

REPORT OF THE GROUP DIRECTOR, NEIGHBOURHOODS AND HOUSING		
LICENSING SUB-COMMITTEE: 23/07/2020	Classification DECISION	Enclosure
APPLICATION TO VARY THE PREMISES LICENCE : St John at Hackney Brewery, 16-17 Bohemia Place, E8 1DU	Ward(s) affected Hackney Central	

1. SUMMARY

Applicant(s) Beersheba Ltd		In SPA: No
Date of Application 8 June 2020		Period of Application Permanent
Proposed variation: To amend the plan Amendment of current condition 19		
Proposed hours for licensable activity No change to current hours		
The opening hours of the premises: No change to current hours		
Current activities/hours: See current licence attached as Appendix C		
Capacity: not known		
Policies Applicable	LP1 (General Principles), LP2 (Licensing Objectives), LP3 (Core Hours), LP4 ('Off' Sales of Alcohol), LP5 (Planning Status), LP6 (External Areas and Outdoor Events) and LP11 (Cumulative Impact - General)	
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 Enforcement Police 	

2. APPLICATION

- 2.1 Beersheba Ltd has made an application vary their premises licence under the Licensing Act 2003:
- To amend the plans (as per revised plan) to include a larger external area for tables and chairs.
 - To amend condition 19 relating to the numbers of people in the external area and increasing number to 72.
- 2.2 The application is attached as Appendix A. The applicant has proposed amending condition from the current licence and replacing as detailed in paragraph 8.1 below.

3. CURRENT STATUS / HISTORY

- 3.1 The current premises licence was granted in March 2018(attached as Appendix C).
- 3.2 A Temporary Event Notice was given for an event in 2020 at this premises as follows:

<u>Date of the event(s)</u>	<u>Hours</u>
31/12/2019-01/01/2020	23.00-01.00

4. REPRESENTATIONS: RESPONSIBLE AUTHORITIES

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

Health Authority	No representation received
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5. REPRESENTATIONS: OTHER PERSONS

None

6. GUIDANCE CONSIDERATIONS

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

7. POLICY CONSIDERATIONS

- 7.1 Licensing Sub-Committee is required to have regard to the London Borough of Hackney's Statement of Licensing Policy ("the Policy") adopted by the Licensing Authority.
- 7.2 The Policy applies to applications where relevant representations have been made. With regard to this application, policies LP1 (General Principles), LP2 (Licensing Objectives), LP3 (Core Hours), LP4 ('Off' Sales of Alcohol), LP5 (Planning Status), LP6 (External Areas and Outdoor Events) and LP11 (Cumulative Impact - General) are relevant.

8. OFFICER OBSERVATIONS

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

Existing Condition to be amended

There shall be no glass, drinks or open containers taken outside the front of the premises except for a maximum of 10 people seated in the designated seating area. All drinks taken outside shall be in a plastic receptacle.

Proposed Condition to be added

There shall be no glass, drinks or open containers taken outside the front of the premises except for a maximum of 72 people seated in the designated seating area. All drinks taken outside shall be in a plastic receptacle.

Conditions derived from Responsible Authority representations

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. In order to minimise the amount of time any waste remains on the public highway in readiness for collection, the Licensee will ensure the timeframe within which it may expect its waste carrier to collect is adhered to.
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 St John at Hackney Brewery. 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 The applicant is seeking the above amendment. Conditions 1 to 6 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 individuals rights against the interests of the community at large.

12. MEMBERS DECISION MAKING

- A. **Option 1**
That the application be refused
- B. **Option 2**
That the application be approved, together with any conditions or restrictions which Members consider necessary for the promotion of the Licensing objectives.

13. CONCLUSION

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

Acting Group Director, Neighbourhoods and Housing	Ajman Ali
Lead Officer (holder of original copy):	Shan Uthayasangar Licensing Officer Licensing Service 1 Hillman Street E8 1DY Telephone: 020 8356 2431

LIST OF BACKGROUND PAPERS RELATING TO THIS REPORT

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

Description of document	Location
St John at Hackney Brewery 16-17 Bohemia Place, E8 1DU	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 Beersheba 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

093280

Part 1 – Premises Details

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

16 BOHEMIA PLACE
HACKNEY

Post
town

LONDON

Postcode

E8 1DU

Telephone number at premises (if any)

