

REPORT OF GROUP DIRECTOR, NEIGHBOURHOODS AND HOUSING		
LICENSING SUB-COMMITTEE: 24/09/2020	Classification DECISION	Enclosure
Application for a Premises Licence Three Sods Brewery, Railway Arch 399, Mentmore Terrace, Hackney, E8 3PH	Ward(s) affected London Fields	

1. SUMMARY

Applicant(s) 3SB LTD	In SPA No
Date of Application 21/07/2020	Period of Application Permanent
Proposed licensable activity Supply of Alcohol (On and Off Premises)	
Proposed hours of licensable activities Supply of Alcohol	
	Standard Hours: Mon 08:00-22:00 Tue 08:00-22:00 Wed 08:00-22:00 Thu 08:00-22:00 Fri 08:00-22:00 Sat 08:00-22:00 Sun 08:00-22:00
The opening hours of the premises	
	Standard Hours: Mon 08:00-22:30 Tue 08:00-22:30 Wed 08:00-22:30 Thu 08:00-22:30 Fri 08:00-22:30 Sat 08:00-22:30 Sun 08:00-22:30
Capacity: Not known	
Policies Applicable	LP1 (General Principles), LP2 (Licensing Objectives), LP4 ('Off' Sales of Alcohol)
List of Appendices	A – Application for a premises licence and supporting documents B – Representations from responsible authorities C – Representations from other persons D – Location map
Relevant Representations	<ul style="list-style-type: none"> Licensing Authority Other Persons

2. APPLICATION

2.1 **3SB LTD** have made an application for a premises licence under the Licensing Act 2003:

- To authorise the supply alcohol for consumption **On and Off** the premises

2.2 The application is attached as Appendix A. The applicant has proposed measures that could be converted to conditions (see paragraph 8.1 below).

3. CURRENT STATUS / HISTORY

3.1 The premises are not currently licensed for any activity.

3.2 The premises submitted Temporary Event Notices for sale of alcohol, regulated entertainment and late night refreshment as follows

DATE OF EVENT(S)	HOURS
11/07/2020	11:00 – 21:00
24/07/2020	17:00 – 23:00
01/08/2020	17:00 – 23:00
15/08/2020	16:00 – 23:00
30/08/2020	16:00 – 22:00
12/09/2020	16:00 – 22:00

4. REPRESENTATIONS: RESPONSIBLE AUTHORITIES

From	Details
Environmental Health Authority (Environmental Protection)	No representation received
Environmental Health Authority (Environmental Enforcement)	Representation withdrawn with the agreed conditions as set out in para 8.1
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	No representation received
Area Child Protection Officer	No representation received
Fire Authority	Have confirmed no representation on this application
Police	Representation withdrawn with the agreed conditions as set out in para 8.1
Licensing Authority Appendix B	Representation received on the grounds of The Prevention of Public Nuisance
Health Authority	No representation received

5. REPRESENTATIONS: OTHER PERSONS

From	Details
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Representation received from and on behalf of local residents. Appendix C1 to C8	Representation received on the grounds of The Prevention of Crime and Disorder, Public Safety and Prevention of Public Nuisance
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6. GUIDANCE CONSIDERATIONS

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

7. POLICY CONSIDERATIONS

- 7.1 Licensing Sub-Committee is required to have regard to the London Borough of Hackney's Statement of Licensing Policy ("the Policy") adopted by the Licensing Authority.
- 7.2 The Policy applies to applications where relevant representations have been made. With regard to this application, policies, LP1 (General Principles), LP2 (Licensing Objectives) and LP4 ('Off' Sales of Alcohol)

8. OFFICER OBSERVATIONS

- 8.1 If the Sub-Committee is minded to approve the application, the following conditions should be applied the licence:
- Supply Of Alcohol (On/Both)**
1. No supply of alcohol may be made under the premises licence:
 - (a) At a time when there is no designated premises supervisor in respect of the premises licence.
 - (b) At a time when the designated premises supervisor does not hold a personal licence or his personal licence is suspended.
 2. Every supply of alcohol under the premises licence must be made or authorised by a person who holds a personal licence.
 3. (1) The responsible person must ensure that staff on relevant premises do not carry out, arrange or participate in any irresponsible promotions in relation to the premises.
 - (2) In this paragraph, an irresponsible promotion means any one or more of the following activities, or substantially similar activities, carried on for the purpose of encouraging the sale or supply of alcohol for consumption on the premises -
 - (a) games or other activities which require or encourage, or are designed to require or encourage, individuals to;
 - (i) drink a quantity of alcohol within a time limit (other than to drink alcohol sold or supplied on the premises before the cessation of the period in which the responsible person is authorised to sell or supply alcohol), or
 - (ii) drink as much alcohol as possible (whether within a time limit or otherwise);
 - (b) provision of unlimited or unspecified quantities of alcohol free or for a fixed or discounted fee to the public or to a group defined by a particular characteristic in a manner which carries a significant risk of undermining a licensing objective;
 - (c) provision of free or discounted alcohol or any other thing as a prize to encourage or reward the purchase and consumption of alcohol over a period

of 24 hours or less in a manner which carries a significant risk of undermining a licensing objective;

(d) selling or supplying alcohol in association with promotional posters or flyers on, or in the vicinity of, the premises which can reasonably be considered to condone, encourage or glamorise anti-social behaviour or to refer to the effects of drunkenness in any favourable manner.

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

4. The responsible person must ensure that free potable water is provided on request to customers where it is reasonably available.

5.5.1. The premises licence holder or club premises certificate holder must ensure that an age verification policy is adopted in respect of the premises in relation to the sales or supply of alcohol.

5.2 The designated premises supervisor in relation to the premises licences must ensure that the supply of alcohol at the premises is carried on in accordance with the age verification policy.

5.3. The policy must require individuals who appear to the responsible person to be under 18 years of age (or such older age as may be specified in the policy) to produce on request, before being served alcohol, identification bearing their photograph, date of birth and either:-

- (a) a holographic mark or
- (b) an ultraviolet feature

6. The responsible person must ensure that:

a) where any of the following alcoholic drinks is sold or supplied for consumption on the premises (other than alcoholic drinks sold or supplied having been made up in advance ready for sale or supply in a securely closed container) it is available to customers in the following measures:

- beer or cider: 1/2 pint;
- gin, rum, vodka or whisky: 25ml or 35ml; and
- still wine in a glass: 125ml; and

b) these measures are displayed in a menu, price list or other printed material which is available to customers on the premises; and

c) where a customer does not in relation to a sale of alcohol specify the quantity of alcohol to be sold, the customer is made aware that these measures are available.

Minimum Drinks Pricing

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

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

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

(b) "permitted price" is the price found by applying the formula -

$$P = D + (D \times V)$$

Where -

(i) P is the permitted price,

(ii) D is the rate of duty chargeable in relation to the alcohol as

if the duty were charged on the date of the sale or supply of the alcohol, and

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

- (c) "relevant person" means, in relation to premises in respect of which there is in force a premises licence -
- (i) the holder of the premises licence,
 - (ii) the designated premises supervisor (if any) in respect of such a licence, or
 - (iii) the personal licence holder who makes or authorises a supply of alcohol under such a licence;
- (d) "relevant person" means, in relation to premises in respect of which there is in force a club premises certificate, any member or officer of the club present on the premises in a capacity which enables the member or officer to prevent the supply in question; and
- (e) "value added tax" means value added tax charged in accordance with the Value Added Tax Act 1994.

7.3 Where the permitted price given by Paragraph 7.2(b) above would (apart from this paragraph) not be a whole number of pennies, the price given by that sub-paragraph shall be taken to be the price actually given by that sub-paragraph rounded up to the nearest penny.

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

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

Conditions derived from operating schedule

8. CCTV covering the interior & exterior of the premises will be installed to the minimum standards of the Metropolitan Police Service and will be kept operational at all times the premises are open to the public. It shall be capable of taking a head & shoulders shot of persons entering the premises, be capable of storing images for a minimum of 31 days and a member of staff trained & capable of downloading images shall be on duty at all times the premises are open to the public. Images shall be provided to the Police or Authorised Officers on request.

9. On sales will only be permitted from 11.00 to 22.00 daily.

10. No open bottles, no glasses or drinks will be permitted to be taken outside the premises at any time.

11. After 22.00 a maximum of 4 smokers will be allowed outside the front at any time. Staff shall monitor their conduct by use of the CCTV and physically.

12. Only sealed bottles may be sold for consumption off the premises.

13. Challenge 25 will be operated as the proof of age policy.

14. Front of house staff will be trained on induction and given refresher training at six monthly intervals for their role & in the operation of Challenge 25. Training will include identifying persons under 25, making a challenge, acceptable proof of age and checking it, making and recording a refusal, proxy sales, avoiding conflict, responsible alcohol retailing and safeguarding children.

15. An incident book shall be kept at the premises, and made available to the Police or Authorised Officers, which will record the following:

- a) All crimes reported,
- b) Lost property;
- c) All ejections of customers;
- d) Any complaints received;
- e) Any incidents of disorder;
- f) Any seizure of drugs or offensive weapons;
- g) Any faults in the CCTV;
- h) Any refusal in the sale of alcohol;
- i) Any visit by a relevant authority or emergency service. If Police are called the CAD Number shall be obtained and recorded;
- j) Door Supervisor details if required;

16. Notices will be prominently displayed by the entry/ exit door and bar (as appropriate) advising customers:

- a) That CCTV & Challenge 25 are in operation;
- b) Of the provisions of the Licensing Act regarding underage & proxy sales;
- c) Of the permitted & opening times of the premises;
- d) That no open bottles or cans, glasses or drinks will be permitted to be taken outside the premises at any time;
- e) That only sealed bottles or cans may be sold & removed for consumption off the premises;
- f) To respect residents, leave quietly and not to loiter outside;
- g) Advising that the premises has a zero tolerance to illegal drugs & weapons;
- h) That a maximum of 4 smokers will be allowed outside after 22.00.

