



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

Thursday 4 April 2024 at 2.00 pm

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

Live stream link: <https://youtube.com/live/ZJthQyadhV0>

Back up link: <https://youtube.com/live/DQp39gTGlgM>

## Members of the Committee:

Councillor Christopher Kennedy

Councillor Gilbert Symth

**Dawn Carter-McDonald**  
**Interim Chief Executive**  
**Published on: Monday 25 March 2024**  
[www.hackney.gov.uk](http://www.hackney.gov.uk)

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# Licensing Sub Committee E

Thursday 4 April 2024

## Order of Business

- 1 Election of Chair
- 2 Apologies for Absence
- 3 Declarations of Interest - Members to declare as appropriate
- 4 Minutes of the Previous Meeting
- 5 Licensing Sub-Committee General Information & Hearing Procedure  
(Pages 13 - 24)
- 6 New Premises Licence - Umbrella, 36-44 Stoke Newington Road,  
London, N16 7XJ (Pages 25 - 84)
- 7 Temporary Event Notices - Standing Item

### Licensing Sub-Committee Hearings

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

Until further notice, all Licensing Sub-Committee Hearings will be held remotely using the Google Meets platform. Licensing Sub-Committee Hearings are public meetings that are live-streamed. Hearings are available to be viewed by the public online.

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

- The applicant has applied for a Premises Licence, Provisional Statement, Club Premises Certificate or expressed their intention to vary their existing licence/certificate and has advertised this in a local newspaper and displayed a distinctive blue notice at the premises, following which representations have been made by a Responsible Authority or Other Person/s.

- A Review has been requested by a Responsible Authority or Other Person/s and the Review has been advertised by displaying a distinctive blue notice at the premises and also at the Council's office and website.
- An application is made to transfer a Premises Licence or for interim authority and the Police have issued an objection
- The applicant has made a Personal Licence application and the Police have objected to the Licence being granted.
- A Temporary Event Notice has been given and the Police and/or those in the Council that exercise environmental health functions have issued an objection.

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

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

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

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

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

Only those Responsible Authorities and Other Persons who have made a relevant representation in writing at the consultation stage **can register to speak at a subsequent hearing**. Applicants, Other Persons and Responsible Authorities will all be given a fair opportunity to put their case and the Sub-Committee will take these representations into account when making their decision. The Sub-Committee may still make a decision on any matter even if any party fails to attend the hearing. However, in these circumstances, it will only be that party's written representation that may be taken into account.

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

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

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

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

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

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

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

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

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

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

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

All Applicants, Other Persons and Responsible Authorities involved will be informed in writing of the date and time that their application will be considered by the Licensing Sub-Committee. Please contact the Licensing Service on 020 8356 4970 or email [licensing@hackney.gov.uk](mailto:licensing@hackney.gov.uk) to confirm whether you wish to attend and/or register to speak at the Sub-Committee hearing or if you wish for someone else to speak on your behalf. If you are unable to attend, the application may be heard in your absence.

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

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

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

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

## Timings

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

## Lobbying of Councillors

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

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

## Reports

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

## **Appeals**

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

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

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

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

## **Contacts**

If you have a query about Licensing Sub-Committee procedures and protocols then please contact Governance Services: [governance@hackney.gov.uk](mailto:governance@hackney.gov.uk)

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

Telephone: 020 8356 4970

E-mail: [licensing@hackney.gov.uk](mailto:licensing@hackney.gov.uk)

## **Relevant Extracts from Hackney's Statement of Licensing Policy**

Below are relevant extracts from the Statement of Licensing Policy 2023-2028

The policy can be viewed at:

<https://drive.google.com/file/d/1m3TJoLzt9sYgHizRwolokb-A5WCSNgYe/view>

### **LP1 General Principles**

The Council expects applicants to demonstrate:

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

## LP2 Licensing Objectives

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

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

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

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

## LP3 Core Hours

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

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

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

Later hours may be considered where the applicant has identified any risk that may undermine the promotion of the licensing objectives and has put in place robust measures to mitigate those risks. *It should be noted that this policy does not apply to those who are making an application within a special policy area (see section 3) unless they have been able to demonstrate that the proposed activity or operation of the premises will not add to the cumulative impact that is already being experienced.*

## LP4 Off' Sales of Alcohol

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

## LP5 Planning Status

Licence applications should normally be from premises where:

- a) The activity to be authorised by the licence is a lawful planning use or is a deemed permitted development pursuant to the General Permitted Development Order (1995) as amended.



- b) The hours sought do not exceed those authorised by any planning permission.

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

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

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

### **LP7 Minor Variations**

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

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

### **LP8 Temporary Event Notices**

When considering an objection to a TEN the Council will:

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

### **LP9 Personal Licences**

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

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

## **Section 3 - Cumulative Impact and Special Policies**

The Government's Modern Crime Prevention Strategy (March 2016) included a range of measures to prevent alcohol-related crime and disorder. One of these was to put Cumulative Impact Policies (CIPs) referred to locally as SPA's "on a statutory

footing, to strengthen the ability of authorities to control the availability of alcohol and reduce alcohol-related crime and disorder, as well as providing industry with greater clarity about how they can be used”

In some parts of the Borough, there are valid concerns about the impact on the physical environment, the safety of visitors and residents, and the environmental disturbance to residents arising from the number, type and density of licensed premises is leading to a negative impact on the promotion of the licensing objectives.

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

Section 5A of the 2003 Act sets out the steps a licensing authority needs to carry out in order to publish a CIA and review it, including the requirement to hold a public consultation. Any CIA published by a licensing authority must be summarised in its Policy.

**At its meeting on the 10 January 2024, the Licensing Committee took the decision that the area described as within the boundary formerly identified as the Shoreditch Special Policy Area and the area to the southwest and the area described as within the boundary formerly identified as the Dalston Special Policy Area be considered for inclusion if a Cumulative Impact Assessment (CIA) be published.**

## **Advice to Members on Declaring Interests**

If you require advice on declarations of interests, this can be obtained from:

- The Monitoring Officer;
- The Deputy Monitoring Officer; or
- The legal adviser to the meeting.

It is recommended that any advice be sought in advance of, rather than at, the meeting.

## **Disclosable Pecuniary Interests (DPIs)**

You will have a Disclosable Pecuniary Interest (\*DPI) if it:

- Relates to your employment, sponsorship, contracts as well as wider financial interests and assets including land, property, licenses and corporate tenancies.
- Relates to an interest which you have registered in that part of the Register of Interests form relating to DPIs as being an interest of you, your spouse or civil partner, or anyone living with you as if they were your spouse or civil partner.

- Relates to an interest which should be registered in that part of the Register of Interests form relating to DPIs, but you have not yet done so.

If you are present at any meeting of the Council and you have a DPI relating to any business that will be considered at the meeting, you **must**:

- Not seek to improperly influence decision-making on that matter;
- Make a verbal declaration of the existence and nature of the DPI at or before the consideration of the item of business or as soon as the interest becomes apparent; and
- Leave the room whilst the matter is under consideration

You **must not**:

- Participate in any discussion of the business at the meeting, or if you become aware of your Disclosable Pecuniary Interest during the meeting, participate further in any discussion of the business; or
- Participate in any vote or further vote taken on the matter at the meeting.

If you have obtained a dispensation from the Monitoring Officer or Standards Committee prior to the matter being considered, then you should make a verbal declaration of the existence and nature of the DPI and that you have obtained a dispensation. The dispensation granted will explain the extent to which you are able to participate.

### Other Registrable Interests

You will have an 'Other Registrable Interest' (ORI) in a matter if it

- Relates to appointments made by the authority to any outside bodies, membership of: charities, trade unions,, lobbying or campaign groups, voluntary organisations in the borough or governorships at any educational institution within the borough.
- Relates to an interest which you have registered in that part of the Register of Interests form relating to ORIs as being an interest of you, your spouse or civil partner, or anyone living with you as if they were your spouse or civil partner; or
- Relates to an interest which should be registered in that part of the Register of Interests form relating to ORIs, but you have not yet done so.

Where a matter arises at any meeting of the Council which affects a body or organisation you have named in that part of the Register of Interests Form relating to ORIs, **you must** make a verbal declaration of the existence and nature of the DPI at or before the consideration of the item of business or as soon as the interest becomes apparent. **You may** speak on the matter only if members of the public are also allowed to speak at the meeting but otherwise must not take part in any discussion or vote on the matter and must not remain in the room unless you have been granted a dispensation.

### Disclosure of Other Interests

Where a matter arises at any meeting of the Council which **directly relates** to your financial interest or well-being or a financial interest or well-being of a relative or close associate, you **must** disclose the interest. **You may** speak on the matter only if members of the public are also allowed to speak at the meeting. Otherwise you must not take part in any discussion or vote on the matter and must not remain in the room unless you have been granted a dispensation.

