



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

Tuesday 1 March 2022  
at 2.00 pm

Until further notice, all Licensing Sub Committees will be held  
remotely

The live stream for the meeting can be viewed here:

<https://youtu.be/tJo0GslypZE>

In case of any technical issues with the live stream above please use instead the  
following link: <https://youtu.be/Jbt2v99eDnU>

Members of the Licensing Sub-Committee:

Cllr Anya Sizer, Cllr Peter Snell and Cllr Penny Wrout  
(substitute)

**Mark Carroll, Chief Executive**

**Published: 21 February 2022**

Gareth Sykes, Governance Services Officer

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**Licensing Sub Committee E**  
**Tuesday 1 March 2022**  
**Agenda**

- 1 Election of Chair**
- 2 Apologies for Absence**
- 3 Declarations of Interest - Members to declare as appropriate**
- 4 Minutes of the Previous Meeting (Pages 9 - 18)**
- 5 Licensing Sub-Committee Hearing Procedure (Pages 19 - 22)**
- 6 Application for Review of Premises Licence: The London Tavern, 92 Rendlesham Road, London, E5 8PA (Pages 23 - 82)**  
  
**Ward: Hackney Downs**
- 7 Application to vary the Premises Licence: 70 Broadway Market, London, E8 4QJ (Pages 83 - 112)**  
  
**Ward: London Fields**
- 8 Temporary Event Notices - Standing Item**

## Public Attendance

The Town Hall is not presently open to the general public, and there is limited capacity within the meeting rooms. However, the High Court has ruled that where meetings are required to be 'open to the public' or 'held in public' then members of the public are entitled to have access by way of physical attendance at the meeting. The Council will need to ensure that access by the public is in line with any Covid-19 restrictions that may be in force from time to time and also in line with public health advice.

Those members of the public who wish to observe a meeting are still encouraged to make use of the live-stream facility in the first instance. You can find the link on the agenda front sheet.

Members of the public who would ordinarily attend a meeting to ask a question, make a deputation or present a petition will be able to attend if they wish. They may also let the relevant committee support officer know that they would like the Chair of the meeting to ask the question, make the deputation or present the petition on their behalf (in line with current Constitutional arrangements).

In the case of the Planning Sub-Committee, those wishing to make representations at the meeting should attend in person where possible.

**Regardless of why a member of the public wishes to attend a meeting, they will need to advise the relevant committee support officer of their intention in advance of the meeting date. You can find contact details for the committee support officer on the agenda front page.** This is to support track and trace. The committee support officer will be able to confirm whether the proposed attendance can be accommodated with the room capacities that exist to ensure that the meeting is covid-secure.

**As there will be a maximum capacity in each meeting room, priority will be given to those who are attending to participate in a meeting rather than observe.**

Members of the public who are attending a meeting for a specific purpose, rather than general observation, are encouraged to leave the meeting at the end of the item for which they are present. This is particularly important in the case of the Planning Sub-Committee, as it may have a number of items on the agenda involving public representation.

## Before attending the meeting

The public, staff and councillors are asked to review the information below as this is important in minimising the risk for everyone.

If you are experiencing covid symptoms, you should follow government guidance. Under no circumstances should you attend a meeting if you are experiencing covid symptoms.

Anyone experiencing symptoms of Coronavirus is eligible to book a swab test to find out if they have the virus. You can register for a test after checking your symptoms through the NHS website. If you do not have access to the internet, or have difficulty with the digital portals, you are able to call the 119 service to book a test.

If you're an essential worker and you are experiencing Coronavirus symptoms, you can apply for priority testing through GOV.UK by following the guidance for essential workers. You can also get tested through this route if you have symptoms of coronavirus and live with an essential worker.

Availability of home testing in the case of people with symptoms is limited, so please use testing centres where you can.

Even if you are not experiencing covid symptoms, you are requested to take an asymptomatic test (lateral flow test) in the 24 hours before attending the meeting.

You can do so by visiting any lateral flow test centre; details of the rapid testing sites in Hackney can be found here. Alternatively, you can obtain home testing kits from pharmacies or order them here.

You must not attend a lateral flow test site if you have Coronavirus symptoms; rather you must book a test appointment at your nearest walk-through or drive-through centre.

Lateral flow tests take around 30 minutes to deliver a result, so please factor the time it will take to administer the test and then wait for the result when deciding when to take the test.

If your lateral flow test returns a positive result then you must follow Government guidance; self-isolate and make arrangements for a PCR test. Under no circumstances should you attend the meeting.

## **Attending the Town Hall for meetings**

To make our buildings Covid-safe, it is very important that you observe the rules and guidance on social distancing, one-way systems, hand washing, and the wearing of masks (unless you are exempt from doing so). You must follow all the signage and measures that have been put in place. They are there to keep you and others safe.

To minimise risk, we ask that Councillors arrive fifteen minutes before the meeting starts and leave the meeting room immediately after the meeting has concluded. The public will be invited into the room five minutes before the meeting starts.

Members of the public will be permitted to enter the building via the front entrance of the Town Hall no earlier than ten minutes before the meeting is scheduled to start. They will be required to sign in and have their temperature checked as they enter the building. Security will direct them to the Chamber or Committee Room as appropriate.



Seats will be allocated, and people must remain in the seat that has been allocated to them.

Refreshments will not be provided, so it is recommended that you bring a bottle of water with you.

## **RIGHTS OF PRESS AND PUBLIC TO REPORT ON MEETINGS**

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

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

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

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

The Chair shall have discretion to regulate the behaviour of all those present recording a meeting in the interests of the efficient conduct of the meeting. Anyone acting in a disruptive manner may be required by the Chair to cease recording or may be excluded from the meeting.

Disruptive behaviour may include: moving from any designated recording area; causing excessive noise; intrusive lighting; interrupting the meeting; or filming members of the public who have asked not to be filmed.

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

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

proceedings whilst they are excluded from a meeting and confidential or exempt information is under consideration.

Providing oral commentary during a meeting is not permitted.

## **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:

- Director of Legal and Governance 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.

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

- i. 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;
- ii. 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
- iii. 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.

If you have a disclosable 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 (subject to the rules regarding sensitive interests).
- ii. You must leave the meeting when the item in which you have an interest is being discussed. You cannot stay in the meeting 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.
- iii. If you have, however, obtained dispensation from the Monitoring Officer or Standards Committee you may remain in the meeting and participate in the meeting. If dispensation has been granted it will stipulate the extent of your involvement, such as whether you can only be present to make representations, provide evidence or whether you are able to fully participate and vote on the matter in which you have a pecuniary interest.

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.

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

- i. Declare the existence and nature of the interest (in relation to the relevant agenda item) as soon as it becomes apparent to you.

- ii. You may remain in the meeting, participate in any discussion or vote provided that contractual, financial, consent, permission or licence matters are not under consideration relating to the item in which you have an interest.

- iii. If you have an interest in a contractual, financial, consent, permission or licence matter under consideration, you must leave the meeting unless you have obtained a dispensation from the Monitoring Officer or Standards Committee. You cannot stay in the meeting whilst discussion of the item takes place and you cannot vote on the matter. In addition, you must not seek to improperly influence the decision. Where members of the public are allowed to make representations, or to give evidence or answer questions about the matter you may, with the permission of the meeting, speak on a matter then leave the meeting. Once you have finished making your representation, you must leave the meeting whilst the matter is being discussed.

- iv. If you have been granted dispensation, in accordance with the Council's dispensation procedure you may remain in the meeting. If dispensation has been granted it will stipulate the extent of your involvement, such as whether you can only be present to make representations, provide evidence or whether you are able to fully participate and vote on the matter in which you have a non pecuniary interest.

#### Further Information

Advice can be obtained from Dawn Carter-McDonald, Director of Legal and Governance Services via email [dawn.carter-mcdonald@hackney.gov.uk](mailto:dawn.carter-mcdonald@hackney.gov.uk)

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## **DRAFT** MINUTES OF THE MEETING OF LICENSING SUB COMMITTEE E

TUESDAY 7 DECEMBER, 14:00 HOURS

THIS MEETING WAS LIVE STREAMED AND CAN BE VIEWED AT:

<https://youtu.be/GasuhXt7Eag>

**Councillors Present:** Councillor Anya Sizer (agenda item 6 only),  
Councillor Peter Snell (Chair) and Councillor  
Penny Wrout (substitute)

**Officers in Attendance:** Amanda Nauth - Licensing and Corporate Lawyer  
Suba Sriramana - Acting Principal Licensing Officer  
Gareth Sykes - Governance Services Officer

**Also in Attendance:** **Item 6 Blondies**  
**Applicant:**  
Licensee Business Partner - Sharmaine Cox  
Agent - Liam O'Hare  
Noise Consultant - Richard Vivian

**Responsible Authority:**  
Police Constable David Atkins

**Other persons:**  
Councillor Ian Rathbone  
Jett Glozier  
Jenny Preston

**Item 7 Browns**  
**Applicant**  
Legal Representative - David Dadds

**Responsible Authority:**  
Police Constable Neal Hunwick

**1. Election of Chair**

- 1.1 Councillor Snell was duly elected to Chair the meeting.

**NOTED**

**2. Apologies for Absence**

- 2.1 There were no apologies for absence.

**NOTED**

**3. Declarations of Interest**

- 3.1 Councillor Wrout declared an interest: the Councillor was on the Board of Trustees for Shoreditch Town Hall. Councillor Sizer declared an interest: the TEN at agenda item 6 was in the Councillor's ward. Councillor Sizer would withdraw from the meeting at the start of agenda item 6.

**NOTED**

**4. Minutes of the Previous Meeting**

- 4.1 There were no Licensing Sub-Committee meeting minutes for approval at the meeting.

**NOTED**

**5. Licensing Sub Committee Hearing Procedure**

- 5.1 Councillor Snell outlined hearing procedure type A to all the meeting participants, as set out in the published agenda pack.

**NOTED**

**6 Application to Vary a Premises Licence: Blondies 205A Lower Clapton Road, E5 8EG**

- 6.1 Subangini Sriramana, Acting Principal Licensing Officer introduced the report in respect of an application for a variation on a premises licence made by Blondies 205A Lower Clapton Road, E5 8EG. The Licensing Sub-Committee noted that only the Police, as the Responsible Authority, had made a representation on the grounds of prevention of crime and disorder and the prevention of public nuisance.

- 6.2 The Sub-Committee noted that additional information from the applicant and responsible authorities had been circulated and published.
- 6.3 Mr Liam O'Hare, the agent for the applicant, made a brief submission in support of the application. Mr O'Hare confirmed that this application was different to a previous application that had been submitted, it contained 14 new conditions.
- 6.4 The Authorities, the police, spoke next and were represented by Police Constable David Atkins. He briefly outlined the reasons for their submission and why they were opposed to the application on the variation on the premises licence.
- 6.5 In response to queries raised by the Sub-Committee, Police Constable Atkins voiced concerns about smokers outside the front of the premises because of the tendency for people to congregate in crowds outside. He acknowledged that the premises had run several Temporary Event Notices (TENs) in the past without incident. Police Constable Atkins highlighted a recent incident, that occurred two weeks ago, where a number of people were congregating outside the premises in the early hours of the morning.
- 6.6 Other persons, represented by Hackney Councillor Ian Rathbone and Ms Jenny Preston, who raised concerns about the application and its potential impact on local residents and the community.
- 6.7 During the discussion phase of the Licensing Sub-Committee meeting a number of points were raised including the following:
- The agent for the applicant confirmed that the incident mentioned by the Police from two weeks ago was a Halloween event. Since that incident security measures had been improved
  - The Noise Consultant gave a brief overview about the installation of a sound limiter on the premises. They reputed an earlier claim that the premises was in a tranquil backwater of the borough, there was a lot of sound emanating from, for example, traffic
  - The agent confirmed that the rear of the premises would be closed at 21:00 hours
  - The installation of the limiter was done so by condition at a level agreed with the relevant Hackney Council Officer
  - The agent for the licensee gave a brief overview of the safety initiatives that the venue had in place for women customers and staff, for example 'Ask for Angela'
  - The venue was an intimate rock bar staffed by a dedicated team who had all undertaken staff induction training. The agent added that the licensee was looking to enhance some of the measures already in place e.g Challenge 25
  - The Sub-Committee members suggested a trial period for extending the opening hours on Thursdays, however, the Legal Officer added that a trial period was not a condition that was part



of the application. Mr O'Hare added that a 1:00am closing time on Thursdays was early for a licensing premises in the Borough

- The other persons spoke of how in the past there had been lack of trust between the venue and local residents. The residents had contacted the venue to complain about the noise no one had answered the phone
- Live music at the venue would finish at 22:00hours and would only be held in the early part of the week and any live sets were only 45 minutes long and were run twice only in the same evening
- The Sub-Committee members noted that the Limitator was not a catch all device
- The agent for the licensee welcomed the idea of bi-monthly meetings between the licensee and local residents. Contact details for the venue could be given to local residents to address any immediate concerns
- Mr O'Hare explained that the venue's dispersal policy was a 'live' document that could be improved if need be. The frequency of the meetings with local residents would be changed according to the availability of local residents. The licensee's attendance at these meetings would be compulsory
- The capacity for the premises would be 55 persons
- Non-Standards Hours would be removed from the application.

6.8 In their closing statement the other persons felt that some of their concerns had been addressed by Mr O'Hare and Mr Vivian and the local residents were keen to continue to work with the venue to address any issues.

6.9 In their closing statement the Police Constable Atkins reiterated the points he had made earlier about the incident that had occurred at the venue two weeks ago and issues around customers congregating outside the front of the premises.

6.10 Mr O'Hare reiterated the number of the conditions that the licensee had agreed to e.g. more detailed dispersal and as well as their efforts to work more closely with the local residents and the Police.

### **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; and
- The protection of children from harm,

the application to vary a premises licence has been partially 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:

- Remove non-standard hours from the application.
- Condition 17 on the licence shall be amended and read as follows:

“The sound limiting device shall be used at all times that regulated entertainment is taking place. No regulated entertainment shall be provided at the premises unless /until a sound limiting device has been installed to the satisfaction of the Council's Pollution Team”.

And additional conditions:

- The Licensee shall hold and publicise liaison meetings with local residents every 2 months to attempt to address any concerns or complaints.
- The maximum number of smokers permitted at the front of premises at any one time shall not exceed 12 persons.
- At least one SIA registered door supervisor/s shall be employed at the premises from 21:00hrs on Thursday to Saturdays. Additional SIA door supervisors shall be employed on an operational risk assessment basis. All door supervisors shall enter their full details in the premises daily register at the commencement of their work. They shall record their full name, their SIA registration number and the times they commence and conclude working. If the door supervisor is provided by an agency, the name, registered business address and contact telephone number will also be recorded. This register will be made available to police or other authorised officers upon request.
- All doors shall remain closed at all times when regulated entertainment is taking place.
- There will be no drinks at the front of the premises after the tables have been taken in at 2200hrs.
- There shall be use of the outside space after 2200hrs.
- The premises shall have a written dispersal policy. This policy will include the duties of staff and/or SIA to disperse patrons towards the nearest public transport hub quickly and quietly.
- Blondie operate "Ask Angela" and will further commit to all Welfare and Vulnerability Engagement Training as developed by Met Police, Safer Sounds & Safer Business Network Blondies is a signatory of the Mayor of London's

Women's Night Safety Charter and will engage in all programs dedicated to reducing crime against women.

- Door supervisors and other members of staff verbally request customers as they exit the premises to leave quietly and respect local residential neighbours.
- All bar staff who are engaged or employed as cashiers will receive formalised training in the sale of age restricted products and training records evidencing such training will be kept and maintained in the bar available for inspection by a representative of the statutory authorities for not less than 2 years. Such training is to be refreshed at intervals not exceeding twelve months.
- Where a person appears to be under the age of 25. Identification in the form of a passport, photo driving licence or a proof of age card bearing the PASS hologram will be sought and if not provided, service of alcohol shall be refused.
- Prominent, clear notices shall be displayed at the point of entry to the premises and in a suitable location at any points of sale indicating that where a person appears to be under the age of 25, identification will be sought and if not provided, service of alcohol will be refused.
- Children under the age of 18 year old shall not be allowed on the premises after 20:00 unless accompanied by a parent or guardian.

