



REPORT OF GROUP DIRECTOR, NEIGHBOURHOODS AND HOUSING

LICENSING SUB-COMMITTEE: 08/09/2016	Classification DECISION	Enclosure
Application for a Premises Licence 124 Basement And Ground Floor 124 Shoreditch High Street E1 6JE	Ward(s) affected Hoxton East & Shoreditch	

1. SUMMARY

Applicant(s) 124 Shoreditch Limited	In SPA Shoreditch Area
Date of Application 22/07/2016	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
Premises:	
The opening hours of the premises	
Premises	Standard Hours: Mon 10:00-23:00 Tue 10:00-23:00 Wed 10:00-23:00 Thu 10:00-23:00 Fri 10:00-23:00 Sat 10:00-23:00 Sun 10:00-23:00
Capacity: Not known	

Policies Applicable	LP3 (Operating Schedule), LP4 (Crime and Disorder), LP5 (Public Nuisance), LP6 (Protection of Children from Harm), LP8 (Public Safety), LP13 (Special Policy Area - Shoreditch)
List of Appendices	A – Application for a premises licence and supporting documents B – Representations from responsible authorities C – Representations from other persons D – Location map
Relevant Representations	<ul style="list-style-type: none"> • Environmental Health Authority (Environmental Enforcement) • Police • Licensing Authority • Other Persons

2. APPLICATION

- 2.1 **124 Shoreditch Limited** has made an application for a premises licence under the Licensing Act 2003:
- To provide supply alcohol from 10:00 to 23:00 Monday to Sunday
- 2.2 The application is attached as Appendix A. The applicant has proposed measures that could be converted to conditions (see paragraph 8.1 below).

3. CURRENT STATUS / HISTORY

- 3.1 The premises are not currently licensed for any activity.
- 3.2 No TENs have been submitted in respect of the premises in this calendar year.

4. REPRESENTATIONS: RESPONSIBLE AUTHORITIES

From	Details
Environmental Health Authority (Pollution)	Have confirmed no representation on this application
Environmental Health Authority (Environmental Enforcement) (Appendix B1)	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)	Have confirmed no representation on this application
Planning Authority	No representation received
Area Child Protection Officer	Have confirmed no representation on this application
Fire Authority	No representation received
Police (Appendix B2)	Representation received on the grounds of The Prevention of Crime and Disorder and Prevention of

	Public Nuisance
Licensing Authority (Appendix B3)	Representation received on the grounds of The Prevention of Public Nuisance and Special Policy Area.
Health Authority	Have confirmed no representation on this application

5. REPRESENTATIONS: OTHER PERSONS

From	Details
Representation received from and on behalf of local residents. (Appendices C1 – C8)	Representation received on the grounds of The Prevention of Crime and Disorder, Public Safety, Prevention of Public Nuisance and The Protection of Children from Harm.

6. 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, LP3 (Operating Schedule), LP4 (Crime and Disorder), LP5 (Public Nuisance), LP6 (Protection of Children from Harm), LP8 (Public Safety) and LP13 (Special Policy Area - Shoreditch) 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;

(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 to operate as a restaurant.

9. CCTV cameras to be installed and maintained in operation on the premises to the satisfaction of the Police.
10. CCTV recorded footage is to be retained at the premises for no less than 31 days from the day it was recorded and is to be made available to the Police or local authority upon request.
11. The premises to operate a Challenge 25 age verification policy.
12. Appropriate signage to be prominently displayed and maintained to the satisfaction of the Police warning and advising customers of the prevalence of crime that may target them and the contact details of the Designated Premises Supervisor if customers wish to report any incidents.
13. A notice to be prominently displayed at the exit reminding patrons to depart in an orderly manner and without causing any nuisance to local residents.

Conditions derived from Responsible Authority representations

14. The premises shall maintain a comprehensive CCTV system as per the minimum requirements of a Metropolitan Police Crime Prevention Officer. All public areas, entry and exit points will be covered enabling frontal identification of every person entering in any light condition. The CCTV system shall continually record whilst the premises is open for licensable activities and during all times when customers remain on the premises. All recordings shall be stored for a minimum period of 31 days with date and time stamping. Recordings shall be made available immediately upon the request of Police or authorised officer.
15. A staff member from the premises who is conversant with the operation of the CCTV system shall be on the premises at all times when the premises are open to the public. This staff member shall be able to show Police or an authorised officer of Hackney Borough Council recent data or footage with the absolute minimum of delay when requested.
16. 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.
17. There shall be "CCTV in Operation" signs prominently displayed.

18. All instances of crime or disorder to be reported by the designated premises supervisor or responsible member of staff to an agreed police contact point, as agreed with the Police.
19. 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.
20. There shall be no glass, drinks or open containers taken outside of the premises at any time.
21. After 2100hrs there shall be a maximum of ** tbc ** smokers outside the venue at any one time. This shall be managed and monitored by staff.
22. The premises will display and maintain appropriate signage advising customers of the contact details of the Designated Premises Supervisor.
23. There shall be prominent signage requesting customers to leave the premises quietly and respect local residents.
24. All staff will be given refresher training every twelve months on the legislation relating to the sales of alcohol to underage persons and drunken persons. Written records of this training shall be kept on the premises and produced to police or other authorised officer upon request.
25. Intoxicating liquor shall not be sold, supplied or consumed otherwise than to persons who are taking a substantial meal from the menu and that the consumption of alcohol by such persons is ancillary to taking such meals. The supply of alcohol shall be by waiter/waitress service only.
26. The premises shall adhere to Hackney Police Theft, Weapons and Drugs Policies and any updates thereof.

9. REASONS FOR OFFICER OBSERVATIONS

- 9.1 Conditions 8 to 13 above are derived from the applicant's operating schedule. Conditions 14 to 26 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):	Suba Sriramana Licensing Officer Licensing Service 2 Hillman Street E8 1FB Telephone: 020 8356 4915

LIST OF BACKGROUND PAPERS RELATING TO THIS REPORT

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

Description of document	Location
Office File: 124 Basement And Ground Floor 124 Shoreditch High Street E1 6JE	Licensing Service 2 Hillman Street London E8 1FB

Printed matter

Licensing Act 2003
LBH Statement of Licensing Policy

↔ Hackney	Application for a premises licence to be granted under the Licensing Act 2003
LA01	

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 124 SHOREDITCH 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			
124 SHOREDITCH HIGH STREET HACKNEY LONDON			
Post town	LONDON	Post code	E1 6JE

Telephone number at premises (if any)	
Non-domestic rateable value of premises	£23000

Part 2 - Applicant Details

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

a)	an individual or individuals *	..	please complete section (A)
b)	a person other than an individual *		

	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 124 SHOREDITCH LIMITED
Address [REDACTED] [REDACTED] [REDACTED]
Registered number (where applicable) 10221462
Description of applicant (for example, partnership, company, unincorporated association) 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?	20-08-2016
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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)</p> <p>Restaurant</p>
--

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 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)					
Mon	10:00	23:00						
Tue	10:00	23:00						
Wed	10:00	23:00						
Thur	10:00	23:00				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)		
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 :	
Ms HUSSAINGiovanna	
Address	
[REDACTED]	
[REDACTED]	
[REDACTED]	
Postcode	[REDACTED]
Personal licence number (if known)	
[REDACTED]	
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).

