

**REPORT OF THE GROUP DIRECTOR, NEIGHBOURHOODS AND HOUSING**

<b>LICENSING SUB-COMMITTEE:</b> 12/09/2017	<b>Classification</b>  DECISION	Enclosure
<b>APPLICATION TO VARY THE PREMISES LICENCE :</b> E5 Bakehouse, Railway Arch 396, Mentmore Terrace, E8 3PH	<b>Ward(s) affected</b>  <b>London Fields</b>	

**1. SUMMARY**

<b>Applicant(s)</b> Benjamin James Mackinnon	<b>In SPA:</b> Not Applicable
<b>Date of Application</b> 20 July 2017	<b>Period of Application</b> Permanent
<b>Proposed variation:</b> Supply of Alcohol (On and Off Premises)	
<b>Proposed hours for licensable activity</b>	
<b>Supply of Alcohol</b>  <b>On the premises</b>	<b>Standard Hours:</b> Mon 10:00-22:00 Tue 10:00-22:00 Wed 10:00-22:00 Thu 10:00-22:00 Fri 10:00-23:00 Sat 10:00-23:00 Sun 10:00-23:00
<b>Supply of Alcohol</b>  <b>Off the premises</b>	<b>Standard Hours:</b> Mon 10:00-22:00 Tue 10:00-22:00 Wed 10:00-22:00 Thu 10:00-22:00 Fri 10:00-22:00 Sat 10:00-22:00 Sun 10:00-22:00

<b>The opening hours of the premises:</b>	
	<b>Standard Hours:</b>
	Mon 08:00-22:00
	Tue 08:00-22:00
	Wed 08:00-22:00
	Thu 08:00-22:00
	Fri 08:00-23:00
	Sat 08:00-23:00
	Sun 08:00-23:00
<b>Current activities/hours:</b>	
	<b>Standard Hours:</b>
<b>Supply of Alcohol Off the premises</b>	Mon 10:00-22:00
	Tue 10:00-22:00
	Wed 10:00-22:00
	Thu 10:00-22:00
	Fri 10:00-22:00
	Sat 10:00-22:00
	Sun 10:00-22:00
<b>The opening hours of the premises:</b>	
	<b>Standard Hours:</b>
	Mon 10:00-22:00
	Tue 10:00-22:00
	Wed 10:00-22:00
	Thu 10:00-22:00
	Fri 10:00-22:00
	Sat 10:00-22:00
	Sun 10:00-22:00
<b>Capacity:</b> not known	
<b>Policies Applicable</b>	LP3 (Operating Schedule), LP4 (Crime and Disorder), LP5 (Public Nuisance), LP6 (Protection of Children from Harm), LP8 (Public Safety) and LP12 (Licensing Hours)
<b>List of Appendices</b>	A – Application for variation of premises licence and supporting documents B – Representations from responsible authorities C – Location map
<b>Relevant Representations</b>	• Police

## 2. APPLICATION

2.1 Benjamin James Mackinnon has made an application vary their premises licence under the Licensing Act 2003:

- To include hours for supply of alcohol for consumption on the premises

- 2.2 The application is attached as Appendix A. The applicant has proposed some additional measures to address the licensing objectives.

### **3. CURRENT STATUS / HISTORY**

- 3.1 The current premises licence was granted on February 2016 for supply of alcohol for consumption off the premises, with the hours described in para 1 and subject to the following conditions:

#### **Mandatory Conditions**

##### Supply of Alcohol

1. No supply of alcohol may be made under the premises licence:
  - (a) At a time when there is no designated premises supervisor in respect of the premises licence.
  - (b) At a time when the designated premises supervisor does not hold a personal licence or his personal licence is suspended.
2. Every supply of alcohol under the premises licence must be made or authorised by a person who holds a personal licence.
3.
  - 3.1. The premises licence holder or club premises certificate holder must ensure that an age verification policy is adopted in respect of the premises in relation to the sales or supply of alcohol.
  - 3.2 The designated premises supervisor in relation to the premises licences must ensure that the supply of alcohol at the premises is carried on in accordance with the age verification policy.
  - 3.3. The policy must require individuals who appear to the responsible person to be under 18 years of age (or such older age as may be specified in the policy) to produce on request, before being served alcohol, identification bearing their photograph, date of birth and either:-
    - (a) a holographic mark or
    - (b) an ultraviolet feature.

Minimum Drinks Pricing
4.
  - 4.1 A relevant person shall ensure that no alcohol is sold or supplied for consumption on or off the premises for a price which is less than the permitted price.
  - 4.2 For the purposes of the condition set out in paragraph 4.1 above -
    - (a) "duty" is to be construed in accordance with the Alcoholic Liquor Duties Act 1979;
    - (b) "permitted price" is the price found by applying the formula -  $P = D + (D \times V)$   
Where -
      - (i) P is the permitted price,
      - (ii) D is the rate of duty chargeable in relation to the alcohol as if the duty were charged on the date of the sale or supply of the alcohol, and

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

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

(i) the holder of the premises licence,

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

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

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

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

4.3 Where the permitted price given by Paragraph 4.2(b) above would (apart from this paragraph) not be a whole number of pennies, the price given by that sub-paragraph shall be taken to be the price actually given by that sub-paragraph rounded up to the nearest penny.

4.4 (1) Sub-paragraph 4.4(2) below applies where the permitted price given by Paragraph 4.2(b) above on a day (“the first day”) would be different from the permitted price on the next day (“the second day”) as a result of a change to the rate of duty or value added tax.