17. A minimum of 2 staff shall be on duty in the bar from 19.00 to close on Friday, Saturday and on Bank Holiday Sundays.

18. Management shall undertake an ongoing daily risk assessment to identify the staffing levels and any need for SIA Licensed Door Supervisors.

19. If Door Supervisors are in attendance they must record their dates & times of attendance, full name, full SIA licence number and if employed by an independent company the name & address of the company in a section within the Incident Book.

20. All Door Supervisors must clearly display their SIA licence while on duty.

21. The premises shall have written zero tolerance policies for drugs and weapons the details of which will be included in staff training. A copy of the policies shall be provided to the Police Licensing Team & Licensing Authority.

22. The premises shall have a written dispersal policy the details of which will be included in staff training. A copy of the policy shall be provided to the Police and Licensing Authority.

23. When Door Supervisors are not on duty, at the terminal hour a member of staff shall be tasked to monitor departing customers to remind them to leave the premises & area quietly, ensure customers do not loiter outside, monitor their conduct and ensure no open bottles, no glasses or drinks are removed from the premises.
24. Alcohol may only be delivered to the residential or business address given at the time of order. No alcohol may be delivered to any person in a park, street, vehicle or open place.
25. All orders involving alcohol must be prepaid by debit or credit card. No cash payments may be taken for alcohol deliveries. Customers must be asked to confirm that they are over 18 when placing the order.
26. All orders for home delivery of alcohol shall be recorded online or in writing including the name of the person making the order, the delivery address and phone number and the type and quantity of alcohol ordered.
27. Drivers delivering alcohol may only deliver the alcohol to the residential / business address given.
28. The company website & all advertising material regarding home deliveries of alcohol must clearly state that persons must be over 18 to buy alcohol and may be required to provide credible photographic evidence of age.
29. Notices will be prominently displayed by the entry/ exit door and bar as appropriate— See Box B Condition 9 for full details.
30. No open bottles, glasses or drinks will be permitted to be taken outside the premises at any time.
31. Management & staff will regularly monitor the outside of the premises including customers outside smoking by CCTV & physically. Suitable containers will be provided for cigarette ends.
32. The outside front of the premises will be kept tidy at all times and shall be swept at close.
33. No deliveries will be received or glass bottles / rubbish removed between 22.00 and 08.00.
34. A phone number will be displayed for residents to contact management with any concerns. Details of any complaints & the action taken will be recorded in the incident book.
35. Staff will direct customers to a nearby cab office or call a cab for customers on request.
36. All doors and windows will be kept closed except for the entry and egress of customers during the playing of musical entertainment.
37. No music from the premises shall be audible at the nearest noise sensitive premises

38. Notices will be prominently displayed by the entry/ exit door and bar as appropriate— See Box B Condition 9 for full details.

39. Challenge 25 will be operated as the proof of age policy. Only a photographic driving licence, valid passport, proof of age card bearing the holders photograph and the pass hologram / logo on it or UK Armed Forces photographic ID card will be accepted as proof of age.

40. All refusals of service will be recorded in the Incident Book (refusals section) which will be made available to the Police or Authorised Officers on request.

41. Front of house staff will be trained on induction and given refresher training at six monthly intervals - See Box B Condition 7 for full details.

42. No child or young person under 18 will be permitted to be on the premises at any time.

Conditions derived from Responsible Authority representations

43. 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.

44. 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.

45. 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.

46. 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.

47. 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.

48. The current trade waste agreement/duty of care waste transfer document shall be conspicuously displayed and maintained in the window of the premises where it can be conveniently seen and read by persons standing in The Three Sods 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.

9. REASONS FOR OFFICER OBSERVATIONS

9.1 Conditions 8 to 42 above are derived from the applicant's operating schedule. Conditions 43 to 48 have been proposed by the environmental enforcement. The proposed conditions have been accepted by the applicant.

10. LEGAL COMMENTS

10.1 The Council has a duty as a Licensing Authority under the Licensing Act 2003 to carry out its functions with a view to promoting the following 4 licensing objectives;

- The Prevention of Crime and Disorder
- Public Safety
- Prevention of Public Nuisance
- The Protection of Children from Harm

10.2 It should be noted that each of the licensing objectives have equal importance and are the only grounds upon which a relevant representation can be made and for which an application can be refused or terms and conditions attached to a licence.

11. HUMAN RIGHTS ACT 1998 IMPLICATIONS

11.1 There are implications to;

- **Article 6** – Right to a fair hearing
- **Article 14** – Not to discriminate
- Balancing: **Article 1**- Peaceful enjoyment of their possession (i.e. a licence is defined as being a possession) with **Article 8** – Right of Privacy (i.e. respect private & family life) to achieve a proportionate decision having regard to the protection of an 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.

Group Director, Neighbourhoods and Housing	Ajman Ali
Lead Officer (holder of original copy):	Sanaria Hussain Senior Licensing Officer Licensing Service 1 Hillman Street E8 1DY Telephone: 020 8356 4972

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
Office File: THREE SODS BREWERY, Railway Arch 399, Mentmore Terrace, Hackney, London, E8 3PH	Licensing Service 1 Hillman Street London E8 1DY

Printed matter

Licensing Act 2003

LBH Statement of Licensing Policy

↳ Hackney LA01	Application for a premises licence to be granted under the Licensing Act 2003
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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 Mr 3SB LTD
(Insert name(s) of applicant)

apply for a premises licence under section 17 of the Licensing Act 2003 for the premises described in Part 1 below (the premises) and I/we are making this application to you as the relevant licensing authority in accordance with section 12 of the Licensing Act 2003

Part 1 – Premises details

Postal address of premises or, if none, ordnance survey map reference or description THREE SODS BREWERY RAILWAY ARCH [REDACTED] 399 MENTMORE TERRACE HACKNEY LONDON			
Post town	LONDON	Postcode	E8 3PH

Telephone number at premises (if any)	
Non-domestic rateable value of premises	£27750

Part 2 - Applicant details

Please state whether you are applying for a premises licence as **appropriate** **Please tick as**

a)	an individual or individuals *	<input type="checkbox"/>	please complete section (A)
b)	a person other than an individual *		
i.	as a limited company/limited liability partnership	<input checked="" type="checkbox"/>	please complete section (B)

	ii.	as a partnership (other than limited liability)	<input type="checkbox"/>	please complete section (B)
	iii.	as an unincorporated association or	<input type="checkbox"/>	please complete section (B)
	iv.	other (for example a statutory corporation)	<input type="checkbox"/>	please complete section (B)
c)		a recognised club	<input type="checkbox"/>	please complete section (B)
d)		a charity	<input type="checkbox"/>	please complete section (B)
e)		the proprietor of an educational establishment	<input type="checkbox"/>	please complete section (B)
f)		a health service body	<input type="checkbox"/>	please complete section (B)
g)		a person who is registered under Part 2 of the Care Standards Act 2000 (c14) in respect of an independent hospital in Wales	<input type="checkbox"/>	please complete section (B)
ga)		a person who is registered under Chapter 2 of Part 1 of the Health and Social Care Act 2008 (within the meaning of that Part) in an independent hospital in England	<input type="checkbox"/>	please complete section (B)
h)		the chief officer of police of a police force in England and Wales	<input type="checkbox"/>	please complete section (B)

* If you are applying as a person described in (a) or (b) please confirm (by ticking yes to one box below):

- I am carrying on or proposing to carry on a business which involves the use of the premises for licensable activities; or

Date of birth			
Nationality			
Current postal address if different from premises address		UK-England	
Post town		Postcode	
Daytime contact telephone number			
E-mail address (optional)			
Where applicable (if demonstrating a right to work via the Home Office online right to work checking service), the 9-digit 'share code' provided to the applicant by that service (please see note 15 for information)			

(B) OTHER APPLICANTS

Please provide name and registered address of applicant in full. Where appropriate please give any registered number. In the case of a partnership or other joint venture (other than a body corporate), please give the name and address of each party concerned.

Name 3SB LTD
Address 48 SMALLFIELD ROAD HORLEY RH6 9AT UK-England
Registered number (where applicable) 09059300
Description of applicant (for example, partnership, company, unincorporated association etc.) PRIVATE LIMITED COMPANY
Telephone number (if any)

E-mail address (optional) g

Part 3 Operating Schedule

When do you want the premises licence to start? DD MM YYYY
08-08-2020

If you wish the licence to be valid only for a limited period, when do you want it to end? DD MM YYYY

Please give a general description of the premises (please read guidance note 1)
 The premises which is located in a railway arch will operate as a small craft brewery with an ancillary tap room open to the public for on & off sales. Off sales will be both by customer collection from the tap room and home deliveries by courier.

If 5,000 or more people are expected to attend the premises at any one time, please state the number expected to attend. N/A

What licensable activities do you intend to carry on from the premises?

(Please see sections 1 and 14 and Schedules 1 and 2 to the Licensing Act 2003)

	Provision of regulated entertainment (please read guidance note 2)	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 (optional, fill in box C)	..
d)	boxing or wrestling entertainment (if ticking yes, fill in box D)	..
e)	live music (optional, fill in box E)	..
f)	recorded music (if ticking yes, fill in box F)	..
g)	performances of dance (optional, fill in box G)	..
h)	anything of a similar description to that falling within (e), (f) or (g) (if ticking yes, fill in box H)	..

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

..

