



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

Tuesday, 23rd July, 2019

at 7.00 pm

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

Councillors sitting:

**Cllr Brian Bell (Substitute), Cllr Sem Moema and
Cllr Harvey Odze**

TIM SHIELDS
Chief Executive

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

The press and public are welcome to attend this meeting

AGENDA

Tuesday, 23rd July, 2019

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		
5 Licensing Sub-Committee Hearing Procedure		(Pages 1 - 2)
6 Variation of a Premises Licence - Dudleys, 123-125 Kingsland High Street, E8 2PB	Dalston	(Pages 3 - 48)
7 Application for a Premises Licence - Brunswick And Columbia Wharf, 53-55 Laburnum Street, E2 8BD	Haggerston	(Pages 49 - 124)

Licensing Sub-Committee Hearings

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

A Licensing Sub-Committee will be held if:

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

Prior to your item being heard:

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

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

Making decisions on the items being heard:

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

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

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

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

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

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

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

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

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

Before the meeting starts:

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

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

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

Attending the hearing that concerns you:

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

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

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

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

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

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

Timings

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

Rights of Press and Public to Report on Meetings

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

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

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

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

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

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

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

Providing oral commentary during a meeting is not permitted.

Lobbying of Councillors

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

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

Reports

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

Appeals

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

Withdrawal of an Item or Cancellation of a Hearing

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

As much advance notice as is practicable of the withdrawal of an item on the agenda or cancellation of a meeting of the Licensing Sub-Committee will be provided on the Council's

website but please note that this might be as little as a few hours before the hearing if the applicant chooses to leave it that late to satisfactorily address any representation or objection giving rise to the need for a hearing.

Facilities

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

Contacts

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

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

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

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

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

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

ADVICE TO MEMBERS ON DECLARING INTERESTS

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

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

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

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

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

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

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

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

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

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

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

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

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

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

Further Information

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



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.

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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: 23/07/2019	Classification DECISION	Enclosure
APPLICATION TO VARY THE PREMISES LICENCE : Dudleys, 123-125 Kingsland High Street, E8 2PB	Ward(s) affected Dalston	

1. SUMMARY

Applicant(s) Harvest Artisan Bakery Limited	In SPA : Dalston
Date of Application 31 May 2019	Period of Application Permanent
Proposed variation: Late Night Refreshment Supply of Alcohol (On Premises)	
Proposed hours for licensable activity	
Late Night Refreshment Both	Standard Hours: Mon 23:00-00:00 Tue 23:00-00:00 Wed 23:00-00:00 Thu 23:00-05:00 Fri 23:00-05:00 Sat 23:00-05:00 Sun 23:00-00:00
Supply of Alcohol	Standard Hours: Mon 11:00-23:30 Tue 11:00-23:30 Wed 11:00-23:30 Thu 11:00-04:30 Fri 11:00-04:30 Sat 11:00-04:30 Sun 11:00-23:30

The opening hours of the premises:	
	Standard Hours: Mon 06:00-05:00 Tue 06:00-05:00 Wed 06:00-05:00 Thu 06:00-05:00 Fri 06:00-05:00 Sat 06:00-05:00 Sun 06:00-05:00
Current activities/hours: See current licence attached at Appendix D	
Capacity: not known	
Policies Applicable	LP1 (General Principles), LP2 (Licensing Objectives), LP3 (Core Hours) and 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"> • Environmental Enforcement • Police • Licensing Authority • Other Persons

2. APPLICATION

2.1 Harvest Artisan Bakery Limited has made an application vary their premises licence under the Licensing Act 2003:

- To extend hours for supply of alcohol for consumption on the premises
- To extend hours for supply of late night refreshment
- To remove conditions number 23, 25 and 33 from the licence.

2.2 The application is attached as Appendix A.

3. CURRENT STATUS / HISTORY

3.1 The current premises licence was granted by Licensing Sub-Committee 15th November 2016. The licence was transferred to the current licensee in 8th August 2018. and transferred to the current applicant in August 2018.

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

5. REPRESENTATIONS: OTHER PERSONS

5 representations opposed to the application received from the local residents and 3 in support.. (Appendix C1-C8)	Representation received on the grounds of The Prevention of Crime and Disorder, Public Safety, Prevention of Public Nuisance, The Protection of Children from Harm, Core Hours and Special Policy Area.
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6. GUIDANCE CONSIDERATIONS

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

7. POLICY CONSIDERATIONS

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

- 7.2 The Policy applies to applications where relevant representations have been made. With regard to this application, policies LP1 (General Principles), LP2 (Licensing Objectives), LP3 (Core Hours) and 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:

23. The Licensee shall ensure that all staff are fully trained and made aware of the legal requirement of businesses to comply with their duty of care 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.

25. The Licensee's premises are situated in an area within which refuse may only be left on the public highway during certain time bands. If the Licensee's waste carrier cannot or does not comply by collecting the refuse during the present or any future time bands imposed by the waste authority, the Licensee must remove the refuse from the public highway and/or keep it within the premises until such time as its waste carrier arrives to collect the refuse.

33. There shall be no takeaways after 23:00 Monday to Sunday

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

None.

9. REASONS FOR OFFICER OBSERVATIONS

The applicant has requested the removal of conditions 23, 25 and 33. Neither responsible authorities nor applicant have proposed any additional conditions .

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 individual's 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
Dudleys 123-125 Kingsland High Street, E8 2PB	Hackney Service Centre Licensing Service 1 Hillman Street London E8 1DY

Printed matter

Licensing Act 2003
LBH Statement of Licensing Policy

Hackney
LA07

Application to vary a premises licence under the Licensing Act 2003

PLEASE READ THE FOLLOWING INSTRUCTIONS FIRST

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

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

I/We Harvest Artisan Bakery Limited

(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

081744

Part 1 – Premises Details

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

DUDLEYS BAKEHOUSE
123-125 KINGSLAND HIGH STREET
HACKNEY

Post town

LONDON

Postcode

E8 2PB

Telephone number at premises (if any)

[REDACTED]

Non-domestic rateable value of premises

£59000

Part 2 – Applicant details

Daytime contact telephone number

[REDACTED]

E-mail address (optional)

[REDACTED]

Current postal address if different from premises address

KINGSLAND HIGH STREET
HACKNEY

UK-England

Post

LONDON

Postcode

E8 2PB

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)	<input checked="" type="checkbox"/> Yes
	No

<p>Please describe briefly the nature of the proposed variation (Please see guidance note 2)</p> <p>Extension of hours and removal of conditions</p>

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

120

Part 4 Operating Schedule

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

- | Provision of regulated entertainment (Please see guidance note 3) | Please tick all that apply |
|---|-------------------------------------|
| a) plays (if ticking yes, fill in box A) | <input type="checkbox"/> |
| b) films (if ticking yes, fill in box B) | .. |
| c) indoor sporting events (if ticking yes, fill in box C) | .. |
| d) boxing or wrestling entertainment (if ticking yes, fill in box D) | .. |
| e) live music (if ticking yes, fill in box E) <input type="checkbox"/> | .. |
| f) recorded music (if ticking yes, fill in box F) | .. |
| g) performances of dance (if ticking yes, fill in box G) | .. |
| h) anything of a similar description to that falling within (e), (f) or (g) (if ticking yes, fill in box H) | .. |
| <u>Provision of late night refreshment</u> (if ticking yes, fill in box L) | <input checked="" type="checkbox"/> |
| Sale by retail of alcohol (if ticking yes, fill in box J) | <input checked="" type="checkbox"/> |
- In all cases complete boxes K, L and M**

I

Late night refreshment Standard days and timings (please read guidance note 8)			Will the provision of late night refreshment take place indoors or outdoors or both – please tick (please read guidance note 4)	Indoors	
Day	Start	Finish		Outdoors	
				Both	<input checked="" type="checkbox"/>
Mon	23:00	00:00	Please give further details here (please read guidance note 5) None		
Tue	23:00	00:00			
Wed	23:00	00:00	State any seasonal variations for the provision of late night refreshment (please read guidance note 6) None		
Thur	23:00	05:00			
Fri	23:00	05:00	Non-standard timings. Where you intend to use the premises for the provision of late night refreshment at different times, to those listed in the column on the left, please list (please read guidance note 7) None		
Sat	23:00	05:00			
Sun	23:00	00:00			

J

Supply of alcohol Standard days and timings (please read guidance note 8)			Will the supply of alcohol be for consumption – please tick (please read guidance note 9)	On the premises	<input checked="" type="checkbox"/>
				Off the premises	<input type="checkbox"/>
				Both	<input type="checkbox"/>
Day	Start	Finish	State any seasonal variations for the supply of alcohol (please read guidance note 6) None		
Mon	11:00	23:30			
	-----	-----			
Tue	11:00	23:30			
	-----	-----			
Wed	11:00	23:30			
	-----	-----			
Thur	11:00	04:30			
	-----	-----			
Fri	11:00	04:30	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»		
	-----	-----			
Sat	11:00	04:30			
	-----	-----			
Sun	11:00	23:30			
	-----	-----			

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).
 Not applicable.

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) none
Day	Start	Finish	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) none
Mon	06:00	05:00	
Tue	06:00	05:00	
Wed	06:00	05:00	
Thur	06:00	05:00	
Fri	06:00	05:00	
Sat	06:00	05:00	
Sun	06:00	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.

Removal of condition number 23, 25 and 33.

23. The Licensee shall ensure that all staff are fully trained and made aware of the legal requirement of businesses to comply with their duty of care 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.

25. The Licensee's premises are situated in an area within which refuse may only be left on the public highway during certain time bands. If the Licensee's waste carrier cannot or does not comply by collecting the refuse during the present or any future time bands imposed by the waste authority, the Licensee must remove the refuse from the public highway and/or keep it within the premises until such time as its waste carrier arrives to collect the refuse.

33. There shall be no takeaways after 23:00 Monday to Sunday

Please tick as appropriate

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

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

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

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

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

There are currently 33 conditions on the Premise Licence. If this application successful to remove the three conditions we will 30 conditions to promote the licensing objectives.

I do not offer any further conditions as part of the variation application.

b) The prevention of crime and disorder

c) Public safety

d) The prevention of public nuisance

e) The protection of children from harm

--

Checklist:


Please tick to indicate agreement

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

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

Part 5 – Signatures (please read guidance note 12)

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

Signature	
Date	31/5/2019
Capacity	Applicant

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

Signature	
Date	31/5/2019

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

Notes for Guidance

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

1. You do not have to pay a fee if the only purpose of the variation for which you are applying is to avoid becoming liable for the late night levy
2. Describe the premises. For example, the type of premises, its general situation and layout and any other information which could be relevant to the licensing objectives. Where your application includes off-supplies of alcohol and you intend to provide a place of consumption of these off-supplies of alcohol, you must include a description of where the place will be and its proximity to the premises.
3. In terms of specific regulated entertainments please note that:
 - Plays: no licence is required for performances between 08.00 and 23.00 on any day, provided that the audience does not exceed 500.
 - Films: no licence is required for 'not-for-profit' film exhibition held in community premises between 08.00 and 23.00 on any day provided that the audience does not exceed 500 and the organiser (a) gets consent to the screening from a person who is responsible for the premises; and (b) ensures that each such screening abides by age classification ratings.
 - Indoor sporting events: no licence is required for performances between 08.00 and 23.00 on any day, provided that the audience does not exceed 1000.
 - Boxing or Wrestling Entertainment: no licence is required for a contest, exhibition or display of Greco-Roman wrestling, or freestyle wrestling between 08.00 and 23.00 on any day, provided that the



**TRADE WASTE CONTRACT &
DUTY OF CARE TRANSFER NOTE**

No: HWS/

EXISTING CUSTOMERS Original Contract No. _____ Replacement/Amendment
CUSTOMER DETAILS (Business producing waste) Company/Charity No. _____

Name: **HARVEST ARTISAN BAKERY LIMITED T/A DUDLEYS**

Collection address: SAME	Invoice address: 123-125	DOB
.....	KINGSLAND HIGH STREET	Home address
.....	LONDON
.....	E8 2PB
Tel no.	Tel no. [REDACTED]	Tel no.
Email: [REDACTED]		

COLLECTION CHARGES

Charge description	Units	Unit Price	Mon	Tue	Wed	Thu	Fri	Sat	Sun	Crew
1100LTR GENERAL WASTE EURO	X2	£12.99						X2		COM2

HIRE CHARGES

Description	Units	Unit Price	Timebanded collection AM	N/A
1100LTR HIRE	X2	£3.00	Timebanded collection PM	N/A
			Timeband loop	N/A
			Collection Start Date	15-06-19
			Collection end date	N/A
			SIC code	(G)

WASTE DESCRIPTION DECLARATION and European Waste Catalogue Codes (please tick all boxes that apply)

Municipal waste (Chapter 20)	Woods (20 01 38)	<input checked="" type="checkbox"/>	Wooden (e.g. pallets) (15 01 03)	<input type="checkbox"/>
Paper and cardboard (20 01 01)	Metals (20 01 40)	<input checked="" type="checkbox"/>	Textiles (15 01 09)	<input type="checkbox"/>
Biodegradable (rots down) (20 01 08)	Plastics (20 01 39)	<input checked="" type="checkbox"/>	Metallic (15 01 04)	<input type="checkbox"/>
Clothes (20 01 10)	Packaging Waste (Chapter 15)		Composite mixture (15 01 05)	<input type="checkbox"/>
Textiles (20 01 11)	Paper and cardboard (15 01 01)	<input checked="" type="checkbox"/>	Glass (mixed) (15 01 06)	<input checked="" type="checkbox"/>
Electrical/ Electronic (20 01 36)	Plastic (15 01 02)	<input type="checkbox"/>	Other (20 01 99)	<input type="checkbox"/>

PROHIBITED WASTES

Waste placed for collection must not contain materials of a size or nature likely to damage or affect the council's compaction equipment or vehicles. You must not place any of these materials out for collection: HAZARDOUS WASTE, ASBESTOS, GAS BOTTLES, BATTERIES, BUILDER'S WASTE, FLUORESCENT TUBES, LIQUIDS (either loose or contained) or any other material that may escape from the vehicle during compaction or transport. Contact us if you have this kind of waste: 020 8356 6683

Main contract conditions (for full standard terms and conditions, please see overleaf)

1. Payment must be made within 30 days of the invoice date.
2. The customer is responsible for any equipment owned by the council and provided in fulfilling this contract.
3. The customer in signing is declaring the description of waste is valid for 12 months and will notify Hackney Council of any changes to the volume and nature of waste in order to avoid breaching the Environmental Protection Act 1990. This transfer note must be kept for a period of two years and be renewed annually.

- Managing Agents, by ticking this box you accept responsibility for payment.
- Duty of Care, Transfer Note is valid only for the business at the collection address shown above for the production, containment & disposal of waste from the location.

CUSTOMER SIGNATURE

I certify that the above details are correct and that I will notify LBH immediately of any changes.

Signature **[REDACTED]** Position **Director**

Print Name **Mahir** Kilic Date **Jun 10, 2019**

COMMERCIAL WASTE OFFICER SIGNATURE

I certify that the above details are correct.

