

REPORT OF GROUP DIRECTOR, NEIGHBOURHOODS AND HOUSING		
LICENSING SUB-COMMITTEE: 28/06/2016	Classification DECISION	Enclosure
Application for a Premises Licence Lobsters Paradise, Ground Floor, 392 Kingsland Road, E8 4AA	Ward(s) affected London Fields	

1. SUMMARY

Applicant(s) Cranberry Meadow Entertainment Limited	In SPA No
Date of Application 02/05/2016	Period of Application Permanent
Proposed licensable activity Supply of Alcohol (On Premises)	
Proposed hours of licensable activities	
Supply of Alcohol	Standard Hours: Mon 10:00-23:00 Tue 10:00-23:00 Wed 10:00-23:00 Thu 10:00-23:00 Fri 10:00-23:00 Sat 10:00-23:00 Sun 10:00-23:00 Non-Standard Hours: 1 extra hour on the evening that British Summer Time commences From end of permitted hours New Year's Eve until opening New Year's Day
INDOOR:	
The opening hours of the premises	
INDOOR	Standard Hours: Mon 09:00-23:30 Tue 09:00-23:30 Wed 09:00-23:30 Thu 09:00-23:30 Fri 09:00-23:30 Sat 09:00-23:30 Sun 09:00-23:30 Non-Standard Hours: 1 extra hour on the evening that British Summer Time commences From end of permitted hours New Year's Eve until opening New Year's Day

Capacity: Not known	
Policies Applicable	LP1 (Planning), LP3 (Operating Schedule), LP4 (Crime and Disorder), LP5 (Public Nuisance), LP6 (Protection of Children from Harm), LP8 (Public Safety)
List of Appendices	A – Application for a premises licence and supporting documents B – Representations from responsible authorities C –Location map
Relevant Representations	<ul style="list-style-type: none"> • Environmental Health Authority (Pollution and Environmental Enforcement) • Planning Authority • Police • Licensing Authority • Health Authority

2. APPLICATION

- 2.1 **Cranberry Meadow Entertainment Limited** has made an application for a premises licence under the Licensing Act 2003:
- To supply alcohol for consumption **on** the premises
- 2.2 The application is attached as Appendix A. The applicant has proposed measures that could be converted to conditions (see paragraph 8.1 below).

3. CURRENT STATUS / HISTORY

- 3.1 The premises are not currently licensed for any activity. No Temporary Event Notices have been given over the past 12 months.

4. REPRESENTATIONS: RESPONSIBLE AUTHORITIES

From	Details
Environmental Health Authority (Pollution) (Appendix B1)	Representation received on the grounds of the prevention of public nuisance
Environmental Health Authority (Environmental Enforcement) (Appendix B2)	Representation received on the grounds of the prevention of public nuisance
Environmental Health Authority (Health & Safety)	Have confirmed no representation on this application
Weights and Measures (Trading Standards)	No representation received
Planning Authority (Appendix B3)	Representation received on the grounds of the prevention of public nuisance & LP1 (Planning)
Area Child Protection Officer	No representation received
Fire Authority	Have confirmed no representation on this application
Police (Appendix B4)	Representation received on the grounds of The Prevention of Crime and Disorder and Prevention of Public Nuisance

Licensing Authority (Appendix B5)	Representation received on the grounds of The Prevention of Public Nuisance
Health Authority (Appendix B6)	Representation received on the grounds of The Prevention of Crime and Disorder and Prevention of Public Nuisance

5. REPRESENTATIONS: OTHER PERSONS

From	Details
Representation received from and on behalf of local residents.	None

6. GUIDANCE CONSIDERATIONS

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

7. POLICY CONSIDERATIONS

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

7.2 The Policy applies to applications where relevant representations have been made. With regard to this application, policies, LP1 (Planning), LP3 (Operating Schedule), LP4 (Crime and Disorder), LP5 (Public Nuisance), LP6 (Protection of Children from Harm), LP8 (Public Safety).

8. OFFICER OBSERVATIONS

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

Mandatory Conditions

Supply of Alcohol

1. No supply of alcohol may be made under the premises licence:

(a) At a time when there is no designated premises supervisor in respect of the premises licence.

(b) At a time when the designated premises supervisor does not hold a personal licence or his personal licence is suspended.

2. Every supply of alcohol under the premises licence must be made or authorised by a person who holds a personal licence.

3. (1) The responsible person must ensure that staff on relevant premises do not carry out, arrange or participate in any irresponsible promotions in relation to the premises.

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

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

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

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

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

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

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

- (a) a holographic mark or
- (b) an ultraviolet feature

6. The responsible person must ensure that:

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

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

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

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

Minimum Drinks Pricing

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

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

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

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

Where -

(i) P is the permitted price,

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

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

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

(i) the holder of the premises licence,

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

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

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

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

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

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

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

Conditions Derived from Operating Schedule

8. The premises shall install and maintain a comprehensive CCTV system as per the minimum requirements of a Metropolitan Police Crime Prevention Officer. All entry and exit points will be covered enabling frontal identification of every person entering in any light condition. The CCTV system shall continually record whilst the premises is open for licensable activities and during all times when customers remain on the premises. All recordings shall be stored for a minimum period of 31 days with date and time stamping. Recordings shall be made available immediately upon the request of Police or authorised officer throughout the preceding 31-day period.
9. 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 must be able to show a Police or authorised council officer recent data or footage when requested.
10. Signs will be prominently displayed at all exit points reminding customers to leave quietly and respect local residents.
11. The premises will have a venue management policy, approved by the police licensing officer and/or Crime prevention officer, detailing the following;
 - a. Entry policy

