

REPORT OF THE GROUP DIRECTOR, NEIGHBOURHOODS AND HOUSING					
LICENSING SUB-0 21/06/2018	Classification DECISION		Enclosure		
APPLICATION TO VARY THE PREMISES LICENCE: Bull in a China Shop, 196 Shoreditch High Street, E1 6LG			d(s) cted East & editch		
1. SUMMARY					
Applicant(s) Step				: Not applicable	
Date of Application 27 April 2018	n		Period (of Application	
Proposed variatio	n:		i Gillian	GIIL	
	lace conditions relating to the	he use of	outside a	reas at the	
premises.					
-	or licensable activity				
No change to existi	ng				
The opening hours of the premises:					
Standard Hours: Mon 07:00-00:00 Tue 07:00-00:00 Wed 07:00-00:00 Thu 07:00-00:00 Fri 07:00-00:30 Sat 07:00-00:00 Sun 07:00-00:00					
Current activities/ See current licence	hours: attached as Appendix D				
Capacity: not know					
Policies Applicable	LP3 (Operating Schedule) (Public Nuisance), LP6 (P LP8 (Public Safety) and L	rotection	of Childre	n from Harm),	
List of Appendices	 A – Application for variation supporting documents B – Representations from C – Representations from D – Current Licence E – Location map 	on of prers responsi	nises lice ble autho	nce and	

Relevant	•	Environmental Health Authority (Environmental Protection)
Representations	•	Police
	•	Licensing Authority
	•	Other Persons

2. APPLICATION

- 2.1 Stephen Chan has made an application vary their premises licence under the Licensing Act 2003:
 - To remove and replace conditions relating to the use of outside areas.
- 2.2 The application is attached as Appendix A. The applicant has proposed removing conditions from the current licence and replacing as detailed in paragraph 8.1 below.

3. CURRENT STATUS / HISTORY

- 3.1 The current premises licence was granted by Licensing Sub-Committee on 20th November 2014.
- 3.2 Temporary Event Notices have given for outside yard area in last twelve months at this premises as follows.

Date of the event(s)	Hours
00/05/40 00/05/40	10-00 00-00
26/05/18-28/05/18	12:00-22:00
05/05/18-07/05/18	12:00-22:00
25/08/17-28/08/17	12:00-22:00
18/08/17-20/08/17	12:00-22:00
11/08/17-13/08/17	12:00-22:00
04/08/17-06/08/17	12:00-22:00
14/07/17-16/07/17	12:00-21:00
30/06/17-02/07/17	12:00-21:30
17/06/17	14:00-22:00

4. REPRESENTATIONS: RESPONSIBLE AUTHORITIES

From	Details
Environmental	Representation received on the grounds of the
Health Authority	prevention of public nuisance.
(Environmental Protection)	
(Appendix B1)	
Environmental	No representation received.
Health Authority	
(Environmental Enforcement)	
Environmental Health	No representation received.
Authority (Health & Safety)	
Weights and Measures	No representation received.
(Trading Standards)	
Planning Authority	Have confirmed no representation on this application.

Area Child Protection Officer	Have confirmed no representation on this application.
Fire Authority	Have confirmed no representation on this application.
Police	Representation received on the grounds of The
(Appendix B2)	Prevention of Crime and Disorder, Public Safety and
	Prevention of Public Nuisance.
Licensing Authority	Representation received on the grounds of The
(Appendix B3)	Prevention of Crime and Disorder and Prevention of
	Public Nuisance.
Health Authority	No representation received.

5. REPRESENTATIONS: OTHER PERSONS

5 Representations received	Representation received on the grounds of The
from and on behalf of local	Prevention of Crime and Disorder, Public Safety,
residents.(Appendices C1-C5)	Prevention of Public Nuisance and 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), LP8 (Public Safety) and LP15 (Cumulative Impact) are relevant.

