



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

Thursday, 15th October, 2020

at 2.00 pm

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

**Councillors sitting:**

**Cllr Brian Bell and Cllr Emma Plouviez**

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

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

This meeting will be live streamed and can be viewed at:  
[https://youtu.be/6\\_Fanyc94Hk](https://youtu.be/6_Fanyc94Hk)

# AGENDA

## Thursday, 15th October, 2020

### ORDER OF BUSINESS

Title	Ward	Page No
1 Election of Chair		
2 Apologies for Absence		
3 Declarations of Interest - Members to declare as appropriate		
4 Minutes of the Previous Meeting		(Pages 1 - 26)
5 Licensing Sub-Committee Hearing Procedure		(Pages 27 - 28)
6 The Tramshed, 14 Garden Walk, Hackney, EC2A 3EQ	Hoxton East & Shoreditch	(Pages 29 - 76)
7 Temporary Event Notices - Standing Item		

## **Licensing Sub-Committee Hearings**

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

## **Timings**

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

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

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

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

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

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

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

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

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

Providing oral commentary during a meeting is not permitted.

### **Lobbying of Councillors**

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

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

### **Reports**

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

### **Appeals**

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

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

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

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

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

## **Facilities**

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

## **Contacts**

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

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

Telephone: 020 8356 1266  
E-mail: [governance@hackney.gov.uk](mailto:governance@hackney.gov.uk)

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

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

Telephone: 020 8356 4970  
Fax: 020 8356 4974  
E-mail: [licensing@hackney.gov.uk](mailto:licensing@hackney.gov.uk)

# ADVICE TO MEMBERS ON DECLARING INTERESTS

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

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

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

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

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

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

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

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

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



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

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

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

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

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

### Further Information

Advice can be obtained from Dawn Carter-McDonald, Interim Director of Legal and Governance on 020 8356 6234 or email [dawn.carter-mcdonald@hackney.gov.uk](mailto:dawn.carter-mcdonald@hackney.gov.uk)



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# Relevant Extracts from Hackney's Statement of Licensing Policy

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

## **LP1 General Principles**

The Council expects applicants to demonstrate:

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

## **LP2 Licensing Objectives**

### **Prevention of Crime and Disorder**

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

### **Public Safety**

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

### **Prevention of Public Nuisance**

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

### **Protection of Children from Harm**

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

### **LP3 Core Hours**

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

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

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

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

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

### **LP4 Off' Sales of Alcohol**

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

### **LP5 Planning Status**

Licence applications should normally be from premises where:

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

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

### **LP6 External Areas and Outdoor Events**

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

**LP7 Minor Variations**

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

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

**LP8 Temporary Event Notices**

When considering an objection to a TEN the Council will:

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

**LP9 Personal Licences**

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

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

**LP10 Special Policy Areas – Dalston and Shoreditch**

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

It should also be noted that the;

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

May not be in itself sufficient.

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

**LP11 Cumulative Impact – General**

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

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## MINUTES OF A MEETING OF THE LICENSING SUB COMMITTEE D

THURSDAY, 20TH AUGUST, 2020

**Councillors Present:** Councillor Brian Bell in the Chair

Cllr Gilbert Smyth (Substitute)

**Apologies:** Councillor Emma Plouviez

**Officers in Attendance:** Amanda Nauth, Legal Officer  
Suba Sriramana, Principal Licensing Officer  
Gareth Sykes, Governance Services Officer

**Also in Attendance:** Andina

**Applicant:** Jack Speigler (legal representative)  
Shelley Ward (landlord)

**Other Person:** Andrew Kanter

### Hackney Bridge

**Applicant:**  
Nathan Gee (Hackney Bridge Limited)  
Gary Grant (Legal Counsel)  
Andrew Newman (Consultant)  
Tony Westbrook (LLDC in support)

**Also in attendance for applicant**

Roanna Fawcett - (Hackney Bridge Ltd - Head of Operations)  
Andrew Atkins (support for application)

**Responsible Authorities:**  
David Tuit (Licensing Authority)

**Other Persons:**

Hackney Wick Ward Cllr Nick Sharman

### **1 Election of Chair**

1.1 Councillor Brian Bell was duly elected as Chair of the meeting.

### **2 Apologies for Absence**

1.2 Councillor Emma Plouviez gave her apologies for absence.

**3 Declarations of Interest - Members to declare as appropriate**

3.1 There were no declarations of interest.

**4 Minutes of the Previous Meeting**

4.1 There were no minutes for consideration.

**5 Licensing Sub-Committee Hearing Procedure**

5.1 The Chair outlined the hearing procedure to be followed by all parties present, as set out in the agenda pack and circulated prior to the meeting.

**6 Application for a Premises Licence - Andina, 1 Redchurch Street, Hackney, London, E2 7DJ**

6.1 The Principal Licensing Officer, Suba Sriramana, introduced the application for a premises licence for Andina, 1 Redchurch Street, Hackney London E2 7DJ. The proposed licensable activity was for late night refreshment and the supply of alcohol (on premises). It was also noted that:

- The licence had been surrendered by the previous licensee on the 9th August
- But when the building owner found out, they applied for it to transferred to them instead on 14 August
- The transfer application had been approved and the old licence was now back in place
- All responsible authorities had withdrawn their objections but submissions from two other persons remained
- The applicant had provided additional documentation which had been circulated to the committee members

6.2 The legal representative for the applicant, Jack Speigler, made his submission raising a number of points including the following:

- The application was for a shadow premises licence on the same terms as the existing premises licence. The applicant was the freehold owner of the premises and they were currently engaged in complex negotiations with the outgoing temporary tenant
- Examples were cited of similar shadow premises licences e.g. Extreme Oyster Company
- The application had been made because there were concerns that the existing tenant would imperil the outgoing premises licence.
- The shadow premises licence could still be pursued in order to protect the premises especially in light of the current unprecedented times when licensed operators were going out of business
- With the shadow premises licence there would be an insurance that the licence holder would keep the premises licence on its existing terms as previously approved by the licensing authority. It was felt this would avoid the risk of overly ambitious operators
- It was noted that the responsible authorities had withdrawn their representation and it was also noted that the Licensing Authority in their



submission accepted that this application would not result in a new premises licence in the Shoreditch Special Policy Area (SPA) and the cumulative impact. Therefore for the applicant was of the view that LP 10 and 11 were not engaged and even if they were there was no cumulative impact as it was an existing premises licence and not a variation on a premises licence

- In relation to the additional submitted paperwork, the submissions from the two interested parties were welcomed and it was acknowledged that there was some confusion in terms of the proposals but it was felt that the objections that were made were not good grounds for rejection of the application
- The applicant had written to the objectors twice to engage and clarify the application but those invitations had gone unanswered
- He believed those concerns expressed about a new premises licence in Shoreditch had been addressed, and noted the comments raised about the application in relation to Covid19, which the applicant also had raised. It was reiterated that there was no additional licensed premises and no additional cumulative impact. It was also recognised that the pandemic would continue to have a material impact on the number of persons visiting licensed premises in the Shoreditch area for the foreseeable future. This would result in a lower recorded cumulative impact in the area than the last time levels were recorded
- The applicant was a responsible landlord who had taken steps to ensure an incoming tenant has a premises license on the same terms as previously agreed by the licensing authority. There would be no adverse effect on the licensing objectives or additional cumulative impact

- 6.2 In response to a question from the chair of the committee, the legal representative for the applicant replied that the licensing authority had helpfully included suggested conditions from the Council's Environmental Health Officer in their representation. However, that officer's representation had been withdrawn with no requirement for additional conditions partly because it's a shadow licence and partly because there were a number of conditions included in the operation manual. If the application was granted it was suggested that there would be no need to impose conditions 36 to 38 because no one was asking for them anymore. A copy of the email from the Environmental Health Officer to the legal representative for the applicant, regarding the aforementioned matter was forwarded to the legal officer. A licensing officer had been copied into the original correspondence.
- 6.3 The chair of the committee stated that the application would be treated as a new application but with the committee members aware that the application was for a premises that already exists. Therefore it was up to someone else to make the case for whether there was an additional cumulative impact in the case of this application.
- 6.4 There were no submissions from the responsible authorities as they had withdrawn their representations.
- 6.5 The committee heard from other persons. The following points were raised:
- It was understood that they were under the impression that the existing licence had lapsed and that this application was for an entirely new licence but it appeared that this was not the case

- Even if this was to be treated as a shadow licence it had to be made clear the impact of the baseline of licensed premises in the area. Local residents were well aware of the impact of the Night Time Economy on neighbours and the police. It was empirical in March 2020 crime was down in Shoreditch and now it was beginning to rise again. In that context the application needed to be considered as a new licence
- Their main concern was not knowing who the landlord would be that was moving into the premises. It was felt that under the council's licensing objectives and the licensing act a blanket application such as this one should be rejected
- It was accepted that compared to eight months ago the situation in Shoreditch had now changed when there had been greater levels of crime and anti-social behaviour. The situation in the area was the new baseline from which this application should now be considered

- 6.6 The chair of the committee recognised that this was a complex matter and that the original application was surrendered, then it was reactivated. The application before the committee was a shadow licence. The chair was of the view that the other persons had not made the case for why the application would add to the cumulative impact. The other persons replied that the impact on the night time economy and the addition of more people into Shoreditch and additional alcohol sales. Another licensed premises inevitably attracts more people to the area. He believed there was a direct correlation between an increased number of people on the street and incidents of anti-social behaviour and the negative impact on the health and safety of children for example. The chair of the committee understood that all attendees at the meeting were now agreed while that the application under discussion was new, it was not creating an additional licensed premises. The chair of the committee repeated that the existing premises license had been surrendered, but then reactivated by the landlord. The applicant was now applying for this "shadow" licence for commercial reasons. The other persons agreed with this assessment but felt that both the committee members and the applicant should recognise that there would be some impact on the area.
- 6.7 In response to a question from Councillor Smyth, the other person replied that the previous operator on the site was particularly bad when it came to leaving their waste outside the premises. It was a narrow footpath in front of the venue with other busy licensed premises adjacent to the site. Piles of recycling would cause an obstruction. It was noted that there were conditions on the licence that regulated this matter.
- 6.8 In response to a question from the council's legal officer, the other person replied that in terms of Covid19 and its impact on footfall in the area, it appeared that it had not been lowered. People appeared to be spending more time on the streets. The streets appeared to be as busy as they ever were although the venues were not as full.
- 6.9 The applicant confirmed that there was no outside area attached to the licence. There was no intention to change this in the future.

6.10 In closing, the legal representative for the applicant thanked the other persons for his submissions. He emphasised that the application was for a shadow licence. The other persons made no further comments.

### **The decision**

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

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

The application for a premises licence has been approved in accordance with the Council's Statement of Licensing Policy and paragraph 8.1 of the report, with the following amendments :-

- Not to add conditions 36 and 38 to the licence as agreed with Environmental Enforcement.

### **Reasons for the decision**

The application for the premises licence has been approved, as members of the Licensing sub-committee were satisfied that the licensing objectives would not be undermined within the Shoreditch Special Policy Area (SPA).

The sub-committee took into consideration that the Metropolitan Police Service, and Environmental Enforcement had withdrawn their representations, and agreed conditions with the applicant.

The sub-committee also took into consideration the representations made by the Other Persons and their concerns about the potential impact on local residents. The premises is located in the Shoreditch SPA and therefore it is subject to policy LP10.

The applicant's representative made representations that the application was for a "shadow" premises licence on the same terms as existing premises. The proposed licensable activities, hours and conditions are identical to the existing premises licence. The applicant is the freehold owner of the premises. The application was made to ensure that there was a valid premises licence capable of being transferred to an incoming tenant. There is no intention to add licensable activities, extend hours or relax conditions which might add to cumulative impact in the Shoreditch SPA.

The Responsible Authority (Licensing) acknowledged that the application would not result in an additional licensed premises in the Shoreditch SPA.

Having taken all of the above factors into consideration the sub-committee were satisfied that the licensing objectives would continue to be promoted within the Shoreditch SPA, by granting this application.

**7 Application for a Premises Licence - Hackney Bridge - Block A, Aluminium Building, East Bay Lane, London, E15 2BH**

7.1 The Principal Licensing Officer, Suba Sriramana, introduced the application for a premises licence for Hackney Bridge the following three blocks:

- Block A, Aluminium Building, East Bay Lane, London, E15 2BH. The Proposed licensable activities were Late Night Refreshment and the Supply of Alcohol (On Premises).
- Block B, Beta Building, East Bay Lane, London, E15 2BL
- Block C, Charlie Building, East Bay Lane, London, E15 2DJ

The proposed licensable activity for blocks A to C were for films, indoor sporting events, live music, recorded music, performance of dance and late night refreshment and the supply of alcohol (on and off Premises)

The meeting participants noted that revised hours and conditions had been agreed between the applicant, police and environmental health teams for Blocks A, B and C. It was noted that subsequent to the publication of the main meeting pack, the applicant had submitted additional paperwork in support of their application, which had been forwarded to all parties.

There remained submissions from one Responsible Authority (Licensing) and other persons, a local ward councillor.

