

REPORT OF THE GROUP DIRECTOR, NEIGHBOURHOODS AND HOUSING		
LICENSING SUB-COMMITTEE: 13/02/2018	Classification DECISION	Enclosure
APPLICATION TO VARY THE PREMISES LICENCE : Ground Floor, 331 Wick Road, E9 5DH	Ward(s) affected Hackney Wick	

1. SUMMARY

Applicant(s) Venus 14 Ltd	In SPA No
Date of Application 23 November 2017	Period of Application Permanent
Proposed variation: <ul style="list-style-type: none"> • To add following activities to existing hours <ul style="list-style-type: none"> Films Live Music Recorded Music Late Night Refreshment Supply of Alcohol (On and Off Premises) • To include outside areas in licensed area • To remove and replace existing conditions 	
Proposed hours for licensable activity	
Films INDOOR	Standard Hours: Mon 11:00-00:00 Tue 11:00-00:00 Wed 11:00-00:00 Thu 11:00-00:00 Fri 11:00-01:00 Sat 11:00-01:00 Sun 11:00-00:00
Live Music INDOOR	Standard Hours: Mon 11:00-00:00 Tue 11:00-00:00 Wed 11:00-00:00 Thu 11:00-00:00 Fri 11:00-01:00 Sat 11:00-01:00 Sun 11:00-00:00

<p>Recorded Music</p> <p>INDOOR</p>	<p>Standard Hours: Mon 11:00-00:00 Tue 11:00-00:00 Wed 11:00-00:00 Thu 11:00-00:00 Fri 11:00-01:00 Sat 11:00-01:00 Sun 11:00-00:00</p>
<p>Late Night Refreshment</p> <p>BOTH</p>	<p>Standard Hours: Mon 23:00-00:00 Tue 23:00-00:00 Wed 23:00-00:00 Thu 23:00-00:00 Fri 23:00-01:00 Sat 23:00-01:00 Sun 23:00-00:00</p>
<p>Supply of Alcohol</p> <p>INDOOR</p>	<p>Standard Hours: Mon 11:00-00:00 Tue 11:00-00:00 Wed 11:00-00:00 Thu 11:00-00:00 Fri 11:00-01:00 Sat 11:00-01:00 Sun 11:00-00:00</p>
<p>The opening hours of the premises:</p> <p>INDOOR</p>	<p>Standard Hours: Mon 11:00-00:30 Tue 11:00-00:30 Wed 11:00-00:30 Thu 11:00-00:30 Fri 11:00-01:30 Sat 11:00-01:30 Sun 11:00-00:30</p>
<p>Current activities/hours:</p> <p>See current licence attached as Appendix D</p>	
<p>Capacity: not known</p>	
<p>Policies Applicable</p>	<p>LP3 (Operating Schedule), LP4 (Crime and Disorder), LP5 (Public Nuisance), LP6 (Protection of Children from Harm), LP8 (Public Safety), LP12 (Licensing Hours)</p>
<p>List of Appendices</p>	<p>A – Application for variation of premises licence and supporting documents B – Representations from responsible authorities C – Representations from ‘other persons’ D – Current Licence E - Location map</p>

Relevant Representations	<ul style="list-style-type: none"> • Environmental Health Authority (Environmental Protection) • Police • Licensing Authority • Other Persons
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2. APPLICATION

2.1 Venus 14 Ltd has made an application vary their premises licence under the Licensing Act 2003:

- To extend hours for supply of alcohol for consumption on the premises and to include off sales
- To include provision of regulated entertainment
- To include late night refreshment
- To include outside areas in licensed area
- To remove and replace existing conditions

2.2 The application is attached as Appendix A..

3. CURRENT STATUS / HISTORY

3.1 The current premises licence was granted in 2006. The licence is attached as Appendix D. An application to extend hours and licensable activity was refused by Licensing Sub-committee in July 2013. The licence was transferred to Venus 14 Ltd in April 2014.

3.2 No TENs have been submitted in respect of the premises in 2017/2018

4. REPRESENTATIONS: RESPONSIBLE AUTHORITIES

From	Details
Environmental Health Authority (Environmental Protection)	Representation received on the grounds of the prevention of public nuisance
Environmental Health Authority (Environmental Enforcement)	No representation received
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	No representation received
Fire Authority	Have confirmed no representation on this application
Police (Appendix B1)	Representation received on the grounds of The Prevention of Crime and Disorder, Prevention of Public Nuisance
Licensing Authority	Representation received on the grounds of

(Appendix B2)	Prevention of Public Nuisance
Health Authority	No representation received

5. REPRESENTATIONS: OTHER PERSONS

Representation received from and on behalf of local residents. (Appendices C1-C8)	Representation received on the grounds of The Prevention of Crime and Disorder, Public Safety, Prevention of Public Nuisance, The Protection of Children from Harm, Licensing Hours
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6. GUIDANCE CONSIDERATIONS

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

7. POLICY CONSIDERATIONS

- 7.1 Licensing Sub-Committee is required to have regard to the London Borough of Hackney's Statement of Licensing Policy ("the Policy") adopted by the Licensing Authority.
- 7.2 The Policy applies to applications where relevant representations have been made. With regard to this application, policies LP1 Planning, 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 conditions should be applied to 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.

Exhibition Of Films

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

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

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

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

Door Supervision

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

Conditions derived from operating schedule

10. All instances of crime and disorder shall be reported to the police.

11. An incident book shall be used to record all instances of public disorder and incidents at the premises.

12. The holder of the premises licence shall subscribe to and participate fully in the local pub watch scheme.

13. A minimum of two SIA registered door supervisors shall be on duty from 20:00 until 01:30 on every Friday and Saturday night. On other occasions when deemed necessary by way of event based risk assessment that SIA registered door supervisors will be employed until 30 past closing time at the rate of one door supervisor for every one hundred customers.

14. CCTV shall be installed, operated and maintained in agreement with the Police. The system will enable frontal identification of every person entering the premises. The system shall record in real time and operate whilst the premises are open for licensable activities. The recordings shall be kept available for a minimum of 31 days. Recordings shall be made available to an Authorised Officer or a Police Officer (subject to the Data Protection Act 1998) within 24 hours of any request.

15. Clear and prominent notices shall be displayed on the premises warning customers of the need to guard their property and to be aware of the operation of pickpockets, bag snatchers, etc. The notices shall advise customers to report concerns to the designated premises supervisor or the person in charge of the licensed premises.

16. Safety checks shall be carried out before the admission of the public. Details of safety checks shall be kept in a Log-book on the premises. The Log-book shall be made available for inspection by authorised officers.

17. All exit routes shall be kept unobstructed, with non-slippery and even surfaces, free of trip hazards and clearly identified.

18. All exits doors shall be maintained easily operable without the use of a key, card, code or similar means.

19. Exit doors shall be regularly checked to ensure that they function satisfactorily and a record of the check shall be kept.
20. Adequate and appropriate supply of first aid equipment and materials must be available on the premises at all times.
21. The licensee shall devise a dispersal plan for evening events to be made available on request to reasonable authorities.
22. The licensee shall ensure that all staff, including Door Supervisors if required, shall be trained to carry out these tasks and to facilitate effective crowd dispersal at the end of any given evening, and ensure that they have signed a staff record form to verify that they have been trained in these process.
23. In the event of complaints of noise being received and substantiated by the council's noise officers, the licensee shall cease the activity of live music and appoint a noise consultant registered with the Institute of Acoustics or Association of Noise Consultants to prepare a scheme of further sound insulation and noise control measures, which may include the recalibration of the noise limiting device, to prevent persons in the neighbourhood from being unreasonably disturbed by noise of music, including live music, and amplified or raised voices coming from the from the premises. The scheme shall be submitted for approval by the Council, and the approved scheme fully implemented to the satisfaction of the Council and the licensee notified in writing accordingly, before live music and dancing can resume at the premises.
24. Where a noise limiting device is installed, the system must be set by the appointed noise consultant to maximum music noise levels approved by, and in conjunction with, the Council's Pollution Team.
25. No drinking shall be permitted outside except for the designated garden areas and in any seated area or other area on the public highway pre-agreed with the Council
26. After 11pm persons shall only be permitted to smoke outside in the area to right of premises as specified on second submitted plan.
27. A policy shall be devised in respect of loading and unloading of equipment in and out of the premises to minimise disturbance to local residents. Doors and windows to the premises will be kept closed, so far as practicable, at all times when noise generating regulated entertainment is taking place i.e. live and recorded music.
28. A dedicated licensed taxi/mini cab service shall be available with the premises for customers.
29. Bottling out from the premises is prohibited between 23:00 hours and 08:00 hours.

