

REPORT OF THE GROUP DIRECTOR, NEIGHBOURHOODS AND HOUSING		
LICENSING SUB-COMMITTEE: 21/07/2020	Classification DECISION	Enclosure
APPLICATION TO VARY THE PREMISES LICENCE : The Gun, 235 Well Street, E9 6RG	Ward(s) affected Homerton	

1. SUMMARY

Applicant(s) Locals Club Limited	In SPA No
Date of Application 1 June 2020	Period of Application Permanent
Proposed variation: To include off-sales of alcohol	
Proposed hours for licensable activity	
Supply of Alcohol (Off-sales)	Standard Hours: Mon 10:00-23:30 Tue 10:00-23:30 Wed 10:00-23:30 Thu 10:00-23:30 Fri 10:00-00:30 Sat 10:00-00:30 Sun 10:00-23:30 Non-Standard Hours: On each public holiday and on a Sunday preceding a bank holiday 10:00 to 00:30
The opening hours of the premises:	
	Standard Hours: Mon 10:00-00:00 Tue 10:00-00:00 Wed 10:00-00:00 Thu 10:00-00:00 Fri 10:00-01:00 Sat 10:00-01:00 Sun 10:00-00:00 On each public holiday and on a Sunday preceding a bank holiday 10:00 to 01:00

Current activities/hours: See Appendix C	
Capacity: not known	
Policies Applicable	LP1 (General Principles), LP2 (Licensing Objectives), LP3 (Core Hours), LP4 ('Off' Sales of Alcohol)
List of Appendices	A – Application for variation of premises licence and supporting documents B – Representations from responsible authorities C – Current licence D – Location map
Relevant Representations	<ul style="list-style-type: none"> • Environmental Health Authority (Environmental Protection and Environmental Enforcement) • Police • Licensing Authority

2. APPLICATION

- 2.1 Locals Club Limited has made an application vary their premises licence under the Licensing Act 2003:
- To include supply of alcohol for consumption **off** the premises
- 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 premises are a traditional public house and have been in possession of a premises licence since the introduction of the Licensing Act 2003. A new (current) licence was granted in 2015 in view of the extent of changes of layout of the premises.
- 3.2 TENs have been submitted in respect of the premises in the current calendar year as follows.

<u>Dates</u>	<u>Times</u>
03/02/20	00:00 - 01:30
16/02/20	01:00 – 03:00
05-07/06/20	12:00 – 20:30
13-14/06/20	13:00 – 21:00
20-21/06/20	13:00 – 21:00
26-27/06/20	13:00 – 21:00
28/06/20	13:00 – 20:30

4. REPRESENTATIONS: RESPONSIBLE AUTHORITIES

From	Details
Environmental Health Authority (Environmental Protection)	Representation withdrawn following acceptance of proposed conditions (see para 8.2 below)
Environmental	Representation received on the grounds of the

Health Authority (Environmental Enforcement) (Appendix B1)	prevention of public nuisance
Environmental Health Authority (Health & Safety)	No representation received
Weights and Measures (Trading Standards)	Have confirmed no representation on this application
Planning Authority	Have confirmed no representation on this application
Area Child Protection Officer	No representation received
Fire Authority	Have confirmed no representation on this application
Police (Appendix B2)	Representation received on the grounds of The Prevention of Crime and Disorder, Public Safety, Prevention of Public Nuisance, The Protection of Children from Harm, Licensing Hours, Special Policy Area and Cumulative Impact.
Licensing Authority (Appendix B3)	Representation received on the grounds of The Prevention of Public Nuisance, Licensing Hours
Health Authority	No representation received

5. REPRESENTATIONS: OTHER PERSONS

5.1 None

6. GUIDANCE CONSIDERATIONS

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

7. POLICY CONSIDERATIONS

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

7.2 The Policy applies to applications where relevant representations have been made. With regard to this application, policies LP1 (General Principles), LP2 (Licensing Objectives), LP3 (Core Hours) and LP4 ('Off' Sales of Alcohol) 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. The collection of drinks at the front of the premises shall not go beyond 21:00

2. Notices shall be prominently displayed at all exits requesting patrons to respect the needs of local residents and businesses and leave the area quietly.
3. The designated smoking area shall be located to the front of the premises overlooking Well Street and Cresset Road, maybe used as a secondary smoking
4. Queuing should take place on Well Street. Additional queuing may take place on Cresset Road until 21.00 hrs only.
5. 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.
6. 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.
7. 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.
8. The Licensee shall instruct members of staff to make regular checks of the area immediately outside the premises and remove any litter, bottles and glasses emanating from the premises. A final check should be made at close of business
9. 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.
10. 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 Gun. 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 condition 1 derives from the applicant's operating schedule. Conditions 2 to 4 have been proposed by Environmental Protection and have been accepted by the applicant. Conditions 5 to 10 have been proposed by Environmental Enforcement.