### **Reasons for the decision**

The sub-committee heard representations made by the Metropolitan Police Service against the application. The sub-committee also took into consideration that there were 6 Other Persons (local residents) who made representations opposing the variation and 16 Other Persons who made Representations in support of the application.

The sub-committee took into consideration the representations made by the Metropolitan Police Service whose main concerns were about dispersal from the premises, and later hours at the weekend. The Metropolitan Police Service acknowledged that the premises had run several Temporary Event Notices in the past without incident. They also highlighted a recent incident, that occurred two weeks ago, where a number of people were congregating outside the premises in the early hours of the morning.

The sub-committee noted that the Environmental Protection had not made written representations in time, therefore their representations could not be taken into consideration.

The sub-committee heard representations made on behalf of Other Persons, who raised concerns about the application and its potential impact on local residents and the community.

The sub-committee after carefully considering all the representations from the applicant's representative, the Metropolitan Police Service, and the Other Persons (local residents) found that the objections and representations made by local residents and the Metropolitan Police Service were credible and have been proven.

The sub-committee felt that they could only approve the amendment to condition 17 and add some conditions for the benefit of local residents. The sub-committee felt additional controls relating to noise would improve the quality of life for local residents in the area, in particular those local residents that reside very close to the premises.

The sub-committee took into consideration the representations made by Other Persons (local residents) who had concerns and welcomed regular meetings with the licence holder to try and resolve their concerns. The sub-committee was not persuaded that increasing the hours of the supply of alcohol would assist the local residents.

The sub-committee took into account that each application is considered on its own merits.

Having taken all the above factors into consideration, the sub-committee was satisfied that by granting this partial variation to this premises licence, the licensing objectives would continue to be promoted.

### **Public Informative**

1. The licence holder is encouraged to engage in meaningful dialogue with the local residents to resolve any issues relating to the premises, and for the licence holder to play their part in reducing any impacts emanating from the premises, particularly during the evening and late at night.
2. If after 12 months (1 year) the local residents have not been able to resolve any issues relating to the premises with the Licence holder, the local residents can contact the Licensing Authority who will investigate their concerns.

Councillor Sizer withdrew from the Licensing Sub-Committee for agenda item 7 as the TENS was at a premises located in her ward.

### **7. Temporary Event Notice: Browns, 1 Hackney Road, London E2 7NX Ward: Hoxton East and Shoreditch**

- 7.1 Subangini Sriramana, Acting Principal Licensing Officer introduced the report in respect of an application for a TEN for Browns, 1 Hackney Road, London E2 7NX. The Responsible Authority, the Police had given the Licensing Authority and the premises user notice of objection to the TEN for an event to

be held on 15 December 2021 from 02:00am finishing on 19 December 2021 at 04:00am on the premises.

- 7.2 Police Constable Neal Hunwick outlined the Police's objection to the application on the grounds of crime and disorder, public safety, the prevention of public nuisance and the protection of children from harm. The Police explained that there had been a significant increase in criminal activity and anti-social behaviour in Shoreditch since post-Covid re-opening, including alcohol-fuelled violence and public disorder. This in turn had apparently put a strain on Police resources. Police Hunwick highlighted that there was no provision by Transport for London (TFL) for resuming the night tube which would exacerbate the problems around customers dispersal from the area. It was highlighted that at the time of the meeting there was industrial action under way by tube staff every weekend which would further hinder travel.
- 7.3 Mr David Dadds, representing the Premises User, made his submission in support of the TEN application. Mr Dadds stressed the need for each application to be considered on its own merits and that the Police were applying a blanket policy to an entire area was not particularly fair or reasonable and that the Police had not provided any primary evidence of a crime occurring, either inside or outside, Browns.
- 7.4 DuringThe sub-committee entered the discussion phase of the Licensing Sub-Committee meeting wherein a number of points were raised including the following:
- The Chair of the Sub-Committee reassured the meeting participants that the Sub-Committee would make its decision based on the merits of the TEN before them
  - Mr Dadds reiterated that the Police's blanket policy came with a bias towards his client's establishment. He added that the consumption of alcohol only played a small part of the venue's s business
  - The Licensing Sub-Committee understood that Browns was not a vertical drinking establishment, it was a Sexual Entertainment Venue (SEV) and that it was not within the so-called 'Shoreditch Triangle'
  - It was suggested by the Sub-Committee that the venue closing at 4:00am may assist the Police, as other venues in the area would be closing and dispersing their customers an hour earlier. Police Constable Hunwick replied that Browns was not the only venue in the area that would be closing at 4:00am
  - The Police refuted the claim that their approach was a blanket policy. They reiterated their concerns about the negative impact of the spillover of customers from the other licensed premises in the area and the drain this was having on Police resources

- On the issue of the TEN and its potential cumulative impact on the area, Mr Dadds explained that the venue would not be adding new people to the area. The venue had applied for TENs before and it was reiterated that the Police had not provided any primary evidence of crime occurring inside and near to the venue
- The Sub-Committee noted that not all clients at Browns would be pre-booked and that alcohol was not the main driver for customers attending the venue. The venue clientele were mostly corporate and wished to be more discreet when arriving and leaving. The venue had a well established clientele
- Police Constable Hunwick explained that historically there had been issues with crime in the area of Shoreditch especially at the weekends
- The Chair of the Committee suggested that it would be useful for some future work to be undertaken to analyse which areas of Shoreditch were showing the highest levels of anti-social behaviour and alcohol-related crime
- Mr Dadds reiterated that Browns' clientele were different from those at other nearby licensed premises and that the TEN must be considered on its own individual merits

7.5 Police Constable Neal Hunwick had nothing further to add in his closing statement.

7.6 Mr Dadds reiterated his concerns over the Police's apparent blanket policy in the area. In his view it was felt to be unlawful and that the Licensing Sub-Committee must treat each TEN application on its own individual merits.

## 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; and
- The protection of children from harm

and in particular upon consideration of the 'objection notice' given by the Metropolitan Police Service, is satisfied that the proposed event would undermine the licensing objectives. Therefore, the sub-committee has decided to issue a counter notice.

## **Reasons for the decision**

The sub-committee took into consideration the objection received from the Metropolitan Police Service to the Temporary Event Notice for the period from 02:00 on 15th December, and finishing at 05:00 on 19th December 2021, which contended that this event would undermine the licensing objectives, on the grounds of crime and disorder, public safety, and prevention of public nuisance. The sub-committee carefully considered the reasons for this objection.

The sub-committee heard representation from the Metropolitan Police Service (the police) that there had been a significant increase in criminal activity and anti-social behaviour in Shoreditch since post-Covid re-opening, including alcohol-fuelled violence and public disorder. There were issues with large groups congregating in the streets, dispersal and the exploitation of crowds of vulnerable drunk people. The sub-committee heard submissions from the police that longer opening hours of premises meant more alcohol consumed making patrons more vulnerable and/or at risk of causing nuisance.

The sub-committee believes that the needs of the premises have been met by the variation hours that were previously increased. The sub-committee did not agree that the hours should be increased or that they should agree to allow opening hours to creep later in the Shoreditch Special Policy Area contrary to the Council's Licensing Policy.

The sub-committee felt that the premises user's legal representative gave no assurances about how dispersal would be dealt with and how the premises use would prevent the cumulative impact in the Shoreditch Special Policy Area. The sub-committee felt that the premises user did not take on board the current increased anti-social behaviour, and the impact it was having on Shoreditch Special Policy Area.

The sub-committee therefore considered that allowing the event to take place in accordance with the Temporary Event Notice would undermine the licensing objectives. It determined that it was therefore necessary and proportionate to issue a counter notice.

## **End of Meeting**

**Duration of Meeting: 14:00 - 16:35 hours**

Chair of the meeting: Councillor Peter Snell

Contact:  
Gareth Sykes  
Governance Services Officer  
Legal and Governance Services  
[gareth.sykes@hackney.gov.uk](mailto:gareth.sykes@hackney.gov.uk)



# Agenda Item 5

## Licensing Sub-Committee hearings, under the Licensing Act 2003 – Type C [Re; Review of a Premises Licence or Club Premises Certificate]

<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 for calling a Review.</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 making a representation in relation to the Review called.</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 and highlight their reasons for making a representation in relation to the Review called.</p>	<p>5 minutes each</p>
<p><b>Step 6 -</b> <b>Premises Licence/Club Certificate Holder</b></p>	<p>The Premises Licence/Club Certificate Holder will respond to the issues raised.</p>	<p>5 minutes</p>
<p><b>Step 7</b> <b>Discussion</b></p>	<p>The Chair will structure and lead a discussion on the information presented and give Sub-Committee Members an opportunity to seek clarification on any points raised and ask questions, if necessary.</p>	<p>15 minutes</p>
<p><b>Step 8</b> <b>Closing remarks</b></p>	<p>The Chair will ask all parties 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>

<b>Step 9 - Final clarification</b>	Licensing Sub-Committee Members will have a final opportunity to seek clarification on any points raised, following which the Chair will conclude the discussion.	5 minutes
<b>Step 10 Consideration</b>	<p>The Sub-Committee will normally withdraw to consider the evidence that has been presented to them with the Committee Officer and Legal Adviser in order that the Sub-Committee can reach a decision and obtain legal advice if required.</p> <p>The Legal Adviser will repeat any legal advice given to Members upon returning to the public hearing.</p> <p>In simple cases the Sub-Committee may not consider it necessary to retire.</p>	10 minutes
<b>Step 11 Chair announces the decision</b>	<p>The Sub-Committee will return and the Chair will announce the decision. Reasons for their decision will be given, if appropriate.</p> <p>The Licensing Officer will draw attention to any restrictions which will affect the running of the premises and provide a written record of the decision, which will be sent to the applicant.</p>	5 minutes

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

**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 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 Licensing Officer</b></p>	<p>The Licensing Officer will outline the report.</p>	<p>5 minutes</p>
<p><b>Step 3 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 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 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 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 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 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 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>



## REPORT OF THE GROUP DIRECTOR, NEIGHBOURHOODS AND HOUSING

<b>LICENSING SUB-COMMITTEE:</b> 01/03/2022	<b>Classification</b> <b>DECISION</b>	Enclosure
<b>Application for Review of Premises Licence:</b> The London Tavern, 92 Rendlesham Road, London, E5 8PA	<b>Ward(s) affected</b>  Hackney Downs	

### 1. SUMMARY

<b>Applicant:</b> Rockwell Charles	<b>In SPA:</b> Not Applicable
<b>Date of Application</b> 7 December 2021	
<b>The Grounds for Review:</b> <ul style="list-style-type: none"> <li>Prevention of Public Nuisance</li> </ul>	
<b>Current Premises Licence Details:</b> Premises Licence permitting 1) Sale by retail of alcohol 2) Recorded Music See Appendix B	
Current Capacity	Unknown
Policies Applicable	LP1 (General Principles), LP2 (Licensing Objectives) and LP11(Cumulative Impact – General)
List of Appendices	Appendix A– Application requesting the review of the premises licence and supporting documents Appendix B – Current Licence Appendix C - Representations from responsible authorities Appendix D - Representations from other persons Appendix E - Location map
Relevant Representations	<ul style="list-style-type: none"> <li>Licensing Authority</li> <li>Other Persons</li> </ul>

### 2. APPLICATION FOR REVIEW OF PREMISES LICENCE

- 2.1 Rockwell Charles on behalf of Environmental Protection, as a responsible authority under the Licensing Act 2003, have applied for the review of the premises licences granted for the premises known as The London Tavern on the grounds of prevention of public nuisance. For further application details, see Appendix A.

### 3. CURRENT POSITION/ HISTORY

- 3.1 The premises were in possession of a justice's licence prior to the introduction of the Licensing Act 2003 in 2005. The premises licensee and DPS is Mr Thomas Joseph Kearns. A copy of the current premises licence is attached as Appendix B.
- 3.2 No Temporary Event Notices have been submitted for the current year.

### 4. REPRESENTATIONS: RESPONSIBLE AUTHORITIES

From	Relevant Representations details
Environmental Health Authority (Environmental Protection)	Not Applicable, see review application
Environmental Health Authority (Environmental Enforcement)	Have confirmed no representation on this application
Environmental Health Authority (Health & Safety)	No representation received
Weights and Measures (Trading Standards)	No representation received
Planning Authority	No representation received
Area Child Protection Officer	No representation received
Fire Authority	Have confirmed no representation on this application
Police	Representation has been withdrawn on the basis of the agreed new conditions as set out in para 9.1
Licensing Authority (Appendix C)	Representation received on the grounds of The Prevention of Public Nuisance.
Health Authority	No representation received

### 5. REPRESENTATIONS: INTERESTED PARTIES

From	Details
Representations in support of the review application received from and on behalf of local residents. (Appendices D1-D2)	Representation received on the grounds of The Prevention of Crime and Disorder, Public Safety, Prevention of Public Nuisance and The Protection of Children from Harm

### 6. REPRESENTATIONS: LICENSEE

- 6.1 No representations have been received from the licensee.

### 7. POLICY CONSIDERATIONS

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

7.2 Extracts from Licensing Policies are reproduced at the front of the agenda for this meeting.

7.3 The Policy applies to applications where relevant representations have been made. With regard to this application, policies, LP1 (General Principles), LP2 (Licensing Objectives) and LP11 (Cumulative Impact – General) are relevant.

## **8. GUIDANCE CONSIDERATIONS**

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

## **9. OFFICER OBSERVATIONS**

9.1 Police and the applicant have agreed including the following new conditions attached to the premises licence.

- 1) The premises shall install and maintain a comprehensive CCTV system as per the minimum requirements of the Metropolitan Police. All public areas including 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 upon the request of Police or authorised officer throughout the preceding 31-day period.
- 2) A staff member from the premises who is conversant with the operation of the CCTV system shall be on the premises at all times when the premises is open to the public. This staff member shall be able to show Police or an authorised officer of Hackney Borough Council recent data or footage with the absolute minimum of delay when requested.
- 3) The premises licence holder will ensure that a personal licence holder will be on duty whenever the venue is open and operating past 9pm every night.
- 4) No noise shall emanate from the premises nor vibration be transmitted through the structure of the premises which gives rise to a nuisance.
- 5) Notices shall be prominently displayed at all exits requesting patrons to respect the needs of local residents and leave the area quietly.
- 6) A challenge 25 scheme shall be in operation during the opening hours of the premises. Where any sale of alcohol is taking place employees at the premises must request sight of evidence of the age of any person appearing to be under the age of 25 years (Challenge 25). Such evidence should include a photo such as a driving licence, passport or PASS card.
- 7) An incident log shall be kept at the premises and be made available on request to an authorised officer of the council or police which will record the following;
  - All crimes reported to the venue
  - All ejections of patrons



- Any complaints received
  - Any incidents of disorder
  - Seizures of drugs or offensive weapons
  - Any faults in the CCTV system
  - Any refusal of the sale of alcohol
  - Any visit by a relevant authority or emergency service
- 8) The premises will operate a zero-tolerance policy to drugs and will comply with the Hackney Police Drugs and Weapons policy (2014 or as amended) where appropriate. Prominent signage shall be displayed by every entrance and exit detailing the drugs and weapons policies.
  - 9) Male and female door supervisors (SIA) will be employed at the premises on a Friday and Saturday night from 8pm on an operational risk assessment basis. The full names, SIA numbers, agency or home address with telephone number will be supplied and recorded in an SIA register together with the time and date of deployment. This register will be retained on the premises and will be made available for inspection upon request by any relevant authority.
  - 10) On a yearly basis all staff shall be given refresher training on the legislation relating to sales of alcohol to underage persons, drunken persons and how to deal with people incapacitated by drink or drugs. Such training shall include first aid and any welfare training such as WAVE (or as amended). Records of the training to be kept at the venue and made available to police or authorised officer immediately upon request. Any new staff will be trained on appointment.
  - 11) The Licence Holder shall provide and maintain a dedicated telephone number of the Designated Premises Supervisor for use by any Responsible Authority or any person who may wish to make a complaint during the operation of the licence. This shall be provided to the Licensing Authority, Police, and local Residents Associations. The Licence Holder shall ensure that any changes to these details are sent to these parties within seven days.
  - 12) Reasonable steps to be taken to ensure that an authorised person is a member of Pubwatch and attends at least six meetings a year.
  - 13) The outside seating area shall close to customers at 9pm Monday to Sunday save for customers leaving the venue to smoke in the designated smoking area. No more than 10 customers will be allowed to use the area at any time post 9pm. No glass or open containers to be taken into the smoking area after 9pm.
  - 14) The use of the external area shall be for seated customers only.
  - 15) There shall be no music played in the external area.
  - 16) During the hours of operation all doors and windows to the premises will remain closed save for access and egress to and from the property.
  - 17) Refuse, including bottles, shall not be taken outside the premises between the hours of 23.00 and 07.00.