NONE

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	10:00	23:00	
Tue	10:00	23:00	
Wed	10:00	23:00	<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)
Thur	10:00	23:00	

Fri	10:00	23:00	
Sat	10:00	23:00	
Sun	10:00	23:00	

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

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

See proposed conditions for discussion

b) The prevention of crime and disorder

See proposed conditions for discussion

c) Public safety

See proposed conditions for discussion

d) The prevention of public nuisance

See proposed conditions for discussion

e) The protection of children from harm

See proposed conditions for discussion

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	Angela Message
Date	22/7/2016
Capacity	Licensing Consultant and authorised agent for and on behalf of the applicant

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	22/7/2016
Capacity	

Contact name (where not previously given) and postal address for correspondence associated with this application (please read guidance note 13)			
Angela Massage [REDACTED]			
[REDACTED]			
Post town	[REDACTED]	Postcode	[REDACTED]
Telephone number (if any)	[REDACTED]		
If you would prefer us to correspond with you by e-mail, your e-mail address (optional)			
[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

Proposed conditions for 124 shoreditch High Street

Prevention of Crime and Disorder

1. The premises will operate as a restaurant.
2. CCTV cameras are to be installed and maintained in operation on the premises to the satisfaction of the Police.
3. CCTV recorded footage is to be retained at the premises for no less than 31 days from the day it was recorded and is to be made available to the Police or local authority upon request.
4. The premises will operate a challenge 25 age verification policy.
5. Appropriate signage must be prominently displayed and maintained to the satisfaction of the police warning and advising customers of the prevalence of crime that may target them and the contact details of the Designated Premises Supervisors if customers wish to report any incidents.

Public Safety

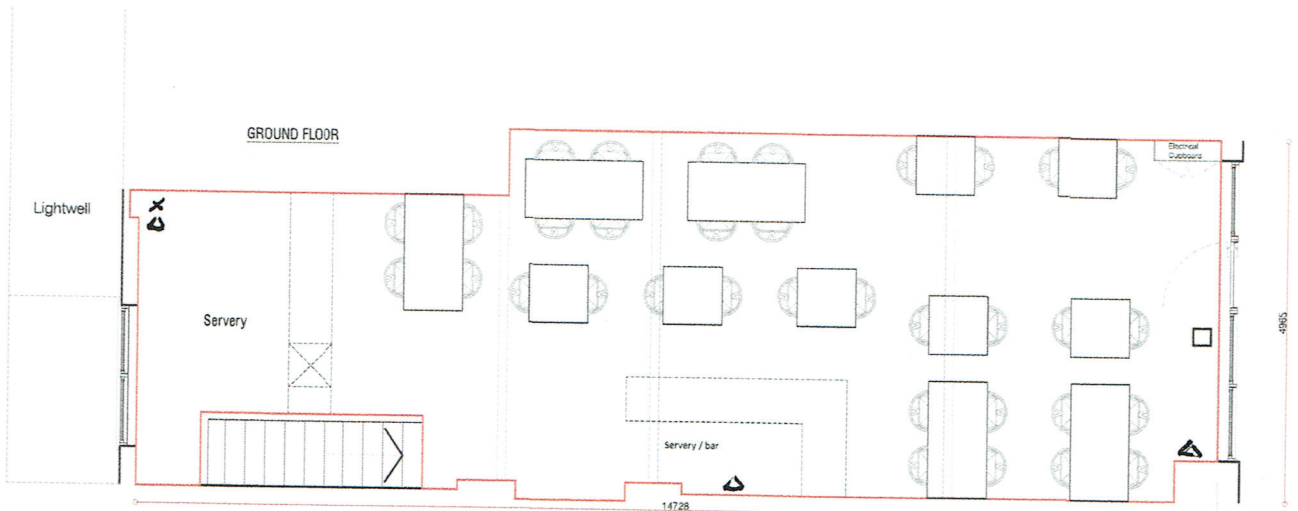
6. Appropriate risk assessments will be carried out and implemented prior to opening.
7. Safety checks are to be carried out before the admission of the public.

Public Nuisance

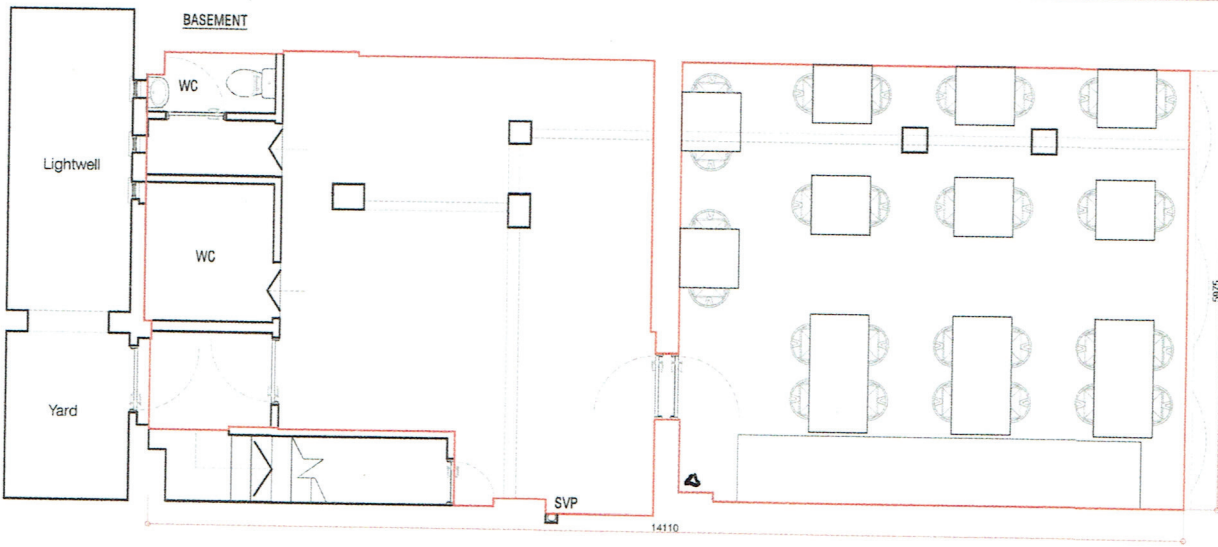
8. A Notice must be prominently displayed at the exit reminding patrons to depart in an orderly manner and without causing any nuisance to local residents.

Protection of Children from Harm

A challenge 25 age verification policy to be adopted see above.- condition 4



- Sale of alcohol
- ▲ powder fire extinguisher
- ✕ CO2



Loose furniture is shown for diagrammatic purposes. Fire fighting equipment is indicated but may be moved subject to the fire risk assessment and by agreement with the fire authority. 22.7.2016

Rev.	Comments	By
PLANNING		
Drawn	Mrs. G. Hussain	
Project Title	124 Shoreditch High Street	
Drawing Title	General Plans - Existing	
Scale	1:50@A3	Date: 27-04-16
Project No.	060-16	Drawing No.: 2000

Carter Designs
 Address
 Studio M52
 2 Michael Road
 London
 SW8 2AD
 T: +44(0) 7731 014 40
 E: paul@carterdesigns.com
 W: www.carterdesigns.com

**31 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	WENDY CARRIER
TELEPHONE NUMBER	0208 356 4599
E-MAIL ADDRESS	wendy.carrier@hackney.gov.uk

APPLICATION PREMISES

NAME & ADDRESS OF PREMISES	124 124 Shoreditch High Street London E1 6JE
NAME OF PREMISES USER	124 Shoreditch Limited

COMMENTS

I make the following relevant representations in relation to the above application for an alcohol and late night refreshment licence at the above address.

- 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:

**124 SHOREDITCH LIMITED
124 SHOREDITCH HIGH STREET, LONDON E1 6JE**

The grounds upon which I am objecting to this licence application are that the director of the applicant company has associations with other businesses in the London Borough of Hackney against which enforcement action has been taken in the past and also more recently for fly tipping offences committed within the past few months. Please see the following information and evidence and accompanying attachments in support which explain my concerns.

