

<b>REPORT OF THE GROUP DIRECTOR, NEIGHBOURHOODS AND HOUSING</b>		
<b>LICENSING SUB-COMMITTEE:</b> 28/11/2019	<b>Classification</b>  DECISION	Enclosure
<b>APPLICATION TO VARY THE PREMISES LICENCE :</b> The Old Street Gallery, 62 Paul Street, EC2A 4NA	<b>Ward(s) affected</b>  Hoxton East & Shoreditch	

### 1. SUMMARY

<b>Applicant(s)</b> Pacharin Burton	<b>In SPA:</b> No
<b>Date of Application</b> 9 October 2019	<b>Period of Application</b> Permanent
<b>Proposed variation:</b> Plays Films Live Music Recorded Music Performance of Dance Supply of Alcohol (On sales)	
<b>Proposed hours for licensable activity</b>	
<b>Plays</b>  Indoor	<b>Standard Hours:</b>  Mon 10:00-23:30 Tue 10:00-23:30 Wed 10:00-23:30 Thu 10:00-23:59 Fri 10:00-23:59 Sat 10:00-23:59 Sun 10:00-23:30
<b>Films</b>  Indoor	<b>Standard Hours:</b>  Mon 10:00-23:30 Tue 10:00-23:30 Wed 10:00-23:30 Thu 10:00-23:59 Fri 10:00-23:59 Sat 10:00-23:59 Sun 10:00-23:30

<p><b>Live Music</b></p> <p>Indoor</p>	<p><b>Standard Hours:</b></p> <p>Mon 10:00-23:30  Tue 10:00-23:30  Wed 10:00-23:30  Thu 10:00-23:59  Fri 10:00-23:59  Sat 10:00-23:59  Sun 10:00-23:30</p>
<p><b>Recorded Music</b></p> <p>Indoor</p>	<p><b>Standard Hours:</b></p> <p>Mon 10:00-23:30  Tue 10:00-23:30  Wed 10:00-23:30  Thu 10:00-23:59  Fri 10:00-23:59  Sat 10:00-23:59  Sun 10:00-23:30</p>
<p><b>Performance of Dance</b></p> <p>Indoor</p>	<p><b>Standard Hours:</b></p> <p>Mon 10:00-23:30  Tue 10:00-23:30  Wed 10:00-23:30  Thu 10:00-23:59  Fri 10:00-23:59  Sat 10:00-23:59  Sun 10:00-23:30</p>
<p><b>Supply of Alcohol</b></p>	<p><b>Standard Hours:</b></p> <p>Mon 10:00-23:30  Tue 10:00-23:30  Wed 10:00-23:30  Thu 10:00-23:59  Fri 10:00-23:59  Sat 10:00-23:59  Sun 10:00-23:30</p>
<p><b>The opening hours of the premises:</b></p> <p><b>Standard Hours:</b></p> <p>Mon 10:00-23:30  Tue 10:00-23:30  Wed 10:00-23:30  Thu 10:00-23:59  Fri 10:00-23:59  Sat 10:00-23:59  Sun 10:00-23:30</p>	
<p><b>Current activities/hours:</b>  See current licence attached as Appendix D</p>	
<p><b>Capacity:</b> not known</p>	

<b>Policies Applicable</b>	LP1 (General Principles), LP2 (Licensing Objectives), LP3 (Core Hours), LP5 (Planning Status) and LP11 (Cumulative Impact - General)
<b>List of Appendices</b>	A – Application for variation of premises licence and supporting documents B – Representations from responsible authorities C – Representations from ‘other persons’ D- Current Licence E – Location map
<b>Relevant Representations</b>	<ul style="list-style-type: none"> <li>• Environmental Health Authority(Environmental Protection)</li> <li>• Police</li> <li>• Licensing Authority</li> <li>• Other Persons</li> </ul>

## 2. APPLICATION

- 2.1 Pacharin Burton 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 add hours for provision of regulated entertainment
- 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 was granted by Licensing Sub-Committee on 5 July 2018.
- 3.2 The premises have operated with Temporary Event Notices in 2019 as follows:

<u>Date of the event(s)</u>	<u>Hours</u>
22/02/2019-24/02/2019	23:00-04:00
18/03/2019	00.01-02.30
20/04/2019	00.01-03.00
08/05/2019	00.01-03.00
11/05/2019	00.01-03.00
20/07/2019	00.01-03.00
21/07/2019	00.01-04.00
17/08/2019	00.01-02.30
25/08/2019	00.01-03.00
02/09/2019	00.01-02.30
12/10/2019	00.01-03.00
25/10/2019-26/10/2019	22.30-23.59
02/11/2019	00.01-04.00
09/11/2019-10/11/2019	22.00-03.00
23/11/2019-24/11/2019	20.00-02.30

#### 4. REPRESENTATIONS: RESPONSIBLE AUTHORITIES

From	Details
Environmental Health Authority (Environmental Protection) (Appendix B1)	Representation received on the grounds of the prevention of public nuisance
Environmental Health Authority (Environmental Enforcement)	No representation received
Environmental Health Authority (Health & Safety)	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	No representation received
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 Core Hours.
Licensing Authority (Appendix B4)	Representation received on the grounds of The Prevention of Crime and Disorder, Prevention of Public Nuisance and Core Hours.
Health Authority	No representation received

#### 5. REPRESENTATIONS: OTHER PERSONS

Two Representations received from and on behalf of local residents. (Appendices C1 & C2)	Representation received on the grounds of The Prevention of Crime and Disorder, Public Safety, Prevention of Public Nuisance, The Protection of Children from Harm, Core Hours and Cumulative Impact.
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#### 6. GUIDANCE CONSIDERATIONS

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

#### 7. POLICY CONSIDERATIONS

- 7.1 Licensing Sub-Committee is required to have regard to the London Borough of Hackney's Statement of Licensing Policy ("the Policy") adopted by the Licensing Authority.

- 7.2 The Policy applies to applications where relevant representations have been made. With regard to this application, policies LP1 (General Principles), LP2 (Licensing Objectives), LP3 (Core Hours), LP5 (Planning Status) and LP11 (Cumulative Impact - General) 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:

Not Applicable

## **9. REASONS FOR OFFICER OBSERVATIONS**

- 9.1 No additional conditions have been proposed by the 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.

<b>Acting Group Director, Neighbourhoods and Housing</b>	Ajman Ali
<b>Lead Officer (holder of original copy):</b>	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.

