

REPORT OF GROUP DIRECTOR, NEIGHBOURHOODS AND HOUSING		
LICENSING SUB-COMMITTEE: 24/06/2021	Classification DECISION	Enclosure
Application for a Premises Licence Ground Floor and Basement 11 Hoxton Square, N1 6NU	Ward(s) affected Hoxton East and Shoreditch	

1. SUMMARY

Applicant(s) Paul Daly	In SPA: Shoreditch
Date of Application 20/04/2021	Period of Application Permanent
Proposed licensable activities: Films Live music Recorded music Performance of dance Other Entertainment Similar to Live or Rec Music or Dance Performance Late Night Refreshment Supply of Alcohol (On Premises)	
Proposed hours of licensable activities	
Films	<p>Standard Hours Mon 09:00-01:00 Tue 09:00-01:00 Wed 09:00-01:00 Thu 09:00-01:00 Fri 09:00 - 03:00 Sat 09:00 - 03:00 Sun 09:00-01:00</p> <p>Non-Standard Hours: New Year's Eve - from the end of the permitted hours on New Year's Eve to the start of the permitted hours on New Year's Day.</p>
Live Music Basement	<p>Standard Hours Mon 09:00-23:00 Tue 09:00-23:00 Wed 09:00-23:00 Thu 09:00-23:00 Fri 09:00 -03:00 Sat 09:00 - 03:00 Sun 09:00-23:00</p> <p>Non-Standard Hours: New Year's Eve - from the end of the permitted hours on New Year's Eve to the start of the permitted hours on New Year's Day.</p>
Live Music Ground Floor	<p>Standard Hours Mon 09:00-23:00 Tue 09:00-23:00 Wed 09:00-23:00</p>

Recorded Music

Thu 09:00-23:00
Fri 09:00 -23:00
Sat 09:00 - 23:00
Sun 09:00-23:00

Standard Hours

Mon 09:00-01:00
Tue 09:00-01:00
Wed 09:00-01:00
Thu 09:00-01:00
Fri 09:00-03:00
Sat 09:00 - 03:00
Sun 09:00-01:00

Non-Standard Hours:

New Year's Eve - from the end of the permitted hours
on

New Year's Eve to the start of the permitted hours on
New Year's Day.

Performance of dance

Standard Hours

Mon 09:00-01:00
Tue 09:00-01:00
Wed 09:00-01:00
Thu 09:00-01:00
Fri 09:00 - 03:00
Sat 09:00 - 03:00
Sun 09:00-01:00

Non-Standard Hours:

New Year's Eve - from the end of the permitted hours
on New Year's Eve to the start of the permitted hours

on

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

New Year's Day.

Standard Hours:

Mon 09:00-01:00
Tue 09:00-01:00
Wed 09:00-01:00
Thu 09:00-01:00
Fri 09:00-03:00
Sat 09:00-03:00
Sun 09:00-01:00

Non-Standard Hours:

New Year's Eve - from the end of the permitted hours
on

New Year's Eve to the start of the permitted hours
on New Year's Day.

Late Night Refreshment

Standard Hours

Mon 23:00-01:00
Tue 23:00-01:00
Wed 23:00-01:00
Thu 23:00-01:00
Fri 23:00 - 03:00
Sat 23:00 - 03:00
Sun 23:00-01:00

Non-Standard Hours:

New Year's Eve 23:00 to 05:00 the day following

**Supply of Alcohol
On Sales**

Standard Hours

Mon 10:00-01:00
Tue 10:00- 01:00
Wed 10:00-01:00
Thu 10:00-01:00
Fri 09:00-03:00

<p>Sat 09:00-03:00 Sun 12:00-23:30</p> <p>Non-Standard Hours: Good Friday: 12:00 to 22:30 Christmas Day: 12:00 to 22:30 On New Year's Eve from the end of permitted hours on New Year's Eve to the start of permitted hours on the following day.</p>
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The opening hours of the premises	
<p>Standard Hours: Mon 09:00-01:00 Tue 09:00- 01:00 Wed 09:00-01:00 Thu 09:00-01:00 Fri 09:00-03:30 Sat 09:00-03:30 Sun 19:00-01:00</p> <p>Non-Standard Hours: New Year's Eve - from the end of the permitted hours on New Year's Eve to the start of the permitted hours on New Year's Day.</p>	
Capacity: Not known	
Policies Applicable	LP1 (General Principles), LP2 (Licensing Objectives), Hours), LP6 (External Areas and Outdoor Events), LP10 (Special Policy Areas – Dalston and Shoreditch) and LP11(Cumulative Impact – General)
List of Appendices	A – Application for a premises licence and supporting documents B – Representations from Other Persons C – Existing Premises Licence D – Location map
Relevant Representations	● Other Persons

2. APPLICATION

2.1 Paul Daly has made an application for a premises licence under the Licensing Act 2003 to provide for the following activities:

- Exhibition of films
- Live music
- Recorded music
- Performance of dance
- Other Entertainment Similar to Live or Rec Music or Dance Performance
- Supply of alcohol for consumption **on** the premises
- Provision of Late night refreshment

2.2 The application is described as for a "Shadow Licence" and is attached as Appendix A. The applicant has proposed measures that could be converted to conditions (see para 8.1 below). The application is for the exact same terms as the existing trading licence with no DPS nominated on this licence and therefore will not become "active" until such time as the current Premise Licence lapses or is revoked.

3. CURRENT STATUS / HISTORY

- 3.1 The premises currently have a premises licence LBH-PRE-T-0651 granted in November 2005. The licence is attached as Appendix C.
- 3.2 No TENs have been submitted in respect of the premises in this calendar year.

4. REPRESENTATIONS: RESPONSIBLE AUTHORITIES

From	Details
Environmental Health Authority (Environmental Protection)	Have confirmed no representation on this application
Environmental Health Authority (Environmental Enforcement)	Have confirmed no representation on this application
Environmental Health Authority (Health & Safety)	Have confirmed no representation on this application
Weights and Measures (Trading Standards)	No representation received
Planning Authority	No representation received
Area Child Protection Officer	No representation received
Fire Authority	Have confirmed no representation on this application
Police	Representation withdrawn following agreement that the new licence will duplicate the licence that is currently at the venue (LBH-PRE-T-0651)
Licensing Authority	Have confirmed no representation on this application
Health Authority	Have confirmed no representation on this application

5. REPRESENTATIONS: OTHER PERSONS

From	Details
9 representations have been received against the proposals from and on behalf of local residents. Appendices B1-B9	Representation received on the grounds of Prevention of Public Nuisance.

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), LP6 (External Areas and Outdoor Events), LP10 (Special Policy Areas – Dalston and LP11(Cumulative Impact – General)

8. OFFICER OBSERVATIONS

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

Mandatory Conditions: 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 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).

Mandatory Condition - Door Supervision

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

Conditions derived from operating schedule

10. In the allocated ground floor area as set out within a floorplan to be attached to the operating schedule and agreed by Police and Licensing Authority, alcohol may only be sold or supplied after 01:00 hours to persons taking table meals.

11. Substantial refreshment and non-intoxication beverages shall be available throughout the premises during the permitted hours.

12. Menus will be displayed within the venue at all times.

13. No licensable activities or the consumption of alcohol to take place in the external seating area after 23:00.

14. There shall be no entry or re-entry to the external premises after 00:45 hours. All heaters and tables associated with the external seating area to be switched off/removed after 00:45 hours.
Conditions for Regulated Entertainment

15. Any amplified music shall be at a level such that it is not audible in nearby residents' premises between 23:00 and 07:00 in line with the Council's Licensing Policy LP7.

16. Doors should be kept closed at all times and regulated entertainment is underway .

17. Signs should be sited and maintained at all exits requesting that customers leave the area quietly.

18. The Pollution Team may at any time require noise level tests to be accompanied with a certificate of compliance.

19. SIA registered door supervisors shall be employed to ensure the proper use of the lobby to ensure that there is no music breakout from the premises and to encourage patrons to promptly disperse in order to prevent congregations outside the premises. Management to oversee these at all times

20. The installation of sound limiting devices capable of controlling live music systems to all areas where live music is to be played (device type to be approved by the Pollution Team). The limiting devices should be set to ensure inaudibility in all residential premises and a certificate of compliance submitted to the Pollution Team.

21. 50% of the external seating area is to be cordoned off after 23:00 hours and not used.

22. There shall be no more than 30 patrons allowed in the external seating area after 23:00 hours.

23. After 23:00 hours, smokers shall be restricted to the external seating area.

24. There shall be a minimum of 1 SIA registered door supervisors on Sundays to Thursdays and 2 SIA registered door supervisors on a Friday and Saturday, in both cases from 20:00 hours until half an hour after closing.

25. The premises shall maintain a comprehensive CCTV system as per the minimum requirements of a Metropolitan Police crime prevention officer to include one camera covering the entrance and exit to the ground floor and basement. All entry and exit points will be covered enabling frontal identification of every person entering in any light condition. The CCTV system shall continually record whilst the premises is open for licensable activities and during all times when customers remain on the premises. All recordings shall be stored for a minimum period of 31 days with date and time stamping. Recordings shall be made available immediately on request of the Police or an authorised officer. A staff member from the premises who is conversant with the operation of the CCTV system shall be on the premises at all times when the premises are open to the public. This staff member shall be able to show the police recent data or footage with the absolute minimum of delay when requested.

REASONS FOR OFFICER OBSERVATIONS

9.1 Conditions 10 to 27 above are derived from the applicant's operating schedule.

10. LEGAL COMMENTS

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

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

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

11. HUMAN RIGHTS ACT 1998 IMPLICATIONS

- 11.1 There are implications to;
- Article 6 – Right to a fair hearing
 - Article 14 – Not to discriminate
 - Balancing: Article 1- Peaceful enjoyment of their possession (i.e. a licence is defined as being a possession) with Article 8 – Right of Privacy (i.e. respect private & family life) to achieve a proportionate decision having regard to the protection of an individual's rights against the interests of the community at large.

12. MEMBERS DECISION MAKING

A. Option 1

That the application be refused

B. Option 2

That the application be approved, together with any conditions or restrictions which Members consider necessary for the promotion of the Licensing objectives.

13. CONCLUSION

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

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 2431

LIST OF BACKGROUND PAPERS RELATING TO THIS REPORT

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

Description of document	Location
Office File: Ground Floor and Basement 11 Hoxton Square, N1 6NU	Licensing Service 1 Hillman Street London E8 1DY

Printed matter

Licensing Act 2003

LBH Statement of Licensing Policy



**Application for a premises licence to be granted
under the Licensing Act 2003**

PLEASE READ THE FOLLOWING INSTRUCTIONS FIRST

Before completing this form please read the guidance notes at the end of the form. If you are completing this form by hand please write legibly in block capitals. In all cases ensure that your answers are inside the boxes and written in black ink. Use additional sheets if necessary.

