



REPORT OF THE GROUP DIRECTOR, NEIGHBOURHOODS AND HOUSING

LICENSING SUB-COMMITTEE: 23/07/2020	Classification DECISION	Enclosure
APPLICATION TO VARY THE PREMISES LICENCE : Callooh Callay Bar, Suna House, 65 Rivington Street, EC2A 3QQ	Ward(s) affected Hoxton East & Shoreditch	

1. SUMMARY

Applicant(s) Donday Limited	In SPA No
Date of Application 9 June 2020	Period of Application Permanent
Proposed variation: Supply of Alcohol (Off Premises)	
Proposed hours for licensable activity	
Supply of Alcohol Off-Sales	Standard Hours: Mon 11:00-23:00 Tue 11:00-23:00 Wed 11:00-23:00 Thu 11:00-23:00 Fri 11:00-23:00 Sat 11:00-23:00 Sun 11:00-23:00
The opening hours of the premises: No change to existing	Standard Hours: Mon 11:00-01:00 Tue 11:00-01:00 Wed 11:00-01:00 Thu 11:00-01:00 Fri 11:00-02:00 Sat 11:00-02:00 Sun 11:00-01:00
Current activities/hours: See licence at Appendix C	
Capacity: not known	

Policies Applicable	LP1 (General Principles), LP2 (Licensing Objectives), LP3 (Core Hours), LP4 ('Off' Sales of Alcohol), LP10 (Special Policy Areas – Dalston and Shoreditch)
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) • Police

2. APPLICATION

- 2.1 Donday Limited has made an application vary their premises licence under the Licensing Act 2003:
- To include sales 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 current premises licence was granted in 2008
- 3.2 No TENs have been submitted in respect of the premises in the current calendar year.

4. REPRESENTATIONS: RESPONSIBLE AUTHORITIES

From	Details
Environmental Health Authority (Environmental Protection) (Appendix B1)	Representation received on the grounds of the prevention of public nuisance
Environmental Health Authority (Environmental Enforcement)	Have confirmed no representation on this application
Environmental Health Authority (Health & Safety)	No representation received
Weights and Measures (Trading Standards)	Have confirmed no representation on this application
Planning Authority (Appendix B2)	Representation received on the grounds of the prevention of public nuisance & LP1 (Planning)
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, Public Safety, Prevention of Public Nuisance, Special Policy Area

Licensing Authority	Have confirmed no representation on this application
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), LP4 ('Off' Sales of Alcohol), LP10 (Special Policy Areas – Dalston and Shoreditch) are relevant.

8. OFFICER OBSERVATIONS

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

Conditions derived from operating schedule

1. All off sales including delivery sales will be subject to a challenge 25 policy.
2. Delivery drivers will be instructed to observe the Challenge 25 policy and make sure that they will not deliver to noisy or drunk "house parties" that may disrupt other local residents.
3. All off sales will be served in closed containers.
4. All purchasers of off sales will be reminded that they should not drink alcohol in the streets and each served bottled produced on site will have this advice printed on the label.
5. All off sales will have an advice slip in each delivery bag as a reminder of public safety issues and responsibilities.
6. All delivery drivers will be asked to turn their engines off and keep all noise and pollution to a minimum
7. The premises license holder shall ensure that any third party delivery/courier company is instructed to comply with the following:

- a) Any refusals will be logged by the delivery driver. Records of all refusals will be obtained from the delivery company and provided to the relevant authorities upon request; and
 - b) Couriers will be trained on relevant aspects of the Licensing Act 2003 including underage sales, sales to a person who is drunk, obtaining alcohol for a child or a person who is drunk and delivering alcohol to someone under the age of 18.
8. Any person or automated system taking an order for the supply of alcohol on behalf of the premises licence holder will inform customers that proof of age by way of photographic driving licence, passport or a form of identification with the PASS hologram may be required before alcohol is supplied in accordance with the Challenge 25 age verification scheme.

9. REASONS FOR OFFICER OBSERVATIONS

- 9.1 Additional conditions 1 to 8 derive from the applicant's operating schedule..

