

REPORT OF THE GROUP DIRECTOR, NEIGHBOURHOODS AND HOUSING		
LICENSING SUB-COMMITTEE: 09/07/2020	Classification DECISION	Enclosure
APPLICATION TO VARY THE PREMISES LICENCE : SET, 27a Dalston Lane, E8 3DF	Ward(s) affected Dalston	

1. SUMMARY

Applicant(s)	In SPA Dalston Area
Date of Application 14 February 2020	Period of Application Time limited 2/12/19 - 4/12/22
Proposed variation: Plays Films Live Music Recorded Music Performance of Dance Late Night Refreshment Supply of Alcohol (on sales)	
Proposed hours for licensable activity	
Plays	Standard Hours: Mon 12:00-00:00 Tue 12:00-00:00 Wed 12:00-00:00 Thu 12:00-00:00 Fri 12:00-02:00 Sat 12:00-02:00 Sun 12:00-00:00
Films	Standard Hours: Mon 12:00-00:00 Tue 12:00-00:00 Wed 12:00-00:00 Thu 12:00-00:00 Fri 12:00-02:00 Sat 12:00-02:00 Sun 12:00-00:00

Live Music	Standard Hours: Mon 12:00-00:00 Tue 12:00-00:00 Wed 12:00-00:00 Thu 12:00-00:00 Fri 12:00-02:00 Sat 12:00-02:00 Sun 12:00-00:00
Recorded Music	Standard Hours: Mon 12:00-00:00 Tue 12:00-00:00 Wed 12:00-00:00 Thu 12:00-00:00 Fri 12:00-02:00 Sat 12:00-02:00 Sun 12:00-00:00
Performance of Dance	Standard Hours: Mon 12:00-00:00 Tue 12:00-00:00 Wed 12:00-00:00 Thu 12:00-00:00 Fri 12:00-02:00 Sat 12:00-02:00 Sun 12:00-00:00
Late Night Refreshment	Standard Hours: Mon 23:00-00:00 Tue 23:00-00:00 Wed 23:00-00:00 Thu 23:00-00:00 Fri 23:00-02:00 Sat 23:00-02:00 Sun 23:00-00:00
Supply of Alcohol	Standard Hours: Mon 17:00-00:00 Tue 17:00-00:00 Wed 17:00-00:00 Thu 17:00-00:00 Fri 17:00-02:00 Sat 14:00-02:00 Sun 14:00-00:00
The opening hours of the premises:	
Standard Hours: Mon 12:00-00:30 Tue 12:00-00:30 Wed 12:00-00:30 Thu 12:00-00:30 Fri 12:00-02:30 Sat 12:00-02:30 Sun 12:00-00:30	
Current activities/hours: See Appendix D attached	

Capacity: 150	
Policies Applicable	LP1 (General Principles), LP2 (Licensing Objectives), LP3 (Core Hours), LP11 (Cumulative Impact - General)
List of Appendices	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
Relevant Representations	<ul style="list-style-type: none"> • Environmental Enforcement • Police • Licensing Authority • Other Persons

2. APPLICATION

- 2.1 SET Centre CIO 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 extend hours for provision of regulated entertainment
 - To extend hours for provision of late night refreshment
- 2.2 The application is attached as Appendix A. The applicant has proposed some additional measures to address the licensing objectives. The proposed opening hours and hours for licensable activity Fridays and Saturdays have been reduced to those described in para 1 above, following agreement with police.
- 2.3 Consideration of this application was delayed as the Licensing Service were not satisfied that the application was correctly advertised in accordance with regulations issued under the Licensing Act 2003. The period allowed for making representations was extended as a consequence and the service is now satisfied that regulations have been complied with.