<b>Description of document</b>	<b>Location</b>
The Old Street Gallery 62 Paul Street, EC2A 4NA	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 Pacharin Burton

*(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**

095761

**Part 1 – Premises Details**

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

Unit 3  
62 PAUL STREET  
HACKNEY

Post town

LONDON

Postcode

EC2A 4NA

Telephone number at premises (if any)

Non-domestic rateable value of premises

£24000

**Part 2 – Applicant details**

Daytime contact telephone number

E-mail address (optional)

Current postal address if different from premises address

UK-England

Post

Postcode

town			
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**Part 3 – Variation**

Please tick as appropriate	
Do you want the proposed variation to have effect as soon as possible?	Yes
If not, from what date do you want the variation to take effect?	
Do you want the proposed variation to have effect in relation to the introduction of the late night levy? (Please see guidance note 1)	Yes
	<input checked="" type="checkbox"/> No

<p><b>Please describe briefly the nature of the proposed variation</b> (Please see guidance note 2)</p> <p>I'm proposing an extension of the licensable hours by 90 minutes longer daily.</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:

100
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## 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.

<b>Provision of regulated entertainment (Please see guidance note 3)</b>	<b>Please tick all that apply</b>
a) plays (if ticking yes, fill in box A)	<input checked="" type="checkbox"/>
b) films (if ticking yes, fill in box B)	<input checked="" type="checkbox"/>
c) indoor sporting events (if ticking yes, fill in box C)	..
d) boxing or wrestling entertainment (if ticking yes, fill in box D)	..
e) live music (if ticking yes, fill in box E) <input type="checkbox"/>	<input checked="" 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 checked="" type="checkbox"/>
h) anything of a similar description to that falling within (e), (f) or (g) (if ticking yes, fill in box H)	..
<b><u>Provision of late night refreshment</u></b> (if ticking yes, fill in box L)	..
<b>Sale by retail of alcohol</b> (if ticking yes, fill in box J)	<input checked="" type="checkbox"/>
<b>In all cases complete boxes K, L and M</b>	

**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 checked="" type="checkbox"/>
Day	Start	Finish		Outdoors	
				Both	
Mon	10:00	23:30	<b>Please give further details here</b> (please read guidance note 5) Art performance, dramas and plays with background music		
Tue	10:00	23:30			
Wed	10:00	23:30	<b>State any seasonal variations for performing plays</b> (please read guidance note 6) As an art gallery we occasionally work with colleges, universities or independent artists which result to different plays or sometimes dance performances to take place at the venue.		
Thur	10:00	23:59			
Fri	10:00	23:59	<b>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</b> (please read guidance note 7) None		
Sat	10:00	23:59			
Sun	10:00	23:30			

**B**

<b>Films</b> Standard days and timings (please read guidance note 8)			<b>Will the exhibition of films take place indoors or outdoors or both – please tick</b> (please read guidance note 4)	Indoors	<input checked="" type="checkbox"/>
Day	Start	Finish		Outdoors	
				Both	
Mon	10:00	23:30	<b>Please give further details here</b> (please read guidance note 5) We occasionally host film premier from small production teams ,display their own works for public or their own guests with sound system		
Tue	10:00	23:30			
Wed	10:00	23:30	<b>State any seasonal variations for the exhibition of films</b> (please read guidance note 6) Occasionally the gallery is requested to display recorded art pieces via projectors or TV screens .		
Thur	10:00	23:59			
Fri	10:00	23:59	<b>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</b> (please read guidance note 7) none		
Sat	10:00	23:59			
Sun	10:00	23:30			

**C**

<b>Indoor sporting events</b> Standard days and timings (please read guidance note 8)			<b>Please give further details</b> (please read guidance note 5)
Day	Start	Finish	
Mon			<b>State any seasonal variations for indoor sporting events</b> (please read guidance note 6)
Tue			<b>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</b> (please read guidance note 7)
Wed			
Thur			
Fri			
Sat			
Sun			

**D**

<b>Boxing or wrestling entertainments</b> Standard days and timings (please read guidance note 8)			<b>Will the boxing or wrestling entertainment take place indoors or outdoors or both – please tick</b> (please read guidance note 4)	Indoors	
Day	Start	Finish		Outdoors	
				Both	
Mon			<b>Please give further details here</b> (please read guidance note 5)		
Tue			<b>State any seasonal variations for boxing or wrestling entertainment</b> (please read guidance note 6)		
Wed			<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</b> (please read guidance note 7)		
Thur					
Fri					
Sat					
Sun					

**E**

<b>Live music</b> Standard days and timings (please read guidance note 8)			<b>Will the performance of live music take place indoors or outdoors or both – please tick</b> (please read guidance note 4)	Indoors	<input checked="" type="checkbox"/>
				Outdoors	
				Both	
Day	Start	Finish	<b>Please give further details here</b> (please read guidance note 5) Art performances, live performances, live bands with sound system which may be amplified and unamplified.  <b>State any seasonal variations for the performance of live music</b> (please read guidance note 6) As an art gallery we occasionally work with artists who wish to express themselves more ways than one which result to different type of performances to take place at the venue, it can be unplugged performances, religion related performances to band practices with controlled noise level  <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 7)		
Mon	10:00	23:30			
	-----	-----			
Tue	10:00	23:30			
	-----	-----			
Wed	10:00	23:30			
	-----	-----			
Thur	10:00	23:59			
	-----	-----			
Fri	10:00	23:59			
	-----	-----			
Sat	10:00	23:59			
	-----	-----			
Sun	10:00	23:30			
	-----	-----			

**F**

<b>Recorded music</b> Standard days and timings (please read guidance note 8)			<b>Will the playing of recorded music take place indoors or outdoors or both – please tick</b> (please read guidance note 4)	Indoors	<input checked="" type="checkbox"/>
Day	Start	Finish		Outdoors	
				Both	
Mon	10:00	23:30	<b>Please give further details here</b> (please read guidance note 5) Background music from playlists connecting to speakers		
Tue	10:00	23:30			
Wed	10:00	23:30	<b>State any seasonal variations for the playing of recorded music</b> (please read guidance note 6) As an art gallery we often work with producers and independent artists which result to different type of background music taking place while the exhibitions take place with controlled noise level.		
Thur	10:00	23:59			
Fri	10:00	23:59	<b>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</b> (please read guidance note 7)		
Sat	10:00	23:59			
Sun	10:00	23:30			

