

REPORT OF THE GROUP DIRECTOR, NEIGHBOURHOODS AND HOUSING		
LICENSING SUB-COMMITTEE: 13/03/2018	Classification DECISION	Enclosure
APPLICATION TO VARY THE PREMISES LICENCE : Bar-A-Bar, 133-135 Stoke Newington Road, N16 8BT	Ward(s) affected Stoke Newington	

1. SUMMARY

Applicant(s) Wayne Lewin	In SPA Dalston SPA
Date of Application 17 January 2018	Period of Application Permanent
Proposed variation: Extension of hours Monday to Sunday to facilitate the sale of hot food. Extension of hours Sunday to Thursday to facilitate the playing of recorded music. Extension of hours on Tuesday to facilitate the sale of Alcohol (On Premises)	
Proposed hours for licensable activity	
Recorded Music	Standard Hours: Mon 12:00-01:00 Tue 12:00-01:00 Wed 12:00-01:00 Thu 12:00-01:00 Sun 12:00-01:00
Late Night Refreshment	Standard Hours: Mon 23:00-02:00 Tue 23:00-02:00 Wed 23:00-02:00 Thu 23:00-02:00 Fri 23:00-03:30 Sat 23:00-03:30 Sun 23:00-02:00
Supply of Alcohol	Standard Hours: Tue 12:00-01:00

The opening hours of the premises:	
Standard Hours:	
Mon 12:00-02:00	
Tue 12:00-02:00	
Wed 12:00-02:00	
Thu 12:00-02:00	
Fri 12:00-03:30	
Sat 12:00-03:30	
Sun 12:00-02:00	
Current activities/hours: See current licence attached as Appendix D	
Capacity: not known	
Policies Applicable	LP1 (Planning), LP3 (Operating Schedule), LP4 (Crime and Disorder), LP5 (Public Nuisance), LP6 (Protection of Children from Harm), LP8 (Public Safety), LP12 (Licensing Hours) and LP14 (Special Policy Area – Dalston).
List of Appendices	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
Relevant Representations	<ul style="list-style-type: none"> • Environmental Health Authority (Environmental Protection) • Planning Authority (Informative) • Police • Licensing Authority • Health Authority • Other Persons

2. APPLICATION

2.1 Wayne Lewin 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
- To extend hours for provision of regulated entertainment
- To extend hours for supply late night refreshment

2.2 The application is attached as Appendix A. The applicant has proposed some additional conditions described in para 8.1 to address the licensing objectives.

3. CURRENT STATUS / HISTORY

3.1 The premises have been in possession of a premises licence since conversion in 2005 and the licence was transferred to the current applicant in 2007.

3.2 The premises have operated with Temporary Event Notices in 2017 and 2018 as follows.

Date of the event(s)	Hours
01/01/2017	00:30-06:00
25/02/2017-26/02/2017	00:30-05:00
26/03/2017	00:30-06:00
15/04/2017	00:30-06:00
29/04/2017-30/04/2017	00:30-06:00
27/05/2017-28/05/2017	00:30-05:00
10/06/2017-11/06/2017	00:30-06:00
09/07/2017	00:30-06:00
06/08/2017	00:30-05:00
26/08/2017-28/08/2017	00:30-06:00
05/11/2017	00:30-06:00
02/12/2017	00:30-06:00
09/12//2017	00:30-06:00
31/12/2017-01/01/2018	00:30-06:00
14/01/2018	00:30-06:00
04/02/2018	00:30-06:00
10/02/2018-11/02/2018	00:30-06:00

4. REPRESENTATIONS: RESPONSIBLE AUTHORITIES

From	Details
Environmental Health Authority (Environmental Protection) (Appendix B1)	Representation received on the grounds of the prevention of public nuisance.
Environmental Health Authority (Environmental Enforcement)	No representation received
Environmental Health Authority (Health & Safety)	No representation received
Weights and Measures (Trading Standards)	Have confirmed no representation on this application
Planning Authority (Appendix B2)	Informative
Area Child Protection Officer	Have confirmed no representation on this application
Fire Authority	Have confirmed no representation on this application
Police (Appendix B3)	Representation received on the grounds of The Prevention of Crime and Disorder, Prevention of Public Nuisance and Special Policy Area.

Licensing Authority (Appendix B4)	Representation received on the grounds of The Prevention of Crime and Disorder, Prevention of Public Nuisance and Special Policy Area.
Health Authority (Appendix B5)	Representation received on the grounds of The Prevention of Crime and Disorder and Special Policy Area.

5. REPRESENTATIONS: OTHER PERSONS

2 Representations received from and on behalf of local residents. (Appendices C1 & C2)	Representation received on the grounds of The Prevention of Crime and Disorder, Public Safety, Prevention of Public Nuisance, The Protection of Children from Harm and Special Policy Area.
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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) LP12 (Licensing Hours) LP14 (Special Policy Area – Dalston) 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:

Existing condition 25 to be amended to read - "All persons entering or re-entering the premises must be hand searched by an SIA trained member of staff. A portable security wand shall also be used. These searches will include the searching of customers' person, wallets, purses and any other items carried on or by the customer. All searches are to be conducted by SIA licensed door staff and must be carried out within an area covered by the premises CCTV system.

1. All SIA staff will be briefed and required to sign in and out at the start and end of their shift.
2. A booking sheet to be completed by management for outside events.
3. A staff member in high viz shall monitor the external smoking area after 9pm.

9. REASONS FOR OFFICER OBSERVATIONS

9.1 Additional conditions 1 to 3 have been proposed by the applicant and existing condition 25 to be amended to read as above. No additional conditions have been proposed by responsible authorities.

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):	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
Bar-A-Bar 133-135 Stoke Newington Road, N16 8BT	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 WAYNE LEWIN

(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-0494

Part 1 – Premises Details

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

BAR-A-BAR
133 135 STOKE NEWINGTON ROAD
HACKNEY

Post town

LONDON

Postcode

N16 8BT

Telephone number at premises (if any)

Non-domestic rateable value of premises

£14250

Part 2 – Applicant details

Daytime contact telephone number

E-mail address (optional)

Current postal address if different from premises address

133 135 STOKE NEWINGTON ROAD
HACKNEY

UK-England

Post

LONDON

Postcode

N16 8BT

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>Extension of hours Monday to Sunday to facilitate the sale of hot food. Extension of hours Sunday to Thursday to facilitate the playing of recorded music. Extension of hours on Tuesday to facilitate the sale of Alcohol.</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:

TBC

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) | .. |
| 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"/> | .. |
| 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) | <input checked="" type="checkbox"/> |
- 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	
				Outdoors	
Day	Start	Finish		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			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)		
Fri					
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	
				Outdoors	
Day	Start	Finish		Both	
Mon			Please give further details here (please read guidance note 5)		
Tue					
Wed			State any seasonal variations for the exhibition of films (please read guidance note 6)		
Thur			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)		
Fri					
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			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	
Mon				Both	
			Please give further details here (please read guidance note 5)		
Mon					
Tue			State any seasonal variations for boxing or wrestling entertainment (please read guidance note 6)		
Wed					
Thur			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)		
Fri					
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				
				Outdoors				
				Both				
Day	Start	Finish	Please give further details here (please read guidance note 5)					
Mon								
Tue								
Wed						State any seasonal variations for the performance of live music (please read guidance note 6)		
Thur								
Fri						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								
Sun								

