

REPORT OF THE GROUP DIRECTOR, NEIGHBOURHOODS AND HOUSING		
LICENSING SUB-COMMITTEE: 24/07/2018	Classification DECISION	Enclosure
APPLICATION TO VARY THE PREMISES LICENCE : Shep's Bar & Restaurant, Ground Floor, 392 Kingsland Road, E8 4AA	Ward(s) affected London Fields	

1. SUMMARY

Applicant(s) Brick Wall Ltd	In SPA: Dalston
Date of Application 7 June 2018	Period of Application Permanent
Proposed variation: Recorded Music Late Night Refreshment Supply of Alcohol (On Premises)	
Proposed hours for licensable activity	
Recorded Music	Standard Hours:
Indoors	Thu 23:00-00:45 Fri 23:00-01:45 Sat 23:00-01:45
Late Night Refreshment	Standard Hours:
Indoors	Thu 23:00-00:45 Fri 23:00-01:45 Sat 23:00-01:45
Supply of Alcohol	Standard Hours:
On sales	Mon 10:00-23:00 Tue 10:00-23:00 Wed 10:00-23:00 Thu 10:00-00:30 Fri 10:00-01:30 Sat 10:00-01:30 Sun 10:00-23:00

The opening hours of the premises:	
	Standard Hours:
	Mon 10:00-23:30
	Tue 10:00-23:30
	Wed 10:00-23:30
	Thu 10:00-01:00
	Fri 10:00-02:00
	Sat 10:00-02:00
	Sun 10:00-23:30
Current activities/hours: See current licence attached as Appendix C	
Capacity: not known	
Policies Applicable	LP3 (Operating Schedule), LP4 (Crime and Disorder), LP5 (Public Nuisance), LP6 (Protection of Children from Harm), LP8 (Public Safety) and LP14 (Special Policy Area - Dalston)
List of Appendices	A – Application for variation of premises licence and supporting documents B – Representations from responsible authorities C – Current Licence D – Location map
Relevant Representations	<ul style="list-style-type: none"> • Environmental Health Authority (Environmental Enforcement) • Planning Authority • Police • Licensing Authority • Health Authority

2. APPLICATION

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

- To extend hours for supply of alcohol for consumption on the premises
- To include hours for provision of regulated entertainment
- To include hours for late night refreshment

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

3. CURRENT STATUS / HISTORY

3.1 The current premises licence (attached as Appendix C) was granted on 19th July 2016 and transferred to the current licensee in July 2017.

3.2 Temporary Event Notices have been submitted in respect of the premises in the current calendar year as follows.

<u>Date of the event(s)</u>	<u>Hours</u>
31/12/2017-01/01/2018	23:00-03:00
19/01/2018-21/01/2018	23:00-02:00
24/02/2018-25/02/2018	23:00-03:00
23/03/2018-25/03/2018	23:00-03:00
13/04/2018-14/04/2018	23:00-00:00
06/07/2018-08/07/2018	23:00-03:00
15/07/2018-16/07/2018	23:00-02:00

4. REPRESENTATIONS: RESPONSIBLE AUTHORITIES

From	Details
Environmental Health Authority (Environmental Protection)	Have confirmed no representation on this application.
Environmental Health Authority (Environmental Enforcement) (Appendix B1)	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)	Have confirmed no representation on this application.
Planning Authority (Appendix B2)	Informative.
Area Child Protection Officer	Have confirmed no representation on this application.
Fire Authority	Have confirmed no representation on this application.
Police (Appendix B3)	Representation received on the grounds of The Prevention of Crime and Disorder, Prevention of Public Nuisance and Special Policy Area.
Licensing Authority (Appendix B4)	Representation received on the grounds of Prevention of Public Nuisance and Special Policy Area.
Health Authority (Appendix B5)	Representation received on the grounds of The Prevention of Crime and Disorder and Prevention of Public Nuisance and Special Policy Area.

5. REPRESENTATIONS: OTHER PERSONS

None

6. GUIDANCE CONSIDERATIONS

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

7. POLICY CONSIDERATIONS

- 7.1 Licensing Sub-Committee is required to have regard to the London Borough of Hackney's Statement of Licensing Policy ("the Policy") adopted by the Licensing Authority.
- 7.2 The Policy applies to applications where relevant representations have been made. With regard to this application, policies LP3 (Operating Schedule), LP4 (Crime and Disorder), LP5 (Public Nuisance), LP6 (Protection of Children from Harm), LP8 (Public Safety) and LP14 (Special Policy Area - Dalston) are relevant.

8. OFFICER OBSERVATIONS

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

None

9. REASONS FOR OFFICER OBSERVATIONS

- 9.1 No additional conditions have been proposed by applicant or 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
Shep's Bar & Restaurant Ground Floor, 392 Kingsland Road, E8 4AA	Hackney Service Centre Licensing Service 1 Hillman Street London E8 1DY

Printed matter

Licensing Act 2003
LBH Statement of Licensing Policy

Hackney
LA07

Application to vary a premises licence under the Licensing Act 2003

PLEASE READ THE FOLLOWING INSTRUCTIONS FIRST

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

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

I/We **Brick Wall Ltd**

(Insert name(s) of applicant)

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

Premises licence number
077779

Part 1 – Premises Details

Postal address of premises or, if none, ordnance survey map reference or description
392 Kingsland Road
Hackney
London
E8 4AA

Post town	London	Postcode	E8 4AA
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Telephone number at premises (if any)

██████████

Non-domestic rateable value of premises

£10000

Part 2 – Applicant details

Daytime contact telephone number

██████████

E-mail address (optional)

██████████████████

Current postal address if different from premises address

██████████████████

Post town	██████████	Postcode	██████████
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Part 3 – Variation

Please tick as appropriate	
Do you want the proposed variation to have effect as soon as possible?	<input checked="" type="checkbox"/> Yes
<input type="checkbox"/> No	

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

DD	MM	YYYY
□	□	□ □ □ □

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

<p>Please describe briefly the nature of the proposed variation (Please see guidance note 2)</p> <p>Application for an extension to our existing premises license in relation to the supply of alcohol on premises</p> <p>Proposed Variation for Supply of Alcohol Hours:</p> <p>Thurs 10:00 - 00:30 Fri 10:00 - 01:30 Sat 10:00 - 01:30</p> <p>Proposed Variation for Late Night Refreshment, both hot food and drink on premises:</p> <p>Thursday 23:00 - 00:45 Friday 23:00 - 01:45 Saturday 23:00 - 01:45</p> <p>Recorded Music</p> <p>Thursday 23:00- 00:45 Friday 23:00 - 01:45 Saturday 23:00 - 1:45</p> <p>Opening Hours of the Premises:</p> <p>Thursday - 10:00 - 01:00 Friday - 10:00 - 02:00 Saturday - 10:00 - 02:00</p>
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If your proposed variation would mean that 5,000 or more people are expected to attend the premises at any one time, please state the number expected to attend:

Part 4 Operating Schedule

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

- | Provision of regulated entertainment (Please see guidance note 3) | Please tick all that apply |
|---|-------------------------------------|
| a) plays (if ticking yes, fill in box A) | <input type="checkbox"/> |
| b) films (if ticking yes, fill in box B) | <input type="checkbox"/> |
| c) indoor sporting events (if ticking yes, fill in box C) | <input type="checkbox"/> |
| d) boxing or wrestling entertainment (if ticking yes, fill in box D) | <input type="checkbox"/> |
| e) live music (if ticking yes, fill in box E) | <input type="checkbox"/> |
| f) recorded music (if ticking yes, fill in box F) | <input checked="" type="checkbox"/> |
| g) performances of dance (if ticking yes, fill in box G) | <input type="checkbox"/> |
| h) anything of a similar description to that falling within (e), (f) or (g) (if ticking yes, fill in box H) | <input type="checkbox"/> |
| Provision of late night refreshment (if ticking yes, fill in box I) | <input checked="" type="checkbox"/> |
| Supply of alcohol (if ticking yes, fill in box J) | <input checked="" type="checkbox"/> |

In all cases complete boxes K, L and M

A

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

B

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

C

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

D

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

E

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

F

Recorded music Standard days and timings (please read guidance note 8)			Will the playing of recorded music take place indoors or outdoors or both – please tick (please read guidance note 4)	Indoors	<input checked="" type="checkbox"/>
				Outdoors	<input type="checkbox"/>
				Both	<input type="checkbox"/>
Day	Start	Finish			
Mon			Please give further details here (please read guidance note 5) We play recorded music at a low, background level, volume to encourage polite conversation.		
Tue					
Wed			State any seasonal variations for the playing of recorded music (please read guidance note 6)		
Thur	23:00	00:45			
Fri	23:00	01:45	Non-standard timings. Where you intend to use the premises for the playing of recorded music at different times to those listed in the column on the left, please list (please read guidance note 7)		
Sat	23:00	01:45			
Sun					

G

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

H

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

Late night refreshment Standard days and timings (please read guidance note 8)			Will the provision of late night refreshment take place indoors or outdoors or both – please tick (please read guidance note 4)	Indoors	<input checked="" type="checkbox"/>
Day	Start	Finish		Outdoors	<input type="checkbox"/>
				Both	<input type="checkbox"/>
Mon			Please give further details here (please read guidance note 5) We would like to keep our kitchen open later into the evening, as a continuation of our normal service.		
Tue					
Wed			State any seasonal variations for the provision of late night refreshment (please read guidance note 6)		
Thur	23:00	00:45			
Fri	23:00	01:45	Non-standard timings. Where you intend to use the premises for the provision of late night refreshment at different times, to those listed in the column on the left, please list (please read guidance note 7)		
Sat	23:00	01:45			
Sun					

J

Supply of alcohol Standard days and timings (please read guidance note 8)			Will the supply of alcohol be for consumption – please tick (please read guidance note 9)	On the premises	<input checked="" type="checkbox"/>
				Off the premises	<input type="checkbox"/>
				Both	<input type="checkbox"/>
Day	Start	Finish	State any seasonal variations for the supply of alcohol (please read guidance note 6) We would like to serve alcohol until 30 minutes prior to the premises closing on Thursday, Friday and Saturday		
Mon	10:00	23:00			
Tue	10:00	23:00			
Wed	10:00	23:00			
Thur	10:00	00:30			
Fri	10:00	01:30			
Sat	10:00	01:30			
Sun	10:00	23:00	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 7)		

K

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

We operate challenge 25 and are highly responsible operators.

Any child entering the building will need to be accompanied by an adult.

Our policy is that children are not permitted to be in the restaurant after 10PM.

L

Hours premises are open to the public Standard days and timings (please read guidance note 8)			State any seasonal variations (please read guidance note 6)
Day	Start	Finish	
Mon	10:00	23:30	Non-standard timings. Where you intend the premises to be open to the public at different times from those listed in the column on the left, please list (please read guidance note 7)
Tue	10:00	23:30	
Wed	10:00	23:30	
Thur	10:00	01:00	
Fri	10:00	02:00	
Sat	10:00	02:00	
Sun	10:00	23:30	

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

None known.

Please tick as appropriate

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

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

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

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

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

We operate policies on the following five areas; Entry, Drugs & Dispersal, Noise, Smoking and Alcohol. Policies available on request.

We have well trained staff who take a positive attitude towards promoting the safe use of the premises for the sale of alcohol & food to the public.

We regularly hold staff meetings to discuss weekly performance and any issues which we feel need to be addressed.

b) The prevention of crime and disorder

Our staff are trained to observe customers throughout their shift and identify any potential criminal activity.

We are active members of Pub Watch and also have a strict drug enforcement policy.

We have a fully functional CCTV system in operation, which we have recently used to help neighbours 'Chick n Sours' identify a criminal who had stolen the bag of one of their customers.

A member of staff trained in the use of the CCTV software will be on site at all times during opening hours.

c) Public safety

We have signs which clearly indicate that; CCTV is in operation, We operate a zero tolerance drugs and weapons policy, To ask customers to leave quietly and respect the neighbourhood.

We have a clear dispersal policy and encourage customers to wait inside the Restaurant until their bus, train, or taxi is nearby.

When necessary we will employ an SIA licensed individual on the door to ensure there is no overcrowding.

We already do this whenever we open later than normal with a Temporary Event Notice.

Water is always available for customers' consumption, free of charge.

d) The prevention of public nuisance

Signs are displayed prominently at all times reminding customers to leave quietly and respect our neighbours.

We play music at background level to encourage conversation.

We maintain contact with our neighbours and ensure they are not disturbed by the level of volume, either from music or our guests.

We have a clear dispersal policy in place which is well supervised by our trained staff, and encourage customers to wait inside the restaurant until their bus, train, or taxi is nearby.

We will always encourage the safe consumption of alcohol and if a person or persons appear to be exhibiting signs that should they drink more there is a any danger of becoming inebriated we will refuse to serve them alcohol, and instead offer them water.

