

<b>REPORT OF GROUP DIRECTOR, NEIGHBOURHOODS AND HOUSING</b>		
<b>LICENSING SUB-COMMITTEE:</b> 14/08/2019	<b>Classification DECISION</b>	<b>Enclosure</b>
<b>Application for a Premises Licence</b>  Basement, 79 Kingsland High Street, E8 2PB	<b>Ward(s) affected</b>  Dalston	

### 1. SUMMARY

<b>Applicant(s)</b> Keshia Riley-Douglas	<b>In SPA</b>
<b>Date of Application</b> 24/06/2019	<b>Period of Application</b> Permanent/
<b>Proposed licensable activity</b> Live Music Recorded Music Other Entertainment Similar to Live or Rec Music or Dance Performance Late Night Refreshment Supply of Alcohol (On Premises)	
<b>Proposed hours of licensable activities</b>	
<b>Live Music</b>  <b>INDOOR:</b>	<b>Standard Hours:</b> Thu 12:00-23:00 Fri 12:00-23:00 Sat 12:00-23:00 Sun 12:00-22:30
<b>Recorded Music</b>  <b>BOTH:</b>  Indoors and Outdoors	<b>Standard Hours:</b> Mon 11:00-23:00 Tue 11:00-23:00 Wed 11:00-23:00 Thu 11:00-23:00 Fri 11:00-00:00 Sat 11:00-00:00 Sun 11:00-22:30
<b>Other Entertainment Similar to Live or Rec Music or Dance Performance</b>  <b>BOTH:</b>	<b>Standard Hours:</b> Mon 11:00-23:00 Tue 11:00-23:00 Wed 11:00-23:00 Thu 11:00-23:00 Fri 11:00-00:00 Sat 11:00-00:00 Sun 11:00-22:30

<b>Late Night Refreshment</b>		<b>Standard Hours:</b> Fri 23:00-00:00 Sat 23:00-00:00
<b>BOTH:</b>		
<b>Supply of Alcohol</b>		<b>Standard Hours:</b> Mon 12:00-23:00 Tue 12:00-23:00 Wed 12:00-23:00 Thu 12:00-23:00 Fri 12:00-00:00 Sat 12:00-00:00 Sun 12:00-22:30
<b>INDOOR:</b>		
<b>The opening hours of the premises</b>		
<b>INDOOR</b>		<b>Standard Hours:</b> Mon 11:00-00:00 Tue 11:00-00:00 Wed 11:00-00:30 Thu 11:00-00:30 Fri 11:00-03:00 Sat 11:00-03:00 Sun 11:00-00:00
<b>Capacity:</b> Not known		
<b>Policies Applicable</b>	LP1 (General Principles), LP2 (Licensing Objectives), LP3 (Core Hours), LP10 (Special Policy Areas – Dalston and Shoreditch),	
<b>List of Appendices</b>	A – Application for a premises licence and supporting documents B – Representations from responsible authorities C – Representations from other persons D – Location map	
<b>Relevant Representations</b>	<ul style="list-style-type: none"> <li>• Environmental Health Authority (Environmental Protection and Environmental Enforcement)</li> <li>• Police</li> <li>• Licensing Authority</li> <li>• Other Persons</li> </ul>	

## 2. APPLICATION

- 2.1 Keshia Riley-Douglas has made an application for a premises licence under the Licensing Act 2003:
- To authorise the supply alcohol for consumption **on** the premises
  - To authorise regulated entertainment
  - To authorise late night refreshment
- 2.2 The application is attached as Appendix A. The applicant has, following receipt or representations, reduced the proposed hours for licensable activity to the core hours described in LP3 of the Council's Statement of Licensing

Policy. The applicant has proposed measures that could be converted to conditions (see paragraph 8.1 below).

### 3. CURRENT STATUS / HISTORY

- 3.1 The premises were licensed for sale of alcohol and regulated entertainment until the licence was revoked by Licensing Sub-Committee in January 2018, following a review application submitted by the Police.

### 4. REPRESENTATIONS: RESPONSIBLE AUTHORITIES

From	Details
Environmental Health Authority (Environmental Protection)	Representation has been withdrawn with the agreed conditions as set out in para 8.1
Environmental Health Authority (Environmental Enforcement)	Representation has been withdrawn with the agreed conditions as set out in para 8.1
Environmental Health Authority (Health & Safety)	No representation received
Weights and Measures (Trading Standards)	Have confirmed no representation on this application
Planning Authority	No representation received
Area Child Protection Officer	No representation received
Fire Authority	Have confirmed no representation on this application
Police (Appendix B1)	Representation received on the grounds of The Prevention of Crime and Disorder, Public Safety, Prevention of Public Nuisance, The Protection of Children from Harm, Licensing Hours, Special Policy Area and Cumulative Impact.
Licensing Authority (Appendix B2)	Representation received on the grounds of The Prevention of Crime and Disorder, Prevention of Public Nuisance, Special Policy Area.
Health Authority	No representation received

### 5. REPRESENTATIONS: OTHER PERSONS

From	Details
3 representations received from and on behalf of local residents. (Appendices C1-C3)	Representations received on the grounds of The Prevention of Crime and Disorder, Public Safety, Prevention of Public Nuisance, The Protection of Children from Harm and Special Policy Area

### 6. GUIDANCE CONSIDERATIONS

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

## **7. POLICY CONSIDERATIONS**

- 7.1 Licensing Sub-Committee is required to have regard to the London Borough of Hackney's Statement of Licensing Policy ("the Policy") adopted by the Licensing Authority.
- 7.2 The Policy applies to applications where relevant representations have been made. With regard to this application, policies LP1 (General Principles), LP2 (Licensing Objectives), LP3 (Core Hours) and LP10 (Special Policy Areas – Dalston and Shoreditch) are relevant.

