# **Hackney**

# REPORT OF GROUP DIRECTOR, NEIGHBOURHOODS AND HOUSING

LICENSING SUB-COMMITTEE: 20/04/2017	Classification DECISION	Enclosure
Application for a Premises Licence	Ward(s) affected	
The Yard Shoreditch, Eighty nine and a half Worship Street, EC2A 2BF	Hoxton East & Shoreditch	

# 1. SUMMARY

	· · · · · · · · · · · · · · · · · · ·
Applicant(s) Indigofera PR Limited	In SPA No
Date of Application	Period of Application
27/02/2017	Time-limited 28/03/2017 – 01/01/2022
Proposed licensable activity	
Films	
Live Music	
Recorded Music	
Supply of Alcohol (On Premises)	
Proposed hours of licensable activities	
Films S	Standard Hours:
Ν	lon 11:00-23:30
Primary: T	ue 11:00-23:30
V	Ved 11:00-23:30
Т	hu 11:00-23:30
F	Fri 11:00-00:30
	Sat 11:00-00:30
	Sun 11:00-23:00
N	Ion-Standard Hours:
(	On any day preceding a Bank Holiday
ti	he hours for licensable activities at the
p	premises will reflect those for Saturdays.
	Standard Hours:
	<i>I</i> on 11:00-23:30
	ue 11:00-23:30
	Ved 11:00-23:30
	hu 11:00-23:30
	Fri 11:00-00:30
	Sat 11:00-00:30
S	Sun 11:00-23:00

	Non-Standard Hours:		
	On any day preceding a Bank Holiday		
	the hours for licensable activities at the premises will reflect those for Saturdays.		
Recorded Music	Standard Hours:		
	Mon 11:00-00:00		
Primary:	Tue 11:00-00:00		
	Wed 11:00-00:00		
	Thu 11:00-00:00		
	Fri 11:00-01:00 Sat 11:00-01:00		
	Sun 11:00-23:30		
	Non-Standard Hours:		
	On any day preceding a Bank Holiday		
	the hours for licensable activities at the		
	premises will reflect those for Saturdays.		
Supply of Alcohol	Standard Hours:		
Primonu	Mon 11:00-23:30 Tue 11:00-23:30		
Primary:	Wed 11:00-23:30		
	Thu 11:00-23:30		
	Fri 11:00-00:30		
	Sat 11:00-00:30		
	Sun 11:00-23:00		
	Non-Standard Hours:		
	On any day preceding a Bank Holiday		
	the hours for licensable activities at the		
The energing hours of th	premises will reflect those for Saturdays.		
The opening hours of th	-		
Primary	Standard Hours:		
	Mon 08:00-00:00 Tue 08:00-00:00		
	Wed 08:00-00:00		
	Thu 08:00-00:00		
	Fri 08:00-01:00		
	Sat 08:00-01:00		
	Sun 08:00-23:30		
	Non-Standard Hours:		
	On any day preceding a Bank Holiday the		
	hours for licensable activities at the		
	premises will reflect those for Saturdays.		
Capacity: Not known			
Policies Applicable	LP3 (Operating Schedule), LP4 (Crime and Disorder),		
	LP5 (Public Nuisance), LP6 (Protection of Children from Harm), LP8 (Public Safety)		
List of Appendices	A – Application for a premises licence and supporting		
	documents		
	B – Representations from responsible authorities		
	C – Representations from other persons		
	D – Location map		

Relevant Representations	<ul> <li>Environmental Health Authority (Environmental Protection and Environmental Enforcement)</li> </ul>
	<ul><li>Police</li><li>Other Persons</li></ul>
	• Other reisons

### 2. APPLICATION

- 2.1 **Indigofera PR Limited** has made an application for a premises licence under the Licensing Act 2003:
  - To authorise the supply alcohol for consumption on the premises
  - Regulated entertainment
  - Late night refreshment
- 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 Temporary Event Notices have been given for the premises as follows:

26/06/16 - 30/06/16	13.00 – 21.30
06/09/16	11.00 – 21.00
29/10/16	18.00 - 23.00
12/03/17	14.00 – 19.00

# 4. **REPRESENTATIONS: RESPONSIBLE AUTHORITIES**

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

### 5. **REPRESENTATIONS: OTHER PERSONS**

From	Details
1 representation received from	Representation received on the grounds of The
and on behalf of local	Prevention of Crime and Disorder, Public Safety,
residents. (Appendix C)	Prevention of Public Nuisance.

### 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) 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)

 No supply of alcohol may be made under the premises licence:
 (a) At a time when there is no designated premises supervisor in respect of the premises licence.