- b. Drugs Policy and dispersal policy
 - c. Noise Policy
 - d. Smoking Policy
 - e. Alcohol Policy
12. A Challenge 25 proof of age scheme shall be operated at the premises where the only acceptable forms of identification are recognised photographic identification cards, such as driving licence or passport.
 13. An incident log shall be kept at the premises, and made available on request to an authorised officer of the council or the police, which will record the following.
 - a. All crimes reported:
 - b. All ejections of patrons
 - c. Any complaints received.
 - d. Any incidents of disorder.
 - e. Seizure of drugs or offensive weapons.
 - f. Any faults in the CCTV system or searching equipment or scanning equipment. Any refusal of the sale of alcohol.
 - g. Any visit by a relevant authority or emergency service.
 14. Signs will be prominently displayed by entry and exit points reminding customs:
 - a. CCTV in operation.
 - b. Drugs policy.
 - c. Weapons policy.
 - d. To leave quietly and respect local residents.
 15. The licence holder shall 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. This contact number shall be provided to licensing authority, police and to any local residents upon request.
 16. Reasonable steps to be taken to ensure that an authorised person is a member of a local Pubwatch.
 17. The Licensee shall ensure that all staff are fully trained and made aware of the legal requirement of businesses to comply with their duty of care as regards the disposal of waste produced from the business premises. The procedure for handling and preparing for disposal of the waste shall be in writing and displayed in a prominent place where it can be referred to at all times by staff.
 18. 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.

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

Conditions derived from Responsible Authority Representations

- 21 There shall be no glass, drinks or open containers taken out of the premises at any time.
- 22 SIA registered door supervisors shall be employed at the venue on an operational risk assessment basis. All security staff shall be clearly identifiable at all times. All door supervisors shall enter their full details in the premises daily register at the commencement of their work. They shall record their full name, home address and contact telephone number, their SIA registration number, and the time they commence and conclude working. If the door supervisor was provided by an agency the name, registered business address and contact telephone number will also be provided. This register will be made available to police or authorised officer immediately upon request.

9. REASONS FOR OFFICER OBSERVATIONS

- 9.1 Conditions 8 to 20 above are derived from the applicant's operating schedule. Conditions have been proposed by the Police.

10. LEGAL COMMENTS

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

11. HUMAN RIGHTS ACT 1998 IMPLICATIONS

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

12. MEMBERS DECISION MAKING

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

13. CONCLUSION

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

Group Director, Neighbourhoods and Housing	Kim Wright
Lead Officer (holder of original copy):	Mike Smith Principal Licensing Officer Licensing Service 2 Hillman Street E8 1FB Telephone: 020 8356 4973

LIST OF BACKGROUND PAPERS RELATING TO THIS REPORT

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

Description of document	Location
Office File: Lobsters Paradise, Ground Floor, 392 Kingsland Road, E8 4AA	Licensing Service 2 Hillman Street London E8 1FB

Printed matter

Licensing Act 2003
LBH Statement of Licensing Policy

APPENDIX A

↳ 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 Cranberry Meadow Entertainment 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

Lobsters Paradise
GROUND FLOOR
392 KINGSLAND ROAD
HACKNEY
LONDON

Post town	LONDON	Post code	E8 4AA
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Telephone number at premises (if any)	
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Non-domestic rateable value of premises	£10000
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Part 2 - Applicant Details

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

a)	an individual or individuals *	<input type="checkbox"/>	please complete section (A)
b)	a person other than an individual *	<input type="checkbox"/>	

	i.	as a limited company	<input checked="" type="checkbox"/>	please complete section (B)
	ii.	as a partnership	..	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:

Please tick yes

- I am carrying on or proposing to carry on a business which involves the use of the premises for licensable activities; or
- I am making the application pursuant to a
 - statutory function or
 - a function discharged by virtue of Her Majesty's prerogative

(A) INDIVIDUAL APPLICANTS (fill in as applicable)

Title Mr			
Surname		First names	
I am 18 years old or over .. Please tick yes			
Current postal address if different from premises address		UK-England	
Post Town		Postcode	
Daytime contact telephone number			
E-mail address (optional)			

SECOND INDIVIDUAL APPLICANT (if applicable)

Title Mr			
Surname		First names	
I am 18 years old or over .. Please tick yes			
Current postal address if different from premises address		UK-England	
Post Town		Postcode	
Daytime contact telephone number			

E-mail address (optional)	
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(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 Cranberry Meadow Entertainment Limited
Address [REDACTED] [REDACTED] [REDACTED]
Registered number (where applicable)
Description of applicant (for example, partnership, company, unincorporated association) Limited Company
Telephone number (if any)
E-mail address (optional) [REDACTED]

Part 3 Operating Schedule

When do you want the premises licence to start?	23-05-2016
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If you wish the licence to be valid only for a limited period, when do you want it to end?

<p>Please give a general description of the premises (please read guidance note 1) The premises will be a ground floor bar and restaurant.</p>
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If 5,000 or more people are expected to attend the premises at any one time, please state the number expected to attend.	
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What licensable activities do you intend to carry on from the premises?

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

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

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

..

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



Complete boxes K, L and M (optional)

A

Plays Standard days and timings (please read guidance note 6)			Will the performance of a play take place indoors or outdoors or both – please tick (please read guidance note 2)	Indoors	
Day	Start	Finish		Outdoors	
				Both	
Mon			Please give further details here (please read guidance note 3)		
Tue			State any seasonal variations for performing plays (please read guidance note 4)		
Wed			Non standard timings. Where you intend to use the premises for the performance of plays at different times to those listed in the column on the left, please list (please read guidance note 5)		
Thur					
Fri					
Sat					
Sun					

J

Supply of alcohol Standard days and timings (please read guidance note 6)			Will the supply of alcohol be for consumption (Please tick box) (please read guidance note 7)	On the premises	<input checked="" type="checkbox"/>
				Off the premises	<input type="checkbox"/>
				Both	<input type="checkbox"/>
Day	Start	Finish	State any seasonal variations for the supply of alcohol (please read guidance note 4) On the evening that commences british summer time 1 extra hour is requested 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 5) permitted hours from the end of new years eve until opening hours on New years day		
Mon	10:00	23:00			
Tue	10:00	23:00			
Wed	10:00	23:00			
Thur	10:00	23:00			
Fri	10:00	23:00			
Sat	10:00	23:00			
Sun	10:00	23:00			

State the name and details of the individual whom you wish to specify on the licence as designated premises supervisor:

Name :	
Mr MCEVOYMARK	
Address	
[REDACTED]	
[REDACTED]	
UK-England	
Postcode	[REDACTED]
[REDACTED] (if known)	
Issuing licensing authority (if known)	
[REDACTED]	

K

Please highlight any adult entertainment or services, activities, other entertainment or matters ancillary to the use of the premises that may give rise to concern in respect of children (please read guidance note 8).