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
The Gun 235 Well Street, E9 6RG	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/
W
e

Locals Club Limited

(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

067240

Part 1 – Premises Details

The Gun
235 Well St
Hackney

Post town London

Postcode E9 6RG

Telephone number at premises (if any)

██████████

Non-domestic rateable value of premises

£

Part 2 – Applicant details

Daytime contact telephone number

██████████

E-mail address (optional)

██

Current postal address if different from premises address	<p>██████████</p> <p>██████████████████</p> <p>██████████</p> <p>██████████</p>		
Post town	██████████	Postcode	██████████

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 No

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

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

<p>Please describe briefly the nature of the proposed variation (Please see guidance note 2)</p> <p>Due to the nature of the CoVid 19 outbreak we require an off license to be able to trade during the licensed premises lockdown. It will allow us to sell beverages for patrons to receive either by delivery or collection to take home.</p>

If your proposed variation would mean that 5,000 or more people are expected to attend the premises at any one time, please state the number expected to attend:

Part 4 Operating Schedule

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

Provision of regulated entertainment (Please see guidance note 3)

Please tick all that apply

- a) plays (if ticking yes, fill in box A)
- b) films (if ticking yes, fill in box B)
- c) indoor sporting events (if ticking yes, fill in box C)
- d) boxing or wrestling entertainment (if ticking yes, fill in box D)
- e) live music (if ticking yes, fill in box E)
- f) recorded music (if ticking yes, fill in box F)
- g) performances of dance (if ticking yes, fill in box G)
- h) anything of a similar description to that falling within (e), (f) or (g) (if ticking yes, fill in box H)

Provision of late night refreshment (if ticking yes, fill in box I)

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



In all cases complete boxes K, L and M

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	
				Off the premises	<input checked="" type="checkbox"/>
Day	Start	Finish		Both	
Mon	10:00	23.30	State any seasonal variations for the supply of alcohol (please read guidance note 6)		
Tue	10:00	23.30			
Wed	10:00	23.30			
Thur	10:00	23.30	Non-standard timings. Where you intend to use the premises for the supply of alcohol at different times to those listed in the column on the left, please list (please read guidance note 7) With regards to drinks collection the front of the pub we only intend to use until 20.30 / 21 at THE VERY LATEST As if people are collecting drinks to take home then it will be have with dinner(during covid) On each public holiday and on each Sunday proceeding a bank holiday up to 00.30 hours.		
Fri	10:00	00.30			
Sat	10:00	00.30			
Sun	10:00	23:30			

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	10:00	00:00	
Tue	10:00	00:00	
Wed	10:00	00:00	
Thur	10:00	00:00	
Fri	10:00	01:00	
Sat	10:00	01:00	
Sun	10:00	00:00	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) On each public holiday and on each Sunday proceeding a bank holiday up to 01.00 hours.

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.

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)

Due to the nature of social distancing and the difficulty being experienced by police during this period, any off sales will be advertised as collection to take away. On the recommendation of the police we have purchased 300 500ml lidded jars for cocktail and general beverage dispense. We would clearly signpost our queue with black and yellow tape on the floor. We would clearly display rules regarding social distancing and dispersal. The DPS would assume control of dispersal inter-action with customers.

b) The prevention of crime and disorder

We would, as always, only sell to the responsible and non inebriated with a challenge 21 policy as standard. We package our containers safely with padding in a opaque brown labelled food bag. We have a impeccable track record regarding crime and police incidents at our premises. I am a 20 years experienced licensee. We have a good relationship with local police regarding our practices and incident management.

c) Public safety

Clear visible guidelines for customers regarding social distancing (taped area) and signposted and verbalised dispersal. Sensible packaging, good verbal communication with customers

d) The prevention of public nuisance

keeping the area out side of the pub tidy, quiet and closing early (830.pm) DPS intermittently patrolling the outside areas maintaining noise levels, dispersal flow and litter management.

e) The protection of children from harm

We would keep the well street side of the premises clear as that it where kids walk past with parents and is narrower than cresset rd (where our queue would form).. Good queue and patron management would ensure no children near the queue or near the pub in general

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	Nicholas Stephens
Date	27.05.20
Capacity	director / DPS

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)

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 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:
 - a performance of unamplified live music between 08.00 and 23.00 on any day, on any premises.

