

REPORT OF THE GROUP DIRECTOR, NEIGHBOURHOODS AND HOUSING

LICENSING SUB-COMMITTEE: 08/10/2020	Classification DECISION	Enclosure
Application for Review of Premises Licence: Lion & Lamb, 46 Fanshaw Street, Hackney, London, N1 6LG	Ward(s) affected Hoxton East & Shoreditch	

1. SUMMARY

Applicant Kathryn Havelock	In SPA: Not Applicable
Date of Application 12 August 2020	
The Grounds for Review: <ul style="list-style-type: none"> • Prevention of Public Nuisance • Alleged fail to adhere to the licence conditions relating to noise 	
Current Premises Licence Details: Premises Licence permitting <ol style="list-style-type: none"> 1) Sale by retail of alcohol 2) Regulated Entertainment 3) Provision of Late Night Refreshment See Appendix C	
Current Capacity	Unknown
Policies Applicable	LP1 (General Principles), LP2 (Licensing Objectives)
List of Appendices	Appendix A– Application requesting the review of the premises licence Appendix B – Applicant supporting documents (B1 – Noise Log, B2 – Visual Material, B3 & B4 – Additional Residence Support List) Appendix C – Current Licence Appendix D – Representation from licensee Appendix E – Representations from responsible authorities Appendix F - Representations from other persons Appendix G - Location map
Relevant Representations	<ul style="list-style-type: none"> • Environmental Health Authority (Environmental Protection) • Licensing Authority • Other Persons

2. APPLICATION FOR REVIEW OF PREMISES LICENCE

2.1 Kathryn Havelock, as an individual under the Licensing Act 2003, have applied for the review of the premises licences granted for the premises known as **Lion & Lamb** on the grounds of prevention of public nuisance.

2.2 Representations supporting the review have been received from Environmental Health Authority (Environmental Protection) (see Appendix E1), Licensing (see Appendix E2) and from one local resident (see Appendix F).

3. CURRENT POSITION/ HISTORY

3.1 The premises were in possession of a justice's licence prior to the introduction of the Licensing Act 2003 in 2005. The licence was transferred to Plug Inn Ltd in April 2016. And, Mr Andrew King is DPS since February 2017.

3.2 The current premises licence is attached as Appendix C.

3.3 Temporary Event Notices have been submitted over the past 12 months as follows:

Start date	end date	start time	end time
07/12/2019	08/12/2019	18:00	04:00am

4. REPRESENTATIONS: RESPONSIBLE AUTHORITIES

From	Relevant Representations details
Environmental Health Authority (Environmental Protection) (Appendix E1)	Representation received on the grounds of 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	No representation received
Area Child Protection Officer	No representation received
Fire Authority	No representation received
Police	No representation received
Licensing Authority (Appendix E2)	Representation received on the grounds of Prevention of Public Nuisance.
Health Authority	No representation received

5. REPRESENTATIONS: INTERESTED PARTIES

From	Details
One representation received from and on behalf of local residents.(Appendix F)	Representation received on the grounds of Prevention of Public Nuisance.

6. REPRESENTATIONS: LICENSEE

6.1 Representation from licensee is attached as Appendix D.

7. POLICY CONSIDERATIONS

7.1 The Licensing Sub-Committee is required to have regard to the Hackney Statement of Licensing Policy (“the Policy”) adopted by the Licensing Authority.

7.2 Extracts from Licensing Policies are reproduced at the front of the agenda for this meeting.

7.3 The Policy applies to applications where relevant representations have been made. With regard to this application, policies, LP1 (General Principles) and LP2 (Licensing Objectives) are relevant.

8. GUIDANCE CONSIDERATIONS

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

9. OFFICER OBSERVATIONS

9.1 The applicant has suggested modifying the conditions attached to the premises licence.

10. REASONS FOR OFFICER OBSERVATIONS

10.1 N/A

11. LEGAL IMPLICATIONS

11.1 A legal representative will be in attendance to advise Members.

12. LEGAL COMMENTS

12.1 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

12.2 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.

13. HUMAN RIGHTS ACT 1998 IMPLICATIONS

13.1 There are implications on Article 6, Article 8, Article 14 and the First Protocol of Article 1.

14. MEMBERS DECISION MAKING

14.1 Members must, having regard to the application and any relevant representations, take such steps (if any) as it considers necessary for the promotion of the licensing objectives.

14.2 The steps are:

- A. Option 1
Take no action**
- B. Option 2
Modify the conditions of the premises licence.**
- C. Option 3
Exclude a licensable activity from the scope of the premises licence.**
- D. Option 4
Remove the designated premises supervisor.**
- E. Option 5
Suspend the premises licence for a period not exceeding three months.**
- F. Option 6
Revoke the licence.**

15. CONCLUSION

15.1 That Members decide on the application for review of the premises licence.

GROUP DIRECTOR, NEIGHBOURHOODS AND HOUSING	Ajman Ali
Lead Officer (holder of original copy):	Suba Sriramana Principal Licensing Officer Licensing Service 1 Hillman Street E8 1DY Telephone: 020 8356 4915

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: Lion & Lamb,46 Fanshaw Street, Hackney, London, N1 6LG	Licensing Service 1 Hillman Street London E8 1DY

Printed matter

Licensing Act 2003

LBH Statement of Licensing Policy

↳ Hackney

LA 40

Application for the review of a premises licence or club premises certificate 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 Kathryn Havelock

(Insert name of applicant)

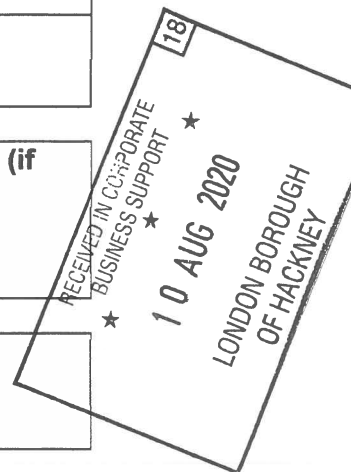
apply for the review of a premises licence under section 51 / apply for the review of a club premises certificate under section 87 of the Licensing Act 2003 for the premises described in Part 1 below (delete as applicable)

Part 1 – Premises or club premises details

Postal address of premises or, if none, ordnance survey map reference or description The Lion and Lamb, 46 Fanshaw Street	
Post town London	Post code (if known) N1 6LG

Name of premises licence holder or club holding club premises certificate (if known) Andre King / Plug Inn Ltd
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Number of premises licence or club premises certificate (if known) LBH-PRE-T-0104



Part 2 - Applicant details

I am

Please tick ✓ yes

- 1) an individual, body or business which is not a responsible authority (please read guidance note 1, and complete (A) or (B) below)
- 2) a responsible authority (please complete (C) below)
- 3) a member of the club to which this application relates

(please complete (A) below)

(A) DETAILS OF INDIVIDUAL APPLICANT (fill in as applicable)

Please tick ✓ yes

Mr Mrs Miss Ms Other title
(for example, Rev)

Surname

Havelock

First names

Kathryn

I am 18 years old or over

Please tick ✓ yes



**Current postal
address if
different from
premises
address**

Post town

Post Code

N1

Daytime contact telephone number

**E-mail address
(optional)**

(B) DETAILS OF OTHER APPLICANT

Name and address

Telephone number (if any)

E-mail address (optional)

(C) DETAILS OF RESPONSIBLE AUTHORITY APPLICANT

Name and address David Tuitt Business Regulation Team Leader Licensing Technical Support Hackney Council
Telephone number (if any) 020 8356 4942
E-mail address (optional) david.tuitt@hackney.gov.uk

This application to review relates to the following licensing objective(s)

Please tick one or more boxes

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

✓

Please state the ground(s) for review (please read guidance note 2)

We are requesting this review on the grounds of

- Prevention of public nuisance

under the objectives of the Licensing Act 2003.

This application for review follows from a series of conversations with Hackney Councillors, Noise Pollution and Licensing teams plus The London Mayor's office Night Tsar team and independent legal advisors, amongst others.

From this it has been suggested that the current license is not fit for purpose as the business currently conducts itself, and that significant 'noise and business creep' has been allowed to occur under the most recent landlords.