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

### **Conditions consistent with the Operating Schedule**

5. Recycling and waste collection to take place via the rear of the premises.
6. The premises shall install and maintain a comprehensive CCTV system as per the minimum requirements of a Metropolitan Police Crime Prevention Officer. All public areas and all entry and exit points will be covered enabling frontal identification of every person entering in any light condition. The CCTV system shall continually record whilst the premises is open for licensable activities and during all times when customers remain on the premises. All recordings shall be stored for a minimum period of 31 days with date and time stamping. Recordings shall be made available immediately upon the request of Police or authorised officer throughout the preceding 31- day period.
7. Any staff member from the premises who is conversant with the operation of the CCTV system shall be on the premises at all times when the premises

are open to the public. This staff member must be able to show a Police or authorised council officer recent data or footage upon request.

8. A Challenge 25 proof of age scheme shall be operated at the premises where the only acceptable forms of identification are recognised photographic identification cards, such as driving licence or passport.
9. An incident log shall be kept at the premises, and made available on request to an authorised officer of the council or the police, which will record the following.
  - All crimes reported
  - Any complaints received
  - Any ejections
  - Any incidents of disorder
  - Seizure of drugs or offensive weapons
  - Any faults in the CCTV system
  - Any refusal of the sale of alcohol
  - Any visit by a relevant authority or emergency service
10. All staff will be given refresher training every twelve months on the legislation relating to the sales of alcohol to underage persons and drunken persons. Written or electronic records shall be kept and produced to police or an authorised officer upon request.
11. The licence holder shall maintain a dedicated telephone number of the Designated Premises Supervisor for use by any Responsible Authority or any person who may wish to make a complaint. This contact number shall be provided to licensing authority, police and to any local residents upon request.

### **Conditions derived from Responsible Authority representations**

12. There shall be no sale of lager, beer or cider with an alcohol content above ABV 6.5% except for such products specifically agreed in writing by the licensing authority. This approval can be withdrawn in writing by the licensing authority if concerns arise around the operation of the premises.
13. Any sales of alcohol to be consumed off site shall be charged at no less than 50p per unit of alcohol. The licence holder will prepare a price list calculating the units for each available product, which shall be made available to the Police or Licensing Enforcement on request.

3.2 Premises have submitted below Temporary event notice in the current calendar year.

Date of the event(s)	Hours
28/04/2017	19.00-22.30
11/05/2017-12/05/2017	19.00-23.00
08/06/2017-09/06/2017	19.00-22.30
23/06/2017	19.00-23.00
05/08/2017	19.00-23.00

#### 4. REPRESENTATIONS: RESPONSIBLE AUTHORITIES

From	Details
Environmental Health Authority (Environmental Protection)	No representation received
Environmental Health Authority (Environmental Enforcement)	Have confirmed no representation on this application
Environmental Health Authority (Health & Safety)	Have confirmed no representation on this application
Weights and Measures (Trading Standards)	Have confirmed no representation on this application
Planning Authority	Have confirmed no representation on this application
Area Child Protection Officer	Have confirmed no representation on this application
Fire Authority	No representation received
Police (Appendix B)	Representation received on the grounds of The Prevention of Crime and Disorder and Prevention of Public Nuisance with the proposed conditions as set out in para 8.1
Licensing Authority	No representation except clarification in the current plan attached to the licence.
Health Authority	Have confirmed no representation on this application with the agreed condition as set out in para 8.1

#### 5. REPRESENTATIONS: OTHER PERSONS

None.

#### 6. GUIDANCE CONSIDERATIONS

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

## **7. POLICY CONSIDERATIONS**

- 7.1 Licensing Sub-Committee is required to have regard to the London Borough of Hackney's Statement of Licensing Policy ("the Policy") adopted by the Licensing Authority.
- 7.2 The Policy applies to applications where relevant representations have been made. With regard to this application, policies LP3 (Operating Schedule), LP4 (Crime and Disorder), LP5 (Public Nuisance), LP6 (Protection of Children from Harm), LP8 (Public Safety) and LP12 (Licensing Hours) are relevant.

## **8. OFFICER OBSERVATIONS**

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

### **Mandatory Conditions:**

#### Supply Of Alcohol (On/Both)

1. No supply of alcohol may be made under the premises licence:
  - (a) At a time when there is no designated premises supervisor in respect of the premises licence.
  - (b) At a time when the designated premises supervisor does not hold a personal licence or his personal licence is suspended.
2. Every supply of alcohol under the premises licence must be made or authorised by a person who holds a personal licence.
3.
  - (1) The responsible person must ensure that staff on relevant premises do not carry out, arrange or participate in any irresponsible promotions in relation to the premises.
  - (2) In this paragraph, an irresponsible promotion means any one or more of the following activities, or substantially similar activities, carried on for the purpose of encouraging the sale or supply of alcohol for consumption on the premises -
    - (a) games or other activities which require or encourage, or are designed to require or encourage, individuals to;
      - (i) drink a quantity of alcohol within a time limit (other than to drink alcohol sold or supplied on the premises before the cessation of the period in which the responsible person is authorised to sell or supply alcohol), or
      - (ii) drink as much alcohol as possible (whether within a time limit or otherwise);
    - (b) provision of unlimited or unspecified quantities of alcohol free or for a fixed or discounted fee to the public or to a group defined by a particular characteristic in a manner which carries a significant risk of undermining a licensing objective;
    - (c) provision of free or discounted alcohol or any other thing as a prize to encourage or reward the purchase and consumption of

alcohol over a period of 24 hours or less in a manner which carries a significant risk of undermining a licensing objective;

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

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

4. The responsible person must ensure that free potable water is provided on request to customers where it is reasonably available.
5. 5.1. The premises licence holder or club premises certificate holder must ensure that an age verification policy is adopted in respect of the premises in relation to the sales or supply of alcohol.  
5.2 The designated premises supervisor in relation to the premises licences must ensure that the supply of alcohol at the premises is carried on in accordance with the age verification policy.  
5.3. The policy must require individuals who appear to the responsible person to be under 18 years of age (or such older age as may be specified in the policy) to produce on request, before being served alcohol, identification bearing their photograph, date of birth and either:-
  - (a) a holographic mark or
  - (b) an ultraviolet feature
6. The responsible person must ensure that:
  - a) where any of the following alcoholic drinks is sold or supplied for consumption on the premises (other than alcoholic drinks sold or supplied having been made up in advance ready for sale or supply in a securely closed container) it is available to customers in the following measures:
    - beer or cider: 1/2 pint;
    - gin, rum, vodka or whisky: 25ml or 35ml; and
    - still wine in a glass: 125ml; and
  - b) these measures are displayed in a menu, price list or other printed material which is available to customers on the premises; and
  - c) where a customer does not in relation to a sale of alcohol specify the quantity of alcohol to be sold, the customer is made aware that these measures are available.

