

REPORT OF GROUP DIRECTOR, NEIGHBOURHOODS AND HOUSING		
LICENSING SUB-COMMITTEE: 27/06/2017	Classification DECISION	Enclosure
Application for a Premises Licence Black Opium Coffee Shop, 362-364 Old Street, EC1V 9LT	Ward(s) affected Hoxton East & Shoreditch	

1. SUMMARY

Applicant(s) Mr Jermaine Hagan	In SPA Yes
Date of Application 08/05/2017	Period of Application Permanent
Proposed licensable activity Supply of Alcohol (on-sales())	
Proposed hours of licensable activities	
Supply of Alcohol	Standard Hours:
INDOOR:	Mon 11:00-00:00
	Tue 11:00-00:00
	Wed 11:00-00:00
	Thu 11:00-00:00
	Fri 11:00-00:00
	Sat 11:00-00:00
	Sun 11:00-00:00
The opening hours of the premises	
INDOOR	Standard Hours:
	Mon 07:00-00:30
	Tue 07:00-00:30
	Wed 07:00-00:30
	Thu 07:00-00:30
	Fri 07:00-00:30
	Sat 07:00-00:30
	Sun 07:00-00:30
Capacity: Not known	

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

2. APPLICATION

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

3. CURRENT STATUS / HISTORY

- 3.1 The premises are not currently licensed for any activity.

4. REPRESENTATIONS: RESPONSIBLE AUTHORITIES

From	Details
Environmental Health Authority (Environmental Protection)	Have confirmed no representation on this application
Environmental Health Authority (Environmental Enforcement)	Representation has been withdrawn with the agreed conditions as set out in para 8.1
Environmental Health Authority (Health & Safety)	Have confirmed no representation on this application
Weights and Measures (Trading Standards)	Have confirmed no representation on this application
Planning Authority (Appendix C)	Informative
Area Child Protection Officer	No representation received
Fire Authority	Have confirmed no representation on this application
Police	Representation has been withdrawn with the agreed conditions as set out in para 8.1
Licensing Authority	No representation received.
Health Authority	Have confirmed no representation on this application

5. REPRESENTATIONS: OTHER PERSONS

From	Details
3 representations received from and on behalf of local residents. (Appendices C1-C3)	Representation received on the grounds of The Prevention of Crime and Disorder, Public Safety, Prevention of Public Nuisance, The Protection of Children from Harm, Special Policy Area

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), LP13 (Special Policy Area) are relevant

8. OFFICER OBSERVATIONS

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

Supply Of Alcohol (On/Both)

1. No supply of alcohol may be made under the premises licence:
 - (a) At a time when there is no designated premises supervisor in respect of the premises licence.
 - (b) At a time when the designated premises supervisor does not hold a personal licence or his personal licence is suspended.

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

3. (1) The responsible person must ensure that staff on relevant premises do not carry out, arrange or participate in any irresponsible promotions in relation to the premises.
 - (2) In this paragraph, an irresponsible promotion means any one or more of the following activities, or substantially similar activities, carried on for the purpose of encouraging the sale or supply of alcohol for consumption on the premises -
 - (a) games or other activities which require or encourage, or are designed to require or encourage, individuals to;
 - (i) drink a quantity of alcohol within a time limit (other than to drink alcohol sold or supplied on the premises before the cessation of the period in which the responsible person is authorised to sell or supply alcohol), or
 - (ii) drink as much alcohol as possible (whether within a time limit or otherwise);

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

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

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

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

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

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

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

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

(a) a holographic mark or

(b) an ultraviolet feature

6. The responsible person must ensure that:

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

- beer or cider: 1/2 pint;

- gin, rum, vodka or whisky: 25ml or 35ml; and

- still wine in a glass: 125ml; and

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

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

Minimum Drinks Pricing

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

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

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

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

(i) P is the permitted price,

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

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

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

(i) the holder of the premises licence,

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

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

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

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

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

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

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

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

Conditions derived from operating schedule

9. Alcohol shall be provided only for consumption by patrons seated at a table.

10. All staff shall be suitably trained for their job function for the premises. The training shall be written into a programme ongoing and under constant review and shall be made available to a relevant responsible authority when called upon.

