dalston	

## 1. SUMMARY

<b>Applicant(s)</b> SET Centre CIO	<b>In SPA No</b>
<b>Date of Application</b> 01/05/2018	<b>Period of Application</b> Permanent
<b>Proposed licensable activity</b> Plays Films Live Music Recorded Music Performance of Dance Other Entertainment Similar to Live or Rec Music or Dance Performance Late Night Refreshment Supply of Alcohol (On Premises)	
<b>Proposed hours of licensable activities</b>	
<b>Plays</b>	<b>Standard Hours:</b> Mon 12:00-00:30 Tue 12:00-00:30 Wed 12:00-00:30 Thu 12:00-00:30 Fri 12:00-02:30 Sat 12:00-02:30 Sun 13:00-22:00
<b>Films</b>  :	<b>Standard Hours:</b> Mon 12:00-00:30 Tue 12:00-00:30 Wed 12:00-00:30 Thu 12:00-00:30 Fri 12:00-02:30 Sat 12:00-02:30 Sun 13:00-22:30

<b>Live Music</b> : 	<b>Standard Hours:</b> Mon 12:00-00:00 Tue 12:00-00:00 Wed 12:00-00:00 Thu 12:00-00:00 Fri 12:00-02:00 Sat 12:00-02:00 Sun 13:00-22:00
<b>Recorded Music</b> : 	<b>Standard Hours:</b> Mon 12:00-00:00 Tue 12:00-00:00 Wed 12:00-00:00 Thu 12:00-00:00 Fri 12:00-02:00 Sat 12:00-02:00 Sun 13:00-22:00
<b>Performance of Dance</b> : 	<b>Standard Hours:</b> Mon 12:00-00:00 Tue 12:00-00:00 Wed 12:00-00:00 Thu 12:00-00:00 Fri 12:00-02:00 Sat 12:00-02:00 Sun 13:00-22:00
<b>Other Entertainment Similar to Live or Rec Music or Dance Performance</b> : 	<b>Standard Hours:</b> Mon 12:00-00:00 Tue 12:00-00:00 Wed 12:00-00:00 Thu 12:00-00:00 Fri 12:00-02:00 Sat 12:00-02:00 Sun 13:00-22:00
<b>Late Night Refreshment</b> : 	<b>Standard Hours:</b> Mon 23:00-00:30 Tue 23:00-00:30 Wed 23:00-00:30 Thu 23:00-00:30 Fri 23:00-02:30 Sat 23:00-02:30
<b>Supply of Alcohol</b> : 	<b>Standard Hours:</b> Mon 12:00-00:30 Tue 12:00-00:30 Wed 12:00-00:30 Thu 12:00-00:30 Fri 12:00-02:30 Sat 12:00-02:30 Sun 13:00-22:30

<b>The opening hours of the premises</b>	
	<b>Standard Hours:</b> Mon 11:00-01:00 Tue 11:00-01:00 Wed 11:00-01:00 Thu 11:00-01:00 Fri 11:00-03:00 Sat 11:00-03:00 Sun 12:00-23:30
<b>Capacity:</b> 150	
<b>Policies Applicable</b>	LP3 (Operating Schedule), LP4 (Crime and Disorder), LP5 (Public Nuisance), LP6 (Protection of Children from Harm), LP8 (Public Safety), LP12 (Licensing Hours)
<b>List of Appendices</b>	A – Application for a premises licence and supporting documents B – Representations from responsible authorities C — Location map
<b>Relevant Representations</b>	<ul style="list-style-type: none"> <li>• Planning Authority</li> <li>• Police</li> <li>• Licensing Authority</li> <li>• Other Persons</li> </ul>

## 2. APPLICATION

2.1 **SET Centre CIO** has made an application for a premises licence under the Licensing Act 2003:

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

2.2 The application is attached as Appendix A.

## 3. CURRENT STATUS / HISTORY

3.1 Part of the premises are covered by a premises licence granted in 2007. The licence was transferred to the current applicant in February 2018.

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

<b>Start date</b>	<b>end date</b>	<b>start time</b>	<b>end time</b>
09/03/2018	11/03/2018	17.00	02.30
16/03/2018	18/03/2018	17.00	03.00
23/03/2018	25/03/2018	17.00	03.00
30/03/2018	01/04/2018	17.00	02.30
06/04/2018	08/04/2018	00.01	03.00
20/04/2018	22/04/2018	17.00	02.30
13/04/2018	14/04/2018	17.00	03.00
27/04/2018	29/04/2018	17.00	03.00

## 4. REPRESENTATIONS: RESPONSIBLE AUTHORITIES

<b>From</b>	<b>Details</b>
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 B1)	Informative
Area Child Protection Officer	Have confirmed no representation on this application
Fire Authority	Have confirmed no representation on this application
Police (Appendix B2)	Representation received on the grounds of The Prevention of Crime and Disorder, Public Safety, Prevention of Public Nuisance,
Licensing Authority (Appendix B3)	Representation received on the grounds of The Prevention of Crime and Disorder, Prevention of Public Nuisance, Licensing Hours
Health Authority	Have confirmed no representation on this application

## 5. REPRESENTATIONS: OTHER PERSONS

<b>From</b>	<b>Details</b>
1 representation received from and on behalf of local residents. (Appendix C)	Representation received on the grounds of The Prevention of Crime and Disorder, Public Safety, Prevention of Public Nuisance, 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 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.

### **Door Supervision**

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

### **Conditions derived from Responsible Authority representations**

9. 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.

10. 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.

11. 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.

12. 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.

13. 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.

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

15. 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.