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



In all cases complete boxes K, L and M

J

Supply of alcohol Standard days and timings (please read guidance note 7)			Will the supply of alcohol be for consumption – please tick (please read guidance note 8)	On the premises	
				Off the premises	
				Both	<input checked="" type="checkbox"/>
Day	Start	Finish	State any seasonal variations for the supply of alcohol (please read guidance note 5) NONE		
Mon	08:00	22			
Tue	08:00	22:00			
Wed	08:00	22:00			
Thur	08:00	22:00			
Fri	08:00	22:00			
Sat	08:00	22:00			
Sun	08:00	22:00			
			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 6) NONE		

State the name and details of the individual whom you wish to specify on the licence as designated premises supervisor (Please see declaration about the entitlement to work in the checklist at the end of the form):

Name Mr WILSON DIGBY	
Date of birth [REDACTED]	
Address [REDACTED] [REDACTED]	
UK-England	
Postcode	E3 [REDACTED]
Personal licence number (if known) 29562	
Issuing licensing authority (if known) Tower Hamlets	

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 9).

NONE

L

Hours premises are open to the public Standard days and timings (please read guidance note 7)			State any seasonal variations (please read guidance note 5) NONE
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 6) NONE
Mon	08:00		
		22:30	
Tue	08:00		
		22:30	
Wed	08:00		
		22:30	
Thur	08:00		
		22:30	
Fri	08:00		
		22:30	
Sat	08:00		
		22:30	
Sun	08:00		
		22:30	

M Describe the steps you intend to take to promote the four licensing objectives:

a) General – all four licensing objectives (b, c, d and e) (please read guidance note 10)

We will operate our business in a responsible manner and actively promote the Licensing Objectives at all times. The premises is not located within a Cumulative Impact Zone.

b) The prevention of crime and disorder

- 1) CCTV covering the interior & exterior of the premises will be installed to the minimum standards of the Metropolitan Police Service and will be kept operational at all times the premises are open to the public. It shall be capable of taking a head & shoulders shot of persons entering the premises, be capable of storing images for a minimum of 31 days and a member of staff trained & capable of downloading images shall be on duty at all times the premises are open to the public. Images shall be provided to the Police or Authorised Officers on request.
- 2) On sales will only be permitted from 11.00 to 22.00 daily.
- 3) No open bottles, no glasses or drinks will be permitted to be taken outside the premises at any time.
- 4) After 22.00 a maximum of 4 smokers will be allowed outside the front at any time. Staff shall monitor their conduct by use of the CCTV and physically.
- 5) Only sealed bottles may be sold for consumption off the premises.
- 6) Challenge 25 will be operated as the proof of age policy. (See Box E Condition 2 for further details.)
- 7) Front of house staff will be trained on induction and given refresher training at six monthly intervals for their role & in the operation of Challenge 25. Training will include identifying persons under 25, making a challenge, acceptable proof of age and checking it, making and recording a refusal, proxy sales, avoiding conflict, responsible alcohol retailing and safeguarding children.
- 8) An incident book shall be kept at the premises, and made available to the Police or Authorised Officers, which will record the following:
 - a) All crimes reported,
 - b) Lost property;
 - c) All ejections of customers;
 - d) Any complaints received;
 - e) Any incidents of disorder;
 - f) Any seizure of drugs or offensive weapons;
 - g) Any faults in the CCTV;
 - h) Any refusal in the sale of alcohol;
 - i) Any visit by a relevant authority or emergency service. If Police are called the CAD Number shall be obtained and recorded;
 - j) Door Supervisor details if required;
- 9) Notices will be prominently displayed by the entry/ exit door and bar (as appropriate) advising customers:
 - a) That CCTV & Challenge 25 are in operation;
 - b) Of the provisions of the Licensing Act regarding underage & proxy sales;
 - c) Of the permitted & opening times of the premises;

- d) That no open bottles or cans, glasses or drinks will be permitted to be taken outside the premises at any time;
 - e) That only sealed bottles or cans may be sold & removed for consumption off the premises;
 - f) To respect residents, leave quietly and not to loiter outside;
 - g) Advising that the premises has a zero tolerance to illegal drugs & weapons;
 - h) That a maximum of 4 smokers will be allowed outside after 22.00.
 - 10) A minimum of 2 staff shall be on duty in the bar from 19.00 to close on Friday, Saturday and on Bank Holiday Sundays.
 - 11) Management shall undertake an ongoing daily risk assessment to identify the staffing levels and any need for SIA Licensed Door Supervisors.
 - 12) If Door Supervisors are in attendance they must record their dates & times of attendance, full name, full SIA licence number and if employed by an independent company the name & address of the company in a section within the Incident Book.
 - 13) All Door Supervisors must clearly display their SIA licence while on duty.
 - 14) The premises shall have written zero tolerance policies for drugs and weapons the details of which will be included in staff training. A copy of the policies shall be provided to the Police Licensing Team & Licensing Authority.
 - 15) The premises shall have a written dispersal policy the details of which will be included in staff training. A copy of the policy shall be provided to the Police and Licensing Authority.
 - 16) When Door Supervisors are not on duty, at the terminal hour a member of staff shall be tasked to monitor departing customers to remind them to leave the premises & area quietly, ensure customers do not loiter outside, monitor their conduct and ensure no open bottles, no glasses or drinks are removed from the premises.
- Home Deliveries
- 17) Alcohol may only be delivered to the residential or business address given at the time of order. No alcohol may be delivered to any person in a park, street, vehicle or open place.
 - 18) All orders involving alcohol must be prepaid by debit or credit card. No cash payments may be taken for alcohol deliveries. Customers must be asked to confirm that they are over 18 when placing the order.
 - 19) All orders for home delivery of alcohol shall be recorded online or in writing including the name of the person making the order, the delivery address and phone number and the type and quantity of alcohol ordered.
 - 20) Drivers delivering alcohol may only deliver the alcohol to the residential / business address given.
 - 21) The company website & all advertising material regarding home deliveries of alcohol must clearly state that persons must be over 18 to buy alcohol and may be required to provide credible photographic evidence of age.

c) Public safety

A Fire Risk Assessment and Emergency Plan will be prepared and regularly reviewed. All staff will receive appropriate fire safety training.

d) The prevention of public nuisance

- 1) Notices will be prominently displayed by the entry/ exit door and bar as appropriate– See Box B Condition 9 for full details.
- 2) No open bottles, glasses or drinks will be permitted to be taken outside the premises at any time.
- 3) Management & staff will regularly monitor the outside of the premises including customers outside smoking by CCTV & physically. Suitable containers will be provided for cigarette ends.
- 4) The outside front of the premises will be kept tidy at all times and shall be swept at close.
- 5) No deliveries will be received or glass bottles / rubbish removed between 22.00 and 08.00.
- 6) A phone number will be displayed for residents to contact management with any concerns. Details of any complaints & the action taken will be recorded in the incident book.
- 7) Staff will direct customers to a nearby cab office or call a cab for customers on request.
- 8) All doors and windows will be kept closed except for the entry and egress of customers during the playing of musical entertainment.
- 9) No music from the premises shall be audible at the nearest noise sensitive premises.

e) The protection of children from harm

- 1) Notices will be prominently displayed by the entry/ exit door and bar as appropriate– See Box B Condition 9 for full details.
- 2) Challenge 25 will be operated as the proof of age policy. Only a photographic driving licence, valid passport, proof of age card bearing the holders photograph and the pass hologram / logo on it or UK Armed Forces photographic id card will be accepted as proof of age.
- 3) All refusals of service will be recorded in the Incident Book (refusals section) which will be made available to the Police or Authorised Officers on request.
- 4) Front of house staff will be trained on induction and given refresher training at six monthly intervals - See Box B Condition 7 for full details.
- 5) No child or young person under 18 will be permitted to be on the premises at any time.

Checklist:

Please tick to indicate agreement

- I have made or enclosed payment of the fee.
- I have enclosed the plan of the premises.
- I have sent copies of this application and the plan to responsible authorities and others where applicable.
- I have enclosed the consent form completed by the individual I wish to be designated premises supervisor, if applicable.
- I understand that I must now advertise my application.
- I understand that if I do not comply with the above requirements my application will be rejected.

- [Applicable to all individual applicants, including those in a partnership which is not a limited liability partnership, but not companies or limited liability partnerships] I have included documents demonstrating my entitlement to work in the United Kingdom or my share code issued by the Home Office online right to work checking service (please read note 15).

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.

IT IS AN OFFENCE UNDER SECTION 24B OF THE IMMIGRATION ACT 1971 FOR A PERSON TO WORK WHEN THEY KNOW, OR HAVE REASONABLE CAUSE TO BELIEVE, THAT THEY ARE DISQUALIFIED FROM DOING SO BY REASON OF THEIR IMMIGRATION STATUS. THOSE WHO EMPLOY AN ADULT WITHOUT LEAVE OR WHO IS SUBJECT TO CONDITIONS AS TO EMPLOYMENT WILL BE LIABLE TO A CIVIL PENALTY UNDER SECTION 15 OF THE IMMIGRATION, ASYLUM AND NATIONALITY ACT 2006 AND PURSUANT TO SECTION 21 OF THE SAME ACT, WILL BE COMMITTING AN OFFENCE WHERE THEY DO SO IN THE KNOWLEDGE, OR WITH REASONABLE CAUSE TO BELIEVE, THAT THE EMPLOYEE IS DISQUALIFIED.

Part 4 – Signatures (please read guidance note 11)


Signature of applicant or applicant’s solicitor or other duly authorised agent (see guidance note 12). **If signing on behalf of the applicant, please state in what capacity.**

<p>Declaration</p>	<ul style="list-style-type: none"> • [Applicable to individual applicants only, including those in a partnership which is not a limited liability partnership] I understand I am not entitled to be issued with a licence if I do not have the entitlement to live and work in the UK (or if I am subject to a condition preventing me from doing work relating to the carrying on of a licensable activity) and that my licence will become invalid if I cease to be entitled to live and work in the UK (please read guidance note 15). • The DPS named in this application form is entitled to work in the UK (and is not subject to conditions preventing him or her from doing work relating to a licensable activity) and I have seen a copy of his or her proof of entitlement to work, or have conducted an online right to work check using the Home Office right to work checking service which confirmed their right to work (please see note 15)
<p>Signature</p>	<p>GRAHAM HOPKINS</p>
<p>Date</p>	<p>10/7/2020</p>

Capacity	AUTHORISED LICENSING CONSULTANTS
----------	----------------------------------

For joint applications, signature of 2nd applicant or 2nd applicant's solicitor or other authorised agent (please read guidance note 13). If signing on behalf of the applicant, please state in what capacity.