11. A premises daily register shall be kept at the premises. This register shall be maintained and kept for a rolling period of 12 months. The register shall record all incidents which may have occurred which are relevant to the supply of alcohol and the promotion of the licensing objectives. Such incidents shall include, but not be limited to, complaints made to the premises alleging nuisance or anti-social behaviour by persons attending or leaving the premises and all refusals to sell alcohol. The register shall be readily available for inspection by an authorised person upon reasonable request.

12. No person shall be allowed to leave the premises whilst in the possession of any drinking vessel or open glass bottle, whether empty or containing any beverage.
13. A properly specified and fully operational CCTV recording system shall be installed, operated and maintained. The system shall incorporate a camera covering each of the entrance doors and be capable of providing an image which is regarded as 'identification standard' of all persons entering and/or leaving the premises. The CCTV system shall be in operation at the premises at all times when the premises are used for the provision of licensable activity. All CCTV recordings shall be securely stored for a minimum of one calendar month. A staff member from the premises who can operate 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. Signage indicating that a CCTV recording system is in operation shall be displayed prominently in the premises.
14. The premises shall uphold a zero tolerance policy in relation to illegal drugs.
15. All exit routes and public areas shall be kept unobstructed, shall have non-slippery and even surfaces, shall be free of trip hazards and shall be clearly signed.
16. An adequate and appropriate supply of first aid equipment and materials shall be available on the premises.
17. The premises licence holder shall ensure that a suitable fire risk assessment and emergency plan is in place at all times.
18. The premises licence holder shall ensure that an electrical compliance check is made at least once a year.
19. The basement shall have a maximum capacity of 45 persons not including staff or performers
20. Arrangements shall be put in place to ensure that waste collection contractors do not collect refuse between 19:00 and 07:00.
21. Patrons smoking outside the premises shall be monitored regularly to ensure the potential for noise nuisance is controlled.
22. The premises' frontage shall be regularly monitored to keep it clean and clear of litter.
23. A Challenge 25 proof of age scheme shall be operated at the premises where the only acceptable forms of identification are the following recognised photographic identification cards: a driving licence, a passport, a military identification card or a Proof of Age card carrying a 'PASS' logo.

24. A prominent clear notice shall be displayed at the point of entry to the premises advising customers that they may be asked to produce evidence of their age if seeking to purchase alcohol.
25. All occasions when persons have been refused service shall be recorded in the premises daily register.
26. There shall be no children unaccompanied by a responsible adult on the premises after 21:00.
27. All children under the age of 12 years shall be accompanied by an adult whilst on the premises
28. The premises shall have a written dispersal policy. This shall be kept on the premises and produced to a police officer or other authorised officer upon request.
29. The premises shall adhere to Hackney Police Weapons and Drugs policy at all times (see attached)
30. All customers shall be seated.
31. The supply of alcohol shall be by waiter/waitress service only.
32. SIA door supervisors shall be employed on an operational risk assessment basis. They shall be clearly identifiable at all times. All 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 supervisor was provided by an agency, the name, registered business address and contact telephone number will also be recorded. This register will be made available to police or authorised officer immediately upon request.
33. Any queues at the premises shall be orderly and managed by staff.
34. 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.
35. 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.

36. 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.

37. 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. The collection and removal of litter should include satisfactory disposal of spilled food and similar materials so as to leave the footway in a clean, safe and wholesome condition.

38. The Licensee shall provide a safe receptacle for cigarette ends to be placed outside, either on the wall or close to the wall of the building so as not to cause an obstruction or trip, for the use of customers.

9. REASONS FOR OFFICER OBSERVATIONS

9.1 Conditions 8 to 26 above are derived from the applicant's operating schedule. Conditions 27 to 32 have been proposed by the police and 33 to 37 by environmental enforcement. The proposed conditions 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 1 Hillman Street E8 1DY Telephone: 020 8356 4973

LIST OF BACKGROUND PAPERS RELATING TO THIS REPORT

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

Description of document	Location
Office File: Black Opium Coffee Shop, 362-364 Old Street, EC1V 9LT	Licensing Service 1 Hillman Street London E8 1DY

Printed matter

Licensing Act 2003

LBH Statement of Licensing Policy

APPENDIX A

Hackney
LA01

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

PLEASE READ THE FOLLOWING INSTRUCTIONS FIRST

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

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

I/We Mr Jermaine Hagan

(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 Black Opium Coffee			
362 364 OLD STREET HACKNEY LONDON			
Post town	LONDON	Postcode	EC1V 9LT