3. CURRENT STATUS / HISTORY

- 3.1 The premises currently have a time limited premises licence granted by Licensing Sub-Committee on 28 November 2019 which is valid until 4 December 2022. The licence is attached as Appendix D. A previous time limited licence was issued in June 2018 and expired in December 2019.
- 3.2. Part of the premises are also covered by a premises licence granted in 2007. This licence was transferred to the current applicant in February 2018 and is currently suspended due to non-payment of annual fee.
- 3.2 Temporary Event Notices have been given since the grant of the current licence as follows:

start date	end date	start time	end time
30/11/2119	01/12/2019	02:00	05:00
14/12/2019	15/12/2019	18:00	06:00
22/12/2019	22/12/2019	00:00	06:00
23/02/2020	23/02/2020	00:30	06:00

4. REPRESENTATIONS: RESPONSIBLE AUTHORITIES

From	Details
Environmental Health Authority (Environmental Protection)	No representation received
Environmental Health Authority (Environmental Enforcement)	Representation withdrawn following acceptance of proposed conditions.
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	Representation withdrawn following agreement to reduce hours on Fridays and Saturdays to the same as those on the recently expired time limited premises licence.
Licensing Authority (Appendix B)	Representation received on the grounds of The Prevention of Crime and Disorder, Prevention of Public Nuisance and Licensing Hours
Health Authority	No representation received

5. REPRESENTATIONS: OTHER PERSONS

2 representation received from and on behalf of local residents. (Appendices C1 and C2)	Representation received on the grounds of Prevention of Crime and Disorder, Public Safety, Prevention of Public Nuisance and Licensing Hours
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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) 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:

Conditions derived from operating schedule

1. No admittance/re-admittance from 23:00 Sunday to Thursday and 02:00 Friday and Saturday.

2. All bags to be searched upon entry.

3. For events attracting 30-100 customers there shall be at least 1 SIA registered security staff on duty

4. All staff and security to be trained in dispersal policy.

5. Rope barrier (if permitted by relevant Council dept.) and security personnel to ensure smoking and queuing customers do not encroach onto the pavement.

6. Outside areas to be swept at conclusion of event.

7. 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.

8. 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.

9. 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 his/her waste carrier arrives to collect the refuse.

10 The Licensee shall instruct member 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.

11. 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.

12. 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 Set. 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 Additional conditions 1 to 6 derive from the applicant's operating schedule. Conditions 7 to 12 have been proposed by Environmental Enforcement and 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 individual's 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.

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

LIST OF BACKGROUND PAPERS RELATING TO THIS REPORT

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

Description of document	Location
SET 27a Dalston Lane, E8 3DF	Hackney Service Centre Licensing Service 1 Hillman Street London E8 1DY

Printed matter

Licensing Act 2003

LBH Statement of Licensing Policy

APPENDIX A

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 SET CENTRE CIO

(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 105245

Part 1 – Premises Details

Postal address of premises or, if none, ordnance survey map reference or description
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27A DALSTON LANE HACKNEY

Post town	LONDON	Postcode	E83DF
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Telephone number at premises (if any)	
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Non-domestic rateable value of premises	£ 20,000
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Part 2 – Applicant details

Daytime contact telephone number	
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E-mail address (optional)	
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Current postal address if different from premises address	
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Post town	London	Postcode	
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Part 3 – Variation

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

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

DD	MM	YYYY
<input type="text"/>	<input type="text"/>	<input type="text"/>

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

<p>Please describe briefly the nature of the proposed variation (Please see guidance note 2)</p> <p>Amending the Sale of Alcohol and all regulated entertainment to Sunday - Thursday 00:00 and Friday and Saturday 04:00</p> <p>Amending our current closing time to Sunday - Thursday 00:30 and Friday and Saturday 04:30</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:

N/A

Part 4 Operating Schedule

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

- | Provision of regulated entertainment (Please see guidance note 3) | Please tick all that apply |
|---|-------------------------------------|
| a) plays (if ticking yes, fill in box A) | <input 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) | <input type="checkbox"/> |
| d) boxing or wrestling entertainment (if ticking yes, fill in box D) | <input type="checkbox"/> |
| e) live music (if ticking yes, fill in box E) | <input 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) | <input type="checkbox"/> |
| Provision of late night refreshment (if ticking yes, fill in box I) | <input checked="" type="checkbox"/> |
| Supply of alcohol (if ticking yes, fill in box J) | <input checked="" type="checkbox"/> |