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	12:00	01:00			
Tue	12:00	01:00			
Wed	12:00	01:00			
			State any seasonal variations for the playing of recorded music (please read guidance note 6)		
Thur	12:00	01:00			
Fri			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)		
Sat					
Sun	12:00	01:00			

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	<input checked="" type="checkbox"/>
Day	Start	Finish		Outdoors	
				Both	
Mon	23:00	02:00	Please give further details here (please read guidance note 5)		
Tue	23:00	02:00			
Wed	23:00	02:00	State any seasonal variations for the provision of late night refreshment (please read guidance note 6)		
Thur	23:00	02:00			
Fri	23:00	03:30	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)		
Sat	23:00	03:30			
Sun	23:00	02:00			

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	<input checked="" type="checkbox"/>
				Off the premises	
				Both	
Day	Start	Finish	State any seasonal variations for the supply of alcohol (please read guidance note 6)		
Mon					
Tue	12:00				
		01:00			
Wed					
Thur					
Fri					
Sat					
Sun			Non-standard timings. Where you intend to use the premises for the supply of alcohol at different times to those listed in the column on the left, please list (please read guidance note 7) Default.LicesableActivitiesJ_plays_non_s»		

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

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	12:00		<p>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)</p>
		02:00	
Tue	12:00		
		02:00	
Wed	12:00		
		02:00	
Thur	12:00		
		02:00	
Fri	12:00		
		03:30	
Sat	12:00		
		03:30	
Sun	12:00		
		02:00	

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.

N/A

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.

The licence document remains on display / available for inspection at the premises as required by the legislation.

It will, of course, be handed in when any replacement licence document is provided

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)

All existing conditions will be retained.

Existing condition 25 to be amended to read - "All persons entering or re-entering the premises must be hand searched by an SIA trained member of staff. A portable security wand shall also be used. These searches will include the searching of customers' person, wallets, purses and any other items carried on or by the customer. All searches are to be conducted by current SIA licensed door staff and must be carried out within an area covered by the premises CCTV system.

In addition the following conditions are also offered:

- 1) All SIA staff will be briefed and required to sign in and out at the start and end of their shift.
- 2) A booking sheet to be completed by management for outside events.
- 4) A staff member in high viz shall monitor the external smoking area after 9pm

We believe the existing licence conditions together with the additional conditions will continue to promote the licensing objectives.

b) The prevention of crime and disorder

The existing conditions promote the objective

c) Public safety

The existing conditions promote the objective

d) The prevention of public nuisance

The existing conditions promote the objective

e) The protection of children from harm

The existing conditions promote the objective

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	
Date	17/1/2018
Capacity	Licensing Agent

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	17/1/2018
Capacity	

Contact name (where not previously given) and address for correspondence associated with this application (please read guidance note 15)			
Premises Address			
UK-England			
Post town		Post code	
Telephone number (if any)			
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

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

NAME OF AUTHORITY	London Borough of Hackney
ADDRESS OF AUTHORITY	Projects and Regulatory Services Neighbourhoods & Housing Directorate London Borough of Hackney Hackney Service Centre 2 Hillman Street, London, E8 1FB
CONTACT NAME	Elzbieta Adamczyk
TELEPHONE NUMBER	(020)8356 - 5258
EH REFERENCE	WK/201808595
E-MAIL ADDRESS	elzbieta.adamczyk@hackney.gov.uk
DATE	14 th February 2018

APPLICATION PREMISES

Name and Address of Premises	Bar A Bar (basement), 133 – 135 Stoke Newington Road, London, N16
REFERENCE	n/a
Name of Licence Holder or Designated Premises Supervisor	Mr Wayne Lewin

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 | <input type="checkbox"/> |
| 1) | public safety | <input type="checkbox"/> |
| 2) | the prevention of public nuisance | <input checked="" type="checkbox"/> |
| 3) | the protection of children from harm | <input type="checkbox"/> |

X Representations (which include **comments and/or objections):**

The Environmental Protection Team have reviewed the licensing application and wish to make a representation. The applicant has not demonstrated that the following Licensing Policy requirement would be met:

LP5 Public Nuisance:

Applicants are expected to demonstrate within their application that problems such as noise, light, smoke, odour, litter, anti-social behaviour, human waste, fly posting and highways/footpath obstructions can be minimised through steps they propose.

Environmental Protection (EP) Team objects to this application as in the past the premises was a subject of numerous complaints in relation to loud music and anti – social behaviour of patrons. The EP Team has taken many informal steps in form of letters and meetings with the DPS and the licensee. However, complaints continued and as a result, on 10th June 2016 EP Team served Community Protection Warning under the Anti – social Behaviour, Crime and Policing Act 2014. Despite of all of these steps taken further complaints concerning loud music were received in August 2016. On 19th October 2016 case officer visited the premises to inspect the sound limiter device. Upon measuring the maximum music level played through the limiter device officer noted that the levels of music were significantly higher than those stated on the sound limiter calibration certificate submitted to the LA. It was evident to the officer that the sound limiter device has been tampered with. Officer requested recalibration of the sound limiter device, which was carried out. Complaints in relation to loud music reoccurred in January 2018. As a result of recent complaints investigation has been instigated which revealed that the premises is not operating in line with licensing objectives. On 04th February 2018 at 01:32 hours out of hours officers witnessed extremely loud music on a street level. Being concerned about this level of music, they investigated further and entered off licence premises (All in one Supermarket, 133 – 135 Stoke Newington Road), which is directly above the Bar A Bar. Officers witnessed extremely loud music with so heavy bass that they felt strong vibrations from the floor and seen wine bottles shaking on the shelves. The residential premises is directly above this shop. In the officers' professional opinion the music witnessed could likely amount to a statutory noise nuisance should they have witnessed it from the residential premises above. On this basis a notice under Section 80 of the Environmental Protection Act 1990 for likely occurrence of noise nuisance was served on the Occupiers and Licensees on 9th February 2018.

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

Licence application, officer's knowledge about the premises and Council's data base.

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

Withdraw the application and carry out professional soundproofing of the premises.

Signed

Name: Elzbieta Adamczyk
Date: 14th February 2018

APPENDIX B2

Planning Authority Representation: Application under the Licensing Act 2003

Details of Authority	2 Hillman Street, Hackney, London, E8 1FB
Officer contact name	Merryn McGregor
Officer telephone number	020 8356 8076
Officer's email address	merryn.mcgregor@hackney.gov.uk

APPLICATION PREMISES

Name and address of premises	Bar-A-Bar 133-135 Stoke Newington Road London N16 8BT
Applicant name	Wayne Lewin

COMMENTS

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

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

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

The application proposes to vary the existing license for the premises. The variations proposed are to extend the hours of operation to allow for the sale of hot food, playing of recorded music, and the sale of alcohol. Additional conditions are also proposed relating to security. The following variations to the licensable activities are proposed:

Recorded Music: Sunday – Thursday 12:00 – 01:00;
Late night refreshment: Sunday – Thursday 23:00 – 02:00, Friday – Saturday 23:00 – 03:30;
Supply of alcohol: Tuesday 12:00 – 01:00; and
Hours of operation: Sunday – Thursday 12:00 – 02:00, Friday – Saturday 12:00 – 03:30.