7.2 The legal representative for the applicant made his submission raising the following points:

- They believed this was a significant opportunity for the area and would be hugely beneficial to Hackney and the neighbouring boroughs
- The applicant had a proven track record of undertaking projects like this in Brixton and Peckham
- The application had been three years in the making
- Extensive discussions had taken place with the police and the council's environmental health department which had led to an agreed set of hours and conditions. These were a carefully considered set of conditions for blocks A, B and C. Each block had a different use; block A was a pub and two restaurants, block B was a food hall and mezzanine and block C was a multi-use event space and cocktail bar. Community events would take place mostly in block C
- Planning permission had been granted of the project
- The hours applied for were now less than that originally proposed
- It was stressed that there was a great detail of community aspect to the applications with free use of the event space, in block C, for up to 25 per cent of the time, but it was acknowledged to make it financially viable it needed to be paid for and this was affected by the reduced hours
- The objection from the licensing authority was noted on the grounds of licensing policy as well as the submission from the local ward councillor

- If the application was kept within core hours, as suggested by the licensing authority, would not allow the premises to undertake the community work on site
- LP 3 set the core hours but the applicant noted that extended hours may be considered where the applicant has identified a risk to the promotion of the licensing objectives and has put in place robust measures to mitigate those risks. It was argued that those robust measures were in place which already satisfy the police and environmental health. These robust measures were set out in the supplementary papers e.g. the travel and dispersal plans
- Their expectation was that it was highly unlikely that a great deal of people would disperse into the residential areas. The premises were close to two railway stations. It was expected that most people attending the premises would be local. Street marshals would be deployed into strategic positions when there was a busy event
- Letters of support from the heads of regeneration from two local councils where the applicant had licensed premises, had been submitted. Those two councils had also confirmed that there had been no licensing issues
- The applicant gave a brief overview of the premises dispersal policy explaining that they had done an extensive community engagement project through the duration of the development of the premises
- It was noted that the premises would provide supported space, lower than market rent, for those who could not afford it and otherwise get on to that commercial property ladder
- Embedded in the lease was that 70 per cent or more tenants need to be members of the local community
- The dispersal policy would apply to all three blocks. It was felt that this policy would result in minimal impact on local residents
- It was understood that the nearest residential development to the site would also be within Hackney Bridge. The developer director for this residential site explained that licensed premises was a good community fit for residential use of their site. He explained that his marketing suite for the residential development would be the building closest to the application premises
- The development director for the residential site gave a brief overview of the their project
- The hours proposed had been carefully considered by the police, environmental health and the applicant to ensure staggered dispersal times
- It was understood that no local residents had raised objections to the application

7.3 In response to a question from the chair of the committee, the legal representative for the applicant replied that there was not a street marshals condition. It had already been contained in the planning documents in the supplementary papers pack. The number of marshals used would be determined through a risk assessment by the applicant. The chair explained that the committee would want a separate licensing condition requiring these.

7.4 In response to a question from the chair of the committee, the applicant replied that the cocktail bar in block C would be open all the times applied for. Committee members were concerned that it might become a 'second pub'. The

- applicant replied that the use would be mostly supplementary to the event space as it would generate the most income during the time the event space was open, but it would be open to the public all the time.
- 7.5 In response to a question from Councillor Smyth, the applicant repeated that the cocktail bar was largely supplementary to the event space and would feed off the event space in terms of the higher foot fall.
- 7.6 The entire capacity for block C was 626 persons. The capacity for the cocktail bar, which was located in block C, was 60 persons.
- 7.7 The licensing authority in their submission confirmed that the proposed scheme did date back sometime (May 2017). The licensing authority reiterated their concerns regarding the hours for A and C being outside the core hours and council licensing policy and that there were already some licensing premises in the area. The legal representative for the applicant explained at the end of the evening licensable activities would wind down but late night refreshment would remain to allow patrons to have a tea and coffee while the premises closed. This would also be part of the staggered dispersal policy. The chair of the committee raised concerns about this approach. The expectation was that the stopping of all licensable activities would be part of the wind down period and then patrons would leave the premises. The serving of anything would encourage patrons to hang around. The legal representative for the applicant agreed the serving of tea and coffee at the end of the evening could be removed. The winding down period would be after all licensable activities had stopped.
- 7.8 The local ward councillor made his submissions raising a number of points including:
- The original thinking behind the proposed scheme was community orientated workshops. These would be built around the artistic community in the Hackney Wick area. It now appeared that the community was now being asked to subsidise a very considerable entertainment centre
  - It was also felt that there had been no engagement with local councillors. They appeared to have not been asked about the proposed hours
  - Concerns were raised about the spilling out of 600 plus people into the residential areas without enough consideration of the negative impact of proposed licensable activities on future and current residents of the area
  - It was also noted that the Hackney Wick area was being transformed, the walking route to Hackney Wick station would not remain solely a warehouse area for long and would become a mixed use residential area
  - It was felt that the patrons would be largely external people and it was felt that this would have a negative impact on local public transport. There needed to be a proper dispersal plan in place
- 7.9 During the discussion phase of the meeting the following points were raised:
- The local ward councillors were contacted at the initial stage of the development but it was felt that it was never explained as an entertainment led development

- Over the last weeks and months efforts had been made by the applicant to consult with local ward councillors about the proposed scheme and in particular the proposed hours
- Proper community consultation starts with local councillors and groups before any licensing hearing
- It was noted that the head of the council's regeneration team was part of the project's steering group and was made aware of the hours at an early stage
- The applicant was content to offer a street marshal condition and if necessary to have a minimum of two street marshals employed when events were happening on site on Fridays and Saturdays from midnight. Every other night the number of street marshals would be risked assessed
- The capacities for the three blocks were based on a fire risk assessment report
- On block A and the impact of covid19 it was acknowledged that the capacities would be reduced because of current covid19 regulations. The public facing spaces (restaurants, the pub etc) would not open until April 2021 whilst the offices and convenience store would be open first. Food and beverage being served to the public currently would not begin until next year to mitigate the risk of covid19 being spread to the wider community. Strict controls would be maintained
- It was not clear at this stage whether any future tenant in the pub area in block A would operate as a "sport bars". The applicant, however, had discussed with the licensing authority what conditions would be involved if this was to occur in the future
- It was reiterated that the capacity for block A was guided by the fire risk assessment capacity and the applicant would enforce a capacity once a tenants were identified
- Block A would not function until April 2021
- There was concerns raised about the longer hours for block C, for the cocktail bar, in order to pay for the community space
- The legal representative for the applicant explained that they had already made a number of concessions regarding the hours for block C following agreement with the police and environmental health. It was felt any further reduction would impact on the applicant's offer to the community
- The applicant agreed to a capacity limit to the cocktail bar, in block C, of 60 persons. A condition was proposed to this effect
- On Block B and the food hall, there would be 13 semi-permanent kiosk holders selling food and drink. Seating would be available within the area, mostly on the mezzanine level. There would also be furniture in the courtyard area as well
- The smoking areas on site were based on proposals put forward from council officers
- It was appreciated that the applicant was making efforts to recognise the concerns of local ward councillors
- The legal representative explained that there was a 'meanwhile' nature to the project. The applicant added that the lease term was 12 years but it was dependent on how the rest of the development goes across but there may be some malleability because of the impact of covid19
- It was noted that there was a local steering group closely involved in the arrangements for the use of the community events space

- The applicant was keen for local ward councillors to be involved with the work of the steering group. The group would meet quarterly for the first 12 months
- The legal officer had no further issues to add
- There was one night bus going through Hackney Wick. It was understood the last train times at Hackney Wick were currently from 12 midnight to 12:30am
- There was a proposal for Hackney Wick train station to run 24 hours in the future and the applicant did work with local mini cab firms to ensure there was an allotment of taxis ready
- Within the conditions, for all three blocks, there was a minimum Security Industry Authority (SIA) requirement e.g. condition four
- It was not planned to have SIA staff in the food hall
- Outside of Fridays and Saturdays a risk assessment would be made as to whether SIA staff would be needed for any of the other nights

7.10 The legal representative for the applicant in his closing remarks reiterated the reduction in hours following agreement with the police and environmental health. The applicant had deferred to everything that had been proposed by the likes of the police for example. It was also highlighted that during the licensing committee the applicant had agreed to a minimum number of door staff during peak days. They had also agreed to street marshals on Friday and Saturday nights, and to the capacity of the cocktail bar being capped at 60. It was also stressed that the wider scope of the project was devoted to a mix of uses and community led activities. The licensable activities would help pay for the latter.

7.11 The chair of the committee stressed that the committee would like to see a condition in place where all licensable activities would stop a half hour before closing time. The applicant agreed to this amendment.

7.12 The capacity numbers quoted on the drawings were taken to be the maximum capacities for each of the three blocks. The licensing authority commented that in the future these capacities may be reduced.

7.13 The other persons made no closing remarks.

### **The decision**

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

- The prevention of crime and disorder;
- Public safety;
- Prevention of public nuisance;
- The Protection of Children from Harm;

the application for a the premises licence has been approved in accordance with the Council's Statement of Licensing Policy and the proposed conditions set out in paragraph 8.1 of the report with the following amendments:

- The opening hours and the hours for licensable activity:



Opening Hours:

Sunday – Wednesday 10:00 – 00:30 hours

Thursday – Saturday 10:00 – 01:30 hours

Films (Indoors and Outdoors)

Sunday – Wednesday 10:00 – 00:00 (midnight) hours

Thursday – Saturday 10:00 – 01:00 hours

Indoor Sporting Events

Sunday – Wednesday 10:00 – 00:00 hours

Thursday – Saturday 10:00 – 01:00 hours

Live Music

Sunday – Wednesday 10:00 – 00:00 hours

Thursday – Saturday 10:00 – 01:00 hours

Recorded Music

Sunday – Wednesday 10:00 – 00:00 hours

Thursday – Saturday 10:00 – 01:00 hours

Performance of Dance

Sunday – Wednesday 10:00 – 00:00 hours

Thursday – Saturday 10:00 – 01:00 hours

Late Night Refreshment

Sunday – Wednesday 23:00 – 00:00 hours

Thursday – Saturday 23:00 – 01:00 hours

Supply of Alcohol (On the premises)

Sunday – Wednesday 10:00 – 00:00 hours

Thursday – Saturday 10:00 – 01:00 hours

Supply of Alcohol (Off the premises)

Sunday – Wednesday 10:00 – 23:00 hours

Thursday – Saturday 10:00 – 23:00 hours

- All licensable activity will cease 30 minutes before the premises closes each day.
- Non-standard hours to be removed from the application.
- Alcohol off-sales shall cease at 23:00 hours every day.
- Condition 13 to be amended and read as follows:

“There shall be a minimum of 2 SIA registered door supervisors employed at the premises on Thursdays, Fridays and Saturdays from 2100hrs until 30 minutes after close. Additional SIA registered door supervisors shall be employed subject to an operational risk assessment basis. All security staff shall be clearly identifiable at all times. All door supervisors shall enter their full details in the premises daily register at the commencement of their work. They shall record their full name, home address and contact telephone number, their SIA registration number, and the time they commence and conclude working. If the door supervisor was provided by an agency the name, registered business address and contact telephone number will also be provided. This register will be made available to police or authorised officer immediately upon request”.

- Condition 15 to be amended and read as follows:

“All staff will be given refresher training every twelve months on the legislation relating to the sales of alcohol to underage persons and drunken persons. There shall be written records of all training kept at the premises and made available to police or other authorised officers upon request”.

- Condition 18 to be amended and read as follows:

“There shall be a written dispersal policy, as agreed with the relevant Responsible Authorities, implemented at the premises and a copy lodged with the Council’s Environmental Protection Team. A copy shall be kept on the premises and made available to the Metropolitan Police Service or other authorised officer upon request”.

- Delete conditions 63 and 64 as duplicate of conditions 25 and 26.
- Delete condition 65 as duplicate of condition 20.

- Delete condition 43 as duplicate of conditions 18.
- Delete condition 59 as duplicate of conditions 66.

And the following additional conditions agreed by the Applicant:

- All alcohol sold, supplied and consumed on the premises shall be ancillary to a table meal in the restaurant areas. These areas shall be clearly marked. All customers shall be seated and alcohol supplied by waiter/waitress service.
- There shall be a minimum of two (2) street marshals to assist with dispersal from midnight on Friday and Saturday nights. Additional marshals shall be deployed on a risk assessed basis. Marshals shall dispose of any waste or rubbish left by dispersing patrons, and ensure that patrons leave quietly respecting the local community.

### **Reasons for the decision**

The application for the premises licence has been approved, as members of the Licensing Sub-committee were satisfied that the licensing objectives would not be undermined.

The sub-committee took into consideration that the Metropolitan Police Service (MPS), Environmental Health, and Environmental Enforcement had withdrawn their representations, upon agreeing revised hours and additional conditions with the applicant including providing additional SIA security as agreed with the MPS.

The applicant claimed to have proposed robust processes and procedures in response to the representations from the responsible authorities, and to mitigate any risks to the local community. The applicant had provided a Travel Plan, Site Management Plan, a Business Feasibility Study, an Acoustic Report, and a Dispersal Policy.

The sub-committee took into consideration the representations from the Licensing Authority and Other Persons represented by their ward councillor, which included the impact on local residents and dispersal from the premises late at night. The ward councillor requested that the applicant engage with local councillors better, to represent and incorporate the views of local residents in the area.

