

REPORT OF GROUP DIRECTOR, NEIGHBOURHOODS AND HOUSING		
LICENSING SUB-COMMITTEE: 24/04/2018	Classification DECISION	Enclosure
Application for a Premises Licence Maregade Brew Co., Railway Arch 214, Ponsford Street, E9 6JU	Ward(s) affected Homerton	

1. SUMMARY

Applicant(s) Maregade Brew Co Ltd	In SPA No
Date of Application 02/03/2018	Period of Application Permanent
Proposed licensable activity Supply of Alcohol (On and Off Premises)	
Proposed hours of licensable activities	
Supply of Alcohol	Standard Hours: Fri 16:00-20:00 Sat 12:00-20:00 Sun 12:00-20:00
INDOOR:	Non-Standard Hours: 1200 to 2000 on bank holidays.
The opening hours of the premises	
INDOOR	Standard Hours: Fri 16:00-20:30 Sat 12:00-20:30 Sun 12:00-20:30
	Non-Standard Hours: 1200 to 2030 on bank holidays.
Capacity: Not known	
Policies Applicable	LP3 (Operating Schedule), LP4 (Crime and Disorder), LP5 (Public Nuisance), LP6 (Protection of Children from Harm), LP8 (Public Safety),
List of Appendices	A – Application for a premises licence and supporting documents B – Representations from responsible authorities C – Representations from other persons D – Location map
Relevant	• Planning Authority

Representations	<ul style="list-style-type: none"> • Other Persons
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2. APPLICATION

2.1 **Maregade Brew Co Ltd** has made an application for a premises licence under the Licensing Act 2003:

- To authorise the supply alcohol for consumption **on and off** the premises

2.2 The application is attached as Appendix A. The applicant has proposed measures that could be converted to conditions (see paragraph 8.1 below).

3. CURRENT STATUS / HISTORY

3.1 The premises are not currently licensed for any activity. A previous application, which sought sale of alcohol daily until 23.00, was refused by Licensing Sub-Committee on 14 December 2017.

3.2 Temporary Event Notices have been given for the premises as follows:

<u>Start date</u>	<u>end date</u>	<u>start time</u>	<u>end time</u>
10/03/2018	10/03/2018	12.00	20.00
24/03/2018	24/03/2018	12.00	20.00
30/03/2018	31/03/2018	12.00	20.00
07/04/2018	07/04/2018	12.00	20.00
14/04/2018	14/04/2018	12.00	20.00
21/04/2018	21/04/2018	12.00	20.00

4. REPRESENTATIONS: RESPONSIBLE AUTHORITIES

From	Details
Environmental Health Authority (Environmental Protection)	Have confirmed no representation on this application
Environmental Health Authority (Environmental Enforcement)	Representation received on the grounds of the prevention of public nuisance
Environmental Health Authority (Health & Safety)	Have confirmed no representation on this application
Weights and Measures (Trading Standards)	No representation received
Planning Authority (Appendix B)	Informative
Area Child Protection Officer	Have confirmed no representation on this application
Fire Authority	Have confirmed no representation on this application
Police	Have confirmed no representation on this application

Licensing Authority	No representation received
Health Authority	Representation withdrawn following acceptance of proposed condition.

5. REPRESENTATIONS: OTHER PERSONS

From	Details
4 representation received from and on behalf of local residents opposing the application (Appendices C1-C4) and 4 in support (appendices C5 – 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,

6. GUIDANCE CONSIDERATIONS

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

7. POLICY CONSIDERATIONS

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

8. OFFICER OBSERVATIONS

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

Supply Of Alcohol (On/Both)

1. No supply of alcohol may be made under the premises licence:
 - (a) At a time when there is no designated premises supervisor in respect of the premises licence.
 - (b) At a time when the designated premises supervisor does not hold a personal licence or his personal licence is suspended.
2. Every supply of alcohol under the premises licence must be made or authorised by a person who holds a personal licence.
3. (1) The responsible person must ensure that staff on relevant premises do not carry out, arrange or participate in any irresponsible promotions in relation to the premises.
 - (2) In this paragraph, an irresponsible promotion means any one or more of the following activities, or substantially similar activities, carried on for the

purpose of encouraging the sale or supply of alcohol for consumption on the premises -

- (a) games or other activities which require or encourage, or are designed to require or encourage, individuals to:
 - (i) drink a quantity of alcohol within a time limit (other than to drink alcohol sold or supplied on the premises before the cessation of the period in which the responsible person is authorised to sell or supply alcohol), or
 - (ii) drink as much alcohol as possible (whether within a time limit or otherwise);
- (b) provision of unlimited or unspecified quantities of alcohol free or for a fixed or discounted fee to the public or to a group defined by a particular characteristic in a manner which carries a significant risk of undermining a licensing objective;
- (c) provision of free or discounted alcohol or any other thing as a prize to encourage or reward the purchase and consumption of alcohol over a period of 24 hours or less in a manner which carries a significant risk of undermining a licensing objective;
- (d) selling or supplying alcohol in association with promotional posters or flyers on, or in the vicinity of, the premises which can reasonably be considered to condone, encourage or glamorise anti-social behaviour or to refer to the effects of drunkenness in any favourable manner.
- (e) dispensing alcohol directly by one person into the mouth of another (other than where that other person is unable to drink without assistance by reason of a disability).

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

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

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

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

- (a) a holographic mark or
- (b) an ultraviolet feature

6. The responsible person must ensure that:

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

- beer or cider: 1/2 pint;
- gin, rum, vodka or whisky: 25ml or 35ml; and
- still wine in a glass: 125ml; and

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

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

Minimum Drinks Pricing

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

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

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

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

(i) P is the permitted price,

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

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

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

(i) the holder of the premises licence,

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

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

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

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

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

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

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

Conditions derived from operating schedule

8. There will be written notice of 'authority' record for all staff who sell alcohol.

9. Contact details of the Designated Premises Supervisor to be readily available to staff and to the authorities

10. All staff to be trained in their responsibilities under the Licensing Act 2003 and training records to be kept and updated every 6 months and shall, upon request, be made immediately available to Officers of the Police and the Council.

11. Any sales of alcohol shall be charged at no less than 50p per unit* of alcohol. The licence holder shall prepare a price list calculating the units for each available product which shall be made available to the police or Licensing Enforcement Officer upon request. *A unit of alcohol =10ml of ethanol.

