



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

Thursday, 11th October, 2018

at 7.00 pm

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

Councillors sitting:

**Cllr Margaret Gordon, Cllr Sem Moema and
Cllr Harvey Odze**

TIM SHIELDS
Chief Executive

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

The press and public are welcome to attend this meeting

AGENDA

Thursday, 11th October, 2018

ORDER OF BUSINESS

Title	Ward	Page No
1 Election of Chair		
2 Apologies for Absence		
3 Declarations of Interest - Members to declare as appropriate		
4 Minutes of the Previous Meeting		(Pages 1 - 6)
5 Licensing Sub-Committee Hearing Procedure		(Pages 7 - 8)
6 Application to vary the premises licence: Tava Restaurant, 17 Stoke Newington Road, N16 8BH		(Pages 9 - 46)
7 Application for a Premises Licence: Bootyard, Car Park Rear 18 To 26, Ashwin Street, E8 3DL		(Pages 47 - 92)
8 Temporary Event Notices - Standing Item		

Licensing Sub-Committee hearings under The Gambling Act 2005

This guide details the procedure for Licensing Sub-Committee hearings under the Gambling Act 2005. Whilst this will be used in most cases, the procedure will be altered in exceptional circumstances and when for example temporary use notices and reviews are considered.

A Licensing Sub-Committee will be held if:

- The applicant has applied for a premises licence, provisional statement, or to vary their existing premises licence and has advertised this in a local newspaper and displayed a notice in a place at which it can conveniently be read by members of the public from the exterior of the premises, following which representations have been made by a responsible authority or interested party.
- A review has been requested by a responsible authority including the Licensing Authority or interested party and the review has been advertised in a local newspaper/on the Council's website and a notice displayed in a place reasonably near the premises at which it can conveniently be read by members of the public.
- An application is made to transfer or reinstate a premises licence following which representations have been made by a responsible authority only.
- The applicant has applied for a club gaming/club machine permit and sent notification of the application following which representations have been made by the Gambling Commission or the Police.
- A temporary use notice (TUN) has been received and the Council as the Licensing Authority, the Gambling Commission, the Police or Customs and Excise have issued an objection.

Prior to your item being heard:

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

If you do not believe this to have happened, please contact the Licensing Service on 020 8356 4970 or email licensing@hackney.gov.uk as soon as possible.

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 quasi-judicial, and the rules of natural justice shall apply.

Applicants/licensees, interested parties and responsible authorities will all be given an opportunity to put their case and the Sub-Committee will take these representations into account when making their decision. The 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, Sub-Committee Members ("Members") can grant with additional conditions attached to the licence, exclude any condition, except mandatory conditions, attached under the Gambling Act 2005 or reject the application.

Members when making decisions on variation applications regarding a premises licence 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 and not on any concerns relating to the existing terms of the licence. However, Members may consider other issues which relate to the Gambling Commission's Code of Practice and Guidance, the promotion of the licensing objectives and the Council's Gambling Policy, 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 Gambling Commission's Code of Practice and Guidance, the licensing objectives and the Council's Gambling Policy are not undermined.

Members when deciding a review application can revoke the licence, suspend the licence for a period not exceeding three months, exclude, add or remove or amend a condition/exclusion.

For transfers or reinstatements of premises licences applications Members can refuse or grant the application and may make alterations to the licence including the attachment or exclusion of conditions.

Members when deciding on an objection made against a temporary use notice will determine whether or not to issue a counter notice, which if issued will prevent the proposed event from proceeding.

Before the meeting starts:

The 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; and
- late documents delivered prior to the meeting and to ensure all the paperwork is in order.

The Members will not be considering any of the actual points raised within the report itself and no responsible authority or interested party shall be present when the Members deal with the above issues.

Attending the hearing that concerns you:

All applicants, interested parties and responsible authorities involved will be informed in writing of the date and time that their application will be considered by the Licensing Sub-Committee. Please contact the Licensing Service on 020 8356 4970 or email licensing@hackney.gov.uk to confirm whether you wish to attend and 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 Committee Officer 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; or
- you wish to supply additional information such as photographs and videos/DVDs.

Please note that if you wish to provide additional relevant information, this should, where possible, 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 Licensing Service.

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.

Lobbying of Councillors

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

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

Reports

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

Appeals

Applicants, responsible authorities or interested parties can appeal against the decision made by the Sub-Committee. An appeal should be made to Thames Magistrates Court and must be made within 21 days of receiving notice of the decision. However, any decision in respect of a TUN must be made no later than 14 working days of receiving notice of the decision.

Contacts

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

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

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

If your query relates to a specific application then please contact Licensing Services:

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

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

ADVICE TO MEMBERS ON DECLARING INTERESTS

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

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

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

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

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

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

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

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

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

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

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

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

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

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

Further Information

Advice can be obtained from Gifty Edila, Corporate Director of Legal, HR and Regulatory Services, on 020 8356 3265 or email Gifty.Edila@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 2018.

LP1 General Principles

The Council expects applicants to demonstrate:

- (a) That they have an understanding of the nature of the locality in which the premises are located and that this has been taken into consideration whilst preparing the operating schedule.
- (b) Where the application is for evening and night-time activity, that the proposal reflects the Council's aspiration to diversify the offer, whilst at the same time promoting the licensing objectives.

LP2 Licensing Objectives

Prevention of Crime and Disorder

Whether the proposal includes satisfactory measures to mitigate any risk of the proposed operation making an unacceptable contribution to levels of crime and disorder in the locality.

Public Safety

Whether the necessary and satisfactory risk assessments have been undertaken, the management procedures put in place and the relevant certification produced to demonstrate that the public will be kept safe both within and in close proximity to the premises.

Prevention of Public Nuisance

Whether the applicant has addressed the potential for nuisance arising from the characteristics and style of the proposed activity and identified the appropriate steps to reduce the risk of public nuisance occurring.

Protection of Children from Harm

Whether the applicant has identified and addressed any risks with the aim of protecting children from harm when on the premises or in close proximity to the premises.

LP3 Core Hours

Hours for licensable activity will generally be authorised, subject to demonstrating LP 1 and LP2, as follows:

- Monday to Thursday 08:00 to 23:00
- Friday and Saturday 08:00 to 00:00
- Sunday 10:00 to 22:30

Hours may be more restrictive dependent on the character of the area and if the individual circumstances require it.

Later hours may be considered where the applicant has identified any risk that may undermine the promotion of the licensing objectives and has put in place robust measures to mitigate those risks.

It should be noted that this policy does not apply to those who are making an application within a special policy area (see section 3) unless they have been able to demonstrate that the proposed activity or operation of the premises will not add to the cumulative impact that is already being experienced.

LP4 Off' Sales of Alcohol

Hours for the supply of alcohol will generally be restricted to between 08:00 and 23:00.

LP5 Planning Status

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) as amended.
- (b) The hours sought do not exceed those authorised by any planning permission.

The Licensing Authority may take into account the lack of planning permission or an established lawful use in deciding whether there is likely to be any harm to the licensing objectives.

LP6 External Areas and Outdoor Events

The Licensing Authority will normally restrict external areas and outdoor activity to between 08:00 and 22:00 unless the applicant can demonstrate that comprehensive control measures have been implemented that ensure the promotion of the licensing objectives, in particular the public nuisance objective. Notwithstanding any proposed control measures, the Licensing Authority may restrict the hours and/or activity even further

LP7 Minor Variations

The Council expects applications to be made in the following circumstances only:

- Small changes in the layout/structure of the premises
- The addition of voluntary/agreed conditions
- Removal of conditions that are dated and have no impact on the operation of the premises
- Reduction of hours for any licensable activity

LP8 Temporary Event Notices

When considering an objection to a TEN the Council will:

- Expect that any existing conditions will be maintained (where relevant) in circumstances where an event is to take place at a premises that has an existing authorisation.
- Assess any history of complaints as a result of licensable activity that may or may not have been authorised by a TEN.
- Consider the track record of the premises user
- Consider any other control measures proposed to mitigate the objection

LP9 Personal Licences

(a) The Council will consider whether a refusal of the licence is appropriate for the promotion of the crime prevention objective and 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 that assist in demonstrating that the crime prevention objective will not be undermined.

LP10 Special Policy Areas – Dalston and Shoreditch

It is the Council's policy that where a relevant representation is made to any application within the area of the Dalston SPA or Shoreditch SPA, the applicant will need to demonstrate that the proposed activity and the operation of the premises will not add to the cumulative impact that is currently being experienced in these areas. This policy is to be strictly applied.

It should also be noted that the;

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

May not be in itself sufficient.

It should be noted that if an applicant can demonstrate that they will not add to the cumulative impact in their operating schedule and at any hearing, then the Core Hours Policy within LP3 will apply.

LP11 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.



MINUTES OF A MEETING OF THE LICENSING SUB COMMITTEE B

THURSDAY, 21ST JUNE 2018, COUNCIL CHAMBER, HACKNEY TOWN HALL, LONDON E8 1EA

- Councillors Present:** Cllr James Peters (substitute) in the Chair
- Cllr Margaret Gordon and Cllr Gilbert Smyth
- Officers in Attendance:** Amanda Nauth, Planning Lawyer
Butta Singh, Senior Lawyer Licensing and Corporate
Mike Smith, Principal Licensing Officer
Gareth Sykes, Governance Services Officer
- Also in Attendance:** London Fields Primary School
Applicant:
Mike Norledge, Spread Food Limited
- Bull in a China Shop
Applicant:
Jonathan Smith, Solicitor
Stephen Chan, applicant
- SET
Applicant:
Andy Newman, Agent
Robert McLaren (Chair of SET Trustees)
Oliver Tobin (Management of SET and DPS)
Roland Fischer-Vousden (Management of SET)
Joshua Field (Management of SET)
Hazel Brill (Local Resident)
- Other person:
Shalina Jinnah

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 The minutes of the 30TH January 2018 meeting were agreed as an accurate record.

5 Licensing Sub-Committee Hearing Procedure

5.1 The attendees at the meeting noted the Licensing Sub-Committee hearing procedure.

6 Application for a Premises Licence: London Fields Primary School Play Ground, Westgate Street, E8 3RL

6.1 The principal licensing officer introduced the application for a new premises licence for London Fields Primary School Play Ground, Westgate Street, E8 3RL. The application was for the supply of alcohol (On and Off Premises). The attendees at the meeting noted that that local resident objections at B1, B3, B4 and B7 in the meeting papers had been withdrawn following the reduction in the proposed hours. The attendees noted that the application was outdoors not indoors.

6.2 The applicant, Mr Mike Norledge, of Spread Food limited, made his submissions at the hearing. He began by explaining that the premises were located on a school playground that is used as a weekly farmers market with 30 stalls. Mr Norledge was seeking to allow two to three of the market traders to be able to sell local wines and beers. The market had been in operation for just over two years and was open on Saturday from 10am to 4pm with predominantly vegan market stalls. Mr Norledge emphasised that since the market had opened there had not been any incidents of Anti-Social Behaviour (ASB).

6.3 Mr Norledge addressed local resident objections by explaining that there was a site manager at the market at all times on the Saturday, there was no alcohol served in glasses and no glasses were to leave the site. All alcohol trade would be completed at 5.00pm. Any music played on site had been kept to an acceptable volume and that any beggars near to the site would be monitored at all times. Mr Norledge added that schoolchildren would not be affected by the application, as no school children would have use of the playground during the market's operating hours. Mr Norledge concluded by emphasising the importance of the market maintaining good relations with its neighbours as they did not want to do anything to jeopardise their licence.

7 Application to vary the premises licence: Bull in a China Shop, 196 Shoreditch High Street, E1 6LG

7.1 The Principal Licensing Officer introduced the application to vary the premises licence for Bull in a China Shop, 196 Shoreditch High Street E1 6LG. The proposed variation was to remove and replace the conditions relating to the use of outside areas at the premises. The Responsible Authorities (Environmental Protection and the Police) had withdrawn their representation following agreement with the applicant. Licensing had also withdrawn its representation. The applicant had submitted additional papers for the meeting including a revised plan of the premises and a revised application.

7.2 Councillor Gordon had momentarily stepped out of the room when discussions about the application had begun. Under Licensing Sub-Committee meeting procedures, because of Councillor Gordon's absence from the room, she was excluded from participating in any discussion and decision about the application.