Non-domestic rateable value of premises

£19500

Part 2 – Applicant details

Daytime contact
telephone number

E-mail address (optional)

Current postal address if
different from premises
address

UK-England

Post

Postcode

town			
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Part 3 – Variation

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

Please describe briefly the nature of the proposed variation (Please see guidance note 2)

Amendment to plans to include a larger external area for tables and chairs and to amend condition 19 relating to the numbers of people in the external area and increasing number to 72. It is proposed that it be re-worded as follows - "There shall be no glass, drinks or open containers taken outside the front of the premises except for a maximum of 72 people seated in the designated seating area. All drinks taken outside shall be in a plastic receptacle."

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

100

Part 4 Operating Schedule

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

Provision of regulated entertainment (Please see guidance note 3)

Please tick all that apply

- | | |
|---|--------------------------|
| a) plays (if ticking yes, fill in box A) | <input type="checkbox"/> |
| b) films (if ticking yes, fill in box B) | .. |
| c) indoor sporting events (if ticking yes, fill in box C) | .. |
| d) boxing or wrestling entertainment (if ticking yes, fill in box D) | .. |
| e) live music (if ticking yes, fill in box E) <input type="checkbox"/> | .. |
| 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 L)

..

Sale by retail of alcohol (if ticking yes, fill in box J)

..

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	
					Outdoors	
					Both	
Day	Start	Finish	Please give further details here (please read guidance note 5)			
Mon						
Tue						
Wed			State any seasonal variations for performing plays (please read guidance note 6)			
Thur						
Fri						
Sat			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)			
Sun						

B

Films Standard days and timings (please read guidance note 8)			Will the exhibition of films take place indoors or outdoors or both – please tick (please read guidance note 4)	Indoors	
				Outdoors	
				Both	
Day	Start	Finish	Please give further details here (please read guidance note 5)		
Mon					
Tue					
Wed			State any seasonal variations for the exhibition of films (please read guidance note 6)		
Thur					
Fri					
Sat			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)		
Sun					

C

Indoor sporting events Standard days and timings (please read guidance note 8)			Please give further details (please read guidance note 5)
Day	Start	Finish	
Mon			
Tue			State any seasonal variations for indoor sporting events (please read guidance note 6)
Wed			
Thur			
Fri			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)
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	
				Outdoors	
				Both	
Day	Start	Finish	Please give further details here (please read guidance note 5)		
Mon					
Tue					
Wed			State any seasonal variations for boxing or wrestling entertainment (please read guidance note 6)		
Thur					
Fri					
Sat			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)		
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	
					Outdoors	
					Both	
Day	Start	Finish	Please give further details here (please read guidance note 5)			
Mon						
Tue						
Wed						
Thur			State any seasonal variations for the performance of live music (please read guidance note 6)			
Fri						
Sat						
Sun						
			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)			

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	
				Outdoors	
				Both	
Day	Start	Finish	Please give further details here (please read guidance note 5)		
Mon					
Tue			State any seasonal variations for the playing of recorded music (please read guidance note 6)		
Wed					
Thur			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)		
Fri					
Sat					
Sun					

G

Performances of dance Standard days and timings (please read guidance note 8)			Will the performance of dance take place indoors or outdoors or both – please tick (please read guidance note 4)	Indoors	
				Outdoors	
				Both	
Day	Start	Finish	Please give further details here (please read guidance note 5)		
Mon					
Tue					
			State any seasonal variations for the performance of dance (please read guidance note 6)		
Wed					
Thur					
			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)		
Fri					
Sat					
Sun					

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	
Mon				Outdoors	
				Both	
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					

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	
				Outdoors	
				Both	
Day	Start	Finish	Please give further details here (please read guidance note 5)		
Mon					
Tue					
Wed			State any seasonal variations for the provision of late night refreshment (please read guidance note 6)		
Thur					
Fri					
Sat			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)		
Sun					

J

Supply of alcohol Standard days and timings (please read guidance note 8)			Will the supply of alcohol be for consumption – please tick (please read guidance note 9)		On the premises	
					Off the premises	
					Both	
Day	Start	Finish	State any seasonal variations for the supply of alcohol (please read guidance note 6)			
Mon						
Tue						
Wed						
Thur			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) Default.LicesableActivitiesJ_plays_non_s»			
Fri						
Sat						
Sun						

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).

none

L

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

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

none

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.
cannot attach original as this is an electronic application

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)

All existing 34 conditions on the premises licence to continue in force as per current premises licence. Whilst the premises have been open there have been no issues arising and the existing conditions have been implemented successfully.