#### Minimum Drinks Pricing

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

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

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

(b) "permitted price" is the price found by applying the formula -



$$P = D+(D \times V)$$

Where -

- (i) P is the permitted price,
  - (ii) D is the rate of duty chargeable in relation to the alcohol as if the duty were charged on the date of the sale or supply of the alcohol, and
  - (iii) V is the rate of value added tax chargeable in relation to the alcohol as if the value added tax were charged on the date of the sale or supply of the alcohol;
- (c) "relevant person" means, in relation to premises in respect of which there is in force a premises licence -
- (i) the holder of the premises licence,
  - (ii) the designated premises supervisor (if any) in respect of such a licence, or
  - (iii) the personal licence holder who makes or authorises a supply of alcohol under such a licence;
- (d) "relevant person" means, in relation to premises in respect of which there is in force a club premises certificate, any member or officer of the club present on the premises in a capacity which enables the member or officer to prevent the supply in question; and
- (e) "value added tax" means value added tax charged in accordance with the Value Added Tax Act 1994.

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

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

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

### **Conditions derived from Responsible Authority representations**

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

Council recent data or footage with the absolute minimum of delay when requested.

10. An incident log shall be kept at the premises, and made available immediately to an authorised officer of the Hackney Borough Council or the Police, which will record the following:
  - a.all crimes reported to the venue
  - b.any complaints received
  - c.any incidents of disorder
  - d.any faults in the CCTV system
  - e.any refusal of the sale of alcohol
  - f.any visit by a relevant authority or emergency service.
11. There shall be “CCTV in Operation” signs prominently displayed.
12. All instances of crime or disorder to be reported by the designated premises supervisor or responsible member of staff to an agreed police contact point, as agreed with the Police.
13. Where the sale or supply of alcohol is taking place employees of the premises must request sight of evidence of the age of any person appearing to be under 25 years of age (Challenge 25). Such evidence may include a driving licence or passport.
14. There shall be no glass, drinks or open containers taken outside of the premises at any time, except when seated in the outside designated seating area.
15. Alcohol shall only be sold on the premises at pre-booked or ticketed events. The premises shall ensure that all details of anyone using the space are taken and kept at the premises. The premises shall also conduct their own risk assessment, a copy of which shall be kept at the premises and produced to a police officer or other authorised officer upon request.
16. The premises will display and maintain appropriate signage advising customers of the contact details of the Designated Premises Supervisor/Duty Manager.
17. There shall be clear signage asking customers to respect the local residents and leave the premises quietly.
18. All staff will be given refresher training every twelve months on the legislation relating to the sales of alcohol to underage persons and drunken persons. Written records of this training shall be kept on the premises and produced to police or other authorised officer upon request.
19. The premises shall adhere to Hackney Police Weapons and Drugs Policies and any updates thereof.

20. Any music played at the premises will be at background level allowing a face to face conversation at normal speech level.
21. SIA registered door supervisors shall be employed at the premises, on an ongoing risk assessment basis. All security staff and stewards shall be clearly identifiable at all times. Additional SIA registered supervisors to be employed on an operational risk assessment basis. All supervisors shall enter their full details in the premises daily register at the commencement of their work. They shall record their full name, home address and contact telephone number, their SIA registration number, and the time they commence and conclude working. If the supervisor was provided by an agency the name, registered business address and contact telephone number will also be recorded. This register will be made available to police or authorised officer immediately upon request.
22. There shall be a written dispersal policy, a copy of which will be kept on the premises and produced to a police officer or other authorised officer upon request.
23. Delivery
  - Alcohol will only be delivered as part of a substantial meal
  - At the time the order is placed a declaration will required from the person placing the order to confirm they are over 18 years of age
  - Customers to be reminded it is a criminal offence for a person under 18 years to purchase or attempt to purchase alcohol and that it is also an offence to purchase alcohol on behalf of a person aged under 18 years
  - ID verification will be made when orders containing alcohol are delivered (no ID no delivery) – acceptable proof of age shall include identification bearing the customer’s photograph, date of birth and integral holographic mark or security measure
  - Staff making the deliveries must be at least 18 years old
  - Alcohol can only be delivered to a residential or business address and not to a public place, and delivery staff will not deliver to any person anywhere other than at the residential or business address given when the order was placed
  - Deliveries will not be made between the hours of 23:00 and 07:00.

## **9. REASONS FOR OFFICER OBSERVATIONS**

- 9.1 Conditions 8 to 22 have been proposed by Police and condition 23 has been proposed by Public Health and accepted by the applicant.

## **10. LEGAL COMMENTS**

- 10.1 The Council has a duty as a Licensing Authority under the Licensing Act 2003 to carry out its functions with a view to promoting the following 4 licensing objectives;
  - The Prevention of Crime and Disorder

- Public Safety
- Prevention of Public Nuisance
- The Protection of Children from Harm

10.2 It should be noted that each of the licensing objectives have equal importance and are the only grounds upon which a relevant representation can be made and for which an application can be refused or terms and conditions attached to a licence.