Despite enforcement action having been taken against other businesses with which Mr Taiyab Hussain and the proposed designated supervisor Giovanna Hussain are associated, fly tipping and duty of care offences continue to be committed. In particular the licensed premises at 574-576 Kingsland Road continues to be a nuisance with staff illegally depositing waste on the public highway which is in unidentifiable receptacles and for which no waste transfer documentation can be provided.

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

A search against 124 Shoreditch Limited reveals that the director is Mr Taiyab Hussain. Please see attached company search.

Two clubs, Lift 574 and Ophelia, operate from premises at 574-576 Kingsland Road under the premises licence held by The Little Dalston Production Limited. The director of that company is also Mr Taiyab Hussain and he is also the designated premises supervisor at those premises. Please see attached company search.

Over the last few months the owner of the businesses Lift 574 and Ophelia have been responsible for multiple fly tipping offences. Despite several attempts by myself and one of my colleagues to engage with the two businesses, all correspondence, including letters that were hand delivered, and invitations to attend interviews under caution have been completely ignored.

Even after letters threatening prosecution proceedings were sent, still neither the applicant nor anyone else on behalf of either of the businesses made any contact with myself or my colleague.

Prosecution proceedings were prepared. Please see attached my statement in support and the summons setting out the various offences. The case went before the Magistrates on the first occasion on 8 July 2016. There was no attendance by the defendant.

A letter informing the defendant that the case would be before the Magistrates again on 22 July 2016 was hand delivered by me on 8 July 2016. The letter also informed the defendant that if it failed to attend the hearing the Court may proceed in its absence.

The defendant did fail to attend on 22 July 2016 and was found guilty in absence. The sentence was as follows.

**“Fines: £2000 on each s34 offence (x4) and £1000 on Section 110 offence –
Total of £9,000
Costs: £870**

The total is to be paid in 28 days.”

I understand that on receipt of notification of the outcome of the Court case someone from the company (Giovanna Hussain) contacted the Council's lawyer.

Since then the Council's Evening Environmental Manager has informed me that waste from the Lift Bar continues to be fly tipped outside 574-576 Kingsland Road in unidentifiable refuse sacks and the business completely ignores the time bands for Kingsland Road.

Mr Taiyab Hussain also had connections with 123 Shoreditch High Street t/a The Corner Shop when he was the director/secretary of 123 Shoreditch Limited (see company search attached - now dissolved), a company to which I issued a fixed penalty notice in relation to the illegal deposit of commercial waste which was found outside 574-576 Kingsland Road in October 2013. Two further offences for which photographic and physical evidence was secured occurred on 21 April 2014 and 27 April 2014. On that occasion I wrote inviting an authorised representative of 123 Shoreditch Limited to attend an interview under caution. However, I subsequently spoke to Giovanna Hussain who upgraded the waste contract with Hackney Commercial Waste Services and on that basis and in good faith I withdrew the threat of prosecution and issued a Notice under Section 47 of the Environmental Protection Act 1990. Please see copy letters and Section 47 Notice relating to these past incidents attached.

It is for the above reasons that I have concerns as to the desirability of agreeing to this licence application.

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

Please see the above request for conditions.

Signed Wendy Carrier (By E-mail)

Name Wendy Carrier (Printed)

STATEMENT OF WITNESS

(C.J. Act 1967 S.9, M.C. Act 1980 ss.5A(3)(a) & 5B; M.C. Rules 1981 R.70)

STATEMENT OF	WENDY CARRIER
AGE OF WITNESS	Over 18
OCCUPATION OF WITNESS	Environmental Enforcement Officer
ADDRESS	Keltan House, 89-115 Mare Street, London E8 4RU

This statement (consisting of 3 pages signed by me) is true to the best of my knowledge and belief and I make it knowing that, if it is tendered in evidence, I shall be liable to prosecution if I have wilfully stated in it anything which I know to be false or do not believe it to be true

I am employed by the London Borough of Hackney as an Environmental Enforcement Officer. My duties include investigating fly tipping of waste and other related offences under the Environmental Protection Act 1990 (EPA). In particular I am responsible for investigating offences for the failure of business owners to comply with their of care in relation to waste and failing to provide adequate information relating to the transfer of controlled waste under section 34 of the EPA.

1. I am currently engaged in a project to reduce the amount of illegally deposited waste being fly tipped by businesses across the borough. This involves monitoring hot spots and carrying out surveys to identify businesses where the owners have not made proper arrangements for the preparation and disposal of their business waste or have inadequate arrangements. I also act upon information and evidence provided by Hackney Council's Environmental Managers and their assistants.
2. On 14 April 2016 I received an e-mail with some photographs attached from Evening Area Environmental Manager Joe Gomez in which he provided information in relation to an incident of fly tipping of commercial waste from which he was able to gather physical and photographic evidence and which gave him reasonable grounds to believe the waste had come from a club called Ophelia of 574 Kingsland Road London E8 4AH. A copy of the e-mail is exhibited hereto marked "WC1".

SIGNED

WITNESSED BY

DATED

3. On inspection of the photographs and the evidence bags, the waste did indeed appear to emanate from the club known as Ophelia.
4. There appeared to be two different entities operating at 574-576 Kingsland Road – Lift 574 and Ophelia. A copy of an e-mail from the Council’s business rates department confirming the name of the business rate payer for the property as Lift 574 Limited is exhibited hereto marked “WC2”.
5. A Companies House check against the name of Lift 574 Limited and a copy of the director’s register is exhibited hereto marked “WC3”.
6. A part of my investigation, I checked the Council’s licensing register. There was no entry under the name Ophelia however I was informed by a Licensing Officer that the premises operated under temporary events notices under the name Lift 574.
7. I telephoned the premises and spoke to a gentleman who said that he was one of the duty managers. He told me that Lift 574 and Ophelia were both owned by the same entity and were next door to one another. He said that the person I should speak to was a woman called Giovanna Hussain and he said he would pass on a message for her to call me the following day. I gave him my telephone number.
8. I wrote to the Company Secretary of Lift 574 Limited on 16 April 2016, enclosing a Notice pursuant to Section 108 of the Environment Act 1995, asking the Company to confirm the name of the owner of the business (Ophelia). In the final sentence of my letter I drew attention to the potential penalties as set out on page 2 of the Notice for non-compliance with the request for information. Copies of my letter and the Notice are exhibited hereto marked “WC4” and “WC5” respectively.
9. I received no communication whatsoever from Lift 574 Limited. A copy of the relevant section of the premises licence is exhibited hereto marked “WC6”.

SIGNED

WITNESSED BY

DATED

10. On 16 May 2016 I wrote to Lift 574 Limited saying that as it had not responded to my letter of 16 April 2016 or complied with the Notice under Section 108 of the Environment Act 1995 enclosed with it, I would now pass the file to the Council's legal department with instructions to commence prosecution proceedings. A copy of that letter is exhibited hereto marked "WC7".

SIGNED

WITNESSED BY

DATED

COMPANY APPOINTMENTS



Registered No.: 10221462
Name: 124 SHOREDITCH LIMITED

Address: 124 SHOREDITCH HIGH STREET
LONDON
UNITED KINGDOM
E1 6JE

Company Appointments: 1 / Resignations: 0

Exclude

Resignations

To view details of other appointments held, click on the appropriate underlined name.