If the opening hours were extended, we would also encourage such patrons to order some late-night refreshment.

e) The protection of children from harm

We operate the challenge 25 policy and do not let minors on the premises after 10PM.

Checklist:

Please tick to indicate agreement

- I have made or enclosed payment of the fee; or
- I have not made or enclosed payment of the fee because this application has been made in relation to the introduction of the late night levy.
- I have sent copies of this application and the plan to responsible authorities and others where applicable.
- I understand that I must now advertise my application.
- I have enclosed the premises licence or relevant part of it or explanation.
- I understand that if I do not comply with the above requirements my application will be rejected. ..

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

Part 5 – Signatures (please read guidance note 12)

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

Signature	██████████
Date	7/6/2018
Capacity	Director and Licensee

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

Signature	██████████
Date	7/6/2018
Capacity	Agent

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

Premises Address

UK-England

Post town		Post code	
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Telephone number (if any)	
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If you would prefer us to correspond with you by e-mail, your e-mail address (optional)

Notes for Guidance

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

1. You do not have to pay a fee if the only purpose of the variation for which you are applying is to avoid becoming liable for the late night levy

Shep's Testimony

Over the last few weeks we have collected testimony from local residents and businesses to gauge the interest in Shep's gaining a license extension at 392 Kingsland Road.

As well as operating our normal bar & restaurant business we have also been active in the community, supplying Korean food & drinks for several events & launches.

These include a supporting a Brooklyn based Korean musician named Yaeji, a Korean book launch at Burley Fischer Books, a new series of books launched at Tokyo Bikes in Shoreditch and the launch of a Hackney based florists, And Flowers.

Apr 12 (4 days ago)

to Shep's, me

To whom it may concern,

I am a local resident writing in support to the application made by Shep's for extended opening hours license.

Shep's being close to where I live and work is an added benefit, but the real appeal is its genial atmosphere, creative menus and fantastic staff. What's more, I am delighted that a Korean restaurant has opened in the Haggerston area, introducing a new variety of culture in East London community as a whole, as well as having a positive effect on the Korean community in the area.

It is a unique and neighbourly place, where I frequent to unwind with a few drinks, share a meal with friends and to interact with the locals.

Shep's being able to stay open for longer would certainly be appreciated and complementary to the social dynamic of the area.

I'm very happy to give my full support to the application.

Yours faithfully,

From: [REDACTED]
Date: Fri, Mar 23, 2018 at 2:47 PM
Subject: SHEP's licence extension
To: [REDACTED]

I am a local resident who would like to add my support for the later licence applied for by Shep's. I live within [REDACTED] of the bar and since it's opened it's become one of my favourites. The healthy food and sensible music volume make it a quantum of solace on loud, busy nights in the area. I go there with friends and family and often have informal meetings at the bar. The licence extension is exactly what the neighbourhood needs: A quiet, friendly bar with good food as a relaxing alternative to the busy pubs and clubs on every other corner. Therefore I fully support the application.

From: [REDACTED]
Date: Fri, Mar 23, 2018 at 5:57 PM
Subject: SHEP's licence extension
To: [REDACTED]
Cc: [REDACTED]

I run a local bookshop, [REDACTED], and would like to add my support for the later licence applied for by Shep's.

My shop is within [REDACTED] of the bar and, as we run evening events, I quite often visit for food/drinks after our events with customers/authors after our licence ends. It's great to have such a welcoming, homely bar so close.

The licence extension would certainly be beneficial for the local area, as we would be able to stay longer with our customers rather than roaming the streets in search of a quiet drink or a late night bite.

Therefore I fully support this application.
Many Thanks, [REDACTED]

[REDACTED]

[REDACTED]
[REDACTED]
[REDACTED]

From: [REDACTED]
Date: Tue, Mar 27, 2018 at 7:31 AM
Subject: SHEP's licence extension
To: [REDACTED]

"We're local residents and have been going to Shep's since it opened. It's become our favourite hangout. The bar added something very different to the area, and helped make that stretch of Kingsland Road an interesting destination. The food is great, the music is great, and the staff is great, which makes for a fantastic place to have a lovely time in, with the added benefit (an important one, in our view) of not being another identikit gastropub or chain. There is a real character to the place. The only problem is that Shep's always makes us want to linger, and oftentimes the shutdown comes a bit too early. We invariably go straight home as going somewhere else would feel like escalating the evening into something else, whereas we just want to enjoy Shep's atmosphere for a little longer. We hope this will be possible soon, so we're giving our support to this application.

Thanks,

[REDACTED]
[REDACTED]

From: [REDACTED]
Date: Thu, Mar 29, 2018 at 1:27 AM
Subject: SHEP's licence extension
To: [REDACTED]
Cc: [REDACTED]

Hey!

We love Shep's! It's a great place to go and hang afterwork on Friday for some drinks. Nothing too loud or intense, but still vibrant. The staff are always smiling and friendly and the cocktails are excellent!

[REDACTED] Apr 16 (2 days ago)

to me

'I live on Glebe road, the road behind Sheps. My flat is at most [REDACTED] away. I have never once heard any overflow of noise, even when they have been granted a later licence on occasion at the weekend.

I would like to add my full support to the late licence applied for by Sheps – Since it's opening I have found the food to be unique for the area and always excellent, the cocktails fantastic, the staff always very knowledgeable and friendly and the music subtle; unlike so many places it's quietly complimentary to conversations and not in any way overpowering. Other customers have also always been congenial.

It's a real asset to the area and the late licence would only be beneficial. When Shep's closes at 11 My friends and I have to go to another bar or pub, where inevitably we can't get a seat and the music is blaring so we can't hear ourselves think, let alone talk to each other. It has something for all occasions, be it a catch up with an old friend on a bar stool, a booth for a celebration or just as a go to place to take visiting family members who want something more interesting than a roast or a burger.

[REDACTED]
[REDACTED]

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

----- Forwarded message -----

From: [REDACTED]
Date: Sat, Mar 31, 2018 at 11:19 AM
Subject: SHEP's licence extension
To: [REDACTED]

As a local resident living [REDACTED] behind the venue, I fully support the late license application for Shep's on Kingsland road. The bar is friendly and relaxed which is beneficial to the area through their positive approach toward welcoming and catering for the local community. Working as a teacher in the area it is refreshing to be able to visit Shep's on an evening and have a relaxing drink with friends or family and not be drowned out by music, allowing us to enjoy their inspiring cocktails and food offering.



EVENTS

As mentioned we have catered for a number of events in the community.