The sub-committee had particular concerns about the dispersal of patrons late at night throughout the week and especially on Friday and Saturday. In response the applicant offered to make minimum provision of security staff mandatory on Thursday, Friday and Saturday, rather than just based on risk assessments. In addition they agreed to the use of street marshals to minimise noise and disturbance to local residents. The parties also agreed at the hearing that all licensable activities would cease 30 minutes before the premises close.

The sub-committee took into consideration that the Hackney Bridge site is due to be redeveloped permanently in 10 years' time. The interim use scheme has been planned to help provide a mix of uses including space for local businesses. It relied to an extent on cross-subsidy to make these spaces possible. The amended application

with reduced hours, and conditions agreed with the responsible authorities, had mitigated many concerns.

Having taken all of the above factors into consideration the sub-committee were satisfied when granting this application that the licensing objectives would be promoted.

## **PUBLIC INFORMATIVE**

The applicant is encouraged to engage in further meaningful dialog with regard to dispersal from the premises and improving transport links, to reduce any impact on the local residents.

### **8 Application for a Premises Licence - Hackney Bridge - Block B, Beta Building, East Bay Lane, London, E15 2BL**

8.1 For the minutes on agenda item 8 please see agenda item 7 above.

#### **The decision**

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

- The prevention of crime and disorder;
- Public safety;
- Prevention of public nuisance;
- The Protection of Children from Harm;

the application for a the premises licence has been approved in accordance with the Council's Statement of Licensing Policy and the proposed conditions set out in paragraph 8.1 of the report with the following amendments:

- The opening hours and the hours for licensable activity:

#### Opening Hours:

Sunday – Wednesday 10:00 – 00:30 hours

Thursday – Saturday 10:00 – 01:30 hours

#### Films (Indoors and Outdoors)

Sunday – Wednesday 10:00 – 00:00 (midnight) hours

Thursday – Saturday 10:00 – 01:00 hours

#### Indoor Sporting Events

Sunday – Wednesday 10:00 – 00:00 hours

Thursday – Saturday 10:00 – 01:00 hours

Live Music

Sunday – Wednesday 10:00 – 00:00 hours

Thursday – Saturday 10:00 – 01:00 hours

Recorded Music

Sunday – Wednesday 10:00 – 00:00 hours

Thursday – Saturday 10:00 – 01:00 hours

Performance of Dance

Sunday – Wednesday 10:00 – 00:00 hours

Thursday – Saturday 10:00 – 01:00 hours

Late Night Refreshment

Sunday – Wednesday 23:00 – 00:00 hours

Thursday – Saturday 23:00 – 01:00 hours

Supply of Alcohol (On the premises)

Sunday – Wednesday 10:00 – 00:00 hours

Thursday – Saturday 10:00 – 01:00 hours

Supply of Alcohol (Off the premises)

Sunday – Wednesday 10:00 – 23:00 hours

Thursday – Saturday 10:00 – 23:00 hours

- All licensable activity will cease 30 minutes before the premises closes each day.
- Non-standard hours to be removed from the application.
- Alcohol off-sales shall cease at 23:00 hours every day.
- Condition 13 to be amended and read as follows:

“There shall be a minimum of 2 SIA registered door supervisors employed at the premises on Thursdays, Fridays and Saturdays from 2100hrs until 30 minutes after close. Additional SIA registered door supervisors shall be employed subject to an operational risk assessment basis. All security staff shall be clearly identifiable at all times. All door supervisors shall enter their full details in the premises daily register at the commencement of their work. They shall record their full name, home address and

contact telephone number, their SIA registration number, and the time they commence and conclude working. If the door supervisor was provided by an agency the name, registered business address and contact telephone number will also be provided. This register will be made available to police or authorised officer immediately upon request”.

- Condition 15 to be amended and read as follows:

“ All staff will be given refresher training every twelve months on the legislation relating to the sales of alcohol to underage persons and drunken persons. There shall be written records of all training kept at the premises and made available to police or other authorised officers upon request”.

- Condition 18 to be amended and read as follows:

“There shall be a written dispersal policy, as agreed with the relevant Responsible Authorities, implemented at the premises and a copy lodged with the Council’s Environmental Protection Team. A copy shall be kept on the premises and made available to the Metropolitan Police Service or other authorised officer upon request”.

- Delete conditions 63 and 64 as duplicate of conditions 25 and 26.
- Delete condition 65 as duplicate of condition 20.
- Delete condition 43 as duplicate of conditions 18.
- Delete condition 59 as duplicate of conditions 66.

And the following additional conditions agreed by the Applicant:

- All alcohol sold, supplied and consumed on the premises shall be ancillary to a table meal in the restaurant areas. These areas shall be clearly marked. All customers shall be seated and alcohol supplied by waiter/waitress service.
- There shall be a minimum of two (2) street marshals to assist with dispersal from midnight on Friday and Saturday nights. Additional marshals shall be deployed on a risk assessed basis. Marshals shall dispose of any waste or rubbish left by dispersing patrons, and ensure that patrons leave quietly respecting the local community.

### **Reasons for the decision**

The application for the premises licence has been approved, as members of the Licensing Sub-committee were satisfied that the licensing objectives would not be undermined.

The sub-committee took into consideration that the Metropolitan Police Service (MPS), Environmental Health, and Environmental Enforcement had withdrawn their representations, upon agreeing revised hours and additional conditions with the applicant including providing additional SIA security as agreed with the MPS.

The applicant claimed to have proposed robust processes and procedures in response to the representations from the responsible authorities, and to mitigate any risks to the local community. The applicant had provided a Travel Plan, Site Management Plan, a Business Feasibility Study, an Acoustic Report, and a Dispersal Policy.

The sub-committee took into consideration the representations from the Licensing Authority and Other Persons represented by their ward councillor, which included the impact on local residents and dispersal from the premises late at night. The ward councillor requested that the applicant engage with local councillors better, to represent and incorporate the views of local residents in the area.

The sub-committee had particular concerns about the dispersal of patrons late at night throughout the week and especially on Friday and Saturday. In response the applicant offered to make minimum provision of security staff mandatory on Thursday, Friday and Saturday, rather than just based on risk assessments. In addition they agreed to the use of street marshals to minimise noise and disturbance to local residents. The parties also agreed at the hearing that all licensable activities would cease 30 minutes before the premises close.

The sub-committee took into consideration that the Hackney Bridge site is due to be redeveloped permanently in 10 years' time. The interim use scheme has been planned to help provide a mix of uses including space for local businesses. It relied to an extent on cross-subsidy to make these spaces possible. The amended application with reduced hours, and conditions agreed with the responsible authorities, had mitigated many concerns.

Having taken all of the above factors into consideration the sub-committee were satisfied when granting this application that the licensing objectives would be promoted.

## **PUBLIC INFORMATIVE**

The applicant is encouraged to engage in further meaningful dialog with regard to dispersal from the premises and improving transport links, to reduce any impact on the local residents.

### **9 Application for a Premises Licence - Hackney Bridge - Block C, Charlie Building, East Bay Lane, London, E15 2DJ**

9.1 For the minutes on agenda item 9 please see agenda item 7 above.

The decision

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

- The prevention of crime and disorder;
- Public safety;
- Prevention of public nuisance;
- The Protection of Children from Harm;

the application for a the premises licence has been approved in accordance with the Council's Statement of Licensing Policy and the proposed conditions set out in paragraph 8.1 of the report with the following amendments:

- The opening hours and the hours for licensable activity:

Opening Hours:

Sunday – Wednesday                      10:00 – 01:00 hours

Thursday – Saturday                      10:00 – 02:00 hours

Films (Indoors and Outdoors)

Sunday – Wednesday 10:00 – 00:30 hours

Thursday – Saturday 10:00 – 01:30 hours

Indoor Sporting Events

Sunday – Wednesday 10:00 – 00:30 hours

Thursday – Saturday 10:00 – 01:30 hours

Live Music

Sunday – Wednesday 10:00 – 00:30 hours

Thursday – Saturday 10:00 – 01:30 hours

Recorded Music

Sunday – Wednesday 10:00 – 00:30 hours

Thursday – Saturday 10:00 – 01:30 hours

Performance of Dance

Sunday – Wednesday 10:00 – 00:30 hours

Thursday – Saturday 10:00 – 01:30 hours

Late Night Refreshment

Sunday – Wednesday 23:00 – 00:30 hours

Thursday – Saturday 23:00 – 01:30 hours

Supply of Alcohol (On the premises)

Sunday – Wednesday 10:00 – 00:30 hours

Thursday – Saturday 10:00 – 01:30 hours



Supply of Alcohol (Off the premises)

Sunday – Wednesday 10:00 – 23:00 hours

Thursday – Saturday 10:00 – 23:00 hours

- All licensable activity will cease 30 minutes before the premises closes each day.
- Non-standard hours to be removed from the application.
- Alcohol off-sales shall cease at 23:00 hours every day.
- Condition 13 to be amended and read as follows:

“There shall be a minimum of 2 SIA registered door supervisors employed at the premises on Thursdays, Fridays and Saturdays from 2100hrs until 30 minutes after close. Additional SIA registered door supervisors shall be employed subject to an operational risk assessment basis. All security staff shall be clearly identifiable at all times. All door supervisors shall enter their full details in the premises daily register at the commencement of their work. They shall record their full name, home address and contact telephone number, their SIA registration number, and the time they commence and conclude working. If the door supervisor was provided by an agency the name, registered business address and contact telephone number will also be provided. This register will be made available to police or authorised officer immediately upon request”.

- Condition 15 to be amended and read as follows:

“All staff will be given refresher training every twelve months on the legislation relating to the sales of alcohol to underage persons and drunken persons. There shall be written records of all training kept at the premises and made available to police or other authorised officer upon request”.

- Condition 18 to be amended and read as follows:

“There shall be a written dispersal policy, as agreed with the relevant Responsible Authorities, implemented at the premises and a copy lodged with the Council’s Environmental Protection Team. A copy shall be kept on the premises and made available to the Metropolitan Police Service or other authorised officer upon request”.

- Condition 19 to be amended and read as follows:

“Clear and prominent notices shall be displayed and maintained at all exits and in a place where they can be seen and easily read by customers requiring

customers to leave the premises and the area quietly and respect the needs of local residents”.

- Condition 46 to be amended and read as follows:

“Clear and prominent notices shall be displayed and maintained at all exits and in a place where they can be seen and easily read by customers requiring customers to leave the premises and the area quietly and respect the needs of local residents”.

- Delete condition 40 as duplicate of conditions 13.
- Delete condition 45 as duplicate of conditions 18.

And the following additional conditions agreed by the Applicant:

- All alcohol sold, supplied and consumed on the premises shall be ancillary to a table meal in the restaurant areas. These areas shall be clearly marked. All customers shall be seated and alcohol supplied by waiter/waitress service.
- After 2300hrs there shall be no glass, drinks or open containers taken outside the premises at any time.
- The queue to head towards the back of the block, the service yard, from the main entrance to Block C.
- There shall be a minimum of two (2) street marshals to assist with dispersal from midnight on Friday and Saturday nights. Additional marshals shall be deployed on a risk assessed basis. Marshals shall dispose of any waste or rubbish left by dispersing patrons, and ensure that patrons leave quietly respecting the local community.
- In the cocktail bar in Block C there shall be a maximum of 60 patrons at any one time.

### **Reasons for the decision**

The application for the premises licence has been approved, as members of the Licensing Sub-committee were satisfied that the licensing objectives would not be undermined.

The sub-committee took into consideration that the Metropolitan Police Service (MPS), Environmental Health, and Environmental Enforcement had withdrawn their representations, upon agreeing revised hours and additional conditions with the applicant including providing additional SIA security as agreed with the MPS.

**Thursday, 20th August, 2020**

The applicant claimed to have proposed robust processes and procedures in response to the representations from the responsible authorities, and to mitigate any risks to the local community. The applicant had provided a Travel Plan, Site Management Plan, a Business Feasibility Study, an Acoustic Report, and a Dispersal Policy.

The sub-committee took into consideration the representations from the Licensing Authority and Other Persons represented by their ward councillor, which included the impact on local residents and dispersal from the premises late at night. The ward councillor requested that the applicant engage with local councillors better, to represent and incorporate the views of local residents in the area.

The sub-committee had particular concerns about the dispersal of patrons late at night throughout the week and especially on Friday and Saturday. In response the applicant offered to make minimum provision of security staff mandatory on Thursday, Friday and Saturday, rather than just based on risk assessments. In addition they agreed to the use of street marshals to minimise noise and disturbance to local residents. The parties also agreed at the hearing that all licensable activities would cease 30 minutes before the premises close.

The sub-committee took into consideration that the Hackney Bridge site is due to be redeveloped permanently in 10 years' time. The interim use scheme has been planned to help provide a mix of uses including space for local businesses. It relied to an extent on cross-subsidy to make these spaces possible. The amended application with reduced hours, and conditions agreed with the responsible authorities, had mitigated many concerns.

Having taken all of the above factors into consideration the sub-committee were satisfied when granting this application that the licensing objectives would be promoted.

## **PUBLIC INFORMATIVE**

The applicant is encouraged to engage in further meaningful dialog with regard to dispersal from the premises and improving transport links, to reduce any impact on the local residents.