The existing license was inherited from a previous landlord with a very different operating procedure and business approach i.e. that of a local public house, rather than the purpose to which the license is now being asked to cover i.e. as a nightclub venue with a focus on late night, nightclub-style events (often with paid ticketed entry) and an emphasis on 'live' music sets performed by DJs across a range of nightclub musical styles commonly featuring low frequency, heavy base lines.

As such, the venue has effectively transitioned itself from local public house to what might be considered a de facto nightclub by stealth. The venue is in a domestic housing area, and is in fact bordered directly on all four sides by domestic residences (each with approximately 60 homes) unlike other venues in the area which operate in mixed-use areas. It now operates therefore from within a license that is not suited to its new purpose as a nightclub business, and is also consistently breaching the terms of that existing license.

The venue has publicly advertised its potential further ambition to develop the scope of its business into other areas, for instance, adding a music-recording studio to the premises. This creates the unwelcome possibility that nuisance noise will likely become an issue 7 days a week, with recording operations in standard business hours running directly prior to promoted nightclub events in the evening. This means that noise nuisance would be likely from 9am in the morning right through the entire day and evening to 2am or even later.

From this, we are proposing that the change in circumstances and purpose of this venue would rightfully require a review and substantial update to the existing license, with the venue being treated as an 'agent of change.' This would create a properly enforceable set of business conditions, and would ensure the venue did not continue to create regular noise nuisance and disturbance for local residents as a consequence of its business operations.

Central to this request for review are these three key points:

1: Addressing the immediate and on-going direct license breaches of license provision Annex 2 – 10, which states: "Music must be kept at a low level, so that it is not audible within the nearest noise sensitive premises."

2: Review of license with the business considered as the 'agent of change' as it exists now i.e. as venue primarily trading as a nightclub, rather than one based on the business model of previous licensees from 2005, with updates made accordingly

that either modify the business, or ensure that it is capable of trading without causing disturbance and nuisance noise.

3: Future-proofing any new license in line with current license holders' on-going development plans i.e. their proposed intent to install a recording studio as detailed on their business website, or any potential plans to develop larger public terrace space on either their ground or first floor space.

While we would assume that Licensing Review committee are fully aware of the long term affects of persistent and aggravated nuisance noise levels on people, we wanted to note some of the specific affects noted in this particular case, which include:

- Repeated loss of sleep, especially at weekends both in terms of getting to sleep with loud bass levels and late night smoking crowds. If we are successful in actually getting to sleep, then being frequently and repeatedly re-awoken at closing time when patrons leave and congregate outside; a process of dispersal that can take up to an hour after official closing time.
- Increased sensitivity to noise from other sources in the vicinity caused by being continually 'on alert' for noise from the venue.
- On-going anxiety about future disturbance and what will happen 'next weekend', combined with inability to plan certain types of family gatherings and activities in our home that are likely to be disturbed.
- Increased distraction and loss of focus caused by nuisance noise, especially notable when trying to use weekends and evenings for home working and academic study.
- The shifting nature of the music means that once heard it becomes almost impossible to ignore. The shifting modulation and tempos of different tracks mean that bass noise is always being 'reinserted' into the flat and your conscious attention rather than forming any kind of on-going ambient background layer of noise - in the way that, over time, it might be possible for the noise from a busy main road to effectively disappear for those living in an adjacent property.

While this has been a long-term process of consultation with the agencies listed above, a new sense of urgency has been created during the lockdown period.

This has not only created a four month period where it has been possible to experience the locality without excessive nuisance noise from the venue, but it has also marked a time which the venue has used to complete a series of building works.

Most notable of these, and of most immediate concern, has been a refurbishment of the first roof private terrace space.

On a sound system test conducted by the venue team and witnessed on Tuesday 4th August between 12.30 and 12.45pm, bass music was clearly audible throughout this flat in all rooms, both those directly facing the venue (bedrooms and living spaces) and crucially those located on the opposite side of the building.

It would appear that, if anything, these recent modifications have created a weaker or less effective sound insulating roofing surface than was previously installed, rather than improving matters.

**Please provide as much information as possible to support the application
(please read guidance note 3)**

Prior to completing this form, we have supplied a detailed date log of specific license infractions and nuisance noise occurrences to the Business Regulation Team Leader in the Hackney Council Licensing Office detailing the year 2019.

As part of this review process, we will also aim to supply additional logs detailing the first part of 2020 prior to enforcement of lockdown, as well as selected logs and information from years prior to 2019.

The 2019 log demonstrates a clear and repeated pattern of multiple incidences of nuisance noise disturbance, with multiple noted occurrences each week across the entire 56 weeks of the year (primarily, but not limited to, Friday, Saturday and Sundays).

As such we want to be clear that this is not a case of occasional lapses or one-off events becoming louder than expected i.e. a New Year's Eve party or similar, but rather is frequent, on-going and directly corresponds to the venue's core programme schedule of nightclub music events.

The following examples are drawn from that log, and it is entirely standard for many of these examples to be experienced across a single night or weekend of business activity:

1. Repeated venue license breaches of Annex 2 – 10 - "Music must be kept at a low level, so that it is not audible within the nearest noise sensitive premises." - with heavy bass music nuisance level noise is clearly audible from within multiple rooms of the residence, even with all double-glazed windows and doors fully closed. Issues occur frequently and on multiple days of the week, especially weekends and bank holidays, often occurring from opening of event through until late night closing.
2. Heavy bass nuisance level noise is often clearly audible in mornings, for example, for Sunday 'after hours' club style events starting at 9am or 10am. These typically taking place after a similar event on Saturday night closing at 2am or later, with specially licensed events resulting in a very short time period when nuisance noise is not being played. As such it can be entirely possible for the venue to be operating at high bass volume from early Saturday evening until late night close, and then again from first thing Sunday morning and across that day to close at 11pm; a total of perhaps 21 hours near continuous nuisance noise in a two day period.

In addition to the primary issue of intrusive and disruptive nuisance level noise from the venue's main sound system, we are also regularly subject to disturbance from the venue's patrons. This is further exacerbated by the venue's current focus as a de facto nightclub programme operator rather than its previous incarnation as a local public house (operating within more standard pub hours regardless of those technically available under its license issued in 2005). In other words, the venue deliberately aims to cater to late night party audiences rather than, for example, local drinkers or families. Examples include:

3. Large and loud numbers of patrons (often 30+) gathering in the venue's small ground floor outdoor terrace space, generating large amounts of individual noise, exacerbated by fact the bass is audible outside which increases the need for those patrons to speak very loudly / shout.

4. Often large numbers and groups allowed in allocated outdoor smoking area after 11pm outdoor curfew up until close e.g. 2am.
5. Outdoor smoking area technically overseen by security personnel, but the venue typically only has one member of security staff outside covering multiple positions and areas, resulting in the area being poorly managed. Ironically, it is occasionally possible to hear members of security shouting at patrons to 'keep the noise down' as a result of their mismanagement of numbers, and thus adding their own loud shouting voice to those echoing within our bedroom gone midnight.
6. The nightclub nature of the venue's core programme often means events are ticketed, which can lead to large build-ups of people queuing outside the venue to gain entrance. This can range from early morning crowds arriving prior to the venue opening on Sunday mornings, through to late night crowds arriving as regular pubs begin to close after 11pm.
7. We have noted queues lasting for considerable amounts of time, especially when events are sold out or oversubscribed in ticket provision and people are left waiting on a one-in, one-out opportunity.
8. Patron noise is also a frequent source of nuisance and disturbance at the end of events as large crowds exit the venue post 2am. Patrons frequently linger in large numbers directly outside the venue after close either awaiting transport (resulting in further noise from repeated honking horns and similar) or simply socialising, with security / management making limited to no effort to disperse them. As such we have noted the venue as being responsible for the generation of significant nuisance noise for up to an hour beyond its official time of closure.

This request for review includes, but is not limited to:
Review of entire venue license

- This is proposed in light of business operating primary as a nightclub venue (albeit one located directly within a residential area) promoting ticketed 'live' music DJ club events, rather than operating as a public house or bar.
- A detailed independent acoustic report to be carried out prior to any continuation of entertainment or music style events at the venue.

Review and revision of license to ensure enforcement of Venue License Annex 2 – 10, "Music must be kept at a low level, so that it is not audible within the nearest noise sensitive premises."

