



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

Thursday, 23rd July, 2020

at 7.00 pm

Until further notice, all council meetings will be held remotely. The live stream link for this meeting can be found here :
<https://youtu.be/JIYimHrFObw>

Councillors sitting:

**Cllr James Peters, Cllr Penny Wrout and
Cllr M Can Ozsen**

**TIM SHIELDS
Chief Executive**

Contact:
Clifford Hart, Senior Governance Services Officer
020 8356 3597
Clifford.hart@hackney.gov.uk

15 July 2020

The press and public are welcome to attend this meeting

AGENDA

Thursday, 23rd 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		
5 Licensing Sub-Committee Hearing Procedure		(Pages 1 - 2)
6 APPLICATION TO VARY THE PREMISES LICENCE : St John at Hackney Brewery, 16-17 Bohemia Place, E8 1DU	Hackney Central	(Pages 3 - 44)
7 APPLICATION TO VARY THE PREMISES LICENCE : Callooh Callay Bar, Suna House, 65 Rivington Street, EC2A 3QQ	Hoxton East & Shoreditch	(Pages 45 - 76)
8 Temporary Event Notices - Standing Item		

Licensing Sub-Committee Hearings

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

A Licensing Sub-Committee will be held if:

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

- The applicant has made a Personal Licence application and the Police have objected to the Licence being granted.
- A Temporary Event Notice has been given and the Police and/or those in the Council that exercise environmental health functions have issued an objection.

Prior to your item being heard:

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

If you do not believe this to have happened, please contact the Licensing Service on 020 8356 4970 or email licensing@hackney.gov.uk 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 remote 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, will advise that this meeting is being held remotely.

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 remote meeting. Disruptive behaviour may include: causing excessive noise; intrusive lighting; interrupting the meeting; or filming members of the public who have asked not to be filmed.

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.. The press and public are not permitted to use any means which might enable them to see or hear the proceedings whilst they are excluded from a meeting and confidential or exempt information is under consideration.

Providing oral commentary during a meeting is not permitted.

Lobbying of Councillors

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

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

Reports

Agendas and Reports for Licensing Sub-Committees are published on the Council's website (www.hackney.gov.uk) 5 working days before the hearing takes place. Copies are also

available by contacting Governance Services on 0208 356 3578 or email governance@hackney.gov.uk. Copies of applications together with the detail of any objections will be included in the report.

Appeals

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

Withdrawal of an Item or Cancellation of a Hearing

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

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

Facilities

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

Contacts

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

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

Telephone: 020 8356 3597

E-mail: governance@hackney.gov.uk

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

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

Telephone: 020 8356 4970

Fax: 020 8356 4974

E-mail: licensing@hackney.gov.uk

ADVICE TO MEMBERS ON DECLARING INTERESTS

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

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

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

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

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

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

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

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

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

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

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

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

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

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

Further Information

Advice can be obtained Dawn Carter-McDonald, Interim Director of Legal and Governance, on 020 8356 6234 or email 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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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]

Step 1 Appointment of Chair and introduction	<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>	5 minutes
Step 2 Licensing Officer	The Licensing Officer will outline the report.	5 minutes
Step 3 Applicant's Case	The Applicant will present their case in support of their application.	5 minutes
Step 4 Responsible Authorities' Case	The Chair will invite the relevant Responsible Authorities in attendance to highlight their reasons for objecting to the application as contained within the report.	5 minutes each
Step 5 Other Persons' Case	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.	5 minutes each
Step 6 Discussion	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.	15 minutes
Step 7 Closing remarks	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.	10 minutes
Step 8 - Final clarification	Licensing Sub-Committee Members will have a final opportunity to seek clarification on any points raised, following which the Chair will conclude the discussion.	5 minutes
Step 9 Consideration	<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>	10 minutes
Step 10 Chair announces the decision	<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>	5 minutes

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

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REPORT OF THE GROUP DIRECTOR, NEIGHBOURHOODS AND HOUSING		
LICENSING SUB-COMMITTEE: 23/07/2020	Classification DECISION	Enclosure
APPLICATION TO VARY THE PREMISES LICENCE : St John at Hackney Brewery, 16-17 Bohemia Place, E8 1DU	Ward(s) affected Hackney Central	

1. SUMMARY

Applicant(s) Beersheba Ltd		In SPA: No
Date of Application 8 June 2020		Period of Application Permanent
Proposed variation: To amend the plan Amendment of current condition 19		
Proposed hours for licensable activity No change to current hours		
The opening hours of the premises: No change to current hours		
Current activities/hours: See current licence attached as Appendix C		
Capacity: not known		
Policies Applicable	LP1 (General Principles), LP2 (Licensing Objectives), LP3 (Core Hours), LP4 ('Off' Sales of Alcohol), LP5 (Planning Status), LP6 (External Areas and Outdoor Events) and LP11 (Cumulative Impact - General)	
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 Enforcement Police 	

2. APPLICATION

- 2.1 Beersheba Ltd has made an application vary their premises licence under the Licensing Act 2003:
- To amend the plans (as per revised plan) to include a larger external area for tables and chairs.
 - To amend condition 19 relating to the numbers of people in the external area and increasing number to 72.
- 2.2 The application is attached as Appendix A. The applicant has proposed amending condition from the current licence and replacing as detailed in paragraph 8.1 below.

3. CURRENT STATUS / HISTORY

- 3.1 The current premises licence was granted in March 2018(attached as Appendix C).
- 3.2 A Temporary Event Notice was given for an event in 2020 at this premises as follows:

<u>Date of the event(s)</u>	<u>Hours</u>
31/12/2019-01/01/2020	23.00-01.00

4. REPRESENTATIONS: RESPONSIBLE AUTHORITIES

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

Health Authority	No representation received
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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), LP4 ('Off' Sales of Alcohol), LP5 (Planning Status), LP6 (External Areas and Outdoor Events) and LP11 (Cumulative Impact - General) are relevant.

8. OFFICER OBSERVATIONS

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

Existing Condition to be amended

There shall be no glass, drinks or open containers taken outside the front of the premises except for a maximum of 10 people seated in the designated seating area. All drinks taken outside shall be in a plastic receptacle.

Proposed Condition to be added

There shall be no glass, drinks or open containers taken outside the front of the premises except for a maximum of 72 people seated in the designated seating area. All drinks taken outside shall be in a plastic receptacle.

Conditions derived from Responsible Authority representations

1. The Licensee shall ensure that all staff are fully trained and made aware of the legal requirement of businesses to comply with their responsibility as regards the disposal of waste produced from the business premises. The procedure for handling and preparing for disposal of the waste shall be in writing and displayed in a prominent place where it can be referred to at all times by staff.
2. The Licensee shall ensure that any contract for general and recyclable waste disposal shall be appropriate in size to the amount of waste produced by the business. The Licensee shall maintain an adequate supply of waste receptacles provided by his registered waste carrier (refuse sacks or commercial waste bins) in order to

ensure all refuse emanating from the business is always presented for collection by his waste carrier and shall not use any plain black or unidentifiable refuse sacks or any other unidentifiable or unmarked waste receptacles.

