

REPORT OF THE GROUP DIRECTOR, NEIGHBOURHOODS AND HOUSING		
LICENSING SUB-COMMITTEE: 08/11/2016	Classification DECISION	Enclosure
APPLICATION TO VARY THE PREMISES LICENCE : The Red Lion, 41 Hoxton Street, N1 6NH	Ward(s) affected Hoxton East & Shoreditch	

1. SUMMARY

Applicant(s) Ms Vicki Pengilly	In SPA Yes
Date of Application 15 September 2016	Period of Application Permanent
Proposed variation: Late Night Refreshment Supply of Alcohol (On Premises)	
Proposed hours for licensable activity	
Late Night Refreshment INDOOR Indoors	Standard Hours: Fri 23:00-00:00 Sat 23:00-00:00 Non-Standard Hours: New years eve from the end of permitted hours on New Years Eve to the start of permitted hours on the following day.
Supply of Alcohol INDOOR	Standard Hours: Mon 10:00-23:00 Tue 10:00-23:00 Wed 10:00-23:00 Thu 10:00-23:00 Fri 10:00-00:00 Sat 10:00-00:00 Sun 12:00-22:30 Non-Standard Hours: New years eve from the end of permitted hours on New Years Eve to the start of permitted hours on the following day.

**The opening hours of the premises:
INDOOR**

Standard Hours:

Mon 10:00-23:00
Tue 10:00-23:00
Wed 10:00-23:00
Thu 10:00-23:00
Fri 10:00-00:00
Sat 10:00-00:00
Sun 10:00-22:30

Non-Standard Hours:

New years eve from the end of permitted hours on New Years Eve to the start of permitted hours on the following day.

Current activities/hours:

The times the licence authorises the carrying out of Licensable activities

Recorded Music

Standard Hours:

Mon 11:00-23:00
Tue 11:00-23:00
Wed 11:00-23:00
Thu 11:00-23:00
Fri 11:00-23:00
Sat 11:00-23:00
Sun 12:00-22:30

Premises:

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 12:00-22:30

Premises:

Non-Standard Hours:

Christmas Day: 12.00 to 15.00 and 19.00 to 22.30
Good Friday 12:00 to 22:30
On New Year's Eve from the end of permitted hours on New Year's Eve to the start of permitted hours on the following day.

**The opening hours
of the premises**

Standard Hours:

Not Known

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)

List of Appendices	A – Application for variation of premises licence and supporting documents B – Representations from responsible authorities C – Location map
Relevant Representations	<ul style="list-style-type: none"> • Police • Licensing Authority

2. APPLICATION

- 2.1 Ms Vicki Pengilly has made an application vary the premises licence under the Licensing Act 2003:
- To extend hours for supply of alcohol for consumption on the premises
 - To provide late night refreshment
- 2.2 The application is attached as Appendix A. The applicant has withdrawn recorded music and confirmed that any music will be played at background levels only.

3. CURRENT STATUS / HISTORY

- 3.1 The premises have been in possession of an alcohol licence for on and off sales of alcohol prior to the introduction of the Licensing Act 2003. The conditions on the licence, as detailed below, arise from a minor variation application submitted in December 2011 and a review of the licence considered by Licensing Sub-Committee in September 2013.

Mandatory Conditions

Supply of Alcohol

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

- (ii) drink as much alcohol as possible (whether within a time limit or otherwise);
 - (b) provision of unlimited or unspecified quantities of alcohol free or for a fixed or discounted fee to the public or to a group defined by a particular characteristic in a manner which carries a significant risk of undermining a licensing objective;
 - (c) provision of free or discounted alcohol or any other thing as a prize to encourage or reward the purchase and consumption of alcohol over a period of 24 hours or less in a manner which carries a significant risk of undermining a licensing objective;
 - (d) selling or supplying alcohol in association with promotional posters or flyers on, or in the vicinity of, the premises which can reasonably be considered to condone, encourage or glamorise anti-social behaviour or to refer to the effects of drunkenness in any favourable manner.
 - (e) dispensing alcohol directly by one person into the mouth of another (other than where that other person is unable to drink without assistance by reason of a disability).
4. The responsible person shall ensure that free tap water is provided on request to customers where it is reasonably available.
5. 5.1. The premises licence holder or club premises certificate holder shall ensure that an age verification policy applies to the premises in relation to the sales or supply of alcohol.
5.2. The policy must require individuals who appear to the responsible person to be under 18 years of age (or such older age as may be specified in the policy) to produce on request, before being served alcohol, identification bearing their photograph, date of birth and a holographic mark.
6. The responsible person shall ensure that:
- a) where any of the following alcoholic drinks is sold or supplied for consumption on the premises (other than alcoholic drinks sold or supplied having been made up in advance ready for sale or supply in a securely closed container) it is available to customers in the following measures:
 - beer or cider: 1/2 pint;
 - gin, rum, vodka or whisky: 25ml or 35ml; and
 - still wine in a glass: 125ml; and
 - b) customers are made aware of the availability of these measures.

