



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

Tuesday, 8th September, 2020

at 7.00 pm

Until further notice, all council meetings will be held remotely.

The Youtube Live stream link for the meeting is as follows: <https://youtu.be/u0EfZCnFFAc>

Councillors sitting:

Cllr Sophie Conway, Cllr Sharon Patrick and Cllr Gilbert Smyth

**Tim Shields
Chief Executive**

Contact: Natalie Williams
Governance Services Officer
Tel: 020 8356 8407
Email: natalie.williams@hackney.gov.uk

The press and public are welcome to attend this meeting

AGENDA

Tuesday, 8th September, 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 Licensing Sub Committee Hearing Procedure		(Pages 1 - 2)
5 Variation of Licence : Two Lights Restaurant, 28-30 Kingsland Road, London, E2 8DA	Hoxton East & Shoreditch	(Pages 3 - 4)
6 Application for a Premises Licence: Bohemia Place Market, 11 Bohemia Place, London, E8 1DU	Hackney Central	(Pages 5 - 38)
7 Temporary Event Notices - Standing Item		

Licensing Sub-Committee Hearings

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

A Licensing Sub-Committee will be held if:

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

Prior to your item being heard:

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

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

Making decisions on the items being heard:

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

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

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

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

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

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

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

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

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

Before the meeting starts:

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

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

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

Attending the hearing that concerns you:

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

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

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

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

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

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

Timings

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

Rights of Press and Public to Report on Meetings

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

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

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

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

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

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

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

Providing oral commentary during a meeting is not permitted.

Lobbying of Councillors

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

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

Reports

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

Appeals

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

Withdrawal of an Item or Cancellation of a Hearing

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

As much advance notice as is practicable of the withdrawal of an item on the agenda or cancellation of a meeting of the Licensing Sub-Committee will be provided on the Council's website but please note that this might be as little as a few hours before the hearing if the

applicant chooses to leave it that late to satisfactorily address any representation or objection giving rise to the need for a hearing.

Facilities

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

Contacts

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

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

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

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

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

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

ADVICE TO MEMBERS ON DECLARING INTERESTS

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

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

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

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

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

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

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

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

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

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

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

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

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

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

Further Information

Advice can be obtained from 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 4

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

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

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

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REPORT OF THE GROUP DIRECTOR, NEIGHBOURHOODS AND HOUSING		
LICENSING SUB-COMMITTEE: 08/09/2020	Classification DECISION	Enclosure
APPLICATION TO VARY THE PREMISES LICENCE : Two Lights Restaurant, 28-30 Kingsland Road, London, E2 8DA	Ward(s) affected Hoxton East & Shoreditch	

1. SUMMARY

Applicant(s) Mud Honey Ltd	In SPA Shoreditch
Date of Application 3 July 2020	Period of Application Permanent
Proposed variation: To add supply of alcohol for consumption off the premises	
Proposed hours for licensable activity	
Supply of Alcohol Off Sales	Standard Hours: Mon 12:00-23:45 Tue 12:00-23:45 Wed 12:00-23:45 Thu 12:00-23:45 Fri 12:00-23:45 Sat 12:00-23:45 Sun 12:00-23:45
The opening hours of the premises:	
	Standard Hours: Mon 10:00-00:00 Tue 10:00-00:00 Wed 10:00-00:00 Thu 10:00-00:00 Fri 10:00-00:00 Sat 10:00-00:00 Sun 10:00-00:00
Current activities/hours: The current licence attached as Appendix D	

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), 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"> • Police

2. APPLICATION

- 2.1 Mud Honey Ltd has made an application vary their premises licence under the Licensing Act 2003:
- To add supply of alcohol for consumption off the premises
- 2.2 The application is attached as Appendix A.

3. CURRENT STATUS / HISTORY

- 3.1 The premises licence was granted on 26 September 2011 and the licence was transferred to the current applicant in July 2018. The licence was varied in June 2014 to extend the alcohol (on sales) hours on Monday to Sunday and to include late night refreshment to those described on the premises licence.
- 3.2 No TENs have been submitted in respect of the premises in the current calendar year.

4. REPRESENTATIONS: RESPONSIBLE AUTHORITIES

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

Police	Representation received on the grounds of The Prevention of Crime and Disorder, Public Safety, Prevention of Public Nuisance, Licensing Hours, Special Policy Area and Cumulative Impact.
Licensing Authority	Have confirmed no representation on this application (Requested applicant to replace the word "Intoxicating liquor" with "Alcohol" in condition 16)
Health Authority	No representation received

5. REPRESENTATIONS: OTHER PERSONS

Representation received from and on behalf of local residents.	No representation received.
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6. GUIDANCE CONSIDERATIONS

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

7. POLICY CONSIDERATIONS

- 7.1 Licensing Sub-Committee is required to have regard to the London Borough of Hackney's Statement of Licensing Policy ("the Policy") adopted by the Licensing Authority.
- 7.2 The Policy applies to applications where relevant representations have been made. With regard to this application, policies LP1 (General Principles), LP2 (Licensing Objectives), LP3 (Core Hours), LP4 ('Off' Sales of Alcohol), LP10 (Special Policy Areas – Dalston and Shoreditch), LP11 (Cumulative Impact - General) are relevant.

8. OFFICER OBSERVATIONS

- 8.1 None

9. REASONS FOR OFFICER OBSERVATIONS

- 9.1 The responsible authorities or the applicant hasn't proposed any new conditions.