## **8. OFFICER OBSERVATIONS**

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

### **Supply of Alcohol (On/Both)**

1. No supply of alcohol may be made under the premises licence:
  - (a) At a time when there is no designated premises supervisor in respect of the premises licence.
  - (b) At a time when the designated premises supervisor does not hold a personal licence or his personal licence is suspended.
2. Every supply of alcohol under the premises licence must be made or authorised by a person who holds a personal licence.
3. (1) The responsible person must ensure that staff on relevant premises do not carry out, arrange or participate in any irresponsible promotions in relation to the premises.
  - (2) In this paragraph, an irresponsible promotion means any one or more of the following activities, or substantially similar activities, carried on for the purpose of encouraging the sale or supply of alcohol for consumption on the premises -
    - (a) games or other activities which require or encourage, or are designed to require or encourage, individuals to;
      - (i) drink a quantity of alcohol within a time limit (other than to drink alcohol sold or supplied on the premises before the cessation of the period in which the responsible person is authorised to sell or supply alcohol), or
      - (ii) drink as much alcohol as possible (whether within a time limit or otherwise);
    - (b) provision of unlimited or unspecified quantities of alcohol free or for a fixed or discounted fee to the public or to a group defined by a particular characteristic in a manner which carries a significant risk of undermining a licensing objective;
    - (c) provision of free or discounted alcohol or any other thing as a prize to encourage or reward the purchase and consumption of alcohol over a period of 24 hours or less in a manner which carries a significant risk of undermining a licensing objective;
    - (d) selling or supplying alcohol in association with promotional posters or flyers on, or in the vicinity of, the premises which can reasonably be considered to condone, encourage or glamorise anti-social behaviour or to refer to the effects of drunkenness in any favourable manner.



(e) dispensing alcohol directly by one person into the mouth of another (other than where that other person is unable to drink without assistance by reason of a disability).

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

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

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

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

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

6. The responsible person must ensure that:

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

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

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

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

#### Minimum Drinks Pricing

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

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

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

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

(i) P is the permitted price,

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

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

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

(i) the holder of the premises licence,

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

- (iii) the personal licence holder who makes or authorises a supply of alcohol under such a licence;
- (d) “relevant person” means, in relation to premises in respect of which there is in force a club premises certificate, any member or officer of the club present on the premises in a capacity which enables the member or officer to prevent the supply in question; and
- (e) “value added tax” means value added tax charged in accordance with the Value Added Tax Act 1994.

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

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

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

### **Door Supervision**

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

### **Conditions derived from operating schedule**

9. A member of staff trained in first aid will be on site at all times licensable activity is taking place.

10. A designated safeguarding officer will be on site for all events where children are present

11. An ID scanner will be used on all weekend events or events which prove to be popular.

12. There shall be no entry re-entry after 01.00.

13. All customers will be searched on entry to the premises after 22.00 (including after smoking)

14. Music will be turned off 30 minutes before closing

15. Security will be outside at all times to oversee crowd management

16. The capacity of the premises will be restricted to 120, at which level a one in one out system will be applied.

17. No glass bottles will be allowed outside or inside the premises after 20.00

18. A “Challenge 25” policy will be applied for sale of alcohol.

19. Children will not be allowed in the premises beyond 20.00 on any day, excepting private events.

20. Children must be accompanied by an adult at all times.

21. SIA registered security staff will be employed on busy nights.

### **Conditions derived from Responsible Authority representations**

22. There shall be a maximum of 8 people outside smoking at any time.

23. There shall be a maximum of 4 people in the smoking area at any time after 22:00 hours

24. The Licensee shall ensure that all staff are fully trained and made aware of the legal requirement of businesses to comply with their responsibility 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.

25. 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.

26. The Licensee's premises are situated in an area within which refuse may only be left on the public highway at certain times (time bands). If the Licensee's waste carrier cannot or does not comply by collecting the refuse within an hour after the close of any time band imposed by the waste authority, the Licensee must remove the refuse from the public highway and/or keep it within the premises until such time as their waste carrier arrives to collect the refuse.

27. The Licensee shall instruct members of staff to make regular checks of the area immediately outside the premises and remove any litter, bottles and glasses emanating from the premises. A final check should be made at close of business.

28. 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.

29. The current trade waste agreement/duty of care waste transfer document shall be conspicuously displayed and maintained in the window of the premises where it can be conveniently seen and read by persons standing in the premises

This should remain unobstructed at all times and should clearly identify:-

- the name of the registered waste carrier

- the date of commencement of trade waste contract
- the date of expiry of trade waste contract
- the days and times of collection
- the type of waste including the European Waste Code

## 9. REASONS FOR OFFICER OBSERVATIONS

9.1 Conditions 9 to 21 above are derived from the applicant's operating schedule. Conditions 22 to 23 have been proposed by Environmental Protection and 24 to 29 by Environmental Enforcement. The proposed conditions have been accepted by the applicant.