Signature	
Date	10/7/2020
Capacity	

Contact name (where not previously given) and postal address for correspondence associated with this application (please read guidance note 14)			
GT LICENSING CONSULTANTS			
			
UK-England			
Post town	BASILDON	Postcode	SS16 5DT
Telephone number (if any)			
If you would prefer us to correspond with you by e-mail, your e-mail address (optional) gtlicensingconsultants@googlemail.com			

Notes for Guidance

1. 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 for consumption of these off-supplies, you must include a description of where the place will be and its proximity to the premises.
2. 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.

FIRMA
ARCHITECTUR

BAR

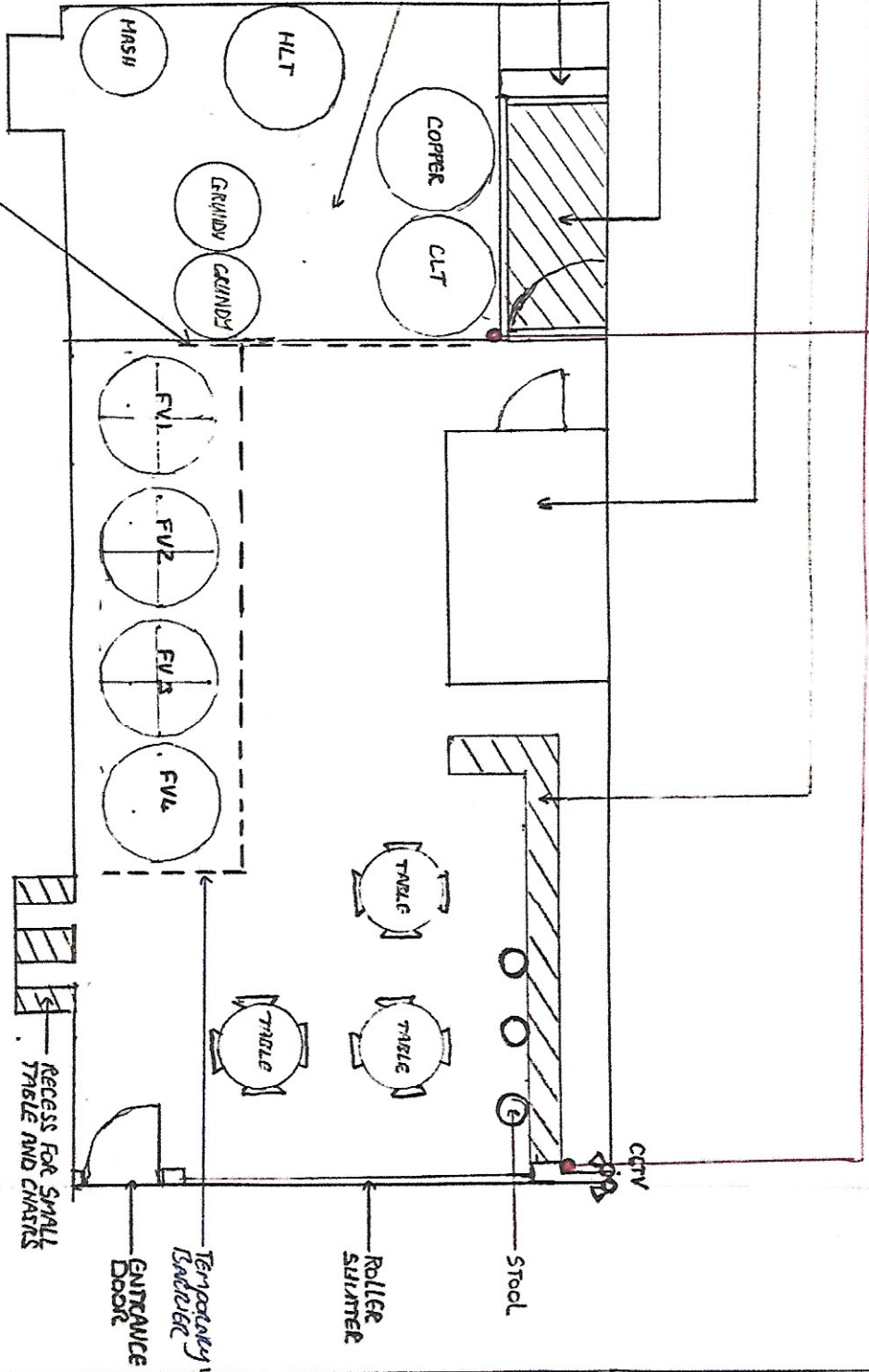
COLD ROOM

DBA TOILET BLOCK

KITCHENETTE

RAISED TIMBER
DECK

TEMPORARY
BRACKET



PLAN
1:50 SCALE

KEY

◻ DENOTES CCTV

● DENOTES FIRE
EXTINGUISHER

3SR LTD
399 MENTMORE
TERRACE
TAP ROOM &
BREWERY
PROPOSED PLAN
26/06/2020

The Licensing Authority,
London Borough of Hackney,
2 Hillman Street,
London E8 1FB

Dear Sir / Madam,

Application for a New Premises Licence / 3SB Ltd t/a Three Sods Brewery, 399 Mentmore Terrace, London E8 3PH

I am writing to advise you that I support the application by 3SB Ltd for a new Premises Licence for Three Sods Brewery.

I welcome the presence of a new, small craft brewery in the area and the opportunity to sample their beer in the Tap Room which is part of the brewery. After all, the railway arches were intended for use by small businesses such as Three Sods Brewery.

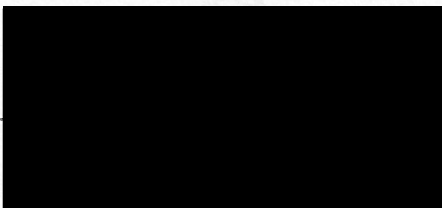
The Tap Room is only small and has a maximum capacity of 30 customers, so the atmosphere is just right. The use is similar to Tap Rooms attached to craft breweries across England where people can sample the beer after a visit to the brewery before buying some to take home or they can visit it to enjoy a pint or two with friends in a relaxed atmosphere. There is a toilet on the premises for customer use. Quiet, background music is played so customers can talk to each other without having to raise their voices and the Tap Room will not cause disturbance to local residents.

Customers are not allowed to take drinks outside at any time and only four smokers are allowed outside at any one time.

As a customer I enjoyed my experience at Three Sods Brewery. The Tap Room had a relaxed and friendly atmosphere throughout my visit, and I was able to talk to other people without raising my voice.

I welcome the presence of Three Sods Brewery and the opportunity to enjoy some locally produced craft beer in the centre of Hackney. The operators seem to me to be taking every step to avoid any disturbance to residents while trying to run their legitimate business successfully.

Yours faithfully,



31/07/20
[REDACTED]
[REDACTED] WEDGEWOOD HOUSE
DARLEY ST
SETHNAL GREEN
E2 [REDACTED]

The Licensing Authority,
London Borough of Hackney,
2 Hillman Street,
London E8 1FB

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I welcome the presence of Three Sods Brewery and the opportunity to enjoy some locally produced craft beer in the centre of Hackney. The operators seem to me to be taking every step to avoid any disturbance to residents while trying to run their legitimate business successfully.

Yours faithfully,

[Redacted signature block]

[Handwritten signature]

Flat [Redacted] London Lane

E8 [Redacted]

01.08.2020

The Licensing Authority,
London Borough of Hackney,
2 Hillman Street,
London E8 1FB

Dear Sir / Madam,

Application for a New Premises Licence / 3SB Ltd t/a Three Sods Brewery, 399 Mentmore Terrace, London E8 3PH

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I welcome the presence of Three Sods Brewery and the opportunity to enjoy some locally produced craft beer in the centre of Hackney. The operators seem to me to be taking every step to avoid any disturbance to residents while trying to run their legitimate business successfully.

Yours faithfully,

[REDACTED]
[REDACTED] EVERING ROAD
LONDON
N16
[REDACTED]

1.8.2010

The Licensing Authority,
London Borough of Hackney,
2 Hillman Street,
London E8 1FB

Dear Sir / Madam,

Application for a New Premises Licence / 3SB Ltd t/a Three Sods Brewery, 399 Mentmore Terrace, London E8 3PH

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Yours faithfully,

[REDACTED]

FLAT [REDACTED] WARE ST

Hackney

E8 [REDACTED]

1/8/20

The Licensing Authority,
London Borough of Hackney,
2 Hillman Street,
London E8 1FB

Dear Sir / Madam,

Application for a New Premises Licence / 3SB Ltd t/a Three Sods Brewery, 399 Mentmore Terrace, London E8 3PH

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I welcome the presence of Three Sods Brewery and the opportunity to enjoy some locally produced craft beer in the centre of Hackney. The operators seem to me to be taking every step to avoid any disturbance to residents while trying to run their legitimate business successfully.

Yours faithfully,

[Redacted signature]

[Redacted name]

1-8-2020

FLAT

[Redacted address]

LONDON
LANE.