Signature **[REDACTED]** Job title **Commercial Area Manager**

Print Name **terry pace** Date **Jun 10, 2019**

PS.B992 (10.14)



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

RESPONSIBLE AUTHORITY DETAILS

NAME OF AUTHORITY	London Borough of Hackney
ADDRESS OF AUTHORITY	Environmental Enforcement First Floor Hackney Service Centre 1 Hillman Street London E8 1DY
CONTACT NAME	Bianca Rembrandt
TELEPHONE NUMBER	
E-MAIL ADDRESS	Bianca.rembrandt@hackney.gov.uk

APPLICATION PREMISES

NAME & ADDRESS OF PREMISES	Dudleys 123-125 Kingsland High Street Hackney London E8 2PB
NAME OF APPLICANT	Harvest Artisan Bakery Limited

COMMENTS

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

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

Representation in relation to:

ENVIRONMENTAL LICENCE CONDITIONS IN RESPECT OF

**Dudleys
123-125 Kingsland High Street
Hackney
London
E8 2PB**

1. 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.
2. The Licensee shall ensure that any contract for general and recyclable waste disposal shall be appropriate in size to the amount of waste produced by the business. The Licensee shall maintain an adequate supply of waste receptacles provided by his registered waste carrier (refuse sacks or commercial waste bins) in order to ensure all refuse emanating from the business is always presented for collection by his waste carrier and shall not use any plain black or unidentifiable refuse sacks or any other unidentifiable or unmarked waste receptacles.
3. The Licensee's premises are situated in an area within which refuse may only be left on the public highway at certain times (time bands). If the Licensee's waste carrier cannot or does not comply by collecting the refuse within an hour after the close of any time band imposed by the waste authority, the Licensee must remove the refuse from the public highway and/or keep it within the premises until such time as his/her waste carrier arrives to collect the refuse.
4. The Licensee shall instruct members of staff to make regular checks of the area immediately outside the premises and remove any litter, bottles and glasses emanating from the premises. A final check should be made at close of business.
5. The Licensee shall provide a safe receptacle for cigarette ends to be placed outside for the use of customers, such receptacle being carefully placed so as not to cause an obstruction or trip.
6. The current trade waste agreement/duty of care waste transfer document shall be conspicuously displayed and maintained in the window of the premises where it can be conveniently seen and read by persons standing in Dudleys. This should remain unobstructed at all times and should clearly identify:-
 - the name of the registered waste carrier
 - the date of commencement of trade waste contract
 - the date of expiry of trade waste contract
 - the days and times of collection
 - the type of waste including the European Waste Code

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

Please be advised that I have spoken to the applicant who is known to me in regard to previous contact about waste management to understand why he wants the conditions 23 and 25 removed (I have no issue in him wanting 33 to be removed). He advised that he has his waste collected daily and they have a good management of waste and knowledge of licensing legislation and are following the conditions anyway. I asked him what difference would the removal of the conditions 23 and 25 make and he said none and they could stay on his licence. Therefore, I object to conditions 23 and 25 being removed as this does not adversely affect his business and he is complying with the conditions anyway and I have had no recent complaints about poor waste management.

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

Name: Bianca Rembrandt

Date: 5/6/2019

APPENDIX B2

RESPONSIBLE AUTHORITY REPRESENTATION: APPLICATION UNDER THE LICENSING ACT 2003

RESPONSIBLE AUTHORITY DETAILS

NAME OF AUTHORITY	Metropolitan Police service
ADDRESS OF AUTHORITY	Licensing Unit, Stoke Newington Police Station 33 Stoke Newington High Street London N16 8DS
CONTACT NAME	PC 1505CE Dave ATKINS
TELEPHONE NUMBER	020 7275 3022
E-MAIL ADDRESS	hackneylicensing@met.police.uk

APPLICATION PREMISES

NAME & ADDRESS OF PREMISES	Dudleys bakehouse 123-125 Kingsland High Street Hackney E8 2PB
NAME OF PREMISES USER	Harvest Artisan bakery Limited

COMMENTS

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

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

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

Police make the following representations in relation the application for a new premises licence at Dudleys Bakehouse, 123-125 Kingsland High Street, E8 2PB;

The premises for which the applicant is applying for an extension is located within the Dalston special Policy area. This has heavy foot traffic throughout the day and night, which is heavily increased over the weekend period.

It has been noted that the hours requested by the applicant far exceed those of the core hours as per those outlined in LP3 in the statement of Licensing policy by London Borough of Hackney and is suggested that these hours are revisited and amended so are to fit in with these core hours. It is highly likely that should the hours be increased by the amount that the applicant has requested the venue would most certainly contribute to the cumulative impact and be a detriment to the quality of life for residents in the area.

The governments alcohol strategy 2012 chapter 3.7 states There is evidence of a link between the number of venues selling alcohol in one area and levels of harm, whether this is crime, damage to health, or harm to young people and the admission. The density of alcohol sales within the area to such a late hour is likely to contribute to this a increase the demands on resources for police, London Ambulance services and Local Accident and emergency departments.

The Applicants has in their application provided no evidence or intention to support any steps they intend to take in order to promote the four licence objectives. Instead, they have stated that they currently have 33 conditions on their licence and wish to remove three of these conditions leaving 30 conditions to promote the objectives. The conditions that they applying to be removed are likely to de detriment to the prevention of public nuisance and public safety aspects of the objectives as it relates directly to the disposal of waste on the highway.

The removal of condition 33 is likely to see an increase in motorcycle traffic outside the venue with the evergrowing companies such as Deliveroo and Uber eats attending the location to collect orders. This is likely to create an increased risk to pedestrians who may be intoxicated due to the night time economy and density of licenced premises.

The London Borough of Hackney Statement of Licensing policy states that 51% of crime in Dalston occurs between 2300 hours and 0359 hours and that 67% of crime occurred from Friday to Sunday this encompasses the times that they applicant has applied for. Therefore the removal of these conditions combined with the requested later hours is likely to make a significant negative cumulative impact on the residents and local area.

It is the concern of police that should the applicant be successful in having these proposals granted the venue will go from a bakehouse and begin to transition in to a bar. Should the lease later be sold to a third party this will leave the probability of the venue being transitioned on to a club leading to an increase in crime and disorder.

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

[Redacted]

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

[Redacted]

Signed PC 1505CE ATKINS (By E-mail)

**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	020 8356 4942
E-MAIL ADDRESS	david.tuitt@hackney.gov.uk

APPLICATION PREMISES

NAME & ADDRESS OF PREMISES	Dudleys 123-125 Kingsland High Street London E8 2PB
NAME OF APPLICANT	Harvest Artisan Bakery Limited

COMMENTS

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

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

Representation 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 has been identified as suffering from the negative cumulative impact of the concentration of licensed premises in the area. 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.

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

Date: 26/06/2019



APPENDIX C1

Licensing (Shared Mailbox) <licensing@hackney.gov.uk>

Dudley's Bakehouse, 123-125 Kingsland High Street

1 message

10 June 2019 at 13:06

To: "Licensing (Shared Mailbox)" <licensing@hackney.gov.uk>

Dear Licensing

I wish to object to the requested alcohol license extension at Dudley's Bakehouse. As a local resident with a young child, I am concerned about the impact of such changes on our community.

We benefit from more bakeries, but not ones that are a mere trojan horse to create more late night bars that give nothing back to the area but more rubbish on the street, anti-social behaviour, late night noise, damage to property and so much more.

The increase of moped delivery drivers on our street in particular has been a major threat to our children's safety and we regularly see them driving through barriers and even driving on footpaths to find shortcuts. It seems a matter of time before this will cause a major injury or fatality to a child in the area. I can only ask that you bear this in mind when considering such licences.

Many thanks for your consideration.

Regards,

[Pellerin Rd, London N16](#)



APPENDIX C2

Licensing (Shared Mailbox) <licensing@hackney.gov.uk>

Dudley's Bakehouse

1 message

18 June 2019 at 17:16

[REDACTED]
To: "licensing@hackney.gov.uk" <licensing@hackney.gov.uk>

Dear Sir or Madam,

I am writing to object to the change in licensing agreements applied for by Dudley's Bakehouse 123-125 Kingsland High St E8 2PB. I object on the following grounds:

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

I live a few hundred yards away and have seen that this will do harm to the local community.

Thank you.

[REDACTED]
[REDACTED] Lydford Close
Shellgrove Estate
N16 [REDACTED]



APPENDIX C3

Licensing (Shared Mailbox) <licensing@hackney.gov.uk>

Dudley's Bakehouse, 123-125 Kingsland High Street

1 message

21 June 2019 at 10:37

To: "Licensing (Shared Mailbox)" <licensing@hackney.gov.uk>

Cc: "Peter Snell (Cllr)" <Peter.Snell@hackney.gov.uk>, "Soraya Adejare (Cllr)" <Soraya.Adejare@hackney.gov.uk>, Guy.Hicks@met.pnn.police.uk, Wardens Unknown <wardens@hackney.gov.uk>

Dear Hackney Licensing,

I am writing on behalf of the Rio Cross, Residents Association to OBJECT to the application from Dudley's Bakehouse, of [123-125 Kingsland High Street](#), for a 'variation of premises licence to extend late night refreshment till 00:00 Sun to Wed and till 05:00am Thurs to Sat and alcohol till 23:30 Sun to Wed and till 04:30am Thurs to Sat and to remove conditions 23, 25 and 33' from the existing license.

Local residents are outraged by this application which flies in the face of all the assurances that were given when it was agreed that this large double-fronted property should be given planning permission and a license to be used as an artisanal bakery. It was clear at the time that there would have been very strong objections indeed to it becoming yet another bar in the 'Dalston strip' of Kingsland High Street between John Campbell Road and Crossway which is already severely overcrowded with bars and clubs, to the extent that during busy periods residents are forced off the pavement onto the street in order to go about their business.

It was felt that an artisanal bakery would restore some retail value to local residents by providing healthy food (we were even promised gluten-free bread, which never materialised) acting as a small counterweight to a local economy moving rapidly in the direction of catering only to the needs of out-of-area clients of the night-time economy.

Since the 'bakery' has opened it has become clear that it is simply a front for a cafe which the owners would like to morph into a bar as quickly as possible. A large proportion of the floorspace is laid out as a cafe/bar and the staff clearly prioritise this function over serving retail customers with baked goods.

The proposal to extend this already large bar/cafe space into the basement AND to serve alcohol until 5 am is quite simply outrageous. We suspect that these very long hours may have been requested in order to make an earlier time look like a reasonable compromise. I fact ANY use of the space as a bar is a clear breach of the spirit in which the original license was granted.

Situated at the heart of the Dalston SPA, surrounded by other premises also serving alcohol late at night it would add immeasurably to the problems already experienced by local residents in relation to:

- noise
- overcrowding of pavements including obstructing wheelchair users and creating bottlenecks especially around the adjacent bus stop.
- harassment of local residents including minors
- drug dealing, theft and other forms of crime
- public urination, vomiting and defecation
- fights

We were also very disturbed indeed to see that the applicants want to remove the following conditions from their license:

23. The Licensee shall ensure that all staff are fully trained and made aware of the legal requirement of businesses to comply with their duty of care 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.

24. The Licensee's premises are situated in an area within which refuse may only be left on the public highway during certain time bands. If the Licensee's waste carrier cannot or does not comply by collecting the refuse during the present or any future time bands imposed by the waste authority, the Licensee must remove the refuse from the public highway and/or keep it within the premises until such time as its waste carrier arrives to collect the refuse.

25. There shall be no takeaways after 23:00 Monday to Sunday.

Conditions 23 and 24 are of particular concern to residents at the east end of John Campbell Road where there is a major problem with rat infestations originating in the alleyway directly behind [123-125 Kingsland High Street](#). This is not only a general public health hazard but also a specific threat to residents who want to use

their back gardens or roof terraces but are unable to do so, or even to open their back doors or windows, because of the risk to babies and toddlers. At the time of writing there is a serious infestation, as can be confirmed by checking with Hackney's Environmental Operations Administration Manager who is currently addressing it. In such a context, the removal of any conditions relating to the safe disposal of rubbish is extremely worrying and suggests very irresponsible management indeed.

The removal of the condition (no 25) limiting takeaways until 23.00 is also of concern. Late-night takeaways to drunken clients lead to food waste and litter on the streets, adding to the problem of rats and other vermin. However they are also increasingly used by food delivery platforms such as Uber Eats and Deliveroo whose riders rev the engines of their motorcycles and scooters while waiting to pick up the deliveries, adding considerably to local air pollution and causing a major noise nuisance to residents trying to get some sleep.

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

Yours sincerely,



Rio Cross Residents Association



Dudley's Bakehouse ,123-125 Kingsland high Street

1 message

28 June 2019 at 19:36

To: "Licensing (Shared Mailbox)" <licensing@hackney.gov.uk>

Dear Hackney Licensing,

I STRONGLY OBJECT to the licence extension/ variation for the above named premises - Dudley's Bakehouse, [123-125 Kingsland High Street](#).

I object to the Thursday to Sunday alcohol licence extension to 4.30 am/ refreshments until 5 am and the Sunday to Wednesday extension - alcohol till 11.30 pm, /refreshments till midnight.

This area between John Campbell road and Crossway is already saturated with restaurants/licensed premises. Local residents have to endure a constant range of later night anti social behaviour, often carrying on until 6, 7 am the next day:

Urinating/ defecaeting in doorways

Drugtaking

All types of litter, including broken bottles in our front gardens

" Pre and Post Cubbing Parties" in local side streets, well fuelled by alcohol

Noise disturbance.

Bearing in mind that the above mentioned premises is seeking to extend into the large basement the licence extension would make the problems listed above truly intolerable, due the higher footfall in the area.

There should be no extension of the current alcohol licence for [123- 125 Kingsland High Street](#), for any day of the week, even a modest extension would encourage the licence applicant to seek incremental extensions .

There should be no change to conditions 23/24/25 attached to the current licence


 John Campbell Road
N16 



123-125 Kingsland High St

1 message

28 June 2019 at 22:51

To: "[redacted]@hackney.gov.uk" <licensing@hackney.gov.uk>

Dear Licensing,

The applicant has not followed through on the representations made when the licence was granted.

The premises opened for trade fitted with a fully stocked cocktail bar.

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.

Regards,

[redacted]

Dudleys' Bakehouse

123-125 Kingsland High

Street

London

E8 2PB

Dalston Harvest

Artisan Bakery

Limited

Application for variation of premises licence to extend late

night refreshment till 00:00 Sun to Wed and till 05:00am Thurs

to Sat and alcohol till 23:30 Sun to Wed and till 04:30am Thurs

to Sat and to remove conditions 23, 25 and 33.

APPENDIX C6

Licensing Services
Hackney Service Centre
1 Hillman Street
E8 1DY

Re: 123-125 Kingsland High Street, London E8 2PB

29th June 2019

Dear Sir/Madam,

My name is [REDACTED] I am the owner of [REDACTED] from Dudleys Bakehouse at above address. I am licenced until 5am for late night refreshment and until 2am for alcohol Monday to Sunday.

I would like to confirm that I support the variation application for DUDLEYS Bakehouse at above address for the hours applied below:

Late Night Refreshment

Sunday to Wednesday until Midnight
Thursday to Saturday until 5am

Alcohol Consumption on the Premise

Sunday to Wednesday until 23:30
Thursday to Saturday until 04:30

I have been asked by the applicant Mr Kilic to give my opinion for the licensing matter rather than just stating that I am supporting the application. Phil Glanville is mayor of Hackney, stated "the new licensing policy isn't a blanket ban or curfew as campaigners who were against the licensing policy, would have you believe, but we think it's important we have a policy that allows us to say no to venues that cannot or will not act responsibly."

I believe the applicant Mr Kilic is managing his premises amazingly well. He is a very responsible person and I believe he will always act responsibly while he is managing his business. He has been in licensing business since 2002 helping 1000's of businesses like restaurants, takeaways and supermarkets. He has a very reputable background. He already brought good quality food fall into Dalston where most of other business also benefits.

Dudleys Bakehouse is NOT a club or entertainment venue. It has amazing organic breads, French patisserie, sourdough pizzas, bagels etc. I believe having this food ranges will have a good diversity in our nighttime economy.

Please do not hesitate to contact me if you need further information. But I would like to say one more thing. If this person can't get a premises licence at this location with all this experiences and excellent products and services I seriously do not know who will.

Yours Sincerely,

[REDACTED]

Licensing Services
Hackney Service Centre
1 Hillman Street
E8 1DY

Re: 123-125 Kingsland High Street, London E8 2PB

29th June 2019

Dear Sir/Madam,

I would like to confirm that I support the variation application for DUDLEYS Bakehouse at above address for the hours applied below:

Late Night Refreshment

Sunday to Wednesday until Midnight
Thursday to Saturday until 5am

Alcohol Consumption on the Premise

Sunday to Wednesday until 23:30
Thursday to Saturday until 04:30

I believe having premises like DUDLEYS Bakehouse will help to have a balance diversity among the night-time offerings – not just areas full of drink-focused pubs and clubs.

Please do not hesitate to contact me.

Yours Sincerely,

A solid black rectangular box used to redact the signature of the sender.