**G**

<b>Performances of dance</b> Standard days and timings (please read guidance note 8)			<b>Will the performance of dance take place indoors or outdoors or both – please tick</b> (please read guidance note 4)	Indoors	<input checked="" type="checkbox"/>
Day	Start	Finish		Outdoors	
				Both	
Mon	10:00	23:30	<b>Please give further details here</b> (please read guidance note 5) Art performance, dance with background music		
Tue	10:00	23:30			
Wed	10:00	23:30	<b>State any seasonal variations for the performance of dance</b> (please read guidance note 6) As an art gallery we occasionally work with colleges, universities or independent artists which result to different plays or sometimes dance performances to take place at the venue.		
Thur	10:00	23:59			
Fri	10:00	23:59	<b>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</b> (please read guidance note 7)		
Sat	10:00	23:59			
Sun	10:00	23:30			



H

<b>Anything of a similar description to that falling within (e), (f) or (g)</b> Standard days and timings (please read guidance note 8)			<b>Please give a description of the type of entertainment you will be providing</b>		
Day	Start	Finish	<b>Will this entertainment take place indoors or outdoors or both – please tick</b> (please read guidance note 4)	Indoors	
Mon				Outdoors	
				Both	
Tue			<b>Please give further details here</b> (please read guidance note 5)		
Wed					
Thur			<b>State any seasonal variations for entertainment of a similar description to that falling within (e), (f) or (g)</b> (please read guidance note 6)		
Fri					
Sat			<b>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</b> (please read guidance note 7)		
Sun					

<b>Late night refreshment</b> Standard days and timings (please read guidance note 8)			<b>Will the provision of late night refreshment take place indoors or outdoors or both – please tick</b> (please read guidance note 4)		Indoors	
					Outdoors	
Day	Start	Finish			Both	
Mon			<b>Please give further details here</b> (please read guidance note 5)			
Tue						
Wed			<b>State any seasonal variations for the provision of late night refreshment</b> (please read guidance note 6)			
Thur						
Fri			<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 7)			
Sat						
Sun						

**J**

<b>Supply of alcohol</b> Standard days and timings (please read guidance note 8)			<b>Will the supply of alcohol be for consumption – please tick</b> (please read guidance note 9)	On the premises	<input checked="" type="checkbox"/>
				Off the premises	
				Both	
Day	Start	Finish	<b>State any seasonal variations for the supply of alcohol</b> (please read guidance note 6) Offering alcohol and non alcohol refreshment to clients/guests during the visit of the venue in a respectful and controlled environment.		
Mon	10:00	23:30			
Tue	10:00	23:30			
Wed	10:00	23:30			
Thur	10:00	23:59			
Fri	10:00	23:59			
Sat	10:00	23:59			
Sun	10:00	23:30			
			<b>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</b> (please read guidance note 7) Default.LicesableActivitiesJ_plays_non_s»		

**K**

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

Some contents in the art works which maybe displayed at a time could potentially be revealing due to the nature the imagination and work of art. If there happens to be such exhibition hosted the venue will be firmly informative to the public at the reception area and proof of age up on entry will be in force.

**L**

<p><b>Hours premises are open to the public</b> Standard days and timings (please read guidance note 8)</p>			<p><b>State any seasonal variations</b> (please read guidance note 6) This are our expected operating hours. The hours are usually much shorter and the gallery doesn't open everyday but these hours given would cover all activities within this time limit.</p>
Day	Start	Finish	
Mon	10:00	23:30	<p><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</b> (please read guidance note 7)</p>
Tue	10:00	23:30	
Wed	10:00	23:30	
Thur	10:00	23:59	
Fri	10:00	23:59	
Sat	10:00	23:59	
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.

We are happy with current condition which set out by the police and relevant authorities. I'm proposing the extension of the hours for 90 minutes longer daily including the sale of alcohol.

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)**

TO PROMOTE ALL FOUR LICENSING OBJECTIVES WE WILL KEEP:  
Strong management controls and effective training of all staff so that they are aware of the premises licence and the requirements to meet the four licensing objectives with particular attention to  
a/ no selling of alcohol to underage people  
b/ no drunk and disorderly behaviour on the premises area  
c/ vigilance in preventing the use and sale of illegal drugs at the retail area  
d/ no violent and anti-social behaviour  
e/ no any harm to children  
- Operating Schedule providing the hours of operation and licensable activities during those hours.  
- Designated premises supervisor confirmed it is obligated to be in day-to-day control of the premises, to provide good training for staff on the Licensing Act (Training Record), to make or authorize each sale  
- Clear "Challenge 25" information to prevent the supply of alcohol to under-age drinkers.  
- CCTV system installed with recording option available  
As a licensed premises we know that it is necessary to carry out our functions or operate their businesses with a purpose of promoting these objectives. We promise to support these objectives through their operating schedules and other measures (including staff training and qualifications, policies, and strategic partnerships with other agencies).

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

- CCTV installation  
- Liaising with local community law enforcement, other residents and council  
- Record keeping of unusual circumstances  
- Reporting criminal activities to the relevant enforcement authorities  
- Refuse entry to prevent antisocial behaviour  
- Refuse serving alcohol if someone appear to be drunk or intoxicated  
- A clear and legible notice outside the premises indicating the normal hours under the terms of the premises licence during which the licensable activities are permitted.  
- Keep an incident book on the premises where staff can record details of any incidents and individuals involved  
- Training staff to prevent and to handle the unexpected situations  
- Ensure SIA qualified securities are on duty subject to risk assessment concern

**c) Public safety**

- Ensuring appropriate public liability insurance cover
- Staff training and best practices for safety and hazard prevention
- Clearly labelled and independently lit emergency exits and robust evacuation procedure
- Comply with all statutory fire safety controls as per communities and local government and London Fire Brigade in addition to regular liaising with these authorities
- Additional awareness and training on general and appropriate Health and safety as per the Health and Safety Executive guidance.
- Keep up to date with Health & Safety requirements.
- Ensure the fire / emergency exit is clear of all time
- Fire extinguishers are in place in case of emergency
- Installation of the smoke alarms
- Fire doors meet at highest safety standard
- First aid box is kept up to date
- Ensure that the environment temperature is measured and controlled.
- Ensure that the wastes are properly stored and disposed
- Ensure SIA qualified securities are on duty according to risk assessment concern

#### **d) The prevention of public nuisance**

- Measures to prevent noise will include a prominent notice to remind leaving guests not to make noise, an acoustic lobby the entrance, not placing speakers adjacent to residential walls and liaising with neighbours and their opinions.
- Rubbish and litter measures include rubbish bins and glass refuse away from public access
- Keeping front of the premises tidy and clean
- Adequate waste receptacles for use by customers will be provided in the local vicinity
- Deliveries of goods necessary for the operation of the business will be carried out at such a time or in such a manner as to prevent nuisance and disturbance to nearby residents
- No drink allowed outside the premises
- All guests are made understood of the polite manners when leaving the venue
- Provide details of the nearest public car park
- Ensure SIA qualified securities are on duty subject to the health and safety risk assessment to maintain the security and decency of the public

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

- Restrict access to the premises to exclude children during exhibitions aimed for adults by a notice explaining to customers when and where children are allowed or not
  - Staff trained in checking customers' ages by only accepting the following identification: passport, driving licence, Citizen card
  - Keep a refusal book on the premises where staff can record details of everyone who has been refused alcohol.
  - During events specifically for people under the age of 18 years, adult staff with a DBS must be employed to ensure their safety.
- Where entertainment of an adult or sexual nature is provided, children under the age of 18 years are not allowed into the premise
- Log Book will be kept upon the premises all the time.