RESPONSIBLE AUTHORITY REPRESENTATION: APPLICATION UNDER THE LICENSING ACT 2003

RESPONSIBLE AUTHORITY DETAILS

NAME OF AUTHORITY	London Borough of Hackney
ADDRESS OF AUTHORITY	Community Safety & Enforcement Service First Floor Hackney Service Centre 1 Hillman Street London E8 1DY
CONTACT NAME	Jacey Frewin
TELEPHONE NUMBER	020 8356 4567
E-MAIL ADDRESS	jacey.frewin@hackney.gov.uk

APPLICATION PREMISES

NAME & ADDRESS OF PREMISES	The Gun 235 Well Street London E9 6RG
NAME OF APPLICANT	Locals Club Limited

COMMENTS

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

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

Representation in relation to:

ENVIRONMENTAL LICENCE CONDITIONS IN RESPECT OF

The Gun,
235 Well Street, London E9 6RG

1. 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.
2. 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.
3. 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.
4. The Licensee shall instruct members of staff to make regular checks of the area immediately outside the premises and remove any litter, bottles and glasses emanating from the premises. A final check should be made at close of business
5. 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.
6. 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 Gun. 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

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

We have received complaints in the past regarding littering and build-up of waste in the area. Experience has also shown that there is the probability that there will be cigarette litter outside these premises due to the smoking ban and that it is possible that glasses and bottles may be left outside by patrons.

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

Contact Jacey Frewin by email if necessary

Name: Jacey Frewin

Date: 01/06/2020

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

NAME OF AUTHORITY	Metropolitan Police service
ADDRESS OF AUTHORITY	Licensing Unit, Stoke Newington Police Station 33 Stoke Newington High Street London N16 8DS
CONTACT NAME	PC 1505CE David Atkins
TELEPHONE NUMBER	020 7275 3022
E-MAIL ADDRESS	hackneylicensing@met.police.uk

APPLICATION PREMISES

NAME & ADDRESS OF PREMISES	The Gun 235 Well Street London E9 6RG
NAME OF PREMISES USER	Locals Club Limited

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 for the premises variation application at 235 Well Street.

The venue is one of a number of premises that is situated on a one way street. The rear of the venue backs on to a residential estate and a number of the venues along the street are themselves situated below residences.

The applicant has applied for the addition of off sales to the licence stating that they only intend to use the front of the pub for drinks collections until 2030hours and 2100hours at the latest.

The venue has operated on a number of Temporary event notices allowing to sell off sales during the current lockdown. However, it has been brought to the attention of Police that a number of residents have made several complaints to the local councillor regarding the venue stating that customers are not dispersing and congregating in the street to consume their drinks. They have been blocking the street for vehicles, particularly Cresset Road, been abusive to people and making a lot of noise, disturbing residents and other shops

The applicant has stated that they will intermittently patrolling the area to maintaining noise levels, dispersal flow and litter management. It is the concern of Police that despite this being the intention of the applicant this is doing little to minimise any impact on the local community.

Police appreciate that the request for the addition of off sales of alcohol is sought as a measure during the COVID-19 crisis to allow the premises to trade. However, this addition will permanently remain on the premises licence and it is the concern of the Police the addition of off sales will undermine the licensing objectives in particular Public nuisance, public safety and Crime and disorder.

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

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

Signed
PC1505CE ATKINS (By E-mail)

Name (printed)

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

B3

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 Gun 235 Well Street London E9
NAME OF APPLICANT	Locals Club Limited

COMMENTS

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

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

Representation in relation to:

I write to make a representation in relation to this application as the proposal could have a negative impact on the promotion of the licensing objectives. It is not clear from the application what the applicant seeks in terms of hours/activity etc. Attention is also drawn to the following extract from the Council's Licensing Policy:

LP4 'Off' Sales of Alcohol

Hours for the supply of alcohol will generally be restricted to between 08:00 and 23:00.

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.

Further discussion with the applicant in relation to the proposal and measures to promote the licensing objectives.

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

Date: 29/06/2020

APPENDIX C



This premises licence has been issued by:

Licensing Service
2 Hillman Street
London E8 1FB

PART A – PREMISES LICENCE

Premises Licence Number

067240

Part 1 – Premises details

The Gun
235 Well Street
London
E9 6RG
020 8986 9721

Where the licence is time limited the dates

Not Applicable

Licensable activities authorised by the licence

Recorded Music
Supply of Alcohol

The times the licence authorises the carrying out of Licensable activities

Recorded Music **Standard Hours:**

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

Non-Standard Hours:

On each public holiday and on each Sunday proceeding a bank holiday up to 01.00 hours.