(Charge : £1.00 per officer selection)

HUSSAIN, TAIYAB MR

124 SHOREDITCH HIGH STREET
LONDON
UNITED KINGDOM
E1 6JE

DIRECTOR

Appointed: 08/06/2016
Nationality: BRITISH
Occupation: BUSINESSMAN

Country/State of Residence: ENGLAND

Date of Birth: **/03/1971

Appointments: 19

Companies House check 05.08.16

COMPANY APPOINTMENTS



Registered No.: 08589340
Name: THE LITTLE DALSTON PRODUCTION LIMITED
Address: 574-576 KINGSLAND ROAD
DALSTON
LONDON
E8 4AH

Company Appointments: 1 / Resignations: 0

Exclude

Resignations

To view details of other appointments held, click on the appropriate underlined name.

(Charge : £1.00 per officer selection)

HUSSAIN, TAIYAB MR
574-576 KINGSLAND ROAD
DALSTON
LONDON
UNITED KINGDOM
E8 4AH

DIRECTOR
Appointed: 28/06/2013
Nationality: BRITISH
Occupation: CO DIRECTOR

Country/State of Residence: ENGLAND

Date of Birth: **/03/1971

Appointments: 17

Company Search 9 May 2016



SUMMONS/INFORMATION

Date: 17th May 2016

Ref:

To: Lift 574 Limited (**Company Number: 08398134**)

Of: 574-576 Kingsland Road, London, E8 4AH

INFORMATION has this day been laid before the undersigned for and on behalf of Director of Legal, for the London Borough of Hackney, Town Hall, Mare Street, London, E8 1EA:

- (1) That you on 13th November 2015, as a producer of waste, trading at a premises known as Lift 574 at 574-576 Kingsland Road, London, E8 4AH, failed to comply with your duty of care to take all such measures to prevent any contravention by any other person under section 33 of the Environmental Protection Act 1990 namely the deposit of black refuse bags on the public highway outside 574-576 Kingsland Road, London, E8 4AH.

CONTRARY to Section 34(1)(a) and 34(6) of the Environmental Protection Act 1990.

- (2) That you on 4th May 2016, as a producer of waste, trading at a premises known as Lift 574 at 574-576 Kingsland Road, London, E8 4AH, failed to comply with your duty of care to take all such measures to prevent any contravention by any other person under section 33 of the Environmental Protection Act 1990 namely the deposit of black refuse bags on the public highway outside 574-576 Kingsland Road, London, E8 4AH.

CONTRARY to Section 34(1)(a) and 34(6) of the Environmental Protection Act 1990.

- (3) That you on 13th April 2016, as a producer of waste, trading at a premises known as Lift 574 at 574-576 Kingsland Road, London, E8 4AH, failed to comply with your duty of care to take all such measures to prevent any contravention by any other person under section 33 of the Environmental Protection Act 1990 namely the deposit of a black refuse bag on the public highway outside 574-576 Kingsland Road, London, E8 4AH.

CONTRARY to Section 34(1)(a) and 34(6) of the Environmental Protection Act 1990.

- (4) That you on 6th May 2016, as a producer of waste, trading at a premises known as Lift 574 at 574-576 Kingsland Road, London, E8 4AH, failed to comply with your duty of care to take all such measures to prevent any contravention by any other person under section 33 of the Environmental Protection Act 1990 namely the deposit of black refuse bags on the public highway outside 574-576 Kingsland Road, London, E8 4AH.

CONTRARY to Section 34(1)(a) and 34(6) of the Environmental Protection Act 1990.

- (5) On or about **27th April 2016**, as the owner and business rate payer of a premises known as Ophelia located at Lift 574 at 574-576 Kingsland Road, London, E8 4AH, you failed to comply with a Notice served by the London Borough of Hackney pursuant to Section 108 of the Environment Act 1995 requiring that within 10 days, namely by 26th April 2016 you furnish the London Borough of Hackney with information as set out in the Notice

CONTRARY to Section 110(2) of the Environment Act 1995

YOU ARE THEREFORE SUMMONED to appear before Thames Magistrates' Court sitting at 58 Bow Road, London, E3 on **8th July 2016 at 9.30 am** to answer the said Information

Information Laid by: For and on Behalf of the Director of Legal
Date Information Laid by: 17th May 2016
Address of prosecution: Legal Services, Level 1, The Annex, 2 Hillman Street
Hackney E8 1FB
Telephone Number of prosecutions: 0208 356 6245

This slip should be detached AT ONCE from the body of the summons and returned duly completed and signed to:-

THE CLERK TO THAMES MAGISTRATES' COURT, NEWHAM, HACKNEY, TOWER HAMLETS AND
WALTHAM FOREST
58 BOW ROAD
LONDON E3 4DJ

London Borough of Hackney v. **LIFT 574 LIMITED**

I acknowledge receipt of the summons in the above matter due for hearing at Thames Magistrates' Court, Newham, Hackney, Tower Hamlets and Waltham Forest, 58 Bow Road, London E3 4DJ at 9.30 am on **8th July 2016 at 9.30 AM**

Signed

Dated

If you do not respond to this Summons, the case may be dealt with in your absence. Please note that upon conviction the prosecution will be seeking costs against you.



Environmental Enforcement Team
Environment and Waste Strategy Service
London Borough of Hackney
PO Box 60476, London E8 9EJ
Tel: 020 8356 4599
Fax: 020 8356 4980
wendy.carrier@hackney.gov.uk

The Company Secretary
123 Shoreditch Limited t/a The Corner Shop
123 Shoreditch High Street
London E1 6JE

11 November 2013

Dear Sir,

Illegal deposit of commercial waste
123 Shoreditch Limited, 123 Shoreditch High Street, London E1 6JE
Location of Offence - outside 576 Kingsland Road
Offences under Sections 33 and 34 Environmental Protection Act 1990

I write with regard to the illegal deposit of waste on the public highway discovered on Friday 25 October 2013 when I found unidentifiable black refuse sacks outside 576 Kingsland Road. Amongst the refuse inside the sacks I found evidence indicating that the refuse emanated from your premises. This amounts to fly tipping under Section 33 of the Environmental Protection Act 1990 and is also a breach of duty of care under Section 34 of the Environmental Protection Act 1990.

I am given to understand that you have a commercial waste contract with Hackney Commercial Waste Services (HCWS). Your contract with HCWS is for 8 red refuse sacks per week for your general waste, 2 mixed recycling sacks and a glass recycling bin. On the face of it, it would appear that you 8 red sacks for your general waste is inadequate and I shall be reporting this to the commercial waste officer for the area.

Fly tipping is a serious offence. However, on this occasion, and in order to avoid the necessity of having the matter decided in the Magistrates' Court, I am content to offer you the opportunity to dispose of this matter by payment of a fixed penalty for the lesser offence of littering. This allows you to discharge your liability to prosecution of the criminal offences mentioned above. However, I must inform you that that course of action will not be available to you in the event of further offences.

Please note that this offence is a failure on your part to comply with your duty of care as regards the safe storage and presentation of your waste. I must advise you that the Council has yet to decide on the most appropriate course of action should the matter need to go to Court. It could variously be treated as littering, fly tipping or duty of care for failing to maintain proper control.

I look forward to an explanation from you as to why your waste was not contained within your waste carrier's sacks and how it came to be outside 576 Kingsland Road, which is a clear indication that the waste had "escaped your control".

Yours faithfully,

WENDY CARRIER
Environmental Enforcement Officer
Environment and Waste Strategy Service
London Borough of Hackney



Environmental Enforcement Team
Environment and Waste Strategy Service
London Borough of Hackney
PO Box 60476, London E8 9EJ
Tel: 020 8356 4599
Fax: 020 8356 4980
wendy.carrier@hackney.gov.uk

The Company Secretary
123 Shoreditch Limited t/a The Corner Shop
123 Shoreditch High Street
London E1 6JE

1 May 2014

Dear Sir,

Illegal deposit of commercial waste
123 Shoreditch Limited, 123 Shoreditch High Street, London E1 6JE
Location of Offence - outside 123 Shoreditch High Street
Offences under Sections 33 and 34 Environmental Protection Act 1990

I write with regard to two offences involving the illegal deposit of waste on the public highway discovered on Monday 21 April 2014 and Sunday 27 April 2014.