30. Refuse such as bottles must be placed into receptacles outside the premises at times that will minimise the disturbance to nearby properties.
31. The contact telephone number for the premises duty manager shall be displayed inside the premises or immediately outside the premises such that it is clearly visible from outside without the need to enter the premises.
32. The licensee shall devise a dispersal plan for evening events to be made available on request to reasonable authorities.
33. The licensee shall ensure that all staff, including Door Supervisors if required, shall be trained to carry out these tasks and to facilitate effective crowd dispersal at the end of any given evening, and ensure that they have signed a staff record form to verify that they have been trained in these process.
34. The licensee shall put arrangements in place to ensure that before serving alcohol to young persons, staff ask to see accredited proof of age cards e.g. Citizencard, a Passport, or UK Driving Licence bearing the photograph and date of birth of the bearer.
35. 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.
36. The licensee shall ensure that staff are trained about age restricted products and ensure that they sign to confirm that they have understood the training. The licensee shall keep records of training and instruction given to staff.
37. The premises will display and maintain appropriate signage advising customers of the contact details of the Designated Premises Supervisor.
38. 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.
39. The licensee should regularly monitor staff to check how they are dealing with young people who ask for alcohol and other age restricted products.

Conditions derived from Responsible Authority representations

To add the following to the SIA condition:

“All security staff and stewards shall be clearly identifiable at all times. All supervisors shall enter their full details in the premises daily register at the commencement of their work. They shall record their full name, home address and contact telephone number, their SIA registration number, and the time they commence and conclude working. If the supervisor was provided by an agency the name, registered business address and contact

telephone number will also be recorded. This register will be made available to police or authorised officer immediately upon request.”

To add the following to the CCTV condition:

“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.”

9. REASONS FOR OFFICER OBSERVATIONS

- 9.1 Conditions 10 to 39 have been proposed by the applicant. Police have proposed the above amendments.

10. LEGAL COMMENTS

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

- The Prevention of Crime and Disorder
- Public Safety
- Prevention of Public Nuisance
- The Protection of Children from Harm

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

11. HUMAN RIGHTS ACT 1998 IMPLICATIONS

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

12. MEMBERS DECISION MAKING

- A. Option 1**
That the application be refused
- B. Option 2**
That the application be approved, together with any conditions or restrictions which Members consider necessary for the promotion of the Licensing objectives.

13. CONCLUSION

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

Group Director, Neighbourhoods and Housing	Kim Wright
Lead Officer (holder of original copy):	Mike Smith Principal Licensing Officer Licensing Service 1 Hillman Street E8 1DY Telephone: 020 8356 4973

LIST OF BACKGROUND PAPERS RELATING TO THIS REPORT

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

Description of document	Location
Ground Floor 331 Wick Road, Hackney, E9 5DH	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/We Venus 14 LTd

(Insert name(s) of applicant)

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

Premises licence
number LBH-PRE-T- 0635

Part 1 – Premises Details

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

331 WICK ROAD
HACKNEY

Post town	LONDON	Postcode	E9 5DH
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Telephone number at premises (if any)

Non-domestic rateable value of premises £10000

Part 2 – Applicant details

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

town			
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Part 3 – Variation

Please tick as appropriate	
Do you want the proposed variation to have effect as soon as possible?	Yes
If not, from what date do you want the variation to take effect?	
Do you want the proposed variation to have effect in relation to the introduction of the late night levy? (Please see guidance note 1)	Yes
	<input checked="" type="checkbox"/> No

<p>Please describe briefly the nature of the proposed variation (Please see guidance note 2)</p> <p>To add licensable activities to existing hours, to permit drinking outside in authorised areas, and to modern an out of date licence</p>

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:

400

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) | <input type="checkbox"/> |
| b) films (if ticking yes, fill in box B) | <input checked="" type="checkbox"/> |
| 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) <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| f) recorded music (if ticking yes, fill in box F) | <input checked="" type="checkbox"/> |
| g) performances of dance (if ticking yes, fill in box G) | .. |
| h) anything of a similar description to that falling within (e), (f) or (g) (if ticking yes, fill in box H) | .. |
| <u>Provision of late night refreshment</u> (if ticking yes, fill in box L) | <input checked="" type="checkbox"/> |
| Sale by retail of alcohol (if ticking yes, fill in box J) | .. |
| In all cases complete boxes K, L and M | |

A

Plays Standard days and timings (please read guidance note 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	
				Both	
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	<input checked="" type="checkbox"/>
				Outdoors	
Day	Start	Finish		Both	
Mon	11:00	00:00	Please give further details here (please read guidance note 5)		
	-----	-----			
Tue	11:00	00:00			
	-----	-----			
Wed	11:00	00:00	State any seasonal variations for the exhibition of films (please read guidance note 6)		
	-----	-----			
Thur	11:00	00:00			
	-----	-----			
Fri	11:00	01:00	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	11:00	01:00			
	-----	-----			
Sun	11:00	00:00			
	-----	-----			

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			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)
Wed			
Thur			
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	
				Both	
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

Live music Standard days and timings (please read guidance note 8)			Will the performance of live music take place indoors or outdoors or both – please tick (please read guidance note 4)	Indoors	<input checked="" type="checkbox"/>			
				Outdoors	<input type="checkbox"/>			
				Both	<input type="checkbox"/>			
Day	Start	Finish	Please give further details here (please read guidance note 5)					
Mon	11:00	00:00						
	-----	-----						
Tue	11:00	00:00						
	-----	-----						
Wed	11:00	00:00				State any seasonal variations for the performance of live music (please read guidance note 6)		
	-----	-----						
Thur	11:00	00:00						
	-----	-----						
Fri	11:00	01:00	Non-standard timings. Where you intend to use the premises for the performance of live music at different times to those listed in the column on the left, please list (please read guidance note 7)					
	-----	-----						
Sat	11:00	01:00						
	-----	-----						
Sun	11:00	00:00						
	-----	-----						

F

Recorded music Standard days and timings (please read guidance note 8)			Will the playing of recorded music take place indoors or outdoors or both – please tick (please read guidance note 4)	Indoors	<input checked="" type="checkbox"/>
				Outdoors	<input type="checkbox"/>
				Both	<input type="checkbox"/>
Day	Start	Finish	Please give further details here (please read guidance note 5)		
Mon	11:00	00:00			
Tue	11:00	00:00			
Wed	11:00	00:00			
			State any seasonal variations for the playing of recorded music (please read guidance note 6)		
Thur	11:00	00:00			
			Non-standard timings. Where you intend to use the premises for the playing of recorded music at different times to those listed in the column on the left, please list (please read guidance note 7)		
Fri	11:00	01:00			
Sat	11:00	01:00			
Sun	11:00	00:00			

G

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

H

Anything of a similar description to that falling within (e), (f) or (g) Standard days and timings (please read guidance note 8)			Please give a description of the type of entertainment you will be providing		
Day	Start	Finish	Will this entertainment take place indoors or outdoors or both – please tick (please read guidance note 4)	Indoors	
Mon				Outdoors	
				Both	
Tue			Please give further details here (please read guidance note 5)		
Wed					
Thur					
Fri			State any seasonal variations for entertainment of a similar description to that falling within (e), (f) or (g) (please read guidance note 6)		
Sat					
Sun					
			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)		

I

Late night refreshment Standard days and timings (please read guidance note 8)			Will the provision of late night refreshment take place indoors or outdoors or both – please tick (please read guidance note 4)	Indoors	
Day	Start	Finish		Outdoors	
				Both	<input checked="" type="checkbox"/>
Mon	23:00	00:00	Please give further details here (please read guidance note 5)		
Tue	23:00	00:00	State any seasonal variations for the provision of late night refreshment (please read guidance note 6)		
Wed	23:00	00:00	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 (please read guidance note 7)		
Thur	23:00	00:00			
Fri	23:00	01:00			
Sat	23:00	01:00			
Sun	23:00	00:00			

I

Supply of alcohol Standard days and timings (please read guidance note 6)			<u>Will the supply of alcohol be for consumption - please tick</u> (please read guidance note 7)	On the premises	<input type="checkbox"/>			
				Off the premises	<input type="checkbox"/>			
				Both	X			
Day	Start	Finish	<u>State any seasonal variations</u> (please read guidance note 4)					
Mon	11:00	00:00						
Tue	11:00	00:00						
Wed	11:00	00:00						
Thur	11:00	00:00				<u>Non-standard timings. Where the club intends to use the premises for the supply of alcohol at different times from those listed in the column on the left, please list</u> (please read guidance note 5)		
Fri	11:00	01:00						
Sat	11:00	01:00						
Sun	11:00	00:00						

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).
 None permitted

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	11:00	00:30	Non-standard timings. Where you intend the premises to be open to the public at different times from those listed in the column on the left, please list (please read guidance note 7)
Tue	11:00	00:30	
Wed	11:00	00:30	
Thur	11:00	00:30	
Fri	11:00	01:30	
Sat	11:00	01:30	
Sun	11:00	00:30	

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.

all current to conditions to be removed.