APPENDIX C8

Licensing (Shared Mailbox) <licensing@hackney.gov.uk>

Application for variation of license (Dudley Bakehouse, Kingsland High Street, E8)

1 message

28 June 2019 at 16:14

To: "licensing@hackney.gov.uk" <licensing@hackney.gov.uk>

Friday 28 June 2019

TO WHOM IT MAY CONCERN:

Dear Sir/Madame,

I have recently become aware of an application from Dudleys Bakehouse, owned by Mr Mahir Kilic, to vary the current license at the premises, located at [123-125 Kingsland High Street](#).

My understanding is that the business is seeking an extension of its current license to serve alcoholic beverages for consumption strictly on the premises up until 2.00 AM on Friday/Saturday nights, while also requesting the right to sell food and non-alcoholic drink for consumption both on and away from the premises between 11.00 PM and 5.00 AM nightly.



Mr Kilic is a widely known and well-respected figure within Hackney's Turkish and Kurdish community, and has impressed me personally over the past couple of years as a businessman with a strong sense of social responsibility to the neighbourhood and borough's wider population. For example, since its opening last autumn (October 2018) Dudleys has offered very inexpensive or free meeting space to local LGBT + and BAME groups in an area where affordable rooms for meetings is at a premium. He also initiated a much needed 'clean up' of the space at the rear of the premises that borders on to Crossway. More generally, has nearly two decades (18 years) worth of experience in the management of licensed premises.

With the above in mind, I am more than happy to support the application, which (if approved) would add both to the range and quality of choices for those either working in or acting as consumers in Dalston's night time economy. Finally, the Bakehouse operates in a building, which would be open in any event to allow for the daily preparation of high quality breads and other baked goods throughout the week.

Should you wish to contact me further regarding this application, please see my contact details below.

With thanks in anticipation -

Yours sincerely,

Address:  [Amhurst Road](#)
Stoke Newington, London N16 



This premises licence has been issued by:

Licensing Service
2 Hillman Street
London E8 1FB

PART A – PREMISES LICENCE

Premises Licence Number

081744

Part 1 – Premises details

Dudleys
123-125 Kingsland High Street
Hackney
London
E8 2PB

Where the licence is time limited the dates

Not Applicable

Licensable activities authorised by the licence

Late Night Refreshment
Supply of Alcohol

The times the licence authorises the carrying out of Licensable activities

Late Night Refreshment

Standard Hours:

Fri 23:00-00:00

On Premises only

Sat 23:00-00:00

Supply of Alcohol

Standard Hours:

Premises:

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 11:00-22:30

The opening hours of the premises

Standard Hours:

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

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

On Premises

Part 2 –

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

Harvest Artisan Bakery Limited
123-125 Kingsland High Street
London
E8 2PB

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

11201989

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

Mahir Kilic

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: 15 November 2016

Signed:

**David Tuitt
Team Leader - Licensing**

Annex 1 - Mandatory Conditions

Supply of Alcohol

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

Annex 2 – Conditions consistent with the Operating Schedule

8. The DPS, a personal licence holder or trained member of staff nominated in writing by the DPS shall be on duty at all times the premises are open to the public.
9. The premises shall maintain a comprehensive CCTV system as per the minimum requirements of a Metropolitan Police Crime Prevention Officer. All public areas, entry and exit points will be covered enabling frontal identification of every person entering in any light condition. The CCTV system shall continually record whilst the premises is open for licensable activities and during all times when customers remain on the premises. All recordings shall be stored for a minimum period of 31 days with date and time stamping. Recordings shall be made available immediately upon the request of Police or authorised officer.
10. A staff member from the premises who is conversant with the operation of the CCTV system shall be on the premises at all times when the premises are open to the public. This staff member shall be able to show Police or an authorised officer of Hackney Borough Council recent data or footage with the absolute minimum of delay when requested.
11. An incident book shall be kept at the premises, and made available to the police or authorised council officers, which will record the following:
 - a) all crimes reported,
 - b) lost property,
 - c) all ejections of customers,
 - d) any complaints received,
 - e) any incidents of disorder,

- f) any seizure of drugs or offensive weapons,
 - g) any faults in the cctv,
 - h) any refusal in the sale of alcohol.
 - i) any visit by a relevant authority or emergency service.
12. Notices will be prominently displayed by the entry/ exit door and point of sale(as appropriate) advising customers:
 - a) that CCTV & challenge 25 are in operation;
 - b) advising customers of the provisions of the licensing act regarding underage & proxy sales;
 - c) of the permitted hours for licensable activities & the opening times of the premises;
 - d) not to drink in the street;
 13. Alcohol shall not be sold, supplied or consumed on the premises otherwise than to persons who are taking substantial table meals and that the consumption of alcohol by such persons is ancillary to taking such meals. The supply of alcohol shall be by waiter or waitress service only
 14. The front of the premises shall be kept tidy at all times and be swept at close.
 15. No deliveries will be received or rubbish removed from the premises between 21:00 and 07:00 through the week, subject to there be no deliveries being received or rubbish removed from the premises before 09:00 on Sundays
 16. Any music played will only be played at background level.
 17. A phone number for the premises shall be made available if required upon request to the police, any other responsible authority or any local resident to express any concerns caused by the operation of the premises. Any complaints and the outcome will be recorded in the incident book.
 18. Challenge 25 shall be operated as the proof of age policy and only a valid passport, photo driving licence, HM forces photographic id card or proof of age card with the pass logo or hologram on it may be accepted as proof of age.
 19. All staff who work front of house will be trained for their role on induction and be given refresher training every six months. Written training records will be kept for each staff member and be produced to police & authorised council officers on request. Training will include identifying persons under 25, making a challenge, acceptable proof of age & checking it, making & recording a refusal, avoiding conflict & responsible alcohol retailing.
 20. Written training records will be kept for all staff members and made available to police or authorised council officers on request.

Conditions derived from Responsible Authority representations

21. There shall be a written dispersal policy which shall be kept on the premises and produced to a police officer or other authorised officer upon request.
22. There shall be no glass, drinks or open containers taken outside of the premises at any time. This shall be monitored by staff.
23. The Licensee shall ensure that all staff are fully trained and made aware of the legal requirement of businesses to comply with their duty of care 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.
24. The Licensee shall ensure that any contract for general and recyclable waste disposal shall be appropriate in size to the amount of waste produced by the business. The Licensee shall maintain an adequate supply of waste receptacles provided by his registered waste carrier (refuse sacks or commercial waste bins) in order to ensure all refuse emanating from the business is always presented for collection by his waste carrier and shall not use any plain black or unidentifiable refuse sacks or any other unidentifiable or unmarked waste receptacles.
25. The Licensee's premises are situated in an area within which refuse may only be left on the public highway during certain time bands. If the Licensee's waste carrier cannot or does not comply by collecting the refuse during the present or any future time bands imposed by the waste authority, the Licensee must remove the refuse from the public highway and/or keep it within the premises until such time as its waste carrier arrives to collect the refuse.
26. The Licensee shall erect a sign asking customers to refrain from littering the public highway outside the premises and will also instruct member of staff to make regular checks of the area immediately outside and within 10 metres either side of the premises and remove any litter, bottles and glasses emanating from the premises. The collection and removal of litter should include satisfactory disposal of spilled food and similar materials so as to leave the footway in a clean, safe and wholesome condition.
27. The Licensee shall provide a safe receptacle for cigarette ends to be placed outside, either on the wall or close to the wall of the building so as not to cause an obstruction or trip, for the use of customers.
28. The design, operation and maintenance specification of the kitchen exhaust system shall be at a minimum, in accordance with the best practice set out in the DEFRA guidance document on the "Control of Odour and Noise from Commercial Kitchen Exhaust Systems". Details of the kitchen exhaust system shall be submitted to the Licensing Authority for approval prior to installation.

29. Notices will be prominently displayed throughout the premises and at exits, asking patron to be respectful of local residents when smoking outside and/or leaving the premises by doing so quickly and quietly.
30. Staff will be trained to monitor any potential antisocial behaviour including allowing no more than (5) persons to smoke outside the premises at a designated smoking area at any one time.

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

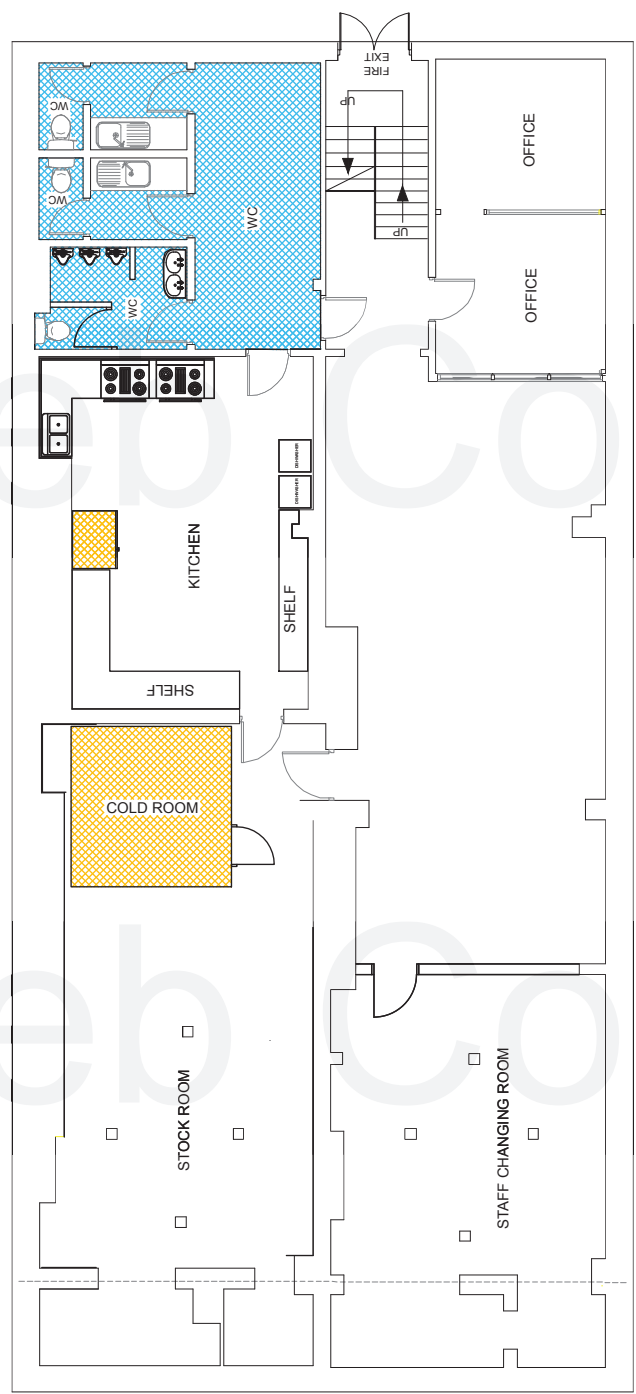
31. The capacity of the premises shall be limited to 124 patrons at any one time.
32. The licence shall apply to ground floor only
33. There shall be no takeaways after 23:00 Monday to Sunday

Annex 4 – Plans

PLAN/081744/18102018

LEGEND

-  WC AREA
-  FRIDGES
-  AMBIT OF LICENSED PREMISES
-  SAFETY LIGHTS
-  SMOKE DETECTOR
-  CCTV
-  FIRE ESCAPE KEEP CLEAR
-  INTERNALLY ILLUMINATED FIRE ESCAPE SIGN (BS 5266)
-  CARBON DIOXIDE FIRE EXTINGUISHER
-  9 L.T. WATER FIRE EXTINGUISHER
-  FAN



PROPOSED BASEMENT FLOOR PLAN

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			Designed by	ABD	Checked by	MHR	Approved by - date	15/09/16	Filename	123-125KHS
			123-125 Kingland High Street, E8 2PB				Date	11/09/16	Date	11/09/16
			PROPOSED BF PLAN		Total Area	N/A	Sheet	2/3	Scale	1:100

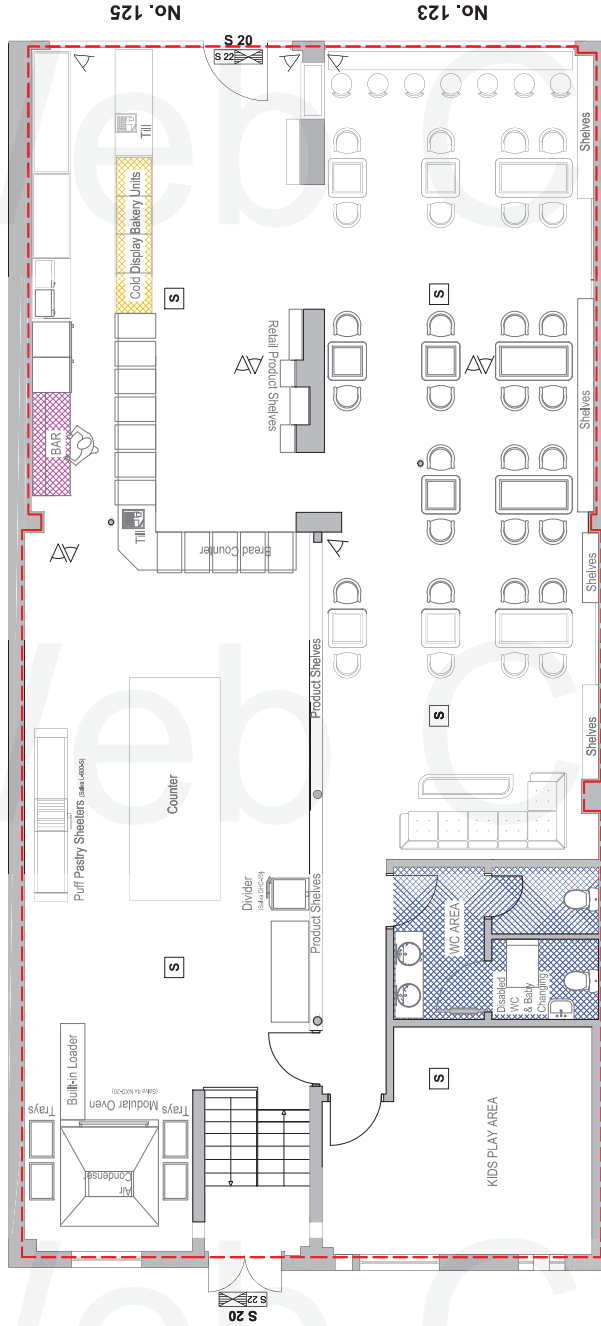
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Voice of Turkish & Kurdish Food Industry in Britain

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- LEGEND**
- AMBIT OF LICENSED PREMISES
 - WC AREA
 - FRIDGES
 - ALCOHOL
 - SAFETY LIGHTS
 - SMOKE DETECTOR
 - CCTV
 - FIRE ESCAPE KEEP CLEAR
 - INTERNALLY ILLUMINATED FIRE ESCAPE SIGN (BS 5266)
 - CARBON DIOXIDE FIRE EXTINGUISHER
 - 9 LT. WATER FIRE EXTINGUISHER