8. OFFICER OBSERVATIONS

8.1 If the Sub-Committee is minded to approve the application, the following amendments should be made to the current licence:

Existing Condition to be removed

Glass bottles shall not be removed from the premises by patrons when leaving.

Proposed Condition to be added

Glass bottles shall not be removed from the premises by patrons when leaving, other than patrons who have been provided with a glass bottle inside the premises by a waiter waitress, and then carries the bottle to one of the outside areas mentioned in these conditions

Existing Condition to be removed

Patrons will not be allowed to take drinks, glass or open containers outside of the premises at any time.

Proposed Condition to be added

Patrons will not be allowed to take drinks, glass or open containers outside of the premises at any time, other than patrons who have been provided with a glass bottle inside the premises by a waiter *I* waitress, and then carries the bottle to one of the outside areas mentioned in these conditions.

Existing Conditions to be removed

Except for patrons smoking, the outside areas shall not be used.

And

There will be no more than 5 patrons smoking outside the premises at any one time. This will be monitored by staff.

Proposed Condition to be added

The outside shown edged green, being the enclosed courtyard to the rear of the premises can be used by customers up until 22:00 for the consumption of alcohol and food. After 22:00, only persons smoking (and limited to no more than 5 in total outside the premises in any outside area) shall be permitted.

The area immediately outside to the front of the premises and edged in red, can be used by customers up until 21:00 for the consumption of alcohol and food. After 21:00, only persons smoking (and limited to no more than 5 in total outside the premises in any outside area) shall be permitted.

The area shown edged in yellow, to the front of the premises towards the railway bridge, can be used by customers up until 18:00 for the consumption of alcohol and food.

9. REASONS FOR OFFICER OBSERVATIONS

9.1 The applicant is seeking the above amendments. No alternative wording is 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
Bull in a China Shop 196 Shoreditch High Street, E1 6LG	Hackney Service Centre Licensing Service
	1 Hillman Street London E8 1DY

Printed matter

Licensing Act 2003 LBH Statement of Licensing Policy

Hackney London Borough Council

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.

We Steph being the p of the Lice	remises licence	holder, ap or the pren	oply to vary a pren nises described ir	nises licence n Part 1 below	under section 34
Premises I 064154	icence number				
Part 1 – Pro	emises Details				
Postal add	ress of premises	or, if none	e, ordnance surve	y map referer	nce or description
Bull in a Ch 196 Shored	ina Shop itch High Street				
Post town	London			Post code	E1 6LG
Telephone r	number at premise	es (if any)			
Non-domestic rateable value of premises			£71,000		
Part 2 – Ap	plicant details				
Daytime co telephone r					
E-mail addı	ess (optional)				
Current res address if o premises a	lifferent from				
Post Town	London			Postcode	

Part 3 - Variation	Please tick yes
Do you want the proposed variation to have effect as soon as possible?	
If not, from what date do you want the variation to take effect? Day Mo	
Do you want the proposed variation to have effect in relation to the introduction night levy? (Please see guidance note 1) ☐Yes ☐No	n of the late
Please describe briefly the nature of the proposed variation (Please read 2)	
The variation is to remove and replace conditions relating to the use of outside premises.	e areas at the
If your proposed variation would mean that 5,000 or more people are expected to attend the premises at any one time, please N/A state the number expected to attend	
Part 4 Operating Schedule	
Please complete those parts of the Operating Schedule below which would be change if this application to vary is successful.	
Provision of regulated entertainment (Please read guidance note 3)	Please tick all th apply
 a) plays (if ticking yes, fill in box A) b) films (if ticking yes, fill in box B) c) indoor sporting events (if ticking yes, fill in box C) d) boxing or wrestling entertainment (if ticking yes, fill in box D) e) live music (if ticking yes, fill in box E) f) recorded music (if ticking yes, fill in box F) g) performances of dance (if ticking yes, fill in box G) anything of a similar description to that falling within (e), (f) or (g) (if ticking yes, fill in box H) Provision of late night refreshment (if ticking yes, fill in box I)	
Sale by retail of alcohol (if ticking yes, fill in box J)	
In all cases complete boxes K, L and M	