In all cases complete boxes K, L and M

A

Plays Standard days and timings (please read guidance note 8)			Will the performance of a play take place indoors or outdoors or both – please tick (please read guidance note 4)	Indoors	<input checked="" type="checkbox"/>
Day	Start	Finish		Outdoors	<input type="checkbox"/>
				Both	<input type="checkbox"/>
Mon	12:00	00:00	Please give further details here (please read guidance note 5)		
Tue	12:00	00:00			
Wed	12:00	00:00	State any seasonal variations for performing plays (please read guidance note 6)		
Thur	12:00	00:00			
Fri	12:00	04:00	Non-standard timings. Where you intend to use the premises for the performance of plays at different times to those listed in the column on the left, please list (please read guidance note 7)		
Sat	12:00	04:00			
Sun	12:00	00:00			

B

Films Standard days and timings (please read guidance note 8)			Will the exhibition of films take place indoors or outdoors or both – please tick (please read guidance note 4)	Indoors	<input checked="" type="checkbox"/>
				Outdoors	<input type="checkbox"/>
				Both	<input type="checkbox"/>
Day	Start	Finish	Please give further details here (please read guidance note 5)		
Mon	12:00	00:00			
	-----	-----			
Tue	12:00	00:00			
	-----	-----	State any seasonal variations for the exhibition of films (please read guidance note 6)		
Wed	12:00	00:00			
	-----	-----			
Thur	12:00	00:00			
	-----	-----	Non-standard timings. Where you intend to use the premises for the exhibition of films at different times to those listed in the column on the left, please list (please read guidance note 7)		
Fri	12:00	04:00			
	-----	-----			
Sat	12:00	04:00			
	-----	-----			
Sun	12:00	00:00			
	-----	-----			

C

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

D

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

E

Live music Standard days and timings (please read guidance note 8)			Will the performance of live music take place indoors or outdoors or both – please tick (please read guidance note 4)	Indoors	<input checked="" type="checkbox"/>
				Outdoors	<input type="checkbox"/>
				Both	<input type="checkbox"/>
Day	Start	Finish	Please give further details here (please read guidance note 5)		
Mon	12:00	00:00			
	-----	-----			
Tue	12:00	00:00			
	-----	-----	State any seasonal variations for the performance of live music (please read guidance note 6)		
Wed	12:00	00:00			
	-----	-----			
Thur	12:00	00:00			
	-----	-----	Non-standard timings. Where you intend to use the premises for the performance of live music at different times to those listed in the column on the left, please list (please read guidance note 7)		
Fri	12:00	04:00			
	-----	-----			
Sat	12:00	04:00			
	-----	-----			
Sun	12:00	00:00			
	-----	-----			

F

Recorded music Standard days and timings (please read guidance note 8)			Will the playing of recorded music take place indoors or outdoors or both – please tick (please read guidance note 4)	Indoors	<input checked="" type="checkbox"/>
				Outdoors	<input type="checkbox"/>
				Both	<input type="checkbox"/>
Day	Start	Finish	Please give further details here (please read guidance note 5)		
Mon	12:00	00:00			
			State any seasonal variations for the playing of recorded music (please read guidance note 6)		
Tue	12:00	00:00			
			Non-standard timings. Where you intend to use the premises for the playing of recorded music at different times to those listed in the column on the left, please list (please read guidance note 7)		
Wed	12:00	00:00			
Thur	12:00	00:00			
Fri	12:00	04:00			
Sat	12:00	04:00			
Sun	12:00	00:00			

G

Performances of dance Standard days and timings (please read guidance note 8)			Will the performance of dance take place indoors or outdoors or both – please tick (please read guidance note 4)	Indoors	<input checked="" type="checkbox"/>
				Outdoors	<input type="checkbox"/>
Day	Start	Finish		Both	<input type="checkbox"/>
Mon	12:00	00:00	Please give further details here (please read guidance note 5)		
Tue	12:00	00:00	State any seasonal variations for the performance of dance (please read guidance note 6)		
Wed	12:00	00:00	Non-standard timings. Where you intend to use the premises for the performance of dance at different times to those listed in the column on the left, please list (please read guidance note 7)		
Thur	12:00	00:00			
Fri	12:00	04:00			
Sat	12:00	04:00			
Sun	12:00	00:00			