## 10. REASONS FOR OFFICER OBSERVATIONS

Page 26

N/A

## **11. LEGAL IMPLICATIONS**

11.1 A legal representative will be in attendance to advise Members.

## **12. LEGAL COMMENTS**

12.1 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

12.2 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.

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

13.1 There are implications on Article 6, Article 8, Article 14 and the First Protocol of Article 1.

## **14. MEMBERS DECISION MAKING**

14.1 Members must, having regard to the application and any relevant representations, take such steps (if any) as it considers necessary for the promotion of the licensing objectives.

**14.2 The steps are:**

- A. Option 1  
Take no action**
- B. Option 2  
Modify the conditions of the premises licence.**
- C. Option 3  
Exclude a licensable activity from the scope of the premises licence.**
- D. Option 4  
Remove the designated premises supervisor.**
- E. Option 5  
Suspend the premises licence for a period not exceeding three months.**
- F. Option 6  
Revoke the licence.**

## 15. CONCLUSION

15.1 That Members decide on the application for review of the premises licence.

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

### LIST OF BACKGROUND PAPERS RELATING TO THIS REPORT

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

<b>Description of document</b>	<b>Location</b>
<b>Office File:</b> The London Tavern 92 Rendlesham Road London E5 8PA	Licensing Service 1 Hillman Street London E8 1DY

#### **Printed matter**

Licensing Act 2003  
LBH Statement of Licensing Policy

↳ Hackney

LA 40

**Application for the review of a premises licence or club premises certificate under the Licensing Act 2003**

**PLEASE READ THE FOLLOWING INSTRUCTIONS FIRST**

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

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

I The London Borough of Hackney - Environmental Protection (Noise Team)  
(Insert name of applicant)

**apply for the review of a premises licence under section 51 of the Licensing Act 2003 for the premises described in Part 1 below.**

**Part 1 – Premises details**

<b>Postal address of premises or, if none, ordnance survey map reference or description</b>			
London Tavern 92 Rendlesham Road			
<b>Post town</b>	London	<b>Post code (if known)</b>	E5 8PA

<b>Name of premises licence holder or club holding club premises certificate (if known)</b>
Mr Thomas Joseph Kearns

<b>Number of premises licence or club premises certificate (if known)</b>
LBH-PRE-T-0647

**Part 2 - Applicant details**

I am

Please tick  yes

1) an individual, body or business which is not a responsible authority (please read guidance note 1, and complete (A) or (B) below)

2) a responsible authority (please complete (C) below)



3) a member of the club to which this application relates  
(please complete (A) below)



**(A) DETAILS OF INDIVIDUAL APPLICANT** (fill in as applicable)

Please tick  yes

Mr



Mrs



Miss



Ms



Other title

(for example, Rev)

**Surname**

**First names**

**I am 18 years old or over**

Please tick  yes



**Current postal address if different from premises address**

**Post town**

**Post Code**

**Daytime contact telephone number**

**E-mail address (optional)**

**(B) DETAILS OF OTHER APPLICANT**

Name and address

Telephone number (if any)

E-mail address (optional)

**(C) DETAILS OF RESPONSIBLE AUTHORITY APPLICANT**

Name and address Environmental Protection (Noise Team) Business Regulation London Borough of Hackney 1 Hillman Street London E8 1DY
Telephone number (if any) 020 8356 5432
E-mail address (optional) environmental.protection@hackney.gov.uk

**This application to review relates to the following licensing objective(s)**

Please tick one or more boxes

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

-

**Please state the ground(s) for review (please read guidance note 2)**

The application to review the premises licence for the London Tavern - 92 Rendlesham Road, London E5 8PA has been brought on the grounds of the licensing objective the prevention of public nuisance.

Loud amplified music emanating from the establishment.



**Please provide as much information as possible to support the application**  
(please read guidance note 3)

Please refer to attachment A and the appendixes 1 - 11

Please tick ✓

yes

Have you made an application for review relating to the premises before

If yes please state the date of that application

Day	Month	Year
07	12	2021

**If you have made representations before relating to the premises please state what they were and when you made them**

No previous representation has been made.

Please tick

✓ yes

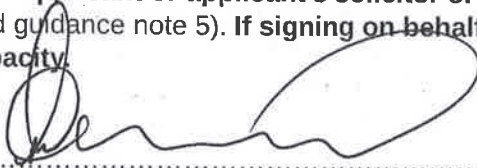
- I have sent copies of this form and enclosures to the responsible authorities and the premises licence holder or club holding the club premises certificate, as appropriate
- I understand that if I do not comply with the above requirements my application will be rejected

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

**Part 3 – Signatures** (please read guidance note 4)

**Signature of applicant or applicant's solicitor or other duly authorised agent** (please read guidance note 5). **If signing on behalf of the applicant please state in what capacity.**

Signature



Date 7th December 2021

Capacity: Senior Environmental Protection Officer

**Contact name (where not previously given) and postal address for correspondence associated with this application** (please read guidance note 6)

Rockwell Charles Rockwell Charles  
Environmental Protection (Noise Team)  
Business Regulation  
London Borough of Hackney  
1 Hillman Street

**Post town**

London

**Post Code**

E8 1DY

**Telephone number (if any)**

**If you would prefer us to correspond with you using an e-mail address your**

**e-mail address (optional)** [environmental.protection@hackney.gov.uk](mailto:environmental.protection@hackney.gov.uk) or [rockwell.charles@hackney.gov.uk](mailto:rockwell.charles@hackney.gov.uk)

## Attachment A

### Application for the Review of the Premises Licence

#### London Tavern - 92 Rendlesham Road, London E5 8PA.

This application for a review of the premises licence was instigated by the London Borough of Hackney's Environmental Protection (Noise Team) under the licensing objective the prevention of public nuisance.



The London Tavern - 92 Rendlesham Road, London E5 8PA

London Tavern Pub is located on the ground floor of a three storey terraced building at the intersection of Rendlesham Road and Kenninghall Road, London E5. It directly overlooks residential flats ranging from 7 to 4 storeys in height on Rendlesham Road and Kenninghall Road. The local area could be considered mixed-use, but it's make up is predominantly residential. The environmental noise climate in the area during the daytime is made up of sporadic road traffic noise, low level construction activities, accompanied at times by noise from children playing at St Scholastica's Catholic Primary School and Benthal Primary School which is 27m to east and 48m to the southwest of the London Tavern respectively. During the evening period the background noise level is noticeably lower.

The venue, which benefits from a premises licence [please see **Appendix 1**], operates regulated entertainment, in the form of recorded music from;

Mon, Tue & Wed	11:00 - 23:30hrs.
Fri & Sat	11:00 - 00:30hrs
Sun	12:00 - 23:30hrs.

The two noise conditions (9 & 10) attached to the licence stipulates;

*9. Outside drinking area will not be used after 23:00 hours.*

*10 Amplified and/ or live music shall not be played at a level that is likely to cause a nuisance to nearby residents.* [please see **Appendix 1**]

Environmental Protection has received ongoing noise complaints regarding loud amplified music emanating from the internal area of the pub and from the external speakers affixed to the building. Over a 6 months period between 14th May 2021 to 22nd November 2021, I can confirm that Environmental Protection has received 29 official noise complaints from 10 separate residents regarding loud amplified music. A summary of the 29 noise complaints has been provided within this submission. [please see **Appendix 2**]

Environmental Protection has recognised the detrimental effect the hospitality sector has suffered under the Covid-19 lockdown restrictions. In light of this and with the reopening of pubs with gardens and outdoor spaces on 12th April 2021, Environmental Protection has successfully engaged with a number of licensed venues in ensuring that their licensing objective, the prevention of public nuisance, is met, when official complaints of noise are made.

Environmental Protection received the initial complaint of noise nuisance regarding loud amplified music emanating from the London Tavern on 14th May 2021. In response to this complaint a Senior Environmental Protection Officer visited the London Tavern on **5th June 2021 at 22:00hrs**. On arrival the officer observed loud amplified music sounding throughout the residential surroundings. The music emanating from the open doors of the pub was intrusively loud whilst the officer stood 25m away on the opposite side of Kenninghall Road.

The officer entered the London Tavern on the night and asked the bar staff for the premises licence holder. The officer was directed to an elderly white male who refused to give his name on the officer's request. As the music in the pub was too

loud, the individual led the officer outside the pub so that they could converse at a normal level. The officer introduced himself and attempted several times to explain the reason he was there. The officer also attempted to explain that the music was currently being played at an unreasonably loud volume. The man, who again refused to give his name on request, became increasingly agitated and remarked words to the effect " I know who complained, I will sort them out". The man was shortly joined by two other patrons from the pub who both became aggressive and verbally abusive to the officer. Due to safety reasons the officer had to curtail his visit. Before departing the officer informed the man that he would be writing to the Premises Licence Holder about the incident [Please see **Appendix 3**]

An account of this incident was logged and forwarded to the relevant sections of the Council due to concerns of health & safety, potential breaches of planning, licensing, Covid requirements and noise nuisance. [Please see **Appendix 4**]

Since the officer's intervention on the 5th June 2021 there have been a further 26 official complaints of loud amplified music registered against the London Tavern. It can be noted from the noise complaint summary that different households complained simultaneously about loud amplified music on 21st & 29th June, 20th July, 21st August and the 8th October 2021. [Please see **Appendix 2**] There is even a noise complaint posted on London Tavern's Facebook page from a neighbour dated Tuesday 20th July 2021 at 23:30hrs, pleading for them to turn the music down. [Please see **Appendix 5 &6**]

An Environmental Protection Officer visited the vicinity of the London Tavern on **15th October 2021 at 23:30hrs**. On parking his vehicle approximately 50m away from the London Tavern on Rendlesham Road he could hear loud amplified music sounding throughout the residential surroundings.[please see **Appendix 7**] The music was being played at such a loud level from the London Tavern, that the officer was able to identify the song "Can I kick it" by the artist A Tribe Called Quest playing. The officer approached the pub and confirmed that the external speakers were in operation and were the source of the noise [please see **Appendix 8**]. A short video of the noise was recorded on the night which will be presented in the licensing sub-committee hearing.

As the Senior Environmental Protection Officer responsible for the Hackney Downs ward, I have inspected the documentary records on the file relating to London Tavern 92 Rendlesham Road E5 8PA. I can confirm that Environmental Protection has received 29 noise complaints from 10 separate residents regarding loud amplified music over a 6 month period from 14th May 2021 to 22nd November 2021. These

noise complaints regarding loud amplified music have not been substantiated as a nuisance under statutory provisions of the Environmental Protection Act 1990. Nevertheless the complaints registered by the large number of different complainants and the evidence independently witnessed by the officer on the **5th June 2021 at 22:00hrs** and **15th October 2021 at 23:30hrs**, confirms that the music from the London Tavern has been indiscriminately loud so as to affect a cross-section of the residential community and hence a public nuisance.

To conclude, this matter has been ongoing and brought to the attention of the management of the London Tavern on 5th June 2021 and to the premises licence holder on 25th June 2021. The premises licence holder has had ample time to resolve this matter on his own initiative and has chosen not to engage with the Senior Environmental Protection Officer responsible for the Hackney Downs ward. A further letter dated 26th October 2021 [please see **Appendix 10**] was sent to the Premises Licence Holder advising that further noise complaints had been received and Environmental Protection would be now seeking a review of the Premises Licence. The premises licence holder has shown little regard to neighbouring premises who are now also personally seeking a review of the premises licence for the London Tavern [please see **Appendix 11**]

There has been substantial evidence showing the ineffectiveness in controlling the music noise level emanating from the London Tavern with respect to recorded music. A review of the premises licence is fair and just, to ensure that the licensing objective the prevention of public nuisance is achieved and maintained.

## RECOMMENDATIONS

### **1) Modify and exclude a licensable activity from the Premises Licence.**

Under section 177A(3) of the Licensing Act 2003, I request to lift the suspension of relevant conditions and give renewed effect to recorded music as regulated entertainment between 08:00hrs to 23:00hrs. I then further seek under sections 177A(4) and 52(4)(b) to remove Recorded music in its entirety as a licensable activity from the premises licence.





**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-0647

**Part 1 – Premises details**

The London Tavern  
92 Rendlesham Road  
Hackney  
London  
E5 8PA  
020 8533 7854

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

Not Applicable

**Licensable activities authorised by the licence**

Recorded Music  
Supply of Alcohol

**The times the licence authorises the carrying out of Licensable activities**  
**Standard Hours:**

**Recorded**

<b>Music</b> (Recorded	Mon 11:00-23:30
music (Karaoke, Juke	Tue 11:00-23:30
box and sound	Wed 11:00-23:30
system, occasional	Fri 11:00-00:30
DJ on days of	Sat 11:00-00:30
applicant's	Sun 12:00-23:30
discretion)	

**Supply of Alcohol Standard Hours:**

Mon 11:00-23:30  
Tue 11:00-23:30  
Wed 11:00-23:30  
Thu 11:00-23:30  
Fri 11:00-00:30

**APPENDIX 1**



Sat 11:00-00:30  
Sun 12:00-23:30

**Non-Standard Hours:**

Extension on the above by one hour on Bank Holiday  
Weekends (Friday to Monday), Christmas Eve, Boxing Day &  
Special Event Days

**The opening hours of the premises**

**Standard Hours:**

Mon 11:00-00:00  
Tue 11:00-00:00  
Wed 11:00-00:00  
Thu 11:00-00:00  
Fri 11:00-01:00  
Sat 11:00-01:00  
Sun 12:00-00:00

**Non-Standard Hours:**

Extension the above by one hour on Bank Holiday  
Weekends (Friday to Monday), Christmas Eve, Boxing Day &  
Special Event Days

**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**

Mr Thomas Joseph Kearns  
The London Tavern  
92 Rendlesham Road  
Hackney  
London  
E5 8PA

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

Not Applicable

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

Mr Thomas Joseph Kearns

**Personal licence number and issuing authority of personal licence held by designated premises supervisor where the premises licence authorises the supply of alcohol**

**Licence No:** LBH-PER-T-0540  
**Issuing Authority:** Hackney

**Date of Grant:** 24 November 2005

**Signed:**

**David Tuitt**  
**Team Leader - Licensing**

**APPENDIX 1**

## **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.**

Children will be accompanied by their parents or guardian. **Conditions**

**derived from Responsible Authority representations 9.** Outside

drinking area will not be used after 23:00 hours.