N/A in relation to adult entertainment.

Children will be permitted in the venue as long as they are accompanied by an adult. No supply of alcohol to anyone under the age of 18.

L

Hours premises are open to the public Standard timings (please read guidance note 6)			<u>State any seasonal variations</u> (please read guidance note 4)	
Day	Start	Finish		
Mon	09:00	23:30		
Tue	09:00	23:30		
Wed	09:00	23:30		
Thur	09:00	23:30		<u>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</u> (please read guidance note 5)

Fri	09:00	23:30	
Sat	09:00	23:30	
Sun	09:00	23:30	

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

a) General – all four licensing objectives (b,c,d,e) (please read guidance note 9)

please see proposed attached conditions.

b) The prevention of crime and disorder

please see proposed attached conditions.

c) Public safety

please see proposed attached conditions.

d) The prevention of public nuisance

please see proposed attached conditions.

e) The protection of children from harm

please see proposed attached conditions.

Checklist:

Please tick to indicate agreement

- 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.

IT IS AN OFFENCE, LIABLE ON SUMMARY CONVICTION TO A FINE NOT EXCEEDING LEVEL 5 ON THE STANDARD SCALE, UNDER SECTION 158 OF THE LICENSING ACT 2003, TO MAKE A FALSE STATEMENT IN OR IN CONNECTION WITH THIS APPLICATION.

Part 4 – Signatures (please read guidance note 10)

Signature of applicant or applicant’s solicitor or other duly authorised agent (see guidance note 11). **If signing on behalf of the applicant, please state in what capacity.**

Signature	MARK MCEVOY
Date	18/4/2016
Capacity	OPERATIONS DIRECTOR

For joint applications, signature of 2nd applicant or 2nd applicant’s solicitor or other authorised agent (please read guidance note 12). **If signing on behalf of the applicant, please state in what capacity.**

Signature	
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Date	18/4/2016
Capacity	

Contact name (where not previously given) and postal address for correspondence associated with this application (please read guidance note 13)			
Mark McEvoy [REDACTED]			
UK-England			
Post town	LONDON	Postcode	EC2A 3AY
Telephone number (if any)	[REDACTED]		
If you would prefer us	[REDACTED]		

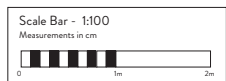
Notes for Guidance

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. Where taking place in a building or other structure please tick as appropriate (indoors may include a tent).
3. 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.
4. For example (but not exclusively), where the activity will occur on additional days during the summer months.
5. For example (but not exclusively), where you wish the activity to go on longer on a particular day e.g. Christmas Eve.
6. 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.
7. 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

1. The premises shall install and maintain a comprehensive CCTV system as per the minimum requirements of a Metropolitan Police Crime Prevention Officer. All entry and exit points will be covered enabling frontal identification of every person entering in any light condition. The CCTV system shall continually record whilst the premises is open for licensable activities and during all times when customers remain on the premises. All recordings shall be stored for a minimum period of 31 days with date and time stamping. Recordings shall be made available immediately upon the request of Police or authorised officer throughout the preceding 31-day period.
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 must be able to show a Police or authorised council officer recent data or footage when requested.
3. Signs will be prominently displayed at all exit points reminding customers to leave quietly and respect local residents.
4. The premises will have a venue management policy, approved by the police licensing officer and/or Crime prevention officer, detailing the following;
 - a. Entry policy
 - b. Drugs Policy and dispersal policy
 - c. Noise Policy
 - d. Smoking Policy
 - e. Alcohol Policy
5. A Challenge 25 proof of age scheme shall be operated at the premises where the only acceptable forms of identification are recognised photographic identification cards, such as driving licence or passport.
6. An incident log shall be kept at the premises, and made available on request to an authorised officer of the council or the police, which will record the following.
 - a. All crimes reported:
 - b. All ejections of patrons
 - c. Any complaints received.
 - d. Any incidents of disorder.
 - e. Seizure of drugs or offensive weapons.
 - f. Any faults in the CCTV system or searching equipment or scanning equipment. Any refusal of the sale of alcohol.
 - g. Any visit by a relevant authority or emergency service.

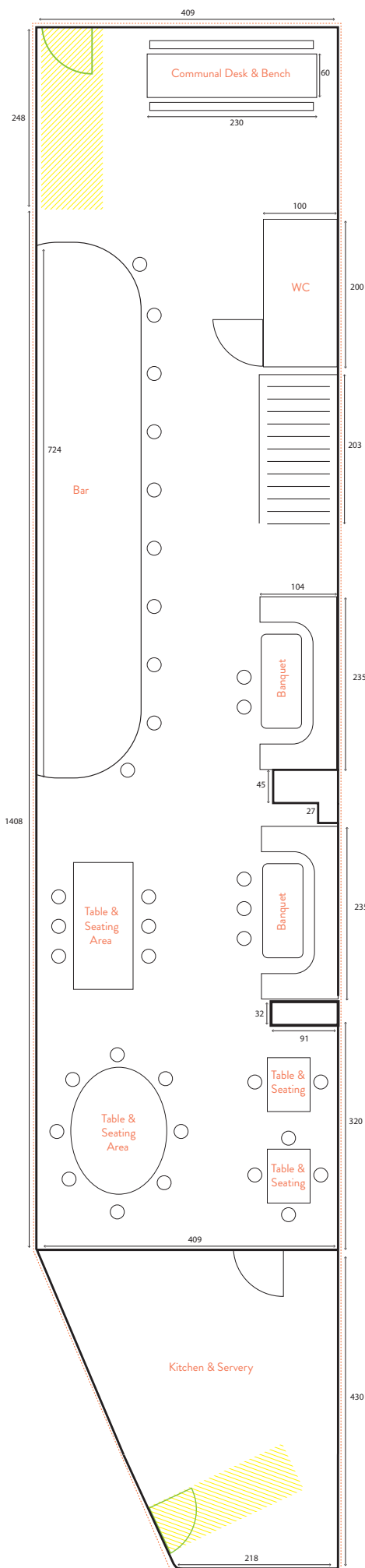
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 - b. Drugs policy.
 - c. Weapons policy.
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9. Reasonable steps to be taken to ensure that an authorised person is a member of a local Pubwatch.
10. The Licensee shall ensure that all staff are fully trained and made aware of the legal requirement of businesses to comply with their duty of care as regards the disposal of waste produced from the business premises. The procedure for handling and preparing for disposal of the waste shall be in writing and displayed in a prominent place where it can be referred to at all times by staff.
11. 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.
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13. Patrons of the premises shall be encouraged, by signs within the premises visible at all exit points, to disperse from the area of the premises quietly.