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

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

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

(i) P is the permitted price,

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

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

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

(i) the holder of the premises licence,

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

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

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

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

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

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

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

Conditions consistent with the Operating Schedule

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

9. 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) all ejections of patrons
 - (c) any complaints received
 - (d) any incidents of disorder
 - (e) seizures of drugs or offensive weapons
 - (f) any faults in the CCTV system or searching equipment or scanning equipment
 - (g) any refusal of the sale of alcohol
 - (h) any visit by a relevant authority or emergency service.
 - (i) Toilets to be checked by staff randomly and at least once per hour.
10. There shall be no irresponsible promotional sales of alcohol at the premises.
11. Non-intoxicating beverages, including drinking water, shall be available throughout the permitted hours in all parts of the premises where alcohol is served.
12. Premises to operate a zero tolerance policy to drugs and comply with the Hackney Police/Council Community Safety Unit Drugs and Weapons policy where appropriate.
13. The premises will display and maintain appropriate signage advising customers of the contact details of the Designated Premises Supervisor.
14. The premises will also, in cooperation with Hackney Police and no later than 3 months following granting of the premises licence, regularly facilitate a premises drug audit using the ion itemiser or similar device.
15. There shall be a dedicated member of staff employed to look after the welfare of children on the premises.

Conditions attached after a hearing by the licensing authority

16. All staff employed by the venue in connection with the sale and supply of alcohol shall be trained in relation to the laws of underage sales and no later than three months of commencing employment. All staff shall be given refresher training on the legislation relating to sales of alcohol to underage persons and how to deal with underage persons trying to purchase alcohol. Such training shall take place at least twice a year.
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 its registered waste carrier (refuse sacks or commercial waste bins) in order to ensure all refuse emanating from the business is always presented for collection by its waste carrier and shall not use any plain black or unidentifiable refuse sacks or any other unidentifiable or unmarked waste receptacles.

19. It is anticipated that in the near future Hoxton Street will fall within an area in which refuse may only be left on the public highway at certain times (time bands) when it will become a legal requirement for businesses in that street to comply with any orders or notices issued by the waste collection authority (London Borough of Hackney) imposing such time bands. In the meantime in order to minimise the amount of time any waste remains on the public highway readiness for collection, the licensee will ensure the timeframe within which it may expect her waste carrier to collect is adhered to.
20. The Licensee shall erect a sign asking customers to refrain from littering the public highway outside the premises and will also instruct member of staff to make regular checks of the area immediately outside and within 10 metres either side of the premises and remove any litter, bottles and glasses emanating from the premises. A final check should be made at close of business.
21. 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.

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

4. REPRESENTATIONS: RESPONSIBLE AUTHORITIES

From	Details
Environmental Health Authority (Environmental Protection)	Following clarification that recorded music will be played at background levels only, have confirmed no representation on this application
Environmental Health Authority (Environmental Enforcement)	Have withdrawn representation following acceptance of proposed conditions (see para 8.1 below)
Environmental Health Authority (Health & Safety)	No representation received
Weights and Measures (Trading Standards)	Have confirmed no representation on this application
Planning Authority	No representation received
Area Child Protection Officer	Representation has been withdrawn with the agreed conditions as set out in para 8.1
Fire Authority	No representation received
Police (Appendix B1)	Representation received on the grounds of The Prevention of Crime and Disorder, Prevention of Public Nuisance and Special Policy Area