3. In order to minimise the amount of time any waste remains on the public highway in readiness for collection, the Licensee will ensure the timeframe within which it may expect its waste carrier to collect is adhered to.
4. The Licensee shall instruct 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 St John at Hackney Brewery. 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 The applicant is seeking the above amendment. Conditions 1 to 6 have been proposed by Environmental Enforcement.

10. LEGAL COMMENTS

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

11. HUMAN RIGHTS ACT 1998 IMPLICATIONS

11.1 There are implications to;

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

12. MEMBERS DECISION MAKING

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

13. CONCLUSION

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

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
St John at Hackney Brewery 16-17 Bohemia Place, E8 1DU	Hackney Service Centre Licensing Service 1 Hillman Street London E8 1DY

Printed matter

Licensing Act 2003

LBH Statement of Licensing Policy

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 Beersheba 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

093280

Part 1 – Premises Details

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

16 BOHEMIA PLACE
HACKNEY

Post
town

LONDON

Postcode

E8 1DU

Telephone number at premises (if any)

Non-domestic rateable value of premises

£19500

Part 2 – Applicant details

Daytime contact
telephone number

E-mail address (optional)

Current postal address if
different from premises
address

UK-England

Post

Postcode

town			
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Part 3 – Variation

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

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

Amendment to plans to include a larger external area for tables and chairs and to amend condition 19 relating to the numbers of people in the external area and increasing number to 72. It is proposed that it be re-worded as follows - "There shall be no glass, drinks or open containers taken outside the front of the premises except for a maximum of 72 people seated in the designated seating area. All drinks taken outside shall be in a plastic receptacle."

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

100

Part 4 Operating Schedule

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

Provision of regulated entertainment (Please see guidance note 3)

Please tick all that apply

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

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

..

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

..

In all cases complete boxes K, L and M

A

Plays Standard days and timings (please read guidance note 8)			Will the performance of a play take place indoors or outdoors or both – please tick (please read guidance note 4)	Indoors	
				Outdoors	
				Both	
Day	Start	Finish	Please give further details here (please read guidance note 5)		
Mon					
Tue					
Wed			State any seasonal variations for performing plays (please read guidance note 6)		
Thur					
Fri					
Sat			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 7)		
Sun					

B

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

C

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

D

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

E

Live music Standard days and timings (please read guidance note 8)			Will the performance of live music take place indoors or outdoors or both – please tick (please read guidance note 4)	Indoors	
				Outdoors	
				Both	
Day	Start	Finish	Please give further details here (please read guidance note 5)		
Mon					
Tue					
Wed					
Thur			State any seasonal variations for the performance of live music (please read guidance note 6)		
Fri					
Sat					
Sun					
			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 7)		

F

Recorded music Standard days and timings (please read guidance note 8)			Will the playing of recorded music take place indoors or outdoors or both – please tick (please read guidance note 4)	Indoors	
				Outdoors	
				Both	
Day	Start	Finish	Please give further details here (please read guidance note 5)		
Mon					
Tue					
Wed			State any seasonal variations for the playing of recorded music (please read guidance note 6)		
Thur					
Fri					
Sat			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 7)		
Sun					

G

Performances of dance Standard days and timings (please read guidance note 8)			Will the performance of dance take place indoors or outdoors or both – please tick (please read guidance note 4)	Indoors	
				Outdoors	
				Both	
Day	Start	Finish	Please give further details here (please read guidance note 5)		
Mon					
Tue					
Wed			State any seasonal variations for the performance of dance (please read guidance note 6)		
Thur					
Fri					
Sat			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 7)		
Sun					

H

Anything of a similar description to that falling within (e), (f) or (g) Standard days and timings (please read guidance note 8)			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 4)	Indoors	
Mon				Outdoors	
				Both	
Tue			Please give further details here (please read guidance note 5)		
Wed					
Thur			State any seasonal variations for entertainment of a similar description to that falling within (e), (f) or (g) (please read guidance note 6)		
Fri					
Sat			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 7)		
Sun					

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

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	
Day	Start	Finish		Both	
Mon			State any seasonal variations for the supply of alcohol (please read guidance note 6)		
Tue					
Wed			Non-standard timings. Where you intend to use the premises for the supply of alcohol at different times to those listed in the column on the left, please list (please read guidance note 7) Default.LicesableActivitiesJ_plays_non_s»		
Thur					
Fri					
Sat					
Sun					

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).
none

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	23:30	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)
Tue	10:00	23:30	
Wed	10:00	23:30	
Thur	10:00	23:30	
Fri	10:00	00:00	
Sat	00:00	00:30	
	10:00	00:00	
Sun	00:00	00:30	
	10:00	23:30	

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.

none

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.
cannot attach original as this is an electronic application

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)

All existing 34 conditions on the premises licence to continue in force as per current premises licence. Whilst the premises have been open there have been no issues arising and the existing conditions have been implemented successfully.

This amendment if granted would be subject to the existing prevailing situation in respect of the Coronavirus pandemic and any further statutes or regulations which the government may form time to introduce. The operator will also have full regard to Guidance from government on social distancing measures and standards of hygiene throughout the premises and outdoors.

Management policies will be revised to take into account social distancing and hygiene during the period of the pandemic.

As per the attached revised drawing permission is sought for 12 tables at the front of the property. As per the plans submitted with this application, all tables will be placed 2m away from each other in line with government guidelines. These would be used for table service only, with two members of staff stationed outside during peak times. Patrons would only be served in plastic cups, and members of staff will aim to ensure no customer walks away with open containers

b) The prevention of crime and disorder

as above

c) Public safety

as above

d) The prevention of public nuisance

as above

e) The protection of children from harm

as above

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	Gareth Hughes
Date	8/6/2020
Capacity	Lawyer for applicant

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

Signature	
Date	8/6/2020
Capacity	

Contact name (where not previously given) and address for correspondence associated with this application (please read guidance note 15)			
Keystone Law			
48-49 CHANCERY LANE			
UK-England			
Post town	LONDON	Post code	WC2A 1JF
Telephone number (if any)	[REDACTED]		
If you would prefer us to correspond with you by e-mail, your e-mail address (optional)			
[REDACTED]			

Notes for Guidance

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

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

Do not scale from drawing
All dimensions to be checked on site
Report omissions and issues to the Architect
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**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 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	St John at Hackney Brewery 16-17 Bohemia Place Hackney London E8 1DU
NAME OF APPLICANT	Beersheba Ltd

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 | <input type="checkbox"/> |
| 2) | public safety | <input type="checkbox"/> |
| 3) | the prevention of public nuisance | <input checked="" type="checkbox"/> |
| 4) | the protection of children from harm | <input type="checkbox"/> |

Representation in relation to:

ENVIRONMENTAL LICENCE CONDITIONS IN RESPECT OF

**St John at Hackney Brewery
16-17 Bohemia Place, London E8 1DU**

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

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

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

4 The Licensee shall instruct 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 St John at Hackney Brewery.

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 this business.