10. Amplified and/or live music shall not be played at a level that is likely to cause a nuisance to nearby residents.

**Annex 3 – Conditions attached after a hearing by the licensing authority Not**

Applicable

**Annex 4 – Plans**

PLAN/LBH-PRE-T-02082005

**Noise complaint Summary**  
**The London Tavern - 92 Rendlesham Road E5 8PA**

**APPENDIX 2**

No.	Date & time	Complainant's address	Type of noise	Noise source	Action taken
1	14/05/21 at 15:44hrs (Fri)	Complainant 1 Kenninghall Road E5	Noise from patrons using the beer garden past midnight and LAM from inside the pub as the doors are left opened.	The London Tavern 92 Rendlesham Rd E5 8PA	5/6 Visited the TLT, complt updated on 11/6. 25/6 letter sent to alleged offender [AO] and complt updated.
2	15/05/21 at 19:47hrs (Sat)	Complainant 2 Rendlesham Rd E5	This pub has built outdoor seating for its customers. They do not sit and drink, the sit and scream and drink	The London Tavern 92 Rendlesham Rd E5 8PA	5/6 Visited the TLT, complt updated on 11/6. 25/6 letter sent to AO and complt updated.
3	13/06/21 at 21:11hrs (Sun)	Not given	LAM TLT pub has installed speakers outside without planning permission There is very loud music persistently being played until they close.	The London Tavern 92 Rendlesham Rd E5 8PA	25/6 Email updating complt sent.
4	13/06/21 at 22:08hrs (Sun)	Complainant 3 Kenninghall Road E5	Outdoor speakers playing loud music from The London Tavern pub.	The London Tavern 92 Rendlesham Rd E5 8PA	5/6 Visited the TLT. 25/6 letter sent to alleged AO.
5	20/06/21 at 00:36hrs (Sun)	Complainant 4 Kenninghall Road E5	LAM - it's constantly open after 11 pm with loud music and people outside. Very loud	The London Tavern 92 Rendlesham Rd E5 8PA	25/6 Email sent to complt updating them on the action taken.
6	21/06/21 at 19:33hrs (Mon)	Complainant 5 Kenninghall Road E5	LAM TLT pub recently installed several amplified speakers on the outside of the building with volume to a max	The London Tavern 92 Rendlesham Rd E5 8PA	25/6 Email sent to complt updating them on the action taken.
7	21/06/21 at 19:45hrs (Mon)	Complainant 6 Kenninghall Road E5	LAM They blare music on outside speakers at all different times of the day.	The London Tavern 92 Rendlesham Rd E5 8PA	25/6 Email sent to complt updating them on the action taken.



## Noise complaint Summary

## APPENDIX 2

### The London Tavern - 92 Rendlesham Road E5 8PA

No.	Date & time	Complainant's address	Type of noise	Noise source	Action taken
8	29/06/21 at 20:19hrs (Tue)	Complainant 7 Kenninghall Rd, E5	LAM Multiple times a week the pub plays loud music with the doors wide open so that sounds can be heard for customers drinking outside	The London Tavern 92 Rendlesham Rd E5 8PA	19/7 Called and emailed complt updating them on the next course of action.
9	29/06/21 at 22:21hrs (Tue)	Complainant 5 Kenninghall Rd E5	LAM Ongoing loud music in the outdoor area off the pub	The London Tavern 92 Rendlesham Rd E5 8PA	19/7 Called and emailed complt updating them on the next course of action.
10	29/06/21 at 21:13hrs (Tue)	Complainant 2 Rendlesham Rd E5	LAMT LT is playing loud music, outside of the pub. This has happened yesterday, Monday, 28 June and today, 29 June.	The London Tavern 92 Rendlesham Rd E5 8PA	19/7 Called and emailed complt updating them on the next course of action.
11	20/07/21 at 20:01hrs (Tue)	Complainant 8 Kenninghall Road E5	LAM They blast music daily which inhibits ability to work and general calls. Additionally, the clientele are regularly loud and often are outside until after 12am even on weeknights.	The London Tavern 92 Rendlesham Rd E5 8PA	18/08 emailed complt updating them on the next course of action.
12	20/07/21 at 21:14hrs (Tue)	Complainant 9 Kenninghall Road E5	LAM - blasting music outside most evenings. It's a Tuesday evening, and they're playing loud music, which means I can't open my front windows on this hot evening.	The London Tavern 92 Rendlesham Rd E5 8PA	18/08 Email sent to complt updating them on the next course of actions..
13	07/08/21 at 22:51hrs (Sat)	Complainant 5 Kenninghall Road E5	LAM - 10pm onwards, extremely loud music/live music coming from the venue	The London Tavern 92 Rendlesham Rd E5 8PA	Complaint logged no further action taken

## APPENDIX 2

### Noise complaint Summary

#### The London Tavern - 92 Rendlesham Road E5 8PA

No.	Date & time	Complainant's address	Type of noise	Noise source	Action taken
14	21/08/21 at 22:53hrs (Sat)	Complainant 5 Kenninghall Road E5	LAM - The London Tavern seems to have recently installed several amplified speakers on the outside of the building with volume to a max	The London Tavern 92 Rendlesham Rd E5 8PA	Complaint logged no further action taken
15	21/08/21 at 22:05hrs (Sat)	Complainant 7 Kenninghall Road E5	Friday 19th August, 18:45 Very loud music played with doors wide open - specifically a song called 'F*** You' by Lily Allen,	The London Tavern 92 Rendlesham Rd E5 8PA	Complaint logged no further action taken
16	05/09/21 at 20:51hrs (Sun)	Complainant 10 Rendlesham Road E5	LAM - Loud music being played from inside the London Tavern pub. Crowd outside shouting, singing, cheering loudly.	The London Tavern 92 Rendlesham Rd E5 8PA	Complaint logged no further action taken
17	11/09/21 at 20:28hrs (Sat)	Complainant 7 Kenninghall Road E5	LAM - Very loud music played from inside the pub, doors wide open and speaker mounted on wall outside playing to the outside tables. Often loud music from this time carries on until closing time and often past 11pm, as late as 2:30am in the past.	The London Tavern 92 Rendlesham Rd E5 8PA	Complaint logged no further action taken
18	18/09/21 at 21:49hrs (Sat)	Complainant 5 Kenninghall Road E5	LAM - Excessive loud music played in outdoor area since 7pm	The London Tavern 92 Rendlesham Rd E5 8PA	Complaint logged no further action taken
19	18/09/21 at 23:10hrs (Sat)	Complainant 5 Kenninghall Road E5	LAM - Excessive loud music played in outdoor area since 7pm	The London Tavern 92 Rendlesham Rd E5 8PA	Complaint logged no further action taken



## APPENDIX 2

### Noise complaint Summary

#### The London Tavern - 92 Rendlesham Road E5 8PA

No.	Date & time	Complainant's address	Type of noise	Noise source	Action taker
20	25/09/21 at 00:35hrs (Sat)	Complainant 5 Kenninghall Road E5	LAM - from external speakers	The London Tavern 92 Rendlesham Rd E5 8PA	Complaint logged no further action taken
21	26/09/21 at 18:39hrs (Sun)	Complainant 5 Kenninghall Road E5	LAM - Extremely loud played in the outdoor area.	The London Tavern 92 Rendlesham Rd E5 8PA	Complaint logged no further action taken
22	01/10/21 at 22:10hrs (Fri)	Complainant 5 Kenninghall Road E5	LAM - Excessive loud music played in the outdoor area of the pub.	The London Tavern 92 Rendlesham Rd E5 8PA	6/10 Email sent to complt acknowledging receipt of complaint and update given
23	08/10/21 at 23:17hrs (Fri)	Complainant 5 Kenninghall Road E5	LAM - from loud speaker installed on the outside of the pub	The London Tavern 92 Rendlesham Rd E5 8PA	Complaint logged NFA
24	08/10/21 at 23:56hrs (Fri)	Complainant 9 Kenninghall Road E5	It's nearly midnight and the London Tavern are blasting out music. It was a bit quieter after about 11:15pm then it got louder again. I've lived on Kenninghall Road since 2012 and pre-pandemic they weren't this disruptive with noise disturbance.	The London Tavern 92 Rendlesham Rd E5 8PA	17/10 Emailed complt informing them at a letter was sent to PLH - regarding further complaints and the application to review their Premises Licence
25	08/10/21 at 23:56hrs (Fri)	Complainant 2 Rendlesham Rd E5	Pub has built outdoor seating for its customers. They do not sit & drink, they sit and scream & drink. This goes on day in, day out.	The London Tavern 92 Rendlesham Rd E5 8PA	6/10 Emailed complt acknowledging their noise complaint and advised them on the next course of action.

## APPENDIX 2

### Noise complaint Summary The London Tavern - 92 Rendlesham Road E5 8PA

No.	Date & time	Complainant's address	Type of noise	Noise source	Action taken
26	11/10/21 at 12:50hrs (Mon)	Complainant 1 Kenninghall Road E5	The pub has built a beer garden over the last 12 months. Since pubs have reopened, it has been staying open past midnight from Fri-Sunday, and past 2300 on Thursdays. There is a lot of noise from patrons in the garden, but also from music which the pub plays inside, but keeping the doors open and letting the noise escape.	The London Tavern 92 Rendlesham Rd E5 8PA	13/10 Emailed complt acknowledging their noise complaint and advised them on the next course of action.
27	15/10/21 at 22:11 hrs (Fri)	Complainant 3 Kenninghall Road E5	Outdoor speakers playing loud music from The London Tavern pub from evenings 7days a week.	The London Tavern 92 Rendlesham Rd E5 8PA	26/10 Letter delivered to PLH advising of further noise complaints & option to review their Premises Licence
28	16/10/21 at 22:44hrs (Sat)	Complainant 5 Kenninghall Road E5	LAM - from loud speaker installed on the outside of the pub	The London Tavern 92 Rendlesham Rd E5 8PA	26/10 Letter delivered to PLH advising of further noise complaints & option to review theirPremises Licence
29	22/11/21 at 12:26hrs	Complainant 3 Kenninghall Road E5	Please refer to email in Appendix 11	The London Tavern 92 Rendlesham Rd E5 8PA	02/12 Contacted complt and asked to include email as part of the review evidence.



Environmental Health Team  
Business Regulation  
Public Realm  
London Borough of Hackney,  
Hackney Service Centre,  
1 Hillman Street,  
London E8 1DY

Mr Thomas Joseph Kearns  
**The London Tavern**  
92 Rendlesham Road  
London E5 8PA

25th June 2021

Dear Mr T J Kearns,

**RE: Environmental Protection Act 1990 Section 80, Allegation of Noise Nuisance from The London Tavern 92 Rendlesham Road, London E5 8PA.**

I write further to my visit to your establishment on 5th June 2021 at 10pm. I was approached on the night by an elderly white man who came forth as the premises licence holder, but refused to give his name upon my requests. I tried successively to explain that the Council had received official complaints about noise nuisance caused by raised voices from your external seating area and the playing of music within your pub. However, this individual became extremely agitated, disruptive, threatening and verbally abusive towards me, even though I pointed out that the music level being played at the time was prominent on the opposite side of Kenninghall Road.

Due to the highly aggressive and abusive behaviour displayed by this individual I curtailed my visit. I must inform you that under section 28 of the London Local Authorities Act 1996, any person that intentionally obstructs any authorised officer acting in the exercise of their powers or fails to give any authorised officer any assistance or information which the officer may reasonably be required in line with their duties is guilty of an offence and liable on summary conviction to a fine not exceeding level 3 on the standard scale.

I have now received further complaints of noise. I must advise you that if it is confirmed by myself or another authorised Council Officer that you are causing a nuisance you will be served with a Noise Abatement Notice. Breach of such a notice is a criminal offence which would render you liable for prosecution and, if convicted, an unlimited fine and a criminal record being imposed.

The London Tavern currently benefits from a premises licence which authorises licensable activities. This licence granted, regulated and enforced by the London Borough of Hackney has conditions attached to ensure that the licensing objective the prevention of public nuisance is promoted. May I ask you to refer to Condition 10 below;

***Amplified and /or live music shall not be played at a level that is likely to cause a nuisance to nearby residents.***

If further complaints are received, Environmental Protection as a responsible authority as well as local residents shall have no other option than to seek to apply for a review of your premises licence on the grounds of public nuisance. I sincerely hope that you will now take measures to ensure that no further nuisance is caused.

If you believe that I can be of assistance to you, please do not hesitate to contact me by email.

**Mr Rockwell Charles**  
Senior Environmental Protection Officer  
Environmental Protection Team  
London Borough of Hackney  
Email: [rockwell.charles@hackney.gov.uk](mailto:rockwell.charles@hackney.gov.uk)

C.C Entertainment Licensing



Rockwell Charles <rockwell.charles@hackney.gov.uk>

## Environmental Protection Act 1990, allegations of noise nuisance from - The London Tavern PH - 92 Rendallsham Road E5 8PA

Rockwell Charles <rockwell.charles@hackney.gov.uk>

To: "Covid Response Team (Shared Mailbox)" <covidresponseteam@hackney.gov.uk>, "Licensing (Shared Mailbox)" <licensing@hackney.gov.uk>

Dear All,

Environmental Protection has received official complaints of noise nuisance caused by loud amplified music [L-AM] and raised voices, emanating from the above premises.

As part of my investigation I visited the Public House[PH] on 5th June 2021 at 10pm to discuss the allegation with the PLH or DPS. On arrival I observed whilst standing directly outside 24 Kenninghall Road, approx. 20m way from the PH, a pronounced bass beat from the music. There was also raised voices from the large number of people drinking and socialising in the newly built external seating area.

I approached the bar and asked to speak to the PLH/DPS, to which an elderly white male who was sitting by the bar responded. I introduced myself and showed my identification and tried talking to him, but he could not hear me over the music.

He asked me to follow him outside the pub and asked me to remove my facemask as he could not still make out all the words I was saying.

I explained that the volume of the music and voices would have given rise to that and refused to remove my facemask for obvious reasons. The man who refused to give his name when asked twice became extremely irate when I explained that the Council had received official noise complaints, regarding loud amplified music and voices from the newly installed outdoor seating area.

He threatened that he would sort out the complainant and didn't allow me to talk or explain the reason behind my visit.

Two men joined him from the bar who tried to join in the one way discussion.

I was asked to leave my business card, but I explained I did not have one. I was then asked to accompany the man back into the bar to leave my details.

Under the circumstances I refused to re-enter the bar, but produced my i.d, the elderly white man told me to "fuck off" as well as one of the two men that accompanied him.

I explained that I will be writing to the establishment about the noise as well as the incident.

Follow up Action

- 1) Licensing - Can you confirm that the newly constructed external seating area is lawful?
- 2) CRT - Can an unannounced visit be undertaken - I recall a number of people sitting down inside the bar at the time, loud music and absence of facemasks

**Mr Rockwell Charles**

Senior Environmental Protection Officer

Environmental Protection Team

Environmental Health

Business Regulation

Public Realm

London Borough of Hackney

1 Hillman Street

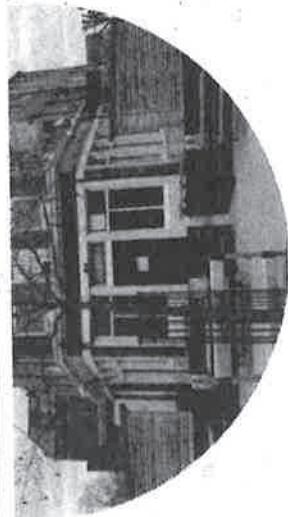
London E8 1DY

E: rockwell.charles@hackney.gov.uk

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**The London Tavern** Message Now Like ...



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**Francie Clik**

I've tried to call the pub to make a polite request that on weeknights you turn the music down after 11pm. We have hardly slept in our block opposite and we support the pub at weekends or reasonable hours. Please could you kindly consider it? I can't actually see anyone in the pub currently and the music is blasting at 11.30 on a Tuesday. I'd appreciate an email address or contact of the person in charge. I trust you have the correct licenses to be playing music at this hour in a built up area?

10 Like Comment Share 3 comments 1 share

[https://www.facebook.com/francie.clark?comment\\_id=129164954404200&reply\\_id=129164954404200&comment\\_text=I've%20tried%20to%20call%20the%20pub%20to%20make%20a%20polite%20request%20that%20on%20weeknights%20you%20turn%20the%20music%20down%20after%2011pm.%20We%20have%20hardly%20slept%20in%20our%20block%20opposite%20and%20we%20support%20the%20pub%20at%20weekends%20or%20reasonable%20hours.%20Please%20could%20you%20kindly%20consider%20it%3F%20I%20can%20t%20actually%20see%20anyone%20in%20the%20pub%20currently%20and%20the%20music%20is%20blasting%20at%2011.30%20on%20a%20Tuesday.%20I%20d%20appreciate%20an%20email%20address%20or%20contact%20of%20the%20person%20in%20charge.%20I%20trust%20you%20have%20the%20correct%20licenses%20to%20be%20playing%20music%20at%20this%20hour%20in%20a%20built%20up%20area%3F](https://www.facebook.com/francie.clark?comment_id=129164954404200&reply_id=129164954404200&comment_text=I've%20tried%20to%20call%20the%20pub%20to%20make%20a%20polite%20request%20that%20on%20weeknights%20you%20turn%20the%20music%20down%20after%2011pm.%20We%20have%20hardly%20slept%20in%20our%20block%20opposite%20and%20we%20support%20the%20pub%20at%20weekends%20or%20reasonable%20hours.%20Please%20could%20you%20kindly%20consider%20it%3F%20I%20can%20t%20actually%20see%20anyone%20in%20the%20pub%20currently%20and%20the%20music%20is%20blasting%20at%2011.30%20on%20a%20Tuesday.%20I%20d%20appreciate%20an%20email%20address%20or%20contact%20of%20the%20person%20in%20charge.%20I%20trust%20you%20have%20the%20correct%20licenses%20to%20be%20playing%20music%20at%20this%20hour%20in%20a%20built%20up%20area%3F)

Sign out 19:47



10 >



Most relevant ▾



**Francie Clk**

I've tried to call the pub to make a polite request that on weeknights you turn the music down after 11pm. We have hardly slept in our block opposite and we support the pub at weekends or reasonable hours. Please could you kindly consider it? I can't actually see anyone in the pub currently and the music is blasting at 11.30 on a Tuesday. Id appreciate an email address or contact of the person in charge. I trust you have the correct licenses to be playing music at this hour in a built up area?