GROUND FLOOR PLAN

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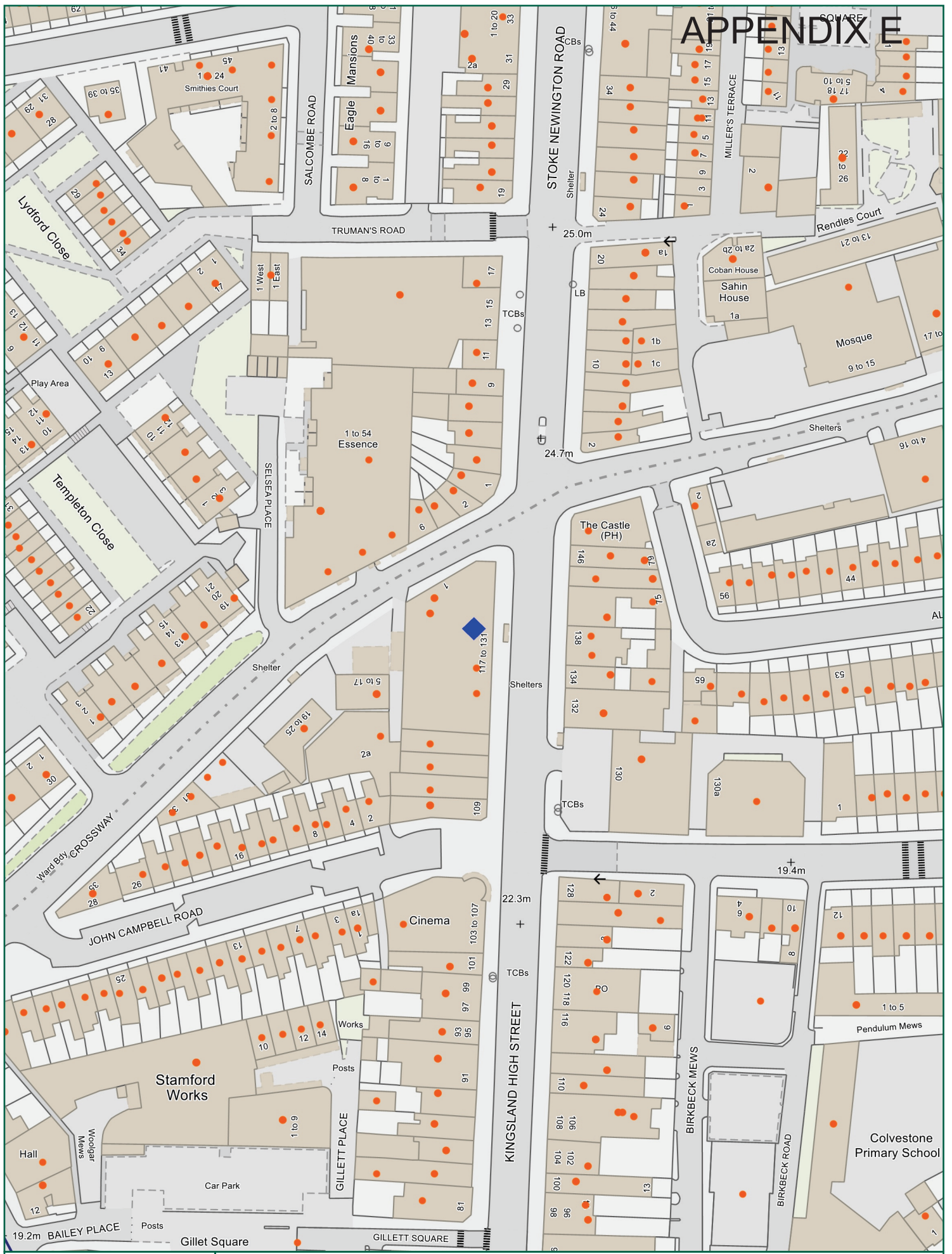
RevNo	Revision note	Date	Item ref	Quantity	Title/Name, designation, material, dimension etc	Reference
			Designed by OZ	Checked by MHR	Approved by - date 10/08/18	Filename 123-125KHS
			123-125 Kingsland High Street, E8 2PB			Date 10/08/18
			Ground Floor Plan		Total Area 240sqm	Scale 1:100
					Sheet	

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APPENDIX E




NORTH
 Scale: 1:1250 at A4


Ref:
 15 July 2019

Page 47
 Produced by: unspecified
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REPORT OF GROUP DIRECTOR, NEIGHBOURHOODS AND HOUSING		
LICENSING SUB-COMMITTEE: 23/07/2019	Classification DECISION	Enclosure
Application for a Premises Licence Brunswick And Columbia Wharf, 53-55 Laburnum Street,E2 8BD	Ward(s) affected Haggerston	

1. SUMMARY

Applicant(s) Shiva Limited	In SPA: Not Applicable
Date of Application 04/06/2019	Period of Application Time-limited (05/07/2019- 05/07/2021)
Proposed licensable activity Films Supply of Alcohol (On and Off Premises)	
Proposed hours of licensable activities	
Films Both	Standard Hours: Mon 13:00-23:00 Tue 13:00-23:00 Wed 13:00-23:00 Thu 13:00-23:00 Fri 13:00-23:00 Sat 13:00-23:00 Sun 13:00-22:30
Supply of Alcohol	Standard Hours: Mon 15:00-22:30 Tue 15:00-22:30 Wed 15:00-22:30 Thu 15:00-22:30 Fri 13:00-23:30 Sat 13:00-23:30 Sun 13:00-22:00
The opening hours of the premises	
	Standard Hours: Mon 13:00-23:00 Tue 13:00-23:00

	Wed 13:00-23:00 Thu 13:00-23:00 Fri 13:00-00:00 Sat 13:00-00:00 Sun 13:00-22:30
Capacity: Not known	
Policies Applicable	LP1 (General Principles), LP2 (Licensing Objectives), LP3 (Core Hours), LP4 ('Off' Sales of Alcohol), LP5 (Planning Status) and LP6 (External Areas and Outdoor Events)
List of Appendices	A – Application for a premises licence and supporting documents B – Representations from responsible authorities C – Representations from other persons D – Location map
Relevant Representations	<ul style="list-style-type: none"> • Environmental Protection • Environmental Enforcement • Licensing Authority • Other Persons

2. APPLICATION

2.1 Shiva Limited has made an application for a time-limited 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 The premises are not currently licensed for any activity.

3.2 Temporary Event Notices have given in last twelve months at this premises as follows

<u>Date of the event(S)</u>	<u>Hours</u>
10/08/2018-11/08/2018	18:00-02:00
06/11/2018	14:00-22:00

4. REPRESENTATIONS: RESPONSIBLE AUTHORITIES

From	Details
Environmental Health Authority (Environmental Protection) (Appendix B1)	Representation received on the grounds of the prevention of public nuisance
Environmental	Representation received on the grounds of the

Health Authority (Environmental Enforcement) (Appendix B2)	prevention of public nuisance
Environmental Health Authority (Health & Safety)	Have confirmed no representation on this application
Weights and Measures (Trading Standards)	No representation received
Planning Authority (Appendix B3)	Informative
Area Child Protection Officer	No representation received
Fire Authority	No representation received
Police	Representation has been withdrawn with the agreed conditions as set out in para 8.1 and amended hours above.
Licensing Authority (Appendix B4)	Representation received on the grounds of Prevention of Public Nuisance, Core Hours and External Areas and Outdoor Events
Health Authority	No representation received

5. REPRESENTATIONS: OTHER PERSONS

From	Details
20 Representations opposing the application received from and on behalf of local residents. 2 letters received in support. (Appendix C1-C22)	Representation received on the grounds of The Prevention of Crime and Disorder, Public Safety, Prevention of Public Nuisance, The Protection of Children from Harm, Core Hours and External Areas and Outdoor Events.

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) and LP6 (External Areas and Outdoor Events).

8. OFFICER OBSERVATIONS

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

Supply of Alcohol (On/Both)

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

(2) In this paragraph, an irresponsible promotion means any one or more of the following activities, or substantially similar activities, carried on for the purpose of encouraging the sale or supply of alcohol for consumption on the premises -
 - (a) games or other activities which require or encourage, or are designed to require or encourage, individuals to;
 - (i) drink a quantity of alcohol within a time limit (other than to drink alcohol sold or supplied on the premises before the cessation of the period in which the responsible person is authorised to sell or supply alcohol), or
 - (ii) drink as much alcohol as possible (whether within a time limit or otherwise);
 - (b) provision of unlimited or unspecified quantities of alcohol free or for a fixed or discounted fee to the public or to a group defined by a particular characteristic in a manner which carries a significant risk of undermining a licensing objective;
 - (c) provision of free or discounted alcohol or any other thing as a prize to encourage or reward the purchase and consumption of alcohol over a period of 24 hours or less in a manner which carries a significant risk of undermining a licensing objective;
 - (d) selling or supplying alcohol in association with promotional posters or flyers on, or in the vicinity of, the premises which can reasonably be considered to condone, encourage or glamorise anti-social behaviour or to refer to the effects of drunkenness in any favourable manner.
 - (e) dispensing alcohol directly by one person into the mouth of another (other than where that other person is unable to drink without assistance by reason of a disability).
4. The responsible person must ensure that free potable water is provided on request to customers where it is reasonably available.
5. 5.1. The premises licence holder or club premises certificate holder must ensure that an age verification policy is adopted in respect of the premises in relation to the sales or supply of alcohol.

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

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

- A. a holographic mark or
- B. an ultraviolet feature.

6. The responsible person 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.

Conditions derived from Responsible Authority representations

10. The premises shall install and maintain a comprehensive CCTV system as per the minimum requirements of a Metropolitan Police Crime Prevention Officer. All public areas and each 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.

11. There shall be a staff member from the premises who is conversant with the operation of the CCTV system on the premises at all times when the premises are open to the public. This staff member must be able to show a Police or authorised council officer recent data or footage when requested.
12. Alcohol shall only be served as an Ancillary to cultural, artistic, creative and community events. This premises shall not be operated as a club or bar
13. A Challenge 25 proof of age scheme shall be operated at the premises where the only acceptable forms of identification are recognised photographic identification cards, such as driving licence or passport.
14. An incident log shall be kept at the premises, and made available on request to an authorised officer of the council or the police, which will record the following.
 - a. All crimes reported:
 - b. All ejections of patrons
 - c. Any complaints received.
 - d. Any incidents of disorder.
 - e. Seizure of drugs or offensive weapons.
 - f. Any faults in the CCTV system.
 - g. Any refusal of the sale of alcohol.
 - h. Any visit by a relevant authority or emergency service.
 - i. Any refusal of sales
15. Premises to operate zero tolerance policy to drugs and comply with Hackney Police Drugs and Weapons policy where appropriate.
16. All instances of crime and 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.
17. All staff shall receive training on the legislation relating to the sales of alcohol to underage persons and drunken persons and shall have refresher training every 12 months. There shall be written records of such training which will be kept on the premises and produced to a police officer or other authorised officer upon request.
18. The premises licence holder or designated premises supervisor to ensure that all management and staff who are not personal licence holders be fully trained and briefed on the four licensing objectives and challenge 25.
19. No accumulation of combustible rubbish, dirt, surplus material or stored goods shall be permitted to remain in any part of the premises except in an appropriate place and of such quantities so as not to cause a nuisance, obstruction or other safety hazard.
20. Curtains and hangings shall be arranged so as not to obstruct emergency safety signs or emergency equipment.

21. On an open stage and elsewhere in the premises any permanently installed scenery shall be made from the following:
 - Non-combustible material; or
 - Inherently flame-retarded fabric; or
 - Durably treated flame retarded fabric; or
 - Timber, hardboard or plywood treated by a process of impregnation which meets Class 1 (BS476-7) or Class-s3.d2 (BS EN 13501-1) surface spread flame; or
 - Timber framing of minimum 22mm nominal thickness; or
 - Medium-density fibreboard (MDF), plywood, chipboard not less than 18mm in thickness; or
 - Plastics material subject to special consideration by appropriate Responsible Authority, being the Fire Authority
22. Other materials acceptable to the appropriate Responsible Authority, being the Fire Authority.
23. All fabrics, curtains, drapes and similar features should be either non-combustible or be durably or inherently flame-retarded fabric. Any fabrics used in escape routes, other than foyers, entertainment areas or function rooms, should be non-combustible.
24. The certificates listed below shall be submitted to the Licensing Authority upon written request.
 - Any permanent or temporary emergency lighting battery or system -
 - Any permanent or temporary electrical installation
 - Any permanent or temporary emergency warning system.
25. No person shall give at the premises any exhibition, demonstration or performance of hypnotism, mesmerism or any similar act or process which produces or is intended to produce in any other person any form of induced sleep or trance in which susceptibility of the mind of that person to suggestion or direction is increased or intended to be increased.
NOTE: (1) This rule does not apply to exhibitions given under the provisions of Section 2(1A) and 5 of the Hypnotism Act 1952.
26. Non-intoxicating beverages, including drinking water, shall be available in all parts of the premises where alcohol is sold or supplied for consumption on the premises.
27. The means of escape provided for the premises shall be maintained unobstructed, free of trip hazards, be immediately available and clearly identified in accordance with the plans provided.
28. All emergency doors shall be maintained effectively self-closing and not held open other than by an approved device.
29. The edges of the treads of steps and stairways shall be maintained so as to be conspicuous.
30. All exit doors shall be available at all material times without the use of a key, code, card or similar means.

31. There shall be no direct access from the street to any bar.
32. The approved arrangements at the premises, including means of escape provisions, emergency warning equipment, the electrical installation and mechanical equipment, shall at all material times be maintained in good condition and full working order.
33. No super-strength beer, lagers or ciders of 5.5% ABV (alcohol by volume) or above shall be sold at the premises.
34. The sale of alcohol at the premises shall at all times be ancillary to the provision of Regulated Entertainment and shall only be to members of the public holding a ticket or pass (whether this be a physical ticket, hand-stamp, wristband, or admitted on a 'sign in' basis) for a performance or exhibition.
35. No noise shall emanate from the premises nor vibration be transmitted through the structure of the premises which gives rise to a nuisance.
36. Clearly legible notices shall be displayed at all exits from the premises requesting patrons to respect the needs of local residents and to leave the premises and area quietly.
37. Patrons permitted to temporarily leave and then re- enter the premises e.g. to smoke, shall not be permitted to take drinks or glass containers with them.
38. The designated smoking area shall be limited to a specific external area indicated by signage and ground markings.
39. Notices shall be prominently displayed at any area used for smoking requesting patrons to respect the needs of local residents and use the area quietly.
40. All waste is to be properly presented and placed out for collection no earlier than 30 minutes before the scheduled collection times.
41. No waste or recyclable materials, including bottles, shall be moved, removed from or placed in outside areas between 23.00 hours and 08.00 hours on the following day.
42. A direct telephone number for the manager at the premises shall be publicly available at all times the premises is open. This telephone number is to be made available to residents and businesses in the vicinity.
43. Flashing or particularly bright lights on or outside the premises shall not cause a nuisance to nearby properties (save insofar as they are necessary for the prevention of crime)
44. Children shall not be allowed on the premises where theatre production that deals with adult themes is being shown.

45. A Challenge 25 proof of age scheme shall be operated at the premises where the only acceptable forms of identification are recognised photographic identification cards, such as a driving license, passport or proof of age card with the PASS Hologram.
46. Any activity on the rooftop shall not continue past 2300hours.
47. Only members of the public who hold a ticket or pass (whether this be a physical ticket, hand-stamp, wristband, or admitted on a 'sign in' basis) for a performance or exhibition shall be admitted into the building.
48. Any showings taking place on the rooftop cinema after 2200hours should make use of Bluetooth headphones or similar equivalent to minimise noise pollution for local residents.
49. 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.
50. The Licensee shall ensure that any contract for general and recyclable waste disposal shall be appropriate in size to the amount of waste produced by the business. The Licensee shall maintain an adequate supply of waste receptacles provided by his registered waste carrier (refuse sacks or commercial waste bins) in order to ensure all refuse emanating from the business is always presented for collection by his waste carrier and shall not use any plain black or unidentifiable refuse sacks or any other unidentifiable or unmarked waste receptacles.
51. In order to minimise the amount of time any waste remains on the public highway in readiness for collection, the Licensee will ensure the timeframe within which it may expect its waste carrier to collect is adhered to.
52. The Licensee shall instruct member of staff to make regular checks of the area immediately outside the premises and remove any litter, bottles and glasses emanating from the premises, when female only staff working, checks must be made during daylight hours, and one check first thing in the morning at 0800.
53. The Licensee shall provide a safe receptacle for cigarette ends to be placed outside for the use of customers, such receptacle being carefully placed so as not to cause an obstruction or trip.

9. REASONS FOR OFFICER OBSERVATIONS

9.1 Conditions 10 to 48 have been agreed with the police. Conditions 49 to 53 have been proposed by Environmental Enforcement.