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

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

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

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

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

(i) drink a quantity of alcohol within a time limit(other than to drink alcohol sold or supplied on the premises before the cessation of the period in which the responsible person is authorised to sell or supply alcohol), or (ii) drink as much alcohol as possible (whether within

a time limit or otherwise);

(b) provision of unlimited or unspecified quantities of alcohol free or for a fixed or discounted fee to the public or to a group defined by a particular characteristic in a manner which carries a significant risk of undermining a licensing objective;

(c) provision of free or discounted alcohol or any other thing as a prize to encourage or reward the purchase and consumption of alcohol over a period of 24 hours or less in a manner which carries a significant risk of undermining a licensing objective;

(d) selling or supplying alcohol in association with promotional posters or flyers on, or in the vicinity of, the premises which can reasonably be considered to condone, encourage or glamorise anti-social behaviour or to refer to the effects of drunkenness in any favourable manner.

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

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

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

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

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

(a) a holographic mark or

(b) an ultraviolet feature

6. The responsible person must ensure that:

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

- beer or cider:1/2 pint;
- gin, rum, vodka or whisky: 25ml or 35ml; and

• still wine in a glass: 125ml; and

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

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

# Minimum Drinks Pricing

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

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

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

(b) "permitted price" is the price found by applying the formula - P = D+(DxV) 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.

# **Exhibition Of Films**

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

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

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

"film classification body" means person('s) designated under s4 of the Video Recordings Act 1984(c.39).

# **Door Supervision**

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

# Conditions derived from operating schedule

10. Appropriate induction training will be undertaken with all relevant staff to cover appropriate subjects for their role including:

a. The responsible sale of alcohol.

b. The prevention of under-age sales of alcohol, the Challenge 25 policy and in checking & authenticating accepted forms of identification.

c. The responsibility to refuse the sale of alcohol to any person who is drunk.

d. Fire safety & emergency evacuation procedures

11. The premises will maintain written reports and registers. These will be kept for a minimum of 12 months and made available to the police and any authorised officer of the licensing authority on request. Records will be maintained of the following:

a. Any complaint against the premises in respect of any of the licensing objectives

b. Any crime reported at the premises

c. Any illegal drug related incident

d. A 'register of refusals' highlighting any refusal in the sale of age-restricted products; for any reason.

e. Any fault in the CCTV system

All written reports and registers will be regularly checked by the DPS.

12. A suitable member of the Premises Licence holders events team will manage all events taking place on the premises including the employment of Door Supervisors where required.

13. Where third parties (such as stall holders at community events) are selling alcohol, the Premises Licence holder will ensure that a representative of that party:

- a. Holds a Personal Licence
- b. Is briefed prior to any sale of alcohol taking place
- c. Ensures compliance with the conditions set out on the premises licence
- d. Maintains a register of refusals, in relation to the sale of alcohol

14. The venue shall maintain a CCTV system. The CCTV system shall continually record whilst the venue is open for licensable activities and / or when customers remain on the premises. All recordings shall be time & date stamped, maintained for a 31 day period and be made available to the Police or authorised officer of the licensing authority upon request.

15. Sufficient competent persons should be authorised by the premises licence holder to provide the Police with downloaded CCTV footage and / or images in an appropriate recorded format (usually to a disc or memory stick) when formally requested to do so. The authorised person(s) should be sufficient to enable such data to be obtained by the police within 48 hours of a formal request being made.

16. A Zero Tolerance Policy towards the use, possession and supply of illegal drugs will be adopted and enforced.

17. Door Supervisors will be employed at the premises when licensable activities are taking place under the following criteria:

a. Where more than 100 patrons are present at the premises after 20.00 and until the last patron has left the premises and dispersed from the area immediately to the front of the premises. b. When door supervisors are required, a minimum of two SIA Registered Door Supervisors shall be employed.

c. Where a requirement for door supervisor is identified, a register of door supervisors employed will be maintained. This register will record their name, SIA Door Supervisor Licence number and contact details.

18. Alcoholic drinks will not be permitted to leave the premises at any time.

19. Non-intoxicating beverages including drinking water shall be available in all parts of the premises where alcohol is sold or supplied on the premises.

20. Internal risk assessment will be carried out in relation to each event taking place at the premises. These will be made available to an authorised officer of the Licensing Authority upon request.

21. A fire risk assessment will be conducted and regularly reviewed. In-line with the Fire Risk Assessment:

a. An integrated fire detection and alarm system is installed, checked, regularly tested and maintained by a competent person.

b. Fire extinguishers are installed in accordance with the recommendations of the fire risk assessment.

c. Emergency lighting is installed in accordance with the recommendations of the fire risk assessment.

d. All emergency exits are marked on the premises plan.

22. Adequate & suitable first aid boxes will be maintained.

23. Regular waste disposal is undertaken in accordance with the council's requirements.

24. The area immediately outside the premises will be maintained to ensure that any litter generated by the premises and / or its customers is regularly cleared.

25. Acoustic levels are controlled by the event's organisers at predetermined levels.

26. No amplified music shall be played in the external areas of the premises

27. No noise shall emanate from the premises nor vibration be transmitted through the structure of the premises which gives rise to a nuisance.

28. A sign requesting customers to respect local residents and leave the premises quietly, will be displayed at each public the exit to the premises.