10. LEGAL COMMENTS

- 10.1 The Council has a duty as a Licensing Authority under the Licensing Act 2003 to carry out its functions with a view to promoting the following 4 licensing objectives;
- The Prevention of Crime and Disorder
 - Public Safety

- Prevention of Public Nuisance
- The Protection of Children from Harm

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

11. HUMAN RIGHTS ACT 1998 IMPLICATIONS

11.1 There are implications to;

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

12. MEMBERS DECISION MAKING

A. Option 1

That the application be refused

B. Option 2

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

13. CONCLUSION

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

Group Director, Neighbourhoods and Housing	Ajman Ali
Lead Officer (holder of original copy):	Suba Sriramana Principal Licensing Officer (Acting) Licensing Service 1 Hillman Street E8 1DY Telephone: 020 8356 4915

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
Two Lights Restaurant 28-30 Kingsland Road, Hackney, London, E2 8DA	Hackney Service Centre Licensing Service 1 Hillman Street London E8 1DY

Printed matter

Licensing Act 2003

LBH Statement of Licensing Policy

Hackney LA07	Application to vary a premises licence under the Licensing Act 2003
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PLEASE READ THE FOLLOWING INSTRUCTIONS FIRST

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

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

I/We Mud Honey 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-T1219

Part 1 – Premises Details

Postal address of premises or, if none, ordnance survey map reference or description Two Lights Restaurant 28 30 KINGSLAND ROAD HACKNEY			
Post town	LONDON	Postcode	E2 8DA

Telephone number at premises (if any)	
Non-domestic rateable value of premises	££35,250

Part 2 – Applicant details

Daytime contact telephone number	██████████		
E-mail address (optional)	████████████████████		
Current postal address if different from premises address	████████████████████ ██████████ ██████████		
Post	██████████	Postcode	██████████

Part 4 Operating Schedule

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

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

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	
				Both	<input checked="" type="checkbox"/>
Day	Start	Finish	State any seasonal variations for the supply of alcohol (please read guidance note 6)		
Mon	12:00	23:45			
	-----	-----			
Tue	12:00	23:45			
	-----	-----			
Wed	12:00	23:45			
	-----	-----			
Thur	12:00	23:45			
	-----	-----	Non-standard timings. Where you intend to use the premises for the supply of alcohol at different times to those listed in the column on the left, please list (please read guidance note 7) Default.LicesableActivitiesJ_plays_non_s»		
Fri	12:00	23:45			
	-----	-----			
Sat	12:00	23:45			
	-----	-----			
Sun	12:00	23:45			
	-----	-----			

K

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

L

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

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

Please tick as appropriate

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

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

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

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

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

without exception, we'll take all efforts that our activities are lead by promoting the four licensing objectives at all times.

b) The prevention of crime and disorder

We intend to sell alcohol off-site through online delivery services such as Deliveroo and directly off the premises through a take out service.

Online customers are notified that age verifications will take place on exchange of the goods through the delivery drivers, all drivers are instructed to ID check all customers whose deliveries contain alcohol.

On-site our team marks every bag with special stickers to make sure that such deliveries are easy to identify.

In terms of off-premise sales, our team will follow a strict procedure of age verification when guests are ordering alcohol for take-out.

c) Public safety

We will deny selling alcohol to customers who are already drunk to circumvent alcohol-related crime and anti-social behaviour.

d) The prevention of public nuisance

By controlling the misuse of alcohol we will suppress anti-social behaviour, criminal damage, minor and serious assaults and violent offences. Anything witnessed of this nature we will report to the authorities.

e) The protection of children from harm

We'll not sell alcohol to minors and our efforts stated above will prevent this from happening.

Checklist:

Please tick to indicate agreement

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

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

Part 5 – Signatures (please read guidance note 12)

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

Signature	████████████████████
Date	3/7/2020
Capacity	████████

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	3/7/2020

Capacity	
----------	--

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

Notes for Guidance

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

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

**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	28-30 Kingsland Road London E2 8DA
NAME OF PREMISES USER	Mud Honey 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 for the premises variation application at Two Lights Restaurant, 28-30 Kingsland Road, London, E2 8DA.

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 applicant is seeking the addition of off sales to their current licence to run alongside their current licensed hours for on sales Monday to Sunday 1200hours to 2345hours. Currently the venue operates as a restaurant and all sales of alcohol are ancillary to food. This application however does not make mention of any off sales of alcohol being ancillary and states that off sales will take place with via online delivery services using third party companies and take away directly from the premises.

It is the concern of Police that off sales of alcohol directly on to the street will undermine the licensing objectives, namely crime and disorder, public nuisance and public safety. Police would ask what steps the applicant intends to take in order to mitigate any risk there may be to the undermining of the objectives.

Police appreciate that the addition of off sales may be sought as a temporary measure to assist during the current pandemic however, this will be a permanent addition to the licence

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)



This premises licence has been issued by:

Licensing Service
1 Hillman Street
London E8 1DY

PART A – PREMISES LICENCE

Premises Licence Number

LBH-PRE-T-1219

Part 1 – Premises details

Two Lights
28-30 Kingsland Road
London
E2 8DA

Where the licence is time limited the dates

Not Applicable

Licensable activities authorised by the licence

Late Night Refreshment
Supply of Alcohol

The times the licence authorises the carrying out of licensable activities

Late Night Refreshment

Standard Hours:

Premises:

Mon 23:00-23:45
Tue 23:00-23:45
Wed 23:00-23:45
Thu 23:00-23:45
Fri 23:00-23:45
Sat 23:00-23:45
Sun 23:00-23:45

Supply of Alcohol

Standard Hours:

Premises:

Mon 12:00-23:45
Tue 12:00-23:45
Wed 12:00-23:45

Thu 12:00-23:45
Fri 12:00-23:45
Sat 12:00-23:45
Sun 12:00-23:45

The opening hours of the premises

Standard Hours:

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

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

Mud Honey Ltd
The Clove Club Shoreditch Town Hall
380 Old Street
London
EC1V 9LT

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

11186084

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

Jonathan Smith

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: 26 September 2011

Signed:

**David Tuitt
Team Leader - Licensing**

Annex 1 - Mandatory Conditions

Supply of Alcohol (On/Both):

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

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

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

Minimum Drinks Pricing

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

7.2 For the purposes of the condition set out in paragraph 7.1 above -
(a) "duty" is to be construed in accordance with the Alcoholic Liquor Duties Act 1979;