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

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

18. After 2100hrs there will be a maximum of \*\* tbc \*\* smokers outside. This will be monitored by staff/door supervisors.

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

20. Male and female SIA registered door supervisors shall be employed at the premises on an operational risk assessment basis. All door supervisors shall enter their full details in the premises daily register at the commencement of their work. They shall record their full name, home address and contact telephone number, their SIA registration number and the times they commence and conclude working. If the door supervisor is provided by an agency, the name, registered business address and contact telephone number will also be recorded. This register will be made available to police or other authorised officer upon request.

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

22. Any queues that may form outside of the premises must be monitored by staff or door supervisors to prevent pre-loading and/or the footway being blocked.

## **9. REASONS FOR OFFICER OBSERVATIONS**

9.1 Conditions 9 to 10 have been proposed by the police.

## **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.

<b>Group Director, Neighbourhoods and Housing</b>	Kim Wright
<b>Lead Officer (holder of original copy):</b>	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
<b>Office File:</b> SET, 27a Dalston Lane, E8 3DF	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 SET Centre CIO  
*(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 SET			
27A DALSTON LANE HACKNEY LONDON			
<b>Post town</b>	<b>LONDON</b>	<b>Postcode</b>	<b>E8 3DF</b>

Telephone number at premises (if any)	
Non-domestic rateable value of premises	£20000

**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 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 checked="" 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)

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

**SECOND INDIVIDUAL APPLICANT** (if applicable)

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

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 SET Centre CIO
Address 77 - 89 ALSCOT ROAD  LONDON  SE1 3AW UK-England
Registered number (where applicable)
Description of applicant (for example, partnership, company, unincorporated association etc.) Charitable Incorporated Organisation
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
28	05	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) SET Dalston Lane: Bar and Arts Centre, The Ground Floor of 27a (including the currently licenced 27a and the ground floor of what is referred to as "Part Ground Floor" 27a), Dalston Lane, E83DF. The premises is at the end of a row of 5 two storey shops on Dalston Lane which back onto Tyson Passage. The premises has a thin (1.6m) alley way running to the left hand side of the property that connects Tyson Passage to Dalston Lane. The first floor above the premises is used as artist's workspace for the associate members of SET Centre CIO.

The premises consists of two main rooms on the ground floor: a bar area and a project space, as well as 4 toilets (2x in bar area, 2x in project space area); a stock room; a store room and 2 rooms that are inaccessible and unused. The site includes one main entrance and two additional fire exits. The main entrance is from Dalston Lane. The back fire exit is accessible from the bar area and exits onto Tyson Passage. The second front fire exit exits onto Dalston Lane and is accessible from the project space via the stairwell that leads to the first floor artist's workspace (we are only requesting to licence the ground floor).

The licensed section of the premises at SET Dalston Lane is home to SET's social centre and bar, alongside our project space for contemporary music, performance, art and education. The bar serves reasonably priced drinks during day-to-day open hours in the bar area, as well as for regular events taking place in the project space. SET Dalston Lane puts an emphasis on emerging arts and culture and is viewed as a licensed arts centre first and foremost; the emphasis is on culture over entertainment.

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)

	<b>Provision of regulated entertainment (please read guidance note 2)</b>	<b>Please tick any that apply</b>
a)	plays (if ticking yes, fill in box A)	<input checked="" 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)	<input checked="" type="checkbox"/>
f)	recorded music (if ticking yes, fill in box F)	<input checked="" type="checkbox"/>

g)	performances of dance (optional, fill in box G)	<input checked="" type="checkbox"/>
h)	anything of a similar description to that falling within (e), (f) or (g) (if ticking yes, fill in box H)	<input checked="" type="checkbox"/>
<b>Provision of late night refreshment</b> (if ticking yes, fill in box L)		<input checked="" type="checkbox"/>
<b>Supply of alcohol</b> (if ticking yes, fill in box J)		<input checked="" type="checkbox"/>

**In all cases complete boxes K, L and M**

**A**

<b>Plays</b> Standard days and timings (please read guidance note 7)			<b>Will the performance of a play take place indoors or outdoors or both – please tick</b> (please read guidance note 3)	Indoors	<input checked="" type="checkbox"/>
				Outdoors	
				Both	
Day	Start	Finish	<b>Please give further details here</b> (please read guidance note 4) Plays including: performance art, spoken work, acapella singing, choirs, musicals, theatrical performance, lectures, readings, workshops, performance classes and dance classes		
Mon	12:00	00:30			
Tue	12:00	00:30			

Wed	12:00	00:30	<b>State any seasonal variations for performing plays</b> (please read guidance note 5) N/A
Thur	12:00	00:30	
Fri	12:00	02:30	<b>Non-standard timings. Where you intend to use the premises for the performance of plays at different times to those listed in the column on the left, please list</b> (please read guidance note 6) N/A
Sat	12:00	02:30	
Sun	13:00	22:00	



**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	
Day	Start	Finish		Both	
Mon	12:00	00:30	<b>Please give further details here</b> (please read guidance note 4) Films including: video art, art film, feature film, music video, dance film, live feed performance, background visuals, interactive film or film incidental to exhibits/performances/lectures/workshops/classes		
Tue	12:00	00:30			
Wed	12:00	00:30	<b>State any seasonal variations for the exhibition of films</b> (please read guidance note 5) N/A		
Thur	12:00	00:30			
Fri	12:00	02:30	<b>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</b> (please read guidance note 6) Background music videos/films		
Sat	12:00	02:30			
Sun	12:00	22:30			