392 KINGSLAND ROAD - PROPOSED GROUND FLOORPLAN

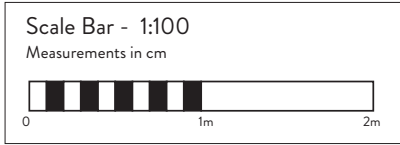


Key

- Exit/Entrance
- Boundary of premises
- Fire Exit
- Downways
- Stairs

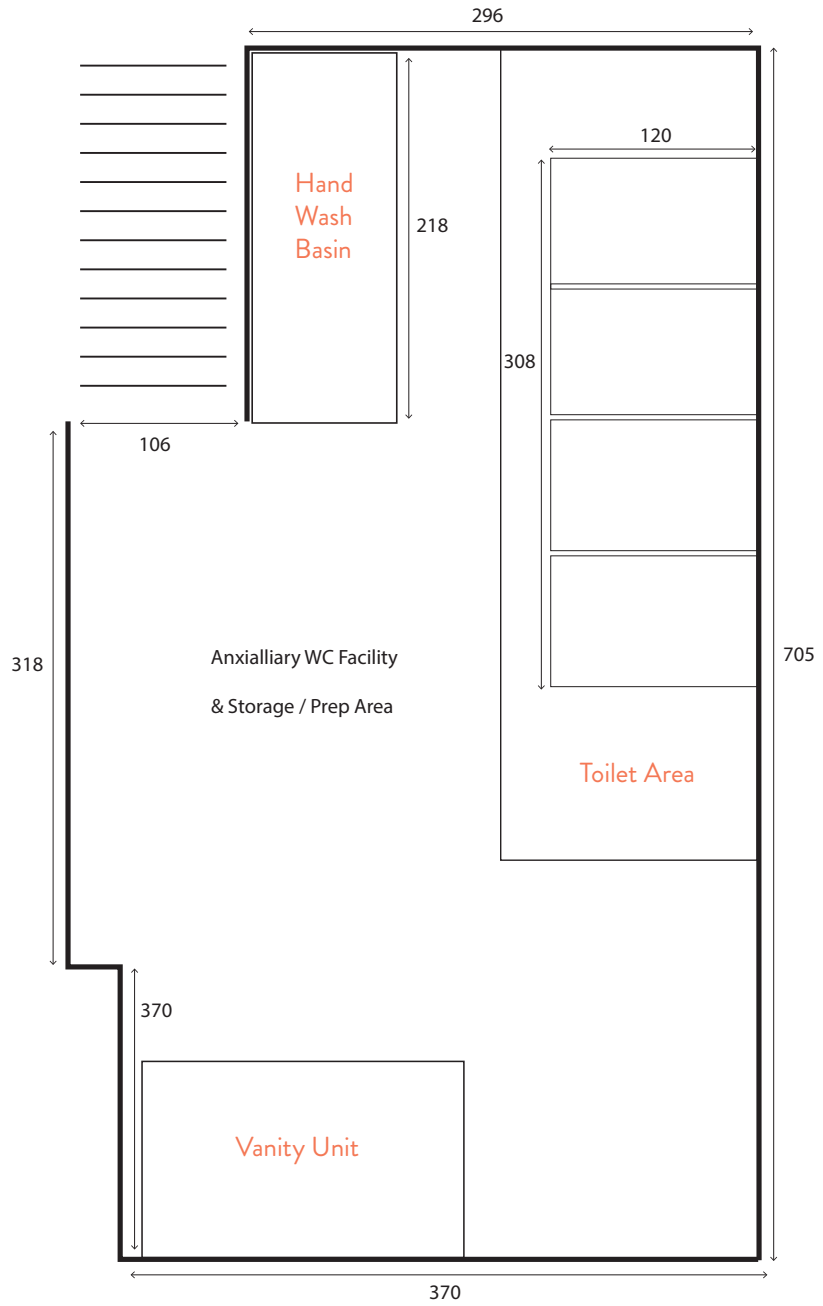


392 KINGSLAND ROAD - PROPOSED BASEMENT FLOORPLAN



Key

-  Exit/ entrance
-  Perimeter of premises
-  Fire Exit
-  Doorways
-  Stairs



APPENDIX B1

RESPONSIBLE AUTHORITY REPRESENTATION: APPLICATION UNDER THE LICENSING ACT 2003

RESPONSIBLE AUTHORITY DETAILS

NAME OF AUTHORITY	London Borough of Hackney
ADDRESS OF AUTHORITY	Community Safety Team London Borough of Hackney PO Box 70210 London E8 9FB
CONTACT NAME	Elzbieta (Ela) Wreczycka
TELEPHONE NUMBER	020 8356 5258
E-MAIL ADDRESS	Elzbieta.wreczycka@hackney.gov.uk

APPLICATION PREMISES

NAME & ADDRESS OF PREMISES	Lobsters Paradise Ground Floor, 392 Kingsland Road, London. E8 4AA
NAME OF LICENCE HOLDER/ DESIGNATED PREMISES SUPERVISOR	Cranberry Meadow Entertainment Limited DPS - MARK PATRICK MCEVOY

COMMENTS

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

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

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

The prevention of public nuisance LP5:

The Community Safety Team has reviewed the licensing application and wish to make a representation. The applicant has not demonstrated in full that the following Licensing Policy requirement would be met:

LP5 Public Nuisance:

Applicants are expected to demonstrate within their application that problems such as noise, light, smoke, odour, litter, anti-social behaviour, human waste, fly posting and highways/footpath obstructions can be minimised through steps they propose.

