

Mike Smith

From: [REDACTED]
Sent: 06 June 2017 09:49
To: Caroline Selman (Cllr)
Cc: [REDACTED]
Subject: Fwd: New Boxpark alcohol licence refused.
Attachments: boozepark licensing decision.pdf

Begin forwarded message:

From: [REDACTED]
Subject: Fwd: New Boxpark alcohol licence refused.
Date: 9 June 2015 at 22:17:44 BST
To: [REDACTED]

The Hackney licensing committee today refused Boxpark's application to fill all the open areas on their first floor with additional bars selling booze (accompanied by loud music) until 9pm every day. JAG applauds this decision and thanks the councillors Kennedy, Lufkin and Taylor for it. At the hearing we drew the committee's attention to harm to the neighbourhood if wall to wall boozing was allowed.

The formal decision is attached.

Kind regards

[REDACTED]



London Borough of Hackney – Decisions taken by the Licensing Sub Committee D on Tuesday, 9 June 2015

Agenda Item No	Topic	Decision
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Part A – Items considered in public

6	Boxpark, 4 decking areas on the first floor, 2-10 Bethnal Green Road E1 6JE	<p><u>Decision</u> The Licensing Sub-Committee in considering this decision from the information presented to it within the report and at the hearing today has determined that having regard to the promotion of all the licensing objectives:</p> <ul style="list-style-type: none"> • The prevention of crime and disorder; • Public safety; • Prevention of public nuisance; • The protection of children from harm; <p>the application be refused in accordance with Licensing Policies, especially LP5 and LP15 within the Council's licensing statement.</p> <p><u>Reasons for the decision</u> The Licensing Sub-Committee considered the agenda, including the written representations, and additional documentation provided both before and at the meeting, along with the representations made in person at the hearing. It believes that granting the application will undermine the licensing objectives, particularly that of public nuisance.</p> <p>Careful consideration was given to the applicant's contention that the application would better regulate the outside area and encourage patrons to leave the outside area at an earlier time. However, the Sub-Committee's view was that allowing this application would in essence allow for up to 500 people to consume alcohol within the area up until 9pm, without that consumption being ancillary to food, as is currently the case for the majority of the licensed units. It was felt that this would create more public nuisance in an area which is already saturated.</p> <p>The application if granted did not in itself prevent individual units from operating under their</p>
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London Borough of Hackney – Decisions taken by the Licensing Sub Committee D on Tuesday, 9 June 2015

Agenda Item No	Topic	Decision
		existing licences and therefore gave no opportunity for responsible authorities to better tackle public nuisance in the outside area after 9pm.

Mike Smith

From: [REDACTED]
Sent: 06 June 2017 09:57
To: Caroline Selman (Cllr)
Cc: [REDACTED]
Subject: Fwd: BOXPARK NOISE POLLUTION/LICENSING PERMISSIONS

Begin forwarded message:

From: [REDACTED]
Subject: Fwd: BOXPARK NOISE POLLUTION/LICENSING PERMISSIONS
Date: 16 September 2016 at 11:57:01 BST
To: [REDACTED]
Cc: [REDACTED]
[REDACTED]

This was the response i got from Hackney licensing. Apparently each unit has a separate licensing agreement! Not sure about the open air astro turfed space, I think that's the main licence. Im none the wiser.

Begin forwarded message:

From: Mike Smith <Mike.Smith@Hackney.gov.uk>
Subject: RE: BOXPARK NOISE POLLUTION/LICENSING PERMISSIONS
Date: 15 September 2016 at 16:34:26 BST
To: [REDACTED]

Dear Sir

The licence for Boxpark can be found at the following link:
<http://licensingpubreg.hackney.gov.uk/PublicRegister/Licensing/Default/PremisesDetails?Q=w8G6aiFJ7cs6nawQjrV%2bbkV8n0q320DWPYyWde6UrEc51huLSIF3HvID%2fGulBa2vqxvpG1AWEiJMJZLD9CNas%2bOzrNop4a3w>

Click on view licence document below map

Individual units also have separate licences.

If noise is causing a problem you can contact the Council's Environmental Protection team on 020 8356 4455

Regards

Mike Smith
Principal Licensing Officer

From: [REDACTED]
Sent: 15 September 2016 16:08
To: Licensing <Licensing@Hackney.gov.uk>
Cc: [REDACTED]
[REDACTED]
[REDACTED]
[REDACTED]

Subject: BOXPARK NOISE POLLUTION/LICENSING PERMISSIONS

Please can you confirm that Boypark Shoreditch had an approved license from you to run an event today promoting UBER taxis, with live dee jaying going on at street level. I spoke at length to the box park licensing/events representative and she agreed to email me a copy of said license. This was at 11am this morning and as of now, the music is still going on and the licence has not been forthcoming.

[REDACTED]
[REDACTED]

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Mike Smith

From: [REDACTED]
Sent: 06 June 2017 09:43
To: Caroline Selman (Cllr)
Cc: [REDACTED]
Subject: Fwd: Boxpark noise nuisance

Begin forwarded message:

From: [REDACTED]
Subject: Boxpark noise nuisance
Date: 17 May 2015 at 13:34:25 BST
To: [REDACTED]
Cc: [REDACTED] [REDACTED]
[REDACTED]
[REDACTED]
[REDACTED]

Hello [REDACTED]

We're currently being subjected to tuneless wailing higher than the decibel level permitted by noisy building works. We have to choose between having the window open to the breeze and sunshine and being subjected to the noise, or closing the window.

The facts make a nonsense of the claims in your latest legal missive. Would it make sense to arrange to meet to discuss what we can all live with? Currently nothing less than closure seems a plausible remedy to the ongoing disturbance we experience as your neighbour.

[REDACTED]
.....
[REDACTED]
[REDACTED]
[REDACTED]
[REDACTED]
[REDACTED]
[REDACTED]
[REDACTED]
[REDACTED]

Mike Smith

From: [REDACTED]
Sent: 06 June 2017 09:45
To: Caroline Selman (Cllr)
Cc: [REDACTED]
Subject: Fwd: Boxpark (2-10 Bethnal Green Road): noise

Begin forwarded message:

From: [REDACTED]
Subject: Re: Boxpark (2-10 Bethnal Green Road): noise
Date: 25 May 2015 at 09:59:22 BST
To: Gurch Patti <Gurch.Patti@Hackney.gov.uk>, "environmentalhealth@towerhamlets.gov.uk" <environmentalhealth@towerhamlets.gov.uk>, Elzbieta.Wreczycka@Hackney.gov.uk

Dear all,

Yesterday afternoon was again loud but not initially as loud as the previous week. At around 2-2.15 pm, I measured 86dB on average on the street pavement behind the audience area in the 'square on the ground floor' at the east end of these premises.

The noise began at about 12pm. At about 2.45 the volume was turned up markedly. I cannot tell you how loud it was in decibels; my meter app is not reliable above about 100dB. But it was very loud.

The premises were therefore clearly again in breach of the licence conditions relating to noise nuisance and were not using a sound limiter as required.

Coincidentally, earlier in the week I was talking to the locksmith who has a shop and workshop in the building opposite about 8-10 Bethnal Green Road. He complained about the regular Sunday afternoon noise, and that on Thursday evenings. He didn't want to contact either borough but asked me to do so for him. He said you can check with him if you visit. He also said he has to wear earplugs in his workshop on Sundays.

As before I am e-mailing both boroughs. These premises straddle the boundary. They are operating under a licence issued by Hackney but the actual source of the Sunday noise, and many of the residents and small businesses affected, is just inside Tower Hamlets.

kind regards,

[REDACTED]
[REDACTED]

On 17 May 2015, at 15:59, [REDACTED] wrote:

floor area at the east end of the site from about 1pm onwards. Although quieter than their normal Sunday and bank holiday open air concerts, at around 2pm I measured noise levels averaging 86dB and peaking at 97dB. These were measured from the opposite side of Bethnal Green Road. I used a sound meter app on my smartphone rather than professional monitoring equipment; nevertheless I understand the measured sound levels will be a reasonable indication of the problem.

The noise nuisance on Monday 4th therefore appears to be another breach of Boxpark's licence conditions. Please therefore log this as another complaint.

Although Boxpark's licence is issued by Hackney, I have learnt that the source of yesterday's noise nuisance was actually over the borough boundary in Tower Hamlets. (A small part of the premises are in TH.) I am therefore adding the TH environmental health team to the cc list.

kind regards,

[REDACTED]
[REDACTED]
[REDACTED]
[REDACTED]

On 7 Apr 2015, at 11:27, Maxwell Owusu Koduah
<MaxwellOwusu.Koduah@Hackney.gov.uk> wrote:

Hello [REDACTED]

Your complaint has been noted however I am no longer the case officer for Boxpark. The new officer is Ms Elzbieta Wrecyzka. Her contact details are:

Email: Elzbieta.Wrecyzka@hackney.gov.uk
Tel: 020 8356 5858

Please direct further complaints to her.

Thank you

Maxwell Owusu Koduah

From: [REDACTED]

Sent: 07 April 2015 09:52

To: Maxwell Owusu Koduah; Gurch Patti
Subject: Re: Boxpark: noise

Dear Maxwell and Gurch,

Its spring and, on the first warm weekend of the year, Boxpark were at it again. The noise on Sunday, and even more yesterday, afternoons was as loud and objectionable as ever.

Please log this as two more complaints.

Thank you.

[REDACTED]
[REDACTED]
[REDACTED]
[REDACTED]

On 21 Dec 2014, at 15:38, [REDACTED]
[REDACTED] wrote:

Dear Maxwell,

Boxpark is very noisy today, with live and recorded music from three of their open areas on the upper floor - the one at the east end of the site and the two in the middle.

It started about 1pm.

The music is so loud that a visitor to our apartment thought we had the radio on in our living room, whereas it is in fact the sound of boxpark through our double glazed, closed windows. It must be well in excess of what is permitted under their licence.

Robin.

[REDACTED]
[REDACTED]
[REDACTED]
[REDACTED]

Mike Smith

From: [REDACTED]
Sent: 06 June 2017 09:41
To: Caroline Selman (Cllr)
Cc: [REDACTED]
Subject: Fwd: Boxpark Ltd (BOX1/2)

Begin forwarded message:

From: [REDACTED]
Subject: Re: Boxpark Ltd (BOX1/2)
Date: 6 May 2015 at 00:03:40 BST
To: [REDACTED]
Cc: [REDACTED]
[REDACTED]
[REDACTED]
[REDACTED]
[REDACTED]

Dear [REDACTED]

Jago Action Group (JAG) has received your communication of April 29, referring to an article in the Hoxton Ferret. JAG was not previously aware of this article, or indeed of the Hoxton Ferret.

JAG represents residents and businesses in an area affected by your client's operations. It is not responsible for the editorial decisions of the Hoxton Ferret or any other newspaper. It appears this publication has picked up the content of a licensing objection, which is in the public domain, as the publication has had no contact with me, or any other JAG member that I'm aware of.

Clearly, I can't undertake not to repeat something that I did not say in the first instance. I will contact [REDACTED] to ask him not to waste any more of my time, or his money, with accusations that have no substance,

[REDACTED]

On 29 Apr 2015, at 2:53 pm, [REDACTED] > wrote:

[REDACTED]

Please see attached.

Yours sincerely

[REDACTED]
[REDACTED]
[REDACTED]

[Redacted]

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[Redacted]

--

[Redacted]

Mike Smith

From: [REDACTED]
Sent: 06 June 2017 09:36
To: Caroline Selman (Cllr)
Cc: [REDACTED]
Subject: Fwd: BoxPark Premises Licence Application

Begin forwarded message:

From: [REDACTED]
Subject: Re: BoxPark Premises Licence Application
Date: 20 April 2015 at 10:52:24 BST
To: Marcus Lavell <marcus.lavell@gregglatchams.com>
Cc: [REDACTED], Darren Reilly <darren.reilly@hackney.gov.uk>

Dear Marcus,

Unfortunately we have not heard from you.

The Jago Action Group had therefore put in a letter of objection/comment to meet the licensing authority's deadline for comments.

kind regards,

[REDACTED]
[REDACTED]
[REDACTED]
[REDACTED]
[REDACTED]

On 10 Apr 2015, at 14:10, Marcus Lavell <marcus.lavell@gregglatchams.com> wrote:

Dear [REDACTED]

Thank you for your email.

The applicant has recently met with the police and licensing service to discuss the BoxPark application. I will incorporate the outcome of this meeting into my answer to your email but I am afraid this will delay my full response until Monday. I apologise for any inconvenience this may cause but feel that a full, up to date response, would be of benefit in this matter.

Kind regards

██████████
██████████
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From: ██████████
Sent: 07 April 2015 09:39
To: Marcus Lavell
Cc: ██████████ Darren Reilly
Subject: Re: BoxPark Premises Licence Application

Dear ██████████

Thank you for informing the Jago Action Group (JAG) about your client's plans for the future licensing of Boxpark. We are pleased that you acknowledge improvement is needed and we have considered the plans outlined in your e-mail, in consultation with our friends in the Shoreditch Community Association (SCA).

To help us understand whether and how far it would represent an improvement, we should be most grateful for a sight of your detailed application for a new licence and for a response especially to the following points.

1. Can you confirm the new licence, if granted, would replace the existing multiple licences for the communal open areas? That seems to be the implication of your proposals, as otherwise Boxpark would not be the single

point of accountability for drinking in the open areas, but we would welcome specific confirmation that the existing licensees will be giving up this aspect of their licences.

2. Can you confirm that all alcohol sales within the Boxpark would continue to be by the existing licensees (i.e. from within their 'boxes') under their existing license conditions (which in most cases are that the alcohol must accompany a substantial meal)? Ie Boxpark will not be adding more bars under the new licence.

3. Can you confirm the new licence would incorporate the existing conditions, so that in particular that if someone bought a drink from a licensee with a 'substantial meal' condition then under the new licence Boxpark would be responsible if they brought it out onto one of the licensed common open areas.

3. Please explain by how much a 9pm 'last orders' and 9.30pm closing time would represent an improvement on the existing position. Is this significantly earlier than the existing licenses permit drinking in the communal areas? If so, we would welcome that.

4. Can you confirm the new licence, if granted, would not permit recorded or live music to be played in any of the common open areas. As you may know, noise from the open areas has been an ongoing problem.

5. Can you confirm that the 'common open areas' referred to in your e-mail, where outside drinking would continue, are the two open areas on the top deck, essentially between units 42-57. These are opposite the commercial Tea-building and not as close to family homes and other residential property.

Thank you.

[REDACTED]
[REDACTED]
[REDACTED]
[REDACTED]

On 24 Mar 2015, at 19:48, [REDACTED] wrote:

Begin forwarded message:

From: Marcus Lavell <marcus.lavell@gregglatchams.com>
Subject: BoxPark Premises Licence Application
Date: 24 March 2015 5:54:27 pm GMT
To: [REDACTED]

Cc: "darren.reilly@hackney.gov.uk"

<darren.reilly@hackney.gov.uk>, [REDACTED]
[REDACTED]

Dear [REDACTED]

[REDACTED] has asked me to write to you, setting out our proposals for the future of licensing at BoxPark.