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

- The prevention of crime and disorder;
- Public safety;
- Prevention of public nuisance;
- The Protection of Children from Harm;

the application for a the premises licence has been approved in accordance with the Council's Statement of Licensing Policy and the proposed conditions set out in paragraph 8.1 of the report with the following amendments:

- The opening hours and the hours for licensable activity:

Opening Hours:

Sunday – Wednesday 10:00 – 01:00 hours

Thursday – Saturday 10:00 – 02:00 hours

Films (Indoors and Outdoors)

Sunday – Wednesday 10:00 – 00:30 hours

Thursday – Saturday 10:00 – 01:30 hours

Indoor Sporting Events

Sunday – Wednesday 10:00 – 00:30 hours

Thursday – Saturday 10:00 – 01:30 hours

Live Music

Sunday – Wednesday 10:00 – 00:30 hours

Thursday – Saturday 10:00 – 01:30 hours

Recorded Music

Sunday – Wednesday 10:00 – 00:30 hours

Thursday – Saturday 10:00 – 01:30 hours

Performance of Dance

Sunday – Wednesday 10:00 – 00:30 hours

Thursday – Saturday 10:00 – 01:30 hours

Late Night Refreshment

Sunday – Wednesday 23:00 – 00:30 hours

Thursday – Saturday 23:00 – 01:30 hours

Supply of Alcohol (On the premises)

Sunday – Wednesday 10:00 – 00:30 hours

Thursday – Saturday 10:00 – 01:30 hours

Supply of Alcohol (Off the premises)

Sunday – Wednesday 10:00 – 23:00 hours

Thursday – Saturday 10:00 – 23:00 hours

- All licensable activity will cease 30 minutes before the premises closes each day.
- Non-standard hours to be removed from the application.
- Alcohol off-sales shall cease at 23:00 hours every day.
- Condition 13 to be amended and read as follows:

“There shall be a minimum of 2 SIA registered door supervisors employed at the premises on Thursdays, Fridays and Saturdays from 2100hrs until 30 minutes after close. Additional SIA registered door supervisors shall be employed subject to an operational risk assessment basis. All security staff shall be clearly identifiable at all times. All door supervisors shall enter their full details in the premises daily register at the commencement of their work. They shall record their full name, home address and contact telephone number, their SIA registration number, and the time they commence and conclude working. If the door supervisor was provided by an agency the name, registered business address and contact telephone number will also be provided. This register will be made available to police or authorised officer immediately upon request”.

- Condition 15 to be amended and read as follows:

“All staff will be given refresher training every twelve months on the legislation relating to the sales of alcohol to underage persons and drunken persons. There shall be written records of all training kept at the premises and made available to police or other authorised officer upon request”.

- Condition 18 to be amended and read as follows:

“There shall be a written dispersal policy, as agreed with the relevant Responsible Authorities, implemented at the premises and a copy lodged with the Council’s Environmental Protection Team. A copy shall be kept on the premises and made available to the Metropolitan Police Service or other authorised officer upon request”.

- Condition 19 to be amended and read as follows:

“Clear and prominent notices shall be displayed and maintained at all exits and in a place where they can be seen and easily read by customers requiring customers to leave the premises and the area quietly and respect the needs of local residents”.

- Condition 46 to be amended and read as follows:

“Clear and prominent notices shall be displayed and maintained at all exits and in a place where they can be seen and easily read by customers requiring customers to leave the premises and the area quietly and respect the needs of local residents”.

- Delete condition 40 as duplicate of conditions 13.
- Delete condition 45 as duplicate of conditions 18.

And the following additional conditions agreed by the Applicant:

- All alcohol sold, supplied and consumed on the premises shall be ancillary to a table meal in the restaurant areas. These areas shall be clearly marked. All customers shall be seated and alcohol supplied by waiter/waitress service.
- After 2300hrs there shall be no glass, drinks or open containers taken outside the premises at any time.
- The queue to head towards the back of the block, the service yard, from the main entrance to Block C.
- There shall be a minimum of two (2) street marshals to assist with dispersal from midnight on Friday and Saturday nights. Additional marshals shall be deployed on a risk assessed basis. Marshals shall dispose of any waste or rubbish left by dispersing patrons, and ensure that patrons leave quietly respecting the local community.
- In the cocktail bar in Block C there shall be a maximum of 60 patrons at any one time.

### **Reasons for the decision**

The application for the premises licence has been approved, as members of the Licensing Sub-committee were satisfied that the licensing objectives would not be undermined.

The sub-committee took into consideration that the Metropolitan Police Service (MPS), Environmental Health, and Environmental Enforcement had withdrawn their representations, upon agreeing revised hours and additional conditions with the applicant including providing additional SIA security as agreed with the MPS.

The applicant claimed to have proposed robust processes and procedures in response to the representations from the responsible authorities, and to mitigate any

risks to the local community. The applicant had provided a Travel Plan, Site Management Plan, a Business Feasibility Study, an Acoustic Report, and a Dispersal Policy.

The sub-committee took into consideration the representations from the Licensing Authority and Other Persons represented by their ward councillor, which included the impact on local residents and dispersal from the premises late at night. The ward councillor requested that the applicant engage with local councillors better, to represent and incorporate the views of local residents in the area.

The sub-committee had particular concerns about the dispersal of patrons late at night throughout the week and especially on Friday and Saturday. In response the applicant offered to make minimum provision of security staff mandatory on Thursday, Friday and Saturday, rather than just based on risk assessments. In addition they agreed to the use of street marshals to minimise noise and disturbance to local residents. The parties also agreed at the hearing that all licensable activities would cease 30 minutes before the premises close.

The sub-committee took into consideration that the Hackney Bridge site is due to be redeveloped permanently in 10 years time. The interim use scheme has been planned to help provide a mix of uses including space for local businesses. It relied to an extent on cross-subsidy to make these spaces possible. The amended application with reduced hours, and conditions agreed with the responsible authorities, had mitigated many concerns.

Having taken all of the above factors into consideration the sub-committee were satisfied when granting this application that the licensing objectives would be promoted.

**PUBLIC INFORMATIVE**

The applicant is encouraged to engage in further meaningful dialog with regard to dispersal from the premises and improving transport links, to reduce any impact on the local residents.

**10 Temporary Event Notices - Standing Item**

10.1 There were no Temporary Event Notices for consideration.

**Duration of the meeting:** 14:00 – 15:45

**Signed**

.....

**Chair of Committee, Councillor Brian Bell**

**Contact:**  
Governance Services Officer:  
Tel 020 8356 8407



# Agenda Item 5

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

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

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

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<b>REPORT OF GROUP DIRECTOR, NEIGHBOURHOODS AND HOUSING</b>		
<b>LICENSING SUB-COMMITTEE:</b> 15/10/2020	<b>Classification</b> DECISION	<b>Enclosure</b>
<b>Application for a Premises Licence</b>  The Tramshed, 14 Garden Walk, Hackney, EC2A 3EQ	<b>Ward(s) affected</b>  Hoxton East & Shoreditch	

**1. SUMMARY**

<b>Applicant(s)</b> Lovell Investments Limited	<b>In SPA</b> Shoreditch Area
<b>Date of Application</b> 23/07/2020	<b>Period of Application</b> Permanent
<b>Proposed licensable activity</b> Late Night Refreshment Supply of Alcohol (On and Off Premises)	
<b>Proposed hours of licensable activities</b>	
<b>Late Night Refreshment</b>	<b>Standard Hours:</b> Mon 23:00-00:00 Tue 23:00-00:00 Wed 23:00-01:00 Thu 23:00-01:00 Fri 23:00-01:00 Sat 23:00-01:00 Sun 23:00-01:00
<b>Supply of Alcohol</b>	<b>Standard Hours:</b> Mon 07:00-23:30 Tue 07:00-23:30 Wed 07:00-00:30 Thu 07:00-00:30 Fri 07:00-00:30 Sat 09:00-00:30 Sun 09:00-22:00
<b>The opening hours of the premises</b>	
	<b>Standard Hours:</b> Mon 07:00-00:00 Tue 07:00-00:00 Wed 07:00-01:00 Thu 07:00-01:00 Fri 07:00-01:00 Sat 09:00-01:00 Sun 09:00-22:30
<b>Capacity:</b> Not known	

<b>Policies Applicable</b>	LP1 (General Principles), LP2 (Licensing Objectives), LP3 (Core Hours), LP4 ('Off' Sales of Alcohol), LP10 (Special Policy Areas – Dalston and Shoreditch)
<b>List of Appendices</b>	A – Application for a premises licence and supporting documents B – Representations from responsible authorities C – Representations from other persons D – Current Premises Licence E – Location map
<b>Relevant Representations</b>	<ul style="list-style-type: none"> <li>• Licensing Authority</li> <li>• Other Persons</li> </ul>

## 2. APPLICATION

2.1 **Lovell Investments Limited** have made an application for a shadow premises licence under the Licensing Act 2003:

- To authorise the supply alcohol for consumption **On and Off** the premises
- Late night refreshment

2.2 The application for a Shadow Licence is attached as Appendix A. The applicant has proposed measures that could be converted to conditions (see para 8.1 below). The application is for the exact same terms as the existing trading licence with no DPS nominated on this licence and therefore will not become “active” until such time as the current Premise Licence lapses or is revoked.

## 3. CURRENT STATUS / HISTORY

3.1 The premises currently have a premises licence granted in July 2011. The licence is attached as Appendix D. The licence was transferred to the current owners in July 2020.

3.2 No TENs have been submitted in respect of the premises in the current calendar year

## 4. REPRESENTATIONS: RESPONSIBLE AUTHORITIES

<b>From</b>	<b>Details</b>
Environmental Health Authority (Environmental Protection)	Representation has been withdrawn with the agreed conditions as set out in para 8.
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	No representation received
Area Child Protection Officer	No representation received

Fire Authority	Have confirmed no representation on this application
Police	Have confirmed no representation on this application
Licensing Authority Appendix B	Representation received on the grounds of Prevention of Public Nuisance, and Special Policy Area
Health Authority	No representation received

## 5. REPRESENTATIONS: OTHER PERSONS

From	Details
Representation received from and on behalf of local residents. Appendices C1-C7	Representation received on the grounds of Prevention of Public Nuisance, Licensing Hours and Special Policy Area.

## 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).

## 8. OFFICER OBSERVATIONS

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

### Supply Of Alcohol (On/Both)

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

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

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

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

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

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

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

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

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

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

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

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

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

(a) a holographic mark or

(b) an ultraviolet feature

6. The responsible person must ensure that:

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

• beer or cider: 1/2 pint;

• gin, rum, vodka or whisky: 25ml or 35ml; and

• still wine in a glass: 125ml; and

- b) these measures are displayed in a menu, price list or other printed material which is available to customers on the premises; and
- c) where a customer does not in relation to a sale of alcohol specify the quantity of alcohol to be sold, the customer is made aware that these measures are available.

#### Minimum Drinks Pricing

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

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

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

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

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

Where -

(i) P is the permitted price,

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

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

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

(i) the holder of the premises licence,

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

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

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

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

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

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

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

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

8. On the ground floor and mezzanine intoxicating liquor will only be sold to persons taking table meals for consumption by such a person as an ancillary to his meal.

9. CCTV is to be installed and maintained in the premises.

10. Notices will be displayed at the main entrance requesting that customers respect local residents and leave the premises as quietly as possible.

11. The restaurant shall have a contract with at least two taxi companies and will ensure that taxis called by the restaurant will pick up patrons from the corner of Great Eastern Street only

12. There shall be no noise nuisance, as determined by the Council's Noise Pollution Team, to any premises location where residents reside when this premises is used for licensable activities. Mechanical ventilation equipment must be so positioned, designed and acoustically insulated so as not to cause noise disturbance or affect the amenity of residents as a result of fume or odorous discharge.

13. No discharge of glass recycling bins and no waste/recycling collection, service or deliveries between 23:00 and 07:00 hours on any day.

14. Patrons of the premises shall be encouraged, by signs within the premises visible at all exit points, to disperse from the area of the premises quietly.

15. A plan for any patrons or staff smoking outside the premises will be submitted to and approved by the Environmental Health team. This will specify that no more than 10 patrons will smoke outside the premises at any one time. Staff on duty will ensure this condition is enforced.

16. A Personal Licence Holder is to be on the premises at all Times during permitted trading hours.

17. An incident log (including refusals) is to be kept and available for inspection by the police and local authority.

18. A SIA qualified door supervisor is to be on duty from 19.00 until the premises close on Thursdays, Fridays and Saturdays.

19. The premises will adopt Challenge 21 in relation to the sale of alcohol.

20. Customers will not be allowed to take any open bottles or drinks in open containers outside the licensed premises.

21. The premises shall 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. 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 recent data or footage with the absolute minimum of delay when requested. A minimum of Three (3) CCTV camera's will be installed and positioned as follows:  
a) One (1) at the entry/exit of the venue allowing for a full facial / shoulder image to be captured of everyone entering the venue



b) One (1) camera on each public set of stairs allowing for a full facial / shoulder image to be captured of everyone entering the basement area.

22. A telephone number will be provided to local residents to enable them to make immediate contact with the premises.

23. The basement at the premises shall not be used more than once A fortnight for licensable activities.

24. No bar shall be installed in the basement unless and until amended plans have been approved by the licensing authority.

25. There be no more than 150 patrons on the premises at any one time. Conditions derived from Responsible Authority representations

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

27. The Licensee shall ensure that any contract for general and recyclable waste disposal shall be appropriate in size to the amount of waste produced by the business. The Licensee shall maintain an adequate supply of waste receptacles provided by its 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.