Flat 2

[Redacted address]

London
Lane

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

APPENDIX B

RESPONSIBLE AUTHORITY DETAILS

NAME OF AUTHORITY	Licensing Authority
ADDRESS OF AUTHORITY	Hackney Service Centre 1 Hillman Street London E8 1DY
CONTACT NAME	David Tuitt
TELEPHONE NUMBER	020 8356 4942
E-MAIL ADDRESS	david.tuitt@hackney.gov.uk

APPLICATION PREMISES

NAME & ADDRESS OF PREMISES	THREE SODS BREWERY Railway Arch 399 Mentmore Terrace London E8 3PH
NAME OF APPLICANT	3SB LTD

COMMENTS

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

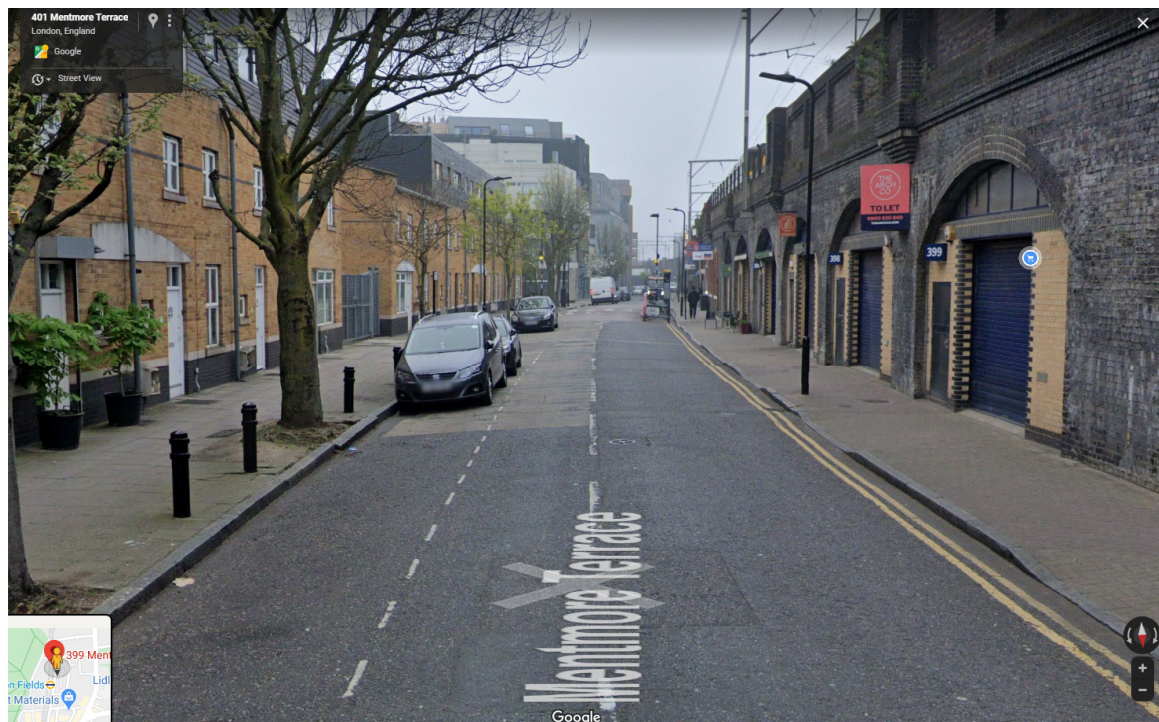
- 1) the prevention of crime and disorder
- 2) public safety
- 3) the prevention of public nuisance **x**
- 4) the protection of children from harm

Representation in relation to:

I write to make a representation in relation to the application. I feel the proposed 'on-sale' activity will have a negative impact on the promotion of the licensing objectives, in particular, the prevention of public nuisance due to the nature and character of the surrounding area.

The premises is located within a railway arch close to London Fields Station. However, there are residential premises in the terrace directly opposite. I am aware that during late hours of the day the area is quiet with low levels of ambient noise, very light traffic and limited noise from trains. I feel that on sales of alcohol at this location could lead to very noticeable and new source of noise nuisance from patron activity which is not currently a feature of this part of the street.

The image obtained from Google Streetview illustrates the close proximity to the residential terrace directly opposite.



I am aware that there have already been some concerns raised by residents as a result of the activities that have recently been authorised by TENs. A permanent licence here could result in further complaints.

It should be noted that I have no concerns in relation to the proposed off-sales of alcohol via mail order/collection and delivery.

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

The Licensing Act 2003, Statement of Licensing Policy 2018-2023 and S182 Guidance issued by the Home Office.

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

Removal of the on-sales element from the application.

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

Date: 07/08/2020



Sanaria Hussain <sanaria.hussain@hackney.gov.uk>

Fwd: Three Sods Brewery : 2020/0222/ENF: Alcohol Licence

1 message

Licensing (Shared Mailbox) <licensing@hackney.gov.uk>
To: Sanaria Hussain <sanaria.hussain@hackney.gov.uk>

17 July 2020 at 19:04

APPENDIX C1

Kind Regards,

Licensing Service
London Borough of Hackney
Tel: 020 8356 2431
Email: licensing@hackney.gov.uk
www.hackney.gov.uk/licensing

----- Forwarded message -----

From: **Emma Plouviez (Cllr)** <emma.plouviez@hackney.gov.uk>
Date: Fri, 17 Jul 2020 at 16:31
Subject: Fwd: Three Sods Brewery : 2020/0222/ENF: Alcohol Licence
To: Licensing (Shared Mailbox) <licensing@hackney.gov.uk>

This is an objection from residents to the application for a premises licence from Three Sods Brewery - it isn't clear from the email whether they have also put in a direct objection.

Thanks
Emma

Cllr Plouviez

----- Forwarded message -----

From: [REDACTED]
Date: Fri, 17 Jul 2020 at 15:36
Subject: Three Sods Brewery : 2020/0222/ENF: Alcohol Licence
To: <emma.plouviez@hackney.gov.uk>
Cc: [REDACTED]

Dear Cllr Emma Plouviez,

I am writing to you on behalf of residents on Mentmore Terrace, Gransden Avenue and the surrounding streets regarding Three Sods Brewery who have recently moved into Arch 399 on Mentmore Terrace E8 and have applied for a premises licence to operate as a brewery but more alarmingly to set up as a premises with considerable chairs/tables and sell alcohol on site.

They have applied for a Premises Licence (108780) and we would appreciate your support in objecting to this licence to both the Police and environmental Health. The deadline is 7th August.

We are very concerned about the negative impact on our community from increased anti social behaviour of having a licenced premises on this residential street. As you may be aware, there are no premises that serve alcohol on this street or any night time economy - this is because we have objected - due to the fact we have many young children and family living on mentmore terrace.

We are incredibly concerned that Three Sods Brewery wants to open a bar/pub with only 1 toilet facility. Please see attached images for increased anti social behaviour occurring on our street - men urinating on Mentmore Terrace.

Please see below for further details:

We, the residents are very concerned regarding the operation by Three Sods Brewery at Arch [399](#), [Mentmore Terrace](#) and the impact on our amenity

They opened on the weekend of 11th/12th July with a TEN Licence. The operation was not contained within the building, people were spilling out on to the street drinking and smoking, causing noise and disturbance to the residents on Mentmore Terrace. Please see attached images

They have applied for a Premises Licence (108780) and we would appreciate your support in objecting to this licence to both the Police and environmental Health. The deadline is 7th August.

The premises do not have planning permission to operate as a bar under Use Class A4 and we have raised an enforcement inquiry in respect of this (2020/0222/ENF).

We would be grateful if you would also please raise this with Hackney Planning Department and seek an early resolution through appropriate enforcement action.

We look forward to hearing from you

Kind regards



Mentmore Terrace

Sent: 15 July 2020 08:56
To: planningenforcement@hackney.gov.uk
Subject: FW: 2020/0222/ENF
Importance: High

Please find additional evidence regarding the operation of Arch 399 as a pub/ bar.

The premises operated a bar under a TEN licence on 11th and 12th July. This caused significant disturbance to residents.

A Premises Licence application is pending, as shown below.

Name	THREE SODS BREWERY
Address	Railway Arch 398 To 399 Mentmore Terrace Hackney London E8 3PH

Licence Details

Licence Number	108780
Historic Licence Number	CAS-1878175-V9P6S6
Licence Type	Premises Licence
Closing Date For Representations	07/08/2020
Status	In-consultation

Licence Variation Details

Details of application for variations to this licence are listed below.

• **10/07/2020: Details of application received**

Application for a premises licence to authorise supply of alcohol for consumption on and off the premises from 08:00 to 22:00 Monday to Sunday.

Representations must be made in writing, and should be sent to: The Licensing Service, 1 Hillman Street, London E8 1DY by 07/08/2020.

Alternatively, you can email your representation to us at licensing@hackney.gov.uk by 07/08/2020.





--

Cllr Emma Plouviez
Labour Councillor - London Fields Ward



Sanaria Hussain <sanaria.hussain@hackney.gov.uk>

Fwd: Objection to drinking licence at Railway Arch 398-399 Mentmore Terrace

1 message

Licensing (Shared Mailbox) <licensing@hackney.gov.uk>
To: Sanaria Hussain <sanaria.hussain@hackney.gov.uk>

27 July 2020 at 09:54

APPENDIX C2

Kind Regards,

Licensing Service
London Borough of Hackney
Tel: 020 8356 2431
Email: licensing@hackney.gov.uk
www.hackney.gov.uk/licensing

----- Forwarded message -----

From: [REDACTED]
Date: Sun, 26 Jul 2020 at 12:23
Subject: Objection to drinking licence at Railway Arch [398-399 Mentmore Terrace](#)
To: licensing@hackney.gov.uk <licensing@hackney.gov.uk>

Hi,

We strongly object to the proposed drinking licence of Railway Arch [398-399 Mentmore Terrace E8 3PH](#) (Three Sods Brewery).

Approving the consumption of alcohol in these premises is guaranteed to result in more loud people hanging out near our door, people peeing in front of our door and other anti-social behaviours right next to our living room (literally).