**C**

<b>Indoor sporting events</b> Standard days and timings (please read guidance note 7)			<b>Please give further details</b> (please read guidance note 4)
Day	Start	Finish	
Mon			<b>State any seasonal variations for indoor sporting events</b> (please read guidance note 5)
Tue			<b>Non-standard timings. Where you intend to use the premises for indoor sporting events at different times to those listed in the column on the left, please list</b> (please read guidance note 6)
Wed			
Thur			
Fri			
Sat			
Sun			

**D**

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

E

Live music Standard days and timings (please read guidance note 7)			Will the performance of live music take place indoors or outdoors or both – please tick (please read guidance note 3)	Indoors	<input checked="" type="checkbox"/>
				Outdoors	
Day	Start	Finish		Both	
Mon	12:00	00:00	<b>Please give further details here</b> (please read guidance note 4) Live music will be amplified but not audible outside of the premises - including: live music performance and live music classes/rehearsals; experimental electronic, contemporary jazz, improvisation, acoustic, live bands, or live music incidental to: performance/readings/lectures/exhibits		
Tue	12:00	00:00			
Wed	12:00	00:00	<b>State any seasonal variations for the performance of live music</b> (please read guidance note 5) N/A		
Thur	12:00	00:00			
Fri	12:00	02:00	<b>Non-standard timings. Where you intend to use the premises for the performance of live music at different times to those listed in the column on the left, please list</b> (please read guidance note 6) N/A		
Sat	12:00	02:00			
Sun	13:00	22:00			

F

Recorded music Standard days and timings (please read guidance note 7)			Will the playing of recorded music take place indoors or outdoors or both – please tick (please read guidance note 3)	Indoors	<input checked="" type="checkbox"/>
				Outdoors	<input type="checkbox"/>
Day	Start	Finish		Both	<input type="checkbox"/>
Mon	12:00	00:00	<b>Please give further details here</b> (please read guidance note 4) Recorded music will be amplified but not audible outside of the premises - including: music played between performances or in intervals, sound art, DJs and live sampling, music for dance performance, background music, music incidental to: performance/music played in between live music/DJ workshops/sound workshops		
Tue	12:00	00:00			
Wed	12:00	00:00	<b>State any seasonal variations for the playing of recorded music</b> (please read guidance note 5)		
Thur	12:00	00:00			
Fri	12:00	02:00	<b>Non-standard timings. Where you intend to use the premises for the playing of recorded music at different times to those listed in the column on the left, please list</b> (please read guidance note 6)		
Sat	12:00	02:00			
Sun	13:00	22:00			

**G**

Performances of dance Standard days and timings (please read guidance note 7)			Will the performance of dance take place indoors or outdoors or both – please tick (please read guidance note 3)	Indoors	<input checked="" type="checkbox"/>
Day	Start	Finish		Outdoors	
				Both	
Mon	12:00	00:00	<b>Please give further details here</b> (please read guidance note 4) Dance including: dance performance and dance incidental to: live music, plays, art performance, exhibitions, rehearsals, dance workshops & classes.		
Tue	12:00	00:00			
Wed	12:00	00:00	<b>State any seasonal variations for the performance of dance</b> (please read guidance note 5) N/A		
Thur	12:00	00:00			
Fri	12:00	02:00	<b>Non-standard timings. Where you intend to use the premises for the performance of dance at different times to those listed in the column on the left, please list</b> (please read guidance note 6) N/A		
Sat	12:00	02:00			
Sun	13:00	22:00			

H

<b>Anything of a similar description to that falling within (e), (f) or (g)</b> Standard days and timings (please read guidance note 7)			<b>Please give a description of the type of entertainment you will be providing</b> SETprojects: including arts and educational events - talks, workshops, performances, screenings, exhibitions and so forth.		
Day	Start	Finish	<b>Will this entertainment take place indoors or outdoors or both – please tick</b> (please read guidance note 3)	Indoors	<input checked="" type="checkbox"/>
Mon	12:00	00:00		Outdoors	<input type="checkbox"/>
				Both	<input type="checkbox"/>
Tue	12:00	00:00	<b>Please give further details here</b> (please read guidance note 4) SETprojects is our arts and educational programme which is led by our Associate Members, who are 80% Hackney residents (or work in Hackney). The programme is a broad arts programme and includes the activities listed above.		
Wed	12:00	00:00			
Thur	12:00	00:00	<b>State any seasonal variations for entertainment of a similar description to that falling within (e), (f) or (g)</b> (please read guidance note 5) N/A		
Fri	12:00	02:00			
Sat	12:00	02:00	<b>Non-standard timings. Where you intend to use the premises for the entertainment of a similar description to that falling within (e), (f) or (g) at different times to those listed in the column on the left, please list</b> (please read guidance note 6)		
Sun	13:00	22:00	N/A		

I

<b>Late night refreshment</b> Standard days and timings (please read guidance note 7)			<b>Will the provision of late night refreshment take place indoors or outdoors or both – please tick</b> (please read guidance note 3)	Indoors	<input checked="" type="checkbox"/>
				Outdoors	
Day	Start	Finish		Both	
Mon	17:00	00:30	<b>Please give further details here</b> (please read guidance note 4) The closing time would be 30 minutes after the last drinks have been served to give people time to drink there drinks and leave over a longer time period (meaning there isn't a sudden influx of people onto the street).		
Tue	17:00	00:30			
Wed	17:00	00:30	<b>State any seasonal variations for the provision of late night refreshment</b> (please read guidance note 5) N/A		
Thur	17:00	00:30			
Fri	17:00	02:30	<b>Non-standard timings. Where you intend to use the premises for the provision of late night refreshment at different times, to those listed in the column on the left, please list</b> (please read guidance note 6) N/A		
Sat	14:00	02:30			
Sun	14:00	22:30			