28. 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 its waste carrier arrives to collect the refuse.

29. The Licensee shall erect a sign asking customers to refrain from littering the public highway outside the premises and will also instruct member of staff to make regular checks of the area immediately outside and within 10 metres either side of the premises and remove any litter, bottles and glasses emanating from the premises. A final check should be made at close of business.

30. The Licensee shall provide a safe receptacle for cigarette ends to be placed outside for the use of customers, such receptacle being carefully placed so as not to cause an obstruction or trip.

## 9. REASONS FOR OFFICER OBSERVATIONS

9.1 Conditions 8 to 30 above are derived from the applicant's operating schedule.

## 10. LEGAL COMMENTS

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

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

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

## 11. HUMAN RIGHTS ACT 1998 IMPLICATIONS

11.1 There are implications to;

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

## 12. MEMBERS DECISION MAKING

### A. Option 1

**That the application be refused**

### B. Option 2

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

## 13. CONCLUSION

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

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

## LIST OF BACKGROUND PAPERS RELATING TO THIS REPORT

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

Description of document	Location
<b>Office File:</b> The Tramshed, 14 Garden Walk, Hackney, EC2A 3EQ	Licensing Service 1 Hillman Street London E8 1DY

### Printed matter

Licensing Act 2003

LBH Statement of Licensing Policy

<b>↳ Hackney</b> <b>LA01</b>	<b>Application for a premises licence to be granted under the Licensing Act 2003</b>
---------------------------------	--

**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 Lovell Investments Limited  
*(Insert name(s) of applicant)*

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

**Part 1 – Premises details**

Postal address of premises or, if none, ordnance survey map reference or description			
14 GARDEN WALK HACKNEY LONDON			
<b>Post town</b>	<b>LONDON</b>	<b>Postcode</b>	<b>EC2A 3EQ</b>

Telephone number at premises (if any)	[REDACTED]
Non-domestic rateable value of premises	£48750

**Part 2 - Applicant details**

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

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

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

**(A) INDIVIDUAL APPLICANTS** (fill in as applicable)

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

**SECOND INDIVIDUAL APPLICANT** (if applicable)

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

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

**(B) OTHER APPLICANTS**

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

Name Lovell Investments Limited
Address 26 FARRINGDON STREET  LONDON  EC4A 4AB UK-England
Registered number (where applicable) 06283610
Description of applicant (for example, partnership, company, unincorporated association etc.) limited company
Telephone number (if any)

[REDACTED]

E-mail address (optional)

[REDACTED]

### Part 3 Operating Schedule

When do you want the premises licence to start?

DD MM YYYY  
25-08-2020

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) restaurant and gallery space

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

n/a

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

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

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

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

**In all cases complete boxes K, L and M**



I

<b>Late night refreshment</b> Standard days and timings (please read guidance note 7)			<b>Will the provision of late night refreshment take place indoors or outdoors or both – please tick</b> (please read guidance note 3)	Indoors	<input checked="" type="checkbox"/>
Day	Start	Finish		Outdoors	
				Both	
Mon	23	00	<b>Please give further details here</b> (please read guidance note 4)		
	-----	-----			
Tue					
	23:00	00:00			
Wed	23	00	<b>State any seasonal variations for the provision of late night refreshment</b> (please read guidance note 5)		
	-----	-----			
Thur	00:00	01:00			
	23:00	00:00			
Fri	00:00	01:00	<b>Non-standard timings. Where you intend to use the premises for the provision of late night refreshment at different times, to those listed in the column on the left, please list</b> (please read guidance note 6)		
	-----	-----			
Sat	00:00	01:00			
	23:00	00:00			
Sun	00:00	01:00			
	-----	-----			

**J**

<b>Supply of alcohol</b> Standard days and timings (please read guidance note 7)			<b>Will the supply of alcohol be for consumption – please tick</b> (please read guidance note 8)	On the premises	
				Off the premises	
				Both	<input checked="" type="checkbox"/>
Day	Start	Finish	<b>State any seasonal variations for the supply of alcohol</b> (please read guidance note 5)		
Mon	07:00	23:30			
	-----	-----			
Tue	07:00	23:30			
	-----	-----			
Wed	07:00	00:00			
	-----	-----			
Thur	00:00	00:30			
	07:00	00:00			
Fri	00:00	00:30			
	07:00	00:00			
Sat	00:00	00:30	<b>Non-standard timings. Where you intend to use the premises for the supply of alcohol at different times to those listed in the column on the left, please list</b> (please read guidance note 6)		
	09:00	00:00			
Sun	00:00	00:30			
	9.00	22:00			

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

<b>Name</b> Mr X X	
<b>Date of birth x</b>	
Address KEYSTONE LAW [REDACTED] [REDACTED] [REDACTED]	
Postcode	[REDACTED]
Personal licence number (if known) x	
Issuing licensing authority (if known) Please select	

K

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

none

L

<b>Hours premises are open to the public</b> Standard days and timings (please read guidance note 7)			<b>State any seasonal variations</b> (please read guidance note 5)
Day	Start	Finish	
Mon	07:00	00:00	
Tue	07:00	00:00	
Wed	07:00	00:00	
Thur	00:00	01:00	
	07:00	00:00	
Fri	00:00	01:00	
	07:00	00:00	
Sat	00:00	01:00	
	09:00	00:00	
Sun	00:00	01:00	
		22:30	
<b>Non-standard timings. Where you intend the premises to be open to the public at different times from those listed in the column on the left, please list</b> (please read guidance note 6)			

**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)

This is an application made by the landlord of the premises - a shadow licence. It merely seeks to replicate all existing licensable activities and hours reflected on the current premises licence LBH-PRE-T-1202. It also seeks to replicate all existing conditions on that licence. There is no DPS proposed as this is a shadow licence and if it becomes operable then application will be made to vary to add in the name of personal licence holder as the DPS. The existing operators from time to time of the premises will be operate under the current Hackney premises licence as set out above.

All conditions 1-30 on the existing licence to be attached to this premises licence

Plans to remain the same as existing licence

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

see above

**c) Public safety**

se above

**d) The prevention of public nuisance**

see above

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

see above

**Checklist:**

**Please tick to indicate agreement**

- I have made or enclosed payment of the fee.
- I have enclosed the plan of the premises.
- I have sent copies of this application and the plan to responsible authorities and others where applicable.
- I have enclosed the consent form completed by the individual I wish to be designated premises supervisor, if applicable.
- I understand that I must now advertise my application.
  
- I understand that if I do not comply with the above requirements my application will be rejected.
  
- [Applicable to all individual applicants, including those in a partnership which is not a limited liability partnership, but not companies or limited liability partnerships] I have included documents demonstrating my entitlement to work in the United Kingdom or my share code issued by the Home Office online right to work checking service (please read note 15).

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

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

**Part 4 – Signatures** (please read guidance note 11)

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

<b>Declaration</b>	<ul style="list-style-type: none"> <li>[Applicable to individual applicants only, including those in a partnership which is not a limited liability partnership] I understand I am not entitled to be issued with a licence if I do not have the entitlement to live and work in the UK (or if I am subject to a condition preventing me from doing work relating to the carrying on of a licensable activity) and that my licence will become invalid if I cease to be entitled to live and work in the UK (please read guidance note 15).</li> <li>The DPS named in this application form is entitled to work in the UK (and is not subject to conditions preventing him or her from doing work relating to a licensable activity) and I have seen a copy of his or her proof of entitlement to work, or have conducted an online right to work check using the Home Office right to work checking service which confirmed their right to work (please see note 15)</li> </ul>
Signature	██████████
Date	23/7/2020
Capacity	Lawyer for applicant

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

Signature	██████████
Date	23/7/2020
Capacity	██████████

Contact name (where not previously given) and postal address for correspondence associated with this application (please read guidance note 14)			
Keystone Law ██████████ ██████████			
UK-England			
Post town	LONDON	Postcode	██████████
Telephone number (if any)	0 ██████████		

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

## Notes for Guidance

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

**↔ Hackney**  
**LA02**

**Consent of individual to being specified as premises supervisor**

I X X

*[full name of prospective premises supervisor]*

of



KEYSTONE LAW

[REDACTED]

[REDACTED]

UK-England

[home address of prospective premises supervisor]

hereby confirm that I give my consent to be specified as the designated premises supervisor in relation to the application for

Application for a new premises licence

*[type of application]*

by

Lovell Investments Limited

*[name of applicant]*

relating to a premises licence

*[number of existing licence, if any]*

for

14 GARDEN WALK  
HACKNEY  
LONDON  
EC2A 3EQ

*[name and address of premises to which the application relates]*

and any premises licence to be granted or varied in respect of this application made by

Lovell Investments Limited

*[name of applicant]*

concerning the supply of alcohol at

14 GARDEN WALK  
HACKNEY  
LONDON  
EC2A 3EQ

*[name and address of premises to which application relates]*

I also confirm that I am entitled to work in the United Kingdom and am applying for, intend to apply for or currently hold a personal licence, details of which I set out below.	
Personal licence number	
x	
<i>[insert personal licence number, if any]</i>	
<b>Personal licence issuing authority</b>	
Please select	
<i>[insert name and address and telephone number of personal licence issuing authority, if any]</i>	

Signed	
Name (please print)	
Date	



Sanaria Hussain &lt;sanaria.hussain@hackney.gov.uk&gt;

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**Licensing Act 2003: Application for a Premises Licence Re: The Tramshed 14 Garden Walk EC2A**

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To: Sanaria Hussain &lt;sanaria.hussain@hackney.gov.uk&gt;

7 August 2020 at 13:51

Thanks Sanaria

We did have a devil of a job lodging this application with Hackney and I do recall that in our double check all hours were included as per the existing premises licence. For the avoidance of doubt the hours are as follows and this is what has appeared on the notice at the premises and the newspaper advertisement:

**Sale of alcohol and late night refreshment as per the existing premises licence with opening hours of:**

**07:00 – 00:00 Monday and Tuesday;**

**07:00 – 01:00 on Wednesday to Friday**

**09:00 – 01:00 on Saturdays;**

**09:00 – 22:30 on Sundays.**

**Sales of alcohol to cease 30 minutes before closing time as per the current premises licence.**

**No changes proposed to any licensable activities, hours or conditions from those set out on the current licence.**

Accordingly the blanks on the form should read:

LNR – Monday 23:00 – 00:00 and Wednesday 23:00 – 00:00; Friday 23:00 – 00:00.

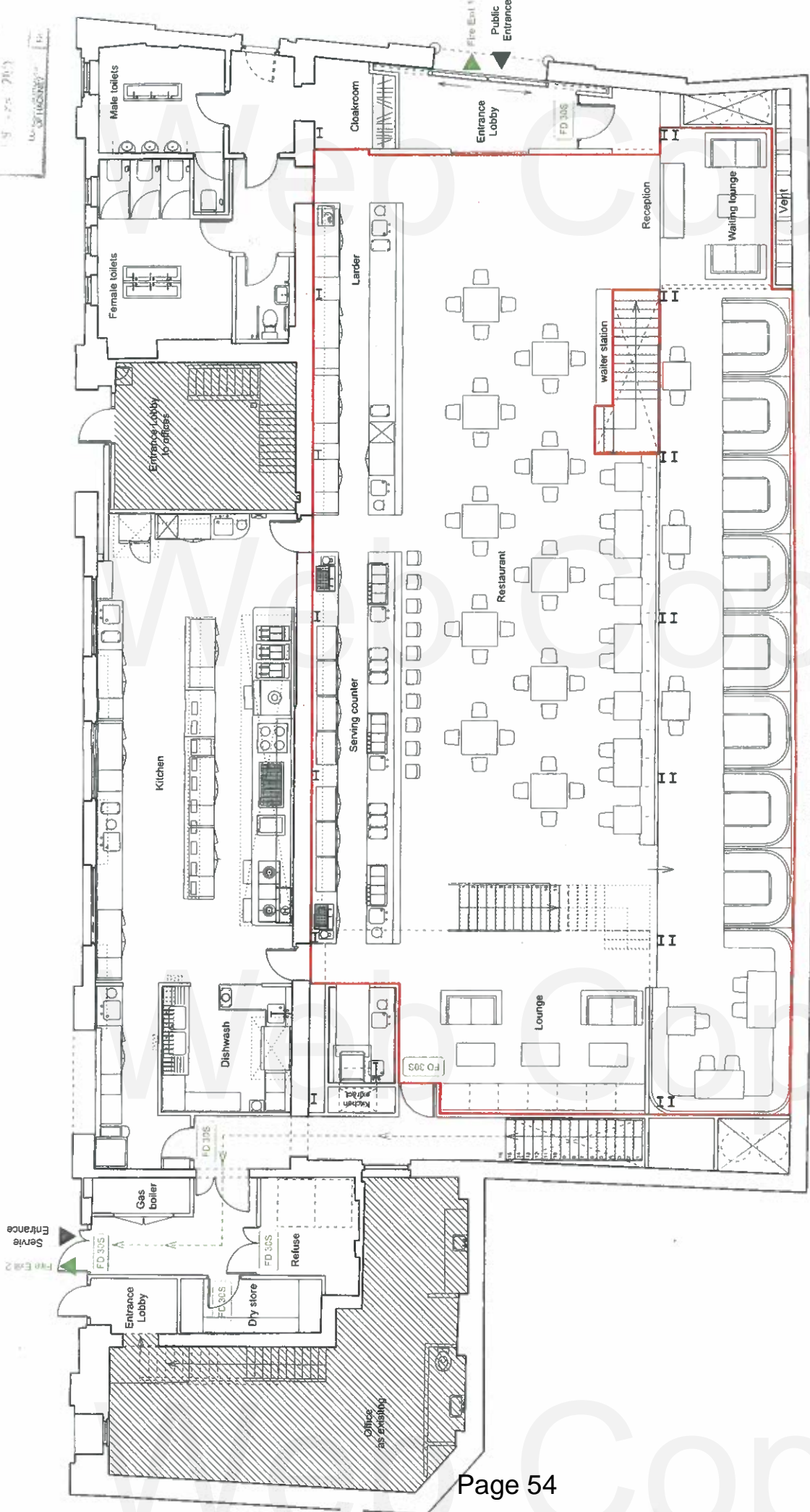
Sunday PM there will be no LNR so that box is correct

Supply of alcohol – the commencement time on Sundays is 09:00 with a terminal hour of 22:00

Hope that this assists.