## 10. LEGAL COMMENTS

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

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

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

## 11. HUMAN RIGHTS ACT 1998 IMPLICATIONS

11.1 There are implications to;

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

## 12. MEMBERS DECISION MAKING

### A. Option 1

**That the application be refused**

### B. Option 2

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

## 13. CONCLUSION

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

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

### **LIST OF BACKGROUND PAPERS RELATING TO THIS REPORT**

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

<b>Description of document</b>	<b>Location</b>
<b>Office File:</b> Basement, 79 Kingsland High Street, E8 2PB	Licensing Service 1 Hillman Street London E8 1DY

#### **Printed matter**

Licensing Act 2003

LBH Statement of Licensing Policy



# APPENDIX A

LA01

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

## PLEASE READ THE FOLLOWING INSTRUCTIONS FIRST

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

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

I/W

e

KESHIA RILEY-DOUGLAS

(Insert name(s) of applicant)

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

### Part 1 - Premises details

Postal address of premises or, if none, ordnance survey map reference or description			
BASEMENT 79 Kingsland High ST E8 2PB			
Post town	London	Postcode	E8 2PB

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

### Part 2 - Applicant details

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

- a) an individual or individuals \*  please complete section (A)
- b) a person other than an individual \*
- i as a limited company/limited liability partnership please complete section (B)
  - ii as a partnership (other than limited liability) please complete section (B)
  - iii as an unincorporated association or please complete section (B)
  - iv other (for example a statutory) please complete section (B)

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

\* If you are applying as a person described in (a) or (b) please confirm (by ticking yes to one box below):

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

I am making the application pursuant to a statutory function or

a function discharged by virtue of Her Majesty's prerogative

**(A) INDIVIDUAL APPLICANTS** (fill in as applicable)

Mr	Mrs	Miss <input checked="" type="checkbox"/>	Ms	Other Title (for example, Rev)	
Surname Riley-Douglas			First names Keshia		
Date of birth <input type="text"/>		I am 18 years <input checked="" type="checkbox"/>		Please tick yes	
Nationality		British			
Current residential address if different		<input type="text"/>			



from premises address	[REDACTED]		
Post town	London	Postcode	[REDACTED]
Daytime contact telephone number	[REDACTED]		
E-mail address (optional)	[REDACTED]		
Where applicable (if demonstrating a right to work via the Home Office online right to work checking service), the 9-digit 'share code' provided to the applicant by that service (please see note 15 for information)			

**SECOND INDIVIDUAL APPLICANT (if applicable)**

M r	Mr s	Mi ss	M s	Other Title (for example, Rev)	
Surname			First names		
Date of birth		I am 18 years old or over		Please tick yes	
Nationality					
Current postal address if different from premises address					
Post town				Postcode	
Daytime contact telephone number					
E-mail address (optional)					
Where applicable (if demonstrating a right to work via the Home Office online right to work checking service), the 9-digit 'share code' provided to the applicant by that service (please see note 15 for information)					

**(B) OTHER APPLICANTS**

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



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

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

Provision of regulated entertainment (please read guidance note 2) Please tick all that 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)
- h) 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) ✓

**Supply of alcohol** (if ticking yes, fill in box J) ✓

**In all cases complete boxes K, L and M**

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

Name
Address
Registered number (where applicable)
Description of applicant (for example, partnership, company, unincorporated association etc.)
Telephone number (if any)
E-mail address (optional)

### Part 3 Operating Schedule

When do you want the premises licence to start?

DD MM YYYY  
28 07 2019

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

DD MM YYYY  
[ ][ ] [ ][ ] [ ][ ][ ][ ]

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

The Premises is a basement property which holds 150 people standing. The property has two fire exits and a small kitchen with a small open space which is 24ft by 22ft wide.

The property will be used as a social space for light bites like (chips) as well as drinks on a daily basis while hosting retro games, like dominos and cards and music entertainment.

The premises programme will develop over time and offer basic services to start. Alcohol will be served up until 45 minutes before closing, and music will be off 30 minutes before closing.

**A**

Plays Standard days and timings (please read guidance note 7)			Will the performance of a play take place indoors or outdoors or both – please tick (please read guidance note 3)	Indoors	
				Outdoors	
Day	Start	Finish		Both	
Mon			Please give further details here (please read guidance note 4)		
Tue			State any seasonal variations for performing plays (please read guidance note 5)		
Wed					
Thur					
Fri			Non-standard timings. Where you intend to use the premises for the performance of plays at different times to those listed in the column on the left, please list (please read guidance note 6)		
Sat					
Sun					



**B**

Films Standard days and timings (please read guidance note 7)			Will the exhibition of films take place indoors or outdoors or both – please tick (please read guidance note 3)	Indoors	
				Outdoors	
Day	Start	Finish		Both	
Mon			Please give further details here (please read guidance note 4)		
Tue					
Wed			State any seasonal variations for the exhibition of films (please read guidance note 5)		
Thur					
Fri			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 6)		
Sat					
Sun					

**C**

Indoor sporting events Standard days and timings (please read guidance note 7)			Please give further details (please read guidance note 4)
Day	Start	Finish	
Mon			State any seasonal variations for indoor sporting events (please read guidance note 5)
Tue			
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 6)
Fri			
Sat			
Sun			

**D**

<b>Boxing or wrestling entertainments</b> Standard days and timings (please read guidance note 7)			<b>Will the boxing or wrestling entertainment take place indoors or outdoors or both – please tick (please read guidance note 3)</b>	Indoors	
				Outdoors	
				Both	
Day	Start	Finish			
Mon			<b>Please give further details here (please read guidance note 4)</b>		
Tue					
Wed			<b>State any seasonal variations for boxing or wrestling entertainment (please read guidance note 5)</b>		
Thur					
Fri			<b>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 6)</b>		
Sat					
Sun					