Planning reference 2009/1500 granted the retention of use of premises as a private members club/night club with hours of use from 12noon to 1.00am Monday to Thursday, from 12 noon to 3.30am Friday, Saturday and on Bank Holidays and from 12noon to 12.30am on Sundays.

Condition 4 of the planning permission states that *'The use hereby permitted may only be carried out from 12 noon to 3:30am Friday, Saturday and on Bank Holidays and from 12 noon to 12:30am on Sundays.'*

Condition 6 of the planning permission states that *'The use and hours hereby permitted shall be operated for a limited period only until 31/03/2011 on or before which date the use shall be discontinued.'*

Planning reference 2011/0756 for the removal of condition 6 (temporary use) of planning permission ref 2009/1500 for retention of use as a private members club/night dated 04/09/09 was granted on appeal. The appeal approved hours of operation as follows:

12 noon to 1:00am, Monday – Thursday;
 12 noon – 3:30am Friday - Saturday and Bank Holidays; and
 12 noon – 12:30am on Sundays.

The usage of the premises is therefore considered to be lawful. The hours of operation proposed under the licensing application exceed those granted under the planning permission. The applicant is reminded that licensing permission does not grant planning permission. The applicant is recommended to lodge a planning application to regularise the hours of operation of the premises. Operating outside of the planning approval for the premises is unlawful and may result in enforcement action.

Please provide the following information (if applicable)

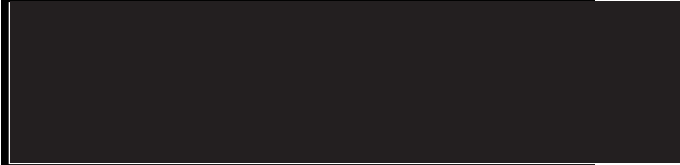
Area (that permission applies to)	Basement
Permitted use	Sui Generis (Private Members Club/Nightclub)
Permitted hours	12 noon to 1:00am, Monday – Thursday, from 12 noon – 3:30am Friday, Saturday and on Bank Holidays and from 12 noon – 12:30am on Sundays
Specific/restrictive conditions	N/A
Recent applications	N/A
Decisions	N/A
Pending decisions	N/A
Reasons for refusal	N/A
Relevant Conditions/discharges	N/A

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

No representation with informative.

The hours of operation proposed under the licensing application exceed those granted under the planning permission. The applicant is reminded that licensing permission does not grant planning permission. The applicant is recommended to lodge a planning application for an extension to the hours of operation in order to regularise the operation of the premises. Operating outside of the planning approval for the premises is unlawful and may result in enforcement action.

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

Signed	
Name	Graham Callam
Date	02/02/2018

APPENDIX B3

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	Bar-A-Bar 133-135 Stoke Newington Road London N16 8BT
NAME OF PREMISES USER	Wayne LEWIN

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 objections in relation to the application to vary the Premises Licence at BAR-A-BAR, 133-135 STOKE NEWINGTON ROAD, LONDON, N16 8BT for the following reason(s):

This premises is situated within the Dalston Special Policy Area. The SPA is 'directed at the concentration of persons in the area and particularly those who have been drinking late at night'.

The proposed hours of licensable activity fall way outside those allowed in the table published alongside the policy. The policy also clearly states that any application shall be refused which seeks to permit any activity/use not identified or allowed for in the table and where there is a genuine concern that the proposal will have a negative impact in the area. The area is saturated with licensed premises, which empty on to the streets in the early hours of the morning. These people are most often drunk, loud, boisterous and more likely to get involved in a confrontation, urinate, vomit and cause problems, including disorder on the street.

This particular venue has recently been on an action plan implemented by police due to several conditions being consistently breached, the most problematic being the CCTV and operating after authorised hours. An allegation of a serious assault taking place in the venue was unable to be substantiated due to the poor quality and positioning of the CCTV cameras, although operating outside of their hours was clearly captured. Throughout the action plan visits, the venue continued to breach the condition and police was given several excuses as to why the CCTV cameras were not in use, not recording or not working. Right to the very end of the action plan there were still issues with it, despite eventually being signed off.

The venue have had several warnings and have to date not proven to police that they can operate responsibly and within the hours specified on their current licence. Even this morning, Saturday 10th February 2018 at 07:15hrs, despite having a TEN authorised to allow hours to be extended until 0600hrs, there was a noisy group leaving the venue. It has become increasingly frustrating for police, as the venue are given chance after chance to show improvements and a responsible attitude, to see each opportunity wasted and instead building a list of evidence as to why they shouldn't have a late licence at all.

Police are unable to support this application and we believe that there is nothing that could be done at this time to allay our concerns. Police respectfully ask for a refusal.

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)

APPENDIX B4

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 1FB
CONTACT NAME	Channing Riviere
TELEPHONE NUMBER	020 8356 4622
E-MAIL ADDRESS	Channing.riviere@hackney.gov.uk

APPLICATION PREMISES

NAME & ADDRESS OF PREMISES	Bar A Bar 133-135 Stoke Newington Road N16 8BT
NAME OF APPLICANT	Wayne Lewin

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 application seeks to extend the licensable activities of the premises within the current Dalston Special Policy Area. The current Statement of Licensing Policy 2016 states;

LP14

....where a relevant representation is made the policy will be to refuse any new or variation application which seeks to:

- *Increase the capacity of an existing premises,*
 - ***Extend the hours of operation of an existing premises, or***
 - ***Permit any activity/use not identified or allowed for in the table below***
- or,*
- *Permit any activity/use where there is a genuine concern that the proposal will have a negative impact in the area. For example this may include premises that have a large capacity or are mainly outdoors...*

The premises entrance/exit is located on the corner of a residential road (Beatty Road). Its close proximity to residential properties in combination with extended hours may create a nuisance for local residents. The Licensing Authority believes that an extension of the premise’s licensable activities in this locality may undermine the Prevention of Public Nuisance objective. Patrons dispersing from the premises at the newly proposed closing time may be at risk of undermining the objective.

The main function of the premises is as a Nightclub, this activity/use is not currently permitted by the Dalston Special Policy Area.

[✓ = yes x = no]					
	Sun-Thurs Up to 23.00	Sun-Thurs Up to midnight	Fri& Sat Up to 23.00	Fri& Sat Up to midnight	Mon – Sun Post midnight
Restaurant (with alcohol)	✓	x	✓	✓	x
Restaurant (without alcohol)	n/a	x	✓	✓	x
Takeaways	n/a	x	n/a	x	x
Pubs and Bars	✓	x	✓	✓	x
Nightclubs	x	x	x	x	x
Off Licences	✓	x	✓	x	x
Theatres	✓	✓	✓	✓	x
Cinemas	✓	✓	✓	✓	x
Combined Uses	✓	✓	✓	✓	x
Qualifying Clubs	✓	✓	✓	✓	x

It has also been noted that the hours applied for exceed the current Planning permission for the premises.