## 11. HUMAN RIGHTS ACT 1998 IMPLICATIONS

11.1 There are implications to;

- **Article 6** – Right to a fair hearing
- **Article 14** – Not to discriminate
- Balancing: **Article 1**- Peaceful enjoyment of their possession (i.e. a licence is defined as being a possession) with **Article 8** – Right of Privacy (i.e. respect private & family life) to achieve a proportionate decision having regard to the protection of an individuals rights against the interests of the community at large.

## 12. MEMBERS DECISION MAKING

### A. Option 1

**That the application be refused**

### B. Option 2

**That the application be approved, together with any conditions or restrictions which Members consider necessary for the promotion of the Licensing objectives.**

## 13. CONCLUSION

13.1 That Members decide on the application under the Licensing Act 2003.

<b>Group Director, Neighbourhoods and Housing</b>	Kim Wright
<b>Lead Officer (holder of original copy):</b>	Shan Uthayasangar Licensing Officer Licensing Service 1 Hillman Street E8 1DY Telephone: 020 8356 2431

## LIST OF BACKGROUND PAPERS RELATING TO THIS REPORT

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

Description of document	Location
E5 Bakehouse Railway Arch 396, Mentmore Terrace, E8 3PH	Hackney Service Centre Licensing Service 1 Hillman Street London E8 1DY

### Printed matter

Licensing Act 2003

LBH Statement of Licensing Policy

# APPENDIX A

↳ Hackney

LA07

Application to vary a premises licence under the Licensing Act 2003

## PLEASE READ THE FOLLOWING INSTRUCTIONS FIRST

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

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

I Benjamin James Mackinnon

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

Premises licence number 075128

### Part 1 – Premises Details

e5 Millhouse  
Railway Arch 396  
Mentmore Terrace  
Hackney

Post town London

Postcode E8 3PH

Telephone number at premises (if any)

Non-domestic rateable value of premises

£ 18,000

### Part 2 – Applicant details

Daytime contact telephone number

E-mail address (optional)

Current postal address if different from premises address		e5 Bakehouse Railway Arch 395 Mentmore Terrace Hackney	
Post town	London	Postcode	E8 3PH

### Part 3 – Variation

Please tick as appropriate
Do you want the proposed variation to have effect as soon as possible? Yes

If not, from what date do you want the variation to take effect?

DD	MM	YYYY
20	08	2017

Do you want the proposed variation to have effect in relation to the introduction of the late night levy? (Please see guidance note 1) No

<p><b>Please describe briefly the nature of the proposed variation (Please see guidance note 2)</b></p> <p>We currently have existing off sale license between the following times: Monday - Sunday (10:00 until 22:00)</p> <p>We would like to add on sale license between the following times: Monday - Thursday (10:00 until 22:00) Friday - Sunday (10:00 until 23:00)</p>
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If your proposed variation would mean that 5,000 or more people are expected to attend the premises at any one time, please state the number expected to attend:



#### **Part 4 Operating Schedule**

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

**Provision of regulated entertainment (Please see guidance note 3)**

**Please tick all that apply**

- a) plays (if ticking yes, fill in box A)
- b) films (if ticking yes, fill in box B)
- c) indoor sporting events (if ticking yes, fill in box C)
- d) boxing or wrestling entertainment (if ticking yes, fill in box D)
- e) live music (if ticking yes, fill in box E)
- f) recorded music (if ticking yes, fill in box F)
- g) performances of dance (if ticking yes, fill in box G)
- h) anything of a similar description to that falling within (e), (f) or (g) (if ticking yes, fill in box H)

**Provision of late night refreshment** (if ticking yes, fill in box I)

**Supply of alcohol.** x

**In all cases complete boxes K, L and M**

A

Plays Standard days and timings (please read guidance note 8)			Will the performance of a play take place indoors or outdoors or both – please tick (please read guidance note 4)	Indoors	
Day	Start	Finish		Outdoors	
Mon			Please give further details here (please read guidance note 5)		
Tue					
Wed			State any seasonal variations for performing plays (please read guidance note 6)		
Thur					
Fri			Non-standard timings. Where you intend to use the premises for the performance of plays at different times to those listed in the column on the left, please list (please read guidance note 7)		
Sat					
Sun					

B

Films Standard days and timings (please read guidance note 8)			Will the exhibition of films take place indoors or outdoors or both – please tick (please read guidance note 4)	Indoors	
Day	Start	Finish		Outdoors	
Mon			Please give further details here (please read guidance note 5)	Both	
Tue					
Wed			State any seasonal variations for the exhibition of films (please read guidance note 6)		
Thur					
Fri			Non-standard timings. Where you intend to use the premises for the exhibition of films at different times to those listed in the column on the left, please list (please read guidance note 7)		
Sat					
Sun					

C

Indoor sporting events Standard days and timings (please read guidance note 8)			Please give further details (please read guidance note 5)
Day	Start	Finish	
Mon			State any seasonal variations for indoor sporting events (please read guidance note 6)
Tue			
Wed			
Thur			Non-standard timings. Where you intend to use the premises for indoor sporting events at different times to those listed in the column on the left, please list (please read guidance note 7)
Fri			
Sat			
Sun			

D

Boxing or wrestling entertainments Standard days and timings (please read guidance note 8)			Will the boxing or wrestling entertainment take place indoors or outdoors or both – please tick (please read guidance note 4)	Indoors	
Day	Start	Finish		Outdoors	
Mon			Please give further details here (please read guidance note 5)		
Tue					
Wed			State any seasonal variations for boxing or wrestling entertainment (please read guidance note 6)		
Thur					
Fri			Non-standard timings. Where you intend to use the premises for boxing or wrestling entertainment at different times to those listed in the column on the left, please list (please read guidance note 7)		
Sat					
Sun					