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: 11/06/2020

APPENDIX B2

Planning Authority Representation: Application under the Licensing Act 2003

Details of Authority	2 Hillman Street, Hackney, London, E8 1FB
Officer contact name	Ashley Rogers
Officer telephone number	020 8356 7914
Officer's email address	ashley.rogers@hackney.gov.uk

APPLICATION PREMISES

Name and address of premises	St John at Hackney Brewery, 16-17 Bohemia Place, Hackney, London, E8 1DU
Applicant name	Beersheba Limited

COMMENTS

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

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

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

The application proposes a variation to an existing premises license under the Licensing Act 2003.

The proposed changes are for internal/external alterations to the existing premises. No changes are proposed to the permitted hours, activities or conditions.

Hours premises are open to the public:
Mon-Thur & Sun 10:00 to 23:30
Fri-Sat 10:00 to 00:00

The proposed use is lawful under planning permission reference:

2017/4504 - Change of use from B2 (General Industrial) to Sui Generis (Brewery, Restaurant and Bar); alterations to front and rear elevation comprising installation of metal framed glazing along with installation of ventilation equipment to rear elevation.

The proposed hours exceed the hours of operation permitted under the planning consent.

3 The use hereby approved shall only be operated between the hours 10am and midnight Monday to Saturday and between 11am and 10pm Sunday and bank holidays.

The usage of the premises is permitted. However, the hours of operation proposed exceeds the hours of operation permitted under the planning consent.

They are advised to seek planning permission. Licensing permission does not grant planning permission. The applicant is reminded that usage of the premises outside the planning permission for the premises is unlawful and may result in enforcement action.

Please provide the following information (if applicable)

Area (that permission applies to)	Ground Floor
Permitted use	N/A
Permitted hours	N/A
Specific/restrictive conditions	N/A
Recent applications	N/A
Decisions	N/A
Pending Decisions	N/A
Reasons for refusal	N/A
Relevant Conditions/discharges	N/A

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

No representation with informative

The usage of the premises is permitted. However, the hours of operation proposed exceeds the hours of operation permitted under the planning consent.

They are advised to seek planning permission. Licensing permission does not grant planning permission. The applicant is reminded that usage of the premises outside the planning permission for the premises is unlawful and may result in enforcement action.

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

Signed	
Name	Gareth (South Team Leader)
Date	

APPENDIX B3

RESPONSIBLE AUTHORITY REPRESENTATION: APPLICATION UNDER THE LICENSING ACT 2003

RESPONSIBLE AUTHORITY DETAILS

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

APPLICATION PREMISES

NAME & ADDRESS OF PREMISES	16-17 Bohemia Place London E8 1DU
NAME OF PREMISES USER	Beersheba 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 submit the following representations in respect of the premises variation application at 16-17 Bohemia place.

The venue applying for an extension is located in Bohemia place which is a gallery of railway arches previously used as repair garages. A majority of these arches are now occupied by night time economy venues.

The venue is seeking to extend the use of the outdoor area at the front of the premises to accommodate 72 customers.

Condition 19 on the current licence currently places a restricting of the number of customers using the external seating area to 10 people with this variation seeking to extend that number to 72. During the current climate of social distancing Police are now seeing a number of venues applying to make use of the external spaces on Bohemia place.

Bohemia Police suffers from ASB issues such as urination and Vomiting. Police believe that the significant increase in numbers occupying outside space in addition to the existing space using outdoor space for the consumption of alcohol will lead to an increase in these issues. Police are concerned that the area will also see an increase in crime and disorder namely theft as increase of use in the vicinity will make it an attractive target for balloon sellers and thieves who make their way to their to target intoxicated members of the public.

Whilst it is appreciated that many venues are seeking additions to their licence to allow for social distancing and compensate for the reduction of indoor usable space whilst social distancing guidelines are in place this will be a permanent addition to the licence and Police believe that this addition will undermine the licensing objectives public nuisance and crime and disorder.

Police look forward to hearing from the applicant to discuss this application.

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 PC 1505CE ATKINS (By E-mail)
Name (printed

APPENDIX C



This premises licence has been issued by:

Licensing Service
1 Hillman Street
London E8 1DY

PART A – PREMISES LICENCE

Premises Licence Number

093280

Part 1 – Premises details

St John at Hackney Brewery
Railway Arches, 16-17 Bohemia Place
Hackney
London
E8 1DU

Where the licence is time limited the dates

Not Applicable

Licensable activities authorised by the licence

Live Music
Recorded Music
Late Night Refreshment
Supply of Alcohol

The times the licence authorises the carrying out of Licensable activities

Live Music

Standard Hours:

BOTH:

Fri 23:00-00:00
Sat 23:00-00:00

Recorded Music

Standard Hours:

BOTH:

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

**Late Night
Refreshment**

Standard Hours:

BOTH:

Fri 23:00-00:00
Sat 23:00-00:00

Supply of Alcohol

Standard Hours:

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

The opening hours of the premises

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

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

On and Off Premises

Part 2 –

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

Beersheba Ltd
22 Chancery Lane
London
WC2A 1LS

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

10709205

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

Luke Scanlon

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: 19 March 2018

Signed:

**David Tuitt
Team Leader - Licensing**

Annex 1 - Mandatory Conditions

Supply of Alcohol

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

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

 - (a) games or other activities which require or encourage, or are designed to require or encourage, individuals to;
 - (i) drink a quantity of alcohol within a time limit (other than to drink alcohol sold or supplied on the premises before the cessation of the period in which the responsible person is authorised to sell or supply alcohol), or
 - (ii) drink as much alcohol as possible (whether within a time limit or otherwise);
 - (b) provision of unlimited or unspecified quantities of alcohol free or for a fixed or discounted fee to the public or to a group defined by a particular characteristic in a manner which carries a significant risk of undermining a licensing objective;
 - (c) provision of free or discounted alcohol or any other thing as a prize to encourage or reward the purchase and consumption of alcohol over a period of 24 hours or less in a manner which carries a significant risk of undermining a licensing objective;
 - (d) selling or supplying alcohol in association with promotional posters or flyers on, or in the vicinity of, the premises which can reasonably be considered to condone, encourage or glamorise anti-social behaviour or to refer to the effects of drunkenness in any favourable manner.
 - (e) dispensing alcohol directly by one person into the mouth of another (other than where that other person is unable to drink without assistance by reason of a disability).

4. The responsible person must ensure that free potable water is provided on request to customers where it is reasonably available.
5. 5.1. The premises licence holder or club premises certificate holder must ensure that an age verification policy is adopted in respect of the premises in relation to the sales or supply of alcohol.
5.2 The designated premises supervisor in relation to the premises licences must ensure that the supply of alcohol at the premises is carried on in accordance with the age verification policy.
5.3. The policy must require individuals who appear to the responsible person to be under 18 years of age (or such older age as may be specified in the policy) to produce on request, before being served alcohol, identification bearing their photograph, date of birth and either:-
 - A. a holographic mark or
 - B. an ultraviolet feature.
6. The responsible person shall ensure that:
 - a) where any of the following alcoholic drinks is sold or supplied for consumption on the premises (other than alcoholic drinks sold or supplied having been made up in advance ready for sale or supply in a securely closed container) it is available to customers in the following measures:
 - beer or cider: 1/2 pint;
 - gin, rum, vodka or whisky: 25ml or 35ml; and
 - still wine in a glass: 125ml; and
 - a. these measures are displayed in a menu, price list or other printed material which is available to customers on the premises; and
 - b. where a customer does not in relation to a sale of alcohol specify the quantity of alcohol to be sold, the customer is made aware that these measures are available.