7.3 Jonathan Smith, solicitor and representative for the applicant and premises licence holder, Stephen Chan, made his submission to the meeting. Mr Smith explained that Bull in a China Shop was an Asian-influenced eatery and bar. Mr Smith referred to the revised plan of the premises, which showed the areas now sought for permission for the consumption of alcohol, being the red area to the front of the premises and green area to the rear. Mr Smith added that the revised application excluded the yellow area and amended the terminal hours for the use of the red and green areas. The front area had been amended because it was on the public highway on the pavement. The outside, shown edged green, the enclosed courtyard to the rear of the premises, could be used by customers up until 21:30 for the consumption of alcohol and food. After 21:30, only persons smoking (and limited to no more

than five in total outside the premises in any outside area) shall be permitted. The applicant highlighted that the area immediately outside to the front of the premises and edged in red on the plan, could be used by customers up until 19:00 for the consumption of alcohol and food. Mr Smith added that after 19:00, only persons smoking (and limited to no more than five in total outside the premises in any outside area) shall be permitted.

- 7.4 Licensing Sub-Committee members noted that the premises had been given a number Temporary Event Notices (TENs) between June 2017 and May 2018. Local Residents objecting to the application had been invited to a meeting with the applicant on 23rd April 2018 but none of them had turned up. The applicant stressed that no licensable activities would take place outside and no food or drink would be served in the area nearest to the railway. The applicant explained that local residents had not raised objections to the TENs that had been held.
- 7.5 In a response to a question from Cllr Smyth, the applicant confirmed that it was tabled meals served in the inside and outside areas.
- 7.6 The applicant re-iterated his earlier comments about the lack of objections from local residents to the TENs, their non-attendance at the 23rd April meeting and the withdrawal of representations from the responsible authorities. The applicant pointed out that some of the objections contained the exact same wording. The applicant also emphasised that the premises was not licensed to play music outside. The applicant stressed that every effort had been made to engage with local residents to alleviate their concerns.
- 7.7 In a response to question from Councillor Smyth, following agreement with the responsible authorities, the applicant was of the view that local resident's concerns had now been addressed. The applicant added that the incident that had occurred on Curtain Road, as referred to in one of the local resident's objections, was not relevant to the application. The applicant acknowledged local resident's concerns but it was re-iterated that the applicant had been proactive in engaging with local residents.
- 7.8 On the issue of LP15, the applicant was of the view that there would not be a cumulative impact on the area. The 40 diners were contained within the confines of the restaurant.
- 7.9 The applicant began his summary by reminding licensing sub-committee members that the responsible authorities had withdrawn their submissions following agreement. He added that no objections had been raised against the TENs and no residents had attended a meeting arranged on the 23rd April 2018. The applicant highlighted that some of the applications appear to be duplications and that no recorded music would be played on the premises.
- 7.10 The legal officer pointed out to the applicant that they would need to apply for a table and chairs licence for permission to place tables and chairs outside the front of the premises on the public highway.

8 Application for a Premises Licence: SET, 27a Dalston Lane, E8 3DF

- 8.1 The principal licensing officer, Mike Smith, introduced the application for a premises licence for SET, 27a Dalston Lane, E8 3DF. The proposed licenced activities were plays, films, live music, recorded music, performance of dance, other entertainment similar to live or recorded music or dance performance, late night refreshment and the supply of alcohol (On Premises). The attendees noted that the responsible authorities (Licensing and Police) had withdrawn their representation following agreement with the applicant. Additional

information had been submitted by the applicant along with information from one other person objecting to the application.

- 8.2 Andy Newman, the agent representing the applicant, made his submission to the meeting by giving a brief overview of the application and the type of business run by his client on site. With SET Dalston Lane the emphasis was on emerging arts and culture. It was a licensed arts centre first and foremost. Mr Newman explained that the emphasis was on culture over entertainment. Mr Newman highlighted the numerous letters of support for the application and the responsible authorities withdrawing their representations. Mr Newman added that Other Persons who had raised an objection to the application, had been contacted about holding a meeting to resolve any issues but this meeting had did not come to fruition.
- 8.3 The Licensing Sub-Committee heard from Other Persons, an Ms Shalina Jinnah, objecting to the application. Ms Jinnah outlined her concerns about the increased number of people outside the premises late at night particularly at the weekend. While the numbers had dropped recently, Ms Jinnah explained that there was still a substantial number of people congregating outside the entrance drinking and smoking. Ms Jinnah was concerned that this continued to create a situation where people were blocking the pavement. Ms Jinnah explained that she was not against Arts-led centre but she was against alcohol-led premises. She was concerned that if the application was granted there might be scope for an increasingly large numbers of people entering and exiting the premises. It was felt that the premises did contravene Hackney's licensing objectives. Ms Jinnah queried if it was an arts space why did it need to be open until 02:30?
- 8.4 Answering a question from the Chair, the applicant was aware of the cumulative impact of the application, as the premises was near to the Dalston Special Policy Area (SPA). Mr Newman reminded the committee of the number of letters in support of the application. Mr Newman added that the premises had been granted several TENS between 9th March and 29th April 2018 with no objections from the Police.
- 8.5 Manager of SET and the Designated Premises Supervisor (DPS), Mr Oliver Tobin, gave a brief overview of the types of events that would be held on the premises. He did confirm that some events would include amplified electronic music.
- 8.6 Replying to a question from the Chair, the applicant explained that there was a number of noise insulation measures in place including rock wall in the windows and the installation of sound limitators.
- 8.7 In response to a question from Councillor Gordon, the applicant replied that there would be two security staff on the front door operating a staggered system of customer dispersal at closing time.
- 8.8 In response to a question from Councillor Smyth, the applicant explained that the premises would maintain a comprehensive Closed Circuit Television (CCTV) system, as per the minimum requirements of a Metropolitan Police Crime Prevention Officer. The CCTV system would continually record whilst open and customers on site and recordings would be made available immediately upon the request of Police or authorised officer.
- 8.9 The Chair of the SET trust, Robert McLaren, added that the Board of Trustees main objective was to promote arts. Mr McLaren re-iterated explained that the Board would not allow any events to take place that would undermine the board's position.
- 8.10 On SET's dispersal policy, Ms Jinnah suggested that customers could be dispersed better at the earlier time of 12pm. Ms Jinnah again queried why an arts events needed to be held until 03:00hours.

- 8.11 Responding to photos tabled at the meeting, Mr Newman queried their reliability. It was suggested by the applicant that they were taken by a third party. It was alleged that this was an aggrieved third party who had previously owned a business on the SET premises. The applicant explained that the gentleman in question was involved in an incident on one of the nights captured in one of the tabled photos and he had been asked to leave the area.
- 8.12 On the tabled photos, Ms Jinnah explained that they were taken during the period of mid-February and early to mid-May 2018.
- 8.13 In a response to a question from Councillor Smyth, the applicant explained that the alleyway next to the premises would be blocked off and would be used as the smokers' area. The applicant added that they had not received any complaints from adjacent Premier Inn hotel who owned the alleyway/smoking area.
- 8.14 The applicant explained that the premises had three fire exits. The applicant recognised that the pavement out the front of the premises was quite slim, however security staff would endeavour to ensure customers did not block the public highway.
- 8.15 In a response to a question from the legal officer, the applicant confirmed that he would surrender the existing premises licence should the application to vary the premises licence be granted.
- 8.16 In response to a question from Councillor Smyth, the applicant explained that they had proposed a 02:30hours closing time on Saturday because that tended to be the day when there was more artist led performances being held. The applicant suggested that any reduction in the closing time, for example to 01:00hours, would impact on the premises revenue.
- 8.17 In summary, Ms Jinnah re-iterated her concerns about the application and recommended that some consideration be given to bringing forward the closing time to 12:00. Mr Newman in his summary re-iterated the number of letters received in support of the application and the responsible authorities withdrawing their representations following agreement with his client.

9 Temporary Event Notices - Standing Item

- 9.1 There were no TENs submitted for consideration at the meeting.

Duration of the meeting: 19:00 – 21:25 hours

Signed

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Chair of Committee, Cllr James Peters

Contact:

Gareth Sykes

Governance Services Officer:

Tel 020 8356 1567

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Agenda Item 5

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

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

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

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REPORT OF THE GROUP DIRECTOR, NEIGHBOURHOODS AND HOUSING		
LICENSING SUB-COMMITTEE: 11/10/2018	Classification DECISION	Enclosure
APPLICATION TO VARY THE PREMISES LICENCE : Tava Restaurant, 17 Stoke Newington Road, N16 8BH	Ward(s) affected Shacklewell	

1. SUMMARY

Applicant(s) Erol Uzun	In SPA Dalston
Date of Application 10 July 2018	Period of Application Permanent
Proposed variation: <ul style="list-style-type: none"> To extend hours for sale of alcohol To remove current condition 25 from Premises Licence 	
Proposed hours for licensable activity	
Supply of Alcohol INDOOR	Standard Hours: Mon 09:00-02:00 Tue 09:00-02:00 Wed 09:00-02:00 Thu 09:00-02:00 Fri 09:00-02:00 Sat 09:00-02:00 Sun 09:00-02:00
The opening hours of the premises: INDOOR	Standard Hours: Mon 07:00-05:00 Tue 07:00-05:00 Wed 07:00-05:00 Thu 07:00-05:00 Fri 07:00-05:00 Sat 07:00-05:00 Sun 07:00-05:00
Current activities/hours: See licence attached at Appendix D	
Capacity: 50	
Policies Applicable	LP1 (General Principles), LP2 (Licensing Objectives), LP3 (Core Hours), LP4 ('Off' Sales of Alcohol), LP5 (Planning Status), LP6 (External Areas and Outdoor Events), LP10 (Special Policy Areas – Dalston and Shoreditch)

List of Appendices	A – Application for variation of premises licence and supporting documents B – Representations from responsible authorities C – Representations from ‘other persons’ D – Current Licence E - Location map
Relevant Representations	<ul style="list-style-type: none"> • Planning Authority • Police • Licensing Authority • Health Authority • Other Persons

2. APPLICATION

- 2.1 Erol Uzum has made an application vary the premises licence under the Licensing Act 2003:
- To extend hours for supply of alcohol for consumption on the premises
 - To remove current condition 25 from the licence.
- 2.2 The application is attached as Appendix A. The applicant has proposed some additional measures to address the licensing objectives.

3. CURRENT STATUS / HISTORY

- 3.1 The current premises licence was granted in 2006. There has been no change of ownership since then. The current hours and conditions were approved by Licensing Sub-Committee on 19 July 2012, although at that meeting the sub-committee agreed to extend alcohol sales to midnight, rather than 02.00 which had been sought.
- 3.2 No TENs have been submitted in respect of the premises in the current calendar year.

4. REPRESENTATIONS: RESPONSIBLE AUTHORITIES

From	Details
Environmental Health Authority (Environmental Protection)	No representation received
Environmental Health Authority (Environmental Enforcement)	No representation received
Environmental Health Authority (Health & Safety)	No representation received
Weights and Measures (Trading Standards)	Have confirmed no representation on this application
Planning Authority (Appendix B1)	Representation received on the grounds of the prevention of public nuisance & LP1 (Planning)

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 and Special Policy Area.
Licensing Authority (Appendix B3)	Representation received on the grounds of The Prevention of Crime and Disorder, Prevention of Public Nuisance, and Special Policy Areas.
Health Authority	Representation received on the grounds of The Prevention of Crime and Disorder, Prevention of Public Nuisance and Special Policy Areas

5. REPRESENTATIONS: OTHER PERSONS

Representation received from and on behalf of local residents. (Appendices C1-C4)	4 representation received on the grounds of The Prevention of Crime and Disorder, Public Safety, Prevention of Public Nuisance, The Protection of Children from Harm, Special Policy Area.
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6. GUIDANCE CONSIDERATIONS

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

7. POLICY CONSIDERATIONS

- 7.1 Licensing Sub-Committee is required to have regard to the London Borough of Hackney's Statement of Licensing Policy ("the Policy") adopted by the Licensing Authority.
- 7.2 The Policy applies to applications where relevant representations have been made. With regard to this application, policies LP1 (General Principles), LP2 (Licensing Objectives), LP3 (Core Hours), LP4 ('Off' Sales of Alcohol), LP5 (Planning Status), LP6 (External Areas and Outdoor Events), LP10 (Special Policy Areas – Dalston and Shoreditch) are relevant.