This amendment if granted would be subject to the existing prevailing situation in respect of the Coronavirus pandemic and any further statutes or regulations which the government may form time to introduce. The operator will also have full regard to Guidance from government on social distancing measures and standards of hygiene throughout the premises and outdoors.

Management policies will be revised to take into account social distancing and hygiene during the period of the pandemic.

As per the attached revised drawing permission is sought for 12 tables at the front of the property. As per the plans submitted with this application, all tables will be placed 2m away from each other in line with government guidelines. These would be used for table service only, with two members of staff stationed outside during peak times. Patrons would only be served in plastic cups, and members of staff will aim to ensure no customer walks away with open containers

b) The prevention of crime and disorder

as above

c) Public safety

as above

d) The prevention of public nuisance

as above

e) The protection of children from harm

as above

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	Gareth Hughes
Date	8/6/2020
Capacity	Lawyer for applicant

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	8/6/2020
Capacity	

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

Keystone Law

48-49 CHANCERY LANE

UK-England

Post town	LONDON	Post code	WC2A 1JF
Telephone number (if any)	[REDACTED]		
If you would prefer us to correspond with you by e-mail, your e-mail address (optional)			
[REDACTED]			

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

= current licensed area
= proposed extended
licensed area

Paper History

- 1 Preparation
B - 18.01.11 - Drainage setting out added in accordance with Hart Crown Ltd drainage drawings.
2 Concept Design
3 Developed Design
4 Technical Design
5 Specialist Design
6 Construction
C - 18.02.06 - Issued for construction
C - 18.03.12 - Issued for advertising content
2 Concept Design
3 Developed Design
4 Technical Design
5 Specialist Design
6 Construction
B - 20.01.06 - Issued for planning consent
E - 20.02.27 - Issued for planning consent.
7 Use & Aftercare
7 Use & Aftercare

Project
199 Microbrewery
16-17 Bohemia Place Aches
Hackney, London
E8 3JH
Drawing Title
Proposed Ground Floor Plan

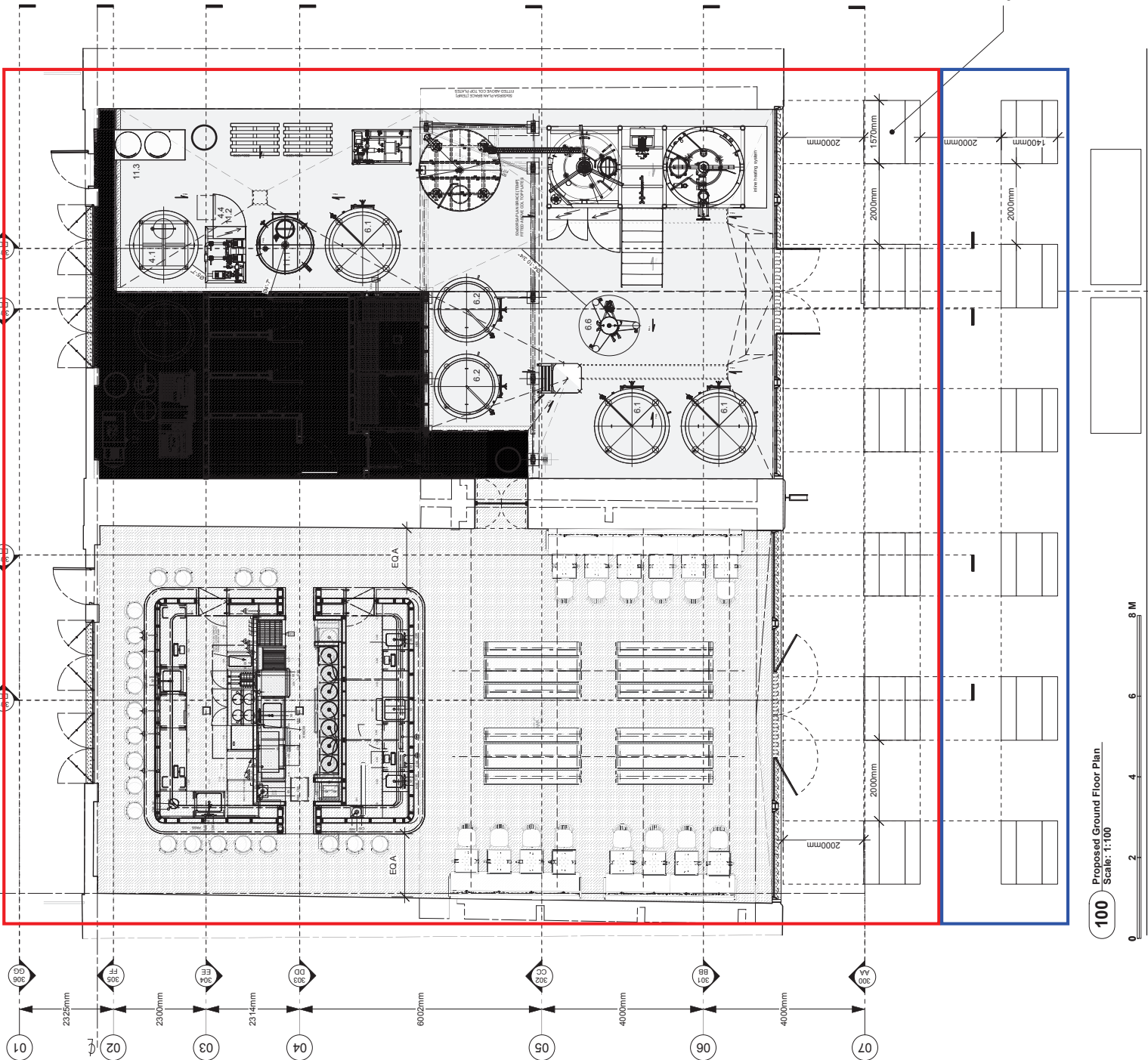
Scale
1 - 100 @ A3
1 - 50 @ A1
Revision
E

