



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

Tuesday, 21st July, 2020

at 2.00 pm

Until further notice all council meetings will be held remotely. The YouTube Live Stream Link for this meeting is as follows: <https://youtu.be/HBdL5PwSS-Y>

Councillors sitting:

**Cllr Caroline Selman, Cllr Peter Snell and
Cllr Penny Wrout (Substitute)**

**TIM SHIELDS
Chief Executive**

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

**The press and public are welcome to observe this meeting via the YouTube
Live Stream link provided**

AGENDA

Tuesday, 21st July, 2020

ORDER OF BUSINESS

Title	Ward	Page No
1 Election of Chair		
2 Apologies for Absence		
3 Declarations of Interest - Members to declare as appropriate		
4 Minutes of the Previous Meeting		(Pages 1 - 6)
5 Licensing Sub-Committee Hearing Procedure		(Pages 7 - 8)
6 APPLICATION TO VARY THE PREMISES LICENCE :The Gun, 235 Well Street, E9 6RG		(Pages 9 - 40)
7 APPLICATION FOR A PREMISES LICENCE: Dinerama, 19 Great Eastern Street, EC2A 3EJ		(Pages 41 - 120)
8 Temporary Event Notices - Standing Item		

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Licensing Sub-Committee Hearings

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

A Licensing Sub-Committee will be held if:

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

Prior to your item being heard:

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

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

Making decisions on the items being heard:

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

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

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

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

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

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

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

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

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

Before the meeting starts:

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

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

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

Attending the hearing that concerns you:

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

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

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

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

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

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

Timings

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

Rights of Press and Public to Report on Meetings

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

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

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

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

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

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

If a meeting passes a motion to exclude the press and public then in order to consider confidential or exempt information, all recording must cease and all recording equipment must be removed from the meeting. 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 cannot 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 when the application is being considered unless they have been granted dispensation.

Reports

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

Appeals

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

Withdrawal of an Item or Cancellation of a Hearing

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

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

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

Facilities

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

Contacts

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

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

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

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

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

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

ADVICE TO MEMBERS ON DECLARING INTERESTS

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

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

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

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

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

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

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

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

- Declare the existence and nature of the interest (in relation to the relevant agenda item) as soon as it becomes apparent to you (subject to the rules regarding sensitive interests).
- You must leave the meeting when the item in which you have an interest is being discussed. You cannot stay in the meeting 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 meeting 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 meeting, 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 meeting unless you have obtained a dispensation from the Monitoring Officer or Standards Committee. You cannot stay in the meeting 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 meeting. Once you have finished making your representation, you must leave the meeting 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 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 non pecuniary interest.

Further Information

Advice can be obtained from Dawn Carter-McDonald, Interim Director of Legal and Governance at dawn.carter-mcdonald@hackney.gov.uk



FS 566728

Relevant Extracts from Hackney's Statement of Licensing Policy

Please find below relevant extracts from the Statement of Licensing Policy 2018.

LP1 General Principles

The Council expects applicants to demonstrate:

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

LP2 Licensing Objectives

Prevention of Crime and Disorder

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

Public Safety

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

Prevention of Public Nuisance

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

Protection of Children from Harm

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

LP3 Core Hours

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

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

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

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

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

LP4 Off' Sales of Alcohol

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

LP5 Planning Status

Licence applications should normally be from premises where:

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

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

LP6 External Areas and Outdoor Events

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

LP7 Minor Variations

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

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

LP8 Temporary Event Notices

When considering an objection to a TEN the Council will:

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

LP9 Personal Licences

(a) The Council will consider whether a refusal of the licence is appropriate for the promotion of the crime prevention objective and will consider the:

- (i) Seriousness and relevance of any conviction(s)
- (ii) The period that has elapsed since committing the offence(s)
- (iii) Any mitigating circumstances that assist in demonstrating that the crime prevention objective will not be undermined.

LP10 Special Policy Areas – Dalston and Shoreditch

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

It should also be noted that the;

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

May not be in itself sufficient.

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

LP11 Cumulative Impact – General

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

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MINUTES OF A MEETING OF THE LICENSING SUB COMMITTEE E

TUESDAY, 4TH FEBRUARY, 2020

Councillors Present: Cllr Peter Snell (Chair) and Cllr Caroline Selman

Apologies: Cllr Sophie Cameron

Officers in Attendance: Amanda Nauth (Corporate Lawyer), Mike Smith (Principal Licensing Officer), David Tuitt (Licensing Authority Representative), Natalie Williams (Governance Services Officer)

Also in Attendance: Mr Muhammed Haseeb - Applicant
PC Kerry Ryan – Hackney Licensing Police

1 Election of Chair

1.1 Councillor Snell, was duly elected as Chair of the Sub Committee following which, members and officers introduced themselves.

2 Apologies for Absence

2.1 Apologies for absence were received from Councillor Cameron.

3 Declarations of Interest - Members to declare as appropriate

3.1 There were no declarations of interest.

4 Licensing Sub-Committee Hearing Procedure

4.1 The procedure to be followed was outlined by the Chair as set out on page 1 of the agenda pack.

5 Application for a Premises Licence: Hoxton Chicken & Pizza Ltd, 94 Hoxton Street, N1 6LP

5.1 Mike Smith, Principal Licensing Officer, introduced the report in respect of a premises licence application to authorise the provision of late night refreshment Monday-Thursday 23.00-00.00 and Friday and Saturday 23.00-02.00 as set out on page 3 of the agenda pack. It was noted that Responsible Authority representation had been received from the Police and Licensing Authority. A

Planning informative had also been submitted by the Planning Authority. The Sub Committee also noted the additional information that had been circulated from the Police.

- 5.2 Mr Muhammed Haseeb, applicant, made submissions. He stated that he operated two fast food take away businesses, one of which was located in a neighbouring borough. Due to increased rents, in order to make his business financially viable he would require longer trading hours. The business was described as a fast food takeaway chicken shop which also offers a delivery service. Mr Haseeb stated that there was minimal demand and trade during the daytime and that most of the trade was during the evening. He confirmed that there was one delivery driver who was directly employed by him and not via a third party service.
- 5.3 In direct response to the breaches of the licence witnessed by the Police and detailed in the additional material circulated ahead of the hearing, Mr Haseeb accepted responsibility for the first breach on 1st January 2020 where the sale of hot food beyond the terminal hour was witnessed. In relation to subsequent breaches, he vehemently denied these occurring and stated that the shop was closed and he was giving free food to a friend, which was witnessed Police.
- 5.4 It was noted that the Police had submitted Responsible Authority representation attached at Appendix B2 of the agenda pack. In addition, the Police had circulated additional information in the form of three warning letters prior to the hearing which were sent to the applicant after three separate breaches were witnessed by patrolling police. The letters pertained to the sale of food beyond the terminal hour of 23.00hours on the following dates:
- 1st January 2020 – witnessed the sale of hot food at 04.40hours
 - 11th January 2020 – witnessed the sale of hot food at 00.05hours
 - 24th January 2020 – witnessed the sale of hot food at 00.36hours and deliveries in operation
- 5.5 PC Kerry Ryan made submissions. She informed the Sub Committee that her colleague, PC Atkins had completed the initial representation contained at Appendix B2 of the agenda pack. However she had visited the premises every Friday since New Year's Eve. It was explained that on the first breach, the shop was open, trading and making deliveries past the terminal hour of 23.00 hours and up until 04.40 hours. Regarding the second and third breaches, whilst on first appearances the premises appeared to be closed as shutters were down, patrons were still entering, purchasing food and deliveries were still taking place. On exiting patrons were approached and confirmed that they had purchased food from within the premises.
- 5.6 PC Ryan reported that on speaking to the applicant at the time of the 3rd breach, Mr Haseeb requested that the Police pretend that they had not seen observed any breaches. PC Ryan confirmed that there was body cam footage available as evidence.
- 5.7 The Sub Committee noted that PC Kerry Ryan had explained to the applicant that additional hours could be legitimately used through the Temporary Events Notices (TEN's) procedure.

- 5.8 PC Ryan expressed concern that the applicant was not an honest and responsible operator. Further concerns were also raised regarding the applicant's ability to grasp the magnitude of the situation, engage in the application process and promote the licensable objectives. It was explained that Mr Haseeb had made no attempts to contact the Police following the representations made and the warning letters issued. The Sub Committee was informed that should further breaches be witnessed, the Police would proceed to the next step which would be prosecution.
- 5.9 PC Ryan explained that the Police's stance had changed from objection on the grounds of; the prevention of crime and disorder, public safety, the prevention of public nuisance and the protection of children from harm, which was submitted at the time of their original representation attached at Appendix B2 to recommending the licence be refused due to non-compliance.
- 5.10 David Tuitt, Licensing Authority representative, made submissions. It was stated that he shared similar concerns as raised by the Police. The Licensing Authority had objected to the application on the grounds of the prevention of crime and disorder and the prevention of public nuisance. Concerns were expressed relating to the application for hours outside of the core hours (LP3) and in relation to dispersal and loitering of patrons.
- 5.11 The Sub Committee heard that the Licensing Service, had undertaken two test purchases (July and October 2019) and on both occasions were able to purchase food after the terminal hour of 23.00 hours. David Tuitt informed the Sub Committee that not all evidence of breaches had been presented to Members as some may be relied upon in the event of a trial.
- 5.12 In response to points of clarity raised by the Chair, David Tuitt, informed the Sub Committee that the Macbeth Pub is a nearby licensed premises which is the most likely place that will generate patrons and exacerbate problems of loitering. It was noted that the applicant had one delivery driver and did not use a third party service for its deliveries. Subsequently, there was minimal concern about delivery drivers congregating around their vehicles/motor bikes and causing public nuisance.
- 5.13 In response to a point of clarity from the Sub Committee, David Tuitt confirmed that to his knowledge, there had not been any complaints from residents.
- 5.14 Following submissions from all relevant parties, and points of clarity from the Sub Committee, a discussion of the application ensued, during which the following points were raised:
- It was noted that there was a Planning informative at Appendix B1, and that there was no planning permission in place for the provision of late night refreshment.
 - The suggestion that the business was not viable without the additional hours cannot be prioritised above the need to operate legally and promote the licensable objectives.

- The applicant explained that he did not fully understand the process and expressed disappointment that he did not receive additional help and support.
- Mike Smith, Principal Licensing Officer explained that the applicant received proper advice as given to all applicants and additional support was given to ensure that the application was acceptably presented.
- The Sub Committee expressed concerns about the applicant's ability to meet the requirements of the licence after multiple breaches had been witnessed by the Police and Licensing Service.
- The applicant offered apologies for breaches and reassurances that he would correct the situation going forward.
- The applicant confirmed that he did not fully understand the TEN process and stated that he had attempted to contact the Police-which was refuted.
- David Tuitt confirmed that following the test purchases, letters were sent to the applicant via recorded delivery. However the investigation was put on hold and no further action was taken due to the application process.
- Concerns were expressed by the Sub Committee and Responsible Authorities relating to the applicant's understanding of the; process, requirements of the licence, licensing objectives, roles of responsible authorities and the responsibilities of a licensee.
- It was explained to the applicant that he could have chosen to seek help and representation from a friend if legal representation was not an option.

- 5.15 In his closing submission, David Tuitt retained his objections and concerns, whilst expressing sympathy for the applicant's seeming lack of understanding. He informed the Sub Committee that he did not have confidence that the applicant would operate the licence, with the additional hours requested, responsibly.
- 5.16 In her closing submission, PC Kerry Ryan requested that the application be refused as the applicant had made very little effort to engage with the Responsible Authorities and had shown a consistent and blatant disregard for the law.
- 5.17 In his closing submission, the applicant requested that the Sub Committee be mindful to agree the application with the additional hours requested.

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

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

The application for a premises licence for late night refreshment has been refused having regard to the Council's Statement of Licensing Policy, in particular LP1, LP2, LP3 and LP5.

Reasons for the decision

The Licensing sub-committee after hearing the representations made by the

Metropolitan Police, and the Licensing Service were of the view that the licensing objectives would be undermined if the application was granted. This was because of the concerns raised by the Metropolitan Police and the Licensing Service which had not been properly addressed by the applicant at the hearing.

The Licensing sub-committee took into consideration that the applicant had operated without a licence recently on three separate occasions in January 2020, and had been sent warning letters after each incident from the Metropolitan Police as to the same. In addition there were previous concerns reported to the Licensing Service who investigated the complaints in July 2019.

The sub-committee noted that the applicant had not contacted the Metropolitan Police following the recent warning letters or sought to discuss the matter with them.

In addition, the sub-committee had real concerns about the current operation of the premises, given the complaints surrounding the current management and their track record.

The Licensing sub-committee in making their decision did not have sufficient confidence in the applicant's ability to comply with the requirements of a premises licence in accordance with the Council's Statement of Licensing Policy.

As such, in refusing the application, the sub-committee had serious doubts about the applicant's ability to promote the licensing objectives, given the applicant's failure to comply with the law.

In making this decision the Licensing sub-committee noted that this does not prevent the applicant from continuing to trade until 11pm every day and providing that the applicant can demonstrate that they can operate in a manner that would not undermine the licensing objectives going forward, this may be taken into account with regards to any future application that may be made.

It was also noted that there is scope for the applicant to apply for extra hours under a Temporary Event Notice (TEN), which is unlikely to receive objections from the Responsible Authorities, if the applicant is able to demonstrate he can operate the premises under his current permitted hours, and following a period of continuous compliance.

Public Informative

The applicant is reminded that if they consider submitting an application again in the future that they should consult with the Responsible Authorities, including the Metropolitan Police and the Council's Planning Services to address any of their concerns relating to his application for a premises licence to provide late night refreshment.

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

6 Temporary Event Notices - Standing Item

There were no Temporary Event Notices for consideration.

Duration of the meeting: Times Not Specified

Signed

.....

Chair of Committee

Contact:

Governance Services Officer:
Tel 020 8356 8407

Agenda Item 5

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

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

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

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REPORT OF THE GROUP DIRECTOR, NEIGHBOURHOODS AND HOUSING		
LICENSING SUB-COMMITTEE: 21/07/2020	Classification DECISION	Enclosure
APPLICATION TO VARY THE PREMISES LICENCE : The Gun, 235 Well Street, E9 6RG	Ward(s) affected Homerton	

1. SUMMARY

Applicant(s) Locals Club Limited	In SPA No
Date of Application 1 June 2020	Period of Application Permanent
Proposed variation: To include off-sales of alcohol	
Proposed hours for licensable activity	
Supply of Alcohol (Off-sales)	Standard Hours: Mon 10:00-23:30 Tue 10:00-23:30 Wed 10:00-23:30 Thu 10:00-23:30 Fri 10:00-00:30 Sat 10:00-00:30 Sun 10:00-23:30 Non-Standard Hours: On each public holiday and on a Sunday preceding a bank holiday 10:00 to 00:30
The opening hours of the premises:	
Standard Hours: Mon 10:00-00:00 Tue 10:00-00:00 Wed 10:00-00:00 Thu 10:00-00:00 Fri 10:00-01:00 Sat 10:00-01:00 Sun 10:00-00:00 On each public holiday and on a Sunday preceding a bank holiday 10:00 to 01:00	

Current activities/hours: See Appendix C	
Capacity: not known	
Policies Applicable	LP1 (General Principles), LP2 (Licensing Objectives), LP3 (Core Hours), LP4 ('Off' Sales of Alcohol)
List of Appendices	A – Application for variation of premises licence and supporting documents B – Representations from responsible authorities C – Current licence D – Location map
Relevant Representations	<ul style="list-style-type: none"> • Environmental Health Authority (Environmental Protection and Environmental Enforcement) • Police • Licensing Authority

2. APPLICATION

- 2.1 Locals Club Limited has made an application vary their premises licence under the Licensing Act 2003:
- To include supply of alcohol for consumption **off** the premises
- 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 premises are a traditional public house and have been in possession of a premises licence since the introduction of the Licensing Act 2003. A new (current) licence was granted in 2015 in view of the extent of changes of layout of the premises.
- 3.2 TENs have been submitted in respect of the premises in the current calendar year as follows.