29. A Challenge 25 policy will be enforced, where any person reasonably looking under the age of 25 shall be asked to prove their age when attempting to purchase alcohol; signs to this effect will be displayed at the premises. The only acceptable forms of identity will be those photographic identification documents recognised in the Home Office guidance; including passports, photo-card driving licence or proof of age card bearing a PASS hologram.

30. A register of refusals will be maintained at the premises.

### Conditions derived from Responsible Authority representations

31. 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. (To be discussed)

32. 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. (To be discussed)

33. 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.

34. There shall be "CCTV in Operation" signs prominently displayed.

35. 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.

36. 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.

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

38. The premises will display and maintain appropriate signage advising customers of the contact details of the Designated Premises Supervisor/Duty Manager.

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

40. 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.

41. The premises shall adhere to Hackney Police Theft, Weapons and Drugs Policies and any updates thereof.

42. After 22:00hrs there shall be a maximum of \*\* tbc \*\* smokers outside the venue at any one time. This shall be monitored by staff.

# 9. REASONS FOR OFFICER OBSERVATIONS

9.1 Conditions 10 to 30 above are derived from the applicant's operating schedule. Conditions 31 to 42 have been proposed by the police. There is some duplication.

# 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
<b>Office File:</b> The Yard Shoreditch, Eighty nine and a half Worship Street, , EC2A 2BF	Licensing Service 2 Hillman Street London E8 1FB

### Printed matter

Licensing Act 2003 LBH Statement of Licensing Policy

# **APPENDIX A** Application for a premises licence to be granted

# under the Licensing Act 2003

I/We Indigofera PR 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				
The Yard Shoreditch 89 & 1/2 Worship Street Shoreditch				
Post townLondonPostcodeEC2A 2BF				

Telephone number at premises (if any)	
Non-domestic rateable value of premises	£88,000

### Part 2 - Applicant Details

England

Please state whether you are applying for a premises licence as

Please tick as appropriate

a)	an individual or individuals *		please complete section (A)
b)	a person other than an individual *		
	i. as a limited company	$\checkmark$	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		please complete section (B)

h) the chief officer of police of a police force in England please complete section (B) and Wales

\* 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

 $\checkmark$ 

 $\square$ 

 $\square$ 

I am making the application pursuant to a

statutory function or

a function discharged by virtue of Her Majesty's prerogative

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

Mr 🗌 Mrs 🗌 Miss 🗌		ther Title (for xample, Rev)			
Surname	First names				
I am 18 years old or over		Please tick yes			
Current postal address if different from premises address					
Post town		Postcode			
Daytime contact telephone number					
E-mail address (optional)					

### SECOND INDIVIDUAL APPLICANT (if applicable)

Mr 🗌 Mrs 🗌 Miss 🗌	Ms D Other Title (for example, Rev)					
Surname	First names					
I am 18 years old or over	Please tick yes					
Current postal address if different from premises address						
Post town	Postcode					
Daytime contact telephone number						

E-mail address	
(optional)	

#### **(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
Indigofera PR Limited
Address
89 & 1/2 Worship Street
Shoreditch
London EC2A 2BF
Registered number (where applicable)
06837734
Description of applicant (for example, partnership, company, unincorporated association etc.)
Private Limited Company
Telephone number (if any)
E-mail address (optional)

#### Part 3 Operating Schedule

חח ΜМ vvvv When do you want the premises licence to start?

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

עט		IVII	/1	YYYY			
2	8	0	3	2	0	1	7

DD		MM		YYYY			
0	1	0	1	2	0	2	2

Please give a general description of the premises (please read guidance note 1)

The Yard Shoreditch is a conferencing and event space which delivers high end events, primarily to corporate clients for private events.

The area is run by the events team of Indigofera PR Limited which operates its primary business as a Fashion PR company and this is reflected in many of the events they deliver.

A premises licence is sought for the ground floor & basement of the premises.

The basement which is also operated by the applicant, is primarily used for non-licensable activities; primarily as a showroom, showing private client collections. However on infrequent occasions this area could be used as part of an event or a separate space for small meetings and showcases and as such is included in this application.

The ground floor premises operates as an event space where most events do not involve licensable activities, such as day-time conferences, meetings, fashion shows, product launches and similar private events.

A premises licence is sought at this time to allow them to expand the range of activities and services they can offer their corporate clients.

The application is for a time-limited Premises Licence for 5 years, which covers the term of their three year lease and the option they have to extend by a further two years.

**Excellent Past History** – The applicant has been organising events at this location for the past five years, using Temporary Events Notices where required. These events have passed without incident and the premises will continue to operate to its existing high standards.

**Operating Hours** - Although the terminal operating hours in this application state 00.00 (Sunday to Thursday) and 01.00 (Friday & Saturday), this only reflects the flexibility required for the event schedule, which is irregular and therefore the maximum hours are unlikely to be used on a frequent basis.