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	Pachrin Burton
Date	9/10/2019
Capacity	PACHRIN BURTON

**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	9/10/2019
Capacity	



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

Applicant address

UK-England

**Post town**

**Post code**

**Telephone number (if any)**

**If you would prefer us to correspond with you by e-mail, your e-mail address (optional)**

### Notes for Guidance

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

1. You do not have to pay a fee if the only purpose of the variation for which you are applying is to avoid becoming liable for the late night levy
2. Describe the premises. For example, the type of premises, its general situation and layout and any other information which could be relevant to the licensing objectives. Where your application includes off-supplies of alcohol and you intend to provide a place of consumption of these off-supplies of alcohol, you must include a description of where the place will be and its proximity to the premises.
3. In terms of specific regulated entertainments please note that:
  - Plays: no licence is required for performances between 08.00 and 23.00 on any day, provided that the audience does not exceed 500.
  - Films: no licence is required for 'not-for-profit' film exhibition held in community premises between 08.00 and 23.00 on any day provided that the audience does not exceed 500 and the organiser (a) gets consent to the screening from a person who is responsible for the premises; and (b) ensures that each such screening abides by age classification ratings.
  - Indoor sporting events: no licence is required for performances between 08.00 and 23.00 on any day, provided that the audience does not exceed 1000.
  - Boxing or Wrestling Entertainment: no licence is required for a contest, exhibition or display of Greco-Roman wrestling, or freestyle wrestling between 08.00 and 23.00 on any day, provided that the audience does not exceed 1000. Combined fighting sports – defined as a contest, exhibition or display which combines boxing or wrestling

# APPENDIX B1

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

### RESPONSIBLE AUTHORITY DETAILS

NAME OF AUTHORITY	Environmental Protection Team
ADDRESS OF AUTHORITY	Environmental Protection Team 1 Hillman Street London E8 1DY
CONTACT NAME	Olalekan Olaosebikan
TELEPHONE NUMBER	020 8356 4455
E-MAIL ADDRESS	olalekan.olaosebikan@hackney.gov.uk

### APPLICATION PREMISES

NAME & ADDRESS OF PREMISES	The Old Street Gallery Unit 3 62 Paul Street EC2A 4NA
NAME OF APPLICANT	Pacharin Burton

### COMMENTS

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

- the prevention of crime and disorder **x**
- public safety **x**
- the prevention of public nuisance **x**
- the protection of children from harm **x**

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

I write to make a representation in relation to this application. The proposal could lead to a negative impact on the promotion of the licensing objectives, in particular, the prevention of public nuisance.

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

Environmental Protection Team have not been able to agree conditions for the use of the premises for carrying out regulated entertainment and use of any proposed designated smoking areas with the applicant.

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

The applicant is to contact Environmental Protection Team (Olalekan Olaosebikan) to discuss further the noise mitigation measures to prevent noise from carrying out regulated entertainment and noise or smoke from the use of any proposed designated smoking area.

**Name:** Olalekan Olaosebikan

**Date:** 06/11/2019

**Planning Authority Representation:  
Application under the Licensing Act 2003**

<b>Details of Authority</b>	<b>2 Hillman Street, Hackney, London, E8 1FB</b>
<b>Officer contact name</b>	<b>Claudette Abraham</b>
<b>Officer telephone number</b>	<b>020 8356 4870</b>
<b>Officer's email address</b>	<b>claudette.abraham@hackney.gov.uk</b>

**APPLICATION PREMISES**

Name and address of premises	The Old Street Gallery Unit 3, 62 PAUL STREET
Applicant name	Pacharin Burton

**COMMENTS**

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

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

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

The application proposes to vary an existing license as a gallery. The proposed variation is to extend the license hours by 90 minutes daily.

The licensable activities are:

Plays: Mon-Wed 10:00-23:30, Thurs-Sat 10:00-23:59, Sun 10:00-23:30

Films: Mon-Wed 10:00-23:30, Thurs-Sat 10:00-23:59, Sun 10:00-23:30

Live Music: Mon-Wed 10:00-23:30, Thurs-Sat 10:00-23:59, Sun 10:00-23:30

Recorded Music: Mon-Wed 10:00-23:30, Thurs-Sat 10:00-23:59, Sun 10:00-23:30

Performances of dance: Mon-Wed 10:00-23:30, Thurs-Sat 10:00-23:59, Sun 10:00-23:30

Supply of alcohol: Mon-Wed 10:00-23:30, Thurs-Sat 10:00-23:59, Sun 10:00-23:30

Hours of opening: Mon-Wed 10:00-23:30, Thurs-Sat 10:00-23:59, Sun 10:00-23:30

Planning permission reference: 2011/3021 Demolition of existing building and erection of an up to five storey building, with roof top plant, to provide 1525sqm office Class B1 Use, 415sqm A1 retail; 152 sqm restaurant A3 Class use, 86sqm gallery Class D1 use floor space together with 9 residential units (4 x one bed, 4 x two bed and 1 x three bed) and associated works. (Amendments: Increase in number of residential units, changes to external appearance and height along Mark Street and Leonard Street).

Condition 9 of the planning permission states that 'The D1 use hereby permitted may only be carried out between 07:30 to 2000 hours Mondays to Saturdays and 1000 to 2000 hours Sundays and Bank Holidays.'