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

The application, Statement of Licensing Policy 2016

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

Further discussion is required with the applicant.

Name: Channing Riviere (Principal Licensing Officer)

Date: 05/02/2018

APPENDIX B5

RESPONSIBLE AUTHORITY REPRESENTATION: APPLICATION UNDER THE LICENSING ACT 2003

RESPONSIBLE AUTHORITY DETAILS

NAME OF AUTHORITY	City and Hackney Public Health directorate
ADDRESS OF AUTHORITY	City and Hackney Public Health 1 Hillman St London E8 1DY
CONTACT NAME	Lucy Appleby
TELEPHONE NUMBER	020 8356 1386
E-MAIL ADDRESS	Lucy.Appleby@hackney.gov.uk

APPLICATION PREMISES

NAME & ADDRESS OF PREMISES	Bar-A-Bar 133-135 Stoke Newington Road London N16 8BT
NAME OF APPLICANT/PREMISES USER	Wayne Lewin

COMMENTS

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

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

Dr Penny Bevan
Director of Public Health
Hackney Council

13 February 2018

RE: Representation against the Bar-A-Bar application

As Director of Public Health (a responsible authority under the Licensing Act 2004) I wish to make a representation against the application to vary the premises licence for Bar-A-Bar.

The City and Hackney Public Health function recognises the role that licensed premises play in contributing to the local economy, but the dense availability of alcohol has a significant impact on the health and wellbeing of many of the borough's residents.

Tackling alcohol misuse is key to achieving the aspirations of Hackney's Health and Wellbeing Strategy. We want to establish an environment that recognises the role of alcohol in our society, whilst minimising the significant health damage caused by alcohol misuse. Licensing is an important component in the wider efforts to reduce this harm.


This representation is made under the **prevention of crime and disorder** licensing objective. The application is also for a venue within the Dalston Special Policy Area (SPA), as laid out in the council's Licensing Policy.

Dalston has been defined as a cumulative impact area. I am concerned that if this application is granted it will increase the availability of alcohol for consumption off premises. There is increasing recognition of the impact that high density availability has¹, which could lead to an increase in public nuisance, crime and disorder and impact adversely on health of both those consuming the alcohol but also of others who come into contact with them.

The area already has sufficient premises to meet demand and additional outlets supplying alcohol will be detrimental to the local residents in terms of noise and disturbance, anti-social behaviour and crime. This includes extra hours of alcohol provision to existing premises.

The area within which this premise is located has high incidences of crime and violence, including those that are alcohol related. The information below is drawn from

¹ Livingstone M. et al. Changing the density of alcohol outlets to reduce alcohol related harm. *Drug and Alcohol Review* 2007; 26: 557-566
<http://onlinelibrary.wiley.com/doi/10.1080/09595230701499191/abstract>



SafeStats, a service within the Greater London Authority that hosts data from emergency services and other agencies, covering the period year to May 2015. This data shows that:

- There were **160** alcohol related incidents
- **29** alcohol related incidents involved those aged under 26 years
- **55** assaults were recorded by the London Ambulance Service

According to the council's Licensing database of premises allowed to sell alcohol, there are **51 on licence premises** and **30 off licence premises** within 500m of the application venue, with a further **11 having a licence for on and off sales**.

Additional data is presented in Appendix A.

Based on the information provided **the Public Health function recommends that the application to vary the licence to supply alcohol be refused.**

Yours sincerely



Dr Penny Bevan
Director of Public Health
London Borough of Hackney and City of London Corporation



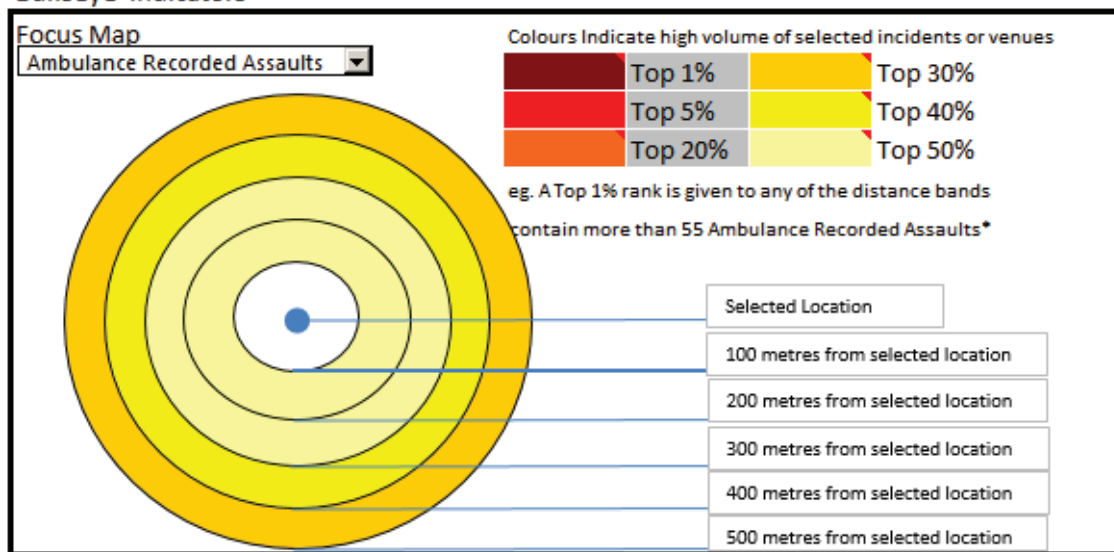
Appendix A – Bullseye Data on alcohol related incidents

The Bullseye Dashboard was developed by the Safestats team for the purposes of scanning for and revealing crime and disorder trends related potentially to alcohol licensing.

The centre of the bullseye represents incidents that occur within 100 meters of the postcode location. The colour coding reveal whether the location is in the top 1-50% of incident counts for the relevant source data (e.g the number of ambulance recorded assaults in Hackney within a given timeframe).

