



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

Thursday, 28th November, 2019

at 7.00 pm

Room 102, Hackney Town Hall, Mare Street,  
London E8 1EA

**Councillors sitting:**

**Cllr James Peters, Cllr Emma Plouviez  
(Substitute) and Cllr Gilbert Smyth (Substitute)**

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

Contact:  
Peter Gray, Governance Services  
020 8356 1567  
[gareth.sykes@hackney.gov.uk](mailto:gareth.sykes@hackney.gov.uk)

The press and public are welcome to attend this meeting

# AGENDA

Thursday, 28th November, 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 Licensing Sub-Committee Hearing Procedure		(Pages 1 - 2)
5 Application for a Premises Licence, SET, 27a Dalston Lane, E8 3DF	Dalston	(Pages 3 - 50)
6 Application to vary Premises License: The Old Street Gallery, 62 Paul Street, EC2A 4NA	Hoxton East & Shoreditch	(Pages 51 - 102)
7 Temporary Event Notices - Standing Item		

## **Licensing Sub-Committee Hearings**

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

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

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

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

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

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

### **Making decisions on the items being heard:**

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

Only those Responsible Authorities and Other Persons who have made a relevant representation in writing at the consultation stage **can register to speak at a subsequent hearing**. Applicants, Other Persons and Responsible Authorities will all be given a fair opportunity to put their case and the Sub-Committee will take these representations into

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

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

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

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

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

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

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

### **Before the meeting starts:**

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

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

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

### **Attending the hearing that concerns you:**

All Applicants, Other Persons and Responsible Authorities involved will be informed in writing of the date and time that their application will be considered by the Licensing Sub-Committee. Please contact the Licensing Service on 020 8356 4970 or email [licensing@hackney.gov.uk](mailto:licensing@hackney.gov.uk) to confirm whether you wish to attend and/or register to speak at the Sub-Committee hearing or if you wish for someone else to speak on your behalf. If you are unable to attend, the application may be heard in your absence.

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

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

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

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

## **Timings**

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

## **Rights of Press and Public to Report on Meetings**

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

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

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

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

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

All those visually recording a meeting are requested to only focus on recording councillors, officers and the public who are directly involved in the conduct of the meeting. The Chair of the

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

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

Providing oral commentary during a meeting is not permitted.

### **Lobbying of Councillors**

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

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

### **Reports**

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

### **Appeals**

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

### **Withdrawal of an Item or Cancellation of a Hearing**

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

As much advance notice as is practicable of the withdrawal of an item on the agenda or cancellation of a meeting of the Licensing Sub-Committee will be provided on the Council's website but please note that this might be as little as a few hours before the hearing if the applicant chooses to leave it that late to satisfactorily address any representation or objection giving rise to the need for a hearing.

## Facilities

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

## Contacts

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

Governance Services  
2<sup>nd</sup> Floor Room 118  
Hackney Town Hall  
Mare Street  
London, E8 1AE

Telephone: 020 8356 1266

E-mail: [governance@hackney.gov.uk](mailto:governance@hackney.gov.uk)

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

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

Telephone: 020 8356 4970

Fax: 020 8356 4974

E-mail: [licensing@hackney.gov.uk](mailto:licensing@hackney.gov.uk)

# ADVICE TO MEMBERS ON DECLARING INTERESTS

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

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

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

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

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

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

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

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

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



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

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

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

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

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

### Further Information

Advice can be obtained Suki Binjal, Interim Director of Legal, on 020 8356 6234 or email [suki.binjal@hackney.gov.uk](mailto:suki.binjal@hackney.gov.uk)



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# Relevant Extracts from Hackney's Statement of Licensing Policy

Please find below relevant extracts from the Statement of Licensing Policy 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 4

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

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

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

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<b>REPORT OF GROUP DIRECTOR, NEIGHBOURHOODS AND HOUSING</b>		
<b>LICENSING SUB-COMMITTEE:</b> 28/11/2019	<b>Classification DECISION</b>	<b>Enclosure</b>
<b>Application for a Premises Licence</b>  SET, 27a Dalston Lane, E8 3DF	<b>Ward(s) affected</b>  Dalston	

## 1. SUMMARY

<b>Applicant(s)</b> SET Centre CIO	<b>In SPA</b> No
<b>Date of Application</b> 11/10/2019	<b>Period of Application</b> Time-limited 4/12/2019 to 4/12/2022
<b>Proposed licensable activity</b>	
Plays Films Live Music Recorded Music Performance of Dance Late Night Refreshment Supply of Alcohol (On Premises)	
<b>Proposed hours of licensable activities</b>	
<b>Plays</b>	<b>Standard Hours:</b> Mon 12:00-00:30 Tue 12:00-00:30 Wed 12:00-02:30 Thu 12:00-02:30 Fri 12:00-05:30 Sat 12:00-05:30 Sun 12:00-00:30
<b>Films</b>	<b>Standard Hours:</b> Mon 12:00-00:30 Tue 12:00-00:30 Wed 12:00-02:30 Thu 12:00-02:30 Fri 12:00-05:30 Sat 12:00-05:30 Sun 12:00-00:30

<b>Live Music</b>	<b>Standard Hours:</b> Mon 12:00-00:30 Tue 12:00-00:30 Wed 12:00-02:30 Thu 12:00-02:30 Fri 12:00-05:30 Sat 12:00-05:30 Sun 12:00-00:30
<b>Recorded Music</b>	<b>Standard Hours:</b> Mon 12:00-00:30 Tue 12:00-00:30 Wed 12:00-02:30 Thu 12:00-02:30 Fri 12:00-05:30 Sat 12:00-05:30 Sun 12:00-00:30
<b>Performance of Dance</b>	<b>Standard Hours:</b> Mon 12:00-00:30 Tue 12:00-00:30 Wed 12:00-02:30 Thu 12:00-02:30 Fri 12:00-05:30 Sat 12:00-05:30 Sun 12:00-00:30
<b>Late Night Refreshment</b>	<b>Standard Hours:</b> Mon 23:00-00:30 Tue 23:00-00:30 Wed 23:00-02:30 Thu 23:00-02:30 Fri 23:00-05:00 Sat 23:00-05:00 Sun 23:00-00:30
<b>Supply of Alcohol</b>	<b>Standard Hours:</b> Mon 17:00-00:30 Tue 17:00-00:30 Wed 17:00-00:30 Thu 17:00-00:30 Fri 17:00-00:30 Sat 14:00-00:30 Sun 14:00-00:30
<b>The opening hours of the premises</b>	
<b>Standard Hours:</b> Mon 12:00-01:00 Tue 12:00-01:00 Wed 12:00-03:00 Thu 12:00-03:00 Fri 12:00-06:00 Sat 12:00-06:00 Sun 12:00-01:00	
<b>Capacity:</b> 150	
<b>Policies Applicable</b>	LP1 (General Principles), LP2 (Licensing Objectives), LP3 (Core Hours)

<b>List of Appendices</b>	A – Application for a premises licence and supporting documents B – Representations from responsible authorities C – Representations from other persons D – current licence E - Location map
<b>Relevant Representations</b>	<ul style="list-style-type: none"> <li>• Police</li> <li>• Other Persons</li> </ul>

## 2. APPLICATION

- 2.1 **SET Centre CIO** has made an application for a time limited premises licence under the Licensing Act 2003 for the period 4/12/2019 to 4/12/2022 to:
- authorise the supply alcohol for consumption **on** the premises
  - authorise regulated entertainment
  - authorise late night refreshment
- 2.2 The application is attached as Appendix A. The applicant has proposed measures that could be converted to conditions (see paragraph 8.1 below).

## 3. CURRENT STATUS / HISTORY

- 3.1 The premises currently have a time limited premises licence valid 21/6/2018 to 21/12/2019. The licence is attached as Appendix D. Part of the premises are also covered by a premises licence granted in 2007. The licence was transferred to the current applicant in February 2018 and is currently suspended due to non-payment of annual fee.
- 3.2 Temporary Event Notices have been given for the premises in 2019 as follows:

<b>start date</b>	<b>end date</b>	<b>start time</b>	<b>end time</b>
15/02/2019	16/02/2019	18:00	06:00
16/03/2019	16/03/2019	02:00	06:00
13/04/2019	13/04/2019	02:00	06:00
03/05/2019	04/05/2019	18:00	06:00
08/06/2019	08/06/2019	02:00	06:00
21/06/2019	22/06/2019	18:00	06:00
28/06/2019	29/06/2019	18:00	06:00
14/09/2019	15/09/2019	18:00	06:00
26/10/2019	27/10/2019	21:00	06:00

## 4. REPRESENTATIONS: RESPONSIBLE AUTHORITIES

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

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

## 5. REPRESENTATIONS: OTHER PERSONS

From	Details
2 representation received from and on behalf of local residents. (Appendices C1 and C2)	Representation received on the grounds of Prevention of Crime and Disorder, Public Safety, Prevention of Public Nuisance and Licensing Hours

## 6. GUIDANCE CONSIDERATIONS

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

## 7. POLICY CONSIDERATIONS

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

## 8. OFFICER OBSERVATIONS

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

### Supply of Alcohol (On/Both)

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

(a) a holographic mark or

(b) an ultraviolet feature

6. The responsible person must ensure that:

a) where any of the following alcoholic drinks is sold or supplied for consumption on the premises (other than alcoholic drinks sold or supplied

having been made up in advance ready for sale or supply in a securely closed container) it is available to customers in the following measures:

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

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

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

### Minimum Drinks Pricing

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

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

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

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

Where -

(i) P is the permitted price,

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

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

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

(i) the holder of the premises licence,

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

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

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

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

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

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

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

### **Exhibition of Films**

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

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

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

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

### **Door Supervision**

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

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

10. Comprehensive on-site staff training shall be provided to each member of staff. This will cover all licensing laws, policies and procedures in respect of the premises.

11. Clear signage that states premises policy and law to be posted around premises.

12. Regular premises perimeter checks made to eliminate risks (glass bottles, unattended bags etc.), uphold security (checking doors and windows), and keep noise to a minimum, both coming from inside the venue and the attendees smoking.

13. There shall be a maximum capacity of 150

14. Information on public transport and taxi services to be provided on request from door staff and bar staff, and a safe place offered for attendees to wait for taxis:

15. No re-admittance or entry will be allowed after 2.30am

16. 2 SIA certified security staff at events with 100 plus people in attendance, 1 security at events with 50 plus people; when capacity is reached future attendees to be turned away and queues for entry not to be more than 10 people

17. Comprehensive 24/7 CCTV system (which keeps CCTV for over 21 days) to be installed and maintained

18. Zero tolerance drugs policy, with signs in each toilet area, and zero tolerance to discrimination or harassment signs to be displayed in bar

19. 1 security to be posted on Dalston Lane during events to ask attendees who smoke to keep noise to a minimum and keep public pathways clear;

20. No drinks promotions are on offer

21. No event posters will displayed external the premises;

22. No re-admittance or entry will be allowed after 2.30am
23. Plastic will be used instead of glass at events with 100 plus attendees;
24. There shall be regular (every 20 mins at peak times) sweeps of the premises by staff to ensure there is no build-up of glassware or rubbish
25. No drinks allowed outside of the premises at any time;
26. Smokers to be requested to smoke at the beginning of the small alleyway that runs along the left side of the premises;
27. Signage that asks attendees to 'respect neighbours and keep the noise to a minimum' to be posted at the exit.
28. All deliveries, waste collection and maintenance works to take place between the hours of 8am and 6pm;
29. No promotional material will be handed out outside the venue or anywhere.
30. Entrance to the premises is strictly over 18. A strict challenge 25 scheme to be implemented and prominently advertised on site
31. Refusals logbook to be kept

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

- 9.1 Conditions 10 to 31 above are derived from the applicant's operating schedule. No conditions have been proposed by responsible authorities.

## **10. LEGAL COMMENTS**

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

## **11. HUMAN RIGHTS ACT 1998 IMPLICATIONS**

- 11.1 There are implications to;
  - **Article 6** – Right to a fair hearing
  - **Article 14** – Not to discriminate



- Balancing: **Article 1**- Peaceful enjoyment of their possession (i.e. a licence is defined as being a possession) with **Article 8** – Right of Privacy (i.e. respect private & family life) to achieve a proportionate decision having regard to the protection of an 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.