Minimum Drinks Pricing

7. 7.1 A relevant person shall ensure that no alcohol is sold or supplied for consumption on or off the premises for a price which is less than the permitted price.
7.2 For the purposes of the condition set out in paragraph 7.1 above -
 - (a) "duty" is to be construed in accordance with the Alcoholic Liquor Duties Act 1979;
 - (b) "permitted price" is the price found by applying the formula - $P = D + (D \times V)$
Where -
 - (i) P is the permitted price,
 - (ii) D is the amount of duty chargeable in relation to the alcohol as if the duty were charged on the date of the sale or supply of the alcohol, and
 - (iii) V is the rate of value added tax chargeable in relation to the alcohol as if the value added tax were charged on the date of the sale or supply of the alcohol;
 - (c) "relevant person" means, in relation to premises in respect of which there is in force a premises licence -

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

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

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

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

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

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

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

11. An incident log shall be kept at the premises, and made available immediately to an authorised officer of the Hackney Borough Council or the Police, which will record the following:
 - all crimes reported to the venue - any complaints received - any incidents of disorder - any faults in the CCTV system - any refusal of the sale of alcohol - any visit by a relevant authority or emergency service.
12. All instances of crime or disorder to be reported by the designated premises supervisor or responsible member of staff to an agreed police contact point, as agreed with the Police.
13. Food and non-intoxicating beverages, including drinking water, shall be available on the premises whenever alcohol is being sold.
14. Where the sale or supply of alcohol is taking place employees of the premises must request sight of evidence of the age of any person appearing to be under 25 years of age (Challenge 25). Such evidence may include a driving licence or passport.
15. The premises will display and maintain appropriate signage advising customers of the contact details of the Designated Premises Supervisor/Duty Manager.
16. There shall be a personal licence holder on duty whenever alcohol is available for sale.
17. All staff will be given refresher training every twelve months on the legislation relating to the sales of alcohol to underage persons and drunken persons. Written records of this training shall be kept on the premises and produced to police or other authorised officer upon request.
18. There shall be no glass drinks or open containers taken outside to the rear of the premises unless in Toughened Glass or in a plastic drinking vessel.
19. There shall be no glass, drinks or open containers taken outside the front of the premises except for a maximum of 10 people seated in the designated seating area. All drinks taken outside shall be in a plastic receptacle
20. The premises shall adhere to Hackney Police Weapons and Drugs Policies and any updates thereof.
21. Alcohol shall not be sold in open containers to be taken from the premises and cannot be opened and consumed directly outside the premises.
22. There shall be adequate and appropriate first aid equipment and materials available at the premises at all times.
23. SIA registered door supervisors shall be employed at the premises, on an ongoing risk assessment basis. 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.

24. There shall be "CCTV in Operation" signs prominently displayed.
25. Toilets shall be designed to minimise areas or surfaces to prevent illegal drug dealing/use.
26. Notices shall be displayed requesting customers not to take drinks or glassware onto the pavement.
27. Signage shall be displayed requesting customers to respect local residents by leaving the premises quietly.
28. Measures (as numbered) to ensure that patrons outside do not create nuisance from noise, smoke, obstruction, litter, odour, human waste such as vomit and urine to neighbours or members of the general public.
 - Measure 1 – Signage shall be displayed in the external terrace area of the premises requesting customers to respect local residents.
 - Measure 2 – A member of staff shall regularly check the external terrace area and the external frontage of the premises to check on any nuisance or antisocial behaviour and to prevent loitering outside the premises.
29. Make customers aware of the laws regarding sales or purchase of alcohol on behalf of children.
30. Ensure staff are fully aware of legislation via regular training and are always vigilant to their responsibilities.
31. All persons leaving the premises shall be encouraged to disperse towards Mare Street.
32. All windows and external doors shall be kept closed after 23:00 except for the immediate access and egress of persons.
33. Regular monitoring of the external areas of the premises to help minimise the risk of patrons causing a Public nuisance.
34. The sound system within the premises and all amplified music played at the premises must be played at a level whereby patrons using an outside area of the Premises should be able to conduct a conversation with another person at a reasonable level. Management to arrange for regular checks to ensure compliance.

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

Not Applicable

Annex 4 – Plans

PLAN/093280/260118

Paper History

1 Preparation
B - 18.01.11 - Drainage setting out added in accordance with Hart Crown Ltd drainage drawings.

2 Concept Design

3 Developed Design

4 Technical Design

5 Specialist Design

6 Construction

7 Use & Altercare

BOUNDARY OF PREMISES
DENOTES AREA TO BE
USED FOR THE PROVISION
OF REGULATED
ENTERTAINMENT
FACILITIES/PROVISION OF
LATE NIGHT
RETAIL BY SALE BY
RETAIL OF ALCOHOL

BATHROOM
KITCHEN AREA

Specifications

COLD WATER
WATER SUPPLY TO BE PROVIDED BY MAIN CONTRACTOR TO ALL ROOMS AND TO ALL FIXTURES AND FITTINGS. ALL WATER SUPPLY TO BE PROVIDED BY MAIN CONTRACTOR TO ALL ROOMS AND TO ALL FIXTURES AND FITTINGS. ALL WATER SUPPLY TO BE PROVIDED BY MAIN CONTRACTOR TO ALL ROOMS AND TO ALL FIXTURES AND FITTINGS.

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Project
198 Microbrewery
16-17 Bohemia Place
Healing, London
Drawing Title
Proposed License Floor Plan

Scale
1 - 100 @ A3
1 - 50 @ A1
Revision
B

Client
Luke Scanlon/ Ryan Robbins
Drawn
Is
Deer
LCT

4.07 The Tea Building
56 Stordell High Street
London E1 6J
hale@reddeer.co.uk
www.reddeer.co.uk
+44 (0) 2036373 81

red deer
^
/

199.10.800
Drawing Title
Proposed License Floor Plan

EXTERNAL TERRACE AREA

RESTAURANT AND BAR

MICROBREWERY

NO.17 BOHEMIA PLACE

NO.16 BOHEMIA PLACE

APPENDIX D



Scale: 1:1250 at A4



St John at Hackney Brewery, 16-17 Bohemia Place, E8 1DU

Ref:

14 July 2020

Page 44

From: City of Hackney

email:

please specify copyright statement



REPORT OF THE GROUP DIRECTOR, NEIGHBOURHOODS AND HOUSING		
LICENSING SUB-COMMITTEE: 23/07/2020	Classification DECISION	Enclosure
APPLICATION TO VARY THE PREMISES LICENCE : Callooh Callay Bar, Suna House, 65 Rivington Street, EC2A 3QQ	Ward(s) affected Hoxton East & Shoreditch	