Where a matter arises at any meeting of the Council which **affects** your financial interest or well-being, or a financial interest or well-being of a relative or close associate to a greater extent than it affects the financial interest or wellbeing of the majority of inhabitants of the ward affected by the decision and a reasonable member of the public knowing all the facts would believe that it would affect your view of the wider public interest, you **must** declare the interest. You **may** only speak on the matter if members of the public are able to speak. Otherwise you must not take part in any discussion or voting on the matter and must not remain in the room unless you have been granted a dispensation.

In all cases, where the Monitoring Officer has agreed that the interest in question is a **sensitive interest**, you do not have to disclose the nature of the interest itself.

## **Licensing Sub-Committee Hearings**

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

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

- The applicant has applied for a Premises Licence, Provisional Statement, Club Premises Certificate or expressed their intention to vary their existing licence/certificate and has advertised this in a local newspaper and displayed a distinctive blue notice at the premises, following which representations have been made by a Responsible Authority or Other Person/s.
- A Review has been requested by a Responsible Authority or Other Person/s and the Review has been advertised by displaying a distinctive blue notice at the premises and also at the Council's office and website.
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- The applicant has made a Personal Licence application and the Police have objected to the Licence being granted.
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### **Making decisions on the items being heard:**

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

Only those Responsible Authorities and Other Persons who have made a relevant representation in writing at the consultation stage **can register to speak at a subsequent hearing**. Applicants, Other Persons and Responsible Authorities will all be given a fair opportunity to put their case and the Sub-Committee will take these representations into account when making their decision. The Sub-Committee may still make a decision on any matter even if any party fails to attend the hearing. However, in these circumstances, it will only be that party's written representation that may be taken into account.

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

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

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

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

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

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

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

- the appointment for any substitutes if required
- the appointment of the chair
- any procedural issues

- obtain the list of attendees
- late documents delivered prior to the meeting and to ensure all the paperwork is in order

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

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

All Applicants, Other Persons and Responsible Authorities involved will be informed in writing of the date and time that their application will be considered by the Licensing Sub-Committee. Please contact the Licensing Service on 020 8356 4970 or email [licensing@hackney.gov.uk](mailto:licensing@hackney.gov.uk) to confirm whether you wish to attend and/or register to speak at the Sub-Committee hearing or if you wish for someone else to speak on your behalf. If you are unable to attend, the application may be heard in your absence.

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

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

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

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

### **Timings**

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

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

Where a meeting of the Council and its committees are open to the public, the press and public are welcome to report on meetings of the Council and its committees, through any audio, visual

or written methods and may use digital and social media providing they do not disturb the conduct of the meeting and providing that the person reporting or providing the commentary is present at the meeting.

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

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

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

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

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

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

Providing oral commentary during a meeting is not permitted.

### **Lobbying of Councillors**

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



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

## **Reports**

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

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

## **Facilities**

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

## **Contacts**

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

Governance Services  
2<sup>nd</sup> Floor Room 118  
Hackney Town Hall  
Mare Street E8 1EA  
Telephone: 020 8356 1266  
Email: [governance@hackney.gov.uk](mailto:governance@hackney.gov.uk)

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

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

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

## **Relevant Extracts from Hackney's Statement of Licensing Policy**

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

### **LP1 General Principles**

The Council expects applicants to demonstrate:

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

### **LP2 Licensing Objectives**

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

#### **Public Safety**

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

#### **Prevention of Public Nuisance**

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

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

Whether the applicant has identified and addressed any risks with the aim of

protecting children from harm when on the premises or in close proximity to the premises.

### **LP3 Core Hours**

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

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

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

Later hours may be considered where the applicant has identified any risk that may undermine the promotion of the licensing objectives and has put in place robust measures to mitigate those risks. *It should be noted that this policy does not apply to those who are making an application within a special policy area (see section 3) unless they have been able to demonstrate that the proposed activity or operation of the premises will not add to the cumulative impact that is already being experienced.*

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

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

### **LP5 Planning Status**

Licence applications should normally be from premises where:

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

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

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

The Licensing Authority will normally restrict external areas and outdoor activity to

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

### **LP7 Minor Variations**

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

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

### **LP8 Temporary Event Notices**

When considering an objection to a TEN the Council will:

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

### **LP9 Personal Licences**

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

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

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

It is the Council's policy that where a relevant representation is made to any application within the area of the Dalston SPA or Shoreditch SPA, the applicant will need to demonstrate that the proposed activity and the operation of the premises will

not add to the cumulative impact that is currently being experienced in these areas. This policy is to be strictly applied.

It should also be noted that the;

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

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

### **LP11 Cumulative Impact – General**

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

**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/ukxi/2005/44/contents/made>

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<b>For Consideration By</b>	Licensing Sub-Committee
<b>Meeting Date</b>	4th April 2024
<b>Type of Application</b>	Premises Licence
<b>Address of Premises</b>	Basement, 36-44 Stoke Newington Road, N16 7XJ
<b>Classification</b>	Decision
<b>Ward(s) Affected</b>	Shacklewell
<b>Group Director</b>	Rickardo Hyatt

1. **Summary**

- 1.1. This is an application for a premises licence to allow authorisation for live music, recorded music, late night refreshment and supply of alcohol for consumption on the premises from Monday to Sunday.

2. **Application**

- 2.1. The Umbrella Project Ltd have made an application for a premises licence under section 17 of the Licensing Act 2003.
- 2.2. The applicant is seeking authorisation for the following licensable activities and times:

<b>Live Music indoors</b>	<p><b>Standard Hours:</b>          Mon 23:00-00:00          Tue 23:00-00:00          Wed 23:00-00:00          Thu 23:00-02:00          Fri 23:00-02:00          Sat 23:00-02:00          Sun 23:00-00:00</p> <p><b>Non-Standard Hours</b>          An additional hour to the terminal hour on the day British Summer Time commences. New Years Eve hours - 17:00 - 02:00</p>
<b>Recorded Music indoors</b>	<p><b>Standard Hours:</b>          Mon 23:00-00:00          Tue 23:00-00:00          Wed 23:00-00:00          Thu 23:00-02:00          Fri 23:00-02:00          Sat 23:00-02:00</p>

	<p>Sun 23:00-00:00</p> <p><b>Non-Standard Hours</b> An additional hour to the terminal hour on the day British Summer Time commences. New Years Eve hours - 17:00 - 02:00</p>
<p><b>Late Night Refreshment indoors</b></p>	<p><b>Standard Hours:</b> Mon 23:00-00:00 Tue 23:00-00:00 Wed 23:00-00:00 Thu 23:00-02:00 Fri 23:00-02:00 Sat 23:00-02:00 Sun 23:00-00:00</p> <p><b>Non-Standard Hours</b> An additional hour to the terminal hour on the day British Summer Time commences. New Years Eve hours - 17:00 - 02:00</p>
<p><b>Supply of Alcohol On Premises</b></p>	<p><b>Standard Hours:</b> Mon 17:00-23:30 Tue 17:00-23:30 Wed 17:00-23:30 Thu 17:00-01:30 Fri 17:00-01:30 Sat 17:00-01:30 Sun 17:00-23:30</p> <p><b>Non-Standard Hours</b> An additional hour to the terminal hour on the day British Summer Time commences. New Years Eve hours - 17:00 - 02:00</p>
<p><b>The opening hours of the premises</b></p>	<p><b>Standard Hours:</b> Mon 17:00-00:00 Tue 17:00-00:00 Wed 17:00-00:00 Thu 17:00-02:00 Fri 17:00-02:00 Sat 17:00-02:00 Sun 17:00-00:00</p> <p><b>Non-Standard Hours</b> An additional hour to the terminal hour on the day British Summer Time commences. New Years Eve hours - 17:00 - 02:00</p>

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

3. **Current Status/History**

- 3.1. The premises currently have a premises licence in place LBH-PRE-T-0558 granted in November 2005. The licence is attached as **Appendix D**.
- 3.2. No Temporary Event Notices were submitted for the premises in the last 12 months.

4. **Representations: Responsible Authorities**

<b>From</b>	<b>Details</b>
Environmental Health Authority (Environmental Protection)	Representation removed following agreed additional condition(s) - See Para 8.1
Environmental Health Authority (Environmental Enforcement)	Representation removed following agreed additional conditions - See Para 8.1
Environmental Health Authority (Health & Safety)	No representation received
Weights and Measures (Trading Standards)	No representation received
Planning Authority	Have confirmed no representation
Area Child Protection Officer	No representation received
Fire Authority	Have confirmed no representation .
Police	Representation removed following applicant's agreement to amend condition (24). See Para 8.1 below
Licensing Authority <b>Appendix B</b>	Representation received on the grounds of The Prevention of Public Nuisance
Health Authority	No representation received

5. **Representations: Other Persons**

<b>From</b>	<b>Details</b>
1 Representation against the application and 3 representations in support of the application have been received from and on behalf of	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.