## E

<b>Live music</b> Standard days and timings (please read guidance note 8)			<b>Will the performance of live music take place indoors or outdoors or both – please tick</b> (please read guidance note 4)	Indoors	
Day	Start	Finish		Outdoors	
Mon			<b>Please give further details here</b> (please read guidance note 5)	Both	
Tue					
Wed			<b>State any seasonal variations for the performance of live music</b> (please read guidance note 6)		
Thur					
Fri			<b>Non-standard timings. Where you intend to use the premises for the performance of live music at different times to those listed in the column on the left, please list</b> (please read guidance note 7)		
Sat					
Sun					

**F**

<b>Recorded music</b> Standard days and timings (please read guidance note 8)			<b>Will the playing of recorded music take place indoors or outdoors or both – please tick</b> (please read guidance note 4)	Indoors	
Day	Start	Finish		Outdoors	
Mon			<b>Please give further details here</b> (please read guidance note 5)		
Tue					
Wed			<b>State any seasonal variations for the playing of recorded music</b> (please read guidance note 6)		
Thur					
Fri			<b>Non-standard timings. Where you intend to use the premises for the playing of recorded music at different times to those listed in the column on the left, please list</b> (please read guidance note 7)		
Sat					
Sun					

## G

<b>Performances of dance</b> Standard days and timings (please read guidance note 8)			<b>Will the performance of dance take place indoors or outdoors or both – please tick</b> (please read guidance note 4)	Indoors	
				Outdoors	
Day	Start	Finish		Both	
Mon			<b>Please give further details here</b> (please read guidance note 5)		
Tue					
Wed			<b>State any seasonal variations for the performance of dance</b> (please read guidance note 6)		
Thur					
Fri			<b>Non-standard timings. Where you intend to use the premises for the performance of dance at different times to those listed in the column on the left, please list</b> (please read guidance note 7)		
Sat					
Sun					



H

<p><b>Anything of a similar description to that falling within (e), (f) or (g)</b>                  Standard days and timings (please read guidance note 8)</p>			<p><b>Please give a description of the type of entertainment you will be providing</b></p>		
Day	Start	Finish	<p><b>Will this entertainment take place indoors or outdoors or both – please tick (please read guidance note 4)</b></p>	Indoors	
Mon				Outdoors	
				Both	
Tue			<p><b>Please give further details here (please read guidance note 5)</b></p>		
Wed					
Thur			<p><b>State any seasonal variations for entertainment of a similar description to that falling within (e), (f) or (g) (please read guidance note 6)</b></p>		
Fri					
Sat			<p><b>Non-standard timings. Where you intend to use the premises for the entertainment of a similar description to that falling within (e), (f) or (g) at different times to those listed in the column on the left, please list (please read guidance note 7)</b></p>		
Sun					

<b>Late night refreshment</b> Standard days and timings (please read guidance note 8)			<b>Will the provision of late night refreshment take place indoors or outdoors or both – please tick</b> (please read guidance note 4)	Indoors	
				Outdoors	
Day	Start	Finish		Both	
Mon			<b>Please give further details here</b> (please read guidance note 5)		
Tue					
Wed			<b>State any seasonal variations for the provision of late night refreshment</b> (please read guidance note 6)		
Thur					
Fri			<b>Non-standard timings. Where you intend to use the premises for the provision of late night refreshment at different times, to those listed in the column on the left, please list</b> (please read guidance note 7)		
Sat					
Sun					

J

Supply of alcohol Standard days and timings (please read guidance note 8)			Will the supply of alcohol be for consumption – please tick (please read guidance note 9)	On the premises		
				Off the premises		
Day	Start	Finish		Both	x	
Mon	10.00	22.00	<b>State any seasonal variations for the supply of alcohol</b> (please read guidance note 6)  We currently have existing off sale license: Monday - Sunday (10:00 until 22:00)  We would like to add on sale license: Monday - Thursday (10:00 until 22:00) Friday - Sunday (10:00 until 23:00)			
Tue	10.00	22.00				
Wed	10.00	22.00				
Thur	10.00	22.00		<b>Non-standard timings. Where you intend to use the premises for the supply of alcohol at different times to those listed in the column on the left, please list</b> (please read guidance note 7)		
Fri	10.00	23.00				
Sat	10.00	23.00				
Sun	10.00	23.00				

K

Please highlight any adult entertainment or services, activities, other entertainment or matters ancillary to the use of the premises that may give rise to concern in respect of children (please read guidance note 10).

L

Hours premises are open to the public Standard days and timings (please read guidance note 8)			State any seasonal variations (please read guidance note 6)
Day	Start	Finish	
Mon	08.00	22.00	We currently have existing off sale license: Monday - Sunday (10:00 until 22:00)  We would like to add on sale license: Monday - Thursday (10:00 until 22:00) Friday - Sunday (10:00 until 23:00)
Tue	08.00	22.00	
Wed	08.00	22.00	
Thur	08.00	22.00	
Fri	08.00	23.00	
Sat	08.00	23.00	
Sun	08.00	23.00	
			<b>Non-standard timings. Where you intend the premises to be open to the public at different times from those listed in the column on the left, please list (please read guidance note 7)</b>

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

Please tick as appropriate

I have enclosed the premises licence

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

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

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

**a) General – all four licensing objectives (b, c, d and e) (please read guidance note 11)**

Strong management controls and effective training of all staff so that they are aware of the premises licence and the requirements to meet the four licensing objectives with particular attention to:

- a/ no selling of alcohol to underage people. Implementation of Challenge 25.
- b/ no drunk and disorderly behavior on the premises area.
- c/ no violent and anti-social behaviour. d/ no harm to children.

The intended use of this license is for private, community, or ticketed events based around sale of food.

The proposed intended use addresses the points below in the following ways:

- a) events are primarily aimed at mature audience.
- b) events will include the sale of food alongside alcohol.
- c) events are limited in size, due to capacity of railway arch. d) trained staff always on site during events.

**b) The prevention of crime and disorder**

Three CCTV systems installed to cover all entrances and exits to building plus interior and backyard areas in order to prevent crime and disorder.