Supply of Alcohol Standard Hours:

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

Non-Standard Hours:

On each public holiday and on each Sunday proceeding a bank holiday up to 00.30 hours.

The opening hours of the premises

Premises Standard Hours:

Mon 10:00-00:00
Tue 10:00-00:00
Wed 10:00-00:00
Thu 10:00-00:00
Fri 10:00-01:00
Sat 10:00-01:00
Sun 10:00-00:00

Non-Standard Hours:

On each public holiday and on each Sunday proceeding a bank holiday up to 01.00 hours.

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

Local Club Limited
259 London Road
Chippenham
SN15 3AR

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

08773896

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

Nicholas Patrick Stephens

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: 14 April 2015

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 customer is made aware that these measures are available.

Minimum Drinks Pricing

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

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

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

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

(i) P is the permitted price,

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

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

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

(i) the holder of the premises licence,

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

(iii) the personal licence holder who makes or authorises a supply of alcohol under such a licence;

(d) "relevant person" means, in relation to premises in respect of which there is in force a club premises certificate, any member or officer of the club

present on the premises in a capacity which enables the member or officer to prevent the supply in question; and
(e) "value added tax" means value added tax charged in accordance with the Value Added Tax Act 1994.

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

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

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

Door Supervision

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

Annex 2 – Conditions consistent with the Operating Schedule

9. The licensee shall ensure that noise or vibration shall not emanate from the premises or from any associated external area from any equipment, machinery or live performance such as to cause persons in the neighbourhood to be disturbed
10. The licensee shall ensure that the sound system shall at all times be routed through a Sound Limiting Device. The Sound Limiting Device shall be kept in a secure, lockable cupboard or similar location. The system is to be completely independent of control by persons other than the Licensee/DPS.
11. The Sound Limiting Device shall be set and calibrated by an Acoustic Consultant. A copy of calibration certificate shall be forwarded to the Community Safety Team prior to the coming into force of the variation being sought.
12. The premises shall install and maintain a comprehensive CCTV system as per the minimum requirements of a Metropolitan Police Crime Prevention Officer. All entry and exit points will be covered enabling frontal identification of every person entering in any light condition. The CCTV system shall continually record whilst the premises is open for licensable activities and during all times when customers remain on the premises. All recordings shall be stored for a minimum period of 31 days with date and time stamping. Recordings shall be made available immediately upon the request of Police or authorised officer throughout the preceding 31-day period.

13. There shall be a staff member from the premises who is conversant with the operation of the CCTV system on the premises at all times when the premises are open to the public. This staff member must be able to show a Police or authorised council officer recent data or footage when requested.
14. Signs will be prominently displayed at all exit points reminding customers to leave quietly and respect local residents.
15. Signs will be prominently displayed in any smoking areas reminding customers to leave quietly and respect local residents.
16. A Challenge 25 proof of age scheme shall be operated at the premises where the only acceptable forms of identification are recognised photographic identification cards, such as driving licence or passport.
17. There shall be a personal licence holder on duty whenever alcohol is being sold.
18. An incident log shall be kept at the premises, and made available on request to an authorised officer of the council or the police, which will record the following.
 - a. All crimes reported:
 - b. All ejections of patrons
 - c. Any complaints received.
 - d. Any incidents of disorder.
 - e. Seizure of drugs or offensive weapons.
 - f. Any faults in the CCTV system or searching equipment or scanning equipment.
 - g. Any refusal of the sale of alcohol.
 - h. Any visit by a relevant authority or emergency service.
19. The premises will have a written dispersal policy that ensures that all patrons exiting the venue are encouraged to leave the area quickly and quietly.
20. Premises to operate zero tolerance policy to drugs and comply with Hackney Police Drugs, Weapons and Theft policy where appropriate.
21. 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. There shall be written records kept which can be produced to a police officer or other authorised officer upon request.
22. No noise shall emanate from the premises nor vibration be transmitted through the structure of the premises which gives rise to a nuisance.
23. No waste or recyclable materials including bottles, shall be moved, removed from or placed in outside areas between 2300hrs and 0800hrs on the following day.

24. Patrons will not be allowed to take drinks, glass or open containers outside of the building at any time.
25. After 22:30 hours there shall be a maximum of 6 smokers outside the venue at any one time.