- While the venue is unable to demonstrate sufficient soundproofing for music events, any amplified music played on the premises to be used for background purposes only. The level of music volume should be limited to such that normal conversation can be carried out while the music is being played. The music should not be audible in nearby residents' premises at any time.
- Review of licensed opening hours, especially those hours after 2300 and morning openings times from 0900, and noting the later opening and earlier closing times listed on licenses for venues within the local area e.g. The George and Vulture, where operating hours and hours for live and recorded music are more limited at both ends of the day.
- The installation of sound limiting devices to all music systems. The limiting devices should be set to ensure inaudibility in all residential premises, with the controllers to be set and locked away in positions remote to the volume controls.

Review and extension of Venue License Annex 2 – 11: “Installation of signs reminding patrons to leave premises quietly”

- For example, creation of additional formalised procedures for the effective dispersal of patrons during and at close of business i.e. no groups waiting outside the entrance gate or on nearby pavements for transport, but instead moved to Pitfield Street or Hoxton Street (both mixed-use areas rather than occupied solely by domestic dwellings) for collection away from local residences.

Review and revision of Annex 3 – 14: Use of external areas/beer gardens shall not be carried on after 23:00 Monday to Saturday and 22:30 on Sunday.”

- Ensure that first floor terrace space is never used as a public area or open to patrons.
- Review of policy in regard to outside smoking area after the official closing time of external areas, but when the venue is still open i.e. 23:00 to 02:00. For instance, creating a strictly limited maximum number of patrons allowed in the space at any one time to limit noise from smokers. The venue could follow the example of local venue The Prince Arthur, where a maximum number of 5 smokers are allowed on their outdoor terrace at any one time.
- Limit number of outdoor patrons allowed in the ground floor terrace area to numbers reflecting the actual seated capacity, rather than standing crowds of 30 – 40 people at any one time.
- Ensure events do not generate queues outside venue e.g. one-in, one-out systems for sold out and oversubscribed events.
- Create specific policies for moving people away from venue as quickly and quietly as possible at close of business, ensuring those waiting for vehicular pick-ups either stay indoors until the car arrival, or arrange pick-ups from main streets (Pitfield Street or Hoxton Street) rather than waiting on Fanshaw Street.
- Venue doors to always be shut during operating hours, rather than frequently left open during the daytime as they are at present.
- Review the maximum internal capacity of the venue. In one conversation it was suggested by a member of the venue team (Ivan) that excess bass noise was not a matter of speaker volume, but was in fact primarily caused by the building being full, which meant bass sound was reflected differently. This would appear to be false information, and indeed we have witnessed sound-check tests and similar with high levels of bass from within the venue when it has been closed and empty of patrons, or even in lockdown. If the venue management insist this to be true, then we would propose a substantial reduction in maximum patron capacity as an immediate additional solution until such time as adequate soundproofing can be properly introduced across the entire building.

Please tick ✓

yes

Have you made an application for review relating to the premises before

If yes please state the date of that application

Day Month Year

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If you have made representations before relating to the premises please state what they were and when you made them

Please tick ✓

yes

- I have sent copies of this form and enclosures to the responsible authorities and the premises licence holder or club holding the club premises certificate, as appropriate
- 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 3 – Signatures (please read guidance note 4)

Signature of applicant or applicant's solicitor or other duly authorised agent (please read guidance note 5). If signing on behalf of the applicant please state in what capacity.

Signature

[Redacted Signature]

Date 07/08/2020

Capacity Applicant

Contact name (where not previously given) and postal address for correspondence associated with this application (please read guidance note 6) Kathryn Havelock [Redacted Address]	
Post town London	Post Code N1 [Redacted]
Telephone number (if any) [Redacted]	
If you would prefer us to correspond with you using an e-mail address your e-mail address (optional) [Redacted]	

Notes for Guidance

1. A responsible authority includes the local police, fire and rescue authority and other statutory bodies which exercise specific functions in the local area.
2. The ground(s) for review must be based on one of the licensing objectives.
3. Please list any additional information or details for example dates of problems which are included in the grounds for review if available.
4. The application form must be signed.
5. An applicant's agent (for example solicitor) may sign the form on their behalf provided that they have actual authority to do so.
6. This is the address which we shall use to correspond with you about this application.



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

Lion and Lamb License Review: supporting materials

3 messages

9 September 2020 at 11:42

To: Sanaria Hussain <sanaria.hussain@hackney.gov.uk>, David Tuitt <David.tuitt@hackney.gov.uk>

Dear Sanaria and David

Please find attached four documents in support of the license review request for the Lion and Lamb as follows:





- Updated noise log spreadsheet. This adds additional logs from 2020 to the log I provided to David end of 2019, and now runs up until the Covid-19 lockdown was implemented
- A letter detailing names and addresses of additional residents in the adjacent flat block, Fairchild House and Burt House, that we have approached who have agreed to lend their names to this review request
- A further letter from an independent witness who has experienced the issues we described inside our own flat
- A slide deck of photos and imagery in support of the main application request form we have submitted

I would be very grateful if you could reply to acknowledge receipt of these.

Please do contact me immediately if I can add any more detail or help in any other way.

With best wishes

4 attachments

-  **Noise Log 2019:2020.xlsx**
26K
-  **Visual Material Sept 2020.pdf**
2411K
-  **Additional Residents List Sept 2020.pdf**
61K
-  **Hackney Licensing Service - [redacted].pdf**
99K

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

9 September 2020 at 14:55

Cc: David Tuitt <David.tuitt@hackney.gov.uk>, [redacted]

Dear [redacted]

Our Ref 109143

I acknowledge receipt of your email.

This has been noted on our records.

Do not hesitate to contact me should you have any queries.

Kind Regards
Sanaria Hussain
Senior Licensing Officer

Appendix B1

DATE 2019	LOG NOTES
Fri 11th Jan	Listed as a ticketed party event. Loud bass throughout + large numbers of people outside in smoking area at 12.39am plus loud groups outside gates not being dispersed
Sat 12th Jan	Loud bass all night
Sun 13th Jan	Loud bass from 6pm onwards
Fri 18th Jan	Loud bass and large loud groups in smoking area after 11pm.
Sat 19th Jan	Loud bass and loud groups of people in smoking area after 1am
Sun 27th Jan	Loud bass clearly audible in flat over TV
Fri 1st Feb	Loud bass across night + large group of loud people in outside space, not just smoking shack, after midnight
Fri 8th Feb	Loud bass and groups of people after hours
Sat 9th Feb	00.40 large and loud crowd outside venue
Sun 10th Feb	Bass clearly audible throughout evening
Fri 15th Feb	Late night loud crowd post 11pm + usual bass
Sun 17th Feb	Sun 17 Feb. Bass starts up 1.20pm and runs across opening hours until close
Fri 22nd Feb	22.39. Bass clearly audible

Sat 23rd Feb	23.57 loud bass even though venue seems almost empty
Fri 22nd Mar	Loud bass especially after 11pm + loud gatherings of people on terrace and pavement through past 1.30am with little security control
Fri 29th Mar	00.41 29 Loud crowd outside and witnessed ineffective shout of keep the noise down from security to no affect. Queuing outside plus people under heat lamps smoking. 00.44 loud group of at least 20 people visible outside gate not being moved on or controlled by security
Sun 31st Mar	Audible bass from 8pm onwards
Sun 7th Apr	19.37 very distinct bass already, thudding clearly heard in our study disrupting efforts to work
Sun 21st Apr	Easter Sunday. Looking closed to public but security still on duty and base audible still up until 00.23. Possible lock in / private party?
Sat 4th May	Usual loud bass across Saturday
Sun 5th May	Loud bass & customers still outside after midnight. Did they have a late Sunday license for this date?
Fri 10th May	Usual loud bass and groups of people outside after 11pm (noted 23.56)
Sun 12th May	Bass clearly audible from 2.36pm onwards
Fri 17th May	23.46. Venue looks empty. Bass audible anyway