H

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

I

Late night refreshment Standard days and timings (please read guidance note 8)			Will the provision of late night refreshment take place indoors or outdoors or both – please tick (please read guidance note 4)	Indoors	<input checked="" type="checkbox"/>
				Outdoors	<input type="checkbox"/>
				Both	<input type="checkbox"/>
Day	Start	Finish	Please give further details here (please read guidance note 5)		
Mon	12:00	00:00			
			State any seasonal variations for the provision of late night refreshment (please read guidance note 6)		
Tue	12:00	00:00			
			Non-standard timings. Where you intend to use the premises for the provision of late night refreshment at different times, to those listed in the column on the left, please list (please read guidance note 7)		
Wed	12:00	00:00			
Thur	12:00	00:00			
Fri	12:00	04:00			
Sat	12:00	04:00			
Sun	12:00	00:00			

J

Supply of alcohol Standard days and timings (please read guidance note 8)			Will the supply of alcohol be for consumption – please tick (please read guidance note 9)	On the premises	<input checked="" type="checkbox"/>
				Off the premises	<input type="checkbox"/>
				Both	<input type="checkbox"/>
Day	Start	Finish	State any seasonal variations for the supply of alcohol (please read guidance note 6)		
Mon	17:00	00:00			
Tue	17:00	00:00			
Wed	17:00	00:00			
Thur	17:00	00:00			
Fri	17:00	04:00			
Sat	14:00	04:00			
Sun	14:00	00:00			

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).

L

Hours premises are open to the public Standard days and timings (please read guidance note 8)			State any seasonal variations (please read guidance note 6)
Day	Start	Finish	
Mon	12:00	00:30	Non-standard timings. Where you intend the premises to be open to the public at different times from those listed in the column on the left, please list (please read guidance note 7)
Tue	12:00	00:30	
Wed	12:00	00:30	
Thur	12:00	00:30	
Fri	12:00	04:30	
Sat	12:00	04:30	
Sun	12:00	00:30	

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.

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.

We are yet to receive a copy of our license so cannot currently enclose it.

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

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

We propose to introduce a no readmittance policy from 11:00 Sunday - Thursday and from 02:00 on Fridays and Saturdays. We suggest that the benefits of this will be two-fold. Firstly, this will ease dispersal at the end events. Secondly, this will help dissuade people coming from the SPA from entering the bar for a last drink. We aim to only attract persons to the premises who have a vested interest in our charitable objectives and the art's programme that we feature. We aim to dissuade late night revellers from our premises and we believe that not admitting people after the aforementioned times will aid this.

We are currently in conversation with Street Scene regarding applying for two rope-barriers outside the premises. This will help ensure that we uphold all licensing objectives as suggested below.

b) The prevention of crime and disorder

Security and staff are trained to dismiss any persons who are intoxicated or under the influence of any illicit substances - this is in conjunction with signage throughout the premises.

All bags are searched upon entry.

Our safe-space policy states that we eject from the premises any persons who are threatening or displaying aggression.

For any event attracting 30-100 persons we will have at least one SIA member of security. For any event attracting 100-150 persons we will have at least two SIA members of security.

All staff and security will be trained in our dispersal policy

c) Public safety

The rope barrier and security personnel will ensure that smoking and queuing customers do not encroach onto the pavement thereby enabling members of the public to pass the premises without stepping into the road and endangering themselves.

Our safe-space policy negates any possibility of drunk/aggressive/unsavoury customers attending our events. We attract custom from persons whose primary interest is in witnessing the event we are hosting and whose consumption of alcohol is parallel to this. We do not attract customers who intend to consume too much alcohol on the premises. We therefore have not and will not have any persons behaving aggressively either inside or outside of the premises.

All staff and security are trained to aid any persons who feel endangered or threatened. Any members of the public who needed to be assisted in how to get home safely will be helped by members of staff.

d) The prevention of public nuisance

The premises is fully soundproofed, ensuring that no noise pollution can carry to any of the nearby residents. The front entrance to the premises is only opened when customers enter or exit the premises ensuring no extraneous noise escapes. The designated member of security/security team will always ensure that customers keep noise to a minimum, in accordance with the signage throughout the premises. Hitherto we have not once received a noise complaint and I am absolutely confident we will uphold this with the amended hours.

The aforementioned rope barrier as well as the designated member security/security team will ensure that smoking and queuing customers do not encroach onto the pavement. This will ensure that no member of the public is disrupted when passing the premises.

Ashtrays will be provided to ensure debris from smokers is limited and bar staff, at the end of the shift, will sweep outside the premises ensuring that there is no residual litter.

e) The protection of children from harm

We operate a strictly 18+ policy as well as a challenge under 25 policy. All security and staff are trained to check IDs. Consequently, no children will be permitted on the premises.