Telephone number at premises (if any)	██████████
Non-domestic rateable value of premises	£14750.00

Part 2 - Applicant details

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

Please tick

a)	an individual or individuals *	<input checked="" type="checkbox"/>	please complete section (A)
b)	a person other than an individual *		
	i. as a limited company/limited liability partnership	<input type="checkbox"/>	please complete section (B)

	ii.	as a partnership (other than limited liability)	<input type="checkbox"/>	please complete section (B)
	iii.	as an unincorporated association or	<input type="checkbox"/>	please complete section (B)
	iv.	other (for example a statutory corporation)	<input type="checkbox"/>	please complete section (B)
c)		a recognised club	<input type="checkbox"/>	please complete section (B)
d)		a charity	<input type="checkbox"/>	please complete section (B)
e)		the proprietor of an educational establishment	<input type="checkbox"/>	please complete section (B)
f)		a health service body	<input type="checkbox"/>	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	<input type="checkbox"/>	please complete section (B)
ga)		a person who is registered under Chapter 2 of Part 1 of the Health and Social Care Act 2008 (within the meaning of that Part) in an independent hospital in England	<input type="checkbox"/>	please complete section (B)
h)		the chief officer of police of a police force in England and Wales	<input type="checkbox"/>	please complete section (B)

* If you are applying as a person described in (a) or (b) please confirm:

Please tick yes

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

- I am making the application pursuant to a
 - statutory function or
 - a function discharged by virtue of Her Majesty's prerogative

(A) INDIVIDUAL APPLICANTS (fill in as applicable)

Title Mr			
Surname Hagan		First names Jermaine	
I am 18 years old or over			<input checked="" type="checkbox"/>
Date of birth 25 November 1989			
Nationality British			
Current residential address if different from premises address		<div style="background-color: black; width: 100px; height: 15px; margin-bottom: 5px;"></div> UK-England	
Post town	LONDON	Postcode	<div style="background-color: black; width: 50px; height: 15px;"></div>
Daytime contact telephone number		<div style="background-color: black; width: 100px; height: 15px;"></div>	
E-mail address (optional)	<div style="background-color: black; width: 150px; height: 15px;"></div>		

SECOND INDIVIDUAL APPLICANT (if applicable)

Title Mr			
Surname		First names	
I am 18 years old or over			.. Please tick yes
Date of birth			
Nationality			

J

Supply of alcohol Standard days and timings (please read guidance note 7)			Will the supply of alcohol be for consumption – please tick (please read guidance note 8)	On the premises	<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 5)		
Mon	11:00				
Tue	11:00				
		00:00			
Wed	11:00				
		00:00			
Thur	11:00				
		00:00	Non-standard timings. Where you intend to use the premises for the supply of alcohol at different times to those listed in the column on the left, please list (please read guidance note 6)		
Fri	11:00				
		00:00			
Sat	11:00				
		00:00			
Sun	11:00				
		00:00			

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

Name Mr Jermaine Hagan
Date of birth [REDACTED]
Address [REDACTED] LONDON
UK-England
Postcode [REDACTED]
Personal licence number (if known) Awaited
Issuing licensing authority (if known) Tower Hamlets

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 9).

None

L

Hours premises are open to the public Standard days and timings (please read guidance note 7)			State any seasonal variations (please read guidance note 5)
Day	Start	Finish	
Mon	07:00		
		00:30	
Tue	07:00		
		00:30	
Wed	07:00		
		00:30	
Thur	07:00		
		00:30	
Fri	07:00		
		00:30	
Sat	07:00		
		00:30	
Sun	07:00		
		00:30	
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 (please read guidance note 6)			

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

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

NB While this application is to support a basement jazz bar the provision of live music will take place within deregulated hours, i.e. between 19:00 and 23:00 to an audience of less than 500. Under these circumstances live music will not be licensable.

We acknowledge that Hackney's licensing policy LP13 refers to cumulative impact in the Shoreditch area wherein this premises lies. We believe that the nature of our premises permits our application to be considered an exception to LP13.