I note you were sent a fixed penalty for littering in November last year when waste from The Corner Shop was found outside 576 Kingsland Road. It would appear that you have not taken any steps to ensure that your staff comply with your duty of care responsibilities.

I also note that you have a contract with Hackney Commercial Waste Services. On the face of it, your contract is inadequate and I shall be reporting this to the commercial waste officer for the area.

Fly tipping is a serious offence and will not be tolerated. My letter to you of 11 November stated ***"Please note that this offence is a failure on your part to comply with your duty of care as regards the safe storage and presentation of your waste."*** It would appear that you have not taken any steps to ensure that your staff comply with your duty of care responsibilities.

Therefore I am obliged to invoke Hackney Council's formal procedures. I should be grateful if you would contact me with a view to arranging a mutually convenient appointment for an authorised representative from the company, 123 Shoreditch Limited, to attend these offices for a tape recorded interview under Police and Criminal Evidence Act rules. When attending your representative should bring with him/her proof of identity in the form of a passport or photo driving licence and written authority to speak on behalf of the company. At the interview he/she will be cautioned as follows.

You do not have to say anything but it may harm your defence if you do not mention when questioned something you later rely on in Court. Anything you do say may be used in evidence.

Your representative may attend the interview with a solicitor or legal representative. However he/she may only advise and may not speak on your behalf.

I enclose photographs of the offences and a copy of the evidence extracted from the bags.

Yours faithfully,

WENDY CARRIER
Environmental Enforcement Officer
Environment and Waste Strategy Service
London Borough of Hackney



Environmental Enforcement Team
Environment and Waste Strategy Service
London Borough of Hackney
PO Box 60476, London E8 9EJ
Tel: 020 8356 4599
Fax:020 8356 4980
wendy.carrier@hackney.gov.uk

The Company Secretary
123 Shoreditch Limited t/a The Corner Shop
123 Shoreditch High Street
London E1 6JE

23 June 2014

Dear Sir,

Illegal deposit of commercial waste
123 Shoreditch Limited, 123 Shoreditch High Street, London E1 6JE
Location of Offence - outside 123 Shoreditch High Street
Offences under Sections 33 and 34 Environmental Protection Act 1990

Further to my enquiries regarding the illegal deposit of waste from The Corner Shop, I have now spoken with Giovanna and she agreed to speak to your waste carrier about reviewing the contract you have with Hackney Commercial Waste Services. I understand this has now been done and I enclose a Notice under Section 47 of the Environmental Protection Act 1990.

It is important that your staff are trained in the proper arrangements for waste disposal. If waste is discovered on the public highway outside of the time bands and/or in the wrong receptacles you will be fined for breach of the S47 Notice. However, you have already been fined in the past and there is a limit to how many fines can be issued before matters proceed to prosecution.

If you have any concerns or queries regarding this letter, please do not hesitate to contact me.

Yours faithfully,

WENDY CARRIER
Environmental Enforcement Officer
Environment and Waste Strategy Service
London Borough of Hackney



Environmental Enforcement Team
London Borough of Hackney
PO Box 60476, London E8 9EJ
Tel: 020 8356 4504
Fax: 020 8356 4980
enforcementsupport@hackney.gov.uk

The Company Secretary
123 Shoreditch Limited
The Corner Shop
123 Shoreditch High Street
London E1 6JE

Reference: s47Notice/061425/v1

IMPORTANT - THIS LETTER CONCERNS YOU.

23 June 2014

Dear Sir,

**RE: ENVIRONMENTAL PROTECTION ACT (EPA) 1990 – DUTY OF CARE
NOTICE UNDER SECTION 47 REGARDING COMMERCIAL WASTE FOR COLLECTION**

The London Borough of Hackney provides your business with Waste Transfer Notes (WTN) as part of your waste disposal agreement. As you will know, these WTN contain the specific details of your waste disposal contract such as collections days, description of waste, volume of waste collected and the disposal method, such as sacks or a paladin bin.

As part of your Duty of Care responsibilities, your business must dispose of your waste in line with your waste contract and local waste disposal restrictions set by the Council. This ensures that waste is not left on the public highway for long periods of time and that adequate waste receptacles are used to avoid waste escaping. It also allows the Council to monitor commercial waste production and identify those businesses illegally dumping waste or not taking due care with the storage of their waste.

Enclosed is a notice under Section 47 of the Environmental Protection Act 1990, which is to notify you that it appears to the London Borough of Hackney that commercial waste is likely to be situated at your business premises which, if not stored in receptacles of the kind specified in your Waste Transfer Note, is likely to be detrimental to the amenities of the locality.

The Council therefore requires you to place your commercial waste in refuse sacks or a refuse bin supplied by your waste carrier and clearly marked with their name or logo. We also require you to only place your waste out during the times and days stipulated in the attached notice. If your waste is not collected by your waste carrier during your collection period then it is your responsibility to ensure that the waste does not remain on the public highway.

Please ensure employees and contractors working at your premises know how to correctly handle and dispose of your waste because as the business owner you remain liable for your employees.

If you would like to read further details regarding the law and regulations surrounding your 'duty of care' please visit the official website of the Department for Environment, Food and Rural Affairs www.defra.gov.uk.

Please read the enclosed notice carefully.

Yours faithfully,
**Environmental Enforcement Team,
London Borough of Hackney**

Hackney Council, Hackney Town Hall, Mare Street, London E8 1EA
Main switchboard: 020 8356 3000. Website: www.hackney.gov.uk





LONDON BOROUGH OF HACKNEY
NOTICE

Environmental Protection Act 1990 Section 47
Commercial Waste for Collection

Notice No: s47Notice/061425/v1
Date of Service of Notice: 23/06/2014

To: The Company Secretary
Of: 123 Shoreditch Limited
The Corner Shop
123 Shoreditch High Street
London E1 6JE

This is to notify you that it appears to the London Borough of Hackney (“the Council”) (which is the waste collection authority) that there is likely to be situated at 123 Shoreditch High Street, E1 6JE (“the premises”) commercial waste, namely waste generated by the business known as The Corner Shop which, if not stored in receptacles of the kind specified below, is likely to be detrimental to the amenities of the locality.

The Council therefore **REQUIRES YOU**, in accordance with Section 47(2) of the Environmental Protection Act 1990, to **securely** place your commercial waste in the refuse sacks, refuse bin or cardboard tape (as appropriate) as supplied by your waste carrier, London Borough of Hackney, which is clearly marked with their name/logo to assist identification.

In addition, the Council permits your waste to be placed on the public highway for collection in line with the following restrictions:

Waste type:	General Waste
Waste composition	As described in waste transfer note only Please Note: London Borough of Hackney will not collect contaminated waste or special intractable wastes, cooking oils, animal by-products, asbestos, end of life vehicle waste types, waste electronics and electronic equipment, chemicals, building wastes or any similar materials.
Waste receptacle (as provided by your waste carrier only)	Bag
Weekly collection arrangements	Collections of red general waste bags daily – total not to exceed 70 bags per week 2 x 240 litre glass bins to be emptied on Monday, Thursday, Saturday and Sunday
Disposal time(s)	07:15 - 08:15 18:00 - 19:00
Additional collection	Additional special collections of red general waste bags scheduled between 12.00 midnight and 12.30 am

Point of collection	outside 123 Shoreditch High Street
Recycling bins	2 x 240 litre glass bins to be emptied on Monday, Thursday, Saturday and Sunday

Important: Your recycling waste should be presented for collection in line with your waste transfer notes and within the restrictions prescribed by the Council for your street. If placed directly on the highway, **cardboard must be broken down and presented neatly and securely for collection. It must also be clearly labelled with the name of your waste carrier using either a sack or tape. Glass recycling must be securely presented in sacks provided by LBH.**

Important: If your waste is not collected by your waste carrier during your collection period then it is your responsibility to ensure that the waste does not remain on the public highway.