Please tick as appropriate

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

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

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

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

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

See below.

b) The prevention of crime and disorder

All instances of crime and disorder shall be reported to the police.

An incident book shall be used to record all instances of public disorder and incidents at the premises.

The holder of the premises licence shall subscribe to and participate fully in the local pub watch scheme.

A minimum of two SIA registered door supervisors shall be on duty from 20:00 until 01:30 on every Friday and Saturday night.

On other occasions when deemed necessary by way of event based risk assessment that SIA registered door supervisors will be employed until 30 past closing time at the rate of one door supervisor for every one hundred customers.

CCTV shall be installed, operated and maintained in agreement with the Police. The system will enable frontal identification of every person entering the premises. The system shall record in real time and operate whilst the premises are open for licensable activities. The recordings shall be kept available for a minimum of 31 days. Recordings shall be made available to an Authorised Officer or a Police Officer (subject to the Data Protection Act 1998) within 24 hours of any request. Clear and prominent notices shall be displayed on the premises warning customers of the need to guard their property and to be aware of the operation of pickpockets, bag snatchers, etc. The notices shall advise customers to report concerns to the designated premises supervisor or the person in charge of the licensed premises.

c) Public safety

Safety checks shall be carried out before the admission of the public. Details of safety checks shall be kept in a Log-book on the premises. The Log-book shall be made available for inspection by authorised officers.

All exit routes shall be kept unobstructed, with non-slippery and even surfaces, free of trip hazards and clearly identified.

All exits doors shall be maintained easily operable without the use of a key, card, code or similar means.

Exit doors shall be regularly checked to ensure that they function satisfactorily and a record of the check shall be kept.

Adequate and appropriate supply of first aid equipment and materials must be available on the premises at all times.

d) The prevention of public nuisance

The licensee shall devise a dispersal plan for evening events to be made available on request to reasonable authorities.

The licensee shall ensure that all staff, including Door Supervisors if required, shall be trained to carry out these tasks and to facilitate effective crowd dispersal at the end of any given evening, and ensure that they have signed a staff record form to verify that they have been trained in these process.

In the event of complaints of noise being received and substantiated by the council's noise officers, the licensee shall cease the activity of live music and appoint a noise consultant registered with the Institute of Acoustics or Association of Noise Consultants to prepare a scheme of further sound insulation and noise control measures, which may include the recalibration of the noise limiting device, to prevent persons in the neighbourhood from being unreasonably disturbed by noise of music, including live music, and amplified or raised voices coming from the from the premises.

The scheme shall be submitted for approval by the Council, and the approved scheme fully implemented to the satisfaction of the Council and the licensee notified in writing accordingly, before live music and dancing can resume at the premises.

Where a noise limiting device is installed, the system must be set by the appointed noise consultant to maximum music noise levels approved by, and in conjunction with, the Council's Pollution Team.

No drinking shall be permitted outside except for the designated garden areas and in any seated area or other area on the public highway pre-agreed with the Council

After 11pm persons shall only be permitted to smoke outside in the area to right of premises as specified on second submitted plan.

A policy shall be devised in respect of loading and unloading on equipment in and out of the premises to minimise disturbance to local residents.

Doors and windows to the premises will be kept closed, so far as practicable, at all times when noise generating regulated entertainment is taking place i.e. live and recorded music.

A dedicated licensed taxi/mini cab service shall be available with the premises for customers.

Bottling out from the premises is prohibited between 23:00 hours and 08:00 hours.

Refuse such as bottles must be placed into receptacles outside the premises at times that will minimise the disturbance to nearby properties.

The contact telephone number for the premises duty manager shall be displayed inside the premises or immediately outside the premises such that it is clearly visible from outside without the need to enter the premises.

The licensee shall devise a dispersal plan for evening events to be made available on request to reasonable authorities.

The licensee shall ensure that all staff, including Door Supervisors if required, shall be trained to carry out these tasks and to facilitate effective crowd dispersal at the end of any given evening, and ensure that they have signed a staff record form to verify that they have been trained in these process.

e) The protection of children from harm

The licensee shall put arrangements in place to ensure that before serving alcohol to young persons, staff ask to see accredited proof of age cards e.g. Citizencard, a Passport, or UK Driving Licence bearing the photograph and date of birth of the bearer.

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.

The licensee shall ensure that staff are trained about age restricted products and ensure that they sign to confirm that they have understood the training. The licensee shall keep records of training and instruction given to staff.

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

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.

The licensee should regularly monitor staff to check how they are dealing with young people who ask for alcohol and other age restricted products.

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	niall forde
Date	7/11/2017
Capacity	Consultant

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	7/11/2017
Capacity	

Contact name (where not previously given) and address for correspondence associated with this application (please read guidance note 15)

[Redacted contact name and address]

UK-England

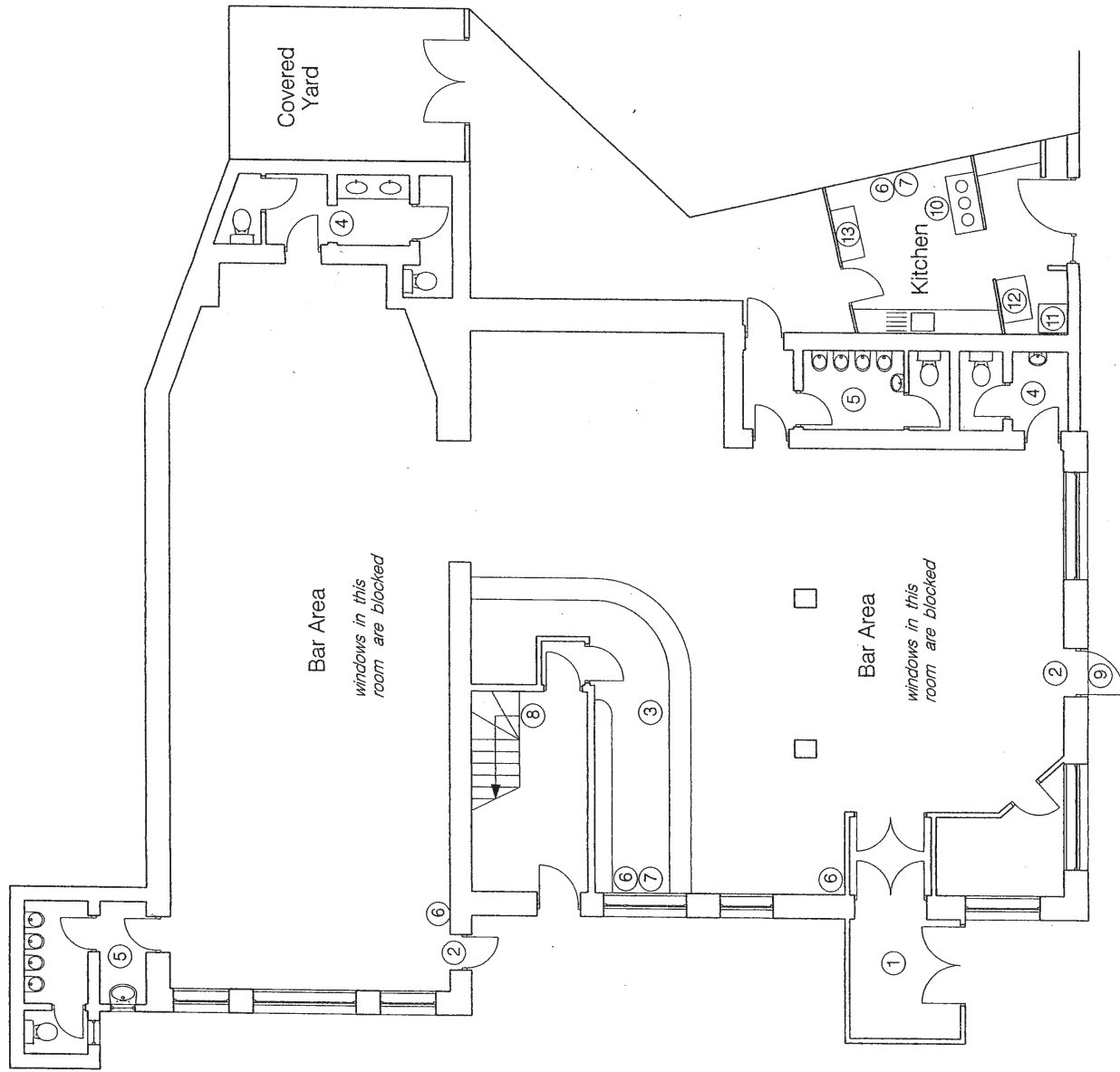
Post town	[Redacted]	Post code	[Redacted]
Telephone number (if any)	[Redacted]		