12. A comprehensive CCTV system as per the minimum requirements of the Metropolitan Police Crime Prevention Officer. All public areas, entry and exit points will be covered enabling frontal identification of all persons entering in any light condition. The CCTV system shall continually record whilst the premises are being used for licensable activities and during times when customers remain on the premises. All recordings shall be retained for a minimum period of 31 days with date and time stamping. Recordings shall be made available immediately upon the request of the police or an authorised officer of Hackney Borough Council.

13. A staff member of 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 the police or authorised officer of Hackney Borough Council recent data or footage with the minimum of delay when requested.

14. There shall be 'CCTV in Operation' signs prominently displayed.

15. An Incident Log shall be kept at the premises and made available immediately to the police or authorised officer of Hackney Borough Council which will record the following:

- All crimes reported to the venue
- Any complaints received
- Any incidents of disorder
- Any faults in the CCTV system
- Any refusal of the sale of alcohol
- Any visit by a relevant authority or emergency service

16. All instances of crime or disorder shall be reported by the Designated Premises Supervisor or responsible member of staff to an agreed police contact point, as agreed with the police.

17. The premises shall adhere to the Hackney Police drugs and weapons policies and any updates thereof.

18. Alcohol will not be permitted to be removed from the property in open vessels or containers.

19. Food and non-intoxicating beverages, including drinking water, shall be available on the premises whenever alcohol is being sold.

20. The premises and public areas nearby to be kept free from litter associated with the operation of the business.

21. Hourly dB levels will be taken and recorded from outside the front of the premises to ensure noise levels are in keeping with the usual for the area –

recent levels taken have shown that these are usually 60-70dB, or 70-80dB when trains or heavy traffic are passing by.

22. Deliveries and waste removal are undertaken at a time and in a manner that does not cause disturbance.

23. The licence holder shall ensure that all staff are fully trained and made aware of the legal requirement of businesses to comply with their duty of care with regard to the disposal of waste produced from the business premises. The procedure for handling and preparing for disposal of the waste shall be in writing and displayed in a prominent place where it can be easily referred to at all times by staff.

24. The licence holder shall ensure that any contract for general and recyclable waste disposal shall be appropriate in size to the amount of waste produced by the business. The licence holder must maintain an adequate supply of waste receptacles provided by his registered waste carrier (refuse sacks or commercial waste bins) in order to ensure all refuse emanating from the business is always presented for collection by his waste carrier and shall not use any plain black or unidentifiable refuse sacks or any other unidentifiable or unmarked waste receptacles.

25. In streets or areas where the London Borough of Hackney imposes a requirement that refuse may only be left on the public highway at certain times, the licence holder must ensure that he/she complies with any orders or notices served by the council and if the waste carrier cannot or does not comply by collecting the refuse within an hour after the close of any time band imposed by such order or notice, the licence holder must remove the refuse from the public highway and keep it within the premises until such time as his/her waste carrier arrives to collect the refuse.

26. The licence holder shall erect a sign asking customers to refrain from littering the public highway outside the premises and will also instruct staff to make regular checks of the area immediately outside and within 10 metres either side of the premises and to remove any litter, bottles and glasses emanating from the premises. A final check should be made at the close of business.

27. The licence holder shall provide a safe receptacle for cigarette ends to be placed outside for the use of customers, such a receptacle being carefully placed so as not to cause an obstruction or trip.

28. From 7pm daily, all entrances and exits for the premises will remain closed except for normal ingress and egress or in the case of an emergency.

29. There shall be no more than 5 smokers at any one time permitted to use the outside space.

30. There shall be seating available for all patrons and there shall be a maximum of 45 patrons inside the premises at any one time.

31. All music to be played at a background level to allow a face to face conversation.

32. A dispersal policy to be provided.

33. There will be an effective age verification policy in accordance with the mandatory code.

34. A Challenge 25 policy will be applied for age-restricted products. Notices to be displayed indicating that any customer not appearing to have reached the age of 25 will be required to produce appropriate identification proving that they have turned 18. Appropriate ID will be a valid passport, photo driving licence, PASS accredited proof of age card or other reliable photo-ID that is recommended and approved for acceptance by the police or other authorities.

35. Staff training will occur before a staff member is authorised to sell alcohol within the premises.

36. Off sales of alcohol shall be restricted to those in sealed containers, cans or growlers of beer or cider

9. REASONS FOR OFFICER OBSERVATIONS

9.1 Conditions 8 to 35 above are derived from the applicant's operating schedule. Condition 36 to 19 has been proposed by Public Health and has been accepted by the applicant.

10. LEGAL COMMENTS

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

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

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

11. HUMAN RIGHTS ACT 1998 IMPLICATIONS

11.1 There are implications to;

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

12. MEMBERS DECISION MAKING

A. Option 1

That the application be refused

B. Option 2

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

13. CONCLUSION

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

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

LIST OF BACKGROUND PAPERS RELATING TO THIS REPORT

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

Description of document	Location
Office File: Maregade Brew Co., Railway Arch 214, Ponsford Street, E9 6JU	Licensing Service 1 Hillman Street London E8 1DY

Printed matter

Licensing Act 2003
LBH Statement of Licensing Policy

APPENDIX A

Hackney
LA01

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

PLEASE READ THE FOLLOWING INSTRUCTIONS FIRST

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

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

I/We Mr Maregade Brew Co. Ltd.
(Insert name(s) of applicant)

apply for a premises licence under section 17 of the Licensing Act 2003 for the premises described in Part 1 below (the premises) and I/we are making this application to you as the relevant licensing authority in accordance with section 12 of the Licensing Act 2003

Part 1 – Premises details

Postal address of premises or, if none, ordnance survey map reference or description Maregade Brew Co. RAILWAY ARCH 214 PONSFORD STREET HACKNEY LONDON			
Post town	LONDON	Postcode	E9 6JU

Telephone number at premises (if any)	
Non-domestic rateable value of premises	£8700

Part 2 - Applicant details

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

Please tick

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

	ii.	as a partnership (other than limited liability)	<input type="checkbox"/>	please complete section (B)
	iii.	as an unincorporated association or	<input type="checkbox"/>	please complete section (B)
	iv.	other (for example a statutory corporation)	<input type="checkbox"/>	please complete section (B)
c)		a recognised club	<input type="checkbox"/>	please complete section (B)
d)		a charity	<input type="checkbox"/>	please complete section (B)
e)		the proprietor of an educational establishment	<input type="checkbox"/>	please complete section (B)
f)		a health service body	<input type="checkbox"/>	please complete section (B)
g)		a person who is registered under Part 2 of the Care Standards Act 2000 (c14) in respect of an independent hospital in Wales	<input type="checkbox"/>	please complete section (B)
ga)		a person who is registered under Chapter 2 of Part 1 of the Health and Social Care Act 2008 (within the meaning of that Part) in an independent hospital in England	<input type="checkbox"/>	please complete section (B)
h)		the chief officer of police of a police force in England and Wales	<input type="checkbox"/>	please complete section (B)