1. SUMMARY

Applicant(s) Donday Limited		In SPA No
Date of Application 9 June 2020		Period of Application Permanent
Proposed variation: Supply of Alcohol (Off Premises)		
Proposed hours for licensable activity		
Supply of Alcohol Off-Sales	Standard Hours: Mon 11:00-23:00 Tue 11:00-23:00 Wed 11:00-23:00 Thu 11:00-23:00 Fri 11:00-23:00 Sat 11:00-23:00 Sun 11:00-23:00	
The opening hours of the premises: No change to existing		Standard Hours: Mon 11:00-01:00 Tue 11:00-01:00 Wed 11:00-01:00 Thu 11:00-01:00 Fri 11:00-02:00 Sat 11:00-02:00 Sun 11:00-01:00
Current activities/hours: See licence at Appendix C		
Capacity: not known		

Policies Applicable	LP1 (General Principles), LP2 (Licensing Objectives), LP3 (Core Hours), LP4 ('Off' Sales of Alcohol), LP10 (Special Policy Areas – Dalston and Shoreditch)
List of Appendices	A – Application for variation of premises licence and supporting documents B – Representations from responsible authorities C – Current licence D – Location map
Relevant Representations	<ul style="list-style-type: none"> • Environmental Health Authority (Environmental Protection) • Police

2. APPLICATION

- 2.1 Donday Limited has made an application vary their premises licence under the Licensing Act 2003:
- To include sales 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 current premises licence was granted in 2008
- 3.2 No TENs have been submitted in respect of the premises in the current calendar year.

4. REPRESENTATIONS: RESPONSIBLE AUTHORITIES

From	Details
Environmental Health Authority (Environmental Protection) (Appendix B1)	Representation received on the grounds of the prevention of public nuisance
Environmental Health Authority (Environmental Enforcement)	Have confirmed no representation on this application
Environmental Health Authority (Health & Safety)	No representation received
Weights and Measures (Trading Standards)	Have confirmed no representation on this application
Planning Authority (Appendix B2)	Representation received on the grounds of the prevention of public nuisance & LP1 (Planning)
Area Child Protection Officer	No representation received
Fire Authority	Have confirmed no representation on this application
Police (Appendix B3)	Representation received on the grounds of The Prevention of Crime and Disorder, Public Safety, Prevention of Public Nuisance, Special Policy Area

Licensing Authority	Have confirmed no representation on this application
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), LP4 ('Off' Sales of Alcohol), LP10 (Special Policy Areas – Dalston and Shoreditch) are relevant.

8. OFFICER OBSERVATIONS

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

Conditions derived from operating schedule

1. All off sales including delivery sales will be subject to a challenge 25 policy.
2. Delivery drivers will be instructed to observe the Challenge 25 policy and make sure that they will not deliver to noisy or drunk "house parties" that may disrupt other local residents.
3. All off sales will be served in closed containers.
4. All purchasers of off sales will be reminded that they should not drink alcohol in the streets and each served bottled produced on site will have this advice printed on the label.
5. All off sales will have an advice slip in each delivery bag as a reminder of public safety issues and responsibilities.
6. All delivery drivers will be asked to turn their engines off and keep all noise and pollution to a minimum
7. The premises license holder shall ensure that any third party delivery/courier company is instructed to comply with the following:

- a) Any refusals will be logged by the delivery driver. Records of all refusals will be obtained from the delivery company and provided to the relevant authorities upon request; and
 - b) Couriers will be trained on relevant aspects of the Licensing Act 2003 including underage sales, sales to a person who is drunk, obtaining alcohol for a child or a person who is drunk and delivering alcohol to someone under the age of 18.
8. Any person or automated system taking an order for the supply of alcohol on behalf of the premises licence holder will inform customers that proof of age by way of photographic driving licence, passport or a form of identification with the PASS hologram may be required before alcohol is supplied in accordance with the Challenge 25 age verification scheme.

9. REASONS FOR OFFICER OBSERVATIONS

- 9.1 Additional conditions 1 to 8 derive from the applicant's operating schedule..

10. LEGAL COMMENTS

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

11. HUMAN RIGHTS ACT 1998 IMPLICATIONS

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

12. MEMBERS DECISION MAKING

- A. **Option 1**
That the application be refused
- B. **Option 2**

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

13. CONCLUSION

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

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
Callooh Callay Bar Suna House, 65 Rivington Street, EC2A 3QQ	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/We Donday Ltd

(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

LBH-PRE-T-0974

Part 1 – Premises Details

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

65 Rivington Street,

Post
town

London

Postcode

EC2A 3AY

Telephone number at premises (if any)

██████████

Non-domestic rateable value of premises

£52000

Part 2 – Applicant details

Daytime contact
telephone number

██████████

E-mail address (optional)

████████████████████

Current postal address if
different from premises
address

████████████████

Post town		Postcode	
-----------	--	----------	--

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
<input type="checkbox"/> 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

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

Callooh Callay is applying for a premises off license to serve customers and through delivery. This would be through our own delivery drivers or 3rd party (e.g. Deliveroo). This is at least until the limited operating restrictions are lifted. The operating schedule is as follows:

Mondays - Sundays 11am - 11pm

We will be serving pre packaged cocktails, wines, beers and / or spirit mixers to customers either to be delivered by designated drivers or for customers to take away. Customers will be reminded of licensing objectives Drivers will collect the goods from the front door of the premises on Rivington Street.

Deliveries can take place all over London and all drivers will be reminded of licensing objectives when collecting alcoholic goods.

Any sales made for consumption off premises will be advised not drink in the street and should consume their purchase at home. The delivery driver will enforce a Challenge 25 policy when delivering goods and make sure that they will not deliver to noisy or drunk "house parties" that may disrupt other local residents.

The premises license holder shall ensure that any third party delivery/courier company is instructed to comply with the following:

a) Any refusals will be logged by the delivery driver. Records of all refusals will be obtained from the delivery company and provided to the relevant authorities upon request; and

b) Couriers will be trained on relevant aspects of the Licensing Act 2003 including underage sales, sales to a person who is drunk, obtaining alcohol for a child or a person who is drunk and delivering alcohol to someone under the age of 18.

2. Any person or automated system taking an order for the supply of alcohol on behalf of the premises licence holder will inform customers that proof of age by way of photographic driving licence, passport or a form of identification with the PASS hologram may be required before alcohol is supplied in accordance with the Challenge 25 age verification scheme.

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	<input type="checkbox"/>
				Off the premises	<input checked="" type="checkbox"/>
				Both	<input type="checkbox"/>
Day	Start	Finish	State any seasonal variations for the supply of alcohol (please read guidance note 6) No change is sought for the current permitted hours for on sales		
Mon	11:00	23:00			
Tue	11:00	23:00			
Wed	11:00	23:00			
Thur	11:00	23:00			
Fri	11:00	23:00	Non-standard timings. Where you intend to use the premises for the supply of alcohol at different times to those listed in the column on the left, please list (please read guidance note 7)		
Sat	11:00	23:00			
Sun	11:00	23:00			

K

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

N/A

L

Hours premises are open to the public Standard days and timings (please read guidance note 8)			State any seasonal variations (please read guidance note 6) Some weekends during summer we may close earlier than 02:00
Day	Start	Finish	Non-standard timings. Where you intend the premises to be open to the public at different times from those listed in the column on the left, please list (please read guidance note 7)
Mon	11:00	01:00	
Tue	11:00	01:00	
Wed	11:00	01:00	
Thur	11:00	02:00	
Fri	11:00	02:00	
Sat	11:00	02:00	
Sun	11:00	01:00	

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.