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)

Prov	vision of regulated entertainment	Please tick any that apply	
a)	plays (if ticking yes, fill in box A)		
b)	films (if ticking yes, fill in box B)		$\checkmark$
c)	indoor sporting events (if ticking yes, fill in box C)		

d)	boxing or wrestling entertainment (if ticking yes, fill in box D)	
e)	live music (if ticking yes, fill in box E)	$\checkmark$
f)	recorded music (if ticking yes, fill in box F)	$\checkmark$
g)	performances of dance (if ticking yes, fill in box G)	
h)	anything of a similar description to that falling within (e), (f) or (g) (if ticking yes, fill in box H)	
<u>Prov</u>	ision of late night refreshment (if ticking yes, fill in box I)	
<u>Supp</u>	<b>ly of alcohol</b> (if ticking yes, fill in box J)	$\checkmark$

# In all cases complete boxes K, L and M

A					
	<b>Plays</b> Standard days and timings (please read guidance note		Will the performance of a play take place indoorsor outdoors or both – please tickguidance note 2)	Indoors	
(prouse 6)	I wa guiat			Outdoors	
Day	Start	Finish		Both	
Mon			Please give further details here (please read guidance	note 3)	
Tue			-		
Wed			State any seasonal variations for performing plays ( note 4)	please read guid	ance
Thur			- 		
Fri			Non standard timings. Where you intend to use the performance of plays at different times to those liste the left, please list (please read guidance note 5)		
Sat					
Sun					

В					
	rd days and read guida	U	Will the exhibition of films take place indoors or outdoors or both – please tick (please read guidance note 2)	Indoors	~
(prouse 6)	See Serve			Outdoors	
Day	Start	Finish		Both	
Mon	11.00	23.30	Please give further details here (please read guidance	note 3)	
			-		
Tue	11.00	23.30			
Wed	11.00	23.30	State any seasonal variations for the exhibition of fil guidance note 4)	<u>ms</u> (please read	
TT1					
Thur	11.00	23.30			
Fri	11.00		Non standard timings. Where you intend to use the	nuomicos for th	
ГП	11.00	00.30	Non standard timings. Where you intend to use the exhibition of films at different times to those listed in left, please list (please read guidance note 5)		
Sat	11.00	00.30			
			<ul> <li>Bank Holidays – On any day preceding a Bank H for Licensable Activities at the premises will reflect</li> </ul>	,	urs
Sun	11.00	23.00	Saturdays.		
			<u> </u>		

С			
<b>Indoor sporting events</b> Standard days and timings (please read guidance note 6)			Please give further details (please read guidance note 3)
Day	Start	Finish	
Mon			
Tue			State any seasonal variations for indoor sporting events (please read guidance note 4)
Wed			-
Thur			Non standard timings. Where you intend to use the premises for indoor sporting events at different times to those listed in the column on the left, please list (please read guidance note 5)
Fri			

B

Sat	
Sat	 
Sun	

D					
entert	<b>Boxing or wrestling</b> entertainments Standard days and timings (please read guidance note 6)		Will the boxing or wrestling entertainment take place indoors or outdoors or both – please tick (please read guidance note 2)	Indoors	
				Outdoors	
Day	Start	Finish		Both	
Mon			Please give further details here (please read guidanc	e note 3)	
Tue			- -		
Wed			State any seasonal variations for boxing or wrestlin (please read guidance note 4)	ig entertainmen	<u>t</u>
Thur			-		
Fri			Non standard timings. Where you intend to use the or wrestling entertainment at different times to the column on the left, please list (please read guidance not be shown in the left).	se listed in the	<u>oxing</u>
Sat					
Sun					

E Will the performance of live music take place indoors or outdoors or both – please tick (please read guidance note 2) Live music ✓ Indoors Standard days and timings (please read guidance note 6) Outdoors Start Finish Day Both <u>Please give further details here</u> (please read guidance note 3) Mon 11.00 23.30 Tue 11.00 23.30

Wed	11.00	23.30	State any seasonal variations for the performance of live music (please read guidance note 4)
Thur	11.00	23.30	
Fri	11.00	00.30	Non standard timings. Where you intend to use the premises for the performance of live music at different times to those listed in the column on the left, please list (please read guidance note 5)
Sat	11.00	00.30	<b>Bank Holidays</b> – On any day preceding a Bank Holiday the hours for Licensable Activities at the premises will reflect those for
Sun	11.00	23.00	Saturdays.

F					
Standa	led music rd days and read guida		Will the playing of recorded music take place indoors or outdoors or both – please tick (please read guidance note 2)Indoors		$\checkmark$
(prease 6)	Teau guia			Outdoors	
Day	Start	Finish		Both	
Mon	11.00	00.00	Please give further details here (please read guidance	note 3)	
Tue	11.00	00.00			
Wed	11.00	00.00	State any seasonal variations for the playing of reco read guidance note 4)	<u>rded music</u> (ple	ase
Thur	11.00	00.00			
Fri	11.00	01.00	Non standard timings. Where you intend to use the playing of recorded music at different times to those		
	_		on the left, please list (please read guidance note 5)		
Sat	11.00	01.00	Bank Holidays – On any day preceding a Bank H	Ioliday the hou	ırs
			for Licensable Activities at the premises will refle	ct those for	
Sun	11.00	23.30	Saturdays.		