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

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

Where -

(i) P is the permitted price,

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

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

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

(i) the holder of the premises licence,

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

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

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

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

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

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

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

Annex 2 – Conditions consistent with the Operating Schedule

8. All emergency exits shall be kept free from obstruction at all times.
9. All customers will be asked to leave quietly.
10. A suitably worded sign of sufficient size and clarity must be displayed at the point of entry to the premises and in a suitable location at the point of sale, advising customers that they may be asked to produce evidence of their age.
11. A register of refused sales shall be kept and maintained on the premises.
12. The premises shall install and maintain a comprehensive CCTV system as per the minimum requirements of a Metropolitan Police Crime Prevention Officer. All entry and exit points will be covered enabling frontal identification of every person entering in any light condition. The CCTV system shall continually record whilst the premises is open for licensable activities and during all times when customers remain on the premises. All recordings shall be stored for a minimum period of 31 days with date and time stamping. Recordings shall be made available immediately upon the request of Police or authorised officer throughout the preceding 31 day period. 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 is open to the public. This staff member must be able to show a Police or authorised council officer recent data or footage when requested.
13. An incident log shall be kept at the premises, and made available on request to an authorised officer of Hackney Council or the Police, which will record the following:
 - all crimes reported to the venue
 - all ejections of patrons
 - any complaints received
 - any incidents of disorder
 - all seizures of drugs or offensive weapons
 - any faults in the CCTV system
 - any refusal of the sale of alcohol
 - any visit by a relevant authority or emergency service.
14. There shall be a personal licence holder on duty on the premises at all times when the premises are authorised to sell alcohol.
15. The premises shall only operate as a restaurant in which customers are shown to their table, they are served food in the form of substantial table meals that is prepared on the premises and consumed at the table using non disposable crockery.

16. Intoxicating liquor shall not be sold, supplied, or consumed on the premises otherwise than to persons who are taking substantial table meals and that the consumption of intoxicating liquor by such persons is ancillary to taking such meals. The supply of alcohol shall be by waiter or waitress service only.
17. A proof of age scheme, such as Challenge 25, shall be operated at the premises where the only acceptable forms of identification are recognised photographic identification cards, such as a driving licence or passport.
18. Police and/or LBH contracted drugs dogs or drug detection equipment will be given immediate access to the premises without notice for the purpose of detecting and reducing incidences of drug misuse.
19. Notices shall be prominently displayed at all exits requesting patrons to respect the needs of local residents and businesses and leave the area quietly.
20. No more than 50 customers will be on the premises at any time.

Conditions derived from Responsible Authority representations

21. 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.
22. The Licensee shall ensure that any contract for general and recyclable waste disposal, copies of which shall be provided to Licensing and Environmental Enforcement, 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 its waste carrier and shall not use any plain black or unidentifiable refuse sacks or any other unidentifiable or unmarked waste receptacles. Waste oil should be disposed of in a responsible manner and should not end up in public sewers or drainage systems.
23. The Licensee's premises are situated in an area within which refuse may only be left on the public highway at certain times (time bands). If the Licensee's waste carrier cannot or does not comply by

collecting the refuse within an hour after the close of any time band imposed by the waste authority, the Licensee must remove the refuse from the public highway and/or keep it within the premises until such time as his waste carrier arrives to collect the refuse.

24. The Licensee shall instruct member of staff to make regular checks of the area immediately outside and within five metres of the premises and remove any litter, bottles and glasses emanating from the premises. A final check should be made at close of business.
25. 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.

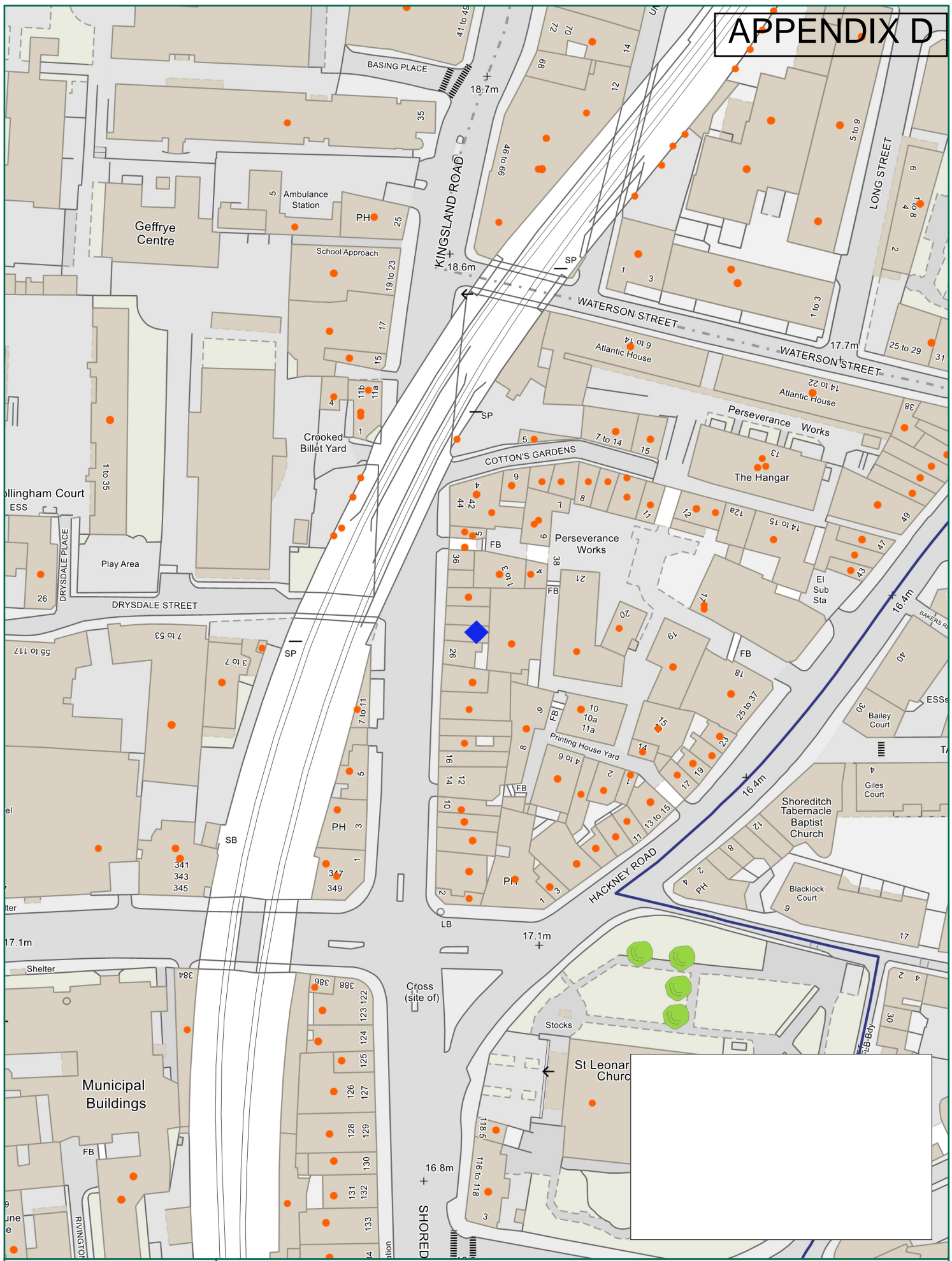
Annex 3 – Conditions attached after a hearing by the licensing authority