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

Please tick yes

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

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

(A) INDIVIDUAL APPLICANTS (fill in as applicable)

Title Mr			
Surname		First names	
I am 18 years old or over ..			
Date of birth			
Nationality			
Current residential address if different from premises address		UK-England	
Post town		Postcode	
Daytime contact telephone number			
E-mail address (optional)			

SECOND INDIVIDUAL APPLICANT (if applicable)

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

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

(B) OTHER APPLICANTS

Please provide name and registered address of applicant in full. Where appropriate please give any registered number. In the case of a partnership or other joint venture (other than a body corporate), please give the name and address of each party concerned.

Name Maregade Brew Co. Ltd.
Address [REDACTED] [REDACTED]
Registered number (where applicable) 09628453
Description of applicant (for example, partnership, company, unincorporated association etc.) Private Limited Company
Telephone number (if any) [REDACTED]
E-mail address (optional) [REDACTED]

Part 3 Operating Schedule

When do you want the premises licence to start?

DD	MM	YYYY
31	03	2018

If you wish the licence to be valid only for a limited period, when do you want it to end?

DD MM YYYY

Please give a general description of the premises (please read guidance note 1)

- This application relates to the ground floor and front outside space of Railway Arch 214 in Ponsford Street.
- Maregade Brew Co. is an established and highly regarded micro-brewery producing craft ales for supply to the trade.
- This application will enable Maregade Brew Co. to continue its micro-brewery operation at this site but also to develop a tap room that allows customers to drink at the source.
- The taproom will also serve both alcoholic and non-alcoholic beverages from other producers.

If 5,000 or more people are expected to attend the premises at any one time, please state the number expected to attend.

What licensable activities do you intend to carry on from the premises?

(Please see sections 1 and 14 and Schedules 1 and 2 to the Licensing Act 2003)

	Provision of regulated entertainment (please read guidance note 2)	Please tick any 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 (optional, fill in box C)	..
d)	boxing or wrestling entertainment (if ticking yes, fill in box D)	..
e)	live music (optional, fill in box E)	..
f)	recorded music (if ticking yes, fill in box F)	..
g)	performances of dance (optional, 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)	..
	<u>Supply of alcohol</u> (if ticking yes, fill in box J)	<input checked="" type="checkbox"/>

In all cases complete boxes K, L and M

J

Supply of alcohol Standard days and timings (please read guidance note 7)			Will the supply of alcohol be for consumption – please tick (please read guidance note 8)	On the premises	
				Off the premises	
				Both	<input checked="" type="checkbox"/>
Day	Start	Finish	State any seasonal variations for the supply of alcohol (please read guidance note 5)		
Mon					
Tue					
Wed					
Thur					
Fri	16:00	20:00			
Sat	12:00	20:00			
Sun	12:00	20:00	Non-standard timings. Where you intend to use the premises for the supply of alcohol at different times to those listed in the column on the left, please list (please read guidance note 6) 1200 to 2000 on bank holidays.		

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

Name Mr Ian Morton	
Date of birth [REDACTED]	
Address [REDACTED]	
UK-England	
Postcode	[REDACTED]
Personal licence number (if known) [REDACTED]	
Issuing licensing authority (if known) [REDACTED]	

K

Please highlight any adult entertainment or services, activities, other entertainment or matters ancillary to the use of the premises that may give rise to concern in respect of children (please read guidance note 9).

NIL

L

Hours premises are open to the public Standard days and timings (please read guidance note 7)			State any seasonal variations (please read guidance note 5)
Day	Start	Finish	
Mon			Non-standard timings. Where you intend the premises to be open to the public at different times from those listed in the column on the left, please list (please read guidance note 6) 1200 to 2030 on bank holidays.
Tue			
Wed			
Thur			
Fri	16:00	20:30	
Sat	12:00	20:30	
Sun	12:00	20:30	

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

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

The premises licence holder, DPS, management and staff will constantly assess any risks to the licensing objectives. They will work in partnership with the authorities and local people alike in this respect. The staff will be properly authorised, equipped, trained and motivated in this task. There will be:

- A written notice of 'authority' record for all staff who sell alcohol
- Contact details of the Designated Premises Supervisor readily available to staff and to the authorities
- A commitment that all staff are trained in their responsibilities under the Licensing Act 2003 and training records to be kept and updated every 6 months and shall, upon request, be made immediately available to Officers of the Police and the Council.
- Any sales of alcohol shall be charged at no less than 50p per unit* of alcohol. The licence holder shall prepare a price list calculating the units for each available product which shall be made available to the police or Licensing Enforcement Officer upon request. *A unit of alcohol = 10ml of ethanol.

b) The prevention of crime and disorder

The management and staff will take all necessary steps to ensure that the premises remain free from crime and disorder. This will include:

- A comprehensive CCTV system as per the minimum requirements of the Metropolitan Police Crime Prevention Officer. All public areas, entry and exit points will be covered enabling frontal identification of all persons entering in any light condition. The CCTV system shall continually record whilst the premises are being used for licensable activities and during times when customers remain on the premises. All recordings shall be retained for a minimum period of 31 days with date and time stamping. Recordings shall be made available immediately upon the request of the police or an authorised officer of Hackney Borough Council.
- A staff member of 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 the police or authorised officer of Hackney Borough Council recent data or footage with the minimum of delay when requested.
- There shall be 'CCTV in Operation' signs prominently displayed.
- An Incident Log shall be kept at the premises and made available immediately to the police or authorised officer of Hackney Borough Council which will record the following:
 - o All crimes reported to the venue
 - o Any complaints received
 - o Any incidents of disorder
 - o Any faults in the CCTV system
 - o Any refusal of the sale of alcohol
 - o Any visit by a relevant authority or emergency service
- All instances of crime or disorder shall be reported by the Designated Premises Supervisor or responsible member of staff to an agreed police contact point, as agreed with the police.
- Staffing levels maintained appropriately to ensure adequate security.
- High value items stored securely
- Staff being trained on security issues including how to identify and refuse service to customers that are drunk or appear to be drunk.