J

<b>Supply of alcohol</b> Standard days and timings (please read guidance note 7)			<b>Will the supply of alcohol be for consumption – please tick</b> (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	<b>State any seasonal variations for the supply of alcohol</b> (please read guidance note 5) N/A		
Mon	12:00	00:30			
	-----	-----			
Tue	12:00	00:30			
	-----	-----			
Wed	12:00	00:30			
	-----	-----			
Thur	12:00	00:30	<b>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</b> (please read guidance note 6) N/A		
Fri	12:00	02:30			
	-----	-----			
Sat	12:00	02:30			
	-----	-----			
Sun	13:00	22:30			
	-----	-----			

**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):**

<b>Name</b> Mr Oliver Tobin	
<b>Date of birth</b> [REDACTED]	
Address [REDACTED] [REDACTED] [REDACTED]	
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).

N/A - there will be no "relevant" or other entertainment which may give rise to concern in respect of children.

**L**

<b>Hours premises are open to the public</b> Standard days and timings (please read guidance note 7)			<b>State any seasonal variations</b> (please read guidance note 5)
Day	Start	Finish	
Mon	11:00	01:00	
Tue	11:00	01:00	
Wed	11:00	01:00	
Thur	11:00	01:00	
Fri	11:00	03:00	<b>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</b> (please read guidance note 6)
Sat	11:00	03:00	
Sun	12:00	23:00	

**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)

Comprehensive on-site staff training will be provided to each member of staff and will cover all licensing laws in respect of the premises and our policies and procedures which are in place in order to ensure all licensing objectives are upheld to the highest standards.

These policies, risk assessments and documents can be provided upon request and include: Staff handbook (covers 4 licence objectives & refers to OGP policy), Equality; Diversity and Equal Opportunities policy; Operations and Good Practice policies (including: Noise Management policy, Accident and Emergency policy, Premises Age Verification policy, Duty of Care policy, Zero Drugs policy, Dispersal policy, Glass and Litter Collection policy, Security policy, Lost and Found policy and Risk Assessments policy); all Risk Assessments (including: Health and Safety risk assessment, Fire risk assessment and Operational risk assessment) and all log books (including Toilet-Check log book, Bar Staff Refusal log book, Door Staff Refusal log book, Occurrence book, Accident and Incident log book, Crime and Disorder log book, Noise Monitoring log book, Training log book and an Emergency Equipment Testing log book).

Clear signage that states premises policy and law will be posted around premises. Regular premises perimeter checks will be made to eliminate risks (glass bottles, unattended bags etc), uphold security (checking doors and windows), and keep noise to a minimum, both coming from inside the venue and the attendees smoking. The perimeter will be well lit with outdoor lighting. Regular patrols of the inside of the premises will be made by security staff and the supervisor to ensure our policy and law is met at all times. Maximum capacity of 150 (below prescribed maximum capacity of 192 (c.f. Fire Risk Assessment Report from FireRiskAssessments.com Associates Ltd) will be upheld in order to maintain crowd control, prevent discomfort, ensure staff can manoeuvre through crowds easily.

Information on public transport and taxi services will be provided on request from door staff and bar staff, signage will also make it clear that this service is offered and a safe place will be offered for attendees to wait for taxis: this will ensure attendees get home safely and minimise public nuisance. A half hour 'chill out' period after the music is turned off and our alcohol licensing hours end but before the premises closes will allow for a gradual egress from the premises (the lighting will be increased during this period). Free water will always be provided but particularly during the 'chill out' period when it will be pre-poured and on the bar.

We have already put these measures into place for events which have taken place under Temporary Events Notices - these events have all run smoothly and show our good track record in upholding the licensing objectives. The extra room allows us to better uphold the licensing objectives by providing further toilets including a disabled-access toilets; an extra fire-exit; more room for attendees (making it easier for security to manage crowds) and a soundproofed room to prevent any noise nuisance. It is testament to how well this has worked that we have spoken to our neighbours at Farr's, Premier Inn, Sang Bleu and 27c and d and each of these groups have cited no problems. Indeed, Premier Inn said that they had not even

noticed our existence!

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

All standard security measures and licensing laws will be put into effect and upheld; 2x SIA certified security staff at events with 100+ people in attendance, 1x security at events with 50+ people (bag check, patrol, toilet check, counter for attendees, ID check for example); 2 fire exits - alarmed with direct notification to security when breach is made; stock room/store room/no access areas fully locked at all times; when capacity is reached further attendees will be turned away (asked not to queue above 10 people) in order to maintain public safety on sidewalk and in venue; comprehensive 24/7 CCTV system; zero tolerance policy with signs in each toilet area; zero tolerance to discrimination or harassment signs displayed in bar, anyone displaying violent or aggressive tendencies can be evicted from the premises under security discretion; 1x security posted on the street during the event to ask attendees who smoke to keep noise to a minimum and keep public pathways clear; bag/coat hooks have been provided to prevent bag/coat snatching; no drinks promotions will be on offer in order to deter focus from alcohol consumption; events will only be promoted to our membership, mailing list, and social media followers and the local community via personal invites in order to maintain a respectful atmosphere with emphasis on the arts and specific cultural event that is taking place (no posters will displayed outside the premises); a £3 door charge will be in place on Fridays and Saturdays to deter overcrowding and passers by who enter to drink rather than for the cultural event.