27. There shall be no more than 5 smokers outside the premises at any one time.

Annex 4 – Plans

PLAN/LBH-PRE-T-1219/090511

APPENDIX D



Two Lights, 28-30 Kingsland Road, E2 8DA



Scale: 1:1250 at A4



Ref:
26 August 2020

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From copy specified
email:

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REPORT OF GROUP DIRECTOR, NEIGHBOURHOODS AND HOUSING		
LICENSING SUB-COMMITTEE: 08/09/2020	Classification DECISION	Enclosure
Application for a Premises Licence Bohemia Place Market, 11 Bohemia Place, London, E8 1DU	Ward(s) affected Hackney Central	

1. SUMMARY

Applicant(s) Jack Robinson	In SPA No
Date of Application 09/07/2020	Period of Application Permanent
Proposed licensable activity Plays Films Live Music Recorded Music Performance of Dance Other Entertainment Similar to Live or Rec Music or Dance Performance Supply of Alcohol (On and Off Premises)	
Proposed hours of licensable activities	
Plays	Standard Hours: Mon 10:00-22:45 Tue 10:00-22:45 Wed 10:00-22:45 Thu 10:00-22:45 Fri 10:00-22:45 Sat 10:00-22:45 Sun 10:00-22:45
Films	Standard Hours: Mon 10:00-22:45 Tue 10:00-22:45 Wed 10:00-22:45 Thu 10:00-22:45 Fri 10:00-22:45 Sat 10:00-22:45 Sun 10:00-22:45
Live Music	Standard Hours: Mon 10:00-22:45 Tue 10:00-22:45 Wed 10:00-22:45 Thu 10:00-22:45

	Fri 10:00-22:45 Sat 10:00-22:45 Sun 10:00-22:45
Recorded Music	Standard Hours: Mon 10:00-22:45 Tue 10:00-22:45 Wed 10:00-22:45 Thu 10:00-22:45 Fri 10:00-22:45 Sat 10:00-22:45 Sun 10:00-22:45
Performance of Dance	Standard Hours: Mon 10:00-22:45 Tue 10:00-22:45 Wed 10:00-22:45 Thu 10:00-22:45 Fri 10:00-22:45 Sat 10:00-22:45 Sun 10:00-22:45
Other Entertainment Similar to Live or Rec Music or Dance Performance	Standard Hours: Mon 10:00-22:45 Tue 10:00-22:45 Wed 10:00-22:45 Thu 10:00-22:45 Fri 10:00-22:45 Sat 10:00-22:45 Sun 10:00-22:45
Supply of Alcohol	Standard Hours: Mon 10:00-22:45 Tue 10:00-22:45 Wed 10:00-22:45 Thu 10:00-22:45 Fri 10:00-22:45 Sat 10:00-22:45 Sun 10:00-22:45
The opening hours of the premises	Standard Hours: Mon 10:00-23:00 Tue 10:00-23:00 Wed 10:00-23:00 Thu 10:00-23:00 Fri 10:00-23:00 Sat 10:00-23:00 Sun 10:00-23:00
Capacity: Not known	
Policies Applicable	LP1 (General Principles), LP2 (Licensing Objectives), LP4 ('Off' Sales of Alcohol), LP5 (Planning Status)
List of Appendices	A – Application for a premises licence and supporting documents B – Representations from responsible authorities C – Location map

Relevant Representations	<ul style="list-style-type: none"> • Planning Authority • Police Authority • Licensing Authority
---------------------------------	---

2. APPLICATION

2.1 **Jack Robinson** has made an application for a premises licence under the Licensing Act 2003:

- To authorise the supply alcohol for consumption **On and Off** the premises
- Regulated entertainment

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

3. CURRENT STATUS / HISTORY

3.1 The premises are not currently licensed for any activity.

3.2 TENs have been submitted in the current calendar year as follows

Date of the event(S)	Hours
19/02/2020	19:00 to 23:00

4. REPRESENTATIONS: RESPONSIBLE AUTHORITIES

From	Details
Environmental Health Authority (Environmental Protection)	Have confirmed no representation on this application
Environmental Health Authority (Environmental Enforcement)	No representation received
Environmental Health Authority (Health & Safety)	No representation received
Weights and Measures (Trading Standards)	Have confirmed no representation on this application
Planning Authority Appendix B1	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 B2	Representation received on the grounds of The Prevention of Crime and Disorder, Public Safety and Prevention of Public Nuisance
Licensing Authority Appendix 3	Representation received on the grounds of The Prevention of Crime and Disorder, and Prevention of Public Nuisance.
Health Authority	No representation received