Yaeji

We were approached by Korean musician 'Yaeji's management team who asked us to supply the food for the London leg of her European 'Curry in No Hurry' tour.



Curry in No Hurry (LDN)

Yaeji.....	\$\$
Ikonika.....	\$\$\$
Object Blue.....	\$\$\$
Viers.....	\$\$\$

Curry by Shep's
Smoked Pork Golden Curry
Roasted Coconut and Gochujang Curry (V)

Yaeji Summer Tour 2018

Corsica Studios
 Thursday 31st May
 8PM-2AM

 Tickets are available
 at DICE.FM

'Curry in No Hurry started as a personal project in Yaeji's Brooklyn apartment, uniting music and friends over homemade Korean-Japanese style curry. Last year saw Yaeji expand Curry In No Hurry into a public dance party, hoping to expand and invite new friends into this shared experience. For the London installation, Yaeji will partner with the South Dalston restaurant, Shep's, and will be joined by local artists Ikonika, Object Blue and Viers.'

Penguin Books

We (Penguin Books Ltd.) worked with Shep's on a Korean book club event featuring talks and discussion with authors and translators. Hosted by another retailer in the area, the team from Shep's came down to make drinks for the audience made up of the local community, fans of the books and journalists. Shep's, as the only Korean restaurant in the local area is an invaluable space to socialise, eat and drink and is deserving of the late license because of the value that it brings to the spaces in the community.



And Flowers

'Working with Shep's for the opening of And Flowers in February of this year was a dream. They put together an amazing flower themed cocktail and array of drinks for the launch party and I felt it was important to get someone on board who had the same approach to community as I do. My aim is to promote flowers in the everyday and simplify the whole buying process for customers and allow them to engage in a space that isn't intimidating and welcoming. Shep's is this. Every time I visit for a drink or a bite to eat, the atmosphere is a far cry from a lot of the watering holes scattered across London and predominantly East. The bar itself along with it's staff are a breath of fresh air and each time I leave I'm already planning my next visit. I have recommended the space to many of my friends and each time I do, they visit feeling the same way. We need a space like Shep's where it's casual environment welcomes you in and allows people to enjoy each other, even just for a few hours, in this crazy world we're living in. It's accessible, affordable and appetising. What more do we need?'

Sponfest

We also collaborated with a number of local businesses for 'Sponfest'; a week long celebration of all things fermented! We believe in local Hackney business and feel there is a strong community feel amongst business owners from all backgrounds.

We will look to continue to contribute where possible to the vibrant and eclectic offering Hackney is famous for.



SPONFEST
2018
APRIL 16TH - 22ND

FEATURING AT THE AXE 18/04/18

SOM SAA / SHEP'S / WILD BEER CO.
SOM SAA + SHEP'S SHARE THE KITCHEN WHILST WILD BEER CO.
MATCH BEERS WITH THEIR DISHES. SPACES VERY LIMITED -
BOOKINGS HIGHLY RECOMMENDED VIA THE AXE

FEATURING AT THE AXE 21/04/18

**BEAVERTOWN TEMPUS PROJECT / BURNING SKY
OLIVER'S CIDER / DUSTY KNUCKLE / COBBLE LANE
EATEN ALIVE / FERMENT REVOLUTION**

FERMENTED FARMERS MARKET FROM 11AM PLUS AN ALL-DAY TAP
TAKEOVER AND MEET THE BREWER BOOKINGS RECOMMENDED
FOR TOM OLIVER TASTING VIA THE AXE

VENUE

THE AXE, 18 NORTHWOLD ROAD, STOKE NEWINGTON N16 7HR

FOR MORE INFORMATION INCLUDING TICKETS VISIT
WWW.SPONFEST.COM

@sponfest18 @sponfest

Shep's
392 Kingsland Road
E8 4AA

We have also been in contact with our own landlords, who lent their support to our application.

4th April 2018

Re: Licence extension - 392 Kingsland Road, London E8 4AA

Dear Sir/Madam,

I would like to add my support to the application for a license extension at 392 Kingsland Road.

As the landlord of the premises we are confident the restaurant is being operated in a responsible manner and would like to add our support to Brick Wall Ltd, in order to help them achieve a successful business.

We have built a strong working relationship over the past year or so, and would like that to continue for many years to come.

Yours faithfully,



Shan Uthayasangar

From: [REDACTED]
Sent: 26 June 2018 15:29
To: Licensing
Cc: [REDACTED]
Subject: Shep's Survey Results

Dear Sir, Madam,

Please also be so kind as to accept this Survey finding as further supporting evidence for Shep's Application.

Kind regards,

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

Sent from my iPhone

Begin forwarded message:

From: [REDACTED]
Date: 26 June 2018 at 13:38:39 BST
To: [REDACTED]
[REDACTED]
Subject: Shep's Survey Results

Hi [REDACTED], here are the results from the Survey, which was completed by 97 Shep's customers.

- 89% OF SHEP'S CUSTOMERS CURRENTLY MOVE ON TO ANOTHER BAR OR RESTAURANT AFTER WE CLOSE AT 11PM. (AT THE WEEKEND)
- OVER 95% OF CUSTOMERS WOULD RATHER STAY AT SHEP'S AFTER 11PM, RATHER THAN GO TO ANOTHER BAR

Regards,

[REDACTED]



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

RESPONSIBLE AUTHORITY DETAILS

NAME OF AUTHORITY	London Borough of Hackney
ADDRESS OF AUTHORITY	Environmental Enforcement First Floor Hackney Service Centre 1 Hillman Street London E8 1DY
CONTACT NAME	Benjamin Forkuo
TELEPHONE NUMBER	020 8356 5253
E-MAIL ADDRESS	Benjamin.forkuo@hackney.gov.uk

APPLICATION PREMISES

NAME & ADDRESS OF PREMISES	Shep's Bar & Restaurant Ground Floor 392 Kingsland Road Hackney London E8 4AA
NAME OF APPLICANT	Brick Wall Ltd

COMMENTS

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

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

Representation in relation to:

**ENVIRONMENTAL LICENCE CONDITIONS IN RESPECT OF
Shep's Bar and Restaurant
Ground floor
392 Kingsland Road
Hackney
London
E8 4AA**

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

The business is located in Kingsland Road, E8 which is a restricted area where waste is not allowed to be stored on the public highway for any length of time. The applicant has not indicated any provisions of waste disposal and containment within the scheduled time band collection on the application. Therefore, I am concern that waste will be left on the public highway for lengthy time and it will pollute the environment.