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

The Community Safety Team is aware that the change of use from A2 to A3 had been granted by the planning department on 01/09/2015 and assumes that in order to operate as a restaurant it uses commercial kitchen extract system. As such the submission is lacking to address prevention of noise, vibration and cooking smell/fumes from the kitchen extract system serving the premise.

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

The applicant is required to contact this Team and agree a site visit to further discuss the application and if necessary agree on suitable conditions.

Signed

Name: Elzbieta Wreczycka
Date: 24th May 2016.

APPENDIX B2

RESPONSIBLE AUTHORITY REPRESENTATION: APPLICATION UNDER THE LICENSING ACT 2003

RESPONSIBLE AUTHORITY DETAILS

NAME OF AUTHORITY	Environmental Health (Environmental Enforcement)
ADDRESS OF AUTHORITY	Keltan House, 89-115 Mare Street, London E8 4RU
CONTACT NAME	
TELEPHONE NUMBER	0208 356 4875
E-MAIL ADDRESS	justice.awe@hackney.gov.uk

APPLICATION PREMISES

NAME & ADDRESS OF PREMISES	Lobsters Paradise Ground Floor 392 Kingsland Road E8 4AA
NAME OF PREMISES USER	Mark McEvoy

COMMENTS

I make the following relevant representations in relation to the above application in respect of licensable activities.

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

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

**ENVIRONMENTAL LICENCE CONDITIONS IN RESPECT OF
Lobsters Paradise
Ground Floor
392 Kingsland Road
E8 4AA**

The business is located in Kingsland Road which is a restricted area where waste is not allowed to be stored on the public highway for any length of time. The applicant has not indicated any provisions of waste disposal and containment on the application. Therefore, I am concern about how waste generated from the premises will be dispose off legally. Also there should be measures put in place to prevent littering to the detriment of the area

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

No previous complaint/problem received relation to the business/premises, however experience has also shown that there is the probability that there will be cigarette litter outside these premises due to the smoking ban, it is possible that glasses and bottles may be left outside by patrons

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

Applicant should contact Justice Awe to discuss via email or phone to discuss how the concern will be allayed

Signed – justice.awe@hackney.gov.uk

Name - Justice Awe

APPENDIX B3

Planning Authority Representation: Application under the Licensing Act 2003

Details of Authority	2 Hillman Street, Hackney, London, E8 1FB
Officer contact name	Laraine Rolt
Officer telephone number	020 8356 8076
Officer's email address	laraine.rolt2@hackney.gov.uk

APPLICATION PREMISES

Name and address of premises	Lobsters Paradise Ground Floor 392 Kingsland Road London, E8 4AA.
Applicant name	Mark McEvoy

COMMENTS

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

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

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

Planning ref. 2015/2215 granted permission for a "Change of use of the basement and ground floor to a restaurant (use class A3)". Therefore, the use of the basement and ground floor premises at 392 Kingsland Road as a restaurant is authorised.

Condition 3 of 2015/2215 limits the opening hours to between 08:00 hours and

23:00 hours Mon to Sun. The opening hours proposed in the premises licence application (09:00 hours to 23:30 hours Mon to Sun) exceed the permitted hours which could result in a public nuisance and is contrary to policy LP1.

Please provide the following information (if applicable)

Area (that permission applies to)	Basement and Ground floor
Permitted use	Class A3 (restaurant)
Permitted hours	08:00 hours to 23:00 hours Mon to Sun
Specific/restrictive conditions	2015/2215 - Condition 3 (opening hours)
Recent applications	2015/2215 - Change of use of the basement and ground floor a restaurant (use class A3).
Decisions	2015/2215 - granted
Pending decisions	N/A
Reasons for refusal	N/A
Relevant Conditions/discharges	N/A

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

The use of the ground floor and basement of 392 Kingsland Road as a restaurant is authorised. However, the opening hours proposed in the premises licence application exceed those permitted under Condition 3 of planning permission ref. 2015/2215. The licensing applicant would need to bring the opening hours in line with those permitted. Alternatively, they would need to apply for planning permission to extend the opening hours.

Signed	
Name	
Date	

APPENDIX B4

RESPONSIBLE AUTHORITY REPRESENTATION: APPLICATION UNDER THE LICENSING ACT 2003

RESPONSIBLE AUTHORITY DETAILS

NAME OF AUTHORITY	Metropolitan Police service
ADDRESS OF AUTHORITY	Licensing Unit, Stoke Newington Police Station 33 Stoke Newington High Street London N16 8DS
CONTACT NAME	PC 691GD Kerrie RYAN
TELEPHONE NUMBER	020 7275 3022
E-MAIL ADDRESS	hackneylicensing@met.police.uk

APPLICATION PREMISES

NAME & ADDRESS OF PREMISES	Lobsters Paradise Ground Floor 392 Kingsland Road London E8 4AA
NAME OF PREMISES USER	Cranberry Meadow Entertainment Ltd

COMMENTS

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

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

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

Police make the following representations in relation to the application for a new Premises Licence at LOBSTERS PARADISE, GROUND FLOOR, 392 KINGSLAND ROAD, LONDON, E8 4AA for the following reason(s);

This premises is located within the Dalston Special Policy Area. LP14 of LBH's Licensing Policy states that the applicant will need to demonstrate that it will not add to the issues of cumulative impact in the area.