We have for years suffered from drunk people using our front building as a "toilet" particularly when people have been drinking nearby at weekends, public holidays and every time there has been a party on our street with alcohol involved - it's the same story every time. The recent surge in urination due to Covid and people drinking in the park has also highlighted to us that those who have been antisocial next to our homes are reluctant to use public toilets for safety reasons due to Covid. The only thing that will reduce these problems is therefore to keep the drinking at a distance from our homes, not on our street where families live and try to stay safe and rested.

Please consider this a strong objection to the on-premise drinking licence.

[REDACTED]
Residents of the basement of [REDACTED] [Mentmore Terrace, London E8 3PN](#)Disclaimers apply, for full details see: <https://hackney.gov.uk/email-disclaimer>



Sanaria Hussain <sanaria.hussain@hackney.gov.uk>

Fwd: Objection to application for licence application

1 message

Licensing (Shared Mailbox) <licensing@hackney.gov.uk>
To: Sanaria Hussain <sanaria.hussain@hackney.gov.uk>

27 July 2020 at 09:53

Kind Regards,

APPENDIX C3

Licensing Service
London Borough of Hackney
Tel: 020 8356 2431
Email: licensing@hackney.gov.uk
www.hackney.gov.uk/licensing

----- Forwarded message -----

From: [REDACTED]
Date: Fri, 24 Jul 2020 at 17:00
Subject: Objection to application for licence application
To: <licensing@hackney.gov.uk>

Hello,

Firstly apologies for my lack of knowledge of how to write a message like this. I'm not a professional in this area and this is the first time I have ever written a mail like this.

I would like to register my concern and objection to the licence application as follows:

- 3SB Ltd, Three Sod Brewery, Railway Arch 398 to [399 Mentmore Terrace London, E8 4PH](#)
- Application for a premises licence to authorise the supply of alcohol for consumption on and off the premises from 08:00 to 22:00 Mon to Sun.

As a local resident at [\[REDACTED\] Martello Street](#) I am extremely concerned by the potential impact from this application. Within 100m of the location and my family home we already have Pub on the Park serving alcohol 7 days a week until the small hours, in addition we also have Plonk Golf operating a bar.

The locale is already well served by places to consume alcohol and the impact of another premises I fear could be very negative on the quality of life of people who live close by. I am concerned we'll see an increase in crime and disorder and public nuisance.

I am also concerned that the noise of this premises might leak into the residential properties that back onto it. Martello street has several buildings with predominantly residential properties and we need protection from the impact of the local licensed trade.

Does this residential area really need another place to consume alcohol 7 days a week?

Many thanks for your consideration of my concerns.

[REDACTED]
[Martello St, E8 3](#) [REDACTED]



Sanaria Hussain <sanaria.hussain@hackney.gov.uk>

Fwd: Objection to license application: Three Sod Brewery

1 message

Licensing (Shared Mailbox) <licensing@hackney.gov.uk>
To: Sanaria Hussain <sanaria.hussain@hackney.gov.uk>

27 July 2020 at 09:53

APPENDIX C4

Kind Regards,

Licensing Service
London Borough of Hackney
Tel: 020 8356 2431
Email: licensing@hackney.gov.uk
www.hackney.gov.uk/licensing

----- Forwarded message -----

From: [REDACTED]
Date: Fri, 24 Jul 2020 at 13:28
Subject: Objection to license application: Three Sod Brewery
To: Licensing (Shared Mailbox) <licensing@hackney.gov.uk>

We want to register our strong objection to the proposed license application for Three Sod Brewery Railway Arch 398 to 399 Mentmore Terrace London E8 4P, in particular the consumption of alcohol on the premises.

We have lived on the street for 16 years and noticed a steady increase in anti-social behaviour. We have had to put up with rowdy drunken behaviour and people urinating against our property, right by the door, long before the recent increase in such behaviour during lockdown. If this application is allowed it will be the first bar in the street and will no doubt lead to a significant increase in antisocial behaviour, and a proliferation of licensed premises.

Many other families live in that part of the street and it would no doubt be damaging to our children's ability to get a good night's sleep, and inevitably lead to them having to put up with walking past urine and vomit on their way to school every morning, which is a health hazard. To pretend otherwise is naive. It will really be **completely unacceptable**.

Regards

[REDACTED]



Disclaimers apply, for full details see: <https://hackney.gov.uk/email-disclaimer>

Subject: Arch 399 Mentmore Terrace: Objection to Licence Application 1



[Redacted]

12:29 (

to Licensing (Shared Mailbox), david.tuitt@hackney.gov.uk, mike.smith@hackney.gov.uk

APPENDIX C5

You are viewing an attached message. London Borough of Hackney Mail can't verify the authenticity of attached messages.

On behalf of some 45 residents of Mentmore Terrace and neighbouring streets, please find enclosed an objec above licence application.

I would be grateful if you would take these matters into consideration when formulating your response on this

With thanks for your assistance

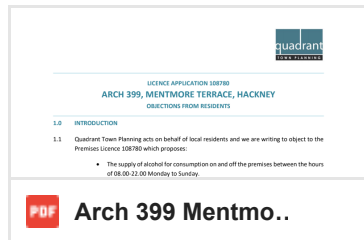
[Redacted]

T: [Redacted]
M: [Redacted]



www.quadranttownplanning.com

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LICENCE APPLICATION 108780
ARCH 399, MENTMORE TERRACE, HACKNEY
OBJECTIONS FROM RESIDENTS

1.0 INTRODUCTION

1.1 Quadrant Town Planning acts on behalf of local residents and we are writing to object to the Premises Licence 108780 which proposes:

- The supply of alcohol for consumption on and off the premises between the hours of 08.00-22.00 Monday to Sunday.

1.2 Having regard to the characteristics of the locality and the evidence from the recent TEN, we object to the proposed Premises Licence on the following grounds:

- Prevention of crime and disorder
- Prevention of public nuisance

1.3 This objection is submitted on behalf of the following local residents:

- [REDACTED] Mentmore Terrace
- [REDACTED] Mentmore Terrace
- [REDACTED] Mentmore Terrace
- [REDACTED] Mentmore Terrace
- [REDACTED] Mentmore Terrace
- [REDACTED] Mentmore Terrace
- [REDACTED] Mentmore Terrace
- [REDACTED] Mentmore Terrace
- [REDACTED] Mentmore Terrace
- [REDACTED] Mentmore Terrace
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- [REDACTED] Mentmore Terrace
- [REDACTED] Mentmore Terrace
- [REDACTED] Mentmore Terrace
- [REDACTED] Mentmore Terrace
- [REDACTED] Mentmore Terrace
- [REDACTED], [REDACTED] Gransden Avenue
- [REDACTED] Gransden Avenue
- [REDACTED] Gransden Avenue
- [REDACTED] Gransden Avenue
- [REDACTED] Gransden Avenue
- [REDACTED] Gransden Avenue
- [REDACTED] Gransden Avenue

- [REDACTED] Gransden Avenue
- [REDACTED] Gransden Avenue
- A [REDACTED] Gransden Avenue
- [REDACTED] London Lane
- [REDACTED] London Lane
- [REDACTED] London Lane
- [REDACTED] London Lane
- [REDACTED] London Lane
- [REDACTED] London Lane
- [REDACTED] London Lane
- [REDACTED] London Lane
- [REDACTED] London Lane
- [REDACTED] Ellingfort Road
- [REDACTED] Ellingfort Rd
- [REDACTED] Ellingfort Road
- [REDACTED] Ellingfort Road

2.0 SITE CONTEXT

- 2.1 Mentmore Terrace is a residential street, comprising terraced houses running down the length of the street. The terraces do not have front gardens, but sit at the back of pavement. The railway arches run parallel to the street and are located some 14m from the front doors of the terraced properties opposite. There are no intervening physical barriers.
- 2.2 The arches on Mentmore Terrace are used for a variety of purposes – gym, coffee shop, bakery, prep kitchen, repair workshop – and with the comings and goings from London Fields Station, the street has a continuous trickle of activity throughout the day. Come the evening, however, the workshops close, commuters go home and the street is very quiet.

3.0 EVIDENCE

- 3.1 A TEN licence was granted for the weekend 11th/12th July 2020 and the operation of the bar caused noise and disturbance to local residents. We attach photographic evidence of:
- Customers standing on the pavement outside the bar
 - Customers smoking on the street outside the bar
 - Smoking debris left on the pavement
 - Shutters wide open enabling noise to break out
- 3.2 Separately, we attach an M4a file from which you will be able to hear the noise emanating from the premises.

4.0 OBJECTIONS

- 4.1 The use of Arch 399 by the Three Sods Brewery as a licenced bar for the sale of craft beer on and off the premises will cause noise and disturbance to local residents and potentially lead to an increase in crime and disorder.
- 4.2 It is essentially a pub on a quiet residential street. Moreover, it is a pub with a very small interior, no windows and no designated smoking area; meaning that its operation relies on opening the roller shutter door at the front of the premises to allow customers to spill out on to the pavement for space, air and to smoke. This has a direct impact on neighbouring residents, as witnessed on the weekend of 11th / 12th July 2020 (see photographs attached).
- 4.3 Mentmore Terrace is not a location for street drinking. The residents do not want to have customers drinking on the street outside their houses causing noise and disturbance when they are putting their children to bed.
- 4.4 Children's bedrooms within the Mentmore Terrace properties, directly overlook the street. A bar with the shutters wide open and people spilling out on to the street will harm children's sleep patterns. There is currently no late night activity on Mentmore Terrace. The evenings are quiet and a residential character prevails. The residents do not want this shattered by a bar running late into the evening.
- 4.5 No evidence has been presented to demonstrate that the bar can operate quietly within the arch, with the shutter down within acceptable noise levels.
- 4.6 The spill out of customers on to Mentmore Terrace will cause a direct public nuisance to residents.
- 4.7 Furthermore, residents are concerned about the cumulative impact due to Mentmore Terrace's location adjacent to the park. London Fields attracts people in the evenings and this leads to street drinking, littering and public urination. An additional bar on route – to and from the park – will encourage anti-social behaviour.
- 4.8 There is a direct correlation between street drinking and anti-social behaviour and residents are very concerned about the fallout from an operation where the sole activity is the consumption of alcohol right on their doorstep.
- 4.9 Mentmore Terrace is already subject to public urination from people who cannot hold their drink – see attached photographs. A bar would exacerbate this causing a wholly unacceptable level of impact on local residents.