		á			
	i	ľ	3	ŀ	
á		۳		3	k

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

В

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

C

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

D

Boxing or wrestling entertainments Standard days and timings (please read guidance note 8)		s and read	Will the boxing or wrestling entertainment take place indoors or outdoors or both – please tick (please read guidance note 4)	Indoors	
guidar	Start	Finish	2	Both	
Mon			Please give further details here (please read	guidance note	5)
Tue					
Wed			State any seasonal variations for boxing or ventertainment (please read guidance note 6)	wrestling	
Thur					
Fri		/	Non standard timings. Where you intend to for boxing or wrestling entertainment at different to the left places.	erent times to	2
Sat	/		those listed in the column on the left, please guidance note 7)	Hist (please i	eau
Sun					

E

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

F

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

G

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

<u>H</u>

Anything of a similar description to that falling within (e), (f) or (g) Standard days and timings (please read guidance note 8)		hat), (f) or nd ead	Please give a description of the type of entertain providing	ment you will I	<u>be</u>
Day	Start	Finish	Will this entertainment take place indoors or	Indoors	
Mon			outdoors or both - please tick (please read	Outdoors	
			guidance note 4)	Both	
Tue Wed			Please give further details here (please read guid	ance note 5)	
Thur			State any seasonal variations for entertainment description to that falling within (e), (f) or (g)	of a similar ease read guida	ince
Fri		/	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)		

Late night refreshment Standard days and			Will the provision of late night refreshment take	Indoors	
timings	ard days al s (please r nce note 8)	ead	place indoors or outdoors or both – please tick (please read guidance note 4)	Outdoors	
Day	Start	Finish		Both	\Box
Mon			Please give further details here (please read guida	ance note 5)	
Tue					
Wed			State any seasonal variations for the provision of refreshment (please read guidance note 6)	f late night	
Thur					
Fri			Non standard timings. Where you intend to use the provision of late night refreshment at different	t times, to tho	se
Sat			listed in the column on the left, please list (please 7)	read guidance	note
Sun					
J		11/			
Standa	y of alcoholard days ar	nd	Will the supply of alcohol be for consumption (Please tick box) (please read guidance note 9)	On the premises	0
	s (please re ce note 8)			Off the premises	
Day	Start	Finish		Both	
Mon	- y da va an ar sa sa saya sa sa sa saya sa		State any seasonal variations for the supply of all guidance note 6)	cohol (please r	ead
Tue					
Wed					
Thur			Non-standard timings. Where you intend to use to the supply of alcohol at different times to those lie		
Fri			on the left, please list (please read guidance note 7		
Sat	-				

K

Sun

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 8)

None

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	0700	0000	
Tue	0700	0000	
Wed	0700	0000	Now at a should him in a Mile we way intend the promises to be once
Thur	0700	0000	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)
Fri	0700	0030	
Sat	0700	0030	
Sun	0700	0000	

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 Replacing conditions – see Licensing Objectives below.

		Please tick yes					
•	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						
licer	Reasons why I have failed to enclose the premises licence or relevant part of premises icence The original premises licence cannot be located.						

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,e) (please read guidance note 11)

As in box b)

b) The prevention of crime and disorder

Existing Condition to be removed

Glass bottles shall not be removed from the premises by patrons when leaving.