You may wish to keep a copy of the completed form for your records.

I/We PAUL DALY (FREEHOLDER)

(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 GROUND FLOOR AND BASEMENT 11 HOXTON SQUARE HACKNEY			
Post town	LONDON	Postcode	N1 6NU

Telephone number at premises (if any)	
Non-domestic rateable value of premises	£120,100

Part 2 - Applicant details

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

- a) an individual or individuals * please complete section (A)
- b) a person other than an individual *
 - i as a limited company/limited liability partnership please complete section (B)
 - ii as a partnership (other than limited liability) please complete section (B)
 - iii as an unincorporated association or please complete section (B)
 - iv other (for example a statutory corporation) please complete section (B)

- c) a recognised club please complete section (B)
- d) a charity please complete section (B)
- e) the proprietor of an educational establishment please complete section (B)
- f) a health service body 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 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 please complete section (B)
- h) the chief officer of police of a police force in England and Wales 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
- I am making the application pursuant to a
 statutory function or
 a function discharged by virtue of Her Majesty's prerogative

(A) INDIVIDUAL APPLICANTS (fill in as applicable)

Mr <input checked="" type="checkbox"/>	Mrs <input type="checkbox"/>	Miss <input type="checkbox"/>	Ms <input type="checkbox"/>	Other Title (for example, Rev)	
Surname DALY			First names PAUL NICHOLAS		
Date of birth [REDACTED] or over		I am 18 years old <input checked="" type="checkbox"/> Please tick yes			
Nationality IRISH					
Current residential address if different from premises address		[REDACTED]			
Post town	[REDACTED]	Postcode	[REDACTED]		
Daytime contact telephone number		[REDACTED]			
E-mail address (optional)	[REDACTED]				

SECOND INDIVIDUAL APPLICANT (if applicable)

Mr <input type="checkbox"/>	Mrs <input type="checkbox"/>	Miss <input type="checkbox"/>	Ms <input type="checkbox"/>	Other Title (for example, Rev)	
Surname			First names		
Date of birth over		I am 18 years old or		<input type="checkbox"/>	Please tick yes
Nationality					
Current residential address if different from premises address					
Post town				Postcode	
Daytime contact telephone number					
E-mail address (optional)					

(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
Address
Registered number (where applicable)
Description of applicant (for example, partnership, company, unincorporated association etc.)
Telephone number (if any)
E-mail address (optional)

Part 3 Operating Schedule

When do you want the premises licence to start?

DD	MM	YYYY
1	9	052021

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)
LICENSED BAR AND RESTAURANT

*** THIS APPLICATION IS FOR A SHADOW LICENCE OF THE CURRENT LICENCE NUMBER LBH-PRE-T-0651 – IT IS A DUPLICATE OF THE LICENCE CURRENTLY ACTIVE AT THE PREMISES. THIS APPLICATION IS BEING MADE BY THE FREEHOLD OWNER OF THE BUILDING. ***

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

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

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

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

In all cases complete boxes K, L and M

A

Plays Standard days and timings (please read guidance note 7)			<u>Will the performance of a play take place indoors or outdoors or both – please tick</u> (please read guidance note 3)	Indoors	<input type="checkbox"/>
				Outdoors	<input type="checkbox"/>
				Both	<input type="checkbox"/>
Day	Start	Finish	<u>Please give further details here</u> (please read guidance note 4)		
Mon					
Tue					
			<u>State any seasonal variations for performing plays</u> (please read guidance note 5)		
Wed					
Thur					
			<u>Non standard timings. Where you intend to use the premises for the performance of plays at different times to those listed in the column on the left, please list</u> (please read guidance note 6)		
Fri					
Sat					
Sun					

B

Films Standard days and timings (please read guidance note 7)			<u>Will the exhibition of films take place indoors or outdoors or both – please tick</u> (please read guidance note 3)	Indoors	<input checked="" type="checkbox"/>
Day	Start	Finish		Outdoors	<input type="checkbox"/>
				Both	<input type="checkbox"/>
Mon	09:00	01:00	<u>Please give further details here</u> (please read guidance note 4) Film and/or video shows or relays may be provided from time to time whether of a musical and/or sporting nature or otherwise and whether forming the principal entertainment offered or as ancillary to other entertainment, e.g. music and dancing		
Tue	09:00	01:00			
Wed	09:00	01:00	<u>State any seasonal variations for the exhibition of films</u> (please read guidance note 5)		
Thur	09:00	01:00			
Fri	09:00	03:00	<u>Non standard timings. Where you intend to use the premises for the exhibition of films at different times to those listed in the column on the left, please list</u> (please read guidance note 6)		
Sat	09:00	03:00	From the end of permitted hours on New Year's Eve to the start of permitted hours on New Year's Day		
Sun	09:00	01:00			

C

Indoor sporting events Standard days and timings (please read guidance note 7)			<u>Please give further details</u> (please read guidance note 4)
Day	Start	Finish	
Mon			
Tue			<u>State any seasonal variations for indoor sporting events</u> (please read guidance note 5)
Wed			<u>Non standard timings. Where you intend to use the premises for indoor sporting events at different times to those listed in the column on the left, please list</u> (please read guidance note 6)
Thur			
Fri			
Sat			
Sun			

D

Boxing or wrestling entertainments Standard days and timings (please read guidance note 7)			<u>Will the boxing or wrestling entertainment take place indoors or outdoors or both – please tick</u> (please read guidance note 3)	Indoors	<input type="checkbox"/>
				Outdoors	<input type="checkbox"/>
Both	<input type="checkbox"/>				
Day	Start	Finish	<u>Please give further details here</u> (please read guidance note 4)		
Mon					
Tue			<u>State any seasonal variations for boxing or wrestling entertainment</u> (please read guidance note 5)		
Wed					
Thur			<u>Non standard timings. Where you intend to use the premises for boxing or wrestling entertainment at different times to those listed in the column on the left, please list</u> (please read guidance note 6)		
Fri					
Sat					
Sun					

E

Live music BASEMENT Standard days and timings (please read guidance note 7)			<u>Will the performance of live music take place indoors or outdoors or both – please tick</u> (please read guidance note 3)	Indoors	<input checked="" type="checkbox"/>
				Outdoors	<input type="checkbox"/>
				Both	<input type="checkbox"/>
Day	Start	Finish			
Mon	09:00	23:00	<u>Please give further details here</u> (please read guidance note 4) The applicant wishes to be able to provided both live amplified and unamplified music and singing as may from time to time complement the range of entertainment being provided at the premises whether as the principal entertainment or in conjunction with dancing and/or any other permitted activity.		
Tue	09:00	23:00			
Wed	09:00	23:00	<u>State any seasonal variations for the performance of live music</u> (please read guidance note 5)		
Thur	09:00	23:00			
Fri	09:00	03:00	<u>Non standard timings. Where you intend to use the premises for the performance of live music at different times to those listed in the column on the left, please list</u> (please read guidance note 6)		
Sat	09:00	03:00			
Sun	09:00	23:00	From the end of permitted hours on New Year's Eve to the start of permitted hours on New Year's Day		

Live music GROUND FLOOR Standard days and timings (please read guidance note 7)			<u>Will the performance of live music take place indoors or outdoors or both – please tick</u> (please read guidance note 3)	Indoors	<input checked="" type="checkbox"/>
				Outdoors	<input type="checkbox"/>
				Both	<input type="checkbox"/>
Day	Start	Finish			
Mon	09:00	23:00	<u>Please give further details here</u> (please read guidance note 4) The applicant wishes to be able to provided both live amplified and unamplified music and singing as may from time to time complement the range of entertainment being provided at the premises whether as the principal entertainment or in conjunction with dancing and/or any other permitted activity.		
Tue	09:00	23:00			
Wed	09:00	23:00	<u>State any seasonal variations for the performance of live music</u> (please read guidance note 5)		
Thur	09:00	23:00			
Fri	09:00	23:00	<u>Non standard timings. Where you intend to use the premises for the performance of live music at different times to those listed in the column on the left, please list</u> (please read guidance note 6)		
Sat	09:00	23:00			
Sun	09:00	23:00	From the end of permitted hours on New Year's Eve to the start of permitted hours on New Year's Day		

F

Recorded music Standard days and timings (please read guidance note 7)			<u>Will the playing of recorded music take place indoors or outdoors or both – please tick</u> (please read guidance note 3)	Indoors	<input checked="" type="checkbox"/>
				Outdoors	<input type="checkbox"/>
				Both	<input type="checkbox"/>
Day	Start	Finish			
Mon	09:00	01:00	<u>Please give further details here</u> (please read guidance note 4) The applicants wish to have the facility for the provision of recorded music whether as the principal entertainment provided or in conjunction with dancing or any other permitted activity.		
Tue	09:00	01:00			
Wed	09:00	01:00	<u>State any seasonal variations for the playing of recorded music</u> (please read guidance note 5)		
Thur	09:00	01:00			
Fri	09:00	03:00	<u>Non standard timings. Where you intend to use the premises for the playing of recorded music at different times to those listed in the column on the left, please list</u> (please read guidance note 6) From the end of permitted hours on New Year's Eve to the start of permitted hours on New Year's Day		
Sat	09:00	03:00			
Sun	09:00	01:00			

G

Performances of dance Standard days and timings (please read guidance note 7)			<u>Will the performance of dance take place indoors or outdoors or both – please tick</u> (please read guidance note 3)	Indoors	<input checked="" type="checkbox"/>
				Outdoors	<input type="checkbox"/>
				Both	<input type="checkbox"/>
Day	Start	Finish	<u>Please give further details here</u> (please read guidance note 4) The applicants wish to provide such performance of dance as may be required from time to time to complement the range of entertainment or in conjunction with dancing or any other permitted activity		
Mon	09:00	01:00			
Tue	09:00	01:00			
Wed	09:00	01:00	<u>State any seasonal variations for the performance of dance</u> (please read guidance note 5)		
Thur	09:00	01:00			
Fri	09:00	03:00	<u>Non standard timings. Where you intend to use the premises for the performance of dance at different times to those listed in the column on the left, please list</u> (please read guidance note 6)		
Sat	09:00	03:00	From the end of permitted hours on New Year's Eve to the start of permitted hours on New Year's Day		
Sun	09:00	01:00			