5. REPRESENTATIONS: OTHER PERSONS

From	Details
Representation received from and on behalf of local residents.	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), LP4 ('Off' Sales of Alcohol) and LP5 (Planning Status)

8. OFFICER OBSERVATIONS

- 8.1 If the Sub-Committee is minded to approve the application, the following conditions should be applied the licence:
- Supply Of Alcohol (On/Both)**
1. No supply of alcohol may be made under the premises licence:
 - (a) At a time when there is no designated premises supervisor in respect of the premises licence.
 - (b) At a time when the designated premises supervisor does not hold a personal licence or his personal licence is suspended.
 2. Every supply of alcohol under the premises licence must be made or authorised by a person who holds a personal licence.
 3. (1) The responsible person must ensure that staff on relevant premises do not carry out, arrange or participate in any irresponsible promotions in relation to the premises.
 - (2) In this paragraph, an irresponsible promotion means any one or more of the following activities, or substantially similar activities, carried on for the purpose of encouraging the sale or supply of alcohol for consumption on the premises -
 - (a) games or other activities which require or encourage, or are designed to require or encourage, individuals to;
 - (i) drink a quantity of alcohol within a time limit (other than to drink alcohol sold or supplied on the premises before the cessation of the period in which the responsible person is authorised to sell or supply alcohol), or
 - (ii) drink as much alcohol as possible (whether within a time limit or otherwise);
 - (b) provision of unlimited or unspecified quantities of alcohol free or for a fixed or discounted fee to the public or to a group defined by a particular characteristic in a manner which carries a significant risk of undermining a licensing objective;

26. 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.

9. REASONS FOR OFFICER OBSERVATIONS

- 9.1 Conditions 9 to 26 above are derived from the applicant's operating schedule. No additional conditions have been proposed by the responsible authorities.

10. LEGAL COMMENTS

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

11. HUMAN RIGHTS ACT 1998 IMPLICATIONS

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

12. MEMBERS DECISION MAKING

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

13. CONCLUSION

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

Group Director, Neighbourhoods and Housing

Ajman Ali

Lead Officer (holder of original copy):	Sanaria Hussain Senior Licensing Officer Licensing Service 1 Hillman Street E8 1DY Telephone: 020 8356 4973
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LIST OF BACKGROUND PAPERS RELATING TO THIS REPORT

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

Description of document	Location
Office File: Bohemia Place Market, 11 Bohemia Place, London, E8 1DU	Licensing Service 1 Hillman Street London E8 1DY

Printed matter

Licensing Act 2003
LBH Statement of Licensing Policy

↳ Hackney LA01	Application for a premises licence to be granted under the Licensing Act 2003
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PLEASE READ THE FOLLOWING INSTRUCTIONS FIRST

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

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

I/We Mr Jack Robinson
(Insert name(s) of applicant)

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

Part 1 – Premises details

Postal address of premises or, if none, ordnance survey map reference or description			
11 BOHEMIA PLACE HACKNEY LONDON			
Post town	LONDON	Postcode	E8 1DU

Telephone number at premises (if any)	[REDACTED]
Non-domestic rateable value of premises	£19250.00

Part 2 - Applicant details

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

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

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

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

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

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

(A) INDIVIDUAL APPLICANTS (fill in as applicable)

Title Mr			
Surname Robinson		First names Jack	
I am 18 years old or over			<input checked="" type="checkbox"/>
Date of birth [REDACTED]			
Nationality British			
Current residential address if different from premises address		[REDACTED] UK-England	
Post town	LONDON	Postcode	N5 1XF
Daytime contact telephone number		[REDACTED]	
[REDACTED]	[REDACTED]		
Where applicable (if demonstrating a right to work via the Home Office online right to work checking service), the 9-digit 'share code' provided to the applicant by that service (please see note 15 for information)			

SECOND INDIVIDUAL APPLICANT (if applicable)

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

E-mail address (optional)

Part 3 Operating Schedule

When do you want the premises licence to start?

DD MM YYYY

01-08-2020

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

DD MM YYYY

Please give a general description of the premises (please read guidance note 1)
Railway arch site in Hackney Central on a very quiet non residential street. All neighbouring buildings are commercial tenants.

The premises will be used ancillary to Bohemia Place Market which I also run, serving coffee, mulled wine, beers and wine, plus providing important toilet facilities if required.

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

182

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

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

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

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

In all cases complete boxes K, L and M

A

Plays Standard days and timings (please read guidance note 7)			Will the performance of a play take place indoors or outdoors or both – please tick (please read guidance note 3)	Indoors	<input checked="" type="checkbox"/>
				Outdoors	
				Both	
Day	Start	Finish	Please give further details here (please read guidance note 4)		
Mon	10:00	22:45			
Tue	10:00	22:45	State any seasonal variations for performing plays (please read guidance note 5)		
Wed	10:00	22:45			
Thur	10:00	22:45	Non-standard timings. Where you intend to use the premises for the performance of plays at different times to those listed in the column on the left, please list (please read guidance note 6)		
Fri	10:00	22:45			
Sat	10:00	22:45			
Sun	10:00	22:45			

B

Films Standard days and timings (please read guidance note 7)			Will the exhibition of films take place indoors or outdoors or both – please tick (please read guidance note 3)	Indoors	<input checked="" type="checkbox"/>
				Outdoors	
				Both	
Day	Start	Finish	Please give further details here (please read guidance note 4)		
Mon	10:00	22:45			
Tue	10:00	22:45	State any seasonal variations for the exhibition of films (please read guidance note 5)		
Wed	10:00	22:45			
Thur	10:00	22:45	Non-standard timings. Where you intend to use the premises for the exhibition of films at different times to those listed in the column on the left, please list (please read guidance note 6)		
Fri	10:00	22:45			
Sat	10:00	22:45			
Sun	10:00	22:45			