5.0 CONFLICT WITH LICENCING POLICY

5.1 The proposed licence is contrary to a number of licence policies contained within Hackney's Licencing Plan 2018-2023.

LP1 General Principles:

- The applicants have failed to acknowledge the residential characteristics of the location, with residential properties a stone's throw from the beer pumps.
- The applicants have not considered noise levels, nor how they can operate with the roller shutter down, nor where smokers can congregate.
- The applicants do not have a cleaning up policy in place, as witnessed by the cigarette butts on the pavement following the 11th/12th July weekend.
- The primary feature of the Three Sods Brewery operation at Arch 399 is the consumption of alcohol. This differs significantly from other operations nearby, for example, Coffee is My Cup of Tea in Arch 392/3 which historically had a licence to serve alcohol in the evenings as part of a broader offer and in association with running a film club; the Finch Café at Arch 394a and the E5 Bakehouse similarly have licences to sell alcohol, but only as part of the offer of those establishments, which focus mainly on the sale of food and drink.

LP2 Licencing Objectives:

- The proposed licence will lead to an increase in crime and disorder
- The proposed licence will lead to public nuisance

LP4 Off Sales Alcohol

- By selling beers for consumption off the premises, the application is encouraging alcohol within the community in a location which is already suffering from high alcohol consumption on the streets and within the park.

LP5 Planning Status:

- The property does not have planning consent to operate as a bar / pub. The lawful use of the property is Use Class B1/B2/B8 and a bar / pub falls within Use Class A4 drinking establishment.
- We have raised an enforcement enquiry with Hackney Planning Department (2020/0222/ENF).

LP6 External Areas and Outdoor Events

- The applicants have not considered the impact of customers spilling out on to Mentmore Terrace and the associated impact on residents' amenity.

- The narrowness of the street means that customers drinking on the pavement outside are some 12ms from residents' front doors and windows.
- There is no garden, fence or greenery to protect residents from street customers, resulting in an 'in your face' level of activity which is particularly harmful to residents' quality of life.

6.0 CONCLUSIONS

- 6.1 We acknowledge the need to create balanced and sustainable communities and that Hackney's rich culture is important, but this needs to operate without undermining residents' quality of life. The proposed bar / pub will wholly impact on the residential amenity of those people living on Mentmore Terrace.
- 6.2 Residents have witnessed the negative impact of the TEN which breached its terms by allowing customers to stand outside, and caused noise and disturbance.
- 6.3 The application conflicts with Hackney's Licensing Plan. Furthermore, the property does not have planning permission to operate as an A4 drinking establishment.
- 6.4 We request an opportunity to present our case to the Licencing Committee.

PHOTOGRAPHS

Operation of a bar, following granting of TEN licence on 11th and 12th July 2020



Figure 1: Shutters open



Figure 2: Customers on the street outside



Figure 3: Smokers outside



Figure 4 Smokers' mess left on the pavement

Evidence of public urination in the environs of Mentmore Terrace



██████████
Quadrant Town Planning Ltd
28th July 2020

APPENDIX C6

██████████
██████████ Lansdowne Drive
London
E8 3EP

██████████
██████████
6th August 2020

Dear LB Hackney Licensing

Re: **Objection: Licensing Application: 3 Sods Brewery: E8 3PH**

I wish to object to the above Premises Application. I am a local resident in the London Fields Ward and a regular user of London Fields Park. As such I am directly affected by the high level of Licensed Premises in the area, and the impact that these premises have on London Fields Park and the surrounding streets.

While I appreciate that each application must be considered on its own merit, I would ask that the Licensing sub-committee give due regard to the cumulative impact of multiple licensed retailers in a primarily residential area and therefore consider these when considering the present application. There are over 50 licensed premises in the vicinity already.

I have specific concerns as the following aspects of the application:

Public Nuisance, Crime and Disorder – Impact on London Fields

The applicant is proposing to sell alcohol on a take-away basis from 08:00 to 22:00 seven days, a week all year. Some of these takeouts will be consumed in London Fields Park.

At peak times the Park experiences very high levels of alcohol use and this has been associated with late night noise and parties, public urination and defecation, illicit drug use and significant litter.

The impact on the park, local residents and the wider community are well documented and have been the cause of significant concern.

The problem is especially acute in the warmer summer months where large numbers gather and drink in the park and do not disperse. This has been an issue pre-Covid 19, and while it is a problem that affects other Hackney parks it is especially pronounced around London Fields, in part because of the high level of licensed premises selling alcohol for consumption off premises.

The cost of policing this nuisance, managing the litter and maintaining public conveniences is borne not by the licensed premises but by the Local Authority and ultimately by local Council Tax payers.

The park toilets are not open 24 hours, and so people drinking in the park later in the evening can't access toilets and so urinate and defecate in the park or surrounding streets. The park cannot be closed at night as it is Common Land.

If the license is granted the nuisance caused by take-out alcohol consumption in the park could be mitigated by introducing the following conditions to the license:

1) **Seasonal time restrictions for take-out sales:** from 1st May to 30th September no takeout sales allowed from 7-9.00pm. This would discourage people from collecting beers for drinking in the park in the evening, which is the primary time for antisocial behaviour and when the park toilets will be closing. It allows for people who want take-outs to go on to a party or to take home but reduces the risk that they will be taken to and consumed in the park.

2) **Advertising and Promotion:** add a condition that the applicant should not in any media promote, encourage or facilitate the use of London Fields Park as a destination for drinking alcoholic beverages.

Other local suppliers have promoted London Fields as a destination for park drinking, or facilitated it via schemes such as “hire a keg for use in the park” and this condition would prevent such promotion.

Nuisance and Disorder: Street gathering, noise and pollution

3) **Outside smoking:** The applicant only time limits smokers outside after 10pm and requests a limit to 4 people. This means that there could be larger groups outside at other times which brings nuisance and noise and will obstruct the pavement.

Action: restriction to a maximum of 2 people outside smoking after 8pm at any one time.

4) **Outside drinking:**

The streets around Mentmore Terrace are residential and local residents are disturbed by people standing below their windows, sitting on their walls or front gardens drinking and socialising.

Action: to make it clear in the displayed notices that alcohol purchased for off-site consumption should not be consumed on Mentmore Terrace or any surrounding streets.

5) **Staffing levels:** the applicant states that A minimum of two staff will be on duty from 19:00 to close on Friday, Saturday and Bank Holiday Sundays. This means that on other days only one member of staff may be on site. The applicant say that “at the terminal hours a member of staff shall be tasked to monitor departing customers...” This will not be possible unless 2 members of staff are on site as a minimum.

Action: apply a condition that a minimum of two members of staff are on site from 7pm to close.

5) **Security:** The application currently states “*Management shall undertake an ongoing daily risk assessment to identify staffing levels and any need for SIA Licensed Door Supervisors.*”

Action: Given the significant levels of alcohol related nuisance, anti-social behaviour and offending in and around London Fields, this proposal is inadequate. Security should be on site Friday and Saturday nights from May 1st to September 30th and across the Christmas period to ensure safety of customers and the wider public.

6) **Noise:** The application states “*all doors and windows will be kept closed except for the entry and egress of customers during the playing of musical entertainment.*”

The plan indicates an entrance door.

However at present there is no glazing on the premises and as the image below shows, indicates an open frontage when the roller shutter is up. This makes regulation of entry/exit difficult and makes sound leakage harder to manage.

Action: To require the applicant to address the frontage by means of glazing the front area to minimise noise pollution or an outright restriction on playing music on the premises. Further, if the premises remain unglazed to ensure that entrance and egress can be properly controlled with some barrier to prevent unmanaged passage.



As a local resident, I think that there are already an excessive number of licensed premises in the immediate area and that this is to the detriment of the local community as the number of licensed premises have brought with them significant nuisance, disorder and offending.

If the Council grants a license I would ask that the conditions described are added to the license to ensure that this addition to the saturated local market doesn't exacerbate the problems already experienced.

Yours faithfully

Sanaria Hussain

From: [REDACTED]
Sent: 16 August 2020 18:16
To: Licensing
Cc: [REDACTED]
Subject: Objection to Licensing Application 3 Sods Brewery E8 3PH

Dear Sir / Madam

We are writing to object to yet another alcohol license application in a residential area already blighted by anti social behaviour driven by alcohol sold from numerous local premises.

3SB Ltd has applied for 3 Sods Brewery for a New Premises License at 399 Mentmore Terrace E8 3PH for the sale for consumption of alcohol on and off premises from 08:00 to 22:00 seven days per week.

The cumulative impact of the rapid increase in density of licensed premises is already affecting quality of life in this residential area and I would like to formally complain that no consultation with residents has taken place regarding this. This cumulative impact must be taken into account now with every single licence application or proposed change.

1. Prevention of Crime & Disorder - thousands of visitors travel to Hackney every weekend to drink alcohol in the park and the surrounding premises. Despite toilet facilities in the park being open, this has led to routine public urination and defecation in the park, on residents' homes and cars, and in the children's play areas. This has been such a disgrace that even BBC News has reported on this issue from London Fields. MP Meg Hillier has brought this issue up in the House of Commons and publicly condemned the appalling behaviour residents are routinely exposed to. I have complained to the police multiple times and can supply crime reference numbers. In addition, drunk visitors to the park have been photographed publicly consuming drugs in broad daylight, including powdered drugs likely to be Class A. Crime and serious violence from the sale of drugs to such a lucrative market of drunk people will blight Hackney long after the revellers have got into their Ubers and returned home. Selling take away alcohol, which will be consumed in the park, is particularly likely to drive such problems.