Client
Luke Scanlon/ Ryan Robbins
Drawn
IS
Deer
LCT

4.07 The Tea Building
56 Shoreline High Street
London E1 6JU
hello@reddeer.co.uk
www.reddeer.co.uk
+44 (0) 203 6373 581

red deer
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<
>

199.10.100
On site for planning
All drawings to be checked and
Report drawings to be checked and
100% for the final



**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 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	St John at Hackney Brewery 16-17 Bohemia Place Hackney London E8 1DU
NAME OF APPLICANT	Beersheba Ltd

COMMENTS

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

- | | | |
|----|--------------------------------------|-------------------------------------|
| 1) | the prevention of crime and disorder | <input type="checkbox"/> |
| 2) | public safety | <input type="checkbox"/> |
| 3) | the prevention of public nuisance | <input checked="" type="checkbox"/> |
| 4) | the protection of children from harm | <input type="checkbox"/> |

Representation in relation to:

ENVIRONMENTAL LICENCE CONDITIONS IN RESPECT OF

**St John at Hackney Brewery
16-17 Bohemia Place, London E8 1DU**

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. In order to minimise the amount of time any waste remains on the public highway in readiness for collection, the Licensee will ensure the timeframe within which it may expect its waste carrier to collect is adhered to.

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 St John at Hackney Brewery.

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. There have been instances in the past where Enforcement Officers have found evidence of the illegal disposal of waste from this business.

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: 11/06/2020

APPENDIX B2

Planning Authority Representation: Application under the Licensing Act 2003

Details of Authority	2 Hillman Street, Hackney, London, E8 1FB
Officer contact name	Ashley Rogers
Officer telephone number	020 8356 7914
Officer's email address	ashley.rogers@hackney.gov.uk

APPLICATION PREMISES

Name and address of premises	St John at Hackney Brewery, 16-17 Bohemia Place, Hackney, London, E8 1DU
Applicant name	Beersheba Limited

COMMENTS

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

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

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

The application proposes a variation to an existing premises license under the Licensing Act 2003.

The proposed changes are for internal/external alterations to the existing premises. No changes are proposed to the permitted hours, activities or conditions.

Hours premises are open to the public:
Mon-Thur & Sun 10:00 to 23:30
Fri-Sat 10:00 to 00:00

The proposed use is lawful under planning permission reference:

2017/4504 - Change of use from B2 (General Industrial) to Sui Generis (Brewery, Restaurant and Bar); alterations to front and rear elevation comprising installation of metal framed glazing along with installation of ventilation equipment to rear elevation.