No previous complaint/problem received in relation to the business/premises, however experience has shown that there may be cigarette litter, outside these premises due to the smoking ban. It's possible that glasses and bottles may be left outside by patrons, Therefore, measures should be put in place to prevent these littering to detriment the area.

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

**With regards to the extension of trading hours, there should be an increase of waste collections or upgrade waste contract to accommodate extra waste that will generated.
There should also be installation of cigarette bin/s outside premises for disposal of litter or a member of staff should check outside premises regularly during trading hours to clear waste that will be left by patrons.**

Name: Benjamin Forkuo

Date: 03/07/2018

APPENDIX B2

Planning Authority Representation: Application under the Licensing Act 2003

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

APPLICATION PREMISES

Name and address of premises	392 Kingsland Road London E8 4AA
Applicant name	Brick Wall 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.

This application proposes the variation of an existing license. The following licensable activities are proposed:

Recorded music: 23:00 – 00:45 Thursday, 23:00 – 01:45 Friday – Saturday;
Late night refreshment: 23:00 – 00:45 Thursday, 23:00 – 01:45 Friday – Saturday;
Supply of alcohol: 10:00 – 23:00 Sunday – Wednesday, 10:00 – 00:30 Thursday, 10:00 – 01:30 Friday – Saturday; and
Hours of operation: 10:00 – 23:30 Sunday – Wednesday, 10:00 – 01:00 Thursday, 10:00 – 02:00 Friday – Saturday.

Planning ref. 2015/2215 granted the change of use of the basement and ground floor to a restaurant (use class A3). Condition 3 of the planning permission limits the opening hours to between 08:00 hours and 23:00 hours Mon to Sun.

The use of the basement and ground floor premises at 392 Kingsland Road as a restaurant is permitted. The hours of operation proposed exceed those permitted under the planning consent. The applicant is reminded that licensing permission does not grant planning permission. Therefore planning permission is required to regularise the hours of operation for the premises. Operation of the premises outside of the hours permitted under the planning consent is unlawful and may result in enforcement action.

Please provide the following information (if applicable)

Document Number: 20869543

Document Name: 392 Kingsland Road (Variation)

Area (that permission applies to)	Basement and ground floor
Permitted use	A3 (Restaurant)
Permitted hours	08:00 hours and 23:00 hours Mon to Sun
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.

The use of the basement and ground floor premises at 392 Kingsland Road as a restaurant is permitted. The hours of operation proposed exceed those permitted under the planning consent. The applicant is reminded that licensing permission does not grant planning permission. Therefore planning permission is required to regularise the hours of operation for the premises. Operation of the premises outside of the hours permitted under the planning consent is unlawful and may result in enforcement action.

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

Signed	
Name	Graham Callam
Date	21/06/2018

APPENDIX B3

RESPONSIBLE AUTHORITY REPRESENTATION: APPLICATION UNDER THE LICENSING ACT 2003

RESPONSIBLE AUTHORITY DETAILS

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

APPLICATION PREMISES

NAME & ADDRESS OF PREMISES	Shep's Bar & Restaurant Ground Floor 392 Kingsland Road London E8 4AA
NAME OF PREMISES USER	James SHEPHERD

COMMENTS

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

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

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

Police make the following objections in relation to the application to vary the Premises Licence at SHEP'S BAR & RESTAURANT, 392 KINGSLAND ROAD, LONDON, E8 4AA for the following reason(s):

This premises is situated within the Dalston Special Policy Area. The policy is directed at the concentration of persons in the area and particularly those who have been drinking alcohol. A table has been set out, within the policy, detailing the activities and timings that are acceptable. The timings within this application exceed those set out in the table and police propose they be reduced to bring them in line with the policy.

The policy clearly states that any application shall be refused which seeks to permit any activity/use not identified or allowed for in the table and where there is a genuine concern that the proposal will have a negative impact in the area. The area is saturated with licensed premises, which empty on to the streets in the early hours of the morning. These people are most often drunk, loud, boisterous and more likely to get involved in a confrontation, urinate, vomit and cause problems, including disorder on the street. After midnight, the streets in Dalston are incredibly busy and complaints are very often made by local residents who regularly contend with people urinating, vomiting, defecating or taking drugs on their doorsteps. The extra hours requested will mean that more alcohol has been consumed and these problems will just be increased once the patrons leave the venue.

Police cannot support this application at this time.

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	First Floor Hackney Service Centre 1 Hillman Street London E8 1DY
CONTACT NAME	David Tuitt
TELEPHONE NUMBER	0208 356 4942
E-MAIL ADDRESS	david.tuitt@hackney.gov.uk

APPLICATION PREMISES

NAME & ADDRESS OF PREMISES	Shep's Bar & Restaurant Ground Floor 392 Kingsland Road Hackney London E8 4AA
NAME OF APPLICANT	Brick Wall Ltd

COMMENTS

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

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

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

I make a representation in relation to this application as the premises is located within the boundary of the Dalston Special Policy Area (SPA). The SPA is area that has been identified as suffering from the negative cumulative impact of the concentration of licensed premises in the area. LP14 (Special Policy Area - Dalston) of the Council's Statement of Licensing Policy states:

*All **new or variation** applications within the Dalston SPA will have to show:*

- *High standards of management, (an example would include a Management Strategy)*
- *The quality and track record of the management*
- *The good character of the applicant*

The proposed hours exceed those as set out in LP14 (Dalston Special Policy Area). Although it is noted that the premises is currently licensed for the sale by retail of alcohol for consumption on the premises from 10:00 to 23:00 daily.

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

The Licensing Act 2003, Statement of Licensing Policy 2016 and S182 Guidance issued by the Home Office.

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

Discussion with the applicant/agent to obtain further information in relation to the proposed operation of the premises and how the following policy requirements can be met:

- *High standards of management, (an example would include a Management Strategy)*
- *The quality and track record of the management*
- *The good character of the applicant*

Clarification in relation to the request for recorded music; the application states "*We play music at background level to encourage conversation*". This would mean that it would not be necessary for the varied licence to authorise recorded music.

It is noted that the application states "*We have a clear dispersal policy in place which is well supervised by our trained staff...*" It would be useful to have sight of this document.