<u>Dates</u>	<u>Times</u>
03/02/20	00:00 - 01:30
16/02/20	01:00 – 03:00
05-07/06/20	12:00 – 20:30
13-14/06/20	13:00 – 21:00
20-21/06/20	13:00 – 21:00
26-27/06/20	13:00 – 21:00
28/06/20	13:00 – 20:30

4. REPRESENTATIONS: RESPONSIBLE AUTHORITIES

From	Details
Environmental Health Authority (Environmental Protection)	Representation withdrawn following acceptance of proposed conditions (see para 8.2 below)
Environmental	Representation received on the grounds of the

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

5. REPRESENTATIONS: OTHER PERSONS

5.1 None

6. GUIDANCE CONSIDERATIONS

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

7. POLICY CONSIDERATIONS

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

7.2 The Policy applies to applications where relevant representations have been made. With regard to this application, policies LP1 (General Principles), LP2 (Licensing Objectives), LP3 (Core Hours) and LP4 ('Off' Sales of Alcohol) 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:

Conditions derived from operating schedule

1. The collection of drinks at the front of the premises shall not go beyond 21:00

2. Notices shall be prominently displayed at all exits requesting patrons to respect the needs of local residents and businesses and leave the area quietly.
3. The designated smoking area shall be located to the front of the premises overlooking Well Street and Cresset Road, maybe used as a secondary smoking
4. Queuing should take place on Well Street. Additional queuing may take place on Cresset Road until 21.00 hrs only.
5. The Licensee shall ensure that all staff are fully trained and made aware of the legal requirement of businesses to comply with their responsibility as regards the disposal of waste produced from the business premises. The procedure for handling and preparing for disposal of the waste shall be in writing and displayed in a prominent place where it can be referred to at all times by staff.
6. 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.
7. The Licensee's premises are situated in an area within which refuse may only be left on the public highway at certain times (time bands). If the Licensee's waste carrier cannot or does not comply by collecting the refuse within an hour after the close of any time band imposed by the waste authority, the Licensee must remove the refuse from the public highway and/or keep it within the premises until such time as his/her waste carrier arrives to collect the refuse.
8. The Licensee shall instruct members of staff to make regular checks of the area immediately outside the premises and remove any litter, bottles and glasses emanating from the premises. A final check should be made at close of business
9. 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.
10. 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 Gun. 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

9. REASONS FOR OFFICER OBSERVATIONS

9.1 Additional condition 1 derives from the applicant's operating schedule. Conditions 2 to 4 have been proposed by Environmental Protection and have been accepted by the applicant. Conditions 5 to 10 have been proposed by Environmental Enforcement.

10. LEGAL COMMENTS

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

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

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

11. HUMAN RIGHTS ACT 1998 IMPLICATIONS

11.1 There are implications to;

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

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

LIST OF BACKGROUND PAPERS RELATING TO THIS REPORT

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

Description of document	Location
The Gun 235 Well Street, E9 6RG	Hackney Service Centre Licensing Service 1 Hillman Street London E8 1DY

Printed matter

Licensing Act 2003

LBH Statement of Licensing Policy

APPENDIX A

Hackney

LA07

Application to vary a premises licence under the Licensing Act 2003

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/
W
e

Locals Club Limited

(Insert name(s) of applicant)

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

Premises licence number

067240

Part 1 – Premises Details

The Gun
235 Well St
Hackney

Post town London

Postcode E9 6RG

Telephone number at premises (if any)

██████████

Non-domestic rateable value of premises

£

Part 2 – Applicant details

Daytime contact telephone number

██████████

E-mail address (optional)

██

Current postal address if different from premises address	<div style="background-color: black; width: 100px; height: 15px; margin-bottom: 5px;"></div> <div style="background-color: black; width: 150px; height: 15px; margin-bottom: 5px;"></div> <div style="background-color: black; width: 110px; height: 15px; margin-bottom: 5px;"></div> <div style="background-color: black; width: 70px; height: 15px; margin-bottom: 5px;"></div>		
Post town	<div style="background-color: black; width: 60px; height: 15px;"></div>	Postcode	<div style="background-color: black; width: 60px; height: 15px;"></div>

Part 3 – Variation

Please tick as appropriate
Do you want the proposed variation to have effect as soon as possible? <input checked="" type="checkbox"/> Yes No

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

Do you want the proposed variation to have effect in relation to the introduction of the late night levy? (Please see guidance note 1) Yes No

<p>Please describe briefly the nature of the proposed variation (Please see guidance note 2)</p> <p>Due to the nature of the CoVid 19 outbreak we require an off license to be able to trade during the licensed premises lockdown. It will allow us to sell beverages for patrons to receive either by delivery or collection to take home.</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:

Part 4 Operating Schedule

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

Provision of regulated entertainment (Please see guidance note 3)

Please tick all that apply

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

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

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



In all cases complete boxes K, L and M

J

Supply of alcohol Standard days and timings (please read guidance note 8)			Will the supply of alcohol be for consumption – please tick (please read guidance note 9)	On the premises	
				Off the premises	<input checked="" type="checkbox"/>
				Both	
Day	Start	Finish	State any seasonal variations for the supply of alcohol (please read guidance note 6)		
Mon	10:00	23.30			
Tue	10:00	23.30			
Wed	10:00	23.30			
Thur	10:00	23.30	Non-standard timings. Where you intend to use the premises for the supply of alcohol at different times to those listed in the column on the left, please list (please read guidance note 7) With regards to drinks collection the front of the pub we only intend to use until 20.30 / 21 at THE VERY LATEST As if people are collecting drinks to take home then it will be have with dinner(during covid) On each public holiday and on each Sunday proceeding a bank holiday up to 00.30 hours.		
Fri	10:00	00.30			
Sat	10:00	00.30			
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).

L

Hours premises are open to the public Standard days and timings (please read guidance note 8)			State any seasonal variations (please read guidance note 6)
Day	Start	Finish	
Mon	10:00	00:00	Non-standard timings. Where you intend the premises to be open to the public at different times from those listed in the column on the left, please list (please read guidance note 7) On each public holiday and on each Sunday proceeding a bank holiday up to 01.00 hours.
Tue	10:00	00:00	
Wed	10:00	00:00	
Thur	10:00	00:00	
Fri	10:00	01:00	
Sat	10:00	01:00	
Sun	10:00	00:00	

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

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)

Due to the nature of social distancing and the difficulty being experienced by police during this period, any off sales will be advertised as collection to take away. On the recommendation of the police we have purchased 300 500ml lidded jars for cocktail and general beverage dispense. We would clearly signpost our queue with black and yellow tape on the floor. We would clearly display rules regarding social distancing and dispersal. The DPS would assume control of dispersal inter-action with customers.

b) The prevention of crime and disorder

We would, as always, only sell to the responsible and non inebriated with a challenge 21 policy as standard. We package our containers safely with padding in a opaque brown labelled food bag. We have a impeccable track record regarding crime and police incidents at our premises. I am a 20 years experienced licensee. We have a good relationship with local police regarding our practices and incident management.

c) Public safety

Clear visible guidelines for customers regarding social distancing (taped area) and signposted and verbalised dispersal. Sensible packaging, good verbal communication with customers

d) The prevention of public nuisance

keeping the area out side of the pub tidy, quiet and closing early (830.pm) DPS intermittently patrolling the outside areas maintaining noise levels, dispersal flow and litter management.

e) The protection of children from harm

We would keep the well street side of the premises clear as that it where kids walk past with parents and is narrower than cresset rd (where our queue would form).. Good queue and patron management would ensure no children near the queue or near the pub in general

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	Nicholas Stephens
Date	27.05.20
Capacity	director / DPS

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

Signature	
Date	
Capacity	

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

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

Notes for Guidance

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

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

RESPONSIBLE AUTHORITY REPRESENTATION: APPLICATION UNDER THE LICENSING ACT 2003

RESPONSIBLE AUTHORITY DETAILS

NAME OF AUTHORITY	London Borough of Hackney
ADDRESS OF AUTHORITY	Community Safety & Enforcement Service First Floor Hackney Service Centre 1 Hillman Street London E8 1DY
CONTACT NAME	Jacey Frewin
TELEPHONE NUMBER	020 8356 4567
E-MAIL ADDRESS	jacey.frewin@hackney.gov.uk

APPLICATION PREMISES

NAME & ADDRESS OF PREMISES	The Gun 235 Well Street London E9 6RG
NAME OF APPLICANT	Locals Club Limited

COMMENTS

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

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

Representation in relation to:

ENVIRONMENTAL LICENCE CONDITIONS IN RESPECT OF

The Gun,
235 Well Street, London E9 6RG

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

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

We have received complaints in the past regarding littering and build-up of waste in the area. Experience has also shown that there is the probability that there will be cigarette litter outside these premises due to the smoking ban and that it is possible that glasses and bottles may be left outside by patrons.

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

Contact Jacey Frewin by email if necessary

Name: Jacey Frewin

Date: 01/06/2020

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

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

APPLICATION PREMISES

NAME & ADDRESS OF PREMISES	The Gun 235 Well Street London E9 6RG
NAME OF PREMISES USER	Locals Club Limited

COMMENTS

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

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

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

Police make the following representations for the premises variation application at 235 Well Street.

The venue is one of a number of premises that is situated on a one way street. The rear of the venue backs on to a residential estate and a number of the venues along the street are themselves situated below residences.

The applicant has applied for the addition of off sales to the licence stating that they only intend to use the front of the pub for drinks collections until 2030hours and 2100hours at the latest.

The venue has operated on a number of Temporary event notices allowing to sell off sales during the current lockdown. However, it has been brought to the attention of Police that a number of residents have made several complaints to the local councillor regarding the venue stating that customers are not dispersing and congregating in the street to consume their drinks. They have been blocking the street for vehicles, particularly Cresset Road, been abusive to people and making a lot of noise, disturbing residents and other shops

The applicant has stated that they will intermittently patrolling the area to maintaining noise levels, dispersal flow and litter management. It is the concern of Police that despite this being the intention of the applicant this is doing little to minimise any impact on the local community.

Police appreciate that the request for the addition of off sales of alcohol is sought as a measure during the COVID-19 crisis to allow the premises to trade. However, this addition will permanently remain on the premises licence and it is the concern of the Police the addition of off sales will undermine the licensing objectives in particular Public nuisance, public safety and Crime and disorder.

.

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
PC1505CE ATKINS (By E-mail)

Name (printed)

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

B3

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 Gun 235 Well Street London E9
NAME OF APPLICANT	Locals Club Limited

COMMENTS

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

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

Representation in relation to:

I write to make a representation in relation to this application as the proposal could have a negative impact on the promotion of the licensing objectives. It is not clear from the application what the applicant seeks in terms of hours/activity etc. Attention is also drawn to the following extract from the Council's Licensing Policy:

LP4 'Off' Sales of Alcohol

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

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

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

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

Further discussion with the applicant in relation to the proposal and measures to promote the licensing objectives.

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

Date: 29/06/2020

APPENDIX C



This premises licence has been issued by:

Licensing Service
2 Hillman Street
London E8 1FB

PART A – PREMISES LICENCE

Premises Licence Number

067240

Part 1 – Premises details

The Gun
235 Well Street
London
E9 6RG
020 8986 9721

Where the licence is time limited the dates

Not Applicable

Licensable activities authorised by the licence

Recorded Music
Supply of Alcohol

The times the licence authorises the carrying out of Licensable activities

Recorded Music **Standard Hours:**

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

Non-Standard Hours:

On each public holiday and on each Sunday proceeding a bank holiday up to 01.00 hours.

Supply of Alcohol Standard Hours:

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

Non-Standard Hours:

On each public holiday and on each Sunday proceeding a bank holiday up to 00.30 hours.

The opening hours of the premises

Premises Standard Hours:

Mon 10:00-00:00
Tue 10:00-00:00
Wed 10:00-00:00
Thu 10:00-00:00
Fri 10:00-01:00
Sat 10:00-01:00
Sun 10:00-00:00

Non-Standard Hours:

On each public holiday and on each Sunday proceeding a bank holiday up to 01.00 hours.

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

Local Club Limited
259 London Road
Chippenham
SN15 3AR

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

08773896

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

Nicholas Patrick Stephens

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: 14 April 2015

Signed:

**David Tuitt
Team Leader - Licensing**

Annex 1 - Mandatory Conditions

Supply of Alcohol

1. No supply of alcohol may be made under the premises licence:
 - (a) At a time when there is no designated premises supervisor in respect of the premises licence.
 - (b) At a time when the designated premises supervisor does not hold a personal licence or his personal licence is suspended.
2. Every supply of alcohol under the premises licence must be made or authorised by a person who holds a personal licence.
3.
 - (1) The responsible person must ensure that staff on relevant premises do not carry out, arrange or participate in any irresponsible promotions in relation to the premises.
 - (2) In this paragraph, an irresponsible promotion means any one or more of the following activities, or substantially similar activities, carried on for the purpose of encouraging the sale or supply of alcohol for consumption on the premises -
 - (a) games or other activities which require or encourage, or are designed to require or encourage, individuals to;
 - (i) drink a quantity of alcohol within a time limit (other than to drink alcohol sold or supplied on the premises before the cessation of the period in which the responsible person is authorised to sell or supply alcohol), or
 - (ii) drink as much alcohol as possible (whether within a time limit or otherwise);
 - (b) provision of unlimited or unspecified quantities of alcohol free or for a fixed or discounted fee to the public or to a group defined by a particular characteristic in a manner which carries a significant risk of undermining a licensing objective;
 - (c) provision of free or discounted alcohol or any other thing as a prize to encourage or reward the purchase and consumption of alcohol over a period of 24 hours or less in a manner which carries a significant risk of undermining a licensing objective;
 - (d) selling or supplying alcohol in association with promotional posters or flyers on, or in the vicinity of, the premises which can reasonably be considered to condone, encourage or glamorise anti-social behaviour or to refer to the effects of drunkenness in any favourable manner.
 - (e) dispensing alcohol directly by one person into the mouth of another (other than where that other person is unable to drink without assistance by reason of a disability).
4. The responsible person must ensure that free potable water is provided on request to customers where it is reasonably available.
5. 5.1. The premises licence holder or club premises certificate holder must ensure that an age verification policy is adopted in respect of the premises in relation to the sales or supply of alcohol.

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

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

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

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

Minimum Drinks Pricing

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

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

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

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

(i) P is the permitted price,

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

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

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

(i) the holder of the premises licence,

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

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

(d) "relevant person" means, in relation to premises in respect of which there is in force a club premises certificate, any member or officer of the club

present on the premises in a capacity which enables the member or officer to prevent the supply in question; and
(e) "value added tax" means value added tax charged in accordance with the Value Added Tax Act 1994.