Kind regards

1:100 (B & AS)  
 1:100 (B & AS)  
 1:100 (B & AS)



Proposed Ground Floor Plan, scale 1:100

PLAN/LSH-PRE-T-2011/190411(a)

KEY



NOTE

Anything shown on this plan which is not required by the Plan Regulations is for illustrative purposes only, and does not form part of the license. The location and type of any fire safety and any other safety equipment is shown as at present. This may be varied from time to time with the agreement of the Fire Officer or after a fire risk assessment. Hatch indicates area not included in the application. Premises not used by the applicant.

Wough Waugh  
 The Station

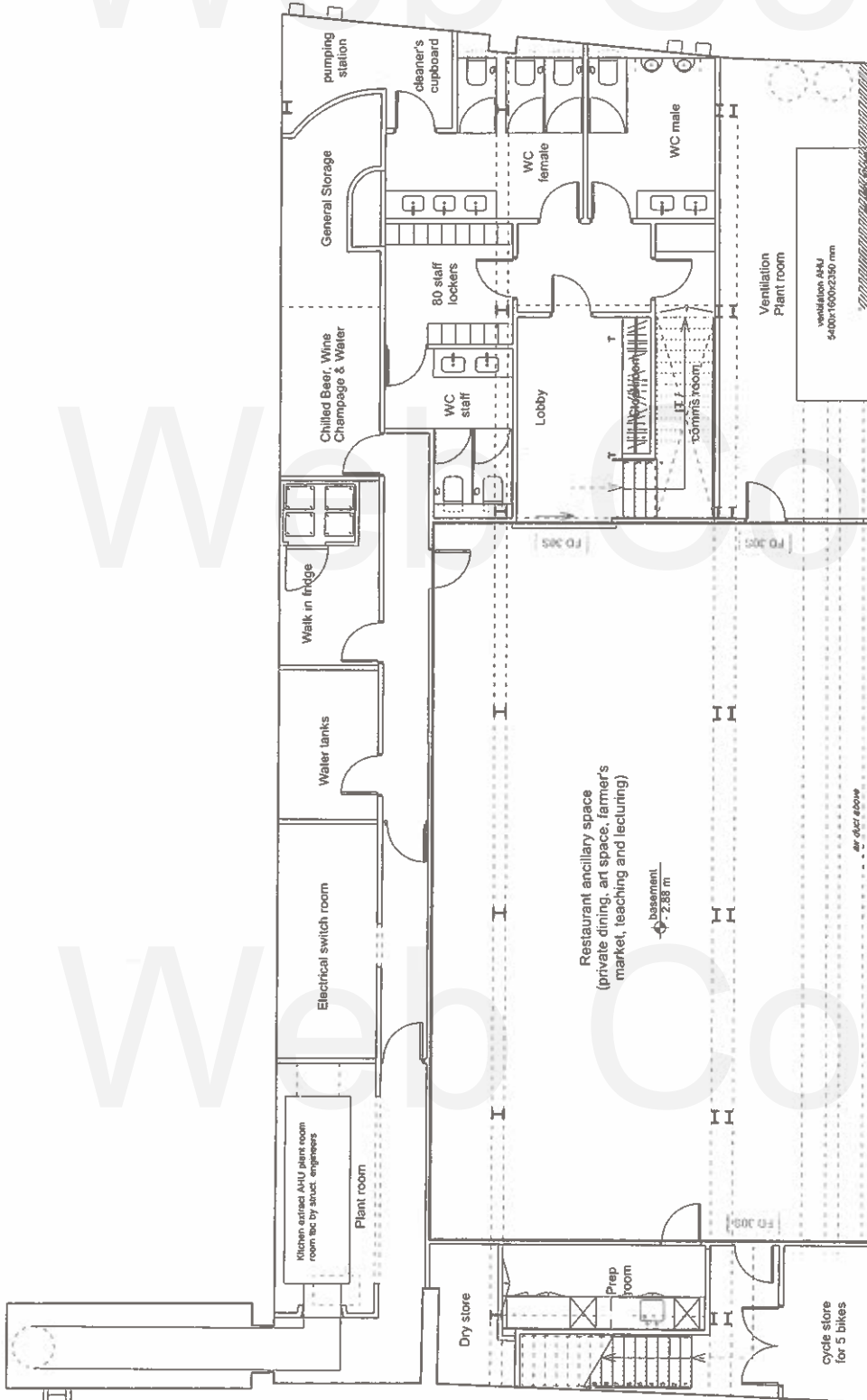
Wough Thresham  
 Architects Ltd  
 100-102  
 Leith Street  
 Leith  
 EC2A 4HA  
 Telephone: +44 (0)20 7463 6227  
 Fax: +44 (0)20 7463 6749  
 Email: wough@wough.com

TRAMSHED		GROUND FLOOR PLAN	
Ref:	45704_2011	Date:	1:100 (B & AS)
Scale:	1:100 (B & AS)	Drawn:	AWF
Approved:	ATS	Approved:	ATS

LICENSING

1-372.L101

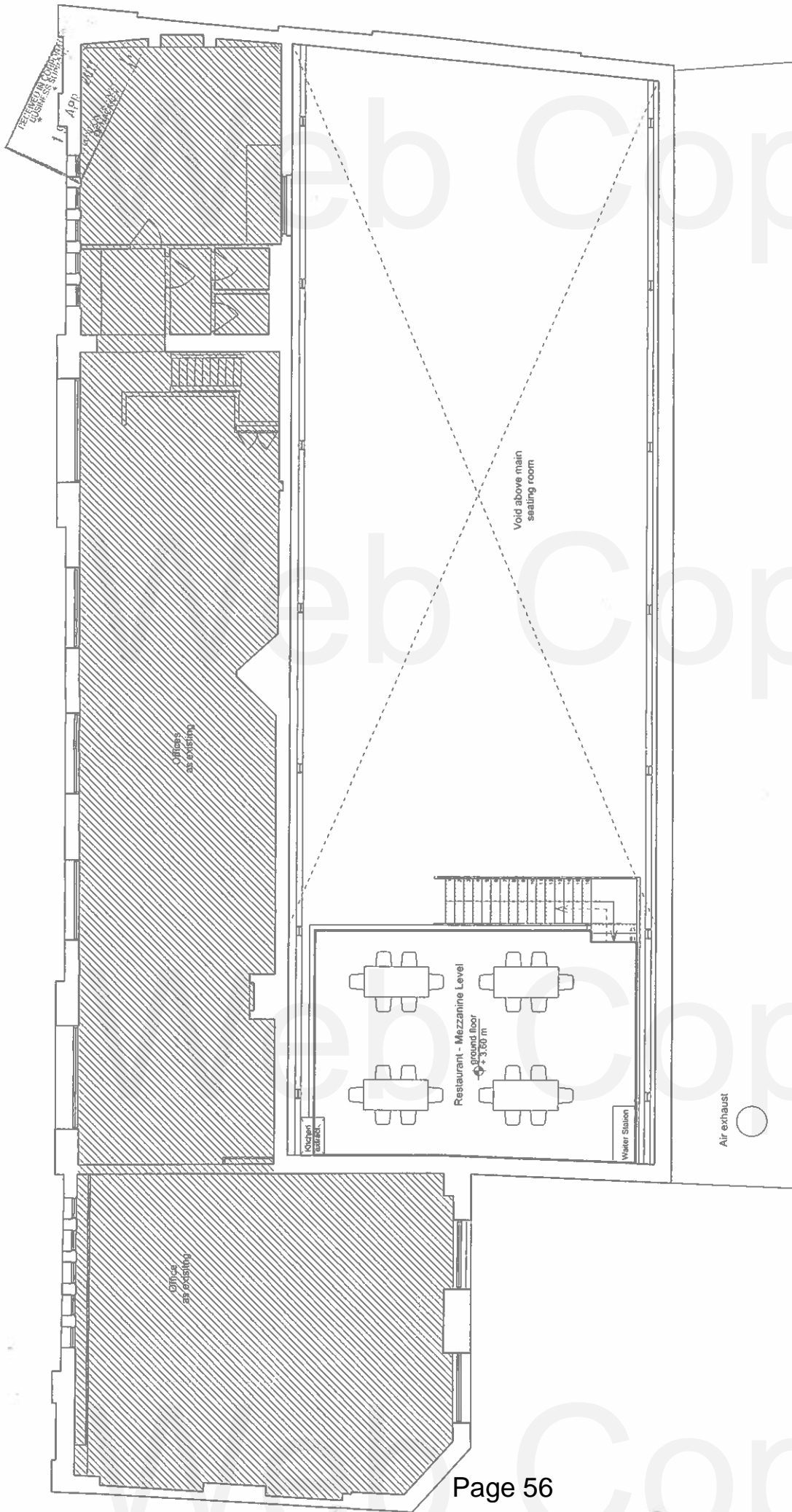
RECEIVED BY THE OFFICE OF THE BUILDING OFFICER  
 19 APR 2011  
 150 MONROE ST. 4TH FL.  
 ST. LOUIS, MO 63102



Proposed Basement Plan, scale 1:100

PLAN/LSH-PRE-T-2011/1904-116)

<p>Job Title: TRANSMISSION PROPOSED BASEMENT PLAN          Date: APRIL 2011          Scale: 1:100 @ A3          Drawn: MF          Approved: ATS</p>		<p>1-372.L.100</p>	
<p>Waugh Thistleton          74 Paul Street          ECUA WA          Telephone: +61 (0)8 9453 9777          Fax: +61 (0)8 9453 9748          Website: waughthistleton.com</p>			
<p><b>NOTE</b></p> <p>Anything shown on this plan which is not required by the Plan Regulations is for illustrative purposes only, and does not form part of the license.</p> <p>The location and type of any fire safety and any other safety equipment is shown as at present. This may be varied from time to time with the agreement of the Fire Officer or after a fire risk assessment.</p> <p>Hatch indicates area not included in the application.          Premises not used by the applicant.</p>			
<p><b>KEY</b></p> <p>*Area where alcohol will be sold, regulated entertainment provided and where hot food will be served after 11.00pm.*</p> <p>FD303 Fire Door</p> <p>Fire escape route</p>		<p>Entrance</p> <p>Fire Exit</p>	
<p>0m 1m 2m</p>		<p>N</p>	



Proposed First Floor Plan, scale 1:100

PLAN/LSH-PRE-T-2011/190411(c)

**KEY**

- Area where alcohol will be sold, and where hot food will be served after 11pm.
- Fire Door (FD30S)
- Fire escape route
- Entrance
- Fire Exit

**NOTE**

Anything shown on this plan which is not required by the Plan Regulations is for illustrative purposes only, and does not form part of the license.

The location and type of any fire safety and any other safety equipment is shown as at present. This may be varied from time to time with the agreement of the Fire Officer or after a fire risk assessment

Hatch indicates area not included in the application.  
Premises not used by the applicant.

**Architects** Waugh Thistleton  
 Waugh Thistleton  
 74 Fins Street  
 London  
 EC2A 4UA  
 Telephone: +44 (0)20 7613 8227  
 Fax: +44 (0)20 7613 8119  
 E-mail: info@waughthistleton.com

Drawing will be made, as instructed, to be worked on the job. It is the responsibility of the client to ensure that the drawing is correct and that it complies with all relevant Building Regulations and British Standards.

NO UNIT QUANTITY

**Job** TRASHED  
**Title** PROPOSED FIRST FLOOR PLAN  
**Date** APRIL 2011  
**Scale** 1:100 @ A3  
**Drawn** MF  
**Approved** ATS  
 1-372.L.102



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

# APPENDIX B

## 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	0208 356 4942
E-MAIL ADDRESS	david.tuitt@hackney.gov.uk

## APPLICATION PREMISES

NAME & ADDRESS OF PREMISES	The Tramshed 14 Garden Walk London EC2A 3EQ
NAME OF APPLICANT	Lovell Investments Limited

## COMMENTS

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

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

## Representation in relation to:

I make a representation in relation to this application as the premises is located within the Shoreditch Special Policy Area (SPA). The SPA is area that has been identified as suffering from the negative cumulative impact of the concentration of licensed premises in the area. The proposed activities could have a negative impact on the promotion of the licensing objectives, in particular the prevention of public nuisance.