- The premises shall adhere to the Hackney Police drugs and weapons policies and any updates thereof
- Alcohol will not be permitted to be removed from the property in open vessels or containers.
- Food and non-intoxicating beverages, including drinking water, shall be available on the premises whenever alcohol is being sold.

c) Public safety

The management and staff will have an effective policy to maintain a safe venue for customers and staff. Any risk to safety will be assessed before the premises are opened to the public each day and throughout the hours of operation. The DPS will liaise with the authorities to ensure that all aspects of public safety are adhered to. The policy will include:

- Ensuring that the entrance and any walkways within the premises are kept free from obstruction
- Appropriate fire fighting equipment being installed and maintained at the premises and staff trained in its use.
- Fire risk assessments being undertaken and acted upon in accordance with current recommendations and requirements.
- Effective lighting maintained and operated to ensure the safety of the public and staff.

d) The prevention of public nuisance

The DPS and staff are mindful of the need to reduce the impact of any nuisance caused by the operation of the premises, will constantly assess the risk of public nuisance and take immediate steps to eliminate the problem. Staff will ensure:

- The premises and public areas nearby are kept free from litter associated with the operation of the business.
- Noise, vibrations, smells, light pollution and any other potential nuisance is monitored and kept to an acceptable level.
- Hourly dB levels will be taken and recorded from outside the front of the premises to ensure noise levels are in keeping with the usual for the area - recent levels taken have shown that these are usually 60-70dB, or 70-80dB when trains or heavy traffic are passing by.
- Deliveries and waste removal are undertaken at a time and in a manner that does not cause disturbance.
- The licence holder shall ensure that all staff are fully trained and made aware of the legal requirement of businesses to comply with their duty of care with regard to the disposal of waste produced from the business premises. The procedure for handling and preparing for disposal of the waste shall be in writing and displayed in a prominent place where it can be easily referred to at all times by staff.
- The licence holder shall ensure that any contract for general and recyclable waste disposal shall be appropriate in size to the amount of waste produced by the business. The licence holder must maintain an adequate supply of waste receptacles provided by his registered waste carrier (refuse sacks or commercial waste bins) in order to ensure all refuse emanating from the business is always presented for collection by his waste carrier and shall not use any plain black or unidentifiable refuse sacks or any other unidentifiable or unmarked waste receptacles.
- In streets or areas where the London Borough of Hackney imposes a requirement that refuse may only be left on the public highway at certain times, the

licence holder must ensure that he/she complies with any orders or notices served by the council and if the waste carrier cannot or does not comply by collecting the refuse within an hour after the close of any time band imposed by such order or notice, the licence holder must remove the refuse from the public highway and keep it within the premises until such time as his/her waste carrier arrives to collect the refuse.

- The licence holder shall erect a sign asking customers to refrain from littering the public highway outside the premises and will also instruct staff to make regular checks of the area immediately outside and within 10 metres either side of the premises and to remove any litter, bottles and glasses emanating from the premises. A final check should be made at the close of business.
- The licence holder shall provide a safe receptacle for cigarette ends to be placed outside for the use of customers, such a receptacle being carefully placed so as not to cause an obstruction or trip.
- From 7pm daily, all entrances and exits for the premises will remain closed except for normal ingress and egress or in the case of an emergency.
- There shall be no more than 5 smokers at any one time permitted to use the outside space.
- There shall be seating available for all patrons and there shall be a maximum of 45 patrons inside the premises at any one time.
- All music to be played at a background level to allow a face to face conversation.
- A dispersal policy is available incorporating many of these points.

e) The protection of children from harm

The premises will be promoted as family friendly and suitable for all ages. There will be no inappropriate entertainment, promotions, activities or behaviour tolerated at the premises that might put children at risk. There will be an effective age verification policy in accordance with the mandatory code. This policy will be one of Challenge 25 for age-restricted products and include:

- The display of notices relating to the policy within the premises.
- These notices will indicate that any customer not appearing to have reached the age of 25 will be required to produce appropriate identification proving that they have turned 18 before being sold alcohol.
- Appropriate ID will be a valid passport, photo driving licence, PASS accredited proof of age card or other reliable photo-ID that is recommended and approved for acceptance by the police or other authorities.
- Staff shall be trained in aspects of responsible alcohol retailing and in particular the Protection of Children including the Challenge 25 policy.
- Staff training will occur before a staff member is authorised to sell alcohol within the premises.
- Staff training records will be available for inspection by the police or other responsible authority upon request.

Checklist:

Please tick to indicate agreement

- I have made or enclosed payment of the fee.
- I have enclosed the plan of the premises.
- I have sent copies of this application and the plan to responsible authorities and others where applicable.
- I have enclosed the consent form completed by the individual I wish to be designated premises supervisor, if applicable.

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

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

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

Part 4 – Signatures (please read guidance note 11)

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

Declaration	<ul style="list-style-type: none"> • [Applicable to individual applicants only, including those in a partnership which is not a limited liability partnership] I understand I am not entitled to be issued with a licence if I do not have the entitlement to live and work in the UK (or if I am subject to a condition preventing me from doing work relating to the carrying on of a licensable activity) and that my licence will become invalid if I cease to be entitled to live and work in the UK (please read guidance note 15). • The DPS named in this application form is entitled to work in the UK (and is not subject to conditions preventing him or her from doing work relating to a licensable activity) and I have seen a copy of his or her proof of entitlement to work, if appropriate (please see note 15)
Signature	Ian Morton
Date	2/3/2018