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

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

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

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

9. The licensee shall ensure that noise or vibration shall not emanate from the premises or from any associated external area from any equipment, machinery or live performance such as to cause persons in the neighbourhood to be disturbed
10. The licensee shall ensure that the sound system shall at all times be routed through a Sound Limiting Device. The Sound Limiting Device shall be kept in a secure, lockable cupboard or similar location. The system is to be completely independent of control by persons other than the Licensee/DPS.
11. The Sound Limiting Device shall be set and calibrated by an Acoustic Consultant. A copy of calibration certificate shall be forwarded to the Community Safety Team prior to the coming into force of the variation being sought.
12. The premises shall install and maintain a comprehensive CCTV system as per the minimum requirements of a Metropolitan Police Crime Prevention Officer. All entry and exit points will be covered enabling frontal identification of every person entering in any light condition. The CCTV system shall continually record whilst the premises is open for licensable activities and during all times when customers remain on the premises. All recordings shall be stored for a minimum period of 31 days with date and time stamping. Recordings shall be made available immediately upon the request of Police or authorised officer throughout the preceding 31-day period.

13. There shall be a staff member from the premises who is conversant with the operation of the CCTV system on the premises at all times when the premises are open to the public. This staff member must be able to show a Police or authorised council officer recent data or footage when requested.
14. Signs will be prominently displayed at all exit points reminding customers to leave quietly and respect local residents.
15. Signs will be prominently displayed in any smoking areas reminding customers to leave quietly and respect local residents.
16. A Challenge 25 proof of age scheme shall be operated at the premises where the only acceptable forms of identification are recognised photographic identification cards, such as driving licence or passport.
17. There shall be a personal licence holder on duty whenever alcohol is being sold.
18. An incident log shall be kept at the premises, and made available on request to an authorised officer of the council or the police, which will record the following.
 - a. All crimes reported:
 - b. All ejections of patrons
 - c. Any complaints received.
 - d. Any incidents of disorder.
 - e. Seizure of drugs or offensive weapons.
 - f. Any faults in the CCTV system or searching equipment or scanning equipment.
 - g. Any refusal of the sale of alcohol.
 - h. Any visit by a relevant authority or emergency service.
19. The premises will have a written dispersal policy that ensures that all patrons exiting the venue are encouraged to leave the area quickly and quietly.
20. Premises to operate zero tolerance policy to drugs and comply with Hackney Police Drugs, Weapons and Theft policy where appropriate.
21. 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. There shall be written records kept which can be produced to a police officer or other authorised officer upon request.
22. No noise shall emanate from the premises nor vibration be transmitted through the structure of the premises which gives rise to a nuisance.
23. No waste or recyclable materials including bottles, shall be moved, removed from or placed in outside areas between 2300hrs and 0800hrs on the following day.

24. Patrons will not be allowed to take drinks, glass or open containers outside of the building at any time.
25. After 22:30 hours there shall be a maximum of 6 smokers outside the venue at any one time.

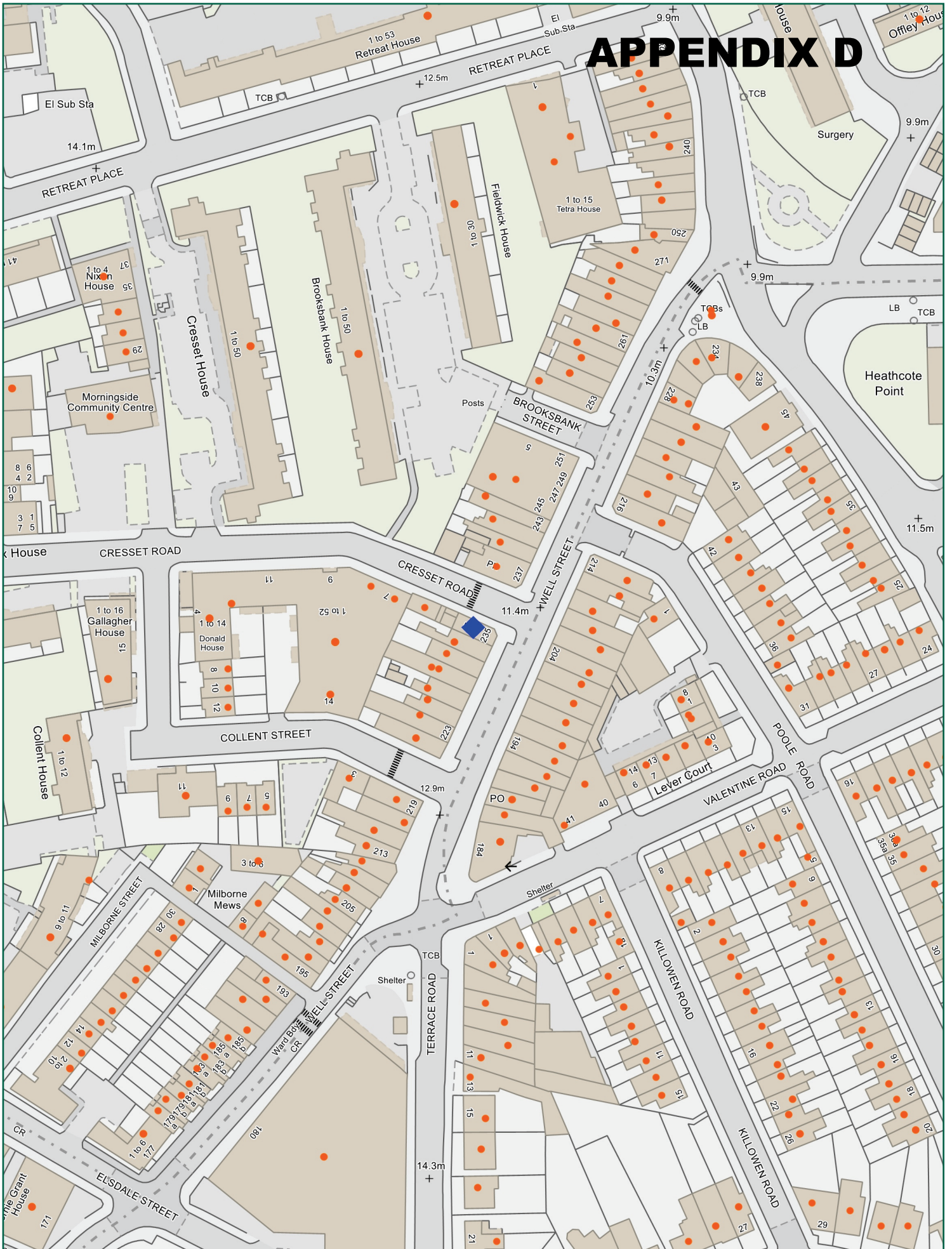
Annex 3 – Conditions attached after a hearing by the licensing authority

26. First floor terrace area to be seated only with no standing and a maximum of 20 persons.
27. Alcohol may only be consumed outside whilst seated at tables.
28. The outside areas shall not be used after 22:30 hours except for smokers.
29. SIA registered door supervisors to be employed on a continual operational risk assessment basis. All door supervisors shall enter their full details in the premises daily register at the commencement of their work. They shall record their full name, home address and contact telephone number, their SIA registration number, and the time they commence and conclude working. If the door supervisor was provided by an agency the name, registered business address and contact telephone number will also be recorded. This register will be made available to police of authorised officer immediately upon request.

Annex 4 – Plans

PLAN/067240/160215 (A)
PLAN/067240/160215 (B)

APPENDIX D



Scale: 1:1250 at A4



Ref:

13 July 2020

Page 40

From: [unspecified]

email:

please specify copyright statement



REPORT OF GROUP DIRECTOR, NEIGHBOURHOODS AND HOUSING		
LICENSING SUB-COMMITTEE: 21/07/2020	Classification DECISION	Enclosure
Application for a Premises Licence Dinerama, 19 Great Eastern Street, EC2A 3EJ	Ward(s) affected Hoxton East & Shoreditch	

1. SUMMARY

Applicant(s) Street Feast Limited	In SPA: No
Date of Application 27/05/2020	Period of Application Permanent
Proposed licensable activity Recorded Music Late Night Refreshment Supply of Alcohol (On Premises)	
Proposed hours of licensable activities	
Recorded Music	Standard Hours: Mon 12:00-23:30 Tue 12:00-23:30 Wed 12:00-23:30 Thu 12:00-23:30 Fri 12:00-00:00 Sat 12:00-00:00 Sun 12:00-22:00
Late Night Refreshment	Standard Hours: Mon 23:00-23:30 Tue 23:00-23:30 Wed 23:00-23:30 Thu 23:00-23:30 Fri 23:00-00:00 Sat 23:00-00:00
Supply of Alcohol	Standard Hours: Mon 12:00-23:30 Tue 12:00-23:30

	Wed 12:00-23:30 Thu 12:00-23:30 Fri 12:00-00:00 Sat 12:00-00:00 Sun 12:00-22:00
The opening hours of the premises	
	<p style="text-align: right;">Standard Hours:</p> Mon 12:00-00:00 Tue 12:00-00:00 Wed 12:00-00:00 Thu 12:00-00:00 Fri 12:00-00:30 Sat 12:00-00:30 Sun 12:00-22:30
Capacity: Not known	
Policies Applicable	LP1 (General Principles), LP2 (Licensing Objectives), LP3 (Core Hours), LP6 (External Areas and Outdoor Events) and LP11 (Cumulative Impact - General)
List of Appendices	A – Application for a premises licence and supporting documents B – Representations from responsible authorities C – Current time limited licence D – Location map
Relevant Representations	<ul style="list-style-type: none"> • Environmental Enforcement

2. APPLICATION

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

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

2.2 The application is attached as Appendix A. The applicant has proposed measures that could be converted to conditions (see paragraph 8.1 below).

2.3 The current application is for a new permanent premises licence on the same terms as currently permitted by time limited licence 093025 (see Appendix C).

3. CURRENT STATUS / HISTORY

3.1 The premises held a time limited licence between 1st May 2015 and 31st October 2017. Another time limited licence to run from 1st November 2017 to 31st October 2019 (lapsed in 28th November 2017). Current time limited licence between 5th March 2018 and 31st October 2020. A copy is attached as Appendix C.

4. REPRESENTATIONS: RESPONSIBLE AUTHORITIES

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

5. REPRESENTATIONS: OTHER PERSONS

None

6. GUIDANCE CONSIDERATIONS

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

7. POLICY CONSIDERATIONS

- 7.1 Licensing Sub-Committee is required to have regard to the London Borough of Hackney's Statement of Licensing Policy ("the Policy") adopted by the Licensing Authority.
- 7.2 The Policy applies to applications where relevant representations have been made. With regard to this application, policies, LP1 (General Principles), LP2 (Licensing Objectives), LP3 (Core Hours), LP6 (External Areas and Outdoor Events) and LP11 (Cumulative Impact - General).

8. OFFICER OBSERVATIONS

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

Supply of Alcohol (On/Both)

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

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

3. (1) The responsible person must ensure that staff on relevant premises do not carry out, arrange or participate in any irresponsible promotions in relation to the premises.
(2) In this paragraph, an irresponsible promotion means any one or more of the following activities, or substantially similar activities, carried on for the purpose of encouraging the sale or supply of alcohol for consumption on the premises -
 - (a) games or other activities which require or encourage, or are designed to require or encourage, individuals to;
 - (i) drink a quantity of alcohol within a time limit (other than to drink alcohol sold or supplied on the premises before the cessation of the period in which the responsible person is authorised to sell or supply alcohol), or
 - (ii) drink as much alcohol as possible (whether within a time limit or otherwise);
 - (b) provision of unlimited or unspecified quantities of alcohol free or for a fixed or discounted fee to the public or to a group defined by a particular characteristic in a manner which carries a significant risk of undermining a licensing objective;
 - (c) provision of free or discounted alcohol or any other thing as a prize to encourage or reward the purchase and consumption of alcohol over a period of 24 hours or less in a manner which carries a significant risk of undermining a licensing objective;
 - (d) selling or supplying alcohol in association with promotional posters or flyers on, or in the vicinity of, the premises which can reasonably be considered to condone, encourage or glamorise anti-social behaviour or to refer to the effects of drunkenness in any favourable manner.
 - (e) dispensing alcohol directly by one person into the mouth of another (other than where that other person is unable to drink without assistance by reason of a disability).

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

- 5.5.1. The premises licence holder or club premises certificate holder must ensure that an age verification policy is adopted in respect of the premises in relation to the sales or supply of alcohol.
- 5.2 The designated premises supervisor in relation to the premises licences must ensure that the supply of alcohol at the premises is carried on in accordance with the age verification policy.
- 5.3. The policy must require individuals who appear to the responsible person to be under 18 years of age (or such older age as may be specified in the policy) to produce on request, before being served alcohol, identification bearing their photograph, date of birth and either:-

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

6. The responsible person must ensure that:

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

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

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

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

Minimum Drinks Pricing

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

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

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

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

(i) P is the permitted price,

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

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

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

(i) the holder of the premises licence,

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

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

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

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

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

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

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

Door Supervision

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

Conditions derived from operating schedule

9. An advertised "hotline" telephone number to the (Duty Manager) shall be available to local residents during events. A log shall be kept of all telephone complaints and any complaints made shall be investigated as soon as possible and recorded together with action taken.
10. The premises shall install and maintain a comprehensive CCTV system as per the minimum requirements of a Metropolitan Police Crime Prevention Officer. All public areas will be covered enabling frontal identification of every person entering in any light condition. The CCTV system shall continually record whilst the premises is open for licensable activities and during all times when customers remain on the premises. All recordings shall be stored for a minimum period of 31 days with date and time stamping. Recordings shall be made available immediately upon the request of Police or authorised officer throughout the preceding 31 day period.
11. There shall be a staff member from the premises who is conversant with the operation of the CCTV system on the premises at all times when the premises are open to the public. This staff member must be able to show a Police or authorised council officer recent data or footage when requested.
12. Signs will be prominently displayed at all exit points reminding customers to leave quietly and respect local residents.
13. A Challenge 25 proof of age scheme shall be operated at the premises where the only acceptable forms of identification are recognised photographic identification cards, such as driving licence or passport.
14. An incident log shall be kept at the premises, and made available on request to an authorised officer of the council or the police, which will record the following:
 - (a) All crimes reported;
 - (b) All ejections of patrons;
 - (c) Any incidents of disorder;
 - (d) Seizure of drugs or offensive weapons;
 - (e) Any faults in the CCTV system or searching equipment or scanning equipment;
 - (f) Any refusal of the sale of alcohol;
 - (g) Any visit by a relevant authority or emergency service.
15. Premises to operate zero tolerance policy to drugs and comply with Hackney Police Drugs, Weapons and Search policy.