H

Anything of a similar description to that falling within (e), (f) or (g) Standard days and timings (please read guidance note 7)					
Day	Start	Finish	<u>Will this entertainment take place indoors or outdoors or both – please tick</u> (please read guidance note 3)	Indoors	<input checked="" type="checkbox"/>
Mon	09:00	01:00		Outdoors	<input type="checkbox"/>
				Both	<input type="checkbox"/>
Tue	09:00	01:00	<u>Please give further details here</u> (please read guidance note 4) The applicant wishes to provide such other entertainment of a kind as may be required from time to time to complement the range of entertainment or in conjunction with dancing or any other permitted activity		
Wed	09:00	01:00			
Thur	09:00	01:00	<u>State any seasonal variations for entertainment of a similar description to that falling within (e), (f) or (g)</u> (please read guidance note 5)		
Fri	09:00	03:00			
Sat	09:00	03:00	<u>Non standard timings. Where you intend to use the premises for the entertainment of a similar description to that falling within (e), (f) or (g) at different times to those listed in the column on the left, please list</u> (please read guidance note 6) From the end of permitted hours on New Year's Eve to the start of permitted hours on New Year's Day		
Sun	09:00	01:00			

I

Late night refreshment Standard days and timings (please read guidance note 7)			Will the provision of late night refreshment take place indoors or outdoors or both – please tick (please read guidance note 3)	Indoors	<input checked="" type="checkbox"/>
				Outdoors	<input type="checkbox"/>
				Both	<input type="checkbox"/>
Day	Start	Finish			
Mon	23:00	01:00	<u>Please give further details here</u> (please read guidance note 4) The applicants wish to be able to provide facilities for late night refreshment as may be required from time to time to complement the range of activities (whether licensable or not) being provided at the premises whether as principal or in conjunction any other permitted activity		
Tue	23:00	01:00			
Wed	23:00	01:00	<u>State any seasonal variations for the provision of late night refreshment</u> (please read guidance note 5)		
Thur	23:00	01:00			
Fri	23:00	03:00	<u>Non standard timings. Where you intend to use the premises for the provision of late night refreshment at different times, to those listed in the column on the left, please list</u> (please read guidance note 6) New Year's Eve 23:00 to 05:00 the day following		
Sat	23:00	03:00			
Sun	23:00	01:00			

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	<input checked="" type="checkbox"/>
				Off the premises	<input type="checkbox"/>
				Both	<input type="checkbox"/>
Day	Start	Finish	State any seasonal variations for the supply of alcohol (please read guidance note 5)		
Mon	10:00	01:00			
Tue	10:00	01:00			
Wed	10:00	01:00			
Thur	10:00	01:00	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) From the end of permitted hours on New Year's Eve to the start of permitted hours on New Year's Day		
Fri	09:00	03:00			
Sat	09:00	03:00			
Sun	12:00	23:30			

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):

THIS IS A SHADOW LICENCE AND A DPS WILL BE ONLY APPOINTED WHEN THE LICENCE IS IN USE

Name	
Date of birth	
Address	
Postcode	
Personal licence number (if known)	
Issuing licensing authority (if known)	

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).

There will be no activity of this nature

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)
Day	Start	Finish	
Mon	09:00	01:00	
Tue	09:00	01:00	
Wed	09:00	01:00	
Thur	09:00	01:00	
Non standard timings. Where you intend the premises to be open to the public at different times from those listed in the column on the left, please list (please read guidance note 6)			
From the end of permitted hours on New Year's Eve to the start of permitted hours on New Year's Day			
Fri	09:00	03:30	
Sat	09:00	03:30	
Sun	09:00	01:00	

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)

Annex 2 – Conditions consistent with the operating Schedule

1. In the allocated ground floor area as set out within a floorplan to be attached to the operating schedule and agreed by Police and Licensing Authority, alcohol may only be sold or supplied after 01:00 hours to persons taking table meals
2. Substantial refreshment and non-alcoholic beverages shall be available throughout the premises during the permitted hours
3. Menus will be displayed within the venue at all times
4. No Licensable activities or the consumption of alcohol to take place in the external seating area after 23:00
5. There shall be no entry or re-entry to the external premises after 00:45 hours. All heaters and tables associated with the external seating area to be switched off/removed after 00:45 hours
6. Any amplified music shall be at a level such that it is not audible in nearby residents' properties between 23:00 and 07:00 in line with the council's Licensing policy LP7
7. Doors should be kept closed at all times regulated entertainment is underway
8. Signs should be sited and maintained at all exits requesting that customers leave the area quietly
9. The pollution team may at any time require noise level tests to be accompanied with a certificate of compliance
10. SIA registered door supervisors shall be employed to ensure the proper use of the lobby to ensure that there is no music breakout from the premises and to encourage patrons to promptly disperse in order to prevent congregation outside the premises. Management to oversee these at all times.
11. The installation of sound limiting devices capable of controlling live music systems to all areas where live music is to be played (device type to be approved by the pollution team). The limiting devices should be set to ensure inaudibility in all residential premises and a certificate of compliance submitted to the pollution team
12. 50% of the external seating area is to be cordoned off after 23:00 hours and not used.
13. There shall be no more than 30 patrons allowed in the external seating area after 23:00hrs
14. After 23:00hrs, smokers shall be restricted to the external seating area.

15. There shall be a minimum of 1 SIA registered door supervisors on Sundays to Thursdays and 2 SIA registered door supervisors on a Friday and Saturday, in both cases from 20:00 hours until half an hour after closing.

16. The premises shall maintain a comprehensive CCTV system as per the minimum requirements of a Metropolitan Police crime prevention officer to include one camera covering the entrance and exit to the ground floor and basement. All entry and exit points will be covered enabling frontal identification of every person entering in any light condition. The CCTV system shall continually record whilst the premises is open for licensable activities and during all times when customer remain on the premises. All recordings shall be stored for a minimum period of 31 days with date and time stamping. Recordings shall be made available immediately on request of the Police or an authorised officer. A staff member from the premises who is conversant with the operation of the CCTV system shall be on the premises at all times when the premises are open to the public. This staff member shall be able to show the police recent data or footage with the absolute minimum of delay when requested.

b) The prevention of crime and disorder

See box a) for schedule of conditions

c) Public safety

See box a) for schedule of conditions

d) The prevention of public nuisance

See box a) for schedule of conditions

e) The protection of children from harm

See box a) for schedule of conditions

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 (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.**

Declaration	<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, if appropriate (please see note 15)
Signature	
Date	20/04/2021
Capacity	

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	
Capacity	

Contact name (where not previously given) and postal address for correspondence associated with this application (please read guidance note 14)			
[REDACTED]			
[REDACTED]			
[REDACTED]			
Post town	[REDACTED]	Postcode	[REDACTED]
Telephone number (if any)	[REDACTED]		
If you would prefer us to correspond with you by e-mail, your e-mail address (optional)			
[REDACTED]			

Notes for Guidance

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.
 - Indoor sporting events: no licence is required for performances between 08.00 and 23.00 on any day, provided that the audience does not exceed 1000.
 - Boxing or Wrestling Entertainment: no licence is required for a contest, exhibition or display of Greco-Roman wrestling, or freestyle wrestling between 08.00 and 23.00 on any day, provided that the audience does not exceed 1000. Combined fighting sports – defined as a contest, exhibition or display which combines boxing or wrestling with one or more martial arts – are licensable as a boxing or wrestling entertainment rather than an indoor sporting event.
 - Live music: no licence permission is required for:
 - a performance of unamplified live music between 08.00 and 23.00 on any day, on any premises.
 - a performance of amplified live music between 08.00 and 23.00 on any day on premises authorised to sell alcohol for consumption on those premises, provided that the audience does not exceed 500.
 - a performance of amplified live music between 08.00 and 23.00 on any day, in a workplace that is not licensed to sell alcohol on those premises, provided that the audience does not exceed 500.
 - a performance of amplified live music between 08.00 and 23.00 on any day, in a church hall, village hall, community hall, or other similar community premises, that is not licensed by a premises licence to sell alcohol, provided that (a) the audience does not exceed 500, and (b) the organiser gets consent for the performance from a person who is responsible for the premises.
 - a performance of amplified live music between 08.00 and 23.00 on any day, at the non-residential premises of (i) a local authority, or (ii) a school, or (iii) a hospital, provided that (a) the audience does not exceed 500, and (b) the organiser gets consent for the performance on the relevant premises from: (i) the local authority concerned, or (ii) the school or (iii) the health care provider for the hospital.
 - Recorded Music: no licence permission is required for:
 - any playing of recorded music between 08.00 and 23.00 on any day on premises authorised to sell alcohol for consumption on those premises, provided that the audience does not exceed 500.
 - any playing of recorded music between 08.00 and 23.00 on any day, in a church hall, village hall, community hall, or other similar community premises, that is not licensed by a premises licence to sell alcohol, provided that (a) the audience does not exceed 500, and (b) the organiser gets consent for the performance from a person who is responsible for the premises.
 - any playing of recorded music between 08.00 and 23.00 on any day, at the non-residential premises of (i) a local authority, or (ii) a school, or (iii) a hospital, provided that (a) the audience does not exceed 500, and (b) the organiser gets consent for the performance on the relevant premises from: (i) the local authority concerned, or (ii) the school proprietor or (iii) the health care provider for the hospital.

- Dance: no licence is required for performances between 08.00 and 23.00 on any day, provided that the audience does not exceed 500. However, a performance which amounts to adult entertainment remains licensable.
 - Cross activity exemptions: no licence is required between 08.00 and 23.00 on any day, with no limit on audience size for:
 - any entertainment taking place on the premises of the local authority where the entertainment is provided by or on behalf of the local authority;
 - any entertainment taking place on the hospital premises of the health care provider where the entertainment is provided by or on behalf of the health care provider;
 - any entertainment taking place on the premises of the school where the entertainment is provided by or on behalf of the school proprietor; and
 - any entertainment (excluding films and a boxing or wrestling entertainment) taking place at a travelling circus, provided that (a) it takes place within a moveable structure that accommodates the audience, and (b) that the travelling circus has not been located on the same site for more than 28 consecutive days.
3. Where taking place in a building or other structure please tick as appropriate (indoors may include a tent).
 4. For example the type of activity to be authorised, if not already stated, and give relevant further details, for example (but not exclusively) whether or not music will be amplified or unamplified.
 5. For example (but not exclusively), where the activity will occur on additional days during the summer months.
 6. For example (but not exclusively), where you wish the activity to go on longer on a particular day e.g. Christmas Eve.
 7. Please give timings in 24 hour clock (e.g. 16.00) and only give details for the days of the week when you intend the premises to be used for the activity.
 8. If you wish people to be able to consume alcohol on the premises, please tick 'on the premises'. If you wish people to be able to purchase alcohol to consume away from the premises, please tick 'off the premises'. If you wish people to be able to do both, please tick 'both'.
 9. Please give information about anything intended to occur at the premises or ancillary to the use of the premises which may give rise to concern in respect of children, regardless of whether you intend children to have access to the premises, for example (but not exclusively) nudity or semi-nudity, films for restricted age groups or the presence of gaming machines.
 10. Please list here steps you will take to promote all four licensing objectives together.
 11. The application form must be signed.
 12. An applicant's agent (for example solicitor) may sign the form on their behalf provided that they have actual authority to do so.
 13. Where there is more than one applicant, each of the applicants or their respective agent must sign the application form.
 14. This is the address which we shall use to correspond with you about this application.