G

Performances of dance	Will the performance of dance take place indoors	- 1	
Standard days and timings	or outdoors or both – please tick (please read	Indoors	

(please 6)	read guid	ance note	guidance note 2)	guidance note 2) Outdoors	
Day	Start	Finish	Both [		
Mon			Please give further details here (please read guidan	ce note 3)	
Tue			-		
Wed			State any seasonal variations for the performance guidance note 4)	of dance (please	read
Thur			-		
Fri			Non standard timings. Where you intend to use the performance of dance at different times to those list the left, please list (please read guidance note 5)		
Sat			-		
Sun					

# H

descrip within Standar	ng of a sin otion to tha (e), (f) or ( rd days and read guida	at falling (g) I timings	Please give a description of the type of entertainment ye	ou will be provid	ling
Day	Start	Finish	Will this entertainment take place indoors or outdoors or both – please tick (please read guidance	Indoors	
Mon			note 2)	Outdoors	
				Both	
Tue			Please give further details here (please read guidance	note 3)	
Wed					
Thur			State any seasonal variations for entertainment of a to that falling within (e), (f) or (g) (please read guidan		<u>tion</u>
Fri					

Sat	 	Non standard timings. Where you intend to use the premises for the entertainment of a similar description to that falling within (e), (f) or (g) at different times to those listed in the column on the left, please list (please read guidance note 5)
Sun		

1	Г

Standar	ight refrest d days and read guida	d timings	Will the provision of late night refreshment take place indoors or outdoors or both – please tick (please read guidance note 2)Indoors		
6)	I wa Bura			Outdoors	
Day	Start	Finish		Both	
Mon			Please give further details here (please read guidance	note 3)	
Tue					
Wed			State any seasonal variations for the provision of lat (please read guidance note 4)	e night refreshr	<u>nent</u>
Thur			•		
Fri			Non standard timings. Where you intend to use the provision of late night refreshment at different times the column on the left, please list (please read guidance)	s, to those listed	
Sat					
Sun					

J					
Standar	y <b>of alcoho</b> rd days and read guids	d timings	Will the supply of alcohol be for consumption – please tick (please read guidance note 7)On the premises		✓
6)	Presented guidance note Off the premises				
Day	Start	Finish		Both	
Mon	11.00	23.30	State any seasonal variations for the supply of alco guidance note 4)	hol (please read	
Tue	11.00	23.30			
Wed	11.00	23.30			
Thur	11.00	23.30	Non standard timings. Where you intend to use th supply of alcohol at different times to those listed i left, please list (please read guidance note 5)		
Fri	11.00	00.30	<b>Bank Holidays</b> – On any day preceding a Bank for Licensable Activities at the premises will refl	,	urs
Sat	11.00	00.30	Saturdays.		
Sun	11.00	23.00			

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

Name Jessica Elizabeth Leyton
Address
Postcode
Personal licence number (if known)
Issuing licensing authority (if known)

# K

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

N/A

any seasonal variations (please read guidance note 4)
tandard timings. Where you intend the premises to be open to the
at different times from those listed in the column on the left, list (please read guidance note 5)
Holidays – On any day preceding a Bank Holiday the opening of the premises will reflect those for Saturdays.

 ${f M}$  Describe the steps you intend to take to promote the four licensing objectives:

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

- 1. **Time-Limited Premises Licence** The application is for a time-limited Premises Licence for a period of 5 years.
- 2. Staff Training Appropriate induction training will be undertaken with all relevant staff to cover appropriate subjects for their role including:
  - a. The responsible sale of alcohol.
  - b. The prevention of under-age sales of alcohol, the Challenge 25 policy and in checking & authenticating accepted forms of identification.
  - c. The responsibility to refuse the sale of alcohol to any person who is drunk.
  - d. Fire safety & emergency evacuation procedures
- 3. Recording Practices The premises will maintain written reports and registers. These will be kept for a minimum of 12 months and made available to the police and any authorised officer of the licensing authority on request. Records will be maintained of the following:
  - a. Any complaint against the premises in respect of any of the licensing objectives

- b. Any crime reported at the premises
- c. Any illegal drug related incident
- d. A 'register of refusals' highlighting any refusal in the sale of age-restricted products; for any reason.
- e. Any fault in the CCTV system

All written reports and registers will be regularly checked by the DPS.