Sat 18th May	Very loud late night and clearly this is the busy one after yesterday's empty. Kat has to sleep with TV on and bass still audible
Sun 19th May	Audible music from 4pm with venue doors open. Really increasing thud of bass noted at 18.40 and onwards
Thurs 23rd May	Busy outside from early evening but just pub chat. Bass proper starts up from 9.30ish. No security visible
Mon 27th May	Bank holiday Monday. Loud bass noted at 4pm and onwards
Fri 31st May	Midnight. Thudding bass and loud / shouting groups in 'smoking area'
Thurs 6th Jun	Loud and heavy bass noted at 21.55
Fri 7th June	22.30. Some of the heaviest bass in recent memory. Heavy thuds clearly audible from far side of flat. 11pm large numbers of loud people outside venue still despite license with security failing to clear
Sat 8th Jun	Similar story to Fr 7th above, with loud bass and loud people outside late e.g. past 11pm
Sat 15th Jun	21.11 loud bass clearly audible in flat
Sun 16th Jun	3.30pm bass starts up. 5.30pm bass volume increases and audible over loud TV with all double glazing windows closed (in June) across rest of venue opening time

Thurs 20th Jun	11.30pm bass still going on half hour after license finish time for music on this night
Sat 22nd Jun	At 7.30 venue is open but with surprisingly barely audible bass but more like noise from a flat, not a big sound system. Kind of what you'd expect from a typical pub e.g. it can be done if they try. 22.40onwards though bass increases
Sun 23rd Jun	19.41 audible bass noted in flat
Fri 28th Jun	Loud bass audible since 9.30 and 23.22 there is a large queue outside behind ropes on street waiting to get in. Venue appears to have oversubscribed on advance tickets as no one is getting in.
Sat 29th Jun	Loud bass audible in flat from 6pm onwards
Sun 30th Jun	18.00 onwards bass actually audible on far side of flat e.g. in spare room and kitchen
Thurs 4th July	9pm bass kicks up
Fri 5th July	Heavy bass all night basically until close at 2am
Sat 6th July	Weirdly quiet all day on both people and music. Checking events see it's a Record Shop opening listing with free entry all day rather than usual club style event. Clearly this didn't work for them, hence lack of repeat event
Sun 7th July	Bass starts up loud just after 3pm but cuts right back 10 mins later. Only one customer visible, so perhaps that's why. It's back for good by 5pm though, audible throughout rooms

Fri 2nd Aug	Loud bass in front room clearly audible over actions scenes from Captain Marvel! 20.37 onwards
Sun 18th Aug	Loud bass audible from 5.30pm
Fri 23rd Aug	Notably noisy smoking area after midnight
Sat 24th Aug	Loud bass noted 22.14, 23.05, 23.40
Sun 25th Aug	Loud bass noted 20.07
Fri 30th Aug	Loud bass noted 21.50
Sat 31st Aug	Loud bass noted 21.23
Sun 1st Sept	Loud bass noted 15.09
Fri 6th Sept	Loud bass noted 22.28
Weds 18th Sept	Loud bass noted 22.26
Fri 20th Sept	Loud bass noted across night 21.23, 22.26, 23.37
Sat 21st Sept	Loud bass noted 00.15
Sun 22nd Sept	Loud bass noted 21.40
Sat 28th Sept	Loud bass noted 00.31
Fri 4th Oct	Loud bass noted 23.43

Fri 11th Oct	Large/loud numbers in smoking area no visible security. Very loud bass kicks in after midnight
Sat 12th Oct	People queuing outside venue before 9am opening, bass from then on until 3pm. Quiet interval period then back to loud bass all night and loud groups of customers in smoking area post midnight
Sun 13th Oct	Loud audible bass from 19.30 onwards until close
Sat 19th Oct	Loud bass noted 22.40
Sunday 20th Oct	Venue open with audible bass at 9.38am
Tues 22nd Oct	Loud venue noted 21.49 - not sure if they were publicly open
Sat 26th Oct	Loud noise from venue noted 20.50 and 01.45. Party event listing highlights extra hour due to clocks going back
Fri 1st Nov	Bass audible from venue at 11.38am (not even open)
Sat 2nd Nov	People in main outdoor space still at 23.34
Sun 3rd Nov	Loud bass noted 16.27
Fri 8th Nov	Loud bass noted 22.46
Sun 10th Nov	Loud bass noted 15.57
Sun 17th Nov	Loud bass noted 20.14

Thurs 21 Nov	23.14 loud group of approx 15 people from venue on other side of street gathered after venue close and not dispersing
Fri 22nd Nov	22.18 loud bass noted and also loud groups gathered and not dispersed outside venue waiting for cabs etc. No visible security presence
Sat 23rd Nov	Loud bass noted and people in main outside area after 11pm license curfew. 23.18
Sun 24th Nov	Loud bass noted 16.45
Thurs 28th Nov	Loud bass noted 22.31
Fri 29th Nov	Loud bass noted 00.09
Sat 7th Dec	Loud bass audible across evening and night time, with venue running until 4am
Sun 8th Dec	Venue open from 9am to 11pm. Loud bass audible across the day from approx 10.30am onwards
Sat 14th Dec	Quieter than usual bass but people still outside in main area after 11pm
Sun 15th Dec	Bass noticeably quieter than previous recent weekends (any kind of input from Hackney)
Mon 16th Dec	Venue open (not normally open on Mondays) but while tiny amount of bass more like from a flat, not a sound system
Fri 20th Dec	Usual clearly audible bass. Large loud groups in smoking area after terrace closed

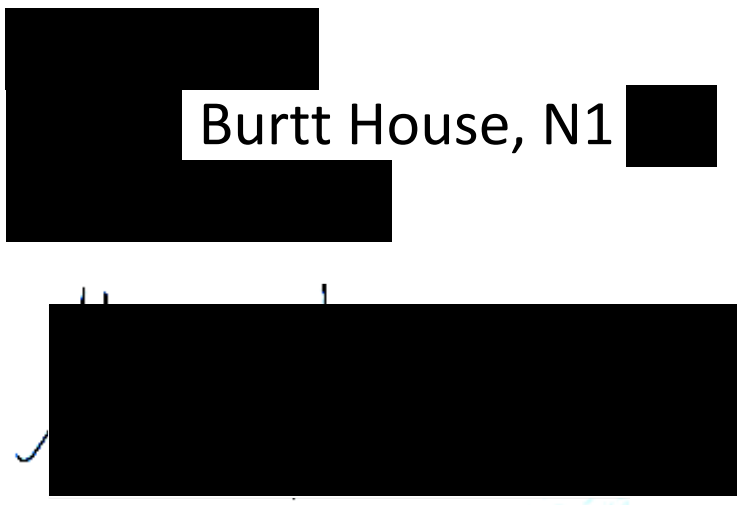
Sat 21st Dec	5.15pm Very loud bass thud starts up as venue is still opening. One of loudest in this year. Quietens again (perhaps a sound system test?) but soon returns to business as usual later in the evening
Sat 21st Dec 02	Loud groups of people exiting building and not being dispersed or moving on but staying directly outside
Sun 22nd Dec	Especially loud groups of people outside but before 11pm so terrace is open. Bass also started up then got but quieter again. Audible bass ramps up 20.04
Thurs 26th Dec	Boxing Day. Surprisingly (or perhaps unsurprisingly) very low customer numbers but audible bass kicks in anyway from 8pm. 00.20 bass is still audible so unless they have acquired a one off late license for a Thursday this means they should have stopped music at 23:00. Loud groups in smoking area again. Watched a security guy trying to quieten people gesturing at our building like 'shut up, people live there' but no one listening to him so he just stops trying
Sat 28th Dec	01.30 Kept awake by mix of music and people outside
Sun 29th Dec	21.20 audible bass kicks in from now until close
Tues 31st Dec	New Year's Eve. Party night runs from 20:00 to 04:00 next day thanks to application for a one off later license.
DATE 2020	LOG NOTES
Fri 3rd Jan	Quiet sguest count and tiniest hint of bass (as they should be all the time really) but by 11pm bass really cranks up, especially with back door left open