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: Brunswick And Columbia Wharf, 53-55 Laburnum Street, E2 8BD	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 Shiva 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			
BRUNSWICK AND COLUMBIA WHARF 53 55 LABURNUM STREET HACKNEY LONDON			
Post town	LONDON	Postcode	E2 8BD

Telephone number at premises (if any)	
Non-domestic rateable value of premises	£156,000

Part 2 - Applicant details

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

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

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

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

Title Mr			
Surname		First names	
I am 18 years old or over ..			
Date of birth			
Nationality			
Current residential address if different from premises address		UK-England	
Post town		Postcode	
Daytime contact telephone number			
E-mail address (optional)			
Where applicable (if demonstrating a right to work via the Home Office online right to work checking service), the 9-digit 'share code' provided to the applicant by that service (please see note 15 for information)			

SECOND INDIVIDUAL APPLICANT (if applicable)

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

Date of birth			
Nationality			
Current postal address if different from premises address		UK-England	
Post town		Postcode	
Daytime contact telephone number			
E-mail address (optional)			
Where applicable (if demonstrating a right to work via the Home Office online right to work checking service), the 9-digit 'share code' provided to the applicant by that service (please see note 15 for information)			

(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 Shiva Limited
Address 77 WESTMINSTER BRIDGE ROAD LONDON SE1 7HA UK-England
Registered number (where applicable) 02407326
Description of applicant (for example, partnership, company, unincorporated association etc.) Limited Company
Telephone number (if any)

<div style="background-color: black; width: 100px; height: 15px; margin-bottom: 5px;"></div>
E-mail address (optional)
<div style="background-color: black; width: 100%; height: 15px;"></div>

Part 3 Operating Schedule

When do you want the premises licence to start? DD MM YYYY
05-07-2019

If you wish the licence to be valid only for a limited period, when do you want it to end? DD MM YYYY
05-07-2021

Please give a general description of the premises (please read guidance note 1)
 The application premises is located within a larger series of brick warehouse spaces built between 1895-1950. The site is located in Haggerston, adjacent to the Regent's Canal.

The ambit of the premises that form the premises license application consists of the ground floor and roof of the North West Building which is an open plan brick warehouse built in the 1950's. The adjacent buildings are used for artists studios.

The ground floor space is 6m high with no intermediate floor or mezzanine to the roof. The rooftop space overlooks the canal. Alcohol and refreshments will be served in the internal ground floor space with a reduced service on the rooftop before events. Both the roof and internal space have a capacity of 200 people.

It is intended that the spaces will house films and theatre, both with a capacity under 500 people, with the sale of alcohol limited to these events.

The sale of alcohol will at all times be ancillary to cultural / artistic / creative / community activity. It is not intended to open the premises as a club or bar, but for the premises to host interesting events that can serve alcoholic drinks.

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

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

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

	Provision of regulated entertainment (please read guidance note 2)	Please tick all that apply
a)	plays (if ticking yes, fill in box A)	<input type="checkbox"/>
b)	films (if ticking yes, fill in box B)	<input checked="" type="checkbox"/>
c)	indoor sporting events (optional, fill in box C)	..

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

In all cases complete boxes K, L and M

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	
				Outdoors	
Day	Start	Finish		Both	
Mon			Please give further details here (please read guidance note 4)		
Tue					
Wed			State any seasonal variations for performing plays (please read guidance note 5)		
Thur					
Fri			Non-standard timings. Where you intend to use the premises for the performance of plays at different times to those listed in the column on the left, please list (please read guidance note 6)		
Sat					
Sun					

B

Films Standard days and timings (please read guidance note 7)			Will the exhibition of films take place indoors or outdoors or both – please tick (please read guidance note 3)	Indoors	
				Outdoors	
				Both	<input checked="" type="checkbox"/>
Day	Start	Finish			
Mon	13:00	23:00	Please give further details here (please read guidance note 4) Films will be mainly educational/ documentary (not commercial). Sound will be amplified		
Tue	13:00	23:00			
Wed	13:00	23:00	State any seasonal variations for the exhibition of films (please read guidance note 5) N/A		
Thur	13:00	23:00			
Fri	13:00	23:00	Non-standard timings. Where you intend to use the premises for the exhibition of films at different times to those listed in the column on the left, please list (please read guidance note 6) N/A		
Sat	13:00	23:00			
Sun	13:00	23:00			

C

Indoor sporting events Standard days and timings (please read guidance note 7)			Please give further details (please read guidance note 4)
Day	Start	Finish	
Mon			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	
					Outdoors	
Day	Start	Finish			Both	
Mon			Please give further details here (please read guidance note 4)			
Tue			State any seasonal variations for boxing or wrestling entertainment (please read guidance note 5)			
Wed			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)			
Thur						
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				
				Outdoors				
				Both				
Day	Start	Finish	Please give further details here (please read guidance note 4)					
Mon								
Tue								
Wed						State any seasonal variations for the performance of live music (please read guidance note 5)		
Thur								
Fri						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)		
Sat								
Sun								

F

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

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	
Day	Start	Finish		Outdoors	
Mon				Both	
			Please give further details here (please read guidance note 4)		
Mon					
			State any seasonal variations for the performance of dance (please read guidance note 5)		
Tue					
			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)		
Wed					
Thur					
Fri					
Sat					
Sun					

H

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

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	
				Outdoors	
Day	Start	Finish		Both	
Mon			Please give further details here (please read guidance note 4)		
Tue					
Wed			State any seasonal variations for the provision of late night refreshment (please read guidance note 5)		
Thur					
Fri			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)		
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	
				Off the premises	
				Both	<input checked="" type="checkbox"/>
Day	Start	Finish	State any seasonal variations for the supply of alcohol (please read guidance note 5) N/A		
Mon	15:00	23:00			
Tue	15:00	23:00			
Wed	15:00	23:00			
Thur	15:00	23:00			
Fri	13:00	01:00			
Sat	13:00	01:00			
Sun	13:00	23:00			
			Non-standard timings. Where you intend to use the premises for the supply of alcohol at different times to those listed in the column on the left, please list (please read guidance note 6) N/A		

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

Name Mr Peter Weidmann	
Date of birth ██████████	
Address ██ ██ ██ ██	
UK-England	
Postcode	██████████
Personal licence number (if known) ██████████	
Issuing licensing authority (if known) ██████████	

K

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

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) N/A
Day	Start	Finish	
Mon	13:00	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) N/A
Tue	13:00	23:00	
Wed	13:00	23:00	
Thur	13:00	23:00	
Fri	13:00	01:00	
Sat	13:00	01:00	
Sun	13:00	23:00	

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

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

- 1 - For the purpose of this license, the main use of the premises shall at all times remain as a Theatre / Gallery / Cinema / Performance Space
- 2 - Only members of the public who hold a ticket or pass (whether this be a physical ticket, hand-stamp, wristband, or admitted on a 'sign in' basis) for a performance or exhibition shall be admitted into the building.
- 3 - The sale of alcohol at the premises shall at all times be ancillary to the provision of Regulated Entertainment and shall only be to members of the public holding a ticket or pass (whether this be a physical ticket, hand-stamp, wristband, or admitted on a 'sign in' basis) for a performance or exhibition.
- 4 - There shall be no direct access from the street to any bar.

b) The prevention of crime and disorder

- 1 - Non-intoxicating beverages, including drinking water, shall be available in all parts of the premises where alcohol is sold or supplied for consumption on the premises.
- 2 - No super-strength beer, lagers or ciders of 5.5% ABV (alcohol by volume) or above shall be sold at the premises.

c) Public safety

- 1 - The operators of the business and/or the licensees shall ensure that any capacity limits set for the premises is properly monitored at all times. Information regarding the capacity shall be given to an authorised officer or Police Officer on request.
- 2 - The approved arrangements at the premises, including means of escape provisions, emergency warning equipment, the electrical installation and mechanical equipment, shall at all material times be maintained in good condition and full working order.
- 3 - The means of escape provided for the premises shall be maintained unobstructed, free of trip hazards, be immediately available and clearly identified in accordance with the plans provided.
- 4 - All exit doors shall be available at all material times without the use of a key, code, card or similar means.
- 5 - All emergency doors shall be maintained effectively self closing and not held open other than by an approved device.
- 6 - The edges of the treads of steps and stairways shall be maintained so as to be conspicuous.

7 - Curtains and hangings shall be arranged so as not to obstruct emergency safety signs or emergency equipment.

8 - On an open stage and elsewhere in the premises any permanently installed scenery shall be made from the following:

- Non-combustible material; or
- Inherently flame-retarded fabric; or
- Durably treated flame retarded fabric; or
- Timber, hardboard or plywood treated by a process of impregnation which meets Class 1 (BS 476-7) or Class-s3.d2 (BS EN 13501-1) surface spread flame; or
- Timber framing of minimum 22mm nominal thickness; or
- Medium-density fibreboard (MDF), plywood, chipboard not less than 18mm in thickness; or
- Plastics material subject to special consideration by appropriate Responsible Authority, being the Fire Authority

9 - Other materials acceptable to the appropriate Responsible Authority, being the Fire Authority.

10 - All fabrics, curtains, drapes and similar features should be either noncombustible or be durably or inherently flame-retarded fabric. Any fabrics used in escape routes, other than foyers, entertainment areas or function rooms, should be non-combustible.

11 - The certificates listed below shall be submitted to the Licensing Authority upon written request.

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

12 - No person shall give at the premises any exhibition, demonstration or performance of hypnotism, mesmerism or any similar act or process which produces or is intended to produce in any other person any form of induced sleep or trance in which susceptibility of the mind of that person to suggestion or direction is increased or intended to be increased.

13 - NOTE: (1) This rule does not apply to exhibitions given under the provisions of Section 2(1A) and 5 of the Hypnotism Act 1952.

d) The prevention of public nuisance

1 - No noise shall emanate from the premises nor vibration be transmitted through the structure of the premises which gives rise to a nuisance.

2 - Clearly legible notices shall be displayed at all exits from the premises requesting patrons to respect the needs of local residents and to leave the premises and area quietly.

3 - Patrons permitted to temporarily leave and then re- enter the premises e.g. to smoke, shall not be permitted to take drinks or glass containers with them.

4 - The designated smoking area shall be limited to a specific external area indicated by signage and ground markings.

5 - Notices shall be prominently displayed at any area used for smoking requesting patrons to respect the needs of local residents and use the area quietly.

6 - All waste is to be properly presented and placed out for collection no earlier than 30 minutes before the scheduled collection times.

7 - No waste or recyclable materials, including bottles, shall be moved, removed from or placed in outside areas between 23.00 hours and 08.00 hours on the following day.

8 - A direct telephone number for the manager at the premises shall be publicly available at all times the premises is open. This telephone number is to be made available to residents and businesses in the vicinity.

9 - Flashing or particularly bright lights on or outside the premises shall not cause a nuisance to nearby properties (save insofar as they are necessary for the prevention of crime)

e) The protection of children from harm

1 - Children shall not be allowed on the premises where theatre production that deals with adult themes is being shown.

2 - A Challenge 25 proof of age scheme shall be operated at the premises where the only acceptable forms of identification are recognised photographic identification cards, such as a driving license, passport or proof of age card with the PASS Hologram.

3 - A log shall be kept detailing all refused sales of alcohol. The log should include the date and time of the refused sale and the name of the member of staff who refused the sale. The log shall be available for inspection at the premises by the police or an authorised officer of the Council at all times whilst the premises are open.

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 or my share code issued by the Home Office online right to work checking service (please read note 15).

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

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

Part 4 – Signatures (please read guidance note 11)

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

Declaration	<ul style="list-style-type: none"> • [Applicable to individual applicants only, including those in a partnership which is not a limited liability partnership] I understand I am not entitled to be issued with a licence if I do not have the entitlement to live and work in the UK (or if I am subject to a condition preventing me from doing work relating to the carrying on of a licensable activity) and that my licence will become invalid if I cease to be entitled to live and work in the UK (please read guidance note 15). • The DPS named in this application form is entitled to work in the UK (and is not subject to conditions preventing him or her from doing work relating to a licensable activity) and I have seen a copy of his or her proof of entitlement to work, or have conducted an online right to work check using the Home Office right to work checking service which confirmed their right to work (please see note 15)
Signature	Harley Gray
Date	31/5/2019

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

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

Signature	
Date	31/5/2019
Capacity	

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

Notes for Guidance

1. Describe the premises, for example the type of premises, its general situation and layout and any other information which could be relevant to the licensing objectives. Where your application includes off-supplies of alcohol and you intend to provide a place for consumption of these off-supplies, you must include a description of where the place will be and its proximity to the premises.
2. In terms of specific regulated entertainments please note that:
 - Plays: no licence is required for performances between 08:00 and 23.00 on any day, provided that the audience does not exceed 500.
 - Films: no licence is required for 'not-for-profit' film exhibition held in community premises between 08.00 and 23.00 on any day provided that the audience does not exceed 500 and the organiser (a) gets consent to the screening from a person who is responsible for the premises; and (b) ensures that each such screening abides by age classification ratings.

- KEY**
- Site Boundary
 - Main / public entrance
 - Exit
 - WATER Extinguisher
 - FOAM Extinguisher
 - CO2 Extinguisher
 - Fire Blanket
 - Manual Fire Break Call Point
 - Green Break Glass for doors
 - Escape routes
 - Running main sign
 - Smoke alarm sensor
 - Smoke alarm sensor

The fire alarm system is designed to provide early warning of a fire and to enable the fire service to locate the fire. The fire alarm system is designed to provide early warning of a fire and to enable the fire service to locate the fire. The fire alarm system is designed to provide early warning of a fire and to enable the fire service to locate the fire.

REGENT'S CANAL

101
Roof Event Space
Capacity: 200 people

102
M.O. (no. 102)

ST01
Main stair enclosure

ST02
Secondary fire escape

Point of sale

Roof Level leave rooftop event space

Flat Roof

Flat Roof

Flat Roof

Counters

500mm steel pit (wall)
Batterboard handrail for events

Door for secondary escape stair

Information Issue

Proposed Roof Plan

Licensing Application

Scale 1:100 @ A1

Date 07.05.19

Drawn 121_A68_02 A



LABURNUM STREET

Columbia Wharf

Maich Swift Architects
8 Compton Terrace
London N1 2UN

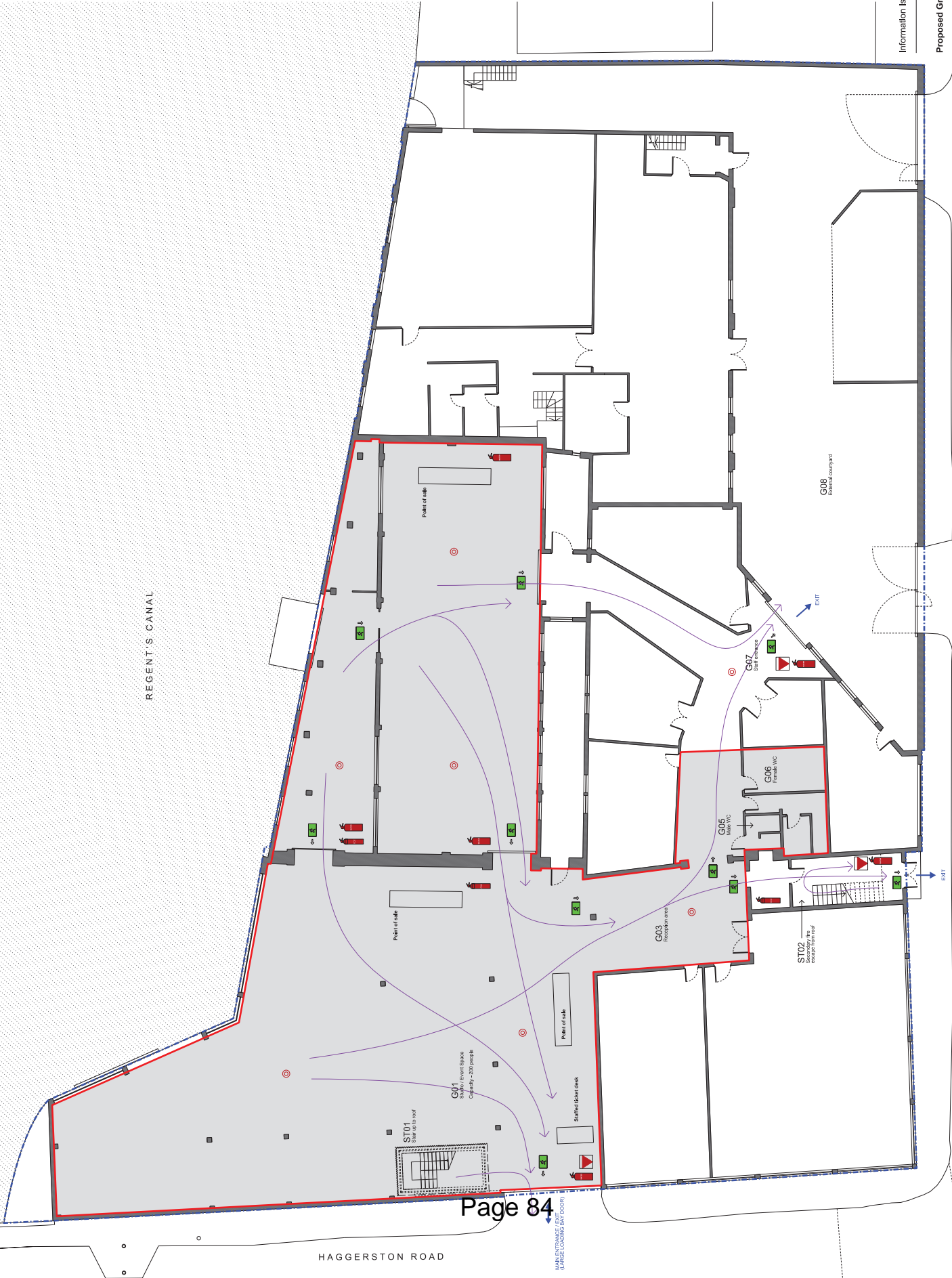
t +44 (0)20 7688 4110
e info@maichswift.com

Rev: 4 (07.05.19) Information Issue
Rev: 3 (05.05.19) Information Issue

- KEY**
- Site Boundary
 - Main / public entrance
 - Exit
 - WATER Extinguisher
 - FOMM Extinguisher
 - CO2 Extinguisher
 - Fire Blanket
 - Manual Fire Break Call Point
 - Green Break Glass for doors
 - Escape routes
 - Running main sign
 - Smoke alarm sensor

The information on this plan is for information only. It is not intended to be used as a legal document. The information on this plan is for information only. It is not intended to be used as a legal document. The information on this plan is for information only. It is not intended to be used as a legal document.