We have spent a considerable time in consultation with Hackney Council and the Police. These discussions have related to the promotion of the Licensing Objectives at BoxPark under the current set up and how we can improve things moving forward.

At the moment, BoxPark is home to a number of licenced premises each containing a different operation; much like many high-streets up and down the country. Unlike those other locations, BoxPark also features a number of communal open areas in which food and drink purchased in any of the units can be consumed.

As you may know, the various licenced premises at BoxPark benefit from some very different Premises Licences. Some of the Licences require alcohol to be sold with a meal, others have no such stipulation. The Police raised the issue that it can be difficult to monitor any particular premises when the customers from all premises intermingle in BoxPark's communal open areas. Roger's solution to this is to put one single Premises Licence in place, in BoxPark's name, covering sales of alcohol in the open areas. This would put the responsibility for promotion of the Licensing Objectives onto BoxPark and its staff, providing the authorities with a single point of accountability. This would not prevent the individual operators from selling alcohol within their units under their existing Premises Licences but once a customer enters one of the outside areas, they become the responsibility of Boxpark. This would allow the Police to inspect each unit without the need to identify that unit's customers sitting outside. Rather, activity within the units would be down to the operators and outside the units would be down to BoxPark. Sales of alcohol under BoxPark's licence would still be conducted by the individual operators' staff but the responsibility for ensuring correct sales and security procedures are both in place and adhered to would be BoxPark's.

Further, the authorities raised their concern that it can be more difficult to prevent noise escape from customers drinking alcohol in the outside areas than customers doing the same within each unit. In order to address these concerns, Roger has proposed to cease the sale of alcohol under the new Premises Licence at 9pm and prohibit the consumption of alcohol within the outside areas after 9.30pm. This prohibition in the more sensitive evening hours, coupled with a single point of accountability for the behaviour of customers in the outside areas before 9.30pm provides considerably stronger safeguards than are currently in place. Please note that the prohibition on consumption will be enforced by BoxPark's own security team and violation of the prohibition will be a breach of the relevant operators' tenancy.

When we look back to the idea of a high street with a number of operators trading under different licences we can now see the benefit of those operators having a single landlord who has control of the relevant outside space. Roger's application for a new Premises Licence will take advantage of his position as landlord to all of the operators within BoxPark. It will put in place an easily identifiable chain of accountability and ensure a cessation of 'outside' alcohol consumption after 9.30 pm each day.

Please let me know if you have any question regarding the application or require further information.

Kind regards

Gregg Latchams Limited

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Bristol BS1 4JE

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14 Manchester Square
London W1U 3PP

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Mike Smith

From: [REDACTED]
Sent: 06 June 2017 09:30
To: Caroline Selman (Cllr)
Cc: [REDACTED]
Subject: Fwd: Boxpark

Begin forwarded message:

From: [REDACTED]
Subject: Re: Boxpark
Date: 14 November 2014 at 08:36:28 GMT
To: [REDACTED]
Cc: [REDACTED]

Thanks for the update [REDACTED] and for taking the time to go down there.

Oddly enough I received an unsolicited phone call from the owner of 'Simply Fish' on Sunday afternoon pleading that he be allowed his extended license (as if I have any say in the matter!) but what was interesting was hearing him describe how loathed [REDACTED] is by many of the tenants - primarily for his arrogance and also for misleading them to what Boxpark actually is and for pitting them against the local community and creating such bad feeling and continual hassle.

BTW - I reported the noise at BoozePark again last night. Not that it makes any difference to Noise Pollution as we saw when they visited our place a couple of months ago and described clearly audible noise pollution from the site as "barely audible".

On 14 Nov 2014, at 08:27, [REDACTED] wrote:

[REDACTED] and others.

I attended the Hackney licensing sub-committee yesterday evening to consider Porky's (a new restaurant to take over the 4 Nike containers) and Simply Fish (which has been there since 2011).

Thanks for nominating me to speak for you on Porkys. This proved essential as [REDACTED] was unable to make it and I was therefore effectively able to speak for both JAG and SCA.

Porkys got their licence, but only with a strict restaurant condition, i.e. alcohol can only be served with a substantial meal. This applies to off as well as on sales.

Mike Smith

From: [REDACTED]
Sent: 05 June 2017 18:23
To: Caroline Selman (Cllr)
Cc: [REDACTED]
Subject: Fwd: BoxPark Noise Complaints - WK201346058

Begin forwarded message:

From: [REDACTED]
Subject: Re: BoxPark Noise Complaints - WK201346058
Date: 29 September 2013 at 15:05:59 BST
To: Khadine Jackson <Khadine.Jackson@Hackney.gov.uk>
Cc: [REDACTED]
[REDACTED]
[REDACTED]

Dear Khadine,

Thank-you for the reply and apologies for not getting back sooner. The noise on the 22nd of October was coming from the central open area (I say open, but it has been enclosed to allow all-weather 'events') on the upper floor of Boxpark. Today Sunday 29th September we are suffering the same noise nuisance. The noise of loud amplified music and someone speaking started about 1.30pm and is clearly audible from inside our house with all windows shut. This noise nuisance has been occurring for 2 years now since Boxpark opened and I feel our complaints have not been dealt with in the correct manner, hence my consideration of an ombudsman. I think we have enough evidence to initiate such a procedure with letters to the 2 councils involved going back over the past 2 years. I applaud your decision to send an officer on the 27th October. I unfortunately will be away on that day and it is important that an officer is witness to the noise occurring inside affected properties. On street level the noise sometimes does not seem too bad, however the nature of noise pollution means that some noise travel further at a higher level.

[REDACTED]

On 24 Sep 2013, at 11:33, Khadine Jackson <Khadine.Jackson@Hackney.gov.uk> wrote:

Dear [REDACTED]

I am sorry to hear about the events on Sunday 22nd September 2013 at BoxPark. Were you able to identify the location of the music system or which unit is was associated with?

Sunday afternoon is not part of our normal working week, visit at that time needs to be pre agreed and no officer was available on this occasion. I am in the process of arranging an officer for the 27th October for 'Oxjam'.

It is important that our internal complaints procedure is exhausted before any complaints are made to the ombudsman. Details can be found here: <http://www.hackney.gov.uk/l-complaints-procedure.htm#.UkFm49K38bA>

Regards,
Khadine Jackson
Pollution Control
Ext. 0208 356 4825

-----Original Message-----

From: [REDACTED]
Sent: 22 September 2013 14:27
To: Khadine Jackson
Cc: [REDACTED]
[REDACTED]
[REDACTED]
Subject: Re: BoxPark Noise Complaints - WK201346058

Dear Khadine,

As advertised in the events list I sent last week there, Boxpark are, as I write making an excessive amount of noise which started around 2pm. Yet again there is no officer to witness the noise and we will have to suffer another Sunday afternoon of noise nuisance. If there is no action to take the concerns of local people into consideration I will be submitting our evidence gathered over the past year to the local council ombudsman.

I did try to call the number you left but I only got an answer machine.

[REDACTED]
On 13 Sep 2013, at 19:28, [REDACTED]
[REDACTED] wrote:

Dear Khadine,

Thank-you for the information. I am fortunately/unfortunately out this Sunday afternoon but I am sure if other residents are around and there is excessive noise they will call. The weather looks like it will be dreadful this Sunday however, which tends to subdue the activities. There is no Boxpark 'event' scheduled for this Sunday,

<http://www.boxpark.co.uk/events/>

It would be great if you were able to coincide officers on duty during some of the scheduled events, although it is difficult to tell which ones will be noisy from the list.

Many thanks

On 13 Sep 2013, at 16:55, "Khadine Jackson"
<Khadine.Jackson@Hackney.gov.uk> wrote:

Dear all,

Officers from the Pollution Team will be working this Sunday
15th September 2013, 10am to 4pm.

Please feel free to call if you are experiencing excessive noise from
Boxpark within your home and you would like an officer to visit to
witness the noise from your perspective.

Regards,
Khadine Jackson
Pollution Control
0208 356 4825

-----Original Message-----

From: Khadine Jackson
Sent: 10 September 2013 13:57

Cc: Angus MacLeod; [REDACTED]; Licensing
Subject: RE: BoxPark Noise Complaints - WK201346058

Dear all,

Thank you for your emails, videos and photos. I am sorry to
hear of your dissatisfaction with the current situation.

I must point out that there is no reluctance to support
residents; however I wish to focus on activities that can be
successfully escalated to support a review and be used as an
effective tool for negotiation. This case was passed to me
initially two weeks ago when I initiated contact with listed
complainants. I have asked that resident let me know of a
suitable day/time when the noise is affecting them so an
Officer can visit and witness the noise in their home from their
perspective as well as attributing the noise to the appropriate
premises. There are occasions where these visits can be done
outside of our usual operating hours i.e. Sunday afternoon but
this would need to be authorised by my managers, so please
let me know accurate timings. This is in addition to using the
service during our regular operating hours.

The requirement of the premises license (Boxpark decked
areas) is that 'no noise nuisance shall be caused' which is
down to the judgement of the reviewing Officer (or the
interested party if they are to review the premises license

themselves) If there is a specific premise licence you are referring to regarding 'inaudibility', please let me know as I have not yet had the time to review them all in full. I am dealing with a number of open noise cases across the borough that also simultaneously need my attention.

- I will shortly be checking all premises license for outright breaches that do not require visits to complainants premises
- You can prearrange visit during our normal service or at another time subject to approval
- A meeting will be arranged with the licence holder for BoxPark to discuss ongoing issues; the possibility of a review can result in compliance where required outside of a committee hearing.
- If you are able to do so, please report all incidences of noise nuisance via telephone when the service is operational, or you can use the online form when there is no service (<http://www.hackney.gov.uk/ee-pollution-noise-412.htm#Ui3cCNK38bA>)
- Will Nutland; my understanding is that an 'in-house sound system' does mean the permanent system that is in use, whether or not it is the same system that is used for background music. Condition 4 and 5 outlines that there will need to be limiters installed on both the 'event system' and 'background music system' regardless
- Some of the points raised by Matt Johnson such as saturation zones are decisions that are made at strategic level which can be discussed with your local ward Councillor.

I want to give realistic expectations of procedure and times scales; I kindly ask that this is not interpreted as reluctance on our part. The objective here is to find a satisfactory outcome for all. I am sure you can all appreciate that this is a legal procedure and there are guidelines for me to follow, e.g. the evidence should be taken to the premises license holder initially to stimulate negotiation.

Kind regards,
Khadine Jackson
Noise Officer
0208 356 4825

-----Original Message-----

From: [REDACTED]
[mailto:[REDACTED]]
Sent: 09 September 2013 10:55
To: [REDACTED]
Cc: [REDACTED]
[REDACTED]
[REDACTED]

Subject: Fwd: BoxPark Noise Complaints - WK201346058

Dear Alkesh,

Further information attached regarding yesterday's noise with complaints made to Hackney noise pollution regarding Boxpark. I was out all day yesterday so was lucky enough not to suffer the noise.

You can see from the thread that Hackney noise pollution seem reluctant to support a license review, which I personally find incredulous, given the feeling of many local residents around this area. I think we need to keep in mind that Boxpark is a shopping mall with some food outlets attached and not an events space. The so called events are marketing devices to encourage people to shop at Boxpark and have no cultural benefit for the local community. The license clearly states that no noise nuisance should be audible from premises on Bethnal Green Road and Shoreditch High Street. I am totally flabbergasted that 3 hours of amplified music on a Sunday afternoon blasting out into the street and audible from flats and house up to a beyond 3 streets away could be interpreted as anything but noise nuisance.

The major problem is witnessing the noise (apart from the fact that Boxpark straddles 2 boroughs) which occurs at times when no noise pollution teams are available. I have managed only once to get an enforcement officer to witness the noise occurring on a Thursday evening. This noise generally happens between 6pm and 9pm, and since the noise team does not start until 8pm, by the time my call goes through and the officer is informed, the event is generally over by the time they arrive and therefore are unable to witness the noise. This is also the case on Sundays when no noise patrol is available and I can only report the breach of their license.

We are asking simply that Boxpark abides by the rules, so that we as local residents are able to enjoy the same rights as other Londoners do in other parts of the city. This would not be tolerated by local residents of Oxford Street so why should we be any different?

Regards

Begin forwarded message:

From: [REDACTED]

[REDACTED]

Subject: Re: BoxPark Noise Complaints - WK201346058

Date: 9 September 2013 10:14:52 BST

To: [REDACTED]

[REDACTED]

Cc: Khadine Jackson

<Khadine.Jackson@hackney.gov.uk>, [REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED], polluti

onsupport@hackney.gov.uk, [licensing@hack](mailto:licensing@hackney.gov.uk)

kney.gov.uk

Dear Khadine -

I also experienced the same yesterday and I am one street further away from Box Park than Robin. At one point, I could hear the bass at the corner of Old Nichol St and Chance St.

Please find attached one photo from yesterday at around 3pm of the sound system and two video clips - one from the pavement by Box Park and one across the street at Bethnal Green Rd.

Regards, [REDACTED]

On Sun, Sep 8, 2013 at 2:53 PM, [REDACTED]

[REDACTED] wrote:

Dear Khadine and colleagues,

Boxpark are very noisy again this afternoon.

I know the noise team don't start work until later on a Sunday, so you are unlikely to be able to come and hear for yourselves. However, as I have explained before, we live some distance away. If the noise is a nuisance for us it must self-evidently be in breach of licence conditions such as those (a) regarding sensitive premises on Bethnal Green Road and Shoreditch High St (since they are much nearer) and (b) the use of a system with sound limiters etc. I would have expected evidence such as this to be relevant to a licence review, and indeed your predecessor in the pollution control team encouraged us to report it.

It does sound again like a DJ playing outside, like on the occasion I sent a photo and those shown on the YouTube videos.

kind regards,

██████████

████████████████████

██

██

██.com

On 6 Sep 2013, at 09:24, ██████████ wrote:

Dear Khadine -

Very many thanks for this information.

Are you able to confirm exactly what is meant by 'in-house sound system'? Does this mean the permanent system that has small speakers through which 'background' music is played all day? Would the use of, for example, DJ decks with separate speakers mean that they are in breach of this condition?

Regards, ██████████

On Fri, Sep 6, 2013 at 12:55 AM, Khadine Jackson <Khadine.Jackson@hackney.gov.uk> wrote:

Dear all,

For reference, I have attached a copy of the full premises licence for the decked areas of Boxpark.

Please also use reference WK201346058 where possible for all correspondence on this case.

Kind regards
Khadine Jackson
0208 356 4825 - Direct dial for case discussion

0208 356 4455 - For ongoing noise complaint or if you would like to speak with another officer in my absence.

-----Original Message-----

From: Khadine Jackson

Sent: 06 September 2013 00:26

To: [REDACTED]

Cc: [REDACTED]

Subject: RE: Box Park Noise Complaints - License Review?