A clear and legible notice outside the premises indicating the normal hours under the terms of the premises licence during which licensable activities are permitted. Clear notices warning of potential criminal activity, such as theft, that may target customers will be displayed.

No selling of alcohol to drunk or intoxicated customers.

Staff will be well trained in asking customers to use premises in an orderly and respectful manner.

**c) Public safety**

Trained staff adherence to our risk assessments, including first aid trained staff and fire wardens.

Fire exits and appropriate fire provision.

Training and implementation of underage ID checks and implementation of Challenge 25.

Roller metal exterior window shutter in operation to ensure that shop front is safe and secure at all times.

Log book or other recording method to include information required to comply with any public safety regulations.

**d) The prevention of public nuisance**

Prominent, clear and legible notices will be displayed at the exit requesting the public to respect the needs of nearby residents and to leave the premises and the area quietly.  
Noise reduction measures to address the public nuisance objective.  
Management will always be present at events to ensure limitation of public nuisance.  
Operational hours are not anti-social.

**c) The protection of children from harm**

Staff trained not to serve alcohol to anyone under age, and in implementation of Challenge 25.  
Over 18 target audience for the type of events we're offering, such as evening supper clubs.  
Age restrictions in the rare case that the event is not suitable for younger audiences.

Checklist:

**Please tick to indicate agreement**

I have made or enclosed payment of the fee; or  
I have not made or enclosed payment of the fee because this application has been made in relation to the introduction of the late night levy.

I have sent copies of this application and the plan to responsible authorities and others where applicable.

I understand that I must now advertise my application.

I have enclosed the premises licence or relevant part of it or explanation.

I understand that if I do not comply with the above requirements my application will be rejected.

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

**Part 5 – Signatures** (please read guidance note 12)

**Signature of applicant (the current premises licence holder) or applicant's solicitor or other duly authorised agent (please read guidance note 13). If signing on behalf of the applicant, please state in what capacity.**

Signature	[REDACTED]
Date	20/07/2017
Capacity	Owner/ Company Director

Where the premises licence is jointly held, signature of 2nd applicant (the current premises licence holder) or 2nd applicant's solicitor or other authorised agent (please read guidance note 14). If signing on behalf of the applicant, please state in what capacity.

Signature	
Date	
Capacity	

<b>Contact name (where not previously given) and address for correspondence associated with this application (please read guidance note 15)</b>			
Benjamin James MacKinnon e5 Bakehouse 395 Mentmore Terrace			
<b>Post town</b>	London	<b>Post code</b>	E8 3PH
<b>Telephone number (if any)</b>	[REDACTED]		
<b>If you would prefer us to correspond with you by e-mail, your e-mail address (optional)</b>			