E

Live music Standard days and timings (please read guidance note 7)			Will the performance of live music take place indoors or outdoors or both – please tick (please read guidance note 3)	Indoors	<input checked="" type="checkbox"/>
				Outdoors	<input type="checkbox"/>
				Both	<input type="checkbox"/>
Day	Start	Finish			
Mon			<b>Please give further details here</b> (please read guidance note 4) When these sessions are scheduled the premises will host jazz events to start between 12pm until 23.00hrs from Thursday until Sunday		
Tue					
Wed			<b>State any seasonal variations for the performance of live music</b> (please read guidance note 5) These Jazz events will take place before October 2019 giving us time to become more established.		
Thur	12:00	23:00			
Fri	12:00	23:00	<b>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</b> (please read guidance note 6) This will be scheduled as the venue develops. This will be the music of Jazz band.		
Sat	12:00	23:00			
Sun	12:00	23:00			

F

Recorded music Standard days and timings (please read guidance note 7)			Will the playing of recorded music take place indoors or outdoors or both - please tick (please read guidance note 3)	Indoors	<input checked="" type="checkbox"/>
				Outdoors	<input type="checkbox"/>
				Both	<input type="checkbox"/>
Day	Start	Finish			
Mon	11:00	23:30	Please give further details here (please read guidance note 4) MUSIC Will be played via a PA System and Aux cable inside the building		
Tue	11:00	23:30			
Wed	11:00	00:30	State any seasonal variations for the playing of recorded music (please read guidance note 5)		
Thur	11:00	00:30			
Fri	11:00	02:30	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 6)		
Sat	11:00	02:30			
Sun	11:00	23:30			



**G**

Performances of dance Standard days and timings (please read guidance note 7)			Will the performance of dance take place indoors or outdoors or both – please tick (please read guidance note 3)	Indoors		
Day	Start	Finish		Outdoors		
Mon				Please give further details here (please read guidance note 4)		
Tue						
Wed			State any seasonal variations for the performance of dance (please read guidance note 5)			
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 6)			
Sat						
Sun						

H

Anything of a similar description to that falling within (e), (f) or (g)  
Standard days and timings (please read guidance note 7)

Please give a description of the type of entertainment you will be providing

Poetry events- Poetey read and performed by customers

Life Drawing- fine art by customers

Games night - board games played by customers

Cocktail nights - cocktails made by customers

Music will be played inside up until ~~12am~~ Monday and Tuesday. 23:30

Wednesday the music inside will be played until 1.30 am

Thursday to Saturday Music will be played until 3.30am

Sunday Music will be played until 1am

Anything of a similar description to that falling within (e), (f) or (g)  
Standard days and timings (please read guidance note 7)

Day	Start	Finish
Mon	11:00	23:30
Tue	11:00	23:30
Wed	11:00	00:30
Thur	11:00	00:30
Fri	11:00	02:30
Sat	11:00	02:30
Sun	11:00	23:30

Will this entertainment take place indoors or outdoors or both – please tick (please read guidance note 3)

Indoors	<input type="checkbox"/>
Outdoors	<input type="checkbox"/>
Both	<input checked="" type="checkbox"/>

Please give further details here (please read guidance note 4) These nights will be programmed in as the venue becomes more established and to start with the venue will serve basic light bites with drinks i

State any seasonal variations for entertainment of a similar description to that falling within (e), (f) or (g) (please read guidance note 5)

As festive periods the events will be themed. NYE, Valatines, Christmas and Bank Holidays.

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 6)

On Bank holidays the venue will be open to the public in a accordance to our latest opening times. 04.00am



Late night refreshment Standard days and timings (please read guidance note 7)			Will the provision of late night refreshment take place indoors or outdoors or both – please tick (please read guidance note 3)	Indoors	
Day	Start	Finish		Outdoors	<input checked="" type="checkbox"/>
Mon				Both	
				<p><b>Please give further details here</b> (please read guidance note 4)                      We will serve Jerk Chicken and Corn from 23.00 until 1.30am on Friday and Saturdays this Will start From late June. <i>Served on BBQ Within the entrance on the left.</i></p>	
			<p><b>State any seasonal variations for the provision of late night refreshment</b> (please read guidance note 5)                      In the Summer months food may be served a until 2am where the premise is open. <i>late</i></p>		
			<p><b>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</b> (please read guidance note 6)                      on Bank Holidays which fall on another day to Friday and Saturday food will be served from 23.00hrs until 1.30am</p>		
Fri	23:00	01:30			
Sat	23:00	01:30			
Sun					

J

Supply of alcohol Standard days and timings (please read guidance note 7)			Will the supply of alcohol be for consumption – please tick (please read guidance note 8)	On the premises	<input checked="" type="checkbox"/>	
Day	Start	Finish		Off the premises	<input type="checkbox"/>	
Mon	12:00	23:15	State any seasonal variations for the supply of alcohol (please read guidance note 5)	Both	<input type="checkbox"/>	
Tue	12:00	23:15				
Wed	12:00	23:45				
Thur	12:00	23:45		Non-standard timings. Where you intend to use the premises for the supply of alcohol at different times to those listed in the column on the left, please list (please read guidance note 6) On Bank Holidays where these days fall on another day to what is stated the premises will supply alcohol in accordance with the latest time 3.30am		
Fri	12:00	02:15				
Sat	12:00	02:15				
Sun	12:00	23:15				