8. OFFICER OBSERVATIONS

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

25. No alcohol to be consumed on the premises after midnight.

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

Conditions derived from operating schedule

1. "Challenge 25" age verification policy to be applied with information to be displayed on the premises to prevent the supply of alcohol to under-age drinkers.
2. CCTV System installed to monitor entrances, exits, and other parts of the premises
3. A clear and legible notice outside the premises indicating the normal hours under the terms of the premises licence during which licensable activities are permitted.
4. Alcohol to be served with food only.
5. A log book or recording system shall be kept on the premises in which shall be entered particulars of inspections made; those required to be made by statute, and information compiled to comply with any public safety condition attached to the premises licence that requires the recording of such information. The log book shall be available at all times for inspection when required by persons authorised by the Licensing Act 2003 or associated legislation.
6. Prominent, clear and legible notices will be displayed at the exit requesting the public to respect the needs of nearby residents and to leave the premises and the area quietly.
7. Deliveries of goods necessary for the operation of the business will be carried out at such a time or in such a manner as to prevent nuisance and disturbance to nearby residents.
8. Adequate waste receptacles for use by customers will be provided in the local vicinity
9. Training shall be provided to staff to meet the four licensing objectives with particular attention to:
 - a/ no selling of alcohol to underage people
 - b/ no drunk and disorderly behaviour on the premises area
 - c/ vigilance in preventing the use and sale of illegal drugs
 - d/ no violent and anti-social behaviour
 - e/ protection of children from harmAll training to be recorded in a Training Record Book available at all times for inspection at the premises

9. REASONS FOR OFFICER OBSERVATIONS

- 9.1 Additional conditions 1 to 9 above derive from the applicant's operating schedule.

10. LEGAL COMMENTS

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

11. HUMAN RIGHTS ACT 1998 IMPLICATIONS

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

12. MEMBERS DECISION MAKING

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

13. CONCLUSION

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

Group Director, Neighbourhoods and Housing	Kim Wright
Lead Officer (holder of original copy):	Mike Smith Principal Licensing Officer Licensing Service 1 Hillman Street E8 1DY Telephone: 020 8356 4973

LIST OF BACKGROUND PAPERS RELATING TO THIS REPORT

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

Description of document	Location
Tava Restaurant 17 Stoke Newington Road, N16 8BH	Hackney Service Centre Licensing Service 1 Hillman Street London E8 1DY

Printed matter

Licensing Act 2003

LBH Statement of Licensing Policy

APPENDIX A

↳ Hackney LA07	Application to vary a premises licence under the Licensing Act 2003
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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 Erol Uzum
(Insert name(s) of applicant)

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

Premises licence number 055707
--

Part 1 – Premises Details

Postal address of premises or, if none, ordnance survey map reference or description Tava Restaurant 17 STOKE NEWINGTON ROAD HACKNEY			
Post town	LONDON	Postcode	N16 8BH

Telephone number at premises (if any)	[REDACTED]
Non-domestic rateable value of premises	£30,000

Part 2 – Applicant details

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

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

Part 3 – Variation

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

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

~~N/A~~

- EXTEND SALE OF ALCOHOL TO;
MONDAY TO ~~FR~~ SUNDAY FROM 09:00 TO 02:00
- CHANGE OPENING HOURS;
07:00 TO 05:00 (MONDAY TO SUNDAY)
- REMOVE CONDITION 25 - NO ALCOHOL ON THE PREMISES AFTER MIDNIGHT TO BE SERVED.

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:

50

J

Supply of alcohol Standard days and timings (please read guidance note 8)			Will the supply of alcohol be for consumption – please tick (please read guidance note 9)	On the premises	<input checked="" type="checkbox"/>
Day	Start	Finish		Off the premises	
Mon	09:00	02:00	State any seasonal variations for the supply of alcohol (please read guidance note 6)	Both	
Tue	09:00	02:00			
Wed	09:00	02:00			
Thur	09:00	02:00	Non-standard timings. Where you intend to use the premises for the supply of alcohol at different times to those listed in the column on the left, please list (please read guidance note 7) Default.LicesableActivitiesJ_plays_non_s»		
Fri	09:00	02:00			
Sat	09:00	02:00			
Sun	09:00	02:00			

K

Please highlight any adult entertainment or services, activities, other entertainment or matters ancillary to the use of the premises that may give rise to concern in respect of children (please read guidance note 10).
 N/A

L

Hours premises are open to the public Standard days and timings (please read guidance note 8)			State any seasonal variations (please read guidance note 6) N/A
Day	Start	Finish	
Mon	07:00	05:00	
Tue	07:00	05:00	
Wed	07:00	05:00	
Thur	07:00	05:00	
Fri	07:00	05:00	Non-standard timings. Where you intend the premises to be open to the public at different times from those listed in the column on the left, please list (please read guidance note 7) N/A
Sat	07:00	05:00	
Sun	07:00	05:00	

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

CONDITION 25- NO ALCHOL ON PREMISES AFTER MIDNIGHT TO BE SERVED.

Please tick as appropriate

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

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

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

I will post license to licensing team

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

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

I have been premises licence holder of Tava Restaurant since 2006. Recently i have partnered with my sister in law and her husband who are both professionals. Since 2006 there has been great changes to Hackney. it is important for my self and Tava to be able to meet customer expectations.

we would like to modernise our menu and decorate the premises from being a kebab shop to a warm, welcoming family environment. We will be investing a lot of capital and due to the current competition within the area we would like to meet customer needs for 100% satisfaction and return. currently i am unable to sell a glass of wine with a dish after midnight which has reduced the numbers of my customers. Competition is great but it is only great if you are able to compete. We have many restaurants in the area who is able to serve alcohol beyond my current hours

My sister in law Eda Akis is a training legal executive and has been within the legal field for over 8 years, she will take majority of control over management and training to ensure all staff members are trained and further all relevant requirements are met to its best.

we have had the alcohol licence for many years and have been fortunate enough not to come across with any unreasonable behaviour or situation, this is purely due to my management skills.

With the refurbishment and and my sister in law this is only going to better itself, hence why we feel confident in wanting to extend the sale of the alcohol hours. please see below additional steps we intend yo take to promote the four licensing objectives. We are of course happy to consider any conditions required by the local authorities and residence.

TO PROMOTE ALL FOUR LICENSING OBJECTIVES WE WILL KEEP:

Strong management controls and effective training of all staff so that they are aware of the premises licence and the

requirements to meet the four licensing objectives with particular attention to:

a/ no selling of alcohol to underage people

b/ no drunk and disorderly behavior on the premises area

c/ vigilance in preventing the use and sale of illegal drugs at the retail area

d/ no violent and anti-social behaviour

e/ no any harm to children

- Operating Schedule providing the hours of operation and licensable activities during those hours.

- Designated premises supervisor confirmed it is obligated to be in day-to-day control of the premises, to provide good

training for staff on the Licensing Act (Training Record), to make or authorize each sale

- Clear "Challenge 25" information to prevent the supply of alcohol to under-age drinkers.

- CCTV system installed with recording option available

- Roller metal exterior window shutter will be fixed to ensure that shop front is safe

and secure at all times

As a licensed premises we know that it is necessary to carry out our functions or operate their businesses with a purpose of promoting these objectives. We promise to support these objectives through their operating schedules and other measures (including staff training and qualifications, policies, and strategic partnerships with other agencies).

b) The prevention of crime and disorder

CCTV System installed to monitor entrances, exits, and other parts of the premises in order to address the prevention of crime objective.

A clear and legible notice outside the premises indicating the normal hours under the terms of the premises licence during which licensable activities are permitted.

Not selling of alcohol to drunk or intoxicated customers.

Staff will be well trained in asking customers to use premises in an orderly and respectful manner.

- Alcohol to be served with food only.

c) Public safety

Internal and external lighting fixed to promote the public safety objective.

Well trained staff adherence to environmental health requirements.

Training and implementation of underage ID checks.

A log book or recording system shall be kept upon the premises in which shall be entered particulars of inspections made; those required to be made by statute, and information compiled to comply with any public safety condition attached to the premises licence that requires the recording of such information. The log book shall be kept available for inspection when required by persons authorised by the Licensing Act 2003 or associated legislation.

All parts of the premises and all fittings and apparatus therein, door fastenings and notices, lighting, heating, electrical, air condition, sanitary accommodation and other installations, will be maintained at all times in good order and in a safe condition.

d) The prevention of public nuisance

Noise reduction measures to address the public nuisance objective.

Prominent, clear and legible notices will be displayed at the exit requesting the public to respect the needs of nearby residents and to leave the premises and the area quietly.

Deliveries of goods necessary for the operation of the business will be carried out at such a time or in such a manner as to prevent nuisance and disturbance to nearby residents.

The Licensee will ensure that staff who arrive early morning or depart late at night (ex. for unpacking, pricing newly delivered goods) when the business has ceased trading conduct themselves in such a manner to avoid causing disturbance to nearby residents.

Customers will be asked not to stand around loudly talking in the street outside the

premises.
 Customers will not be admitted to premises above opening hours.
 The movement of bins and rubbish outside the premises will be kept to a minimum after 11.00pm. This will help to reduce the levels of noise produced by the premises.
 Any lighting on or outside the premises will be positioned and screened in such a way so as to not cause a disturbance to nearby residents.
 Adequate waste receptacles for use by customers will be provided in the local vicinity

e) The protection of children from harm

"Challenge 25" sign which is a retailing strategy that encourages anyone who is over 18 but looks under 25 to carry acceptable ID (a card bearing the PASS hologram, a photographic driving license or a passport) if they wish to buy alcohol.
 Well trained staff about requirement for persons' identification, age establishment etc.
 All the details provided in Training Record Book available the premises.
 Log Book will be kept upon the premises all the time.
 Nothing belong existing Health & Safety requirements.

Checklist:

Please tick to indicate agreement

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

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

Part 5 – Signatures (please read guidance note 12)

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

Signature	Erol Uzum
Date	7/7/2018

Capacity	Business owner
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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	Eda Akis
Date	7/7/2018
Capacity	Business Partner

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

Notes for Guidance

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

1. You do not have to pay a fee if the only purpose of the variation for which you are applying is to avoid becoming liable for the late night levy
2. Describe the premises. For example, the type of premises, its general situation and layout and any other information which could be relevant to the licensing objectives. Where your application includes off-supplies of alcohol and you intend to provide a place of consumption of these off-supplies of alcohol, you must include a description of where the place will be and its proximity to the premises.
3. In terms of specific regulated entertainments please note that:
 - Plays: no licence is required for performances between 08.00 and 23.00 on any day, provided that the audience does not exceed 500.

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	Tava Restaurant 17 Stoke Newington Road London N16 8BH
Applicant name	Erol Uzum

COMMENTS

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

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

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

The application proposes to vary the existing premises license. The following licensable activities are proposed:

Supply of alcohol: 09:00 - 02:00 Monday - Sunday; and
Hours of operation: 07:00 - 05:00 Monday - Sunday.

The application also proposes to remove Condition 25 of the license what states that *'No alcohol to be consumed on the premises after midnight.'*

Planning application 2001/0214 granted the use of ground floor as Take Away/Restaurant (A3) use, plus erection of a single storey rear extension and a flue.

Condition 3 of the planning permission states that *'The use hereby permitted may only be carried out between 7h00 and 23h00 Mondays to Saturdays and between 8h00 and 22h00 on Sunday.'*

Planning application 2004/1470 refused the extension of approved opening hours to 5:00am Monday to Sunday inclusive. The reasons for refusal were given as follows:

1. *The proposal to vary condition no. 3 to extend the opening hours at the restaurant cannot be approved because conditions attached to the original planning permission 2001/0214 have not been discharged.*

Planning application 2006/0417 refused to vary condition 3 of planning permission (ref: 2001/0214) to allow the restaurant to be opened for 09:00 to 06:00 Mondays to Sundays. The reasons for refusal were given as follows:

1. *The proposed extension of hours would result in an unacceptable increase in noise, which would be detrimental to the living conditions of the neighbouring occupiers contrary to Policies ST1 (Strategic Policy - Appropriate Development, ST2 (Strategic Policy - Local Character), EQ40 (Noise Control) and R10 (Cafes, restaurants and 'Take-away').*

Planning application 2006/2070 granted variation of condition 3 (hours of use) attached to planning permission 2001/0214 to allow the restaurant to be opened from 0900 until 02.30 hours daily.

Planning application 2007/0700 granted the change of use of the first floor from storage to kitchen, toilet facilities/storage for the existing ground floor restaurant (Class A3).

Condition 3 of the planning permission limits the hours of operation to between 09:00 hours and 02:30 hours on any day.