Sat 4th Jan	By 9.30pm bass is thudding away. We also noted people congregating in the main terrace area after 11pm when it should have been closed
Fri 17th Jan	Noted bass noise at 22.39. At 23.28 people queuing outside is coupled with noise from groups in smoking area
Sat 18th Jan	Bass consistently audible especially from midnight onwards plus loud groups/crowd gathered outside 22:16
Sun 19th Jan	Audible base from 20.15
Sun 26th Jan	Audible bass trickling thru from 12.30pm. By 15.30 it's a heavier ongoing beat, loud through until 8 when there's a brief quietening then by 9pm it's back in force
Sat 1st Feb	Usual loud bass audible in evening until close. Frequent large groups 10+ in smoking area and lots of cheering, shouting around 1.30am - no monitoring of noise from staff (none present outside)
Sun 2nd Feb	Sun 02 Feb. Bass clearly audible across flat from 8pm onwards
Sat 8th Feb	00.47 Ironically woken by security personnel directly beneath bedroom window shouting 'oi, keep it down' to no noticeable effect on who are outside after managing to get to sleep
Sun 9th Feb	Bass consistently audible from 16.45 until close
Sat 15th Feb	Noted eople stood outside in main terrace area at 00.12 when it should have been closed off

Sun 16th Feb	Bass clearly audible from 18.23 even in rooms not directly adjacent to venue
Fri 21st Feb	Audible noise. Kepy awake at 01.10
Sun 23rd Feb	Audible bass noise
Sat 29th Feb	Surprisingly quiet until 22.50 when bass cranks up and then its full repeated thud from then on
Sun 1st Mar	Opens around 10.30am. 15.30 onwards bass thud audible
Fri 6th Mar	Loud bass from 22:00. At 23:20 watched security shout at loud people in smoking area to get them to shut up. 23.36 same again at least 10 people in that space loud. Lots of people outside with drinks
Sat 7th Mar	Sat 07 Mar 07.15am bass audible from venue but closed? Private all-nighter still running or just left the music on?
Sun 8th Mar	Open for 9am. Bass audible by 09.53. 14 hours to go until close at this point!
Sat 14th Mar	Opened at 7pm. Bass from 10pm. Noisiest after 11pm, including loud groups outside plus heavy bass
Sun 15th Mar	Again open from 9am with bass clearly audible from 10am. Groups in smoking area but outdoor space closed up to midday. 10.30 clearly able to hear security telling loud group to keep noise down.
	LOCKDOWN

**RE: PREMISE LICENSE REVIEW,
THE LION AND LAMB, 46 FANSHAW STREET**

The following is a compilation of example images and notes in support of the challenge to the Lion and Lamb's current venue license. Imagery shows how the venue primarily promotes and operates itself as a nightclub destination, as well as providing photos of crowds, queues and after-hours groups outside the venue late at night and early morning.



Venue listed as a nightclub on residentadvisor.net
This site is the main host for the venue's ticket sales



Login / Register ↓



Magazine

Listings

← London / ← Clubs

Lion and Lamb

About

Events

Address /
46 Fanshaw Street, N1 6LG, London

On the internet /
[Google Maps/](#)



Typical example of the venue's own promotional photographs with a clear emphasis on the venue being positioned as a late night / nightclub experience in its own communications and marketing promotions.

Example of a typical week at the venue, open evenings and not early in week. A pattern you would expect from a nightclub, not a public house.

The only time the venue opens early / daytime is for special 'all-day' club events and after parties.

DECEMBER | WEEK 02

WEDNESDAY 11.12

The Spaceship - Abstract Cosmos - Experimental Live Acts Edition

THURSDAY 12.12

Ace+Freak Free Party Adam Shelton Jayson Wynters & Mr. Redley

FRIDAY 13.12

Hearlucinate - The Emperor Machine (Live), Frenchy & TdC

SATURDAY 14.12

The NorthSouth Office Christmas Party

SUNDAY 15.12

outransa one year anniversary



Opening times:

5 pm – 11 pm
Wednesday, Thursday, Sunday

5 pm – 2 am
Friday, Saturday

Example of a typical week at the venue, open evenings and not early in week. A pattern you would expect from a nightclub, not a public house.

The only time the venue opens early / daytime is for special 'all-day' club events and after parties.

THIS WEEK...

WEDNESDAY 09.10
Eclectic Lounge w/ Oüter & Regue

THURSDAY 10.10
Triprate | Tojo & João

FRIDAY 11.11
Toi.Toi.presents
Dan Andrei & Doris Nicholas

SATURDAY 12.10
AURA invites Imprints
Records Showcase

SUNDAY 13.10
Step up



Opening times:

5 pm – 11 pm
Wednesday, Thursday, Sunday

5 pm – 2 am
Friday, Saturday

Sample of venue's listings for March 2020, including two Sunday 9am events

Complete listings at: facebook.com/friendsofthelion/events

- | | | |
|-----------|---|---|
| MAR
15 | Picnic after hours : 8th Birthday carry on!
Sun 09:00 · 157 guests | The Lion & Lamb
London |
| MAR
14 | Lion & Lamb Lock In w/ Craig Richards
Sat 18:00 · 986 guests | The Lion & Lamb
London |
| MAR
13 | Sentaku x Rakya presents: Nemo Vachez, M...
Fri 18:00 · 337 guests | The Lion & Lamb
London |
| MAR
12 | Eclectic Lounge w/ Oli Silva, Jos, Soho & He...
Thu 17:00 · 69 guests | The Lion & Lamb
London |
| MAR
11 | HOS Panel w/ Daniel Miller, Sync 24, Tasha, ...
Wed 18:00 · 213 guests | The Lion & Lamb
London |
| MAR
8 | Point. at The Lion & Lamb
Sun 15:00 · 257 guests | The Lion & Lamb
London |
| MAR
8 | Memories from Mars
Sun 09:00 · 57 guests | The Lion & Lamb
London |

7 DEC 2019 AT 17:00 – 8 DEC 2019 AT 04:00

L&L Records Launch Party w/ Radioactive Man Voigtmann Andre King

The Lion & Lamb

[About](#) [Discussion](#)

☆ Interested

✓ Going

...

Details

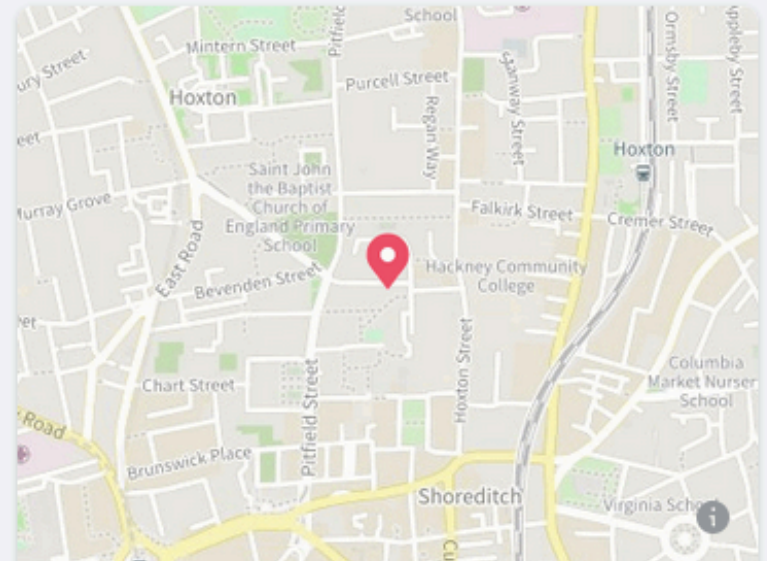
👤 273 people responded

🕒 7 Dec 2019 at 17:00 – 8 Dec 2019 at 04:00

📍 **The Lion & Lamb**

🌐 Public · Hosted by **The Lion & Lamb, Radioactive Man and Voigtmann**

As Part of The Lion & Lamb 3 Year Birthday Celebrations we Welcome the launch of Lion & Lamb Records!
Lion & Lamb Records emerges from the London-based community of underground ele... [See more](#)



The Lion & Lamb

FacebookEvent listing advertising Saturday night event from 5pm until 4am the next morning

Our noise log for this date states: “Loud bass audible across evening and night time”

Note: Venue license holder Andre King is listed as a primary performer

Lion & Lamb 3 Year Birthday!


The Lion & Lamb

[About](#)


[Discussion](#)

Details

 487 people responded

 Sunday, 8 December 2019 from 09:00-23:00

 **The Lion & Lamb**

 Public · Hosted by **The Lion & Lamb**

Lion & Lamb is 3 Years old and to celebrate we are throwing a 14hour Party!