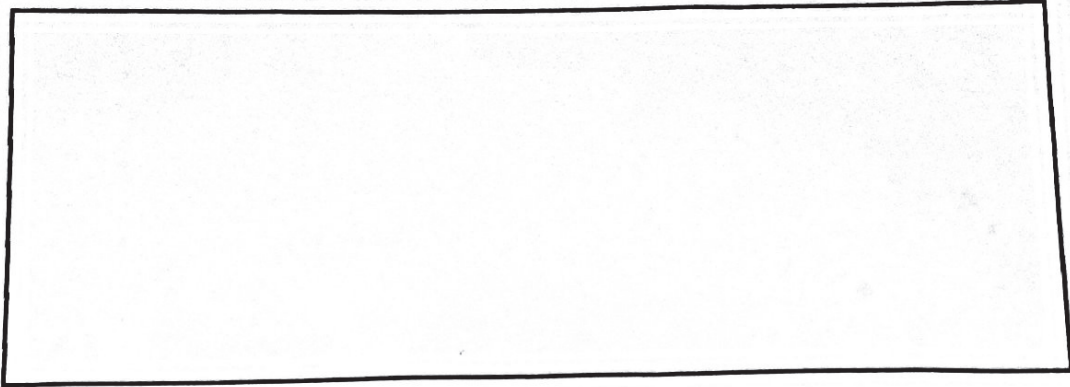
State the name and details of the individual whom you wish to specify on the licence as designated premises supervisor (Please see declaration about the entitlement to work in the checklist at the end of the form):

Name Keisha Riley-Douglas	
Date of birth [REDACTED]	
[REDACTED]	
Postcode	[REDACTED]
Personal licence number (if known)	
Issuing licensing authority (if known)	

K

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





L

Hours premises are open to the public Standard days and timings (please read guidance note 7)			State any seasonal variations (please read guidance note 5)
Day	Start	Finish	
Mon	11:00	00:00	<b>Non-standard timings. Where you intend the premises to be open to the public at different times from those listed in the column on the left, please list (please read guidance note 6) read guidance note 6)</b> On Bank Holidays and Festive holidays where these days fall on another day to what is stated the premises will supply alcohol in accordance with the latest time 3.30am WE will apply for a Temporary licence for bank holidays
Tue	11:00	00:00	
Wed	11:00	00:30	
Thur	11:00	00:30 00:30	
Fri	11:00	03:00	
Sat	11:00	03:00	
Sun	11:00	00:00	

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

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

All Days will be covered my staff who are first aid trained, a safeguarding officer who be working when children are onsite and security who work on all busy nights.

**b) The prevention of crime and disorder**

I will work closely with the police to obtain any persons who's know to police who may be of concern. or licencing officer.

An I'd scanner will be used on all weekend events or events which prove to be popular.

No re-entry after 1am on days which close late.

Re -searching on every occasion ( even after smoking)

**c) Public safety**

All customers will be searched on entry to the premises after 10pm  
Music will be turned off 30 minutes before closing in order to allow the slow dispersal of people.

Security will be outside at all times to over see crowd management

The capacity of the premises is 150 people, however we will have a buffer of 30 people in order to not over crowded the place, at which point we will operate a one in one out system.

Challenge 25 will be in place

People who are too intoxicated will be refuse entry.

**d) The prevention of public nuisance**

All rubbish will be cleared for outside the premises on a nightly basis.

All music will be kept to a regulated decibel.

People who are loud or disorderly will be asked to move on quietly.

On any busy days we will make sure the que for entry is kept to a minimum.

Any persons within close proximity to the building who is disorderly will be asked to leave or police will be called.

No glass bottles will be allowed outside after 8pm  
or inside



**e) The protection of children from harm**

Children will not be allowed in the premises beyond 8pm on any given day unless it involves a private party hired by the public.

Children must always be accompanied by an adult at any given time.

Designated safe guarding officer working when children are ~~leave~~ on the premises