The use of the premises is considered to be permitted. The proposed hours of operation exceed those permitted under the planning permission. The proposed hours have been considered by the the planning service previously and permission was refused. Therefore the planning service therefore objects to the proposed hours of operation.

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.

Objection.

The use of the premises is considered to be permitted. The proposed hours of operation exceed those permitted under the planning permission. The proposed hours have been considered by the the planning service previously and permission was refused. Therefore the planning service therefore objects to the proposed hours of operation.

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	Adele Castle
Date	9 August 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	Tava Restaurant 17 Stoke Newington Road London N16 8BH
NAME OF PREMISES USER	Erol UZUM

COMMENTS

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

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

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

Police make the following objections in relation to the application to vary the Premises Licence at TAVA RESTAURANT, 17 STOKE NEWINGTON ROAD, LONDON, N16 8BH for the following reason(s):

This premises is situated in the middle of the Dalston Special Policy Area. The policy is directed at the concentration of persons in the area and particularly those who have been drinking alcohol. A table has been set out, within the policy, detailing the activities and timings that are acceptable. The proposed timings within this application exceed those set out in the table

The policy clearly states that any application shall be refused which seeks to permit any activity/use not identified or allowed for in the table and where there is a genuine concern that the proposal will have a negative impact in the area. The area is saturated with licensed premises, which empty on to the streets in the early hours of the morning. These people are most often drunk, loud, boisterous and more likely to get involved in a confrontation, urinate, vomit and cause problems, including disorder on the street. After midnight, the streets in Dalston are incredibly busy and complaints are very often made by local residents who regularly contend with people urinating, vomiting, defecating or taking drugs on their doorsteps. The extra hours requested will mean that more alcohol has been consumed and these problems will just be increased once the patrons leave the venue.

Police feel that the current authorised hours are late enough and any increase would have a negative impact on the surrounding area.

Police cannot support this application at this time.

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	Hackney Service Centre 1 Hillman Street London E8 1DY
CONTACT NAME	David Tuitt
TELEPHONE NUMBER	0208 356 4942
E-MAIL ADDRESS	david.tuitt@hackney.gov.uk

APPLICATION PREMISES

NAME & ADDRESS OF PREMISES	Tava Restaurant 17 Stoke Newington Road London N16 8BH
NAME OF APPLICANT	Erol Uzum

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

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

I make a representation in relation to this application as the premises is located within the Dalston Special Policy Area (SPA). The SPA is area that has been identified as suffering from the negative cumulative impact of the concentration of licensed premises in the area. The premises is currently authorised for the provision of late night refreshment to 05:00 daily with alcohol sales restricted to midnight. The proposed additional hours for the supply of alcohol would therefore amount to an additional two hours per day.

It should be noted that **LP10** (Special Policy Areas – Dalston and Shoreditch) of the Council's Statement of Licensing Policy states:

LP10 Special Policy Areas – Dalston and Shoreditch

It is the Council's policy that where a relevant representation is made to any application within the area of the Dalston SPA or Shoreditch SPA, the applicant will need to demonstrate that the proposed activity and the operation of the premises will not add to the cumulative impact that is currently being experienced in these areas. This policy is to be strictly applied.

It should also be noted that the;

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

May not be in itself sufficient.

It should be noted that if an applicant can demonstrate that they will not add to the cumulative impact in their operating schedule and at any hearing, then the Core Hours Policy within LP3 will apply.

Evidential research used to inform the Policy made a number of notable findings, including:

- Most crime in Dalston (51%) occurred between the hours of 2200 and 0359 hours peaking between 0100 to 0259 hours over a period of 5 years.
- Friday's to Sunday's experienced the most crime overall (67%) of the total, particularly between Friday PM to Saturday AM, and Saturday PM to Sunday Morning between 2200 hours and 0459 hours (42%).
- A 'Behaviour Study' undertaken between May and November 2016 made a series of findings, including Dalston being a noisy location late at night, with many noise 'incidents', as well as a generally high ambient noise level creating potential conflicts of between local residents and ENTE businesses and patrons.

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

The Licensing Act 2003, Statement of Licensing Policy 2018-2023 and S182 Guidance issued by the Home Office.

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

Discussion with the applicant/agent to obtain further information in relation to the proposed operation of the premises bearing in mind the nature of the area and how the licensing objectives would be promoted.

Name: David Tuitt, Business Regulation Team Leader – Licensing and Technical Support

Date: 07/08/2018

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

RESPONSIBLE AUTHORITY DETAILS

NAME OF AUTHORITY	City and Hackney Public Health directorate
ADDRESS OF AUTHORITY	City and Hackney Public Health 1 Hillman St London E8 1DY
CONTACT NAME	Jerry Hill
TELEPHONE NUMBER	020 8356 1807
E-MAIL ADDRESS	Jerry.Hill@hackney.gov.uk

APPLICATION PREMISES

NAME & ADDRESS OF PREMISES	Tava 17 Stoke Newington Rd N16 8BH
NAME OF APPLICANT/PREMISES USER	Erol Uzum

COMMENTS

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

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

7 Aug 2018

RE: Representation against Tava

As Director of Public Health (a responsible authority under the Licensing Act 2004), I wish to make a representation against the application to vary the current license for **Tava, 17 Stoke Newington Rd N16 8BH**

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

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

This representation is made under the **prevention of crime and disorder and the prevention of public nuisance** licensing objectives.

The application is for a venue within the Dalston Special Policy Area (SPA). As laid out in the Council's Licensing Policy, and under **LP10**, where a relevant representation is made to any application within the area of the Dalston SPA, the application should demonstrate that the proposed activity and the operation of the premises will not add to the cumulative impact that is currently being experienced in these areas.

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

The area already has sufficient premises to meet demand and additional outlets supplying alcohol will be detrimental to the local residents in terms of noise and

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

disturbance, anti-social behaviour and crime. This includes extra hours of alcohol provision to existing premises.

The area within which this premise is located has high incidences of crime and violence, including those that are alcohol related. The information below is drawn from SafeStats, a service within the Greater London Authority that hosts data from emergency services and other agencies, covering the period year to December 2017. This data shows that, within a 500m of the premises:

- There were **150** alcohol related incidents
- **42** alcohol related incidents involved those aged under 26 years
- **103** assaults were recorded by the London Ambulance Service

According to the council's Licensing database of premises allowed to sell alcohol, there are **8 on licence premises** and **14 off licence premises** within 500m of the application venue, with a further **6 having a licence for on and off sales**.

Based on the information provided and the conditions outlined in LP10, **the Public Health function recommends that the application for a licence to supply alcohol be refused.**

Yours sincerely



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

From: [REDACTED]
Sent: 24 July 2018 13:06
To: Licensing
Cc: Richard Lufkin (Cllr); Michelle Gregory (Cllr); Wardens; Guy.Hicks@met.pnn.police.uk
Subject: Tava Restaurant, 17 Stoke Newington Road

Dear Hackney Licensing,

I am writing on behalf of the Rio Cross Residents Association to OBJECT to the application from Tava Restaurant for 'variation of premises licence to extend supply of alcohol till 02:00am Mon to Sun and to remove condition "No alcohol to be consumed on the premises after midnight".

There are a number of flats near these premises whose residents have a right to sleep. It is absolutely unacceptable that they should be kept awake until after 2 am seven nights a week by drunken customers emerging from this restaurant. It is our opinion that the restaurant should start winding down at 11.30 pm and be closed by midnight. There are already several all-night kebab shops and restaurants in the area as well as a large number of off-licenses. The supply is already sufficient.

If granted, the application would lead to an increase in anti-social behaviour and cumulative impact in the area.

On behalf of local residents, I urge you to reject this application.

Yours sincerely,

[REDACTED]

[REDACTED] Rio Cross Residents Association.

From: [REDACTED]
Sent: 24 July 2018 14:09
To: Licensing
Cc: [REDACTED]
Subject: Tava Restaurant, at 17 Stoke Newington Road

Dear Licensing team,

Regarding the application made by Tava restaurant to extend it's sale of alcohol to 2am, I would like to make an objection on the grounds that this will be very likely to increase the anti-social nature of the surrounding area at that time and into the following morning as there is already a bad problem with refuse along the adjoining Truman's road. As my family and I live [REDACTED], my young son often has to avoid dangerous refuse along the side of the premises as well as there already being a lot of urine and other remnants of the night time economy which pose a threat to his safety and other children during the day-time.

Regards,

[REDACTED]
[REDACTED] Pellerin Road, N16 [REDACTED]
[REDACTED]

Shan Uthayasangar

From: [REDACTED]
Sent: 24 July 2018 18:07
To: Licensing
Cc: Richard Lufkin (Cllr); Michelle Gregory (Cllr); Wardens; Guy.Hicks@met.pnn.police.uk; [REDACTED]
Subject: Re: Tava Restaurant, 17 Stoke Newington Road

Dear Licensing,

I am writing as a local resident and member of the Rio Cross Residents Association just to stress local residents' objection to extended licensed hours for these premises. It would break all four of the councils licensing objectives to grant this application. The area is beyond saturation point in terms of the number of late licenses already.

Yours,

[REDACTED]

Local resident

> On 24 Jul 2018, at 13:05, [REDACTED] wrote:
>
> Dear Hackney Licensing,
> I am writing on behalf of the Rio Cross Residents Association to OBJECT to the application from Tava Restaurant for 'variation of premises licence to extend supply of alcohol till 02:00am Mon to Sun and to remove condition "No alcohol to be consumed on the premises after midnight".
> There are a number of flats near these premises whose residents have a right to sleep. It is absolutely unacceptable that they should be kept awake until after 2 am seven nights a week by drunken customers emerging from this restaurant. It is our opinion that the restaurant should start winding down at 11.30 pm and be closed by midnight. There are already several all-night kebab shops and restaurants in the area as well as a large number of off-licenses. The supply is already sufficient.
> If granted, the application would lead to an increase in anti-social behaviour and cumulative impact in the area.
> On behalf of local residents, I urge you to reject this application.
> Yours sincerely,
> [REDACTED]
> [REDACTED], Rio Cross Residents Association.

Shan Uthayasangar

From: [REDACTED]
Sent: 07 August 2018 19:18
To: Licensing
Subject: 17 Stoke Newington Road London N16 8BH

Dear Licensing,

This premises has a poor track record of compliance.

This variation would cause nuisance particularly when customers leave the premises. The immediate vicinity is at the centre of the nuisance and crime in Dalston's Special Policy Area. The proposal would add to the cumulative impact.

This grill restaurant is a particularly notable polluter causing acute and other incidents of nuisance from concentrated acrid inadequately filtered smoke from a badly maintained extraction system to affect residential properties.

Regards,

[REDACTED]

17 Stoke Newington Road London N16 8BH
Shacklewell
Mr Uzum
Application for variation of premises licence to extend supply
of alcohol till 02:00am Mon to Sun and to remove condition
"No alcohol to be consumed on the premises after midnight".
07/08/2018

APPENDIX D



This premises licence has been issued by:

Licensing Service
2 Hillman Street
London E8 1FB

PART A – PREMISES LICENCE

Premises Licence Number

LBH-PRE-T-0614

Part 1 – Premises details

Tava Restaurant
17 Stoke Newington Road
Hackney
London
N16 8BH
0207 249 3666

Where the licence is time limited the dates

Not Applicable

Licensable activities authorised by the licence

Recorded Music
Late Night Refreshment
Supply of Alcohol

The times the licence authorises the carrying out of Licensable activities

Recorded Music Standard Hours:

Premises:
Mon 09:00-23:00
Tue 09:00-23:00
Wed 09:00-23:00
Thu 09:00-23:00
Fri 09:00-23:00
Sat 09:00-23:00
Sun 09:00-23:00

Late Night Refreshment Standard Hours:

Mon 23:00-05:00

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

Late Night Refreshment

Outdoors:

Standard Hours:

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

Supply of Alcohol

Premises:

Standard Hours:

Mon 09:00-00:00
Tue 09:00-00:00
Wed 09:00-00:00
Thu 09:00-00:00
Fri 09:00-00:00
Sat 09:00-00:00
Sun 09:00-00:00

The opening hours of the premises

Premises

Standard Hours:

Mon 09:00-05:00
Tue 09:00-05:00
Wed 09:00-05:00
Thu 09:00-05:00
Fri 09:00-05:00
Sat 09:00-05:00
Sun 09:00-05:00

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

On Premises

P

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

M

██████████ road
London
██████████

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

Not Applicable

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

Mr Erol Uzum

**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: 13 September 2006

Signed:

**David Tuitt
Team Leader - Licensing**

Annex 1 - Mandatory Conditions

Supply of Alcohol

1. No supply of alcohol may be made under the premises licence:
 - (a) At a time when there is no designated premises supervisor in respect of the premises licence.
 - (b) At a time when the designated premises supervisor does not hold a personal licence or his personal licence is suspended.
2. Every supply of alcohol under the premises licence must be made or authorised by a person who holds a personal licence.
3. (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 premises 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.