Name: David Tuitt, Business Regulation Team Leader – Licensing and Technical Support

Date: 02/07/2018

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

RESPONSIBLE AUTHORITY DETAILS

NAME OF AUTHORITY	City and Hackney Public Health directorate
ADDRESS OF AUTHORITY	City and Hackney Public Health 1 Hillman St London E8 1DY
CONTACT NAME	Jerry Hill
TELEPHONE NUMBER	020 8356 1807
E-MAIL ADDRESS	Jerry.Hill@hackney.gov.uk

APPLICATION PREMISES

NAME & ADDRESS OF PREMISES	Shep's 392 Kingsland Road E8 4AA
NAME OF APPLICANT/PREMISES USER	James Shepherd

COMMENTS

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

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

Dr Penny Bevan
Director of Public Health
Hackney Council

3 July 2018

RE: Representation against Shep's, 392 Kingsland Road, E8 4AA

As Director of Public Health (a responsible authority under the Licensing Act 2004), I wish to make a representation against the premises licence application for **Shep's, 392 Kingsland Road, E8 4AA**

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

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


This representation is made under the **prevention of crime and disorder and the prevention of crime and disorder** licensing objectives.

The application is for a venue within the Dalston Special Policy Area (SPA). As laid out in the Council's Licensing Policy, and under **LP14**, where a relevant representation is made to any application within the area of the Dalston SPA, the application should be refused.

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

The area already has sufficient premises to meet demand and additional outlets supplying alcohol will be detrimental to the local residents in terms of noise and

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

Decorative graphic element consisting of several overlapping, curved lines in shades of green and black, sweeping across the bottom right corner of the page.

disturbance, anti-social behaviour and crime. This includes extra hours of alcohol provision to existing premises.

The area within which this premise is located has high incidences of crime and violence, including those that are alcohol related. The information below is drawn from SafeStats, a service within the Greater London Authority that hosts data from emergency services and other agencies, covering the period year to May 2017. This data shows that, within a 500m of the premises:

- There were **108** alcohol related incidents
- **35** alcohol related incidents involved those aged under 26 years
- **82** assaults were recorded by the London Ambulance Service

According to the council's Licensing database of premises allowed to sell alcohol, there are **31 on licence premises** and **21 off licence premises** within 500m of the application venue, with a further **16 having a licence for on and off sales**.

Based on the information provided and that the application does not align with the conditions outlined in LP14, **the Public Health function recommends that the application for a licence to supply alcohol be refused.**

Yours sincerely



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





This premises licence has been issued by:

Licensing Service
2 Hillman Street
London E8 1FB

PART A – PREMISES LICENCE

Premises Licence Number

077779

Part 1 – Premises details

Shep's Bar & Restaurant

Ground Floor

392 Kingsland Road

Hackney

London

E8 4AA

Where the licence is time limited the dates

Not Applicable

Licensable activities authorised by the licence

Supply of Alcohol

The times the licence authorises the carrying out of Licensable activities

Supply of Alcohol Standard Hours:

Mon 10:00-23:00

Premises:

Tue 10:00-23:00

Wed 10:00-23:00

Thu 10:00-23:00

Fri 10:00-23:00

Sat 10:00-23:00

Sun 10:00-23:00

The opening hours of the premises

Standard Hours:

Mon 09:00-23:30

Tue 09:00-23:30

Wed 09:00-23:30

Thu 09:00-23:30

Fri 09:00-23:30

Sat 09:00-23:30

Sun 09:00-23:30

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

Brick Wall Ltd
[REDACTED]
[REDACTED]
[REDACTED]

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

10188641

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

James Shepherd

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: 19 July 2016

Signed:

**David Tuitt
Team Leader - Licensing**

Annex 1 - Mandatory Conditions

Supply of Alcohol (On/Both)

1. No supply of alcohol may be made under the premises licence:
 - (a) At a time when there is no designated premises supervisor in respect of the premises licence.
 - (b) At a time when the designated premises supervisor does not hold a personal licence or his personal licence is suspended.
2. Every supply of alcohol under the premises licence must be made or authorised by a person who holds a personal licence.
3. (1) The responsible person must ensure that staff on relevant premises do not carry out, arrange or participate in any irresponsible promotions in relation to the premises.
 - (2) In this paragraph, an irresponsible promotion means any one or more of the following activities, or substantially similar activities, carried on for the purpose of encouraging the sale or supply of alcohol for consumption on the premises -
 - (a) games or other activities which require or encourage, or are designed to require or encourage, individuals to;
 - (i) drink a quantity of alcohol within a time limit (other than to drink alcohol sold or supplied on the premises before the cessation of the period in which the responsible person is authorised to sell or supply alcohol), or
 - (ii) drink as much alcohol as possible (whether within a time limit or otherwise);
 - (b) provision of unlimited or unspecified quantities of alcohol free or for a fixed or discounted fee to the public or to a group defined by a particular characteristic in a manner which carries a significant risk of undermining a licensing objective;
 - (c) provision of free or discounted alcohol or any other thing as a prize to encourage or reward the purchase and consumption of alcohol over a period of 24 hours or less in a manner which carries a significant risk of undermining a licensing objective;
 - (d) selling or supplying alcohol in association with promotional posters or flyers on, or in the vicinity of, the premises which can reasonably be considered to condone, encourage or glamorise anti-social behaviour or to refer to the effects of drunkenness in any favourable manner.
 - (e) dispensing alcohol directly by one person into the mouth of another (other than where that other person is unable to drink without assistance by reason of a disability).

4. The responsible person must ensure that free potable water is provided on request to customers where it is reasonably available.
5. 5.1. The premises licence holder or club premises certificate holder must ensure that an age verification policy is adopted in respect of the premises in relation to the sales or supply of alcohol.
- 5.2 The designated premises supervisor in relation to the premises licences must ensure that the supply of alcohol at the premises is carried on in accordance with the age verification policy.
- 5.3. The policy must require individuals who appear to the responsible person to be under 18 years of age (or such older age as may be specified in the policy) to produce on request, before being served alcohol, identification bearing their photograph, date of birth and either:-
- A. a holographic mark or
 - B. an ultraviolet feature.
6. The responsible person 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
 - a. these measures are displayed in a menu, price list or other printed material which is available to customers on the premises; and
 - b. 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 amount of duty chargeable in relation to the alcohol as if the duty were charged on the date of the sale or supply of the alcohol, and
 - (iii) V is the rate of value added tax chargeable in relation to the alcohol as if the value added tax were charged on the date of the sale or supply of the alcohol;

(c) “relevant person” means, in relation to premises in respect of which there is in force a premises licence -
(i) the holder of the premises licence,
(ii) the designated premises supervisor (if any) in respect of such a licence, or
(iii) the personal licence holder who makes or authorises a supply of alcohol under such a licence;

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

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

7.3 Where the permitted price given by Paragraph 8.2(b) above would (apart from this paragraph) not be a whole number of pennies, the price given by that sub-paragraph shall be taken to be the price actually given by that sub-paragraph rounded up to the nearest penny.