Annex 2 . 13. to be ammended to - Host controlled seating areas are to be provided and operational hours shall be displayed at all times

.

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)

Callooh Callay has good relationships with the poice, the council and local residents. police co orperation. By adding off sales to this license this will remove pressure from other off licenses, disperse crowds better and reduce the cumulative impact of the area by adding better security, supervision and CCTV and spreasing out the concentration of off sales to the area

b) The prevention of crime and disorder

All off sales will be conducted under supervision and with CCTV. A challenge 25 policy will be included and all delivery drivers will be instructed to observe the policy. All drivers will also be advised not to deliver to noisy house partys if they feel it will have a negative impact

c) Public safety

All off sales will be reminded that they should not drink purchased alcohol in the streets and all off sales will be served in closed conatiners.. Each bottled serve produced on site will have this printed on the label. Delivery drivers will also be intrsucted not to deliver to disruptive / dangerous destinations or house parties. All off sales will also have a small advice slip in each delivery bag to remond them of public safety issues and responsibilities. See example attached

d) The prevention of public nuisance

All delivery drivers will be asked to turn their engines off and keep all noise and pollution to a minimum

e) The protection of children from harm

All off sales including delivery sales will be subject to a challenge 25 policy and refused service if they cannot prove age if asked

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	Richard Wynne
Date	08-06-20
Capacity	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:

APPENDIX B1

RESPONSIBLE AUTHORITY REPRESENTATION: APPLICATION UNDER THE LICENSING ACT 2003

RESPONSIBLE AUTHORITY DETAILS

NAME OF AUTHORITY	Environmental Protection Team
ADDRESS OF AUTHORITY	Environmental Protection team 1 Hillman Street London E8 1DY
CONTACT NAME	Olalekan Olaosebikan
TELEPHONE NUMBER	020 8356 4658
E-MAIL ADDRESS	olalekan.olaosebikan@hackney.gov.uk

APPLICATION PREMISES

NAME & ADDRESS OF PREMISES	Callooh Callay 65 Rivington Street London EC2A 3AY
NAME OF APPLICANT	Donday Limited

COMMENTS

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

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

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

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

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

The Environmental Protection Team has not been able to agree conditions with the applicant in relation to noise that may arise from the use of the outside space.

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

The representative of the applicant is to contact the Environmental Protection Team or Olalekan Olaosebikan to discuss further the noise mitigation measures to prevent noise or smoke from having impact on the occupier of nearest noise/smoke sensitive properties to the commercial premises and to the delivery address.

Date: 06/07/2020

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

Details of Authority	2 Hillman Street, Hackney, London, E8 1FB
Officer contact name	Ashley Rogers
Officer telephone number	020 8356 7914
Officer's email address	ashley.rogers@hackney.gov.uk

APPLICATION PREMISES

Name and address of premises	Callooh Callay Bar, Suna House, 65 Rivington Street, London, EC2A 3QQ
Applicant name	Donday LTD

COMMENTS

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

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

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

The application proposes a variation to an existing premises license under the Licensing Act 2003.

The application proposes changes to the below activities:

Supply of Alcohol,
Hours premises are open to the public:
Mon-Wed & Sun 11:00 to 01:00
Thur-Sat 11:00 to 02:00

The proposed use is lawful under planning permission reference:

2002/0040 - Change of use of unit 2 (part of ground floor) to any use within classes A1, A2, B1 or A3 uses.

The proposed hours exceed the hours of operation permitted under the planning consent.

2011/2807 - Variation of condition 2 (hours of use) attached to planning permission ref: 2002/0040 in order to allow extended hours of opening from the existing hours of: 0800 hours **to 2300 hours on Sunday to Thursday**

and 0800 hours to 0100 hours on Friday and Saturday; to the proposed hours of: 0800 hours to 0100 hours Sunday to Wednesday and 0800 hours to 0200 hours on Thursday to Saturday.

The usage of the premises is permitted. However, the hours of operation proposed exceeds the hours of operation permitted under the planning consent.

They are advised to seek planning permission. Licensing permission does not grant planning permission. The applicant is reminded that usage of the premises outside the planning permission for the premises is unlawful and may result in enforcement action.

Please provide the following information (if applicable)

Area (that permission applies to)	Ground Floor
Permitted use	N/A
Permitted hours	N/A
Specific/restrictive conditions	N/A
Recent applications	N/A
Decisions	N/A
Pending Decisions	N/A
Reasons for refusal	N/A
Relevant Conditions/discharges	N/A

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

No representation with informative

The usage of the premises is permitted. However, the hours of operation proposed exceeds the hours of operation permitted under the planning consent.

They are advised to seek planning permission. Licensing permission does not grant planning permission. The applicant is reminded that usage of the premises outside the planning permission for the premises is unlawful and may result in enforcement action.

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

Signed	
Name	Gareth (South Team Leader)
Date	

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

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

APPLICATION PREMISES

NAME & ADDRESS OF PREMISES	Callooh Callay 65 Rivington Street London EC2A 3AY
NAME OF PREMISES USER	Donday ltd

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 submit the following representations in respect of the premises variation application at 65 Rivington street.

The venue sits within the Shoreditch Special Policy. The streets of Shoreditch particularly within night time economy hours are extremely busy. The evenings and early hours of the morning see a huge footfall as thousands of people make their way to Shoreditch to visit the pubs, clubs, restaurants etc. There are regular incidents of violent crime, anti-social behaviour, disorder and theft. A large proportion of the people on the streets at night have consumed alcohol. Many of these people are drunk and looking for more alcohol to consume either inside a venue or outside on the street. Alcohol and the consuming of alcohol on the street has a direct impact on the rising number of incidents involving violence, anti-social behaviour, crime and disorder.

The venue is seeking the addition of off sales to their current licence 1100hours till 2300hours daily. Since the lockdown has been in place Rivington Street where the venue is based has seen a massive reduction in footfall, this being said with the proposed reopening of public houses due to take place on the 4th July 2020 this footfall is once again likely to see a significant increase. The applicant is seeking to carryout these off sales by making use of companies such as deliveroo. It is the concern of police that with the increase of footfall and the likely intoxication of members of public in Rivington street and surrounding Shoreditch area the increased presence of delivery drivers is will present a significant public safety issue with many being unaware of their surroundings after consuming alcohol.

Whilst it is appreciated that many venues are seeking the addition of off sales on their licence as a temporary measure in response the current pandemic this will be a permanent addition to the licence and Police believe that this addition will undermine the licensing objectives.

Police look forward to hearing from the applicant

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 PC 1505CE ATKINS (By E-mail)
Name (printed

APPENDIX C



This premises licence has been issued by:

Licensing Service
2 Hillman Street
London E8 1FB

PART A – PREMISES LICENCE

Premises Licence Number

LBH-PRE-T-0974

Part 1 – Premises details

Callooh Callay Bar
Suna House
65 Rivington Street
London
EC2A 3QQ

Where the licence is time limited the dates

Not Applicable

Licensable activities authorised by the licence

Films
Live Music
Recorded Music
Performance of Dance
Other Entertainment Similar to Live or Rec Music or Dance Performance
Facilities for Making Music
Facilities for Dancing
Late Night Refreshment
Supply of Alcohol

The times the licence authorises the carrying out of Licensable activities

Films

Standard Hours:

Premises:

Mon 11:00-23:00
Tue 11:00-23:00
Wed 11:00-23:00
Thu 11:00-23:00
Fri 11:00-01:00
Sat 11:00-01:00
Sun 11:00-23:00

Non-Standard Hours:

New Years Eve from 11:00 to 02:00 the day following.