If you would prefer us to correspond with you by e-mail, your e-mail address (optional)

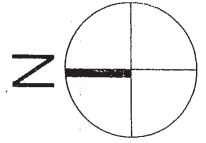
Notes for Guidance

This application cannot be used to vary the licence so as to extend the period for which the licence has effect or to vary substantially the premises to which it relates. If you wish 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.
 - Films: no licence is required for 'not-for-profit' film exhibition held in community premises between 08.00 and 23.00 on any day provided that the audience does not exceed 500 and the organiser (a) gets consent to the screening from a person who is responsible for the premises; and (b) ensures that each such screening abides by age classification ratings.
 - Indoor sporting events: no licence is required for performances between 08.00 and 23.00 on any day, provided that the audience does not exceed 1000.
 - Boxing or Wrestling Entertainment: no licence is required for a contest, exhibition or display of Greco-Roman wrestling, or freestyle wrestling between 08.00 and 23.00 on any day, provided that the audience does not exceed 1000. Combined fighting sports – defined as a contest, exhibition or display which combines boxing or wrestling with one or more martial arts – are licensable as a boxing or wrestling entertainment rather than an indoor sporting event.
 - Live music: no licence permission is required for:
 - a performance of unamplified live music between 08.00 and 23.00 on any day, on any premises.
 - a performance of amplified live music between 08.00 and 23.00 on any day on premises authorised to sell alcohol for consumption on those premises, provided that the audience does not exceed 500.
 - a performance of amplified live music between 08.00 and 23.00 on any day, in a workplace that is not licensed to sell alcohol on those premises, provided that the audience does not exceed 500.
 - a performance of amplified live music between 08.00 and 23.00 on any day, in a church hall, village hall, community hall, or other similar community premises, that is not licensed by a premises licence to sell alcohol, provided that (a) the audience



- ① Main Entrance/Fire Escape
- ② Fire Escape
- ③ Bar
- ④ Ladies' Toilets
- ⑤ Gents' Toilets
- ⑥ Fire Extinguisher
- ⑦ Fire Blanket
- ⑧ Stairs to Residential Part
- ⑨ Step 120mm
- ⑩ Cooker
- ⑪ Refrigerator
- ⑫ Freezer
- ⑬ Hot Food Storage



Wick Road (Pavement)

331 Wick Road, E9

Exst. Ground Floor Layout 1:100@A3
 Drawing 0512-SUR-APEX10 August 2005

JOCHEN DRIESSE ARCHITECTS

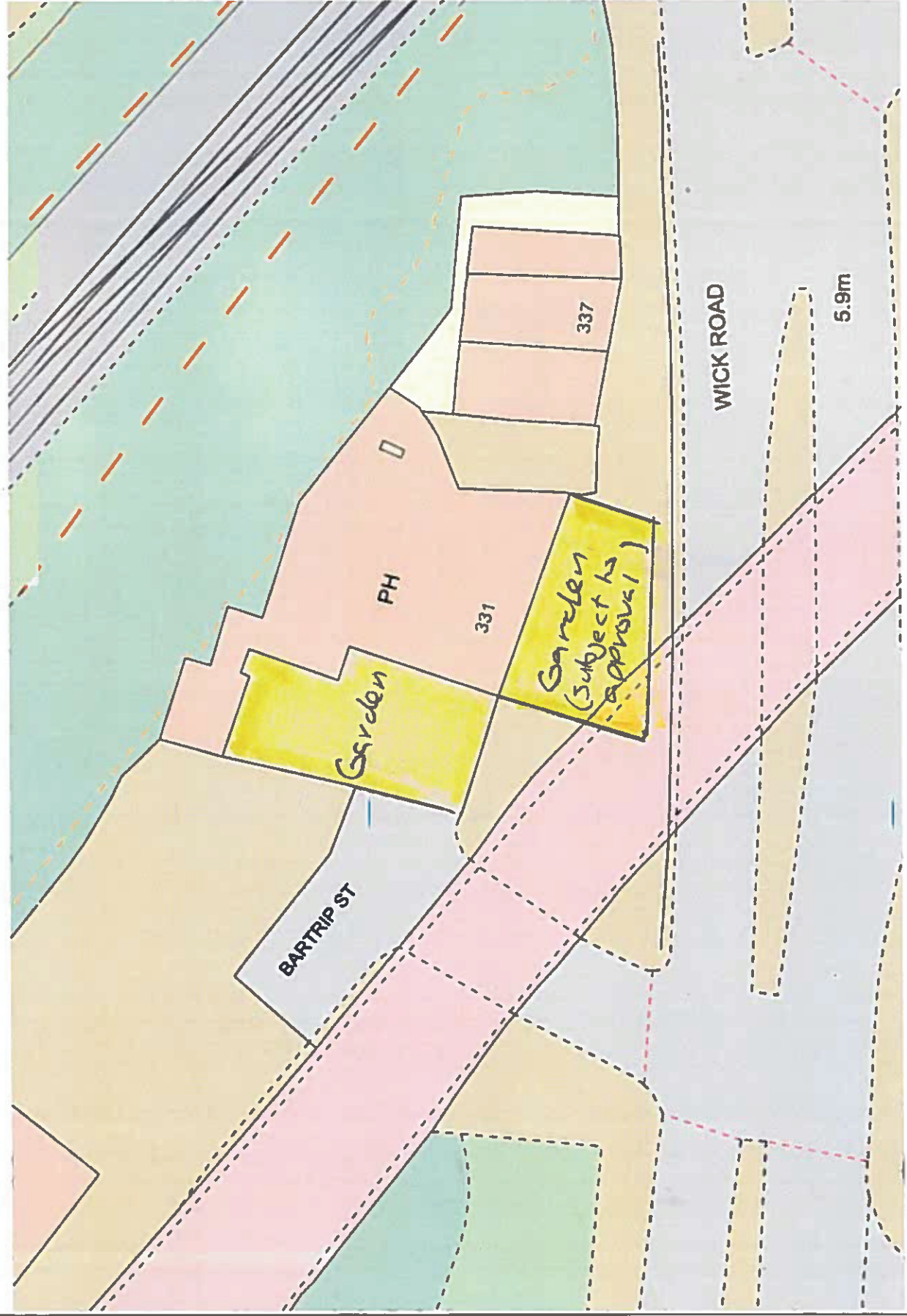
71 Darville Road
 London N16 7PT
 Tel: 020 7502 2599
 Email: jdarchitects@gmx.net

Note: This illustrative drawing is produced for licensing and similar purposes

Title: Wick Road

Printed By:
RO RO

Printed At:
16-11-2017



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

RESPONSIBLE AUTHORITY DETAILS

NAME OF AUTHORITY	London Borough of Hackney
ADDRESS OF AUTHORITY	Environmental Protection Team, First Floor, Hackney Service Centre, 1 Hillman Street London E8 1DY
CONTACT NAME	Gurch Patti
TELEPHONE NUMBER	0208 356 4997
E-MAIL ADDRESS	Gurch.Patti@hackney.gov.uk

APPLICATION PREMISES

NAME & ADDRESS OF PREMISES	Venus 14 Ltd 331 Wick Road London E9 5DH
REFERENCE	Premises licence number LBH-PRE-T-0635
NAME OF LICENCE HOLDER/ DESIGNATED PREMISES SUPERVISOR	

COMMENTS

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

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

Representation in relation to:

Environmental Protection object to a variation of premises licence under the Licensing Act 2003 as applied for by Venus Ltd 331 Wick Road London E9 5DH. The applicant has not demonstrated in full that **LP5 Public Nuisance** Licensing Policy requirement would be met.