In order to at least partially mitigate this effect, I support restricting 3 Sods licence to prohibit take away alcohol from May-September after 7pm each day. I also support a ban on advertising the park as a drinking destination in promotion material from 3 Sods.

2. Public Safety - Coronavirus may continue killing and seriously harming Hackney residents for some time to come. Public consumption of alcohol in London Fields by thousands of visitors has led to grossly inadequate social distancing. Public urination and defecation also poses a public health risk. Is this really the right time to be granting yet another alcohol license in this residential area?

3. The Prevention of Public Nuisance - London Fields is a residential area, with many flats with no outside space. The park is a vital resource for families and individuals, who also need to sleep at night. Groups of people drinking outside premises such as Pub on the Park, Cat and Mutton, Plonk, others on Broadway Market as well as on London Fields itself lead to high noise levels, which disrupts sleep and much needed time to relax at home. Granting a new license to 3SB Ltd to sell alcohol for 14 hours per day seven days per week in a residential area, with homes immediately opposite the premises, shows total disregard for local people who continue to live and work in London Fields. Residents' quality of life is decreased by crowds of alcohol-drinking folk congregating around licensed premises, smoking outdoors and buying take away alcohol to drink outdoors. Many people work from home, they are not only residents but are small business owners or self

employed individuals as well; neither their quality of life nor their business should be infringed upon by ASB driven by another alcohol license.

To mitigate this, I support a limit of 2 people smoking outside 3 sods at any one time after 8pm. It is not appropriate that the street opposite people's homes be turned into an outdoor smoking / drinking party for more than two people every evening seven nights per week. It should be made clear via signage that no alcohol sold is to be consumed on Mentmore Terrace or surrounding streets. Security should be on site every Friday and Saturday night from May-September and over the Christmas period given the already high levels of alcohol-driven ASB in the area. At present the front of the premises is open, however this will lead to significant noise pollution for residents living nearby; this frontage should be closed at the very least after 7pm daily. No music should be played unless appropriate noise insulation is put in place.

4. The protection of Children from Harm - local children are affected by every single one of the points mentioned above. Children in a residential area need to sleep; crowds of people consuming alcohol around yet more licensed premises create noise which impacts children greatly. The children's playground immediately outside my home has been used as a toilet by hundreds of intoxicated men and women throughout lockdown, and I have had to call the police on one occasion since lockdown ended when a man urinated at 9pm on a sunny evening, a time when children could easily have been playing nearby. Most people would not take their children to a rowdy, debauched pub yet that is what London Fields Park and the surrounding streets have been turned into by unchecked growth in alcohol licensing.

There is already a plethora of alcohol licenses in and around London Fields, both take away and on premises alcohol consumption. These are having a negative impact on local residents, despite the much appreciated efforts of Hackney Council in providing Park Guards and other initiatives - initiatives which residents are paying for with their council tax. Hackney Licensing needs to approach every license application with this foremost in their minds. No venue in a residential area plagued by alcohol-driven ASB should be granted a license to sell take away alcohol for 14 hours per day 7 days per week. There is significant cumulative damage to the local community by the high number of licensed premises in our residential area.

Yours sincerely,


2  Richmond Road E8 3QW
16.8.20

APPENDIX C8

██████████
██████████, Croston Street,
Hackney. E8 ██████████

Dear LB Hackney Licensing,

Re: ***Objection: Licensing Application: 3 Sods Brewery: E8 3PH***

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I fully appreciate that each application must be considered on its own merit, I would ask that the Licensing sub-committee give due regard to the cumulative impact of multiple licensed retailers in a primarily residential area and therefore consider these when considering the present application. There are over 50 licensed premises in the vicinity already and this means for residents well past the saturation levels.

I have specific concerns as the following aspects of the application:

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The applicant is proposing to sell alcohol on a take-away basis from 08:00 to 22:00 seven days, a week all year. Many of these takeout's will be consumed in London Fields Park and surrounding streets.

At peak times the Park experiences very high levels of alcohol use and this has been associated with late night noise and parties, public urination and defecation, illicit drug use and significant litter.

The impact on the park, local residents and the wider community are well documented and have been the cause of significant concern and a serious impact on 'The Quality of Life' for local residents.

The problem is especially acute in the warmer summer months where large numbers gather and drink in the park and streets and do not disperse. This has been an issue pre-Covid 19, and while this problem affects other Hackney parks it is especially pronounced around London Fields, in most part because of the high level of licensed premises selling alcohol for consumption off premises.

The Financial cost of policing this nuisance, managing the litter and maintaining public conveniences is borne not by the licensed premises but by the Local Authority and ultimately by local Council Tax payers. The park toilets are not open 24 hours, and so people drinking in the park later in the evening can't access toilets and so urinate and defecate in the park or surrounding streets: even with toilets open the area the park and streets are still used as toilet. The park cannot be closed at night as it is Common Land.

If the license is granted the nuisance caused by take-out alcohol consumption in the park and streets could be mitigated by introducing the following conditions to the license:

1) **Seasonal time restrictions for take-out sales:** from 1st May to 30th September no takeout sales allowed from 7-10.00pm. This would discourage people from collecting beers for drinking in the park in the evening, which is the primary time for antisocial behaviour and when the park toilets will be closing. It allows for people who want take-outs to go on to a party or to take home but reduces the risk that they will be taken to and consumed in the park.

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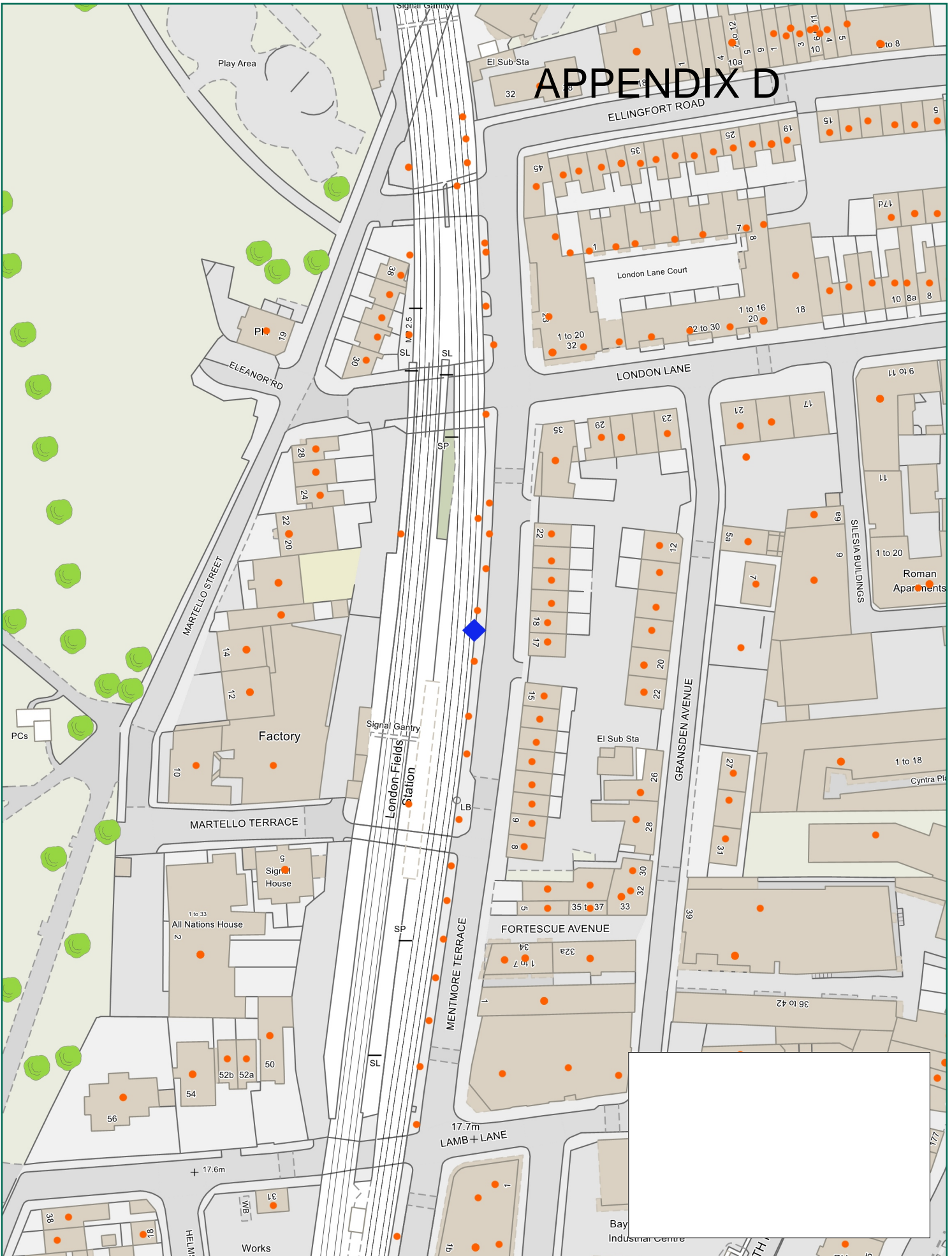
As a local resident, I think that there are already an excessive number of licensed premises in the immediate area and that this is to the detriment and 'Quality of Life' of the local community as the number of licensed premises have brought with them significant nuisance, disorder and offending. London Fields ward is already at saturation point for licensed premises and residents are suffering the impact now of an ever growing unregulated day and night time economy area thrust upon them.

If the Council grants a license I would ask that the conditions listed above are added to the license to ensure that this addition to the saturated local market doesn't exacerbate the problems already experienced.

Yours faithfully,

[Redacted signature]

APPENDIX D



Scale: 1:1250 at A4

Railway Arch 398-399



Ref:
14 September 2020

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