<p>local residents. Appendix <b>C1</b> - Against Appendices <b>C2</b> to <b>C4</b> are In support</p>	
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6. **Guidance Considerations**

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

7. **Policy Considerations**

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

8. **Officer Observations**

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

**Supply of Alcohol(On/Both)**

1. No supply of alcohol may be made under the premises licence:
  - (a) At a time when there is no designated premises supervisor in respect of the premises licence.
  - (b) At a time when the designated premises supervisor does not hold a personal licence or his personal licence is suspended.
2. Every supply of alcohol under the premises licence must be made or authorised by a person who holds a personal licence.
3. (1) The responsible person must ensure that staff on relevant premises do not carry out, arrange or participate in any irresponsible promotions in relation to the premises.
  - (2) In this paragraph, an irresponsible promotion means any one or more of the following activities, or substantially similar activities, carried on for the purpose of encouraging the sale or supply of alcohol for consumption on the premises -
    - (a) games or other activities which require or encourage, or are designed to require or encourage, individuals to; 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 drink as much alcohol as possible (whether within a time limit or otherwise);

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;

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;

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 if age (or such older age as may be specified in the policy) to produce on request, before being served alcohol, identification bearing their photograph, date of birth and either:-
  - A. a holographic mark or
  - B. an ultraviolet feature.
6. The responsible person shall ensure that:
  - a) where any of the following alcoholic drinks is sold or supplied for consumption on the premises (other than alcoholic drinks sold or supplied having been made up in advance ready for sale or supply in a securely closed container) it is available to customers in the following measures:
    - beer or cider: 1/2 pint;
    - gin, rum, vodka or whisky: 25ml or 35ml; and
    - still wine in a glass: 125ml; and
    - a. these measures are displayed in a menu, price list or other printed material which is available to customers on the premises; and

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

### Minimum Drinks Pricing

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

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

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

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

(i) P is the permitted price,

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

(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.

### **Door Supervision**

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

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

9. The premises shall maintain a CCTV system that covers public areas for patrons, 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 30 days with date and time stamping. Recordings shall be made available immediately upon the request of the Police or authorised officer.

10. A staff member from the premises who is conversant with the operation of the CCTV system shall be on the premises at all times when the premises are open to the public. This staff member shall be able to show Police or an authorised officer of Hackney Borough Council recent data or footage with the minimum of delay when requested.

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

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

12. All instances of crime or disorder to be reported by the designated premises supervisor or responsible member of staff to some agreed police contact point, as agreed with the Police.

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

14. All staff will be given refresher training every twelve months on the legislation relating to the sales of alcohol to underage persons and drunken persons. Written records of this training shall be kept on the premises and produced to police or other authorised officers upon request.

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

16. After 22:30 hours there shall be no more than 5 patrons at any one time coming from inside to outside the venue to smoke in the designated smoking area.
17. Table food will be readily available for patrons whenever alcohol is supplied for consumption on the premises.
18. There will be seating for the majority of patrons for on - sales.
19. The Licensee shall provide a safe receptacle for cigarette ends to be placed outside for the use of customers, such receptacle being carefully placed so as not to cause an obstruction or trip.
20. Reasonable steps shall be taken to stop patrons from congregating outside the premises or from causing noise and nuisance to residents living in the vicinity of the premises.
21. All patrons or staff waiting for a cab or other form of transport will be encouraged to wait within the premises.
22. No external promoters will be allowed to host music nights at the venue.
23. A maximum capacity of 150 patrons, not including staff.
24. A minimum of one SIA guard to be on the door every Friday and Saturday between 9pm and close. At all other times SIA door supervisors shall be employed on a risk assessment basis. When employed, all SIA staff shall wear a high visibility armband or vest to be easily identifiable. They shall enter their name, address, SIA number and times they begin and finish their shift in a daily register. If employed by an agency all agency contact details shall be recorded also.
25. Clear signage is to be displayed prominently and maintained at all the exits of the premises requiring patrons to leave and enter the premises quietly out of respect for local residents.
26. Refuse, including bottles, is to be taken and placed into receptacles outside the premises at times which will minimise the disturbance to nearby premises.
27. The licensee shall instruct a member of staff to make regular checks of the area immediately outside the premises and remove any litter, bottles and glasses emanating from the premises. A final check should be made at close of business.
28. Where the sale or supply of alcohol is taking place employees of the premises must request sight of evidence of the age of any person appearing to be under 25 years of age (Challenge 25). Such evidence may include a driving licence or passport.
29. Persons under the age of 18 shall not be permitted in the bar area of the premises when it is open for the sale of alcohol.



30. Amplified sound (Live music or recorded music) on the premises shall be played at such a level so as not to cause nuisance to any un-associated noise sensitive premises

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

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

33. The Licensee's premises are situated in an area within which refuse may only be left on the public highway at certain times (time bands). If the Licensee's waste carrier cannot or does not comply by collecting the refuse within an hour after the close of any time band imposed by the waste authority, the Licensee must remove the refuse from the public highway and/or keep it within the premises until such time as his/her waste carrier arrives to collect the refuse.

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

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

36. The current trade waste agreement/duty of care waste transfer document shall be conspicuously displayed and maintained in the window of the premises where it can be conveniently seen and read by persons standing in Basement, 36-44 Stoke Newington Road. This should remain unobstructed at all times and should clearly identify:-

- the name of the registered waste carrier
- the date of commencement of trade waste contract
- the date of expiry of trade waste contract
- the days and times of collection
- the type of waste including the European Waste Code

## 9. **Reasons for Officer Observations**

9.1. Conditions 9 to 29 are derived from the applicant's operating schedule. Condition 24 has been amended as agreed with the Police Authority. Condition 30 has been suggested by the Environmental Protection and agreed by the applicant. Conditions 31 to 36 have been proposed by the Environmental Enforcement Authority and accepted by the applicant.

## 10. Legal Comments

- 10.1. The Council has a duty as a Licensing Authority under the Licensing Act 2003 to carry out its functions with a view to promoting the following 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

### 12.1. Option 1

**That the application be refused**

### 12.2. 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.

### Appendices:

Appendix A: Application for a premises licence and supporting documents

Appendix B: Representations from responsible authorities

Appendix C: Representations from other persons

Appendix D: Existing Premises Licence

Appendix E :Location map

### Background documents

Licensing Act 2003

LBH Statement of Licensing Policy

<b>Report Author</b>	Name: <a href="#">Sanaria Hussain</a> Title: Senior Licensing Officer Email: sanaria.hussain@hackney.gov.uk Tel: 020 8356 4972
<b>Comments for the Group Director of Finance and Corporate Resources prepared by</b>	Name Title Email Tel
<b>Comments for the Director of Legal, Democratic and Electoral Services prepared by</b>	Name Title Email Tel

**Hackney**

**LA01**

**Application for a premises licence to be granted under the Licensing Act 2003**

**PLEASE READ THE FOLLOWING INSTRUCTIONS FIRST**

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

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

**I/We**

**THE UMBRELLA PROJECTS LIMITED**

*(Insert name(s) of applicant)*

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

**Part 1 – Premises details**

Postal address of premises or, if none, ordnance survey map reference or description			
<b>BASEMENT UNIT 36-44 STOKE NEWINGTON ROAD HACKNEY</b>			
<b>Post town</b>	<b>LONDON</b>	<b>Postcode</b>	<b>N16 7XJ</b>

Telephone number at premises (if any)	
Non-domestic rateable value of premises	<b>£ 38,000</b>

**Part 2 - Applicant details**

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

- a) an individual or individuals \* please complete section (A)
- b) a person other than an individual \*
  - i as a limited company/limited liability partnership please complete section (B)  
X
  - ii as a partnership (other than limited liability) please complete section (B)

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

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

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

I am making the application pursuant to a

statutory function or

a function discharged by virtue of Her Majesty's prerogative

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

Mr	Mrs	Miss	Ms	Other Title (for example, Rev)	
<b>Surname</b>			<b>First names</b>		
<b>Date of birth</b>		I am 18 years old or over		Please tick yes	
<b>Nationality</b>					

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

**SECOND INDIVIDUAL APPLICANT** (if applicable)

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

**(B) OTHER APPLICANTS**

Please provide name and registered address of applicant in full. Where appropriate please give any registered number. In the case of a partnership or

**other joint venture (other than a body corporate), please give the name and address of each party concerned.**

Name	THE UMBRELLA PROJECTS LIMITED
Address	24 OLD BOND STREET LONDON WS1 4AP
Registered number (where applicable)	8659828
Description of applicant (for example, partnership, company, unincorporated association etc.)	LIMITED COMPANY
Telephone number (if any)	[REDACTED]
E-mail address (optional)	[REDACTED]

**Part 3 Operating Schedule**

When do you want the premises licence to start?