Expect some Very Very Special Secret Guest's !

plus our resident's and founders

-Andre King

-Mauro Ferno & Mestivan

-Maybe Listen?

-Ni Cky

The following day, Sunday 8th Dec 2019 a 14 hour party event after venue closed at 4am.

Note again licensees Andre King and Mauro Ferno are both performing

Log notes state: "Loud bass audible across the day from approx 10.30am onwards"

421 people responded

Friday, 2 August 2019 from 18:00-02:00

The Lion & Lamb

Public · Hosted by **NorthSouth Records, Dale Mussington** and 5 others

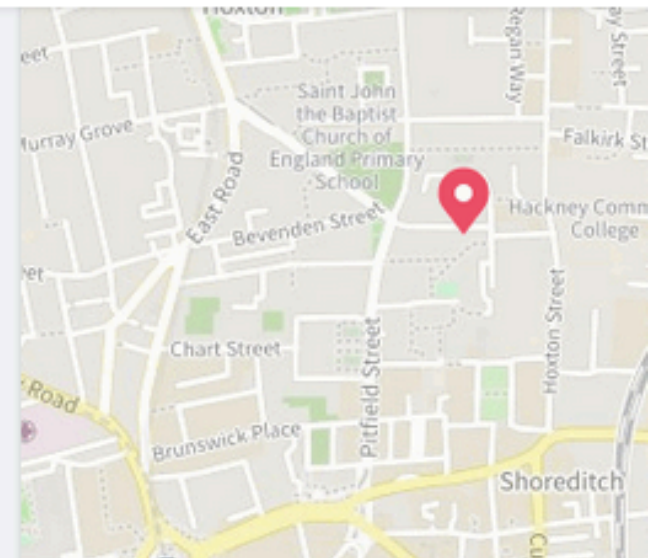
Voigtmann

NorthSouth (**Dale Mussington, Harry McCanna & Sam Bangura**)

Following a long friendship and both of us calling the Lion & Lamb our home, the decision was made that we should team up and do a special one-off party joining powers between Subsequent's Voigtmann and the NorthSouth boys. All four, on rotation all night long, this is shaping up to be a fun one.

There is a limited amount of advanced tickets for this one which we expect will fly out pretty fast as it's going to be a busy one. There will be a small amount of tickets reserved for the door but as normal these will be on a first come first served basis. Grab advanced tickets here: <https://www.residentadvisor.net/events/1287404>

(Please note, last entry for all tickets is 10pm, after that tickets won't guarantee a space in the venue!)



The Lion & Lamb

46 Fanshaw St, London

3D / 360 Video / VR of the Pub -
<https://my.matterport.com/show/?m=zanyizexzzL>

Go with friends

104

317

On noise log we noted: "Loud bass in front room clearly audible over actions scenes from Captain Marvel (loud action film)! 20.37 onwards

Note: Limited ticket policy will again potentially create long queues forming outside after 10pm



Example of a promotional poster for a Sunday all day event running from 9am to 11pm

A total of 14 hours, and following on from the Saturday night event that would have closed at 2am – a mere 7 hour gap between previous night's Finish and start of new nuisance level noise

Note: Mauro listed here is part of Plugged Inn Ltd team



We are asking for a review of terrace capacity that limits outside drinkers to a lower max seated capacity in order to avoid excess customer noise generated by multiple loud groups combined with audible bass from music.

There are approx 30 people outside in this case, and this number can easily be swelled by a full terrace being combined with a queue of ticket holders forming on the street side of the terrace space.

In these cases we might see up to 100 people located on terrace and street at one time.



A queue forms in the street prior to the venue opening for an early morning event, 9am Saturday 12th October 2019. Multiple people in crowd are already drinking. Venue will operate from this time until 2am.



12th August 2018

Large nightclub crowd held outside venue in queue



Friday 28th June. 23.22 there is a large queue outside behind ropes on street waiting to get in. Venue appears to have oversubscribed on advance tickets as no one is getting in.



Sat 21st Dec 2019

Numerous groups outside venue at 2.20am (Sunday morning) post venue closure, waiting for Ubers etc. Venue closed with no sign of staff/security dispersing people

THURSDAY 21st Nov 2019:

23.14 loud group from venue on other side of street gathered after venue close and not dispersing



Venue closed down and lights off

Loud groups of people continue to hang out after hours undispersed directly below our bedroom window after hours



[REDACTED]
Burt House
Fanshaw Street

RE: PREMISE LICENSE REVIEW, THE LION AND LAMB, 46 FANSHAW STREET

Dear Hackney Licensing Service

Following the application for a license review of the above venue submitted by [REDACTED], Kathryn Havelock, and after conversation with Business Regulation Team Leader David Tuitt, I have approached local residents living proximately to the Lion and Lamb venue in Burt House and Fairchild House in order to secure additional support for this license review request on the grounds of:

- **The prevention of public nuisance**
- **Alleged failure to adhere to the licensing conditions relating to noise**

This was accomplished by individually approaching residents with copies of the **Notice of application to review a premise license certificate** as supplied by Senior Licensing Officer Sanaria Hussain.

From this I was able to secure permission to add individual names in endorsement of this application for review on the above grounds from the following named residents:

- [REDACTED] Flat [REDACTED] Fairchild House
- [REDACTED], Flat [REDACTED] Fairchild House
- [REDACTED], Flat [REDACTED] Burt House
- [REDACTED] d, [REDACTED] Burt House
- [REDACTED], [REDACTED] Burt House

While it has not been possible to secure the involvement of every adjacent residence (for example, [REDACTED] Burt House is currently leased as a short-term AirBnB style apartment only, and others are currently unoccupied) I believe this represents a good cross section of residents from the two flat blocks most immediately impacted by consistent nuisance noise from the Lion and Lamb.

In each case I have secured permission to add the named individuals to this letter in support of Kathryn's original application for a license review, confirming that noise from the venue is indeed frequently audible inside multiple noise-sensitive properties in the vicinity of the licensed premises.

[REDACTED]

[REDACTED]

[REDACTED]
[REDACTED]
The Square
Petersfield
Hants
[REDACTED]
[REDACTED]

Dear Hackney Licensing Service

I am writing in support of Kathryn Havelock's application for a licensing review of **The Lion and Lamb, 46 Fanshaw Street, N1 6LG** and to corroborate the details of her account to you.

I am a long-term friend of the family, and frequent visitor to her flat at [REDACTED] Burt House.

In recent years I have been made aware of the on-going issues that she has experienced with this venue in terms of repeated and consistent nuisance level noise from its sound system and accompanying issues with customer noise in the venue's outside spaces and late night entering and exiting of the building.

I have also witnessed nuisance noise from the venue first hand, both when visiting Kathryn and as a frequent flat & cat sitter for her when she is out of the country.

During these times I have frequently stayed at her flat for over a week at a time, including the most problematic Friday and weekend nights and have personally witnessed the direct license breaches of license provision Annex 2 - 10 to which she has referred in her application for review e.g. *"Music must be kept at a low level, so that it is not audible within the nearest noise sensitive premises."*

Yours sincerely, [REDACTED]

[REDACTED]

[REDACTED]



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-0104

Part 1 – Premises details

Lion & Lamb
The Lion and Lamb
46 Fanshaw Street
Hackney
London
N1 6LG
[REDACTED]

Where the licence is time limited the dates

Not Applicable

Licensable activities authorised by the licence

Films
Indoor Sporting Events
Live Music
Recorded Music
Other Entertainment Similar to Live or Rec Music or Dance Performance
Late Night Refreshment
Supply of Alcohol

The times the licence authorises the carrying out of Licensable activities

Films

Standard Hours:

Premises:

Mon 09:00-01:00
Tue 09:00-01:00
Wed 09:00-01:00
Thu 09:00-01:00
Fri 09:00-02:00
Sat 09:00-02:00
Sun 09:00-01:00

Non-Standard Hours:

Christmas Eve, St Patricks Day, St. Georges Day, St Andrews Day, St David’s Day, Burns Night, General Election Day and up to 6 major live and international televised sporting events per year 09 00 to 02 00 the day following. 12 additional dates per year at the licensees discretion 09 00 to 02 00 the day following.