Currently, Black Opium Coffee is primarily a library which is financially supported by a coffee shop. We stock just under 1000 books for our patrons to read for free with a view to increasing their knowledge base. While this concept is to continue we wish to diversify and expand our business operation into the basement wherein we wish to provide live jazz to customers during the evenings.

The hours in which we intend to provide jazz music are within the ambit of the deregulated hours defined by the Deregulation Act 2015. There will be no live music provided before 08:00 or after 23:00 and the audience will be limited to 45 so the provision of live music under these circumstances will not be licensable. Additionally, the nature of jazz is that it is not the type of music which demands huge amplification. The size of the premises is such that amplification will often be unnecessary. This fact, the small capacity and the 23:00 terminal hour indicate that there is little potential for public nuisance issues to attend live music provided under these conditions, although, as mentioned previously, the provision of live music is not licensable in this case. This information is therefore provided simply for reassurance purposes.

Whether we like it or not, adults prefer to socialise over a glass of alcohol; therefore, the supply of alcohol is an essential component to a business which offers a place where socialising may occur as it offers a form of 'social lubrication'. Our premises is no exception to this general rule.

There is no intention for this premises to evolve into a vertical drinking establishment so we are happy to propose a condition to be included on the licence restricting alcohol supplies to seated customers only.

It is for the aforementioned reasons in conjunction with the robust series of proposed conditions that we believe LP13 should not apply to this application. We are confident that our operation will not add to cumulative impact of licensed premises in the Shoreditch SPA while our operating schedule is such that the potential for negative impact upon our surroundings is sufficiently minimised.

Proposed conditions:

1 Alcohol shall be provided only for consumption by patrons seated at a table.

2 All staff shall be suitably trained for their job function for the premises. The training shall be written into a programme ongoing and under constant review and shall be made available to a relevant responsible authority when called upon.

b) The prevention of crime and disorder

3 A premises daily register shall be kept at the premises. This register shall be maintained and kept for a rolling period of 12 months. The register shall record all incidents which may have occurred which are relevant to the supply of alcohol and the promotion of the licensing objectives. Such incidents shall include, but not be limited to, complaints made to the premises alleging nuisance or anti-social behaviour by persons attending or leaving the premises and all refusals to sell alcohol. The register shall be readily available for inspection by an authorised person upon reasonable request.

4 No person shall be allowed to leave the premises whilst in the possession of any drinking vessel or open glass bottle, whether empty or containing any beverage.

5 A properly specified and fully operational CCTV recording system shall be installed, operated and maintained. The system shall incorporate a camera covering each of the entrance doors and be capable of providing an image which is regarded as 'identification standard' of all persons entering and/or leaving the premises. The CCTV system shall be in operation at the premises at all times when the premises are used for the provision of licensable activity. All CCTV recordings shall be securely stored for a minimum of one calendar month. A staff member from the premises who can operate 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. Signage indicating that a CCTV recording system is in operation shall be displayed prominently in the premises.

6 The premises shall uphold a zero tolerance policy in relation to illegal drugs.

c) Public safety

7 All exit routes and public areas shall be kept unobstructed, shall have non-slippery and even surfaces, shall be free of trip hazards and shall be clearly signed.

8 An adequate and appropriate supply of first aid equipment and materials shall be available on the premises.

9 The premises licence holder shall ensure that a suitable fire risk assessment and emergency plan is in place at all times.

10 The premises licence holder shall ensure that an electrical compliance check is made at least once a year.

11 The basement shall have a maximum capacity of 45 persons not including staff

or performers.

d) The prevention of public nuisance

12 Arrangements shall be put in place to ensure that waste collection contractors do not collect refuse between 19:00 and 07:00.

13 Patrons smoking outside the premises shall be monitored regularly to ensure the potential for noise nuisance is controlled.

14 The premises' frontage shall be regularly monitored to keep it clean and clear of litter.

e) The protection of children from harm

15 A Challenge 25 proof of age scheme shall be operated at the premises where the only acceptable forms of identification are the following recognised photographic identification cards: a driving licence, a passport, a military identification card or a Proof of Age card carrying a 'PASS' logo.

16 A prominent clear notice shall be displayed at the point of entry to the premises advising customers that they may be asked to produce evidence of their age if seeking to purchase alcohol.