Annex 2 – Conditions consistent with the Operating Schedule

8. CCTV installed on the premises shall be maintained and recordings shall be kept for 31 days and made available to the police on request.
9. All seating areas to remain in full view of the counter.
10. All incidents of a criminal nature that occur on the premises shall be reported to the police.
11. Customers shall be requested to leave the premises quietly. Signage indicating this shall be displayed on the premises.
12. The staff shall control the behaviour of the customers under the licensee's direction when on the premises or in the immediate vicinity of the premises as they seek entry or leave.
13. Fire extinguishers (Foam, H2O and CO2), Fire blanket, internally illuminated fire exit signs, smoke detectors and emergency lighting shall be maintained in good working condition.
14. In the absence of adequate daylight, suitable and sufficient lighting shall be provided and maintained in any area accessible to the public. Access for disabled people to enter and leave the premises shall be maintained.
15. Customers shall be discouraged from congregating outside the premises.
16. Ventilation systems shall be maintained so as to prevent noxious smells from leaving the premises.
17. Refuse receptacles shall be cleaned regularly with a disinfectant. All the waste generated by the premises shall be dealt with appropriately.
18. Staff shall undertake a regular litter pick up outside the premises.

19. Photographic proof of ID like a passport shall be requested from customers who seem underaged.

Conditions derived from Responsible Authority representations

20. No noise shall be audible within the nearest noise sensitive premises.
21. All recorded music played after 23:00 shall be at background levels only.
22. The lobby doors shall be kept closed when not in use.
23. The changing of bins with bottles and glass waste shall not occur after 23:00.
24. The specification for the new kitchen extract system shall be agreed with the Council's Pollution Team.

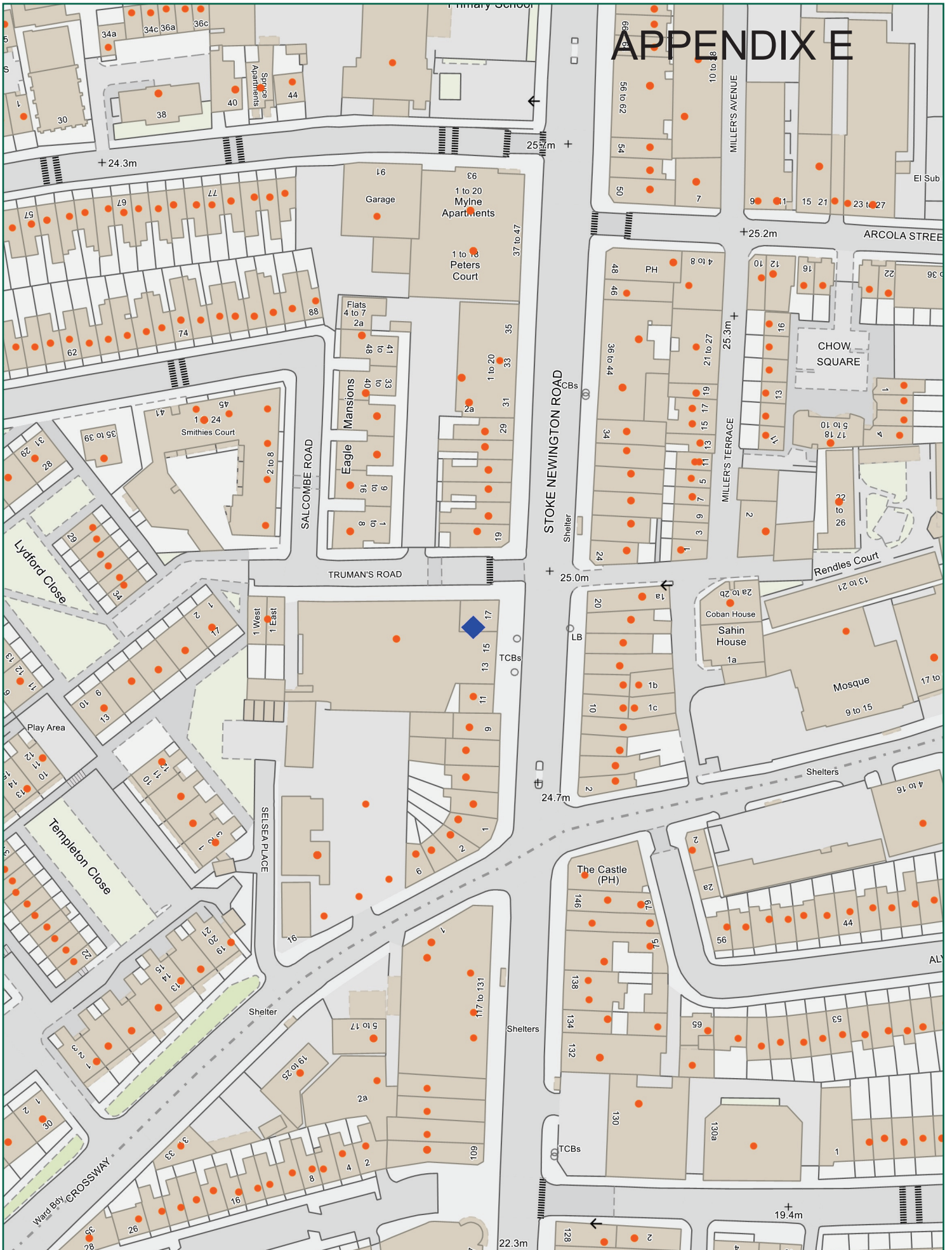
Annex 3 – Conditions attached after a hearing by the licensing authority

25. No alcohol to be consumed on the premises after midnight.
26. No more than 50 patrons on the premises at any one time.
27. No more than 5 smokers' outside the premises at anyone time.
28. No new admittance to the premises after 0400 day following.

Annex 4 – Plans

PLAN/LBH-PRE-T-0614/271005

APPENDIX E





REPORT OF GROUP DIRECTOR, NEIGHBOURHOODS AND HOUSING		
LICENSING SUB-COMMITTEE: 11/10/2018	Classification DECISION	Enclosure
Application for a Premises Licence Bootyard, Car Park Rear 18 To 26, Ashwin Street, E8 3DL	Ward(s) affected Dalston	

1. SUMMARY

Applicant(s) Bootstrap Company Limited	In SPA Dalston Area
Date of Application 16/08/2018	Period of Application Time-limited (01/07/2018-01/07/2023)
Proposed licensable activity Plays Films Live Music Recorded Music Performance of Dance Supply of Alcohol (On and Off Premises)	
Proposed hours of licensable activities	
Plays	Standard Hours:
OUTDOOR:	Mon 12:00-22:00 Tue 12:00-22:00 Wed 12:00-22:00 Thu 12:00-22:30 Fri 12:00-23:00 Sat 12:00-23:00 Sun 12:00-21:00
Films	Standard Hours:
BOTH:	Mon 12:00-22:00 Tue 10:00-22:00 Wed 10:00-22:00 Thu 10:00-22:30 Fri 10:00-23:00 Sat 10:00-23:00 Sun 10:00-21:30

<p>Live Music</p> <p>BOTH:</p>	<p>Standard Hours:</p> <p>Mon 16:00-22:00 Tue 16:00-22:00 Wed 18:00-22:00 Thu 18:00-22:30 Fri 18:00-23:00 Sat 12:00-23:00 Sun 12:00-21:00</p>
<p>Recorded Music</p> <p>BOTH:</p>	<p>Standard Hours:</p> <p>Mon 12:00-22:00 Tue 12:00-22:00 Wed 12:00-22:00 Thu 12:00-22:30 Fri 12:00-23:30 Sat 12:00-23:30 Sun 12:00-21:00</p>
<p>Performance of Dance</p> <p>OUTDOOR:</p>	<p>Standard Hours:</p> <p>Mon 12:00-22:00 Tue 12:00-22:00 Wed 12:00-22:00 Thu 12:00-22:30 Fri 12:00-23:30 Sat 12:00-23:30 Sun 12:00-21:00</p>
<p>Supply of Alcohol</p> <p>BOTH:</p>	<p>Standard Hours:</p> <p>Mon 11:00-22:30 Tue 11:00-22:30 Wed 11:00-22:30 Thu 11:00-22:30 Fri 11:00-23:30 Sat 11:00-23:30 Sun 11:00-21:00</p>
<p>The opening hours of the premises</p>	
<p>INDOOR</p>	<p>Standard Hours:</p> <p>Mon 08:00-23:00 Tue 08:00-23:00 Wed 08:00-23:00 Thu 08:00-23:00 Fri 08:00-00:00 Sat 08:00-00:00 Sun 09:00-22:00</p>

Capacity: Not known	
Policies Applicable	LP1 (General Principles), LP2 (Licensing Objectives), LP3 (Core Hours), LP6 (External Areas and Outdoor Events), LP10 (Special Policy Areas – Dalston and Shoreditch)
List of Appendices	A – Application for a premises licence and supporting documents B – Representations from other persons C – Previous time limited licence D – Location map
Relevant Representations	<ul style="list-style-type: none"> • Other Persons

2. APPLICATION

2.1 Bootstrap Company Limited has made an application for a premises licence under the Licensing Act 2003:

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

2.2 The application is attached as Appendix A.

3. CURRENT STATUS / HISTORY

3.1 A previous time limited premises licence for the premises was approved by Licensing Sub-Committee on 26 November 2015. The licence expired on 26 November 2017. The current application seeks the same activities and hours as the expired licence with the same conditions to be applied.

3.2 The premises have operated with Temporary Event Notices in 2018 as follows:

<u>Date of the event(S)</u>	<u>Hours</u>
15/03/2018-17/03/2018	12:00-23:00
20/04/2018-21/04/2018	17:00-22:30
19/05/2018	12:00-22:30
24/08/2018-26/08/2018	17:00-22:00
07/09/2018-08/09/2018	17:00-23:00
14/09/2018-15/09/2018	17:00-23:00
21/09/2018-22/09/2018	17:00-23:00
28/09/2018-29/09/2018	17:00-23:00

4. REPRESENTATIONS: RESPONSIBLE AUTHORITIES

From	Details
Environmental Health Authority (Environmental Protection)	Have confirmed no representation on this application
Environmental Health Authority (Environmental Enforcement)	No representation received

Environmental Health Authority (Health & Safety)	No representation received
Weights and Measures (Trading Standards)	Have confirmed no representation on this application
Planning Authority	No representation received
Area Child Protection Officer	No representation received
Fire Authority	Have confirmed no representation on this application
Police	Have confirmed no representation on this application.
Licensing Authority	Have confirmed no representation on this application
Health Authority	No representation received

5. REPRESENTATIONS: OTHER PERSONS

From	Details
One Representation received from and on behalf of local residents. (Appendix B)	Representation received on the grounds of The Prevention of Crime and Disorder and Prevention of Public Nuisance

6. GUIDANCE CONSIDERATIONS

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

7. POLICY CONSIDERATIONS

- 7.1 Licensing Sub-Committee is required to have regard to the London Borough of Hackney's Statement of Licensing Policy ("the Policy") adopted by the Licensing Authority.
- 7.2 The Policy applies to applications where relevant representations have been made. With regard to this application, policies, LP1 (General Principles), LP2 (Licensing Objectives), LP3 (Core Hours), LP6 (External Areas and Outdoor Events), LP10 (Special Policy Areas – Dalston and Shoreditch) 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)

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

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

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

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

(a) a holographic mark or

(b) an ultraviolet feature

6. The responsible person must ensure that:
- a) where any of the following alcoholic drinks is sold or supplied for consumption on the premises (other than alcoholic drinks sold or supplied having been made up in advance ready for sale or supply in a securely closed container) it is available to customers in the following measures:
 - beer or cider: 1/2 pint;
 - gin, rum, vodka or whisky: 25ml or 35ml; and
 - still wine in a glass: 125ml; and
 - b) these measures are displayed in a menu, price list or other printed material which is available to customers on the premises; and
 - c) where a customer does not in relation to a sale of alcohol specify the quantity of alcohol to be sold, the customer is made aware that these measures are available.