16. An adequate and appropriate supply of first aid equipment and materials shall be available on the premises.
17. All staff will be given refresher training every six months on the legislation relating to the sales of alcohol to underage persons and drunken persons.
18. The licence holder shall maintain a dedicated telephone number of the Designated Premises Supervisor for use by a Responsible Authority or any person who may wish to make a complaint. This contact number shall be provided to licensing authority, police and to any local residents upon request.
19. There shall be a minimum of 2 SIA registered supervisors on site between 7.00pm and 00:30am at all times, and a minimum of 6 on Friday and Saturdays, whenever there is licensable activity taking place. Additional SIA registered supervisors shall be employed on the basis of an operational risk assessment. All security staff and stewards shall be clearly identifiable at all times. All supervisors shall enter their full details in the premises daily register at the commencement of their work. They shall record their full name, home address and contact telephone number, their SIA registration number, and the time they commence and conclude working. If the supervisor was provided by an agency the name, registered business address and contact telephone number will also be recorded. This register will be made available to Police or authorised officer immediately upon request.
20. Patrons will not be allowed to take drinks, glass or open containers outside of the premises at any time.
21. A written dispersal policy shall be agreed with the police and licensing authority prior to the carrying out of any licensable activities at the premises. The approved written dispersal policy shall be implemented at all times that licensable activities are provided at the premises. A copy of the policy shall be kept on the premises and produced to the police or an authorised officer upon request.
22. Stewards or SIA registered supervisors will be responsible for ensuring that any queue for the venue is orderly and noise kept to a minimum.
23. A qualified Acoustic Consultant, who is a member of the Institute of Acoustics (IoA) or other similar professional body, should be appointed by the applicant to carry out a full acoustic survey of the site, before regulated entertainment is to take place, to determine the maximum music levels and noise levels from patrons. These levels should be such as not to cause a noise nuisance in the nearest noise sensitive premises during the provision of regulated entertainment and be inaudible in such premises at all times. The acoustic survey should be followed by a comprehensive acoustic report outlining survey's methodology, established music levels, all nearest noise sensitive premises and all recommended noise mitigation measures to be implemented when regulated entertainment is taking place. The acoustic report should be submitted to Local Authority for approval. All the recommendations within the report must be implemented prior to the regulated entertainment taking place.

24. There shall be a minimum of 1 SIA registered supervisor at the entrance of Fairchild Place from 9.00pm until close on Fridays and Saturdays when licensable activities are taking place at the premises to encourage members of the public not to access the street except for access to properties along the same. The requirement for SIA registered supervisors to be on duty at the entrance of Fairchild Place shall be risk assessed on all other days of the week when licensable activities are taking place at the premises.

Conditions derived from Responsible Authority representations

25. When licensable activities are taking place at the premises, the public pavement shall not be used as a designated smoking area or for smoking by the patrons of Dinerama, 19 Great Eastern Street.
26. When licensable activities are taking place at the premises, no drinks are allowed outside on the public pavement.
27. The Licensee shall ensure that all staff are fully trained and made aware of the legal requirement of businesses to comply with their responsibility as regards the disposal of waste produced from the business premises. The procedure for handling and preparing for disposal of the waste shall be in writing and displayed in a prominent place where it can be referred to at all times by staff.
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. The Licensee's premises are situated in an area within which refuse may only be left on the public highway at certain times (time bands). If the Licensee's waste carrier cannot or does not comply by collecting the refuse within an hour after the close of any time band imposed by the waste authority, the Licensee must remove the refuse from the public highway and/or keep it within the premises until such time as his/her waste carrier arrives to collect the refuse.
30. The Licensee shall instruct members of staff to make regular checks of the area immediately outside the premises and remove any litter, bottles and glasses emanating from the premises. A final check should be made at close of business.
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 Dinerama. 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

9. REASONS FOR OFFICER OBSERVATIONS

9.1 Conditions 9 to 24 above are derived from the applicant's operating schedule. Conditions 25 to 26 have been proposed by the Environmental Protection and 27 to 32 by Environmental Enforcement. Environmental Protection conditions have been accepted by the applicant.

10. LEGAL COMMENTS

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

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

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

11. HUMAN RIGHTS ACT 1998 IMPLICATIONS

11.1 There are implications to;

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

12. MEMBERS DECISION MAKING

A. Option 1

That the application be refused

B. Option 2

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

13. CONCLUSION

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

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

LIST OF BACKGROUND PAPERS RELATING TO THIS REPORT

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

Description of document	Location
Office File: Dinerama, 19 Great Eastern Street, EC2A 3EJ	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 Street Feast Limited

(Insert name(s) of applicant)

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

Part 1 – Premises details

Postal address of premises or, if none, ordnance survey map reference or description Dinerama			
19 GREAT EASTERN STREET HACKNEY LONDON			
Post town	LONDON	Postcode	EC2A 3EJ

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

Part 2 - Applicant details

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

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

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

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

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

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

(A) INDIVIDUAL APPLICANTS (fill in as applicable)

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

SECOND INDIVIDUAL APPLICANT (if applicable)

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

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

(B) OTHER APPLICANTS

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

Name Street Feast Limited
Address 96-100 CLIFTON STREET HACKNEY LONDON EC2A 4TP UK-England
Registered number (where applicable) 08719686
Description of applicant (for example, partnership, company, unincorporated association etc.) Private Limited Company
Telephone number (if any)

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

Part 3 Operating Schedule

When do you want the premises licence to start? DD MM YYYY
25-06-2020

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

Please give a general description of the premises (please read guidance note 1)
 Dinerama street food market.

The application proposes a new permanent premises licence to replace the current time limited premises licence no. 093025, which expires on 31 October 2020.

The proposed licensable activities and conditions are the same as existing licence 093025.

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

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

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

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

<u>Provision of late night refreshment</u> (if ticking yes, fill in box I)	<input checked="" type="checkbox"/>
<u>Supply of alcohol</u> (if ticking yes, fill in box J)	<input checked="" type="checkbox"/>

In all cases complete boxes K, L and M

A

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

B

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

C

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

D

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

E

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

F

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

G

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

H

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

I

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

J

Supply of alcohol Standard days and timings (please read guidance note 7)			Will the supply of alcohol be for consumption – please tick (please read guidance note 8)	On the premises	<input checked="" type="checkbox"/>
				Off the premises	<input type="checkbox"/>
				Both	<input type="checkbox"/>
Day	Start	Finish	State any seasonal variations for the supply of alcohol (please read guidance note 5)		
Mon	12:00	23:30			
Tue	12:00	23:30			
Wed	12:00	23:30			
Thur	12:00	23:30			
Fri	12:00	00:00			
Sat	12:00	00:00			
Sun	12:00	22:00			
			Non-standard timings. Where you intend to use the premises for the supply of alcohol at different times to those listed in the column on the left, please list (please read guidance note 6)		

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

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

K

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

None

L

Hours premises are open to the public Standard days and timings (please read guidance note 7)			State any seasonal variations (please read guidance note 5)
Day	Start	Finish	
Mon	12:00	00:00	Non-standard timings. Where you intend the premises to be open to the public at different times from those listed in the column on the left, please list (please read guidance note 6)
Tue	12:00	00:00	
Wed	12:00	00:00	
Thur	12:00	00:00	
Fri	12:00	00:30	
Sat	12:00	00:30	
Sun	12:00	22:30	

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

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

Please refer to the attached schedule of conditions, operational management procedures and noise management plan for the promotion of all four licensing objectives.

b) The prevention of crime and disorder

Please refer to a) above.

c) Public safety

Please refer to a) above.

d) The prevention of public nuisance

Please refer to a) above.

e) The protection of children from harm

Please refer to a) above.

Checklist:

Please tick to indicate agreement

- I have made or enclosed payment of the fee.
- I have enclosed the plan of the premises.
- I have sent copies of this application and the plan to responsible authorities and others where applicable.
- I have enclosed the consent form completed by the individual I wish to be designated premises supervisor, if applicable.
- I understand that I must now advertise my application.

- I understand that if I do not comply with the above requirements my application will be rejected.

- [Applicable to all individual applicants, including those in a partnership which is not a limited liability partnership, but not companies or limited liability partnerships] I have included documents demonstrating my entitlement to work in the United Kingdom or my share code issued by the Home Office online right to work checking service (please read note 15).

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

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

Part 4 – Signatures (please read guidance note 11)

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

Declaration	<ul style="list-style-type: none"> • [Applicable to individual applicants only, including those in a partnership which is not a limited liability partnership] I understand I am not entitled to be issued with a licence if I do not have the entitlement to live and work in the UK (or if I am subject to a condition preventing me from doing work relating to the carrying on of a licensable activity) and that my licence will become invalid if I cease to be entitled to live and work in the UK (please read guidance note 15). • The DPS named in this application form is entitled to work in the UK (and is not subject to conditions preventing him or her from doing work relating to a licensable activity) and I have seen a copy of his or her proof of entitlement to work, or have conducted an online right to work check using the Home Office right to work checking service which confirmed their right to work (please see note 15)
Signature	Thomas & Thomas Partners
Date	27/5/2020
Capacity	Solicitors for the applicant

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

Signature	
Date	27/5/2020
Capacity	

Contact name (where not previously given) and postal address for correspondence associated with this application (please read guidance note 14)			
Thomas & Thomas Partners OFFICES AND PREMISES AT 1ST-3RD FLOOR 38A MONMOUTH STREET			
UK-England			
Post town	LONDON	Postcode	WC2H 9EP
Telephone number (if any)	[REDACTED]		

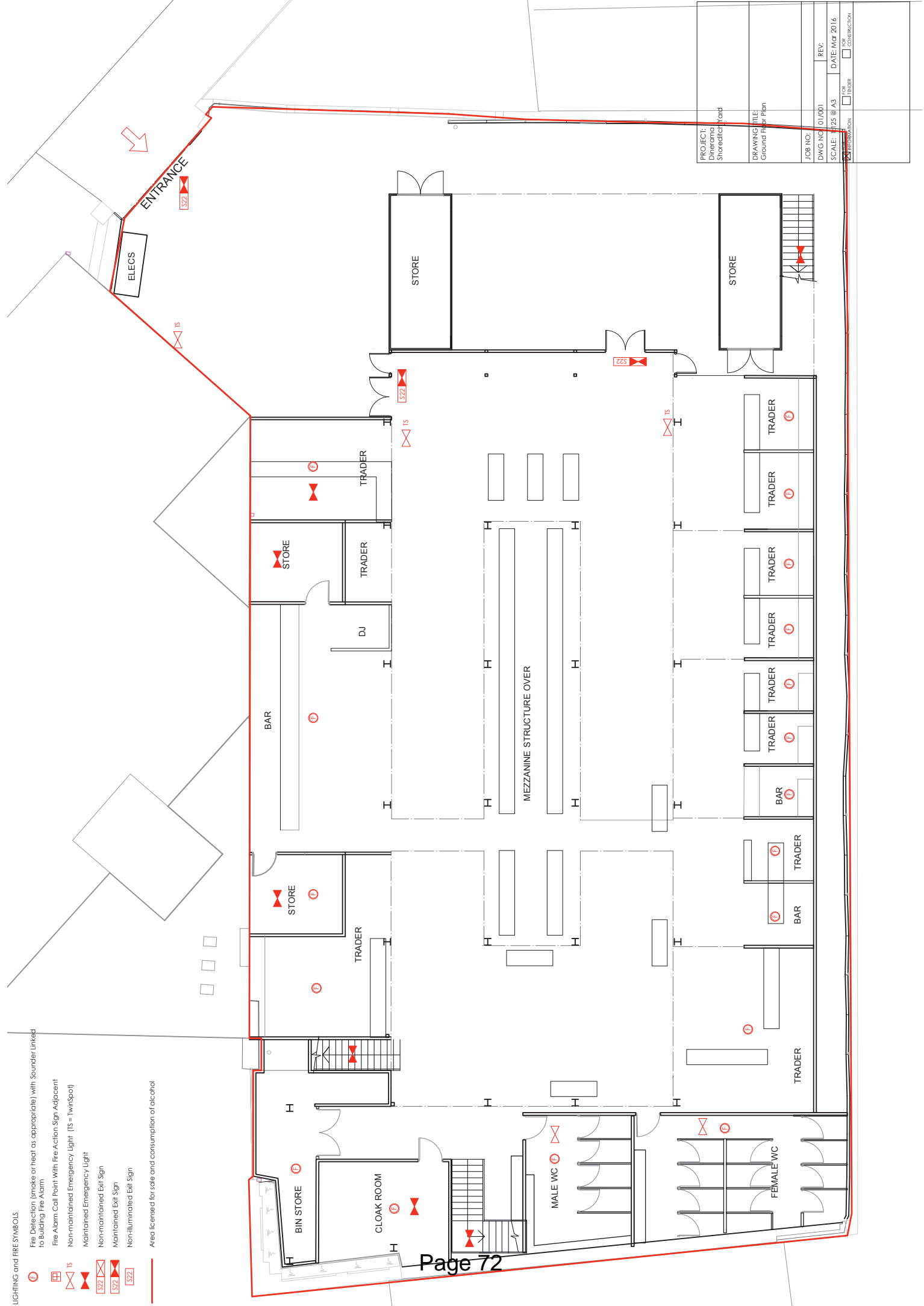
If you would prefer us to correspond with you by e-mail, your e-mail address (optional)

Notes for Guidance

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

LIGHTING and FIRE SYMBOLS

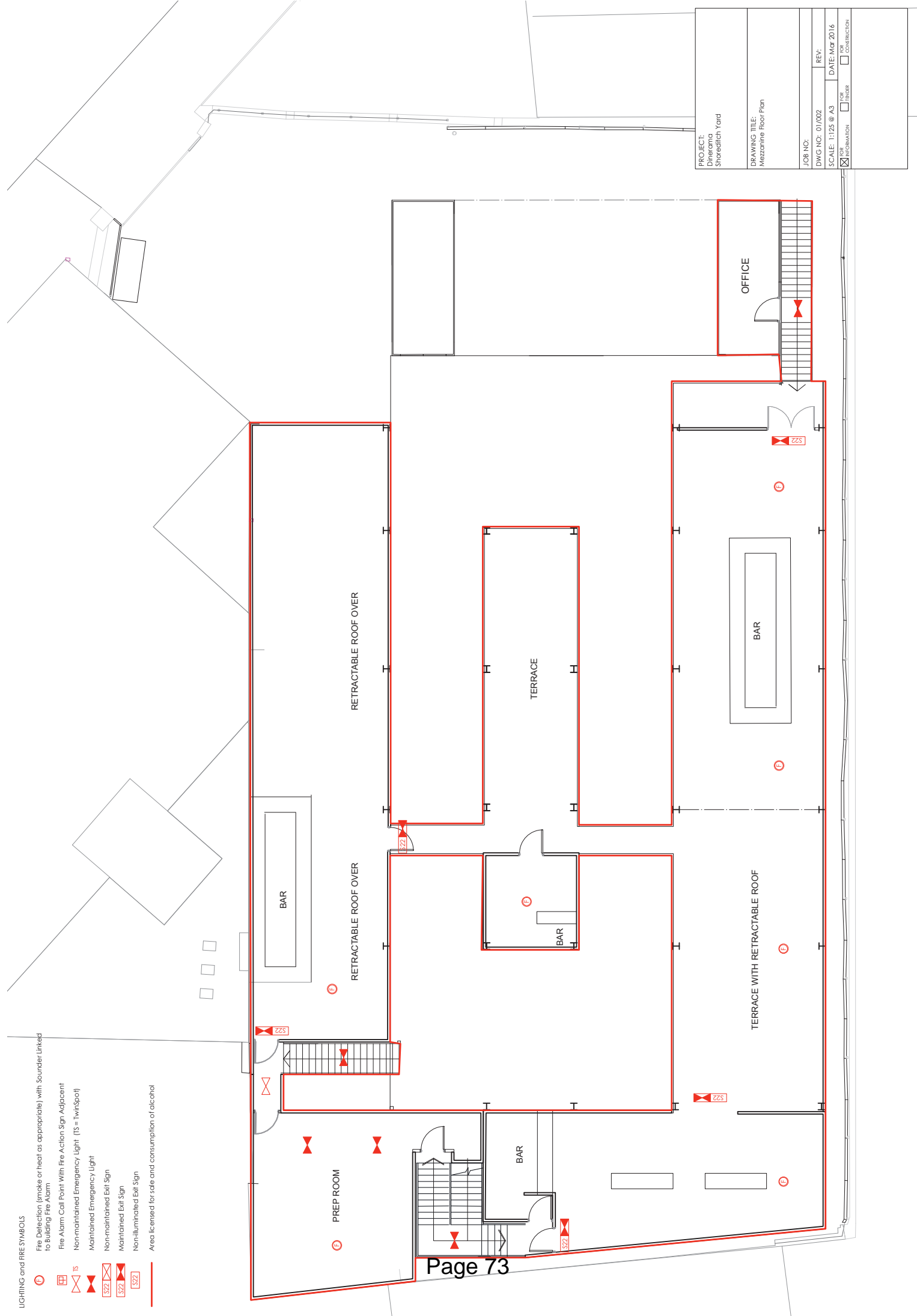
- Fire Detection (smoke or heat as appropriate) with Sounder Linked to Building Fire Alarm
- Fire Alarm Call Point With Fire Action Sign Adjacent
- Non-maintained Emergency Light (TS = twinSpot)
- Maintained Emergency Light
- Non-maintained Exit Sign
- Maintained Exit Sign
- Non-illuminated Exit Sign
- Area licensed for sale and consumption of alcohol