15. Entitlement to work/immigration status for individual applicants and applications from partnerships which are not limited liability partnerships:

A licence may not be held by an individual or an individual in a partnership who is resident in the UK who:

- does not have the right to live and work in the UK; or
- is subject to a condition preventing him or her from doing work relating to the carrying on of a licensable activity.

Any premises licence issued in respect of an application made on or after 6 April 2017 will become invalid if the holder ceases to be entitled to work in the UK.

Applicants must demonstrate that they have an entitlement to work in the UK and are not subject to a condition preventing them from doing work relating to the carrying on of a

licensable activity. They do this by providing with this application copies or scanned copies of the following documents (which do not need to be certified).

Documents which demonstrate entitlement to work in the UK

- An expired or current passport showing the holder, or a person named in the passport as the child of the holder, is a British citizen or a citizen of the UK and Colonies having the right of abode in the UK [please see note below about which sections of the passport to copy].
- An expired or current passport or national identity card showing the holder, or a person named in the passport as the child of the holder, is a national of a European Economic Area country or Switzerland.
- A Registration Certificate or document certifying permanent residence issued by the Home Office to a national of a European Economic Area country or Switzerland.
- A Permanent Residence Card issued by the Home Office to the family member of a national of a European Economic Area country or Switzerland.

- A **current** Biometric Immigration Document (Biometric Residence Permit) issued by the Home Office to the holder indicating that the person named is allowed to stay indefinitely in the UK, or has no time limit on their stay in the UK.

- A **current** passport endorsed to show that the holder is exempt from immigration control, is allowed to stay indefinitely in the UK, has the right of abode in the UK, or has no time limit on their stay in the UK.
- A **current** Immigration Status Document issued by the Home Office to the holder with an endorsement indicating that the named person is allowed to stay indefinitely in the UK or has no time limit on their stay in the UK, **when produced in combination with** an official document giving the person's permanent National Insurance number and their name issued by a Government agency or a previous employer.
- A **full** birth or adoption certificate issued in the UK which includes the name(s) of at least one of the holder's parents or adoptive parents, **when produced in combination with** an official document giving the person's permanent National Insurance number and their name issued by a Government agency or a previous employer.
- A birth or adoption certificate issued in the Channel Islands, the Isle of Man or Ireland **when produced in combination with** an official document giving the person's permanent National Insurance number and their name issued by a Government agency or a previous employer.

- A certificate of registration or naturalisation as a British citizen, **when produced in combination with** an official document giving the person's permanent National Insurance number and their name issued by a Government agency or a previous employer.

- A **current** passport endorsed to show that the holder is allowed to stay in the UK and is currently allowed to work and is not subject to a condition preventing the holder from doing work relating to the carrying on of a licensable activity.

- A **current** Biometric Immigration Document (Biometric Residence Permit) issued by the Home Office to the holder which indicates that the named person can currently stay in the UK and is allowed to work relation to the carrying on of a licensable activity.

- A **current** Residence Card issued by the Home Office to a person who is not a national of a European Economic Area state or Switzerland but who is a family member of such a national or who has derivative rights or residence.
- A **current** Immigration Status Document containing a photograph issued by the Home Office to the holder with an endorsement indicating that the named person may stay in the UK, and is allowed to work and is not subject to a condition preventing the holder from doing work relating to the carrying on of a licensable activity **when produced in combination with** an official document giving the person's permanent National Insurance number and their name issued by a Government agency or a previous employer.
- A Certificate of Application, **less than 6 months old**, issued by the Home Office under regulation 17(3) or 18A (2) of the Immigration (European Economic Area) Regulations 2006, to a person who is not a national of a European Economic Area state or Switzerland but who is a family member of such a national or who has derivative rights of residence.
- Reasonable evidence that the person has an outstanding application to vary their permission to be in the UK with the Home Office such as the Home Office acknowledgement letter or proof of postage evidence, or reasonable evidence that the person has an appeal or administrative review pending on an immigration decision, such as an appeal or administrative review reference number.
- Reasonable evidence that a person who is not a national of a European Economic Area state or Switzerland but who is a family member of such a national or who has derivative rights of residence in exercising treaty rights in the UK including:-
 - evidence of the applicant's own identity – such as a passport,
 - evidence of their relationship with the European Economic Area family member – e.g. a marriage certificate, civil partnership certificate or birth certificate, and
 - evidence that the European Economic Area national has a right of permanent residence in the UK or is one of the following if they have been in the UK for more than 3 months:
 - (i) working e.g. employment contract, wage slips, letter from the employer,
 - (ii) self-employed e.g. contracts, invoices, or audited accounts with a bank,
 - (iii) studying e.g. letter from the school, college or university and evidence of sufficient funds; or
 - (iv) self-sufficient e.g. bank statements.

Family members of European Economic Area nationals who are studying or financially independent must also provide evidence that the European Economic Area national and any family members hold comprehensive sickness insurance in the UK. This can include a private medical insurance policy, an EHIC card or an S1, S2 or S3 form.

Original documents must not be sent to licensing authorities. If the document copied is a passport, a copy of the following pages should be provided:-

- (i) any page containing the holder's personal details including nationality;
- (ii) any page containing the holder's photograph;
- (iii) any page containing the holder's signature;
- (iv) any page containing the date of expiry; and
- (v) any page containing information indicating the holder has permission to enter or remain in the UK and is permitted to work.

If the document is not a passport, a copy of the whole document should be provided.

Your right to work will be checked as part of your licensing application and this could involve us checking your immigration status with the Home Office. We may otherwise share information with the Home Office. Your licence application will not be determined until you have complied with this guidance.

Ground Floor plan
11 HOXTON SQUARE
N1 6NU

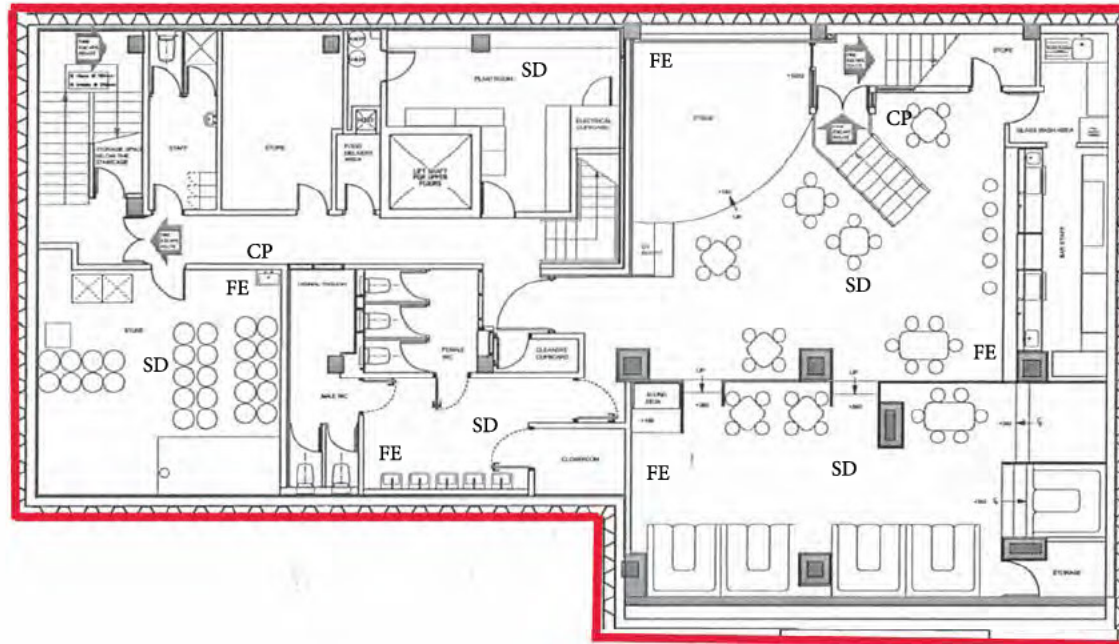


IMPORTANT:- Liensable activities can take place anywhere within the red line. The position of loose furniture and equipment is shown for diagrammatic purposes only. Firefighting equipment is indicated but may be moved subject to the fire risk assessment carried out under the Regulatory Reform (Fire Safety) Order 2005 or by agreement with the fire officer.

The red line delineates the area within which licensable activities will take place

SD = Smoke Detector
FE = Fire Extinguisher
CP = Call Point

Basement Plan



EASTWEST ARCHITECTURE

6-16 Arbutus Street
Haggerston
London E8 4DT
projects@eastwestarchitecture.co.uk
www.eastwestarchitecture.co.uk
020 7148 0668

- | | |
|------------------------------------|--|
| <input type="radio"/> Pre-Planning | <input type="radio"/> Construction |
| <input type="radio"/> Planning | <input type="radio"/> As Built |
| <input type="radio"/> Tender | <input type="radio"/> For Information Only |
| <input type="radio"/> Contract | <input type="radio"/> Preliminary |

Drawn: BW Checked: DS

Printed: 31/10/2018

Scale: 1:125 @ A3

Client: PAUL DALY

Project:
11 HOXTON SQUARE
LONDON N1 6NU

Title:
GROUND FLOOR PLAN
AND BASEMENT PLAN

No. A01.01.P Rev. -

Fwd: Gigi 11 Hoxton Square Licence

1 message

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

13 May 2021 at 16:14

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: Mon, 10 May 2021 at 11:28
Subject: Gigi 11 Hoxton Square Licence
To: licensing@hackney.gov.uk <licensing@hackney.gov.uk>

I understand that there is a shadow license being applied for that extends some of the hours already permitted for this venue.

Please let me know if I should be going about this in a different way.

I live on the square and Gigi's is one of the busier places - while the noise is sometimes incredibly loud, we are willing to put up with this so long as the hours are not extended. The place is very crowded often with people spilling out into the street, there are then drunk people wandering around being generally obnoxious; congregating around various houses, being loud, keeping us awake. It is not a particularly orderly crowd and I fear that if the hours are extended this crowd and noise and timing around the noise will just get worse. It makes living around the area not very peaceful and given that I have a small child, it can be very unpleasant walking around and dealing with the noise and the litter.