A further application for variation of condition (ref. 2018/0862) was granted on 30 April 2018 to extend the opening hours (to 07:00 am to 23:00pm Monday to Saturday and 10:00 to 22:30 on Sundays)

The usage of the premises is permitted. The proposed hours of operation exceed those permitted under the planning consent. Licensing consent does not grant planning consent. Therefore the applicant is advised to lodge a planning application for the proposed hours of operation. 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)

Area (that permission applies to)	Ground Floor
Permitted use	Class D1
Permitted hours	N/A
Specific/restrictive conditions	N/A
Recent applications	N/A
Decisions	N/A
Pending Decisions	N/A
Reasons for refusal	N/A
Relevant Conditions/discharges	N/A

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

**No representation with informative**

The usage of the premises is permitted. The proposed hours of operation exceed those permitted under the planning consent. Licensing consent does not grant planning consent. Therefore the applicant is advised to lodge a planning application for the proposed hours of operation. 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	John Tsang
Date	29/10/19

**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 3691CE Kerrie RYAN
TELEPHONE NUMBER	020 7275 3022
E-MAIL ADDRESS	hackneylicensing@met.police.uk

**APPLICATION PREMISES**

NAME & ADDRESS OF PREMISES	<b>Old Street Gallery Unit 3 62 Paul Street London EC2A 4NA</b>
NAME OF PREMISES USER	<b>Pacharin BURTON</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      ◆
- 4) the protection of children from harm

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

**Police make the following representations in relation to the application to vary the Premises Licence at OLD STREET GALLERY, UNIT 3, 62 PAUL STREET, LONDON, EC2A 4NA for the following reason(s);**

This premises is a gallery/event space on the outskirts of the Shoreditch Special Policy Area. This application seeks additional licensable activity to be included on the premises as follows; plays, films, live music, recorded music and performance of dance. The application also seeks to extend the hours for the sale of alcohol for consumption on the premises.

The hours proposed in this application are outside of the core hours laid out in LBH's Statement of Licensing Policy. LP3 states 'hours for licensable activity will generally be authorised, subject to demonstrating LP1 and LP2 as follows; Monday – Thursday 08:00hrs to 23:00hrs, Friday – Saturday 08:00hrs – 00:00hrs and Sunday 10:00hrs – 22:30hrs. The hours listed inside this application are outside of the core hours and police propose that they be reduced in line with council policy.

Police also refer to Section 3.3 of LBH's Statement of Licensing Policy, which states '*The applicant will need to demonstrate in their operating schedule that there will be no negative cumulative impact on one or more of the licensing objectives*'. The applicant has not included anywhere in this application, what policies and procedures they would consider implementing to ensure that the increase of hours for the sale of alcohol from their premises would not have a negative effect on the cumulative impact and add to the existing problems currently being experienced in Shoreditch. Police feel that this is relevant due to the close proximity to the SPA and the customers leaving this venue would be highly likely to make their way inside the SPA to another venue in order to carry on drinking.

At the very least, police would expect operators to stop selling alcohol 30 minutes prior to the closing of their premises. This is considered best practice and would assist in a smooth closure and dispersal.

The applicant should also note that the application seeks recorded music, but condition 20 on the premises licence prevents music being played any louder than background level allowing a face to face conversation.

Police have had contact with the applicant in relation to amending the hours, but have yet to receive a response.

Police look forward to hearing from the applicant soon.

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 3691CE RYAN  
(By E-mail)

**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	The Old Street Gallery 62 Paul Street London EC2A 4NA
NAME OF APPLICANT	Pacharin Burton

**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 | <b>x</b> |
| 2) | public safety                        |          |
| 3) | the prevention of public nuisance    | <b>x</b> |
| 4) | the protection of children from harm |          |



## Representation in relation to:

I write to make a representation in relation to the prevention of public nuisance and the prevention of crime and disorder. The proposal seeks to extend hours for the supply of alcohol as well as add activities not currently authorised. This could have a negative impact on the promotion of the licensing objectives. Attention is drawn to the following extract from the Council's Statement of Licensing Policy.

### LP3 Core Hours

Hours for licensable activity will generally be authorised, subject to demonstrating LP 1 and LP2, as follows:

- Monday to Thursday 08:00 to 23:00
- Friday and Saturday 08:00 to 00:00
- Sunday 10:00 to 22:30

Hours may be more restrictive dependent on the character of the area and if the individual circumstances require it.

Later hours may be considered where the applicant has identified any risk that may undermine the promotion of the licensing objectives and has put in place robust measures to mitigate those risks.

It is noted that the application seeks to authorise live and recorded music. This would be inconsistent with the below condition:

- 20. All music is to be played at background level allowing a face to face conversation at normal speech level.

It is also noted that existing conditions 19 and 25 (below) could be combined:

- 19. The premises primary function is as an art gallery.
- 25. The provision of licensable activities at the premises shall at all times be ancillary to the premises operating as an art gallery.

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

Licensing Act 2003, Guidance issued by the Home Office, Statement of Licensing Policy

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

Discussion with the applicant in relation to the matters raised above.

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

**Date:** 05/11/2019

# APPENDIX C1

Dear Councillors,

I am writing to object to the application for variation of premises licence to extend supply of alcohol till 23:30 Sun to Wed and till 00:00 Thurs to Sat and to include plays, films, live music, recorded music and performances of dance from 10:00 to 23:30 Sun to Wed and from 10:00 to 00:00 Thurs to Sat at 62 Paul Street.

## SPA context:

The location of 62 Paul Street, is in very close proximity to McQueen's, The Princess, Nobu Hotel, & The Hoxton Hotel and on the same street as the Book Club, The Griffin Pub, Found and Casita. Residents, supported by our ward councillors, have submitted evidence of the increasing negative impact in this quiet area of Shoreditch. Councillor Plouviez is aware of submitted examples, and Councillor Sellman committed to Feryal and residents that the SPA boundary would be reassessed due to the fast- developing nature of our streets.

In addition to the large/established venues - there has been an expansion of tacky venues such as Rascals and Ballie Ballerson. Even "restaurants" are contributing to all day drunkenness, due to the "bottomless brunch" trend.

Local services including Environmental noise team; local police; the "out of hours" incident reporting website are already unable to prevent the negative impacts on residents, and neighbouring properties.

## Licencing context:

To grant an additional license to supply alcohol late into the night in an already over saturated and congested area should be rejected immediately on the grounds it will certainly exacerbate the cumulative negative impact including:

- Public health and safety: on street drinkers blocking pavements outside the Griffin and Book club; people staggering into the road; urinating on private property all across Leonard & Ravey Street.
- Public nuisance: littering (see photo of Scrutton Street); noise nuisance from drivers parking under residential windows, at all hours; loud music (from car stereos, and outdoor drinking venues); drunk and shouty groups, including young girls vomiting on private property at 3-4pm (not just 3-4am).
- Crime and disorder: pre-loading, and drug taking in the street, before going to clubs; dangerous driving; and violent behaviour.

This section of Leonard street is the most saturated part of the Shoreditch area, outside of SPA. It would be totally nonsensical and unbearable for local residents to allow ANOTHER venue to attract and empty inebriated customers onto this part of Shoreditch. It will have a dramatic cumulative impact that cannot be ignored.