REGENT'S CANAL



Information Issue

Proposed Ground Floor Plan

Licensing Application



Scale 1:100 @ A1 Date 13.05.19 Dwg 121_A68_01 B
 Maich Swift Architects
 8 Compton Terrace
 London N1 2UN
 t +44 (0)20 7688 4110
 e info@maichswift.com

Rev: 0 13.05.19 Information Issue
 Rev: 1 13.05.19 Information Issue
 Rev: 2 13.05.19 Information Issue

Columbia Wharf

Maich Swift Architects
 8 Compton Terrace
 London N1 2UN

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

NAME OF AUTHORITY	London Borough of Hackney
ADDRESS OF AUTHORITY	Environmental Protection Team Environmental Health Business Regulation Public Realm London Borough of Hackney Hackney Service Centre 1 Hillman Street, London E8 1DY
CONTACT NAME	George Wokorach
TELEPHONE NUMBER	(020)8356 - 3403
EP REFERENCE	
E-MAIL ADDRESS	george.wokorach@hackney.gov.uk

APPLICATION PREMISES

Name and Address of Premises	Brunswick & Columbia Wharf 53-55 Laburnum Street, London E2 8BD
Name of Licence Holder or Designated Premises Supervisor	Shiva Limited

COMMENTS

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

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

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

The Environmental Protection (EP) Team have reviewed the licensing application and wish to make a representation. The applicant has not demonstrated in full that the Licensing Policy LP5 Public Nuisance would be met.

The EP Team has received several complaints about noise from loud music emanating from the premises in the last 8 months and has concerns that events at the premises may create a noise nuisance to the residents living in the adjoining premises.

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

Licence application.

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

The applicant must contact the officer to arrange a meeting on the premises. Secondly, the applicant needs to carry out a noise impact assessment to support the application.

Signed

Name: George Wokorach

Date: 3rd July 2019



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

RESPONSIBLE AUTHORITY DETAILS

NAME OF AUTHORITY	London Borough of Hackney
ADDRESS OF AUTHORITY	Environmental Enforcement First Floor Hackney Service Centre 1 Hillman Street London E8 1DY
CONTACT NAME	Darren Coultas-Pitman
TELEPHONE NUMBER	0208 356 5090
E-MAIL ADDRESS	Darren.coultas-pitman@hackney.gov.uk

APPLICATION PREMISES

NAME & ADDRESS OF PREMISES	Brunswick And Columbia Wharf 53-55 Laburnum Street Hackney E2 8BD
NAME OF APPLICANT	Shiva Limited

COMMENTS

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

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

Representation in relation to:

ENVIRONMENTAL LICENCE CONDITIONS IN RESPECT OF

Shiva Limited for
Brunswick And Columbia Wharf
53-55 Laburnum Street
Hackney
E2 8BD

1. 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.
2. The Licensee shall ensure that any contract for general and recyclable waste disposal shall be appropriate in size to the amount of waste produced by the business. The Licensee shall maintain an adequate supply of waste receptacles provided by his registered waste carrier (refuse sacks or commercial waste bins) in order to ensure all refuse emanating from the business is always presented for collection by his waste carrier and shall not use any plain black or unidentifiable refuse sacks or any other unidentifiable or unmarked waste receptacles.
3. In order to minimise the amount of time any waste remains on the public highway in readiness for collection, the Licensee will ensure the timeframe within which it may expect its waste carrier to collect is adhered to.
4. The Licensee shall instruct member of staff to make regular checks of the area immediately outside the premises and remove any litter, bottles and glasses emanating from the premises, when female only staff working, checks must be made during daylight hours, and one check first thing in the morning at 0800.
5. The Licensee shall provide a safe receptacle for cigarette ends to be placed outside for the use of customers, such receptacle being carefully placed so as not to cause an obstruction or trip.

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

We have received complaints in the past regarding littering and build-up of waste in the area. There is no record of any Trade Waste Agreement for this business, so the council has no way of knowing how the business is disposing of their waste.

Experience has also shown that there is the probability that there will be cigarette litter outside these premises due to the smoking ban and it is possible that glasses and bottles may be left outside by patrons.

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

Please contact Darren Coultas-Pitman to discuss

Name: Darren Coultas-Pitman

Date: 06/06/2019

**Planning Authority Representation:
Application under the Licensing Act 2003**

Details of Authority	2 Hillman Street, Hackney, London, E8 1FB
Officer contact name	Claudette Abraham
Officer telephone number	020 8356 4870
Officer's email address	claudette.abraham@hackney.gov.uk

APPLICATION PREMISES

Name and address of premises	Brunswick and Columbia Wharf 53 55 Laburnum Street London E2 8BD
Applicant name	Shiva Limited

COMMENTS

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

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

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

The premises application proposed for a new premises licence as a place to show films and use as a theatre under the licensing Act 2003.

Planning application ref 2001/1958 Change of use of waterhouse to fine art exhibition space, restaurant/bar, event space, moorings for barges, one residential unit and roof terrace together with part 2 and part 3 storey extension and alterations.

Films Mon - Sun 13:00-23:00

Supply of Alcohol Mon -Thur 15:00-23:00, Fri-Sat 13:00-01:00, Sun 13:00-23:00

Hours of Opening Mon-Thu 1300-23:00, Fri -Sat 13:00-01:00, Sun 13:00-23:00

A house film studio with theatre use is within Sui Generis therefore the use of the premises is considered to be established. It is unclear if the usage of the premises is lawful given the length of time since the planning permission was granted. If the applicant would like formal confirmation that the use of premises is lawful it is recommended they apply for Lawful Development Certificate.

No representation with informative.

Please provide the following information (if applicable)

Area (that permission applies to)	Ground floor
Permitted use	Sui Generis


Permitted hours	N/A
Specific/restrictive conditions	N/A
Recent applications	N/A
Decisions	N/A
Pending Decisions	N/A
Reasons for refusal	N/A
Relevant Conditions/discharges	N/A

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

No representation with informative

A house film studio with theatre use is within Sui Generis therefore the use of the premises is considered to be established. It is unclear if the usage of the premises is lawful given the length of time since the planning permission was granted. If the applicant would like formal confirmation that the use of premises is lawful it is recommended they apply for Lawful Development Certificate

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

Signed	
Name	Graham Callam
Date	02/07/19

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	020 8356 4942
E-MAIL ADDRESS	david.tuitt@hackney.gov.uk

APPLICATION PREMISES

NAME & ADDRESS OF PREMISES	Brunswick And Columbia Wharf 53-55 Laburnum Street London E2 8BD
NAME OF APPLICANT	Shiva Limited

COMMENTS

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

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

Representation in relation to:

There are numerous residential premises in close proximity to the application site. The applicant's attention is drawn to LP3 (Core Hours) which sets out Monday to Thursday 08:00 to 23:00, Friday and Saturday 08:00 to 00:00 and Sunday 10:00 to 22:30 as the hours where licensable activity is generally authorised. The Policy goes on to state:

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.

I am concerned that the proposed use of the 200 capacity roof terrace up to 23:00 weekdays and 01:00 on Fridays and Saturdays would have a detrimental impact on the promotion of the licensing objectives, in particular, the prevention of public nuisance by exposing residents to a source of noise nuisance which is not currently the norm in the area. The applicants attention is drawn to Policy LP6 (External Events and Outdoor Areas) which states:

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.

The proposed activity could also lead to increased vehicular and pedestrian traffic during times when the area is likely to be quiet. Clarification on the planning status for use as a Theatre/Gallery/Cinema/Performance Space would be useful in this regard as well as detail on any use of the "External Courtyard" shown on the drawing.

The Licensing Service previously investigated complaints from residents when the premises operated as "Hoxton Docks". The concerns is that complaints could become more frequent

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

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

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

Discussion with the applicant to ascertain 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 and concerns will be addressed.

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

Date: 01/07/2019



Re: Brunswick And Columbia Wharf 53/55 Laburnum Street London E2 8BD

1 message

1 July 2019 at 18:30

[REDACTED]
To: "licensing@hackney.gov.uk" <licensing@hackney.gov.uk>

Dear Madam/Sir

Re: Brunswick And Columbia Wharf [53/55 Laburnum Street London E2 8BD](#)

I wish to object to the granting of a licence on the following grounds.

- 1) there are three schools and a nursery in proximity. These are plagued with public ruination. If the new premises caters to an extensive number of people from outside the area, they will not have a buy in to respect the tranquillity of the neighbourhood. This will increase public urination, noise nuisance and anti-social behaviour in a mostly residential area.
- 2) A venue to cater for the club going Shoreditch revellers in a mainly residential area will impact upon the larger numbers of families and residents who reside in the housing nearby and hinder their peaceful enjoyment of their homes.
- 3) The increased loitering and noise nuisance is not compatible with the residential nature of the area.

The granting of a licence to a venue that will not be low key is not commensurate with the character and tranquility of a residential area. I would plea to you to consider not granting a licence for this venue.

Yours sincerely

[REDACTED]
[REDACTED] Adelaide Wharf, London E3 [REDACTED]

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objection to Brunswick And Columbia Wharf 53/55 Laburnum Street London E2 8BD application

1 message

23 June 2019 at 21:47


To: licensing@hackney.gov.uk

Dear Sir/Madam,

I would like to object to:

Shiva Limited Application for a premises licence for films from 13:00 to 23:00 Mon to Sun and to authorise the supply of alcohol for consumption on and off the premises from 15:00 to 23:00 Mon to Thurs, 13:00 to 01:00am Fri and Sat and from 13:00 to 23:00 Sun.

The grounds for my objection are:

- 1) The prevention of public nuisance-The premises is situated in a quiet residential area where families live. The prospect of having increased traffic ferrying people in and out of area alongside potential 'alebriated' individuals making increased sound from 9pm onwards is not conducive to family life.
- 2) The protection of children from harm-Showing films and having intoxicated individuals after 9pm in a residential area will surely result in increased disturbance for children who want to sleep.
- 3) The prevention of crime and disorder-If memory serves me correct we have had ASB issues with this premises in the past. Where excessive noise at late hours disturbed residents and Hackney Council had to intervene.
- 4) Public safety-Having large numbers of intoxicated individuals engaging in potential antisocial behaviour (urinating, raised voices and all other symptoms of alcohol) at night may result in residents having fears about going out at night.

Yours faithfully





Licensing (Shared Mailbox) <licensing@hackney.gov.uk>

53/55 laburnum street

1 message

1 July 2019 at 14:05


To: "licensing@hackney.gov.uk" <licensing@hackney.gov.uk>

Neither me nor my neighbours, directly next to this site **have received any notification of the change of use, or application for late night alcohol licence.**

I strongly object to an application by these criminals to operate an alcohol licence. This gang have flouted every law possible, including no consent to planning with adding additional stories(!), on the roof of the building in 'Art sake'(!!) which are then Air BNB'd. Please check this with Richard in planning.

On previous events held they were not policed correctly (understaffed) and we had minicab engines running all night, fights, broken bottles, drunks defecating on our properties, cars damaged and dirtied.

The houses opposite (where I live) are social 'shared ownership' family houses containing scores of babies, toddlers and infants, its a danger to their health to encounter the chaos the day after this, this will be unacceptable if caused on a daily basis.

We all know the Cinema element is just a cover to run a bar coining £5k a night. I lived in Shoreditch in SPA for 10 years and it was a public health nightmare, we had to move because of it.

I don't mind sending my address but want it kept private/confidential as they are menacing who think they own the street.

Even a 10 licence is too much responsibility for them to handle. There is already a drug dealing problem on the two pedestrian lanes opposite (swimmers and the other) this can only make it worse.

I object, object, object.





Alcohol Licence Application Brunswick And Columbia Wharf, 53/55 Laburnum Street, E2 8BD - Shiva Development

1 message

1 July 2019 at 14:35

[REDACTED]
To: "licensing@hackney.gov.uk" <licensing@hackney.gov.uk>

Dear Sir/Madam,

On behalf of the Bridge Academy I am writing to object to the application for an alcohol licence by Shiva Developments at 53/55 Laburnum Street.

The Bridge Academy is adjacent to the premises concerned, across Haggerston Road. Our students enter and exit the school from Haggerston Road and walk directly past the premises. The application is for on and off sales after 1300 on Friday – Sunday and after 1500 on Monday – Thursday. Students are present at the school until after 1700 on every weekday and generally leave the building between 1500 and 1700. Our concern is that during the proposed hours the safety of children would be compromised by having a licenced premises adjacent to the school.

Patrons of the premises are likely to be leaving under the influence of alcohol and directly into contact with students leaving from school. Individuals under the influence are more likely to commit public order offences and to interact in inappropriate ways with our students. Off sales are likely to be purchased and consumed in the street where students gather. There is an increased temptation for students under the age of 18 to attempt to purchase alcohol from the premises, or from those over the age of 18 to purchase for younger students. We are also concerned that on site purchases may be brought out into the street, with drinkers standing in the street adjacent to the school posing a danger to our students.

We teach students about the dangers of substance misuse, including alcohol, and to have a licenced premises operating right outside the school during school hours would give a very contradictory message.

We would not object to a licence which was only in operation from 1800 on weekdays and at weekends, as this would not affect our students to any significant degree.

Please take these comments into consideration when assessing the application.

Yours faithfully,

[REDACTED]
[REDACTED]
The Bridge Academy, Hackney

Laburnum Street

London, E2 8BA



APPENDIX C5

Licensing (Shared Mailbox) <licensing@hackney.gov.uk>

Objection to application for licence for Brunswick & Columbia Wharf, 53-55 Laburnum Street

1 message

1 July 2019 at 14:52

To: "licensing@hackney.gov.uk" <licensing@hackney.gov.uk>

Dear Licensing

I am writing to object to the application for 53-55 Laburnum Street. I live [REDACTED] Laburnum Street, E2 [REDACTED]) and object most strongly for the following reasons:

This is a residential area and I do not want to be disturbed or exposed to the noise and activity that is entailed with a roof top cinema, music and drinking. We are already regularly disturbed by Hoxton Docks with their thumping music and outpourings of punters who smoke, drink and generally hang around the vicinity. We are unable to open our windows when events are on as we are hugely disturbed by the music, noise of people taking, shouting and loitering, taxis idling and horns beeping. I am also fed up with the noise associated with this and the new proposal (which has only just come to note from an eagle eyed neighbour) will only exacerbate the noise and anti social behaviour element of having an entertainment space right slap opposite a residential development. I really do not fancy yet more people in this area adding to noise, anti -social behaviour, congestion and complete disregard for the fact that families live here- and want to live in peace, not next to an entertainment space.