Proposed Condition to be added

Glass bottles shall not be removed from the premises by patrons when leaving, other than patrons who have been provided with a glass bottle inside the premises by a waiter / waitress, and then carries the bottle to one of the outside areas mentioned in these

conditions. **Existing Condition to be removed** Patrons will not be allowed to take drinks, glass or open containers outside of the premises at any time. Proposed Condition to be added Patrons will not be allowed to take drinks, glass or open containers outside of the premises at any time, other than patrons who have been provided with a glass bottle inside the premises by a waiter / waitress, and then carries the bottle to one of the outside areas mentioned in these conditions. **Existing Conditions to be removed** Except for patrons smoking, the outside areas shall not be used. And There will be no more than 5 patrons smoking outside the premises at any one time. This will be monitored by staff. Proposed Condition to be added The outside shown edged green, being the enclosed courtyard to the rear of the premises can be used by customers up until 22:00 for the consumption of alcohol and food. After 22:00, only persons smoking (and limited to no more than 5 in total outside the premises in any outside area) shall be permitted. The area immediately outside to the front of the premises and edged in red, can be used by customers up until 21:00 for the consumption of alcohol and food. After 21:00, only persons smoking (and limited to no more than 5 in total outside the premises in any outside area) shall be permitted. The area shown edged in yellow, to the front of the premises towards the railway bridge, can be used by customers up until 18:00 for the consumption of alcohol and food. c) Public safety As in box b) d) The prevention of public nuisance As in box b) e) The protection of children from harm As in box b) Please tick yes I have made or enclosed payment of the fee or V

I have not made or enclosed payment of the fee because this application has П 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 \square others where applicable I understand that I must now advertise my application \square I have enclosed the premises licence or relevant part of it or explanation \square I understand that if I do not comply with the above requirements my application \square 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 ap other duly a applicant pl	plicant (the current prer	nises licence holde guidance note 13).	r) or applica If signing o	ant's solicitor or on behalf of the		
Signature						
Date	27/April 2018					
Capacity	Poppleston Allen – Solici	tors for & on behalf o	of the applica	nt		
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 note14). If signing on behalf of the applicant please state in what capacity.						
Signature						
Date						
Capacity						
Contact name (where not previously given) and address for correspondence associated with this application (please read guidance note 15) Poppleston Allen Solicitors						
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) c.barwell@popall.co.uk						

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 for consumption of these off-supplies you must include a description of where the place will be and its proximity to the premises.





RESPONSIBLE AUTHORITY REPRESENTATION: APPLICATION UNDER THE LICENSING ACT 2003

RESPONSIBLE AUTHORITY DETAILS

NAME OF AUTHORITY	London Borough of Hackney
ADDRESS OF AUTHORITY	Environmental Protection Team, First Floor Hackney Service Centre 1 Hillman Street London E8 1DY
CONTACT NAME	Olalekan Olaosebikan
TELEPHONE NUMBER	020 8356 4658
E-MAIL ADDRESS	olalekan.olaosebikan@hackney.gov.uk

APPLICATION PREMISES

NAME & ADDRESS OF PREMISES	Bull in China
	196 Shoreditch High Street
	London
	E1 6LG
REFERENCE	Premises licence number
	LBH-PRE-T-
NAME OF LICENCE HOLDER/ DESIGNATED	
PREMISES SUPERVISOR	

COMMENTS

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

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

Representation in relation to:

The prevention of public nuisance **LP5**:

Environmental Protection Team will be objecting to the application for a premises license for Bull in China 196 Shoreditch High Street London E1 6LG and wish to make a representation.

The applicant has not demonstrated in full that the following Licensing Policy requirement would be met:

LP5 Public Nuisance:

Applicant is expected to demonstrate within the application that problems such as noise and anti-social behaviour can be minimised through steps they propose. For example, the applicant should where necessary:

(a) Propose the hours of use and the number of patrons that will be using the rear of the premises at any one time.

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

Environmental Protection Team is concerned that the request to use the rear of the premises until 22:00 may cause noise nuisance to the local residents and also as the applicant has not provided us with the number of patrons that will be using the space at any one time. Therefore we will be asking the applicant to reconsider keeping the rear of the premises for customer until 22:00 and also to provide us with reasonable number of patrons that will be using the space at any one time.

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

The applicant's representative is welcomed to contact Olalekan Olaosebikan or Environmental Protection Team to discuss the application further.