- 4. Bank Holidays On any day immediately preceding a Bank Holiday, the operating hours and those hours for all licensable activities will reflect the hours permitted on Saturdays
- 5. Management of Events A suitable member of the Premises Licence holders events team will manage all events taking place on the premises including the employment of Door Supervisors where required.
- 6. Subcontractors Where third parties (such as stall holders at community events) are selling alcohol, the Premises Licence holder will ensure that a representative of that party:
  - a. Holds a Personal Licence
  - b. Is briefed prior to any sale of alcohol taking place
  - c. Ensures compliance with the conditions set out on the premises licence
  - d. Maintains a register of refusals, in relation to the sale of alcohol

### b) The prevention of crime and disorder

- 7. CCTV The venue shall maintain a CCTV system. The CCTV system shall continually record whilst the venue is open for licensable activities and / or when customers remain on the premises. All recordings shall be time & date stamped, maintained for a 31 day period and be made available to the Police or authorised officer of the licensing authority upon request.
- 8. CCTV Sufficient competent persons should be authorised by the premises licence holder to provide the Police with downloaded CCTV footage and / or images in an appropriate recorded format (usually to a disc or memory stick) when formally requested to do so. The authorised person(s) should be sufficient to enable such data to be obtained by the police within 48 hours of a formal request being made.
- **9. Drugs Zero Tolerance Policy** A Zero Tolerance Policy towards the use, possession and supply of illegal drugs will be adopted and enforced.
- **10.** Door Supervisor Door Supervisors will be employed at the premises when licensable activities are taking place under the following criteria:
  - a. Where more than 100 patrons are present at the premises after 20.00 and until the last patron has left the premises and dispersed from the area immediately to the front of the premises.
  - b. When door supervisors are required, a minimum of two SIA Registered Door Supervisors shall be employed.
  - c. Where a requirement for door supervisor is identified, a register of door supervisors employed will be maintained. This register will record their name, SIA Door Supervisor

Licence number and contact details.

- **11. No Alcohol Permitted to Leave the Premises –** Alcoholic drinks will not be permitted to leave the premises at any time.
- 12. Soft Drinks Non-intoxicating beverages including drinking water shall be available in all parts of the premises where alcohol is sold or supplied on the premises.

### c) Public safety

- 13. Risk Assessments Internal risk assessment will be carried out in relation to each event taking place at the premises. These will be made available to an authorised officer of the Licensing Authority upon request.
- 14. Fire Safety A fire risk assessment will be conducted and regularly reviewed. In-line with the Fire Risk Assessment:
  - a. An integrated fire detection and alarm system is installed, checked, regularly tested and maintained by a competent person.
  - b. Fire extinguishers are installed in accordance with the recommendations of the fire risk assessment.
  - c. Emergency lighting is installed in accordance with the recommendations of the fire risk assessment.
  - d. All emergency exits are marked on the premises plan.
- **15.** First Aid Adequate & suitable first aid boxes will be maintained.

d) The prevention of public nuisance

- **16. Refuse Disposal** Regular waste disposal is undertaken in accordance with the council's requirements.
- 17. Litter The area immediately outside the premises will be maintained to ensure that any litter generated by the premises and / or its customers is regularly cleared.
- **18.** Acoustic Levels Acoustic levels are controlled by the event's organisers at predetermined levels.
- 19. Noise Escape No amplified music shall be played in the external areas of the premises
- **20.** Noise Escape No noise shall emanate from the premises nor vibration be transmitted through the structure of the premises which gives rise to a nuisance.
- 21. Exit Signage A sign requesting customers to respect local residents and leave the premises quietly, will be displayed at each public the exit to the premises.

e) The protection of children from harm

- 22. Challenge 25 A Challenge 25 policy will be enforced, where any person reasonably looking under the age of 25 shall be asked to prove their age when attempting to purchase alcohol; signs to this effect will be displayed at the premises. The only acceptable forms of identity will be those photographic identification documents recognised in the Home Office guidance; including passports, photo-card driving licence or proof of age card bearing a PASS hologram.
- 23. Recording Practices A register of refusals will be maintained at the premises.

### Checklist:

### Please tick to indicate agreement

۲	I have made or enclosed payment of the fee. (The payment will be made by telephone today)	
•	I have enclosed the plan of the premises.	$\checkmark$
•	I have sent copies of this application and the plan to responsible authorities and others where applicable. <i>(Application Has Been Sent Electronically for the Licensing Authority to Forward)</i>	
•	I have enclosed the consent form completed by the individual I wish to be designated premises supervisor, if applicable.	$\checkmark$
•	I understand that I must now advertise my application.	$\checkmark$
•	I understand that if I do not comply with the above requirements my application will be rejected.	$\checkmark$