<b>Acting Group Director, Neighbourhoods and Housing</b>	Ajman Ali
<b>Lead Officer (holder of original copy):</b>	Mike Smith Principal Licensing Officer Licensing Service 1 Hillman Street E8 1DY Telephone: 020 8356 4973

### LIST OF BACKGROUND PAPERS RELATING TO THIS REPORT

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

Description of document	Location
<b>Office File:</b> SET, 27a Dalston Lane, E8 3DF	Licensing Service 1 Hillman Street London E8 1DY

#### Printed matter

Licensing Act 2003

LBH Statement of Licensing Policy

# APPENDIX A

**Hackney**  
LA01

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

## PLEASE READ THE FOLLOWING INSTRUCTIONS FIRST

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

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

I/We Mr SET, Centre CIO

(Insert name(s) of applicant)

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

### Part 1 – Premises details

Postal address of premises or, if none, ordnance survey map reference or description			
27A DALSTON LANE HACKNEY LONDON			
Post town	LONDON	Postcode	E8 3DF

Telephone number at premises (if any)	
Non-domestic rateable value of premises	££20,000

### 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 type="checkbox"/>	please complete section (B)

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

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

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

**SECOND INDIVIDUAL APPLICANT** (if applicable)

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

<b>Date of birth</b>			
<b>Nationality</b>			
Current postal address if different from premises address		UK-England	
Post town		Postcode	
<b>Daytime contact telephone number</b>			
<b>E-mail address (optional)</b>			
<b>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>			

**(B) OTHER APPLICANTS**

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

Name SET. Centre CIO
Address 27A DALSTON LANE  LONDON  E8 3DF UK-England
Registered number (where applicable)
Description of applicant (for example, partnership, company, unincorporated association etc.) Registered Charity charity no. 1170903 (top result when googling; 'SET Centre Charity Commission')
Telephone number (if any)

[REDACTED]

E-mail address (optional)

[REDACTED]

### Part 3 Operating Schedule

When do you want the premises licence to start?

DD MM YYYY  
04-12-2019

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

DD MM YYYY  
04-12-2022

Please give a general description of the premises (please read guidance note 1)  
SET Dalston Lane: Bar and Arts Centre, The Ground Floor of 27a, Dalston Lane, E83DF. The premises is at the end of a row of 5 two storey shops on Dalston Lane, which back onto Tyson Passage. The premises has a thin (1.6m) alleyway running to the left-hand side of the property that connects Tyson Passage to Dalston Lane. The first floor, above the premises, is used as artists' workspace for the Associate Members of SET Centre CIO.

The licensed section of the premises at SET Dalston Lane is home to SET's project space & social centre (a space for like-minded creatives to meet). Open since February 2018, we have hosted an eclectic programme of live music: incl. experimental electronic, improv, jazz, experimental pop, performance, live-art, screenings & talks. We have become a home to the arts and music communities of Hackney. With an inclusive ethos SET prioritises gender diversity and has become a home for London's queer community. The bar serves reasonably priced drinks and is only open during the hours of our programme. At SET Dalston Lane we have developed a cultural programme predominantly with emerging artists, and we should be viewed as an arts centre first and foremost, emphasising culture over entertainment.

The premises consists of two main rooms on the ground floor – a bar area and a project space – as well as 4 toilets (2x in bar area, 2x in project space area, incl. 1 disabled); a stock room; a store room and 2 rooms that are inaccessible and unused. The site includes one main entrance and two fire exits. The main entrance is on Dalston Lane. The back fire exit is accessible from the bar area and exits onto Tyson Passage. The front right fire exit (exits onto Dalston Lane) is accessible from the project space via the stairwell that leads to first floor artist studios.

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

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

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

	<b>Provision of regulated entertainment (please read guidance note 2)</b>	<b>Please tick all that apply</b>
a)	plays (if ticking yes, fill in box A)	<input checked="" type="checkbox"/>
b)	films (if ticking yes, fill in box B)	<input checked="" type="checkbox"/>
c)	indoor sporting events (optional, fill in box C)	..
d)	boxing or wrestling entertainment (if ticking yes, fill in box D)	..
e)	live music (optional, fill in box E)	<input checked="" type="checkbox"/>
f)	recorded music (if ticking yes, fill in box F)	<input checked="" type="checkbox"/>
g)	performances of dance (optional, fill in box G)	<input checked="" type="checkbox"/>
h)	anything of a similar description to that falling within (e), (f) or (g) (if ticking yes, fill in box H)	..
	<b><u>Provision of late night refreshment</u></b> (if ticking yes, fill in box I)	<input checked="" type="checkbox"/>
	<b><u>Supply of alcohol</u></b> (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	<input checked="" type="checkbox"/>
				Outdoors	
				Both	
Day	Start	Finish			
Mon	12:00	00:30	<b>Please give further details here</b> (please read guidance note 4) Plays including: performance art, spoken work, accopella singing, choirs, musicals, theatrical performance, lectures, readings, workshops, performance classes, dance classes		
Tue	12:00	00:30			
Wed	12:00	02:30	<b>State any seasonal variations for performing plays</b> (please read guidance note 5) N/A		
Thur	12:00	02:30			
Fri	12:00	05:30	<b>Non-standard timings. Where you intend to use the premises for the performance of plays at different times to those listed in the column on the left, please list</b> (please read guidance note 6) N/A		
Sat	12:00	05:30			
Sun	12:00	00:30			



**B**

Films Standard days and timings (please read guidance note 7)			Will the exhibition of films take place indoors or outdoors or both – please tick (please read guidance note 3)	Indoors	<input checked="" type="checkbox"/>
				Outdoors	
Day	Start	Finish		Both	
Mon	12:00	00:30	<b>Please give further details here</b> (please read guidance note 4) Films including: video art, art film, feature film, music video, dance film, live feed performance, background visuals, interactive film or film incidental to exhibits/performances/lectures/workshops/classes		
Tue	12:00	00:30			
Wed	12:00	02:30	<b>State any seasonal variations for the exhibition of films</b> (please read guidance note 5) N/A		
Thur	12:00	02:30			
Fri	12:00	05:30	<b>Non-standard timings. Where you intend to use the premises for the exhibition of films at different times to those listed in the column on the left, please list</b> (please read guidance note 6) N/A		
Sat	12:00	05:30			
Sun	12:00	00:30			

**C**

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

**D**

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

E

Live music Standard days and timings (please read guidance note 7)			Will the performance of live music take place indoors or outdoors or both – please tick (please read guidance note 3)	Indoors	<input checked="" type="checkbox"/>
				Outdoors	
Day	Start	Finish		Both	
Mon	12:00	00:30	<b>Please give further details here</b> (please read guidance note 4) Live music will be amplified - including: live music performance and live music classes/rehearsals; experimental electronic, contemporary jazz, improvisation, acoustic, live bands, or live music incidental to: performance/readings/lectures/exhibits		
Tue	12:00	00:30			
Wed	12:00	02:30	<b>State any seasonal variations for the performance of live music</b> (please read guidance note 5) N/A		
Thur	12:00	02:30			
Fri	12:00	05:30	<b>Non-standard timings. Where you intend to use the premises for the performance of live music at different times to those listed in the column on the left, please list</b> (please read guidance note 6) N/A		
Sat	12:00	05:30			
Sun	12:00	00:30			

**F**

Recorded music Standard days and timings (please read guidance note 7)			Will the playing of recorded music take place indoors or outdoors or both – please tick (please read guidance note 3)	Indoors	<input checked="" type="checkbox"/>
				Outdoors	
Day	Start	Finish		Both	
Mon	12:00	00:30	<b>Please give further details here</b> (please read guidance note 4) Recorded music will be amplified, including: music played between performances or in intervals, sound art, DJs and live sampling, music for dance performance, background music, music incidental to: performance/music played inbetween live music/DJ workshops/sound workshops.		
Tue	12:00	00:30			
Wed	12:00	02:30	<b>State any seasonal variations for the playing of recorded music</b> (please read guidance note 5)		
Thur	12:00	02:30			
Fri	12:00	05:30	<b>Non-standard timings. Where you intend to use the premises for the playing of recorded music at different times to those listed in the column on the left, please list</b> (please read guidance note 6)		
Sat	12:00	05:30			
Sun	12:00	00:30			

**G**

<b>Performances of dance</b> Standard days and timings (please read guidance note 7)			<b>Will the performance of dance take place indoors or outdoors or both – please tick</b> (please read guidance note 3)	Indoors	<input checked="" type="checkbox"/>
Day	Start	Finish		Outdoors	
				Both	
Mon	12:00	00:30	<b>Please give further details here</b> (please read guidance note 4) Dance including: dance performance and dance incidental to: live music, plays, art performance, exhibitions, rehearsals, dance workshops & classes.		
Tue	12:00	00:30			
Wed	12:00	02:30	<b>State any seasonal variations for the performance of dance</b> (please read guidance note 5) N/A		
Thur	12:00	02:30			
Fri	12:00	05:30	<b>Non-standard timings. Where you intend to use the premises for the performance of dance at different times to those listed in the column on the left, please list</b> (please read guidance note 6) N/A		
Sat	12:00	05:30			
Sun	12:00	00:30			

H

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

I

<b>Late night refreshment</b> Standard days and timings (please read guidance note 7)			<b>Will the provision of late night refreshment take place indoors or outdoors or both – please tick</b> (please read guidance note 3)	Indoors	<input checked="" type="checkbox"/>
				Outdoors	
Day	Start	Finish		Both	
Mon	23:00	00:30	<b>Please give further details here</b> (please read guidance note 4) N/A		
Tue	23:00	00:30			
Wed	23:00	02:30	<b>State any seasonal variations for the provision of late night refreshment</b> (please read guidance note 5) N/A		
Thur	23:00	02:30			
Fri	23:00	05:30	<b>Non-standard timings. Where you intend to use the premises for the provision of late night refreshment at different times, to those listed in the column on the left, please list</b> (please read guidance note 6) N/A		
Sat	23:00	05:30			
Sun	23:00	00:30			



**J**

<b>Supply of alcohol</b> Standard days and timings (please read guidance note 7)			<b>Will the supply of alcohol be for consumption – please tick</b> (please read guidance note 8)	On the premises	<input checked="" type="checkbox"/>
				Off the premises	<input type="checkbox"/>
				Both	<input type="checkbox"/>
Day	Start	Finish	<b>State any seasonal variations for the supply of alcohol</b> (please read guidance note 5) N/A		
Mon	17:00	00:30			
	-----	-----			
Tue	17:00	00:30			
	-----	-----			
Wed	17:00	00:30			
	-----	-----			
Thur	17:00	00:30			
Fri	17:00	00:30			
	-----	-----			
Sat	14:00	00:30			
	-----	-----			
Sun	14:00	00:30			
	-----	-----			

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

<b>Name</b> Mr Oliver Tobin	
<b>Date of birth</b> [REDACTED]	
<b>Address</b> [REDACTED]	
UK-England	
<b>Postcode</b>	[REDACTED]
<b>Personal licence number (if known)</b> [REDACTED]	
<b>Issuing licensing authority (if known)</b> Please select	

K

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

N/A

L

<b>Hours premises are open to the public</b> Standard days and timings (please read guidance note 7)			<b>State any seasonal variations</b> (please read guidance note 5) N/A
Day	Start	Finish	<b>Non-standard timings. Where you intend the premises to be open to the public at different times from those listed in the column on the left, please list</b> (please read guidance note 6) We only use the hours that are relevant for the cultural event we have programmed and won't be open unless we have something programmed. Earlier and later hours will be used irregularly.
Mon	12:00	01:00	
Tue	12:00	01:00	
Wed	12:00	03:00	
Thur	12:00	03:00	
Fri	12:00	06:00	
Sat	12:00	06:00	
Sun	12:00	01:00	

**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)

Open since February 2018, we have run an efficient and well organised arts centre that has upheld the licensing objectives. We have built a positive relationship with all our neighbours and created a safe-space environment that prioritises the health, safety & comfort of our audience and creates a respectful relationship between all involved.

Comprehensive on-site staff training has been provided to each member of staff. This does, and will continue to, cover all licensing laws in respect of the premises and our policies and procedures, in order to ensure all licensing objectives are upheld. Our policies, risk assessments and documents can be provided upon request and include: Staff Handbook (covers 4 licence objectives & refers to OGP policy), Equality & Diversity and Equal Opportunity policy, Operations and Good Practice policies (including Noise Management policy, Accident and Emergency policy, Premises Age Verification policy, Duty of Care policy, Zero Drugs policy, Dispersal policy, Glass and Litter Collection policy, Security policy, Lost and Found policy and Risk Assessments policy). All Risk Assessments (including: Health and Safety Risk assessment, Fire Risk assessment and Operational Risk assessment) and all Logbooks (including: Toilet-Check logbook, Bar Staff Refusal logbook, Door Staff Refusal logbook, Occurrence book, Accident and Incident logbook, Crime and Disorder logbook, Noise Monitoring logbook, Training logbook and an Emergency Equipment Testing logbook) can also be provided on request.

Clear signage that states premises policy and law is posted around premises. Regular premises perimeter checks are made to eliminate risks (glass bottles, unattended bags etc.), uphold security (checking doors and windows), and keep noise to a minimum, both coming from inside the venue and the attendees smoking. Regular patrols of the inside of the premises are made by security staff and the supervisor to ensure both our own policies and the law is met at all times. Maximum capacity of 150 (below prescribed maximum capacity of 180 by Fire Safety Authority) is upheld in order to maintain crowd control, prevent discomfort, ensure staff can maneuverer through crowds easily. Information on public transport and taxi services is provided on request from door staff and bar staff, and a safe place is offered for attendees to wait for taxis: this ensures attendees get home safely and minimise public nuisance. A half hour 'chill out' period after the music is turned off and our alcohol licensing hours end (but before the premises closes) allows for a gradual egress from the premises (the lighting is increased during this period). Free water is always provided but particularly during the 'chill out' period when it will be pre-poured and on the bar. No re-admittance or entry will be allowed after 2.30am to reduce any potential noise nuisance.