#### **c) Public safety**

All standard safety regulations have been followed and all aforementioned risk assessments have taken place and are being adhered to; two first aid kits are onsite: one in the project space and one in the bar area, clearly labeled; the 1st floor SET office can be used as a first aid room or 'quiet room' when necessary; temperature is maintained with a thermometer to ensure no overheating; comprehensive emergency lighting, heat sensors, fire alarms, fire extinguishers, and fire retardant materials are used and positioned in accordance with Fire Risk Assessment Report done by independent fire authority; plastic cups will be used instead of glass at events with 100+ attendees; regular (every 20 mins at peak times) sweeps of the premises by staff to ensure there is no build up of glassware or rubbish; in accordance with our sales license, no drinks will be allowed outside of the premises at any time: this will be regulated through security, staff training, signage; spillages and broken glass will be cleared immediately; glass or rubbish from passers by will be removed immediately.

#### **d) The prevention of public nuisance**

The prevention of public nuisance: sound proofing and acoustic drapes used wherever possible (in accordance with standard UK Fire Regulations); a sound limiter has been put on the sound system to limit the decibel levels; all doors and windows are kept shut where possible; a designated noise or nuisance complaints contact number provided to local residents and the community (this phone will be with the door security for larger events ensuring the complaint is dealt with most effectively); outdoor wall mounted cigarette ashtrays will be provided; door security will ensure attendees will not congregate on Dalston Lane so as not to disrupt the public pathway; smokers will be requested to smoke at the beginning of the small alleyway that runs along the left side of the premises; signage that asks attendees to 'respect neighbours and keep the noise to a minimum' will be posted on the exit; all deliveries, waste collection and maintenance works will take place between the hours of 8am and 6pm; street litter will be regularly collected by members of staff; no promotional material will be handed out outside the venue or anywhere.

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

The protection of children from harm: entrance to the premises is strictly over 18; strict challenge 25 scheme and will prominently advertise this on site; keep refusals log book; staff and security trained in our age verification policy; no material meant for 18+ will be made available or visible outside of the premises or online; no advertisements of any sort including event posters will be displayed outside of the premises; any hazards for passing children or adults will be eliminated by a regular perimeter check (for glass bottles, unattended bags and so forth).

**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.**

<b>Declaration</b>	<ul style="list-style-type: none"> <li>• [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).</li> <li>• 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)</li> </ul>
Signature	Roland Fischer-Vousden
Date	1/5/2018
Capacity	Executive SET Centre CIO

**For joint applications, signature of 2<sup>nd</sup> applicant or 2<sup>nd</sup> 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	1/5/2018
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)			

### Notes for Guidance

1. Describe the premises, for example the type of premises, its general situation and layout and any other information which could be relevant to the licensing objectives. Where your application includes off-supplies of alcohol and you intend to provide a place for consumption of these off-supplies, you must include a description of where the place will be and its proximity to the premises.
2. In terms of specific regulated entertainments please note that:
  - Plays: no licence is required for performances between 08:00 and 23.00 on any day, provided that the audience does not exceed 500.
  - Films: no licence is required for 'not-for-profit' film exhibition held in community premises between 08.00 and 23.00 on any day provided that the audience does not exceed 500 and the organiser (a) gets consent to the screening from a person who is responsible for the premises; and (b) ensures that each such screening abides by age classification ratings.
  - Indoor sporting events: no licence is required for performances between 08.00 and 23.00 on any day, provided that the audience does not exceed 1000.
  - Boxing or Wrestling Entertainment: no licence is required for a contest, exhibition or display of Greco-Roman wrestling, or freestyle wrestling between 08.00 and 23.00 on any day, provided that the audience does not exceed 1000. Combined fighting sports – defined as a contest, exhibition or display which combines boxing or wrestling with one or more martial arts – are licensable as a boxing or wrestling entertainment rather than an indoor sporting event.
  - Live music: no licence permission is required for:
    - a performance of unamplified live music between 08.00 and 23.00 on any day, on any premises.
    - a performance of amplified live music between 08.00 and 23.00 on any day on premises authorised to sell alcohol for consumption on those premises, provided that the audience does not exceed 500.