### 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.

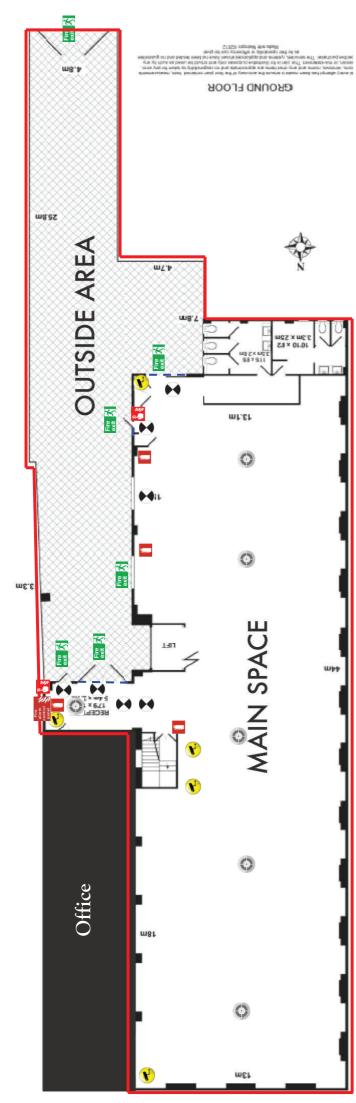
**Part 4 – Signatures** (please read guidance note 10)

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	
Date	27/02/2017
Capacity	Peter Mayhew - Agent

Contact name (where not previously given) and postal address for correspondence associated with this application (please read guidance note 13)		
Peter Mayhew		
Beyond the Blue Limited		
Post town	Postcode	
Telephone number (if any)		
If you would prefer us to correspond with you by e-mail	, your e-mail address (optional)	





The Yard Shoreditch (Ground Floor)89 & 1/1 Worship Street, London EC2A 2BF

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Step

1

Area Covered by Licence

Key

Smoke / Heat Detector

Fire Alarm Control

Fire Extinguisher

CCTV Camera

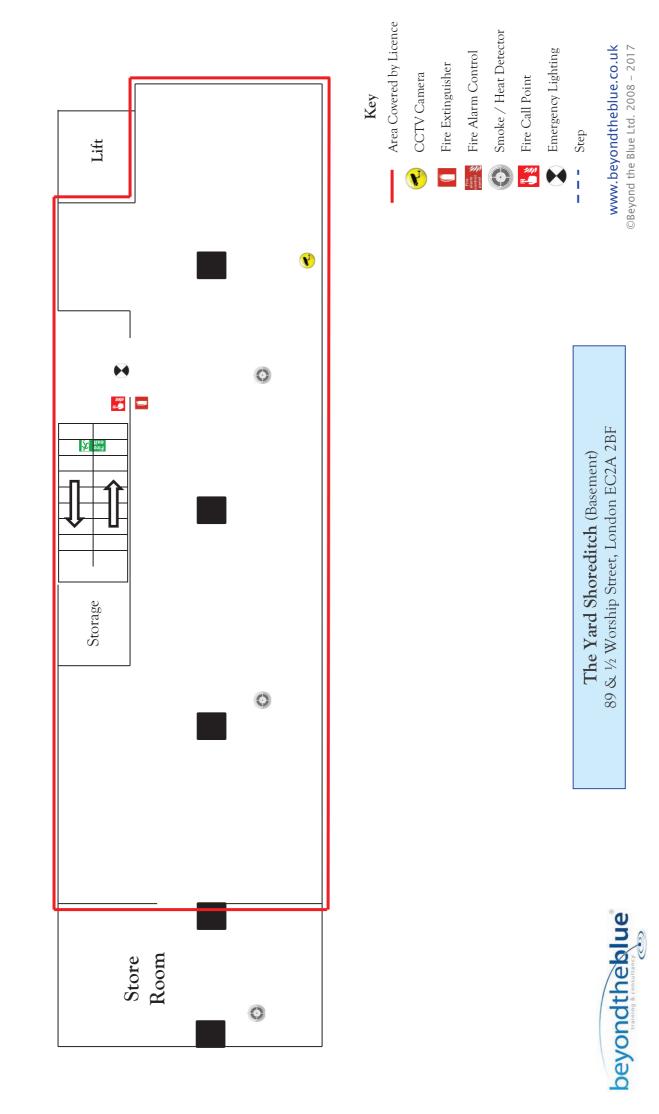
Y

**Emergency Lighting** 

Fire Call Point

*₩₩* 





**Premises Licence Plan** 



# **APPENDIX B1**

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

### **RESPONSIBLE AUTHORITY DETAILS**

NAME OF AUTHORITY	London Borough of Hackney
ADDRESS OF AUTHORITY	Environmental Protection Team, Third Floor, Annex, 2 Hillman Street London E8 1FB
CONTACT NAME	Olalekan Olaosebikan
TELEPHONE NUMBER	020 8356 4658
E-MAIL ADDRESS	olalekan.olaosebikan@hackney.gov.uk

#### **APPLICATION PREMISES**

NAME & ADDRESS OF PREMISES	The Yard Shoreditch
	89 & 1/2 Worship Street
	Shoreditch. London
	EC2A 2BF
REFERENCE	Premises licence number
	LBH-PRE-T-
NAME OF LICENCE HOLDER/ DESIGNATED	
PREMISES SUPERVISOR	

### 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

### **Representation in relation to:**

The prevention of public nuisance LP5:

We (Environmental Protection Team) will be objecting to the application for a new premises licence to be granted under the Licensing Act 2003 for The Yard Shoreditch 89 & 1/2 Worship Street Shoreditch. London EC2A 2BF and wish to make a representation.