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):	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
Callooh Callay Bar Suna House, 65 Rivington Street, EC2A 3QQ	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 Donday Ltd

(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

LBH-PRE-T-0974

Part 1 – Premises Details

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

65 Rivington Street,

Post town

London

Postcode

EC2A 3AY

Telephone number at premises (if any)

██████████

Non-domestic rateable value of premises

£52000

Part 2 – Applicant details

Daytime contact telephone number

██████████

E-mail address (optional)

████████████████████

Current postal address if different from premises address

████████████████████

Post town	██████	Postcode	██████
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Part 3 – Variation

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

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

DD	MM	YYYY
□	□	□□□□

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>Callooh Callay is applying for a premises off license to serve customers and through delivery. This would be through our own delivery drivers or 3rd party (e.g. Deliveroo). This is at least until the limited operating restrictions are lifted. The operating schedule is as follows:</p> <p>Mondays - Sundays 11am - 11pm</p> <p>We will be serving pre packaged cocktails, wines, beers and / or spirit mixers to customers either to be delivered by designated drivers or for customers to take away. Customers will be reminded of licensing objectives Drivers will collect the goods from the front door of the premises on Rivington Street. Deliveries can take place all over London and all drivers will be reminded of licensing objectives when collecting alcoholic goods. Any sales made for consumption off premises will be advised not drink in the street and should consume their purchase at home. The delivery driver will enforce a Challenge 25 policy when delivering goods and make sure that they will not deliver to noisy or drunk "house parties" that may disrupt other local residents. The premises license holder shall ensure that any third party delivery/courier company is instructed to comply with the following:</p> <p>a) Any refusals will be logged by the delivery driver. Records of all refusals will be obtained from the delivery company and provided to the relevant authorities upon request; and</p> <p>b) Couriers will be trained on relevant aspects of the Licensing Act 2003 including underage sales, sales to a person who is drunk, obtaining alcohol for a child or a person who is drunk and delivering alcohol to someone under the age of 18.</p> <p>2. Any person or automated system taking an order for the supply of alcohol on behalf of the premises licence holder will inform customers that proof of age by way of photographic driving licence, passport or a form of identification with the PASS hologram may be required before alcohol is supplied in accordance with the Challenge 25 age verification scheme.</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:

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Part 4 Operating Schedule

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

- | 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) | <input type="checkbox"/> |
| c) indoor sporting events (if ticking yes, fill in box C) | <input type="checkbox"/> |
| d) boxing or wrestling entertainment (if ticking yes, fill in box D) | <input type="checkbox"/> |
| e) live music (if ticking yes, fill in box E) | <input type="checkbox"/> |
| f) recorded music (if ticking yes, fill in box F) | <input type="checkbox"/> |
| g) performances of dance (if ticking yes, fill in box G) | <input type="checkbox"/> |
| h) anything of a similar description to that falling within (e), (f) or (g) (if ticking yes, fill in box H) | <input type="checkbox"/> |
| Provision of late night refreshment (if ticking yes, fill in box I) | <input type="checkbox"/> |
| Supply of alcohol (if ticking yes, fill in box J) | <input checked="" type="checkbox"/> |

In all cases complete boxes K, L and M

J

Supply of alcohol Standard days and timings (please read guidance note 8)			Will the supply of alcohol be for consumption – please tick (please read guidance note 9)	On the premises	<input type="checkbox"/>
				Off the premises	<input checked="" type="checkbox"/>
				Both	<input type="checkbox"/>
Day	Start	Finish	State any seasonal variations for the supply of alcohol (please read guidance note 6) No change is sought for the current permitted hours for on sales		
Mon	11:00	23:00			
Tue	11:00	23:00			
Wed	11:00	23:00			
Thur	11:00	23:00			
Fri	11:00	23:00			
Sat	11:00	23:00			
Sun	11:00	23:00			
			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)		

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).