Failure, without reasonable excuse, to comply with any of the requirements of this notice is an offence punishable on conviction by a fine not exceeding £1,000.

Date:

Signed:

Wendy Carrier
Authorised Officer of the Council
Environmental Enforcement Team
London Borough of Hackney
PO Box 60476, London E8 9EJ
Tel: 020 8356 4504
Email: enforcementsupport@hackney.gov.uk

PLEASE DO NOT IGNORE THIS NOTICE

COMPANY APPOINTMENTS



Registered No.: 07266299
Name: 123 SHOREDITCH LTD

Address: 123 SHOREDITCH HIGH STREET
LONDON
UNITED KINGDOM
E1 6JE

Company Appointments: 2 / Resignations: 1

Exclude

Resignations

To view details of other appointments held, click on the appropriate underlined name.

(Charge : £1.00 per officer selection)

HUSSAIN, TAIYAB

23 BARTLETT CLOSE
LONDON
ENGLAND
E14 6LH

SECRETARY

Appointed: 26/05/2010

Appointments: 1

HUSSAIN, TAIYAB MR

23 BARTLETT CLOSE
LONDON
ENGLAND
E14 6LH

DIRECTOR

Appointed: 26/05/2010

Nationality: BRITISH

Occupation: RESTAURATEUR

Country/State of Residence: ENGLAND

Date of Birth: **/03/1971

Appointments: 19

DAVE, CHETAN

14 BABBACOMBE GARDENS
ILFORD
ESSEX
ENGLAND
IG4 5LY

DIRECTOR

Appointed: 26/05/2010

Resigned: 01/11/2010

Nationality: BRITISH

Occupation: BAR OWNER

Country/State of Residence: ENGLAND

Date of Birth: **/11/1965

Appointments: 4

**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	124 124 Shoreditch High Street London E1 6JE
NAME OF PREMISES USER	124 Shoreditch Limited

COMMENTS

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

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

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

Police make the following representations in relation to the application to for a new Premises Licence at 124, 124 SHOREDITCH HIGH STREET, LONDON, E1 6JE for the following reason(s):

124 Shoreditch High Street is located within the Shoreditch Special Policy Area. This area is already saturated with licensed premises. LBH's Statement of licensing policy states that 'where a relevant representation is made to any application within the area of Shoreditch SPA, the application will be refused unless there are exceptional circumstances. This policy is to be strictly applied. Police would like to ask the applicant what the 'exceptional circumstances' are in this case?

Shoreditch has an extremely high footfall, especially at weekend, where tens of thousands of people come to eat and drink. Police deal with countless incidents of drunkenness, ASB (urination, vomiting, fighting), crime and disorder every night and another venue on this incredibly busy street will undoubtedly add to this.

Police are familiar with this particular operator as they have a couple of existing licensed venues on Hackney Borough, this current project is located next door to one of them.

Police have put together a set of conditions which can be discussed with the applicant at a site meeting.

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)

Conditions for
124 Shoreditch High Street,
London, E1 6JE

1. The premises shall maintain a comprehensive CCTV system as per the minimum requirements of a Metropolitan Police Crime Prevention Officer. All public areas, entry and exit points will be covered enabling frontal identification of every person entering in any light condition. The CCTV system shall continually record whilst the premises is open for licensable activities and during all times when customers remain on the premises. All recordings shall be stored for a minimum period of 31 days with date and time stamping. Recordings shall be made available immediately upon the request of Police or authorised officer.
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 absolute 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. There shall be "CCTV in Operation" signs prominently displayed.
5. All instances of crime or disorder to be reported by the designated premises supervisor or responsible member of staff to an agreed police contact point, as agreed with the Police.
6. 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.
7. There shall be no glass, drinks or open containers taken outside of the premises at any time.
8. After 2100hrs there shall be a maximum of ** tbc ** smokers outside the venue at any one time. This shall be managed and monitored by staff.
9. The premises will display and maintain appropriate signage advising customers of the contact details of the Designated Premises Supervisor.
10. There shall be prominent signage requesting customers to leave the premises quietly and respect local residents.

11. All staff will be given refresher training every twelve months on the legislation relating to the sales of alcohol to underage persons and drunken persons. Written records of this training shall be kept on the premises and produced to police or other authorised officer upon request.
12. Intoxicating liquor shall not be sold, supplied or consumed otherwise than to persons who are taking a substantial meal from the menu and that the consumption of alcohol by such persons is ancillary to taking such meals. The supply of alcohol shall be by waiter/waitress service only.
13. The premises shall adhere to Hackney Police Theft, Weapons and Drugs Policies and any updates thereof.

ADDITIONAL CONDITIONS MAY BE ADDED AFTER DISCUSSIONS WITH THE APPLICANT.

**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	Derek Fergus
TELEPHONE NUMBER	0208 356 3496
E-MAIL ADDRESS	derek.fergus@hackney.gov.uk

APPLICATION PREMISES

NAME & ADDRESS OF PREMISES	124 Shoreditch High Street E1 6JE
NAME OF APPLICANT/PREMISES USER	Angela Message

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 the Shoreditch Special Policy Area (SPA) therefore LP13 of Hackney's Licensing policy applies. This area has been identified as suffering from negative cumulative impact as a result of the high concentration of licensed premises in the area.

LP13 states the following:

It is the Council's policy that where a relevant representation is made to any application within the area of the Shoreditch SPA, the application will be refused unless there are exceptional circumstances. This policy is to be strictly applied. The Council expects that any exceptional circumstances offered by the applicant should be genuinely exceptional and so would not include reference to:

- **The quality and track record of the management**
- **The good character of the applicant**
- **The extent of any variation sought.**

Licensing do not believe any exceptional circumstances have been demonstrated in this application.

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.

The applicant should contact Licensing to discuss.

Name: Derek Fergus - Principal Licensing Enforcement Officer

Date: 08/08/16

Shoreditch Community Association

BY E-MAIL (licencing@Hackney.gov.uk)

27 July 2016

The Licensing Service
2 Hillman Street
London
E8 1FB

Ladies and Gentlemen,

Re: Ground Floor and Basement, 124 Shoreditch High Street, London E1 6JE

We write on behalf of the Licencing Committee of the Shoreditch Community Association (the “SCA”) regarding the above referenced premises licence application to allow supply of alcohol for on sales from 10:00 to 23:00 Mon to Sun (the “Application”). In summary, the SCA *objects* in the strongest possible terms to the Application.

Background

The SCA is a community organization promoting the long term growth of Shoreditch in a responsible and sustainable manner, working to maintain Shoreditch’s unique culture. Our members are local individuals, families and businesses. The SCA has significantly grown in recent years, commensurate with residential growth in the neighbourhood. The SCA membership strongly believes responsible growth balances day and night activities, and the current tilt towards the night-time economy negatively impacts residents’ quality of life, and is detrimental to long-term growth.