Signed

Name: Olalekan Olaosebikan

Date: 25th May 2018

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	Bull in a China Shop 196 Shoreditch High Street London E1 6LG
NAME OF PREMISES USER	Stephen CHAN

COMMENTS

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

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

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

Police make the following representations in relation to the application for a Premises Licence at BULL IN A CHINA SHOP, 196 SHOREDITCH HIGH STREET, LONDON, E1 6LG for the following reason(s);

This premises is situated on the edge of the Shoreditch Special Policy Area and has a very high footfall throughout the day and night. Shoreditch has an incredibly busy night time economy and is visited by thousands of people each night.

This application causes police some concern. The areas outlined in red, yellow and green make the premises at least three times bigger as it is right now. The outside areas were specifically excluded from the premises licence when it was first granted, and as this area is developed and the new hotel and Shoreditch Village is built, the area will be even busier

The yellow area in particular is of concern. This area is completely out of sight of any staff members in the premises. Part of it is set back behind the premises building line. How is it going to be monitored? How many people will be permitted to sit in this area?

The green area is set behind the premises. Is the only access to this space through the premises or is there an entrance/exit onto the road from another point? What is the capacity of the space? Will everybody be seated?

The red area is set outside the front of the venue. How many customers can sit in this area? Does the red line around this area on the plan extend to the roadside?

Police would like to visit the applicant on site to discuss the application in more detail and to ensure that the licensing objectives are not being undermined.

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

Application submitted.
Are there any actions or measures that could be taken to allay concerns or objections? If so, please explain.
Signed PC 691GD RYAN (By E-mail)

Name (printed)

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

RESPONSIBLE AUTHORITY DETAILS

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

APPLICATION PREMISES

NAME & ADDRESS OF PREMISES	Bull in a China Shop 196 Shoreditch High Street London E1 6HG
NAME OF APPLICANT	Stephen Chan

COMMENTS

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

• the prevention of crime and disorder X

public safetythe prevention of public nuisance X

• the protection of children from harm

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

- The premises is located in Shoreditch which is a key NTE area in London, with a large number of licensed premises attracting high volumes of people.
- As a result, the Service receives general complaints of noise and other associated forms of anti-social behaviour.
- The proposed activities at this site could have a negative impact on the promotion of the licensing objectives, in particular the prevention of crime and disorder and the prevention of public nuisance.
- The extension of the premises into the external areas could impact on the free flow of pedestrians in an area of high footfall.

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

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

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

- Useful if the applicant could demonstrate that discussions have begun in relation to permission from the Markets and Shop Front Trading Service and/or Transport for London in relation to any use of the public highway on Shoreditch High Street. This would assist in addressing any concerns in relation to free-flow of pedestrians.
- No tables/seating shown in any of the proposed new areas, therefore it is not possible to ascertain the additional capacity.
- Clarification in relation to the use of the word "premises". "Premises" is defined in s193 of Licensing Act 2003. The applicant seeks to add the new areas to the current "premises", therefore some of the revised conditions as proposed may need to be assessed further.
- Further points may arise in discussion with the applicant/solicitor.

Name:

David Tuitt

(Business Regulation Team Leader - Licensing and Technical Support)

Date: 23/05/2018

Shan Uthayasangar

From:

Sent: 07 May 2018 22:17

To: Subject: Licensing
Bull In A China Shop - 196 Shoreditch High Street

Importance:

High

Dear Hackney Licensing

I would like to object in the strongest possible terms to the recent licensing application from Bull In A China Shop at 196 Shoreditch High Street, E1 6LG to use their outdoor 'smoking area' to sell alcohol and play music and to serve alcohol and food on the pavement in front of the shop and beneath the railway bridge.

From the rejection of their previous attempt to turn this small outdoor area into an extension of the bar, the owners are fully aware that there are over one dozen bedrooms located in adjacent residential properties that directly overlook this small area - including the bedroom of my child. Outdoor disturbances from Bull In A China Shop will affect my child's sleep and negatively impact upon his well being and his schooling.