We will ensure that any children passing the premises can do so unimpeded and in a safe manner owing to the rope barriers ensuring no encroachment from our customers onto the pavement. All litter and noise will be kept to a minimum allowing children to not be disrupted or disturbed.

Any child who looks lost or endangered will be aided by a member of bar staff who will immediately contact the relevant emergency services.

Checklist:


Please tick to indicate agreement

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

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

Part 5 – Signatures (please read guidance note 12)

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

Signature	
Date	
Capacity	Director of Tradings

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	
Capacity	

Contact name (where not previously given) and address for correspondence associated with this application (please read guidance note 15)			
Ollie Tobin			
Post town	London	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 with one or more martial arts – are licensable as a boxing or wrestling entertainment rather than an indoor sporting event.
 - Live music: no licence permission is required for:

SET

DISPERSAL POLICY

This Dispersal Policy has been implemented to assist in the promotion of the four licensing objectives, in particular crime and disorder, public nuisance and public safety. This document is a live document where there can be updates reflecting best working practices via discussions with interested parties, professionals and in particular our neighbours.

Management are aware of the potential for neighbourhood noise and disturbance at the time that customers leave at closing time. Management have agreed to implement a written dispersal policy to move customers from the premises and the immediate vicinity in such a way so as to cause minimum disturbance or nuisance to neighbours. Every effort will be made to minimise any potential nuisance and it will be the responsibility of all members of staff to support this policy.

Winding-down Period

1. Management have implemented a “wind-down” procedure to facilitate prompt closure of the premises and orderly dispersal pattern by customers.
2. At closing key members of trained staff monitor the exit. Customers are informed that the premises are about to close and are directed towards the nearest exit.
3. The premises will promote controlled dispersal of customers by directions from staff and notices. We will actively encourage Patrons to avoid the Special Policy Area or advise re transport hubs that cause minimum disruption to the SPA as appropriate.
4. Internal lighting levels will be adjusted during the last 30 minutes of trading.
5. Music will be played at a lower level.
6. The winding own period encourages customers to disperse gradually prior to cessation of trade.
7. We are proud of the area and we will endeavour to keep the area clean and attractive for our patrons and our neighbours. This means dealing with debris outside our frontage that may have nothing to do with us but in the interests of maintaining good standards in the area we will still clear it up.

Door Supervisors to assist with dispersal

8. Door supervisors when deployed shall be strategically positioned to help ensure that procedures for promoting public safety and preventing public nuisance are effective.

Staff will be trained to be aware of

1. where the nearest mode of public transport is.
2. details of taxis and a number is available to customers.
3. general local knowledge so that if customers decide to move on the staff can help them with directions.
4. Where security is deployed, they will help ensure safe dispersal.
5. Staff, Door supervisors will actively supervise Patrons with a view to minimising any obstruction of the pavement.
6. The door supervisors are easily identifiable and before each night there will be a briefing.
7. There is a team meeting to discuss any ways that the premises may improve the dispersal of patrons and any actions points are implemented.

8 Notices shall be displayed at customer exit requesting that patrons respect the needs of local residents and leave the premises and area quietly.

9.All employees are given appropriate instructions and training to encourage customers to leave the premises and the area quietly.

Incident Reports

10.All incidents of crime or disorder or nuisance are to be reported by the designated premises supervisor or responsible member of staff.

11.The licence holder shall ensure that the details of all complaints are recorded in an incident book.

Taxi Service

12.We will ask local taxi firms that car doors are not slammed and that there is no unnecessary use of the horn

13.Arrangements are made with a local taxi firms for taxis to stop at a safe stopping place when collecting patrons. A recommended list of local taxi companies is available to customers. Any taxi companies that regularly visit our premises will be notified in writing that the use of car horns outside the premises is only allowed in accordance of Rule 1121 of The Highway Code. Staff will take note of drivers that do not comply with this rule and management will notify the relevant taxi companies. Repeat offenders will result in that taxi firm being excluded from the recommended list of taxi providers for the premises.

14.SET staff are trained to be aware of the location of local taxi ranks, bus stops and hire car offices and advise customers accordingly.