It should be noted that **LP10** (Special Policy Areas – Dalston and Shoreditch) of the Council's Statement of Licensing Policy states:

### **LP10 Special Policy Areas – Dalston and Shoreditch**

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

It should also be noted that the;

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

May not be in itself sufficient.

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

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

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

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

Discussion with the applicant to obtain further information in relation to the proposed operation.

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

**Date:** 20/08/2020





Sanaria Hussain <sanaria.hussain@hackney.gov.uk>

**Fwd: Objection: Licensing Application The Tramshed 14 Garden Walk EC2A 3EQ**

1 message

**Licensing (Shared Mailbox)** <licensing@hackney.gov.uk>  
To: Sanaria Hussain <sanaria.hussain@hackney.gov.uk>

24 August 2020 at 09:49

Kind Regards,

# APPENDIX C1

Licensing Service  
London Borough of Hackney  
Tel: 020 8356 2431  
Email: [licensing@hackney.gov.uk](mailto:licensing@hackney.gov.uk)  
[www.hackney.gov.uk/licensing](http://www.hackney.gov.uk/licensing)

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

From: [REDACTED]  
Date: Fri, 21 Aug 2020 at 21:22  
Subject: Objection: Licensing Application The Tramshed [14 Garden Walk EC2A 3EQ](#)  
To: <[licensing@hackney.gov.uk](mailto:licensing@hackney.gov.uk)>

Dear Sir/Madam,

**RE: Licensing Application The Tramshed [14 Garden Walk EC2A 3EQ](#)**

I object strongly to the above application.

The Notice of Application was posted on the premises today only when the deadline for representation on the notice is today!

The application refers to consumption off the premises and this would create much noise and disruption for residents living nearby.

The previous license had restrictions on number of patrons allowed to gather outside for smoking and did not allow patrons to take open drinks or bottle outside. There were also other restrictions and I would expect all these to be stipulated.

There are many residential units around the Tramshed and this would be a grave concern to all.

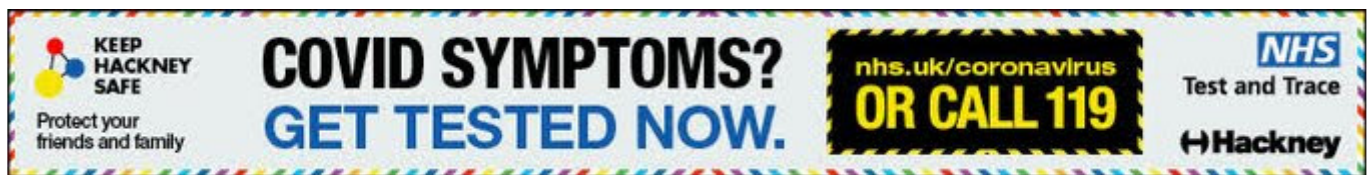
I am particularly concerned about nuisance created by loud music being played as my bedroom windows are directly above the glass roof of the Tramshed through which loud music escapes. Music and noise levels from within the premises should be limited and specified so as not to be heard externally and by us.

I beg of you, please reconsider.

Yours sincerely,

[REDACTED]

Sent from my iPhone



[www.nhs.uk/coronavirus](http://www.nhs.uk/coronavirus)

Disclaimers apply, for full details see: <https://hackney.gov.uk/email-disclaimer>



Sanaria Hussain &lt;sanaria.hussain@hackney.gov.uk&gt;

---

**Fwd: Objection : Tramshed Application - EC2A 3EQ**

1 message

---

**Licensing (Shared Mailbox)** <licensing@hackney.gov.uk>  
To: Sanaria Hussain <sanaria.hussain@hackney.gov.uk>

24 August 2020 at 09:50

Kind Regards,

Licensing Service  
London Borough of Hackney  
Tel: 020 8356 2431  
Email: [licensing@hackney.gov.uk](mailto:licensing@hackney.gov.uk)  
[www.hackney.gov.uk/licensing](http://www.hackney.gov.uk/licensing)

## APPENDIX C2

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

From: [REDACTED]  
Date: Sat, 22 Aug 2020 at 00:21  
Subject: Objection : Tramshed Application - EC2A 3EQ  
To: Licensing (Shared Mailbox) <[licensing@hackney.gov.uk](mailto:licensing@hackney.gov.uk)>**RE: Application - TRAMSHED**  
**14 Garden Walk, London, EC2A 3EQ**

Dear Sir, Madam,

I have been informed about Tramshed's application for extended opening hours, late bar opening, and the possibility to serve food and drinks outside their premises.

I live in the building [REDACTED] to the Tramshed entrance on Rivington Street. Allowing the Tramshed restaurant to extend their opening hours, serve alcohol for longer periods of time, and potentially let their clients eat and drink outside would be extremely detrimental for our residential community.

As you know, the Tramshed is a converted warehouse having inner-capacity in excess of 200 people (clients and staff included), opened seven-days a week. The current noise levels are extremely high and go well beyond 11pm every night.

In this very difficult and anxiety-prone period for many individuals and families, it has already been challenging enough to cope without needing any further disruption and stress.

Due to the significant disruption it would cause, **I object to the application by Tramshed to alter their licence**, in view to open for longer hours, sell alcohol for extended periods, and potentially allowing their customers to eat and drink outside.

Many thanks in advance for your consideration and full attention regarding this matter. I remain at your disposal should you require any further information.

All the best,  
[REDACTED]



Sanaria Hussain &lt;sanaria.hussain@hackney.gov.uk&gt;

---

**Fwd: Objection : Tramshed Application - EC2A 3EQ**

1 message

---

**Licensing (Shared Mailbox)** <licensing@hackney.gov.uk>  
To: Sanaria Hussain <sanaria.hussain@hackney.gov.uk>

24 August 2020 at 09:46

Kind Regards,

Licensing Service  
London Borough of Hackney  
Tel: 020 8356 2431  
Email: [licensing@hackney.gov.uk](mailto:licensing@hackney.gov.uk)  
[www.hackney.gov.uk/licensing](http://www.hackney.gov.uk/licensing)

## APPENDIX C3

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

From: [REDACTED]  
Date: Fri, 21 Aug 2020 at 20:36  
Subject: RE: Objection : Tramshed Application - EC2A 3EQ  
To: [licensing@hackney.gov.uk](mailto:licensing@hackney.gov.uk) <[licensing@hackney.gov.uk](mailto:licensing@hackney.gov.uk)>

To whom it may concern,

I live on Rivington Street and have just read a notice on the Tramshed's door about an application for extended opening hours.

As I live in a neighbouring flat, **I object to the application by The Tramshed to extend their licence**. Serving alcohol on Mondays and Tuesdays to midnight, and to 1AM on all other days of the week seems excessive based on the fact that no other business on this part of Rivington Street currently can operate to those late hours and that this street should be a fair mix of residential and commercial properties. I worry that were the Tramshed's application to be approved, the balance would further tip in favour of commercial pursuits at the expense of residential.

Over the past few years, the Shoreditch Triangle has steadily become rowdier as bars and restaurants have been granted more licences in the neighbouring streets to operate their businesses much later which has negatively impacted the residents of this conservation area.

I've attached a copy of the current application notice and the previous licence granted to The Tramshed (which was very strict about maintaining low noise levels and no activity outside the premises).

Please don't hesitate to reach out if you have any questions.

Kind regards,

[Redacted]



[Redacted]

[Redacted]

[Redacted]




[Redacted]

---

[Redacted]

 [Redacted] document (1).pdf  
752K

 eb-la2003-July-2020.pdf  
38K



Sanaria Hussain &lt;sanaria.hussain@hackney.gov.uk&gt;

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**Fwd: Objection : Tramshed Application - EC2A 3EQ**

1 message

---

**Licensing (Shared Mailbox)** <licensing@hackney.gov.uk>  
To: Sanaria Hussain <sanaria.hussain@hackney.gov.uk>

24 August 2020 at 09:45

Kind Regards,

Licensing Service  
London Borough of Hackney  
Tel: 020 8356 2431  
Email: [licensing@hackney.gov.uk](mailto:licensing@hackney.gov.uk)  
[www.hackney.gov.uk/licensing](http://www.hackney.gov.uk/licensing)

## APPENDIX C4

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

From: [REDACTED]  
Date: Fri, 21 Aug 2020 at 20:03  
Subject: Objection : Tramshed Application - EC2A 3EQ  
To: Licensing (Shared Mailbox) <[licensing@hackney.gov.uk](mailto:licensing@hackney.gov.uk)>**RE: Application - TRAMSHED 14 Garden Walk, London, EC2A 3EQ**

Dear Sir, Madam,

I have just read a notice on the Tramshed's door, about an application for extended opening hours, late bar opening, and the possibility to serve food and drinks outside their premises.

The notice was only put up today while the deadline for responding is today.

My flat is [REDACTED] to the Tramshed's entrance (bedroom windows are 3 metres away).

We hear their clients when they go outside to smoke cigarettes (non-stop), shout, hail taxis, or the constant traffic of deliveroo mopeds until the early hours of the morning.

Allowing the Tramshed to extend their opening hours, serve alcohol for longer periods of time, and potentially let their clients eat and drink outside would be a disaster for our residential community.

As you know, the Tramshed is a converted warehouse having inner-capacity in excess of 200 people (clients and staff included), opened seven-days a week. The current noise levels are extremely high and go well beyond 11pm every night.

The diversity of shops which once made the neighbourhood so attractive to Hackney residents (grocers, butcher, hairdressers, art studios, bookshops, clothes shops, art school, coffee shops, newsagents, etc), has recently been replaced by a plethora of restaurants, bars and late-night venues, increasing nocturnal noise, dirt on the pavement, foul play and kerfuffle most nights to the detriment of our local community.

The Shoreditch Triangle is a conservation area and I sincerely hope Hackney council will carry on protecting the quality of life of the people who live here by maintaining a reasonable balance between residential and commercial people.

There is already much street noise coming from the pub at the corner of Charlotte road and Rivington Street, which allows their clients to drink outside. Adding more people outside in the street and potentially allowing the pub's clientele to defect to the Tramshed after 11pm would mean more noise and further disruption.

I attach a copy of the current application notice and the previous licence granted to The Tramshed. The latter was very strict about maintaining low noise levels and no activity outside the premises.

With the above in mind, **I object to the application by The Tramshed to alter their licence**, in view to open for longer hours, sell alcohol for extended periods, and potentially allowing their customers to eat and drink outside.

Thank you very much for your consideration and full attention in this matter.

Page 63

I remain at your disposal should you need to speak with me.

Yours faithfully,

[Redacted]

[Redacted] Rivington Street

London

EC2A 3 [Redacted]




[www.nhs.uk/coronavirus](http://www.nhs.uk/coronavirus)

Disclaimers apply, for full details see: <https://hackney.gov.uk/email-disclaimer>

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**2 attachments**

 **Public register document (1).pdf**  
752K

 **eb-la2003-July-2020.pdf**  
38K



Sanaria Hussain &lt;sanaria.hussain@hackney.gov.uk&gt;

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**Fwd: Tramshed Outdoor Licence Objection**

1 message

---

**Licensing (Shared Mailbox)** <licensing@hackney.gov.uk>  
To: Sanaria Hussain <sanaria.hussain@hackney.gov.uk>

24 August 2020 at 09:43

Dear Sir/Madam,

I acknowledge receipt of your email. This has been passed onto Licensing Officer for her attention.

If any further queries please do not hesitate to contact us.

Kind Regards,

Licensing Service  
London Borough of Hackney  
Tel: 020 8356 2431  
Email: [licensing@hackney.gov.uk](mailto:licensing@hackney.gov.uk)  
[www.hackney.gov.uk/licensing](http://www.hackney.gov.uk/licensing)

## APPENDIX C5

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

From: [REDACTED]  
Date: Fri, 21 Aug 2020 at 18:12  
Subject: Tramshed Outdoor Licence Objection  
To: <[licensing@hackney.gov.uk](mailto:licensing@hackney.gov.uk)>

Dear Sir/Madam,

**RE: Licensing Application The Tramshed 14 Garden Walk EC2A 3EQ**I'm a resident living in [REDACTED] [Rivington street](#). I object to the above application.

The Notice of Application was posted on the premises today only when the deadline for representation on the notice is today!

The application refers to consumption off the premises and this would create much noise and disruption for residents living nearby.

The previous license had restrictions on the number of patrons allowed to gather outside for smoking and did not allow patrons to take open drinks or bottles outside. There were also other restrictions and I would expect all these to be stipulated as per the attached license.

There are many residential units around the Tramshed and this is why there were previous restrictions. See attached previous licensing document.

I am particularly concerned about nuisance created by loud music being played as my bedroom windows are directly above the glass roof of the Tramshed through which loud music escapes. Music and noise levels from within the premises should be limited and specified so as not to be heard externally and by us.

Yours sincerely

[REDACTED]



Sanaria Hussain &lt;sanaria.hussain@hackney.gov.uk&gt;

---

**Fwd: objection licensing application the Tramshed**

1 message

---

**Licensing (Shared Mailbox)** <licensing@hackney.gov.uk>  
To: Sanaria Hussain <sanaria.hussain@hackney.gov.uk>

21 August 2020 at 16:03

Kind Regards,

Licensing Service  
London Borough of Hackney  
Tel: 020 8356 2431  
Email: [licensing@hackney.gov.uk](mailto:licensing@hackney.gov.uk)  
[www.hackney.gov.uk/licensing](http://www.hackney.gov.uk/licensing)

## APPENDIX C6

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

From: [REDACTED]  
Date: Fri, 21 Aug 2020 at 15:31  
Subject: objection licensing application the Tramshed  
To: [licensing@hackney.gov.uk](mailto:licensing@hackney.gov.uk) <[licensing@hackney.gov.uk](mailto:licensing@hackney.gov.uk)>

Dear Sir/Madam,

**RE: Licensing Application The Tramshed 14 Garden Walk EC2A 3EQ**

I object to the above application.