As the Council are aware, Shoreditch is past saturation point with licensed premises and the quality of life of local residents already suffers terribly from the consequent noise and anti-social behaviour. To allow this outdoor drinking area directly beneath the bedrooms of so many adjacent properties will be a dereliction of duty by Hackney Licensing.

The application should be rejected on the following grounds.

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

Yours sincerely,

Holywell Lane

(I do not consent to the release of any personally identifiable information)

Shan Uthayasangar From: Sent: 08 May 2018 21:15 To: Licensing **Subject:** Bull In A China Shop -OBJECTION Dear Hackney Licensing I have just found out the Bull In A China Shop, 196 Shoreditch High Street, would like to add an open air bar to their venue. Do the owners not realise there are approx. 20 flats in close proximity and actually overlooking this proposed open-air bar area? 7 flats in 2-4 Holywell Lane, 4 flats in 1 Holywell Lane, 2 flats 194 Shoreditch High St. 2 flats 195 Shoreditch High St and even 3 flats directly above Bull In A China Shop at 196 Shoreditch High St It is madness to allow open air revelling, drinking and music directly beneath people's bedrooms. My 6 year old's bedroom looks directly onto this proposed bar area and this application will cause even more problems for Shoreditch residents.

Please reject the application for the following reasons.

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

Yours sincerely,

Holywell Lane

Shan Uthayasangar

From:

Sent: 11 May 2018 11:30

To:

Licensing

Subject: Bull In A China Shop - 196 Shoreditch High Street

Dear Hackney Licensing,

I would like to object to the above referenced license application. There are two aspects to this application:

- the extension of the license to the back patio; and
- the extension of the license to the pavement, including the broad expanse underneath the Overground bridge

Both are objectionable for many of the same reasons: the addition of yet more alcohol, right at the entrance of Shoreditch; more noise; more disorder; and more risk to children in the area.

The back patio presents unique problems of noise, being in a highly dense residential neighourhood. This patio is literally surrounded by residences, many of whom have children. For this reason the previous application was rejected. It should be again.

The pavement and railway bridge are highly visible spots that should never be licensed at all. This is the very entrance to Shoreditch, and it is inappropriate to have bar there. Further it is wildly inappropriate to seek a license for a public pavement (under the bridge); I can't imagine that the venue actually has a lease over this property. This railway bridge regularly attracts buskers, which keep neighbouring residents up all night. Adding yet more chaos is a terrible idea.

As the Council are aware, Shoreditch is past saturation point with licensed premises and the quality of life of local residents already suffers terribly from the consequent noise and anti-social behaviour. To allow this outdoor drinking area directly beneath the bedrooms of so many adjacent properties will be a dereliction of duty by Hackney Licensing.

The application should be rejected on the following grounds.

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

Yours sincerely,

Batemans Row

(I do not consent to the release of any personally identifiable information)

Shan Uthayasangar

From:

Sent: 11 May 2018 11:59

To: Licensing

Subject: Bull in a China Shop- 196 Shoreditch High Street

Dear Hackney Licensing,

I would like to object to the above referenced license application. There are two aspects to this application:

- the extension of the license to the back patio; and
- the extension of the license to the pavement, including the broad expanse underneath the Overground bridge

I would like to object to both license extensions for the following reasons:

- 1. The prevention of crime and disorder-Shoreditch is already saturated with drinking establishments which increases crime and anti-social behaviour. This includes vomit and human waste on the street, litter, fighting, yelling and drug dealing. It has reached the limit. Outdoor drinking and longer hours never helps.
- 2. Public safety- I often don't feel safe walking in my neighbourhood on weekend nights. There are hundreds of drunken revellers, blocking the pavements, eating, drinking, getting sick and peeing in open view. I can't see any reason to add two more areas where people can do this in Shoreditch.
- 3. The prevention of public nuisance- Outdoor drinking is already a massive problem in Shoreditch. Not a weekend goes by that we don't complain about a venue being too noisy. The back patio presents a serious noise issue, being in a highly dense residential neighbourhood. The venue is surrounded by homes, many with children. For this reason the previous application was rejected and should be again. Any outdoor talking or music bounces off building walls and is amplified inside. We also deserve a tranquil life. The pavement and railway bridge are highly visible spots that should never be licensed at all. This is the entrance to Shoreditch and there shouldn't be a bar there. It is not appropriate to seek a license for a public pavement (under the bridge). Does the venue even have a lease over that area? The railway bridge attracts buskers and rough sleepers who regularly keep up residents at night.
- 4. The protection of children from harm- I have a teenage daughter and want her and our neighbours children to be protected from harm. It's bad enough we have to deal with hundreds of indoor drinking establishments, but the outdoor ones (especially on the pavement in front of venues) mean children literally have to walk through the mayhem just to get to and from their homes. This is not acceptable. Last week my 15 year old daughter was offered a shot of alcohol on the pavement on Curtain Road while we were walking home from dinner at 8:30 pm on a Friday night

As the Council are aware, Shoreditch is past saturation point with licensed premises and the quality of life of local residents already suffers terribly from the consequent noise and anti-social behaviour. To allow this outdoor drinking area directly beneath the bedrooms of so many adjacent properties will be a dereliction of duty by Hackney Licensing.

Yours sincerely,

Batemans Row

(I do not consent to the release of any personally identifiable information)

APPENDIX C5

Shan Uthayasangar

From:	
Sent:	11 May 2018 17:07

To: Licensing **Subject:** objection

Hello,		
my name is	and I have a business on	horeditch High Street,

I am concerned with the extent of outside drinking and smoking establishments in my street.

The increase in Alcohol licenses given to businesses in Shoreditch High Street has forever changed the nature of this Street

As a daytime business I feel that we are being ignored by the council. We have to deal with a lot of drunk people and clean up the rubbish and piles of sick in the morning.

More licenses will only have an adverse effect on the daytime economy and increase the problems.

I am writing to object to 196 Shoreditch High Street "Bull in a China Shop"'s Application for variation of premises licence to remove and replace conditions relating to the use of outside areas at the premises.

Best regards,

1



This premises licence has been issued by:

Licensing Service 2 Hillman Street London E8 1FB

PART A - PREMISES LICENCE

Premises Licence Number

064154

Part 1 - Premises details

Bull in a China Shop 196 Shoreditch High Street London E1 6LG

Where the licence is time limited the dates

Not Applicable

Licensable activities authorised by the licence

Films
Late Night Refreshment
Supply of Alcohol

The times the licence authorises the carrying out of Licensable activities

Films	Standard Hours:
Indoors	Mon 10:00-23:30 Tue 10:00-23:30 Wed 10:00-23:30 Thu 10:00-23:30 Fri 10:00-00:00 Sat 10:00-23:30
Late Night Refreshment	Standard Hours:
	Mon 23:00-23:30
Indoors	Tue 23:00-23:30
	Wed 23:00-23:30
	Thu 23:00-23:30

Fri 23:00-00:00 Sat 23:00-00:00 Sun 10:00-23:30

Supply of Alcohol Standard Hours:

Mon 10:00-23:30 Tue 10:00-23:30 Wed 10:00-23:30 Thu 10:00-23:30 Fri 10:00-00:00 Sat 10:00-23:30

The opening hours of the premises

Standard Hours:

Mon 07:00-00:00 Tue 07:00-00:00 Wed 07:00-00:00 Thu 07:00-00:30 Fri 07:00-00:30 Sat 07:00-00:00

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

Stephen Chan



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

N/A

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

Stephen Chan

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: 20 November 2014

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 beforethe 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 if age (or such older age as may be specified in the policy) to produce on request, before being served alcohol, identification bearing their photograph, date of birth and a holographic mark.
- 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 + (DxV)

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.