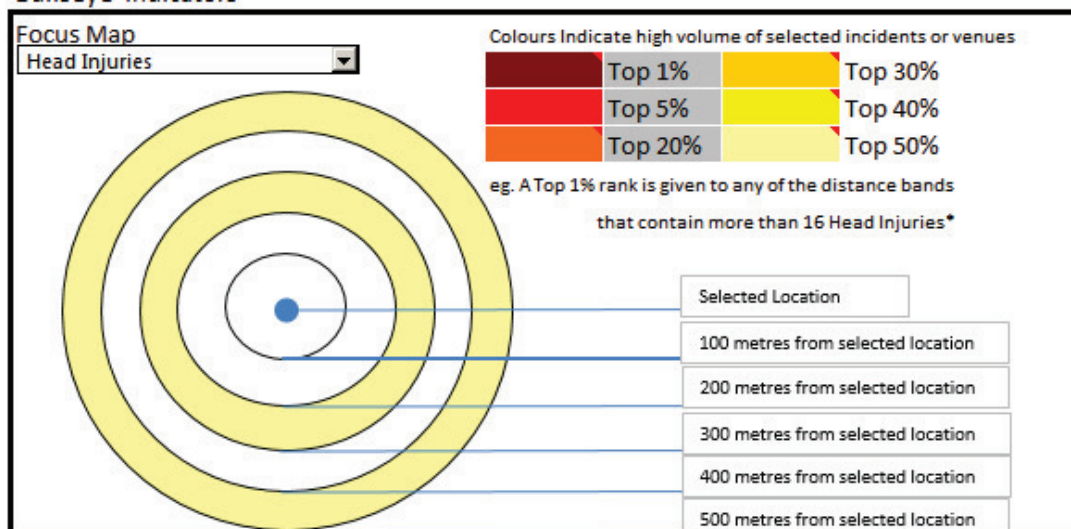
Ambulance recorded assaults

Date Range of Analysis: Year to October 2015



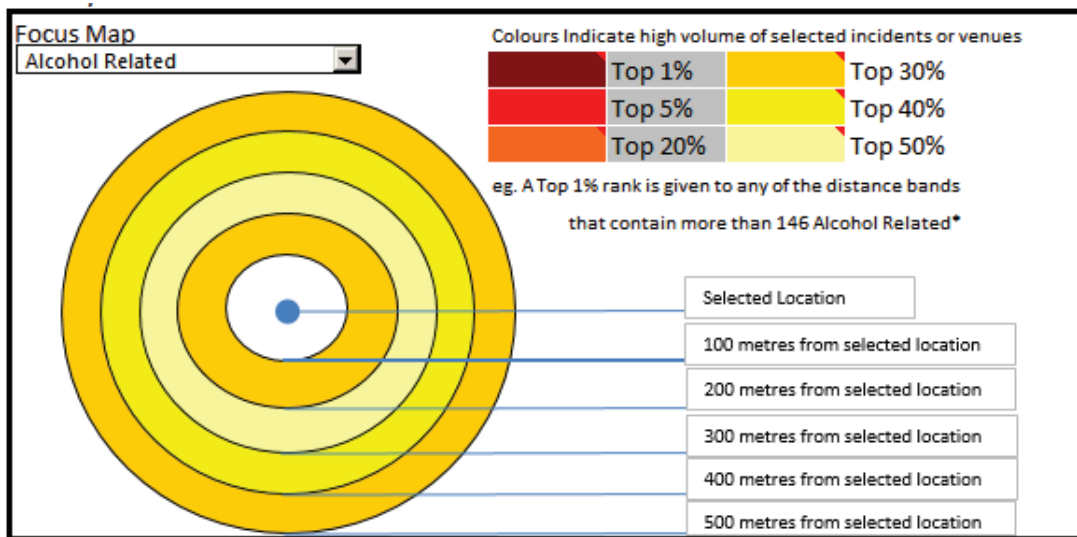
Head Injuries

Date Range of Analysis: Year to October 2015



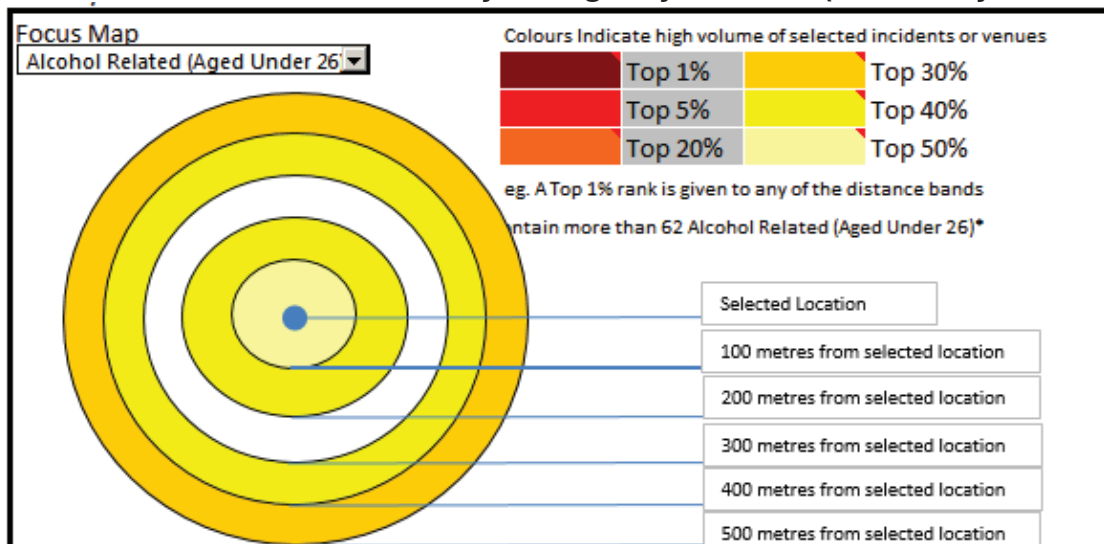
Alcohol related incidents recorded by emergency services

Date Range of Analysis: Year to October 2015



Alcohol related incidents recorded by emergency services (under 26 year olds)

Date Range of Analysis: Year to October 2015



Data Quality Caveats

There are important caveats with regard to Safetstats data quality. The bullesye dashboard tool, as seen above, is a scanning tool. It reveals general trends. The data may not be an exact mirror of events.

For the analysis of premises within 500m of the application venue, a small amount of data cleaning was undertaken (sourcing postcodes for 15 venues with missing/incomplete postcodes; corrected postcode formatting). Data accuracy may be affected by inputting accuracy.

APPENDIX C1

Shan Uthayasangar

From: [REDACTED]
Sent: 30 January 2018 20:27
To: Licensing
Subject: Bar-a-Bar extension of licence

Hackney Council

I write to object to application to change the licensing hours of Bar-a-Bar on 133 Stoke Newington Road.

I live in the [REDACTED] and regularly hear noise from the music and people outside the club queuing or smoking. I am supportive of late night venues in Hackney however Bar-a-Bar sits on the corner of Beatty Road which is an entirely residential street and I feel late opening hours should be limited to the weekends.

Whilst the club is situated on Stoke Newington road the queue and smoking area trail down Beatty Road and there are regularly people shouting and urinating in the alleyway between [REDACTED] Beatty Road and Newstoke House on the corner of Stoke Newington Road.

I trust these views and those of Beatty Road neighbours are taken into consideration in the determination of this application.

Regards,

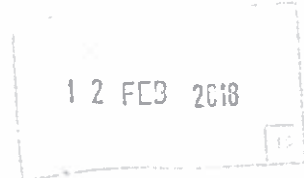
[REDACTED]

APPENDIX C2

[REDACTED]
[REDACTED]
8 January 2018

Licensing Service
Hackney Service Centre
1 Hillman Street
London
E8 1DY

Dear Sir / Madame



**Notice of Application to Vary a Premises Licence
Bar-A-Bar, Basement 133-135 Stoke Newington Road N16 8BT**

We live at the address noted above, which is [REDACTED], and are writing to strongly object to the above application.