“Future Shoreditch” context:

We are in an area that is strategically planned to undergo intensive COMMERCIAL development and provide economic growth for the Borough and London. Several sites, in the Conservation Area, are already highlighted for demolition and newbuild office construction. Very few sites are as closely surrounded by residential properties as in Leonard Street.

Developers, such as those behind Zabeel house, are driven by profit; but the profit cannot continue to be driven by Alcohol sales.

The real cost- the impact on the Local community, residents, and public resources - is unsustainably high.

Granting a further license and negligently allow ANOTHER licensed venue to attract and empty customers onto this saturated part of Leonard Street would be catastrophic in destroying trust in the council to effectively manage the area and licensed premises

Please ensure that this Licence application is viewed very carefully, it must have the most stringent conditions applied to avoid further cumulative impact.

Yours sincerely

██████████

██████████ Leonard Street EC2A ██████████



7.30am Scrutton Street, last Thursday morning..

# APPENDIX C2

Dear Councillors,

I am writing to object to the application for variation of premises licence to extend supply of alcohol till 23:30 Sun to Wed and till 00:00 Thurs to Sat and to include plays, films, live music, recorded music and performances of dance from 10:00 to 23:30 Sun to Wed and from 10:00 to 00:00 Thurs to Sat at 62 Paul Street.

## SPA context:

The location of 62 Paul Street, is in very close proximity to McQueen's, The Princess, Nobu Hotel, & The Hoxton Hotel and on the same street as the Book Club, The Griffin Pub, Found and Casita. Residents, supported by our ward councillors, have submitted evidence of the increasing negative impact in this quiet area of Shoreditch. Councillor Plouviez is aware of submitted examples, and Councillor Sellman committed to Feryal and residents that the SPA boundary would be reassessed due to the fast- developing nature of our streets.

In addition to the large/established venues - there has been an expansion of tacky venues such as Rascals and Ballie Ballerson. Even "restaurants" are contributing to all day drunkenness, due to the "bottomless brunch" trend.

Local services including Environmental noise team; local police; the "out of hours" incident reporting website are already unable to prevent the negative impacts on residents, and neighbouring properties.

## Licencing context:

To grant an additional license to supply alcohol late into the night in an already over saturated and congested area should be rejected immediately on the grounds it will certainly exacerbate the cumulative negative impact including:

- Public health and safety: on street drinkers blocking pavements outside the Griffin and Book club; people staggering into the road; urinating on private property all across Leonard & Ravey Street.
- Public nuisance: littering (see photo of Scrutton Street); noise nuisance from drivers parking under residential windows, at all hours; loud music (from car stereos, and outdoor drinking venues); drunk and shouty groups, including young girls vomiting on private property at 3-4pm (not just 3-4am).
- Crime and disorder: pre-loading, and drug taking in the street, before going to clubs; dangerous driving; and violent behaviour.

This section of Leonard street is the most saturated part of the Shoreditch area, outside of SPA. It would be totally nonsensical and unbearable for local residents to allow ANOTHER venue to attract and empty inebriated customers onto this part of Shoreditch. It will have a dramatic cumulative impact that cannot be ignored.

“Future Shoreditch” context:

We are in an area that is strategically planned to undergo intensive COMMERCIAL development and provide economic growth for the Borough and London. Several sites, in the Conservation Area, are already highlighted for demolition and newbuild office construction. Very few sites are as closely surrounded by residential properties as in Leonard Street.

Developers, such as those behind Zabeel house, are driven by profit; but the profit cannot continue to be driven by Alcohol sales.

The real cost- the impact on the Local community, residents, and public resources - is unsustainably high.

Granting a further license and negligently allow ANOTHER licensed venue to attract and empty customers onto this saturated part of Leonard Street would be catastrophic in destroying trust in the council to effectively manage the area and licensed premises

Please ensure that this Licence application is viewed very carefully, it must have the most stringent conditions applied to avoid further cumulative impact.

Yours sincerely

██████████

██████████ Leonard Street EC2A ██████████



7.30am Scrutton Street, last Thursday morning..



**This premises licence has been issued by:**

Licensing Service  
1 Hillman Street  
London E8 1DY

**PART A – PREMISES LICENCE**

**Premises Licence Number**

095761

**Part 1 – Premises details**

The Old Street Gallery  
62 Paul Street  
Hackney  
London  
EC2A 4NA  
020 7613 4480

**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 10:00-22:00  
Tue 10:00-22:00  
Wed 10:00-22:00  
Thu 10:00-22:30  
Fri 10:00-22:30  
Sat 10:00-22:30  
Sun 10:00-22:00

**The opening hours of the premises**

**Standard Hours:**

Mon 10:00-22:30  
Tue 10:00-22:30  
Wed 10:00-22:30  
Thu 10:00-23:00  
Fri 10:00-23:00  
Sat 10:00-23:00  
Sun 10:00-22:30

**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**

Pacharin Burton  
[REDACTED]  
[REDACTED]  
[REDACTED]

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

N/A

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

Pacharin Burton

**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:** 5 July 2018

**Signed:**

**David Tuitt  
Team Leader - Licensing**

## Annex 1 - Mandatory Conditions

### Supply of Alcohol

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

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

4. The responsible person 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 customers 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.

### **Annex 2 – Conditions consistent with the Operating Schedule**

None

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

9. The premises shall maintain a comprehensive CCTV system as per the minimum requirements of a Metropolitan Police Crime Prevention Officer. All public areas, 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.
10. 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 shall be able to show Police or an authorised officer of Hackney Borough Council recent data or footage with the absolute minimum of delay when requested.
11. An incident log shall be kept at the premises, and made available immediately to an authorised officer of the Hackney Borough Council or the Police, which will record the following:
  - a. all crimes reported to the venue
  - b. any complaints received
  - c. any incidents of disorder
  - d. any faults in the CCTV system