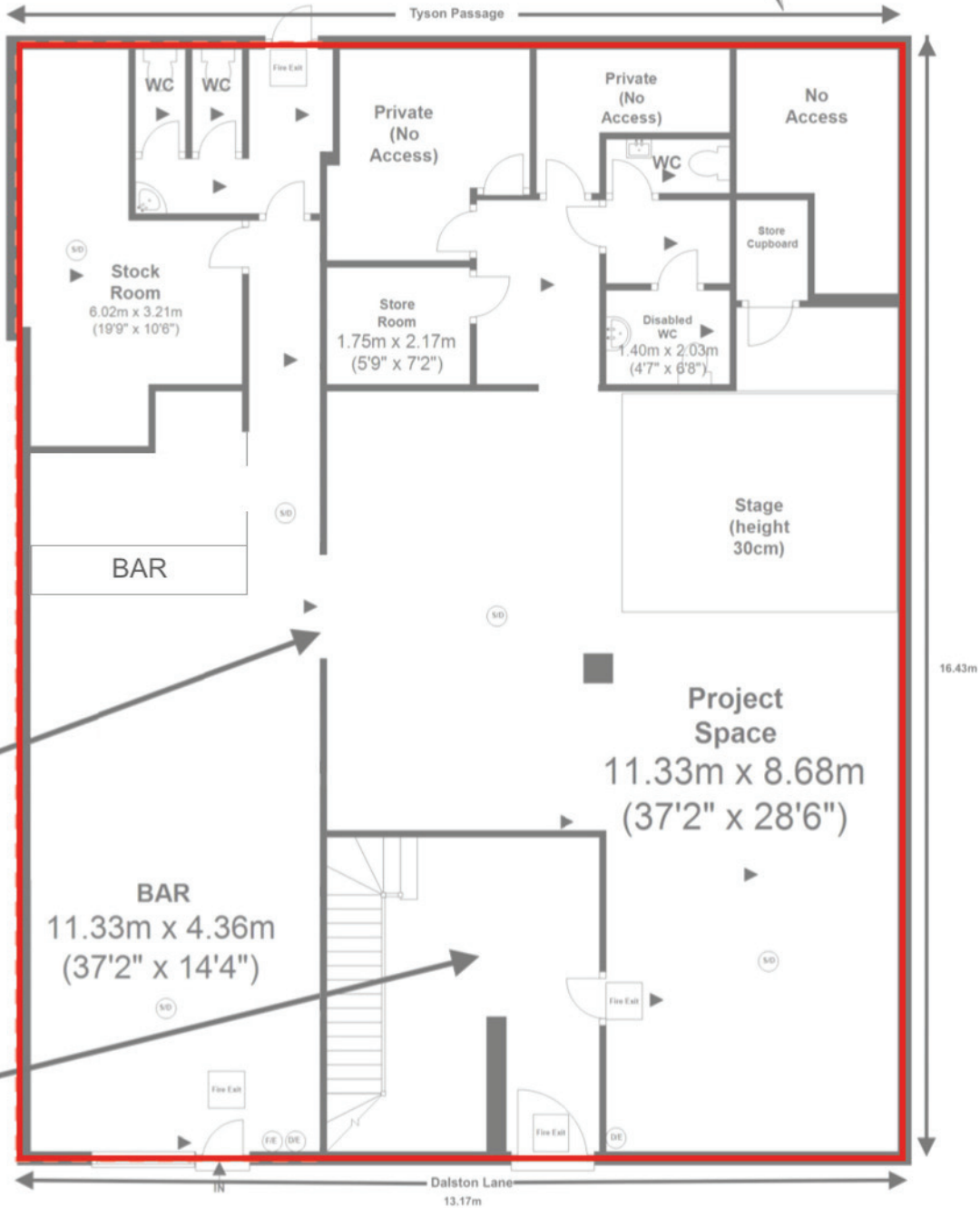
**SET**  
**27a Dalston Lane**  
**E83DF**  
**02/02/2018**

SCALE 1:100  
 Approx. 216.1 sq. metres (2326.1 sq. feet)



**KEY**

- Licensed premises —
- Emergency Lighting ▶
- Smoke Detector SD
- Dry Powder Extinguisher DE
- Fire Extinguisher FE



Entrance from bar area to project space will be closed with a rope barrier when no event is happening in the project space

Entrance lobby and stairway to 1st floor; artist studios and offices. Only accessible from ground floor in emergency.



# 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	SET 27A Dalston Lane London E8 3DF
Applicant name	SET Centre CIO

### 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 premises license for a bar and arts centre. The following licensable activities are proposed:

Plays: 12:00 – 00:30 Monday – Thursday, 12:00 – 02:30 Friday – Saturday, 13:00 – 22:00 Sunday;  
Film: 12:00 – 00:30 Monday – Thursday, 12:00 – 02:30 Friday – Saturday, 13:00 – 22:30 Sunday;  
Live Music: 12:00 – 00:00 Monday – Thursday, 12:00 – 02:00 Friday – Saturday, 13:00 – 22:00 Sunday;  
Recorded music: 12:00 – 00:00 Monday – Thursday, 12:00 – 02:00 Friday – Saturday, 13:00 – 22:00 Sunday;  
Performance of dance: 12:00 – 00:00 Monday – Thursday, 12:00 – 02:00 Friday – Saturday, 13:00 – 22:00 Sunday;  
Anything of a similar description: 12:00 – 00:00 Monday – Thursday, 12:00 – 02:00 Friday – Saturday, 13:00 – 22:00 Sunday;  
Late night refreshment: 12:00 – 00:30 Monday – Thursday, 12:00 – 02:30 Friday – Saturday, 13:00 – 22:30 Sunday;  
Supply of alcohol: 12:00 – 00:30 Monday – Thursday, 12:00 – 02:30 Friday – Saturday, 13:00 – 22:30 Sunday; and  
Hours of operation: 11:00 – 01:00 Monday – Thursday, 11:00 – 03:00 Friday – Saturday, 12:00 – 23:00 Sunday.

Planning application TP/83179/D/MM/MH granted the use of the ground floor as a restaurant (no take away element). Condition 5 states that *'The use hereby permitted shall not be carried on between 2200 hours and 0700 hours on weekdays nor at any time on Sunday/Bank Holidays.'*

Planning application 2007/2529 granted the variation of Condition 5 (hours of use) attached to planning permission reference TP/83179/D/MM/MH to allow extended opening hours of the restaurant to between 1200 hours and 0100 hours the next day on Monday to Thursday, between 1200 hours and 0230 hours the next day on Friday and Saturday and between 1600 hours and 0100 hours the next day on Sunday.

No approval can be found for the usage of the premises as a bar and arts centre. Planning permission is required to be obtained prior to the operation of the premises. Licensing approval does not grant planning approval. The applicant is advised that operation of the bar and arts centre without appropriate planning permission is unlawful and may result in enforcement action.

Please provide the following information (if applicable)


Area (that permission applies to)	Ground floor
Permitted use	A3 (Restaurant)
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 representative with informative.