17 All occasions when persons have been refused service shall be recorded in the premises daily register.

18 There shall be no children unaccompanied by a responsible adult on the premises after 21:00.

19 All children under the age of 12 years shall be accompanied by an adult whilst on the premises.

Checklist:

Please tick to indicate agreement

- I have made or enclosed payment of the fee.
- I have enclosed the plan of the premises.
- I have sent copies of this application and the plan to responsible authorities and others where applicable.
- I have enclosed the consent form completed by the individual I wish to be designated premises supervisor, if applicable.
- I understand that I must now advertise my application.
- I understand that if I do not comply with the above

- requirements my application will be rejected. ☑
- [Applicable to all individual applicants, including those in a partnership which is not a limited liability partnership, but not companies or limited liability partnerships] I have included documents demonstrating my entitlement to work in the United Kingdom (please read note 15).

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

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

Part 4 – Signatures (please read guidance note 11)

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

Declaration	<ul style="list-style-type: none"> • [Applicable to individual applicants only, including those in a partnership which is not a limited liability partnership] I understand I am not entitled to be issued with a licence if I do not have the entitlement to live and work in the UK (or if I am subject to a condition preventing me from doing work relating to the carrying on of a licensable activity) and that my licence will become invalid if I cease to be entitled to live and work in the UK (please read guidance note 15). • The DPS named in this application form is entitled to work in the UK (and is not subject to conditions preventing him or her from doing work relating to a licensable activity) and I have seen a copy of his or her proof of entitlement to work, if appropriate (please see note 15)
Signature	Paul Jones
Date	7/5/2017
Capacity	Duky authorised agent

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





Signature	
Date	7/5/2017
Capacity	

Contact name (where not previously given) and postal address for correspondence associated with this application (please read guidance note 14) Premises Address			
UK-England			
Post town		Postcode	
Telephone number (if any)			
If you would prefer us to correspond with you by e-mail, your e-mail address (optional)			

Notes for Guidance

1. Describe the premises, for example the type of premises, its general situation and layout and any other information which could be relevant to the licensing objectives. Where your application includes off-supplies of alcohol and you intend to provide a place for consumption of these off-supplies, you must include a description of where the place will be and its proximity to the premises.
2. In terms of specific regulated entertainments please note that:
 - Plays: no licence is required for performances between 08:00 and 23.00 on any day, provided that the audience does not exceed 500.
 - Films: no licence is required for 'not-for-profit' film exhibition held in community premises between 08.00 and 23.00 on any day provided that the audience does not exceed 500 and the organiser (a) gets consent to the screening from a person who is responsible for the premises; and (b) ensures that each such screening abides by age classification ratings.
 - Indoor sporting events: no licence is required for performances between 08.00 and 23.00 on any day, provided that the audience does not exceed 1000.
 - Boxing or Wrestling Entertainment: no licence is required for a contest, exhibition or display of Greco-Roman wrestling, or freestyle wrestling between 08.00 and 23.00 on any day, provided that the

Drawing Symbols

-  : Smoke Detector
-  : Linear Luminaire, Self Contained, Emergency
-  : Fire Exit Sign Directional
-  : CCTV
-  : Licensed Area

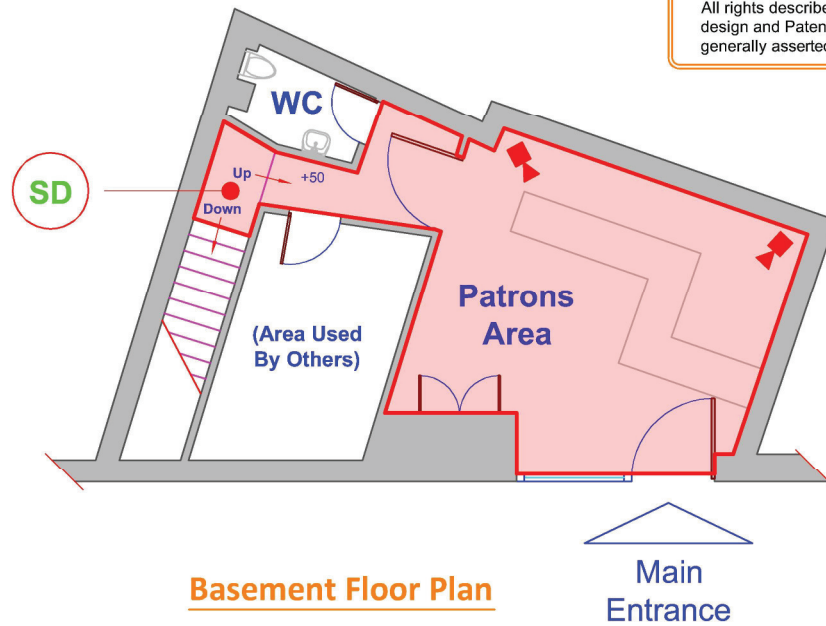
Notes:
This drawings have been produced to the standards set out within the Licensing Act 2003.