15.Taxi drivers will be asked to not play radios at a volume likely to disturb the neighbourhood.

SET will attach the utmost importance to the careful investigation and prompt resolution of any complaint made in respect of the running of the premises. Particular emphasis will be placed on building and maintaining close links with local residents including hosting meetings where necessary to allow our neighbours to raise any

issues and for those issues to be quickly resolved. The telephone number of the premises will be provided to all our immediate residential neighbours.

SET will constantly review our Dispersal Policy and respond quickly to the needs of our neighbours.

Any breach of the Policy unless justifiable in the circumstances, may lead to disciplinary action. Management accept that there are times that call for initiative and Problem solving and one size does not fit all. Each case will be taken on its own merits. Management will carefully assess any breach and act accordingly. We at SET are acutely aware of our need to protect our reputation given that we are answerable to our Trustees, supporters, Patrons, Customers, and many more. We take pride in what we have achieved and deliver to the Community and our support of Culture, diversity, artists, and the arts.



SET Smoking Policy

SET smoking Policy is a live document to help promote the four Licensing Objectives. Improvements can and should be made at the behest of the Premises License Holder/DPS reflecting continual learning and implementing Best Practice. Members of staff should read this document.

1/ Smoking is not allowed in any part of the Premises apart from any legally compliant areas designated by management.

2/ The number of people allowed outside the Venue to smoke are to be limited by staff to prevent people from spilling onto the thoroughfare.

3/ Designated Security and/or staff shall be assigned to carry out checks to help ensure that smokers cause minimum disruption.

4/ Smokers to be reminded to respect neighbours and keep voices down to a reasonable level.

5/ Where appropriate staff should advise any Smoker that lack of compliance may lead to not being allowed back into the Venue except to collect belongings. Record to be made should this be enforced.

6/ The designated person shall reasonably encourage any person in the smoking area or loitering directly outside the club to keep disturbance/incidents to a minimum

7/ The smoking area should be regularly cleaned.

8/ Staff when smoking to be mindful of neighbours.

Any breach of the Policy unless justifiable in the circumstances, may lead to disciplinary action. Management accept that there are times that call for initiative and Problem solving and one size does not fit all. Each case will be taken on its own merits. Management will carefully assess any breach and act accordingly. We at SET are acutely aware of our need to protect our reputation given that we are answerable to our Trustees, supporters, Patrons, Customers, and many more. We take pride in what we have achieved and deliver to the Community and our support of Culture, diversity, artists, and the arts.

SET Space - Dalston
27A Dalston Lane
London
E8 3DF

Monday 11 May 2020

RE: SET Space Dalston Lane – License Renewal - Letter of Support Local Resident

To whom it may concern

I am writing in support of the fantastic initiative that is SET Space on Dalston Lane. As local resident, it provides a vital safe space in a busy urban area. I have always found it really safe, attracts a varied and diverse crowd and managed superbly. I have never been intimidated at any time, very welcoming staff and a relaxed atmosphere.

It is such an important place for me, and I think best represents Dalston as an area for young creatives and emerging talent in London. It would be an awful loss if it was not able to continue to be such a fantastic public facing and community centered space in a rapidly changing Hackney. I have never had any complaints on noise or bad behaviors and would always recommend it to others.

Yours Sincerely,

██████████

████████████████████

■ Queen Elizabeth Close
Stoke Newington
London, N16 ██████

To Whom It May Concern,

I write to you, as the manager of Farr's School of Dancing, a local business and neighbour of SET on Dalston Lane.

Since it first began, SET has attracted a really great mix of people and I have often attended the various events they offer; from gigs, to talks, to poetry readings. In this way, it's a unique space and I sincerely hope it continues to flourish as it has done for the last two years. There is always a great atmosphere in there and, from a management point of view, it is well run and efficient. The security and staff are incredibly friendly, informative and engaged. In two years I've not heard of any problems emanating from there, partly, as I said above, because they attract a very considerate and friendly crowd.

I wish to give my full support to their licence application, it would be a great shame to lose such a great space from this community. Regards,

██████████

Farr's School of dancing 17-19 Dalston Lane E8 3DF

██████████

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

APPENDIX B

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	SET 27a Dalston Lane London E8 3DF
NAME OF APPLICANT	Set Ce

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:

The premises is located in close proximity to residential premises. The proposed hours of activity could lead to a negative impact on the promotion of the licensing objectives, in particular, the prevention of public nuisance. However, it is noted that there was previously a licence at this address which expired in 2019.