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

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

Door Supervision

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

Annex 2 – Conditions consistent with the Operating Schedule

9. 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.
9. A staff member from the premises who is conversant with the operation of the CCTV system shall be on the premises at all times when the premises are open to the public. This staff member must be able to show a Police or authorised council officer recent data or footage when requested.

10. Signs will be prominently displayed at all exit points reminding customers to leave quietly and respect local residents.
11. The premises will have a venue management policy, approved by the police licensing officer and/or Crime prevention officer, detailing the following;
 - a. Entry policy
 - b. Drugs Policy and dispersal policy
 - c. Noise Policy
 - d. Smoking Policy
 - e. Alcohol Policy
12. 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.
13. 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. Any refusal of the sale of alcohol.
 - g. Any visit by a relevant authority or emergency service.
14. Signs will be prominently displayed by entry and exit points reminding customs:
 - a. CCTV in operation.
 - b. Drugs policy.
 - c. Weapons policy.
 - d. To leave quietly and respect local residents.
15. 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.
16. Reasonable steps to be taken to ensure that an authorised person is a member of a local Pubwatch.
17. The Licensee shall ensure that all staff are fully trained and made aware of the legal requirement of businesses to comply with their duty of care as regards 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 referred to at all times by staff.

18. The Licensee 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 Licensee shall 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.
19. The Licensee shall provide a safe receptacle for cigarette ends to be placed outside for the use of customers, such receptacle being carefully placed so as not to cause an obstruction or trip.
20. Patrons of the premises shall be encouraged, by signs within the premises visible at all exit points, to disperse from the area of the premises quietly.

Conditions derived from Responsible Authority representations

21. There shall be no glass, drinks or open containers taken out of the premises at any time.
22. SIA registered door supervisors shall be employed at the venue on an operational risk assessment basis. All security staff shall be clearly identifiable at all times. 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 provided. This register will be made available to police or authorised officer immediately upon request.
23. Mechanical ventilation equipment from the kitchen must be so positioned, designed and acoustically insulated so as not to cause noise and/or vibration disturbance, or affect the nearest residents as a result of fume or odorous discharge. Extract duct shall rise vertically through existing flat roof and run to high level, terminating minimum 1 m above the roof eaves.
24. The extraction equipment installed shall be regularly maintained to ensure its continued satisfactory operation and the cooking operation shall cease to operate if at any time the extraction equipment ceases to function to the satisfaction of the local authority in order to ensure the use does not result in excessive cooking odours outside the premises and that no nuisance to the residents occupying the nearest residential premises is caused.
25. Any music played at the premises shall be played at a background level only, so to allow normal face to face conversation.
26. Notices advertising that the premises operates a 'Challenge 25' scheme be displayed prominently at the premises entrance(s) and inside the premises.

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

N/A

Annex 4 – Plans

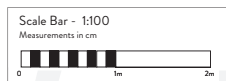
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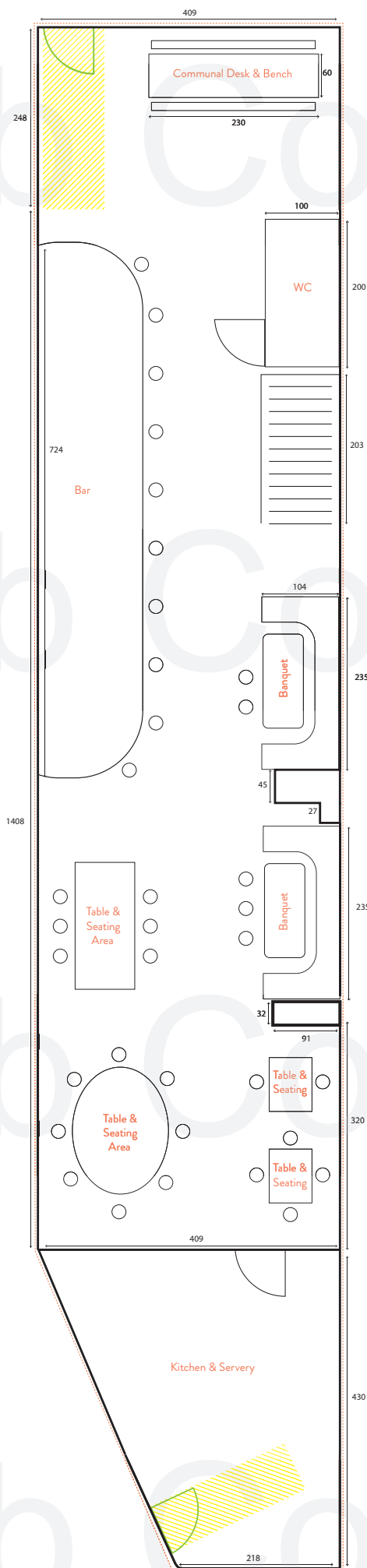
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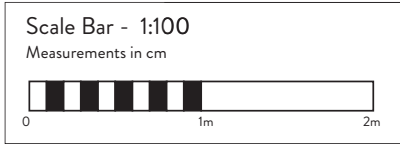
392 KINGSLAND ROAD - PROPOSED GROUND FLOORPLAN