The Notice of Application was posted on the premises today only when the deadline for representation on the notice is today!

The application refers to consumption off the premises and this would create much noise and disruption for residents living nearby.

The previous license had restrictions on number of patrons allowed to gather outside for smoking and did not allow patrons to take open drinks or bottle outside. There were also other restrictions and I would expect all these to be stipulated as per the attached license.

There are many residential units around the Tramshed and this is why there were previous restrictions. See attached previous licensing document.

I am particularly concerned about nuisance created by loud music being played as my bedroom windows are directly above the glass roof of the Tramshed through which loud music escapes. Music and noise levels from within the premises should be limited and specified so as not to be heard externally and by us.

Yours sincerely,

[REDACTED]  
**Charlotte Road**  
London EC2A [REDACTED]





Licensing (Shared Mailbox) &lt;licensing@hackney.gov.uk&gt;

---

**Re: Application for Tramshed - EC2A 3EQ**

1 message

---

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

24 August 2020 at 09:49

To: [REDACTED]

Dear Sir/Madam,

I acknowledge receipt of your email. This has been passed onto Licensing Officer for her attention.

If any further queries please do not hesitate to contact us.

Kind Regards,

Licensing Service  
London Borough of Hackney  
Tel: 020 8356 2431  
Email: [licensing@hackney.gov.uk](mailto:licensing@hackney.gov.uk)  
[www.hackney.gov.uk/licensing](http://www.hackney.gov.uk/licensing)

## APPENDIX C7

On Sat, 22 Aug 2020 at 00:17, [REDACTED] wrote:

Dear Sir/Madam,

I'm a resident of the flat [REDACTED] the Tramshed restaurant in Rivington Street, London. I was informed today that the restaurant has applied for extended opening hours and possibility to serve food and drinks outside the premises.

I'm concerned with this development, as we're already facing disruptions on several nights per week from noise on the street, mostly due to customers of local bars and restaurants failing to respect their neighbours.

I'd therefore like to ask for your consideration in responding to the application and object to an extension of the license.

Thank you very much for your consideration in advance.

All the best,

[REDACTED]  
[REDACTED] Rivington Street  
EC2A 3LX

--  
Sent from my iPhone

# APPENDIX D



This premises licence has been issued by:

Licensing Service  
2 Hillman Street  
London E8 1FB

## PART A – PREMISES LICENCE

### Premises Licence Number

LBH-PRE-T-1202

### Part 1 – Premises details

The Tramshed  
14 Garden Walk  
Hackney  
London  
EC2A 3EQ  
0207 749 0477/079899

### 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:

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

#### Supply of Alcohol

#### Standard Hours:

Mon 07:00-23:30  
Tue 07:00-23:30  
Wed 07:00-00:30  
Thu 07:00-00:30

Fri 07:00-00:30  
Sat 09:00-00:30  
Sun 09:00-22:00

**The opening hours of the premises**

**Premises**

**Standard Hours:**

Mon 07:00-00:00  
Tue 07:00-00:00  
Wed 07:00-01:00  
Thu 07:00-01:00  
Fri 07:00-01:00  
Sat 09:00-01:00  
Sun 09:00-22:30

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

On and Off Premises

**Part 2 –**

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

Restaurants Etc (Tramshed) Limited  
Jacquards  
Old Barn House  
2 Wannions Close  
HP5 1YA

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

7395339

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

William Falconer

**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:** 13 July 2011

**Signed:**

**David Tuitt  
Team Leader - Licensing**

## Annex 1 - Mandatory Conditions

### Supply of Alcohol

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

- 5.2. The policy must require individuals who appear to the responsible person to be under 18 years of age (or such older age as may be specified in the policy) to produce on request, before being served alcohol, identification bearing their photograph, date of birth and a holographic mark.
6. The responsible person shall ensure that:
- a) where any of the following alcoholic drinks is sold or supplied for consumption on the premises (other than alcoholic drinks sold or supplied having been made up in advance ready for sale or supply in a securely closed container) it is available to customers in the following measures:
    - beer or cider: 1/2 pint;
    - gin, rum, vodka or whisky: 25ml or 35ml; and
    - still wine in a glass: 125ml; and
  - b) customers are made aware of the availability of these measures.

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

7. 7.1 A relevant person shall ensure that no alcohol is sold or supplied for consumption on or off the premises for a price which is less than the permitted price.
- 7.2 For the purposes of the condition set out in paragraph 7.1 above -
- (a) "duty" is to be construed in accordance with the Alcoholic Liquor Duties Act 1979;
  - (b) "permitted price" is the price found by applying the formula -  

$$P = D + (D \times V)$$
 Where -
    - (i) P is the permitted price,
    - (ii) D is the amount of duty chargeable in relation to the alcohol as if the duty were charged on the date of the sale or supply of the alcohol, and
    - (iii) V is the rate of value added tax chargeable in relation to the alcohol as if the value added tax were charged on the date of the sale or supply of the alcohol;
  - (c) "relevant person" means, in relation to premises in respect of which there is in force a premises licence -
    - (i) the holder of the premises licence,
    - (ii) the designated premises supervisor (if any) in respect of such a licence, or
    - (iii) the personal licence holder who makes or authorises a supply of alcohol under such a licence;
  - (d) "relevant person" means, in relation to premises in respect of which there is in force a club premises certificate, any member or officer of the club present on the premises in a capacity which enables the member or officer to prevent the supply in question; and
  - (e) "value added tax" means value added tax charged in accordance with the Value Added Tax Act 1994.

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

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

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

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

8. On the ground floor and mezzanine intoxicating liquor will only be sold to persons taking table meals for consumption by such a person as an ancillary to his meal.
9. CCTV is to be installed and maintained in the premises.
10. Notices will be displayed at the main entrance requesting that customers respect local residents and leave the premises as quietly as possible.
11. The restaurant shall have a contract with at least two taxi companies and will ensure that taxis called by the restaurant will pick up patrons from the corner of Great Eastern Street only
12. There shall be no noise nuisance, as determined by the Council's Noise Pollution Team, to any premises location where residents reside when this premises is used for licensable activities. Mechanical ventilation equipment must be so positioned, designed and acoustically insulated so as not to cause noise disturbance or affect the amenity of residents as a result of fume or odorous discharge.
13. No discharge of glass recycling bins and no waste/recycling collection, service or deliveries between 23:00 and 07:00 hours on any day.
14. Patrons of the premises shall be encouraged, by signs within the premises visible at all exit points, to disperse from the area of the premises quietly.
15. A plan for any patrons or staff smoking outside the premises will be submitted to and approved by the Environmental Health team. This will specify that no more than 10 patrons will smoke outside the premises at any one time. Staff on duty will ensure this condition is enforced.
16. A Personal Licence Holder is to be on the premises at all times during permitted trading hours.
17. An incident log (including refusals) is to be kept and available for inspection by the police and local authority.

18. A SIA qualified door supervisor is to be on duty from 19.00 until the premises close on Thursdays, Fridays and Saturdays.
19. The premises will adopt Challenge 21 in relation to the sale of alcohol.
20. Customers will not be allowed to take any open bottles or drinks in open containers outside the licensed premises.
21. The premises shall 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. 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 recent data or footage with the absolute minimum of delay when requested. A minimum of Three (3) CCTV camera's will be installed and positioned as follows:
  - a) One (1) at the entry/exit of the venue allowing for a full facial / shoulder image to be captured of everyone entering the venue
  - b) One (1) camera on each public set of stairs allowing for a full facial / shoulder image to be captured of everyone entering the basement area.
22. A telephone number will be provided to local residents to enable them to make immediate contact with the premises
23. The basement at the premises shall not be used more than once a fortnight for licensable activities.
24. No bar shall be installed in the basement unless and until amended plans have been approved by the licensing authority.
25. There be no more than 150 patrons on the premises at any one time.

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

26. The Licensee shall ensure that all staff are fully trained and made aware of the legal requirement of businesses to comply with their duty of care as regards the disposal of waste produced from the business premises. The procedure for handling and preparing for disposal of the waste shall be in writing and displayed in a prominent place where it can be referred to at all times by staff.
27. The Licensee shall ensure that any contract for general and recyclable waste disposal shall be appropriate in size to the amount of waste produced by the



business. The Licensee shall maintain an adequate supply of waste receptacles provided by its 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.

28. 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 its waste carrier arrives to collect the refuse.
29. The Licensee shall erect a sign asking customers to refrain from littering the public highway outside the premises and will also instruct member of staff to make regular checks of the area immediately outside and within 10 metres either side of the premises and remove any litter, bottles and glasses emanating from the premises. A final check should be made at close of business.
30. 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.

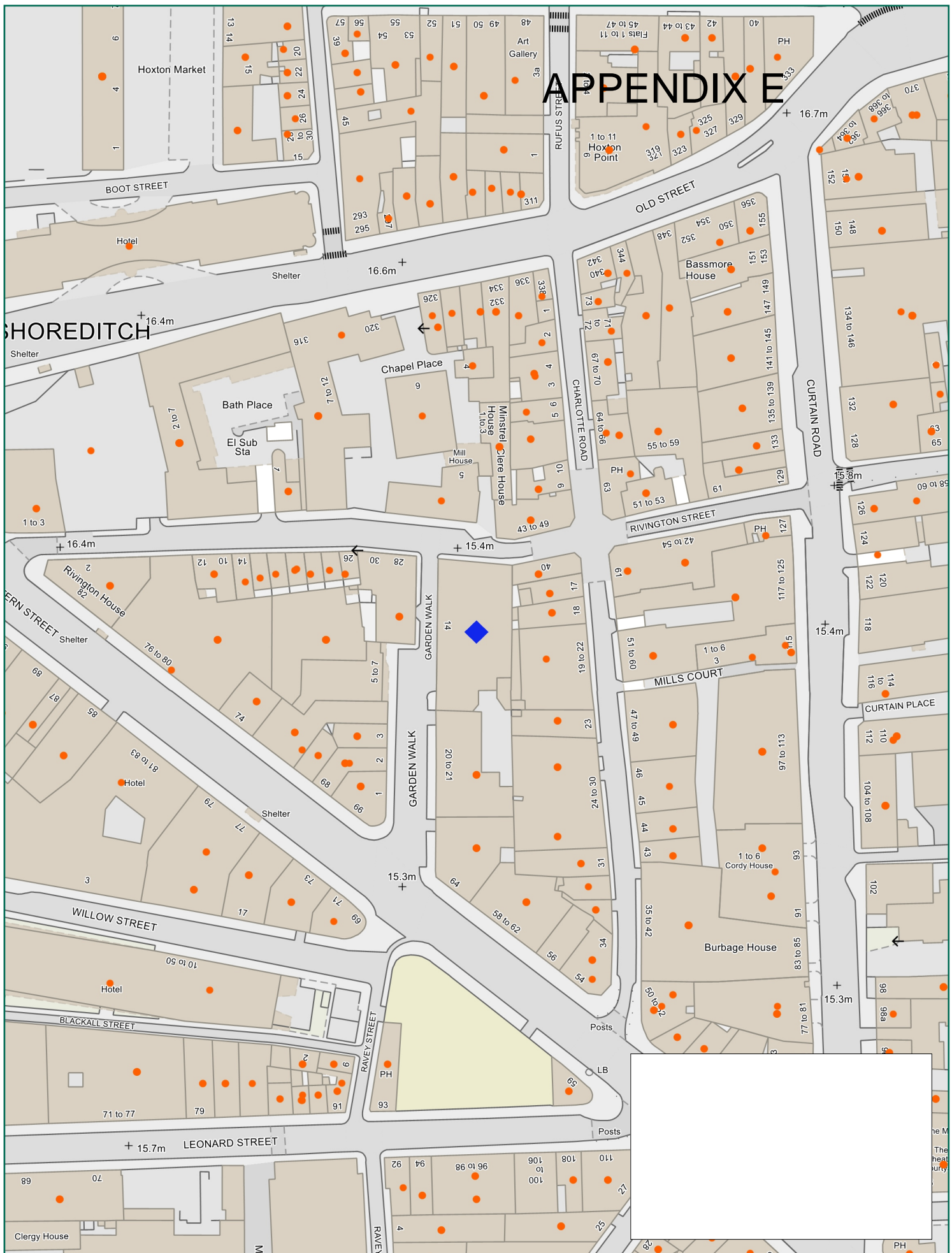
### **Annex 3 – Conditions attached after a hearing by the licensing authority**

Not Applicable

### **Annex 4 – Plans**

PLAN/LBH-PRE-T-1202/260412 (a)  
PLAN/LBH-PRE-T-1202/260412 (b)  
PLAN/LBH-PRE-T-1202/260412 (c)

# APPENDIX E



Scale: 1:1250 at A4



Ref:

07 October 2020

## 14 Garden Walk

Page 76

From: City of Hackney

email:

please specify copyright statement