Minimum Drinks Pricing

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

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

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

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

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

Where -

(i) P is the permitted price,

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

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

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

(i) the holder of the premises licence,

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

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

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

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

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

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

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

Exhibition Of Films

8. Admission of children (under 18) to the exhibition of any film must be restricted in accordance with: -
- (a) Recommendations made by the film classification body where the film classification body is specified in the licence, or
 - (b) Recommendations made by the licensing authority where the film classification body is not specified in the licence, or the relevant licensing authority has not notified the holder of the licence that this subsection applies to the film in question.

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

Door Supervision

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

Conditions derived from operating schedule

- 10. There shall be 24 hour on site security provided at the premises.
- 11. For larger events (>75 people) a suitably qualified security company shall be used to provide security at the entrance to the site on Abbott street and there will be no access to the site from through the Print House building.
- 12. The licensees shall continue to be a member of the Dalston pub Watch scheme and contribute to the warden fund where appropriate.
- 13. Staff shall be trained in fire safety procedures and the use of fire safety equipment. Fire fighting equipment shall be made available in line with recommendations from the fire brigade and best practice.
- 14. The Security manager and Bar Manager shall be trained first aiders.
- 15. Suitable receptacles shall be provided for cigarette litter in the outside area.
- 16. Toilets shall remain open until the last member of the public has left the premises.

Conditions derived from Responsible Authority representations

17. 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.
18. 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 its 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.
19. The applicant will ensure the site is kept free from litter and food spillages at all times so as to ensure the safety of its customers. The area should be thoroughly cleaned at the close of business. The applicant should also instruct a member of staff to make regular checks around the exits from the site and remove any litter, bottles, glass or discarded food. The collection and removal of litter should include satisfactory disposal of spilled food and similar materials so as to leave the site in a clean, safe and wholesome condition.
20. The premises shall maintain a comprehensive CCTV system as per the minimum requirements of a Metropolitan Police Crime Prevention Officer. All public areas and all entry and exit points will be covered enabling frontal identification of every person entering in any light condition. The CCTV system shall continually record whilst the premises is open for licensable activities and during all times when customers remain on the premises. All recordings shall be stored for a minimum period of 31 days with date and time stamping. Recordings shall be made available immediately upon the request of Police or authorised officer.
21. A staff member from the premises who is conversant with the operation of the CCTV system shall be on the premises at all times when the premises 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.
22. 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.
23. 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.
 24. There shall be no glass, drinks or open containers taken outside the premises at any time (outside of the carpark), except for sales made from the brewery which should all be sealed and packaged correctly for consumption off the premises.
 25. 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.
 26. Premises to operate a zero tolerance policy to drugs and comply with the Hackney Police Weapons Policy and Hackney Police Theft Reduction Policy where appropriate.
 27. The premises will display prominent signage by every entrance and exit requesting customers to leave the premises quietly and respect local residents.
 28. All staff should receive regular training around the legislation relating to drunk and underage sales. There shall be written records kept of this training and produced to police or other authorised officer upon request.
 29. At least one SIA registered door supervisor will be employed at the premises on Friday and Saturday from 2000hrs until 30 minutes after close. Additional SIA registered door supervisors will be employed on an operational risk assessment basis. Whenever door supervisors are engaged they 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.
 30. The brewery will be the only container authorised to sell alcohol off the premises.
 31. There shall only be 3 containers selling alcohol at any one time.

9. REASONS FOR OFFICER OBSERVATIONS

- 9.1 Conditions 10 to 31 above are derived from previous licence and have been agreed with 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.

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

LIST OF BACKGROUND PAPERS RELATING TO THIS REPORT

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

Description of document	Location
Office File: Bootyard, Car Park Rear 18 To 26, Ashwin Street, E8 3DL	Licensing Service 1 Hillman Street London E8 1DY

Printed matter

Licensing Act 2003

LBH Statement of Licensing Policy

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 Bootstrap Company 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 Bootyard Car park rear to 18 to 26 Ashwin Street Hackney London			
Post town	London	Postcode	E8 3DL

Telephone number at premises (if any)	[REDACTED]
Non-domestic rateable value of premises	£8100

Part 2 - Applicant details

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

- a) an individual or individuals * please complete section (A)
- b) a person other than an individual *
 - i as a limited company/limited liability partnership please complete section (B)
 - ii as a partnership (other than limited liability) please complete section (B)
 - iii as an unincorporated association or please complete section (B)
 - iv other (for example a statutory corporation) please complete section (B)

- c) a recognised club please complete section (B)
- d) a charity please complete section (B)
- e) the proprietor of an educational establishment please complete section (B)
- f) a health service body please complete section (B)
- g) a person who is registered under Part 2 of the Care Standards Act 2000 (c14) in respect of an independent hospital in Wales please complete section (B)
- ga) a person who is registered under Chapter 2 of Part 1 of the Health and Social Care Act 2008 (within the meaning of that Part) in an independent hospital in England please complete section (B)
- h) the chief officer of police of a police force in England and Wales please complete section (B)

* If you are applying as a person described in (a) or (b) please confirm (by ticking yes to one box below):

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

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

(A) INDIVIDUAL APPLICANTS (fill in as applicable)




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

SECOND INDIVIDUAL APPLICANT (if applicable)

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

(B) OTHER APPLICANTS

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

Name Bootstrap Company Limited
Address 
Registered number (where applicable) 
Description of applicant (for example, partnership, company, unincorporated association etc.) Charitable Social Enterprise committed to alleviating poverty through enterprise and culture.
Telephone number (if any) 

E-mail address (optional)

Part 3 Operating Schedule

When do you want the premises licence to start?

DD MM YYYY
01 07 2018

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

DD MM YYYY
01 07 2023

Please give a general description of the premises (please read guidance note 1)
The premises is a car park accessed through the Bootstrap buildings on Ashwin Street or from Abbot Street. There is also an emergency exit into the Curve Garden. The Bootyard began as a pioneering project to turn a neglected car park into a new start up space for socially minded business' and community activities. The project has been growing organically with Dusty Knuckle Bakery and 40ft Brewery as lead tenants for the space.

The Bootyard held a premises licence without any issue (number 072148) for a two year period which ended in November 2017.

We are now reapplying for a premises licence to enable our stakeholder tenants to continue to operate their business' as usual, having used occasional TEN's in the intervening period for this purpose.

Beer, wine and spirits will be served from the tap room bar from the brewery container and will be consumed along with food from the Dusty Knuckle bakery and restaurants containers in the main space.

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

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

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

Provision of regulated entertainment (please read guidance note 2) Please tick any that apply

- a) plays (if ticking yes, fill in box A)
- b) films (if ticking yes, fill in box B)
- c) indoor sporting events (if ticking yes, fill in box C)
- d) boxing or wrestling entertainment (if ticking yes, fill in box D)
- e) live music (if ticking yes, fill in box E)
- f) recorded music (if ticking yes, fill in box F)
- g) performances of dance (if ticking yes, fill in box G)

h) anything of a similar description to that falling within (e), (f) or (g) (if ticking yes, fill in box H)

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

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

In all cases complete boxes K, L and M

A

Plays Standard days and timings (please read guidance note 7)			Will the performance of a play take place indoors or outdoors or both – please tick (please read guidance note 3)	Indoors	<input type="checkbox"/>
				Outdoors	<input checked="" type="checkbox"/>
				Both	<input type="checkbox"/>
Day	Start	Finish	Please give further details here (please read guidance note 4) Occasional performances of community led theatre in the central space.		
Mon	12:00	22:00			
Tue	12:00	22:00			
Wed	12:00	22:00	State any seasonal variations for performing plays (please read guidance note 5)		
Thur	12:00	22:30			
Fri	12:00	23:00	Non-standard timings. Where you intend to use the premises for the performance of plays at different times to those listed in the column on the left, please list (please read guidance note 6)		
Sat	12:00	23:00			
Sun	12:00	21:00			

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 type="checkbox"/>
				Outdoors	<input type="checkbox"/>
				Both	<input checked="" type="checkbox"/>
Day	Start	Finish	Please give further details here (please read guidance note 4) Screenings may be held inside the containers, under a temporary tent structure, or on a temporary screen outside.		
Mon	12:00	22:00			
Tue	10:00	22:00	State any seasonal variations for the exhibition of films (please read guidance note 5)		
Wed	10:00	22:00			
Thur	10:00	22:30	Non-standard timings. Where you intend to use the premises for the exhibition of films at different times to those listed in the column on the left, please list (please read guidance note 6)		
Fri	10:00	23:00			
Sat	10:00	23:00			
Sun	10:00	21:30			

C

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

D

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

E

Live music Standard days and timings (please read guidance note 7)			Will the performance of live music take place indoors or outdoors or both – please tick (please read guidance note 3)	Indoors	<input type="checkbox"/>
				Outdoors	<input type="checkbox"/>
				Both	<input checked="" type="checkbox"/>
Day	Start	Finish	<p>Please give further details here (please read guidance note 4) Performances of local community groups and musicians. Set-up of live performance all follow the recommendations of a qualified and council approved acoustician. Performances will be acoustic in nature or if amplified, we will use the limiter already installed on the premises to ensure that there is no disruption to neighbours.</p> <p>State any seasonal variations for the performance of live music (please read guidance note 5)</p> <p>Non-standard timings. Where you intend to use the premises for the performance of live music at different times to those listed in the column on the left, please list (please read guidance note 6)</p>		
Mon	16:00	22:00			
Tue	16:00	22:00			
Wed	18:00	22:00			
Thur	18:00	22:30			
Fri	18:00	23:00			
Sat	12:00	23:00			
Sun	12:00	21:00			

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 type="checkbox"/>
				Outdoors	<input type="checkbox"/>
				Both	<input checked="" type="checkbox"/>
Day	Start	Finish	<p>Please give further details here (please read guidance note 4)</p> <p>There is potential for low-level background music in each container for staff/retail customers i.e. listening to the radio/CD's.</p> <p>For larger events after working hours recorded music in the community space will be run through the limiter already in place, with the pre-set levels agreed with neighbours and a council approved accoustician. Bootstrap will regularly monitor opinions and activities of neighbours to ensure that the level is reduced further as and when needed.</p> <p>State any seasonal variations for the playing of recorded music (please read guidance note 5)</p> <p>Non-standard timings. Where you intend to use the premises for the playing of recorded music at different times to those listed in the column on the left, please list (please read guidance note 6)</p>		
Mon	12:00	22:00			
Tue	12:00	22:00			
Wed	12:00	22:00			
Thur	12:00	22:30			
Fri	12:00	23:30			
Sat	12:00	23:30			
Sun	12:00	21:00			

G

Performances of dance Standard days and timings (please read guidance note 7)			Will the performance of dance take place indoors or outdoors or both – please tick (please read guidance note 3)	Indoors	<input type="checkbox"/>
Day	Start	Finish		Outdoors	<input checked="" type="checkbox"/>
				Both	<input type="checkbox"/>
Mon	12:00	22:00	Please give further details here (please read guidance note 4) Occasional dance performances by local and visiting dancers using the site for a site specific show.		
Tue	12:00	22:00			
Wed	12:00	22:00	State any seasonal variations for the performance of dance (please read guidance note 5)		
Thur	12:00	22:30			
Fri	12:00	23:30	Non-standard timings. Where you intend to use the premises for the performance of dance at different times to those listed in the column on the left, please list (please read guidance note 6)		
Sat	12:00	23:30			
Sun	12:00	21:00			

H

<p>Anything of a similar description to that falling within (e), (f) or (g) Standard days and timings (please read guidance note 7)</p>			<p>Please give a description of the type of entertainment you will be providing</p>		
Day	Start	Finish	<p>Will this entertainment take place indoors or outdoors or both – please tick (please read guidance note 3)</p>	Indoors	<input type="checkbox"/>
Mon				Outdoors	<input type="checkbox"/>
				Both	<input type="checkbox"/>
Tue			<p>Please give further details here (please read guidance note 4)</p>		
Wed					
Thur			<p>State any seasonal variations for entertainment of a similar description to that falling within (e), (f) or (g) (please read guidance note 5)</p>		
Fri					
Sat			<p>Non-standard timings. Where you intend to use the premises for the entertainment of a similar description to that falling within (e), (f) or (g) at different times to those listed in the column on the left, please list (please read guidance note 6)</p>		
Sun					

I

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

J

Supply of alcohol Standard days and timings (please read guidance note 7)			Will the supply of alcohol be for consumption – please tick (please read guidance note 8)	On the premises	<input type="checkbox"/>
				Off the premises	<input type="checkbox"/>
				Both	<input checked="" type="checkbox"/>
Day	Start	Finish	State any seasonal variations for the supply of alcohol (please read guidance note 5)		
Mon	11:00	22:30			
Tue	11:00	22:30			
Wed	11:00	22:30			
Thur	11:00	22:30			
Fri	11:00	23:30			
Sat	11:00	23:30			
Sun	11:00	21:00			

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

Name Rosa Slade	
Date of birth [REDACTED]	
Address [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).