Licensing Authority (Appendix B2)	Representation received on the grounds of The Prevention of Crime and Disorder, Prevention of Public Nuisance, and Special Policy Area
Health Authority	Have confirmed no representation on this application

5. REPRESENTATIONS: OTHER PERSONS

Representation received from and on behalf of local residents.	None
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6. GUIDANCE CONSIDERATIONS

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

7. POLICY CONSIDERATIONS

- 7.1 Licensing Sub-Committee is required to have regard to the London Borough of Hackney's Statement of Licensing Policy ("the Policy") adopted by the Licensing Authority.
- 7.2 The Policy applies to applications where relevant representations have been made. With regard to this application, policies LP3 (Operating Schedule), LP4 (Crime and Disorder), LP5 (Public Nuisance), LP6 (Protection of Children from Harm), LP8 (Public Safety) and LP13 (Special Policy Area) are relevant.

8. OFFICER OBSERVATIONS

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

Mandatory Conditions

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

Conditions proposed by Responsible Authorities

2. There shall be no glass, drinks or open containers taken outside the premises at any time.
3. The premises shall operate a Challenge 25 policy
4. At least two (2) SIA registered door supervisors shall be employed at the premises from 2100hrs on Fridays and Saturdays until all customers have left at the end of the night. Additional SIA registered door supervisors shall be employed on a risk assessment basis with identity badges displayed at all times and SIA numbers, full names, times worked and duty performed to

be entered into an occurrence book and made available to police immediately upon request. 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 recorded.

5. 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.
6. 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.
7. The Licensee's premises are situated in an area within which refuse may only be left on the public highway during certain time bands. If the Licensee's waste carrier cannot or does not comply by collecting the refuse during the present or any future time bands imposed by the waste authority, the Licensee must remove the refuse from the public highway and/or keep it within the premises until such time as its waste carrier arrives to collect the refuse.

9. REASONS FOR OFFICER OBSERVATIONS

- 9.1 Additional conditions 2 to 4 have been proposed by the Police and 5 to 7 by Environmental Enforcement. The conditions proposed by Environmental Enforcement have been accepted by the applicant. .

10. LEGAL COMMENTS

- 10.1 The Council has a duty as a Licensing Authority under the Licensing Act 2003 to carry out its functions with a view to promoting the following 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
The Red Lion, 41 Hoxton Street, N1 6NH	Hackney Service Centre Licensing Service 2 Hillman Street London E8 1FB

Printed matter

Licensing Act 2003

LBH Statement of Licensing Policy

SR: 530795.

LDR: 21 14/19/2016

APPENDIX A

Hackney
LA07

Application to vary a premises licence under the Licensing Act 2003

PLEASE READ THE FOLLOWING INSTRUCTIONS FIRST

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

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

I/We Vicki Pengilly

(Insert name(s) of applicant)

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

Premises licence number
LBH - PRE - T - 0051

Part 1 – Premises Details

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

41 HOXTON STREET
HACKNEY

Post town	LONDON	Post code	N1 6NH
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Telephone number at premises (if any)	
Non-domestic rateable value of premises	£16,250

Part 2 – Applicant details

Daytime contact telephone number	[REDACTED]		
E-mail address (optional)	[REDACTED]		
Current postal address if different from premises address	[REDACTED]		
Post town	LONDON	Postcode	[REDACTED]

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Part 3 - Variation

Please tick as appropriate

Do you want the proposed variation to have effect as soon as possible?	Yes
If not, from what date do you want the variation to take effect?	
Do you want the proposed variation to have effect in relation to the introduction of the late night levy	<input checked="" type="checkbox"/> Yes No

(Please see guidance note 1)

Please describe briefly the nature of the proposed variation (Please see guidance note 1)
TO EXTEND THE LICENSING HOURS ON FRIDAY AND SATURDAYS BY ONE HOUR FROM 23:00 TILL 24:00

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

180

Part 4 Operating Schedule

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

Provision of regulated entertainment

Please tick all that apply

- a) plays (optional, fill in box A)
- b) films (optional, fill in box B) ..
- c) indoor sporting events (optional, fill in box C) ..
- d) boxing or wrestling entertainment (optional, fill in box D) ..
- e) live music (optional, fill in box E) ..
- f) recorded music (optional, 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) (optional, fill in box H) ..