The proposed hours exceed the hours of operation permitted under the planning consent.

3 The use hereby approved shall only be operated between the hours 10am and midnight Monday to Saturday and between 11am and 10pm Sunday and bank holidays.

The usage of the premises is permitted. However, the hours of operation proposed exceeds the hours of operation permitted under the planning consent.

They are advised to seek planning permission. Licensing permission does not grant planning permission. The applicant is reminded that usage of the premises outside the planning permission for the premises is unlawful and may result in enforcement action.

Please provide the following information (if applicable)

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

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

No representation with informative

The usage of the premises is permitted. However, the hours of operation proposed exceeds the hours of operation permitted under the planning consent.

They are advised to seek planning permission. Licensing permission does not grant planning permission. The applicant is reminded that usage of the premises outside the planning permission for the premises is unlawful and may result in enforcement action.

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

Signed	
Name	Gareth (South Team Leader)
Date	

APPENDIX B3

RESPONSIBLE AUTHORITY REPRESENTATION: APPLICATION UNDER THE LICENSING ACT 2003

RESPONSIBLE AUTHORITY DETAILS

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

APPLICATION PREMISES

NAME & ADDRESS OF PREMISES	16-17 Bohemia Place London E8 1DU
NAME OF PREMISES USER	Beersheba 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 submit the following representations in respect of the premises variation application at 16-17 Bohemia place.

The venue applying for an extension is located in Bohemia place which is a gallery of railway arches previously used as repair garages. A majority of these arches are now occupied by night time economy venues.

The venue is seeking to extend the use of the outdoor area at the front of the premises to accommodate 72 customers.

Condition 19 on the current licence currently places a restricting of the number of customers using the external seating area to 10 people with this variation seeking to extend that number to 72. During the current climate of social distancing Police are now seeing a number of venues applying to make use of the external spaces on Bohemia place.

Bohemia Police suffers from ASB issues such as urination and Vomiting. Police believe that the significant increase in numbers occupying outside space in addition to the existing space using outdoor space for the consumption of alcohol will lead to an increase in these issues. Police are concerned that the area will also see an increase in crime and disorder namely theft as increase of use in the vicinity will make it an attractive target for balloon sellers and thieves who make their way to their to target intoxicated members of the public.

Whilst it is appreciated that many venues are seeking additions to their licence to allow for social distancing and compensate for the reduction of indoor usable space whilst social distancing guidelines are in place this will be a permanent addition to the licence and Police believe that this addition will undermine the licensing objectives public nuisance and crime and disorder.

Police look forward to hearing from the applicant to discuss this application.

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

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

Signed PC 1505CE ATKINS (By E-mail)
Name (printed

APPENDIX C



This premises licence has been issued by:

Licensing Service
1 Hillman Street
London E8 1DY

PART A – PREMISES LICENCE

Premises Licence Number

093280

Part 1 – Premises details

St John at Hackney Brewery
Railway Arches, 16-17 Bohemia Place
Hackney
London
E8 1DU

Where the licence is time limited the dates

Not Applicable

Licensable activities authorised by the licence

Live Music
Recorded Music
Late Night Refreshment
Supply of Alcohol

The times the licence authorises the carrying out of Licensable activities

Live Music

Standard Hours:

BOTH:

Fri 23:00-00:00
Sat 23:00-00:00

Recorded Music

Standard Hours:

BOTH:

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

**Late Night
Refreshment**

Standard Hours:

BOTH:

Fri 23:00-00:00
Sat 23:00-00:00

Supply of Alcohol

Standard Hours:

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

The opening hours of the premises

Standard Hours:

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

**Where the licence authorises supplies of alcohol whether these are on and/or
off supplies**

On and Off Premises

Part 2 –

Name, (registered) address, telephone number and e-mail (where relevant) of holder of premises licence

Beersheba Ltd
22 Chancery Lane
London
WC2A 1LS

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

10709205

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

Luke Scanlon

Personal licence number and issuing authority of personal licence held by designated premises supervisor where the premises licence authorises the supply of alcohol

Date of Grant: 19 March 2018

Signed:

**David Tuitt
Team Leader - Licensing**

Annex 1 - Mandatory Conditions

Supply of Alcohol

1. No supply of alcohol may be made under the premises licence:
 - (a) At a time when there is no designated premises supervisor in respect of the premises licence.
 - (b) At a time when the designated premises supervisor does not hold a personal licence or his personal licence is suspended.
2. Every supply of alcohol under the premises licence must be made or authorised by a person who holds a personal licence.
3. (1) The responsible person must ensure that staff on relevant premises do not carry out, arrange or participate in any irresponsible promotions in relation to the premises.