The applicant has not demonstrated in full that the following Licensing Policy requirement would be met:

### LP5 Public Nuisance:

Applicant is expected to demonstrate within the application that problems such as noise and smoke can be minimised through steps they propose. For example, the applicant should where necessary:

- (a) Restrict the hours of use of the courtyard area where smoking will be permitted
- (b) Provide details of the location and types of noise/music attenuation measures used to minimise noise escaping the premises when playing amplified music.

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

The Environmental Protection Team is concerned that the request to use the designated areas may cause noise or/and smoke nuisances to nearby residents if the time that the designated smoking area (courtyard) is not restricted. Therefore, the applicant is to contact us to discuss concerns **a and b** above in order to fully consider the application.

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

The applicant is welcomed to contact Olalekan Olaosebikan or Environmental Protection Team to discuss the conditions proposed in my email to Mr Peter Mayhew on 24/03/2017.

Signed

Name: Olalekan Olaosebikan Date: 24<sup>th</sup> March 2017

# **APPENDIX B2**

### **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	The Yard Shoreditch 89½ Worship Street London EC2A 2BF
NAME OF PREMISES USER	Indigofera PR Limited

### COMMENTS

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

۲

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

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

Police make the following representations in relation to the application for a Premises Licence at **The Yard Shoreditch**, 89½ Worship Street, London, EC2A 2BF for the following reason(s);

This premises is located just outside of the Shoreditch Special Policy Area, however, this area is becoming increasingly popular and busy as new hotels, apartments, restaurants and bars are being built and becoming operational. Previously, a relatively quiet area in Shoreditch, this has and will see a marked increased footfall, as will Shoreditch as a whole. Police are concerned that the increase in licensed premises in this small area will increase the ASB and disorder issues already being experienced here.

Police would like further information as follows:

- Are all events run at this venue, managed and booked by Indigofera PR Limited?
- How many people does the premises hold?
- How regularly are events held?
- Will the operation remain the same, except with the addition of the ability to sell alcohol?
- How far in advance are bookings made for events?
- During any event, is a member of the public allowed access? Or is it all guestlist only?
- Are there any CCTV cameras installed?
- Is there a dispersal policy in place?
- What experience does the proposed DPS have of managing licensed venues and events?

The police have attached a set of conditions to ensure the promotion of the licensing objectives.

Police would like to meet the applicant on site to discuss this application in further detail.

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 The Yard Shoreditch 891/2 Worship Street, London, EC2A 2BF

- 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. (To be discussed)
- 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. (To be discussed)
- 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. The premises will display and maintain appropriate signage advising customers of the contact details of the Designated Premises Supervisor/Duty Manager.
- 9. There shall be prominent signage requesting customers to leave the premises quietly and respect local residents.
- 10. 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.

- 11. The premises shall adhere to Hackney Police Theft, Weapons and Drugs Policies and any updates thereof.
- 12. After 22:00hrs there shall be a maximum of \*\* tbc \*\* smokers outside the venue at any one time. This shall be monitored by staff.

# ADDITIONAL CONDITIONS MAY BE ADDED AFTER DISCUSSIONS WITH THE APPLICANT.



Licensing Authority London Borough of Hackney 263 Mare Street London E8 1HH

23rd March 2017

### <u>Representation Re. Application made under the Licensing Act 2003 by Indigofera PR Limited - The Yard Shoreditch,</u> <u>89½ Worship Street, London, EC2A 2BF</u>

Further to the above application dated 27<sup>th</sup> February 2017, we would like to make representations against the granting of said licence on the following grounds:

### 1. Prevention of Public Nuisance

The area already suffers regular rowdy disturbances from late night inebriated revellers from licensed premises in the vicinity. We frequently arrive at our premises early on Saturday and Sunday mornings to find that our entrance doorway has been used during the previous night as a urinal or depository of various stomach contents.

### 2. Prevention of Crime and Disorder

On two occasions during the past year, our windows have been broken as a consequence of drunken and/or violent late-night affrays – see example from 20<sup>th</sup> Feb 2017 at <u>https://youtu.be/5NT8M2bjB\_8</u> and (from inside with soundtrack): <u>https://youtu.be/xK4EGSUOeuU</u>

### 3. Public Safety

Aside from the general rowdiness from crowds of well-oiled patrons of local hostelries, more licensed premises inevitably means more unregulated late-night Uber/Minicab activity which we have witnessed regularly late at night as being chaotic and un-mindful of pedestrians

We do not wish to stifle enterprise in the area but if you are minded to grant this application, we would be grateful if you could add conditions requiring the licensee to provide adequate supervision of access and egress from the premises to ensure that patrons are considerate and leave peacefully without creating a disturbance or damage. We would also ask that the licensee is required to provide routine inspection of neighbouring premises shopfronts, including ours, at the end of each evening session and arranges for any mess to be cleaned up before the morning after.