Police require further information as follows:

- What is the capacity of the bar/restaurant?
- Will the current applicant be running and managing this space day to day or will it be rented out to another operator?
- Will food be available until close?
- Is there any outside space that will be utilised (front or back)?

Police request that the non standard hours be removed and that all extension of hours required for events on days such as New Years Eve be applied for through the TEN process.

Police would like to add the following conditions:

- There shall be no glass, drinks or open containers taken out of the premises at any time.
- SIA registered door supervisors shall be employed at the venue on an operational risk assessment basis. All security staff shall be clearly identifiable at all times. All door supervisors shall enter their full details in the premises daily register at the commencement of their work. They shall record their full name, home address and contact telephone number, their SIA registration number, and the time they commence and conclude working. If the door supervisor was provided by an agency the name, registered business address and contact telephone number will also be provided. This register will be made available to police or authorised officer immediately upon request.

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

Application submitted

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

Signed PC 691GD RYAN (By E-mail)

Name (printed)

APPENDIX B5

RESPONSIBLE AUTHORITY REPRESENTATION: APPLICATION UNDER THE LICENSING ACT 2003

RESPONSIBLE AUTHORITY DETAILS

NAME OF AUTHORITY	Licensing
ADDRESS OF AUTHORITY	Licensing Service Legal, HR and Regulatory Services Directorate 2 Hillman St London E8 1FB
CONTACT NAME	Darren Reilly
TELEPHONE NUMBER	020 8356 4965
E-MAIL ADDRESS	darren.reilly@hackney.gov.uk

APPLICATION PREMISES

NAME & ADDRESS OF PREMISES	Lobsters Paradise Ground Floor 392 Kingsland Road E8 4AA
NAME OF APPLICANT/PREMISES USER	Cranberry Meadow Entertainment Ltd

COMMENTS

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

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

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

The premises is located in a residential area on the end of the Dalston SPA and licensing do have some concerns regarding cumulative impact and saturation of bars in this area.

Applicant should contact licensing to discuss whether changes to the application and/or conditions being added may allay concerns.

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

The licensing Policy and Licensing Objectives

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

Applicant should contact licensing to discuss

Name: Darren Reilly (Team Leader Licensing Enforcement)

Date: 20/5/16

RESPONSIBLE AUTHORITY REPRESENTATION: APPENDIX B6
APPLICATION UNDER THE LICENSING ACT 2003

RESPONSIBLE AUTHORITY DETAILS

NAME OF AUTHORITY	City and Hackney Public Health directorate
ADDRESS OF AUTHORITY	City and Hackney Public Health 1 Hillman St London E8 1DY
CONTACT NAME	Matt Clack
TELEPHONE NUMBER	020 8356 3341
E-MAIL ADDRESS	matt.clack@hackney.gov.uk

APPLICATION PREMISES

NAME & ADDRESS OF PREMISES	Lobster's Paradise, 392 Kingsland Rd, E8 4AA
NAME OF APPLICANT/PREMISES USER	Lobster's Paradise

COMMENTS

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

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

Dr Penny Bevan
Director of Public Health
Hackney Council

16th May 2016

RE: Representation for the Lobster's Paradise application

As Director of Public Health (a responsible authority under the Licensing Act 2003) I wish to make a representation against the application for a new licence for Lobster's Paradise.

The City and Hackney Public Health function recognises the role that licensed premises play in contributing to the local economy, but the dense availability of alcohol has a significant impact on the health and wellbeing of many of the borough's residents.


Tackling alcohol misuse is key to achieving the aspirations of Hackney's Health and Wellbeing Strategy. We want to establish an environment that recognises the role of alcohol in our society, whilst minimising the significant health damage caused by alcohol misuse. Licensing is an important component in the wider efforts to reduce this harm.

This representation is made under the **prevention of crime and disorder** and the **prevention of public nuisance** licensing objectives.

The application is for a venue within the Dalston Special Policy Area (SPA), as laid out in the council's Licensing Policy. Dalston has been defined as a cumulative impact area. I am concerned that if this application is granted it will increase the availability of alcohol in an area that is already densely concentrated with alcohol availability and consumption. There is increasing recognition of the impact that high density availability has, which could lead to an increase in public nuisance, crime and disorder and impact adversely on the health of both those consuming the alcohol but also of others who come into contact with them¹.

The area already has sufficient premises to meet demand and additional outlets supplying alcohol will be detrimental to the local residents in terms of noise and

¹ Livingstone M. et al. Changing the density of alcohol outlets to reduce alcohol related harm. *Drug and Alcohol Review* 2007; 26: 557-566
<http://onlinelibrary.wiley.com/doi/10.1080/09595230701499191/abstract>

A decorative graphic at the bottom right of the page consisting of several overlapping, curved lines in shades of green, sweeping from the bottom left towards the right edge.

disturbance, anti-social behaviour and crime. It is my opinion that this application does not meet the criteria laid out in the council's Licensing Policy to have genuinely exceptional circumstances to be granted this licence.

The area within which this premise is located has high incidences of crime and violence, including those that are alcohol related.

The information below is drawn from SafeStats, a service within the Greater London Authority that hosts data from emergency services and other agencies, covering the period year to October 2015. This data shows that within 500m of the address:

- There were **110** alcohol related incidents
- **34** alcohol related incidents involved those aged under 26 years
- **47** assaults were recorded by the London Ambulance Service
- **8** incidents led to head injuries

According to the council's Licensing database of premises allowed to sell alcohol, there are **31 on licence premises** and **21 off licence premises** within 500m of the application venue, with a further **16 having a licence for on and off sales**.


Additional data is presented in Appendix A.

Based on the information provided **the Public Health function recommends that the application for a licence to supply alcohol be refused**. If the sub committee is minded to approve the application, I would ask that the hours for sale of alcohol are considered and reduced.