(2) In this paragraph, an irresponsible promotion means any one or more of the following activities, or substantially similar activities, carried on for the purpose of encouraging the sale or supply of alcohol for consumption on the premises -
 - (a) games or other activities which require or encourage, or are designed to require or encourage, individuals to;
 - (i) drink a quantity of alcohol within a time limit (other than to drink alcohol sold or supplied on the premises before the cessation of the period in which the responsible person is authorised to sell or supply alcohol), or
 - (ii) drink as much alcohol as possible (whether within a time limit or otherwise);
 - (b) provision of unlimited or unspecified quantities of alcohol free or for a fixed or discounted fee to the public or to a group defined by a particular characteristic in a manner which carries a significant risk of undermining a licensing objective;
 - (c) provision of free or discounted alcohol or any other thing as a prize to encourage or reward the purchase and consumption of alcohol over a period of 24 hours or less in a manner which carries a significant risk of undermining a licensing objective;
 - (d) selling or supplying alcohol in association with promotional posters or flyers on, or in the vicinity of, the premises which can reasonably be considered to condone, encourage or glamorise anti-social behaviour or to refer to the effects of drunkenness in any favourable manner.
 - (e) dispensing alcohol directly by one person into the mouth of another (other than where that other person is unable to drink without assistance by reason of a disability).

4. The responsible person must ensure that free potable water is provided on request to customers where it is reasonably available.
5. 5.1. The premises licence holder or club premises certificate holder must ensure that an age verification policy is adopted in respect of the premises in relation to the sales or supply of alcohol.
5.2 The designated premises supervisor in relation to the premises licences must ensure that the supply of alcohol at the premises is carried on in accordance with the age verification policy.
5.3. The policy must require individuals who appear to the responsible person to be under 18 years of age (or such older age as may be specified in the policy) to produce on request, before being served alcohol, identification bearing their photograph, date of birth and either:-
 - A. a holographic mark or
 - B. an ultraviolet feature.
6. The responsible person shall ensure that:
 - a) where any of the following alcoholic drinks is sold or supplied for consumption on the premises (other than alcoholic drinks sold or supplied having been made up in advance ready for sale or supply in a securely closed container) it is available to customers in the following measures:
 - beer or cider: 1/2 pint;
 - gin, rum, vodka or whisky: 25ml or 35ml; and
 - still wine in a glass: 125ml; and
 - a. these measures are displayed in a menu, price list or other printed material which is available to customers on the premises; and
 - b. where a customer does not in relation to a sale of alcohol specify the quantity of alcohol to be sold, the customer is made aware that these measures are available.

Minimum Drinks Pricing

7. 7.1 A relevant person shall ensure that no alcohol is sold or supplied for consumption on or off the premises for a price which is less than the permitted price.
7.2 For the purposes of the condition set out in paragraph 7.1 above -
 - (a) "duty" is to be construed in accordance with the Alcoholic Liquor Duties Act 1979;
 - (b) "permitted price" is the price found by applying the formula - $P = D + (D \times V)$
Where -
 - (i) P is the permitted price,
 - (ii) D is the amount of duty chargeable in relation to the alcohol as if the duty were charged on the date of the sale or supply of the alcohol, and
 - (iii) V is the rate of value added tax chargeable in relation to the alcohol as if the value added tax were charged on the date of the sale or supply of the alcohol;
 - (c) "relevant person" means, in relation to premises in respect of which there is in force a premises licence -

(i) the holder of the premises licence,
(ii) the designated premises supervisor (if any) in respect of such a licence, or
(iii) the personal licence holder who makes or authorises a supply of alcohol under such a licence;