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

All standard security measures and licensing laws have been put into effect and upheld; 2x SIA certified security staff at events with 100+ people in attendance, 1x security at events with 50+ people (security staff work includes, but is not limited to bag check, patrol, toilet check, capacity counter for attendees, ID check, for example); stockroom/ store room/no access areas fully locked at all times; when capacity is reached future attendees are turned away (asked not to queue above 10 people) in order to maintain public safety on sidewalk and in venue; comprehensive 24/7 CCTV system (which keeps CCTV for over 21 days); zero tolerance drugs

policy with signs in each toilet area; zero tolerance to discrimination or harassment signs displayed in bar, anyone displaying violent or aggressive tendencies can be evicted from the premises under security discretion; 1x security posted on Dalston Lane during the event to ask attendees who smoke to keep noise to a minimum and keep public pathways clear; bag/coat hooks have been provided to prevent bag/coat snatching; no drinks promotions are on offer in order to deter focus from alcohol consumption; events are promoted to our membership, mailing list, social media followers, the local community, and reputable arts and music platforms, in order to maintain a respectful atmosphere with an emphasis on the arts and the specific cultural event that is taking place (no posters will be displayed external to the premises); for busy events a door charge will be in place which will deter overcrowding and passers-by who enter to drink rather than for the cultural event. No re-admittance or entry will be allowed after 2.30am which will mean attendees do not congregate during the later hours of the licence and instead gradually leave the premises.

### **c) Public safety**

All standard safety regulations have been followed and all aforementioned risk assessments have taken place and are being adhered to. The policies have been re-read and updated in September 2019, and new assessments and procedures have been implemented. There are two first aid kits, one in the project space and one in the bar area, clearly labelled; the 1st floor SET Office can be used as a first aid room or 'quiet room' when necessary; temperature is maintained with a thermometer and air conditioning to ensure no over-heating; comprehensive emergency lighting, fire extinguishers, and fire retardant materials are used and positioned in accordance with Fire Risk Assessment, completed by an independent fire authority; plastic will be used instead of glass at events with 100+ attendees; regular (every 20 mins at peak times) sweeps of the premises by staff to ensure there is no build-up of glassware or rubbish; in accordance with our sales license no drinks are allowed outside of the premises at anytime; spillages and broken glass are cleared immediately; glass or rubbish from passers-by is removed immediately. These measures are regulated by security, our staff (and staff training) and signage.

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

The prevention of public nuisance: sound proofing and acoustic drapes are used wherever possible (in accordance with standard UK Fire Regulations); all doors and windows are kept shut where possible; outdoor cigarette ashtrays are provided; door security ensure attendees don't congregate on or disrupt the public pathway on Dalston Lane; smokers are requested to smoke at the beginning of the small alleyway that runs along the left side of the premises; signage that asks attendees to 'respect neighbours and keep the noise to a minimum' are posted on the exit. All deliveries, waste collection and maintenance works take place between the hours of 8am and 6pm; street litter is regularly collected by members of staff; no promotional material will be handed out outside the venue or anywhere.

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

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

**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.**

<b>Declaration</b>	<ul style="list-style-type: none"> <li>• [Applicable to individual applicants only, including those in a partnership which is not a limited liability partnership] I understand I am not entitled to be issued with a licence if I do not have the entitlement to live and work in the UK (or if I am subject to a condition preventing me from doing work relating to the carrying on of a licensable activity) and that my licence will become invalid if I cease to be entitled to live and work in the UK (please read guidance note 15).</li> <li>• The DPS named in this application form is entitled to work in the UK (and is not subject to conditions preventing him or her from doing work relating to a licensable activity) and I have seen a copy of his or her proof of entitlement to work, 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)</li> </ul>
Signature	Josh Field
Date	10/10/2019
Capacity	Executive Manager

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

Signature	
Date	10/10/2019
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)			

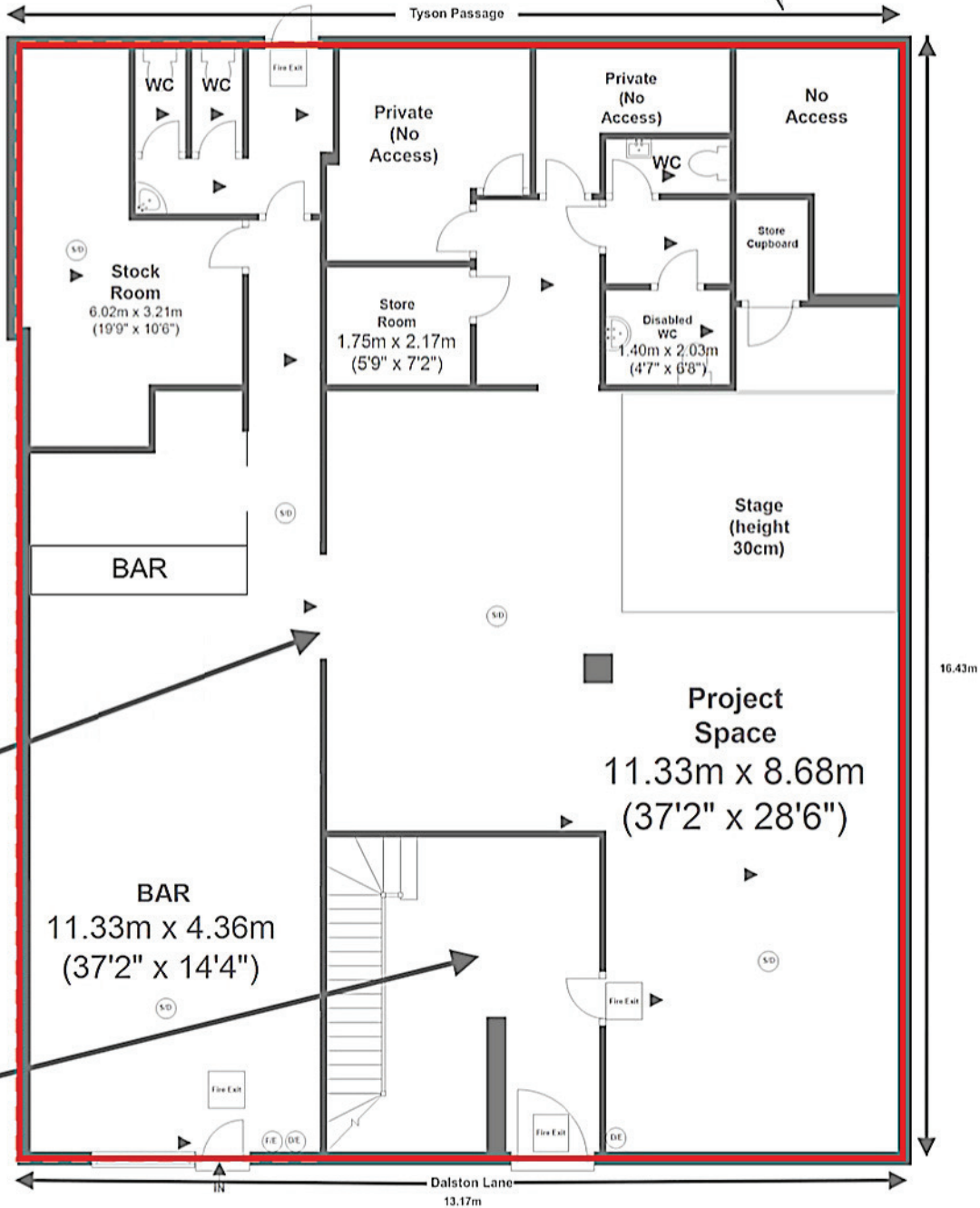
**SET**  
**27a Dalston Lane**  
**E83DF**  
**02/02/2018**

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



**KEY**

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



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

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

# APPENDIX B

## 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 3691CE Kerrie RYAN
TELEPHONE NUMBER	020 7275 3022
E-MAIL ADDRESS	hackneylicensing@met.police.uk

### APPLICATION PREMISES

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

### COMMENTS

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

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

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



**Police make the following representations in relation to the application for a Premises Licence at SET, 27A DALSTON LANE, LONDON, E8 3DF for the following reason(s);**

This premises is described in the application as a 'Bar and Arts Centre'. It is located on a busy main road and is just outside of the Dalston Special Policy Area. This premises currently has a time limited premises licence that expires in December 2019 and currently authorises the sale of alcohol, late night refreshment and regulated entertainment until 2300hrs Monday – Thursday, 0200hrs Friday – Saturday and 22:30hrs on Sundays.

The application recently received by police proposes vastly increased hours for a new time limited licence to run over a three year period to commence 17 days before the current licence expires. The hours currently granted on the existing licence are already outside of the core hours outlined in LBH's Statement of Licensing Policy and this application proposes to extend those further, by quite a large margin.

Application states that the premises wish to serve late night refreshment throughout the week until the early hours of the morning, yet there is no kitchen or cooking facilities at the venue. It also causes concern that the hours for alcohol mean that alcohol sales will cease several hours before the rest of the licensable activity and operating hours. Why is this? Why would the venue want to continue trading after 0200hrs considering that alcohol will no longer be available. It concerns police that continuing to operate after alcohol sales have finished will cause issues with the customers. Having already consumed alcohol inside the venue for several hours, how will the staff deal with agitated customers who want to continue drinking inside.

Police visited this premises on Friday 25th October 2019 at approximately 2340hrs. As we arrived by car and drove past to park, we could see that there was a female door supervisor on the door and counted 15 smokers outside, two of which were holding glass bottles. As this was a breach of their conditions, they were issued with a police warning letter. Inside the venue, it was very busy. The bar itself was several people deep and, what is described in the application as the Project Space, had a DJ playing, people dancing and was in darkness. There was no light except for the small light over the DJ's decks. Police eventually managed to track down the manager who was serving behind the bar. He did not know what the event was or who had organised it, upon leaving the venue police posed the same question to the door supervisor who was also unable to give details of what the event was. It would appear that the members of the events team were not present and had not briefed their staff as to what was on that night. This puts doubt in the minds of the police around organisation and how responsible the applicants are as operators.

What concerns police is that this premises states in the application that it is 'an arts centre first and foremost', but in my experience, from visits, speaking to customers and driving past, at the weekends it is run as a bar, and it is at these times that the issues being experienced in Dalston are at their worst.

The timings of this application cause the police huge concerns. Although it is outside of the SPA the hours are way in excess of those outlined in the policy and it will attract other customers late into the night/morning who have been consuming alcohol all night. These customers will be drunk, loud and boisterous. Police would like to know what policies and procedures have been considered to ensure there is no disturbance to residents and no disorder on the street.



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

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

Signed  
PC3691CE RYAN (By E-mail)

Name (printed)

**Fwd: Representation against Licence Application by SET Centre CIO in respect of 27A Dalston Lane, E8 3DF**

1 message

8 November 2019 at 21:25

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

Dear Sirs

My name is [REDACTED], a resident [REDACTED] Dalston Lane, E8 [REDACTED] and I would hereby like to make representations in writing in respect of the application by SET Centre CIO in respect of 27a Dalston Lane (the "Venue"). I live in close proximity to the Venue.

I would like to make representations against the licence application made by SET Centre CIO in respect of the Venue as I consider the increased hours proposed by the application will have a detrimental impact on public safety and lead to increased crime, disorder and public nuisance. I also do not believe that the application is in the spirit of Hackney Licensing Policy as implemented by Hackney Council in July 2018.

The Venue is located on a main road leading to the centre of Dalston in Hackney, and is located on the outskirts of the Dalston Special Policy Area. Although this venue is just outside the SPA, I consider that due to the close proximity to Dalston, increasing the licensing hours of the premises will have a negative effect on the cumulative impact. There are many problems experienced during the hours that this application has proposed including urination, vomiting, anti-social behaviour, disorder, assaults etc. Statistics show that there have been increases in violent crime at night in London and that the majority of victims are night time revellers.

Increasing opening hours will lead to increased vulnerability in respect of theft, muggings, fights, sexual assault, and knife crime. There is also a danger of the use of illegal substances becoming more widespread. There have been incidents involving guns and acid attacks in late night venues in Dalston over the last few years. Police and wardens already deal with numerous incidents of anti-social behaviour, crime and disorder throughout the night. A venue operating until 6 am on the weekend in Dalston would undoubtedly increase the potential for further crime and disorder.

In terms of concerns in respect of the impact on public safety and public nuisance, the Venue currently has a limit on the number of people allowed outside the premises however this is rarely adhered to. There are often in excess of 30 to 50 people congregating outside the venue on Dalston Lane smoking, and holding bottles or glasses. It is often difficult to see the designated security staff when walking past. I have taken some video footage and photographs, please confirm whether I should forward this to you. Pedestrians are often forced to move off the pavement and walk in the road which is very dangerous and has the potential to lead to road accidents with cars, buses and cyclists. This has an impact on public safety and has not been addressed to date.

Increased hours at night would mean more people outside the venue and increased traffic on the road (eg taxis) at anti-social hours. With increased numbers of drunk people leaving the venue throughout the night there is a heightened risk of more road traffic accidents, personal injury and deaths.

There is often loud noise as a result of music being played as it is a night club. This would only increase if the licensing hours are extended, as would noise from customers leaving the venue as we often hear customers walking down Dalston Lane in the early hours of the morning. There are also concerns in terms of increased waste, there is already currently a rather large amount of rubbish as a result of the venue operating which would only increase.