I am happy to discuss this if helpful

Kind regards



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



Foster for Hackney
Foster Care Fortnight 10-23 May 2021

Call: 0800 0730 418
 Visit: www.hackney.gov.uk/fostering
 Email: fostering.recruitment@hackney.gov.uk



Fwd: 11 hoxton sq n16nu

1 message

[Redacted]
To: licensing@hackney.gov.uk

14 May 2021 at 10:05

Sent from my iPhone

Begin forwarded message:

From: [Redacted]
Date: 30 April 2021 at 13:52:50 BST
To: licensing@hackney.gov.uk
Subject: [11 hoxton sq n16nu](#)

Would like to oppose this late venue as you are aware noise issues when people leave the bar and spill onto the street plus sleep deprivation and shouting this is Shoreditch now we're we have enough noise from late bars also violence and mess the aquarium bar was closed because of these issues also I've had yrs of noise from the bar underneath my block why have these bars got late licences in residential areas reduce the hours to make all our lives better less stabbings urinating vomit these streets wasn't like this before all these clubs and bars thanks

Sent from my iPhone

**Fwd: Objection to planning application at 11 Hoxton Square, N1 6NU**

1 message

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

18 May 2021 at 11:16

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: Mon, 17 May 2021 at 20:31
Subject: Fwd: Objection to planning application at [11 Hoxton Square, N1 6NU](#)
To: Licensing (Shared Mailbox) <licensing@hackney.gov.uk>

I am resubmitting my objection to the planning application at [11 Hoxton Square, N1 6NU](#) because I omitted my name and address.

My name is [REDACTED]. I live at [REDACTED] [Hoxton Square N1](#) [REDACTED].

Please do not make my name or contact details public.

This objection is in regard to the application made by Mr Paul Daly for the premises at [11 Hoxton Square \(Gigi's\)](#).

I oppose this application on the basis of prevention of a public nuisance and prevention of crime and disorder.

Summary of recommendations:

- 1) The opening hours of [11 Hoxton Square](#) should be restricted to be in line with other establishments within the residential area of Hoxton Square. Closing should occur at 23.30 or midnight at the latest on all nights of the week.
- 2) All music inside [11 Hoxton Square](#) whether live or recorded should be played at a volume that is inaudible outside the premises.
- 3) To avoid leakage of sound outside the premises, live music should not be permitted on the ground floor.
- 4) The outdoor forecourt of [11 Hoxton Square](#) should be closed no later than 23.30 to reduce late night noise in the neighbourhood.

Background:

Hoxton Square is a residential neighbourhood. All residents suffer from late night noise and anti-social behaviour of many of those who attend bars and clubs including [11 Hoxton Square](#) (Gigi's). Many complaints have been made to Gigi's management about current noise from live music in Gigi's basement, but the management have done little to mitigate it. If live music or performances are permitted on the ground floor, it will be significantly louder in the neighbourhood. The noise from the outdoor forecourt is also a problem, and this, too, would be exacerbated by expansion of live music.

Public Nuisance - Opening Hours: Because Hoxton Square is a residential neighborhood, all bars and restaurants should close before midnight every day of the week. This would prevent late night noise from the establishment, and more important, it would mitigate noise from inebriated patrons of the bar as they leave. As an example, the Red Dog Saloon closes at 23.30 from Thursday to Saturday. This should set the standard for other establishments in Hoxton Square.

Public Nuisance - Noise and bad behaviour: The patrons of Gigi's at [11 Hoxton Square](#) are drinking alcohol until closing at 03.00. When they leave, they can be extremely noisy without regard for residents in the area. They can often be seen climbing the fence to get into the park which is locked at night, and they can continue to be noisy for as long as 1-2 hours after closing. Public urination and litter are constant problems.

Public Nuisance - Loud music: Music from the basement of [11 Hoxton Square](#) is loud and disruptive right up to closing time. It can be heard throughout Hoxton Square, but it is particularly pervasive in resident flats adjacent to Number 11. The residents of Hoxton Square have a right to peaceful enjoyment of their homes at all times, but they are deprived of this right until 03.00 by noise coming from Number 11. If live music is permitted on the ground floor of Number 11, it will be substantially louder for all residents. All music from inside [11 Hoxton Square](#) should be inaudible outside the premises. This is currently far from the case. A loud reverberating bass music can always be heard, and the noise is made worse because doors to the establishment and to the basement are left open. Live music on the ground floor would make the situation worse.

Public Nuisance - Loud music and associated noise - Patrons of [11 Hoxton Square](#) are encouraged to consume alcohol right up until closing time at 01.00 on week nights and 03.00 on Fridays and Saturdays. When listening to loud music, they become accustomed to speaking in very loud voices in order to be heard. When they leave the premises, they are often too intoxicated to be aware that they are still speaking in very loud voices long after they are outside. Their loud conversations - often with bad language - can be heard by all residents of Hoxton Square (including children) sometimes as late as 04.00.

Prevention of Crime and Disorder: While not all patrons of [11 Hoxton Square](#) are disruptive and noisy, it is unfortunately true that many of them are heavily inebriated late at night and are not aware of the nuisance they cause. Some of them go beyond being simply disruptive and look for trouble. Dealers of illegal drugs look for business from people going in and out of Number 11 and make their sales from parked cars in the street. Debris from sales of nitrous oxide can be found on the street on every weekend night. There is real concern about safety in the streets. Earlier closing hours would have a significant and positive effect on this problem.

Please do not make my name or contact details public.

Please notify of the date of any public hearings so I can consider participating.

On behalf of the residents of Hoxton Square, thank you for your consideration.

[REDACTED]



APPENDIX B4

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

Fwd: Gigi's 11 Hoxton Square, London, N1 6NU :Objection

1 message

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

18 May 2021 at 11:18

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: Mon, 17 May 2021 at 16:34
Subject: Gigi's 11 Hoxton Square, London, N1 6NU :Objection
To: Licensing <licensing@hackney.gov.uk>

Hello.

I would like to register my objection to the above license application on the grounds of: prevention of public nuisance, prevention of crime and disorder and in the interests of public safety.

As a nearby resident, I am well aware of the noise and disorder when Gigi's empties out. The 3AM closing time means that drunk groups hang out in Hoxton Square into the early hours of the morning, making noise, occasionally getting into fights. Apart from the public nuisance of this anti-social behaviour, there is a direct link to crime and disorder as 'bar cars' selling alcohol and drugs either park in the Square or circulate to serve the clubbers. I have seen these cars and groups of people in the Square until 5 AM Saturday and Sunday.

I understand the Night Time Economy is important to Hackney and we all want to support businesses which have been so badly hit by the pandemic. However there has got to be a balance between the well being of residents and the profit of late night clubs catering to people coming in from outside the borough who cause noise, disruption and leave the park and pavements soiled.

Please keep me informed as to any hearing associated with this application. Please do not make my name or contact details publicly available.

Many thanks,

[REDACTED]
[Hoxton Square](#)
N1 [REDACTED]



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Foster for Hackney
Foster Care Fortnight 10-23 May 2021

Call: 0800 0730 418
 Visit: www.hackney.gov.uk/fostering
 Email: fostering.recruitment@hackney.gov.uk



Fwd: 11 Hoxton Square, London N1 6NU - OBJECTION TO LICENSE

1 message

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

18 May 2021 at 11:19

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: Mon, 17 May 2021 at 16:27
 Subject: 11 Hoxton Square, London N1 6NU - OBJECTION TO LICENSE
 To: <licensing@hackney.gov.uk>
 Cc: <subangini.sriramana@hackney.gov.uk>, <kam.adams@hackney.gov.uk>, <steve.race@hackney.gov.uk>

11 Hoxton Square, London N1 6NU - OBJECTION TO LICENSE

From: [REDACTED] Hoxton Square, London N1 [REDACTED]
PLEASE DO NOT MAKE MY NAME OR CONTACT DETAILS PUBLIC

Dear Licensing team,

I am writing to object outright to the shadow license application made by Mr Paul Daly at 11 Hoxton Square, London N1 6NU on grounds of **disorder and public nuisance** since the license-holder does not address the problems with the premises and fails to meet the license conditions. I live directly next door [REDACTED] Hoxton Square, N1 [REDACTED] - a fully residential building. Please see my statement of objection below, both as email and PDF.

I request that I be invited to speak about my objections before the Licensing Committee. Please let me know the date, and that you have received my letter?

CONTEXT AND HISTORY

- 1999: I move into [REDACTED] Hoxton Square, well before the restaurant and bar at No. 11 Hoxton Square was built. This site was a garage.
- 2001: Planning permission was given for a restaurant and bar.
- 2003: The garage was demolished and Zigfrid opened; however the bar immediately caused unacceptable noise levels late at night and prevented sleep.
- 2003: Planning permission was turned down for an outside seating area yet Mr Daly proceeded to use it regardless, causing additional disturbance.
- 2005: The space below the restaurant 'Underbelly' opens. The noise levels become unbearable preventing sleep and the peaceful enjoyment of my own home. Mr Daly was regularly in breach in his opening hours.
- 2005: Myself and other residents start to take action, contacting the council: planning, licensing, councillors and the police - and object to their application for a license on grounds of public nuisance. Robert Kavuma and Darren Riley from Hackney Council assist us with these issues.
- 2005: Mr Daly is in breach of his license and planning conditions. The original planning permission for No. 11 Hoxton Square was for a restaurant and bar, and no entertainment license was granted. Yet they regularly had live bands and DJs, generating excessive noise from amplified music, noise from patrons outside, crowds leaving late at night, antisocial behaviour, crime, disorder and intimidating behaviour.
- 2006: Noise tests are carried out (supervised by Robert Kavuma) and a noise limiter is set.
- 2006-2019: Since the noise tests in 2006 the noise issues improve for the following 13 years until the new leaseholder Giovanna takes over in 2019. New problems arise. Antisocial behaviour continues throughout.

FAILURE OF LICENSE-HOLDER TO ADDRESS PROBLEMS WITH PREMISES

- 2019: Giovanna takes over the leasehold. Unfortunately this brings new high levels of noise from amplified music, music saturating into the street from open doors, noise from patrons outside, crowds leaving late at night, antisocial behaviour, crime, disorder, intimidating behaviour.
- 9th April, 2019: New noise tests are carried out and noise limiter set. Things get better temporarily, but only for a few months.
- June 19th, 2019: Giovanna re-opens after a major refurbishment, carried out after the noise tests.
- Since June 19th: The problems continue with excessive levels of noise from amplified music, music saturating into the street from open doors, noise from patrons outside, crowds leaving late at night, antisocial behaviour, crime, disorder, intimidating behaviour.
- Doors are frequently being left open. When I have asked the doormen to shut the doors they say they have to be open due to fire safety. An expert has advised me that this can only be temporary whilst they find a solution and their fire risk assessment should be examined.
- Giovanna set up a Whatsapp Group to address the issues of the residents in No. 10, however we found ourselves continuously asking for doors to be shut and no permanent solution was found.
- In addition to the problems above there are often car bars and drug cars that drive around at 3am to pick up on the late night crowds leaving No. 11 Hoxton Square, generating crime and a threat to my safety at night.
- There is also excessive noise coming from a large AC unit at the back of the premises that (as far as I understand it) never had planning permission. Giovanna has taken some steps to replace parts but the issue is still not fully resolved.