Key

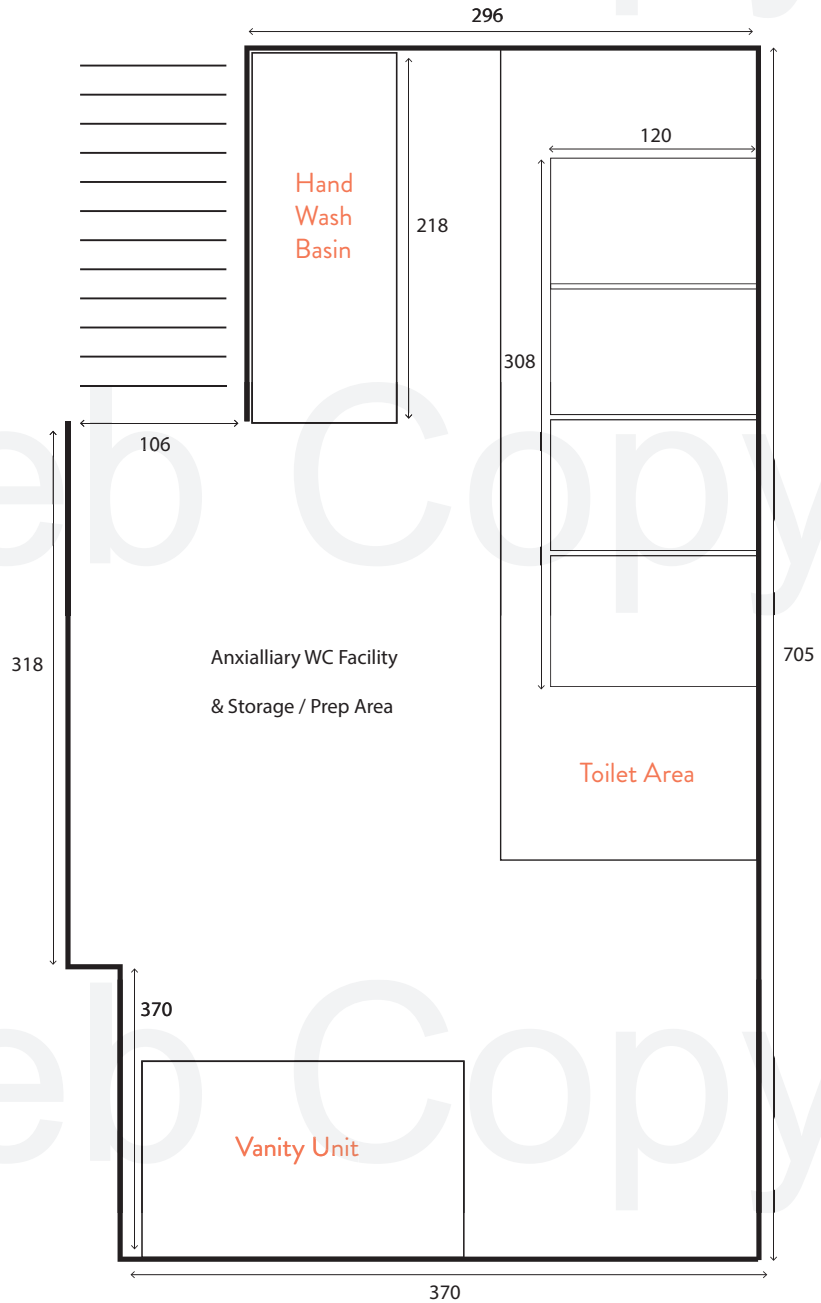


392 KINGSLAND ROAD - PROPOSED BASEMENT FLOORPLAN

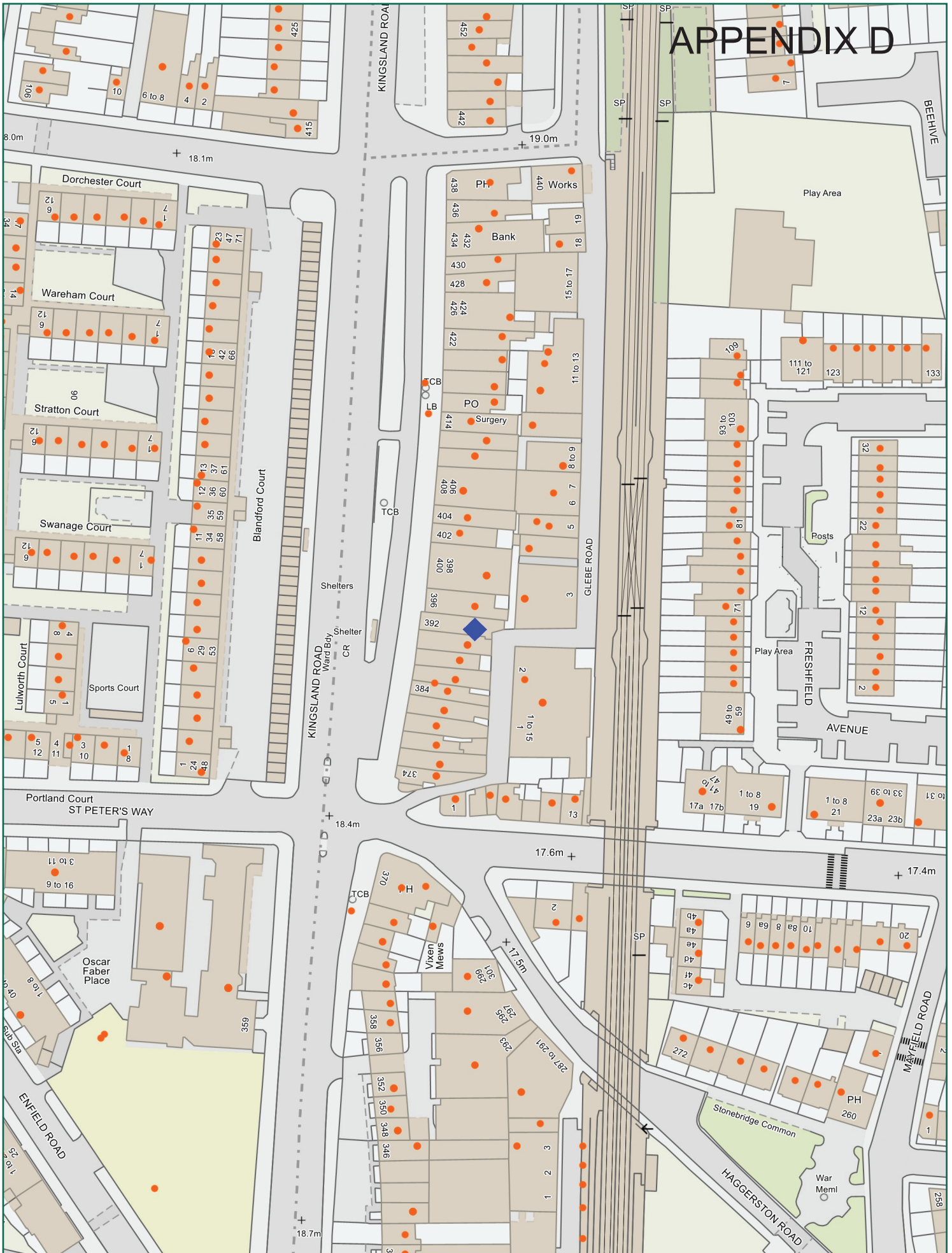


Key

-  Exit/ entrance
-  Perimeter of premises
-  Fire Exit
-  Doorways
-  Stairs



APPENDIX D



NORTH

Scale: 1:1250 at A4

Hackney

Shep's Bar & Restaurant, 392 Kingsland Road, E8 4AA

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12 July 2018	email:	