Any entertainment space will add to the amount of traffic, pollution and congestion from taxis coming and going. Neighbours have previously complained about noise, loitering and observation of people using drugs outside the premises. I have also seen drug paraphernalia lying in the street outside the venue. This will only worsen if this license is granted.

This location is directly next to a school - inappropriate for the above reasons. I believe this presents a possible safeguarding risk to the school children who also loiter around after school hours.

Crime and anti social behaviour is likely to increase. We frequently have people 'hanging out' in our front garden and using our garden as a toilet and rubbish tip during Hoxton Dicks events. This type of behaviour would no doubt increase.

I think I'll have to move house if you grant this- please spare me all that hassle by chucking this proposal out!

Yours faithfully

[REDACTED]

Sent from my iPhone



Brunswick And Columbia Wharf E2 8BD

1 message

1 July 2019 at 14:59

To: "Licensing (Shared Mailbox)" <licensing@hackney.gov.uk>

Good afternoon

I would like to make representation regarding the above licensing application.

As a local resident who has received no communication from the venue about their plans I'll have to keep my comments broad.

The prevention of crime and disorder.

Previous events at this the venue have led to issues with remnants of alcohol and drug use. This is not a good situation in a heavily residential area and especially not good when it's located next to a school.

This area is also close to some areas with anti social behaviour issues and could well attract further issue.

The prevention of public nuisance

This is a heavily residential area and the addition of a 1am alcohol license does not seem in keeping with this. As someone who lives at ground level within eyesight of the venue I have concerns about the noise of patrons leaving the venue between 1&2am, intoxicated. The noise and nuisance impact is likely to be substantial.

In addition the likely increase in traffic/taxis on Laburnum Street during the late evening will have both pollution and noise impacts. The road is already single lane for most of the day due to the volume of parked cars and the use of this area as a pickup location for Uber et al will lead to considerable blockage and noise.

The protection of children from harm

Again as the venue has not reached out and has not shared their plans we have to make the obvious statement that this is right next to a school. The application does not seem to have a time limit so whilst their programme may open after the school closes for the holiday's we have no indication of whether it will end.

Previous planning applications at the venue were believed to be time limited but are still in place years later so the granting of this license could be seen as opening the door to a permanent license in view of secondary school within school operating hours.

Kind Regards





Objection to alcohol licence - Brunswick and columbia wharf, 53/55 Laburnum Street

1 message

1 July 2019 at 15:04

[REDACTED]
To: "Licensing (Shared Mailbox)" <licensing@hackney.gov.uk>
Cc: Hackney Contact Centre <Corporate.ContactCentre@hackney.gov.uk>

To Hackney Licensing

Dear Sir/Madam,

Objection to alcohol licence application - Brunswick and columbia wharf, 53/55 Laburnum Street

I've received a flyer informing us that the warehouse/venue opposite our house has applied to sell alcohol, show films in the open air, and stay open until 1am on Fridays and Saturdays.

I would like to strongly oppose the application on the grounds that it's a quiet, residential area with lots of families living in very close proximity to the venue.

We've had lots of problems with noise and litter from that venue when they've had ad hoc events in the past. We're concerned that granting this license will really exacerbate the problem.

After events, the street has been littered with bottles, cans, broken glass, and laughing gas canisters - which is not just an eyesore but dangerous to the young children living on the street. The noise of drunk people hanging about in the street - and the engines and horns of taxis picking people up - has kept us all awake late into the night, including my four and six year olds, whose bedroom is just opposite the venue.

My husband has complained about this to the venue - who did listen and were receptive - but there's not much they can do to control the noise of people leaving, taxis peeping their horns and leaving their engines running through the night.

We live in a mixed development, which has provided homes and a sense of community for young families. I totally understand the organisers want to create a fun new place to go out but it's just not an appropriate location for that kind of venue - there are plenty of more suitable places in Dalston and Shoreditch that they could use instead.

Many thanks,

[REDACTED]
[REDACTED] Laburnum Street
E2 [REDACTED]



License application objection

1 message

1 July 2019 at 16:10

[REDACTED]
To: "licensing@hackney.gov.uk" <licensing@hackney.gov.uk>

Hello,

I would like to make a representation against the application for an alcohol license/ premises license for films and the application to build a canalside theatre and rooftop cinema on top of the Columbia and Brunswick wharf site at 53/ 55 Laburnum Street, E2 8BD.

I live very close to the venue at [REDACTED] [Laburnum Street](#) and my house [REDACTED]. Noise from events at the site is already a problem and I have previously emailed the residents to complain.

Current events at the site are not too frequent, but the proposed events (cinema screenings, music concerts, theatre productions and comedy shows) and a license for films and alcohol until 11pm daily would increase the noise pollution on a daily basis.

My four year old son's bedroom faces the venue and it would become impossible for me to open his windows in the evenings because of the noise.

There is already a problem after events with empty cans/ bottles from alcoholic drinks and this would no doubt increase, posing a safety risk for residents.

There is also an existing issue with drug paraphernalia left in the street following events and I fear this would also increase, again posing a threat to the safety of our children and the safety of the children at the neighbouring school.

The street already suffers from drunken passers-by causing a public nuisance by urinating in public and vomiting on public footpaths/ our front gardens and a daily alcohol license for events running until 11pm would almost certainly increase this.

Taxis and Ubers after events at the site already have a considerable noise impact on the street (using car horns late at night, constantly running engines while stationary) and this would greatly increase with nightly events and loud, intoxicated patrons.

The venue have previously built temporary structures on the roof that have remained in place for years and continue to remain and I fear this could be another example. They have made no effort to contact residents and have instead attempted to sneak this through by posting a single flyer on a lamppost, hoping that no one would notice it.

Please help us keep Laburnum Street a pleasant place for our children to live,

Thank you,

██████████

██████████ Laburnum Street

London

E2 ██████████





Brunswick & Columbia Wharf application, E2 8BD

1 message

1 July 2019 at 20:58

To: "licensing@hackney.gov.uk" <licensing@hackney.gov.uk>

Cc: [REDACTED]

Dear sirs,

I am writing to you as a homeowner at [REDACTED] Laburnum Street, E2 [REDACTED] (within the Basin Mills Apartment development) to voice my sincere objection to any license that is being sought for Columbia and Brunswick Wharf. For many years I have had to call Hackney noise pollution patrols to combat events that breached parameters of any TENs provided to this venue, and worked with my previous councillor (Jonathan McShane) to prevent further raves/parties/events from occurring. Especially since the owners continue to flout planning issues raised by local residents, and have done for years.

The noise from the property has consistently been a nuisance, and on countless occasions kept me and my young family up until the early hours (typically 4am) with loud music and boisterous behaviour evident from such events - such as vomiting, public urination, littering - and I believe that a permanent license for this property will only exacerbate these problems. I strong urge you to not grant a license to this place. It will impact all residents within the Basin Mills negatively for now and the future.

Yours sincerely,

[REDACTED]

Sent from my iPhone

APPENDIX C10

Licensing (Shared Mailbox) <licensing@hackney.gov.uk>



Fwd: Oppose licensing application for Hoxton Docks alcohol licence till 1 am!!! Cut off 2 July

1 message

1 July 2019 at 22:49

To: [Redacted] licensing@hackney.gov.uk

Hello,

I oppose to the below licensing application.
This is a residential area and I think a drinking venue will have an impact on the residents due to: the noise it will create, intoxicated patrons, drinking outside the premises and potential litter that will create.

Applications received under the Licensing Act 2003

Week ending: 07 June 2019

Premises:	Ward	Applicant(s):	Brief summary of application:	Closing date for representations:
Brunswick And Columbia Wharf 53/55 Laburnum Street London E2 8BD	Haggerston	Shiva Limited	Application for a premises licence for films from 13:00 to 23:00 Mon to Sun and to authorise the supply of alcohol for consumption on and off the premises from 15:00 to 23:00 Mon to Thurs, 13:00 to 01:00am Fri and Sat and from 13:00 to 23:00 Sun.	02/07/2019

Kind regards,

[Redacted]

[Redacted]



Objection to application at Laburnum St

1 message

1 July 2019 at 23:54

To: [REDACTED]
licensing@hackney.gov.uk

Cc: [REDACTED]

Dear Sir / Madam

I wish to object to the application you have received for the following address;

Brunswick and Columbia Wharf
[53/55 Laburnum St](#)
London
E2 8BD

This building is on a small residential street and directly opposite a school. The venue currently hosts occasional events where we have to endure noise, traffic and antisocial behaviour late in the night. Where such events are held, we have drunken behaviour and shouting late into the night, we find litter and bottles in our street, and find canisters, poly bags containing remnants of white powder in the street and in front of our garden. The street has taxis and other transport crowding the street late at night with engines running, worsening our already polluted street.

I would also point out that the owners of this premises show no consideration for their residential neighbours. We are not warned or consulted when events are held, it isn't possible to escape the noise and music even with windows closed. We have even had people from that place flying a drone above our communal playground. Furthermore, I would strongly object to the suitability of the applicants for such a license given what I understand to be their ignoring of planning regulations and constructing structures without planning consent.

Laburnum St is a narrow residential street with a school and houses directly opposite the building in question. Traffic is already a problem. The owners regularly bring large goods vehicles to the streets causing considerable disruption. Turning that large premises into a licensed venue is matter of grave concern to us. The houses opposite were build 6 years ago and specifically to house families with children - one of the conditions of us moving into the houses was that we were a family. The development has playgrounds built into our communal areas right along Laburnum St. Us and all our neighbours, bar one, who live opposite have primary school aged children.

To go from what we already experience with noise, nuisance, drunken behaviour during one-off events, to a full license, would be very detrimental to the quality of life of local residents, and a threat to the safety and well-being of our families.

I recognise the value of the night time economy in many parts of our borough, but worsening an already challenging environment in a residential area specifically designed to house families, is something we object to in the strongest terms.

Yours faithfully

[REDACTED]

[REDACTED] [Laburnum St](#)
London
E2 [REDACTED]



Re: Licence objection 53/55 Laburnum street E2 8BD

1 message

3 July 2019 at 15:51

[REDACTED]
To: licensing@hackney.gov.uk

Hello

I see a refused appeal for a planning application but I believe it seems to me when I look on the roof, that the dwelling has been already built in 2016? Was planning breached here?

- 2016/2537

There is also construction on the roof again and I cannot find planning permission for 2018/19?

If this is true above, it further worries me regarding the ability of the owners at [53/55 Laburnum road](#) to follow rules and regulations set by Hackney council. Which gives me little faith about any promises to reduce community impact of alcohol/crowd events.

Thanks

Sent from my iPad

On 2 Jul 2019, at 09:38, [REDACTED] wrote:

To whom it may concern

Licensing Objection: [53/55 Laburnum street E2 8BD](#)

I am a local resident for 12 years and object to

Large group events

And an alcohol license in a predominantly residential area with families and a senior school overlooking the venue.

The current application for license concerns are :

1. Increase of risk of anti social behaviour, public disorder and nuisance before, during and after events/drinking outside the venue and spill out to surrounding residential streets such as laburnum and queensbridge road related to crowds and alcohol.

2. Therefore Increased numbers of people walking past Adelaide wharf late at night, loudly talking, shouting and waking residents and their families up. In summer it is impossible to sleep with windows closed due to the heat.

3. Increased noise and pollution from delivery trucks and bottle recycling noise
Increased traffic with taxi dropping off/pick up and idling cars, hooting, customers talking or shouting while waiting for a car.

historical concerns:

Hoxton Docks at this same address appears to have had some problems with running some events in the past with no TENS in place as well as some events with a TENS being party to complaints from local residents of public disorder and noise. Please see all previous issues logged with the council. there is a sorry about trust due to previous breaches.

local residents have verbally reported to me/I have witnessed:

1, that there is street litter left from queues at furniture sales on weekends at this venue and they feel the owner 'does not care or provide bins or arrange clean up'

Page 107

2. That customers from events at this venue are creating public disorder nuisance in laburnum and

queensbridge road such as noise, public urination and litter.

3. That there are concerns about what planning permission has been granted for all the building on top of the venue roof, that if this has breached planning, that gain this is another sign that the local community can't trust that rules will be followed. It is not known if planning permission has been breached, it's just a query from local residents.

general comment


Of note hackney already has higher than national average number of drinking venues.

The source for the below figures are the Office for National Statistics:

- In Hackney there are around 6.6 pubs per 10,000 people. This is higher than the UK average of 5.8 pubs. There are now also around 30 more pubs in Hackney than in 2001.

- 155 pubs in 2001 vs 185 (2018)

Thank you


adelaide Wharf
Queensbridge road

Sent from my iPad



APPENDIX C13

Licensing (Shared Mailbox) <licensing@hackney.gov.uk>

Hoxton Docks Open Air Cinema Application

1 message

2 July 2019 at 10:49

To: "licensing@hackney.gov.uk" <licensing@hackney.gov.uk>

Cc: [REDACTED]

Dear Licensing Team

I am a resident and leaseholder at Basin Mill Apartments on Laburnum Street. My flat is [REDACTED] Hoxton Docks, where, I understand, it is proposed that a licensed open air cinema be installed.

I became aware of the application via a Basin Mill residents social media group where this application is currently under discussion.

I understand that a number of residents in the area, and in my block specifically, have written to you in order to express their objection to the application and I have seen a flyer which encourages people to send objections to this email address.

In considering these objections, you should be aware that, from what I have seen on social media at least, not all the residents share this negative view of the application. I personally am in favour of the application and do not agree with the objections that I have heard, most of which are set out in the flyer. The reasons for this are as follows:

- first, the way in which alcohol is consumed at a cinema is materially different from the way in which it would be consumed in a bar or nightclub, where drinking alcohol is often a primary purpose of customers visiting the venue. The potential for anti-social behaviour at / after a cinema trip seems to me to be much more limited than with a bar or nightclub.

- second, concerns about the fact that the cinema happens to be near schools are misplaced: (a) I understand that the main issue with the application relates to the potential for antisocial behaviour late at night (when pupils will be at home); (b) presumably the cinema will only (or mainly) be open during the summer, when schools are on holiday in any event; and (c) even if patrons of the cinema could be seen by schoolchildren (which seems highly unlikely), I am unaware of any law which forbids minors from witnessing alcohol being consumed (how could restaurants and pubs function if this were the case?)

- third, and most importantly, projects such as this are an important part of the regeneration of the area. At present, there are very few pubs and restaurants (or even shops) in the vicinity of Laburnum St. As a result, the area is often very quiet in the evenings. This has resulted in frequent petty crime and vandalism in the area. At Basin Mill, for example, we have had a number of break-ins into the bike store (with bikes being stolen) and we have also had packages stolen from the entrance to the flats. There are also regular thefts from cars parked in the area. Having more people around the area in the evenings is, in my view, likely to decrease, rather than increase the potential for these types of issues to arise.

Please bear these points in mind - as well as the broader fact that opinions are mixed - when you are considering objections raised by residents. Not everyone takes such a dim view of exciting new projects in the area!

Yours sincerely

[REDACTED]
Basin Mill Apartments

Sent from my iPhone



APPENDIX C14

Licensing (Shared Mailbox) <licensing@hackney.gov.uk>

53-55 Laburnum street alcohol and cinema licence.

1 message

2 July 2019 at 11:26

[REDACTED]
To: licensing@hackney.gov.uk

To whom it may concern

We strongly object to grant an alcohol and Cinema license to Brunswick and Columbia Wharf.

We live in Kent wharf. We are directly adjacent to Brunswick and Columbia wharf.