BREACH OF LICENSING CONDITIONS

It is my belief the following license conditions are currently being breached:

Conditions for Regulated Entertainment

15. Any amplified music shall be at a level such that it is not audible in near by residents' premises between 23:00 and 07:00 in line with the Council's Licensing Policy LP7

Excessive levels of music can often be heard in my flat after 23:00 preventing me from sleeping.

16. Doors should be kept closed at all times regulated entertainment is underway.

As above, the doors are often kept open.

17. Signs should be sited and maintained at all exits requesting that customers leave the area quietly. Patrons leave creating excessive noise.

18. The Pollution Team may at any time require noise level tests to be accompanied with a certificate of compliance. We had noise tests in April 2019, but they have little effect when the doors are kept open.

19. SIA registered door supervisors shall be employed to ensure the proper use of the lobby to ensure that there is no music breakout from the premises and to encourage patrons to promptly disperse in order to prevent congregation outside the premises. Management to oversee these at all times. I have been told by the doormen that doors need to be kept open due to fire risk. This needs investigating and fire risk assessment examined.

Conditions derived from Responsible Authorities Representation

21. The installation of sound limiting devices capable of controlling live music systems to all areas where live music is to be played(device type to be approved by the Pollution Team). The limiting devices should be set to ensure inaudibility in all residential premises and a certificate of compliance submitted to the Pollution Team.

There is not inaudibility, I am often kept up at night from excessive noise.

CALL FOR TIGHTER CONDITIONS, REVERT TO LP3 CORE HOURS:

I would like to call for tighter conditions to the current license and to revert back to core opening hours: Monday-Thursday: 0800:23:00, Friday-Saturday: 08:00-00:00, Sunday: 10:00-22:30.

Lastly I want to add that the shadow license doesn't duplicate the original once exactly, could this also be looked into? I believe there may be an additional clause of live music on the ground floor added in?

Once again please do keep my name and contact details private and I would be prepared to speak at the hearing.

All very best,

[Redacted signature]



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11 Hoxton Square, London N1 6NU - OBJECTION TO LICENSE.pdf
80K



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

Re: Licensing Act 2003 Re: New Premises Licence application, 11 Hoxton Square, Hackney, N1 6NU

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

1 June 2021 at 12:26

Dear Ms Hussain,

Many thanks for your email.

I would prefer that you keep my name and address confidential to the applicant and their solicitor. I live alone and this would help me to feel less vulnerable regarding the situation.

I'm happy for the Licensing Committee to have my details, to confirm by status against council records. Otherwise please do keep it private. I hope that sounds reasonable and understandable.

Thank you for all your time and help.

All very best,

[Redacted signature block]

On May 20, 2021, at 13:48, Sanaria Hussain <sanaria.hussain@hackney.gov.uk> wrote:

Dear Sir/Madam,

I have been recently contacted by the applicant's solicitor regarding your representation.

The current position is that the applicant's solicitor has been informed that representations have been received from Other Person's against the application. A redacted version of the representations has been shared with the solicitors. However, the Solicitors have now contacted the Licensing Authority requesting to disclose details of your name and address.

I would be grateful if you reply to this email confirming whether you wish/do not wish to disclose your personal information please state the reason in writing. We should only withhold details where there is a genuine holding ground of intimidating isolated circumstances. Therefore, let me know how you would like to proceed.

In the meantime please note this application has been listed for a Licensing Sub- Committee hearing on **24th June 2021 at 2pm**. A link and a Calendar invite will be emailed 10 days before the hearing. The hearing will be live streamed on the Council's YouTube channel so you will be able to follow the meeting as it progresses.

Should you have any queries please do not hesitate to contact me.

Kind Regards
Sanaria Hussain
Senior Licensing Officer
Hackney Service Centre
1 Hillman Street
London E8 1DY
Direct Line: 020 8356 4972
Duty Line: 020 8356 2431
www.hackney.gov.uk/licensing



We have launched the new [Hackney Nights portal](#) for licensees. This portal will help us rebuild a safer, stronger and more connected night time economy for everyone and give access to free training and guidance on a range of key night time economy safety issues as well as provide updates from the council.
Sign up [here](#) to receive access.

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



APPENDIX B6

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

Fwd: Shadow Licence Objection

1 message

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

18 May 2021 at 11:19

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: Mon, 17 May 2021 at 16:16
Subject: Shadow Licence Objection
To: david.tuitt@hackney.gov.uk <david.tuitt@hackney.gov.uk>, sanaria.hussain@hackney.gov.uk <sanaria.hussain@hackney.gov.uk>, licensing@hackney.gov.uk <licensing@hackney.gov.uk>

Dear whomever this concerns,

We are writing from [REDACTED] and [REDACTED] [Hoxton Square](#).

We would like to place an **objection** on the following grant of a Premises Licence,

'Paul Daly, (Freeholder) for the grant of Premises Licence at; Ground Floor and Basement, [11 Hoxton Square, Hackney, London, N1 6NU](#)'

The current license holders contribute greatly to the local community, neighbourhood and the business' across Hoxton Square. They have done so especially during the pandemic in a safe, secure and respectful manner.

We are extremely happy as a business to have their presence around the square.

We don't see the reason for the need of any new licence holders to take over and we have no idea what this shadow licence is for.

Please send an acknowledgement of this email once received.

Many thanks,

[REDACTED]

[REDACTED]

[REDACTED]



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



Fwd: 11 Hoxton Square Licence Application

1 message

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

18 May 2021 at 11:19

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: Mon, 17 May 2021 at 14:47
Subject: 11 Hoxton Square Licence Application
To: <licensing@hackney.gov.uk>
Cc: <Subangini.Sriramana@hackney.gov.uk>, <kam.adams@hackney.gov.uk>, <steve.race@hackney.gov.uk>

Dear Licensing team,

As a resident of [REDACTED] Hoxton Square, I am writing with an Objection to the Shadow Licence Application made by Mr. Daly and with a Request for Review of the current Licence held by Gigi's.

Firstly, I would like to request that the Licencing Team reject outright the Shadow application. Reverting to Mr Daly as the licence-holder does not solve the fundamental problems with these premises. In particular, there is a long history of failure to manage noise levels from the premises and patrons. Additionally, the late-night premises attract antisocial behaviour and public nuisance into the Square.

Secondly, I would like to request a review of the existing License [ref: LBH-PRE-T-0615] as its conditions are not being met. Categorized reasons below:

1. Noise pollution from the premises regularly interferes with the quality of life in my residence at [REDACTED] Hoxton Square. Besides noise from inadequately contained late-night entertainment, shouting matches among inebriated patrons are a regular occurrence in the Square.
2. Antisocial behaviour from patrons of the premises is rampant and includes people relieving themselves, leaving rubbish behind, and being sick in various locations on the square, including but not limited to my doorstep.
3. Finally, the late-night crowds regularly perpetrate public nuisance and criminal activity such as the presence of bar-cars and drug dealing/use in the Square.

I am prepared to speak to these objections before the Licensing Committee.

I kindly request that receipt of this message is acknowledged.

Thank you for your consideration,

[REDACTED]



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APPENDIX B8

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

Fwd: 11 Hoxton Square - application for a Licence

1 message

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

18 May 2021 at 11:19

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: Mon, 17 May 2021 at 11:31
Subject: [11 Hoxton Square](#) - application for a Licence
To: Licensing (Shared Mailbox) <licensing@hackney.gov.uk>
Cc: Subangini.Sriramana@hackney.gov.uk <Subangini.Sriramana@hackney.gov.uk>, [REDACTED]
[REDACTED]

Dear Licensing team

On behalf of residents of [11 Hoxton Square](#), I am enclosing a statement of objections, which focus mainly on the **process, policy and planning aspects** of the application by Mr Daly for a Shadow Licence.

I would request that I be invited to speak to these objections before the Licensing Committee.

Please can you acknowledge receipt.

regards



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Email: fostering.recruitment@hackney.gov.uk

11 Hoxton Square - objections to Licence application 17 May 2021.pdf
224K

11 Hoxton Square N1 6NU – application under Licensing Act 2003 for a Shadow Licence

Objections on behalf of residents of [REDACTED] Hoxton Square: 17 May 2021

1. Focus of objections: The residents request that the Licensing Committee:

1. **Reject outright** the Shadow application, as reverting to Mr Daly as the licence-holder does not solve the fundamental problems with these premises – in particular failure to meet the Licence conditions and the impact of the late hours and licensable activities on **disorder and public nuisance** in Hoxton Square which they experienced over many years when Mr Daly was managing the premises; and to

2. **Review** the current Licence [ref: LBH-PRE-T-0615] as the conditions are not being adhered to; and the licensable activities, especially due to the late hours, are causing harm to – and do not promote - the licensing objectives of the legislation or as set out in the Council’s policy, particularly The residents

2. Detailed issues raised by the application:

In summary, the application raises the following detailed objections:

i. Process objections: the application is inconsistent with the Licence it purports to shadow; and the Council’s consultation process is flawed.

ii. Policy objections: The application fails to address any of the Council’s Licensing Policies. Simply setting out proposed conditions – purporting to be the same as the current application – without explanations as to why they have been selected is not sufficient.

iii. Planning objections: The night-club, a licensable activity and a principal cause of local disorder and public nuisance, does not have planning permission. The only permitted use of the premises is as a bar and restaurant. Further, planning permission was refused in 2003 for the “Creation of new outside seating area” an area also part of the licence application.

The residents’ objections set out the many problems caused by the premises and over many years, both directly on their quality of life but also in relation to the impact on disorder and public nuisance in Hoxton Square. I do not repeat them here.

The objections set out in this document, therefore, focus on the **a) process, b) policy and c) planning** aspects of the application:

a). Failures in the application and consultation process:

The application for a premises licence is for [I have split out for ease of reading]:

plays, recorded music, performance of dance and anything of similar description from 09:00 to 01:00am Sun to Thurs and from 09:00 to 03:00am Fri to Sat,

live music at basement from 09:00 to 23:00 Sun to Thurs and from 09:00 to 03:00am Fri to Sat,

live music at ground floor from 09:00 to 23:00 Mon to Sun,

late night refreshment from 23:00 to 01:00am Sun to Thurs and from 23:00 to 03:00am Fri and Sat

and to authorise the supply of alcohol for consumption on the premises from 10:00 to 01:00am Mon to Thurs, 09:00 to 03:00am Fri and Sat and from 12:00 to 23:30 Sun.