PROJECT: Dineena Shoreditch Road	REV:
DRAWING TITLE: Ground Floor Plan	DATE: Mar 2016
JOB NO.:	SCALE: 1/25 @ A3
DWG NO. 01/001	FOR: <input type="checkbox"/> INFORMATION <input type="checkbox"/> TRADE <input type="checkbox"/> CONSTRUCTION

LIGHTING and FIRE SYMBOLS

- Fire Detection (Smoke or heat as appropriate) with Sounder Linked to Building Fire Alarm
- Fire Alarm Call Point With Fire Action Sign Adjacent
- Non-maintained Emergency Light (IS = TwinSpot)
- Maintained Emergency Light
- Non-maintained Exit Sign
- Maintained Exit Sign
- Non-Illuminated Exit Sign
- Area licensed for sale and consumption of alcohol



PROJECT: Dinecra Shoreditch Yard	REV:
DRAWING TITLE: Mezzanine Floor Plan	DATE: Mar 2016
JOB NO:	DWG NO: 01/002
FOR INFORMATION	FOR TENDER
<input checked="" type="checkbox"/> FOR INFORMATION	<input type="checkbox"/> FOR TENDER
<input type="checkbox"/> FOR CONSTRUCTION	

**DINERAMA, 19 GREAT EASTERN STREET
NEW PREMISES LICENCE**

Applicant: Street Feast Limited

Premises Address: 19 Great Eastern St, London EC2A 3EJ

Proposed DPS: Taimour Lang

Rateable Value: Unrated (Band C)

Premises Description

Dinerama street food market.

The application proposes a new permanent premises licence to replace the current time limited premises licence no. 093025, which expires on 31 October 2020.

The proposed licensable activities and conditions are the same as existing licence 093025.

Proposed Licensable Activities

Sale of Alcohol (on sales) Recorded Music (indoors & outdoors)	Late Night Refreshment (indoors & outdoors)	Opening
Mon-Thu: 12:00 to 23:30 Fri-Sat: 12:00 to 00:00 Sun: 12:00 to 22:00	Mon-Thu: 23:00 to 23:30 Fri-Sat: 23:00 to 00:00	Mon-Thu: 12:00 to 00:00 Fri-Sat: 12:00 to 00:30 Sun: 12:00 to 22:30

Proposed Conditions

1. An advertised "hotline" telephone number to the (Duty Manager) shall be available to local residents during events. A log shall be kept of all telephone complaints and any complaints made shall be investigated as soon as possible and recorded together with action taken.
2. The premises shall install and maintain a comprehensive CCTV system as per the minimum requirements of a Metropolitan Police Crime Prevention Officer. All public areas will be covered enabling frontal identification of every person entering in any light condition. The CCTV system shall continually record whilst the premises is open for licensable activities and during all times when customers remain on the premises. All recordings shall be stored for a minimum period of 31 days with date and time stamping. Recordings shall be made available immediately upon the request of Police or authorised officer throughout the preceding 31 day period.
3. There shall be a staff member from the premises who is conversant with the operation of the CCTV system on the premises at all times when the premises are open to the public. This staff member must be able to show a Police or authorised council officer recent data or footage

when requested.

4. Signs will be prominently displayed at all exit points reminding customers to leave quietly and respect local residents.
5. A Challenge 25 proof of age scheme shall be operated at the premises where the only acceptable forms of identification are recognised photographic identification cards, such as driving licence or passport.
6. An incident log shall be kept at the premises, and made available on request to an authorised officer of the council or the police, which will record the following:
 - (a) All crimes reported;
 - (b) All ejections of patrons;
 - (c) Any incidents of disorder;
 - (d) Seizure of drugs or offensive weapons;
 - (e) Any faults in the CCTV system or searching equipment or scanning equipment;
 - (f) Any refusal of the sale of alcohol;
 - (g) Any visit by a relevant authority or emergency service.
7. Premises to operate zero tolerance policy to drugs and comply with Hackney Police Drugs, Weapons and Search policy.
8. An adequate and appropriate supply of first aid equipment and materials shall be available on the premises.
9. All staff will be given refresher training every six months on the legislation relating to the sales of alcohol to underage persons and drunken persons.
10. The licence holder shall maintain a dedicated telephone number of the Designated Premises Supervisor for use by a Responsible Authority or any person who may wish to make a complaint. This contact number shall be provided to licensing authority, police and to any local residents upon request.
11. There shall be a minimum of 2 SIA registered supervisors on site between 7.00pm and 00:30am at all times, and a minimum of 6 on Friday and Saturdays, whenever there is licensable activity taking place. Additional SIA registered supervisors shall be employed on the basis of an operational risk assessment. All security staff and stewards shall be clearly identifiable at all times. All supervisors shall enter their full details in the premises daily register at the commencement of their work. They shall record their full name, home address and contact telephone number, their SIA registration number, and the time they commence and conclude working. If the supervisor was provided by an agency the name, registered business address and contact telephone number will also be recorded. This register will be made available to Police or authorised officer immediately upon request.
12. Patrons will not be allowed to take drinks, glass or open containers outside of the premises at any time.

13. A written dispersal policy shall be agreed with the police and licensing authority prior to the carrying out of any licensable_ activities at the premises. The approved written dispersal policy shall be implemented at all times that licensable activities are provided at the premises. A copy of the policy shall be kept on the premises and produced to the police or an authorised officer upon request.
14. Stewards or SIA registered supervisors will be responsible for ensuring that any queue for the venue is orderly and noise kept to a minimum.
15. A qualified Acoustic Consultant, who is a member of the Institute of Acoustics (IoA) or other similar professional body, should be appointed by the applicant to carry out a full acoustic survey of the site, before regulated entertainment is to take place, to determine the maximum music levels and noise levels from patrons. These levels should be such as not to cause a noise nuisance in the nearest noise sensitive premises during the provision of regulated entertainment and be inaudible in such premises at all times. The acoustic survey should be followed by a comprehensive acoustic report outlining survey's methodology, established music levels, all nearest noise sensitive premises and all recommended noise mitigation measures to be implemented when regulated entertainment is taking place. The acoustic report should be submitted to Local Authority for approval. All the recommendations within the report must be implemented prior to the regulated entertainment taking place.
16. There shall be a minimum of 1 SIA registered supervisor at the entrance of Fairchild Place from 9.00pm until close on Fridays and Saturdays when licensable activities are taking place at the premises to encourage members of the public not to access the street except for access to properties along the same. The requirement for SIA registered supervisors to be on duty at the entrance of Fairchild Place shall be risk assessed on all other days of the week when licensable activities are taking place at the premises.

London Union Operational Procedures



August 2015



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Introduction

London Union was founded by Leon's Henry Dimbleby MBE and Street Feast's Jonathan Downey – food and drink entrepreneurs on a mission to transform London's food landscape.

London Union turns underused and derelict corners of the city into vibrant street food markets. They bring communities together, create employment and provide opportunities for new food entrepreneurs to establish themselves without requiring large amounts of capital.

In 2014, Street Feast ran markets in Dalston Yard E8, at Model Market in Lewisham, at Riverside Feast by Battersea Power Station and at Hawker House in Bethnal Green. Between them, these markets were visited by over 200,000 people.

London Union is now backed by some of Britain's most successful restaurateurs, food writers, broadcasters and entrepreneurs, including:

Stef Calcraft – Chairman. Co-founder of Mother advertising agency.

Petra Barran – Founder of KERB.

Rosie Boycott – Chair, The London Food Board.

Giles Coren – Writer, broadcaster and restaurant critic, The Times.

Gizzi Erskine – Chef and food writer, Sunday Times.

Bill Granger – Founder of Bill's (Australia/Japan) and Granger & Co.

Nick Jones – Founder and CEO of Soho House Group.

Nigella Lawson – Food writer and broadcaster.

Thomasina Miers – Co-founder/director of Wahaca and writer, Guardian.

Russell Norman, Richard Beatty – Owners of the Polpo Group.

Jamie Oliver – Chef, broadcaster and restaurateur.



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Marina O’Loughlin – Writer and restaurant critic, The Guardian.

Tom Parker-Bowles – Food writer and restaurant critic, Mail on Sunday, and Food Editor, Esquire.

Stevie Parle – Chef/owner of The Dock Kitchen, Rotorino and Craft London.

José Pizarro – Chef/owner of José and Pizarro.

Mark Sainsbury – Owner of the Zetter Group and Grain Store, co-founder of the Sustainable Restaurant Association.

Shamil Thakrar – Co-founder of Dishoom.

Richard Turner – Chef/partner in Hawksmoor and Turner & George.

Yotam Ottolenghi – Co-owner of Ottolenghi and Nopi, and food writer, The Guardian.

Together they plan to develop and grow the Street Feast model, and to create new, more permanent street food markets. London Union directly employs approximately 150 young people, as well as providing employment and new business opportunities for about 500 aspiring food traders. Each new market site provides a significant number of new jobs and a platform for new business start ups.

Before occupying a site the London Union’s management team will tailor and develop bespoke procedures for the area’s specific needs. This document sets out an indicative package of the London Union’s operational procedures. London Union have a highly experienced and professional management team who are committed to operating responsibly and sympathetically in all their neighbourhoods.

The operational procedures set out a number of controls to ensure each market provides a valuable asset to the local area, with exceptional and conscientious customer management. The implemented management systems will ensure that each street market is operated successfully without adversely affecting the local amenity. To date approximately half a million people have visited Street Feast and London Union sites. London Union’s operational procedures have ensured that not a single incident of serious crime or disorder has occurred, despite the extremely high levels of visitors.

Please note that procedures are developed and tailored for each individual site. As a result the procedures set out in this document are indicative only, subject to change and not proposed as Licence conditions.

1 ADMISSION AND AGE VERIFICATION POLICY

- 1.1 London Union provides family friendly street markets. To ensure the promotion of the Licensing Objectives the London Union operates a Challenge 25 scheme. This scheme encourages anyone who is over 18 but looks under 25 to carry acceptable ID if they wish to purchase alcohol. The scheme takes account of a higher margin of error in challenging customers for proof of age.
- 1.2 It is illegal for any staff to sell alcohol to anyone under the age of 18. Any member of staff who sells alcohol to a person under the age of 18 may be guilty of an offence, which may result in a fine of up to £5,000 and they may be dismissed.
- 1.3 Staff shall follow all standards set by Challenge 25:
 - 1.3.1 Staff are required to ask for a valid form of identification for anyone attempting to purchase alcohol who appears to be under 25;
 - 1.3.2 Staff will only accept the following forms of ID:
 - 1.3.2.1 UK/EU passport.
 - 1.3.2.2 UK/EU driving licence – photo licence.
 - 1.3.2.3 Proof of age scheme cards – with PASS accredited hologram logo.
 - 1.3.3 When checking ID staff will:
 - 1.3.3.1 Check the 3D effect hologram is not stuck on.
 - 1.3.3.2 Check photo – right person.
 - 1.3.3.3 Check date of birth.
 - 1.3.3.4 Check card has not been tampered with.
 - 1.3.3.5 If staff are still unsure about a person's age, service shall be refused.



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1.3.3.6 If a customer does not have the necessary identification, staff will explain the challenge 25 policy and advise the customer to return with acceptable identification.

1.4 Posters are on display at the premises informing customers of the scheme in operation.

1.5 At the bar, should any customer appear to be under 25, staff are required to request a valid form of identification. Only the documents listed above may be accepted. If there is any doubt a manager will be called. Should the customer fail to produce satisfactory ID, the sale will be refused and an entry made in the Refusal of Service Log.

2 The Role & Responsibilities of London Union's Supervisors

Role and responsibilities

- 2.1 The purpose of this section is to outline the role and responsibilities of a London Union supervisor.
- 2.2 Guest supervision is an essential part of the London Union operation. When managed correctly it ensures not only the safety and enjoyment of our customers, but also peace of mind for our neighbours. Our supervisors have a much wider and more involved role to play in supporting the management and his/her team.

Qualities

- 2.3 The supervisor should possess certain qualities essential to running the kind of operation we have. You should be:
 - 2.3.1 Articulate and friendly – able to talk to people on all sorts of levels, in a friendly, positive and professional manner. Diplomatic.
 - 2.3.2 Helpful and willing - prepared to do what is needed to ensure an excellent overall customer experience. Part of the team.
 - 2.3.3 Pleasant and polite – happy, positive and polite to all customers and staff.
 - 2.3.4 Conscientious and thorough – diligent, involved, interested and focused on all aspects of your role and responsibilities.
 - 2.3.5 Smart – takes pride in a professional appearance and approach to your job.

Supervision

- 2.4 We have SIA registered supervisors and marshalls. They are posted at the entrances, and within the licensed area, and others patrolling all areas including toilets to make sure everything is as it should be throughout. The entrance areas are key areas of responsibility and brings with it three important roles: monitoring and managing people getting in, monitoring and managing any queues, exit and re-entry, and managing the safe and quiet exit of people leaving the site.

Partnership with neighbouring premises

2.5 All supervisors should ensure that our guests integrate safely and sympathetically with our neighbours. During busy periods we must work in partnership with the management and security of nearby licensed premises. This will help to protect the safety of all visitors in the local area and reduce the risk of crime and disorder in the neighbourhood. We take an active role with local businesses and other security supervisors to help achieve this objective.

Queuing

2.6 Should a queue occur, in order to contain any queue, people should be required to stand in the designated queuing area. The people in the queue should be informed how long their wait might be and the importance of queuing quietly and respectfully is should be stressed to them.

Getting in

2.7 We operate a democratic policy – everybody is welcome provided:

2.7.1 They are not drunk.

2.7.2 They are not wearing a football shirt.

2.7.3 They are not carrying or attempting to carry in anything illegal, where possible drugs or weapons will be confiscated and if necessary the police called.