In terms of the impact on the community, as a resident I am struggling to understand what benefits will arise from later opening and licensing hours. As a resident I am concerned that there will only be a negative impact in terms of increases in crime, disorder and public nuisance as well as undermining public safety. It would benefit the community more and have less impact on crime, public safety, police resources and public nuisance if the Venue operated during the daytime, rather than increasing licensing hours at night. The Venue does not open until 8pm generally.

As previously I am also concerned about the fact that this application does not seem in line with Hackney's current licensing policy which was voted on by elected members of Hackney local government in July 2018 and consequently implemented.

I would be grateful if you would confirm receipt of the above representations.

Keep the Faith &lt;&lt;&lt;

%

[REDACTED]

**Representations against licence application by SET Centre CIO at 27a Dalston Lane E8 3DF**

1 message

8 November 2019 at 23:59

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

I am a resident of [REDACTED] Dalston Lane, E8 [REDACTED]. I would like to make representations in writing against the licence application by SET Centre CIO re 27a Dalston Lane (Premises).

Since the Premises has been operating, there have been increased numbers of people outside the Premises late at night particularly at the weekend. Despite a limit on the numbers of people allowed outside there are usually lots of people on the pavement outside the Premises with their drinks, smoking. This creates a public safety and public nuisance hazard where intoxicated people block the pavement. I still have to walk in the road when passing, which is not only dangerous but highly inconvenient and very annoying. It can be very intimidating and uncomfortable when walking home even at 11.30 pm, never mind later when there are large groups blocking the pathway even if they are further down from the official entrance of the Premises. It is also intimidating to voice any objection to the crowds, especially when one is a lone female. Whilst I have tried to complain and ring the police and the council, I don't believe I was taken seriously. Furthermore I was of the understanding that the Premises only had a temporary license but it appears that it is now being extended.

There has continued to be lots of noise coming from the Premises in terms of music and when people are leaving the Premises particularly after a few drinks.

I am really worried that if the application is granted then there will be lots of large numbers of people entering and exiting the building late at night and early in the morning up until 6 am and that this will lead to more drunk and disorderly behaviour and potentially more crime in the area, as well as a lot of noise, and litter. I believe this contravenes Hackney's licensing objectives especially considering current concerns regarding increased crime levels in Hackney. There have been increases in knife crime and also gun shots in another late night venue open till 6 (Visions earlier this year). I'm really worried that the same will happen here and that there will be drugs freely available. Late night venues which open all night do generally tend to have people taking drugs and I'm concerned that this will happen more widely here if licensing hours are extended.

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

I consider that the Application will mean that there is much more public nuisance. There has been times where there is a lot of litter around the Premises. Furthermore there is already a lot of noises and this will only increase with longer licensing hours. I have on a number of occasions heard loud music at anti-social hours. I often hear people shouting as they leave the Premises and walk down Dalston Lane towards Hackney Central. I worry that will continue all night as people leave and arrive throughout the night. The application would permit DJs and live music until 6 am on the weekend and I consider that this is too late. As a property owner I am concerned about the impact on public safety and nuisance of having a night club open till 6 am. Increases in crime, public disorder and nuisance will then have a knock on effect on insurance and property values. I also thought Dalston was trying to become more family friendly rather than a night time hotspot.

As I have previously mentioned, as a local resident and property owner, although I was disheartened that local businesses and churches were evicted from the building following the grant of planning permission back in 2016, some comfort was gained from the Planning Committee when they informed me that the building would be replaced with office space, affordable work space for the local community and flats. I did not anticipate that in June 2018 (shortly before Hackney's new licensing policy came into effect) there would be a late night licenced venue with a larger capacity, increased numbers of people particularly outside, more noise, public safety issues, public nuisance and more litter. Now in 2019 there is the application to further extend licensing hours when Hackney Council made a firm commitment to residents by way of its policy to not grant further late night licenses. I wonder what is the future of this building, and why religious organisations and a dry cleaners who did not cause negative public safety or nuisance issues and added to the local community were evicted to make way for a nightclub open until 6 am.

Lastly I would note that on the Hackney Council licensing register, it shows that the licence for the Premises expired or ended on 7 March 2019, approximately 8 months ago. It would be useful to understand on what legal or regulatory basis alcohol has been being sold on the Premises since then.

# APPENDIX D



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

Licensing Service  
1 Hillman Street  
London E8 1DY

## **PART A – PREMISES LICENCE**

### **Premises Licence Number**

095652

### **Part 1 – Premises details**

SET  
27a Dalston Lane  
Hackney  
London  
E8 3DF

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

From: 21 June 2018            To: 21 December 2019

### **Licensable activities authorised by the licence**

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

### **The times the licence authorises the carrying out of licensable activities**

#### **Plays**

#### **Standard Hours:**

Mon 12:00-23:00  
Tue 12:00-23:00  
Wed 12:00-23:00  
Thu 12:00-23:00  
Fri 12:00-02:00  
Sat 12:00-02:00  
Sun 13:00-22:00

**Films**

**Standard Hours:**

Mon 12:00-23:00  
Tue 12:00-23:00  
Wed 12:00-23:00  
Thu 12:00-23:00  
Fri 12:00-02:00  
Sat 12:00-02:00  
Sun 13:00-22:30

**Live Music**

**Standard Hours:**

Mon 12:00-23:00  
Tue 12:00-23:00  
Wed 12:00-23:00  
Thu 12:00-23:00  
Fri 12:00-02:00  
Sat 12:00-02:00  
Sun 13:00-22:00

**Recorded Music**

**Standard Hours:**

Mon 12:00-23:00  
Tue 12:00-23:00  
Wed 12:00-23:00  
Thu 12:00-23:00  
Fri 12:00-02:00  
Sat 12:00-02:00  
Sun 13:00-22:00

**Performance of  
Dance**

**Standard Hours:**

Mon 12:00-23:00  
Tue 12:00-23:00  
Wed 12:00-23:00  
Thu 12:00-23:00  
Fri 12:00-02:00  
Sat 12:00-02:00  
Sun 13:00-22:00

**Other Entertainment  
Similar to Live or  
Rec Music or Dance  
Performance**

**Standard Hours:**

Mon 12:00-23:00  
Tue 12:00-23:00  
Wed 12:00-23:00  
Thu 12:00-23:00  
Fri 12:00-02:00  
Sat 12:00-02:00  
Sun 13:00-22:00

**Late Night Refreshment**

**Standard Hours:**  
Fri 23:00-02:00  
Sat 23:00-02:00

**Supply of Alcohol**

**Standard Hours:**  
Mon 12:00-23:00  
Tue 12:00-23:00  
Wed 12:00-23:00  
Thu 12:00-23:00  
Fri 12:00-02:00  
Sat 12:00-02:00  
Sun 13:00-22:30

**The opening hours of the premises**

**Standard Hours:**  
Mon 11:00-00:00  
Tue 11:00-00:00  
Wed 11:00-00:00  
Thu 11:00-00:00  
Fri 11:00-02:30  
Sat 11:00-02:30  
Sun 12:00-23:30

**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**

SET Centre CIO  
77-89 Alscot Road  
London  
SE1 3AW

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

1170903

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

Oliver Tobin

**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:** 21 June 2018

**Signed:**

**David Tuitt  
Team Leader - Licensing**



## Annex 1 - Mandatory Conditions

### Supply of Alcohol (On/Both):

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

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

4. The responsible person must ensure that free potable water is provided on request to customers where it is reasonably available.
- 5.5.1. The premises licence holder or club premises certificate holder must ensure that an age verification policy is adopted in respect of the premises in relation to the sales or supply of alcohol.
- 5.2 The designated premises supervisor in relation to the premises licences must ensure that the supply of alcohol at the premises is carried on in accordance with the age verification policy.
- 5.3. The policy must require individuals who appear to the responsible person to be under 18 years of age (or such older age as may be specified in the policy) to produce on request, before being served alcohol, identification bearing their photograph, date of birth and either:-
  - (a) a holographic mark or
  - (b) an ultraviolet feature
6. The responsible person must ensure that:
  - a) where any of the following alcoholic drinks is sold or supplied for consumption on the premises (other than alcoholic drinks sold or supplied having been made up in advance ready for sale or supply in a securely closed container) it is available to customers in the following measures:
    - beer or cider:1/2 pint;
    - gin, rum, vodka or whisky: 25ml or 35ml; and
    - still wine in a glass: 125ml; and
  - b) these measures are displayed in a menu, price list or other printed material which is available to customers on the premises; and
  - c)where a customer does not in relation to a sale of alcohol specify the quantity of alcohol to be sold, the customers is made aware that these measures are available.

#### Minimum Drinks Pricing

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

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

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

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

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

Where -

(i) P is the permitted price,

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

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

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

(i) the holder of the premises licence,

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

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

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

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

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

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

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

## **Door Supervision**

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

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

None

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

9. The premises shall maintain a comprehensive CCTV system as per the minimum requirements of a Metropolitan Police Crime Prevention Officer. All public areas, entry and exit points will be covered enabling frontal identification of every person entering in any light condition. The CCTV system shall continually record whilst the premises is open for licensable activities and during all times when customers remain on the premises. All recordings shall be stored for a minimum period of 31 days with date and time stamping. Recordings shall be made available immediately upon the request of Police or authorised officer.
10. A staff member from the premises who is conversant with the operation of the CCTV system shall be on the premises at all times when the premises are open to the public. This staff member shall be able to show Police or an authorised officer of Hackney Borough Council recent data or footage with the absolute minimum of delay when requested.
11. An incident log shall be kept at the premises, and made available immediately to an authorised officer of the Hackney Borough Council or the Police, which will record the following:
  - a. all crimes reported to the venue
  - b. any complaints received
  - c. any incidents of disorder
  - d. any faults in the CCTV system
  - e. any refusal of the sale of alcohol
  - f. any visit by a relevant authority or emergency service.
12. All instances of crime or disorder to be reported by the designated premises supervisor or responsible member of staff to an agreed police contact point, as agreed with the Police.
13. Where the sale or supply of alcohol is taking place employees of the premises must request sight of evidence of the age of any person appearing to be under 25 years of age (Challenge 25). Such evidence may include a driving licence or passport.
14. There shall be prominent signage requesting customers to leave the premises quietly and respect local residents.

15. All staff will be given refresher training every twelve months on the legislation relating to the sales of alcohol to underage persons and drunken persons. Written records of this training shall be kept on the premises and produced to police or other authorised officer upon request.
16. The premises shall adhere to Hackney Police Weapons and Drugs Policies and any updates thereof.
17. There shall be no glass, drinks or open containers taken outside of the premises at any time.
18. After 2100hrs there will be a maximum of 8 smokers outside. This will be monitored by staff/door supervisors.
19. The capacity of the premises will be 150 excluding staff.
20. Male and female SIA registered door supervisors shall be employed at the premises on an operational risk assessment basis. All door supervisors shall enter their full details in the premises daily register at the commencement of their work. They shall record their full name, home address and contact telephone number, their SIA registration number and the times they commence and conclude working. If the door supervisor is provided by an agency, the name, registered business address and contact telephone number will also be recorded. This register will be made available to police or other authorised officer upon request.
21. The front of the premises shall be kept clean and swept at the close of business each day.
22. Any queues that may form outside of the premises must be monitored by staff or door supervisors to prevent pre-loading and/or the footway being blocked.

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

23. There will be no entry or re-entry into the premises (apart from those patrons that have been smoking) after 01:00hours on a Friday and Saturday
24. Any music played at the premises should be played and/or set to a level to ensure inaudibility in all nearby residential premises all doors and windows shall remain closed when regulated entertainment is taking place.