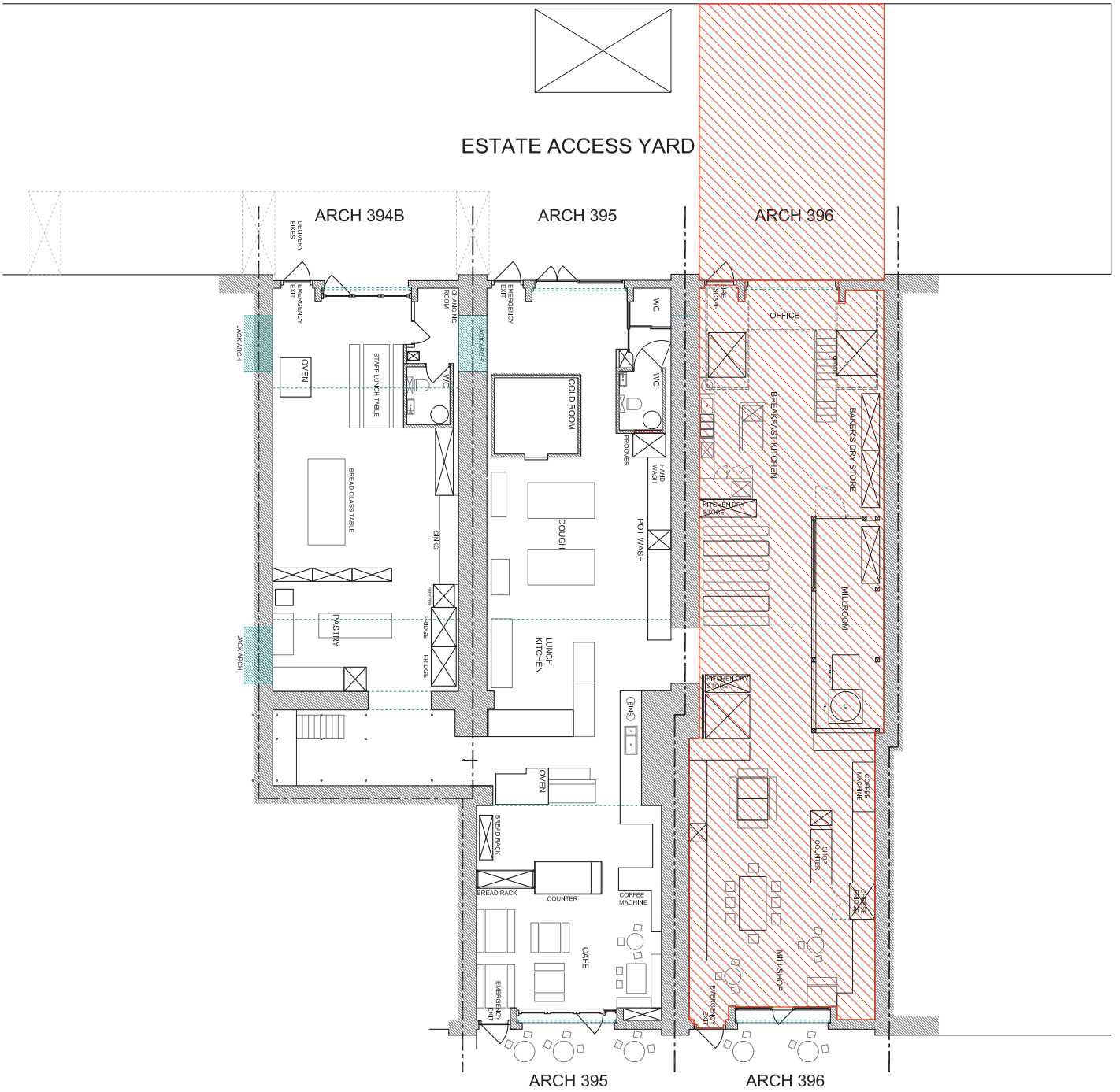
#### Notes for Guidance

This application cannot be used to vary the licence so as to extend the period for which the licence has effect or to vary substantially the premises to which it relates. If you wish to make that type of change to the premises licence, you should make a new premises licence application under section 17 of the Licensing Act 2003.

1. You do not have to pay a fee if the only purpose of the variation for which you are applying is to avoid becoming liable for the late night levy
2. Describe the premises. For example, the type of premises, its general situation and layout and any other information which could be relevant to the licensing objectives. Where your application includes off-supplies of alcohol and you intend to provide a place of consumption of these off-supplies of alcohol, you must include a description of where the place will be and its proximity to the premises.
3. In terms of specific regulated entertainments please note that:
  - Plays: no licence is required for performances between 08.00 and 23.00 on any day, provided that the audience does not exceed 500.



ESTATE ACCESS YARD



MENTMORE TERRACE

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ARCH LEGEND

-  EXISTING WALLS
-  BOUNDARY OF APPLICATION

Project:  
 E5 BAKEHOUSE LTD  
 ARCH 395 MENTMORE TERRACE  
 LONDON  
 E8 3PH  
 Client:  
 E5 BAKEHOUSE

Drawing title:  
**FLOOR PLAN AS  
 PROPOSED**

**PREMISES LICENCE APPLICATION**

Scale: 1:100 @A2 • Drawn: EM • Date: 14-08-17  
 Job no: 15 001 • Drawing no: 02 • Revision: B

# APPENDIX B

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

### RESPONSIBLE AUTHORITY DETAILS

NAME OF AUTHORITY	Metropolitan Police service
ADDRESS OF AUTHORITY	Licensing Unit, Stoke Newington Police Station 33 Stoke Newington High Street London N16 8DS
CONTACT NAME	PC 691GD Kerrie RYAN
TELEPHONE NUMBER	020 7275 3022
E-MAIL ADDRESS	hackneylicensing@met.police.uk

### APPLICATION PREMISES

NAME & ADDRESS OF PREMISES	<b>E5 Bakehouse Railway Arch 396 Mentmore Terrace London E8 3PH</b>
NAME OF PREMISES USER	<b>Ben Mackinnon</b>

### COMMENTS

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

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

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

Police make the following representations in relation to the application for a Premises Licence at E5 BAKEHOUSE, RAILWAY ACRH 396, MENTMORE TERRACE, LONDON, E8 3PH for the following reason(s):

This venue is situated on a street which has railway arches containing a mixture of workshops, cafes and licensed premises on one side of the road and residential properties on the other. This particular area is subject to huge concern at present as police, councillors and local residents meet to determine how to tackle the ASB problems being caused by the licensed premises in the area.

There is currently a valid premises licence covering part of these premises for off sales of alcohol, so police question why these proposals were not made on a variation application.

Police would like further information as follows:

- Is the area to the front of the premises the area covered by the current licence?
- Will the current licence be surrendered if this licence is granted to avoid confusion?
- Will the area to the front of the premises remain as off sales with on sales being added on top for the whole of Arch 396?
- What is the capacity of Arch 396?
- The application requests the sale of alcohol until 2200hrs and 2300hrs, but the opening hours to the public are until 1700hrs. Police require clarity on this please.
- The application also mentions a backyard which can't be seen on the plan police have. How many people can use this space at any one time? And what time will this space be closed?
- Is there a current and valid tables and chairs licence for the front of the premises?
- How will you ensure that you will not add to the current problems of ASB being experienced in the streets and promote the licensing objectives?

Police have attached a set of conditions which include many of the points listed in Section M of the application. We look forward to hearing from the applicant soon to discuss how we can move forward and progress with this application.

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

Application submitted

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

Signed PC 691GD RYAN (By E-mail)

Name (printed)