The proposed Licence is not the same as the current Licence; the key difference seems to be the extension of hours to 3.30 am on certain days. The current situation - as advised to me by the Licensing team and see Appendix 2 - is that on certain days, the limits are:

Entertainment to 1 am

Late night refreshment to 1 am

Sale of alcohol to 1 am

The current licence has a key condition 15: *Any amplified music shall be at a level such that it is not audible in nearby residents premises between 23.00 and 7.00 in line with Licensing Policy LP7.* Comment: this is a typo as LP7 only applies to Minor Variations applications. This mistake is repeated at Annex 2 of the application – proposed condition 6. .

The premises includes an external seating area at the front [the subject of a planning objection, see later] – referred to in the proposed conditions – yet the application does not tick Outdoors anywhere.

The application form is not available on the Council website; I had to obtain it from a neighbour who had been sent it by an Officer in the last week. This is not an acceptable practice. All documents should be readily available for inspection by the public and sufficient time allowed for inspection and representations.

Further, due (it is understood) to the cyber attack last year it is very difficult to access the Council's historic records, so local residents and myself have had to rely on email exchanges with Officers to understand the terms of the current Licence.

Process objections:

- the application is inconsistent with the Licence it purports to shadow;
- the Council's consultation process is flawed.

b). Failure to address Hackney Licensing Policy 2018-2023

The application totally fails to address any of the Council's Licensing Policies. In Part M of the application (a) the applicant only sets out proposed conditions.

This is not a sufficient response to important policy points; especially as the premises fall in a Special Policy Area.

The relevant policies are considered to be:

LPI General Principles

The Council expects applicants to demonstrate:

(a) That they have an understanding of the nature of the locality in which the premises are located and that this has been taken into consideration whilst preparing the operating schedule.

(b) Where the application is for evening and night-time activity, that the proposal reflects the Council's aspiration to diversify the offer, whilst at the same time promoting the licensing objectives.

This is not addressed at all; the Licence conditions need to be framed in the context of a clear understanding of the neighbourhood they are to be (or are already) operating in. Hoxton Square is a mixed residential and commercial locality with a range of sensitive uses. The premises are located immediately adjoining a residential building, which existed well before No 11 was redeveloped.

LP2 Licensing Objectives

Prevention of Crime and Disorder

Whether the proposal includes satisfactory measures to mitigate any risk of the proposed operation making an unacceptable contribution to levels of crime and disorder in the locality.

Public Safety

Whether the necessary and satisfactory risk assessments have been undertaken, the management procedures put in place and the relevant certification produced to demonstrate that the public will be kept safe both within and in close proximity to the premises.

Prevention of Public Nuisance

Whether the applicant has addressed the potential for nuisance arising from the characteristics and style of the proposed activity and identified the appropriate steps to reduce the risk of public nuisance occurring.

Protection of Children from Harm

Whether the applicant has identified and addressed any risks with the aim of protecting children from harm when on the premises or in close proximity to the premises.

The application does not explain how the conditions as proposed in the Shadow Licence would promote the objectives; there must be reasons why the particular conditions have been selected but no explanation is given.

From the detailed problems experienced by the residents under the CURRENT Licence it is clear that the objectives are not being promoted.

LP3 Core Hours

Hours for licensable activity will generally be authorised, subject to demonstrating LP 1 and LP2, as follows:

- *Monday to Thursday 08:00 to 23:00*
- *Friday and Saturday 08:00 to 00:00*
- *Sunday 10:00 to 22:30*

Hours may be more restrictive dependent on the character of the area and if the individual circumstances require it.

Later hours may be considered where the applicant has identified any risk that may undermine the promotion of the licensing objectives and has put in place robust measures to mitigate those risks.

It should be noted that this policy does not apply to those who are making an application within a special policy area (see section 3) unless they have been able to demonstrate that the proposed activity or operation of the premises will not add to the cumulative impact that is already being experienced.

These hours broadly tie in with what is understood to be the current Licence. The premises are in an SPA and so late hours can cause particular problems.

LP5 Planning Status

Licence applications should normally be from premises where:

(a) The activity to be authorised by the Licence is a lawful planning use or is a deemed permitted development pursuant to the General Permitted Development Order (1995) as amended.

(b) The hours sought do not exceed those authorised by any planning permission.

The Licensing Authority may take into account the lack of planning permission or an established lawful use in deciding whether there is likely to be any harm to the licensing objectives.

The planning status of the premises is incompatible with the Licence application, especially in relation to the night-club, which does not have planning permission at all; nor the ground floor external floor seating area, which was refused consent in 2003.

LP6 External Areas and Outdoor Events

The Licensing Authority will normally restrict external areas and outdoor activity to between 08:00 and 22:00 unless the applicant can demonstrate that comprehensive control measures have been implemented that ensure the promotion of the licensing objectives, in particular the public nuisance objective. Notwithstanding any proposed control measures, the Licensing Authority may restrict the hours and/or activity even further.

Planning permission for “The creation of new outside seating area” was refused planning permission in 2003. However, when in 2019 planning permission was granted for “Erection of external canopy to the front of the building” this did not permit the creation of the seating area that was previously refused.

The proposed “control measures” are therefore irrelevant for this part of the premises – no Licence should be granted for this area.

c). Planning objections – see my Statement at Appendix 1.



17 May 2021

Appendix 1: Statement in relation to Licensing Policy LP5: Planning Status

1. Introduction

I am a chartered surveyor and chartered town planner of some 40 years standing, based in central Hackney. I have held senior position in leading planning consultancies for many years; I am currently a sole practitioner.

I have inspected the planning register and have prepared this statement on behalf of local residents at ■■■ Hoxton Square, in the context of the Licencing Act objectives and Hackney Licensing Policy LP5 in particular.

My observations are that:

i. Planning permissions for the night-club has NOT been granted consent –a principal use for which the Licence application is being made;

ii. The relevant planning conditions have NOT been complied with; and

iii. The external ground floor area does NOT have permission for the uses for which the Licence application is being made; indeed planning permission was refused.

I have come to the **conclusion** that the application for a License under the Licensing Act 2003 is incompatible with the planning status of the premises.

2. Licensing context

The scope of this application has similarities with the current Licence, as provided to me by the Licencing team on 13 April, by email, see appendix 2. If that email is correct¹ then the principal differences are the extensions of activities to the early hours of the morning on certain days.

I note that in the current Licence (as set out in the appendix), condition 15 is: *Any amplified music shall be at a level such that it is not audible in nearby residents premises between 23.00 and 7.00 in line with Licensing Policy LP7.* I would comment that this reference is a typo, as LP7 only applies to Minor Variations applications. This condition is similar to relevant planning conditions, to which I refer later.

3. The premises' planning status

The building was constructed pursuant to a planning permission in 2001 for "Erection of a 4 + 5 storey with basement building to form **bar and restaurant**, B1 offices on first floor and 7 live/work units above". [my emphasis]

The bar and restaurant is located on the basement and ground floors. It was

¹ The 2017 Planning Statement portrays a different story – see end of section 5

² The Use Classes Order has been recently revised but that does not affect the permitted uses in

subject to two main relevant conditions:

- (9) The use hereby permitted may only be carried out between 0900 hours and 2300 hours every day.
Reason: To ensure that the use is operated in a satisfactory manner and does not unduly disturb adjoining occupiers or prejudice local amenity.
- (15): No loud or love music shall be played at the premises at any given time.

2003 Planning permission for “The creation of new outside seating area” was refused planning permission in 2003. However, when in 2019 planning permission was granted for “Erection of external canopy to the front of the building” this did not permit the creation of the seating area that was previously refused.

Conditions 9 and 15 have been varied at times since then, by applications in:

2006: Condition (9) was varied to –

- unrestricted hours for operation of the B1 offices and live/work units; and
- to extend opening hours of A3 and A4 use on basement and ground floors to 01.00 on Monday to Saturday

2006 an application to vary Condition 15 to defined noise levels was Refused

2008: Condition 15 was varied to say: “the operation of the commercial part of the premises should not be detrimental to the amenity of neighbours”.

2017: Condition 9 was varied, the effect of which was to allow opening hours between 0900 and 0100 Sunday to Thursday; and 0900 and 0330 Friday to Saturday.

2019: The current position results from an application for further variations of conditions 9 (opening hours) and 15 (live music) dated 21.11.2017 (the planning permission ref 2017/4528 on the register is not dated). This included two relevant conditions and reasons (not numbered):

- Condition [1]: The hours of opening of the A3 and A4 use shall be between 09:00 and 01:30 on Sunday to Thursday and 09:00 and 03:30 on Friday and Saturday;
 - Reason: To ensure that the use is operated in a satisfactory manner and does not unduly disturb adjoining occupiers or prejudice local amenity.
- and
- Condition [6]: The operation of the commercial part of the premises shall not be detrimental to the amenity of neighbouring occupiers.
 - Reason: In order to protect the amenity of neighbouring residential occupiers

The 2017 application for extended hours was supported by a Planning Statement; the main premise being that it sought alignment with a Licence approved in October 2011. However, given the cyber attack it is not possible to

verify that. The Planning Statement explains that (para 4.2) that: “*The grant of extended hours to 03:30 hours within an established SPA was considered exceptional under licensing*”.

4. Observations

I have three main observations in relation to the interaction of the planning status of the premises and the Licence application:

1. The permitted planning uses of the relevant part of the premises do NOT grant consent for a night-club – a principal use for which the Licence application is being made:

In planning terminology, uses fall either into one of the proscribed Use Classes² or are sui generis. It can be seen from Condition [1], quoted above, and from the planning history that the relevant part of the premises has only two permitted uses:

- As a restaurant (Use Class A3 at the time); and
- As a bar (Use Class A4 at the time, which comprises uses such as a public house, wine bar or other drinking establishment).

Uses like those applied for, such as “plays, recorded music, performance of dance and anything of similar description”, do not fall within these two Use Classes. Nor does “live music”. These kinds of use tend to fall within what was Use Class D2: “D2 Assembly and leisure - Cinemas, music and concert halls, bingo and dance halls (but not night clubs), swimming baths, skating rinks, gymnasiums or area for indoor or outdoor sports and recreations (except for motor sports, or where firearms are used).”

Use as a night-club - which is effectively the current use of parts of the premises - was excluded from any Use Class and becomes sui generis. Such a use is NOT permitted. However, it is assumed that “late night refreshment” means a either a drink or a meal and so falls within either/both Use Classes A3 and A4.

2. The relevant planning conditions have NOT been kept: The key point to note in to the variations is the conditionality of the consent for the hours. From my discussions with my clients it is clear to me that the conditions have indeed been regularly breached. I am now instructed by my clients, who are not versed in planning matters and so had not raised the issue with the planners before, to report these breaches to the planning enforcement team, to ensure that the

3. The external area at ground floor does NOT have permission for the uses for which the Licence application is being made:

Planning permission for “The creation of new outside seating area” was refused planning permission in 2003. However, when in 2019 planning permission was

² The Use Classes Order has been recently revised but that does not affect the permitted uses in the planning permissions granted

granted for “Erection of external canopy to the front of the building”, this did NOT permit the creation of the seating area – or its use for a restaurant - that was previously refused.