No deviation may be made from the details shown on this drawing without prior written permission of UK Surveyors. Any discrepancy found between this drawing and any other document should be referred immediately to UK Surveyors.

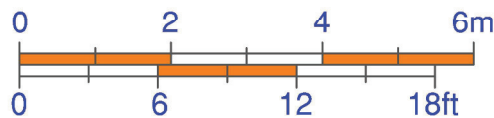
IF IN ANY DOUBT PLEASE ASK.

All rights described in chapter IV of copyright, design and Patents Act 1988 have been generally asserted.

Ground Floor Plan



Basement Floor Plan



Licensed Floor Area
Licensed Ground Floor Area: 20.7ms
Licensed Basement Floor Area: 46.8ms

Total Licensed Floor Area: 67.5ms

Drawing No: 003702	Drawing Title: Premises Licensing Plan	Property: <u>Black Opium Coffee Shop</u> 362 -364 Old Street London EC1V 9LT	Date: 05/05/2017	Sheet: 1 of 1
<h1>UK Surveyors Ltd</h1> <p>CAD Drafting - Planning - Building Regulations Building Surveying - Alcohol Licensing</p>		☎: Freephone: 0800 160 9059	Do not scale off this plan	
		☎: Head Office: 01889 220 880	Drawn By: DJR	
		✉: enquiries@uksurveyors.net	Scale: 1:100 @ A4	
		🌐: www.uksurveyors.net		

Planning Authority Representation:
Application under the Licensing Act 2003

APPENDIX B

Details of Authority	2 Hillman Street, Hackney, London, E8 1FB
Officer contact name	Sandy Ampomah
Officer telephone number	020 8356 8066
Officer's email address	sandybaffoe.ampomah@hackney.gov.uk

APPLICATION PREMISES

Name and address of premises	Black Opium Coffee 362-364 Old Street EC1V 9LT
Applicant name	Jermaine Hagan)

COMMENTS

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

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

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

The applicant is applying coffee shop / jazz bar with opening hours 0700 to 0030 Mon to Sunday

Planning permission ref 2015/4519 granted for Change of use of the ground floor (part) from mini-cab office (Sui Generis) to hot food take away (A5 use). Condition 3 of the planning permission restricts the opening hours only be carried out between 12:00 and 23:00 Monday-Friday, 12:00 - 23:59 Saturdays and 12:00 - 22:00 Sundays. Therefore the hours proposed in the licensing application are not in accordance with the planning permission.

Please provide the following information (if applicable)

Area (that permission applies to)	Ground Floor
Permitted use	Sui Generis
Permitted hours	between 12:00 and 23:00 Monday-Friday, 12:00 - 23:59 Saturdays and 12:00 - 22:00 Sundays
Specific/restrictive conditions	Condition 3 of the planning permission restricts the opening hours only be carried out between 12:00 and 23:00 Monday-Friday, 12:00 - 23:59 Saturdays and 12:00 - 22:00 Sundays
Recent applications	N/A

Decisions	N/A
Pending decisions	N/A
Reasons for refusal	N/A
Relevant Conditions/discharges	N/A

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

No representation with informative.

Planning permission ref 2015/4519 granted for Change of use of the ground floor (part) from mini-cab office (Sui Generis) to hot food take away (A5 use). Condition 3 of the planning permission restricts the opening hours only be carried out between 12:00 and 23:00 Monday-Friday, 12:00 - 23:59 Saturdays and 12:00 - 22:00 Sundays. Therefore the hours proposed in the licensing application are not in accordance with the planning permission. The licence applicant will need to bring the hours proposed in line with the approved planning permission or apply for planning permission to extend the hour.