Provision of late night refreshment (optional, fill in box L)

Sale by retail of alcohol (if ticking yes, fill in box J)

In all cases complete boxes K, L and M

A

Plays Standard days and timings (please read guidance note 6)			Will the performance of a play take place <u>indoors or outdoors or both – please tick</u> (please read guidance note 2)	Indoors	
Day	Start	Finish		Outdoors	
				Both	
Mon			<u>Please give further details here</u> (please read guidance note 3)		
Tue			<u>State any seasonal variations for performing plays</u> (please read guidance note 4)		
Wed			<u>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</u> (please read guidance note 5)		
Thur					
Fri					

F

Recorded music Standard days and timings (please read guidance note 6)			Will the playing of recorded music take <u>place indoors or outdoors or both – please tick</u> (please read guidance note 2)	Indoors	<input checked="" type="checkbox"/>
Day	Start	Finish		Outdoors	
				Both	
Mon	11:00	23:00	Please give further details here (please read guidance note 3) AMPLIFIED LOW LEVEL MUSIC		
Tue	11:00	23:00			
Wed	11:00	23:00	State any seasonal variations for the playing of recorded music (please read guidance note 4) NONE		
Thur	11:00	23:00			
Fri	11:00	00:00	Non standard timings. Where you intend to use the premises for the playing of recorded music at different times to those listed in the column on the left, please list (please read guidance note 5) CHRISTMAS DAY 12:00 - 15:00 AND 19:00 TO 22:30		
Sat	11:00	00:00			
Sun	12:00	22:30	ON NEW YEARS EVE FROM THE END OF PERMITTED HOURS ON NEW YEARS EVE TO THE START OF PERMITTED HOURS ON THE FOLLOWING DAY.		

G

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

Late night refreshment Standard days and timings (please read guidance note 6)			<u>Will the provision of late night refreshment take place indoors or outdoors or both – please tick</u> (please read guidance note 2)	Indoors	<input checked="" type="checkbox"/>
				Outdoors	<input type="checkbox"/>
				Both	<input type="checkbox"/>
Day	Start	Finish	<u>Please give further details here</u> (please read guidance note 3) TEA, COFFEE AND SNACKS		
Mon	10:00	23:00			
Tue	10:00	23:00			
			<u>State any seasonal variations for the provision of late night refreshment</u> (please read guidance note 4)		
Wed	10:00	23:00			
Thur	10:00	23:00			
			<u>Non standard timings. Where you intend to use the premises for the provision of late night refreshment at different times, to those listed in the column on the left, please list</u> (please read guidance note 5) CHRISTMAS DAY 12:00 - 15:00 AND 19:00 TO 22:30		
Fri	10:00	00:00			
			ON NEW YEARS EVE FROM THE END OF PERMITTED HOURS ON NEW YEARS EVE TO THE START OF PERMITTED HOURS ON THE FOLLOWING DAY.		
Sat	10:00	00:00			
Sun	12:00	22:30			

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			
Fri	10:00	00:00			
Sat	10:00	00:00			
Sun	12:00	22:30			
			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) CHRISTMAS DAY 12:00 - 15:00 AND 19:00 TO 22:30 ON NEW YEARS EVE FROM THE END OF PERMITTED HOURS ON NEW YEARS EVE TO THE START OF PERMITTED HOURS ON THE FOLLOWING DAY.		

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).

EXPLICIT MUSIC

L

Hours premises are open to the public Standard timings (please read guidance note 6)			State any seasonal variations (please read guidance note 4)	
Day	Start	Finish		
Mon	12:00	23:00		
	10:00			
Tue	12:00	23:00		
	10:00			
Wed	12:00	23:00		
	10:00			
Thur	12:00	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) CHRISTMAS DAY 12:00 - 15:00 AND 19:00 TO 22:30
	10:00			
Fri	12:00	00:00		ON NEW YEARS EVE FROM THE END OF PERMITTED HOURS ON NEW YEARS EVE TO THE START OF PERMITTED HOURS ON THE FOLLOWING DAY.
	10:00			
Sat	12:00	00:00		
	10:00			
Sun	12:00	22:30		
	10:00			

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

Please tick as appropriate

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

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

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

M

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

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

ALL STAFF TRAINED BY A RECOGNISED BODY.

b) The prevention of crime and disorder

ON CALL SECURITY

c) Public safety

STAFF KEEP STREET CLEAR

d) The prevention of public nuisance

ALL CUSTOMERS ARE ASKED TO LEAVE QUIETLY TO CONSIDER OUR NEIGHBOURS

e) The protection of children from harm

OVER 18S ONLY.
NO CHILDREN ALLOWED INSIDE THE PREMISES.