2.8 We do not allow anyone on site who is drunk. It is that simple. If these people arrive at our door we tell them the REAL reason they cannot come in.

2.9 Monitoring and controlling the guests that get in to the building is the joint most important part of your job.

Prevention of noise breakout

2.10 In order to prevent noise breakout and minimize any disturbance to local residents, the music levels are to be monitored at all levels. Managers and supervisors are responsible for monitoring and controlling noise levels, any loud and inappropriate behaviour should be dealt with immediately. Where necessary we will work with an acoustic consultant to ensure and effective noise management plan is implemented.

Leaving the site

- 2.11 The other most important part of your job is managing people as they leave the site. It is vital that you take the lead responsibility for ensuring the quick, quiet and safe exit of guests from the site and from the immediate surrounding area. This does not mean just saying 'goodbye' to guests. It does not mean that once they have left the building they are no longer our problem. They might be. We have neighbours and responsibilities towards them. Please try and move people along and make sure they do not congregate outside. We want people to leave in a quiet orderly fashion. This issue is of most importance the later people leave.
- 2.12 You should also have a very good idea (and a paternal interest in) how everyone is getting home – walking, DLR, tube, over-ground train, bus, taxi or driving?
- 2.12.1 **Walking** – please ensure that anyone leaving the site exits not only the site but also the immediate area as quickly and quietly as possible. Please check that anyone leaving alone (especially women) know what they are doing and where they are going. If they do not, bring them quietly back inside, sit them down and contact the manager on duty to provide assistance; he or she will know what to do and you should then return to your duties.
- 2.12.2 **DLR** – please ensure you are able to advise guests on the location of the nearest DLR stations.
- 2.12.3 **Tube** – please ensure you are able to advise guests on the location of the nearest tube stations.
- 2.12.4 **Bus** - you should be familiar with the numbers, routes and approximate running times of all of the buses that run in the area. Knowing this information is an important part of your job.
- 2.12.5 **Taxis** – you should be on hand to order taxis for guests. We do not allow unlicensed mini cab ranking outside our site.
- 2.12.6 **Driving** – whilst not technically our responsibility, you should offer advice and assistance to anyone you spot leaving the site with car keys that clearly should not be driving. It is your job to advise them, and whoever they are with, that they look like they should not be driving. You should have some knowledge of the local parking restrictions to



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encourage any such guest to leave their car overnight and *“Provided you’re back to collect it before 08.30, you should be alright.”* It is not your job to physically prevent guests from driving their own vehicle except in extreme circumstances when threatening to involve the Police may bring them round.

- 2.13 If you have more time to engage with the guest, offer them more assistance – walk out with them, advise them that the route you have recommended is the safest and best lit, point the way to the overland stations or the bus stop they need, remind them we have neighbours, show concern for their well being and for that of our neighbours. Be considerate. This will leave a good and lasting impression.

3 Search Policy

- 3.1 Only SIA registered security staff (Door Supervisors) will conduct searches.
- 3.2 London Union will display notices in areas used for searches informing customers that searches may be a requirement of entry.
- 3.3 Consent will always be sought before a search is carried out.
- 3.4 If a person refuses a search they will be denied entry.
- 3.5 Details of any person refusing a search should be recorded in a designated incident or log book.
- 3.6 Door Supervisors will never conduct body searches on someone of the opposite sex.
- 3.7 If no female Door Supervisors are available and a male Door Supervisor believes it necessary to search a woman, then the search must be restricted to bags and outside pockets.
- 3.8 Door Supervisors are not to put their hands in a handbag, or to empty it themselves, this must be done by the owner of the bag.
- 3.9 In the event of the seizure of items thought to be weapons or drugs the following information will be recorded in a designated incident or log book:
 - 3.9.1 Date and time found
 - 3.9.2 Where found
 - 3.9.3 Details of person who found the item(s)
 - 3.9.4 Description of the item
 - 3.9.5 Any action taken (person detained, police called etc.)
 - 3.9.6 Signature of person taking possession of item(s)
 - 3.9.7 Signature of a senior manager

4 Responsible Sale of Alcohol

- 4.1 All staff are instructed never to serve customers who are, or appear to be, drunk under any circumstances.
- 4.2 London Union staff are trained to identify a person as drunk if they display some, or all, of the following symptoms –
 - 4.2.1 Glazed, possibly reddened, eyes
 - 4.2.2 Slurred speech
 - 4.2.3 Poor co-ordination (staggering, being unsteady on their feet, being unable to count out cash or use a mobile phone)
 - 4.2.4 Inability to respond appropriately to clearly stated questions or requests
 - 4.2.5 Strong smell of alcohol on the breath
- 4.3 If any member of staff is not sure if a person is drunk, the default answer is always NO FURTHER SERVICE OF ALCOHOL.
- 4.4 If a customer who is, or appears to be, drunk and asks for an alcoholic drink, they will be offered a soft drink or a glass of water as an alternative.
- 4.5 If a customer who is, or appears to be, drunk refuses a soft drink when offered and persists in requesting an alcoholic drink, then they will be asked to leave.
- 4.6 If staff have reason to believe that someone is attempting to purchase alcohol for, or on behalf of, a person who is, or appears to be, drunk they will be refused service.
- 4.7 If the behaviour of any person gives staff reason to believe that by refusing service they may endanger the safety of staff or customers, then the police will be called prior to that person being asked to leave.
- 4.8 Identification documentation will be requested from any customer who appears to be under the age of 25 in accordance with our age verification policy set out in Section 1 above.

5 Drugs Awareness

- 5.1 The London Union operates a policy of zero tolerance with regards to drugs, both use and supply on our premises.
- 5.2 All references to “drugs” within this document include not only illegal substances detailed in Section 2 of the Misuse of Drugs Act 1971 but also those substances known as “Legal Highs” (psychoactive and other emerging substances not caught by UK legislation).
- 5.3 Street Feast recognises that it has a responsibility to provide a safe environment for all members of staff and customers. Such an environment could become hazardous through the behaviour of someone under the influence of drugs or someone involved in the sale of such substances.
- 5.4 All staff are given training in recognising the signs and symptoms of drug use and supply and are instructed to be vigilant at all times. Should a member of staff observe suspicious behaviour they are to report such to the Duty Manager without delay.
- 5.5 All WC facilities will be monitored on a regular basis by staff. All such monitoring will be recorded in a specified log and any drug related activity discovered as a result of such monitoring will be highlighted within that same document. If a person is suspected of dealing drugs in a venue, staff will always assess the situation before taking any action. Regard is to be paid to advice from the Police. Subject to Police advice, SIA registered security staff will either eject the suspect or hold the suspect at the premises. If a person is suspected of taking drugs on the premises staff will assess the suspect’s condition and either eject the suspect or call for medical attention. The confiscation or discovery of drugs must be witnessed, logged in the relevant incident book and the drugs handed to the Duty Manager who will secure them in a designated place such as a ‘drug safe’.

In order to promote the Licensing Objectives:

- 5.6 Upon confiscation staff will contact the Police and request that Police collect said Drugs from the venue. In the event that the Police request that confiscated drugs be delivered by London Union staff to a specified Police Station the Duty Manager will allocate a member of staff to do so. Any staff member instructed to carry confiscated drugs with the intention of delivering said drugs to



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the Police will be provided with guidance as to the offence of possessing a controlled substance under Section 5 Misuse of Drugs Act 1971 and the statutory defence afforded by Section 5 (4) a and b of the 1971 Act.

- 5.7 All drug related incidents must be recorded in a designated incident book or log. The entries in the book are to be discussed with the Police and Local Authority on a regular basis.
- 5.8 Suitable signage will be prominently displayed in the bar to inform customers of London Union's zero tolerance policy towards drug use and supply.

6 Deliveries and Collections

- 6.1 Deliveries and collections will be arranged carefully and sympathetically to the local amenity. Where possible, multiple deliveries and/or collections will be combined to avoid high numbers of vehicles servicing the premises. Delivery and collection times will not be scheduled late at night or early in the morning to avoid disturbing local residents.

- 6.2 Refuse and recyclable waste will be stored in a designed refuse storage area until it is due to be collected. Immediately prior to collection, refuse will be taken out ready for collection. Bins should be brought back inside immediately after collection.



7. Dispersal Policy

- 7.1 This Dispersal Policy must be read in conjunction with section 2 above (The Role & Responsibilities of London Union's Supervisors).
- 7.2 All members of the London Union Team must take responsibility for the orderly dispersal of customers. As responsible neighbours we must ensure all customers leave the area quickly and quietly without causing a nuisance to local residents.
- 7.3 A member of management will be stationed at the exit from 30 minutes before close to 30 minutes after.
- 7.4 During busy periods, SIA Supervisors will remain on-site until 30 minutes after the venue has closed.
- 7.5 Sale of alcohol shall stop 30 minutes before the close of the event.
- 7.6 Any music shall be subject to a "wind-down" procedure commencing before close of operation.
- 7.7 The food outlets throughout the event area shall operate a staggered closing procedure.
- 7.8 During busy periods, this policy is supported by a high profile SIA supervisor presence, encouraging customers to move on quickly. London Union shall ensure that there are sufficient numbers of SIA registered staff on hand to respond in the event of an incident.
- 7.9 Security staff shall wear high visibility jackets, vests or arm bands at all times to distinguish themselves from members of the public. Marshals shall wear similar arm bands or branded clothing.
- 7.10 Door-staff are trained to monitor crowd noise and actively dissuade any unacceptable noisy behaviour, encouraging customers to consider local residents when making their way home.
- 7.11 Signage must be displayed at the exits reminding customers to leave quietly and have respect for residents they may pass on their way home.



7 Summary & Effect

- 7.1 A culmination of all these controls and safeguards, together with the type of offer, customer and purpose of visit, combine to ensure London Union sites operate without complaint and provides a valuable asset to each local area.
- 7.2 The London Union seek to provide an extremely high standard of establishment which is ranked alongside London's best places to eat and drink. It is imperative guests enjoy a first-rate experience when visiting each site.
- 7.3 The comprehensive controls set out in this document will supplement planning consent and premises licence conditions to ensure each London Union site is conducive and appropriate to the local amenity.



Assessment of potential noise impact from
proposed temporary food market at
Hamilton Buildings site
between Great Eastern Street and Hewitt Street EC2A
and recommendations for remedial measures

Prepared by Richard Vivian, Principal Consultant at Big Sky Acoustics Ltd
On behalf of Shoreditch Yard Ltd
Document Ref: 15010575-3

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Big Sky Acoustics document control sheet

Project title:	Assessment of potential noise impact from proposed temporary food market at Hamilton Buildings site between Great Eastern Street and Hewitt Street EC2A and recommendations for remedial measures
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Submitted to:	Mr Stephen Matthews of Meeson Williams Phillips Ltd 7 Court Farm Barns Medcroft Road Tackley Kidlington Oxford OX5 3AL acting on behalf of Shoreditch Yard Ltd
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0	Approved for issue	12/01/2015	RV
1	Addition of references to emerging DMLP	13/01/2015	RV
2	Updated noise and dispersal policies	14/01/2015	RV/RW
3	Update to dispersal policy	15/01/2015	RV/HD

DISCLAIMER

This report was completed by Big Sky Acoustics Ltd on the basis of a defined programme of work and terms and conditions agreed with the Client. The report has been prepared with all reasonable skill, care and diligence within the terms of the contract with the Client and taking into account the project objectives, the agreed scope of works, prevailing site conditions and the degree of manpower and resources allocated to the project.

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1.0 Qualifications and experience

- 1.1 My name is Richard Vivian. I am a Director and Principal Acoustic Consultant at Big Sky Acoustics Ltd. Big Sky Acoustics Ltd is an independent acoustic consultancy that is engaged by local authorities, private companies, public companies, and individuals to provide advice on the assessment and control of noise.
- 1.2 I have a Bachelor of Engineering Degree with Honours from Kingston University, I am a Member of the Institution of Engineering & Technology, the Institute of Acoustics, the Audio Engineering Society and the Institute of Licensing.
- 1.3 I have over twenty-five years of experience in the acoustics industry and have been involved in precision acoustic measurement and assessment throughout my career. My professional experience has included the assessment of noise in connection with planning, licensing and environmental protection relating to sites throughout the UK.

2.0 Introduction

- 2.1 Big Sky Acoustics was instructed by Mr Henry Dimbleby of Shoreditch Yard Ltd to make an assessment of the impact of noise from the proposed temporary change of use of an open site, formerly used as a secure lorry park, into a temporary outdoor food market.
- 2.2 A glossary of acoustical terms used in this report is provided in Appendix A.
- 2.3 All sound pressure levels in this report are given in dB re: 20 μ Pa.

3.0 Location

- 3.1 The area surrounding the application site is in mixed use with predominantly commercial uses, including some licensed premises. The site is located within the London Central Activities Zone. The site is not within a Hackney Special Policy Area.
- 3.2 The largest licensed premises in the immediate vicinity is Village Underground to the north of the application site on the opposite side of Great Eastern Street. Other notable sources of potential noise in the area are the Horse and Groom public house on Curtain Road. Temporary music events have also been held in the Hearn Street car park. It is of relevance that this area has been surveyed during the day, and extensively at night, by Big Sky Acoustics for other clients and we hold a large amount of noise data in our library, extending back to 2007, that is relevant to this location.
- 3.3 The nearest residential properties are at Pennybank Chambers on Fairchild Place to the south-east of the application site. There is a substantial structure (the remnants of the former railway bridge over Great Eastern Street) between the site and Fairchild Place.
- 3.4 The entrance to the site is on Great Eastern Street. Noise in the area is dominated by road traffic. Train noise from the elevated East London line passing to the north-east of the site is also evident.
- 3.5 During the mid-morning site survey average noise levels at the Great Eastern Street entrance were logged at 72dB L_{Aeq}. Appendix B includes screen-shots from the Defra London noise map that indicates the predicted traffic levels for the area and these data correspond with our own findings during the field survey and also historic noise data for the area.



Figure 1: Great Eastern Street entrance



Figure 2: Rear view of site from Hewlett Street (site behind hoarding)

- 3.6 The high ambient noise levels in the area due to road traffic effectively masks lower level noises from other activity. This road traffic continues well into the night and beyond the proposed closing time for the site.
- 3.7 It is important when assessing the impact of a proposed activity in an area that the concept of *additional noise* associated with the new use is taken into account. The incremental change to noise levels caused by the normal commercial operation of a food market, in an area where there is already established noise and activity, could be small or undetectable if it is masked by existing noise in the area.

4.0 Assessment standards and guidance

- 4.1 Licensable activities at the site would need to be granted under a premises licence issued by the Licensing Unit of Hackney Council.
- 4.2 One of the four licensing objectives is The Prevention Of Public Nuisance. Noise originating from the site, if it were loud enough and impacted on a number of people, could be considered to be a public nuisance.
- 4.3 The provisions of the Environmental Protection Act 1990 and the Noise Act 1996 further provide protection to the general public from the effects of noise nuisance.
- 4.4 A local planning authority may impose specific conditions when granting planning permission to restrict noise from the use of premises. Such conditions should be necessary, relevant, precise, enforceable and reasonable.