Dear [REDACTED],

Thank you for sending me the addition information.

I do understand your frustration and I appreciate the distress that this situation has caused to you and your family. The Pollution Team are happy to support you in a premises license review. However, the ability of the Council to support formal action is strictly limited by the law; it is necessary for Pollution officers to verify that nuisance exists before they can take the case further. This will mean an officer from our team visiting you or another complaint to gather strong evidence by witnessing unacceptable levels of noise nuisance. Please note that audibility alone is not an indication of nuisance; judgment will be based on the time of day and character of the area among other things not individual sensitivities. If you do decide you would like officers to visit, I will make every effort to make visit as convenient and targeted as possible.

I have noted that you may feel that there is already sufficient evidence for a premises license review, and I would be happy to provide you with documentation detailing the nuisance witnessed by Angus, to support your action if you decide to take out your own review as an interested party, but at this stage I do not feel this is something we can fully support. I have already written to the premise licence holder at Cottons in regards to noise nuisance which you have told me is the main perpetrators.

The team are very busy at the moment and I will be out of the office until Wednesday 11th September 2013. So I will review the case in full after that date by checking individual

licensing/planning conditions for outright breaches i.e. those that are not based on judgment e.g. amplified music.

In the interim, please use the Day/OOH service as you have done in the past (hours and telephone number below), it would be useful also if you had the names of the Tower Hamlets Officer (s) dealing with the case? I appreciate that this may not have been the response you were after but my aim is to help you as best as I can within the confine of my delegated authority and it does take time. Please let me know if you do want to arrange pro-active visit and/or Angus's nuisance report. Please do so in good time as I do not work standard office hours and may not have access to my email/telephone for up to 7 working days at a time.

You can also contact the Licensing Police if there are issues of alcohol or otherwise related Anti-social Behaviour of the patrons and other general info:

The Chief Officer of Police

Hackney Licensing Unit
Stoke Newington Police Station
33 Stoke Newington High Street
London N16 8DS
Tel: 020 7275 3022
www.met.police.uk/hackney

Information on how to review a premises license): <http://www.hackney.gov.uk/review-premises-licence.htm#.UikOFNK38bA>
Licensing Public Register, to check conditions): www.hackney.gov.uk/3990.asp

Pollution Control Opening Hours – Telephone number: 0208 356 4455

Mon - Wed: 8am - 8pm
Thur: 8am - 2am
Fri morning 8am - 5am Sat morning
Sat: 9pm - 5am Sun morning
Sun: 6:30pm - 2am Mon morning

Kind Regards
Khadine Jackson

Principal Pollution Control Officer, Pollution
Team
Chief Executive's Directorate
London Borough of Hackney
Safer Communities
PO Box 70210
E8 9EJ

Telephone: 0208 356 4825

Email: Khadine.jackson@hackney.gov.uk

www.hackney.gov.uk

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Mike Smith

From: [REDACTED]
Sent: 05 June 2017 18:08
To: Caroline Selman (Cllr)
Cc: [REDACTED]
Subject: Fwd: Follow up to Monday's meeting re Boxpark

Begin forwarded message:

From: [REDACTED]
Subject: Follow up to Monday's meeting re Boxpark
Date: 28 June 2012 at 15:11:05 BST
To: [REDACTED]

[REDACTED]
[REDACTED]
[REDACTED]
[REDACTED]
[REDACTED]
[REDACTED]
[REDACTED]

Hello [REDACTED]

Thank you for making the time to meet with us on Monday and apologies for not following up sooner (this is my first week in London for a month, so competing priorities). At the meeting were:

Andrew Sissons, LB Hackney Interim Head of Regeneration Delivery

[REDACTED], local business owner and resident

[REDACTED] their home and studio are located opposite the east end of Box Park

[REDACTED], local business owner and resident. Chair of Jago Action Group (JAG, the formally constituted TRA covering the area around BoxPark and registered with Tower Hamlets as a statutory consultee); and co-chair of OPEN Shoreditch (a coalition of local organisations, open to all those who live, work or learn in the area)

The legitimate concerns we expressed on behalf of the local community include:

- Boxpark operations are seriously disruptive for a number of neighbouring residents and businesses (in Tower Hamlets and in Hackney). Both ambient retail music (which can be heard all day) and event noise levels. Shoreditch's live/work tradition continues in the neighbourhood and thus many people are subjected to unacceptable noise levels all day, and potentially all evening if outdoor event licences were granted
- clarity over local authority responsibility has made it difficult to get to grips with the licensing issues
- there have been numerous complaints to both LBTH and LBH. Despite this, Hackney Noise Pollution team did not object to Boxpark's licence application and neither did they respond to our requests for the Noise Council's guidelines to be implemented.

It is totally unacceptable for Hackney to license activity that is so not conducive to a successful mixed-use zone. Shoreditch has regenerated itself, largely thanks to long-term residents who both live and work in the area. This creates a high level of ownership, which does more for a sustainable community than pop-up malls that offer generic brands.

The conflict of interests can be managed and we look forward to hearing from you as discussed, to confirm:

- 1/ what activity is currently licensed
- 2/ does the licensed activity reflect the planning constraints, for example trading hours
- 3/ who at Hackney will be responsible to ensure that the Noise Council's Code of Practice is adopted before any further licences are issued?

Meanwhile, we have asked Weavers Ward Councillor John Pierce to intervene on our behalf and I understand that the application will now require a hearing, rather than be waived through with no reference to managing the downside of Boxpark operations.

I look forward to hearing from you, [REDACTED]

On 25 Jun 2012, at 2:37 pm, Andrew Sissons wrote:

Hello [REDACTED]

No problems I will be there at about 10 past 5 have to see the Mayor at 4.25 briefly then I need to jump on a bus!

Hope this is OK

Best
A

Andrew Sissons
Interim Head of Regeneration Delivery
2 Hillman Street
Hackney
E8 1FB
020 8356 2310
andrew.sissons@hackney.gov.uk

<image001.jpg>

-----Original Message-----

From: [REDACTED]
Sent: 25 June 2012 14:31
To: Andrew Sissons
Cc: [REDACTED]
Subject: RE: Meeting Box Park

Hello Andrew,

Are you still ok for today at 5pm. I believe Rebecca was suggesting All

Press on Redchurch Street.

██████████ – is this still the plan.

Best Rgs|

██████████

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From: [REDACTED]
Sent: 05 June 2017 18:08
To: Caroline Selman (Cllr)
Cc: [REDACTED]
Subject: Fwd: Follow up to Monday's meeting re Boxpark

Begin forwarded message:

From: [REDACTED]
Subject: Follow up to Monday's meeting re Boxpark
Date: 28 June 2012 at 15:11:05 BST
To: Andrew Sissons <andrew.sissons@hackney.gov.uk>
Cc: "[REDACTED]"

[REDACTED]
[REDACTED]
[REDACTED]
[REDACTED]
[REDACTED]
[REDACTED]

Hello [REDACTED]

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On 25 Jun 2012, at 2:37 pm, Andrew Sissons wrote:

Hello Rachel

No problems I will be there at about 10 past 5 have to see the Mayor at 4.25 briefly then I need to jump on a bus!

Hope this is OK

Best
A

Andrew Sissons
Interim Head of Regeneration Delivery
2 Hillman Street
Hackney
E8 1FB
020 8356 2310
andrew.sissons@hackney.gov.uk

<image001.jpg>

-----Original Message-----

From: [REDACTED]

Sent: 25 June 2012 14:31

To: Andrew Sissons

Cc: Rebecca Collings

Subject: RE: Meeting Box Park

Hello Andrew,

Are you still ok for today at 5pm. I believe Rebecca was suggesting All

Press on Redchurch Street.

██████████ – is this still the plan.

Best Rgs

██████████

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For further information about Hackney Council policies please contact Hackney Service Centre on: 020 8356 3000.

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Mike Smith

From: [REDACTED]
Sent: 05 June 2017 18:04
To: Caroline Selman (Cllr)
Cc: [REDACTED]
Subject: Fwd: Premises licence application for Boxpark

Begin forwarded message:

From: [REDACTED]
Subject: Re: Premises licence application for Boxpark
Date: 13 June 2012 at 19:53:47 BST
To: [REDACTED]
[REDACTED]
[REDACTED]
[REDACTED]

Hello J [REDACTED]

SO PLEASED YOU GOT THE JOB! I have never been contacted by a LBTH councillor in order to canvas community opinion. As a result, it didn't even occur to me to contact you about the Boxpark saga.

There is strong local objection to further licences being issued. The history is that we had an early meeting with Boxpark and they were reasonable in agreeing to reduce the planning hours they applied for and said in writing they would not apply for liquor licenses. However, we understand the site is not trading well and BP is under a lot of pressure to increase footfall and hence applied for licensed outdoor activity.

A number of residents (both sides of Shoreditch High Street) are consistently disturbed by the noise pollution. Not just the ambient all-day retail musak but seriously big noise when they have an event. On one occasion, a neighbour knocked on my door to day his flat was vibrating.

There have been many formal complaints made to both LBTH and LBH, which has been complicated by the fact that it has only recently been agreed that Hackney will be the whole-site licensing authority. I was really surprised to learn yesterday that the Hackney noise pollution team has supported the application and planned to call the licensing officer tomorrow to ask why they are ignoring residents' complaints.

There seems to be pressure from Hackney regeneration, which I gather has aspirations for Boxpark as a Hackney initiative that could be rolled out. I have masses of correspondence with BP and Hackney and feel it will be completely unreasonable not to address the clearly identified issues before granting event licences to the site.

This really is a very long story and may be better to have a few words on the phone, rather than forward you loads of email strings. Just let me know when it's convenient to talk.

██████████

On 13 Jun 2012, at 6:56 pm, ██████████ wrote:

Hi ██████████

I have been informed of licence premises application for Box Park on Bethnal Green Road.

Please see attached and let me know if you have any concerns here for your TRA.

Thanks,

John

Cllr John Pierce
Labour Councillor for Weavers Ward
London Borough of Tower Hamlets

Direct line: 07772710080
Twitter: @jfpierce
Website: www.towerhamlets.labour.co.uk
Email: john.pierce@towerhamlets.gov.uk

c/o Councillor Support Office
Town Hall
Mulberry Place
5 Clove Crescent
London E14 2BG

Working Together for a Better Tower Hamlets
Web site : <http://www.towerhamlets.gov.uk>

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Chair, Jago Action Group

Mike Smith

From: [REDACTED]
Sent: 05 June 2017 17:57
To: Caroline Selman (Cllr)
Cc: [REDACTED]
Subject: Fwd: Boxpark| Local Community

Begin forwarded message:

From: [REDACTED]
Subject: Re: Boxpark| Local Community
Date: 12 April 2012 at 19:13:21 BST
To: [REDACTED]
[REDACTED]
[REDACTED]

Actually, six of the darn boxes are in LBTH according to LBTH licensing people, which is why we need a neighbourhood forum that crosses darn Boundaries.

[REDACTED]

PS: August 24 in diary... plenty to do if you don't like surfing!

On 12 Apr 2012, at 6:56 pm, [REDACTED] wrote:

Here's the number for Tower Hamlets: 020 7364 7070

Note, it only operates between 2000 and 0300, Thursday to Sunday, so not much use for Tuesday night parties!

Here's the number for daytime complaints: 020 7364 5007

However, the whole of the Boxpark lies within Hackney, so it wouldn't surprise me if TH says not our patch, not our problem

Contact details for Hackney are:

Pollution Control

PO Box 70210

E8 9FB

Opening Times

Mon - Wed: 8am - 8pm,

Thur: 8am - 2pm,

Fri morning 8am - 5am Sat morning,

Sat: 9pm - 5am Sun morning,

Sun: 6:30pm - 2am Mon morning.

Email: pollutionsupport@hackney.gov.uk

Tel: 020 8356 4455

Fax: 020 8356 4980

Or there's an online form here: <http://hackney.gov.uk/ee-pollution-noise-412.htm>

Interesting there is no cover on Thursday nights given it is the new Friday, but one shouldn't be surprised I guess

I would forward Marcus' email to our Goodsyard contacts: its their reputation/community goodwill that's being trashed by Boxpark's tenants so it's in their interest to be informed as to what is taking place on their land.

Fight the power!

B

From: [REDACTED]
Subject: Fwd: Boxpark| Local Community
Date: Thu, 12 Apr 2012 18:41:39 +0100
CC: [REDACTED]
[REDACTED]
[REDACTED]

Hi [REDACTED]

Can you let me have the specific telephone numbers at LBH and LBTH, to call re Boxpark noise complaints? Their websites offer various numbers. If you know which one works, we should put them on the Facebook page, so everybody knows who to call. Important to log complaints and get numbers, in the event Boxpark applies to extend trading hours.

Thanks, [REDACTED]

Begin forwarded message:

From: [REDACTED]
Date: 12 April 2012 6:30:50 pm GMT+01:00
To: [REDACTED]
Subject: Re: Boxpark| Local Community

Hi [REDACTED]

Thanks for the forwarded messages, would you have a number for Tower Hamlets or Hackney that I should call? There seems to be reference numbers below for the councils but not phone numbers.

I called Agee from Boxpark PR and she says the music will stop at 8pm. Apparently, they have some license that allows them to play the music at this level. I still think the noise level is too loud and the council should re-evaluate their license.

Thanks again, [REDACTED]

On Thu, Apr 12, 2012 at 6:17 PM, [REDACTED]
[REDACTED]

See info below, re how to register a complaint re Boxpark operations.

their borough but after some insisting I got them to register) it but as yet

I have heard nothing from either and the music continues.

The more the weather the more Boxpark think they can get away with creating a party atmosphere to the suffrage of local residents and I think they are just accepting the fact that they will have a few complaints, but by the time the 'events' which we all know are marketing exercises are over they have succeeded in their promotion.

gotta run...

██████████

On 29 Mar 2012, at 00:15, ██████████ wrote:

Hi M ██████████

Re my message earlier today, there's a meeting with BoxPark's ██████████

tomorrow Thursday at 1pm and it might be productive if you could come along.

I spoke to ██████████ in response to her mail (below) and said not much chance of

realising their ambition, since I had got back this week (been away) to

nothing but complaints about operation of BoxPark.

I did speak at length to both LBTH and LBH after the last JAG meeting, and

apologies not to have fed back. They both said no operation outside the

planning application hours (ie, sale of booze). So how come the racket last

week? ██████████ said it was the ██████████ opening and they had not told BoxPark their

plans. I tend to go for cock-up rather than conspiracy theory, and it's not

hard to imagine that some lawyer in an HQ someplace read the lease before

signing it, but nobody told the marketing manager (and no doubt Nike think

they are a law unto themselves).