The applicants' 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.

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 in relation to the proposed hours of activity and overall management of the site.

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

Date: 13/03/2020

Representations against Application to vary Premise License 105245

1 message

13 March 2020 at 21:30

To: "Licencing (Shared Mailbox)" <licensing@hackney.gov.uk>

Dear Sirs

I am a resident at [REDACTED] Dalston Lane E8 2 [REDACTED]. I live in close proximity to 27A Dalston Lane (the "Venue").

I would like to make representations against the licence application made by SET Centre CIO ("Applicant") in respect of the Venue as I consider the increased opening hours and increased hours for sale of alcohol proposed by the application will have a detrimental impact public safety and lead to increased crime, disorder and public nuisance. I also do not believe that the application is in the spirit of Hackney Licencing Policy as implemented by Hackney Council in July 2018.

In late November 2019, the Venue was granted a licence to (i) sell alcohol until 00:30 and (ii) open until 02:30 on the weekends. During January and February things have been slightly calmer, however I believe this is due to the time of year where January and February are generally quieter months. However on the nights where TENs have been granted, there has been increased noise, litter and general disorder (people shouting loudly, people urinating on the roads opposite). There have also continued to be large numbers of people outside (please see video evidence). I do not consider sufficient time has passed since the previous licence was granted to ascertain whether the Applicant has taken on board concerns and implemented the measures they said they would.

The Venue is located on a main road leading to the centre of Dalston in Hackney, and is located on the outskirts of the Dalston Special Policy Area. Although this venue is just outside the SPA, I consider that due to the close proximity to Dalston, increasing both the opening hours and the licencing hours of the premises whereby alcohol will be sold until 4 am on the weekend will have a negative effect on the cumulative impact. There are many problems experienced during the hours that this application has proposed including urination, vomiting, anti-social behaviour, disorder, assaults etc. Statistics show that there has been increases in violent crime at night in London and that the majority of victims are night time revellers.

Increasing opening hours and the hours during which alcohol is sold, will lead to increased vulnerability and incidents involving alcohol including crime. The Police already deal with numerous incidents of anti-social behaviour, crime and disorder throughout the night. A venue selling alcohol until 4 am on the weekend in Dalston would undoubtedly increase the potential for further crime and disorder.

In terms of concerns in respect of the impact on public safety and public nuisance, the Venue currently has a limit on the number of people allowed outside the premises however this is rarely adhered to. Despite having complained many times about the number of people outside the Venue, on occasions since the hearing in late November 2019, I have seen 20 people or more outside the Venue on Dalston Lane. For example on 1 December, 2 days after the previous hearing of the Applicant's previous application (which took place on 28 November 2019), I went outside due to noise at approximately 5 am and there were more than 30 people outside the Venue crowding the pavement. I attach video evidence to this email.

Even after the previous application hearing where the Licencing Committee noted that this should not be happening, pedestrians still have to move off the pavement and walk in the road. As previously stated this continues to be dangerous and has the potential to lead to road accidents with cars, buses and cyclists. This has an impact on public safety and has not been addressed to date.

Increasing the opening hours and the hours during which alcohol is sold at night would mean more people in general attending the Venue and more inebriated people outside the Venue and increased traffic on the road (eg taxis) at anti-social hours. With increased numbers of drunk people leaving the Venue throughout the night there is a heightened risk of more road traffic accidents, personal injury and deaths.

On the nights where the Venue has had TENs there has continued to be loud noise. I believe this would only increase if the sale of alcohol hours and opening hours are extended, as would noise from customers leaving the Venue as I continue to often hear customers walking down Dalston Lane in the early hours of the morning.

In terms of the impact on the community, as a resident I am struggling to understand what benefits will arise from alcohol being sold until 4 am or increased opening hours. As a resident I am concerned that there will only be a negative impact in terms of increases in crime, disorder and public nuisance as well as undermining public safety.

As previously stated I am also concerned about the fact that this application does not seem in line with Hackney's current licencing policy which was voted on by elected members of Hackney local government in July 2018 and consequently implemented.