E

Live music Standard days and timings (please read guidance note 7)			Will the performance of live music take place indoors or outdoors or both – please tick (please read guidance note 3)	Indoors	<input checked="" type="checkbox"/>
				Outdoors	<input type="checkbox"/>
				Both	<input type="checkbox"/>
Day	Start	Finish	Please give further details here (please read guidance note 4)		
Mon	10:00	22:45			
	-----	-----			
Tue	10:00	22:45			
	-----	-----			
Wed	10:00	22:45			
	-----	-----			
			State any seasonal variations for the performance of live music (please read guidance note 5)		
Thur	10:00	22:45			
	-----	-----			
			Non-standard timings. Where you intend to use the premises for the performance of live music at different times to those listed in the column on the left, please list (please read guidance note 6)		
Fri	10:00	22:45			
	-----	-----			
Sat	10:00	22:45			
	-----	-----			
Sun	10:00	22:45			
	-----	-----			

F

Recorded music Standard days and timings (please read guidance note 7)			Will the playing of recorded music take place indoors or outdoors or both – please tick (please read guidance note 3)	Indoors	<input checked="" type="checkbox"/>
				Outdoors	
Day	Start	Finish		Both	
Mon	10:00	22:45	Please give further details here (please read guidance note 4)		
Tue	10:00	22:45	State any seasonal variations for the playing of recorded music (please read guidance note 5)		
Wed	10:00	22:45	Non-standard timings. Where you intend to use the premises for the playing of recorded music at different times to those listed in the column on the left, please list (please read guidance note 6)		
Thur	10:00	22:45			
Fri	10:00	22:45			
Sat	10:00	22:45			
Sun	10:00	22:45			

G

Performances of dance Standard days and timings (please read guidance note 7)			Will the performance of dance take place indoors or outdoors or both – please tick (please read guidance note 3)	Indoors	<input checked="" type="checkbox"/>
Day	Start	Finish		Outdoors	
				Both	
Mon	10:00	22:45	Please give further details here (please read guidance note 4)		
Tue	10:00	22:45	State any seasonal variations for the performance of dance (please read guidance note 5)		
Wed	10:00	22:45	Non-standard timings. Where you intend to use the premises for the performance of dance at different times to those listed in the column on the left, please list (please read guidance note 6)		
Thur	10:00	22:45			
Fri	10:00	22:45			
Sat	10:00	22:45			
Sun	10:00	22:45			

H

Anything of a similar description to that falling within (e), (f) or (g) Standard days and timings (please read guidance note 7)			Please give a description of the type of entertainment you will be providing		
Day	Start	Finish	Will this entertainment take place indoors or outdoors or both – please tick (please read guidance note 3)	Indoors	<input checked="" type="checkbox"/>
Mon	10:00	22:45		Outdoors	<input type="checkbox"/>
				Both	<input type="checkbox"/>
Tue	10:00	22:45	Please give further details here (please read guidance note 4)		
Wed	10:00	22:45			
Thur	10:00	22:45	State any seasonal variations for entertainment of a similar description to that falling within (e), (f) or (g) (please read guidance note 5)		
Fri	10:00	22:45			
Sat	10:00	22:45	Non-standard timings. Where you intend to use the premises for the entertainment of a similar description to that falling within (e), (f) or (g) at different times to those listed in the column on the left, please list (please read guidance note 6)		
Sun	10:00	22:45			

J

Supply of alcohol Standard days and timings (please read guidance note 7)			Will the supply of alcohol be for consumption – please tick (please read guidance note 8)	On the premises	
				Off the premises	
				Both	<input checked="" type="checkbox"/>
Day	Start	Finish	State any seasonal variations for the supply of alcohol (please read guidance note 5)		
Mon	10:00	22:45			
Tue	10:00	22:45			
Wed	10:00	22:45			
Thur	10:00	22:45			
Fri	10:00	22:45			
Sat	10:00	22:45			
Sun	10:00	22:45			
			Non-standard timings. Where you intend to use the premises for the supply of alcohol at different times to those listed in the column on the left, please list (please read guidance note 6)		

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

Name Mr Stuart Glen	
Date of birth [REDACTED]	
Address [REDACTED] WRENS PARK HOUSE WARWICK GROVE HACKNEY LONDON	
UK-England	
Postcode	[REDACTED]
Personal licence number (if known) LBH-PER-N-1898	
Issuing licensing authority (if known) Hackney	

K

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

No adult entertainment.

L

Hours premises are open to the public Standard days and timings (please read guidance note 7)			State any seasonal variations (please read guidance note 5)
Day	Start	Finish	
Mon	10:00	23:00	Non-standard timings. Where you intend the premises to be open to the public at different times from those listed in the column on the left, please list (please read guidance note 6)
Tue	10:00	23:00	
Wed	10:00	23:00	
Thur	10:00	23:00	
Fri	10:00	23:00	
Sat	10:00	23:00	
Sun	10:00	23:00	

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

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

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.

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.

An incident log shall be kept at the premises, and made available immediately to an authorised officer of the Hackney Borough Council or the Police, which will record the following:

- a. all crimes reported to the venue
- b. any complaints received
- c. any incidents of disorder
- d. any faults in the CCTV system
- e. any refusal of the sale of alcohol
- f. any visit by a relevant authority or emergency service.

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.

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.

The premises will display and maintain appropriate signage advising customers of the contact details of the Designated Premises Supervisor or duty manager.

The premises shall adhere to Hackney Police Weapons and Drugs Policies and any updates thereof.

b) The prevention of crime and disorder

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.

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.