Many thanks Rebecca - look forward to hearing from you,

Warm regards,

[REDACTED]

--

[REDACTED]
[REDACTED]
[REDACTED]
[REDACTED]
[REDACTED]
[REDACTED]
[REDACTED]
[REDACTED]
[REDACTED]
[REDACTED]
[REDACTED]
[REDACTED]

—

WWW.BOXPARK.CO.UK
WWW.FACEBOOK.CO.UK
WWW.TWITTER.COM/BOXPARK

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[REDACTED]
[REDACTED]

[REDACTED]
[REDACTED]
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[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED] [com](#)

Mike Smith

From: [REDACTED]
Sent: 05 June 2017 17:53
To: Caroline Selman (Cllr)
Cc: [REDACTED]
Subject: Fwd: Boxpark, Bethnal Green Rd - Saturday 3rd December

Begin forwarded message:

From: [REDACTED]
Subject: Boxpark, Bethnal Green Rd - Saturday 3rd December
Date: 3 December 2011 at 14:06:00 GMT
To: environmentalhealth@towerhamlets.gov.uk

Apparently Tower Hamlets Council have given permission for this loud Disco event today. This is an outrageous abuse of your powers as this noise has effectively ruined many peoples lives this weekend.

Not only was this event not party to local consultation before you handed out this permission , but it was for a purely commercial event.

Having spoken with the police, they informed me that the organisers had expected 1000 people... I witnessed about 30 people at 1.45 pm

clearly the level of noise was utterly inappropriate for the event.

The ineptitude of the management of this license is beyond belief and one must wonder to whom this Council truly serves.

Yours sincerely

[REDACTED]
[REDACTED]
[REDACTED]
[REDACTED]

PS... Not only is your noise office closed for complaints but you do not even have an answering machine which would clearly put off many from writing letters to as I have. One would have to seriously consider this a clever way to reduce what would normally be a barrage of complaints over matters like this where the Council has sanctioned such breaches of the environment.

Mike Smith

From: [REDACTED]
Sent: 05 June 2017 17:50
To: Caroline Selman (Cllr)
Cc: [REDACTED]
Subject: Boxpark - Additional local complaints over the years

Dear Councillor Selman,

I am writing to you to add further information regarding the ongoing nightmare which has been Boxpark since they arrived in our neighbourhood in 2011. I will do this by now forwarding you only a selection of the kind of complaints and email trails that clearly demonstrates the ongoing issues arising from Boxpark and its owner.

Many of the problems has been the fact that Boxpark effectively straddles both Hackney and Tower Hamlets and this has lead to an exasperating lack of joined up problem solving which the administration has exploited.

I think you find sufficient evidence in the emails trails I will be sending for you reach the conclusion that this operation has been a disaster for our neighbourhood.

I look forward to attending the hearing tomorrow.

Regards

[REDACTED]

Begin forwarded message:

From: [REDACTED]
Subject: Fwd: Noise pollution in Shoreditch
Date: 23 May 2017 at 15:24:45 BST
To: [REDACTED]

Here's the most recent response from Cllr Selman.

this e-mail sent via mobile phone

Begin forwarded message:

From: "Caroline Selman (Cllr)" <Caroline.Selman@Hackney.gov.uk>
Date: 22 May 2017 at 10:41:02 BST
To: [REDACTED]
[REDACTED]
[REDACTED]
Subject: RE: Noise pollution in Shoreditch

All

Many thanks for the further emails on this.

I am following up with officers on the points raised below and will get back to you as soon as possible.

From: [REDACTED]
Sent: 19 May 2017 17:21
To: Caroline Selman (Cllr)
Cc: [REDACTED]
Subject: Re: Noise pollution in Shoreditch

Dear Cllr Caroline Selman

Thank you for your e-mail.

I have copied in colleagues from local residents associations (SCA and JAG) some of whose members have also complained about Boxpark and some of whose members live in Tower Hamlets.

I'm not sure where the information comes from that no one in Tower Hamlets has complained about Boxpark as this is simply not true.

The crux of the problem for local residents is that the subjective opinion about what constitutes a statutory noise nuisance is a wholly ineffective method for determining noise nuisance.

We have been continually disturbed by noise pollution from Boxpark ever since they opened. I have a 5 year old child and his entire young life has been blighted by noise pollution as this venue has regularly disrupted his sleep.

So, if disturbing the sleep of young children in nearby residential buildings does not amount to a statutory noise nuisance then what in God's name does?

I've lived in Shoreditch 30 years so it's not as if I've knowingly moved into an area full of bars and clubs. It is the bars and clubs who moved into an area where I and many other residents already lived.

I've owned several recording studios over the years and fully understand the laws of acoustics and the effect of low frequency sound waves travelling at greater distances and passing through walls and windows with greater ease than say the short and medium frequency waves of traffic and human conversation and crowd noise etc.

I've even spent over £15,000 double and triple-glazing my building over the past couple of years and yet this still does not keep the low frequency noise pollution from the Boxpark sound system out of our bedrooms.

Upon its launch Boxpark promised the local community that it would be a high end retail outlet with no alcohol licenses at all. Sadly, it didn't take long for the owners to renege on this promise and apply for alcohol licenses for virtually all of the outlets in the upper floor and then install loudspeakers that began blasting the neighbourhood. The venue was soon dubbed

'Boozepark' by the local community.

I'm not sure if you are aware of this but Boxpark has been closed for renovations throughout May. The difference in general noise pollution that the temporary closure of this venue has made has been quite breathtaking. Our child has been sleeping as a 5 year old child should sleep and we've all been far more relaxed and rested.

But, disturbingly, there are plans now well underway to turn Boxpark into a 500 person open air bar / club. As you may be aware, there is a licensing hearing in early June to determine if permission will be granted.

Hopefully the Council will take this opportunity to finally grasp the nettle and attach meaningful conditions to this venue. In terms of noise conditions we would be happier to see something similar to the recent noise conditions attached to The White Horse, 64 Shoreditch High Street, E1 6JJ at its recent licensing hearing. The most important sentence in these new noise conditions is "The sound limiting device must be recalibrated annually to ensure that the music is inaudible in nearby residential premises."

* All music systems shall be routed through a sound limiting device. The limiting device(s) should be set to ensure inaudibility in all nearby residential premises. The device shall be controlled by the licensee/management and kept in a locked, tamper-proof box. The sound limiting device must be recalibrated annually to ensure that the music is inaudible in nearby residential premises. A certificate of compliance should be submitted to the council's Environmental Health/Protection Team.

This would then remove the utterly nonsensical subjective opinion about whether or not keeping a 5 year old up all night crying is a statutory noise nuisance and make it very clear, once and for all, to Boxpark's management and staff that their sound systems must be inaudible in nearby residential premises.

Is this really too much to ask? Residents can then get on with their lives and enjoy the amenity of their homes whilst Boxpark can get on with it's business of entertaining it's customers without ruining the lives of nearby local residents.

So far I have been completely underwhelmed by the performance of Hackney Council when dealing with the wholly legitimate concern of local residents who pay their Council Tax about the growing noise pollution problem in Shoreditch. The impression given is that Hackney Council is so in thrall to the night time economy that it is prepared to sacrifice the well being of its own residents.

Can you please try to help us local residents by proposing to the Licensing Department something along the lines what I have suggested above? Ask them to start taking our legitimate concerns about the rising tide of noise pollution more seriously and start to attach strong and meaningful noise conditions to licenses in this regard.

Yours hopefully,

[REDACTED]
[REDACTED]

On 19 May 2017, at 16:08, Caroline Selman (Cllr)
<Caroline.Selman@Hackney.gov.uk<<mailto:Caroline.Selman@Hackney.gov.uk>>> wrote:

Dear [REDACTED]

Noise pollution in Shoreditch

Thank you for your emails to the Mayor and Cllr Demirci regarding the above matter, which have been passed to me to respond to as the lead member with responsibility for enforcement. Your email to Meg Hillier MP was also passed on to me. I was sorry to hear of your concerns, and apologise for the delay in responding.

In your emails, you raised concerns in relation to loud music at Boxpark, 2-10 Bethnal Green Road, close to the junction of Shoreditch High Street. Specifically:

1. You are regularly being disturbed by amplified music and feel that the Council's Environmental Protection Team has not dealt with this issue effectively.
2. The Council's Licensing Team are not effectively controlling the noise from premises within the Shoreditch area.

I will deal with each point separately as follows:

Council's Environmental Protection Team has not dealt with the noise nuisance issue effectively.

I have been provided with the following information in relation to the Council's interaction with you regarding noise nuisance arising from Boxpark.

An initial complaint was made by you on 31 May 2012 to the then service manager, Paulette Samuels, regarding loud music from Boxpark. Ms Samuels responded to your email by assuring you that your case would be investigated and the ward officer would be asked to monitor the premises.

On 26 June 2012, an Environmental Protection Officer telephoned you to arrange a visit in response to your complaint. You informed the officer that the noise had ceased and a visit would not be required.

In 2013, ten complaints were received from you and logged with the noise service. On three occasions the Environmental Protection Officer requested to visit you, but you informed them that music had ceased or the level had gone

down.

In order for the officers to witness what you had been experiencing it was necessary to visit and to assess the noise from your property. Environmental Protection Officers arranged two proactive visits, but on both occasions, no statutory nuisance was witnessed.

Subsequently, a warning letter was sent to the management of Boxpark on 8 October 2013 to call their attention to the complaints the Council had been receiving and the possible enforcement action that would be taken if statutory nuisance was witnessed.

I note that in 2013, three site visits were carried out by the Environmental Protection Officers to Boxpark to assess the noise level from the façade. The officers did not establish any concerns with regards to the level of noise emanating from the premises and did not witness any excessively loud music which could amount to a statutory nuisance in your property.

On 7 October 2013, Environmental Protection Officers spoke to the manager of Boxpark, [REDACTED], about the complaints received. Environmental Protection Officers also liaised with a noise officer in the London Borough of Tower Hamlets on 10 September 2013 to enquire if any of their residents had also complained about loud music from Boxpark. The Officers were informed that no such complaints were made by any of the residents of Tower Hamlets.

Again on 4 July 2014, a warning letter was sent to the licensee of Boxpark calling their attention to the complaints and possible action that would be taken when a statutory nuisance is witnessed.

In 2014, I have been advised that you logged five complaints. One of the complaints was received and logged on 13 November 2014 at 20:28 hrs and an Environmental Protection Officer telephoned you to arrange a visit, but your phone rang several times and went to voicemail. The officer left a voice message to let you know that they were in the area and were available to visit, but there was no response.

Between 26 February 2015 and 25 February 2016, you made three further complaints. On one occasion officers were unable to visit as they were dealing with other complaints. However, on 25 February 2016 an Environmental Protection Officer visited you to make an assessment of the existence of a statutory nuisance and the officer concluded that the levels of noise witnessed from your property did not amount to a statutory nuisance.

Between 31 March 2016 and 15 December 2016, you raised twelve complaints with the noise team. An Environmental Protection Officer carried out an impromptu visit to the premises to discuss complaints and to advise some of the venues that were allegedly playing loud music.

On 11 August 2016 and 29 September 2016, officers from the noise team contacted you to visit your premises to assess the noise impact but officers were informed by you that the noise was no longer an issue on both occasions.

On 5 January 2017 and 17 March 2017 you made six complaints. On 9

February 2017, Environmental Protection Officers visited you at 19:48 hours in response to a noise complaint reported by you at 19:23 to assess for noise level. The officers stated that no music was heard in your property.

On 23 February 2017, an officer from the Noise team telephoned you 13 minutes after you logged a noise complaint with the Out of Hours service, the call went to voicemail and voice messages were left requesting that you call back if music was still causing a disturbance. You called the Out of Hours team back 25 minutes later to inform them that the noise had stopped.

On 14 March 2017, warning letters were sent to the two management companies responsible for Boxpark: Camden Management UK Ltd and Boxpark Ltd calling their attention to the complaints that the Council has received and to remind them about resultant enforcement action in the event of statutory nuisance being established.

The Environmental Protection Officer arranged to meet up with the general manager of Boxpark, [REDACTED], on 28 March 2017 about the complaints of loud music emanating from Boxpark; during this meeting further measures necessary to mitigate the disturbance from playing amplified music were explored. I understand that as a result of this meeting the following was agreed with the general manager: to remind all the responsible person(s) for the units in Boxpark not to play loud music; to stop live music on Sundays; to take noise measurement at regular intervals a metre from the façade of Mr Johnson's property and near Boxpark premises.

In taking these steps forward, the general manager has confirmed that the duty manager now walks round the premises to ensure music played at the units within Boxpark is at background level, and that they now stopped live music events on Sundays. Furthermore, Boxpark have confirmed that they have been taking regular noise measurement at the façade of your home on Thursdays and that these measurements have been logged. I understand the Council's Licensing team have since contacted the general manager and asked that regular measurements are taken and logged each time the premises is opened to public, and not just on Thursdays.

Officers have explained that they are currently unable to confirm whether these measure have had much affect, and advised me that they received several complaints of noise nuisance on both 13 and 30 April. However, I have been told that the Environmental Protection Officers on duty were unable to assess these complaints because, although residents were quickly contacted and further details and addresses requested, this information was not forthcoming.

From the chronology above, it is clear that you have raised concerns about noise from Boxpark for many years. Hackney Council will always investigate complaints received about noise. In the meantime, in relation to late night noise, the out of hours noise service operates between the hours of 18:00 to 21:00 on Thursdays and Sundays; 21:00 to 05:00 on Fridays and Saturdays. During times of increased demand, especially at weekends it may be difficult for members of the public to get through to an operator. If you have experienced this difficulty then you may wish to complete the noise report form at www.hackney.gov.uk/noise or email

pollutionsupport@hackney.gov.uk<<mailto:pollutionsupport@hackney.gov.uk>>. When a complaint is received the attending Officers will call you back using the contact information provided to arrange a visit. This is necessary to assess the alleged nuisance and gather any evidence for future informal or formal actions by the Environmental Protection Team. If Officers are unable to visit and carry out an assessment it limits the options available to address the complaint.

Where the Council is able to demonstrate a statutory noise nuisance, enforcement action can be taken. However, where the statutory thresholds aren't met, options are more limited. The Council will, however, as has been the case here, continue to work with licensees to find a solution – for example, most recently in this case, arranging for live music events not to be held on Sundays. I can understand your frustration at the noise you are continuing to experience. However, as is hopefully clear from the above, officers are continuing to engage with Boxpark to mitigate the impact.

You are advised to continue contacting the Council's Out of Hours Service and the ward officer if the noise levels are louder than previously witnessed by the Environmental Protection Officers at Boxpark and every effort will be made to take appropriate action.

The Council's Licensing Team is not effectively controlling the noise from premises within the Shoreditch area.

Planning records show that the original permission for the Boxpark site (ref: 2011/0255 granted 26/05/2011) allowed a maximum of 12 of the 55 recycled shipping containers to be used for A3 restaurant uses. However, on 22 April 2013, permission was granted to increase the maximum number of A3 restaurant uses from 12 to 16. This subsequently resulted in a number of new licence applications and an increase in the overall number of units where alcohol could be sold.