Films screened may include 12, 15 and 18 films in which case we will adopt similar processes to our processes for films on the Dalston Roof Park with ID being requested and entry refused if ID is not provided. Staff will be given age awareness training to support them in this role.

L

Hours premises are open to the public Standard days and timings (please read guidance note 7)			State any seasonal variations (please read guidance note 5)
Day	Start	Finish	
Mon	08:00	23:00	
Tue	08:00	23:00	
Wed	08:00	23:00	
Thur	08:00	23:00	
			Non-standard timings. Where you intend the premises to be open to the public at different times from those listed in the column on the left, please list (please read guidance note 6)
Fri	08:00	00:00	
Sat	08:00	00:00	
Sun	09:00	22:00	

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)

There is 24 hour on site security provided. For larger events (>75 people) a suitably qualified security company will be used to provide security at the entrance to the site on Abbot street, and patrolling the space.

At least one SIA registered door supervisor will be employed always at the premises on Friday and Saturday from 2000hrs until 30 minutes after close if the premises is operational. Additional SIA registered door supervisors will be employed on an operational risk assessment basis.

There will be no access to the site from through the Print House building.

All staff involved in alcohol sales will be trained with recorded ongoing training regime and the Challenge 25 and proof of age initiative will be embraced. Refusals system with refusals book will be in place.

A 30 minute drinking up time on top of the last permitted sale of alcohol to allow customers to use the toilet facilities and disperse from the premises safely will be applied.

Locations of fire safety and other safety equipment subject to change in accordance with the requirements of the responsible authorities or authorities or following a risk assessment.

Any detail shown on the plan that is not required by the licensing regulation is indicative only and subject to change at any time.

b) The prevention of crime and disorder

In addition to the Challenge 25 and refusals book set out above we also have 3 CCTV cameras in place, with one on the entrance from Abbot Street for facial recognition. All shall be maintained in consultation with police crime prevention office. The licensee shall ensure that the CCTV is maintained in working order to the satisfaction of the Police and Local Authority and be in operation when the premises is open to the public and recordings shall be retained for the period of 31 days. There will be trained staff onsite across all operating hours who will be able to show police or an authorised officer of Hackney Borough Council recent CCTV data or footage with the absolute minimum delay when requested .

An incident book will be kept on the premises in which all instances of public disorder are recorded. We will continue to be a member of the Dalston pub watch scheme and contribute to the Warden Fund where appropriate.

The Premises operates a zero tolerance policy to drugs and complies with the Hackney Police Weapons Policy and Hackney Police Theft Reduction policy where appropriate.

c) Public safety

Staff will be trained in fire safety procedures and the use of the fire safety equipment. Fire fighting equipment will be made available in line with recommendations from the fire brigade and best practice. The gate to the Curve Garden and gate onto Abbot Street will be the designated exits for public on the site in the event of an emergency situation. The Bar Manager will be responsible for the gate to the curve Garden and the Security Manager will be responsible for the gate onto Abbot Street. Our procedure to ensure fire exits are checked regularly and clear from obstruction at all times will be half hourly checks by security, Bar Manager and training of staff in induction to act immediately to remove obstacles and report to security and Bar

Manager. There will always be a trained first aider on site
There shall be no glasses, drinks or open containers taken outside the premises at any time (outside the carpark) except for sales made from the brewery which should all be sealed and packaged correctly for consumption off the premises.

d) The prevention of public nuisance

Suitable receptacles will be provided for cigarette litter in the outside area. Notices reminding customers to keep noise levels to a minimum will be displayed. Toilets will remain open until the last member of public has left the premises.
Staff will be trained to deal with difficult situations and to ensure that these are diffused by early action and the professional security team.
A limiter is already on site to ensure any amplified noise levels are restricted to a level that our neighbours are happy with.

e) The protection of children from harm

A challenge 25 policy will be employed whereby those who appear to be under 25 and are attempting to purchase alcohol will be asked to provide identifications. The only type of identification that will be accepted is a photo driving licence, passport or PASS cards. Staff will receive training in this.

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.**

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

Date	02/07/18
Capacity	

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

Signature	
Date	
Capacity	

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

Rosa Slade
18 Ashwin Street,

Post town **London**

Postcode **E8 3DL**

Telephone number (if any)

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








[Redacted]

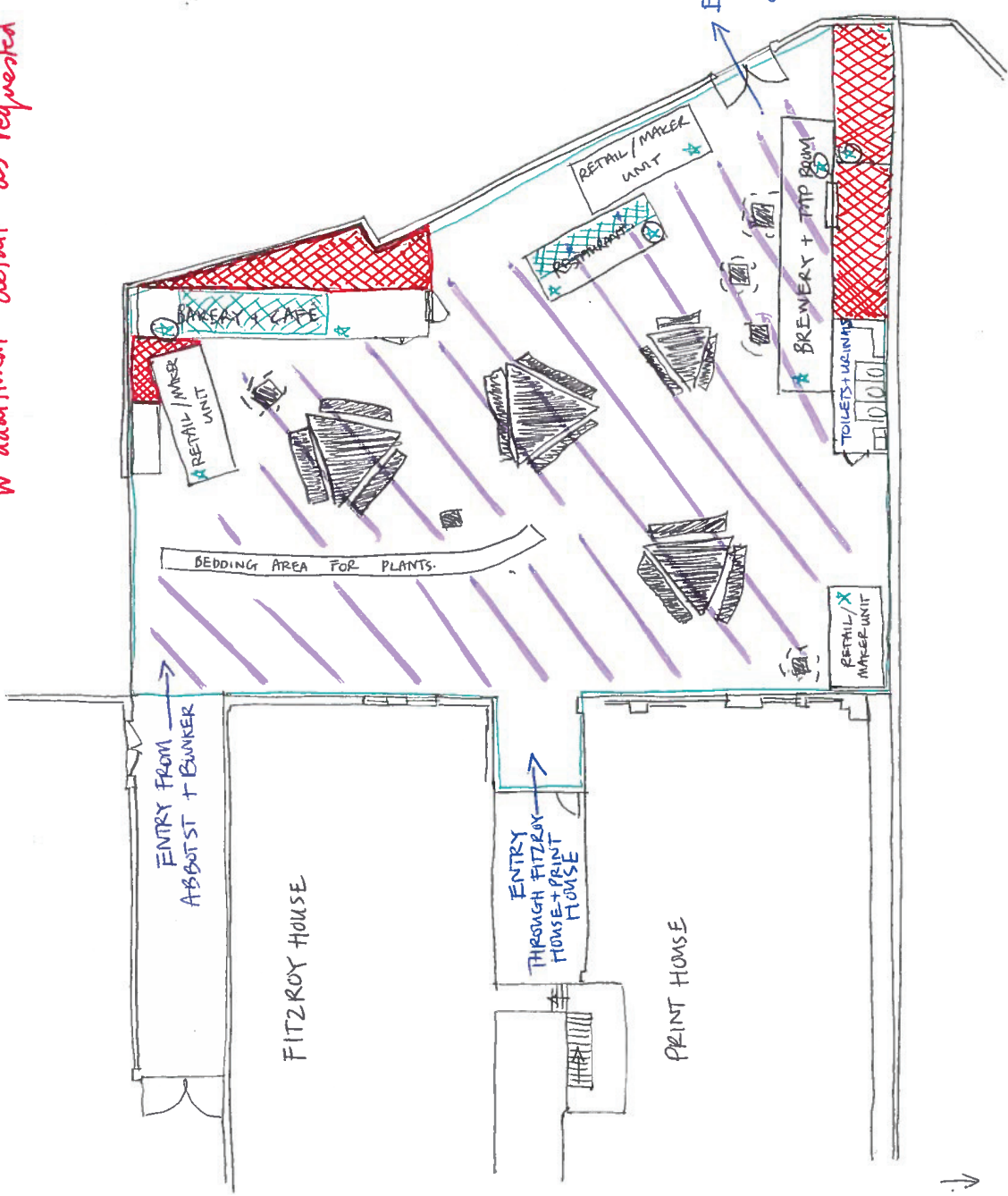
Notes for Guidance

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

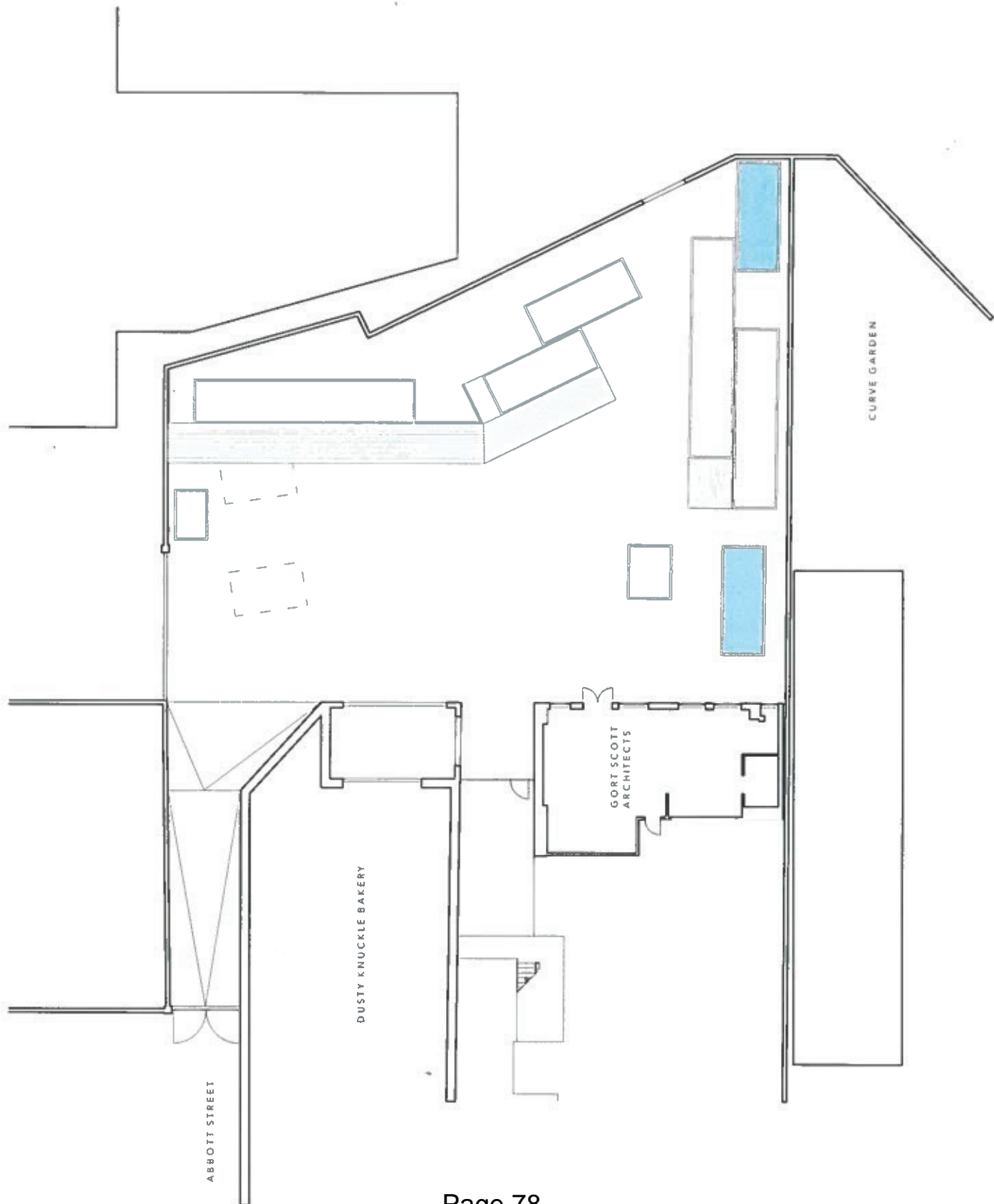
PLAN OF THE PREMISES - BOOTYARD (CAR PARK AT REAR OF 18 ASHWIN ST)
 W additional detail as requested by Police.