N/A

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) Some weekends during summer we may close earlier than 02:00
Day	Start	Finish	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)
Mon	11:00	01:00	
Tue	11:00	01:00	
Wed	11:00	01:00	
Thur	11:00	02:00	
Fri	11:00	02:00	
Sat	11:00	02:00	
Sun	11:00	01:00	

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.

Annex 2 . 13. to be ammended to - Host controlled seating areas are to be provided and operational hours shall be displayed at all times

.

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)

Callooh Callay has good relationships with the poice, the council and local residents. police co operation. By adding off sales to this license this will remove pressure from other off licenses, disperse crowds better and reduce the cumulative impact of the area by adding better security, supervision and CCTV and spreasing out the concentration of off sales to the area

b) The prevention of crime and disorder

All off sales will be conducted under supervision and with CCTV. A challenge 25 policy will be included and all delivery drivers will be instructed to observe the policy. All drivers will also be advised not to deliver to noisy house partys if they feel it will have a negative impact

c) Public safety

All off sales will be reminded that they should not drink purchased alcohol in the streets and all off sales will be served in closed conatiners.. Each bottled serve produced on site will have this printed on the label. Delivery drivers will also be intrsucted not to deliver to disruptive / dangerous destinations or house parties. All off sales will also have a small advice slip in each delivery bag to remond them of public safety issues and responsibilities. See example attached

d) The prevention of public nuisance

All delivery drivers will be asked to turn their engines off and keep all noise and pollution to a minimum

e) The protection of children from harm

All off sales including delivery sales will be subject to a challenge 25 policy and refused service if they cannot prove age if asked

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	Richard Wynne
Date	08-06-20
Capacity	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:

APPENDIX B1

RESPONSIBLE AUTHORITY REPRESENTATION: APPLICATION UNDER THE LICENSING ACT 2003

RESPONSIBLE AUTHORITY DETAILS

NAME OF AUTHORITY	Environmental Protection Team
ADDRESS OF AUTHORITY	Environmental Protection team 1 Hillman Street London E8 1DY
CONTACT NAME	Olalekan Olaosebikan
TELEPHONE NUMBER	020 8356 4658
E-MAIL ADDRESS	olalekan.olaosebikan@hackney.gov.uk

APPLICATION PREMISES

NAME & ADDRESS OF PREMISES	Callooh Callay 65 Rivington Street London EC2A 3AY
NAME OF APPLICANT	Donday Limited

COMMENTS

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

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

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

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

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

The Environmental Protection Team has not been able to agree conditions with the applicant in relation to noise that may arise from the use of the outside space.

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

The representative of the applicant is to contact the Environmental Protection Team or Olalekan Olaosebikan to discuss further the noise mitigation measures to prevent noise or smoke from having impact on the occupier of nearest noise/smoke sensitive properties to the commercial premises and to the delivery address.

Date: 06/07/2020

**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	Callooh Callay Bar, Suna House, 65 Rivington Street, London, EC2A 3QQ
Applicant name	Donday LTD

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 application proposes changes to the below activities:

Supply of Alcohol,
Hours premises are open to the public:
Mon-Wed & Sun 11:00 to 01:00
Thur-Sat 11:00 to 02:00

The proposed use is lawful under planning permission reference:

2002/0040 - Change of use of unit 2 (part of ground floor) to any use within classes A1, A2, B1 or A3 uses.

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

2011/2807 - Variation of condition 2 (hours of use) attached to planning permission ref: 2002/0040 in order to allow extended hours of opening from the existing hours of: 0800 hours to 2300 hours on Sunday to Thursday

and 0800 hours to 0100 hours on Friday and Saturday; to the proposed hours of: 0800 hours to 0100 hours Sunday to Wednesday and 0800 hours to 0200 hours on Thursday to Saturday.

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	

**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	Callooh Callay 65 Rivington Street London EC2A 3AY
NAME OF PREMISES USER	Donday 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 ◆
- 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 65 Rivington street.