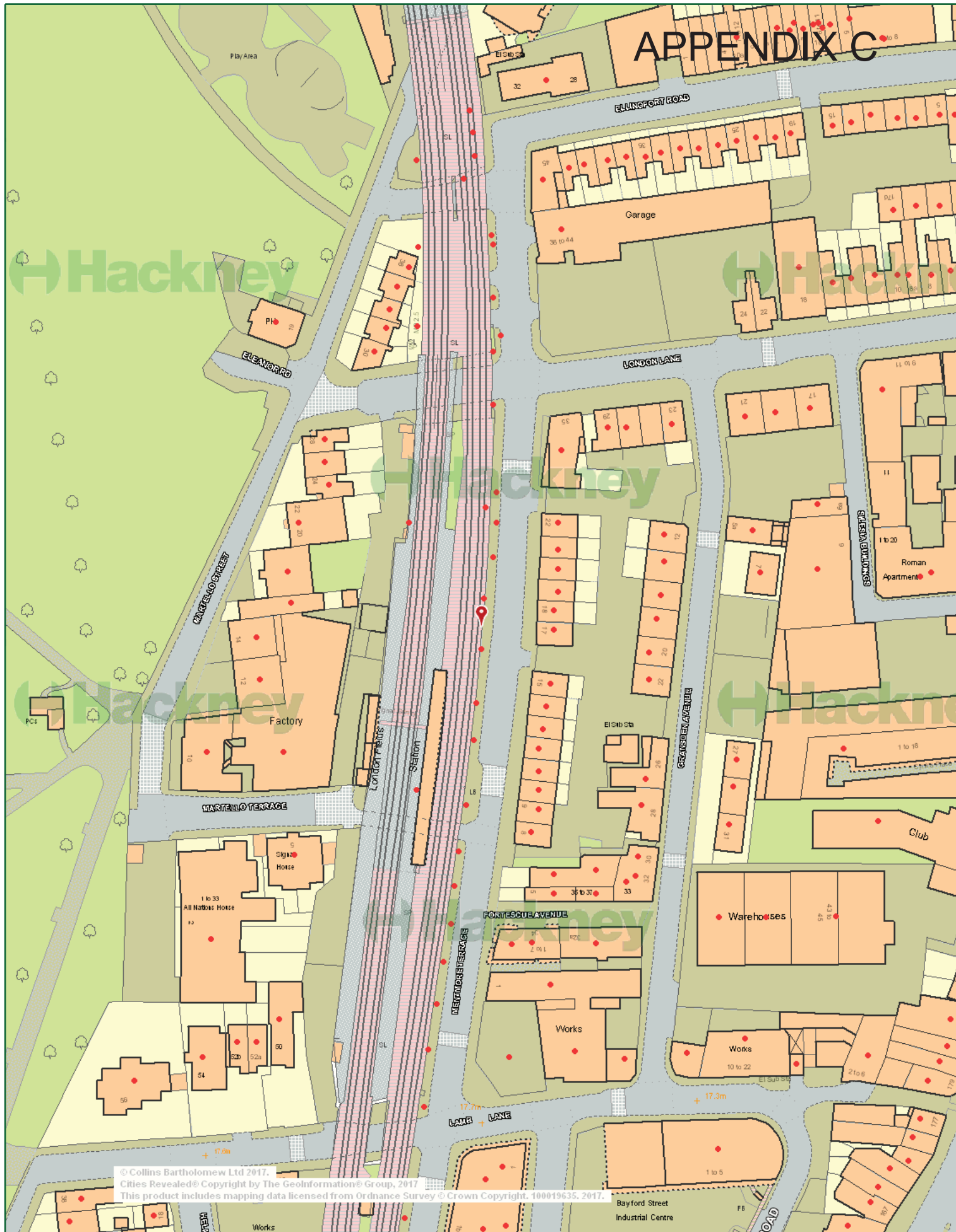
**Conditions for E5 Bakehouse,**  
**Railway Arch 396, Mentmore Terrace,**  
**London, E8 3PH**

1. The premises shall maintain a comprehensive CCTV system as per the minimum requirements of a Metropolitan Police Crime Prevention Officer. All public areas, entry and exit points will be covered enabling frontal identification of every person entering in any light condition. The CCTV system shall continually record whilst the premises is open for licensable activities and during all times when customers remain on the premises. All recordings shall be stored for a minimum period of 31 days with date and time stamping. Recordings shall be made available immediately upon the request of Police or authorised officer.
2. A staff member from the premises who is conversant with the operation of the CCTV system shall be on the premises at all times when the premises are open to the public. This staff member shall be able to show Police or an authorised officer of Hackney Borough Council recent data or footage with the absolute minimum of delay when requested.
3. An incident log shall be kept at the premises, and made available immediately to an authorised officer of the Hackney Borough Council or the Police, which will record the following:
  - a. all crimes reported to the venue
  - b. any complaints received
  - c. any incidents of disorder
  - d. any faults in the CCTV system
  - e. any refusal of the sale of alcohol
  - f. any visit by a relevant authority or emergency service.
4. There shall be "CCTV in Operation" signs prominently displayed.
5. All instances of crime or disorder to be reported by the designated premises supervisor or responsible member of staff to an agreed police contact point, as agreed with the Police.
6. Where the sale or supply of alcohol is taking place employees of the premises must request sight of evidence of the age of any person appearing to be under 25 years of age (Challenge 25). Such evidence may include a driving licence or passport.
7. There shall be no glass, drinks or open containers taken outside of the premises at any time, except when seated in the outside designated seating area.
8. Alcohol shall only be sold on the premises at pre-booked or ticketed events. The premises shall ensure that all details of anyone using the space are taken and kept at the premises. The premises shall also conduct their own risk assessment, a copy of which shall be kept at the premises and produced to a police officer or other authorised officer upon request.
9. The premises will display and maintain appropriate signage advising customers of the contact details of the Designated Premises Supervisor/Duty Manager.

10. There shall be clear signage asking customers to respect the local residents and leave the premises quietly.
11. All staff will be given refresher training every twelve months on the legislation relating to the sales of alcohol to underage persons and drunken persons. Written records of this training shall be kept on the premises and produced to police or other authorised officer upon request.
12. The premises shall adhere to Hackney Police Weapons and Drugs Policies and any updates thereof.
13. Any music played at the premises will be at background level allowing a face to face conversation at normal speech level.
14. SIA registered door supervisors shall be employed at the premises, on an ongoing risk assessment basis. All security staff and stewards shall be clearly identifiable at all times. Additional SIA registered supervisors to be employed on an operational risk assessment basis. All supervisors shall enter their full details in the premises daily register at the commencement of their work. They shall record their full name, home address and contact telephone number, their SIA registration number, and the time they commence and conclude working. If the supervisor was provided by an agency the name, registered business address and contact telephone number will also be recorded. This register will be made available to police or authorised officer immediately upon request.
15. There shall be a written dispersal policy, a copy of which will be kept on the premises and produced to a police officer or other authorised officer upon request.

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

# APPENDIX C



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E5 Bake House, Arch 396 Mentmore Terrace, E8 3PH

Scale 1/1250 at A4



Date 23/8/2017

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