The club has been a regular source of noise and disturbance since we moved in to the property approximately 2.5 years ago. The noise levels are sufficiently loud that we are often kept awake for extended periods, including weekdays prior to having to go to work. We both have full time jobs and this had a detrimental effect on our lives due to lack of sleep.

A particular problem is the use of the alleyway [REDACTED] by visitors to the club. There are often people very late at night taking drugs, going to the toilet, being sick, shouting and holding loud conversations. [REDACTED] which means this disturbance regularly keeps us awake. When we have raised this with the club, they have said that this is carried out by people not connected with their events and it is out of their control. However, we have watched people leave the club, visit the alley, and then return to the club without being challenged by the bouncers. On one occasion we asked somebody retching in the alley to move on and were threatened with violence.

Noise issues along Beatty Road are a regular problem, and there is a great deal of people shouting, cars revving and driving fast, car horns, cars playing loud music etc. People leave the club and hang around on Beatty Road (at all hours) and the bouncers do not control the situation.

The worst issues occurred around a six-month period in 2017 (during the summer when it was warm enough for people to be outside) when people would regularly have loud fights outside the club or in the alley. Some of these went on until 5 – 6am when the club had clearly not closed and people were still wandering in and out of it. It appears that the club is attended by people who do not respect other people's environment.

The notice states that the licensing hours are to be extended to 03:30am on Friday and Saturday and 02:00am on Sunday to Thursday. I do not currently know the current licencing hours but the club seems to be open on a number of nights later than the proposed extended hours, sometimes until 5am – 6am. It would be good to seek clarification of this from the club owners and confirm whether they are contravening the current licensing times.

In the local area, there are a number of late night bars with music venues beneath and none of them have the same disturbance and noise issues as Bar-A-Bar.

We got in touch with the owner of the club via face book to make a complaint and have had text conversations with him when the problems are particularly bad. Generally, they have tried to keep people hanging around outside the club on the pavement on the main road although this has not stopped people visiting the alley and the noise issues along Beatty Road still regularly occur. I have included extracts of some of the text messages at the end of this letter as examples of the problems and the times they occurred. One particularly worrying instance was at around 7:30-9am when a group (who appeared to be between 17-21 years old) were taking care of a friend who had drug related problems until an ambulance arrived. This is unacceptable as children live in the property where they were waiting on the garden path.

On one occasion when we complained, the club's owner offered to buy us a fan so that we could keep our windows closed in summer. We feel this is an acknowledgement of the problems, and an unacceptable response.

In conclusion, over the last 2.5 years we have experienced a significant amount of noise and disturbance that has been generated by the people visiting Bar-A-Bar. The noise has been a consistent problem, including during the early hours of weekday mornings, and the lack of sleep has had a big impact on our daily lives. It is also not acceptable for a residential area to have large groups of people under the influence of drugs / alcohol hanging around at all hours. There is already an issue with crime in the area, despite the police presence.

Granting an extension to the clubs licensing hours will only make the existing problems worse, particularly on weekdays which is when they are seeking to extend the openings hours. We also feel that there are existing issues that needs addressing before an extension to the licensing hours is even considered and we would appreciate it if Hackney council could review the current way in which the club is being run.

Yours Sincerely



On-Going Notes Logging Issues

Thursday 6 July 2017

Woken up at 12:30am by group of people immediately outside of club making a lot of noise

Saturday 8 July 2017

As above, plus people in alley using it as a toilet.

Saturday 15 July 2017

4:40am, people noisy / shouting. Car Horns. Groups of people standing along Beatty Road. Girls screaming.

Saturday 15 July 2017

Watched couple come out of club, look at alley across the road, walk into alley, come out shortly after then go back in to club. No bouncers watching etc.

Sunday 4 February 2018 05:54am

People leaving the club and having a shouting fight. Kept us awake for about an hour.

Text Message to Club Owner

Saturday 5 August 04:17am

Chris. Just to let you know it is currently very noisy outside the club with people spilling across the road, shouting, loud music in cars etc. Has kept us wake for about an hour.

Monday 14 August 22:29pm

Hi Chris. Just thought I'd give you a heads up but there's a lot going on at the club for a Monday. Would be good if somebody can monitor?

Friday 18 August 23:58pm

Chris. It's being pretty noisy tonight....people coming in to the alley from the club. Please could you notify the bouncers.

Saturday 30 September 04:17am

We have been woken up at 3:30am by people in the alley who wandered back over to the club and then stood outside having a shouted conversation. And we have just been woken up now by people coming out of the club and also having a shouted conversation down Beatty Road. Please could you ask the bouncers to keep them quite.

Saturday 30 September 10:24am

Morning Chris. Following on from the texts last night, it really wasn't great and the noise disturbance was pretty bad.

Sunday 5 November 1:47am

Hi Chris. Just a quick one to say the club is being v noisy tonight with people spilling down Beatty Road and hanging out in the alley.

Sunday 4 February 2018 05:54am

Chris. There are some people leaving the club having a shouting match that is keeping us awake. Please can you see if the bouncers can sort.

Shan Uthayasangar

From: [REDACTED]
Sent: 14 February 2018 13:46
To: Licensing
Cc: [REDACTED]
Subject: Bar-A-Bar, Notice of Application to Vary Premises License

Dear Sir / Madam

I am writing with regard to the application by Bar-A-Bar in stoke Newington to vary the license. We live at [REDACTED] which is [REDACTED]. This email is also further to a letter that we sent to you last week as it would be good to have further instances of disturbance over last weekend considered.

On Saturday morning at about 7:30am we were woken up by a shouting in the street [REDACTED], with a lady complaining she had been hit by a man. Approximately 10-12 people had come out of the club and a heated argument happened which ended up in a fight in the street immediately outside of our front door at about 8:30am. At one point a man reached in to his back pocket which may have been to get a knife (although we are not 100% sure).

The bouncers did not seem to be doing anything to control the situation. The Police turned up and it calmed down although people continued to trickle out of the club with drinks in their hands. When I spoke to one of the clubs owner at the time, he said they had an extension to 6am because of another one of the owners birthday and that the fight later (8:30am) happened between friends' who returned to the club (although this did not appear to be the case as the people appeared to be patrons of the club). The result was that we felt trapped in our flat and unable to leave at 8:30am on a Saturday morning.

On Sunday morning at 6:00am we were woken up again by people hanging around the entrance to the club and shouting. The owner when I texted him said that the egress was smooth although it does seem that the bouncers were again not controlling people leaving. Overall, on both nights during the weekend we were woken up by the club and this meant that we spent the weekend and Monday (back at work) very tired.

Without going into too detail in this email, there are a number of items in the Hackney Statement-of-Licensing that don't seem to be being met. For example, under public nuisance, no noise should be audible in or within 1m of a sensitive premises between 11am and 7am. Measures are also required to ensure that patrons outside do not create nuisance etc. Whilst the owners of the club say that they have security, notices etc, it does not seem they are being enforced and problems still persist.