### **Annex 4 – Plans**

PLAN/095652/21062018

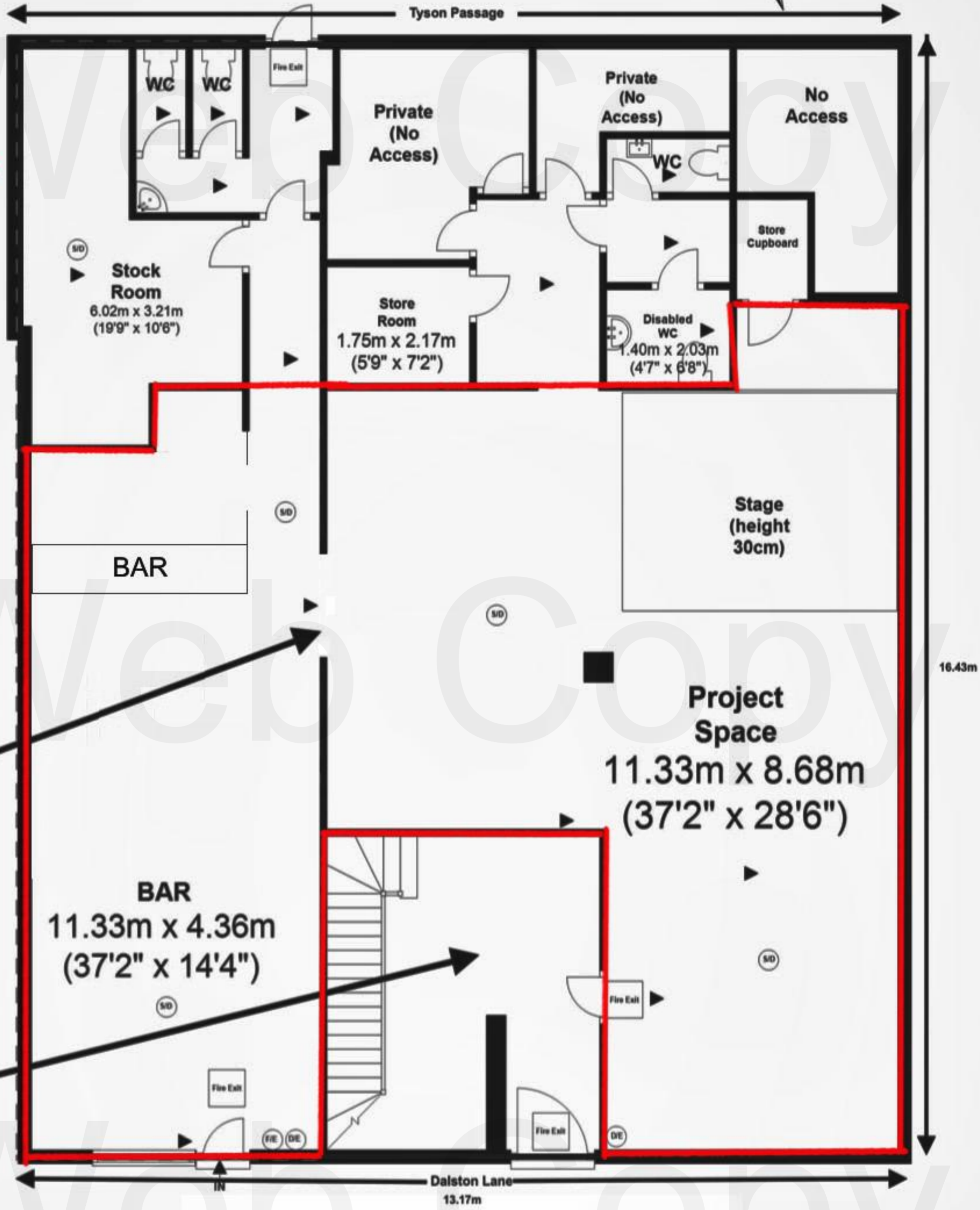
**SET**  
**27a Dalston Lane**  
**E83DF**  
**02/02/2018**

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



**KEY**

- Licensed premises ▬
- Emergency Lighting ▶
- Smoke Detector SD
- Dry Powder Extinguisher DPE
- Fire Extinguisher FE



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

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

# APPENDIX E



Scale: 1:1250 at A4



Ref:

13 November 2019

Page 49  
Product: Unspecified

email:

please specify copyright statement

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<b>REPORT OF THE GROUP DIRECTOR, NEIGHBOURHOODS AND HOUSING</b>		
<b>LICENSING SUB-COMMITTEE:</b> 28/11/2019	<b>Classification</b>  DECISION	Enclosure
<b>APPLICATION TO VARY THE PREMISES LICENCE :</b> The Old Street Gallery, 62 Paul Street, EC2A 4NA	<b>Ward(s) affected</b>  <b>Hoxton East &amp; Shoreditch</b>	

**1. SUMMARY**

<b>Applicant(s)</b> Pacharin Burton	<b>In SPA:</b> No
<b>Date of Application</b> 9 October 2019	<b>Period of Application</b> Permanent
<b>Proposed variation:</b> Plays Films Live Music Recorded Music Performance of Dance Supply of Alcohol (On sales)	
<b>Proposed hours for licensable activity</b>	
<b>Plays</b>  Indoor	<b>Standard Hours:</b>  Mon 10:00-23:30 Tue 10:00-23:30 Wed 10:00-23:30 Thu 10:00-23:59 Fri 10:00-23:59 Sat 10:00-23:59 Sun 10:00-23:30
<b>Films</b>  Indoor	<b>Standard Hours:</b>  Mon 10:00-23:30 Tue 10:00-23:30 Wed 10:00-23:30 Thu 10:00-23:59 Fri 10:00-23:59 Sat 10:00-23:59 Sun 10:00-23:30

<b>Live Music</b>  Indoor	<b>Standard Hours:</b>  Mon 10:00-23:30 Tue 10:00-23:30 Wed 10:00-23:30 Thu 10:00-23:59 Fri 10:00-23:59 Sat 10:00-23:59 Sun 10:00-23:30
<b>Recorded Music</b>  Indoor	<b>Standard Hours:</b>  Mon 10:00-23:30 Tue 10:00-23:30 Wed 10:00-23:30 Thu 10:00-23:59 Fri 10:00-23:59 Sat 10:00-23:59 Sun 10:00-23:30
<b>Performance of Dance</b>  Indoor	<b>Standard Hours:</b>  Mon 10:00-23:30 Tue 10:00-23:30 Wed 10:00-23:30 Thu 10:00-23:59 Fri 10:00-23:59 Sat 10:00-23:59 Sun 10:00-23:30
<b>Supply of Alcohol</b>	<b>Standard Hours:</b>  Mon 10:00-23:30 Tue 10:00-23:30 Wed 10:00-23:30 Thu 10:00-23:59 Fri 10:00-23:59 Sat 10:00-23:59 Sun 10:00-23:30
<b>The opening hours of the premises:</b>  <b>Standard Hours:</b>  Mon 10:00-23:30 Tue 10:00-23:30 Wed 10:00-23:30 Thu 10:00-23:59 Fri 10:00-23:59 Sat 10:00-23:59 Sun 10:00-23:30	
<b>Current activities/hours:</b> See current licence attached as Appendix D	
<b>Capacity:</b> not known	

<b>Policies Applicable</b>	LP1 (General Principles), LP2 (Licensing Objectives), LP3 (Core Hours), LP5 (Planning Status) and LP11 (Cumulative Impact - General)
<b>List of Appendices</b>	A – Application for variation of premises licence and supporting documents B – Representations from responsible authorities C – Representations from ‘other persons’ D- Current Licence E – Location map
<b>Relevant Representations</b>	<ul style="list-style-type: none"> <li>• Environmental Health Authority(Environmental Protection)</li> <li>• Police</li> <li>• Licensing Authority</li> <li>• Other Persons</li> </ul>

## 2. APPLICATION

- 2.1 Pacharin Burton 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 add hours for provision of regulated entertainment
- 2.2 The application is attached as Appendix A. The applicant has proposed some additional measures to address the licensing objectives.

## 3. CURRENT STATUS / HISTORY

- 3.1 The current premises licence was granted by Licensing Sub-Committee on 5 July 2018.
- 3.2 The premises have operated with Temporary Event Notices in 2019 as follows:

<u>Date of the event(s)</u>	<u>Hours</u>
22/02/2019-24/02/2019	23:00-04:00
18/03/2019	00.01-02.30
20/04/2019	00.01-03.00
08/05/2019	00.01-03.00
11/05/2019	00.01-03.00
20/07/2019	00.01-03.00
21/07/2019	00.01-04.00
17/08/2019	00.01-02.30
25/08/2019	00.01-03.00
02/09/2019	00.01-02.30
12/10/2019	00.01-03.00
25/10/2019-26/10/2019	22.30-23.59
02/11/2019	00.01-04.00
09/11/2019-10/11/2019	22.00-03.00
23/11/2019-24/11/2019	20.00-02.30

#### 4. REPRESENTATIONS: RESPONSIBLE AUTHORITIES

From	Details
Environmental Health Authority (Environmental Protection) (Appendix B1)	Representation received on the grounds of the prevention of public nuisance
Environmental Health Authority (Environmental Enforcement)	No representation received
Environmental Health Authority (Health & Safety)	Have confirmed no representation on this application
Weights and Measures (Trading Standards)	Have confirmed no representation on this application
Planning Authority (Appendix B2)	Informative
Area Child Protection Officer	No representation received
Fire Authority	Have confirmed no representation on this application
Police (Appendix B3)	Representation received on the grounds of The Prevention of Crime and Disorder, Prevention of Public Nuisance and Core Hours.
Licensing Authority (Appendix B4)	Representation received on the grounds of The Prevention of Crime and Disorder, Prevention of Public Nuisance and Core Hours.
Health Authority	No representation received

#### 5. REPRESENTATIONS: OTHER PERSONS

Two Representations received from and on behalf of local residents. (Appendices C1 & C2)	Representation received on the grounds of The Prevention of Crime and Disorder, Public Safety, Prevention of Public Nuisance, The Protection of Children from Harm, Core Hours and Cumulative Impact.
--	---

#### 6. GUIDANCE CONSIDERATIONS

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

#### 7. POLICY CONSIDERATIONS

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

- 7.2 The Policy applies to applications where relevant representations have been made. With regard to this application, policies LP1 (General Principles), LP2 (Licensing Objectives), LP3 (Core Hours), LP5 (Planning Status) and LP11 (Cumulative Impact - General) are relevant.

## 8. OFFICER OBSERVATIONS

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

Not Applicable

## 9. REASONS FOR OFFICER OBSERVATIONS

- 9.1 No additional conditions have been proposed by the applicant or responsible authorities.

## 10. LEGAL COMMENTS

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

## 11. HUMAN RIGHTS ACT 1998 IMPLICATIONS

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

## 12. MEMBERS DECISION MAKING

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

### 13. CONCLUSION

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

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

#### LIST OF BACKGROUND PAPERS RELATING TO THIS REPORT

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

<b>Description of document</b>	<b>Location</b>
The Old Street Gallery 62 Paul Street, EC2A 4NA	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 Pacharin Burton  
(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**  
095761

**Part 1 – Premises Details**

Postal address of premises or, if none, ordnance survey map reference or description Unit 3 62 PAUL STREET HACKNEY			
Post town	LONDON	Postcode	EC2A 4NA

Telephone number at premises (if any)	
Non-domestic rateable value of premises	£24000

**Part 2 – Applicant details**

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

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

**Part 3 – Variation**

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

<p><b>Please describe briefly the nature of the proposed variation</b> (Please see guidance note 2)</p> <p>I'm proposing an extension of the licensable hours by 90 minutes longer daily.</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:

100
-----



#### 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.

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

**A**

<b>Plays</b> Standard days and timings (please read guidance note 8)			<b>Will the performance of a play take place indoors or outdoors or both – please tick</b> (please read guidance note 4)	Indoors	<input checked="" type="checkbox"/>
Day	Start	Finish		Outdoors	
				Both	
Mon	10:00	23:30	<b>Please give further details here</b> (please read guidance note 5) Art performance, dramas and plays with background music		
	-----	-----			
Tue	10:00	23:30			
	-----	-----			
Wed	10:00	23:30	<b>State any seasonal variations for performing plays</b> (please read guidance note 6) As an art gallery we occasionally work with colleges, universities or independent artists which result to different plays or sometimes dance performances to take place at the venue.		
	-----	-----			
Thur	10:00	23:59			
	-----	-----			
Fri	10:00	23:59	<b>Non-standard timings. Where you intend to use the premises for the performance of plays at different times to those listed in the column on the left, please list</b> (please read guidance note 7) None		
	-----	-----			
Sat	10:00	23:59			
	-----	-----			
Sun	10:00	23:30			
	-----	-----			

**B**

<b>Films</b> Standard days and timings (please read guidance note 8)			<b>Will the exhibition of films take place indoors or outdoors or both – please tick</b> (please read guidance note 4)	Indoors	<input checked="" type="checkbox"/>
Day	Start	Finish		Outdoors	
				Both	
Mon	10:00	23:30	<p><b>Please give further details here</b> (please read guidance note 5) We occasionally host film premier from small production teams ,display their own works for public or their own guests with sound system</p> <p><b>State any seasonal variations for the exhibition of films</b> (please read guidance note 6) Occasionally the gallery is requested to display recorded art pieces via projectors or TV screens .</p> <p><b>Non-standard timings. Where you intend to use the premises for the exhibition of films at different times to those listed in the column on the left, please list</b> (please read guidance note 7) none</p>		
Tue	10:00	23:30			
Wed	10:00	23:30			
Thur	10:00	23:59			
Fri	10:00	23:59			
Sat	10:00	23:59			
Sun	10:00	23:30			

**C**

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

**D**

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

**E**

<b>Live music</b> Standard days and timings (please read guidance note 8)			<b>Will the performance of live music take place indoors or outdoors or both – please tick</b> (please read guidance note 4)	Indoors	<input checked="" type="checkbox"/>
				Outdoors	
				Both	
Day	Start	Finish	<b>Please give further details here</b> (please read guidance note 5) Art performances, live performances, live bands with sound system which may be amplified and unamplified.  <b>State any seasonal variations for the performance of live music</b> (please read guidance note 6) As an art gallery we occasionally work with artists who wish to express themselves more ways than one which result to different type of performances to take place at the venue, it can be unplugged performances, religion related performances to band practices with controlled noise level  <b>Non-standard timings. Where you intend to use the premises for the performance of live music at different times to those listed in the column on the left, please list</b> (please read guidance note 7)		
Mon	10:00	23:30			
	-----	-----			
Tue	10:00	23:30			
	-----	-----			
Wed	10:00	23:30			
	-----	-----			
Thur	10:00	23:59			
	-----	-----			
Fri	10:00	23:59			
	-----	-----			
Sat	10:00	23:59			
	-----	-----			
Sun	10:00	23:30			
	-----	-----			