Environmental Protection Team is concerned that noise or/and smoke may cause nuisances to occupiers of nearest noise/smoke sensitive receptors and obstruction to users of the public pavement on Wick Road and nearby streets.

The applicant has not provided adequate information on completed noise mitigation works so when regulated entertainment is taking place (live music & recorded music) it will not cause a disturbance to nearby residents.

The applicant needs to identify the exact smoking area and the number of people that will using the designated smoking area at any one time is not restricted.

Therefore, the applicant is advised to contact Environmental Protection to discuss concerns above.

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

The Licensing Policy. The prevention of public nuisance **LP5**.

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

The applicant is welcome to contact Gurch Patti on 020 8356 4997 or Email: gurch.patti@hackney.gov.uk

Name: Gurch Patti

Date: 20th December 2017

**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	331 Wick Road London E9 5DH
NAME OF PREMISES USER	Venus 14 Ltd

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 variation to the Premises Licence at 331 WICK ROAD, LONDON, E9 5DH for the following reason(s):

The premises is located underneath the A12 in Hackney Wick. The rear of the premises backs on to railway tracks and residential properties in Buxhall Crescent. These residents have previously been disturbed by music from this venue. Police have seen several applications from this venue over the past few years, but the venue has remained closed.

This application seeks to include the addition of Films, Late Night refreshment, Live Music and Recorded Music and extend the opening hours by 30 minutes. This would mean that the sale of alcohol would cease an hour before closing time, which is large gap. Why is this the case? Police propose that all other licensable activity be brought back to be in line with the sale of alcohol and the premises then close 30 minutes after.

Police would like to add the following to the SIA condition set out in Section M (b):

All security staff and stewards shall be clearly identifiable at all times. All supervisors shall enter their full details in the premises daily register at the commencement of their work. They shall record their full name, home address and contact telephone number, their SIA registration number, and the time they commence and conclude working. If the supervisor was provided by an agency the name, registered business address and contact telephone number will also be recorded. This register will be made available to police or authorised officer immediately upon request.

And would like to add the following to the CCTV condition:

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.

Police would also like to meet the applicant on site to discuss this application and how the premises will operate on a day to day basis with relation to the location of smokers, sound limiting devices and outside seating areas.

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)

**RESPONSIBLE AUTHORITY REPRESENTATION:
APPLICATION UNDER THE LICENSING ACT 2003****RESPONSIBLE AUTHORITY DETAILS**

NAME OF AUTHORITY	Licensing Authority
ADDRESS OF AUTHORITY	Licensing Service 1 Hillman Street London E8 1DY
CONTACT NAME	David Tuitt
TELEPHONE NUMBER	020 8356 4942
E-MAIL ADDRESS	david.tuitt@hackney.gov.uk

APPLICATION PREMISES

NAME & ADDRESS OF PREMISES	331 Wick Road London E9 5DH
NAME OF APPLICANT	Venus 14 Ltd

COMMENTS

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

- the prevention of crime and disorder
- public safety
- the prevention of public nuisance **x**
- the protection of children from harm

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

The premises is located at the interchange between the A12 and the A106 (Wick Road) and is partially underneath an elevated section of the eastbound A12. Whilst the immediate location may not be classed as “residential” there are some residential properties nearby, including opposite. The road is a double lined ‘Red Route’, which prohibits stopping, thereby restricting vehicular access/egress to the adjacent Bartrip Street or possibly to Cadogan Terrace and Cowdry Road on the opposite of Wick Road.

The following proposed conditions are noted:

The licensee shall devise a dispersal plan for evening events to be made available on request to reasonable authorities.

- It would be helpful if a draft of this dispersal plan be provided as soon as practicable.

No drinking shall be permitted outside except for the designated garden areas and in any seated area or other area on the public highway pre-agreed with the Council

- According to the submitted plan, there appears to be no delineation between the area entitled “front garden” and the public footpath. Although from the photo taken from ‘Google Streetview’ there appears to be a variation in the surface and wooden posts which may suggest that this area is private land. This needs to be clarified. See image:



After 11pm persons shall only be permitted to smoke outside in the area to right of premises as specified on second submitted plan.

- The permitted number of smokers beyond 23:00 is currently unlimited so the applicant may wish to suggest an upper limit

A policy shall be devised in respect of loading and unloading on equipment in and out of the premises to minimise disturbance to local residents.

- It would be helpful if a draft of this plan be provided as soon as practicable.

Lastly, it should be noted that the premises licence currently restricts the supply of alcohol to consumption on the premises only. This application seeks to authorise consumption both on and off the premises.

Therefore I do have concerns that the proposal could have a negative impact on the prevention of public nuisance objective.

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

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

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

Discussion with the applicant in relation to the points raised above, including the proposed outdoor activity and clarification in relation to the position of and maximum number of smokers allowed outside.

Name: David Tuitt (Business Regulation Team Leader - Licensing and Technical Support)

Date: 20/12/17

From: Nick Sharman (Cllr)
Sent: 21 December 2017 22:28
To: Licensing
Cc: Christopher Kennedy (Cllr); Jessica Webb (Cllr); Jason Lord
Subject: Variation Application for licensed premises at 331 Wick Road

Dear Licensing Service

I am writing on behalf of the three Councillors for Wick Ward to object to the variation application for the licensed premises at 331 Wick Road.

We believe the proposed extension of hours and relaxation of conditions will create wholly unacceptable problems for local residents. Indeed we believe there is a strong case for tightening the existing conditions in line with the suggested guidelines within the Borough-wide consultation over future licensing policy. The consultation suggests that there is evidence that the Borough now has enough post-midnight bars to meet demand and that venues should in future have to show exceptional circumstances to justify staying open after midnight. There are no such exceptional circumstances applying in this case and therefore we suggest the hours are cut back to 11pm for Sunday to Thursday and midnight on Friday and Saturday.

Moreover in light of the closeness of the residential area to the premises we believe it is important that standard noise conditions should be applied to prevent noise being heard to the nearby houses. Further we believe the standard outside area conditions should also be applied. This would involve all outside activities cease at 8pm every night to protect the amenity of residential families in the neighbourhood.

Yours sincerely

Nick Sharman, Chris Kennedy and Jessica Webb

Councillor Nick Sharman
Hackney Wick Ward
London Borough of Hackney

██
██

Mike Smith

From: [REDACTED]
Sent: 20 December 2017 21:18
To: Licensing
Subject: Opposition of application for variation notice at 331 Wick Road Hackney (the old White Lion / Silver Link /Geneva's)

To who it may concern,

I am responding to property 331 Wick Road's (the old White Lion / Silver Link /Geneva's) application for variation of premises license.

I write on behalf of the residents of block [REDACTED] Wick Road, as we believe that granting this license would result in regular – and serious – disruption.