In relation to live music, Officers in Licensing and Technical Support advised that the premises licence (ref: LBH-PRE-T-1312) authorises live music on the first floor decked area as follows:

- Thursday: 18:00 to 21:00
- Sunday: 13:00 to 16:00
- Bank Holidays: 13:00 to 21:00

This licence was granted on 19 July 2012. However, on 1 October 2012, the Live Music Act 2012 took effect. This removed the need for a licence for performances of amplified live music between the hours of 8am and 11pm where the audience size was limited to 200. This also meant that any conditions in relation to live music attached to existing licences no longer had effect, as none of the licences authorise activity beyond 23:00. However, the exemptions can be removed by a licensing authority following a review of the licences.

While I understand the Council did receive one complaint from you about noise from Boxpark after 23:00 hours on 15 June 2013 and that unfortunately no further action was taken by Out of Hours team, I am advised that this is the

only post-23:00 hours complaint you have made in relation to Boxpark and that the further complaints were concerned with music from Village Underground, 180-184 Shoreditch High Street and buskers under the railway bridge near Boxpark.

While I understand the Council has received many complaints about noise nuisance from Boxpark, I hope that the action taken in relation to monitoring the level of music from individual premises and stopping live music on Sundays will go some way to improving the situation for you.

I hope that this response reflects the efforts made to tackle the problems you have been experiencing and that further work will help to improve the situation for you and other residents. If you have any further queries, please do not hesitate to contact me or Assistant Director for Planning and Regulatory Services, Cathy Gallagher, by email: cathy.gallagher@hackney.gov.uk<<mailto:cathy.gallagher@hackney.gov.uk>>. Of course in the event of an ongoing noise problem please continue to contact the Noise service on 020 8356 4455.

Yours sincerely

Cllr Caroline Selman
Cabinet member for Community Safety and Enforcement

To:

[REDACTED]

Ref: MO17-0307-14278

Cc: Cllr Demirci, Cllr Adams, Cllr Ebbutt

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Mike Smith

From: [REDACTED]
Sent: 06 June 2017 09:55
To: Caroline Selman (Cllr)
Cc: [REDACTED]
Subject: Fwd: WK/201601356 - Boxpark, 2-4 Bethnal Green Road, E1 6JE

Begin forwarded message:

From: Claire Farquhar <Claire.Farquhar@Hackney.gov.uk>
Subject: WK/201601356 - Boxpark, 2-4 Bethnal Green Road, E1 6JE
Date: 16 March 2016 at 14:54:24 GMT
To: [REDACTED]

Dear [REDACTED],

Thank you for your recent noise report of the 13th March.

Please be advised that your report has been received, logged under our reference **WK/201601356** and has been referred to the ward officer for your area who will contact you as soon as they are able.

Hopefully it will not be necessary, but if you need to report further noise nuisance or provide further information regarding the same address, please either ring **020 8356 4455** or email pollutionsupport@hackney.gov.uk quoting **WK/201601356 - Boxpark, 2-4 Bethnal Green Road, E1 6JE**.

As officer resources are limited, in order to maximise the likelihood of an out of hours officer visit being made to investigate the nuisance you are reporting, it is advisable to report the nuisance as early as possible once it recurs and to ensure that you are able to respond to subsequent phone calls made to establish whether or not the nuisance is ongoing.

Please note that, with the exception of Bank Holiday periods, the noise reporting service is usually staffed via the Hackney Service Centre from 9am to 5pm Mondays to Fridays, with additional out of hours staffing

from **6.30pm until 2am the following morning on Thursday and Sunday nights** and

from **9pm until 5am the following morning on Friday and Saturday nights**.

Kind regards,

Claire Farquhar
Community Safety Investigations Officer

London Borough of Hackney
Safer Communities Services
2nd Floor, Maurice Bishop House
17 Reading Lane
Hackney E8 1HH

Email: claire.farquhar@hackney.gov.uk

From: eforms
Sent: 13 March 2016 16:46
To: Pollution Support
Subject: Report Noise or Pollution Reference: 858540



London Borough of Hackney Council

Report Noise or Pollution

Persons Details

I am :Other

If you selected Other, please specify:Tower Hamlets

Title : [REDACTED]

First name: [REDACTED]

Last name : L [REDACTED]

Post Code : [REDACTED]

Premise No :

Street Name :

Town :

Area:

Telephone Number [REDACTED]

Email Address [REDACTED]

Occupancy Status:Homeowner

Name of Housing association or leaseholder/ managing agent, if applicable :

Have you contacted us about pollution or noise before:

If yes, do you have a WK reference:

Type of problem:Noise pollution

Where is the problem coming from:Boxpark , by the Shoreditch High St Tube Station

What is the nature of the problem:This weekend is the last straw . Somehow Hackney have given permission for Loud music events at this venue. Until 4 pm this sunday afternoon we were subjected to a continuous barrage of amplified music and shouting. This has been going on for many months and we have had enough. We cannot open our window or sit outside without this major disturbance and we are asking that this license be revoked as it is causing an ongoing repeated problem every Sunday after noon and Thursday evening in this neighbourhood.

Is the problem happening now: N

Date of problem :13.03.2016

Time of Problem : afternoon

Kind Regards
Hackney Council

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Mike Smith

From: [REDACTED]
Sent: 06 June 2017 09:47
To: Caroline Selman (Cllr)
Cc: [REDACTED]
Subject: Fwd: BoxPark Premises Licence Application

Begin forwarded message:

From: [REDACTED]
Subject: Re: BoxPark Premises Licence Application
Date: 2 June 2015 at 03:24:39 BST
To: [REDACTED]

Dear [REDACTED]

Thank you for your e-mail. This response was inevitably delayed as a result of your colleague's letter of 29th April. However, I understand your client has agreed to a meeting (although no date has yet been finalised); this reply therefore: (a) sets out our understanding of the position, in the light of your responses to the initial questions; (b) outlines our views.

Taking the questions in the same order as before, the position seems to be as follows.

1. The application is for a new licence and would not replace any part of the existing licenses held by tenants. (However, it might replace the licence for Cotton's patrons to drink outside boxes 46-49. Is this correct?)
2. The application is for a licence that would permit new bars to open on the communal open areas on the first floor, and permit the sale of alcohol in these areas. (At present alcohol has to be sold from one of the tenants' 'boxes', with the possible exception of the Cotton's concession.)
3. The application is for a licence that would permit the sale of alcohol without conditions such as that the sale should accompany a substantial meal; this condition, albeit widely ignored, applies to the majority of tenants with premises licenses.
4. An effective 9.30 drinking up time would be earlier than the current 22.45 (Mon-Sat) and 22.30 (ditto) applied to Cotton's patrons and Chop'd. However, as you say one has to judge the balance between this benefit and the disadvantage - as we see it - of allowing more patrons, not just from those tenants, to consume alcohol without a meal. Much of the negative impact on the neighbourhood arises from people who have come to drink at a venue, not those who have come out for a meal.
5. Any new licence would permit the performance of live music up to 9pm on all the open areas on the first floor.

6. The application has been restricted to the four open areas on the first floor.

If any of this is incorrect please say so.

On the basis described above, given the common wish to make improvements, the application is disappointing. One key area in which progress is needed is to reduce the problem of noise from the premises at 2-10 Bethnal Green Road. The other is to reduce the contribution these premises make to the cumulative impact on the neighbourhood arising from the behaviour of groups of inebriated individuals. Our hope was that the enforcement action taken by the Hackney licensing team, and the subsequent departure of a number of tenants, would contribute to the latter. Several recent applicants for licenses have also promised the licensing committee they would contribute to changing the culture, although regrettably some tenants continue to try and evade their license conditions by for example offering only small bowls of chips with alcohol.

The application unfortunately appears to tackle neither issue. Instead, in a nutshell, it seems to be an application to establish four additional open-air bars with the right to play live music until 9pm every day.

From a JAG perspective, establishing a noisy open-air bar on the decking at the east end of the site would be especially unwelcome. The Sunday afternoon 'busks' are a major problem, give the inherent unsuitability of the site for loud 'music', and I am confident our members will remain deeply opposed to extending this problem until later and seven days a week. Any bar in this location closest to the Overground station would also be most likely to attract the groups who will then leave inebriated.

The east-central decking raise the same issues, albeit less strongly as there is some plastic sheeting over the deck area and sound is projected onto the Tea-building opposite as well as across the residential areas. Its also a little less obvious from the Overground station.

The west-central decking is the area in which there is the trade off you mention, given the extant licence benefitting Cotton's patrons. In addition to the issues raised above, this amounts to a trade off between the commercial interests of those managing the premises at 2-10 Bethnal Green Road and those operating Cottons. It is not part of JAG's role to intervene in such commercial disputes.

The westernmost open decking currently includes a stand-alone bar operated by Chop'd. This is unlikely to be consistent with their licence. The issues are almost the same at the eastern end, except that it's furthest from the station but nearest to the bars in the Shoreditch triangle. However, I defer to the views of our friends in the Shoreditch Community Association, as their members are more affected than ours.

We finally note that to lawfully open new bars, planning permission would be needed from Tower Hamlets (in the case of the easternmost area) and from Hackney (in the case of the other three). Neither authority has given permission for A4 use. We are also aware that Hackney has already opened an enforcement case.

regards,

██████████
██████████
██████████
████████████████████

On 27 Apr 2015, at 09:30, [REDACTED] wrote:

Dear [REDACTED]

Sorry for the delay in getting this response to you.

Boxpark has engaged with the authorities on licensing matters since opening in 2011. Throughout this engagement, the authorities have raised various concerns that Boxpark has addressed as things moved forward. One recurring issue that has come to the fore in recent times is that, when customers of the various units congregate in the communal areas, monitoring and enforcement of the individual licenses becomes very difficult.

The authorities have asked on a number of occasions for Boxpark to adopt a single Premises Licence for the whole site. For the landlord of a retail development such as Boxpark, or even any high-street, to assume responsibility for sales of alcohol made within individual premises would be impractical and from an operational point of view, impossible to regulate. Further, requiring all Premises Licence holders at Boxpark to surrender their existing licences would be beyond Boxpark's authority as a landlord. However, Boxpark management appreciate that the promotion of the licensing objectives requires a balancing of the rights and obligations of all involved. It is true that some of the existing premises licences at Boxpark require alcohol to be sold as an ancillary to a meal. It is also true that some of the premises licences allow alcohol to be sold without a meal. For that reason, we have chosen to focus on controlling the sale of alcohol in the more sensitive areas of the premises, the 'outside' or 'decking' areas. In addition to providing a single point of responsibility, we have reduced the terminal hour for the sale of alcohol for consumption in the external areas (all 4 decking areas on the first floor) to 9pm and added a prohibition on the consumption of alcohol in those areas after 9.30pm.

You ask in your email of 7 April 2015 for an explanation of how much this application will reduce the hours for licensable activity at Boxpark. Currently, customers can buy alcohol without a meal from 3 locations within Boxpark. The decking area outside of units 46, 47, 48, and 49 benefits from a licence that allows the sale of alcohol without a meal until 10.45pm Monday to Saturday and 9.45pm Sunday. This licence also allows the performance of live music up until 11pm due to the provisions of the Live Music Act 2012. The other 2 units that can sell alcohol without a meal face onto the West decking area. The unit currently known as the Chicken Box benefits from a licence to sell alcohol without a meal until 8pm 7 days a week. The unit known as Chop'd can sell alcohol without a meal up to 10.30pm Monday to Saturday and 9.30 Sunday. Please note that the Premises Licence for Chop'd contains a requirement that the primary purpose of the business remains that of a gourmet salad bar; this does not require alcohol to be sold only with salad.

As you may know, the consumption of alcohol is not a licensable activity but Boxpark shuts its decking areas at 11pm, effectively ending the consumption of alcohol on the premises at that time.

What we have attempted to do with this application is provide the authorities with a single point of responsibility for the control of the decking areas. We appreciate that this application would allow those operators whose current licences require alcohol sales to be ancillary to meals to sell alcohol without a meal if they so chose, were we to authorise such a sale. However, given that several operators can already do just that, there will be little if any impact on the overall operation. Of far greater impact will be the reduced terminal hour. This will close the first floor of Boxpark by 9.30pm to all customers other than those eating food or drinking soft drinks, reducing any

risk of noise nuisance in the more sensitive evening hours while also removing the potential for customers to use Boxpark as a pre-loading venue prior to moving on to the nightclubs within the Special Policy Area. We would suggest that these benefits far outweigh the effect of allowing some of the operators at Boxpark to sell alcohol without a meal, during restricted hours.

For your detailed consideration, I have attached a copy of the application along with the original proposed conditions. Since lodging the application, the applicant has discussed the matter further with the authorities and has proposed 2 additional conditions and a revised set of operational policies, attached. Further, the application has been limited to only the first floor of Boxpark.

Should you have any further questions or require additional information please let me know.

[REDACTED]
[REDACTED]
[REDACTED]

7 Queen Square
Bristol BS1 4JE

Milner House
14 Manchester Square
London W1U 3PP

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<image002.jpg>

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From: [REDACTED]
Sent: 20 April 2015 10:52
To: Marcus Lavell
Cc: [REDACTED] Darren Reilly
Subject: Re: BoxPark Premises Licence Application

Dear [REDACTED],

Unfortunately we have not heard from you.

The Jago Action Group had therefore put in a letter of objection/comment to meet the licensing authority's deadline for comments.

kind regards,

██████████

██████████████████

██████████████████████████

██████████████████████████

██

On 10 Apr 2015, at 14:10, Marcus Lavell
<marcus.lavell@gregglatchams.com> wrote:

Dear ██████████

Thank you for your email.

The applicant has recently met with the police and licensing service to discuss the BoxPark application. I will incorporate the outcome of this meeting into my answer to your email but I am afraid this will delay my full response until Monday. I apologise for any inconvenience this may cause but feel that a full, up to date response, would be of benefit in this matter.

Kind regards

██████████████████

Barrister
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<image003.jpg>

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From: [REDACTED]
Sent: 07 April 2015 09:39
To: Marcus Lavell
Cc: [REDACTED] Darren Reilly
Subject: Re: BoxPark Premises Licence Application

Dear Mr [REDACTED]

Thank you for informing the Jago Action Group (JAG) about your client's plans for the future licensing of Boxpark. We are pleased that you acknowledge improvement is needed and we have considered the plans outlined in your e-mail, in consultation with our friends in the Shoreditch Community Association (SCA).

To help us understand whether and how far it would represent an improvement, we should be most grateful for a sight of your detailed application for a new licence and for a response especially to the following points.

1. Can you confirm the new licence, if granted, would replace the existing multiple licences for the communal open areas? That seems to be the implication of your proposals, as otherwise Boxpark would not be the single point of accountability for drinking in the open areas, but we would welcome specific confirmation that the existing licensees will be giving up this aspect of their licences.
2. Can you confirm that all alcohol sales within the Boxpark would continue to be by the existing licensees (i.e. from within their 'boxes') under their existing license conditions (which in most cases are that the alcohol must accompany a substantial meal)? Ie Boxpark will not be adding more bars under the new licence.
3. Can you confirm the new licence would incorporate the existing conditions, so that in particular that if someone bought a drink from a licensee with a 'substantial meal' condition then under the new licence Boxpark would be responsible if they brought it out onto one of the licensed common open areas.
3. Please explain by how much a 9pm 'last orders' and 9.30pm closing time would represent an improvement on the existing position. Is this significantly earlier than the existing licenses permit drinking in the communal areas? If so, we would welcome that.
4. Can you confirm the new licence, if granted, would not permit recorded or live music to be played in any of the common open areas. As you may know, noise from the open areas has been an ongoing problem.