DD MM YYYY  
0 1 / 0 6 / 2 0 2 4

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

DD MM YYYY

Please give a general description of the premises (please read guidance note 1) Underground basement unit, formerly The Nest nightclub, to be turned into a high end, predominantly table service cocktail bar.
--

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

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

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

Provision of regulated entertainment (please read guidance note 2) Please tick all that apply

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

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

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

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



**A**

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

**B**

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

**C**

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

**D**

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

E

Live music Standard days and timings (please read guidance note 7)			Will the performance of live music take place indoors or outdoors or both – please tick (please read guidance note 3)	Indoors	X
Day				Outdoors	
Start	Finish			Both	
Mon	23:00	00:00	<b>Please give further details here</b> (please read guidance note 4)		
Tue	23:00	00:00			
Wed	23:00	00:00	<b>State any seasonal variations for the performance of live music</b> (please read guidance note 5)		
Thur	23:00	02:00			
Fri	23:00	02:00	<b>Non-standard timings. Where you intend to use the premises for the performance of live music at different times to those listed in the column on the left, please list</b> (please read guidance note 6)  An additional hour to the terminal hour on the day British Summertime commences.		
Sat	23:00	02:00			
Sun	23:00	00:00		New Years Eve hours - 17:00 - 02:00	

F

Recorded music Standard days and timings (please read guidance note 7)			Will the playing of recorded music take place indoors or outdoors or both – please tick (please read guidance note 3)	Indoors	X
				Outdoors	
Day	Start	Finish		Both	
Mon	23:00	00:00	<b>Please give further details here</b> (please read guidance note 4)		
Tue	23:00	00:00			
Wed	23:00	00:00	<b>State any seasonal variations for the playing of recorded music</b> (please read guidance note 5)		
Thur	23:00	02:00			
Fri	23:00	02:00	<b>Non-standard timings. Where you intend to use the premises for the playing of recorded music at different times to those listed in the column on the left, please list</b> (please read guidance note 6)		
Sat	23:00	02:00		An additional hour to the terminal hour on the day British Summertime commences.	
Sun	23:00	00:00		New Years Eve hours - 17:00 - 02:00	

**G**

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

H

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



I

<b>Late night refreshment</b> Standard days and timings (please read guidance note 7)			<b>Will the provision of late night refreshment take place indoors or outdoors or both – please tick</b> (please read guidance note 3)	Indoors	X
				Outdoors	
Day	Start	Finish		Both	
Mon	23:00	00:00	<b>Please give further details here</b> (please read guidance note 4)		
Tue	23:00	00:00			
Wed	23:00	00:00		<b>State any seasonal variations for the provision of late night refreshment</b> (please read guidance note 5)	
Thur	23:00	02:00			
Fri	23:00	02:00	<b>Non-standard timings. Where you intend to use the premises for the provision of late night refreshment at different times, to those listed in the column on the left, please list</b> (please read guidance note 6)		
Sat	23:00	02:00		An additional hour to the terminal hour on the day British Summertime commences.	
Sun	23:00	00:00		New Years Eve hours - 17:00 - 02:00	

J

Supply of alcohol Standard days and timings (please read guidance note 7)			Will the supply of alcohol be for consumption – please tick (please read guidance note 8)	On the premises	X
				Off the premises	
Day	Start	Finish		Both	
Mon	17:00	23:30	<b>Non-standard timings. Where you intend to use the premises for the supply of alcohol at different times to those listed in the column on the left, please list (please read guidance note 6)</b>  An additional hour to the terminal hour on the day British Summertime commences.  New Years Eve hours - 17:00 - 02:00		
Tue	17:00	23:30			
Wed	17:00	23:30			
Thur	17:00	01:30			
Fri	17:00	01:30			
Sat	17:00	01:30			
Sun	17:00	23:30			

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

<b>Name</b> ANDREW JAMES KERR	
<b>Date of birth</b>	██████████
<b>Address</b> ██████████ ██████████ ██████████	
<b>Postcode</b>	██████████

Personal licence number (if known). L [REDACTED]
[REDACTED]

K

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

L

<p><b>Hours premises are open to the public</b> Standard days and timings (please read guidance note 7)</p>			<p><b>State any seasonal variations</b> (please read guidance note 5)</p>
Day	Start	Finish	
Mon	17:00	00:00	<p><b>Non-standard timings. Where you intend the premises to be open to the public at different times from those listed in the column on the left, please list</b> (please read guidance note 6)</p> <p>An additional hour to the terminal hour on the day British Summertime commences.</p> <p>New Years Eve hours - 17:00 - 02:00</p>
Tue	17:00	00:00	
Wed	17:00	00:00	
Thur	17:00	02:00	
Fri	17:00	02:00	
Sat	17:00	02:00	
Sun	17:00	00:00	



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

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

The premises was previously operating as a nightclub for a number of years, firstly as The Nest and latterly under the name Storm. Whilst being operated as Storm the premises had a number of issues due to mismanagement and the style and concept of the venue. This attracted an undesirable demographic which was at odds with the atmosphere of the area in general. The previous licence, which included a 300 capacity and 4am licence on weekends was rescinded at committee hearing in 2021 following opposition from police and local residents.

We are submitting a new application that will promote the licensing objectives by offering a robust and appropriate operating schedule which retains the requirement for restricted capacity, CCTV and door staff. We have been in dialogue with the local residents who were previously affected, as well as the local councillor's and police and we have taken on their feedback as reflected in our operating schedule.

Set up in 2014 with established concepts in Bethnal Green, Shoreditch and Spitalfields, The Umbrella Project has a reputation for operating some of London's most respectable and well loved cocktail bars. They have been looking for a location with similar demographics which would attract a style of customer looking for not only quality of drinks and service but products that have been locally sourced and support local London based businesses. The idea was strengthened during the pandemic with customers being more aware of what they were buying and provenance of their purchases.

A London Living Wage employer, The Umbrella Project also boasts a first class training and development programme, with emphasis on developing staff from the ground up meaning that staff retention is extremely high. We will also commit to the Hackney nights platform.

The general running of day to day operations will involve a high staff versus customer ratio, which will be needed to support the service and quality of drinks standards. As well as door security on weekend and a door host to control flow and safe being of the patrons.

The venue itself will be predominantly table service with seating for up to 120 person. There will be an element of casual standing space dotted around. for The concept will involve a daily changing cocktail menu designed and prepped by our in house cocktail development team based in our drinks lab in Shoreditch, The Umbrella Workshop. The menu will be predominantly using independent and small producer spirits including non-alcoholic, and low-alcoholic options as well as interesting home made fermentations, vinegars, shrubs and cordials.

Entertainment, programmed by Umbrella Radio, the music and entrainment arm of The Umbrella Project, will be in the form of piano based artists playing a variety of different styles as well as later on DJs creating a unique atmosphere similar to Discount Suit Company and The Sun Tavern.

We have a proposed 20 year lease (licence dependent) as a result of which we will be making a significant investment in the venues interior, furnishings and the staff training and development. The venue will be sound proofed so as not to impact any local residents or businesses and adequately ventilated.

After consulting the local residents we believe this licence application allays a lot of their fears, and their concern are addressed with our suggested conditions within the application which have reduced the operating hours, reduced the capacity, supplied seating for the majority of patrons and committed to no external promoters being allowed to host at the venue, as well as food being available during operational hours in the form of cheeseboards etc.

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

1. The premises shall maintain a CCTV system that covers public areas for patrons, 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 30 days with date and time stamping. Recordings shall be made available immediately upon the request of the Police or authorised officer.
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 are open to the public. This staff member shall be able to show Police or an authorised officer of Hackney Borough Council recent data or footage with the minimum of delay when requested.
3. An incident log shall be kept at the premises, and made available immediately to an authorised officer of the Hackney Borough Council or the Police, which will record the following: a. all crimes reported to the venue b. any complaints received c. any incidents of disorder d. any faults in the CCTV system e. any refusal of the sale of alcohol f. any visit by a relevant authority or emergency service
4. All instances of crime or disorder to be reported by the designated premises supervisor or responsible member of staff to some agreed police contact point, as agreed with the Police.
5. There shall be prominent signage requesting customers to leave the premises quietly and respect local residents.
6. All staff will be given refresher training every twelve months on the legislation relating to the sales of alcohol to underage persons and drunken persons. Written records of this training shall be kept on the premises and produced to police or other authorised officers upon request.
7. The premises shall adhere to Hackney Police Weapons and Drugs Policies and any updates thereof. .
8. After 22:30 hours there shall be no more than 5 patrons at any one time coming from inside to outside the venue to smoke in the designated smoking area.
9. Table food will be readily available for patrons whenever alcohol is supplied for consumption on the premises.
10. There will be seating for the majority of patrons for on - sales.
11. The Licensee shall provide a safe receptacle for cigarette ends to be placed outside for the use of customers, such receptacle being carefully placed so as not to cause an obstruction or trip.
12. Reasonable steps shall be taken to stop patrons from congregating outside the premises or from causing noise and nuisance to residents living in the vicinity of the premises.