- e. any refusal of the sale of alcohol
  - f. any visit by a relevant authority or emergency service.
12. All instances of crime or disorder to be reported by the designated premises supervisor or responsible member of staff to an agreed police contact point, as agreed with the Police.
  13. Where the sale or supply of alcohol is taking place employees of the premises must request sight of evidence of the age of any person appearing to be under 25 years of age (Challenge 25). Such evidence may include a driving licence or passport.
  14. There shall be prominent signage requesting customers to leave the premises quietly and respect local residents.
  15. All staff will be given refresher training every twelve months on the legislation relating to the sales of alcohol to underage persons and drunken persons. Written records of this training shall be kept on the premises and produced to police or other authorised officer upon request.
  16. The premises shall adhere to Hackney Police Weapons and Drugs Policies and any updates thereof.
  17. There shall be no open containers, drinks or glasses taken outside of the premises at any time.
  18. The front of the premises shall be kept clean and swept at the close of business each day.
  19. The premises primary function is as an art gallery.
  20. All music is to be played at background level allowing a face to face conversation at normal speech level.
  21. There shall be a maximum of 90 people at the premises including staff at any one time.
  22. The licence holder shall maintain a dedicated telephone number of the DPS or Duty Manager for use by any responsible authority or any person wishing to make a complaint. This number shall be provided to the licensing authority, police or local resident upon request.
  23. Male and female SIA registered door supervisors shall be employed at the premises on an operational risk assessment basis. All door supervisors shall enter their full details in the premises daily register at the commencement of their work. They shall record their full name, home address and contact telephone number, their SIA registration number and the times they commence and conclude working. If the door supervisor is provided by an agency, the name, registered

business address and contact telephone number will also be recorded. This register will be made available to police or other authorised officer upon request.

24. Any queues that form at the premises shall be monitored by door supervisors to ensure that the footway is not blocked and kept orderly.
25. The provision of licensable activities at the premises shall at all times be ancillary to the premises operating as an art gallery.
26. There shall be no draught sales of alcohol.
27. 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.
28. 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.
29. In order to minimise the amount of time any waste remains on the public highway in readiness for collection, the Licensee will ensure the timeframe within which it may expect its waste carrier to collect is adhered to.
30. The Licensee shall erect a sign asking customers to refrain from littering the public highway outside the premises and will also instruct member of staff to make regular checks of the area immediately outside and within 10 metres either side of the premises and remove any litter, bottles and glasses emanating from the premises. A final check should be made at close of business.
31. 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.
32. 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 Old Street Gallery. 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

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

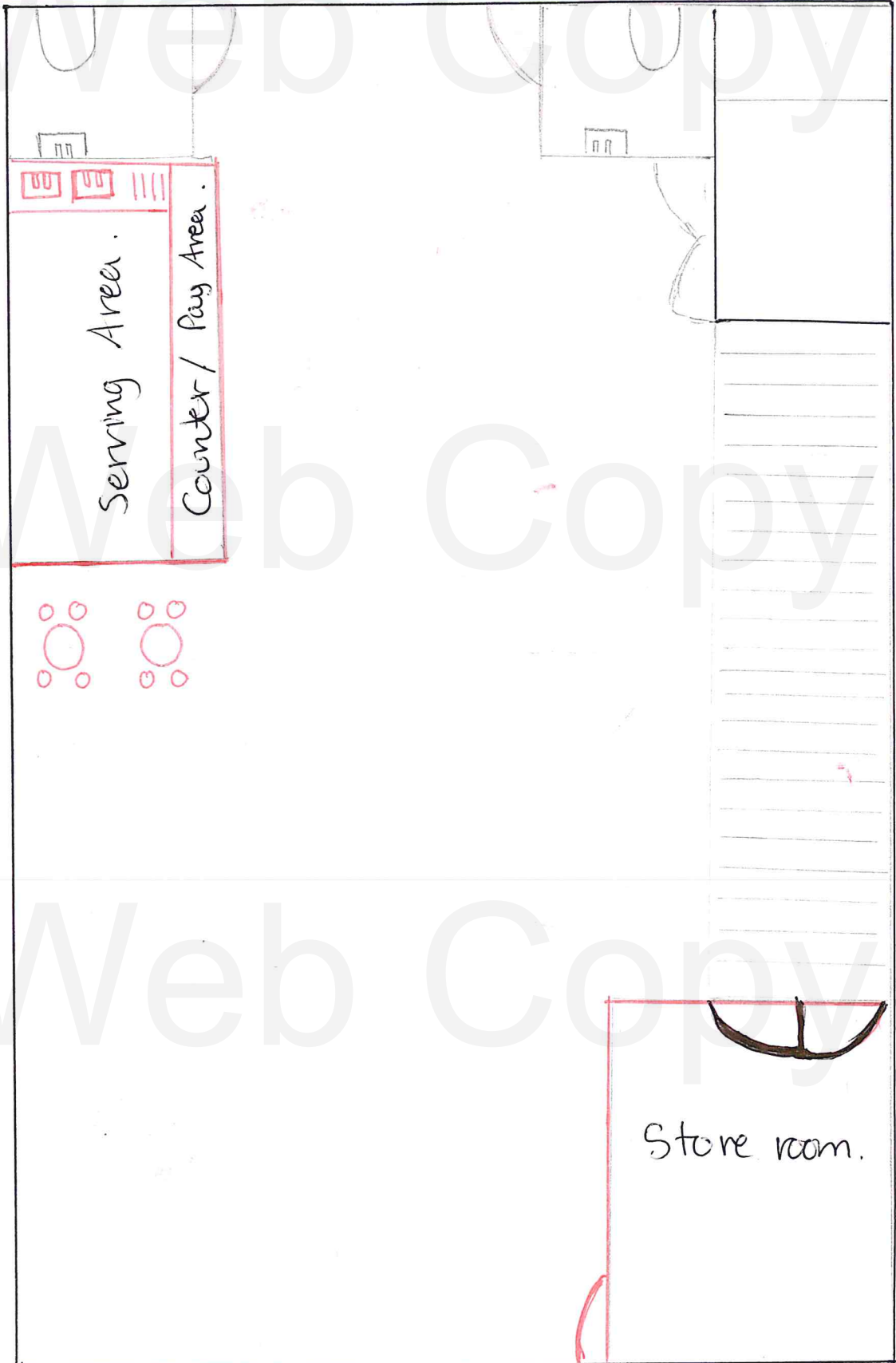
33. There shall be no more than 3 patrons smoking outside the premises at any one time.

**Annex 4 – Plans**

PLAN/095761/05/072018



# Basement.



**GENERAL NOTES:**  
 These drawings are issued for information only and are not to be used for any other purpose without the prior written consent of the Architect.  
 The contents of this drawing are not to be used for any other purpose without the prior written consent of the Architect.