Our opposition of the license is based on a number of factors:

- Residents of 331 Wick Road have historically hosted loud and disruptive parties on their rooftop that have continued into the early hours of the morning. Furthermore, they do not tidy up after these events, leaving their rubbish to either blow off the terrace into the greenery next door or onto the balcony area below where it subsequently sits and rots. Based on this behavior, we are not confident that residents would stick to the terms of the license.
- Those of us living in number [REDACTED] Wick Road work full time. Our schedule requires us to be up at 06:00 on weekday mornings and we therefore all go to bed at roughly 22:00 at night. The license being requested runs until 23:00. Should it be granted, it is likely to cause disruption to our routines and over a period of time, will affect our work.
- We have seen a number of young children living in the flats of 331 Wick Road and feel that a pub and late license could be equally negative and disruptive for them and their wellbeing.
- The nature of the license calls into question local residents' public safety and raises concerns about an increase in crime and disorder due to abuse of alcohol and it's provocation of anti-social behaviour.

We hope that these oppositions will help to prove that this license should not be granted and thank you for your kind consideration.

Should you like to discuss any of these points further, you can do so on number below:

[REDACTED]

With kind regards

From: [REDACTED]
Sent: 20 December 2017 18:36
To: Licensing
Subject: Opposition of application for variation notice at 331 Wick Road Hackney (the old White Lion / Silver Link /Geneva's)

To who it may concern,

I am responding to property 331 Wick Road's (the old White Lion / Silver Link /Geneva's) application for variation of premises license.

I write on behalf of the residents of block [REDACTED] Wick Road, as we believe that granting this license would result in regular – and serious – disruption.

Our opposition of the license is based on a number of factors:

- Residents of 331 Wick Road have historically hosted loud and disruptive parties on their rooftop that have continued into the early hours of the morning. Furthermore, they do not tidy up after these events, leaving their rubbish to either blow off the terrace into the greenery next door or onto the balcony area below where it subsequently sits and rots. Based on this behavior, we are not confident that residents would stick to the terms of the license.
- Those of us living in number 335 Wick Road work full time. Our schedule requires us to be up at 06:00 on weekday mornings and we therefore all go to bed at roughly 22:00 at night. The license being requested runs until 23:00. Should it be granted, it is likely to cause disruption to our routines and over a period of time, will affect our work.
- We have seen a number of young children living in the flats of 331 Wick Road and feel that a pub and late license could be equally negative and disruptive for them and their wellbeing.
- The nature of the license calls into question local residents' public safety and raises concerns about an increase in crime and disorder due to abuse of alcohol and it's provocation of anti-social behaviour.

We hope that these oppositions will help to prove that this license should not be granted and thank you for your kind consideration.

Should you like to discuss any of these points further, you can do so on number below:

[REDACTED]

With kind regards

[REDACTED]

From: [REDACTED]
Sent: 21 December 2017 22:46
To: Mike Smith
Cc: Licensing
Subject: Licensing Application at 331 Wick rd

Dear Sir,

I wish to register my objection to the proposed variation to licensing of 331 in the strongest possible terms. I'm re-iterating the same objections made against previous applications for this site for which I invite you to cross refer.

Prevention of crime and disorder:

The history of crime related incidents with this property are notorious. It is clear that licensed activities at this address are no longer appropriate due to changes in character in the area since licensing was originally approved.

In the last 4 years we have regularly reported noise disturbance in connection with this property, including loud music from cars parked in front of the property continuing until the very early hours. Most recently a party taking place on the rear roof terrace of the property continued until approx 4AM.

Even though the terrace faces towards the railway embankment the sound system was clearly audible at our address (cadogan Terrace). Our children's sleep was disturbed.

On previous occasions (at least twice) noise control officers have attended our property at witnessed unacceptable noise and antisocial behaviour emanating from the property. I request that you consult noise officers to confirm the lengthy catalogue of complaints.

On the occasions noise control officers have attended they were reluctant to intervene to deal with the disturbance without police support. I have called the police directly aswell on other occasions. In all cases the Police were unable to attend within a reasonable time and clearly were prioritising other activities.

This demonstrates that this site cannot be policed in any practical way and crime and disorder cannot be prevented at this locations as it is remote from areas where nighttime uses can be properly managed.

The owners of the property (applicants) have proven repeatedly over time their irresponsibility and disregard for proper management of this site. There can be no confidence that this will change.

Licensed activities even off sales need to to be concentrated in areas where there is an established nighttime economy that can be effectively managed. This is not the case here.

This property is located adjacent to a secluded industrial yard, and untended overgrown area, there is little pedestrian footfall along this pavement and as such demonstrably invites antisocial activity. There is little natural surveillance. Licensed sales here will only incite crime and disorder.

Public safety:

In terms of public safety I would add that the proximity of the busy traffic junction creates a conflict. The access road (Bartrip street) is less than ideally located on Wick rd (I question whether it meets requirements in terms of highways design). Late at night there is often fast moving traffic accelerating on to the a12 slip road. Late night activities here have attracted cars turning and the proposed activities will therefore exacerbate the danger of collision. There is therefore an increased risk public safety. Police will be able to confirm that there was a serious traffic accident at the junction opposite within the last month. Indeed the fugitive driver was apprehended fleeing into the yard at Bartip street.

Public nuisance :

There is no need for licensed activity here as there are numerous convenience stores in the locality where it is possible to buy alcohol late into the evening.

Despite the proximity to the A12, The area is now a more developed as a residential area than it was when previous licenses were operational. This the result of construction of 6/7/8 Cadogan Terrace and the development at St Mary of Eton nearby on Eastway.

Late night activity on this site has already proven to be a significant public nuisance there is a clear risk that this will be intensified should this application be approved.

The increasing provision of family homes in the vicinity means there will be increased risk of harm to children given all of the above.

Beyond that I would like to add that the area falls under the jurisdiction of the LLDC as the planning authority. They are currently consulting on a masterplan for Hackney Wick and Fish Island. There is intense pressure to retain employment uses and cheap space for creative industries for which this site could be much more positively and appropriately used.

I believe the current and proposed activities are contradictory to the local plan, and will be discouraged under the emerging area action plan (or similar planning led initiative). As such, far from varying current license - I contest that the current license should be extinguished. There has been no lawful licensed operation here for at least five years, there will be no loss of trade or employment or public amenity, if that were the case.

Please confirm that the LLDC have been consulted, and their are comments available to the licensing committee. If this not the case I would expect this application be deferred until they have had the opportunity to consider this matter.

I look forward to your response on this point in particular.

I will be happy to make my representations to the committee directly in due course so please also keep me informed of any eventual committee date.

Merry Christmas!

██████████

Sent from my iPhone

From: [REDACTED]
Sent: 13 November 2017 09:43
To: Licensing
Subject: Licence application 331 Wick Road

Dear Sir/ Madam

I would like to make a representation against the licence application for 331 Wick Road E9 5DH. I am the freeholder of 335 Wick Road.

The former pub is situated on a very busy stretch of road which is a 'red route'. The property owners rent the upper floor of the pub to a number of tenants (I presume accommodated in bedsits), and the lower floor is currently used as storage. The property is in a state of semi-dereliction with one side of the frontage in a state of collapse. Since 2009 when I purchased my property I have seen barely any attempt to improve the property. The only modification (i.e not improvement) I have noticed is that the owners recently installed some ugly steel posts to vehicles being parked on the pub forecourt. There is a HGV repair garage opposite which prevents access on Bartrip Street with lorries and large vehicles for long periods, even at weekends. Whenever there is a downpour, there are huge muddy puddles that form in front of the pub, which makes access very difficult for residents. There is an infestation of rats at the rear of the building.

I am aware that the pub was formerly a nightclub that was ordered to close after it became a focal point for crime. I am also aware that the nightclub created serious parking problems in the immediate area. In recent years since its closure, parking rules in front of the building (Bartrip Street) and on neighbouring streets have been tightened, so now there are practically no parking places available for visitors.

The owners applied for a similar licence a couple of years ago which was declined, partly on the advice of a police officer who recommended that the building is unsuitable and could again attract crime. I see no reason that this view might have changed since then.

I would feel very sorry for the tenants of the upper floor of the pub if they were forced to hear the noise and crowds of a nightclub in the same building. The application shows a complete disregard for their well-being. My tenants and their neighbours at [REDACTED] Wick Road live only [REDACTED] metres away and are anxious about the negative impact it would have on their lives. 331 and [REDACTED] Wick Road are situated at what is already a very noisy and congested junction, which a nightclub would exacerbate and would make peaceful life in the area impossible.