13. All patrons or staff waiting for a cab or other form of transport will be encouraged to wait within the premises.

14. No external promoters allowed to host music nights at the venue.

15. A maximum capacity of 150 patrons, not including staff.

16. A minimum of one SIA guard to be on the door every Friday and Saturday between 9pm and close.

### **c) Public safety**

We understand our obligations under existing legislation and take our responsibilities seriously.

### **d) The prevention of public nuisance**

1. Clear signage is to be displayed prominently and maintained at all the exits of the premises requiring patrons to leave and enter the premises quietly out of respect for local residents.
2. Refuse, including bottles, is to be taken and placed into receptacles outside the premises at times which will minimise the disturbance to nearby premises.
3. The Licensee shall ensure that all staff are fully trained and made aware of the legal requirement of businesses to comply with their responsibility as regards the disposal of waste produced from the business premises. The procedure for handling and preparing for disposal of the waste shall be in writing and displayed in a prominently place where it can be referred to at all times by staff.
4. The licensee shall ensure that any contract for general and recyclable waste disposal shall be appropriate in size to the amount of waste produced by the business. The licensee shall maintain an adequate supply of waste receptacles provided by his registered waste carrier (refuse sacks or commercial waste bins) in order to ensure all refuse emanating from the business is always presented for collection by his waste carrier and shall not place any waste on the public highway in plain black or unidentifiable refuse sacks or any other unidentifiable or unmarked waste receptacles.
5. The licensee shall instruct a member of staff to make regular checks of the area immediately outside the premises and remove any litter, bottles and glasses emanating from the premises. A final check should be made at close of business.



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

1. Where the sale or supply of alcohol is taking place employees of the premises must request sight of evidence of the age of any person appearing to be under 25 years of age (Challenge 25). Such evidence may include a driving licence or passport.
2. Persons under the age of 18 shall not be permitted in the bar area of the premises when it is open for the sale of alcohol.

**Checklist:**

**Please tick to indicate agreement**

I have made or enclosed payment of the fee.

I have enclosed the plan of the premises.

I have sent copies of this application and the plan to responsible authorities and others where applicable.

I have enclosed the consent form completed by the individual I wish to be designated premises supervisor, if applicable.

I understand that I must now advertise my application.

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

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


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

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

**THE SAME ACT, WILL BE COMMITTING AN OFFENCE WHERE THEY DO SO IN THE KNOWLEDGE, OR WITH REASONABLE CAUSE TO BELIEVE, THAT THE EMPLOYEE IS DISQUALIFIED.**



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

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

<b>Declaration</b>	<ul style="list-style-type: none"> <li>[Applicable to individual applicants only, including those in a partnership which is not a limited liability partnership] I understand I am not entitled to be issued with a licence if I do not have the entitlement to live and work in the UK (or if I am subject to a condition preventing me from doing work relating to the carrying on of a licensable activity) and that my licence will become invalid if I cease to be entitled to live and work in the UK (please read guidance note 15).</li> <li>The DPS named in this application form is entitled to work in the UK (and is not subject to conditions preventing him or her from doing work relating to a licensable activity) and I have seen a copy of his or her proof of entitlement to work, or have conducted an online right to work check using the Home Office right to work checking service which confirmed their right to work (please see note 15)</li> </ul>
Signature	
Date	06/02/2024
Capacity	Business partner / operator

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

Signature	
Date	
Capacity	

Contact name (where not previously given) and postal address for correspondence associated with this application (please read guidance note 14)			
			
Post town	LONDON	Postcode	

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

### Notes for Guidance

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

- the local authority concerned, or (ii) the school or (iii) the health care provider for the hospital.
- Recorded Music: no licence permission is required for:
    - any playing of recorded music between 08.00 and 23.00 on any day on premises authorised to sell alcohol for consumption on those premises, provided that the audience does not exceed 500.
    - any playing of recorded music between 08.00 and 23.00 on any day, in a church hall, village hall, community hall, or other similar community premises, that is not licensed by a premises licence to sell alcohol, provided that (a) the audience does not exceed 500, and (b) the organiser gets consent for the performance from a person who is responsible for the premises.
    - any playing of recorded music between 08.00 and 23.00 on any day, at the non-residential premises of (i) a local authority, or (ii) a school, or (iii) a hospital, provided that (a) the audience does not exceed 500, and (b) the organiser gets consent for the performance on the relevant premises from: (i) the local authority concerned, or (ii) the school proprietor or (iii) the health care provider for the hospital.
  - Dance: no licence is required for performances between 08.00 and 23.00 on any day, provided that the audience does not exceed 500. However, a performance which amounts to adult entertainment remains licensable.
  - Cross activity exemptions: no licence is required between 08.00 and 23.00 on any day, with no limit on audience size for:
    - any entertainment taking place on the premises of the local authority where the entertainment is provided by or on behalf of the local authority;
    - any entertainment taking place on the hospital premises of the health care provider where the entertainment is provided by or on behalf of the health care provider;
    - any entertainment taking place on the premises of the school where the entertainment is provided by or on behalf of the school proprietor; and
    - any entertainment (excluding films and a boxing or wrestling entertainment) taking place at a travelling circus, provided that (a) it takes place within a moveable structure that accommodates the audience, and (b) that the travelling circus has not been located on the same site for more than 28 consecutive days.
3. Where taking place in a building or other structure please tick as appropriate (indoors may include a tent).
  4. For example the type of activity to be authorised, if not already stated, and give relevant further details, for example (but not exclusively) whether or not music will be amplified or unamplified.
  5. For example (but not exclusively), where the activity will occur on additional days during the summer months.
  6. For example (but not exclusively), where you wish the activity to go on longer on a particular day e.g. Christmas Eve.
  7. Please give timings in 24 hour clock (e.g. 16.00) and only give details for the days of the week when you intend the premises to be used for the activity.
  8. If you wish people to be able to consume alcohol on the premises, please tick 'on the premises'. If you wish people to be able to purchase alcohol to consume away from the premises, please tick 'off the premises'. If you wish people to be able to do both, please tick 'both'.

9. Please give information about anything intended to occur at the premises or ancillary to the use of the premises which may give rise to concern in respect of children, regardless of whether you intend children to have access to the premises, for example (but not exclusively) nudity or semi-nudity, films for restricted age groups or the presence of gaming machines.
10. Please list here steps you will take to promote all four licensing objectives together.
11. The application form must be signed.
12. An applicant's agent (for example solicitor) may sign the form on their behalf provided that they have actual authority to do so.
13. Where there is more than one applicant, each of the applicants or their respective agent must sign the application form.
14. This is the address which we shall use to correspond with you about this application.

**15. Entitlement to work/immigration status for individual applicants and applications from partnerships which are not limited liability partnerships:**

A licence may not be held by an individual or an individual in a partnership who is resident in the UK who:

- does not have the right to live and work in the UK; or
- is subject to a condition preventing him or her from doing work relating to the carrying on of a licensable activity.

Any premises licence issued in respect of an application made on or after 6 April 2017 will become invalid if the holder ceases to be entitled to work in the UK.

Applicants must demonstrate that they have the right to work in the UK and are not subject to a condition preventing them from doing work relating to the carrying on of a licensing activity. They do this in one of two ways: 1) by providing with this application copies or scanned copies of the documents listed below (which do not need to be certified) or 2) by providing their 'share code' to enable the licensing authority to carry out a check using the Home Office online right to work checking service (see below).

**Documents which demonstrate entitlement to work in the UK**

- An expired or current passport showing the holder, or a person named in the passport as the child of the holder, is a British citizen or a citizen of the UK and Colonies having the right of abode in the UK [please see note below about which sections of the passport to copy].
- An expired or current passport or national identity card showing the holder, or a person named in the passport as the child of the holder, is a national of a European Economic Area country or Switzerland.
- A Registration Certificate or document certifying permanent residence issued by the Home Office to a national of a European Economic Area country or Switzerland.
- A Permanent Residence Card issued by the Home Office to the family member of a national of a European Economic Area country or Switzerland.