Capacity	Applicant
----------	-----------

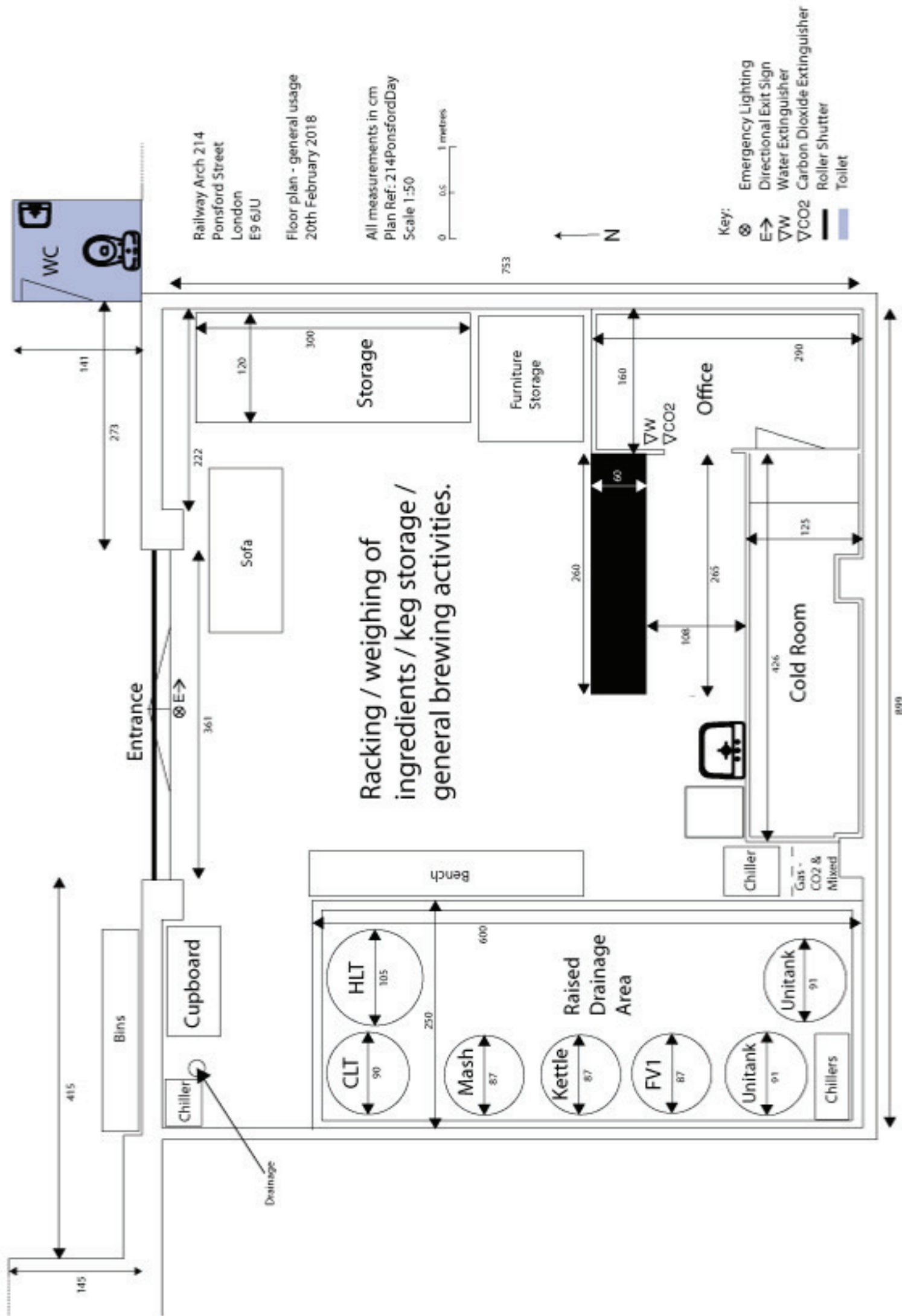
For joint applications, signature of 2nd applicant or 2nd applicant's solicitor or other authorised agent (please read guidance note 13). If signing on behalf of the applicant, please state in what capacity.

Signature	
Date	2/3/2018
Capacity	

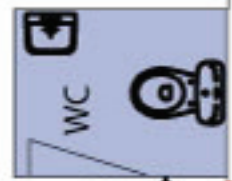
Contact name (where not previously given) and postal address for correspondence associated with this application (please read guidance note 14) Applicant address			
UK-England			
Post town		Postcode	
Telephone number (if any)			
If you would prefer us to correspond with you by e-mail, your e-mail address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

Notes for Guidance

- Describe the premises, for example the type of premises, its general situation and layout and any other information which could be relevant to the licensing objectives. Where your application includes off-supplies of alcohol and you intend to provide a place for consumption of these off-supplies, you must include a description of where the place will be and its proximity to the premises.
- 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.



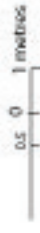
Racking / weighing of ingredients / keg storage / general brewing activities.



Railway Arch 214
Ponsford Street
London
E9 6JU

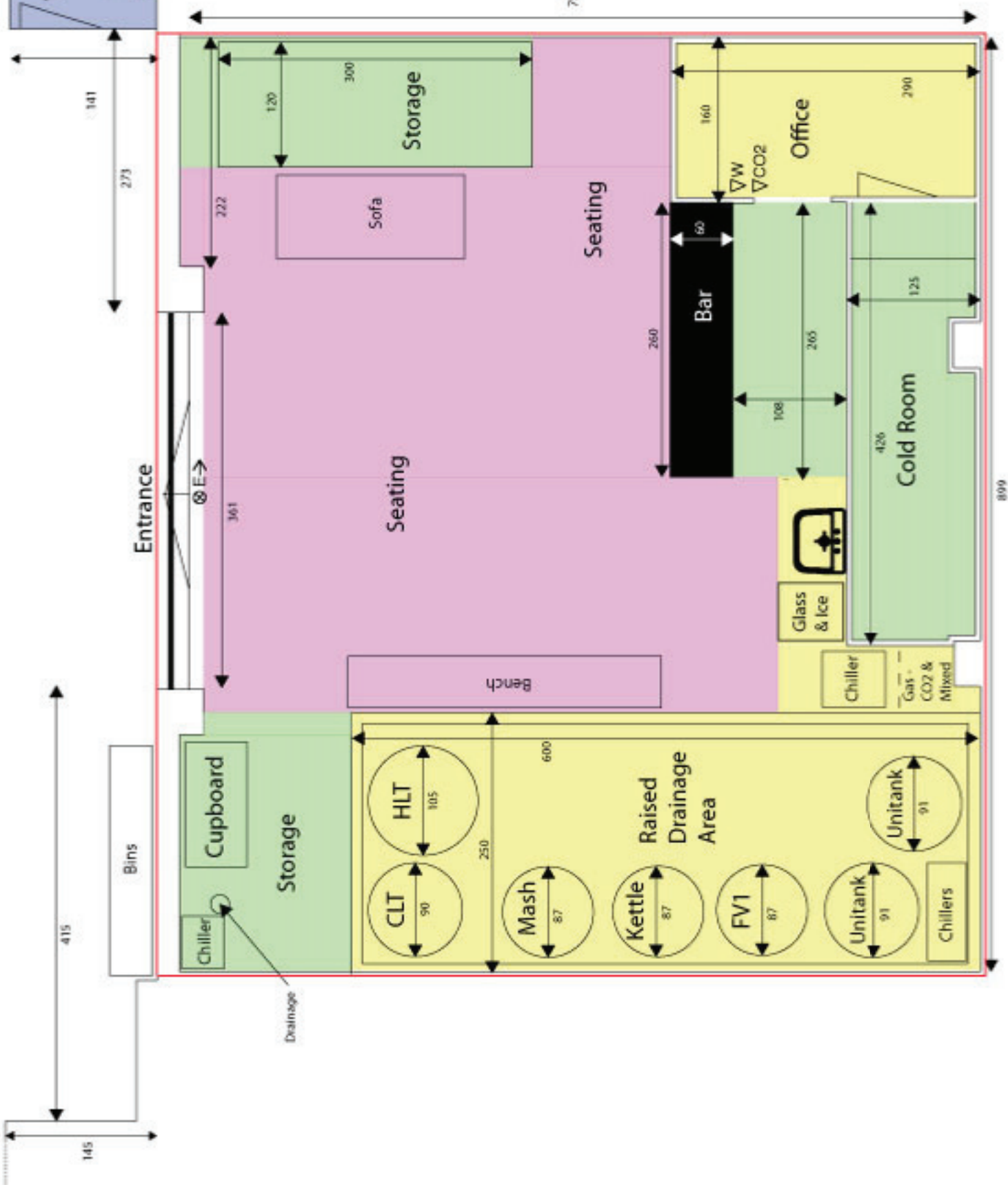
Floor plan - taproom open
20th February 2018