NPPF¹

- 4.5 On 27 March 2012, the Department for Communities and Local Government published the final version of the National Planning Policy Framework (NPPF) [Reference 1]. It came into effect immediately, superseding the 2011 draft and all other planning guidance (except on waste).
- 4.6 The NPPF states in Paragraph 123:

Planning policies and decisions should aim to:

- *avoid noise from giving rise to significant adverse impacts on health and quality of life as a result of new development;*
 - *mitigate and reduce to a minimum other adverse impacts on health and quality of life arising from noise from new development, including through the use of conditions;*
 - *recognise that development will often create some noise and existing businesses wanting to develop in continuance of their business should not have unreasonable restrictions put on them because of changes in nearby land uses since they were established;*
- and*
- *identify and protect areas of tranquility which have remained relatively undisturbed by noise and are prized for their recreational and amenity value for this reason.*

¹ Department for Communities and Local Government. National Policy Planning Framework (NPPF), March 2012

- 4.7 With regard to the term “significant adverse impacts” the NPPF directs the reader to the Noise Policy Statement for England (Department for the Environment, Food and Rural Affairs, March 2010). The NPSE states in Paragraphs 2.20 - 2.22:

There are two established concepts from toxicology that are currently being applied to noise impacts, for example, by the World Health Organisation. They are:

NOEL - No Observed Effect Level

This is the level below which no effect can be detected. In simple terms, below this level, there is no detectable effect on health and quality of life due to the noise.

LOAEL - Lowest Observed Adverse Effect Level

This is the level above which adverse effects on health and quality of life can be detected.

Extending these concepts for the purpose of this NPSE leads to the concept of a significant observed adverse effect level.

SOAEL - Significant Observed Adverse Effect Level

This is the level above which significant adverse effects on health and quality of life occur.

It is not possible to have a single objective noise-based measure that defines SOAEL that is applicable to all sources of noise in all situations. Consequently, the SOAEL is likely to be different for different noise sources, for different receptors and at different times. It is acknowledged that further research is required to increase our understanding of what may constitute a significant adverse impact on health and quality of life from noise. However, not having specific SOAEL values in the NPSE provides the necessary policy flexibility until further evidence and suitable guidance is available.

Hackney Unitary Development Plan (1995)

- 4.8 A number of the UDP's planning policies remain part of the development plan as 'saved policies'. Policy EQ40 concerns noise control. This Policy requires that proposals with a potential to cause noise nuisance within sensitive areas incorporate appropriate measures to ensure that background noise levels are not increased.

Emerging Development Management Local Plan (DMLP) Policies (July 2013)

- 4.9 The Council is currently working on the emerging Development Management Local Plan (DMLP), which is understood to be at the formal Hearing stage. Once adopted, this document will form part of the adopted suite of local planning policies but at present this document does not carry full material weight as planning policy.
- 4.10 Proposed Policy DM2 of the DMLP concerns development and amenity. This Policy requires that development is appropriate to the location and designed to ensure that it would not result in significant adverse impacts on the amenity of occupiers and neighbours.

- 4.11 Proposed Policy DM43 focuses upon pollution, water and air quality. This policy requires development proposals to include measures to reduce adverse noise, vibration and/or odour impacts and minimise unnecessary light pollution, particularly close to light and noise sensitive areas and the public realm.

Operational objectives of Shoreditch Yard Ltd

- 4.12 The executive team of Shoreditch Yard Ltd is keen to promote good relationships with their neighbours and so, regardless of all statutory obligations, it is a primary operational objective that noise from the operation will not have a detrimental impact on the neighbouring residential properties.

5.0 Discussion

- 5.1 A similar "Street Feast" themed operation was held last year at Dalston Yard in the borough. I have spoken with environmental health officers regarding any negative impacts from the Dalston food market. With regard to noise it was discussed that there had been some concerns about noise on the site beyond the closing time due to staff activity. I believe that this can be addressed with a noise management policy for the site which dictates the close time for the area and restricts noisy cleaning or preparation work beyond a terminal hour. This will be a site-wide noise policy for all outlets on the market.
- 5.2 I have recently spoken with Elzbieta Wreczycka in the Environmental Protection Team at Hackney Council regarding the proposal for the application site. I suggested that the application would benefit from a well-considered noise management strategy tailored for the site and that is included in this report.

6.0 Operational noise management strategy

- 6.1 The management of noise from any activity at the application site is an important consideration for the executive team. To support this a operational Noise Management Policy is presented at Appendix E and a Dispersal Policy at Appendix F. These policies will be integrated in to the operational manual for the entire site and regularly reviewed.

7.0 Conclusions

- 7.1 Big Sky Acoustics was instructed by Mr Henry Dimbleby of Shoreditch Yard Ltd to make an assessment of the impact of noise from the proposed temporary change of use of an open site, formerly used as a secure lorry park, into a temporary outdoor food market.
- 7.2 The proposed use is not unusual; and a number of open market and food market sites can be found within the borough.
- 7.3 The application site is on a very busy road with significant road traffic noise. Advantageously this also means good transport links to disperse patrons at the end of the evening.
- 7.4 Recommendations for best practice operational procedures relating to noise at the site have been made.
- 7.5 It is my professional opinion that the application for the temporary operation of a food market is unlikely to adversely impact on residential amenity.



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Principal Acoustic Consultant, Big Sky Acoustics Ltd

Appendix A - Acoustic terminology

Sound Pressure Level and the decibel (dB)

A sound wave is a small fluctuation of atmospheric pressure. The human ear responds to these variations in pressure, producing the sensation of hearing. The ear can detect a very wide range of pressure variations. In order to cope with this wide range of pressure variations, a logarithmic scale is used to convert the values into manageable numbers. Although it might seem unusual to use a logarithmic scale to measure a physical phenomenon, it has been found that human hearing also responds to sound in an approximately logarithmic fashion. The dB (decibel) is the logarithmic unit used to describe sound (or noise) levels. The usual range of sound pressure levels is from 0 dB (threshold of hearing) to 140 dB (threshold of pain).

Frequency and Hertz (Hz)

As well as the loudness of a sound, the frequency content of a sound is also very important. Frequency is a measure of the rate of fluctuation of a sound wave. The unit used is cycles per second, or hertz (Hz). Sometimes large frequency values are written as kilohertz (kHz), where 1 kHz = 1000 Hz. Young people with normal hearing can hear frequencies in the range 20 Hz to 20,000 Hz. However, the upper frequency limit gradually reduces as a person gets older.

A-weighting

The ear does not respond equally to sound at all frequencies. It is less sensitive to sound at low and very high frequencies, compared with the frequencies in between. Therefore, when measuring a sound made up of different frequencies, it is often useful to 'weight' each frequency appropriately, so that the measurement correlates better with what a person would actually hear. This is usually achieved by using an electronic filter called the 'A' weighting, which is built into sound level meters. Noise levels measured using the 'A' weighting are denoted dBA. A change of 3dBA is the minimum perceptible under normal everyday conditions, and a change of 10dBA corresponds roughly to doubling or halving the loudness of sound.

C-weighting

The C-weighting curve has a broader spectrum than the A-weighting curve and includes low frequencies (bass) so it can be a more useful indicator of changes to bass levels in amplified music systems.

Noise Indices

When a noise level is constant and does not fluctuate over time, it can be described adequately by measuring the dB level. However, when the noise level varies with time, the measured dB level will vary as well. In this case it is therefore not possible to represent the noise level with a simple dB value. In order to describe noise where the level is continuously varying, a number of other indices are used. The indices used in this report are described below.

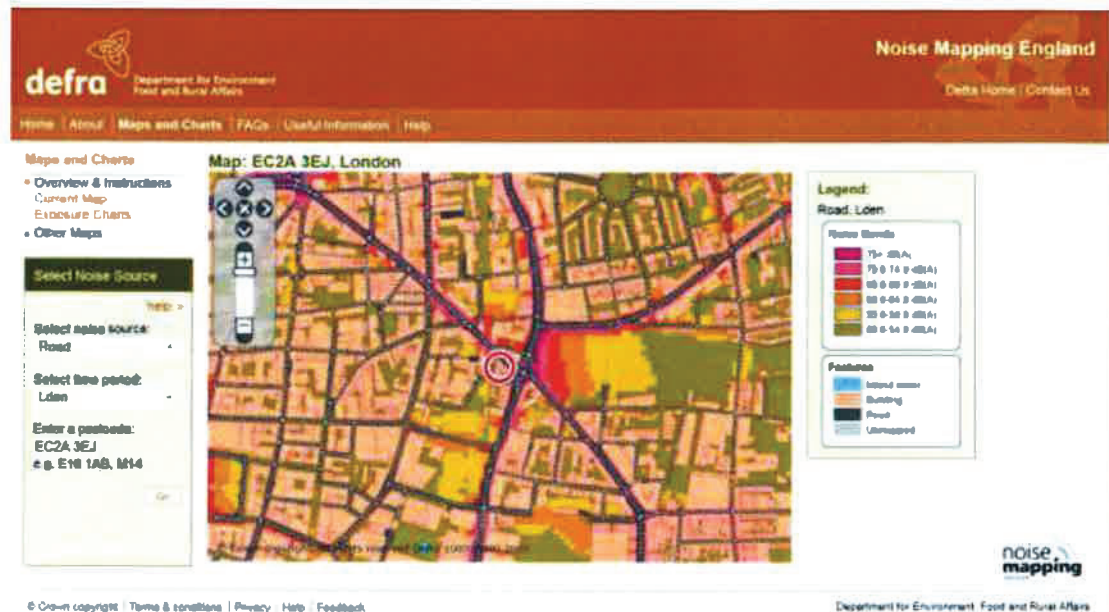
- L_{eq}** The equivalent continuous sound pressure level which is normally used to measure intermittent noise. It is defined as the equivalent steady noise level that would contain the same acoustic energy as the varying noise. Because the averaging process used is logarithmic the L_{eq} is dominated by the higher noise levels measured.
- L_{Aeq}** The A-weighted equivalent continuous sound pressure level. This is increasingly being used as the preferred parameter for all forms of environmental noise.
- L_{Ceq}** The C-weighted equivalent continuous sound pressure level includes low frequencies and is used for assessment of amplified music systems.
- L_{Amax}** is the maximum A-weighted sound pressure level during the monitoring period. If fast-weighted it is averaged over 125 ms, and if slow-weighted it is averaged over 1 second. Fast weighted measurements are therefore higher for typical time-varying sources than slow-weighted measurements.
- L_{A90}** is the A-weighted sound pressure level exceeded for 90% of the time period. The L_{A90} is used as a measure of background noise.

Example noise levels:

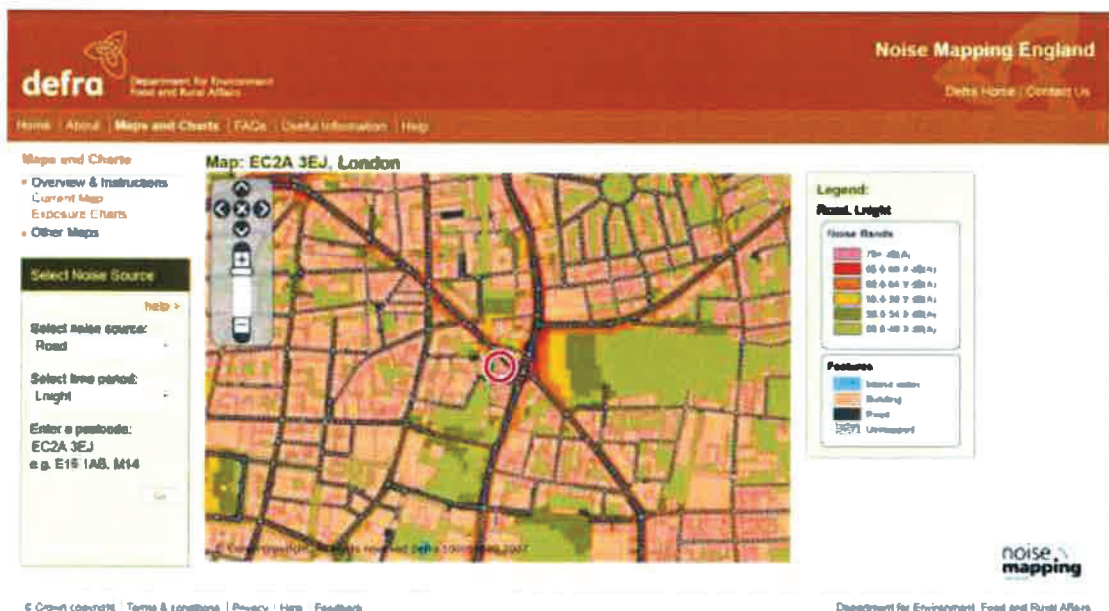
Source/Activity	Indicative noise level dBA
Threshold of pain	140
Chainsaw at 1m	110
Live music concert	96-108
Symphony orchestra, 3m	102
Nightclub	96-104
Lawnmower	90
Heavy traffic	82
Vacuum cleaner	75
Ordinary conversation	60
Car at 40 mph at 100m	55
Rural ambient	35
Quiet bedroom	30
Watch ticking	20

Appendix B - Road traffic noise levels

Environmental Noise (England) Regulations 2006, strategic noise maps for England



Daytime levels: >70dBA



Nighttime levels: >65dBA

Appendix C - Instrumentation

All attended measurements were carried out using a Cirrus type CR:171B integrating-averaging sound level meter with real-time 1:1 & 1:3 Octave band filters and audio recording conforming to the following standards: IEC 61672-1:2002 Class 1, IEC 60651:2001 Type 1 I, IEC 60804:2000 Type 1, IEC 61252:1993 Personal Sound Exposure Meters, ANSI S1.4-1983 (R2006), ANSI S1.43-1997 (R2007), ANSI S1.25:1991. 1:1 & 1:3 Octave Band Filters to IEC 61260 & ANSI S1.11-2004.

The calibration of the measuring equipment was checked prior to and immediately following the tests and no signal variation occurred. Calibration of equipment is traceable to national standards. The following instrumentation was used during the survey:

Cirrus sound level meter	type CR:171B
Cirrus pre-polarized free-field microphone	type MK:224
Cirrus microphone pre-amplifier	type MV:200E
Cirrus class 1 acoustic calibrator	type CR:515

Appendix D - Meteorology during survey period

9th January 2014	Temperature	Wind speed	Precipitation
At start	13°C	2ms ⁻¹	None
During assessment	13°C	1ms ⁻¹	None
At finish	13°C	1ms ⁻¹	None
Additional comments: Dry, sunny and mild weather for January.			



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

RESPONSIBLE AUTHORITY DETAILS

NAME OF AUTHORITY	London Borough of Hackney
ADDRESS OF AUTHORITY	Community Safety & Enforcement Service First Floor Hackney Service Centre 1 Hillman Street London E8 1DY
CONTACT NAME	Jacey Frewin
TELEPHONE NUMBER	020 8356 4567
E-MAIL ADDRESS	jacey.frewin@hackney.gov.uk

APPLICATION PREMISES

NAME & ADDRESS OF PREMISES	Dinerama 19 Great Eastern Street Hackney London EC2A 3EJ
NAME OF APPLICANT	Street Feast Limited

COMMENTS

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

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

ENVIRONMENTAL LICENCE CONDITIONS IN RESPECT OF

Dinerama

19 Great Eastern Street, London EC2A 3EJ

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

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

We have received complaints in the past regarding littering and build-up of waste in the Area. There have been instances in the past where Enforcement Officers have found evidence of the illegal disposal of waste from businesses in this area. Experience has also shown that there is the probability that there will be cigarette litter outside these premises due to the smoking area. It is possible that glasses and

bottles may be left outside by patrons.