Please confirm receipt of this email and the video evidence which can be downloaded on the below dropbox link (large file), please let me know if you cannot access the video evidence.

https://www.dropbox.com/transfer/AAAAAJHAEIpoOADE9gabL_37Lay4I5S3nUq5ExX_PqeV3ZH7InwVpM

Keep the Faith <<

%



2 attachments



A8B20219-8BFA-4268-AC02-0B1117693918.jpeg
58K



F0059CB9-D820-46CB-84CA-30895F0B99F6.jpeg
433K

Re: Representation against Premises Licence Variation Application by SET Centre CIO re 27A Dalston Lane

1 message

14 March 2020 at 00:06


To: Licensing <Licensing@hackney.gov.uk>

Dear Licensing

I would also like to add this video as I think it is a bit clearer than the photos.

Thanks


Sent: 13 March 2020 23:53

To: Licensing <Licensing@Hackney.gov.uk>

Subject: Representation against Premises Licence Variation Application by SET Centre CIO re 27A Dalston Lane

I am a resident of BST  Dalston Lane, E8  I would like to make representations in writing against the licence application by SET Centre CIO re 27a Dalston Lane (Premises).

I do not consider that SET Centre CIO has abided by due process in respect of this licence application as when I viewed the notice of the license application (photo and video attached) outside the Premises there was no content in the notice, i.e. no dates, times or dates for when any representations or objections had to be made. I am therefore writing this, hoping that I am in time of the deadline.

Since the Premises was granted a license back in November 2019, there have been some occasions where there have been TENs and the Premises has been open later and sold alcohol later than its regular hours. On these occasions there has been more noise and there have been increased numbers of people outside the Premises late at night. This was discussed at the previous license hearing application and continues to be a big issue for me as a resident. This is because lots of people gather on the pavement outside the Premises and this creates a public safety and public nuisance hazard where people block the pavement, especially when they are intoxicated. When passing I continue to have to walk in the road. When I have gone outside because I have heard noise, I have witnessed people urinating in the side roads and I have had to walk in the road when passing the Premises, which is dangerous and a public hazard.

In addition when there are TENs there has continued to be lots of noise coming from the Premises in terms of music and when people are leaving the Premises particularly after a few drinks. This has been less the case when the Premises has closed early.

I am really worried that if the application is granted then there will be lots of large numbers of people entering and exiting the building late at night and early in the morning. I'm concerned that the sale of alcohol up until 4 am will lead to more drunk and disorderly behaviour and potentially more crime in the area, as well as a lot of noise, and litter. I believe this contravenes Hackney's licensing objectives especially considering current concerns regarding increased crime levels in Hackney. I'm really worried that there will be an increase in crime. Late night venues which open until 4am do generally tend to lead to increases in noise and public disorder and I'm concerned that public urination, drinking and loitering outside will happen more widely here if licensing hours are extended.

I further understood that Hackney Council did not want to increase night club venues in Dalston and was looking to limit the number of late night venues. Indeed as I understand other venues who have applied for similar or earlier hours up to 2 am have had such applications amended to more sociable hours so as to minimise any impact on the local community, crime, disorder and public safety.

I consider that the application will mean that there is much more public nuisance. When there are TENs there is a lot of noise and this will only increase with longer regular licensing hours. I have on a number of occasions heard loud music at anti-social hours. I often hear people shouting as they leave the Premises and walk down Dalston Lane towards Hackney Central. I worry that will continue all night as people leave and arrive throughout the night. The application would permit sale of alcohol, DJs and live music until 4 am on the weekend and I consider that this is too late.

Whilst alcohol has been being sold until midnight things have been quieter, the Premises closes at a reasonable hour and this has been much better. As a property owner I am concerned about the impact on public safety and nuisance of having a night club open till 4 am, which in reality by the time customers disperse will be operational until at least 5 am. Increases in crime, public disorder and nuisance will then have a knock on effect on insurance and property values. I also thought Dalston was trying to become more family friendly rather than a night time hotspot. A pub has recently opened on the corner of Kingsland Road and Dalston Lane and this stops serving at midnight which I think is much more reasonable.

Thanks.

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26285K

APPENDIX E



Scale: 1:1250 at A4



Ref:
24 March 2020

Produced by: unspecified
email:

please specify copyright statement