Exhibition of Films

- 8. Admission of children (under 18) to the exhibition of any film must be restricted in accordance with: -
 - (a) Recommendations made by the film classification body where the film classification body is specified in the licence, or

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

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

Door Supervision

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

Annex 2 – Conditions consistent with the Operating Schedule

- 10. 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.
- 11. There shall be no striptease or nudity, and all persons shall be decently attired at all times, except when the premises are operating under the authority for Sexual Entertainment Venue licence.
- 12. No alcohol shall be consumed more than 30 minutes after the permitted hour for the supply of alcohol.
- 13. No noise shall emanate from the premises nor vibration be transmitted through the structure of the premises which gives rise to a nuisance.
- 14. All windows and external doors shall be kept closed after 21:00 hours, except for the immediate access and egress of persons.
- 15. All waste shall be properly presented and placed out for collection no earlier than 30 minutes before the scheduled collection times.
- 16. No waste or recyclable materials, including bottles, shall be moved, removed from or placed in outside areas between 24.00 hours and (08.00) hours on the following day.
- 17. Except for patrons smoking, the outside areas shall not be used.
- 18. The premises licence holder shall ensure that any patrons smoking outside the premises do so in an orderly manner and are supervised by staff to ensure that there is not public nuisance or obstruction of the public highway.

- 19. Glass bottles shall not be removed from the premises by patrons when leaving.
- 20. No deliveries to the premises shall take place between 23.00 and 08.00 on the following day.
- 21. 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. 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.
- 22. Any staff member from the premises who is conversant with the operation of the CCTV system shall be on the premises at all times when the premises are open to the public. This staff member must be able to show a Police or authorised council officer recent data or footage when requested.
- 23. There shall be a personal licence holder on duty on the premises at all times when the premises are authorised to sell alcohol.
- 24. Signs will be prominently displayed at all exit points reminding customers to leave quietly and respect local residents.
- 25. Intoxicating liquor shall not be sold, supplied or consumed otherwise than to persons who are taking a meal from the menu and that the consumption of intoxicating liquor by such persons in ancillary to taking such meals. The supply of alcohol will be by waiter/waitress service only.
- 26. A Challenge 25 proof of age scheme shall be operated at the premises where the only acceptable forms of identification are recognised photographic identification cards, such as driving licence or passport.
- 27. An incident log shall be kept at the premises, and made available on request to an authorised officer of the council or the police, which will record the following:
 - a. All crimes reported:
 - b. All ejections of patrons
 - c. Any complaints received.
 - d. Any incidents of disorder.
 - e. Seizure 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.

- 28. Premises to operate zero tolerance policy to drugs and comply with Hackney Police and Council Community safety unit drugs and weapons policy where appropriate.
- 29. Signs will be prominently displayed by entry and exit points reminding customs to
 - a. Leave quietly and respect local residents.
 - b. CCTV in operation.
 - c. Drugs policy.
 - d. Weapons policy.
- 30. An adequate and appropriate supply of first aid equipment and materials shall be available on the premises.
- 31. All staff will be given refresher training every twelve months on the legislation relating to the sales of alcohol to underage persons and drunken persons.
- 32. The licence holder shall maintain a dedicated telephone number of the Designated Premises Supervisor for use by any Responsible Authority or any person who may wish to make a complaint. This contact number shall be provided to licensing authority, police and to any local residents upon request.
- 33. Male and Female SIA registered door supervisors to be employed on an operational risk assessment basis. All door supervisors shall enter their full details in the premises daily register at the commencement of their work. They shall record their full name, home address and contact telephone number, their SIA registration number, and the time they commence and conclude working. If the door supervisor was provided by an agency the name, registered business address and contact telephone number will also be recorded. This register will be made available to police or authorised officer immediately upon request.
- 34. Bottle bins must not be discharged between 10pm and 8am.
- 35. Patrons will not be allowed to take drinks, glass or open containers outside of the premises at any time.
- 36. There will be no more than 5 patrons smoking outside the premise at any one time. This will be monitored by staff.

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

Not applicable

Annex 4 - Plans

PLAN/064154/20112014