We would welcome this being considered when the application, and the overall conduct, of the club are being reviewed as we are not happy about being regularly kept awake at 6-7am in the morning!

Regards

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



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-0494

Part 1 – Premises details

Bar-A-Bar
133-135 Stoke Newington Road
Hackney
London
N16 8BT

Where the licence is time limited the dates

Not Applicable

Licensable activities authorised by the licence

Live Music
Recorded Music
Performance of Dance
Other Entertainment Similar to Live or Rec Music or Dance Performance
Late Night Refreshment
Supply of Alcohol

The times the licence authorises the carrying out of Licensable activities

Live Music

Standard Hours:

Premises:

Mon 12:00-23:00
Tue 12:00-23:00
Wed 12:00-23:00
Thu 12:00-23:00
Fri 12:00-03:30
Sat 12:00-03:30
Sun 12:00-23:30

Recorded Music

Standard Hours:

Premises:
Mon 12:00-00:00
Tue 12:00-00:00
Wed 12:00-00:00
Thu 12:00-00:00
Fri 12:00-03:30
Sat 12:00-03:30
Sun 12:00-00:00

Performance of Dance **Standard Hours:**

Premises:
Mon 12:00-00:00
Tue 12:00-00:00
Wed 12:00-00:00
Thu 12:00-00:00
Fri 12:00-03:30
Sat 12:00-03:30
Sun 12:00-00:00

Other Entertainment Similar to Live or Rec Music or Dance Performance **Standard Hours:**
Mon 12:00-00:00
Tue 12:00-00:00
Wed 12:00-00:00
Thu 12:00-00:00
Fri 12:00-03:30

Premises:
Sat 12:00-03:30
Sun 12:00-00:00

Late Night Refreshment **Standard Hours:**

Premises:
Mon 23:00-00:00
Tue 23:00-00:00
Wed 23:00-00:00
Thu 23:00-00:00
Fri 23:00-02:00
Sat 23:00-02:00
Sun 23:00-00:00

Supply of Alcohol **Standard Hours:**

Premises:
Mon 12:00-23:30
Tue 12:00-23:30
Wed 12:00-23:30
Thu 12:00-23:30
Fri 12:00-03:00
Sat 12:00-03:00
Sun 12:00-23:30

The opening hours of the premises

Premises

Standard Hours:

Mon 12:00-00:00
Tue 12:00-00:00
Wed 12:00-00:00
Thu 12:00-00:00
Fri 12:00-03:30
Sat 12:00-03:30
Sun 12:00-00:00

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

Mr Wanye Lewin



Mr Sawney Alexander



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

Not Applicable

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

Mr Christopher Lewis

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: 24 November 2005

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.
 - (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 shall ensure that free tap water is provided on request to customers where it is reasonably available.
5.
 - 5.1. 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.
 - 5.2. 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 a holographic mark.

6. 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.

A responsible person in relation to a licensed premises means the holder of the premise licence in respect of the premises, the designated premises supervisor (if any) or any individual aged 18 or over who is authorised by either the licence holder or designated premises supervisor. For premises with a club premises certificate, any member or officer of the club present on the premises in a capacity that which enables him to prevent the supply of alcohol.

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 amount 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 8.2(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.

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. Light refreshment may be served ON the premises in the form of cold food or hot heated in the microwave or similar. (e.g Toast)
10. A club membership shall operate as optional in order to promote a feeling of responsibility and comradeship. Club conditions to be set by management.
11. Children shall not be allowed on the premises except for family occasions and they must be accompanied by either their parents or guardians.
12. Warning notices shall be displayed on the premises stating that "Drugs or firearms are not allowed on premises"
13. Fire safety equipment to be installed and maintained
14. Rubbish must be cleared at regular intervals and must not cause a nuisance to the public
15. Noise and Light pollution must not be allowed to go out of control
16. All members and non members are requested to abide by managements written code of proper behaviour.
17. Children shall not be allowed to stay on the premises after 21.00
18. No drinking shall be allowed outside the premises
19. External areas are also to be monitored by CCTV cameras

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

20. The premises shall install and maintain a comprehensive CCTV system as per the minimum requirements of a Metropolitan Police Crime Prevention

Officer. All entry and exit points will be covered enabling frontal identification of every person entering in any light condition. This will also include footage of the outside area covering the junction of Stoke Newington Road and Beatty Road. 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.

21. 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 is open to the public. This staff member shall be able to show Police recent data or footage with the absolute minimum of delay when requested.
22. There shall be a personal licence holder on duty on the premises at all times when the premises are authorised to sell alcohol.
23. The venue will only operate SIA staff through an independent security company, it will not operate SIA security that are employed directly by the venue, the licensee or its management.
24. At least (2) SIA licensed door supervisors shall be on duty at the entrance of the premises at all times whilst it is open for business. In order for the following condition (condition 20) to be properly implemented a female door supervisor will be employed at the venue whenever licensable activity is undertaken.
25. All persons entering or re-entering the premises must be hand searched by an SIA trained member of staff. These searches will include the searching of customers' person, wallets, purses and any other items carried on or by the customer. All searches are to be conducted by current SIA licensed door staff and must be carried out within an area covered by the premises CCTV system.
26. Any person not submitting themselves to a search outlined in condition 20, shall be refused entry to the premises.
27. All entrances / exits in to / out of the premises will be suitably controlled, all fire exits shall be monitored or alarmed.
28. After 2300 hours staff will patrol the toilet area a minimum of once every thirty (30) minutes.
29. All staff engaged outside the entrance to the premises, or supervising or controlling queues, shall wear high visibility jackets or vests.
30. There shall be no new admissions to the premises after 0200hrs (excluding smokers).

31. Notices shall be prominently displayed at all exits requesting patrons to respect the needs of local residents and leave the area quietly.
32. The licence holder shall ensure that any queue to enter the premises which forms outside the premises is orderly and supervised by door staff so as to ensure that there is no public nuisance or obstruction to the public highway.
33. There shall be no promotional sales of alcohol at the premises where alcohol is sold at a price lower than that at which the same or similar alcoholic drinks are sold, or usually sold, on the premises.
34. No super-strength beer, lagers or ciders of 5.5% ABV (alcohol by volume) or above shall be sold at the premises.
35. Prominent signage indicating the permitted hours for the sale of alcohol shall be displayed so as to be visible before entering the premises, where alcohol is on public display, and at the point of sale.
36. The pavement from the building line to the kerb edge immediately outside the premises, along the building line into Beatty Road covering outside Newstoke House and up to the first residential property, including the gutter/channel, shall be swept and/or washed and litter sweepings collected and disposed of in accordance with the approved refuse storage arrangements.
37. No entertainment, performance, service, or exhibition involving nudity or sexual stimulation which would come within the definition of a sex establishment in Schedule 3 to the Local Government (Miscellaneous Provisions) Act 1982 as amended by the Greater London Council (General Powers) Act 1986 (whether or not locally adopted), shall be provided.
38. There shall be no payment made by or on behalf of the licence holder to any person for bringing customers to the premises.
39. A proof of age scheme, such as Challenge 21, shall be operated at the premises where the only acceptable forms of identification are recognised photographic identification cards, such as a driving licence or passport.
40. A log shall be kept detailing all refused sales of alcohol. The log should include the date and time of the refused sale and the name of the member of staff who refused the sale. The log shall be available for inspection at the premises by the police or an authorised officer of Hackney Borough Council at all times whilst the premises is open.
41. A daily register and incident log shall be kept at the premises, and made available on request to an authorised officer of Hackney Borough Council or the Police, which will record the following:
 - (a) all crimes reported to the venue
 - (b) all ejections of patrons
 - (c) any complaints received
 - (d) any incidents of disorder

- (e) seizures of drugs or offensive weapons
- (f) any faults in the CCTV system or searching equipment or scanning equipment
- (g) any refusal of the sale of alcohol
- (h) any visit by a relevant authority or emergency service.