**Checklist:**

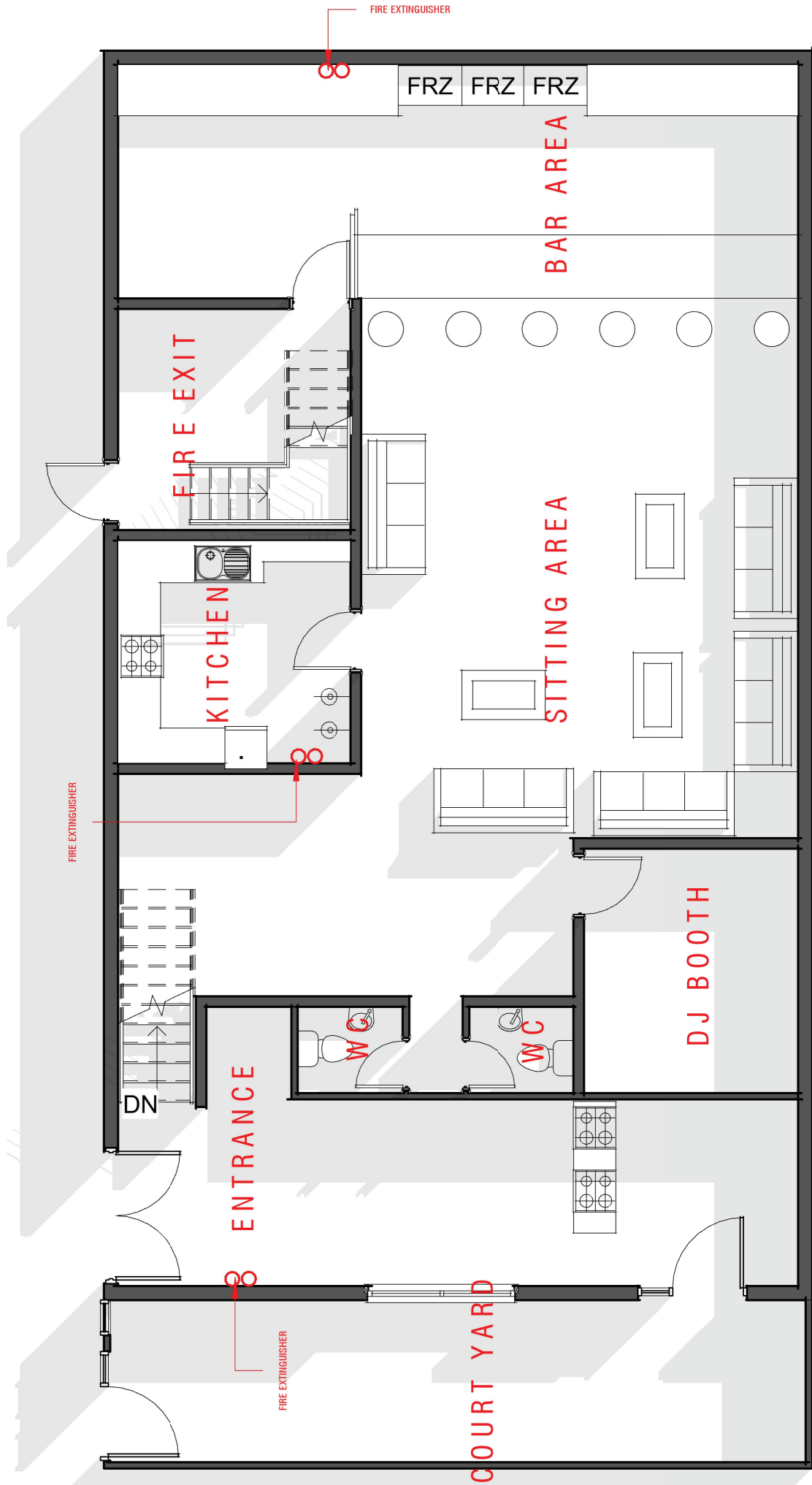
**Please tick to indicate agreement**

- I have made or enclosed payment of the fee. ✓
- I have enclosed the plan of the premises. ✓
- I have sent copies of this application and the plan to responsible authorities and others where applicable. ✓
- I have enclosed the consent form completed by the individual I wish to be designated premises supervisor, if applicable. ✓
- I understand that I must now advertise my application. ✓
- I understand that if I do not comply with the above requirements my application will be rejected. ✓
- 

[Applicable to all individual applicants, including those in a partnership which is not a limited liability partnership, but not companies or limited liability partnerships] I have included documents demonstrating my entitlement to work in the United Kingdom or my share code issued by the Home Office online right to work checking service (please read note 15).

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

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



1

# Level 1

1 : 100



# APPENDIX B1

## 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 1505CE Dave ATKINS
TELEPHONE NUMBER	020 7275 3022
E-MAIL ADDRESS	hackneylicensing@met.police.uk

### APPLICATION PREMISES

NAME & ADDRESS OF PREMISES	<b>79B Kingsland High Street London E8 2PB</b>
NAME OF PREMISES USER	<b>Keshia RILEY-DOUGLAS</b>

### 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      ◆
- the protection of children from harm      ◆

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

Police make the following objections in relation the application for a new premises licence at 79B Kingsland High Street, E8 2PB on the following grounds;

The premises is located within the Dalston special Policy area. This area has heavy foot traffic throughout the day and night, which is increases over the weekend period. This particular premises is the site of a previous licensed venue that had its licence revoked in December 2017 due to continual problems and serious crime relating to the premises. Therefore the applicant will need to provide evidence that there will be no negative cumulative impact on the four licensing objectives.

There are often see large crowds gathered in the public square adjacent to the proposed premises location which often suffers from Anti-Social behaviour in the form of street drinkers and drug use leading to a negative impact on local residents and businesses.

There appears to be very little space at the front of the venue to incorporate a Barbeque and staff whilst effectively searching prospective customers. The use of the barbeque at the venue is likely to encourage attention from street drinkers in the area whether or not this is who this is aimed at.

Police also recommend that all non-standard hours such as extended hours on Bank holidays and festive holidays are removed from the application and the applicant can apply for a Temporary event Notices (TEN) on these occasions so they can be appropriately risk assessed.

Police have taken the time to meet with applicant and have discussed the issues surrounding the history of the venue and the local area. We have spoken about police concerns regarding the barbeque and bringing the premises hours it mirror those of the core hours as outlined in LP3 in the statement of Licensing policy by London Borough of Hackney.

Despite the above Police feel that Should there be a new licence granted for the premises is the opinion of police that previous clientele will attempt to re-establish themselves in the venue and the drop in ASB and Crime and disorder that has been seen since Its closure will begin to rise again. Should the committee feel mindful to grant the application for a new licence police feel it would be appropriate to ensure that it is a time limited to the period of a year so the venue can establish and prove itself as a community asset and not effect the area and community in a negative capacity. Added to this the applicant has no current lease for the premises and after discussions with the freeholder the applicant has been advised to attempt to obtain a licence for the premises prior to any formal agreement. Without a lease the newly licensed premises has the possibility of being passed to a third party that has a completely different vision for the premises that is likely to add to the negative cumulative impact of the area.