18w Like Reply



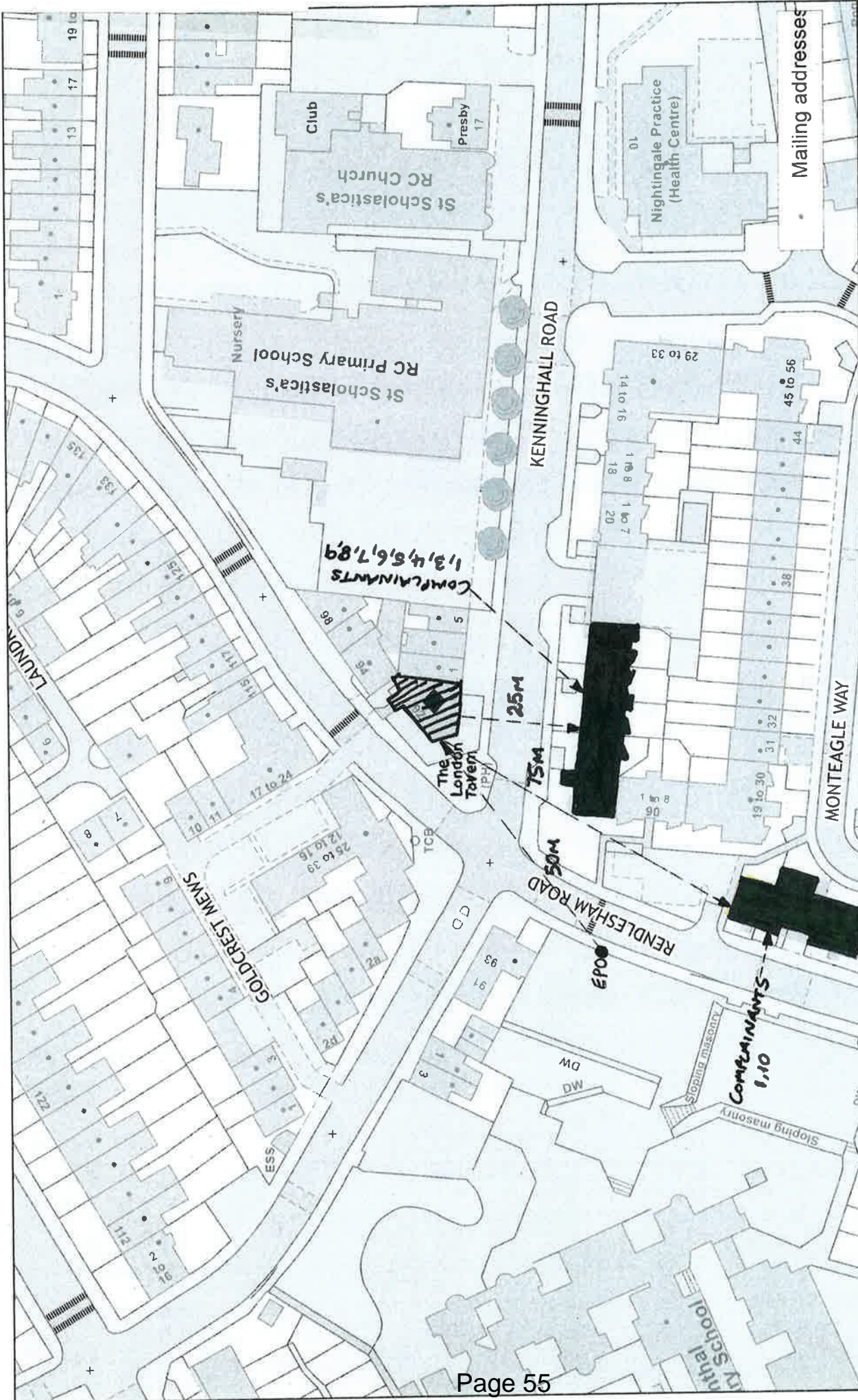
**The London Tavern** Francie Clk hi, I am sorr...

**View 1 more reply...**

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London Tavern - 92 Rendlesham Road E5 8PA



Scale: 1:1000 at A4



Produced by: unspecified

Ref:

Thursday, December 2, 2021

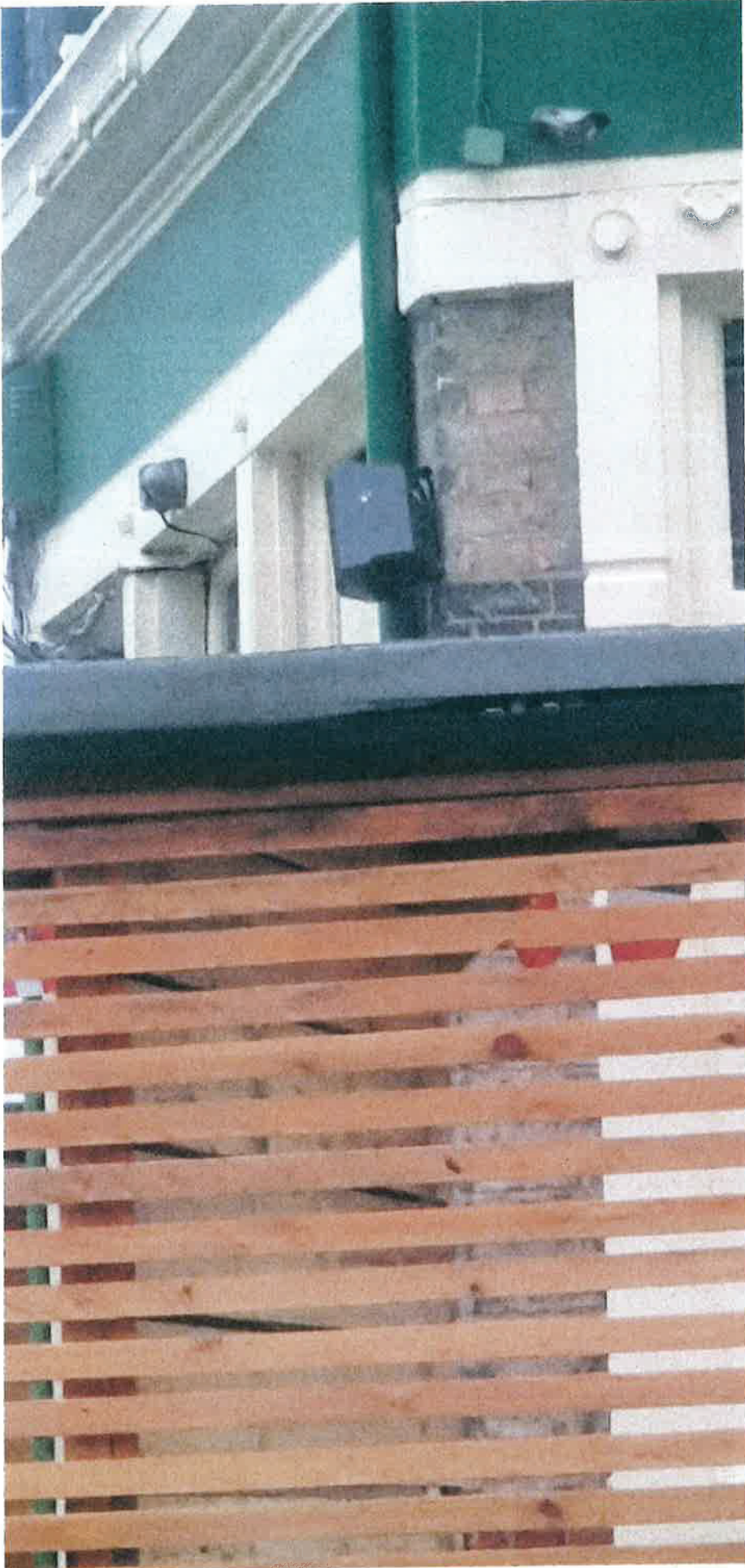
email:

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Environmental Health Team  
Business Regulation  
Public Realm  
London Borough of Hackney,  
Hackney Service Centre,  
1 Hillman Street,  
London E8 1DY

Mr Thomas Joseph Kearns  
**The London Tavern**  
92 Rendlesham Road  
London E5 8PA

26th October 2021

Dear Mr T J Kearns,

**RE: Environmental Protection Act 1990 Section 80, Allegation of Noise Nuisance from The London Tavern 92 Rendlesham Road, London E5 8PA.**

I write further to my letter dated 25th June 2021 explaining to you that the Council had received official complaints about noise nuisance caused by raised voices from your external seating area and the playing of loud amplified music from your pub.

Environmental Protection have now received further complaints from residents of noise caused by the playing of loud amplified music within your pub and from the external speakers affixed to the building. The volume of the music emanating from your establishment has been loud and intrusive enough to indiscriminately affect a cross section of neighbouring residential properties.

You were advised in writing on 25th June 2021 that if further complaints were received, that Environmental Protection as a responsible authority as well as local residents shall have no other option than to seek a review of your premises licence on the grounds of public nuisance. Environmental Protection and your neighbours have expressed concerns over the operation of your premises licence, especially in upholding the licensing objective the prevention of public nuisance.

Your premises licence granted, regulated and enforced by the London Borough of Hackney has conditions attached to ensure that the licensing objective the prevention of public nuisance is promoted. Condition 10 requires that;

*"Amplified and /or live music shall not be played at a level that is likely to cause a nuisance to nearby residents."*

Due to evidence of non-compliance and continued complaints of noise nuisance, Environmental Protection is informing you of an application to seek a review of your premises licence.

If you believe that I can be of assistance to you, please do not hesitate to contact me by email.

**Mr Rockwell Charles**  
Senior Environmental Protection Officer  
Environmental Protection Team  
London Borough of Hackney  
Email: [rockwell.charles@hackney.gov.uk](mailto:rockwell.charles@hackney.gov.uk)

C.C Entertainment Licensing

**Environmental Protection Act 1990 Section 80, Noise Nuisance from The London Tavern 92 Rendlesham Road, London E5 8PA. (Planning Application 2021/2809)**

22 November 2021 at 12:..

To: "rockwell.charles@hackney.gov.uk" <rockwell.charles@hackney.gov.uk>, "Planning@Hackney.gov.uk" <Planning@hackney.gov.uk>, "Licensing (Shared Mailbox)" <licensing@hackney.gov.uk>

Good morning all

I'm writing regarding persistent nuisance from the London Tavern 92 Rendlesham Road E5 8PA - Previous correspondence with the Environmental Protection Officer is below. I have copied the Environmental Health, Planning and Licensing departments as I believe this matter is pertinent to all three areas.

There continues to be regular instances of nuisance arising from the licensed premises. I provide here a link to several videos as evidence <https://we.tl/t-5pkbYnSMJo>, as you can see, this is audible from long distances. There has also been instances of violence from the premises which has resulted in multiple police attendances. I have reported several (but my no means all) instances of nuisance via the council "Fix My Street" platform.

Furthermore, the premises continues to use outdoor seating booths and speakers which were subject to planning applications 2021/1193 and 2021/2809 and respectively refused on the grounds of adverse noise and disturbance to the detriment of the residential amenity of surrounding properties, contrary to Policy D14 (Noise) of the London Plan 2021. Enforcement Notice 2020/3123/ENF was issued 29/10/2021 however the applicant has not taken action pursuant to the notice.

- Under the The Licensing Act 2003 I request a review of the premises licence on the grounds of the prevention of public nuisance.
- Under The Environmental Protection Act 1990 Section 80 I request enforcement action is taken against the licence holder on the same grounds.

I detailed reply to these concerns and requests would be appreciated, including enforcement action the council intends to take.

Many thanks



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

Licensing Service  
1 Hillman Street  
London E8 1DY

**PART A – PREMISES LICENCE**

**Premises Licence Number**

LBH-PRE-T-0647

**Part 1 – Premises details**

The London Tavern  
92 Rendlesham Road  
Hackney  
London  
E5 8PA  
020 8533 7854

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

Not Applicable

**Licensable activities authorised by the licence**

Recorded Music  
Supply of Alcohol

**The times the licence authorises the carrying out of Licensable activities**

**Recorded Music      Standard Hours:**

**Premises:**      Mon 11:00-23:30  
                         Tue 11:00-23:30  
                         Wed 11:00-23:30  
                         Fri 11:00-00:30  
                         Sat 11:00-00:30  
                         Sun 12:00-23:30

**Non-Standard Hours:**

Recorded music (Karaoke, Juke box and sound system,  
occasional DJ on days of applicant's discretion)



**Supply of Alcohol      Standard Hours:**

**Premises:**

Mon 11:00-23:30  
Tue 11:00-23:30  
Wed 11:00-23:30  
Thu 11:00-23:30  
Fri 11:00-00:00  
Sat 11:00-00:00  
Sun 12:00-23:30

**The opening hours of the premises**

**Standard Hours:**

Mon 11:00-00:00  
Tue 11:00-00:00  
Wed 11:00-00:00  
Thu 11:00-00:00  
Fri 11:00-01:00  
Sat 11:00-01:00  
Sun 12:00-00:00

**Non-Standard Hours:**

Extension the above by one hour on Bank Holiday  
Weekends (Friday to Monday), Christmas Eve, Boxing Day  
& Special Event Days

**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**

Mr Thomas Joseph Kearns  
The London Tavern  
92 Rendlesham Road  
Hackney  
London  
E5 8PA

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

Not Applicable

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

Mr Thomas Joseph Kearns

**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:** 24 November 2005

**Signed:**

**David Tuitt  
Team Leader - Licensing**

## Annex 1 - Mandatory Conditions

### Supply of Alcohol

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

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

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

#### Minimum Drinks Pricing

7. 7.1 A relevant person shall ensure that no alcohol is sold or supplied for consumption on or off the premises for a price which is less than the permitted price.
- 7.2 For the purposes of the condition set out in paragraph 7.1 above



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

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

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

Where -

(i) P is the permitted price,

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

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

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

(i) the holder of the premises licence,

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

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

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

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

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

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

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

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

8. Children will be accompanied by their parent or guardian.

**Conditions derived from Responsible Authority representations**

9. Outside drinking area will not be used after 23:00 hours.

10. Amplified and/or live music shall not be played at a level that is likely to cause a nuisance to nearby residents.

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

Not Applicable

**Annex 4 – Plans**

PLAN/LBH-PRE-T-0647/02082005

## APPENDIX C

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

#### RESPONSIBLE AUTHORITY DETAILS

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

#### APPLICATION PREMISES

Premises	The London Tavern 92 Rendlesham Road London E5 8PA
Applicant	Rockwell Charles (on behalf of Environmental Protection)

#### COMMENTS

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

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

I write in relation to the application to review the premises licence issued in respect of the above. The application is made on behalf of the Environmental Protection Service following a series of noise nuisance complaints and what appears to be a failure of the licensee to take remedial action. The Environmental Protection Service is of the opinion that the licensing objective relating to the prevention of public nuisance is being undermined due to the nature and number of complaints received. It appears that the licensee has further aggravated the problem by installing loud speakers to the exterior of the building.