All measurements in cm
Plan Ref: 214PonsfordTap
Scale 1:50



Key:

- ⊗ Emergency Lighting
- E→ Directional Exit Sign
- ∇W Water Extinguisher
- ∇CO2 Carbon Dioxide Extinguisher
- Roller Shutter
- Extent of Area to be Licensed
- Area for Consumption of Alcohol
- Bar and Storage of Alcohol
- Staff Only
- Toilet



APPENDIX B

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	Maregarde Brew Co. Railway Arch 214 Ponsford Street London E9 6JU
Applicant name	Maregarde Brew Co. Ltd

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 a license for a Micro-brewery to continue its operation and to allow for the installation of a tap to allow for the service of alcoholic and non-alcoholic drinks at the premises. The following licensable activities are proposed:

Supply of alcohol: 16:00 – 20:00 Friday – Sunday; and
Hours of operation: 16:00 – 20:30 Friday, 12:00 – 20:30 Saturday – Sunday.

Planning reference 2012/3532 granted the demolition of existing infills to Railway Arches 213 - 222 and construction of new front and rear arch infills with block work walls, roller shutters and integral doors.

No approval has been found for the operation of a micro-brewery and tap room (sui generis) at Railway Arch 214, Ponsford Street. Licensing approval does not grant planning approval. However, subject to the specific operation of the tap room, it may be ancillary to the main use of the premises as a brewery. If this were to be the case then planning permission would not be required for the use. If the proposed tap room use is to be ancillary to the main use as a brewery, then the applicant is advised to seek a certificate of lawfulness for formal confirmation that this is the case.

Please provide the following information (if applicable)


Area (that permission applies to)	Ground floor
Permitted use	Industrial
Permitted hours	N/A
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 representations with informative.

No approval has been found for the operation of a micro-brewery and tap room (sui generis) at Railway Arch 214, Ponsford Street. Licensing approval does not grant planning approval. However, subject to the specific operation of the tap room, it may be ancillary to the main use of the premises as a brewery. If this were to be the case then planning permission would not be required for the use. If the proposed tap room use is to be ancillary to the main use as a brewery, then the applicant is advised to seek a certificate of lawfulness for formal confirmation that this is the case.

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	05/04/2018

APPENDIX C1

Shan Uthayasangar

From: [REDACTED]
Sent: 08 March 2018 10:37
To: Licensing
Subject: Licence number: 094282

Appeal against license Application:

Maregade brew co.
Arch 214
Ponsford street
E96ju

Dear hackney

We want to appeal against this application.

Reason below:

- 1). This unit is location 10secs away from two main hackney secondary schools. (Cardinal Pole & city hackney secondary school)
- 2) arch's are location in a residential area where family's living.
- 3) keep the area safe from alcohol related crime.
- 4) this will lead to other units applying for licences then, area will start leading to late night drink, party place which will affect the family living there and local schools. We should Educate children of the health and crime affect of alcohol.
- 5) residents living opposite the unit fully object on the grounds, noise nuisance, crime increase and affect their way of life. None of the residents wants these units selling alcohol.

Also please note kids from Cardinal Pole school leave school at this time and this unit is near the entrance of this school.

Please stop the area from changing from a family populated area to a Bar club area.

We have full trust in Hackney. Hackney will always make the right decision.

Thank you

[REDACTED]
[REDACTED] Brooklime house
[REDACTED]
[REDACTED]
[REDACTED]

21/03/18

C2

To whom it may concern,

I am writing to formally object to the Application for a premises licence (094282) to authorise supply of alcohol for consumption on and off the premises from 16:00 to 20:00 Friday and from 12:00 to 20:00 Sat and Sun at Arch 214, Ponsford Street, London, E9 6JU by Maregade, Brew Co Ltd.

This is the second application in less than four months. I feel exactly the same as four months ago.

The arches in question back on to my property, [REDACTED] Ponsford St, E9 [REDACTED] From my [REDACTED]
[REDACTED]. It is [REDACTED]s away. See pictures below from a Temporary Special Licence at the premises in question on the 10/03/18.

A licensed premises in this arch will significantly contribute to public nuisance and potentially crime and disorder. A licensed premises will have drunks, shouting, loud talking, potentially people urinating in the alley way (as already happens), people will be outside smoking. This will mean we cannot open our windows/balcony door without disturbance especially in the summer months. People outside your window until 8pm at night is going to be disturbing for my daughter, wife and myself and neighbours.

Additionally if alcohol is to be sold off the premises there is also nothing to stop people buying alcohol and sitting in the alleyway all night making noise especially in the summer months.

There is no lobby door so the door will be as good as open constantly. There are no indoor toilets, only two outdoor toilets (as in picture 1) for use by all business arches so there will be a constant stream of smokers, clientele using toilets and entering and leaving outside.

When we bought our property all of the arches were Use Class B, as they still are. No application to change the usage has been submitted to date. We have already had significant disturbance with a café and noise in the alleyway (late nights, shouting, parties and disorder). I do not want a repeat of this. We have not bought a property next to a pub and are complaining about it.