- A **current** Biometric Immigration Document (Biometric Residence Permit) issued by the Home Office to the holder indicating that the person named is allowed to stay indefinitely in the UK, or has no time limit on their stay in the UK.
- A **current** passport endorsed to show that the holder is exempt from immigration control, is allowed to stay indefinitely in the UK, has the right of abode in the UK, or has no time limit on their stay in the UK.
- A **current** Immigration Status Document issued by the Home Office to the holder with an endorsement indicating that the named person is allowed to stay indefinitely in the UK or has no time limit on their stay in the UK, **when produced in combination with** an official document giving the person's permanent National Insurance number and their name issued by a Government agency or a previous employer.
- A **full** birth or adoption certificate issued in the UK which includes the name(s) of at least one of the holder's parents or adoptive parents, **when produced in combination with** an official document giving the person's permanent National Insurance number and their name issued by a Government agency or a previous employer.
- A birth or adoption certificate issued in the Channel Islands, the Isle of Man or Ireland **when produced in combination with** an official document giving the person's permanent National Insurance number and their name issued by a Government agency or a previous employer.
- A certificate of registration or naturalisation as a British citizen, **when produced in combination with** an official document giving the person's permanent National Insurance number and their name issued by a Government agency or a previous employer.
- A **current** passport endorsed to show that the holder is allowed to stay in the UK and is currently allowed to work and is not subject to a condition preventing the holder from doing work relating to the carrying on of a licensable activity.
- A **current** Biometric Immigration Document (Biometric Residence Permit) issued by the Home Office to the holder which indicates that the named person can currently stay in the UK and is allowed to work relation to the carrying on of a licensable activity.
- A **current** Residence Card issued by the Home Office to a person who is not a national of a European Economic Area state or Switzerland but who is a family member of such a national or who has derivative rights or residence.

- A **current** Immigration Status Document containing a photograph issued by the Home Office to the holder with an endorsement indicating that the named person may stay in the UK, and is allowed to work and is not subject to a condition preventing the holder from doing work relating to the carrying on of a licensable activity **when produced in combination with** an official document giving the person's permanent National Insurance number and their name issued by a Government agency or a previous employer.
- A Certificate of Application, **less than 6 months old**, issued by the Home Office under regulation 17(3) or 18A (2) of the Immigration (European Economic Area) Regulations 2006, to a person who is not a national of a European Economic Area state or Switzerland but who is a family member of such a national or who has derivative rights of residence.
- Reasonable evidence that the person has an outstanding application to vary their permission to be in the UK with the Home Office such as the Home Office acknowledgement letter or proof of postage evidence, or reasonable evidence that the person has an appeal or administrative review pending on an immigration decision, such as an appeal or administrative review reference number.
- Reasonable evidence that a person who is not a national of an EEA state or Switzerland but who is a family member of such a national or who has derivative rights of residence in exercising treaty rights in the UK including:-
  - evidence of the applicant's own identity – such as a passport,
  - evidence of their relationship with the EEA family member – e.g. a marriage certificate, civil partnership certificate or birth certificate, and
  - evidence that the EEA national has a right of permanent residence in the UK or is one of the following if they have been in the UK for more than 3 months:
    - (i) working e.g. employment contract, wage slips, letter from the employer,
    - (ii) self-employed e.g. contracts, invoices, or audited accounts with a bank,
    - (iii) studying e.g. letter from the school, college or university and evidence of sufficient funds; or
    - (iv) self-sufficient e.g. bank statements.

Family members of European Economic Area nationals who are studying or financially independent must also provide evidence that the European Economic Area national and any family members hold comprehensive sickness insurance in the UK. This can include a private medical insurance policy, an EHIC card or an S1, S2 or S3 form.

**Original documents must not be sent to licensing authorities.** If the document copied is a passport, a copy of the following pages should be provided:-

- (i) any page containing the holder's personal details including nationality;
- (ii) any page containing the holder's photograph;
- (iii) any page containing the holder's signature;
- (iv) any page containing the date of expiry; and
- (v) any page containing information indicating the holder has permission to enter or remain in the UK and is permitted to work.

If the document is not a passport, a copy of the whole document should be provided.

Your right to work will be checked as part of your licensing application and this could involve us checking your immigration status with the Home Office. We may otherwise share information with the Home Office. Your licence application will not be determined until you have complied with this guidance.

### **Home Office online right to work checking service**

As an alternative to providing a copy of the documents listed above, applicants may demonstrate their right to work by allowing the licensing authority to carry out a check with the Home Office online right to work checking service.

To demonstrate their right to work via the Home Office online right to work checking service, applicants should include in this application their 9-digit share code (provided to them upon accessing the service at <https://www.gov.uk/prove-right-to-work>) which, along with the applicant's date of birth (provided within his application), will allow the licensing authority to carry out the check.

In order to establish the applicant's right to work, the check will need to indicate that the applicant is allowed to work in the United Kingdom and is not subject to a condition preventing them from doing work relating to the carrying on a licensable activity.

An online check will not be possible in all circumstances because not all applicants will have an immigration status that can be checked online. The Home Office online right to work checking service sets out what information and/or documentation applicants will need in order to access the service. Applicants who are unable to obtain a share code from the service should submit copy documents as set out above.



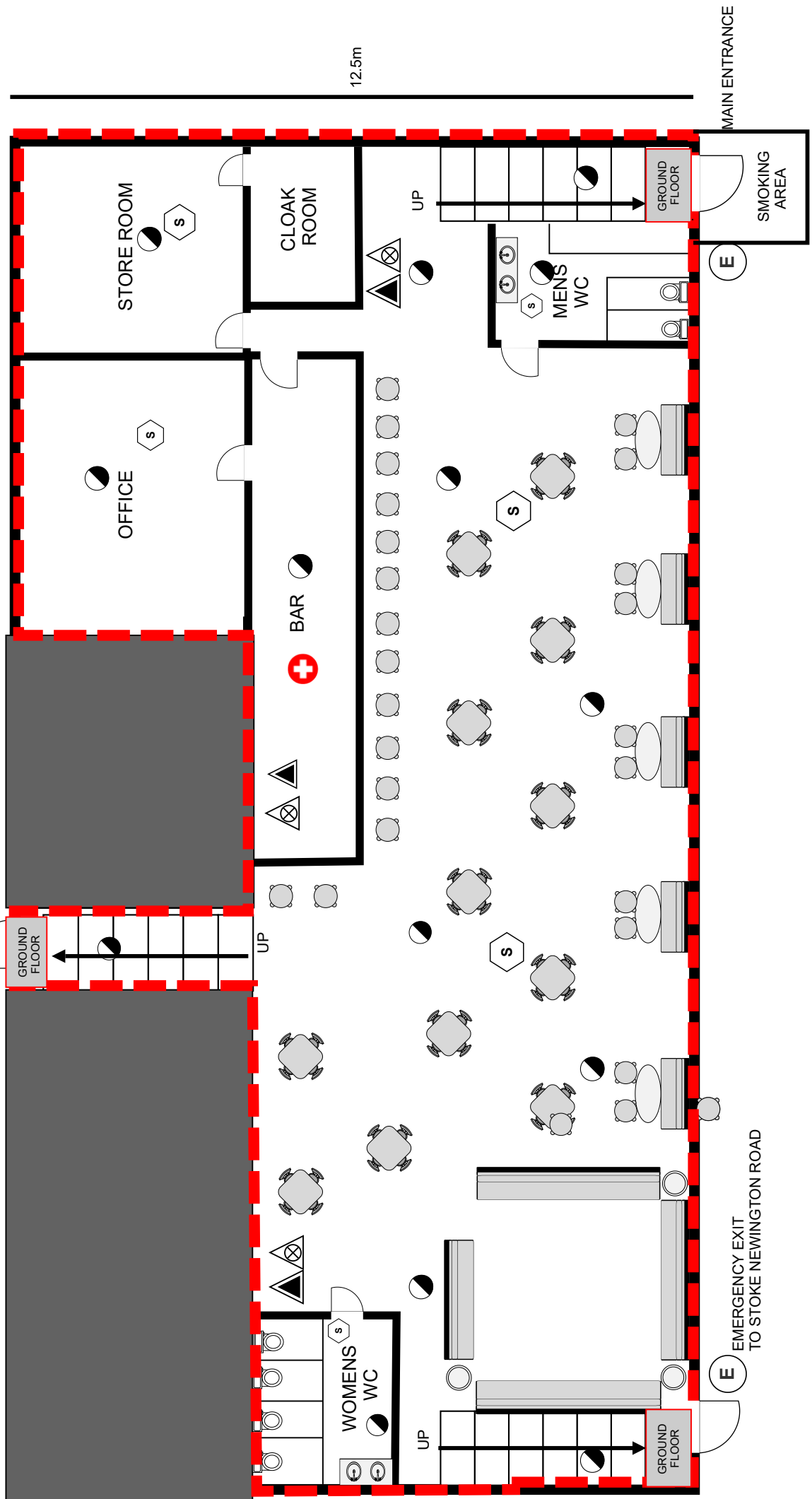
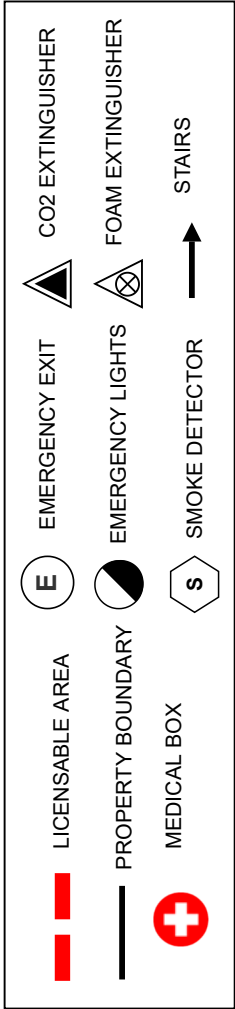