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

Contact Jacey Frewin by email if necessary

Name: Jacey Frewin

Date: 28/05/2020



This premises licence has been issued by:

Licensing Service
1 Hillman Street
London E8 1DY

PART A – PREMISES LICENCE

Premises Licence Number

093025

Part 1 – Premises details

Dinerama
19 Great Eastern Street
Hackney
London
EC2A 3EJ

Where the licence is time limited the dates

From: 5 March 2018 To: 31 October 2020

Licensable activities authorised by the licence

Recorded Music
Late Night Refreshment
Supply of Alcohol

The times the licence authorises the carrying out of Licensable activities

Recorded Music Standard Hours:

BOTH:	Mon 12:00-23:30
	Tue 12:00-23:30
	Wed 12:00-23:30
Indoors and	Thu 12:00-23:30
Outdoors	Fri 12:00-00:00
	Sat 12:00-00:00
	Sun 12:00-22:00

Late Night Refreshment

Standard Hours:

BOTH:

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

Supply of Alcohol

Standard Hours:

INDOOR:

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

The opening hours of the premises

Standard Hours:

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

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

Street Feast Limited
100 Clifton Street
Hackney
London
EC2A 4TP

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

10281540

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

Taimour Lang

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 March 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 customer is made aware that these measures are available.

Minimum Drinks Pricing

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

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

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

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

(i) P is the permitted price,

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

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

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

(i) the holder of the premises licence,

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

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

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

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

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

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

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

Door Supervision

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

Annex 2 – Conditions consistent with the Operating Schedule

9. An advertised "hotline" telephone number to the (Duty Manager) shall be available to local residents during events. A log shall be kept of all telephone complaints and any complaints made shall be investigated as soon as possible and recorded together with action taken.
10. The premises shall install and maintain a comprehensive CCTV system as per the minimum requirements of a Metropolitan Police Crime Prevention Officer. All public areas will be covered enabling frontal identification of every person entering in any light condition. The CCTV system shall continually record whilst the premises is open for licensable activities and during all times when customers remain on the premises. All recordings shall be stored for a minimum period of 31 days with date and time stamping. Recordings shall be made available immediately upon the request of Police or authorised officer throughout the preceding 31 day period.
11. There shall be a staff member from the premises who is conversant with the operation of the CCTV system on the premises at all times when the premises are open to the public. This staff member must be able to show a Police or authorised council officer recent data or footage when requested.
12. Signs will be prominently displayed at all exit points reminding customers to leave quietly and respect local residents.
13. A Challenge 25 proof of age scheme shall be operated at the premises where the only acceptable forms of identification are

recognised photographic identification cards, such as driving licence or passport.

14. An incident log shall be kept at the premises, and made available on request to an authorised officer of the council or the police, which will record the following: (a) All crimes reported;
 - a. (b) All ejections of patrons;
 - b. (c) Any incidents of disorder;
 - c. (d) Seizure of drugs or offensive weapons;
 - d. (e) Any faults in the CCTV system or searching equipment or scanning equipment;
 - e. (f) Any refusal of the sale of alcohol;
 - f. (g) Any visit by a relevant authority or emergency service.
15. Premises to operate zero tolerance policy to drugs and comply with Hackney Police Drugs, Weapons and Search policy.
16. An adequate and appropriate supply of first aid equipment and materials shall be available on the premises.
17. All staff will be given refresher training every six months on the legislation relating to the sales of alcohol to underage persons and drunken persons.
18. The licence holder shall maintain a dedicated telephone number of the Designated Premises Supervisor for use by a Responsible Authority or any person who may wish to make a complaint. This contact number shall be provided to licensing authority, police and to any local residents upon request.
19. There shall be a minimum of 2 SIA registered supervisors on site between 7.00pm and 00:30am at all times, and a minimum of 6 on Friday and Saturdays, whenever there is licensable activity taking place. Additional SIA registered supervisors shall be employed on the basis of an operational risk assessment. All security staff and stewards shall be clearly identifiable at all times. All supervisors shall enter their full details in the premises daily register at the commencement of their work. They shall record their full name, home address and contact telephone number, their SIA registration number, and the time they commence and conclude working. If the supervisor was provided by an agency the name, registered business address and contact telephone number will also be recorded. This register will be made available to Police or authorised officer immediately upon request.
20. Patrons will not be allowed to take drinks, glass or open containers outside of the premises at any time.
21. A written dispersal policy shall be agreed with the police and licensing authority prior to the carrying out of any licensable activities at the premises.

The approved written dispersal policy shall be implemented at all times that licensable activities are provided at the premises. A copy of the policy shall be kept on the premises and produced to the police or an authorised officer upon request.

22. Stewards or SIA registered supervisors will be responsible for ensuring that any queue for the venue is orderly and noise kept to a minimum.
23. A qualified Acoustic Consultant, who is a member of the Institute of Acoustics (IoA) or other similar professional body, should be appointed by the applicant to carry out a full acoustic survey of the site, before regulated entertainment is to take place, to determine the maximum music levels and noise levels from patrons. These levels should be such as not to cause a noise nuisance in the nearest noise sensitive premises during the provision of regulated entertainment and be inaudible in such premises at all times. The acoustic survey should be followed by a comprehensive acoustic report outlining survey's methodology, established music levels, all nearest noise sensitive premises and all recommended noise mitigation measures to be implemented when regulated entertainment is taking place. The acoustic report should be submitted to Local Authority for approval. All the recommendations within the report must be implemented prior to the regulated entertainment taking place.
24. There shall be a minimum of 1 SIA registered supervisor at the entrance of Fairchild Place from 9.00pm until close on Fridays and Saturdays when licensable activities are taking place at the premises to encourage members of the public not to access the street except for access to properties along the same. The requirement for SIA registered supervisors to be on duty at the entrance of Fairchild Place shall be risk assessed on all other days of the week when licensable activities are taking place at the premises.

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

N/A

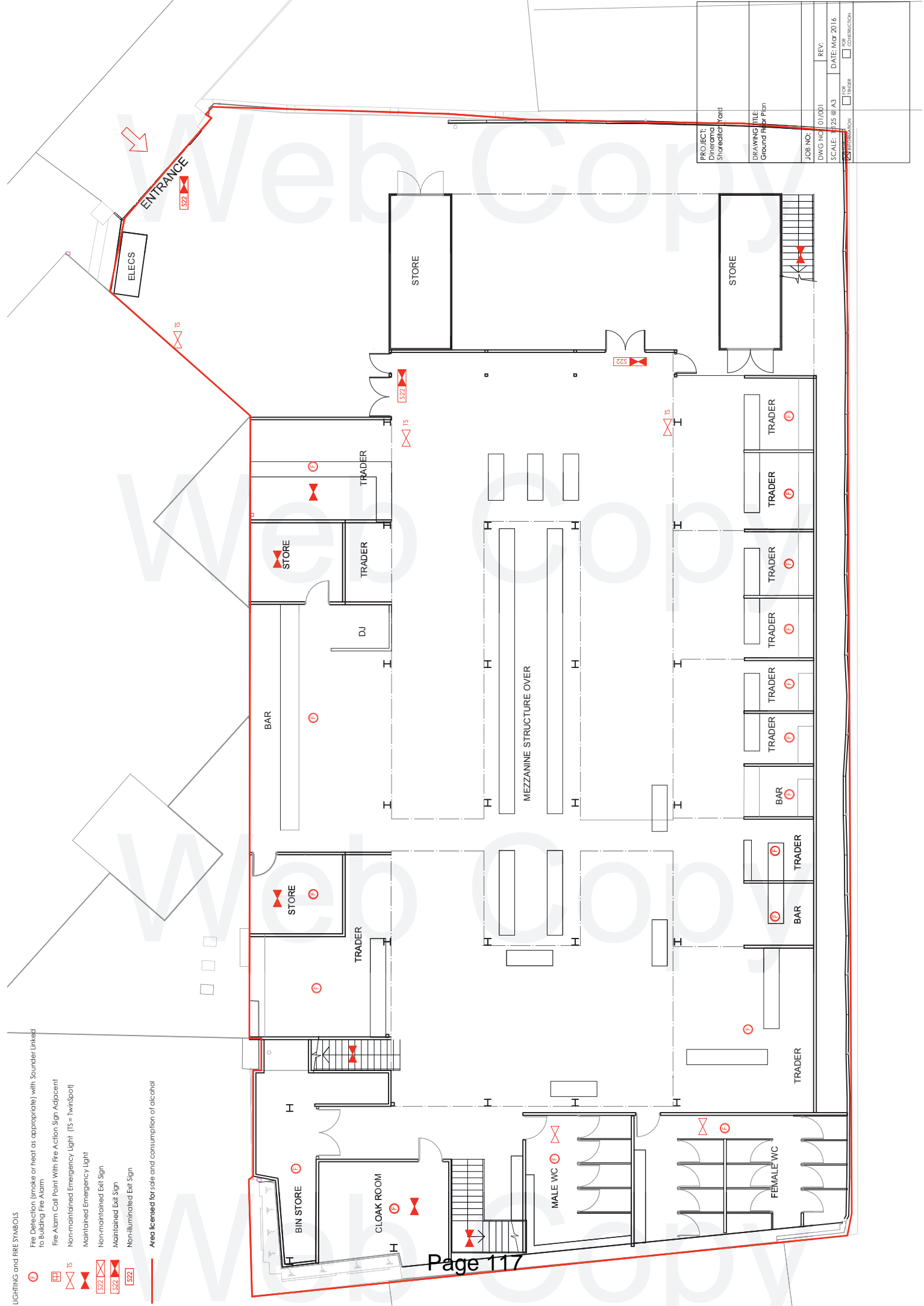
Annex 4 – Plans

PLAN/093028/05032018

LIGHTING and FIRE SYMBOLS

- Fire Detection (smoke or heat as appropriate) with Sounder Linked to Building Fire Alarm
- Fire Alarm Call Point With Fire Action Sign Adjacent
- Non-maintained Emergency Light (TS = TwinSpot)
- Maintained Emergency Light
- Non-maintained Exit Sign
- Maintained Exit Sign
- Non-illuminated Exit Sign

Area licensed for sale and consumption of alcohol

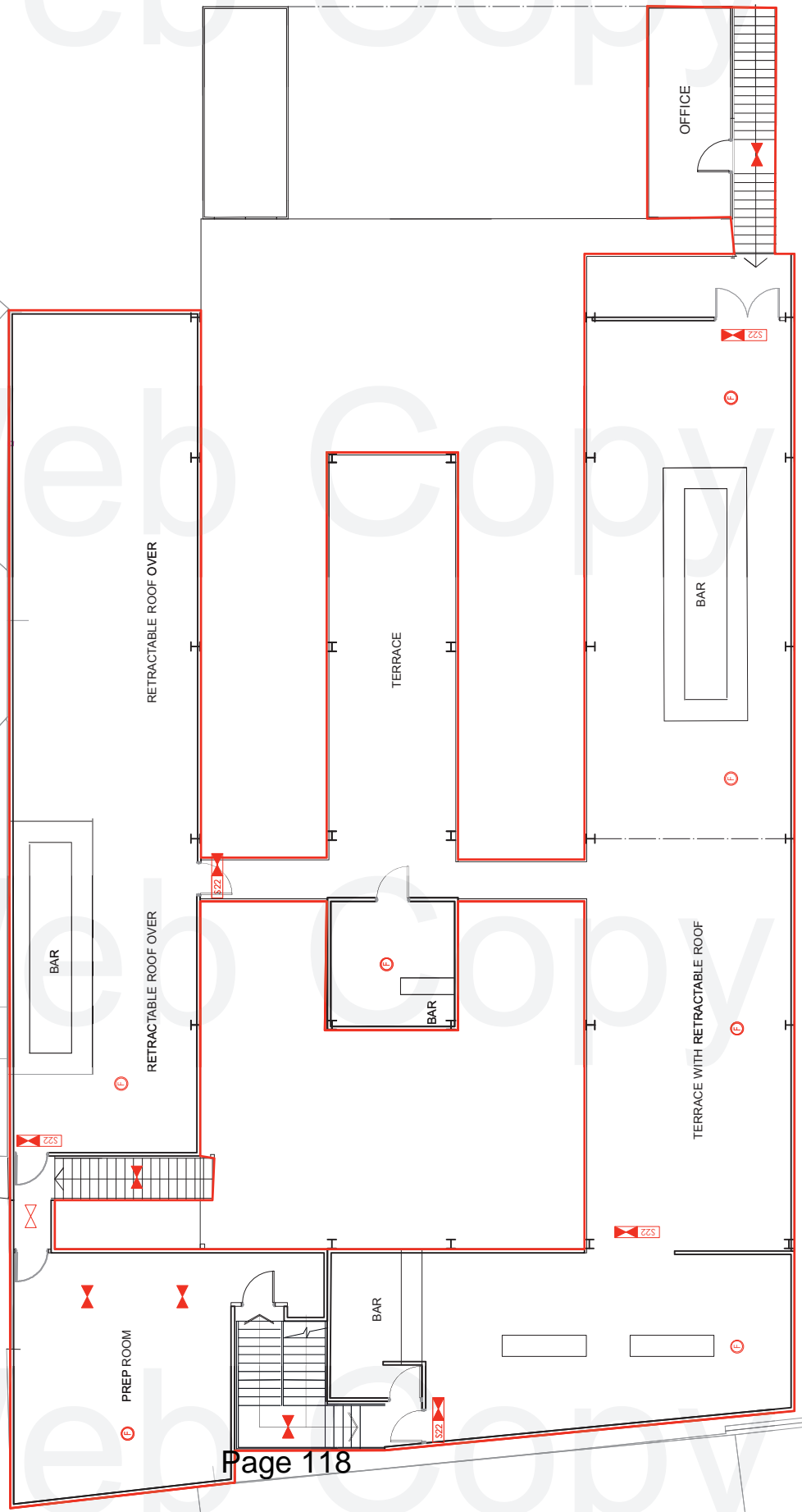


PROJECT: Dineenca Shoreditch Yard	REV:
DRAWING TITLE: Ground Floor Plan	DATE: Mar 2016
JCB NO:	FOR CONSTRUCTION
DWG NO: 01/001	FOR TENDER
SCALE: 1/25 @ A3	FOR CONSTRUCTION

LIGHTING and FIRE SYMBOLS

- Fire Detection (Smoke or heat as appropriate) with Sounder Linked to Building Fire Alarm
- Fire Alarm Call Point With Fire Action Sign Adjacent
- Non-maintained Emergency Light (IS = TwinSpot)
- Maintained Emergency Light
- Non-maintained Exit Sign
- Maintained Exit Sign
- Non-illuminated Exit Sign
- Area licensed for sale and consumption of alcohol

PROJECT: Dineen Shoreditch Yard		REV:
DRAWING TITLE: Mezzanine Floor Plan		DATE: Mar 2016
JOB NO:	DWG NO: 01/0022	FOR CONSTRUCTION
SCALE: 1:125 @ A3	FOR INFORMATION	FOR CONSTRUCTION



APPENDIX D



NORTH

Scale: 1:1250 at A4

Hackney

Dinerama, 19 Great Eastern Street, EC2A 3EJ

Page 119

Ref: 13 July 2020

Product: unspecified

email:

please specify copyright statement

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