No approval can be found for the usage of the premises as a bar and arts centre. Planning permission is required to be obtained prior to the operation of the premises. Licensing approval does not grant planning approval. The applicant is advised that operation of the bar and arts centre without appropriate planning permission 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	22/05/2018	

**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	<b>SET 27a Dalston Lane London E8 3DF</b>
NAME OF PREMISES USER	<b>SET Centre CIO</b>

**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 SET, 27A DALSTON LANE, LONDON, for the following reason(s):

This application seeks to replace a premises licence that is currently being used in part of this premises. Police have met with the applicants and discussed this application prior to it being submitted. This proposed licence covers a much larger area than it does presently and although this venue is outside of the policy area, it is very close by and is part of the very busy night time economy in Dalston.

Police would still like further information as follows:

- What is the capacity of the venue as a whole?
- Will the whole premises always be in use or will the project space only be used when events are on?
- Is the space ever hired out for private events/parties?
- What kind of events will be held here?
- Where will smokers be directed to smoke?
- Will there always be a personal licence holder on the premises?

Police have also attached a set of conditions that although do duplicate some mentioned in the ones attached to the application.

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 SET**  
**27a Dalston Lane,**  
**London, E8 3DF**

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

10. After 2100hrs there will be a maximum of \*\* tbc \*\* smokers outside. This will be monitored by staff/door supervisors.
11. The capacity of the premises will be \*\* tbc \*\* excluding staff.
12. Male and female SIA registered door supervisors shall be employed at the premises on an operational risk assessment basis. All door supervisors shall enter their full details in the premises daily register at the commencement of their work. They shall record their full name, home address and contact telephone number, their SIA registration number and the times they commence and conclude working. If the door supervisor is provided by an agency, the name, registered business address and contact telephone number will also be recorded. This register will be made available to police or other authorised officer upon request.
13. The front of the premises shall be kept clean and swept at the close of business each day.
14. Any queues that may form outside of the premises must be monitored by staff or door supervisors to prevent pre-loading and/or the footway being blocked.

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

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

NAME OF AUTHORITY	Licensing Authority
ADDRESS OF AUTHORITY	Licensing Service 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	Set Centre 27a Dalston Lane London E8 3DF
NAME OF APPLICANT	Set Centre

**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:

It is noted that a premises licence (ref: LBH-PRE-T-0897) is currently in effect for these premises. However, the applicant is seeking to authorise activity over a larger area which would result in an increased capacity. It is noted that there are residential premises opposite which could suffer as a result. Therefore I have concerns that the proposal may have a negative impact on the prevention of public nuisance objective and having regard to policy LP12 (Licensing Hours).

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/agent in relation to the points raised above
- Discussion in relation to any measures that could be implemented in addition to those already included in the operating schedule
- Clarification in relation to the licensed areas (as shown on the attached plan)

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

**Date:** 23/05/18



# APPENDIX C

Mike Smith

---

**From:** [REDACTED]  
**Sent:** 29 May 2018 23:59  
**To:** Licensing  
**Subject:** Representation - Application for Premises Licence Number 095652

Premises Licence Number: 095652

Dear Sirs

My name is [REDACTED] of [REDACTED] Dalston Lane, E8 [REDACTED] and I would hereby like to make a representation in writing in respect of the application for a premises licence at 27a Dalston Lane (Premises) under number 095652 (Application). I am a local resident and live within close proximity of the Premises.

I am slightly confused as to the deadline for submission for representations for the Application as the notice displayed at the Premises (which has been somewhat obscured by a tree placed in front of it) states that representations can be made up until 30 May. However Hackney Council's website states that the relevant date is 29 May, therefore I am making my representation today, 29 May. Depending upon which date is correct, I am concerned that had I not checked Hackney Council's website, I may well have potentially missed the deadline for making a representation.

I previously made a representation on or around 16 March 2018 in respect of the Premises pursuant to an application to vary premises licence number 056981. The concerns that I had in March remain, and I consider that the Application contravenes the licencing objectives of Hackney Council due to the following:

1. Prevention of Crime and Disorder, and Public Safety

Since the Premises has been operating, from mid-February 2018 onwards there has been increased numbers of people outside the Premises late at night particularly at the weekend. Whilst the numbers have decreased slightly over the last month or so, substantial numbers of people still congregate outside the entrance to the Premises to drink and smoke. This continues to create a situation where intoxicated people block the pavement, which means that as a pedestrian, when passing, I have to walk in the road which I find dangerous. I have noticed that other pedestrians have to do the same. For example when I was passing by on or around 18/19 May, I saw that one pedestrian passer-by was almost run over as the passer-by was walking in the road, in order to avoid people outside the Premises. In addition there has continued to be lots of noise coming from the Premises in terms of music. I have also noticed that people enter and leave the Premises from different entry ways and exits when the Premises is open and I have not seen security at these points. For example I noticed that when the DJ is playing, then people are entering the building from the entrance at the next unit across in the building, they were also bringing drinks outside from this entrance. It seems like the Premises has been enlarged. In addition around 9 May

when walking on Tyssen Street, I noticed that people were entering and exiting from the back door of the Premises and again this made me feel uncomfortable walking in the vicinity as there were a number of intoxicated people there and there was also loud music. My concern remains that if the Application is granted then there will be scope for increased, large numbers of people entering and exiting the building late at night and that this will lead to more drunk and disorderly behaviour and potentially more crime in the area.

This Premises is located on a main road leading to the centre of Dalston in Hackney, and is located on the outskirts of the Dalston Special Policy Area. Although the Premises is technically just outside the Special Policy Area, the Premises could have a negative impact on criminal and drunk and disorderly behaviour due to its close proximity to Dalston and Kingsland Road. The hours of the Application are during peak time periods where police already face combatting anti-social behaviour and crime for example assaults, disorder, vomiting and urination. I consider that the Application would increase the potential for further crime and disorder and add to the existing problems already being experienced in Dalston, especially considering current concerns regarding increased crime levels in Hackney.