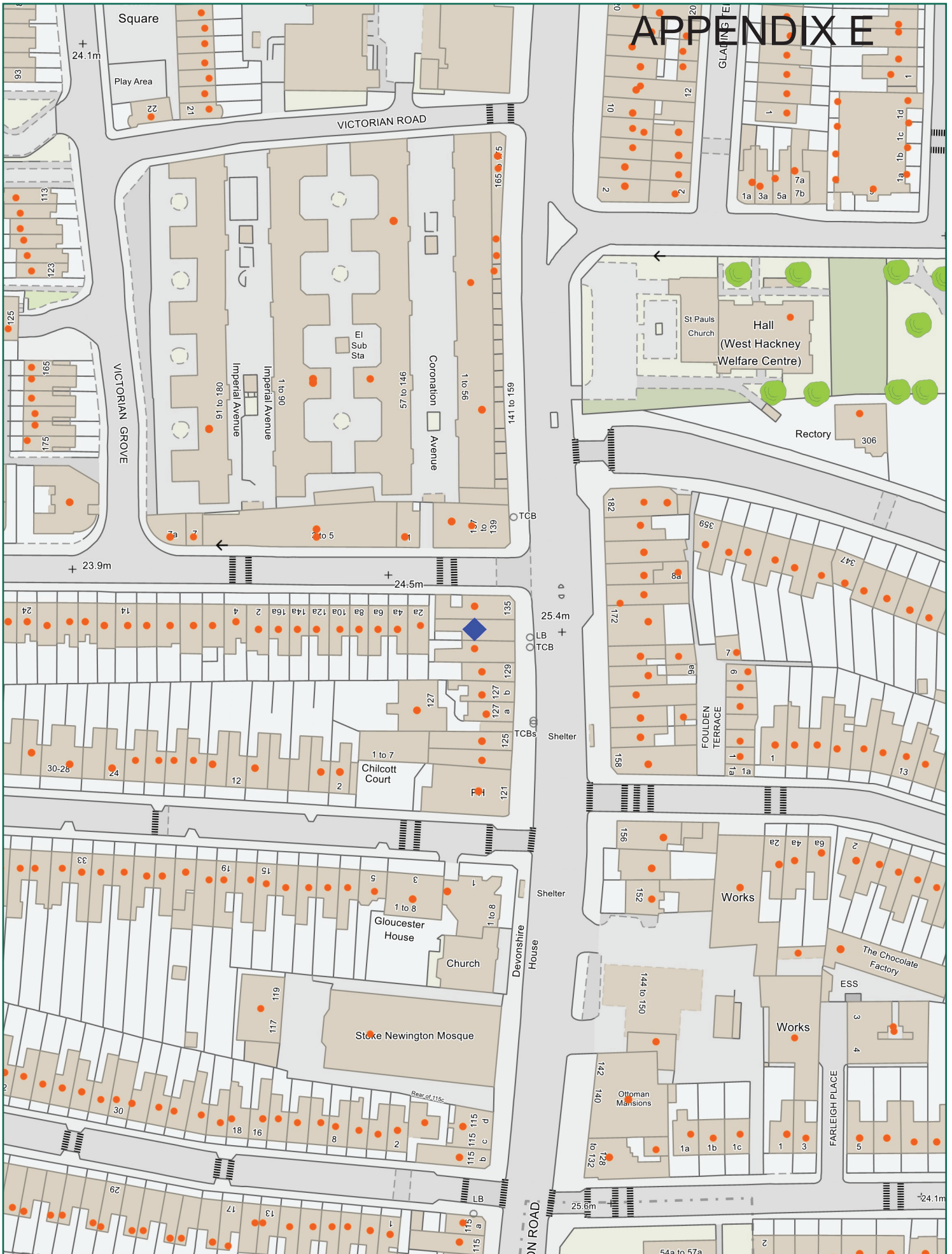
42. This record will be kept for a minimum of twelve (12) months from the date of completion, it shall be in a durable format as described in condition 40. The register shall further record the name of the person responsible for business each day including the hours of operation.
43. All door supervisors shall enter their full details in the daily register and incident log at the commencement of their work. This shall record their full name, home address, and contact telephone number, the door supervisors SIA registration number - with the time they commence and concluded working as well as the agency they are employed by .
44. The venue shall operate a secure 'drug box' approved on inspection by a Metropolitan Police Crime Prevention Officer . The box will be suitably secure to prevent removal, have a single direction anti tamper deposit method, and the keys to the box shall only be held by a maximum of two persons and these shall be the DPS and licensee.
45. Any confiscated items, which are, or are believed to be, drugs are to be placed into this box. Any seizures are to be entered into a drug seizures log, which is to remain in close proximity to the drugs box. The log will record the following details:
 - The time / date and location of the seizure
 - A brief description of the item including size / quantity
 - The member of staff seizing the item
 - The name or description of the customer from whom the item was taken
 - Any action taken at the time to contact police regarding the item seized (ie CAD number or details of officer attendance)
46. The drugs log shall be in a durable format, which protects the integrity of the contents therein. The management shall contact the police at least once every calendar month, for an officer to attend the premises, empty the drug box and sign the drugs log accordingly.
47. Police and LBH contracted drugs dogs and other drug detection equipment will be given immediate access to the premises without notice for the purpose of detecting and reducing incidences of drug misuse.
48. Signs will be prominently displayed inside and outside the premises warning customers that drug use on the premises will not be tolerated, they will be searched on entry and the police may be called if drugs are found.
49. No more than one person may be allowed in any toilet cubicle at a time

50. All staff shall be trained in dealing with persons who are incapacitated through the use of drugs or the combined effect of drugs and alcohol
51. An adequate and appropriate supply of first aid equipment and materials shall be available on the premises
52. At least one trained first-aider shall be on duty when the public are present
53. Measures will be put in place to ensure that no glass or open containers can be taken outside by those leaving the venue or those temporarily leaving to smoke.
54. The number of smokers outside the premises to be limited to 10, in a clearly designated smoking area.

Annex 4 – Plans

PLAN/LBH-PRE-T-0494/060805

APPENDIX E



NORTH

Scale: 1:1250 at A4

Hackney

Bar-A-Bar, 133-135 Stoke Newington Road, N16 8BT		
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