In summary, I consider that the building is in an unsuitable location for a nightclub and I have no confidence that the owners will observe any legal and moral obligations to improve the building so that it might be run as a hospitable and safe nighttime venue. I wholeheartedly object to their application.

faithfully,

[REDACTED]
[REDACTED] Horace Road, London [REDACTED]
[REDACTED]

From: [REDACTED]
Sent: 21 December 2017 23:22
To: Licensing
Subject: 331 Wick Road licensing objection

The Act sets out four licensing objectives which must be taken into account when a local authority carries out its functions. They are:

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

There is an application to add outdoor sales and music. I have reported disturbances on several occasions as music played under the flyover outside the pub reverberates through my home. You can feel - as well as hear - bass. And it disturbs my young daughter's sleep and is a public nuisance as well as harming my child.

The traffic in that area does not seem to recognise that pedestrians cross. I am concerned that people under the influence of alcohol would be at risk arriving at or leaving the venue because of the local environment- a concern for public safety.

I object to the licensing application.

Sent from my iPhone

From: [REDACTED]
Sent: 21 December 2017 23:48
To: Licensing
Subject: 331 Wick Road Licence Variation Representation

To whomever it may concern,

I would like to submit a representation to object the licence variation submission at 331 Wick Road, E9.

I would ask the council to consider all aspects of the variation application be refused and that the premises licence hours be reduced in line with current policy.

The venue itself is surrounded by residential properties. I live next door at 335 Wick Road, a property that consists of two flats and houses four people. Opening a venue with a capacity of 400 people would cause considerable disturbance given its close proximity to our property - not least both properties' outdoor areas, which would be more meaningfully exposed.

The surrounding area also consists of many residential properties who would be considerably inconvenienced if a large number of people were suddenly to convene around the area at the hours suggested by the licensing application. Off-sales, too, would add to the expectation of anti-social behaviour and noise disturbance in the area.

In addition, the variation application is seeking to "add licensable activities to existing hours," yet quotes hours in excess of the existing license.

The existing licence (from Feb 2006) states supply of alcohol hours of Sun-Thurs 11:00-23:30, Fri-Sat 11:00-00:30 and premises opening hours of Mon-Thurs 07:30 to 00:00, Fri-Sat 07:30-01:00, Sun 11:00-00:00.

The variation application quotes supply of alcohol Sun-Thurs 11:00-00:00, Fri-Sat 11:00-01:00 and premises opening hours of Sun-Thurs 11:00-00:30, Fri-Sat 11:00-01:30.

As you can see, these hours don't calibrate and seem to be an attempt to extend the licensing hours currently permissible on the existing license.

I am seeking for all the aspects of the variation application to be refused.

Please keep me informed about the next stages of this process.

[REDACTED]
[REDACTED] Wick Road, E9 [REDACTED]
[REDACTED]

From: [REDACTED]
Sent: 21 December 2017 19:53
To: Licensing
Cc: [REDACTED]
Subject: 331 Wick Road - Variation Application - Objections

To - The Licensing Service, Hackney Council

Re - 331 Wick Road variation application - objections

I am a local resident living very close to the above premises and I am writing to express my objections to the variation application in the strongest possible terms.

The premises have been disused for 10 years, so there is no current precedent for anything other than a boarded-up building which occasionally, and without warning, plays host to noisy parties through the night, requiring the attendance of the police and the council noise team.

With this variation attempt, the applicant seeks to transform a local pub into a music venue destination expecting attendances of 400 people. They seek to add live music, recorded music, film and late night refreshment, all during and beyond the hours currently permitted by their licence. They seek to add off sales for the first time and they seek to add outside drinking for the first time.

All of these things are wholly inappropriate in this residential location.

They also seek to cancel all conditions of the existing licence. Examples of conditions, which they seek to **remove**, include

- *No admittance after 23:00*
- *Recorded music shall be background only*
- *No supply or consumption of alcohol outside*

These conditions were, no doubt, imposed for good reason and should remain in place.

I wish to be kept informed of the process of this application, including any relevant documents and timely invitations to relevant meetings.

I vigorously object in relation to the **four licensing objectives**.

PREVENTION OF CRIME AND DISORDER

- Councillor Webb and other local residents have stated that in a previous incarnation, these premises gave rise to repeated anti-social behaviour including a shooting. There is comment on the internet which suggests that four people got shot there. It goes without saying that anything which draws attention and patronage of people who carry weapons is a terrifying thought. Precedent suggests that there is a very high risk of crime and disorder if the application were to be granted.

- This type of application tends to lead to premises which appeal to those who seek to deal and consume drugs - it goes hand in hand with music, alcohol and late licences.

- The police have previously stated that the location of the premises is in an area which is less policed than other parts of the borough in terms of licensing matters.

PREVENTION OF PUBLIC NUISANCE

- This is a residential area and the noise generated by the proposed venue would be totally unacceptable to local residents. Noise from events at the premises booms across the road. The premises are located up against a railway embankment and beneath a flyover, both of which serve to 'amplify' noise coming from the premises.

- 400 people attending a music venue will generate noise and litter. The proposal that food and alcohol be consumed outside the premises means that people would make noise and litter not just immediately outside the venue but as they wander off into the streets at the end of the night as well

- There is little or no public transport in the area, particularly at 'closing time'. 400 people heading out into the surrounding streets without transport would create noise and disruption.
- The premises are located on a TfL Red Route and so people attempting to get minicabs would naturally gravitate away from the venue and towards Cadogan Terrace. Dozens of cabs trying to find their customers late at night with the shouting and door slamming which would go with it would be completely unfair to local residents at any time of day or night but least of all at 1am or 2am.
- Even once the venue is closed to customers there would still be noise generated as the venue closes up, with equipment needing to be loaded up after closing time, taking potential disturbance to local residents even later into the early hours of the morning.
- Indeed, it is unclear how the loading and unloading of equipment would be managed at all, given that the current hard standing area outside the pub is intended to become 'garden'.
- Given the proposed change from local pub to music venue, this will become a 'drive-to' venue for many customers and yet the area which could be used for parking is intended to be used for outside drinking meaning that customers would be looking to park in nearby residential streets, particularly Cadogan Terrace, creating pressure on parking spaces and noise as cars come and go, as people talk and shout, and as car doors slam shut.

PUBLIC SAFETY

- The area is extremely treacherous for pedestrians with very fast moving traffic hammering through, and onto and off the A12. I believe it would be very dangerous to have lots of people coming and going from this venue who are unfamiliar with the roads, crossing four lanes of fast moving traffic. When you add into the mix the possibility that people would be intoxicated by drink and drugs, it is a potentially lethal combination.
- Public transport in the area is poor, especially at night. The Overground stations at Homerton and Hackney Wick are ten minutes' walk away and trains completely stop running around midnight. Customers would be wandering the streets trying to work out a way to get home.

Their options would be to walk, get a minicab or try to find an extremely infrequent night bus. None of these options is good for the safety of customers or of local residents.

PROTECTION OF CHILDREN FROM HARM

- I, and many of my neighbours, have small children, attracted to the area by the tranquility and open space of Victoria Park. The thought of a noisy venue suddenly appearing on our doorstep is horrendous. My two-year-old daughter's bedroom overlooks the venue. She goes to bed at 19:00.

Note - Hours of Operation

The existing licence (from Feb 2006) states supply of alcohol hours of Sun-Thurs 11:00-23:30, Fri-Sat 11:00-00:30 and premises opening hours of Mon-Thurs 07:30 to 00:00, Fri-Sat 07:30-01:00, Sun 11:00-00:00.

The variation application states the intention 'to add licensable activities to existing hours' and yet the application quotes hours in excess of the existing licence. This comes across as a deliberate attempt to sneak extensions of hours past Hackney Licensing without proper process. The variation application quotes supply of alcohol Sun-Thurs 11:00-00:00, Fri-Sat 11:00-01:00 and premises opening hours of Sun-Thurs 11:00-00:30, Fri-Sat 11:00-01:30.

Furthermore, given the changes in context since the current licence was issued, both locally to the premises and in the approach to licensing in the Borough more generally, I request rather that Hackney Licensing cut back the licensed hours to match the Draft Statement of Licensing Policy 2018-2023 which establishes core hours for licensable activity as Mon-Thurs 08:00-23:00, Fri-Sat 08:00-00:00, Sun 10:00-22:30.