Objections

We object for the following reasons:

1. This premises is inside the Shoreditch Special Policy Area. As a results this application should be rejected out-of-hand absent exceptional circumstances. There are no such circumstances.
2. This address is located in the heart of the SPA, next to some of London’s busiest bars. It is common knowledge that the neighbourhood is often an open air club, with violence, vomiting, urination, defecation, drug use and unsociable conduct late into the night, presenting real safety and security issues. Enabling an open-air drinking site immediately adjacent to an off-licence will inevitably contribute to the cumulative impact.

3. The switch of another retail store venue to a drinking establishment (regardless of hours) is detrimental to the neighbourhood. The current tilt towards growth of the night-time economy is having a negative impact on residents' and daytime businesses' quality of life and working environment. This tilt hampers efforts to attract responsible businesses and has a negative impact on the residents' and daytime businesses quality of life, as a result of increased noise, environmental filth, and anti-social behaviour.

4. The protection of children from harm is vital. Shoreditch is overwhelmed with inebriated and unsociable people due to the concentration of drinking establishments. Evenings attract violence, illicit acts and vile behaviour, and residents have their doors smashed, front doors urinated and defecated on, etc. Residents fear for the safety of their children – of which there are a significant number - who have to walk through this already overwhelmed gauntlet of revelry.

Conclusion

For each one of the reasons set forth above we believe that the Application should be rejected in its entirety by the Council.

If this application will be going to the Planning Sub-Committee a representative of the SCA would like to be advised of the date.

Sincerely

The Shoreditch Community Association

From: [REDACTED]
Sent: 17 August 2016 01:33
To: Licensing
Subject: Ground Floor and Basement 124 Shoreditch High Street, London E1 6JE

Dear Hackney Licensing,

I write to oppose the application at Ground Floor and Basement [124 Shoreditch High Street London E1 6JE](#) to allow supply of alcohol for on sales from 10:00 to 23:00 Mon to Sun.

I oppose the application on the following grounds:

- This premises is inside the Shoreditch Special Policy Area; therefore this application should be rejected out-of-hand absent exceptional circumstances. There are no such circumstances.
- This address is located in the heart of the SPA, next to some of London's busiest bars. The neighbourhood is often an open air club, with violence, vomiting, urination, defecation, drug use and unsociable conduct late into the night, presenting real safety and security issues. Enabling an open-air drinking site immediately adjacent to an off-licence will inevitably contribute to the cumulative impact.
- The switch of another venue to a drinking establishment (regardless of hours) is detrimental to the neighbourhood. The current tilt towards growth of the night-time economy is having a negative impact on residents' and daytime businesses' quality of life and working environment. This tilt hampers efforts to attract responsible businesses and has a negative impact on the residents' and daytime businesses quality of life, as a result of increased noise, environmental filth, and anti-social behaviour.
- The protection of children from harm is vital. Shoreditch is overwhelmed with inebriated and unsociable people due to the concentration of drinking establishments. Evenings attract violence, illicit acts and vile behaviour, and residents have their doors smashed, front doors urinated and defecated on, etc. Residents fear for the safety of their children – of which there are a significant number - who have to walk through this already overwhelmed gauntlet of revelry.

I can be contacted at the address below.

If this application will be going to the Planning Sub-Committee I would like to be advised of the date.

Yours sincerely,

[REDACTED]
[REDACTED] Bateman's Row
London EC2A [REDACTED]

From: [REDACTED]
Sent: 06 August 2016 18:07
To: Licensing
Subject: application for licensing at basement and ground floor of 124 Shoreditch High St

Dear Hackney Licensing,

I write to oppose the application at Ground Floor and Basement 124 Shoreditch High Street London E1 6JE to allow supply of alcohol for on sales from 10:00 to 23:00 Mon to Sun.

I oppose the application on the following grounds:

- This premises is inside the Shoreditch Special Policy Area. As a result this application should be rejected out-of-hand absent exceptional circumstances. There are no such circumstances.
- This address is located in the heart of the SPA, next to some of London's busiest bars. It is common knowledge that the neighbourhood is often an open air club, with violence, vomiting, urination, defecation, drug use and unsociable conduct late into the night, presenting real safety and security issues. Enabling an open-air drinking site immediately adjacent to an off-licence will inevitably contribute to the cumulative impact.
- The switch of another venue to a drinking establishment (regardless of hours) is detrimental to the neighbourhood. The current tilt towards growth of the night-time economy is having a negative impact on residents' and daytime businesses' quality of life and working environment. This tilt hampers efforts to attract responsible businesses and has a negative impact on the residents' and daytime businesses quality of life, as a result of increased noise, environmental filth, and anti-social behaviour.
- The protection of children from harm is vital. Shoreditch is overwhelmed with inebriated and unsociable people due to the concentration of drinking establishments. Evenings attract violence, illicit acts and vile behaviour, and residents have their doors smashed, front doors urinated and defecated on, etc. Residents fear for the safety of their children – of which there are a significant number - who have to walk through this already overwhelmed gauntlet of revelry.

I can be contacted at the address below.

If this application will be going to the Planning Sub-Committee I would like to be advised of the date.

[REDACTED]
[REDACTED] Beaconsfield Rd
London
N15 [REDACTED]

From: [REDACTED]
Sent: 04 August 2016 14:47
To: Licensing
Subject: Fwd: license application 124 Shoreditch High Street London E1 6JE

Sent from Samsung Mobile

----- Original message -----

From: [REDACTED]
Date: 04/08/2016 12:26 (GMT+00:00)
To: licensing@hackney.gov.uk
Subject: license application 124 Shoreditch High Street London E1 6JE

Dear Hackney Licensing,

I write to oppose the application at Ground Floor and Basement 124 Shoreditch High Street London E1 6JE to allow supply of alcohol for on sales from 10:00 to 23:00 Mon to Sun.

I oppose the application on the following grounds:

- This premises is inside the Shoreditch Special Policy Area. As a results this application should be rejected out-of-hand absent exceptional circumstances. There are no such circumstances.
- This address is located in the heart of the SPA, next to some of London's busiest bars. It is common knowledge that the neighbourhood is often an open air club, with violence, vomiting, urination, defecation, drug use and unsociable conduct late into the night, presenting real safety and security issues. Enabling an open-air drinking site immediately adjacent to an off-licence will inevitably contribute to the cumulative impact.
- The switch of another venue to a drinking establishment (regardless of hours) is detrimental to the neighbourhood. The current tilt towards growth of the night-time economy is having a negative impact on residents' and daytime businesses' quality of life and working environment. This tilt hampers efforts to attract responsible businesses and has a negative impact on the residents' and daytime businesses quality of life, as a result of increased noise, environmental filth, and anti-social behaviour.
- The protection of children from harm is vital. Shoreditch is overwhelmed with inebriated and unsociable people due to the concentration of drinking establishments. Evenings attract violence, illicit acts and vile behaviour, and residents have their doors smashed, front doors urinated and defecated on, etc. Residents fear for the safety of their children – of which there are a significant number - who have to walk through this already overwhelmed gauntlet of revelry.

I can be contacted at the address below.

If this application will be going to the Planning Sub-Committee I would like to be advised of the date.

[REDACTED]

Director

[REDACTED]

[REDACTED]

[REDACTED] Shoreditch High Street

London E1 [REDACTED]

From: [REDACTED]
Sent: 16 August 2016 12:11
To: Licensing
Cc: [REDACTED]
Subject: Ground Floor and Basement 124 Shoreditch High Street London E1 6JE

Importance: High

Follow Up Flag: Follow up

Flag Status: Flagged

Ground Floor and Basement 124 Shoreditch High Street London E1 6JE

Dear Hackney Licensing,

I write to strongly oppose the application at Ground Floor and Basement 124 Shoreditch High Street London E1 6JE to allow supply of alcohol, on the following grounds:

These premises are *inside* the Shoreditch Special Policy Area. As a result this application should be rejected out-of-hand. This address is located in the heart of the SPA, directly next to lots of busy bars. Since the Licensing Act of 2003 this part of Hackney has become virtually uninhabitable for local residents and families due to the sheer number of booze tourists now aggressively descending upon this area at least three nights per week, 52 weeks per year.