Yours sincerely



Dr Penny Bevan
Director of Public Health
London Borough of Hackney and City of London Corporation

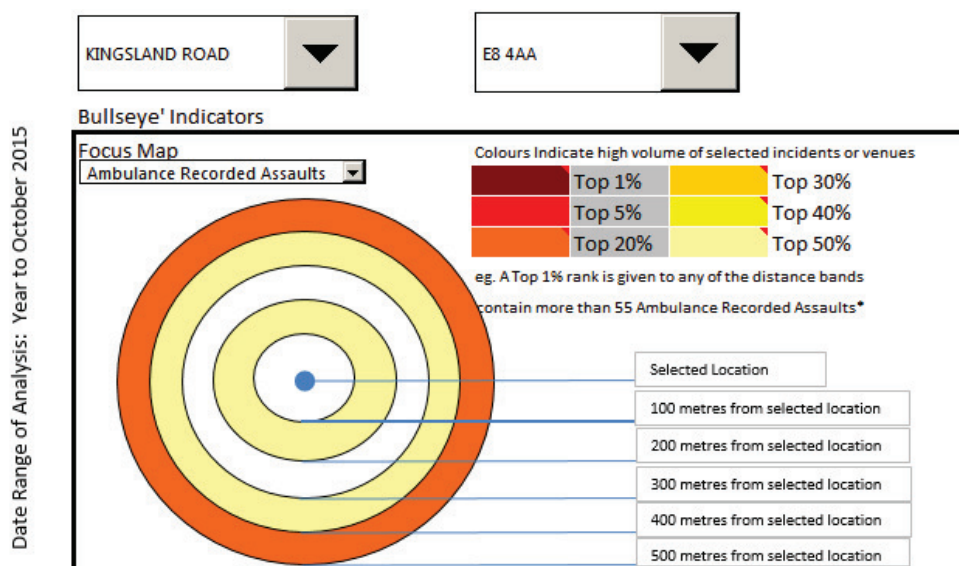


Appendix A – Bullseye Data on alcohol related incidents

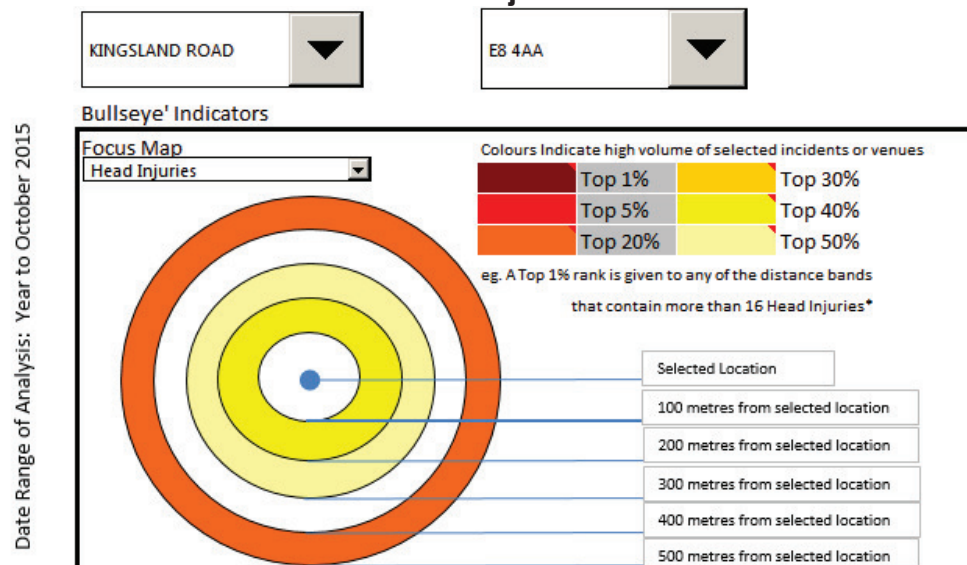
The Bullseye Dashboard was developed by the Safestats team for the purposes of scanning for and revealing crime and disorder trends related potentially to alcohol licensing.

The centre of the bullseye represents incidents that occur within 100 meters of the postcode location. The colour coding reveal whether the location is in the top 1-50% of incident counts for the relevant source data (e.g the number of ambulance recorded assaults in Hackney within a given timeframe).