KEY

-  Storage for tenant businesses (not public access controlled by fences)
-  Boundary of BootYard Premises
-  Area for drinking, dancing, eating, film screenings, live music + plays.
-  Typical location of tables + chairs.
-  Location of fire extinguishes (water)
-  Location of fire extinguishers (foam)
-  Location of kitchen



Status	For Licence App.
WHAT	BOOTYARD.
ADDRESS	REAR OF 18 ASHWIN ST CAR PARK.
SCALE	1:100 @ A1



- Single storey container
- Two storeys of container
- Existing foundations
- Toilets
- Electricity shed
- Decking

40 ft Brewery

Bootstrap Yard

Existing Plan

Information Only

1:200 @ A3 04.03.18

005 00.01

A SHEPHERD & DIBROTHERTON
ARCHITECTS

Shan Uthayasangar

From: [REDACTED]
Sent: 22 August 2018 20:12
To: Licensing
Subject: Bootyard Car Park rear to 18 to 26 Ashwin Street

Dear Licensing,

The late hours applied for at this outdoor location for these activities would lead to an increase in nuisance and crime in locality.

Regards,

[REDACTED]

Bootyard Car Park rear to 18 to 26 Ashwin Street
London
E8 3DL

Dalston Bootstrap Company Ltd

Application for a time-limited premises licence from 01/07/2018 to 01/07/2023, for plays from 12:00 to 22:00 Mon to Wed, 12:00 to 22:30 Thurs, 12:00 to 23:00 Fri and Sat and from 12:00 to 21:00 Sun, films from 12:00 to 22:00 Mon, 10:00 to 22:00 Tue and Wed, 10:00 to 22:30 Thurs, 10:00 to 23:00 Fri and Sat and from 10:00 to 21:30 Sun, live music from 16:00 to 22:00 Mon and Tue, 18:00 to 22:00 Wed, 18:00 to 22:30 Thurs, 18:00 to 23:00 Fri, 12:00 to 23:00 Sat and from 12:00 to 21:00 Sun, recorded music and performance of dance from 12:00 to 22:00 Mon to Wed, 12:00 to 22:30 Thurs, 12:00 to 23:30 Fri and Sat and from 12:00 to 21:00 Sun and to authorise supply of alcohol for consumption on and off the premises from 11:00 to 22:30 Mon to Wed, 11:00 to 22:30 Thurs, 11:00 to 23:30 Fri and Sat and from 11:00 to 21:00 Sun.
22/08/2018



This premises licence has been issued by:

Licensing Service
2 Hillman Street
London E8 1FB

PART A – PREMISES LICENCE

Premises Licence Number

072148

Part 1 – Premises details

BootYard
Car Park Rear 18 To 26
Ashwin Street
London
E8 3DL

Where the licence is time limited the dates

From: 26 November 2015 To: 26 November 2017

Licensable activities authorised by the licence

Plays
Films
Live Music
Recorded Music
Performance of Dance
Supply of Alcohol

The times the licence authorises the carrying out of Licensable activities

Plays **Standard Hours:**

OUTDOOR: Mon 12:00-22:00
Tue 12:00-22:00
Wed 12:00-22:00
Thu 12:00-22:30
Fri 12:00-23:00
Sat 12:00-23:00
Sun 12:00-21:00

Films **Standard Hours:**

BOTH: Mon 10:00-22:00
Tue 10:00-22:00
Wed 10:00-22:00
Thu 10:00-22:30
Fri 10:00-23:00
Sat 10:00-23:00
Sun 10:00-21:30

Live Music
BOTH:
Standard Hours:
Mon 18:00-22:00
Tue 18:00-22:00
Wed 18:00-22:00
Thu 18:00-22:30
Fri 18:00-23:00
Sat 12:00-23:00
Sun 12:00-21:00

Recorded Music
BOTH:
Standard Hours:
Mon 12:00-22:00
Tue 12:00-22:00
Wed 12:00-22:00
Thu 12:00-22:30
Fri 12:00-23:30
Sat 12:00-23:30
Sun 12:00-21:00

Performance of Dance
OUTDOOR:
Standard Hours:
Mon 12:00-22:00
Tue 12:00-22:00
Wed 12:00-22:00
Thu 12:00-22:30
Fri 12:00-23:30
Sat 12:00-23:30
Sun 12:00-21:00

Supply of Alcohol
BOTH:
Standard Hours:
Mon 11:00-22:30
Tue 11:00-22:30
Wed 11:00-22:30
Thu 11:00-22:30
Fri 11:00-23:30
Sat 11:00-23:30
Sun 11:00-21:00

The opening hours of the premises
Standard Hours:
Mon 08:00-23:00
Tue 08:00-23:00
Wed 08:00-23:00
Thu 08:00-23:00
Fri 08:00-00:00
Sat 08:00-00:00
Sun 09:00-22:00

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

Part 2 –

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

The Bootstrap Company Ltd
The Print House
18 Ashwin Street
Hackney
London
E8 3DL

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

275489

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

Sara Turnbull



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

Licence No: LBH-PER-N-1765
Issuing Authority: Hackney

Date of Grant: 26 November 2015

Signed:

A handwritten signature in black ink, appearing to read 'David Tultt'.

David Tultt
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 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 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
 - a. these measures are displayed in a menu, price list or other printed material which is available to customers on the premises; and
 - b. 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 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 24 hour on site security provided at the premises.
11. For larger events (>75 people) a suitably qualified security company shall be used to provide security at the entrance to the site on Abbott street and there will be no access to the site from through the Print House building.
12. The licensees shall continue to be a member of the Dalston pub Watch scheme and contribute to the warden fund where appropriate.
13. Staff shall be trained in fire safety procedures and the use of fire safety equipment. Firefighting equipment shall be made available in line with recommendations from the fire brigade and best practice.
14. The Security manager and Bar Manager shall be trained first aiders.
15. Suitable receptacles shall be provided for cigarette litter in the outside area.
16. Toilets shall remain open until the last member of the public has left the premises.

Conditions derived from Responsible Authority representations

17. 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.
18. 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 its 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.
19. The applicant will ensure the site is kept free from litter and food spillages at all times so as to ensure the safety of its customers. The area should be thoroughly cleaned at the close of business. The applicant should also instruct a member of staff to make regular checks around the exits from the site and remove any litter, bottles, glass or discarded food. The collection and removal of litter should include satisfactory disposal of spilled food and similar materials so as to leave the site in a clean, safe and wholesome condition.

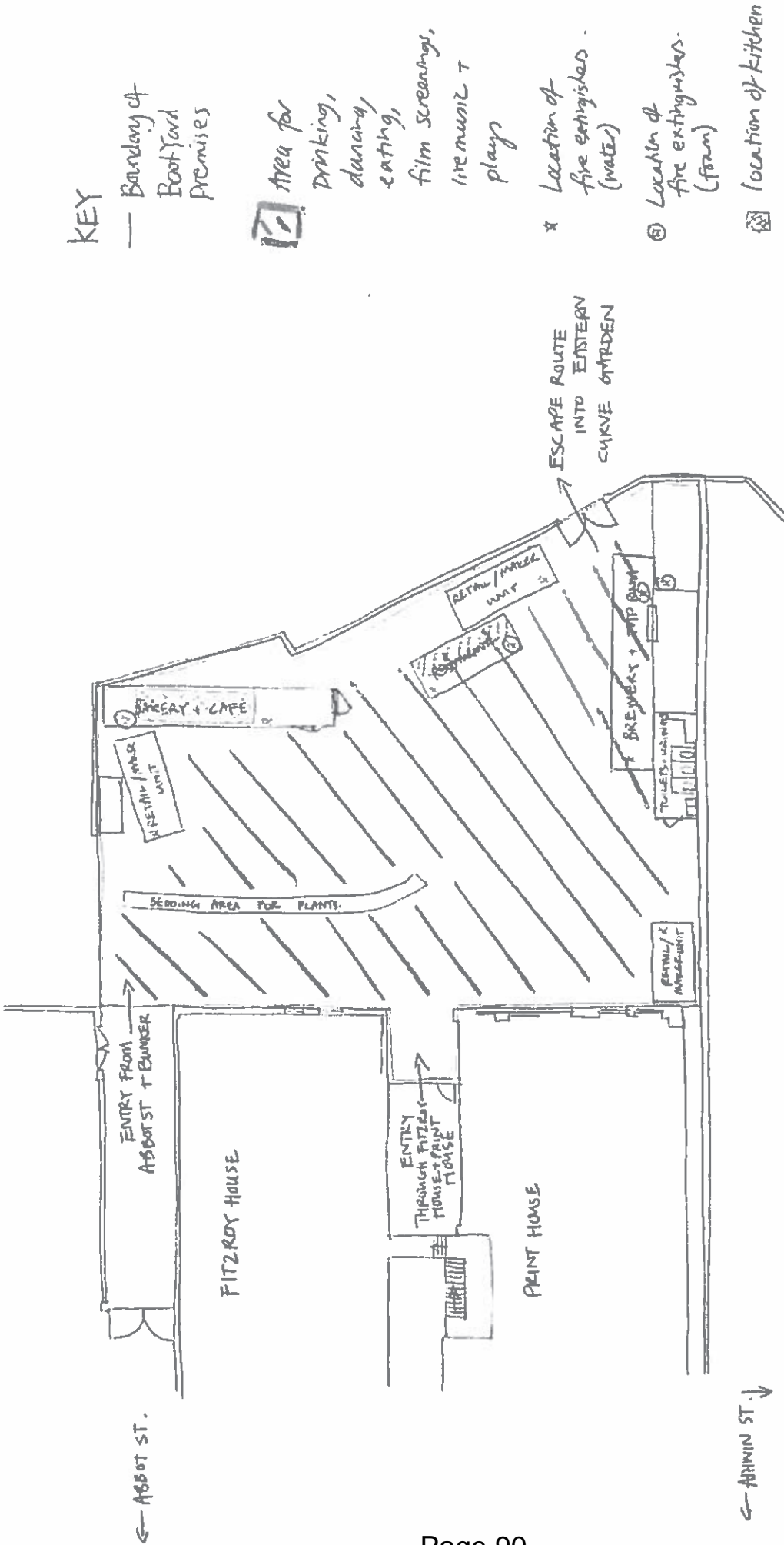
20. The premises shall maintain a comprehensive CCTV system as per the minimum requirements of a Metropolitan Police Crime Prevention Officer. All public areas and all entry and exit points will be covered enabling frontal identification of every person entering in any light condition. The CCTV system shall continually record whilst the premises is open for licensable activities and during all times when customers remain on the premises. All recordings shall be stored for a minimum period of 31 days with date and time stamping. Recordings shall be made available immediately upon the request of Police or authorised officer.
21. 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.
22. 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.
23. 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.
24. There shall be no glass, drinks or open containers taken outside the premises at any time (outside of the carpark), except for sales made from the brewery which should all be sealed and packaged correctly for consumption off the premises.
25. 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.
26. Premises to operate a zero tolerance policy to drugs and comply with the Hackney Police Weapons Policy and Hackney Police Theft Reduction Policy where appropriate.

27. The premises will display prominent signage by every entrance and exit requesting customers to leave the premises quietly and respect local residents.
28. All staff should receive regular training around the legislation relating to drunk and underage sales. There shall be written records kept of this training and produced to police or other authorised officer upon request.
29. At least one SIA registered door supervisor will be employed at the premises on Friday and Saturday from 2000hrs until 30 minutes after close. Additional SIA registered door supervisors will be employed on an operational risk assessment basis. Whenever door supervisors are engaged they 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.

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

30. The brewery will be the only container authorised to sell alcohol off the premises.
31. There shall only be 3 containers selling alcohol at any one time.

PLAN OF THE PREMISES - BOOTYARD (CAR PARK AT REAR OF 18 ADMIN ST)



KEY

— Boundary of BootYard Premises



Area for drinking, dancing, eating, film screenings, live music & plays

* Location of fire extinguishers (water)

⊕ Location of fire extinguishers (foam)

⊗ location of kitchen

Status	For Licence App.
WHAT	BOOTYARD
ADDRESS	REAR OF 18 ADMIN ST CAR PARK.
SCALE	1:100 @ A1

APPENDIX D




NORTH

Scale: 1:1250 at A4



Bootyard, Carpark rear to 18 to 26, Ashwin Street, E8 3DL

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