**F**

<b>Recorded music</b> Standard days and timings (please read guidance note 8)			<b>Will the playing of recorded music take place indoors or outdoors or both – please tick</b> (please read guidance note 4)	Indoors	<input checked="" type="checkbox"/>
Day	Start	Finish		Outdoors	
				Both	
Mon	10:00	23:30	<b>Please give further details here</b> (please read guidance note 5) Background music from playlists connecting to speakers		
Tue	10:00	23:30			
Wed	10:00	23:30	<b>State any seasonal variations for the playing of recorded music</b> (please read guidance note 6) As an art gallery we often work with producers and independent artists which result to different type of background music taking place while the exhibitions take place with controlled noise level.		
Thur	10:00	23:59			
Fri	10:00	23:59	<b>Non-standard timings. Where you intend to use the premises for the playing of recorded music at different times to those listed in the column on the left, please list</b> (please read guidance note 7)		
Sat	10:00	23:59			
Sun	10:00	23:30			

**G**

<b>Performances of dance</b> Standard days and timings (please read guidance note 8)			<b>Will the performance of dance take place indoors or outdoors or both – please tick</b> (please read guidance note 4)	Indoors	<input checked="" type="checkbox"/>
Day	Start	Finish		Outdoors	
				Both	
Mon	10:00	23:30	<b>Please give further details here</b> (please read guidance note 5) Art performance, dance with background music		
Tue	10:00	23:30			
Wed	10:00	23:30	<b>State any seasonal variations for the performance of dance</b> (please read guidance note 6) As an art gallery we occasionally work with colleges, universities or independent artists which result to different plays or sometimes dance performances to take place at the venue.		
Thur	10:00	23:59			
Fri	10:00	23:59	<b>Non-standard timings. Where you intend to use the premises for the performance of dance at different times to those listed in the column on the left, please list</b> (please read guidance note 7)		
Sat	10:00	23:59			
Sun	10:00	23:30			



H

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

I

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

**J**

<b>Supply of alcohol</b> Standard days and timings (please read guidance note 8)			<b>Will the supply of alcohol be for consumption – please tick</b> (please read guidance note 9)	On the premises	<input checked="" type="checkbox"/>
				Off the premises	
				Both	
Day	Start	Finish	<b>State any seasonal variations for the supply of alcohol</b> (please read guidance note 6) Offering alcohol and non alcohol refreshment to clients/guests during the visit of the venue in a respectful and controlled environment.		
Mon	10:00	23:30			
	-----	-----			
Tue	10:00	23:30			
	-----	-----			
Wed	10:00	23:30			
	-----	-----			
Thur	10:00	23:59			
	-----	-----			
Fri	10:00	23:59	<b>Non-standard timings. Where you intend to use the premises for the supply of alcohol at different times to those listed in the column on the left, please list</b> (please read guidance note 7) Default.LicesableActivitiesJ_plays_non_s»		
	-----	-----			
Sat	10:00	23:59			
	-----	-----			
Sun	10:00	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).

Some contents in the art works which maybe displayed at a time could potentially be revealing due to the nature the imagination and work of art. If there happens to be such exhibition hosted the venue will be firmly informative to the public at the reception area and proof of age up on entry will be in force.

**L**

<p><b>Hours premises are open to the public</b> Standard days and timings (please read guidance note 8)</p>			<p><b>State any seasonal variations</b> (please read guidance note 6) This are our expected operating hours. The hours are usually much shorter and the gallery doesn't open everyday but these hours given would cover all activities within this time limit.</p>
Day	Start	Finish	
Mon	10:00	23:30	
Tue	10:00	23:30	
Wed	10:00	23:30	
Thur	10:00	23:59	
Fri	10:00	23:59	
Sat	10:00	23:59	
Sun	10:00	23:30	<p><b>Non-standard timings. Where you intend the premises to be open to the public at different times from those listed in the column on the left, please list</b> (please read guidance note 7)</p>

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.

We are happy with current condition which set out by the police and relevant authorities. I'm proposing the extension of the hours for 90 minutes longer daily including the sale of alcohol.

Please tick as appropriate

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

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

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

**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)**

TO PROMOTE ALL FOUR LICENSING OBJECTIVES WE WILL KEEP:  
Strong management controls and effective training of all staff so that they are aware of the premises licence and the requirements to meet the four licensing objectives with particular attention to  
a/ no selling of alcohol to underage people  
b/ no drunk and disorderly behaviour on the premises area  
c/ vigilance in preventing the use and sale of illegal drugs at the retail area  
d/ no violent and anti-social behaviour  
e/ no any harm to children

- Operating Schedule providing the hours of operation and licensable activities during those hours.
- Designated premises supervisor confirmed it is obligated to be in day-to-day control of the premises, to provide good training for staff on the Licensing Act (Training Record), to make or authorize each sale
- Clear "Challenge 25" information to prevent the supply of alcohol to under-age drinkers.
- CCTV system installed with recording option available

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

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

- CCTV installation
- Liaising with local community law enforcement, other residents and council
- Record keeping of unusual circumstances
- Reporting criminal activities to the relevant enforcement authorities
- Refuse entry to prevent antisocial behaviour
- Refuse serving alcohol if someone appear to be drunk or intoxicated
- A clear and legible notice outside the premises indicating the normal hours under the terms of the premises licence during which the licensable activities are permitted.
- Keep an incident book on the premises where staff can record details of any incidents and individuals involved
- Training staff to prevent and to handle the unexpected situations
- Ensure SIA qualified securities are on duty subject to risk assessment concern

**c) Public safety**

- Ensuring appropriate public liability insurance cover
- Staff training and best practices for safety and hazard prevention
- Clearly labelled and independently lit emergency exits and robust evacuation procedure
- Comply with all statutory fire safety controls as per communities and local government and London Fire Brigade in addition to regular liaising with these authorities
- Additional awareness and training on general and appropriate Health and safety as per the Health and Safety Executive guidance.
- Keep up to date with Health & Safety requirements.
- Ensure the fire / emergency exit is clear of all time
- Fire extinguishers are in place in case of emergency
- Installation of the smoke alarms
- Fire doors meet at highest safety standard
- First aid box is kept up to date
- Ensure that the environment temperature is measured and controlled.
- Ensure that the wastes are properly stored and disposed
- Ensure SIA qualified securities are on duty according to risk assessment concern

**d) The prevention of public nuisance**

- Measures to prevent noise will include a prominent notice to remind leaving guests not to make noise, an acoustic lobby the entrance, not placing speakers adjacent to residential walls and liaising with neighbours and their opinions.
- Rubbish and litter measures include rubbish bins and glass refuse away from public access
- Keeping front of the premises tidy and clean
- Adequate waste receptacles for use by customers will be provided in the local vicinity
- Deliveries of goods necessary for the operation of the business will be carried out at such a time or in such a manner as to prevent nuisance and disturbance to nearby residents
- No drink allowed outside the premises
- All guests are made understood of the polite manners when leaving the venue
- Provide details of the nearest public car park
- Ensure SIA qualified securities are on duty subject to the health and safety risk assessment to maintain the security and decency of the public

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

- Restrict access to the premises to exclude children during exhibitions aimed for adults by a notice explaining to customers when and where children are allowed or not
  - Staff trained in checking customers' ages by only accepting the following identification: passport, driving licence, Citizen card
  - Keep a refusal book on the premises where staff can record details of everyone who has been refused alcohol.
  - During events specifically for people under the age of 18 years, adult staff with a DBS must be employed to ensure their safety.
- Where entertainment of an adult or sexual nature is provided, children under the age of 18 years are not allowed into the premise
- Log Book will be kept upon the premises all the time.

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	Pachrin Burton
Date	9/10/2019
Capacity	PACHRIN BURTON

**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	9/10/2019
Capacity	



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

Applicant address

UK-England

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

**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 audience does not exceed 1000. Combined fighting sports – defined as a contest, exhibition or display which combines boxing or wrestling



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

I write to make a representation in relation to this application. The proposal could lead to a negative impact on the promotion of the licensing objectives, in particular, the prevention of public nuisance.

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

Environmental Protection Team have not been able to agree conditions for the use of the premises for carrying out regulated entertainment and use of any proposed designated smoking areas with the applicant.

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

The applicant is to contact Environmental Protection Team (Olalekan Olaosebikan) to discuss further the noise mitigation measures to prevent noise from carrying out regulated entertainment and noise or smoke from the use of any proposed designated smoking area.

**Name:** Olalekan Olaosebikan

**Date:** 06/11/2019

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

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

**APPLICATION PREMISES**

Name and address of premises	The Old Street Gallery Unit 3, 62 PAUL STREET
Applicant name	Pacharin Burton

**COMMENTS**

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

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

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

The application proposes to vary an existing license as a gallery. The proposed variation is to extend the license hours by 90 minutes daily.

The licensable activities are:

Plays: Mon-Wed 10:00-23:30, Thurs-Sat 10:00-23:59, Sun 10:00-23:30

Films: Mon-Wed 10:00-23:30, Thurs-Sat 10:00-23:59, Sun 10:00-23:30

Live Music: Mon-Wed 10:00-23:30, Thurs-Sat 10:00-23:59, Sun 10:00-23:30

Recorded Music: Mon-Wed 10:00-23:30, Thurs-Sat 10:00-23:59, Sun 10:00-23:30

Performances of dance: Mon-Wed 10:00-23:30, Thurs-Sat 10:00-23:59, Sun 10:00-23:30

Supply of alcohol: Mon-Wed 10:00-23:30, Thurs-Sat 10:00-23:59, Sun 10:00-23:30

Hours of opening: Mon-Wed 10:00-23:30, Thurs-Sat 10:00-23:59, Sun 10:00-23:30

Planning permission reference: 2011/3021 Demolition of existing building and erection of an up to five storey building, with roof top plant, to provide 1525sqm office Class B1 Use, 415sqm A1 retail; 152 sqm restaurant A3 Class use, 86sqm gallery Class D1 use floor space together with 9 residential units (4 x one bed, 4 x two bed and 1 x three bed) and associated works. (Amendments: Increase in number of residential units, changes to external appearance and height along Mark Street and Leonard Street).

Condition 9 of the planning permission states that 'The D1 use hereby permitted may only be carried out between 07:30 to 2000 hours Mondays to Saturdays and 1000 to 2000 hours Sundays and Bank Holidays.'

A further application for variation of condition (ref. 2018/0862) was granted on 30 April 2018 to extend the opening hours (to 07:00 am to 23:00pm Monday to Saturday and 10:00 to 22:30 on Sundays)

The usage of the premises is permitted. The proposed hours of operation exceed those permitted under the planning consent. Licensing consent does not grant planning consent. Therefore the applicant is advised to lodge a planning application for the proposed hours of operation. Operation of the premises outside of the hours permitted under the planning consent is unlawful and may result in enforcement action.

Please provide the following information (if applicable)

Area (that permission applies to)	Ground Floor
Permitted use	Class D1
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**

The usage of the premises is permitted. The proposed hours of operation exceed those permitted under the planning consent. Licensing consent does not grant planning consent. Therefore the applicant is advised to lodge a planning application for the proposed hours of operation. Operation of the premises outside of the hours permitted under the planning consent is unlawful and may result in enforcement action.

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

Signed	
Name	John Tsang
Date	29/10/19

**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 3691CE Kerrie RYAN
TELEPHONE NUMBER	020 7275 3022
E-MAIL ADDRESS	hackneylicensing@met.police.uk

**APPLICATION PREMISES**

NAME & ADDRESS OF PREMISES	<b>Old Street Gallery Unit 3 62 Paul Street London EC2A 4NA</b>
NAME OF PREMISES USER	<b>Pacharin BURTON</b>

**COMMENTS**

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

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

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

**Police make the following representations in relation to the application to vary the Premises Licence at OLD STREET GALLERY, UNIT 3, 62 PAUL STREET, LONDON, EC2A 4NA for the following reason(s);**

This premises is a gallery/event space on the outskirts of the Shoreditch Special Policy Area. This application seeks additional licensable activity to be included on the premises as follows; plays, films, live music, recorded music and performance of dance. The application also seeks to extend the hours for the sale of alcohol for consumption on the premises.

The hours proposed in this application are outside of the core hours laid out in LBH's Statement of Licensing Policy. LP3 states 'hours for licensable activity will generally be authorised, subject to demonstrating LP1 and LP2 as follows; Monday – Thursday 08:00hrs to 23:00hrs, Friday – Saturday 08:00hrs – 00:00hrs and Sunday 10:00hrs – 22:30hrs. The hours listed inside this application are outside of the core hours and police propose that they be reduced in line with council policy.

Police also refer to Section 3.3 of LBH's Statement of Licensing Policy, which states '*The applicant will need to demonstrate in their operating schedule that there will be no negative cumulative impact on one or more of the licensing objectives*'. The applicant has not included anywhere in this application, what policies and procedures they would consider implementing to ensure that the increase of hours for the sale of alcohol from their premises would not have a negative effect on the cumulative impact and add to the existing problems currently being experienced in Shoreditch. Police feel that this is relevant due to the close proximity to the SPA and the customers leaving this venue would be highly likely to make their way inside the SPA to another venue in order to carry on drinking.