Live Music

Standard Hours:

Premises:

Mon 11:00-01:00
Tue 11:00-01:00
Wed 11:00-01:00
Thu 11:00-02:00
Fri 11:00-02:00
Sat 11:00-02:00
Sun 11:00-01:00

Recorded Music

Standard Hours:

Premises:

Mon 11:00-01:00
Tue 11:00-01:00
Wed 11:00-01:00
Thu 11:00-02:00
Fri 11:00-02:00
Sat 11:00-02:00
Sun 11:00-01:00

**Performance of
Dance**

Standard Hours:

Premises:

Mon 18:00-23:00
Tue 18:00-23:00
Wed 18:00-23:00
Thu 18:00-23:00
Fri 18:00-01:00
Sat 18:00-01:00
Sun 18:00-23:00

Non-Standard Hours:

New Years Eve from 18:00 to 02:00 the day following.

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

Standard Hours:

Premises:

Mon 18:00-23:00
Tue 18:00-23:00
Wed 18:00-23:00
Thu 18:00-23:00
Fri 18:00-01:00
Sat 18:00-01:00
Sun 18:00-23:00

Non-Standard Hours:

New Years Eve from 18:00 to 02:00 the day following

**Late Night
Refreshment**

Standard Hours:

Premises:

Mon 23:00-01:00
Tue 23:00-01:00
Wed 23:00-01:00
Thu 23:00-02:00
Fri 23:00-02:00
Sat 23:00-02:00
Sun 23:00-01:00

Non-Standard Hours:

New Years Eve from 23:00 to 02:00 the day following.

Supply of Alcohol

Standard Hours:

Premises:

Mon 11:00-01:00
Tue 11:00-01:00
Wed 11:00-01:00
Thu 11:00-02:00
Fri 11:00-02:00
Sat 11:00-02:00
Sun 11:00-01:00

The opening hours of the premises

Premises

Standard Hours:

Mon 11:00-01:00
Tue 11:00-01:00
Wed 11:00-01:00
Thu 11:00-02:00
Fri 11:00-02:00
Sat 11:00-02:00
Sun 11:00-01:00

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

On Premises

Part 2 –

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

Donday Limited
Flat 1
49 Mildmay Park
London
N1 4NB

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

06572078

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

Mr Richard Wynne

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: 10 October 2008

Signed:

**David Tuitt
Team Leader - Licensing**

Annex 1 - Mandatory Conditions

Supply of Alcohol

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

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

6. The responsible person shall ensure that:
- a) where any of the following alcoholic drinks is sold or supplied for consumption on the premises (other than alcoholic drinks sold or supplied having been made up in advance ready for sale or supply in a securely closed container) it is available to customers in the following measures:
 - beer or cider: 1/2 pint;
 - gin, rum, vodka or whisky: 25ml or 35ml; and
 - still wine in a glass: 125ml; and
 - b) customers are made aware of the availability of these measures.

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

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

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

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

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

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

Where -

(i) P is the permitted price,

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

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

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

(i) the holder of the premises licence,

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

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

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

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

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

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

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

Exhibition Of Films

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

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

Door Supervision

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

Annex 2 – Conditions consistent with the Operating Schedule

- 10. The assigned duty manager is to control capacity, drinking levels and enforce an over 21's policy.
- 11. Incident / Accident report logs and regular staff training to counteract / react to drunken behaviour shall be maintained.
- 12. Cloakroom facility and bag clips to be provided wherever possible.
- 13. Host controlled seating areas are to be provided. Alcohol shall not be taken from the premises and operational hours shall be displayed at all times.
- 14. At least one trained first aider shall be on duty when premises are open to the public. An adequate number of first aid boxes shall be available.
- 15. There shall be regular maintenance and checks of fire alarms, signs, fire exits and emergency lighting by a competent person. The results of the checks

shall be in a log book which shall be readily available for officers of the Council.

16. Regular evacuation fire drills for all staff to be performed and staff a handbook provided.
17. The temperature shall be controlled through a well maintained air conditioning and heating system.
18. Suitable staff levels to be maintained.
19. Lost property log to be maintained.
20. Free drinking water to be available at all times and table service.
21. Drinking glasses to be checked regularly and perimeter checks outside the premises to maintain glass free environment.
22. Taxi service to be promoted and details of 'Scooterman' or other similar schemes shall be displayed.
23. No drinking, smoking or glassware to be permitted onto the street. Only the designated smoking area to be used by patrons wishing to smoke.
24. Waste and refuse to be kept out of public view.
25. There shall be no changing of bins between the hours of 23:00 and 08:00.
26. Staff shall keep front entrance clean and swept when necessary.
27. Any live music to be located kept in the rear area, external levels monitored and noise limiter fitted to house amplifier. The music should be inaudible within the nearest noise sensitive premises with the windows open for ventilation.
28. Manager shall liaise with friendly professional door supervisors whilst circulating the premises, respect their professionalism and remembering they are door supervisors as opposed to bouncers. The difference is crucial. These are intelligent and courteous and would only use physical force as an absolute last resort. In almost all circumstances people can be calmed down simply by being talked to.
29. Staff are to remind customers to leave quietly when necessary .
30. All door supervisors are to be easily recognisable.
31. Under 21's will only be allowed in the bar for private parties.
32. The DPS shall attend an Introduction to Safeguarding Children course with City & Hackney Safeguarding Children Board .

33. All staff shall be aware of what is expected of them under Child Protection guidance and that this guidance is available to all staff.
34. All staff shall be aware of how to report concerns about the welfare of a child to the Social Care Duty and Assessment Team or Emergency Duty Team.

Additional conditions added to operating schedule in agreement with the Metropolitan Police

35. A comprehensive CCTV system that ensures all areas of the licensed premises are monitored, including all entry points, and which enable frontal identification of every person entering in any light condition. All cameras shall continually record whilst the premises are in operation and the recording shall be kept available for a minimum of 31 days with time and date stamping. Recording shall be made available to a duly authorised Hackney Council officer or a police officer together with facilities for viewing. The recordings for the preceding 31 days shall be made available immediately on request. The CCTV system shall be operated in accordance with the Data Protection Act 1998 and any other relevant legislation.
36. A minimum of one SIA registered door staff per 100 customers or part thereof to be employed at the premises when required on the basis of an operational risk assessment with identity badges displayed at all times and SIA numbers, full names, times worked and duty performed to be entered into an occurrence book and made available to police immediately upon request.
37. Where the sale or supply of alcohol is taking place employees of the premises must request sight of evidence of the age of any person appearing to be under 21 years of age. Such evidence may include a driving licence or passport.
38. Premises to operate a no baseball caps or hooded tops policy and No alcohol promotions eg ; 'Happy Hour' or '2 for 1'.
39. Reasonable steps to be taken to ensure that an authorised person is a member of Pubwatch or Clubwatch and SNOW and attends at least three meetings a year.
40. Adequate/improved security lighting outside the premises with consideration being given to light pollution of neighbouring properties. All entrances to venue to be lit.
41. Premises to operate a zero tolerance policy to drugs and comply with the Hackney Police/Council Community Safety Unit Drugs and Weapons Policy.
42. The premises will also, in cooperation with Hackney Police and no later than 6 months following granting of the premises licence, regularly facilitate a premises drug audit using the Ion Itemiser or similar device.