Further to the above it appears also that the construction of external seating areas has exacerbated the nuisance. The Sub-Committee should note that there have been two planning applications (ref: 2021/1193 and 2021/2809) refused in respect of the seating areas constructed externally. The letters confirming refusal of the planning applications have been attached for information. Attention is drawn to the reasons for refusal which include "...increased activity in close proximity to residential properties, would result in adverse noise and disturbance to the detriment of the residential amenity of surrounding properties...". Information from the Planning Service suggests enforcement action is ongoing.

Lastly, it should be noted that the guidance issued by the Home Office under s182 of the Licensing Act 2003 states the following:

*11.10 Where authorised persons and responsible authorities have concerns about problems identified at premises, it is good practice for them to give licence holders early warning of their concerns and the need for improvement, and where possible they should advise the licence or certificate holder of the steps they need to take to address those concerns. A failure by the holder to respond to such warnings is expected to lead to a decision to apply for a review. Co-operation at a local level in promoting the licensing objectives should be encouraged and reviews should not be used to undermine this cooperation.*

The Environmental Protection Service has demonstrated that despite the matter being raised with the licensee on 5th and 25th June 2021, numerous complaints were received subsequently.

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

The Licensing Act 2003, guidance issued by the Home Office under s182 of the Licensing Act 2003

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

The Environmental Protection Service has made a recommendation which is supported. However, due to the nature of the ongoing public nuisance and the licensee appearing to further aggravate the matter by installing loudspeakers to the exterior along with what appears to be an unauthorised external seating area, I feel it would be justified for the Sub-Committee to take more stringent steps, such as revocation of the premises licence, even in the first instance.

Name: **David Tuitt (Business Regulation Team Leader) - Licensing and Technical Support**

4 January 2022

Mr CHRIS ARNAOUTI

Dear Sir/Madam

**Town and Country Planning Act 1990 (as amended)**  
**Town and Country Planning (Development Management Procedure) (England) Order 2015**

**Application Number:** 2021/1193

**Site Address:** 92 Rendlesham Road, Hackney, London, E5 8PA

**Development Description:** Construction of timber fencing and booths for outdoor seating associated with the London Tavern, along the frontages facing Kenninghall and Rendlesham roads (part retrospective).

Thank you for your recent application for the above address on which a decision has now been made. The decision on your application is attached. Please carefully read all of the information contained in these documents.

Please quote your application reference number in any correspondence with the Council, either by post to the Hackney Planning Service, 2 Hillman Street, London, E8 1FB, by email to [planning@hackney.gov.uk](mailto:planning@hackney.gov.uk), or by phone to 020 8356 8062.

Yours sincerely



**Natalie Broughton**

**Head of Planning and Building Control**  
**Neighbourhoods and Housing**

□



## PLANNING DECISION NOTICE

### Town and Country Planning Act 1990 as amended

### Town and Country Planning (Development Management Procedure) (England) Order 2015

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**Agent:** CHRIS ARNAOUTI

**Applicant:** T Kearns

92 Rendlesham Road  
Hackney  
London  
E5 8PA

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Part 1- Particulars of the Application

**Application No:** 2021/1193

**Date of Application:** 20-04-2021

**Date Validated:** 10-05-2021

**Application Type:** Full Planning Permission

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**Proposal:** Construction of timber fencing and booths for outdoor seating associated with the London Tavern, along the frontages facing Kenninghall and Rendlesham roads (part retrospective).

**Location:** 92 Rendlesham Road, Hackney, London, E5 8PA

**Plan Numbers:** Site location plan, dated 12/04/2021; Site plan, dated 12/04/2021; Existing ground floor plan, dated 12/04/2021; Existing elevations Rev A, dated 10/05/2021; Proposed ground location plan, dated 12/04/2021; Proposed ground floor plan, dated 12/04/2021; Proposed elevations Rev A, dated 10/05/2021; Proposed units-cubicle, dated 12/04/2021; Access and Design statement; Heritage statement

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#### Part 2 – Particulars of Decision: **Refuse**

Notice is hereby given that the London Borough of Hackney as local planning authority in pursuance of its powers under the above mentioned Act and Rules, Orders and Regulations made there under permits the development referred to in Part1, in accordance with the plan(s) submitted and recommend that permission be refused for the following reason(s).

#### **Refusal reason(s):**

**1-**The proposed development would, by reason of scale, massing and siting, result in uncharacteristic and unsympathetic additions detrimental to the character, appearance and setting of the non-designated heritage asset and the surrounding streetscene, contrary to policies D3 and HC1 of the London Plan and LP1 and LP4 of Hackney's LP33.

**2-**The proposed development would, by reason of increased activity in close proximity to residential properties, result in adverse noise and disturbance to the detriment of the residential amenity of surrounding properties, contrary to policy D14 of the London Plan and policy LP2 of Hackney's LP33.

#### **Informative/s:**

**1-**Hackney Planning Service adopts a positive and proactive approach when engaging with applicants / agents in line with the National Planning Policy Framework. As part of our planning process, we endeavour to contact applicants / agents regarding any minor issues that may be able to be resolved during the course of the application, providing an opportunity to submit amendments before a final decision is made. We also encourage the pre-application service to avoid delays as a result of amendments and unforeseen issues during the planning process.

**Date of Decision:** 01-07-2021

Yours sincerely

A handwritten signature in black ink, appearing to read 'Natalie Broughton', written in a cursive style.

**Natalie Broughton**

**Head of Planning and Building Control  
Neighbourhoods and Housing**

□

## **Statement of Applicant's Rights - Appeals to the Planning Inspectorate**

If you are aggrieved by the decision of your local planning authority to refuse permission for the proposed development or to grant it subject to conditions, then you can appeal to the Secretary of State under section 78 of the Town and Country Planning Act 1990. Please carefully read the information provided below as different appeal deadlines will apply depending on the type of application or circumstances relevant to your application.

If this is a decision on a planning application relating to the same or substantially the same land and development as is already the subject of an enforcement notice, if you want to appeal against your local planning authority's decision on your application, then you must do so within 28 days of the date of this notice.

If an enforcement notice is served relating to the same or substantially the same land and development as in your application and if you want to appeal against your local planning authority's decision on your application, then you must do so within: 28 days of the date of service of the enforcement notice, or within 6 months [12 weeks in the case of a householder appeal] of the date of this notice, whichever period expires earlier.

If this is a decision to refuse planning permission for a householder application and you want to appeal against your local planning authority's decision, then you must do so within 12 weeks of the date of this notice.

If this is a decision to refuse planning permission for a minor commercial application and you want to appeal against your local planning authority's decision then you must do so within 12 weeks of the date of this notice.

If this is a decision to refuse express consent for the display of an advertisement and you want to appeal against your local planning authority's decision, then you must do so within 8 weeks of the date of receipt of this notice.

If you want to appeal against your local planning authority's decision and the application refused does not fall within one of the criteria specified above, then you must do so within 6 months of the date of this notice.

Appeals can be made online at: <https://www.gov.uk/planning-inspectorate>. If you are unable to access the online appeal form, please contact the Planning Inspectorate to obtain a paper copy of the appeal form on Tel: 0303 444 5000.

The Secretary of State can allow a longer period for giving notice of an appeal but will not normally be prepared to use this power unless there are special circumstances which excuse the delay in giving notice of appeal.

The Secretary of State need not consider an appeal if it seems to the Secretary of State that the local planning authority could not have granted planning permission for the proposed development or could not have granted it without the conditions they imposed, having regard to the statutory requirements, to the provisions of any development order and to any directions given under a development order.

If you intend to submit an appeal that you would like examined by inquiry then you must notify the Local Planning Authority and Planning Inspectorate ([inquiryappeals@planninginspectorate.gov.uk](mailto:inquiryappeals@planninginspectorate.gov.uk)) at least 10 days before submitting the appeal. [Further details are on GOV.UK](#)

## **Purchase Notices**

If either the local planning authority or the Planning Inspectorate refuses planning permission or grants it subject to conditions, the owner may claim that he can neither put the land to a reasonably beneficial use in its existing state nor render the land capable of a reasonably beneficial use by the carrying out of any development which has been or would be permitted. In these circumstances, the owner may serve a purchase notice on the Council. This notice will require the Council to purchase the owner's interest in the land in accordance with the provisions of Chapter 1 of Part VI of the Town and Country Planning Act 1990 and Section 32-37 of the Planning (Listed Buildings & Conservation Areas) Act 1990.

Chris Arnaouti

Dear Sir/Madam

**Town and Country Planning Act 1990 (as amended)**  
**Town and Country Planning (Development Management Procedure) (England) Order 2015**

**Application Number:** 2021/2809

**Site Address:** 92 Rendlesham Road, London, E5 8PA

**Development Description:** Retention of timber fencing and booths for outdoor seating associated with the London Tavern, along the frontages facing Kenninghall and Rendlesham roads for a temporary period of three years.

Thank you for your recent application for the above address on which a decision has now been made. The decision on your application is attached. Please carefully read all of the information contained in these documents.

Please quote your application reference number in any correspondence with the Council, either by post to the Hackney Planning Service, 2 Hillman Street, London, E8 1FB, by email to [planning@hackney.gov.uk](mailto:planning@hackney.gov.uk), or by phone to 020 8356 8062.

Yours sincerely



**Natalie Broughton**

**Head of Planning and Building Control  
Neighbourhoods and Housing**

□

## PLANNING DECISION NOTICE

Town and Country Planning Act 1990 as amended

Town and Country Planning (Development Management Procedure) (England) Order  
2015

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**Agent:** Chris Arnaouti

**Applicant:** T Kearns

92 Rendlesham Road  
Hackney  
London  
E5 8PA

---

Part 1- Particulars of the  
Application

**Application No:** 2021/2809

**Date of Application:** 12-09-2021

**Date Validated:** 13-09-2021

**Application Type:** Full Planning Permission

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**Proposal:** Retention of timber fencing and booths for outdoor seating associated with the London Tavern, along the frontages facing Kenninghall and Rendlesham roads for a temporary period of three years.

**Location:** 92 Rendlesham Road, London, E5 8PA

**Plan Numbers:** Site Plan 12/04/2021; Pre-Existing Front Patio Tables 12/04/2021; Existing Elevations 12/04/2021; Proposed Location Plan 12/04/2021; Proposed Ground Floor Plan 12/04/2021; Proposed Elevations 12/04/2021; Proposed Units Cubicle 12/04/2021; Heritage Statement dated 12/09/2021; Access & Design Statement.

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Part 2 – Particulars of Decision: **Refuse**

Notice is hereby given that the London Borough of Hackney as local planning authority in pursuance of its powers under the above mentioned Act and Rules, Orders and Regulations made there under permits the development referred to in Part1, in accordance with the plan(s) submitted and recommend that permission be refused for the following reason(s).

**Refusal reason(s):**

**1-** The proposed development, by reason of scale, massing and siting, would result in uncharacteristic and unsympathetic additions detrimental to the character, appearance and setting of the non-designated heritage asset and the surrounding streetscene, contrary to policies D3 and HC1 of the London Plan 2021 and LP1 and LP4 of the Hackney Local Plan 2033.

**2-** The proposed development, by reason of increased activity in close proximity to residential properties, would result in adverse noise and disturbance to the detriment of the residential amenity of surrounding properties, contrary to policy D14 of the London Plan 2021 and policy LP2 of the Hackney Local Plan 2033.

**Date of Decision:** 08-11-2021

Yours sincerely



**Natalie Broughton**

**Head of Planning and Building Control  
Neighbourhoods and Housing**

□



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If you are aggrieved by the decision of your local planning authority to refuse permission for the proposed development or to grant it subject to conditions, then you can appeal to the Secretary of State under section 78 of the Town and Country Planning Act 1990. Please carefully read the information provided below as different appeal deadlines will apply depending on the type of application or circumstances relevant to your application.

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If an enforcement notice is served relating to the same or substantially the same land and development as in your application and if you want to appeal against your local planning authority's decision on your application, then you must do so within: 28 days of the date of service of the enforcement notice, or within 6 months [12 weeks in the case of a householder appeal] of the date of this notice, whichever period expires earlier.

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The Secretary of State need not consider an appeal if it seems to the Secretary of State that the local planning authority could not have granted planning permission for the proposed development or could not have granted it without the conditions they imposed, having regard to the statutory requirements, to the provisions of any development order and to any directions given under a development order.

If you intend to submit an appeal that you would like examined by inquiry then you must notify the Local Planning Authority and Planning Inspectorate ([inquiryappeals@planninginspectorate.gov.uk](mailto:inquiryappeals@planninginspectorate.gov.uk)) at least 10 days before submitting the appeal. Further details are on [GOV.UK](http://GOV.UK)

## **Purchase Notices**

If either the local planning authority or the Planning Inspectorate refuses planning permission or grants it subject to conditions, the owner may claim that he can neither put the land to a reasonably beneficial use in its existing state nor render the land capable of a reasonably beneficial use by the carrying out of any development which has been or would be permitted. In these circumstances, the owner may serve a purchase notice on the Council. This notice will require the Council to purchase the owner's interest in the land in accordance with the provisions of Chapter 1 of Part VI of the Town and Country Planning Act 1990 and Section 32-37 of the Planning (Listed Buildings & Conservation Areas) Act 1990.

**Re: Licensing Act 2003 - Application for a Review of a Premises Licence ( LBH-PRE-T-0647) Re London Tavern 92 Rendlesham Road, London E5 8PA**

1 message

20 December 2021 at 20:53

To: "Licensing (Shared Mailbox)" &lt;licensing@hackney.gov.uk&gt;, Rockwell Charles &lt;rockwell.charles@hackney.gov.uk&gt;

Dear All

Please be advised that the pub has again removed pale blue advertising papers for the review after they were previously replaced.

Please also note that the premises is currently (20:50 on Monday 20th December) playing music on outdoor speakers at audible levels from neighbouring properties.

Please redact this email to remove all personal identifiers

Get [Outlook for Android](#)

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**From:** [REDACTED]  
**Sent:** Thursday, December 16, 2021 10:04:10 AM  
**To:** Licensing (Shared Mailbox) <licensing@hackney.gov.uk>; Rockwell Charles <rockwell.charles@hackney.gov.uk>  
**Subject:** Licensing Act 2003 - Application for a Review of a Premises Licence ( LBH-PRE-T-0647) Re London Tavern 92 Rendlesham Road, London E5 8PA

Dear Mr Charles

Thank you for your correspondence, I am pleased that the council is taking action against the premises which has been a cause of significant disturbance during the year. Please note that the pale blue A4 notices advertising the review at the premises have been removed, potentially in an effort to obstruct the course of the review.

I provided correspondence to yourself and Licencing on 22/11/2021 regarding the persistent public nuisance, I also believe it is appropriate to review the licence in conjunction with licencing objectives 1) prevention of crime and disorder, and 2) public safety for reasons I have set out below.

**Public safety -**

I am sorry to read about your experience on 5th June 2021. The landlord and patrons have created a culture at the London Tavern of intimidation and hostility towards local residents and enforcement, as you experienced yourself. I am concerned for the safety of local residents after reading your statement in attachment A, regarding your exchange with the landlord who remarked words to the effect "I know who complained, I will sort them out".

**Prevention of crime and disorder -**

During the last 12 months there have been several instances of violence inside and outside the pub, police have attended on at least two occasions to intervene. Furthermore, since the erection of the outdoor seating booths, which had planning permission refused twice, there has been a sharp increase in antisocial behaviour in the area, including consumption of drugs on the premises.

**Failure to comply with licence conditions and enforcement measures -**

Having reviewed the premises licence LBH-PRE-T-0647 included in appendix A1 of your report, I can confirm that the pub has consistently breached the conditions of its licence in regards to it opening hours. As noted above, the premises has also removed pale blue A4 notices advertising the review, potentially in an effort to obstruct the process. Separately, the outdoor seating booths have been erected unlawfully and having had two retrospective planning applications refused the premises continue to use the booths and outdoor speakers.

These actions demonstrate a pattern of contempt for enforcement and residents, at the same time suggesting that the premises does not intend to cooperate or comply with future licence or enforcement conditions.

To conclude, I do not believe that the proposed modification of licensable activity from the Premises Licence goes far enough to address the persistent problems caused by the premises. A full review of their licence should be carried out, and as a minimum effect a reduction in their standard hours with strict limitations on their use of outdoor space and removal of recorded and live music from their licensable activity.