At the very least, police would expect operators to stop selling alcohol 30 minutes prior to the closing of their premises. This is considered best practice and would assist in a smooth closure and dispersal.

The applicant should also note that the application seeks recorded music, but condition 20 on the premises licence prevents music being played any louder than background level allowing a face to face conversation.

Police have had contact with the applicant in relation to amending the hours, but have yet to receive a response.

Police look forward to hearing from the applicant soon.

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

Application submitted.

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

Signed

PC 3691CE RYAN  
(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	The Old Street Gallery 62 Paul Street London EC2A 4NA
NAME OF APPLICANT	Pacharin Burton

**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 | <b>x</b> |
| 2) | public safety                        |          |
| 3) | the prevention of public nuisance    | <b>x</b> |
| 4) | the protection of children from harm |          |



## Representation in relation to:

I write to make a representation in relation to the prevention of public nuisance and the prevention of crime and disorder. The proposal seeks to extend hours for the supply of alcohol as well as add activities not currently authorised. This could have a negative impact on the promotion of the licensing objectives. Attention is drawn to the following extract from the Council's Statement of Licensing Policy.

### 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 is noted that the application seeks to authorise live and recorded music. This would be inconsistent with the below condition:

- 20. All music is to be played at background level allowing a face to face conversation at normal speech level.

It is also noted that existing conditions 19 and 25 (below) could be combined:

- 19. The premises primary function is as an art gallery.
- 25. The provision of licensable activities at the premises shall at all times be ancillary to the premises operating as an art gallery.

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

Licensing Act 2003, Guidance issued by the Home Office, Statement of Licensing Policy

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

Discussion with the applicant in relation to the matters raised above.

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

**Date:** 05/11/2019

Dear Councillors,

I am writing to object to the application for variation of premises licence to extend supply of alcohol till 23:30 Sun to Wed and till 00:00 Thurs to Sat and to include plays, films, live music, recorded music and performances of dance from 10:00 to 23:30 Sun to Wed and from 10:00 to 00:00 Thurs to Sat at 62 Paul Street.

## SPA context:

The location of 62 Paul Street, is in very close proximity to McQueen's, The Princess, Nobu Hotel, & The Hoxton Hotel and on the same street as the Book Club, The Griffin Pub, Found and Casita. Residents, supported by our ward councillors, have submitted evidence of the increasing negative impact in this quiet area of Shoreditch. Councillor Plouviez is aware of submitted examples, and Councillor Sellman committed to Feryal and residents that the SPA boundary would be reassessed due to the fast- developing nature of our streets.

In addition to the large/established venues - there has been an expansion of tacky venues such as Rascals and Ballie Ballerson. Even "restaurants" are contributing to all day drunkenness, due to the "bottomless brunch" trend.

Local services including Environmental noise team; local police; the "out of hours" incident reporting website are already unable to prevent the negative impacts on residents, and neighbouring properties.

## Licencing context:

To grant an additional license to supply alcohol late into the night in an already over saturated and congested area should be rejected immediately on the grounds it will certainly exacerbate the cumulative negative impact including:

- Public health and safety: on street drinkers blocking pavements outside the Griffin and Book club; people staggering into the road; urinating on private property all across Leonard & Ravey Street.
- Public nuisance: littering (see photo of Scrutton Street); noise nuisance from drivers parking under residential windows, at all hours; loud music (from car stereos, and outdoor drinking venues); drunk and shouty groups, including young girls vomiting on private property at 3-4pm (not just 3-4am).
- Crime and disorder: pre-loading, and drug taking in the street, before going to clubs; dangerous driving; and violent behaviour.

This section of Leonard street is the most saturated part of the Shoreditch area, outside of SPA. It would be totally nonsensical and unbearable for local residents to allow ANOTHER venue to attract and empty inebriated customers onto this part of Shoreditch. It will have a dramatic cumulative impact that cannot be ignored.

“Future Shoreditch” context:

We are in an area that is strategically planned to undergo intensive COMMERCIAL development and provide economic growth for the Borough and London. Several sites, in the Conservation Area, are already highlighted for demolition and newbuild office construction. Very few sites are as closely surrounded by residential properties as in Leonard Street.

Developers, such as those behind Zabeel house, are driven by profit; but the profit cannot continue to be driven by Alcohol sales.

The real cost- the impact on the Local community, residents, and public resources - is unsustainably high.

Granting a further license and negligently allow ANOTHER licensed venue to attract and empty customers onto this saturated part of Leonard Street would be catastrophic in destroying trust in the council to effectively manage the area and licensed premises

Please ensure that this Licence application is viewed very carefully, it must have the most stringent conditions applied to avoid further cumulative impact.

Yours sincerely

██████████

██████████ Leonard Street EC2A ██████████



7.30am Scrutton Street, last Thursday morning..

Dear Councillors,

I am writing to object to the application for variation of premises licence to extend supply of alcohol till 23:30 Sun to Wed and till 00:00 Thurs to Sat and to include plays, films, live music, recorded music and performances of dance from 10:00 to 23:30 Sun to Wed and from 10:00 to 00:00 Thurs to Sat at 62 Paul Street.

### SPA context:

The location of 62 Paul Street, is in very close proximity to McQueen's, The Princess, Nobu Hotel, & The Hoxton Hotel and on the same street as the Book Club, The Griffin Pub, Found and Casita. Residents, supported by our ward councillors, have submitted evidence of the increasing negative impact in this quiet area of Shoreditch. Councillor Plouviez is aware of submitted examples, and Councillor Sellman committed to Feryal and residents that the SPA boundary would be reassessed due to the fast- developing nature of our streets.

In addition to the large/established venues - there has been an expansion of tacky venues such as Rascals and Ballie Ballerson. Even "restaurants" are contributing to all day drunkenness, due to the "bottomless brunch" trend.

Local services including Environmental noise team; local police; the "out of hours" incident reporting website are already unable to prevent the negative impacts on residents, and neighbouring properties.

### Licencing context:

To grant an additional license to supply alcohol late into the night in an already over saturated and congested area should be rejected immediately on the grounds it will certainly exacerbate the cumulative negative impact including:

- Public health and safety: on street drinkers blocking pavements outside the Griffin and Book club; people staggering into the road; urinating on private property all across Leonard & Ravey Street.
- Public nuisance: littering (see photo of Scrutton Street); noise nuisance from drivers parking under residential windows, at all hours; loud music (from car stereos, and outdoor drinking venues); drunk and shouty groups, including young girls vomiting on private property at 3-4pm (not just 3-4am).
- Crime and disorder: pre-loading, and drug taking in the street, before going to clubs; dangerous driving; and violent behaviour.

This section of Leonard street is the most saturated part of the Shoreditch area, outside of SPA. It would be totally nonsensical and unbearable for local residents to allow ANOTHER venue to attract and empty inebriated customers onto this part of Shoreditch. It will have a dramatic cumulative impact that cannot be ignored.

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We are in an area that is strategically planned to undergo intensive COMMERCIAL development and provide economic growth for the Borough and London. Several sites, in the Conservation Area, are already highlighted for demolition and newbuild office construction. Very few sites are as closely surrounded by residential properties as in Leonard Street.

Developers, such as those behind Zabeel house, are driven by profit; but the profit cannot continue to be driven by Alcohol sales.

The real cost- the impact on the Local community, residents, and public resources - is unsustainably high.

Granting a further license and negligently allow ANOTHER licensed venue to attract and empty customers onto this saturated part of Leonard Street would be catastrophic in destroying trust in the council to effectively manage the area and licensed premises

Please ensure that this Licence application is viewed very carefully, it must have the most stringent conditions applied to avoid further cumulative impact.

Yours sincerely

██████████

██████████ Leonard Street EC2A ██████████



7.30am Scrutton Street, last Thursday morning..



This premises licence has been issued by:

Licensing Service  
1 Hillman Street  
London E8 1DY

## PART A – PREMISES LICENCE

### Premises Licence Number

095761

### Part 1 – Premises details

The Old Street Gallery  
62 Paul Street  
Hackney  
London  
EC2A 4NA  
020 7613 4480

### Where the licence is time limited the dates

Not Applicable

### Licensable activities authorised by the licence

Supply of Alcohol

### The times the licence authorises the carrying out of licensable activities

Supply of Alcohol	Standard Hours:
	Mon 10:00-22:00
	Tue 10:00-22:00
	Wed 10:00-22:00
	Thu 10:00-22:30
	Fri 10:00-22:30
	Sat 10:00-22:30
	Sun 10:00-22:00

### The opening hours of the premises

Standard Hours:
Mon 10:00-22:30
Tue 10:00-22:30
Wed 10:00-22:30
Thu 10:00-23:00
Fri 10:00-23:00
Sat 10:00-23:00
Sun 10:00-22:30

### 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**

Pacharin Burton  
[REDACTED]  
[REDACTED]  
[REDACTED]

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

N/A

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

Pacharin Burton

**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:** 5 July 2018

**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 customers is made aware that these measures are available.

Minimum Drinks Pricing

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

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

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

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

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

Where -

(i) P is the permitted price,

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

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

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

(i) the holder of the premises licence,

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

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

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

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

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

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

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

### **Door Supervision**

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

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

None

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

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

- e. any refusal of the sale of alcohol
  - f. any visit by a relevant authority or emergency service.
12. All instances of crime or disorder to be reported by the designated premises supervisor or responsible member of staff to an agreed police contact point, as agreed with the Police.
  13. Where the sale or supply of alcohol is taking place employees of the premises must request sight of evidence of the age of any person appearing to be under 25 years of age (Challenge 25). Such evidence may include a driving licence or passport.
  14. There shall be prominent signage requesting customers to leave the premises quietly and respect local residents.
  15. All staff will be given refresher training every twelve months on the legislation relating to the sales of alcohol to underage persons and drunken persons. Written records of this training shall be kept on the premises and produced to police or other authorised officer upon request.
  16. The premises shall adhere to Hackney Police Weapons and Drugs Policies and any updates thereof.
  17. There shall be no open containers, drinks or glasses taken outside of the premises at any time.
  18. The front of the premises shall be kept clean and swept at the close of business each day.
  19. The premises primary function is as an art gallery.
  20. All music is to be played at background level allowing a face to face conversation at normal speech level.
  21. There shall be a maximum of 90 people at the premises including staff at any one time.
  22. The licence holder shall maintain a dedicated telephone number of the DPS or Duty Manager for use by any responsible authority or any person wishing to make a complaint. This number shall be provided to the licensing authority, police or local resident upon request.
  23. Male and female SIA registered door supervisors shall be employed at the premises on an operational risk assessment basis. All door supervisors shall enter their full details in the premises daily register at the commencement of their work. They shall record their full name, home address and contact telephone number, their SIA registration number and the times they commence and conclude working. If the door supervisor is provided by an agency, the name, registered

business address and contact telephone number will also be recorded. This register will be made available to police or other authorised officer upon request.

24. Any queues that form at the premises shall be monitored by door supervisors to ensure that the footway is not blocked and kept orderly.
25. The provision of licensable activities at the premises shall at all times be ancillary to the premises operating as an art gallery.
26. There shall be no draught sales of alcohol.
27. 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.
28. 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.
29. 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.
30. 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. A final check should be made at close of business.
31. 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.
32. 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 The Old Street Gallery. 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