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

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

Signed PC 1505CE ATKINS (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	Hackney Service Centre 1 Hillman Street London E8 1DY
CONTACT NAME	David Tuitt
TELEPHONE NUMBER	020 8356 4942
E-MAIL ADDRESS	david.tuitt@hackney.gov.uk

**APPLICATION PREMISES**

NAME & ADDRESS OF PREMISES	Basement 79 Kingsland High Street London E8 2PB
NAME OF APPLICANT	Keshia Riley-Douglas

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

## Representation in relation to:

I make a representation in relation to this application as the premises is located within the Dalston Special Policy Area (SPA). The SPA has been identified as suffering from the negative cumulative impact of the concentration of licensed premises in the area. It should be noted that **LP10** (Special Policy Areas – Dalston and Shoreditch) of the Council's Statement of Licensing Policy states:

### **LP10 Special Policy Areas – Dalston and Shoreditch**

It is the Council's policy that where a relevant representation is made to any application within the area of the Dalston SPA or Shoreditch SPA, the applicant will need to demonstrate that the proposed activity and the operation of the premises will not add to the cumulative impact that is currently being experienced in these areas. This policy is to be strictly applied.

It should also be noted that the;

- quality and track record of the management;
- good character of the applicant; and
- extent of any variation sought

May not be in itself sufficient.

*It should be noted that if an applicant can demonstrate that they will not add to the cumulative impact in their operating schedule and at any hearing, then the Core Hours Policy within LP3 will apply.*

Evidential research used to inform the Policy made a number of notable findings, including:

- Most crime in Dalston (51%) occurred between the hours of 2200 and 0359 hours peaking between 0100 to 0259 hours over a period of 5 years.
- Friday's to Sunday's experienced the most crime overall (67%) of the total, particularly between Friday PM to Saturday AM, and Saturday PM to Sunday Morning between 2200 hours and 0459 hours (42%).
- A 'Behaviour Study' undertaken between May and November 2016 made a series of findings, including Dalston being a noisy location late at night, with many noise 'incidents', as well as a generally high ambient noise level creating potential conflicts of between local residents and ENTE businesses and patrons.

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

The Licensing Act 2003, Statement of Licensing Policy 2018-2023 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 to obtain further information in relation to the proposed operation of the premises and the measures proposed in the operating schedule. This is having regard to the nature of the local area and the setting of

the premises within the Dalston SPA.

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

**Date:** 22/07/2019



Licensing (Shared Mailbox) &lt;licensing@hackney.gov.uk&gt;

**79 Kingsland High Street E8 2PB**

1 message

To: "licensing@hackney.gov.uk" &lt;licensing@hackney.gov.uk&gt;

21 July 2019 at 16:56

Dear Licensing,

The combination of entertainment and alcohol sales is especially problematic in basement premises like these often leading to nuisance and crime.

The late hours applied for seem reckless in the circumstances given the problematic history of the premises.

This proposal would add to the cumulative impact of ASB in the locality.

Regards,



Basement

79 Kingsland High Street

London

E8 2PB

Dalston

Miss Riley-Douglas

Application for a premises licence for live music from 12:00 to 23:00 Thurs to Sun , recorded music and anything of similar description from 11:00 to 23:30 Sun to Tue, 11:00 to 00:30am Wed and Thurs and from 11:00 to 02:30am Fri and Sat, late night refreshment from 23:00 to 01:30am Fri and Sat and to authorise the supply of alcohol for consumption on the premises from 12:00 to 23:15 Sun to Tue, 12:00 to 23:45 Wed and Thurs and from 12:00 to 02:15am Fri and Sat.

22/07/2019



Licensing (Shared Mailbox) &lt;licensing@hackney.gov.uk&gt;

**Morna Lounge 79 Kingsland High St, Dalston, London E8 2PB**

1 message

8 July 2019 at 07:33

to: [REDACTED] &lt;licensing@hackney.gov.uk&gt; &lt;licensing@hackney.gov.uk&gt;

Re: Morna Lounge 79 Kingsland High St, Dalston, London E8 2PB

Dear Sir or Madam,

As a resident of Hackney I am writing to object to the application by Morna Lounge for:

premises licence for live music from 12:00 to

23:00 Thurs to Sun , recorded music and anything of similar description from 11:00 to 23:30 Sun to Tue, 11:00 to 00:30am Wed and Thurs and from 11:00 to 02:30am Fri and Sat, late night refreshment from 23:00 to 01:30am Fri and Sat and to authorise the supply of alcohol for consumption on the premises from 12:00 to 23:15 Sun to Tue, 12:00 to 23:45 Wed and Thurs and from 12:00 to 02:15am Fri and Sat.' for the basement at [79 Kingsland High Street](#).

I object on the grounds of the following:

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

Given the large number of other licensed premises in the area, the problem of alcohol-related anti-social behaviour at Morna Lounge, I hope you reject it's application.

Thank you.