Sincerely

Please redact this email to remove all personal identifiers



**Fwd: Licensing Act 2003 - Application for a Review of a Premises Licence ( LBH-PRE-T-0647) Re London Tavern 92 Rendlesham Road, London E5 8PA**

1 message

30 December 2021 at 15:10

To: licensing@hackney.gov.uk

I am writing regarding the Application for a review of a Premises Licence, ( LBH-PRE-T-0647) Re London Tavern 92 Rendlesham Road, London E5 8PA.

I have been advised by Mr Rockwell Charles that I do not need to disclose my name, address or email address. In fact, I am fearful of the landlord and punters, should they get hold of my name and address!

My reasons for supporting this licence review are as follows:

I live in the direct vicinity of The London Tavern and am subjected to ongoing music blaring from their sound systems, both within the pub and in their outside area. The can go late into the night, well beyond 11pm and sometimes beyond 12am.

Their outdoor space has created a noisy and rowdy space with a noisy and rowdy crowd, who have little to no regard for the local residents, of which there are many.

In case of any questions, please contact me on this email address.

Regards

&gt;

---

 **London Tavern 92 Rendlesham Rd Review of Premises Licence.pdf**  
1838K





Scale: 1:1250 at A4

The London Tavern, 92 Rendlesham Road, E5 8PA



Ref:

Page 82  
 Property Description

please specify copyright statement

Wednesday, February 16, 2022

email:



<b>REPORT OF THE GROUP DIRECTOR, NEIGHBOURHOODS AND HOUSING</b>		
<b>LICENSING SUB-COMMITTEE:</b> 01/03/2022	<b>Classification</b>  DECISION	Enclosure
<b>APPLICATION TO VARY THE PREMISES LICENCE :</b> 70 Broadway Market, London, E8 4QJ	<b>Ward(s) affected</b>  London Fields	

## 1. SUMMARY

<b>Applicant(s)</b> Mehmet Akis	<b>In SPA:</b> No
<b>Date of Application</b> 15 December 2021	<b>Period of Application</b> Permanent

### Proposed variation:

#### To amend conditions and layout:

- **Condition 18**  
**From:** There shall be no glass, or open containers taken outside of the premises at any time.  
**To:** There shall be no glass, or open containers taken outside of the premises at any time, except for those seated in the designated outside seating area which has a shop front trading licence with ref. no:SF731538).
  
- **Condition 20**  
**From:** After 2100hrs there shall be a maximum of 2 smokers outside the premises at any one time. These customers shall be monitored by staff to ensure that they do not cause public nuisance.  
**To:** After 21:00 there shall be a maximum of 2 smokers outside the premises at any one time, in addition to those seated in the designated outside seating area. These customers shall be monitored by staff to ensure that they do not cause public nuisance ( shop front trading licence ref.no: SF731538)" to amend the premises plan to show the outside seating area.
  
- Revised plan showing outside seating area is attached as Appendix A



<b>Current activities/hours:</b> See current licence attached at Appendix C	
<b>Capacity:</b> not known	
<b>Policies Applicable</b>	LP1 (General Principles), LP2 (Licensing Objectives), LP6 (External Areas and Outdoor Events) and LP11(Cumulative Impact – General)
<b>List of Appendices</b>	A – Application for variation of premises licence and supporting documents B – Representation from responsible authority C – Current premises licence D – Location map
<b>Relevant Representations</b>	Metropolitan Police

## 2. APPLICATION

- 2.1 Mr Mehmet Akis has made an application vary their premises licence under the Licensing Act 2003:
- To amend conditions 18 and 20 and layout
- 2.2 The application is attached as Appendix A. The applicant has not proposed any additional conditions.

## 3. CURRENT STATUS / HISTORY

- 3.1 The current premises licence was granted on 3<sup>rd</sup> August 2021 (attached as Appendix C).
- 3.2 Below is the list of Temporary Event Notices given by the premises in the last twelve months.

<b>Date of the event(s)</b>	<b>Hours</b>
19/07/21-25/07/21	11.00-23:30
27/07/21-01/08/21	11.00-23:30
04/08/21-08/08/21	11.00-23:30

#### 4. REPRESENTATIONS: RESPONSIBLE AUTHORITIES

From	Details
Environmental Health Authority (Environmental Protection)	No representation received
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)	No representation received
Planning Authority	No representation received
Area Child Protection Officer	No representation received
Fire Authority	Have confirmed no representation on this application
Police (Appendix B)	Representation received on the grounds of The Prevention of Crime and Disorder and Prevention of Public Nuisance.
Licensing Authority	No representation received
Health Authority	No representation received

#### 5. REPRESENTATIONS: OTHER PERSONS

Representation received from and on behalf of local residents	No representation received
---------------------------------------------------------------	----------------------------

#### 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 regards to this application, policies LP1 (General Principles), LP2 (Licensing Objectives), LP6 (External Areas and Outdoor Events) and LP11(Cumulative Impact – General) are relevant.

## 8. OFFICER OBSERVATIONS

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

None.

## 9. REASONS FOR OFFICER OBSERVATIONS

- 9.1 No conditions have been proposed by applicant or Responsible Authority.

## 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>	Suba Sriramana Princial Licensing Officer Licensing Service 1 Hillman Street E8 1DY Telephone: 020 8356 4915

## LIST OF BACKGROUND PAPERS RELATING TO THIS REPORT

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

<b>Description of document</b>	<b>Location</b>
70 Broadway Market London E8 4QJ	Hackney Service Centre Licensing Service ! Hillman Street London E8 1DY

### **Printed matter**

Licensing Act 2003  
LBH Statement of Licensing Policy

**↳ Hackney**  
**LA07**

**Application to vary a premises licence under the Licensing Act 2003**

**PLEASE READ THE FOLLOWING INSTRUCTIONS FIRST**

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

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

I/We Mr.MEHMET AKIS

*(Insert name(s) of applicant)*

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

**Premises licence number**

PREM/2021/0055

**Part 1 – Premises Details**

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

70 BROADWAY MARKET, LONDON, E8 4QJ

Post town

LONDON

Postcode

E8 4QJ

Telephone number at premises (if any)

Non-domestic rateable value of premises

£15250

**Part 2 – Applicant details**

Daytime contact telephone number

E-mail address (optional)

Current postal address if different from premises address

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

**Part 3 – Variation**

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

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

DD	MM	YYYY

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

<p><b>Please describe briefly the nature of the proposed variation</b> (Please see guidance note 2)</p> <p>*amendments of conditions 18 and 20 to as below;</p> <p>18) There shall be no glass, or open containers taken outside of the premises at any time, except for those seated in the designated outside seating area which has a shop front trading licence with ref. no:SF731538)</p> <p>20) After 21:00 there shall be a maximum of 2 smokers outside the premises at any one time, in addition to those seated in the designated outside seating area. These customers shall be monitored by staff to ensure that they do not cause public nuisance ( shop front trading licence ref.no: SF731538)</p> <p>* Annex 4 - plan, to be amended with revised plan that shows outside seating area.</p>
-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------

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

--

#### Part 4 Operating Schedule

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

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

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



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

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

20. After 2100hrs there shall be a maximum of 2 smokers outside the premises at any one time. These customers shall be monitored by staff to ensure that they do not cause public nuisance.

Please tick as appropriate

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

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

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

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

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

All four licensing objectives to be in place and to be implemented to protect public nuisance and children from harm.

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

- \* to liaise with police,
- \* to install CCTV cameras,
- \* display clear signs that anti-social behavior will not be tolerated, training on staff regular basis,
- \* not to sale alcohol drunk or under age people.

**c) Public safety**

- \* to meet all health and safety objectives,
- \* liaise with local police,
- \* training on staff on regular basis to insure public safety.

**d) The prevention of public nuisance**

- \* keep delivery of good afternoon times ( delivery times not to be very early in the morning or too late in the evening) keeping noise to minimum at all times.

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

- \* no alcohol to be sold to persons under the age of 18 and clear signs to be displayed, asking for ID if the person appear to be under age,
- \* clear signs to be displayed to warn families to keep children with them at all times,
- \* keep sharp and flammable objects away from children.

Checklist:

**Please tick to indicate agreement**

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

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

**Part 5 – Signatures** (please read guidance note 12)

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

Signature	
Date	15.Dec.21
Capacity	Seher Sunan- AGENT

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

Signature	
Date	
Capacity	

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

**Notes for Guidance**

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

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



## Notes

The Council may revoke or vary or refuse to renew this licence if:

on account of misconduct, or for any other sufficient reason the holder is in the opinion of the Council unsuitable to hold it; or (2) the space available in the street specified is insufficient; or (3) the street specified is not a licence street; or (4) the articles specified are of a class which, under the terms of a resolution passed by the Council under section 24(1) (B) of The London Local Authorities Act 1990 (as amended) may not be sold or exposed or offered for sale in the street specified; or (5) the holder has persistently refused or neglected to pay charges due from him or her to the Council or (6) the holder has for a period of not less than four weeks not fully exercised his or her rights under the licence.

Unless otherwise specified, this licence does not authorise the sale of second hand goods.

Notwithstanding any time specified in the schedule overleaf, the licence does not authorise the holder to trade at any time in contravention of any Order made under the Shops Act 1950 or any other statutory enactment.

Any breach of the conditions of this licence will result in a Fixed Penalty Notice or prosecution or both.

# Temporary Shop Front Trading Licence Card

 Markets and Street Trading Service. Call 02083565300



# Temporary Shop Front Trading Licence Card

Trading licence number: SF731538

Name of licensee Mehmet Uzunsakal

Name of premises Route Broadway Ltd

Address

70 BROADWAY MARKET, HACKNEY, LONDON,

Postcode E8 4QJ

Class of articles for sale/display/tables and chairs

Tables and Chairs

Special conditions attached to licence:

No advertising boards may be placed on the highway as per section 9.10 of shop front trading regulations.

N/A

## Schedule

Valid from: 20/07/2021

Expiry date: 19/01/2022

Permitted trading days: Monday - Sunday

Permitted trading hours: 8.00 am-22.30 pm

Dimensions of licensed area:

Area 1

Length (m) 0.7m

Width (m) 2.5m

Area 2

Length (m) 0.7m

Width (m) 1.7m

Area 3

Length (m) 0.7m

Width (m) 1.4m

## NOT TRANSFERABLE

Hackney Council hereby grants the named person a licence to engage in shop front trading in the borough. This licence authorises the named bearer to trade solely in the specified articles, and at the places and times specified in the schedule to this licence. This licence is granted subject to (1) the provisions of The London Local Authorities Act 1990 and regulations made pursuant to Section 27 of said Act; (2) The Highways Act 1980, Section 115; (3) compliance with The Shops Act 1950 and any Act amending the same, and to any orders made there under; (4) to any other statutory enactment which is in force for the time being.

Signed

Dated 20/07/2021

Authorised on behalf of the Directorate of Public Realm.

# Temporary Shop Front Licence

Name of licensee Mehmet Uzunsakal

Name of premises Route Broadway Ltd

Address

70 BROADWAY MARKET, HACKNEY, LONDON,

Postcode E8 4QJ

Class of articles for sale/display/tables and chairs

Tables and Chairs

Special conditions attached to licence:

No advertising boards may be placed on the highway as per section 9.10 of shop front trading regulations.

N/A

## Schedule

Trading Licence Number SF731538

Valid from: 20/07/2021

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Dimensions of licensed area:

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Length (m) 0.7m

Width (m) 2.5m

Area 2

Length (m) 0.7m

Width (m) 1.7m

Area 3

Length (m) 0.7m

Width (m) 1.4m

## NOT TRANSFERABLE

Markets and Street Trading Service call 02083565300

THIS CARD MUST BE PROMINENTLY DISPLAYED IN PREMISES WINDOW



Please cut along the dotted line and display this side in your premises



This drawing remains the property of SUNAM architects and shall not be reproduced or used in any way without the written consent of SUNAM Architecture.  
 Do not scale this drawing.  
 The contractor shall be responsible for checking the dimensions and areas shown on this drawing. Report all discrepancies to Designer/Architect immediately. The Designer/Architect shall be responsible for the design and Engineering drawings and shall retain information.

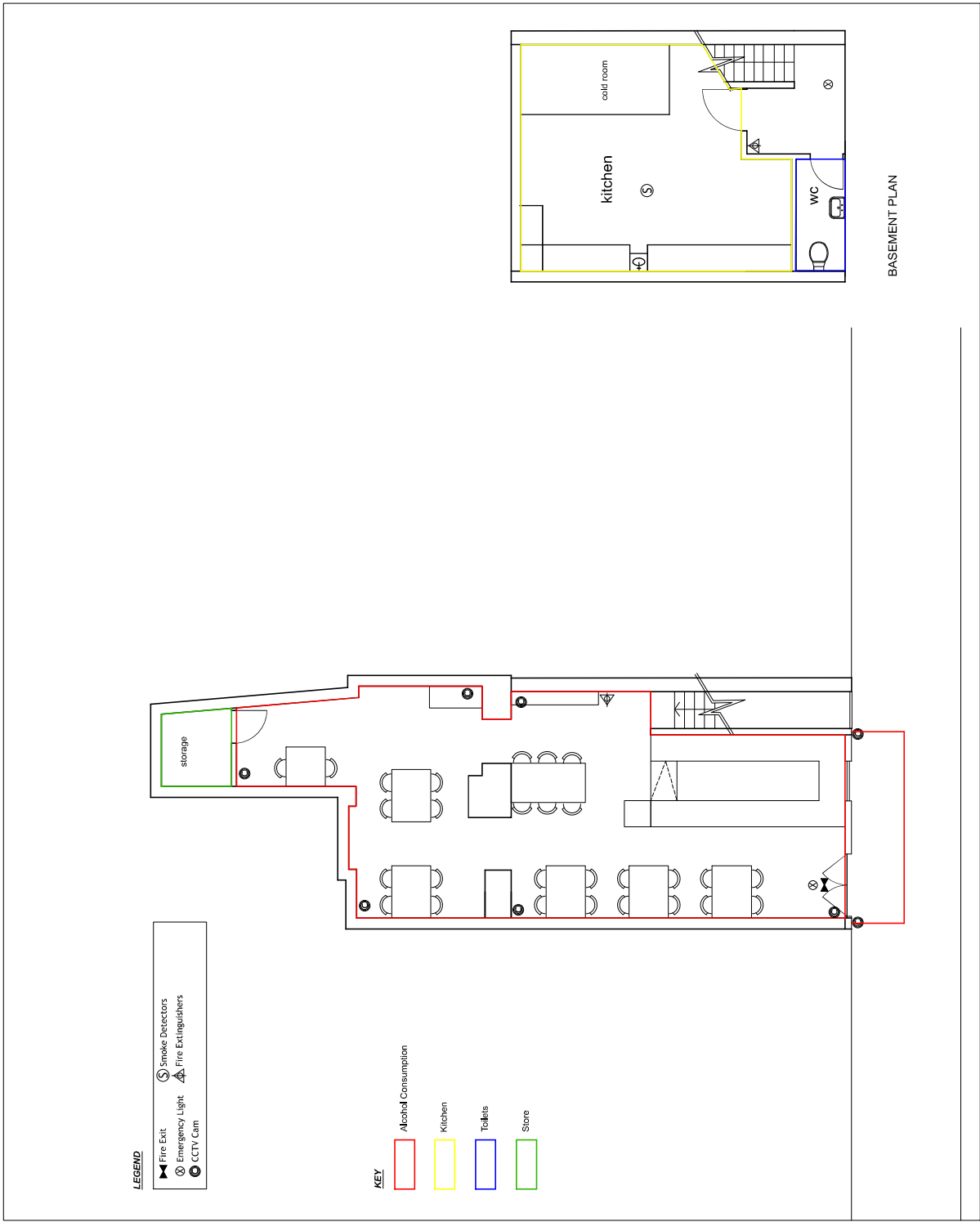
Rev.	Description	By	Date

**SUNAM Architecture**  
 11 Dalston Lane, London, E8 3DF  
 t: 020 8313 3098 m: 078 3976 4429  
 info@sunamarchitecture.com www.sunamarchitecture.com

**EXISTING/PROPOSED**

Purpose: PREMISES LICENCE  
 Client: PRIVATE  
 Project: 70 Broadway Market, London, E8 4DJ  
 Title: Ground Floor & Basement Plans

By: SS Date: 24.04.21  
 Project No: 21107 Scale: 1:100(BA3)  
 DWG. No: 21107-PL-100 Rev: B  
 Copyright SUNAM Architecture



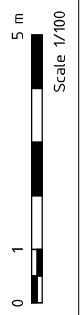
**LEGEND**

- ▶ Fire Exit
- ⊗ Smoke Detectors
- ⊗ Emergency Light
- ⚠ Fire Extinguishers
- ⊙ CCTV Cam

**KEY**

- Alcohol Consumption
- Kitchen
- Toilets
- Store

BASEMENT PLAN



Scale 1/100



## PRESPONSIBLE AUTHORITY REPRESENTATION: APPLICATION UNDER THE LICENSING ACT 2003

### RESPONSIBLE AUTHORITY DETAILS

NAME OF AUTHORITY	Metropolitan Police service
ADDRESS OF AUTHORITY	Licensing Unit, Stoke Police Station 33 Stoke Newington High Street London N16 8DS
CONTACT NAME	PC 3691CE Kerrie RYAN
TELEPHONE NUMBER	07796 183078
E-MAIL ADDRESS	hackneylicensing@met.police.uk

### APPLICATION PREMISES

NAME & ADDRESS OF PREMISES	<b>Café Route</b> <b>70 Broadway Market</b> <b>London</b> <b>E8 4QJ</b>
NAME OF PREMISES USER	<b>Mr Mehmet AKIS</b>

### COMMENTS

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

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

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

**Police make the following representations in relation to the application to vary the Premises Licence at Café Route, 70 Broadway Market, London, E8 4QJ for the following reason(s);**

This premises was granted a premises licence in September 2021. Since this time, the applicant has submitted two minor variations to include the use of the outdoor space to the front of the premises, which were refused.