43. Toilets to be checked by staff randomly and at least once per hour after 2000 and an entry made in a register and made immediately available to police at reasonable request.
44. All instances of crime or disorder to be reported by the designated premises supervisor or responsible member of staff to an agreed police contact point.
45. The Licence Holder must participate in the Hackney Best Bar None scheme where possible.
46. All staff employed at the premises should be over 18 years old and photo identification has been seen to confirm this.
47. Non-intoxicating beverages, including drinking water, shall be available throughout the permitted hours in all parts of the premises where alcohol is sold.
48. The Licence Holder shall provide and maintain a dedicated telephone number of the Designated Premises Supervisor for use by any Responsible Authority or any person who may wish to make a complaint during the operation of the licence. This shall be provided to the Licensing Authority, Police and local Residents Associations. The Licence Holder shall ensure that any changes to these details are sent to these parties within seven days.
49. The Licence Holder shall ensure that the details of all complaints are recorded in an occurrence book.
50. The Licence Holder or designated person shall use a refusal book to record details of instances where staff have refused to serve a customer and the reasons for doing so (believed underage, intoxicated etc).

Conditions derived from Responsible Authority representations

51. A detailed acoustic report to be carried out by a competent person to be submitted to the Pollution Team for their approval. All recommendations within the report which have been approved by the pollution team should be completed prior to any further regulated entertainment taking place.
52. The installation of sound limiting devices (device type to be approved by the Pollution Team) to all music systems. The limiting devices should be set to ensure inaudibility in all nearby residential premises between 11pm and 7 am and a certificate of compliance should be submitted to the Pollution Group prior to the licence being granted. The device should be controlled by the Licensee and kept in a locked, tamper-proof box.
53. The noise limiter shall be recalibrated annually to ensure that the music volume does not exceed the level at which the above condition is breached. The methodology and copy of the calibration certificate should be submitted to the pollution team annually. The sound limiting device shall be used at all times when regulated entertainment is taking place.

54. No new admissions from 23.30 hours on Sunday to Wednesday and from 0130 hours on Thursday to Saturday.
55. A minimum of one SIA registered door staff per 100 Customers or part thereof to be employed from 2000 Hours until 30 Minutes past closing on Thursday to Saturday and to be considered at all other times as part of an operational risk assessment. Details of security (Full Name / Full Badge number / Time on-off / and a contact phone number) will be recorded in the occurrence / security book.

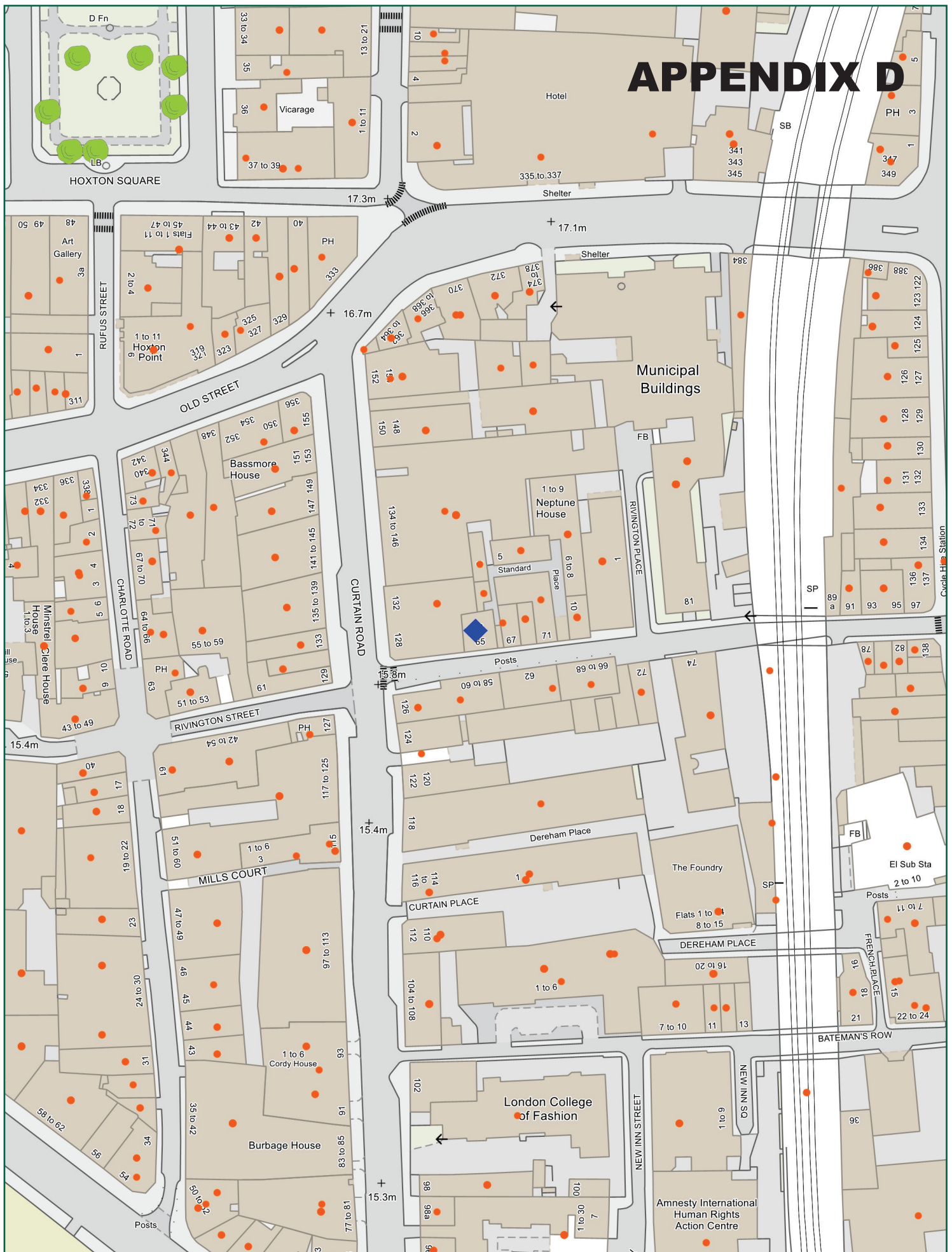
Annex 3 – Conditions attached after a hearing by the licensing authority

56. The maximum number of patrons on the premises at any one time should not be more than 200.

Annex 4 – Plans

LBH-PRE-T-0974/101008

APPENDIX D



Scale: 1:1250 at A4



Ref:

13 July 2020

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