This is a residential area and street. The street is mostly a one lane which can not accommodate business traffic.

On the occasions that Brunswick and Columbia Wharf host a social event, the noise rises up and amplifies in strength.

Both our bedrooms are street facing, as all other bedrooms in that building are too.

On these occasions it is impossible to sleep until the party has ended.

I hope you appreciate that after a hard day's work, peace and quiet is required and a good night sleep needed to tackle the next day.

Allowing this licence will create havoc on the street and continue much later than the event. Taxis and delivery trucks will create traffic jams affecting Queen Street Bridge which is already heavily laden with traffic.

Best Regards

[REDACTED]
Laburnum street

Sent from my iPhone



APPENDIX C15

Licensing (Shared mailbox) <licensing@hackney.gov.uk>

RE Alcohol Licence Objection / Brunswick and Columbia Wharf. 53/55 Laburnum Street E2 8BD

1 message

2 July 2019 at 16:21

To: "licensing@hackney.gov.uk" <licensing@hackney.gov.uk>

To whom it may concern,

RE Brunswick and Columbia Wharf. [53/55 Laburnum Street E2 8BD](#)

I have just come across the fact that Brunswick and Columbia Wharf are applying for an Alcohol Licence. [I am writing to register my objection to the application for a premises licence.](#)

The basis for this opposition is that granting a licence for these premises will cause disorder and antisocial behaviour.

53/55 Laburnum Street lies direct opposite of us.

Who we are :

My name is [REDACTED].

I am a mother with a 5 year old daughter and a teenager living in the [REDACTED] of [53/55 Laburnum Street](#).

So, just to explain our situation:

Parties are not a new thing at the premises. They had been there before at a great costs for the local residents

Sound/Pollution

On many occasions the sound level of events at Brunswick and Columbia Wharf is so high that the floor of our flat is shaking.

I had numerous occasions where I had problems to bring the children to bed.

Even during the week there are plenty of events scheduled. People start queuing in the early hours of the day, drinking (they bring drinks and leave the rubbish on the floor), smoking and waiting hours for the event to start. Traffic attending events at the Wharf has caused horrendous congestion and problems on Laburnum Street. The cabs and taxis stop right in front of our house and pollution levels are comparable to a rush hour.

People talk loud and drunk while waiting for cabs /respectively their pic up. We understand every word in the flat since we are only a couple of yards away from the street.

All in all, the noise from the live music and films adversely affects us residents living in the vicinity of the building especially as the licence application covers events out of doors and until the late hours of the evening.

Later in the evening people are drunk, sing loud and glass breaks and is laying around the other day.

There is security but they seem to be only responsible for the event premises.

We had people drinking in front of our living room, which is facing the south side of the premises. The hired Security could not intervene since they were on "the wrong side of the street"

When the events end the pick up of drunk people is causing havoc in the street, air pollution is especially high and so is sound pollution. It is basically the sound level when a club is closing.

Bad Equipment

The external generator unit is huge. It is used to cool beverages and makes a very loud jet-engine like noise. Yet, the worst are the floor vibrations from it. You can feel the generator buzzing even in bed. Our floor is trembling when they switch it on. I am confident that this level of noise is against the sound regulations within a residential area.

Antisocial Behaviour

We live [REDACTED] is a small and dim lit alleyway opposing the building which seems to be inviting for antisocial behaviour.

On several occasions people were drinking, there was vomiting and excrements against the wall and in the darker corners of Haggerston Bath, which is the building on one side of Swimmers Lane.

At some occasion someone walked in our front garden, being obviously high on drugs and booze, trying to sit on our garden chairs insisting our garden would be beer garden. It was only 7pm at night, I had to send my 5 year old daughter out of our front garden back in the house as things heated up quickly. He did not want to leave our gated front garden!!!

He was clearly from the Brunswick Wharf party and was only convinced to leave when their security staff intervened.

The security was hired by the event but I had to run over and ask for help since they clearly ignored the incident at first.

This was a frightening incident which took place only three months ago, back in March/April.

Health issue

During events Swimmers Lane has been used as a public toilet. Obviously there is not enough sanitary facilities available at the Wharf since we had people using our front garden and trees to relieve themselves.

Safety of Children

Once again, I live there with children. I bought the flat 3 years ago and since then saw a lot of parties and anti-social behaviour because of it. Clearly there was alcohol being sold before which caused problems in the past.

I think that granting a full licence would provide a further source of alcohol within an area already so heavily populated with crime, disorder and public nuisance. The problem levels for the local police are already critical and budget is stretched.

Residents in our area already suffer noise nuisance and antisocial behaviour at all hours of the day and night.

Change/Future of the Area

Our area feels more and more like partytown Shoreditch, being a total sell out of our society. There should be protection in place to make sure family areas are staying free from business endeavours. To make sure children have a chance to grow up in a healthy and protected environment! Alcohol consumption is not the bad thing but the party culture which comes with it is a destroying force. This can be seen everywhere in Hackney. It makes areas uninhabitable for small children and young families.

I have endured this inconvenience since 2016 when I moved in. Granting the Wharfs a full Alcohol licence in an area which is one of the few residential areas left is totally unacceptable.

I strongly appeal to those responsible to not grant a licence to a building of what is in the middle of a residential area.

To help protect our community and our future in Hackney.

In view of the above, I would urge the Licensing Authority to refuse the application.

Yours faithfully,

[REDACTED]
Swimmers Lane
E2 [REDACTED]



re license for 53/53 Laburnum St1 message

2 July 2019 at 18:26

Reply-to: [REDACTED]
To: licensing@hackney.gov.uk

I have just found out that an application is in from my neighbour to have a license for public entertainment 7 days a week and to 1am on Friday and Saturday.

This is an appalling idea for someone who lives [REDACTED]. This road is a quiet road of residential properties.

53 55 occasionally has parties which are very very loud, and which stop us sleeping because of the very heavy bass noises. Also people going to the parties make a lot of noise when leaving.

The idea of allowing a license to 1am, is horrifying as we will get no sleep until 2am.

Having a license would also mean that they would then be able to get a license for parties, and what would happen would they would have parties every weekend which would destroy the neighbourhood. I suspect this is a trojan horse so they can earn money from party hosting.

I object completely to this application

[REDACTED]
Laburnum St



APPENDIX C17

Licensing (Shared Mailbox) <licensing@hackney.gov.uk>

License application: Brunswick and Columbia Wharf 53/55 Laburnum Street

1 message

2 July 2019 at 19:20

[REDACTED]
To: "Licensing (Shared Mailbox)" <licensing@hackney.gov.uk>

Hello

I am writing to object to the licensing application at the above premises on the grounds that it falls within a residential area

The premises has held a number of events/parties before, which have on occasion, been a disturbance to the local residents: Noise, traffic congestion, anti social behaving including using the side street as a toilet!

Therefore I strongly oppose any plans to make this a permanent/temporary feature. And would be grateful if you could keep me posted on the application

Thanks

[REDACTED]
Basin Mill Apartments
Laburnum Street



APPENDIX C18

Licensing (Shared Mailbox) <licensing@hackney.gov.uk>

Laburnum street

1 message

[REDACTED] >
To: "licensing@hackney.gov.uk" <licensing@hackney.gov.uk>

1 July 2019 at 18:08

I understand that there are plans to allow alcohol sales at a cinema on Laburnum Street. As a resident I oppose this on the premise that it will lead to anti social behaviour in what is a residential area, predominantly for families.

Further, the proposed location is opposite a secondary school. As a teacher in another Hackney secondary school I would advise strongly that it is not appropriate to have an alcohol selling establishment directly opposite a secondary school.

Regards,

[REDACTED]
Wharf Mill Apartments, Laburnum Street

Get [Outlook for Android](#)

APPENDIX C19

[REDACTED]

From: Licensing

From: [REDACTED]
Date: Mon, 1 Jul 2019 at 23:36
Subject: Fwd: Query regarding Hoxton Docks, 53 Laburnum Street
To: <planning@hackney.gov.uk>, [REDACTED], <licensing@hackney.gov.uk>
[REDACTED]
[REDACTED]

Good Evening,

Further to my email of 16 April, I would be most grateful for a response - please see copy below.

It appears that the owners of Hoxton Docks are now constructing a third new structure.

I have attached a photo showing the three new structures on the original building, and a further photo showing a close up of the latest structure.

I would greatly appreciate it if someone can look into this matter and update me on the situation.

I just found out this evening that Hoxton Docks wishes to obtain an alcohol licence. I find this very concerning as in the past,

I was forced to make several complaints about excessive noise coming from parties and events thrown by Hoxton Docks, and it's patrons using our lane as a toilet.

TO THE LICENSING TEAM - please kindly note my objection to this alcohol license.

I shall look forward to hearing from you.

With kind regards,

[REDACTED]

Begin forwarded message:

From: [REDACTED]
Date: 16 April 2019 at 13:54:03 BST
To: Planning Enquiries <planning@hackney.gov.uk>
Subject: Fwd: Query regarding Hoxton Docks, 53 Laburnum Street

Dear Planning Team,

Further to my emails in 2015, I am writing once again regarding Hoxton Docks, 53 Laburnum Street, E2 8BD.

AK 213



I have noticed a very large structure which has been built on top of Hoxton Docks at 53 Laburnum street. I am not sure what it is for and have not been notified of any planning application. I have attached a picture for you.

You may be aware that I, and some of my neighbours, have complained in the past about noise whenever there is an "event" at Hoxton Docks, and I am a little worried about what they have planned for this new structure.

I would be most grateful if you can let me know any information you might have.

I look forward to hearing from you.

With kind regards

██████████

Sent from my iPhone



Licensing (Shared Mailbox) <licensing@hackney.gov.uk>

Fwd: Licence application objection

1 message

3 July 2019 at 20:10

To: "Licensing (Shared Mailbox)" <licensing@hackney.gov.uk>

----- Forwarded message -----

From: [REDACTED]
Date: Tue, 2 Jul 2019 at 19:02
Subject: Licence application objection
To: licensing@hackney.gov.uk <licensing@hackney.gov.uk>

Dear Sir/Madam,

It has come to my attention that a license application has been made at Brunswick and Columbia wharf [53/55 Laburnum street E2 8BD](#).

I object strongly to this license application. I live in Adelaide wharf on Queensbridge Road. My balcony directly overlooks Laburnum street. The noise associated with this license application would have a negative impact on the wellbeing of myself and young children. Our bedroom windows face the road and already we are unable to have our windows open at night due to loud noise from cars and people. Even with the windows closed we can still hear peoples voices and the traffic. If the license application were to go ahead, we would suffer from the extra noise from people on the streets at unsocial hours. We would also suffer from the extra traffic from taxis and deliveries.

This license application is unacceptable to us and believe it would have a negative impact on the area. This is a residential area where many families reside. It is unreasonable to expect us to put up with noise at antisocial hours.

I would ask that you consider my concerns in regards to this application.

Kind regards

[REDACTED]
Adelaide Wharf
[REDACTED]



APPENDIX C21

Licensing (Shared Mailbox) <licensing@hackney.gov.uk>

Support for application

1 message

2 July 2019 at 19:56

To: "[REDACTED]" <licensing@hackney.gov.uk>

Good evening

I wanted to send a quick email of my support for Potemkin Theatre - Columbia and Brunswick Wharf. We have been neighbours of theirs for many years, the events they put on are few and far between but when they are able to open up their property for cultural events like this it's really great. I love being invited in and it's such a benefit to the neighbourhood. I've not had any reason to complain about their events in the past and don't see any reason to oppose this. The most disruption we have had in the area was from the squatters in Haggerston Baths, the children leaving the local school shouting, screaming, fighting and throwing litter, as well as the fact Swimmers Lane has become rife with drug dealing. I fully support what they are doing with the Arts Council and the Antepavillion prize. Hackney needs events like this and the council should support it.

Many thanks

[REDACTED]
Basin Mill Apartments
Labrunum Street
E2 [REDACTED]

Sent from my iPhone



Supporting application

1 message

[REDACTED]
To: "Licensing (Shared Mailbox)" <licensing@hackney.gov.uk>

1 July 2019 at 20:36

Hi hello

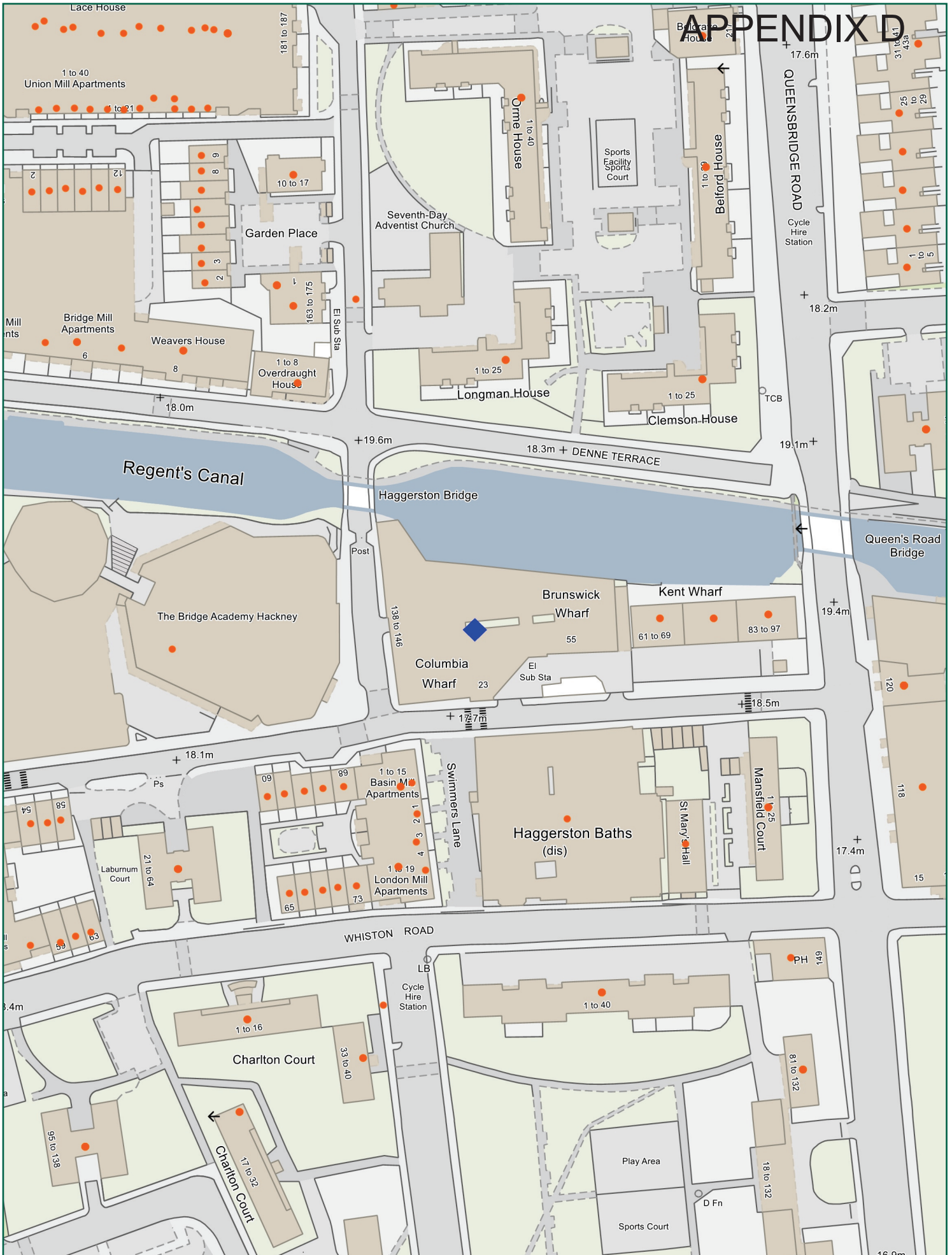
I'm happy to support application for Brunswick and Columbia wharf cinema and alcohol license.

We live opposite in Basin mill apartments and think this would be great to have in the area.

Please do contact me if need anything further.

Best wishes

[REDACTED]



NORTH

Scale: 1:1250 at A4

Hackney

Ref:
12 July 2019

Page 123
Product: unspecified
email:

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