I further understood that Hackney was not in favour of increasing the night time economy in Dalston and was looking to limit the number of late night venues. Indeed as I understand other venues who have applied for similar hours up to 2 am have had such applications amended to more sociable hours so as to minimise any impact on the local community, crime, disorder and public safety.

## 2. The Prevention of Public Nuisance

I consider that the Application will mean that there is much more public nuisance. It has and will lead to a great deal more noise during anti-social hours. I have on numerous occasions heard loud music at anti-social hours. There has also been vomit both on Tyssen Street and Ramsgate Street which was very unpleasant and unnecessary. The Application would permit DJs and live music until 2 am on the weekend and I consider that this is too late.

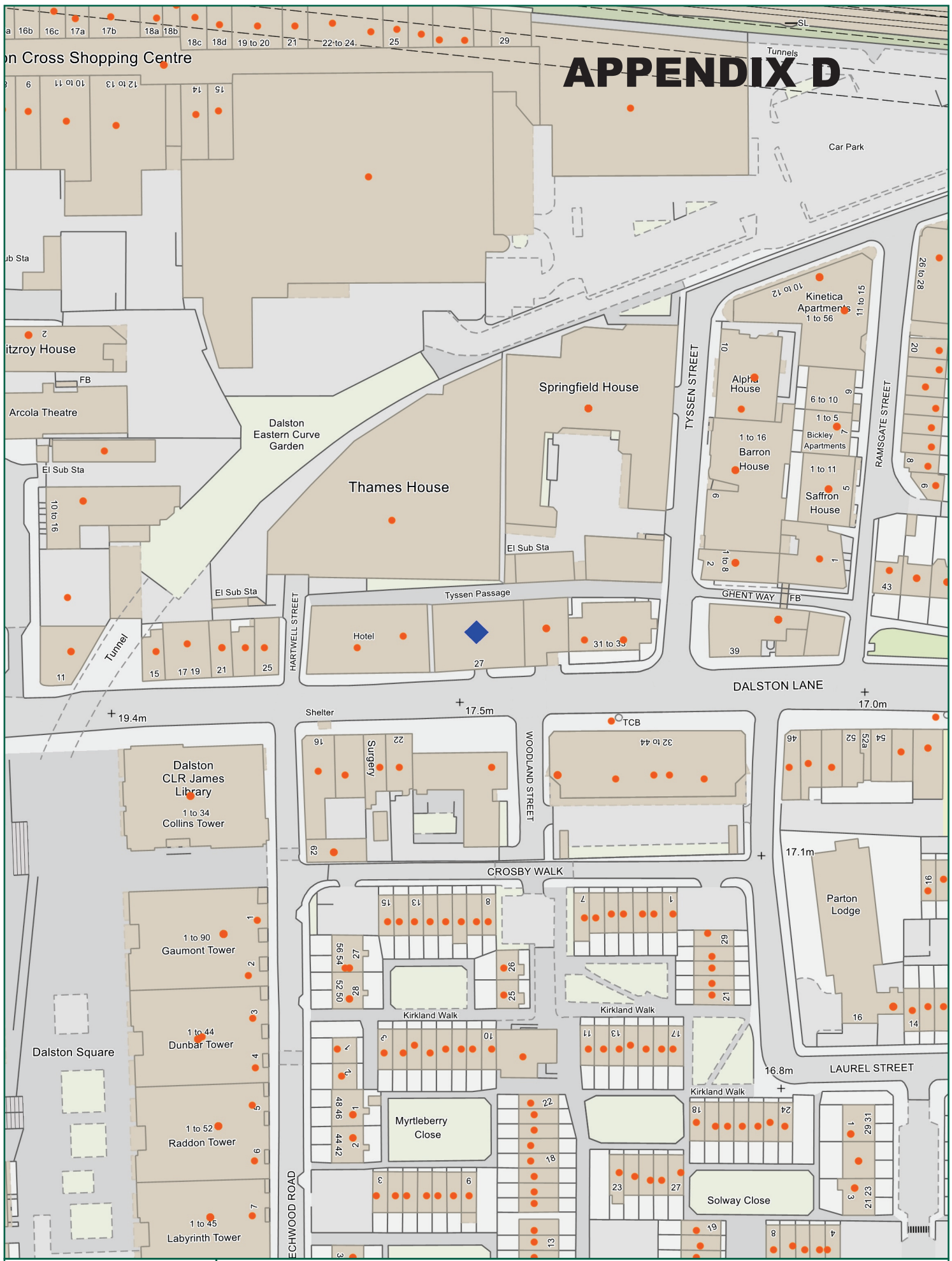
There continues to be litter outside the building where I have seen bottles, cups and cigarette butts. As a local resident I was relieved when planning permission was granted and I thought that the building would be replaced with office space, affordable work space for the community and flats. I did not anticipate that after a year there would a late night licenced venue with a larger capacity, increased numbers of people, multiple entryways and exits which in turn would lead to increased crime and disorder, public safety issues, public nuisance and increased noise, litter and intoxicated people on the streets! I consider that this Application clearly contravenes the licencing objectives.

I would be grateful if you would confirm receipt of this representation, and also whether or not the Application was advertised in the press as I have been unable to find the requisite advertisement.

Kind regards

██████████

# APPENDIX D



  
**NORTH**

Scale: 1:1250 at A4



Ref:	Page 125	please specify copyright statement
31 May 2018	email:	

This page is intentionally left blank