An incident log shall be kept at the premises, and made available immediately to an authorised officer of the Hackney Borough Council or the Police, which will record the following:

- a. all crimes reported to the venue
- b. any complaints received
- c. any incidents of disorder
- d. any faults in the CCTV system
- e. any refusal of the sale of alcohol
- f. any visit by a relevant authority or emergency service.

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.

c) Public safety

Please note: during the Covid-19 pandemic all Government regulations will be adhered to.

For example:

- All tables and chairs to be spaced out to current guidelines (1m+ rule)
- Staff to wear PPE
- Disposable cups used only
- Taking customers contact details in case of any issue

There shall be no glass, drinks or open containers taken outside of the premises at any time.

Arch 11 fire capacities

Capacity by floor space.

This is calculated taking into account that the space usage is proposed to be multi function. A generic occupancy of 2 people per meter squared has been chosen as an absolute maximum. Each new use should have a capacity recalculation suitable to the usage and layout.

Music room, $74.52\text{m}^2 \times 2 = 149$

Hall, $68.62\text{m}^2 \times 2 = 137$

Max capacity by floor space is 286.

Capacity by exit width

This is calculated using the 5mm per person rule, taking into account the short distance of travel and simple direct nature of the exit routes to the outside.

Front door 3480mm / 5 = 696 people (discounted as per rules)

Rear door 910mm / 5 = 182 people

Max capacity by exit width is 182 people

Following guidance on safe capacity calculation the smallest number dictates the final capacity, at present the maximum capacity is 182 people.

d) The prevention of public nuisance

There shall be prominent signage requesting customers to leave the premises quietly and respect local residents.

e) The protection of children from harm

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.

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.

Checklist:

Please tick to indicate agreement

- I have made or enclosed payment of the fee.
- I have enclosed the plan of the premises.
- I have sent copies of this application and the plan to responsible authorities and others where applicable.
- I have enclosed the consent form completed by the individual I wish to be designated premises supervisor, if applicable.
- I understand that I must now advertise my application.
- I understand that if I do not comply with the above requirements my application will be rejected.
- [Applicable to all individual applicants, including those in

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

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

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

Part 4 – Signatures (please read guidance note 11)

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

Declaration	<ul style="list-style-type: none"> • [Applicable to individual applicants only, including those in a partnership which is not a limited liability partnership] I understand I am not entitled to be issued with a licence if I do not have the entitlement to live and work in the UK (or if I am subject to a condition preventing me from doing work relating to the carrying on of a licensable activity) and that my licence will become invalid if I cease to be entitled to live and work in the UK (please read guidance note 15). • The DPS named in this application form is entitled to work in the UK (and is not subject to conditions preventing him or her from doing work relating to a licensable activity) and I have seen a copy of his or her proof of entitlement to work, or have conducted an online right to work check using the Home Office right to work checking service which confirmed their right to work (please see note 15)
Signature	Jack Robinson
Date	3/7/2020
Capacity	Applicant

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

Signature	
Date	3/7/2020
Capacity	

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

Notes for Guidance

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

Jack Robinson

██████████
London

N5 ██████████

Dear licensing

In support of my premises license application I wanted to give some background on my experience and intentions.

I currently run Bohemia Place Market on the private street of which the premises are. The market features small, independent local businesses such as food, artisan and fashion, with a focus on vegan/sustainable/ethical products.

I have worked in hospitality for 15 years, hosting events with Lambeth council for 20000 people, the city of Reykjavik to produce the biggest event in the country's history with artists such as Radiohead and Massive Attack.

This is a small project to support my market. We wish to trade daytime only and will follow any Covid-19 guidelines necessary to ensure a safe environment.

Any questions please feel free to contact myself or my colleague / DPS Stuart Glen.

Best regards

Jack Robinson

Arch 11 Bohemia Pl, E8 1DU, Site plan and redline



APPENDIX B1

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	Bohemia Place Market, Arch 11 (Unit 11), Bohemia Place, E8 1DU
Applicant name	Mr Jack Robinson

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 for a new premises license for use as use class A4 Drinking establishments under the Licensing Act 2003

The following licensable activities proposed are:

Plays,
Films,
Live Music,
Recorded Music,
Performances of Dance,
Supply of Alcohol,

**Hours premises are open to the public:
Mon-Sun 10:00 to 23:00**

The proposed use is unlawful under granted planning permission reference:

2017/0307 - Change of use of railway arch numbers 4-13 (excluding arches 9, 10 and 11), 16 + 20 from B2 to A1/B1; **arches 10 & 11 from B1 to A1/B1**; arch 9 from sui generis to A1/B1; arches 3, 14, 15 and 18 from B2 to A3/A4; arch 17 from B2 to A1/A3/A4/B1; arch 21 from B2 to A1/A3/B1; and arch 187 from B2 to A3 together with the erection of 11 micro A1 retail units, the creation of a new tunnel feature under the arch at the corner of Bohemia Place and Nursery Road, the erection of gates at either end of Bohemia Place and associated waste storage and street furniture.

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

Condition 8 The A1 uses hereby approved shall only be operated between the hours of 10am and 8pm Monday to Saturday and between 10am and 6pm on Sunday.

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

A search of Council's planning records has found no planning approval for the usage of the premises as lawful. If the applicant would like formal confirmation from Council that the usage of the premises is lawful, it is recommended that they seek planning permission.

The applicant is reminded that licensing approval does not grant planning approval. Operation of the premises without appropriate planning approval 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 B2

RESPONSIBLE AUTHORITY REPRESENTATION: APPLICATION UNDER THE LICENSING ACT 2003

RESPONSIBLE AUTHORITY DETAILS

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

APPLICATION PREMISES

NAME & ADDRESS OF PREMISES	11 Bohemia Place London E8 1DU
NAME OF PREMISES USER	Jack Robinson

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 representation a for the new premises licence at 11 Bohemia Place, E8 1DU.