The venue sits within the Shoreditch Special Policy. The streets of Shoreditch particularly within night time economy hours are extremely busy. The evenings and early hours of the morning see a huge footfall as thousands of people make their way to Shoreditch to visit the pubs, clubs, restaurants etc. There are regular incidents of violent crime, anti-social behaviour, disorder and theft. A large proportion of the people on the streets at night have consumed alcohol. Many of these people are drunk and looking for more alcohol to consume either inside a venue or outside on the street. Alcohol and the consuming of alcohol on the street has a direct impact on the rising number of incidents involving violence, anti-social behaviour, crime and disorder.

The venue is seeking the addition of off sales to their current licence 1100hours till 2300hours daily. Since the lockdown has been in place Rivington Street where the venue is based has seen a massive reduction in footfall, this being said with the proposed reopening of public houses due to take place on the 4th July 2020 this footfall is once again likely to see a significant increase. The applicant is seeking to carryout these off sales by making use of companies such as deliveroo. It is the concern of police that with the increase of footfall and the likely intoxication of members of public in Rivington street and surrounding Shoreditch area the increased presence of delivery drivers is will present a significant public safety issue with many being unaware of their surroundings after consuming alcohol.

Whilst it is appreciated that many venues are seeking the addition of off sales on their licence as a temporary measure in response the current pandemic this will be a permanent addition to the licence and Police believe that this addition will undermine the licensing objectives.

Police look forward to hearing from the applicant

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
2 Hillman Street
London E8 1FB

PART A – PREMISES LICENCE

Premises Licence Number

LBH-PRE-T-0974

Part 1 – Premises details

Callooh Callay Bar
Suna House
65 Rivington Street
London
EC2A 3QQ

Where the licence is time limited the dates

Not Applicable

Licensable activities authorised by the licence

Films
Live Music
Recorded Music
Performance of Dance
Other Entertainment Similar to Live or Rec Music or Dance Performance
Facilities for Making Music
Facilities for Dancing
Late Night Refreshment
Supply of Alcohol

The times the licence authorises the carrying out of Licensable activities

Films

Standard Hours:

Premises:

Mon 11:00-23:00
Tue 11:00-23:00
Wed 11:00-23:00
Thu 11:00-23:00
Fri 11:00-01:00
Sat 11:00-01:00
Sun 11:00-23:00

Non-Standard Hours:

New Years Eve from 11:00 to 02:00 the day following.

Live Music

Standard Hours:

Premises:

Mon 11:00-01:00
Tue 11:00-01:00
Wed 11:00-01:00
Thu 11:00-02:00
Fri 11:00-02:00
Sat 11:00-02:00
Sun 11:00-01:00

Recorded Music

Standard Hours:

Premises:

Mon 11:00-01:00
Tue 11:00-01:00
Wed 11:00-01:00
Thu 11:00-02:00
Fri 11:00-02:00
Sat 11:00-02:00
Sun 11:00-01:00

**Performance of
Dance**

Standard Hours:

Premises:

Mon 18:00-23:00
Tue 18:00-23:00
Wed 18:00-23:00
Thu 18:00-23:00
Fri 18:00-01:00
Sat 18:00-01:00
Sun 18:00-23:00

Non-Standard Hours:

New Years Eve from 18:00 to 02:00 the day following.

**Other
Entertainment
Similar to Live or
Rec Music or
Dance
Performance**

Standard Hours:

Premises:

Mon 18:00-23:00
Tue 18:00-23:00
Wed 18:00-23:00
Thu 18:00-23:00
Fri 18:00-01:00
Sat 18:00-01:00
Sun 18:00-23:00

Non-Standard Hours:

New Years Eve from 18:00 to 02:00 the day following

Late Night Refreshment

Standard Hours:

Premises:

Mon 23:00-01:00
Tue 23:00-01:00
Wed 23:00-01:00
Thu 23:00-02:00
Fri 23:00-02:00
Sat 23:00-02:00
Sun 23:00-01:00

Non-Standard Hours:

New Years Eve from 23:00 to 02:00 the day following.