BASEMENT UNIT  
36-44 STOKE NEWINGTON ROAD  
LONDON N16 7XJ

EMERGENCY EXIT  
TO MILLERS TERRACE

SCALE METRIC 1:100 @ A4

0 metres 5 metres



25.1m

STOKE NEWINGTON ROAD

[Redacted]

[Redacted]

[Redacted]

[Redacted]

[Redacted]

[Redacted]

[Redacted]

[Redacted]

[Redacted]

[Redacted]

[Redacted]

[Redacted]

[Redacted]

David Tuitt <david.tuitt@hackney.gov.uk>  
 To: Sanaria Hussain <sanaria.hussain@hackney.gov.uk>

8 March 2024 at 23:51

Dear Sanaria,

Having had a look at this application I have some observations:

- The plan appears to show the site on level although I know it is basement with the access and emergency escape on the ground floor.
- The hours exceed those set out in LP3 (Core Hours). This is notable given the close proximity to residential premises including above the site and directly opposite.
- The site had operated recently in a manner which led to the revocation of the premises licence. This was the outcome of an application to review received from the Police.
- Local residents were severely impacted in a negative way by the previous operation. I suggested that the applicant contact the local residents and also the ward councillors in advance of submitting the application to address any concerns they may have.

[Redacted]

Kind regards,

**David Tuitt**  
**Business Regulation Team Leader**  
 Licensing | Technical Support  
 Direct Tel: 020 8356 4942  
 Tel: 020 8356 2431

[Quoted text hidden]  
 [Quoted text hidden]  
 Disclaimers apply, for full details see: <https://hackney.gov.uk/email-disclaimer>  
 [Quoted text hidden]



# Appendix C1

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

**Fwd: 36-44 Stoke Newington Road N16 7XJ**

OP1

1 message

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

12 March 2024 at 08:53

Kind Regards,

Licensing Service  
London Borough of Hackney  
Tel: 020 8356 2431  
Email: [licensing@hackney.gov.uk](mailto:licensing@hackney.gov.uk)  
[www.hackney.gov.uk/licensing](http://www.hackney.gov.uk/licensing)  
Date: Fri, 8 Mar 2024 at 19:33  
Subject: [36-44 Stoke Newington Road N16 7XJ](#)  
To: [licensing@hackney.gov.uk](mailto:licensing@hackney.gov.uk) <[licensing@hackney.gov.uk](mailto:licensing@hackney.gov.uk)>

Dear Licensing,

36-44 Stoke Newington Road

London

N16 7XJ

Shacklewell

The Umbrella Project Ltd

Application for a premises licence for plays, recorded

music, late night refreshment from 23:00 to 00:00

Sun to Wed and from 23:00 to 02:00am Thur to Sat

and to authorise the supply of alcohol for

consumption on the premises from 17:00 to 23:30

Sun to Wed and from 17:00 to 01:30am Thur to Sat.

08/03/2024

I haven't the application but I suspect that 'plays' are not going to be the primary use proposal. What could 'The Umbrella Project Ltd' be doing at these excessive hours with these entertainments?

I recall this premises operating with similar hours being a serious nuisance especially on a Thursday night.

Please note conditions for premises that hold entertainment licences that include 'except immediate ingress and egress' are not acceptable and considered reckless.

Page 67

If not refused the application would cause nuisance, crime and add to the cumulative impact of other such premises in the locality adding to the considerable existing nuisance of premises operating beyond core hours in the Dalston Special Policy area.

Regards,



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# Appendix C2

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

## Fwd: Premises Licence Application

1 message

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

12 March 2024 at 08:52

Kind Regards,

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

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

From: [REDACTED]  
Date: Sat, 9 Mar 2024 at 11:24  
Subject: Premises Licence Application  
To: [licensing@hackney.gov.uk](mailto:licensing@hackney.gov.uk) <[licensing@hackney.gov.uk](mailto:licensing@hackney.gov.uk)>

Good morning

I'm emailing in support of the premises licence application for [36-44 Stoke Newington Road](#). I live at [Barrett's Grove, N16](#) [REDACTED]

Tom Gibson is a responsible operator who is very aware of our concerns for that particular spot and knows how affected residents on Barrett's Grove were with the previous licence.

He has met with me (and my husband) on several occasions but also met with many of our neighbours and addressed and taken our concerns on board. I think we're all pretty happy with the licence application he has put forward. Tom's plan for 36-44 Stoke Newington Road will add something a little more sophisticated to our community, something that is currently lacking.

Give me a call if you have any questions: [REDACTED]

Kind regards

[REDACTED]

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



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

## Fwd: Premises Licence Application

1 message

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

12 March 2024 at 08:52

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

Kind Regards,

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

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

From: [Redacted]  
Date: Sat, 9 Mar 2024 at 11:25  
Subject: Premises Licence Application  
To: <[licensing@hackney.gov.uk](mailto:licensing@hackney.gov.uk)>

Dear Licensing Team,

I'd like to voice my support for the premises licence application relating to [36-44 Stoke Newington Road](#). We've met Tom Gibson who has gone to considerable lengths in consulting local residents, we feel that the venue concept he's proposing could benefit the area and have faith in his intention and ability to run this venue in a professional and responsible manner.

Yours sincerely,

[Redacted]  
[Barrett's Grove](#)  
London  
N16 [Redacted]

Sent from my iPad, expect typos...



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



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

## Fwd: Premises Licence Application (36-44 Stoke Newington Road).

1 message

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

12 March 2024 at 08:52

Kind Regards,

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

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

From: [Redacted]  
Date: Sat, 9 Mar 2024 at 12:11  
Subject: Premises Licence Application (36-44 Stoke Newington Road).  
To: <[licensing@hackney.gov.uk](mailto:licensing@hackney.gov.uk)>

Dear Licensing Team,

I'd like to voice my full support for a licensing application from Tom Gibson for the premise at [36-44 Stoke Newington Road](#).

Tom Gibson is well known to me as both a parent and businessman who actively engages with the local community (I'm a resident of the nearby Barrett's Grove) and I have every confidence in his abilities to run the establishment in a totally responsible manner.

Having been made aware of his proposal I anticipate it could potentially elevate our neighbourhood, which would be extremely welcome following the problems with that venue of the last few years.

Kind regards,



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



This premises licence has been issued by:  
 Licensing Service  
 1 Hillman Street  
 London  
 E8 1DY

**Premises licence number** LBH-PRE-T-0558

**Part 1 - Premises Details**

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

36-44 Stoke Newington Road

**Post town**

London

**Postcode**

N16 7XJ

**Telephone number**

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

Not applicable

**Licensable activities authorised by the licence**

Live Music  
 Recorded Music  
 Performance of Dance  
 Supply of Alcohol

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

**Live Music**

**Standard Hours**

Mon 12:00-02:00  
 Tue 18:00-02:00  
 Wed 18:00-02:00  
 Thu 18:00-04:00  
 Fri 18:00-04:00  
 Sat 18:00-04:00  
 Sun 18:00-02:00

**Recorded Music**

**Standard Hours**

Mon 12:00-02:00  
 Tue 18:00-02:00  
 Wed 18:00-02:00  
 Thu 18:00-04:00  
 Fri 18:00-04:00



	Sat 18:00-04:00 Sun 18:00-02:00
<b>Performance of Dance</b>	<b>Standar Hours</b> Mon 12:00-02:00 Tue 18:00-02:00 Wed 18:00-02:00 Thu 18:00-04:00 Fri 18:00-04:00 Sat 18:00-04:00 Sun 18:00-02:00
<b>Supply of alcohol</b>	<b>Standard Hours</b> Mon 12:00-02:00 Tue 18:00-02:00 Wed 18:00-02:00 Thu 18:00-04:00 Fri 18:00-04:00 Sat 18:00-04:00 Sun 18:00-02:00

<b>The opening hours of the premises</b>	
	<b>Standard Hours:</b> Mon 12:00-02:00 Tue 18:00-02:00 Wed 18:00-02:00 Thu 18:00-04:00 Fri 18:00-04:00 Sat 18:00-04:00 Sun 18:00-02:00

<b>Where the licence authorises supplies of alcohol whether these are on and/or off supplies</b>	
On Premises	

**Part 2**

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

Moun Events Limited  
137 Blackstock Road  
N4 2JW

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

11640580

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

Younes Rerhou  
TBC

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

Personal licence number: TBC

Issuing Authority: TBC

**Date of grant:24/11/2005**



**David Tuitt  
Team Leader - Licensing**

**Annex 1 - Mandatory Conditions  
Supply Of Alcohol (On/Both)**

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

ensure that the supply of alcohol at the premises is carried on in accordance with the age verification policy.