Due to the relaxed policies of Hackney Licensing - as a direct consequence of the Licensing Act of 2003 - the entire neighbourhood of Shoreditch has been turned into one giant open air club, with vomiting, urination, defecation, drug usage, anti-social behaviour - even violence - now presenting real safety and security issues for not only local residents and families but also to the tourists visiting the area, several nights per week.

Hackney Council's bias towards unfettered growth of the night-time economy has had a serious and damaging effect upon both local residents and daytime businesses quality of life and working environment.

Also, the protection of children from harm is not only vital but an essential part of the licensing conditions that - apparently - are supposed to be satisfied in order for these alcohol licenses to be handed out. Yet Shoreditch is now over-saturated and overwhelmed with inebriated and unsociable people due to the incredibly high concentration of drinking venues that now exist cheek by jowl all across the streets of Shoreditch.

Evenings attract violence, illicit acts and shocking behaviour, whilst residents have their doors smashed, front doors urinated and defecated upon, etc. Residents genuinely fear for the safety of their children - of which there are a significant number - who have to walk through this already overwhelmed gauntlet of revelry.

Please reject this application so that a more suitable use may be found for these premises.

Yours sincerely

[REDACTED]
[REDACTED] Holywell Lane

From: [REDACTED]
Sent: 04 August 2016 15:31
To: Licensing
Cc: SCA
Subject: Ground Floor and Basement 124 Shoreditch High Street London E1 6JE

I write to oppose the application at Ground Floor and Basement 124 Shoreditch High Street London E1 6JE to allow supply of alcohol for on sales from 10:00 to 23:00 Mon to Sun.

I oppose the application on the following grounds:

- This premises is inside the Shoreditch Special Policy Area. Given there are no exceptional circumstances, the application should be rejected out-of-hand .
- This address is located in the heart of the SPA, next to some of London's busiest bars. There is absolutely no reason to create an open-air bar next to an off-licence, given that off-licenses tend to be a disproportionate locus for inexpensive heavy drinking. There is no need to contribute to the anti-social behaviour, violence, vomiting, urination, defecation, drug use that are safety and security issues.
- The loss of another high street location from retail to a drinking establishment (regardless of hours) is detrimental to the neighbourhood. The increasing tilt towards the growth of the night-time economy has a negative impact on residents' and daytime businesses' quality of life and working environment. This tilt hampers efforts to attract responsible businesses and has a negative impact on the residents' and daytime businesses quality of life, as a result of increased noise, environmental filth, and anti-social behaviour.
- The protection of children from harm is vital. Shoreditch is overwhelmed with inebriated and unsociable people due to the concentration of drinking establishments. Evenings see violence, illicit acts and vile behaviour, and residents have their doors smashed, front doors urinated and defecated on, etc. Residents fear for the safety of their children – of which there are a significant number - who have to walk through this already overwhelmed gauntlet of revelry.

I can be contacted at the address below.

If this application will be going to the Planning Sub-Committee I would like to be advised of the date.

[REDACTED]
[REDACTED] New Inn Street, EC2A [REDACTED]

Please do not release any identifying information to the applicant.

From: [REDACTED]
Sent: 09 August 2016 22:22
To: Licensing
Cc: [REDACTED]
Subject: Ground Floor and Basement 124 Shoreditch High Street London E1 6JE

Dear Hackney Licensing,

I write to oppose the application at Ground Floor and Basement 124 Shoreditch High Street London E1 6JE to allow supply of alcohol for on sales from 10:00 to 23:00 Mon to Sun.

I oppose the application on the following grounds:

- This premises is inside the Shoreditch Special Policy Area. As a result this application should be rejected out-of-hand absent exceptional circumstances. There are no such circumstances.
- This address is located in the heart of the SPA, next to some of London's busiest bars. It is common knowledge that the neighbourhood is often an open air club, with violence, vomiting, urination, defecation, drug use and unsociable conduct late into the night, presenting real safety and security issues. Enabling an open-air drinking site immediately adjacent to an off-licence will inevitably contribute to the cumulative impact.
- The switch of another venue to a drinking establishment (regardless of hours) is detrimental to the neighbourhood. The current tilt towards growth of the night-time economy is having a negative impact on residents' and daytime businesses' quality of life and working environment. This tilt hampers efforts to attract responsible businesses and has a negative impact on the residents' and daytime businesses quality of life, as a result of increased noise, environmental filth, and anti-social behaviour.
- The protection of children from harm is vital. Shoreditch is overwhelmed with inebriated and unsociable people due to the concentration of drinking establishments. Evenings attract violence, illicit acts and vile behaviour, and residents have their doors smashed, front doors urinated and defecated on, etc. Residents fear for the safety of their children – of which there are a significant number - who have to walk through this already overwhelmed gauntlet of revelry.

I can be contacted at the address below.

If this application will be going to the Planning Sub-Committee I would like to be advised of the date.

[REDACTED]
[REDACTED]
[REDACTED] Bateman Row
London EC2A [REDACTED]

From: [REDACTED]
Sent: 03 August 2016 15:22
To: Licensing
Subject: objection of licensing application

Subject: Ground Floor and Basement 124 Shoreditch High Street London E1 6JE

Dear Hackney Licensing,

I write to oppose the application at Ground Floor and Basement 124 Shoreditch High Street London E1 6JE to allow supply of alcohol for on sales from 10:00 to 23:00 Mon to Sun.

As a neighbour I oppose the application on the following grounds:

- This premises is inside the Shoreditch Special Policy Area. As a results this application should be rejected out-of-hand absent exceptional circumstances. There are no such circumstances.
- This address is located in the heart of the SPA, next to some of London's busiest bars. I know this as my business address is located right between them I have had to clean up broken glass, urine and vomit at least once a week outside my premises in the morning prior to opening during my business day. One more license will only add to this and it feels like the daytime economy has been completely overlooked. The impact of having a drunken crowd outside on the street has a major negative impact on my business and to tackle the crowds sometimes involves dealing with threatening and violent behavior. Another license will only increase this.
- The switch of another venue to a drinking establishment (regardless of hours) is detrimental to the neighbourhood. The current tilt towards growth of the night-time economy is having a negative impact on residents' and daytime businesses' quality of life and working environment. This tilt hampers efforts to attract responsible businesses and has a negative impact on the residents' and daytime businesses quality of life, as a result of increased noise, environmental filth, and anti-social behaviour.
- The protection of children from harm is vital. Shoreditch is overwhelmed with inebriated and unsociable people due to the concentration of drinking establishments. Evenings attract violence, illicit acts and vile behaviour, and residents have their doors smashed, front doors urinated and defecated on, etc. Residents fear for the safety of their children – of which there are a significant number - who have to walk through this already overwhelmed gauntlet of revelry.

I can be contacted at the address below.

[REDACTED]
[REDACTED] Shoreditch High Street
London E1 [REDACTED]

If this application will be going to the Planning Sub-Committee I would like to be advised of the date.

[REDACTED]
Business address
[REDACTED] Shoreditch High Street
London E1 [REDACTED]

Residential address
[REDACTED] Beaconsfield Road
London N15 [REDACTED]



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124 Shoreditch

Scale 1/1250

at A4



Date 30/8/2016

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