Supply of Alcohol

Standard Hours:

Premises:

Mon 11:00-01:00
Tue 11:00-01:00
Wed 11:00-01:00
Thu 11:00-02:00
Fri 11:00-02:00
Sat 11:00-02:00
Sun 11:00-01:00

The opening hours of the premises

Premises

Standard Hours:

Mon 11:00-01:00
Tue 11:00-01:00
Wed 11:00-01:00
Thu 11:00-02:00
Fri 11:00-02:00
Sat 11:00-02:00
Sun 11:00-01:00

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

Donday Limited
Flat 1
49 Mildmay Park
London
N1 4NB

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

06572078

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

Mr Richard Wynne

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: 10 October 2008

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 shall ensure that free tap water is provided on request to customers where it is reasonably available.
5. 5.1. The premises licence holder or club premises certificate holder shall ensure that an age verification policy applies to the premises in relation to the sales or supply of alcohol.

5.2. 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 a holographic mark.

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
 - b) customers are made aware of the availability of these measures.

A responsible person in relation to a licensed premises means the holder of the premises licence in respect of the premises, the designated premises supervisor (if any) or any individual aged 18 or over who is authorised by either the licence holder or designated premises supervisor. For premises with a club premises certificate, any member or officer of the club present on the premises in a capacity that which enables him to prevent the supply of alcohol.

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.

Exhibition Of Films

8. Admission of children (under 18) to the exhibition of any film must be restricted in accordance with: -
- (a) Recommendations made by the film classification body where the film classification body is specified in the licence, or
 - (b) Recommendations made by the licensing authority where the film classification body is not specified in the licence, or the relevant licensing authority has not notified the holder of the licence that this subsection applies to the film in question.

"film classification body" means person('s) designated under s4 of the Video Recordings Act 1984(c.39).

Door Supervision

9. 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

- 10. The assigned duty manager is to control capacity, drinking levels and enforce an over 21's policy.
- 11. Incident / Accident report logs and regular staff training to counteract / react to drunken behaviour shall be maintained.
- 12. Cloakroom facility and bag clips to be provided wherever possible.
- 13. Host controlled seating areas are to be provided. Alcohol shall not be taken from the premises and operational hours shall be displayed at all times.
- 14. At least one trained first aider shall be on duty when premises are open to the public. An adequate number of first aid boxes shall be available.
- 15. There shall be regular maintenance and checks of fire alarms, signs, fire exits and emergency lighting by a competent person. The results of the checks

shall be in a log book which shall be readily available for officers of the Council.

16. Regular evacuation fire drills for all staff to be performed and staff a handbook provided.
17. The temperature shall be controlled through a well maintained air conditioning and heating system.
18. Suitable staff levels to be maintained.
19. Lost property log to be maintained.
20. Free drinking water to be available at all times and table service.
21. Drinking glasses to be checked regularly and perimeter checks outside the premises to maintain glass free environment.
22. Taxi service to be promoted and details of 'Scooterman' or other similar schemes shall be displayed.
23. No drinking, smoking or glassware to be permitted onto the street. Only the designated smoking area to be used by patrons wishing to smoke.
24. Waste and refuse to be kept out of public view.
25. There shall be no changing of bins between the hours of 23:00 and 08:00.
26. Staff shall keep front entrance clean and swept when necessary.
27. Any live music to be located kept in the rear area, external levels monitored and noise limiter fitted to house amplifier. The music should be inaudible within the nearest noise sensitive premises with the windows open for ventilation.
28. Manager shall liaise with friendly professional door supervisors whilst circulating the premises, respect their professionalism and remembering they are door supervisors as opposed to bouncers. The difference is crucial. These are intelligent and courteous and would only use physical force as an absolute last resort. In almost all circumstances people can be calmed down simply by being talked to.
29. Staff are to remind customers to leave quietly when necessary .
30. All door supervisors are to be easily recognisable.
31. Under 21's will only be allowed in the bar for private parties.
32. The DPS shall attend an Introduction to Safeguarding Children course with City & Hackney Safeguarding Children Board .

33. All staff shall be aware of what is expected of them under Child Protection guidance and that this guidance is available to all staff.
34. All staff shall be aware of how to report concerns about the welfare of a child to the Social Care Duty and Assessment Team or Emergency Duty Team.