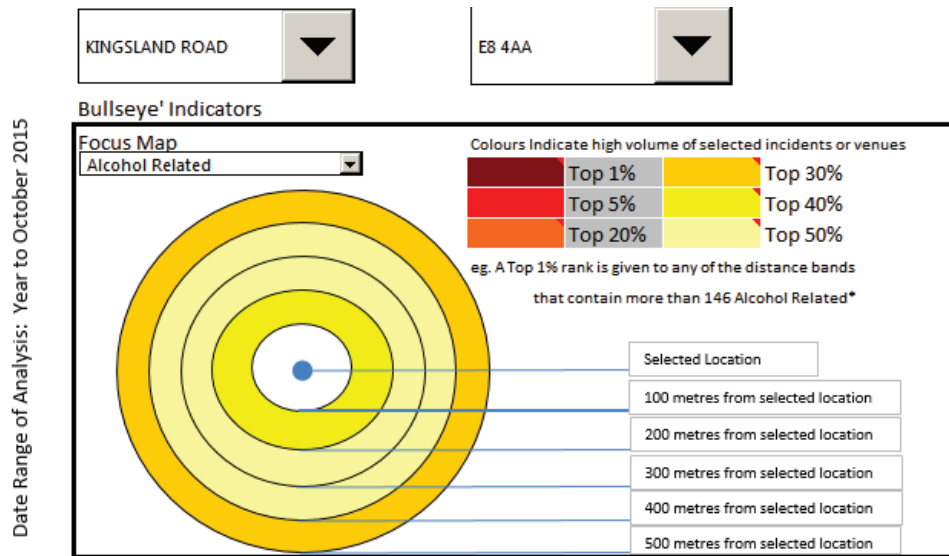
Ambulance recorded assaults



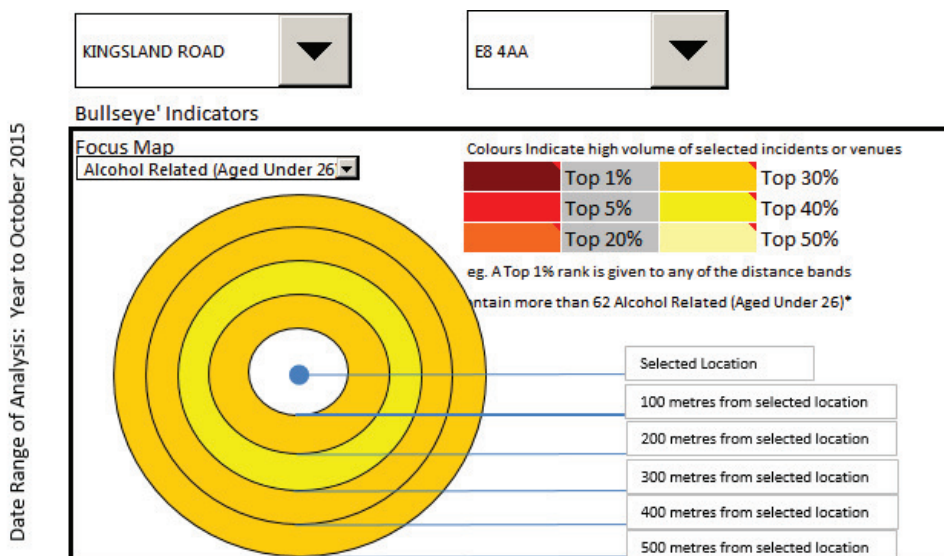
Head Injuries



Alcohol related incidents recorded by emergency services



Alcohol related incidents recorded by emergency services (under 26 year olds)

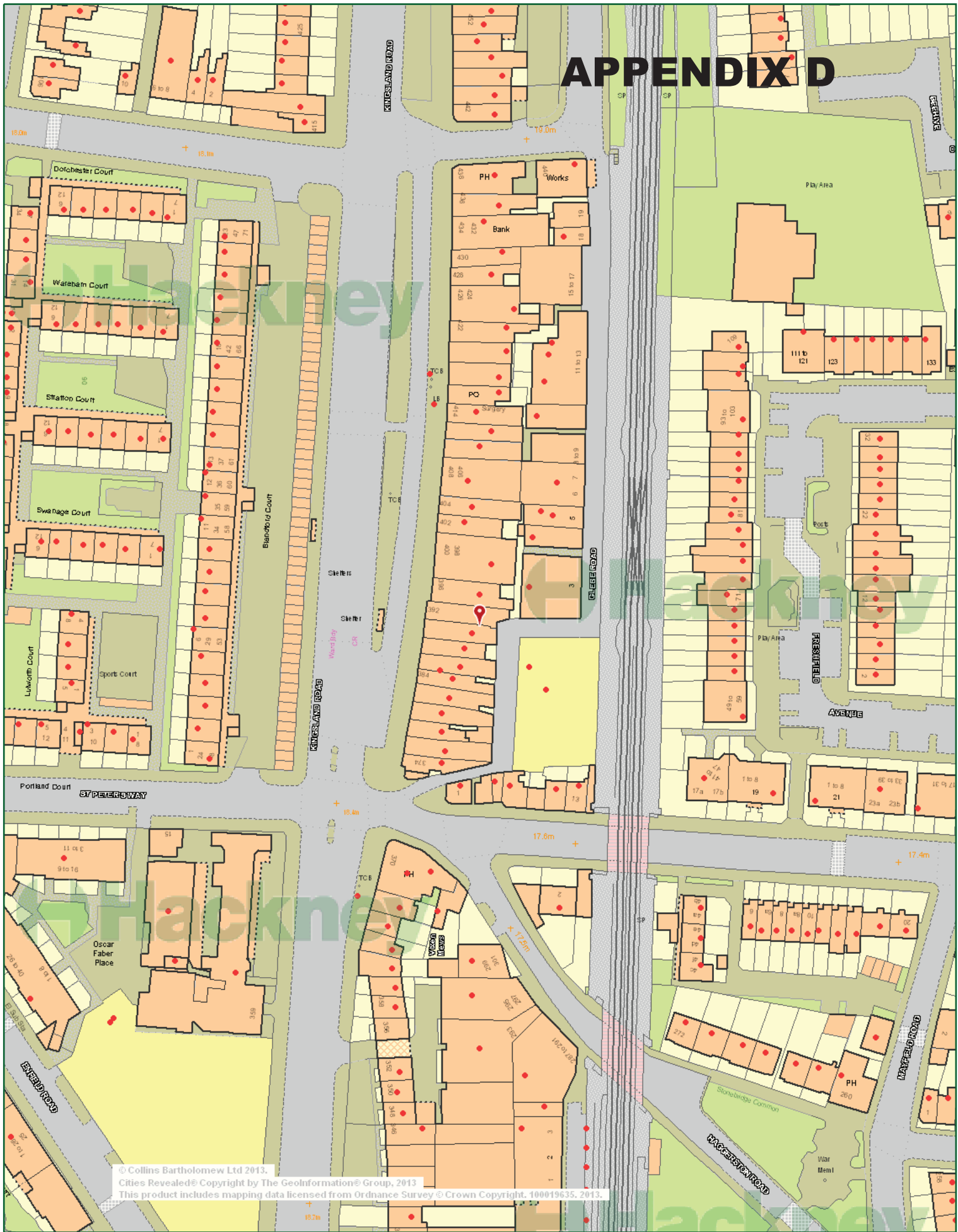


Data Quality Caveats

There are important caveats with regard to Safetstats data quality. The bullseye dashboard tool, as seen above, is a scanning tool. It reveals general trends. The data may not be an exact mirror of events.

For the analysis of premises within 500m of the application venue, a small amount of data cleaning was undertaken (sourcing postcodes for 15 venues with missing/incomplete postcodes; corrected postcode formatting). Data accuracy may be affected by inputting accuracy.

APPENDIX D



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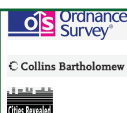
Lobster's Paradise

Scale 1/1250

at A4



Date 16/6/2016



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