5. Can you confirm that the 'common open areas' referred to in your e-mail, where outside drinking would continue, are the two open areas on the top deck, essentially between units 42-57. These are opposite the commercial Tea-building and not as close to family homes and other residential property.

Thank you.

[REDACTED]
[REDACTED]
[REDACTED]
[REDACTED]

On 24 Mar 2015, at 19:48, [REDACTED] wrote:

Begin forwarded message:

From: Marcus Lavell <marcus.lavell@gregglatchams.com>
Subject: BoxPark Premises Licence Application
Date: 24 March 2015 5:54:27 pm GMT
To: [REDACTED]

[REDACTED]
[REDACTED]
[REDACTED]

Dear [REDACTED]

[REDACTED] has asked me to write to you, setting out our proposals for the future of licensing at BoxPark.

We have spent a considerable time in consultation with Hackney Council and the Police. These discussions have related to the promotion of the Licensing Objectives at BoxPark under the current set up and how we can improve things moving forward.

At the moment, BoxPark is home to a number of licenced premises each containing a different operation; much like many high-streets up and down the country. Unlike those other locations, BoxPark also features a number of communal open areas in which food and drink purchased in any of the units can be consumed.

As you may know, the various licenced premises at BoxPark benefit from some very different Premises Licences. Some of the Licences require alcohol to be sold with a meal, others have no such stipulation. The Police raised the issue that it can be difficult to monitor any particular premises when the customers from all premises intermingle in BoxPark's communal open areas. Roger's solution to this is to put one

single Premises Licence in place, in BoxPark's name, covering sales of alcohol in the open areas. This would put the responsibility for promotion of the Licensing Objectives onto BoxPark and its staff, providing the authorities with a single point of accountability. This would not prevent the individual operators from selling alcohol within their units under their existing Premises Licences but once a customer enters one of the outside areas, they become the responsibility of Boxpark. This would allow the Police to inspect each unit without the need to identify that unit's customers sitting outside. Rather, activity within the units would be down to the operators and outside the units would be down to BoxPark. Sales of alcohol under BoxPark's licence would still be conducted by the individual operators' staff but the responsibility for ensuring correct sales and security procedures are both in place and adhered to would be BoxPark's.

Further, the authorities raised their concern that it can be more difficult to prevent noise escape from customers drinking alcohol in the outside areas than customers doing the same within each unit. In order to address these concerns, Roger has proposed to cease the sale of alcohol under the new Premises Licence at 9pm and prohibit the consumption of alcohol within the outside areas after 9.30pm. This prohibition in the more sensitive evening hours, coupled with a single point of accountability for the behaviour of customers in the outside areas before 9.30pm provides considerably stronger safeguards than are currently in place. Please note that the prohibition on consumption will be enforced by BoxPark's own security team and violation of the prohibition will be a breach of the relevant operators' tenancy.

When we look back to the idea of a high street with a number of operators trading under different licences we can now see the benefit of those operators having a single landlord who has control of the relevant outside space. Roger's application for a new Premises Licence will take advantage of his position as landlord to all of the operators within BoxPark. It will put in place an easily identifiable chain of accountability and ensure a cessation of 'outside' alcohol consumption after 9.30 pm each day.

Please let me know if you have any question regarding the application or require further information.

Kind regards


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<image002.jpg>

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Mike Smith

From: [REDACTED]
Sent: 06 June 2017 09:44
To: Caroline Selman (Cllr)
Cc: [REDACTED]
Subject: Fwd: Boxpark: noise

Begin forwarded message:

From: [REDACTED]
Subject: Re: Boxpark: noise
Date: 17 May 2015 at 15:59:12 BST
To: Gurch Patti <Gurch.Patti@Hackney.gov.uk>
Cc: environmentalhealth@towerhamlets.gov.uk,
"Elzbieta.Wrecyzka@hackney.gov.uk" <Elzbieta.Wrecyzka@hackney.gov.uk>

Dear Gurch,

At around 3.15pm today, the noise levels from the 'square on the ground floor' at the east end of these premises were:

- on the opposite side, i.e. the north side, of Bethnal Green Road, averaging 88dB;
- from the pavement, behind the rear corner of the audience area on the same side of Bethnal Green Road as the premises, average 95dB.

These levels are, for example, above the level to which no worker can be exposed, under HSE guidance.

The premises at 2-4 (alternatively described as 2-10) Bethnal Green Road therefore seem to be clearly in breach of the relevant licence conditions, particularly paras 2 and 5 (together with 6&7) of annex 2 of licence LBH-PRE-T-1312.

As you know, this is a long running saga. We very much appreciate all you and others have done to enforce licence conditions on those operating within the premises and reduce the impact on the neighbourhood. Similar action over noise - as a licence condition - would be much appreciated.

kind regards,

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

On 5 May 2015, at 07:18, [REDACTED] wrote:

Dear Gurch and Elzbieta,

Further to this I can report as follows;

1. I was away the weekends of 11-12th, 18-19th and 25-26th April so am not aware if Boxpark were causing a nuisance at those times.

2. Sunday 3rd May was, I am pleased to say, not a problem. (I wondered if Boxpark were being more careful in the run up to the licensing committee next week.) However on Monday 4th May Boxpark were causing a noise nuisance again due to live and recorded music being broadcast from the open ground floor area at the east end of the site from about 1pm onwards. Although quieter than their normal Sunday and bank holiday open air concerts, at around 2pm I measured noise levels averaging 86dB and peaking at 97dB. These were measured from the opposite side of Bethnal Green Road. I used a sound meter app on my smartphone rather than professional monitoring equipment; nevertheless I understand the measured sound levels will be a reasonable indication of the problem.

The noise nuisance on Monday 4th therefore appears to be another breach of Boxpark's licence conditions. Please therefore log this as another complaint.

Although Boxpark's licence is issued by Hackney, I have learnt that the source of yesterday's noise nuisance was actually over the borough boundary in Tower Hamlets. (A small part of the premises are in TH.) I am therefore adding the TH environmental health team to the cc list.

kind regards,

[REDACTED]
[REDACTED]
[REDACTED]
[REDACTED]

On 7 Apr 2015, at 11:27, Maxwell Owusu Koduah
<MaxwellOwusu.Koduah@Hackney.gov.uk> wrote:

Hello [REDACTED]

Your complaint has been noted however I am no longer the case officer for Boxpark. The new officer is Ms Elzbieta Wrecyzka. Her contact details are:

Email: Elzbieta.Wrecyzka@hackney.gov.uk
Tel: 020 8356 5858

Please direct further complaints to her.

Thank you

Maxwell Owusu Koduah

From: [REDACTED]
Sent: 07 April 2015 09:52
To: Maxwell Owusu Koduah; Gurch Patti
Subject: Re: Boxpark: noise

Dear Maxwell and Gurch,

Its spring and, on the first warm weekend of the year, Boxpark were at it again. The noise on Sunday, and even more yesterday, afternoons was as loud and objectionable as ever.

Please log this as two more complaints.

Thank you.

[REDACTED]
[REDACTED]
[REDACTED]
[REDACTED]

On 21 Dec 2014, at 15:38, [REDACTED]
[REDACTED] wrote:

Dear Maxwell,

Boxpark is very noisy today, with live and recorded music from three of their open areas on the upper floor - the one at the east end of the site and the two in the middle.

It started about 1pm.

The music is so loud that a visitor to our apartment thought we had the radio on in our living room, whereas it is in fact the sound of boxpark through our double glazed, closed windows. It must be well in excess of what is permitted under their licence.

Robin.

[REDACTED]

[REDACTED]
[REDACTED]
[REDACTED]

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Mike Smith

From: [REDACTED]
Sent: 06 June 2017 09:42
To: Caroline Selman (Cllr)
Cc: [REDACTED]
Subject: Fwd: Boxpark reccie

On 11 May 2015, at 7:45 pm, [REDACTED] wrote:

Hi [REDACTED] -

I've just come back from a visit to the upper deck of Boxpark to get falafels.

I'm *pretty* sure that Falafelicious was serving beer to people who weren't buying food. When I asked the guy if I could also have a beer without buying food he got suspicious and told me I needed to get some food too. I bought a beer a few minutes later (Richie was buying food and he saw we were together) and he gave me a receipt that said was for food and he told me I could show this if I wanted more drink. Soon after he rushed over to one of the tables with a small plate of fries. (Maybe they had bought food - I certainly couldn't be 100% sure).

Back outside, Bulowski seemed to be serving beer without food (although again I could not be totally sure) - but beers were being brought over to people who had no evidence of having bought food - one long table had 25 people, all drinking beer with no-one with food in front of them.

The guys next to me told me they usually bought booze without food from the places at the east end of the upper deck. Their friend went along to Chop'ed (at the west end) and bought a bottle of booze without food and returned back to the other end with it. He absolutely did not buy any food. They told me this was the place where you could buy booze for certain without getting food. I went along to have a look at few people sitting outside Chop'ed had any food in front of them (I also understood that the licenses forbade people to travel along the top section with booze bought at another venue???). Interestingly, the same guys sitting next to me had brought their own booze up there with them and were quite openly drinking it.

So, despite reassurances I'd suggest that the licensed premises might be sailing very close to the wind (and might be using 'food' receipts to get round regulations and/or providing small (free?) plates of food to justify booze sales).

I'd be happy to do a more structured visit to see how many places sell me booze without food.

Happy days, W

Mike Smith

From: [REDACTED]
Sent: 06 June 2017 09:42
To: Caroline Selman (Cllr)
Cc: [REDACTED]
Subject: Fwd: Boxpark reccie

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I'd be happy to do a more structured visit to see how many places sell me booze without food.

Happy days, W

Mike Smith

From: [REDACTED]
Sent: 06 June 2017 09:39
To: Caroline Selman (Cllr)
Cc: [REDACTED]
Subject: Fwd: Boxpark Ltd (BOX11/2)
Attachments: Letter to Matt Johnson.pdf

Begin forwarded message:

From: [REDACTED]
Subject: Re: Boxpark Ltd (BOX11/2)
Date: 29 April 2015 at 17:47:46 BST
To: [REDACTED]

WITHOUT PREJUDICE

Dear [REDACTED]

Thank you for your threatening, if somewhat confusing, PDF letter.

Rather than troubling my lawyers with it - for now - I will send a simple reply myself.

As I live directly opposite the Boxpark site (with my young family) I believe I am probably a better judge than you are regarding the level of noise pollution generated from the site.

I can assure you it is significant - especially on Thursday evenings and Sunday afternoons. So much that our three year old son cannot get to sleep on a Thursday night until after the racket has subsided at approximately 9pm.

I own several recording studios and from time to time employ the best acoustic specialists in the UK. I can assure you this music pollution is **not** kept within the site perimeters of Boxpark. It is a semi-open public space, the noise travels in all directions, bouncing off the metal containers. The limiters are also set too high.

Yes, there have been countless complaints against the noise from Boxpark, though I suppose it depends how one may quantify countless, so for now, let us say there have been a significant number.

In fact, one of our long standing neighbours were even forced to sell their home and move because of it. I will be more than happy to make all of this public if that is the route your client is threatening to go down. It just so happens the people who were forced out by this noise are well known public figures. It will certainly generate plenty of publicity - though probably *not* of the type your client would find agreeable.

Boozepark? Yes, unfortunately the site does seem to have attracted this moniker. I only wish I could take credit for dreaming it up but I overheard some locals describing it as such. Call it humorous Cockney colloquialism, we *are* in the East End after all! I think this may have been because your client made promises to the local community at the very start of his venture about **not** applying for any licensed premises on Boxpark. It has since transpired that one shipping container after another has been licensed despite your client's disingenuous claims that it is not *really* Boxpark that is applying for all these alcohol licenses and so therefore it doesn't *really* count.

Here is what your client said in an e-mail to [REDACTED], a colleague at OPEN Shoreditch, on 31/03/11

On 31 Mar 2011, at 9:29 am, [REDACTED] wrote:

[REDACTED]

I had a quick update from Hammerson on the Open shoreditch meeting

Please note we have already formally changed our trading hours to the new agreed terms. We are also not applying for any license premises.

On this basis can you please confirm that you will be not objecting to our temporary planning application.

I look forward to your reply.

Rgds

[REDACTED]
[REDACTED]

[REDACTED]
[REDACTED]
[REDACTED]

address: 5 orange row, brighton, bn1 1uq, uk

So it seems your client says one thing and does another. As you may have noted from the quote above, we have kept meticulous files of all correspondence, complaints made, promises broken etc. Perhaps you should advise your client about 'fair comment' when it comes to throwing about threats of libel. I know a lot of people in Shoreditch who will be queueing up to back up what I say.

Planning applications? Which ones may they be I wonder? The restoration of a local, historic building? Yes, I plead guilty! As far as your client's attempt to draw a 'reasonable conclusion' that my activities are more to do with protecting my own 'commercial interests' than those of the community at large then I'm afraid your client just further reveals his woeful ignorance of Shoreditch in general and my connections to it in particular - which stretch back many, many generations.

You may also wish to note, for your files, that I am no longer involved in the running of the Shoreditch Community Association as I have passed this on to another team of people.

May I now respectfully suggest that instead of attempting to launder his public image by making futile legal threats against long standing, well-connected members of the Shoreditch community that your client instead save lawyers' fees and channel his considerable energies into something more useful i.e. trying to become a better neighbour by permanently reducing the noise pollution from Boxpark!

If he does this then all will be well for all concerned. The local residents can enjoy peaceful amenity in their own homes and he can run his businesses in peace.

Yours sincerely

[REDACTED]
[REDACTED]
[REDACTED]

On 29 Apr 2015, at 14:52, [REDACTED] > wrote:

Mr J [REDACTED] n

Please see attached.

Yours sincerely

[REDACTED]
Associate
Gregg Latchams Limited

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<Letter to [REDACTED]>

Our client has a number of other sites under consideration and these types of comments, when made public, clearly have the potential to cause our client serious damage and financial loss in that it could delay its planning and licencing applications and make it more difficult for it to obtain sites from commercial landlords or attract tenants.

We appreciate that the limitation period on the article published in the Hackney Gazette has now passed, but we are writing this letter to advise you that should those defamatory comments or similar ones be published again then our client is intent on perusing you for damages in libel.

Our client is well aware of your planning applications in relation to your own commercial property at 192 Shoreditch High Street. The conclusion that our client might reasonably draw is that your concerns are more to do with protecting your own commercial interests than those of the community at large who you purport to represent. This would suggest that your comments are not merely defamatory, but malicious which would give rise to a cause of action for malicious falsehood.

We would recommend that you desist from your malign campaign against our client failing which proceedings will be issued.