Additional conditions added to operating schedule in agreement with the Metropolitan Police

35. A comprehensive CCTV system that ensures all areas of the licensed premises are monitored, including all entry points, and which enable frontal identification of every person entering in any light condition. All cameras shall continually record whilst the premises are in operation and the recording shall be kept available for a minimum of 31 days with time and date stamping. Recording shall be made available to a duly authorised Hackney Council officer or a police officer together with facilities for viewing. The recordings for the preceding 31 days shall be made available immediately on request. The CCTV system shall be operated in accordance with the Data Protection Act 1998 and any other relevant legislation.
36. A minimum of one SIA registered door staff per 100 customers or part thereof to be employed at the premises when required on the basis of an operational risk assessment with identity badges displayed at all times and SIA numbers, full names, times worked and duty performed to be entered into an occurrence book and made available to police immediately upon request.
37. 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 21 years of age. Such evidence may include a driving licence or passport.
38. Premises to operate a no baseball caps or hooded tops policy and No alcohol promotions eg ; 'Happy Hour' or '2 for 1'.
39. Reasonable steps to be taken to ensure that an authorised person is a member of Pubwatch or Clubwatch and SNOW and attends at least three meetings a year.
40. Adequate/improved security lighting outside the premises with consideration being given to light pollution of neighbouring properties. All entrances to venue to be lit.
41. Premises to operate a zero tolerance policy to drugs and comply with the Hackney Police/Council Community Safety Unit Drugs and Weapons Policy.
42. The premises will also, in cooperation with Hackney Police and no later than 6 months following granting of the premises licence, regularly facilitate a premises drug audit using the Ion Itemiser or similar device.

43. Toilets to be checked by staff randomly and at least once per hour after 2000 and an entry made in a register and made immediately available to police at reasonable request.
44. 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.
45. The Licence Holder must participate in the Hackney Best Bar None scheme where possible.
46. All staff employed at the premises should be over 18 years old and photo identification has been seen to confirm this.
47. Non-intoxicating beverages, including drinking water, shall be available throughout the permitted hours in all parts of the premises where alcohol is sold.
48. The Licence Holder shall provide and maintain a dedicated telephone number of the Designated Premises Supervisor for use by any Responsible Authority or any person who may wish to make a complaint during the operation of the licence. This shall be provided to the Licensing Authority, Police and local Residents Associations. The Licence Holder shall ensure that any changes to these details are sent to these parties within seven days.
49. The Licence Holder shall ensure that the details of all complaints are recorded in an occurrence book.
50. The Licence Holder or designated person shall use a refusal book to record details of instances where staff have refused to serve a customer and the reasons for doing so (believed underage, intoxicated etc).

Conditions derived from Responsible Authority representations

51. A detailed acoustic report to be carried out by a competent person to be submitted to the Pollution Team for their approval. All recommendations within the report which have been approved by the pollution team should be completed prior to any further regulated entertainment taking place.
52. The installation of sound limiting devices (device type to be approved by the Pollution Team) to all music systems. The limiting devices should be set to ensure inaudibility in all nearby residential premises between 11pm and 7 am and a certificate of compliance should be submitted to the Pollution Group prior to the licence being granted. The device should be controlled by the Licensee and kept in a locked, tamper-proof box.
53. The noise limiter shall be recalibrated annually to ensure that the music volume does not exceed the level at which the above condition is breached. The methodology and copy of the calibration certificate should be submitted to the pollution team annually. The sound limiting device shall be used at all times when regulated entertainment is taking place.

54. No new admissions from 23.30 hours on Sunday to Wednesday and from 0130 hours on Thursday to Saturday.
55. A minimum of one SIA registered door staff per 100 Customers or part thereof to be employed from 2000 Hours until 30 Minutes past closing on Thursday to Saturday and to be considered at all other times as part of an operational risk assessment. Details of security (Full Name / Full Badge number / Time on-off / and a contact phone number) will be recorded in the occurrence / security book.