Indoor Sporting Events

Standard Hours:

Premises:

Mon 09:00-01:00
Tue 09:00-01:00
Wed 09:00-01:00
Thu 09:00-01:00
Fri 09:00-02:00
Sat 09:00-02:00
Sun 09:00-01:00

Non-Standard Hours:

Christmas Eve, St Patricks Day, St. Georges Day, St Andrews Day, St Davids Day, Burns Night, General Election Day and up to 6 major live and international televised sporting events per year 09 00 to 02 00 the day following. 12 additional dates per year at the licensees discretion 09 00 to 02 00 the day following.

Live Music

Standard Hours:

Premises:

Mon 14:00-23:00
Tue 14:00-23:00
Wed 14:00-23:00
Thu 14:00-23:00
Fri 14:00-01:30
Sat 14:00-01:30
Sun 12:00-23:00

Non-Standard Hours:

Christmas Eve, St Patricks Day, St. Georges Day, St Andrews Day, St Davids Day, Burns Night, General Election Day and up to 6 major live and international televised sporting events per year 09 00 to 02 00 the day following. 12 additional dates per year at the licensees discretion 09 00 to 02:30 the day following.

Recorded Music**Standard Hours:****Premises:**

Mon 09:00-23:00
Tue 09:00-23:00
Wed 09:00-23:00
Thu 09:00-23:00
Fri 09:00-02:00
Sat 09:00-02:00
Sun 09:00-23:00

Non-Standard Hours:

Christmas Eve, St Patricks Day, St. Georges Day, St Andrews Day, St Davids Day, Burns Night, General Election Day and up to 6 major live and international televised sporting events per year 09 00 to 02 00 the day following. 12 additional dates per year at the licensees discretion 09 00 to 02:30 the day following

**Other
Entertainment
Similar to Live or
Rec Music or
Dance
Performance****Standard Hours:****Premises:**

Mon 09:00-23:00
Tue 09:00-23:00
Wed 09:00-23:00
Thu 09:00-23:00
Fri 09:00-02:00
Sat 09:00-02:00
Sun 09:00-23:00

Non-Standard Hours:

Bank Holidays and event days fall on Monday to Wednesday 07 00 to 00 30 or on Thursday to Saturday 07 00 to 01 30 the day following and Sunday 08 00 to 00 30

**Late Night
Refreshment****Standard Hours:****Premises:**

Mon 23:00-01:30
Tue 23:00-01:30
Wed 23:00-01:30
Thu 23:00-01:30
Fri 23:00-01:30
Sat 23:00-01:30
Sun 23:00-01:30

Non-Standard Hours:

Christmas Eve, St Patricks Day, St. Georges Day, St Andrews Day, St Davids Day, Burns Night, General Election Day and up to 6 major live and international televised sporting events per year 23 00 to 02 00 the day following.12 additional dates per year at the licensees discretion 23 00 to 02:30 the day following.

Supply of Alcohol Standard Hours:

Premises:
Mon 09:00-01:30
Tue 09:00-01:30
Wed 09:00-01:30
Thu 09:00-01:30
Fri 09:00-02:30
Sat 09:00-02:30
Sun 09:00-01:30

Non-Standard Hours:

Christmas Eve, St Patricks Day, St Georges Day, St Andrews Day, St Davids Day, Burns Night, General Election Day and up to 6 major live and international televised sporting events per year 09 00 to 02 00 the day following12 additional dates per year at the licensees discretion 09 00 to 02 00. Â»

The opening hours of the premises

Standard Hours:

Mon 09:00-01:30
Tue 09:00-01:30
Wed 09:00-01:30
Thu 09:00-01:30
Fri 09:00-02:30
Sat 09:00-02:30
Sun 09:00-01:30

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

On and Off Premises

Part 2 –

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

Plug Inn Limited
The Lion and Lamb
46 Fanshaw Street
Hackney
London
N1 6LG

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

09569621

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

Andre King

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: 24 November 2005

Signed:

**David Tuitt
Team Leader - Licensing**

Annex 1 - Mandatory Conditions

Supply of Alcohol

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

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

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

Minimum Drinks Pricing

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

(c) "relevant person" means, in relation to premises in respect of which there is in force a premises licence -
(i) the holder of the premises licence,
(ii) the designated premises supervisor (if any) in respect of such a licence, or
(iii) the personal licence holder who makes or authorises a supply of alcohol under such a licence;

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

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

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

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

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

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).

Annex 2 – Conditions consistent with the Operating Schedule

9. Installation of air cleaners and extractors at the premises

10. Music to be kept at a low level, so that it is not audible within the nearest noise sensitive premises
11. Installation of signs reminding patrons to leave quietly
12. Children shall only be allowed on the premises until 20:00
13. When visiting the toilet, children must be accompanied by an adult

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

14. Use of any external areas/beer gardens shall not be carried on after 23.00 Monday to Saturday and 22.30 on Sunday
15. Live & Recorded Music shall not go beyond 23.00 Sunday to Thursday
16. Not less than 10 working day notice shall be given to the police and the Council in respect of the additional 12 events and 6 sporting events.

Annex 4 – Plans

PLAN/LBH-PRE-T-0104/230605



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

Re: Application for Licence Review - The Lion & Lamb

David Tuitt <david.tuitt@hackney.gov.uk>

12 August 2020 at 14:01

[REDACTED]
[REDACTED]
Sanaria Hussain <sanaria.hussain@hackney.gov.uk>

Dear Mr King,

Many thanks for your email.

I have noted the points raised which we will look into and respond ASAP.

Let me know if you have any queries in the interim.

Kind regards,

--
David Tuitt
Business Regulation Team Leader
Licensing | Technical Support
Direct Tel: 020 8356 4942
Tel: 020 8356 2431

On Tue, 11 Aug 2020 at 15:31, Andre King [REDACTED] wrote:

Dear Mr Tuitt,

Good to talk to you on the phone yesterday. I have instructed Miss Sarah Clover of Counsel from Kings Chambers to assist me in this matter. I am very disappointed to have received this review, and I daresay that the timing of it, during a period when I have been closed, is an indication to you of the vexatious nature of this application. The Applicant, and particularly her [REDACTED] are known to me and I have been subjected to their vexatious behaviour before. Nevertheless, I see that they have invoked the licensing objective of prevention of public nuisance. This is strongly disputed by me.

I have been advised that large parts of this review application are not in accordance with the Licensing Act 2003, and could not be accepted by the Licensing Authority as a relevant application. These include references to a recording studio, which does not come within the remit of the premises licence, and references to the "agent of change", which is a planning concept.

It has also been pointed out to me that the majority of this review application is dedicated to what the Applicant claims that she wants in terms of licensing steps. What she has not done is provide any evidential basis as to why those steps are justified in a licensing context, contrary to paragraph 9.43 of the Section 182 Guidance ("evidence based").

Miss Clover has indicated that it would be appropriate for the Licensing Authority to require the Applicant to excise all parts of the review application that are impermissible under the Licensing Act 2003, and also to provide advanced disclosure of any evidence upon which she intends to rely, particularly relating to episodes of alleged noise nuisance. I can confirm that I categorically deny any inappropriate noise output from my premises at any time, and it is obvious that there is no noise when the premises are not trading. In due course, I will be submitting evidence and submissions to support my position, as guided by Miss Clover.

Finally, Miss Clover has asked me to request through you that the Applicant provides proof that she has complied with the Regulations (2005 No. 42), and has served her review application upon all the Responsible Authorities on the same day as serving it on the Licensing Authority, in accordance with Regulation 29.

Many thanks for your assistance, and please keep me closely informed as to the progress of this matter.

Yours Sincerely,

Andre King

**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	The Lion and Lamb, 46 Fanshaw Street N1 6LG
NAME OF APPLICANT	

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 in the past received noise complaints about loud music that emanated from the premises. Hence, a noise abatement notice was served in March 2018.

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

The licensee is to contact the Environmental Protection Team or Olalekan Olaosebikan to discuss noise mitigation measures to prevent further noise impact on the residents near the premises.

Date: 02/09/2020



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

Lion and Lamb

1 message

Olaekan Olaosebikan <olaekan.olaosebikan@hackney.gov.uk>
To: Sanaria Hussain <Sanaria.Hussain@hackney.gov.uk>

9 September 2020 at 17:49

Hello Sanaria,

This is to let you know that i visited the above premises today as requested by the owner/licensee - Mr Andre King to see the extent of work carried out.