Yours sincerely

PP. 


Director
Gregg Latchams Limited

T: +44 (0)117 906 9442
F: +44 (0)117 906 9459
E: ken.mcewan@gregglatchams.com
W: www.gregglatchams.com

Mike Smith

From: [REDACTED]
Sent: 06 June 2017 09:32
To: Caroline Selman (Cllr)
Cc: [REDACTED]
Subject: Fwd: WK201462010

Begin forwarded message:

From: [REDACTED]
Subject: Re: WK201462010
Date: 28 November 2014 at 09:53:46 GMT
To: [REDACTED]
[REDACTED]
[REDACTED]

Dear [REDACTED]

Thanks for your e-mail.

I'm afraid no one from Hackney Noise Pollution returned my call about this awful disturbance last night.

In fact, the loud music disturbance from Boxpark went on until nearly 10pm which is almost 1 hour beyond the time their entertainment license allows.

We actually visited their site to confirm it was indeed Boxpark who were the source of this noise up until 10pm.

I also telephoned the Boxpark site office countless times last night (as I have also done in recent weeks) and no one ever answers.

Quite obviously there is no one from Boxpark's management on site at night overseeing these events and the continual violations of their entertainment license.

Each Thursday and Sunday Boxpark are now pushing the music further and further beyond the hours their license is supposed to allow and nobody says a thing.

All of this on top of the fact that their music is quite obviously disturbing local families in their homes.

Can you please confirm what action will now be taken against Boxpark?

Yours sincerely

[REDACTED]

On 27 Nov 2014, at 21:47, Bikki Oguoko <Bikki.Oguoko@Hackney.gov.uk> wrote:

Dear [REDACTED],

Your complaint of the 27th of November 2014 has been received and logged.

Your case will be allocated to an Officer who will be responsible for progressing it.

Your reference number is: **WK201462010**

In the event that further nuisance occurs at this address, it would be helpful if you continue to make reports either on 020 8356 4455 or via the email pollutionsupport@hackney.gov.uk. Quoting your reference number

Please note that our service is open:

Monday - Wednesday: 9am - 5pm,
Thursday : 9am - 5pm and **6.30pm - 2am, Out of Hours**
Friday: 9am - 5pm and **9pm - 5am Out of Hours,**
Saturday: **9pm - 5am Out of Hours,**
Sunday: **6.30pm - 2am, Out of Hours**

Kind regards

Bikki Oguoko (Mr)

Community Safety Investigations Officer

Chief Executive's Directorate

Community Safety Team

London Borough of Hackney

Maurice Bishop House

17 Reading Lane

London E8 1HH

Tel: 0208 356 3170

D/L: 0208 356 6306

Fax: 0208 356 2241

Email: Bikki.Oguoko@hackney.gov.uk

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Mike Smith

From: [REDACTED]
Sent: 06 June 2017 09:27
To: Caroline Selman (Cllr)
Cc: [REDACTED]
Subject: Fwd: BOXPARK Noise Pollution Question

Begin forwarded message:

From: [REDACTED]
Subject: Fwd: BOXPARK Noise Pollution Question
Date: 27 June 2014 at 08:38:37 BST
To: [REDACTED]

Begin forwarded message:

From: [REDACTED]
Subject: Re: BOXPARK Noise Pollution Question
Date: 27 June 2014 08:38:03 GMT+01:00
To: [REDACTED]
Cc: [REDACTED]
[REDACTED]
[REDACTED]
[REDACTED]
[REDACTED]
[REDACTED]
[REDACTED]

Can someone on the hackney side who has tried to contact the police/council re BOXPARK PUBLIC NUISANCE please respond to this? And cc in any relevant people I've missed out?

Also, if GIANT TV is not covered by Licensing Act, and doesn't need permission from council or police, who does it need permission from? Who do we contact????

Or an we all erect a GIANT TV on the pavement?

I've never seen the like in London before and I've lived here all my life.

Best to all

On 27 Jun 2014, at 08:20, [REDACTED] wrote:

Dear all

I can definitely be reached on Alan.Cruickshank@met.police.uk

In regards to Boxpark , the vast majority of it is covered by Hackney Licensing / Police. I can understand your frustration being past from one Council to another.

I have spoken to Boxpark in the past in regards to ASB which they obviously denied.

Noise issues such as you describe is normally the remit of the Council's noise team. I will be speaking to the LBTH noise team.

The large TV is showing "live" TV, namely the football. Unfortunately , live TV is not covered by the Licensing Act and therefore does not need any permission from the police or the Council.

I am happy to meet any residents to discuss this further and I will pass this to Hackney Police Licensing.

Has anyone talked to the Boxpark management?

My apologies for this e-mail sounding negative.

Best wishes

Alan

From: [REDACTED]
Sent: 26 June 2014 22:24
To: [REDACTED];
PollutionSupport@Hackney.gov.uk;
environmentalhealth@towerhamlets.gov.uk
Cc: [REDACTED]
[REDACTED]
[REDACTED]
[REDACTED]
Subject: Re: BOXPARK Noise Pollution Question
Importance: High

Okay, i got PC Alan D Cruickshank's email wrong.

Correct email is, I believe,
Alan.D.Cruickshank@met.pnn.police.uk

On 26 Jun 2014, at 22:16, [REDACTED] wrote:

Hi [REDACTED]

Coincidentally I just had a long conversation with the noise people at Tower Hamlets, as I have been trying to understand why Boxpark can get away with openly broadcasting music and now the giant tv screen erected on the pavement (with 40 deck chairs) plus other huge screens upstairs. As we cannot hear the noise significantly from our house Tower Hamlets noise team can't do much it seems. However, the noise officer I spoke to gave me PC Alan Cruickshank's email so I am including him on this email. He is the Police Licensing Officer for Licensed venues north of the borough (of Tower hamlets) and he liaises with the officer on the Hackney side. Perhaps we could all email him individually as well, to complain about this PUBLIC NUISANCE CREATED BY BOXPARK playing music at levels which breach their licensing and planning conditions (alan.d.cruickshank@met.police.co.uk).

As there are so many of us affected directly and indirectly, we could ask Alan Cruickshank to report back to us. We could also enquire why this situation, which has been ongoing for some time now, has not been monitored or policed but the council or the police. Brad is proposing to organise a petition to get all the locals affected in both boroughs to sign, JAG and South Hackney residents associations included, to oust this terrible blight on our neighbourhood.

Best,

█

PS I hope i have the correct email for Alan D Cruickshank. If not, does anyone know it? I'm sure some of you must have been in contact with him.

Begin forwarded message:

From: █
█

Mike Smith

From: [REDACTED]
Sent: 06 June 2017 09:21
To: Caroline Selman (Cllr)
Cc: [REDACTED]
Subject: Fwd: SPA discussion 11 November

Begin forwarded message:

From: [REDACTED]
Subject: FW: SPA discussion 11 November
Date: 28 November 2013 at 11:16:32 GMT
To: [REDACTED]
[REDACTED]
[REDACTED]

Good Morning All,

So this is our new man to pester re BoxPark (cc's Inspector Ian Simpkins)

He would come and meet you.

Hackney Have restructured The Noise Team (obviously because it didn't work!)

So I would suggest giving him all the documented evidence and see what happens....

Best
[REDACTED]

----- Forwarded Message

From: Barry Scales <Barry.Scales@Hackney.gov.uk>
Date: Wed, 27 Nov 2013 14:09:02 -0000
To: [REDACTED]
Cc: <haggerston.snt@met.police.uk>
Subject: RE: SPA discussion 11 November

Good afternoon

I am from the Community safety team which also now incorporates noise issues since a restructure recently.

For police meetings, the dates are set by the local policing team (Haggerston) ward and I have copied them into this email and ask them to email you back directly the dates and venues of the next Community Advisory Panel (CAP) meetings. The email in the c.c. section is one that you can use to communicate directly with police.

Kind regards

Barry Scales
Service Team Manager
Community Safety
London Borough of Hackney
Safer Communities
Chief Executive's Directorate
2nd Floor Maurice Bishop House
17 Reading Lane
London E8 1HH

Tel and Mob: 0208 356 3137

barry.scales@hackney.gov.uk

<http://www.hackney.gov.uk/safer-communities-crime-community-safety.htm>

-----Original Message-----

From: [REDACTED]

[mailto:[REDACTED]]

Sent: 22 November 2013 09:57

To: Barry Scales; Ian.Simpkins@[REDACTED]
[REDACTED]

Subject: Re: SPA discussion 11 November

Importance: High

Thankyou Barry,

Which department do you work for?

We have endless sufferers on various premises. The nuisance premises and for the Police too is BOXPARK Which fails its conditions regularly and needs to have its licenses reviewed or taken away.

I will pass you onto my fellow neighbors who live on the front line to this open air drinking venue.

They have a catalogue of recorded, emails, and phone calls of complaints.

We look forward to some resolution here, as it cannot go on anymore.

Also can you tell me when you next Police meetings are for the community.

Thankyou
[REDACTED]

On 22/11/2013 06:21, "Barry Scales" <Barry.Scales@Hackney.gov.uk> wrote:

Good morning

I believe that you have had your meeting with Cllr Linden. I understand that

a number of issues including matters relating to drugs issues are being

highlighted now to police who were also at that meeting. I am sure that they

will be working with partners including ourselves and other partners in the

council in investigating this.

The team here is in a position to investigate specific issues related to

particular premises etc related to noise complaints and anti social behaviour.

We also comment upon planning and licensing applications as related to the

management of noise only but must stress to you that we do not lead on licensing or planning policies or strategies or have any control on the

decisions of the relevant committees.

If you or your members have complaints about specific premises in particular

where noise nuisance or Anti Social behaviour is occurring then please let us

have the specific details and the full contact details of the best person

(i.e. main complainant) who can give us effective details of what the

issue

is, its frequency of occurrence etc).

I hope this assists in letting you know what we may be able to assist with and

what is probably best addressed in other fora such as your recent meeting.

Regards
Barry Scales
Service Team Manager
Community Safety
London Borough of Hackney
2nd Floor Maurice Bishop House
17 Reading Lane
London E8 1HH
Tel and Mob: 0208 356 3137
barry.scales@hackney.gov.uk <mailto:barry.scales@hackney.gov.uk>

From: [REDACTED]

[mailto:[REDACTED]]

Sent: Mon 11/11/2013 10:02
To: Barry Scales
Subject: Re: SPA discussion 11 November

Good Morning Barry,

Thankyou for your email.

I,m unsure whether we have met - though I have had correspondance from you in

the past.

Can you tell me what you job roll is - as we have several serious issues in

the Shoreditch Area at the moment, of which we would need assistance with, but

only people in a senior position so time is not wasted.

Warm Regards

[REDACTED]
[REDACTED]

On 08/11/2013 14:28, "Barry Scales" <Barry.Scales@Hackney.gov.uk>
wrote:

Dear [REDACTED]

My Colleague Khadine Jackson has brought your email to her to my
attention

regarding the meeting on the 11th November with Councillor Linden.
Cllr

Linden has confirmed with me that she has already asked for officer
attendance

from those she believes most appropriate for the 11th but will liaise
with

this team regarding noise matters should that be necessary consequent
to that

meeting.

Kind regards

Barry Scales

Service Team Manager

Community Safety

London Borough of Hackney

Safer Communities

Chief Executive's Directorate

2nd Floor Maurice Bishop House

17 Reading Lane

London E8 1HH

Tel and Mob: 0208 356 3137

barry.scales@hackney.gov.uk

<http://www.hackney.gov.uk/safer-communities-crime-community-safety.htm>

<<http://www.hackney.gov.uk/safer-communities-crime-community-safety.htm>>

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the

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and recording your communication.
If you have received this e-mail in error please delete it immediately
and

contact the sender.
For further information about Hackney Council policies please contact
Hackney

Service Centre on: 020 8356 3000.

----- End of Forwarded Message

Mike Smith

From: [REDACTED]
Sent: 05 June 2017 18:20
To: Caroline Selman (Cllr)
Cc: [REDACTED]
Subject: Fwd: BoxPark Noise Complaints - WK201346058

Begin forwarded message:

From: "Khadine Jackson" <Khadine.Jackson@Hackney.gov.uk>
Subject: RE: BoxPark Noise Complaints - WK201346058
Date: 10 September 2013 at 13:56:48 BST
To: [REDACTED]
[REDACTED]
[REDACTED]
[REDACTED]
[REDACTED]
[REDACTED]
[REDACTED]
[REDACTED] "Licensing" <Licensing@Hackney.gov.uk>

Dear all,

Thank you for your emails, videos and photos. I am sorry to hear of your dissatisfaction with the current situation.

I must point out that there is no reluctance to support residents; however I wish to focus on activities that can be successfully escalated to support a review and be used as an effective tool for negotiation. This case was passed to me initially two weeks ago when I initiated contact with listed complainants. I have asked that resident let me know of a suitable day/time when the noise is affecting them so an Officer can visit and witness the noise in their home from their perspective as well as attributing the noise to the appropriate premises. There are occasions where these visits can be done outside of our usual operating hours i.e. Sunday afternoon but this would need to be authorised by my managers, so please let me know accurate timings. This is in addition to using the service during our regular operating hours.

The requirement of the premises license (Boxpark decked areas) is that 'no noise nuisance shall be caused' which is down to the judgement of the reviewing Officer (or the interested party if they are to review the premises license themselves) If there is a specific premise licence you are referring to regarding 'inaudibility', please let me know as I have not yet had the time to review them all in full. I am dealing with a number of open noise cases across the borough that also simultaneously need my attention.

- I will shortly be checking all premises license for outright breaches that do not require visits to complainants premises

- You can prearrange visit during our normal service or at another time subject to approval
- A meeting will be arranged with the licence holder for BoxPark to discuss ongoing issues; the possibility of a review can result in compliance where required outside of a committee hearing.
- If you are able to do so, please report all incidences of noise nuisance via telephone when the service is operational, or you can use the online form when there is no service (<http://www.hackney.gov.uk/ee-pollution-noise-412.htm#.Ui3cCNK38bA>)
- Will Nutland; my understanding is that an 'in-house sound system' does mean the permanent system that is in use, whether or not it is the same system that is used for background music. Condition 4 and 5 outlines that there will need to be limiters installed on both the 'event system' and 'background music system' regardless
- Some of the points raised by Matt Johnson such as saturation zones are decisions that are made at strategic level which can be discussed with your local ward Councillor.

I want to give realistic expectations of procedure and times scales; I kindly ask that this is not interpreted as reluctance on our part. The objective here is to find a satisfactory outcome for all. I am sure you can all appreciate that this is a legal procedure and there are guidelines for me to follow, e.g. the evidence should be taken to the premises license holder initially to stimulate negotiation.

Kind regards,
Khadine Jackson
Noise Officer
0208 356 4825

-----Original Message-----

From: [REDACTED]

Sent: 09 September 2013 10:55

To: [REDACTED]

Cc: [REDACTED]

Subject: Fwd: BoxPark Noise Complaints - WK201346058

Dear [REDACTED],

Further information attached regarding yesterday's noise with complaints made to Hackney noise pollution regarding Boxpark. I was out all day yesterday so was lucky enough not to suffer the noise.