The weekends are a time for relaxation and for our family. I do not want the nuisance of a pub and off licence outside my home. Having a pub and off licence planted outside my home is additionally not protecting mine or my neighbours children from harm.

I would like the application thrown out in its entirety. I do not want any sale of alcohol from these premises.

Best wishes

[REDACTED]

[REDACTED] Brookline, Chervil and Marion Court Tenants and Residents Association

[REDACTED]

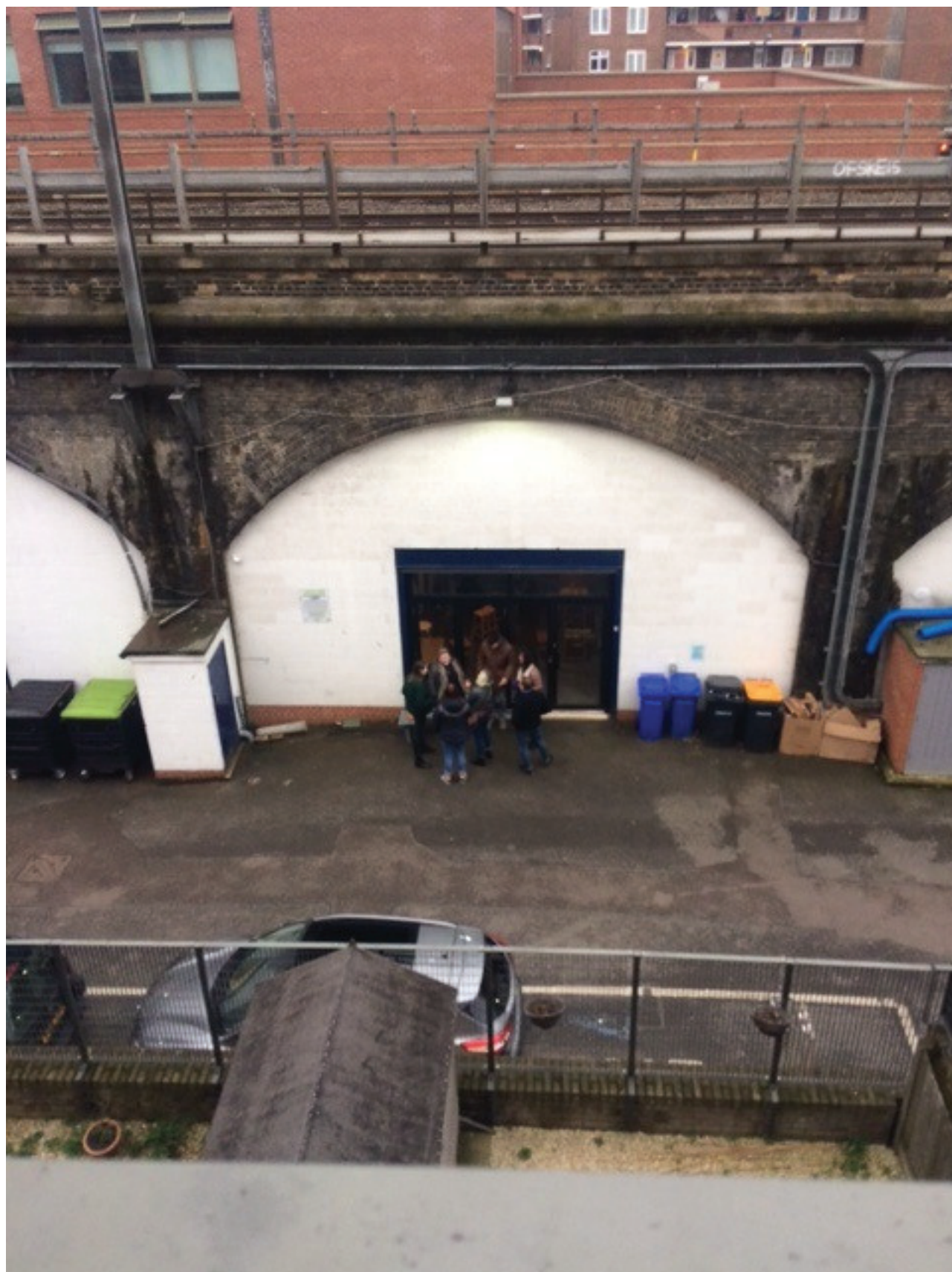
[REDACTED]

[REDACTED]

|

[REDACTED]

21/03/18



21/03/18



From: [REDACTED]
Sent: 22 March 2018 17:31
To: Licensing
Subject: Maregade, Arch 214, Ponsford Street, London, E9 6JU

To whom it may concern,

I would like to lodge my objection to licencing Arch 214 Ponsford Street, I live [REDACTED] the arches and its use as a pub would be unbearable due to noise there are all ready two business that use the arches for customers and we have noise and all weekend with people sitting outside but that is during the day and can be tolerated but if that continued into the night we would have no respite at all. The alley/road is a magnet for anti social behaviour as it is it lends itself to people hanging around due to the outside space when the coffee shop in the alley puts on evening events the noise and crowds it attracts is unbearable for us and our neighbours not to mention the use of the alley as a toilet.

We in [REDACTED] have to tolerate train noise, noise from the two secondary schools, the ambulance station and fire station all off which we knew about when we moved in if there was now a pub outside our bedrooms windows so we can't leave them open in the evening that would just make our lives a living nightmare.

Please take this objection into consideration when making a decision.

Kind regards

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

Maregade, Arch 214, Ponsford Street, London, E9 6JU
Homerton Maregade
Brew Co Ltd
Application for a premises licence to authorise supply of alcohol for consumption on and off the premises

Mike Smith

From: [REDACTED]
Sent: 27 March 2018 22:36
To: Licensing
Subject: Meregade Brew Co application, 214 Railway Arch, Ponsford Street, E9 6JU

I oppose this application on the following grounds: -

1. The applicant knowingly applies for a license to sell alcohol for consumption on and off the premises, despite being aware that numerous local residents are opposed to persons consuming alcohol in the access road adjacent and below Brooklime and Chervil Houses, on the grounds that there is a reasonable assumption that this is likely to result in anti-social noise nuisance to the local residents.
2. The area consisting of the access road which services the arches, is not suitable for use as an area in which groups of persons (more than 5) congregate to socialise, due to the natural element of echoing and exacerbating noise resulting from the construction of the area.
3. Other premises in the immediate vicinity, are awaiting the outcome with the intention of using a successful application as a precedent to apply for their own alcohol license.
4. There are several disabled residents in Brooklime and Chervil House, who suffer with acute head pain conditions and chronic stress, and any anti-social noise nuisance is likely to have an adverse effect on them.
5. The premises are not suitable for an alcohol licensed premise.
6. There are only 2 water closets, both of which are outside of the premise.
7. A takeaway food outlet occupies half of an arch close to 214, and the opportunity to purchase and consume alcohol in the immediate vicinity is likely to increase the possibility of anti-social noise nuisance.