A sound test was carried to check for any possible sound escape. I can confirm that the work done so far is effective. Mr King was advised to keep the music level at 85dB which will require the services of an acoustic engineer to reset the sound limiter.

Mr King informed me that by 11.09.2020, laying of Acoustic felt rolls on the entire rooftop will be completed.

Further visits and tests have been arranged for this Friday.

Please advise if the EP Team can withdraw our representation on the completion of the work.

Kind Regards

Olaekan (Ola) Olaosebikan

Senior Environmental Protection Officer

Environmental Protection Team

Environmental Health

Business Regulation

Public Realm

London Borough of Hackney

Hackney Service Centre

1 Hillman Street

London

E8 1DY

We deal with matters that may constitute "statutory nuisances" such as noise, vibration, dust, artificial light, fumes, smokes and so on from commercial premises.

Environmental Protection Team | [Hackney council - www.hackney.gov.uk](http://www.hackney.gov.uk)

We are currently undergoing a service review due to Covid-19 restrictions and ongoing staffing issues. Shorter opening hours and delays in responding to complaints are therefore expected, until further notice. Please accept our apology should you be affected by these unavoidable and unpredictable changes.

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

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	Lion & Lamb 46 Fanshaw Street London N1 6LG
NAME OF APPLICANT	Plug Inn Limited

COMMENTS

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

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

Representation in relation to:

I write to make a representation in relation to this application. The application is made on the grounds of the prevention of public nuisance.

The applicant has provided a detailed submission alleging that the nature of the premises has changed from that of a public house to a nightclub. Evidence that supports this can be found on the website 'Resident Advisor' where the premises are listed as a "nightclub". The applicant suggest that the operation of the premises as a nightclub within close proximity to residential premises has a negative impact on the promotion of the public nuisance objectives.

Complaints have been received by the Licensing Service in the past. Recent liaison with the licensee led to a revised dispersal policy being supplied to Licensing Officers on 16 May 2019.

I am aware that colleagues in Environmental Protection have also received complaints. This may suggest that the premises may have been operated not in accordance with Condition (10). I therefore feel that the application is warranted and that an assessment by the Licensing Sub-Committee is justified.

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

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

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

Discussion with the licensee and the applicant ahead of a hearing by the Licensing Sub-Committee.

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

Date: 09/09/2020



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

Fwd: Licensing complaint

1 message

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

24 August 2020 at 10:42

Hi Sanaria,

I hope you are well, can you please add this complaint to the Lion and Lamb consultation responses.

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, 23 Aug 2020 at 11:12
Subject: Licensing complaint
To: <licensing@hackney.gov.uk>

Hi there,

I am a resident of Fairchild House, Fanshaw Street, N1 [REDACTED] - and I'd like to report the Lion & Lamb pub for building a roof terrace with no planning permission, which will cause a disturbance to our community.

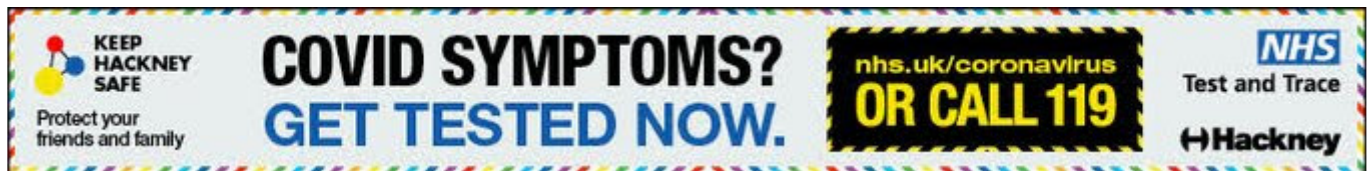
The terrace being built directly overlooks several flats in the Fairchild House block, as well as the neighbouring Burt House. This is already causing noise issues for several residents, which will only get worse once they open the terrace for customers.

I am therefore raising an official complaint on the licencing objective grounds of 'prevention of public nuisance' and 'prevention of disorder'.

I have attached photos for reference.

Many thanks in advance and look forward to hearing from you.

Best,
[REDACTED]



www.nhs.uk/coronavirus

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

3 attachments

IMG-20200823-WA0003.jpg
446K

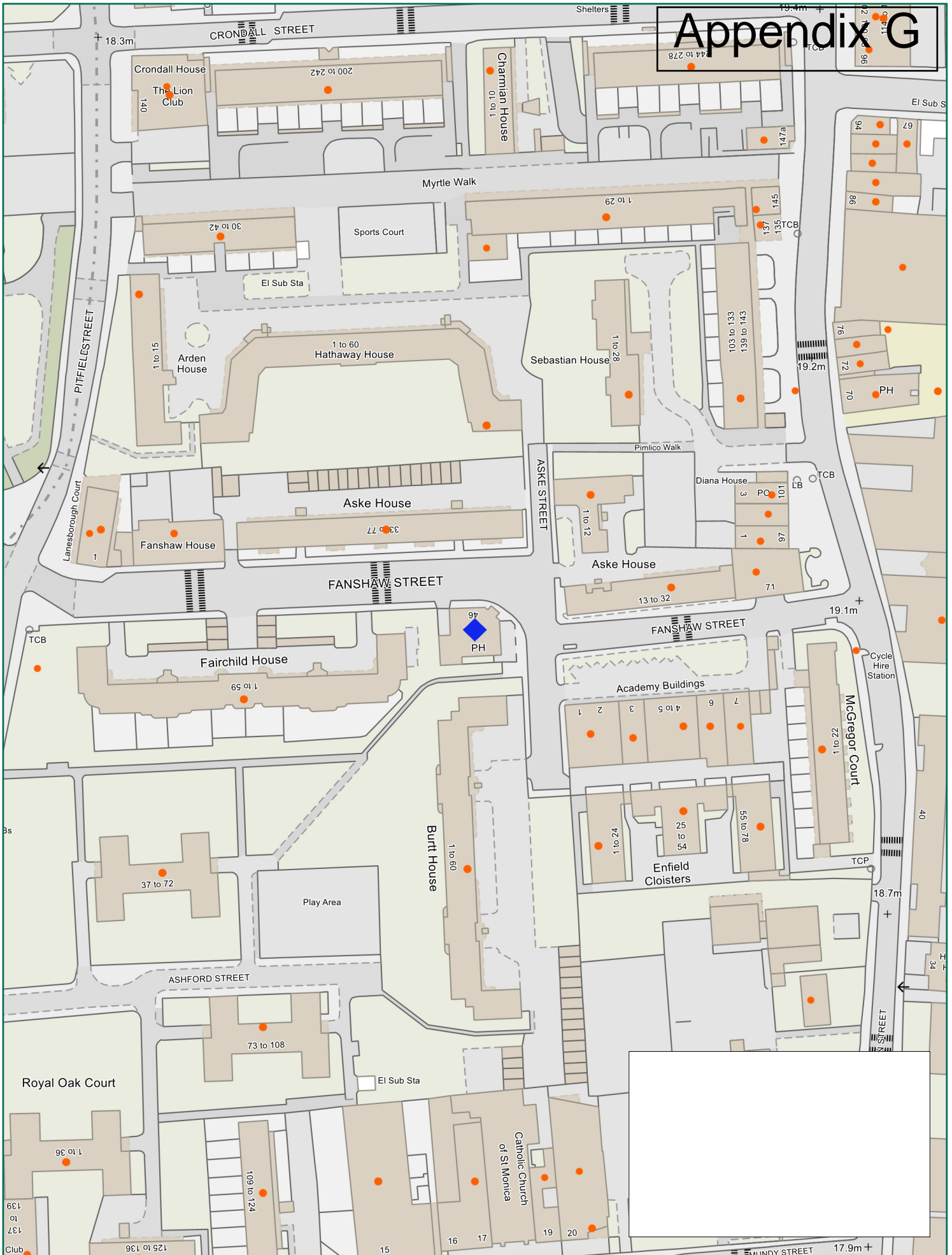


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IMG-20200823-WA0007.jpg
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Appendix G



Scale: 1:1250 at A4

Lion and Lamb, 46 Fanshaw Street, London, N1 6LG



Ref:
30 September 2020

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