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

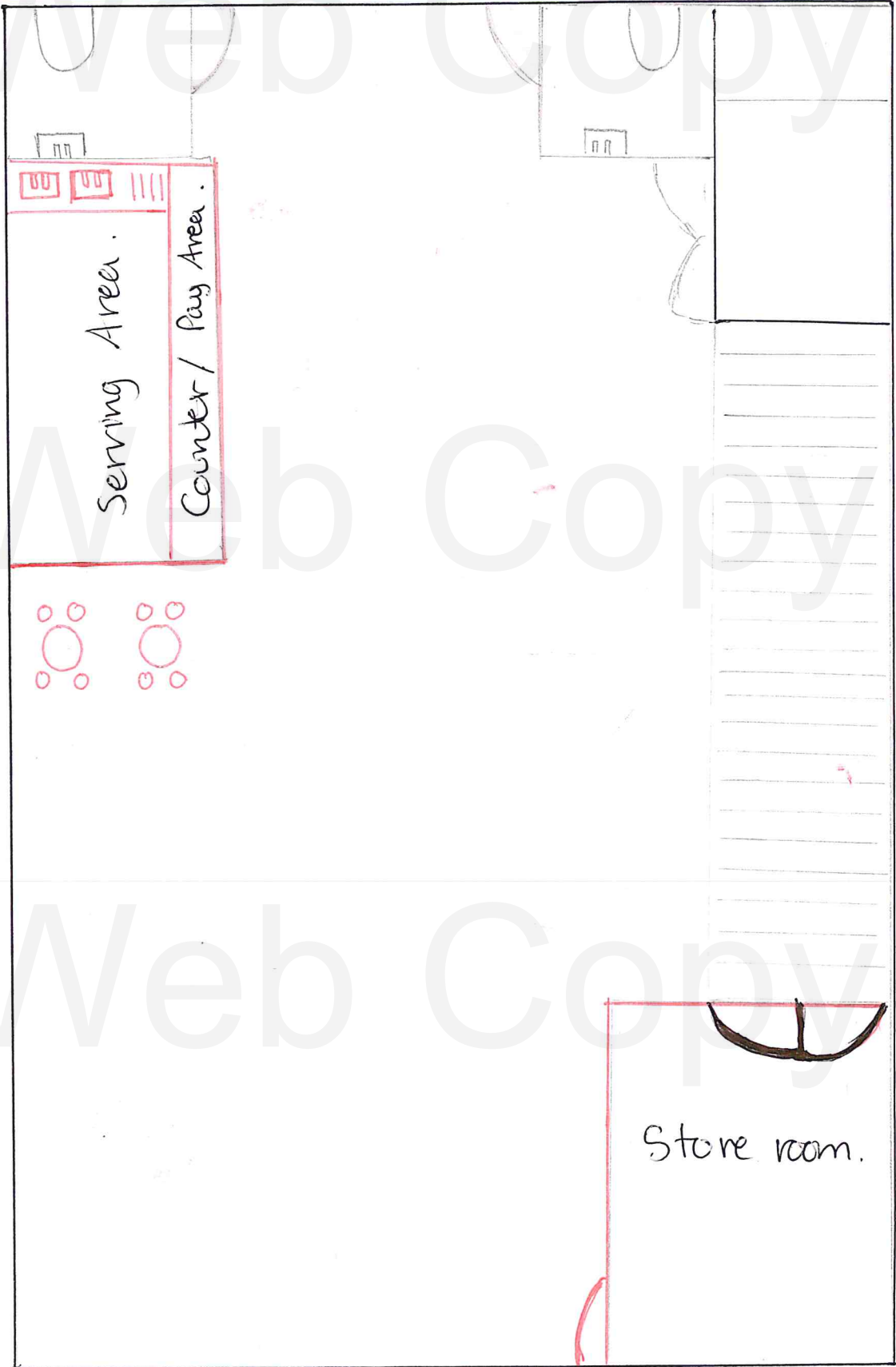
33. There shall be no more than 3 patrons smoking outside the premises at any one time.

**Annex 4 – Plans**

PLAN/095761/05/072018



# Basement.



**GENERAL NOTES:**  
 These drawings are made and prepared by Stiff + Trevillion for the Client. They are to be used in accordance with the contract documents. The Client is responsible for ensuring that the drawings are used in accordance with the contract documents and for any errors or omissions.

No. Date Revision Notes

NOTES:  
 AREAS SUBJECT TO AS BUILT SURVEY TO CONFIRM

**INFORMATION**

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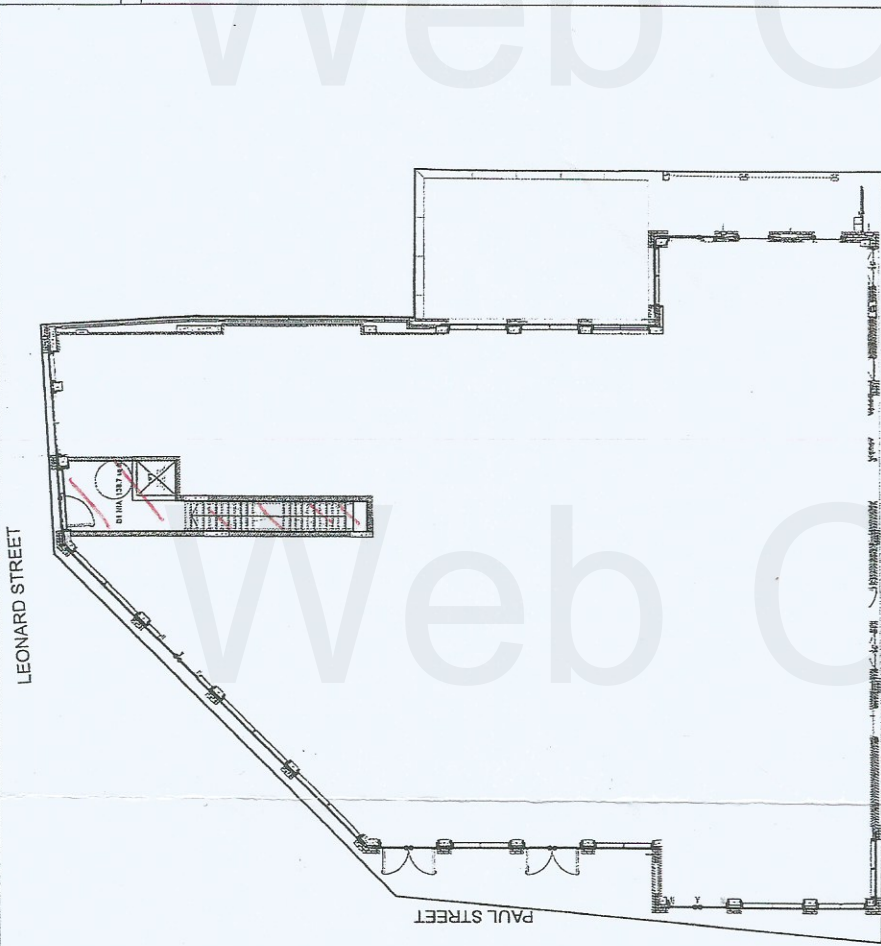
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 LONDON EC2A 4DQ

Drawn: DF UNIT

Project No: 3152

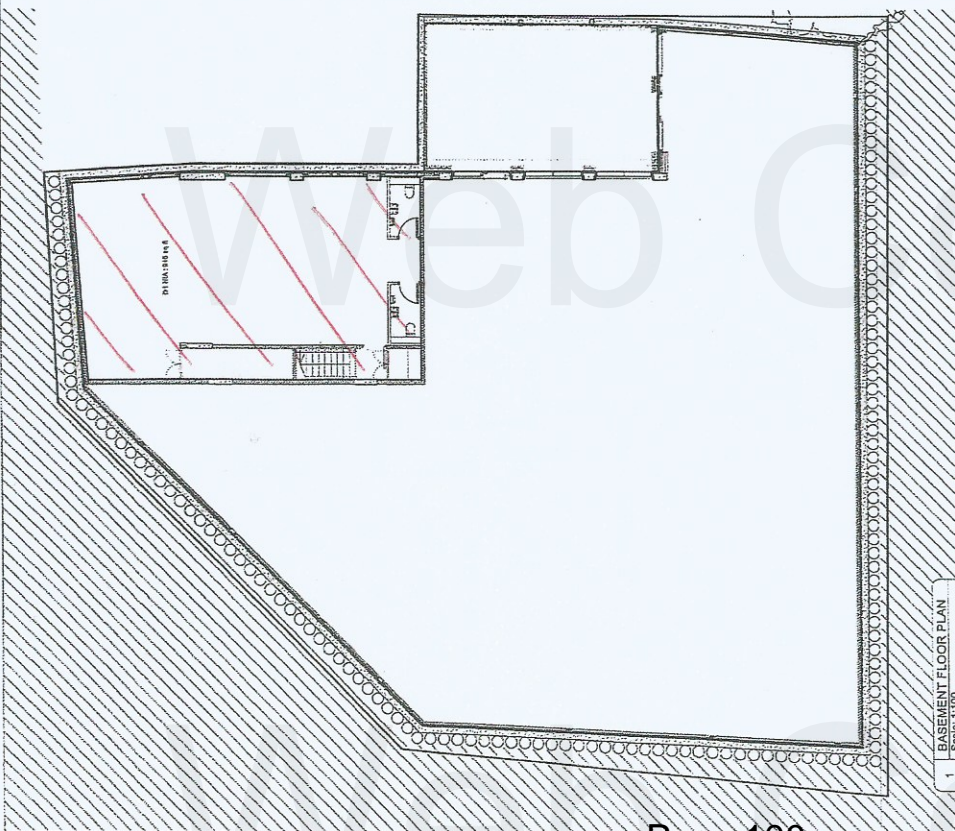
Revision: A-06-129

Date: 06/12/18



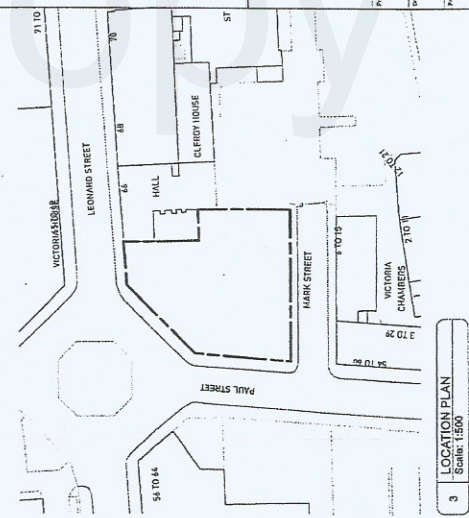
2 GROUND FLOOR PLAN  
 Scale: 1:100

**3 LEONARD CIRCUS, EC2A 4DQ  
 GROUND FLOOR PLAN**



1 BASEMENT FLOOR PLAN  
 Scale: 1:100

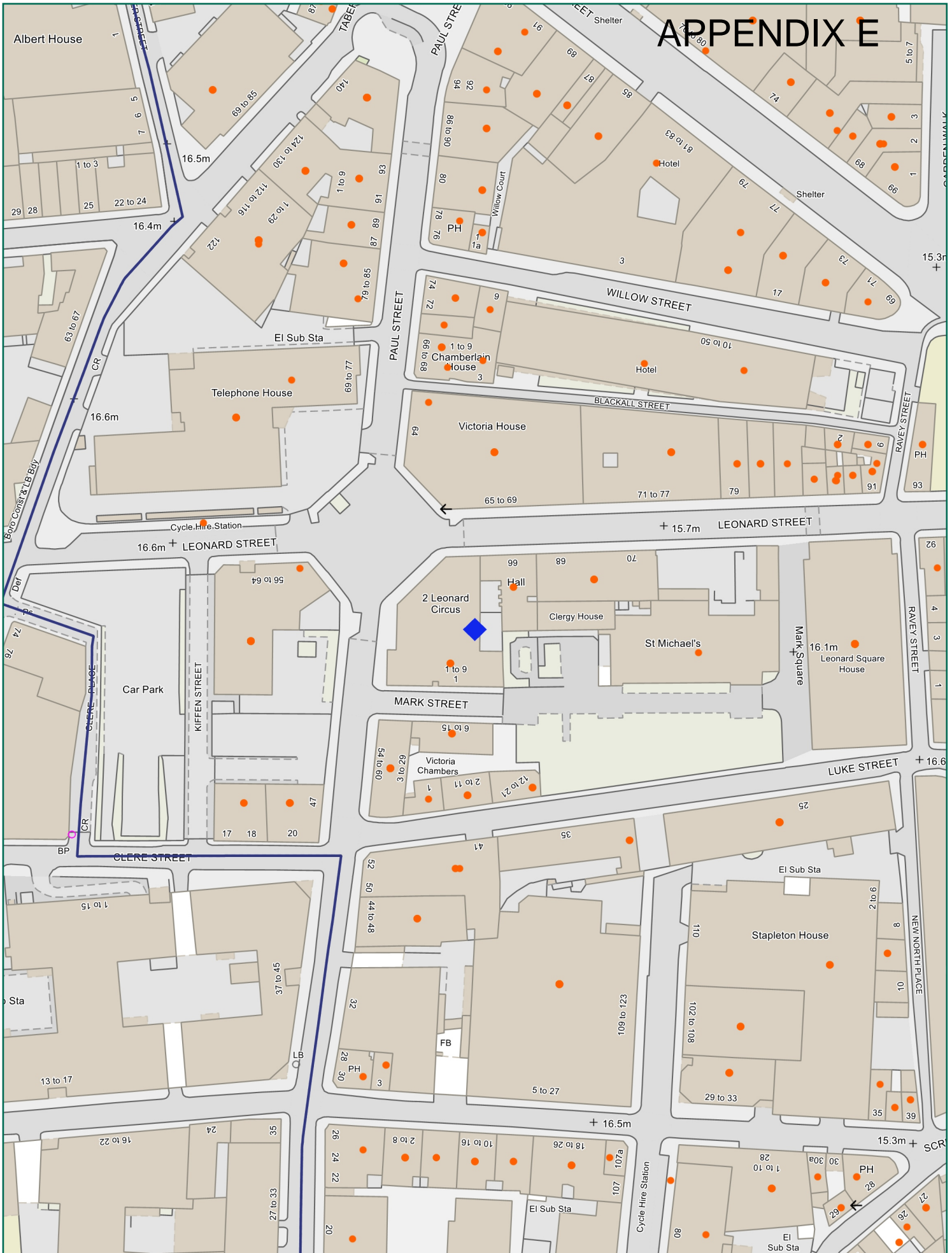
**3 LEONARD CIRCUS, EC2A 4DQ  
 BASEMENT FLOOR PLAN**



3 LOCATION PLAN  
 Scale: 1:500



# APPENDIX E



Scale: 1:1250 at A4

## The Old Street Gallery, 62 Paul Street, EC2A 4NA



Ref:  
15 November 2019

Page 101  
Product: unspecified  
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