Yours sincerely,

[REDACTED]
[REDACTED], [REDACTED]
[REDACTED]
[REDACTED]



Maregade BrewCo <maregadebrewco@gmail.com>

support

20 March 2018 at 22:08

[REDACTED]
To: Ian Morton <ian@maregade.com>

The East London and City Branch of CAMRA (Campaign For Real Ale) wish it to be known that we support Ian Morton of Maregade Brewery, Arch 214 Ponsford Street 9 6JU with his Licence application. We believe him to be a responsible and considerate person. The Brewery Tap would be another good venue and attraction for visitors to the borough.

Yours faithfully

[REDACTED]

[REDACTED]



Monday 5 Mar • 10:40

Good morning, my name is [REDACTED] and i have just read your letter. I'm ok with it. I'm young man so i understand where you coming from. Ps if there is any job opening i would to apply. Thank you.



I live at number [REDACTED] shepherd's lane e9 [REDACTED] Thanks

Tuesday 6 Mar • 10:13

Hi [REDACTED] Thank you for your text, it's great to know that local residents are supportive of the taproom. If and when the taproom opens we may need part time bar staff. Thanks again, Ian.



You 're welcome. Thanks

6 Mar, 10:13



Text message





Maregade BrewCo <maregadebrewco@gmail.com>

Support

19 March 2018 at 14:00

[REDACTED]
To: ian@maregade.com

Hi Ian,

Here's my 2 pence on Maregade. Hope it helps.

mikael

Hi,

I'd like to give my support to the Maregade brewery project on Ponsford arches.

I believe the potential benefit for the development of the community and the area deserves that we welcome young entrepreneurs in the area.

I support efforts to regenerate the locality and to make Homerton a more inviting place for people of all ages and backgrounds.

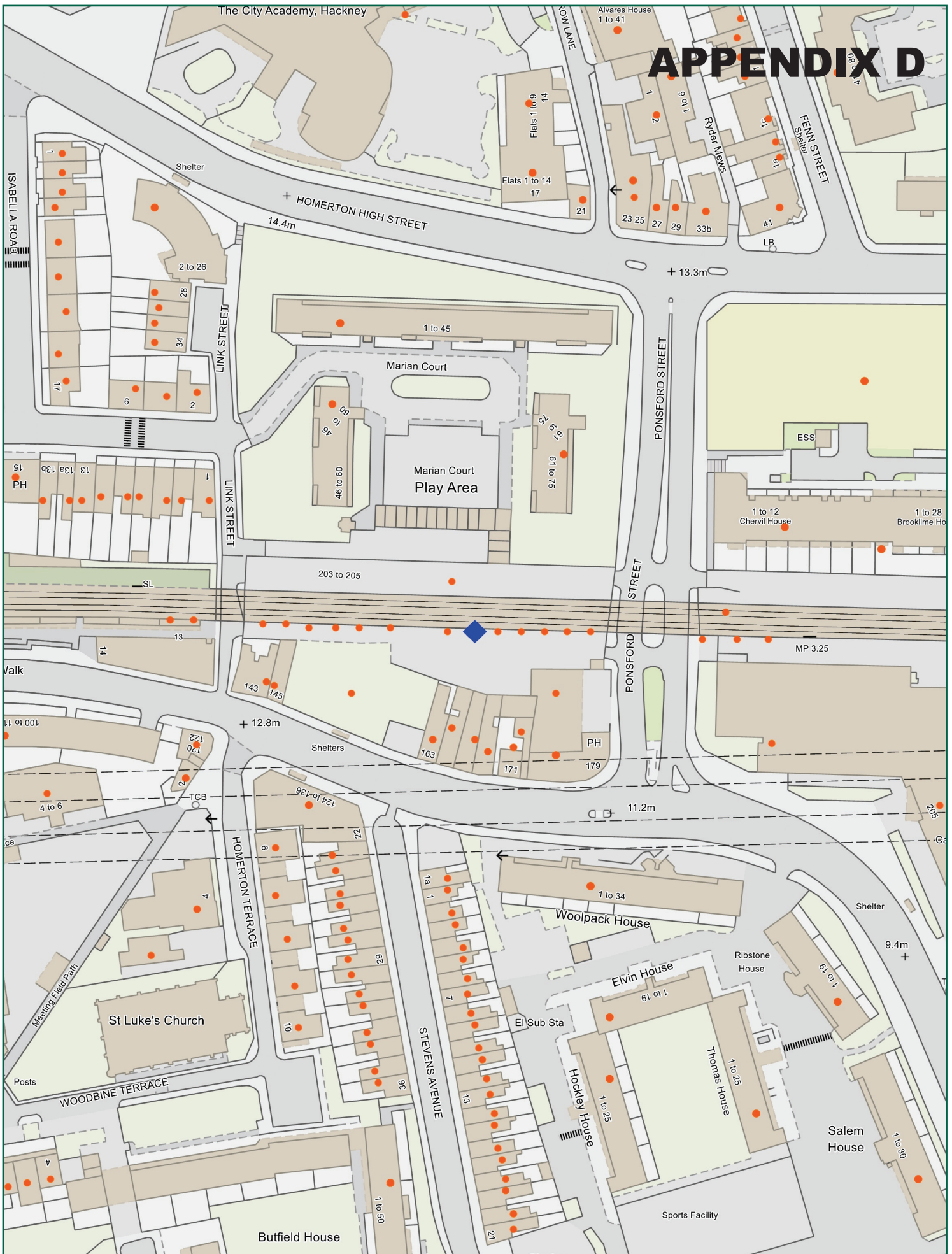
Many thanks

[REDACTED]

We, the undersigned, wish to let it be known that we support the granting of a premises licence for Maregade Brew Co. at Railway Arch 214, Ponsford Street, London, E9 6JU.

Petition containing 46 signatories

APPENDIX D



Scale: 1:1250 at A4



Ref:

13 April 2018

Produced by: unspecified

email:

please specify copyright statement