The applicant is also advised that these comments do not represent a formal decision of the Local Planning Authority as to the acceptability or otherwise of the proposed use and that the decision of the Licensing Authority is not prejudicial to the determination of any subsequent planning application.'

APPENDIX C1

Mike Smith

From: [REDACTED]
Sent: 15 May 2017 13:13
To: Licensing
Subject: Black Opium Coffee Basement and Ground Floor 362-364 Old Street London EC1V 9LT

Dear Hackney Licensing

I write to object to this application for a premises licence to allow supply of alcohol for on sales from 11:00 to 00:00 Mon to Sun.

This proposed license is inside the Shoreditch Special Policy Area. Put simply, this application is exactly the reason the SPA was established. The area is truly saturated with licensed premises, with at least 10 within 100 metres of this venue. The surrounding blocks feature some of Shoreditch's most notorious premises.

Whilst this venue styles itself a sedate jazz club, the presence of another licensed premises by definition adds to the cumulative impact. Further operations and operators today are not guaranteed for the future.

Specifically I object for the following reasons:

- This venue is within the Shoreditch Special Policy Area. No exceptional circumstances are presented. The application accordingly should be rejected out of hand.
- The location of the venue is almost adjacent to Strongrooms, the Electricity Ballrooms, Blues Kitchen and other exceedingly crowded venues. These sites already see a large number of revellers on the street at night, not to mention spillover pedestrian traffic. Inevitably this means more booze tourists causing intolerable noise, anti-social behaviour, littering and fouling of the streets. This venue will add to the cumulative impact and existing issues of noise and disorder.
- Whilst a quiet jazz club sounds like an innocent idea, once granted the license can easily be abused for other purposes.
- There are many residential properties in the immediate vicinity of the venue. The addition of another venue, no matter how sedate, will present a risk to the children in the area.

For these reasons I believe the application should be rejected.

I wish to be advised of the date for the Sub-Committee meeting.

[REDACTED]
Batemans Row, EC2A [REDACTED]
(I do not consent to the release of any personally identifiable information.)

Mike Smith

From: [REDACTED]
Sent: 15 May 2017 13:21
To: Licensing
Subject: Black Opium Coffee Basement and Ground Floor 362-364 Old Street London EC1V 9LT

APPENDIX C2

Black Opium Coffee Basement and Ground Floor 362-364 Old Street London EC1V 9LT

Dear Hackney Licensing

I write to object to the application from Black Opium Coffee at 362-364 Old Street.

Shoreditch is over-saturated with licensed premises and consequently suffers from terrible anti-social and noise problems from the very severe impact of the night time economy. The area needs *less* licensed premises and not more as life for the residential community here has become unbearable.

I object because I believe this application fails the four licensing objectives of the 2003 Licensing Act.

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

Yours sincerely

[REDACTED]
[REDACTED] Holywell Lane
EC2A [REDACTED]

...

Mike Smith

From: [REDACTED]
Sent: 23 May 2017 11:39
To: Licensing
Cc: Shoreditch Community
Subject: Black Opium Coffee Basement and Ground Floor 362-364 Old Street London EC1V 9LT

APPENDIX C3

I write to object to this application for a premises licence to allow supply of alcohol for on sales from 11:00 to 00:00 Mon to Sun.

This proposed license is inside the Shoreditch Special Policy Area. Put simply, this application is exactly the reason the SPA was established. The area is truly saturated with licensed premises, with at least 10 within 100 metres of this venue. The surrounding blocks feature some of Shoreditch's most notorious premises.

Whilst this venue styles itself a sedate jazz club, the presence of another licensed premises by definition adds to the cumulative impact. Further operations and operators today are not guaranteed for the future.

Specifically I object for the following reasons:

- This venue is within the Shoreditch Special Policy Area. No exceptional circumstances are presented. The application accordingly should be rejected out of hand.
- The location of the venue is almost adjacent to Strongrooms, the Electricity Ballrooms, Blues Kitchen and other exceedingly crowded venues. These sites already see a large number of revellers on the street at night, not to mention spillover pedestrian traffic. Inevitably this means more booze tourists causing intolerable noise, anti-social behaviour, littering and fouling of the streets. This venue will add to the cumulative impact and existing issues of noise and disorder.
- Whilst a quiet jazz club sounds like an innocent idea, once granted the license can easily be abused for other purposes.
- There are many residential properties in the immediate vicinity of the venue. The addition of another venue, no matter how sedate, will present a risk to the children in the area.