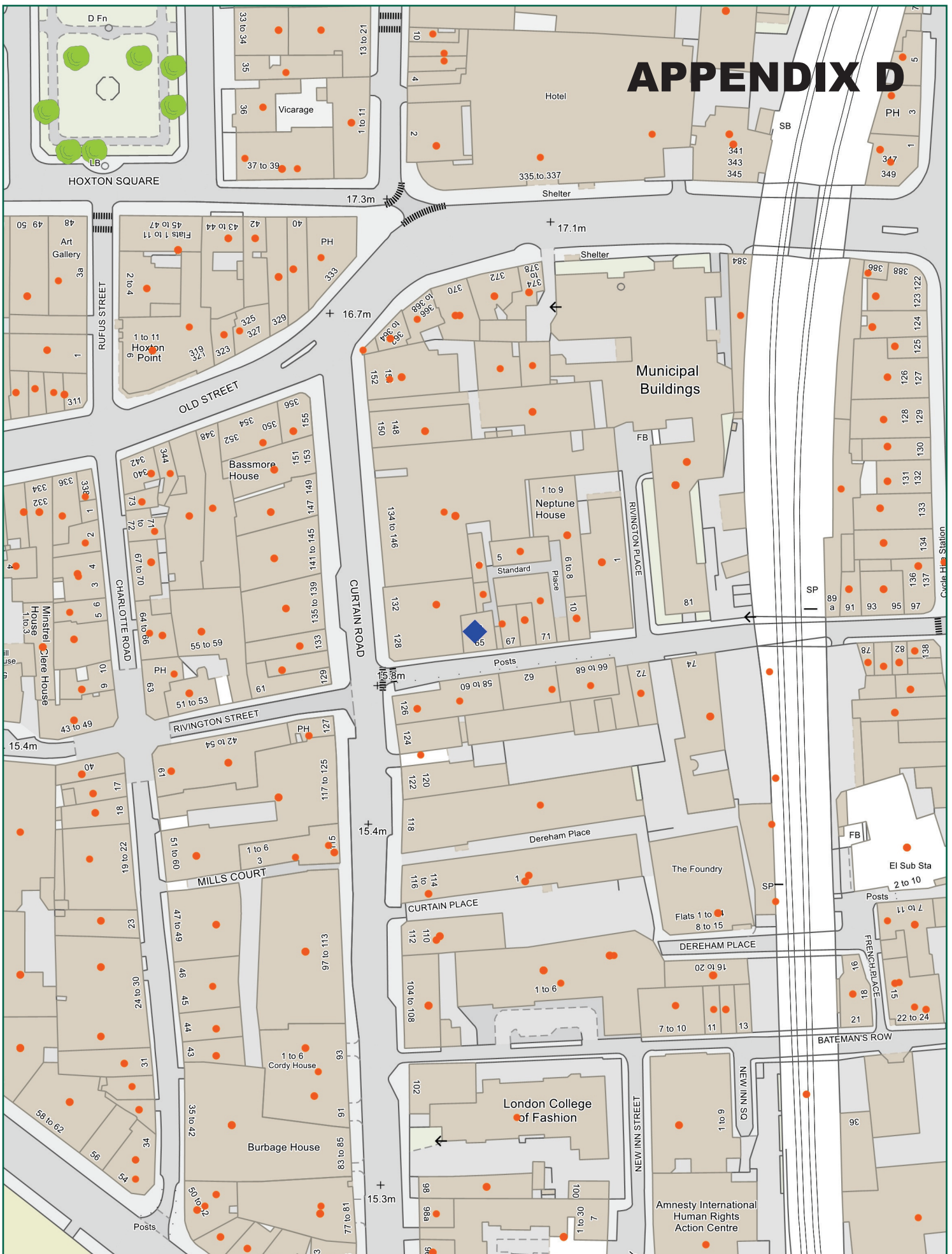
Annex 3 – Conditions attached after a hearing by the licensing authority

56. The maximum number of patrons on the premises at any one time should not be more than 200.

Annex 4 – Plans

LBH-PRE-T-0974/101008

APPENDIX D



Scale: 1:1250 at A4



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