The venue applying a licence 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 application is seeking both on and off sales Monday to Sunday 1000hours to 2245 hours and in addition allowing for a 15 minute window until closing at 2300hours for customers to finish their drinks. The application states that the premises will be used as an ancillary to the Bohemia place market which until this date has a number of TENS in order to facilitate the sale of alcohol at the Market. The capacity within the operating schedule is listed as 182.

On speaking with the applicant, they have stated that they would like to make use of the venue and the licence if granted on occasions when the market is not in operation.

Bohemia Police suffers from Anti-Social Behaviour issues such as urination, Vomiting, Littering, drunkenness. Police are concerned that the area will also see an increase in crime and disorder as an increase of use in the vicinity will make it an attractive target for balloon sellers and thieves who make their way there to target intoxicated members of the public.

Police would ask what steps the applicant intends to take in order to mitigate any risks and how they would look to promote and not 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)

RESPONSIBLE AUTHORITY DETAILS

NAME OF AUTHORITY	Licensing Authority
ADDRESS OF AUTHORITY	Hackney Service Centre 1 Hillman Street London E8 1DY
CONTACT NAME	David Tuitt
TELEPHONE NUMBER	020 8356 4942
E-MAIL ADDRESS	david.tuitt@hackney.gov.uk

APPLICATION PREMISES

NAME & ADDRESS OF PREMISES	Bohemia Place Market 11 Bohemia Place London E8 1DU
NAME OF APPLICANT	Jack Robinson

COMMENTS

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

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

Representation in relation to:

The plan submitted contains very little detail and it is not clear how the premises will operate. This could lead to a detrimental impact on the promotion of the licensing objectives, in particular, the prevention of crime and disorder and the prevention of public nuisance. It is also noted that the max capacity is 182 yet there is only one toilet provided on the plan. The applicant may wish to refer to the relevant British Standard for toilet provision.

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

Licensing Act 2003, Home of Guidance, Licensing Policy

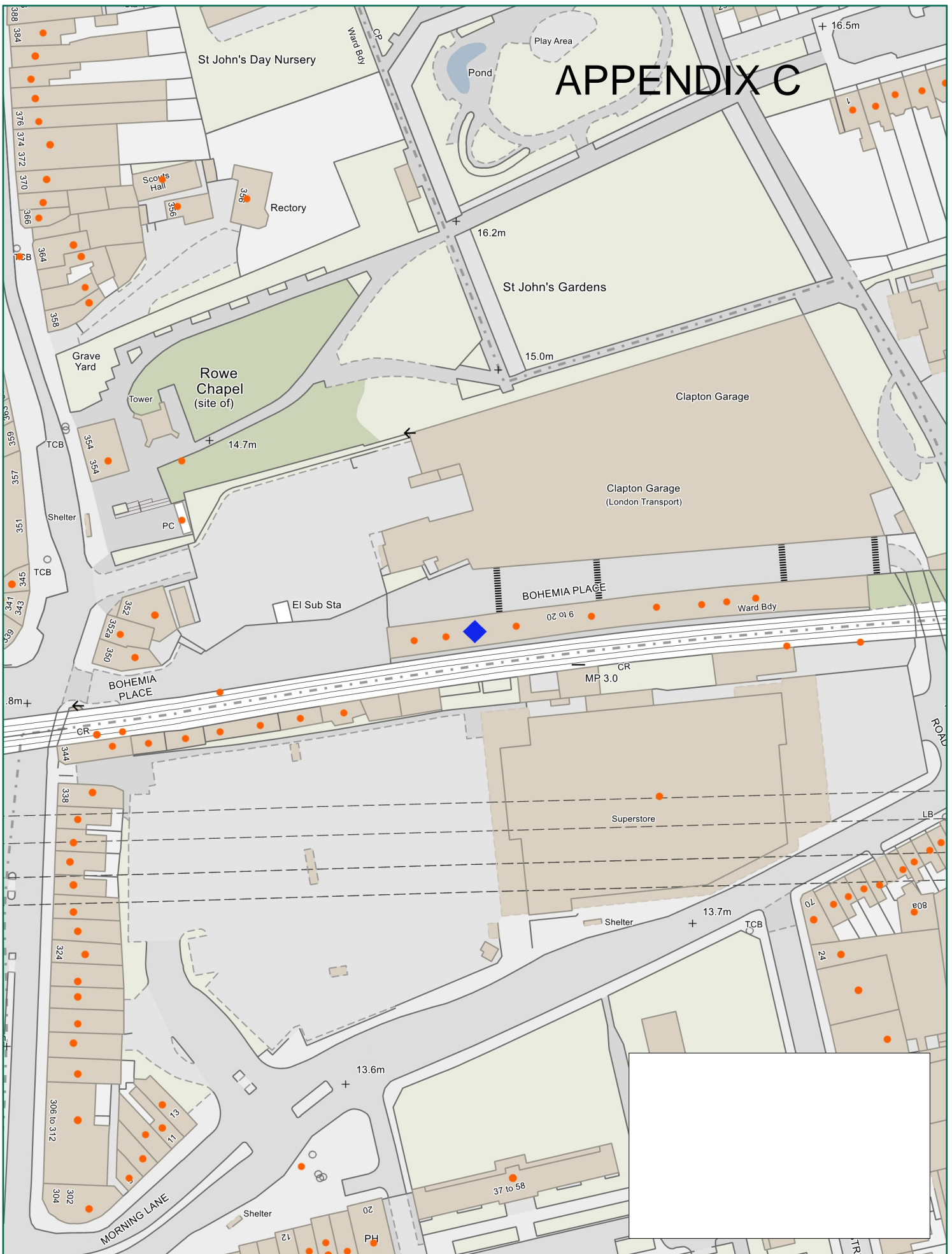
Are there any actions or measures that could be taken to allay concerns or objections? If so, please explain.

Details on proposed use, internal arrangement of the premises and increase toilet provision.

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

Date: 04/08/2020

APPENDIX C



Scale: 1:1250 at A4

11 Bohemia Place



Ref:

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26 August 2020

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