No. Date Revision Notes

NOTES:  
 AREAS SUBJECT TO AS BUILT SURVEY TO CONFIRM

**INFORMATION**

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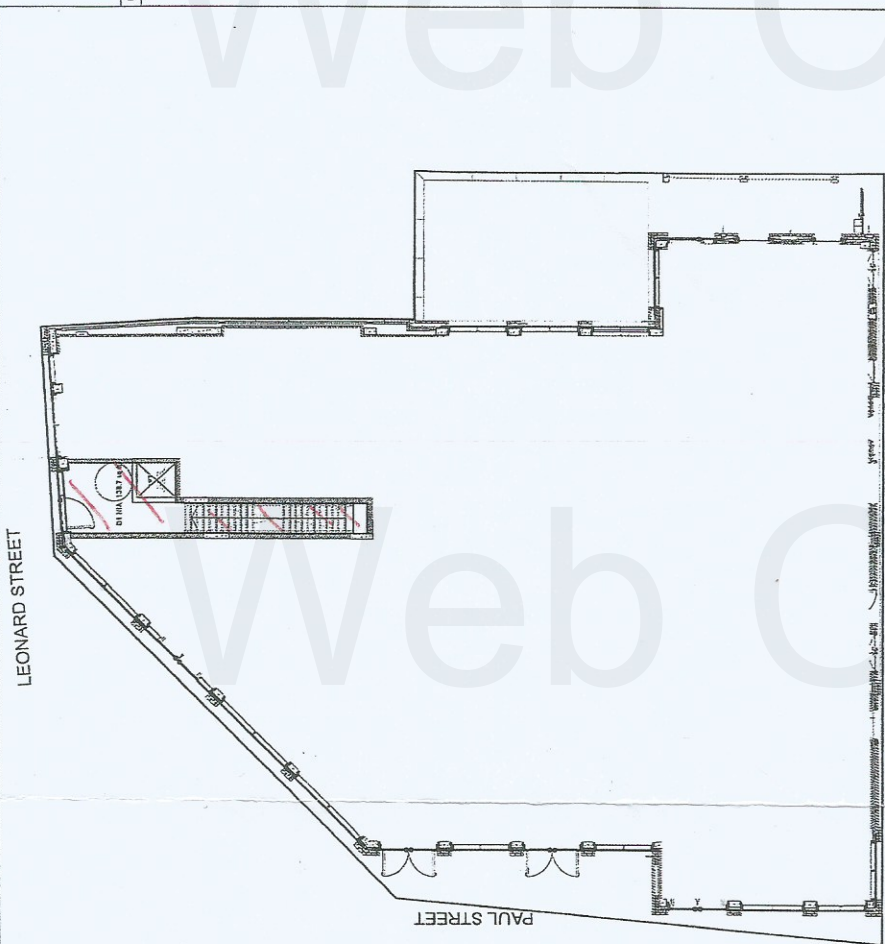
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 LONDON EC2A 4DQ

CLIENT: DF UNIT

PROPOSAL: 3152

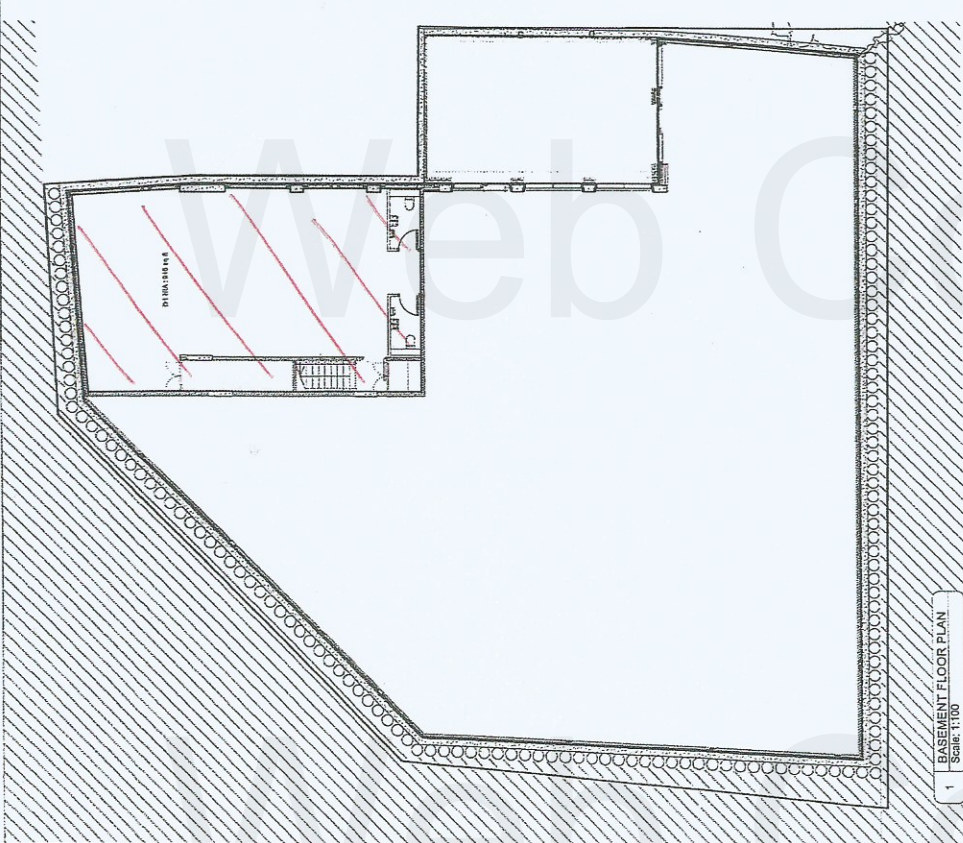
REVISION: A-06-129

DATE: 10/06/11



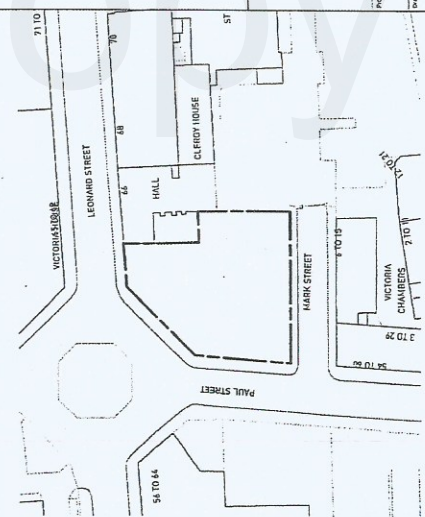
2 GROUND FLOOR PLAN  
 Scale: 1:100

**3 LEONARD CIRCUS, EC2A 4DQ  
 GROUND FLOOR PLAN**



1 BASEMENT FLOOR PLAN  
 Scale: 1:100

**3 LEONARD CIRCUS, EC2A 4DQ  
 BASEMENT FLOOR PLAN**



3 LOCATION PLAN  
 Scale: 1:500



# APPENDIX E



Scale: 1:1250 at A4

## The Old Street Gallery, 62 Paul Street, EC2A 4NA



Ref:  
15 November 2019

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