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

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

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

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

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

Door Supervision

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

Annex 2 – Conditions consistent with the Operating Schedule

9. The premises shall maintain a comprehensive CCTV system as per the minimum requirements of a Metropolitan Police Crime Prevention Officer. All public areas, entry and exit points will be covered enabling frontal identification of every person entering in any light condition. The CCTV system shall continually record whilst the premises is open for licensable activities and during all times when customers remain on the premises. All recordings shall be stored for a minimum period of 31 days with date and time stamping. Recordings shall be made available immediately upon the request of Police or authorised officer.
10. A staff member from the premises who is conversant with the operation of the CCTV system shall be on the premises at all times when the premises are open to the public. This staff member shall be able to show Police or an authorised officer of Hackney Borough Council recent data or footage with the absolute minimum of delay when requested.

11. An incident log shall be kept at the premises, and made available immediately to an authorised officer of the Hackney Borough Council or the Police, which will record the following:
 - all crimes reported to the venue - any complaints received - any incidents of disorder - any faults in the CCTV system - any refusal of the sale of alcohol - any visit by a relevant authority or emergency service.
12. All instances of crime or disorder to be reported by the designated premises supervisor or responsible member of staff to an agreed police contact point, as agreed with the Police.
13. Food and non-intoxicating beverages, including drinking water, shall be available on the premises whenever alcohol is being sold.
14. Where the sale or supply of alcohol is taking place employees of the premises must request sight of evidence of the age of any person appearing to be under 25 years of age (Challenge 25). Such evidence may include a driving licence or passport.
15. The premises will display and maintain appropriate signage advising customers of the contact details of the Designated Premises Supervisor/Duty Manager.
16. There shall be a personal licence holder on duty whenever alcohol is available for sale.
17. All staff will be given refresher training every twelve months on the legislation relating to the sales of alcohol to underage persons and drunken persons. Written records of this training shall be kept on the premises and produced to police or other authorised officer upon request.
18. There shall be no glass drinks or open containers taken outside to the rear of the premises unless in Toughened Glass or in a plastic drinking vessel.
19. There shall be no glass, drinks or open containers taken outside the front of the premises except for a maximum of 10 people seated in the designated seating area. All drinks taken outside shall be in a plastic receptacle
20. The premises shall adhere to Hackney Police Weapons and Drugs Policies and any updates thereof.
21. Alcohol shall not be sold in open containers to be taken from the premises and cannot be opened and consumed directly outside the premises.
22. There shall be adequate and appropriate first aid equipment and materials available at the premises at all times.
23. SIA registered door supervisors shall be employed at the premises, on an ongoing risk assessment basis. All security staff and stewards shall be clearly identifiable at all times. All 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 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 or authorised officer immediately upon request.

24. There shall be "CCTV in Operation" signs prominently displayed.
25. Toilets shall be designed to minimise areas or surfaces to prevent illegal drug dealing/use.
26. Notices shall be displayed requesting customers not to take drinks or glassware onto the pavement.
27. Signage shall be displayed requesting customers to respect local residents by leaving the premises quietly.
28. Measures (as numbered) to ensure that patrons outside do not create nuisance from noise, smoke, obstruction, litter, odour, human waste such as vomit and urine to neighbours or members of the general public.
 - Measure 1 – Signage shall be displayed in the external terrace area of the premises requesting customers to respect local residents.
 - Measure 2 – A member of staff shall regularly check the external terrace area and the external frontage of the premises to check on any nuisance or antisocial behaviour and to prevent loitering outside the premises.
29. Make customers aware of the laws regarding sales or purchase of alcohol on behalf of children.
30. Ensure staff are fully aware of legislation via regular training and are always vigilant to their responsibilities.
31. All persons leaving the premises shall be encouraged to disperse towards Mare Street.
32. All windows and external doors shall be kept closed after 23:00 except for the immediate access and egress of persons.
33. Regular monitoring of the external areas of the premises to help minimise the risk of patrons causing a Public nuisance.
34. The sound system within the premises and all amplified music played at the premises must be played at a level whereby patrons using an outside area of the Premises should be able to conduct a conversation with another person at a reasonable level. Management to arrange for regular checks to ensure compliance.

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

Not Applicable

Annex 4 – Plans

PLAN/093280/260118

APPENDIX D



Scale: 1:1250 at A4



St John at Hackney Brewery, 16-17 Bohemia Place, E8 1DU

Ref:

14 July 2020

Produced by: unspecified

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