You can see from the thread that Hackney noise pollution seem reluctant to support a license review, which I personally find incredulous, given the feeling of many local residents around this area. I think we need to keep in mind that Boxpark is a shopping mall with some food outlets attached and not an events space. The so called events are marketing devices to encourage people to shop at Boxpark and have no cultural benefit for the local community. The license clearly states that no noise nuisance should be audible from premises on Bethnal Green Road and Shoreditch High Street. I am totally flabbergasted that 3 hours of amplified music on a Sunday afternoon blasting out into the street and audible from flats and house up to a beyond 3 streets away could be interpreted as anything but noise nuisance.

The major problem is witnessing the noise (apart from the fact that Boxpark straddles 2 boroughs) which occurs at times when no noise pollution teams are available. I have managed only once to get an enforcement officer to witness the noise occurring on a Thursday evening. This noise generally happens between 6pm and 9pm, and since the noise team does not start until 8pm, by the time my call goes through and the officer is informed, the event is generally over by the time they arrive and therefore are unable to witness the noise. This is also the case on Sundays when no noise patrol is available and I can only report the breach of their license.

We are asking simply that Boxpark abides by the rules, so that we as local residents are able to enjoy the same rights as other Londoners do in other parts of the city. This would not be tolerated by local residents of Oxford Street so why should we be any different?

Regards

[REDACTED]

Begin forwarded message:

From: [REDACTED]
Subject: Re: BoxPark Noise Complaints - WK201346058
Date: 9 September 2013 10:14:52 BST
To: [REDACTED]
Cc: Khadine Jackson <Khadine.Jackson@hackney.gov.uk>, [REDACTED]
[REDACTED]
[REDACTED]
[REDACTED]
[REDACTED], pollutionsupport@hackney.gov.uk, licensing@hackney.gov.uk

Dear Khadine -

I also experienced the same yesterday and I am one street further away from Box Park than Robin. At one point, I could hear the bass at the corner of Old Nichol St and Chance St.

Please find attached one photo from yesterday at around 3pm of the sound system and two video clips - one from the pavement by Box Park and one across the street at Bethnal Green Rd.

Regards, [REDACTED]

On Sun, Sep 8, 2013 at 2:53 PM, [REDACTED] wrote:
Dear Khadine and colleagues,

Boxpark are very noisy again this afternoon.

I know the noise team don't start work until later on a Sunday, so you are unlikely to be able to come and hear for yourselves. However, as I have explained before, we live some distance away. If the noise is a nuisance for us it must self-evidently be in breach of licence conditions such as those (a) regarding sensitive premises on Bethnal Green Road and Shoreditch High St (since they are much nearer) and (b) the use of a system with sound limiters etc. I would have expected evidence such as this to be relevant to a licence review, and indeed your predecessor in the pollution control team encouraged us to report it.

It does sound again like a DJ playing outside, like on the occasion I sent a photo and those shown on the YouTube videos.

kind regards,

██████████

████████████████████

██

██

██

On 6 Sep 2013, at 09:24, ██████████ wrote:

Dear Khadine -

Very many thanks for this information.

Are you able to confirm exactly what is meant by 'in-house sound system'? Does this mean the permanent system that has small speakers through which 'back ground' music is played all day? Would the use of, for example, DJ decks with separate speakers mean that they are in breach of this condition?

Regards, ██████████

On Fri, Sep 6, 2013 at 12:55 AM, Khadine Jackson

<Khadine.Jackson@hackney.gov.uk> wrote:

Dear all,

For reference, I have attached a copy of the full premises licence for the decked areas of Boxpark.

Please also use reference WK201346058 where possible for all correspondence on this case.

Kind regards

Khadine Jackson

0208 356 4825 - Direct dial for case discussion

0208 356 4455 - For ongoing noise complaint or if you would like to speak with another officer in my absence.

-----Original Message-----

From: Khadine Jackson

Sent: 06 September 2013 00:26

To: [REDACTED]

Cc: [REDACTED]

Subject: RE: Box Park Noise Complaints - License Review?

Dear Mr. [REDACTED]

Thank you for sending me the addition information.

I do understand your frustration and I appreciate the distress that this situation has caused to you and your family. The Pollution Team are happy to support you in a premises license review. However, the ability of the Council to support formal action is strictly limited by the law; it is necessary for Pollution officers to verify that nuisance exists before they can take the case further. This will mean an officer from our team visiting you or another complaint to gather strong evidence by witnessing unacceptable levels of noise nuisance. Please note that audibility alone is not an indication of nuisance; judgment will be based on the time of day and character of the area among other things not individual sensitivities. If you do decide you would like officers to visit, I will make every effort to make visit as convenient and targeted as possible.

I have noted that you may feel that there is already sufficient evidence for a premises license review, and I would be happy to provide you with documentation detailing the nuisance witnessed by Angus, to support your action if you decide to take out your own review as an interested party, but at this stage I do not feel this is something we can fully support. I have already written to the premise licence holder at Cottons in regards to noise nuisance which you have told me is the main perpetrators.

The team are very busy at the moment and I will be out of the office until Wednesday 11th September 2013. So I will review the case in full after that date by checking individual licensing/planning conditions for outright breaches i.e. those that are not based on judgment e.g. amplified music.

In the interim, please use the Day/OOH service as you have done in the past (hours and telephone number below), it would be useful also if you had the names of the Tower Hamlets Officer (s) dealing with the case? I appreciate that this may not have been the response you were after but my aim is to help you as best as I can within the confine of my delegated authority and it

does take time. Please let me know if you do want to arrange pro-active visit and/or Angus's nuisance report. Please do so in good time as I do not work standard office hours and may not have access to my email/telephone for up to 7 working days at a time.

You can also contact the Licensing Police if there are issues of alcohol or otherwise related Anti-social Behaviour of the patrons and other general info:

The Chief Officer of Police

Hackney Licensing Unit
Stoke Newington Police Station
33 Stoke Newington High Street
London N16 8DS
Tel: 020 7275 3022
www.met.police.uk/hackney

Information on how to review a premises license): <http://www.hackney.gov.uk/review-premises-licence.htm#.UikOFNK38bA>
Licensing Public Register, to check conditions): www.hackney.gov.uk/3990.asp

Pollution Control Opening Hours – Telephone number: 0208 356 4455

Mon - Wed: 8am - 8pm
Thur: 8am - 2am
Fri morning 8am - 5am Sat morning
Sat: 9pm - 5am Sun morning
Sun: 6:30pm - 2am Mon morning

Kind Regards
Khadine Jackson
Principal Pollution Control Officer, Pollution Team
Chief Executive's Directorate
London Borough of Hackney
Safer Communities
PO Box 70210
E8 9EJ

Telephone: 0208 356 4825
Email: Khadine.jackson@hackney.gov.uk
www.hackney.gov.uk

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Mike Smith

From: [REDACTED]
Sent: 06 June 2017 09:27
To: Caroline Selman (Cllr)
Cc: [REDACTED]
Subject: Fwd: BOXPARK Noise Pollution Question

Begin forwarded message:

From: [REDACTED]
Subject: Fwd: BOXPARK Noise Pollution Question
Date: 27 June 2014 at 08:38:37 BST
To: [REDACTED]

Begin forwarded message:

From: [REDACTED]
Subject: Re: BOXPARK Noise Pollution Question
Date: 27 June 2014 08:38:03 GMT+01:00
To: <Alan.D.Cruickshank@met.pnn.police.uk>
Cc: [REDACTED], <PollutionSupport@Hackney.gov.uk>, <environmentalhealth@towerhamlets.gov.uk>, [REDACTED], [REDACTED], [REDACTED], [REDACTED]

Can someone on the hackney side who has tried to contact the police/council re BOXPARK PUBLIC NUISANCE please respond to this? And cc in any relevant people I've missed out?

Also, if GIANT TV is not covered by Licensing Act, and doesn't need permission from council or police, who does it need permission from? Who do we contact????

Or an we all erect a GIANT TV on the pavement?

I've never seen the like in London before and I've lived here all my life.

Best to all

On 27 Jun 2014, at 08:20, <Alan.D.Cruickshank@met.pnn.police.uk> wrote:

Dear all

I can definitely be reached on Alan.Cruickshank@met.police.uk

In regards to Boxpark , the vast majority of it is covered by Hackney Licensing / Police. I can understand your frustration being past from one Council to another.

I have spoken to Boxpark in the past in regards to ASB which they obviously denied.

Noise issues such as you describe is normally the remit of the Council's noise team. I will be speaking to the LBTH noise team.

The large TV is showing "live" TV, namely the football. Unfortunately , live TV is not covered by the Licensing Act and therefore does not need any permission from the police or the Council.

I am happy to meet any residents to discuss this further and I will pass this to Hackney Police Licensing.

Has anyone talked to the Boxpark management?

My apologies for this e-mail sounding negative.

Best wishes

Alan

From: [REDACTED]
Sent: 26 June 2014 22:24
To: [REDACTED]
PollutionSupport@Hackney.gov.uk;
environmentalhealth@towerhamlets.gov.uk
Cc: [REDACTED]
[REDACTED]
[REDACTED]
[REDACTED]
Subject: Re: BOXPARK Noise Pollution Question
Importance: High

Okay, i got PC Alan D Cruickshank's email wrong.

Correct email is, I believe,
Alan.D.Cruickshank@met.pnn.police.uk

On 26 Jun 2014, at 22:16, Eden Endfield wrote:

Hi [REDACTED]

Coincidentally I just had a long conversation with the noise people at Tower Hamlets, as I have been trying to understand why Boxpark can get away with openly broadcasting music and now the giant tv screen erected on the pavement (with 40 deck chairs) plus other huge screens upstairs. As we cannot hear the noise significantly from our house Tower Hamlets noise team can't do much it seems. However, the noise officer I spoke to gave me PC Alan Cruickshank's email so I am including him on this email. He is the Police Licensing Officer for Licensed venues north of the borough (of Tower hamlets) and he liaises with the officer on the Hackney side. Perhaps we could all email him individually as well, to complain about this PUBLIC NUISANCE CREATED BY BOXPARK playing music at levels which breach their licensing and planning conditions (alan.d.cruickshank@met.police.co.uk).

As there are so many of us affected directly and indirectly, we could ask Alan Cruickshank to report back to us. We could also enquire why this situation, which has been ongoing for some time now, has not been monitored or policed but the council or the police. Brad is proposing to organise a petition to get all the locals affected in both boroughs to sign, JAG and South Hackney residents associations included, to oust this terrible blight on our neighbourhood.

Best,

█

PS I hope i have the correct email for Alan D Cruickshank. If not, does anyone know it? I'm sure some of you must have been in contact with him.

Begin forwarded message:

From: █
█

**Subject: Fwd:
BOXPARK Noise
Pollution Question**

Date: 26 June 2014
21:20:44 GMT+01:00

To: [REDACTED]
[REDACTED]

Just got this without
prompting!!!

[REDACTED]
[REDACTED]
[REDACTED]
[REDACTED]

Begin forwarded
message:

From:

[REDACTED]
[REDACTED]
[REDACTED]
[REDACTED]
[REDACTED]

Subject:

**Fwd:
BOXPAR
K Noise
Pollution
Question**

Date: 26

June
2014
20:52:00
BST

To:

Pollution
Support
<[Pollution
Support
@Hackne
y.gov.uk](mailto:PollutionSupport@Hackney.gov.uk)>

[REDACTED]
[REDACTED]
[REDACTED]
[REDACTED]
[REDACTED]

Mike Smith

From: [REDACTED]
Sent: 05 June 2017 17:52
To: Caroline Selman (Cllr)
Cc: [REDACTED]
Subject: Fwd: Boxpark - concerns

Begin forwarded message:

----- Forwarded Message

From: [REDACTED]
Date: Fri, 11 Mar 2011 21:07:17 +0000 (GMT)
To: [REDACTED]
Subject: Boxpark - concerns

Hi [REDACTED]

I hope you are well.

This e mail concerns the planning application 2011/0255 (Boxpark). Are you able to forward this to this ssca members?

I am thinking that it could be worth lodging some comments/opposition to the development based on their projected costings for each "box" effectively pricing out any truly independent retailer from taking space. They seem to be talking a lot about independent/tiny and local brands in their marketing material , but then it flashes up the Diesel logo (Deisel have over 300 stores worldwide). In an article in Drapers Record <http://www.drapersonline.com/news/analysis/could-brands-build-a-home-in-boxpark/5019975.article> the brands mentioned include some of the following **Carharrt:** Stocked in over 20 stores in London already. 2 stand alone stores in London currently. **Fred Perry:** 12 stores in the UK already and stocked in 1000s of stores worldwide **Diesel:** Over 300 stores worldwide and stocked in 1000s of stores worldwide

So I am thinking that if it goes ahead with 40 "boxes" full of Diesels, All Saints, Religions, then the impact on Shoreditch could be negative and not positive. Some of the people I have been talking to have said that they think the development could lead to the "camdenisation" of the area and be very uninspiring indeed.

I think if it goes ahead then there should at least be a large percent age of the "boxes" given over to local brands who are just starting up and are truly creative rather than smaller chain stores and chain coffee shops.

The draft plans which are downloadable from the Boxpark website www.boxpark.co.uk show the ground level of the site as having 40 shipping containers stacked in one long row with the "deck" level have 17 containers serving food and drink . Having thought this through I am concerned at how ugly and disappointing this could look . I also think that their brand mix will be quite uninspiring ; with a slant towards fashion brands that are already represented in the area e.g. All Saints, American Apparel, Religion. Also bigger players like Diesel and Fred Perry may not want just one container as it will probably not be big enough for their needs. So they may end up taking more than one container and connecting them. Also are the 17 food and drink containers on the deck level going to be licensed premises? I imagine restaurants open till midnight will want to be serving alcohol.

The thing that really makes me feel a little uneasy about the ethics of the developers is that all of their marketing material and the way they have branded the site already makes it seem like the development IS happening and will open, when in fact they do not even have planning permission. It is still at a consultation phase.Worryingly there are also no planning permission notices display anywhere on the site at this time despite the planning application being lodged on 1st March.

I wanted to take this opportunity to say that I feel Shoreditch should be a haven for creative and inspiring shops, galleries, restaurants and cafes. Places like Caravan, Luna and Curious, Milk, Time for Tea, The George and Dragon, 11 Boundary and dare I say it Maiden. I am therefore concerned by the impact that Boxpark could have on these smaller brands and the area as a whole over the next five years.

I dearly love the area and I am all for creating jobs and opportunities but I am against massive developers piggy backing off the hard work and dedication of smaller independents who have worked hard to bring prestige, creativity and inspiration to Shoreditch.

Best Wishes

[Redacted]

[Redacted]

[Redacted]

[Redacted]

[Redacted]

[Redacted]

[Redacted]

[Redacted]

[Redacted]

[Redacted]

[Redacted]

[Redacted]

----- End of Forwarded Message