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

- A. a holographic mark or
- B. an ultraviolet feature.

6. The responsible person shall ensure that:

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

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

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

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

### **Minimum Drinks Pricing**

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

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

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

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

(i) P is the permitted price,

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

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

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

(i) the holder of the premises licence,

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

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

(d) "relevant person" means, in relation to premises in respect of which

there is in force a club premises certificate, any member or officer of the club present on the premises in a capacity which enables the member or officer to prevent the supply in question; and

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

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

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

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

#### **Mandatory Condition - Door Supervision**

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

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

9. Staff are to be regularly trained in the licensing regulations.
10. License will actively take part in pubwatch scheme.
11. Signs and door supervisors to encourage patrons to disperse from the area quickly and quietly.
12. Children are not allowed entrance to the premises.
13. A comprehensive CCTV system that ensures all areas of the licensed premises are monitored, including all entry points, and which enable frontal identification of every person entering in any light condition. All cameras shall continually record whilst the premises are in operation and the recording shall be kept available for a minimum of 31 days with time and date stamping. Recording shall be made available to a duly authorised Hackney Council officer or a police officer together with facilities for viewing. The recordings for the preceding 31 days shall be made available immediately on request. The CCTV system shall be operated in accordance with the DataProtection Act 1998 and any other relevant legislation.
14. A minimum of one SIA registered door staff per 100 customers or part thereof shall be on duty whilst the premises are in use under the Licence. Additional Male and Female SIA door staff to be employed at the premises when required on the basis of an operational risk assessment with identity badges displayed at all times and SIA numbers, full names, times worked and duty performed to be entered into an occurrence book and made available to police immediately upon request.
15. Where the sale or supply of alcohol is taking place employees of the premises must request sight of evidence of the age of any person appearing to be under 21 years of age. Such evidence may include a driving licence or passport.
16. Premises to operate a no baseball caps or hooded tops policy and No alcohol promotions eg ; 'Happy Hour' or '2 for 1'
17. Noise limiter to be employed in a separate and remote (from the volume control) lockable cabinet must be fitted to the music amplification system. No supplementary sound system to be used by acts without a full Risk Assessment and prior notice given to Hackney Council Noise Pollution department and Hackney Police.
18. Amount of people coming outside the venue to smoke is limited by appropriate means to prevent people spilling onto a thoroughfare.
19. Adequate/improved security lighting outside the premises with consideration being given to light pollution of neighbouring properties. All entrances to the venue to be lit and painted white to enable better quality of CCTV images for identification purposes.

20. Every person entering the venue should be counted in and out with a mechanical counting device to ensure that the maximum accommodation limit is not exceeded. Documented search policy to be implemented and displayed stating that everyone entering the venue will be searched as a condition of entry.
21. Premises to operate a zero tolerance policy to drugs and comply with the Hackney Police/Council Community Safety Unit Drugs and Weapons Policy.
22. The premises will also, in cooperation with Hackney Police and no later than 3 months following granting of the premises licence, regularly facilitate a premises drug audit using the Ion Itemiser or similar device.
23. Queues to be supervised by Door Staff to prevent disorder and measures to be implemented aimed at discouraging anti-social behaviour.
24. Measures to be implemented to ensure that patrons cannot take glass or open containers outside the premises.
25. Toilets to be checked by staff randomly and at least once per hour after 2000 and an entry made in a register and made immediately available to police at reasonable request.
26. Premises will provide the police with a dispersal policy and comply with its contents to ensure that all patrons leave the venue and the vicinity quickly and quietly. Notices to be displayed at exit requesting that patrons respect the needs of local residents and leave the premises and the area quietly.
27. All instances of crime or disorder to be reported by the designated premises supervisor or responsible member of staff to an agreed police contact point.
28. All staff employed at the premises should be over 18 years old and photo identification has been seen to confirm this.
29. Non-intoxicating beverages, including drinking water, shall be available throughout the permitted hours in all parts of the premises where alcohol is sold.
30. 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.
31. The Licence Holder shall ensure that the details of all complaints are recorded in an occurrence book.
32. A member of staff shall run the cloakroom whenever licensable activities are taking place.
33. No Fly Posting of events to be allowed advertising the venue.

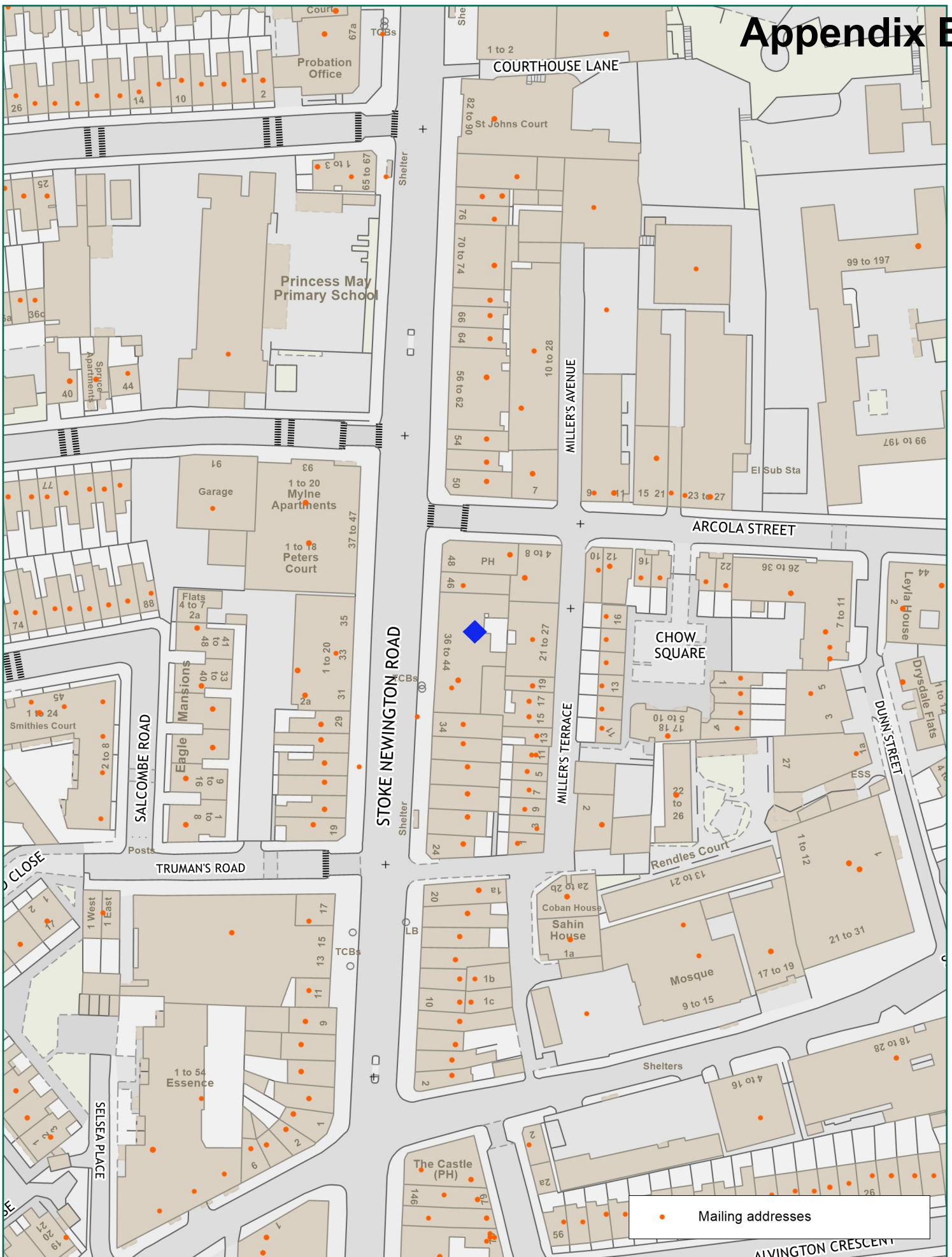
34. The Licence Holder or designated person shall use a refusal book to record details of instances where staff have refused to serve a customer and the reasons for doing so (believed underage, intoxicated etc).



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

**Annex 4 - Plans**  
PLAN/

# Appendix E



**NORTH**

Scale: 1:1250 at A4

**Hackney**

36-44 Stoke Newington Road N16 7XJ

Ref: [REDACTED]

Product by: Unspecified

email: [REDACTED]

please specify copyright statement

Tuesday, December 7, 2021

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