Checklist:

Please tick to indicate agreement

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 5 – Signatures (please read guidance note 10)

Signature of applicant (the current premises licence holder) or applicant's solicitor or other duly authorised agent (please read guidance note 11). If signing on behalf of the applicant, please state in what capacity.

Signature	
Date	8/8/2016
Capacity	licence holder

Where the premises licence is jointly held, signature of 2nd applicant (the current premises licence holder) or 2nd applicant's solicitor or other authorised agent (please read guidance note 12). If signing on behalf of the applicant, please state in what capacity.

Signature	NOT JOINT
Date	8/8/2016
Capacity	NOT JOINT

Contact name (where not previously given) and address for correspondence associated with this application (please read guidance note 13)

Premises Address

UK-England

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

Notes for Guidance

This application cannot be used to vary the licence so as to extend the period for which the licence has effect or to vary substantially the premises to which it relates. If you wish

APPENDIX B1

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	Red Lion 41 Hoxton Street London N1 6NH
NAME OF PREMISES USER	Vicki PENGILLEY

COMMENTS

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

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

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

Police make the following representations in relation to the application to vary the Premises Licence at THE RED LION, 41 HOXTON STREET, LONDON, N1 6NH for the following reason(s):

This premises is currently operating on the edge of the Shoreditch Special Policy Area. Police have considered the proposed variation to open for an extra hour over the weekends and suggest the following additional conditions to address current issues at the venue and ensure the promotion of the licensing objectives:

- There shall be no glass, drinks or open containers taken outside the premises at any time.
- The premises shall operate a Challenge 25 policy
- At least two (2) SIA registered door supervisors shall be employed at the premises from 2100hrs on Fridays and Saturdays until all customers have left at the end of the night. Additional SIA registered door supervisors shall be employed on a risk assessment basis with identity badges displayed at all times and SIA numbers, full names, times worked and duty performed to be entered into an occurrence book and made available to police immediately upon request.
- 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 recorded.

There should be at least 30 minutes for 'drinking up' time to allow customers who have just purchased a drink to finish it before they are asked to leave, especially at weekends when it is much busier.

Police therefore, suggest that the hours for the sale of alcohol be amended to 23:30hrs on Fridays and Saturdays.

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 B2

RESPONSIBLE AUTHORITY REPRESENTATION: APPLICATION UNDER THE LICENSING ACT 2003

RESPONSIBLE AUTHORITY DETAILS

NAME OF AUTHORITY	Licensing Authority
ADDRESS OF AUTHORITY	Licensing Service 2 Hillman St London E8 1FB
CONTACT NAME	Gurch Patti
TELEPHONE NUMBER	020 8356 4997
E-MAIL ADDRESS	gurch.patti@hackney.gov.uk

APPLICATION PREMISES

NAME & ADDRESS OF PREMISES	Red Lion 41 Hoxton Street N1 6NH
NAME OF APPLICANT	Vicki Pengilley

COMMENTS

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

- the prevention of crime and disorder **x**
- public safety
- the prevention of public nuisance **x**
- 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 Policy LP13 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:

LP13 Special Policy Area – Shoreditch

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.**

The applicant has not put forward any case for exceptional circumstances. The applicant has failed to demonstrate why the policy should be diverted from and as such we recommend the application is refused.

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

The Licensing Act 2003, Statement of Licensing Policy 2016 and Guidance issued by the Home Office.

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

N/A.

Name: Gurch Patti (Licensing Enforcement Officer)

Date: 31/8/16

APPENDIX C



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Red Lion

Scale 1/1250

at A4



Date 28/10/2016



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