The plan submitted with this application shows that the seating area extends to cover the area outside the neighbouring premises, which is currently a pharmacy. The seating area here cannot be seen by staff inside the premises and therefore cannot be monitored appropriately. This area is also quite narrow as there is a layby on the road causing the footway to narrow. Police propose that this area, at the very least, be reduced to the area immediately outside their own premises, and the plan amended.

Police note that there is a reference to a Temporary Shop Front Trading Licence, also attached to the application. This licence expires on 19<sup>th</sup> January 2022, and so the reference number associated with it, and quoted in the proposed amended condition 18, will not be valid. Police would object to another application if it proposed identical areas, for reasons stated above.

There have been regular resident complaints in relation to people drinking in the street at other premises very close by – these premises are currently undergoing the review process. Police propose that if the applicant would want customers to remain outside, seated at the tables, eating and drinking then there should be maximum number of customers quoted in the amended Condition 18, e.g. 8 seated customers.

Police look forward to hearing from the applicant soon to discuss a way forward for this application.

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

Personal knowledge of the local area and issues in the area.

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

Signed  
PC 3691CE RYAN

(By E-mail)  
Name (printed)



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

Licensing Service  
1 Hillman Street  
London E8 1DY

## PART A – PREMISES LICENCE

### Premises Licence Number

PREM/2021/0055

### Part 1 – Premises details

Café Route  
70 Broadway Market  
Hackney  
London  
E8 4QJ

### Where the licence is time limited the dates

Not Applicable

### Licensable activities authorised by the licence

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

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

<b>Films</b>	<b>Standard Hours:</b>  Mon 11:00-22:30 Tue 11:00-22:30 Wed 11:00-22:30 Thu 11:00-22:30 Fri 11:00-23:30 Sat 11:00-23:30 Sun 11:00-22:30
<b>Recorded Music</b>	<b>Standard Hours:</b>  Mon 11:00-22:30 Tue 11:00-22:30 Wed 11:00-22:30 Thu 11:00-22:30 Fri 11:00-23:30 Sat 11:00-23:30 Sun 11:00-22:30

<b>Anything of Similar Description</b>	Mon 11:00-22:30 Tue 11:00-22:30 Wed 11:00-22:30 Thu 11:00-22:30 Fri 11:00-23:30 Sat 11:00-23:30 Sun 11:00-22:30
<b>Late Night Refreshment</b>	<b>Standard Hours:</b>  Fri 23:00-23:30 Sat 23:00-23:30
<b>Supply of Alcohol</b>	<b>Standard Hours:</b>  Mon 11:00-22:30 Tue 11:00-22:30 Wed 11:00-22:30 Thu 11:00-22:30 Fri 11:00-23:30 Sat 11:00-23:30 Sun 11:00-22:30
<b>The opening hours of the premises</b>	<b>Standard Hours:</b>  Mon 07:00-23:00 Tue 07:00-23:00 Wed 07:00-23:00 Thu 07:00-23:00 Fri 07:00-00:00 Sat 07:00-00:00 Sun 07:00-23:00

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

On Premises

**Part 2 –**

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

Mehmet Akis  
214 Hale End Road  
Woodford Green  
London  
IG8 9LZ

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

Not Applicable

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

Mehmet Akis

**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:** 3 August 2021

**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.
4. 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).

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

### **Minimum Drinks Pricing**

7.1 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

(c) 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;

(d) "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;

(e) “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

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

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

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

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

## **Exhibition Of Films**

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

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

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

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

Not Applicable.

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

9. The premises shall install, operate and maintain a comprehensive CCTV system as per the minimum requirements of a Metropolitan Police. All public areas and each 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 other authorised officer.
10. There shall be a staff member from the premises who is conversant with the operation of the CCTV system on the premises at all times when the premises are open to the public. This staff member must be able to show a Police or authorised council officer recent data or footage when requested.
11. Signs will be prominently displayed at all entrance and exit points reminding customers to leave quietly and respect local residents.
12. A Challenge 25 proof of age scheme shall be operated at the premises where the only acceptable forms of identification are recognised photographic identification cards, such as driving licence or passport.
13. Alcohol shall not be sold, supplied or consumed otherwise than to seated persons who are taking a substantial meal from the menu. The supply of alcohol shall be waiter/waitress service only.
14. An incident log shall be kept at the premises, and made available on request to an authorised officer of the council or the police, which will record the following.
  - All crimes reported:
  - All ejections of patrons
  - Any complaints received.
  - Any incidents of disorder.
  - Seizure of drugs or offensive weapons.
  - Any faults in the CCTV system.
  - Any refusal of the sale of alcohol.
  - Any visit by a relevant authority or emergency service.
15. Premises to operate zero tolerance policy to drugs and comply with Hackney Police Drugs and Weapons policy where appropriate.
16. All instances of crime and disorder to be reported by the Designated Premises Supervisor or responsible member of staff to an agreed police contact point, as agreed with the police.

17. All staff shall receive training on the legislation relating to the sales of alcohol to underage persons and drunken persons and shall have refresher training every 12 months. There shall be written records of such training, which will be kept on the premises and produced to a police officer or other authorised officer upon request.
18. There shall be no glass, or open containers taken outside of the premises at any time.
19. Staff shall ensure that any queues that may form outside of the premises are managed to ensure that there is no obstruction to the footway and do not cause any nuisance to the local residents.
20. After 2100hrs there shall be a maximum of 2 smokers outside the premises at any one time. These customers shall be monitored by staff to ensure that they do not cause public nuisance.
21. The licence holder shall maintain a dedicated telephone number of the DPS or Duty manager for use by any responsible authority or any person wishing to make a complaint. This number shall be provided to the licensing authority, police or local residents upon request.
22. There shall be a written dispersal policy submitted to and approved by the Licensing Authority and the Police. The approved dispersal policy shall be implemented at the premises. All staff shall be briefed on this dispersal policy. A copy of the policy shall be kept on the premises and shall be produced to a police officer or other authorised officer upon request

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

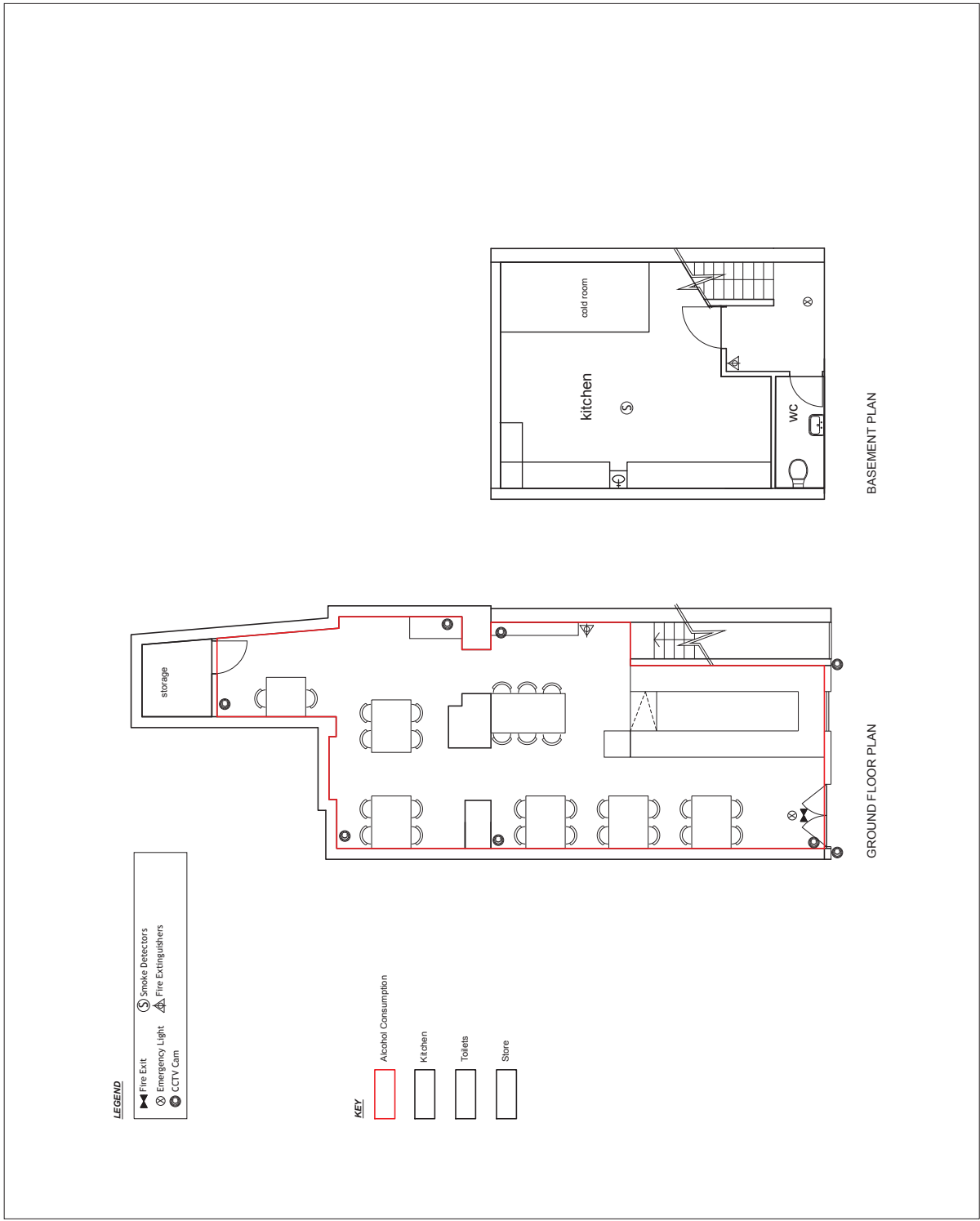
Not Applicable.

**Annex 4 – Plans**

PLAN/ PREM/2021/0055/120521



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- LEGEND**
- ▶ Fire Exit
  - ⊙ Smoke Detectors
  - ⊕ Emergency Light
  - ⚡ Fire Extinguishers
  - ⊙ CCTV Cam

- KEY**
- Alcohol Consumption
  - Kitchen
  - Toilets
  - Store

Rev.	Description	By	Date

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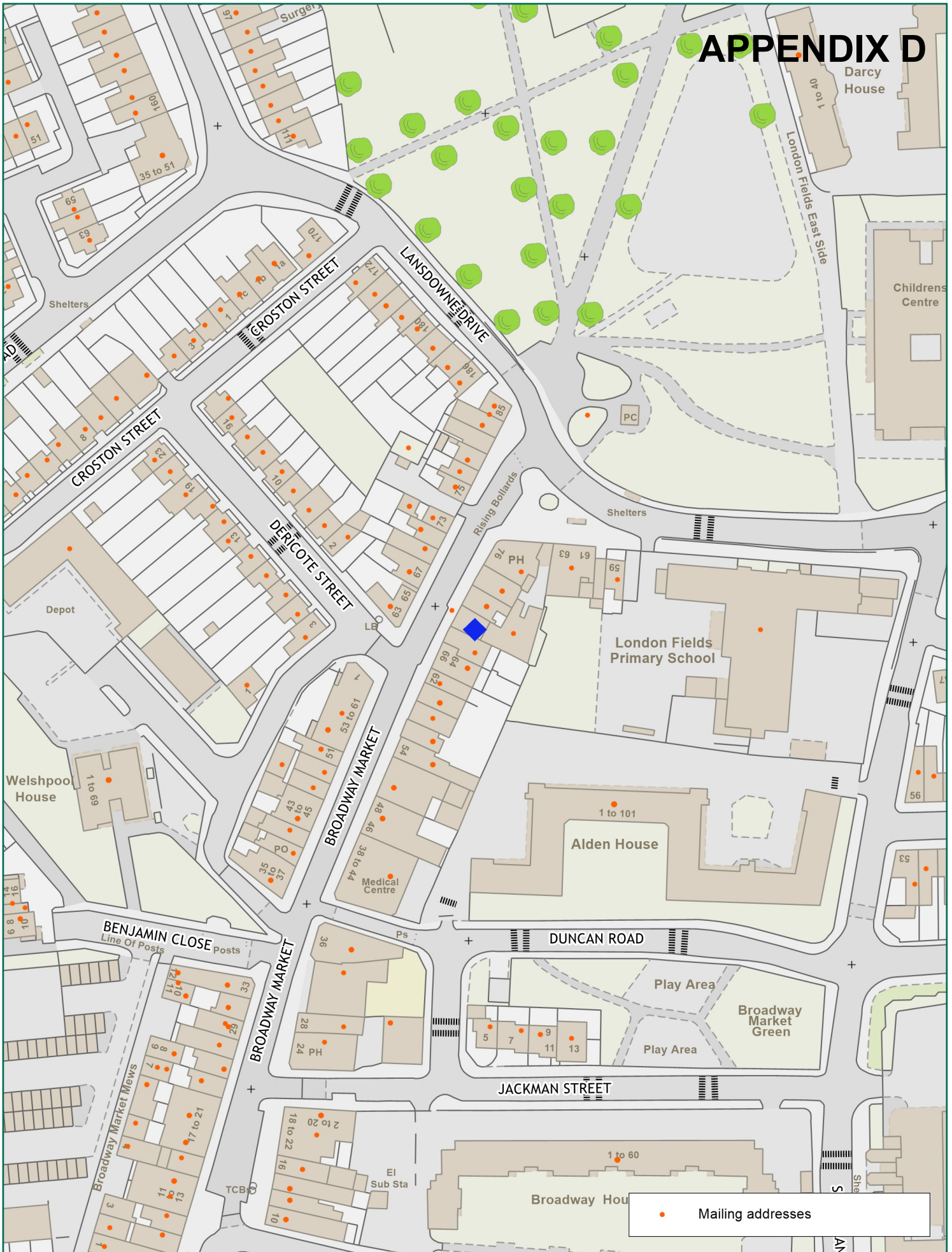
**EXISTING/PROPOSED**

Purpose: PREMISES LICENCE  
 Client: PRIVATE  
 Project: 70 Broadway Market, London, E8 4DJ  
 Title: Ground Floor & Basement Plans

By: SS Date: 24.04.21  
 Project No: 21107 Scale: 1:100@A3  
 Drawing No: **21107-PL-100**  
 Rev: +



# APPENDIX D



Scale: 1:1250 at A4

## 70 Broadway Market, London, E8 4QJ



Ref:  
Wednesday, February 16,  
2022

Page 111  
Product by: unspecified

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