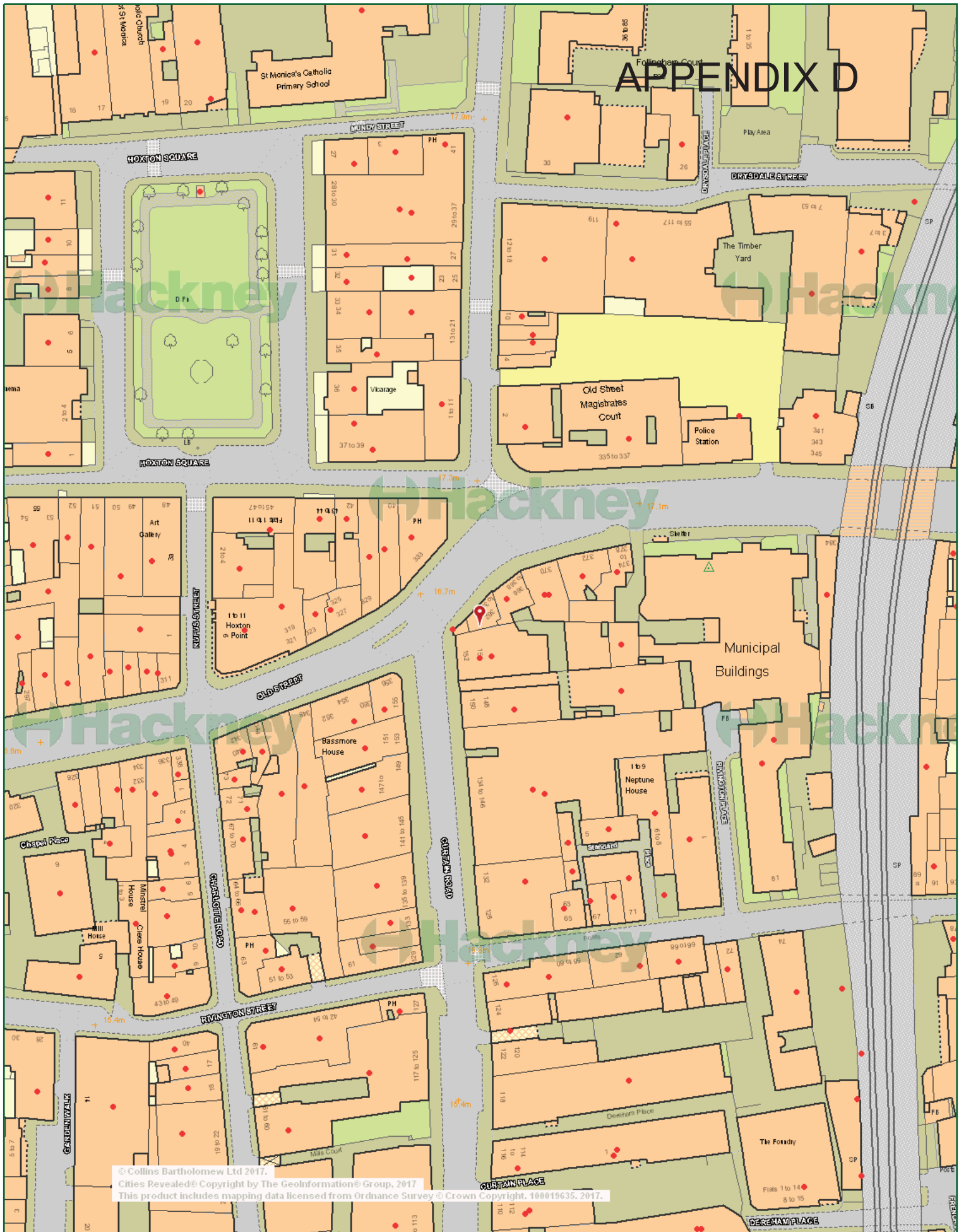
For these reasons I believe the application should be rejected.

I wish to be advised of the date for the Sub-Committee meeting.

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

(I do not consent to the release of any personally identifiable information.)

APPENDIX D



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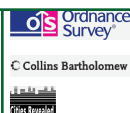
Black Opium

Scale 1/1250

at A4



Date 19/6/2017



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