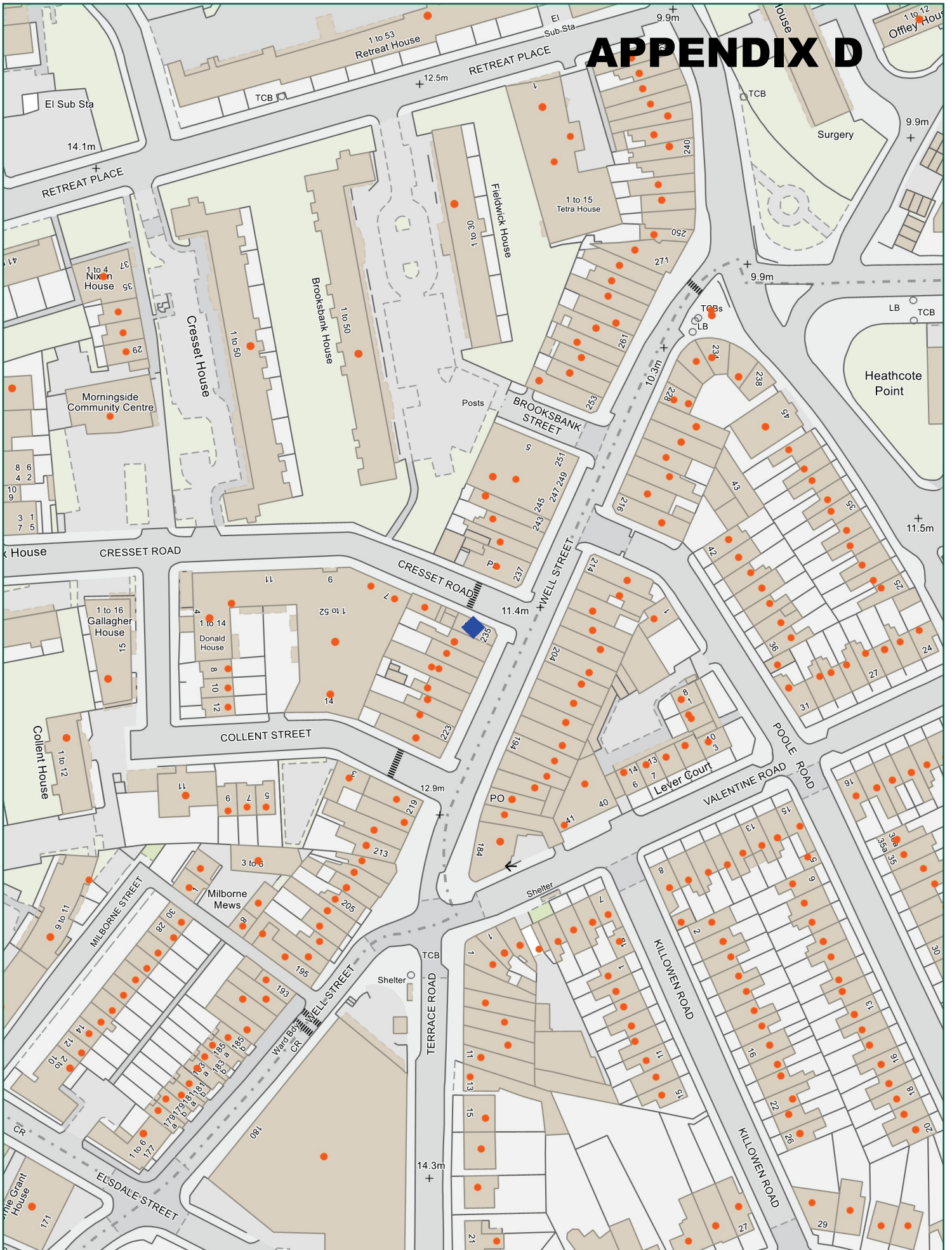
Annex 3 – Conditions attached after a hearing by the licensing authority

26. First floor terrace area to be seated only with no standing and a maximum of 20 persons.
27. Alcohol may only be consumed outside whilst seated at tables.
28. The outside areas shall not be used after 22:30 hours except for smokers.
29. SIA registered door supervisors to be employed on a continual operational risk assessment basis. All door supervisors shall enter their full details in the premises daily register at the commencement of their work. They shall record their full name, home address and contact telephone number, their SIA registration number, and the time they commence and conclude working. If the door supervisor was provided by an agency the name, registered business address and contact telephone number will also be recorded. This register will be made available to police of authorised officer immediately upon request.

Annex 4 – Plans

PLAN/067240/160215 (A)
PLAN/067240/160215 (B)

APPENDIX D



Scale: 1:1250 at A4



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13 July 2020

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