From:

[REDACTED]  
Lydford Close  
Shellgrove Estate  
London  
N16 [REDACTED]



Licensing (Shared Mailbox) &lt;licensing@hackney.gov.uk&gt;

**Morna Lounge, 79 Kingsland High Street**

1 message

15 July 2019 at 17:23

To: "Licensing (Shared Mailbox)" &lt;licensing@hackney.gov.uk&gt;

Cc: "Peter Snell (Cllr)" &lt;Peter.Snell@hackney.gov.uk&gt;, "Soraya Adejare (Cllr)" &lt;Soraya.Adejare@hackney.gov.uk&gt;, Guy.Hicks@met.pnn.police.uk, Wardens Unknown &lt;wardens@hackney.gov.uk&gt;

Dear Hackney Licensing,

I am writing on behalf of the Rio Cross Residents Association to OBJECT to the application for a 'premises licence for live music from 12:00 to 23:00 Thurs to Sun , recorded music and anything of similar description from 11:00 to 23:30 Sun to Tue, 11:00 to 00:30am Wed and Thurs and from 11:00 to 02:30am Fri and Sat, late night refreshment from 23:00 to 01:30am Fri and Sat and to authorise the supply of alcohol for consumption on the premises from 12:00 to 23:15 Sun to Tue, 12:00 to 23:45 Wed and Thurs and from 12:00 to 02:15 am Fri and Sat.' for the basement at 79 Kingsland High Street.

We understand from reports in the Hackney Gazette that the proprietors failed to win back their previous license after it was revoked by the police following an incident involving a knife and a further history of reports of weapons, drugs and fights at the premises.

Especially in the context of cuts to police resources and limited availability of Council wardens we are extremely concerned that providing this licence will create an unacceptable risk of crime and anti-social behaviour in an area where local residents already experience high levels.

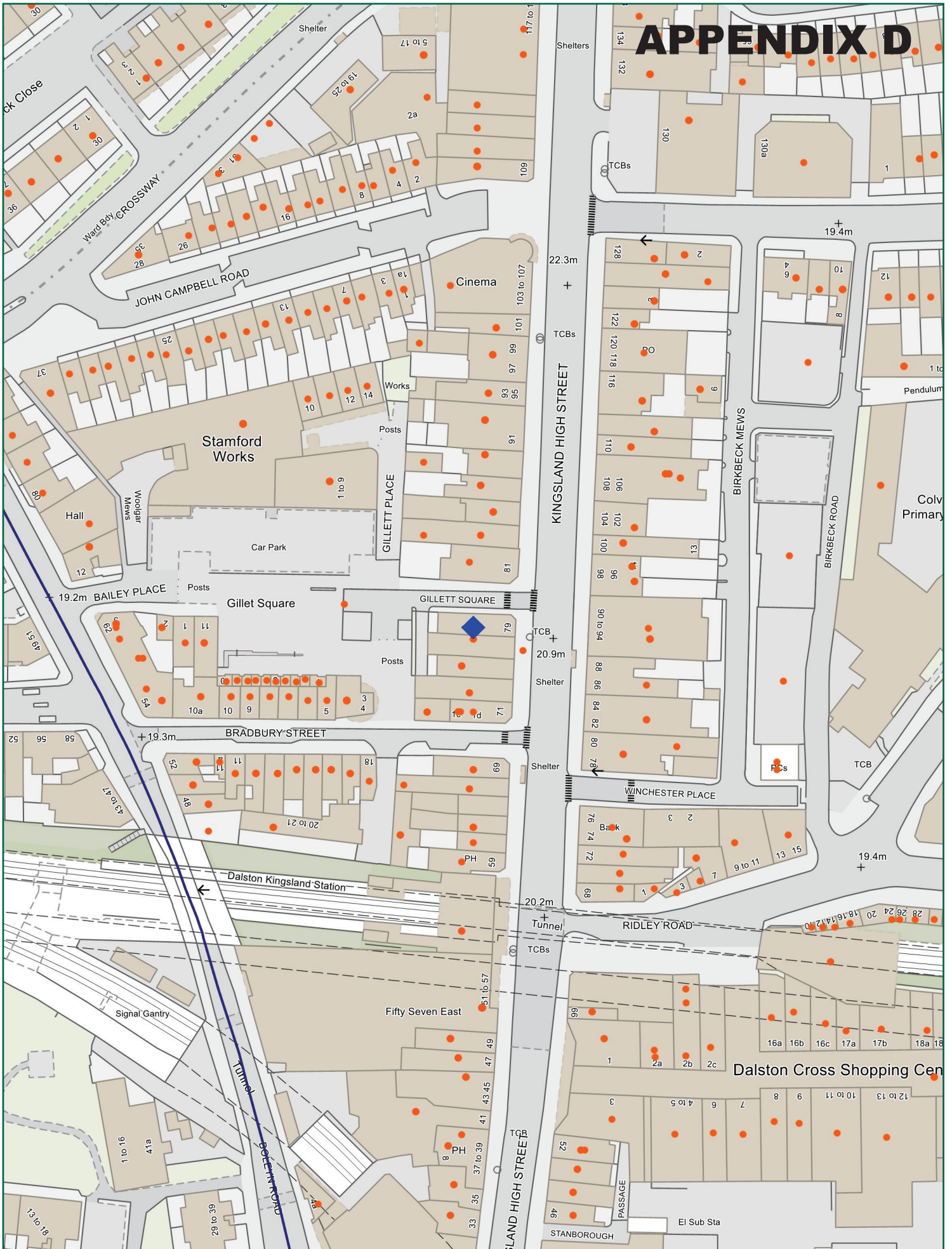
In view of the Licensing Policy's objective of preventing crime and disorder, we urge you to reject this application.

Yours sincerely,

Secretary, Rio Cross Residents Association



# APPENDIX D



Scale: 1:1250 at A4



Ref:  
01 August 2019

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please specify copyright statement