In terms of off sales, the Policy states that these 'are more likely to lead to incidents of anti-social behaviour, such as street drinking' and states the general restricting of hours to 08:00-23:00.

In summary, I ask that all aspects of the variation application be refused completely, and that the premises licence hours be reduced into line with current licensing policy.

Many thanks in anticipation of your help.

With kind regards,

██████████

█ Cadogan Terrace, E9 ████



APPENDIX D

This premises licence has been issued by:

Licensing Service
2 Hillman Street
London E8 1FB

PART A – PREMISES LICENCE

Premises Licence Number

LBH-PRE-T-0635

Part 1 – Premises details

Silver Link
331 Wick Road
Hackney
London
E9 5DH

020 7025 8332

Where the licence is time limited the dates

Not Applicable

Licensable activities authorised by the licence

Supply of Alcohol

The times the licence authorises the carrying out of Licensable activities

Supply of Alcohol Standard Hours:

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

The opening hours of the premises

Premises

Standard Hours:

Mon 07:30-00:00
Tue 07:30-00:00
Wed 07:30-00:00
Thu 07:30-00:00
Fri 07:30-01:00
Sat 07:30-01:00
Sun 11:00-00:00

Where the licence authorises supplies of alcohol whether these are on and/or off supplies

On Premises

Part 2 –

Name, (registered) address, telephone number and e-mail (where relevant) of holder of premises licence

Venus 14 Ltd
58 Lower Clapton Road
Hackney
London
E5 0RN

Registered number of holder, for example company number, charity number (where applicable)

03330078

Name, address and telephone number of designated premises supervisor where the premises authorises the supply of alcohol

Ms Leonissia Debria Martinez

Personal licence number and issuing authority of personal licence held by designated premises supervisor where the premises licence authorises the supply of alcohol

Date of Grant: 6 February 2006

Signed:

**David Tuitt
Team Leader - Licensing**

Annex 1 - 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. The responsible person shall take all reasonable steps to ensure that staff on relevant premises do not carry out, arrange or participate in any irresponsible promotions in relation to the premises.
4. The responsible person shall ensure that no alcohol is dispensed 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).
5. The responsible person shall ensure that free tap water is provided on request to customers where it is reasonably available.
- 6.1. The premises licence holder or club premises certificate holder shall ensure that an age verification policy applies to the premises in relation to the sales or supply of alcohol.
- 6.2. The policy must require individuals who appear to the responsible person to be under 18 years if age (or such older age as may be specified in the policy) to produce on request, before being served alcohol, identification bearing their photograph, date of birth and a holographic mark.
7. The responsible person shall ensure that:
 - a) where any of the following alcoholic drinks is sold or supplied for consumption on the premises (other than alcoholic drinks sold or supplied having been made up in advance ready for sale or supply in a securely closed container) it is available to customers in the following measures:
 - beer or cider: 1/2 pint;
 - gin, rum, vodka or whisky: 25ml or 35ml; and
 - still wine in a glass: 125ml; and
 - b) customers are made aware of the availability of these measures.

Door Supervision

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

Annex 2 – Conditions consistent with the Operating Schedule

9. Illumination is to be provided to the exterior of the pub.
10. Toilets are to be checked regularly.
11. There shall be no admittance after 23:00.
12. Installation and maintenance of a CCTV system. Recordings will be kept securely for 31 days and shall be made available to the Police/Licensing Authority on request.
13. Anti drink-drive and drug prevention signs and notices shall be displayed throughout the premises.
14. Emergency lighting and fire safety equipment to be maintained.
15. Ventilation and extraction equipment to be maintained.
16. First aid box to be maintained.
17. Licensed taxi/Minicab service to be promoted. Staff is to organise taxi/minicabs for patrons when requested.
18. Pest control contract shall be maintained.
19. A smoking area shall be promoted.
20. Food handling staff shall hold a minimum basis food certificate (or equivalent).
21. Bar area windows shall be kept closed
22. Notices shall be displayed requesting patrons to respect neighbours and eave quietly.
23. "Challenge 21" or similar type scheme to be promoted on the premises. Staff are to request proof of age such as passport, photographic driving licence or proof of age card displaying the PASS hologram.
24. Recorded music shall be background music only.
25. There shall be no supply or consumption of alcohol in any outside area including the "yard" which covers the area from the kitchen to the covered yard.

Annex 3 – Conditions attached after a hearing by the licensing authority

None

Annex 4 – Plans

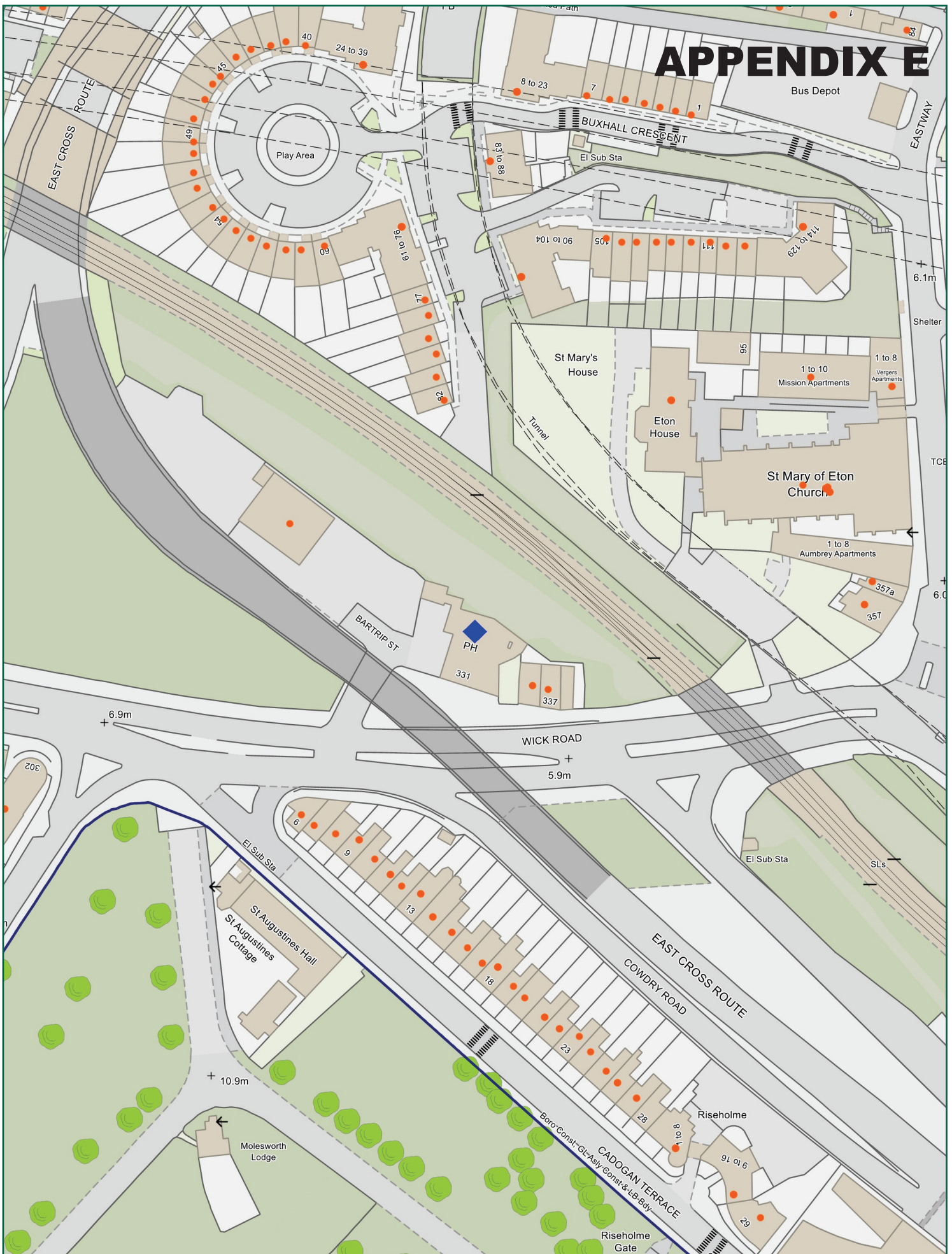
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APPENDIX E



Scale: 1:1250 at A4



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