The fact that planning permission does not exist for the external seating area must surely be contrary to Policy LP6.

6. Conclusions

I have come to the conclusion that the application for a Shadow License under the Licensing Act 2003 is incompatible with the planning status of the premises.

Appendix2 – email from Licensing team dated 13 April 2021

This email responded to my request of 6th April: I act for the owners of [REDACTED] Hoxton Square who have concerns about the noise emanating from these premises. Can you please send me copy of their premises/entertainment licence?

Dear Sir/Madam,

Thanks for your email. Please find the details below as requested.

Films, Recorded Music, Performance of Dance, Other Entertainment Similar to Live or Rec Music or Dance Performance

Mon 09:00-
01:00^Tue
09:00-
01:00^Wed
09:00-
01:00^Thu
09:00-
01:00^Fri
09:00-
03:00^Sat
09:00-
03:00^Sun
09:00-01:00

Live Music:

Location 1:
Mon 09:00-
23:00^Tue
09:00-
23:00^Wed
09:00-
23:00^Thu
09:00-
23:00^Fri
09:00-
03:00^Sat
09:00-
03:00^Sun
09:00-23:00

Location 2: Mon 09:00-23:00^Tue 09:00-23:00^Wed 09:00-23:00^Thu 09:00-23:00^Fri 09:00-23:00^Sat
09:00-23:00^Sun 09:00-23:00

Late Night Refreshment

Mon 23:00-
01:00^Tue
23:00-
01:00^Wed
23:00-
01:00^Thu
23:00-
01:00^Fri
23:00-
03:00^Sat
23:00-
03:00^Sun
23:00-01:00

Hours for the supply of alcohol (On Premises)

Mon 10:00-
01:00^Tue
10:00-
01:00^Wed
10:00-
01:00^Thu
10:00-
01:00^Fri
09:00-
03:00^Sat
09:00-
03:00^Sun
12:00-23:30

Non-standard hours:

Good Friday: 12:00 to 22:30, Christmas Day: 12:00 to 22:30. On New Year's Eve from the end of permitted hours on New Years Eve to the start of permitted hours on the following day.

Mandatory Conditions

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 customers 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.

Door Supervisor Condition:

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).

Conditions derived from the operating schedule

10. In the allocated ground floor area as set out within a floorplan to be attached to the operating schedule and agreed by Police and Licensing Authority, alcohol may only be sold or supplied after 01:00 hours to persons taking table meals.

11. Substantial refreshment and non intoxication beverages shall be available throughout the premises during the permitted hours.

12. Menus will be displayed within the venue at all times.

13. No licensable activities or the consumption of alcohol to take place in the external seating area after 23:00.

14. There shall be no entry or re-entry to the external premises after 00:45 hours. All heaters and tables associated with the external seating area to be switched off/removed after 00:45 hours.

Conditions for Regulated Entertainment

15. Any amplified music shall be at a level such that it is not audible in near by residents' premises between 23:00 and 07:00 in line with the Council's Licensing Policy LP7

16. Doors should be kept closed at all times regulated entertainment is underway

17. Signs should be sited and maintained at all exits requesting that customers leave the area quietly

18. The Pollution Team may at any time require noise level tests to be accompanied with a certificate of compliance

19. SIA registered door supervisors shall be employed to ensure the proper use of the lobby to ensure that there is no music breakout from the premises and to encourage patrons to promptly disperse in order to prevent congregation outside the premises. Management to oversee these at all times

20. The Premises shall not be used for the provision of regulated entertainment until the Council's building control department have confirmed in writing that the premises are technically suitable for the intended use by applying of the appropriate technical regulations.

Condition derived from responsible authorities representation

21. The installation of sound limiting devices capable of controlling live music systems to all areas where live music is to be played (device type to be approved by the Pollution Team). The limiting devices should be set to ensure inaudibility in all residential premises and a certificate of compliance submitted to the Pollution Team.

22. Live music on the ground floor should cease at 23.00.

Conditions derived from Sub-Committee hearing

23. 50% of the external seating area is to be cordoned off after 23:00 hours and not used.

24. There shall be no more than 30 patrons allowed in the external seating area after 23:00 hours.

25. After 23:00 hours, smokers shall be restricted to the external seating area.

26. There shall be a minimum of 1 SIA registered door supervisors on Sundays to Thursdays and 2 SIA registered door supervisors on a Friday and Saturday, in both cases from 20:00 hours until half an hour after closing.

27. The premises shall maintain a comprehensive CCTV system as per the minimum requirements of a Metropolitan Police crime prevention officer to include one camera covering the entrance and exit to the ground floor and basement. All entry and exit points will be covered enabling frontal identification of every person entering in any light condition. The CCTV system shall continually record whilst the premises is open for licensable activities and during all times when customer remain on the premises. All recordings shall be stored for a minimum period of 31 days with date and time stamping. Recordings shall be made available immediately on request of the Police or an authorised officer. A staff member from the premises who is conversant with the operation of the CCTV system shall be on the premises at all times when the premises are open to the public. This staff member shall be able to show the police recent data or footage with the absolute minimum of delay when requested.

Kind Regards,

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

11 Hoxton Square N1 6NU – application under Licensing Act 2003 for a Shadow Licence

Objections on behalf of residents of 10 Hoxton Square: 17 May 2021

1. Focus of objections: The residents request that the Licensing Committee:

1. **Reject outright** the Shadow application, as reverting to Mr Daly as the licence-holder does not solve the fundamental problems with these premises – in particular failure to meet the Licence conditions and the impact of the late hours and licensable activities on **disorder and public nuisance** in Hoxton Square which they experienced over many years when Mr Daly was managing the premises; and to

2. **Review** the current Licence [ref: LBH-PRE-T-0615] as the conditions are not being adhered to; and the licensable activities, especially due to the late hours, are causing harm to – and do not promote - the licensing objectives of the legislation or as set out in the Council’s policy, particularly The residents

2. Detailed issues raised by the application:

In summary, the application raises the following detailed objections:

i. Process objections: the application is inconsistent with the Licence it purports to shadow; and the Council’s consultation process is flawed.

ii. Policy objections: The application fails to address any of the Council’s Licensing Policies. Simply setting out proposed conditions – purporting to be the same as the current application – without explanations as to why they have been selected is not sufficient.

iii. Planning objections: The night-club, a licensable activity and a principal cause of local disorder and public nuisance, does not have planning permission. The only permitted use of the premises is as a bar and restaurant. Further, planning permission was refused in 2003 for the “Creation of new outside seating area” an area also part of the licence application.

The residents’ objections set out the many problems caused by the premises and over many years, both directly on their quality of life but also in relation to the impact on disorder and public nuisance in Hoxton Square. I do not repeat them here.

The objections set out in this document, therefore, focus on the **a) process, b) policy and c) planning** aspects of the application:

a). Failures in the application and consultation process:

The application for a premises licence is for [I have split out for ease of reading]:

plays, recorded music, performance of dance and anything of similar description from 09:00 to 01:00am Sun to Thurs and from 09:00 to 03:00am Fri to Sat,

live music at basement from 09:00 to 23:00 Sun to Thurs and from 09:00 to 03:00am Fri to Sat,

live music at ground floor from 09:00 to 23:00 Mon to Sun,

late night refreshment from 23:00 to 01:00am Sun to Thurs and from 23:00 to 03:00am Fri and Sat

and to authorise the supply of alcohol for consumption on the premises from 10:00 to 01:00am Mon to Thurs, 09:00 to 03:00am Fri and Sat and from 12:00 to 23:30 Sun.

The proposed Licence is not the same as the current Licence; the key difference seems to be the extension of hours to 3.30 am on certain days. The current situation - as advised to me by the Licensing team and see Appendix 2 - is that on certain days, the limits are:

Entertainment to 1 am

Late night refreshment to 1 am

Sale of alcohol to 1 am

The current licence has a key condition 15: *Any amplified music shall be at a level such that it is not audible in nearby residents premises between 23.00 and 7.00 in line with Licensing Policy LP7.* Comment: this is a typo as LP7 only applies to Minor Variations applications. This mistake is repeated at Annex 2 of the application – proposed condition 6. .

The premises includes an external seating area at the front [the subject of a planning objection, see later] – referred to in the proposed conditions – yet the application does not tick Outdoors anywhere.

The application form is not available on the Council website; I had to obtain it from a neighbour who had been sent it by an Officer in the last week. This is not an acceptable practice. All documents should be readily available for inspection by the public and sufficient time allowed for inspection and representations.

Further, due (it is understood) to the cyber attack last year it is very difficult to access the Council's historic records, so local residents and myself have had to rely on email exchanges with Officers to understand the terms of the current Licence.

Process objections:

- the application is inconsistent with the Licence it purports to shadow;
- the Council's consultation process is flawed.

b). Failure to address Hackney Licensing Policy 2018-2023

The application totally fails to address any of the Council's Licensing Policies. In Part M of the application (a) the applicant only sets out proposed conditions.

This is not a sufficient response to important policy points; especially as the premises fall in a Special Policy Area.

The relevant policies are considered to be:

LPI General Principles

The Council expects applicants to demonstrate:

(a) That they have an understanding of the nature of the locality in which the premises are located and that this has been taken into consideration whilst preparing the operating schedule.

(b) Where the application is for evening and night-time activity, that the proposal reflects the Council's aspiration to diversify the offer, whilst at the same time promoting the licensing objectives.

This is not addressed at all; the Licence conditions need to be framed in the context of a clear understanding of the neighbourhood they are to be (or are already) operating in. Hoxton Square is a mixed residential and commercial locality with a range of sensitive uses. The premises are located immediately adjoining a residential building, which existed well before No 11 was redeveloped.

LP2 Licensing Objectives

Prevention of Crime and Disorder

Whether the proposal includes satisfactory measures to mitigate any risk of the proposed operation making an unacceptable contribution to levels of crime and disorder in the locality.

Public Safety

Whether the necessary and satisfactory risk assessments have been undertaken, the management procedures put in place and the relevant certification produced to demonstrate that the public will be kept safe both within and in close proximity to the premises.

Prevention of Public Nuisance

Whether the applicant has addressed the potential for nuisance arising from the characteristics and style of the proposed activity and identified the appropriate steps to reduce the risk of public nuisance occurring.

Protection of Children from Harm

Whether the applicant has identified and addressed any risks with the aim of protecting children from harm when on the premises or in close proximity to the premises.

The application does not explain how the conditions as proposed in the Shadow Licence would promote the objectives; there must be reasons why the particular conditions have been selected but no explanation is given.

From the detailed problems experienced by the residents under the CURRENT Licence it is clear that the objectives are not being promoted.

LP3 Core Hours

Hours for licensable activity will generally be authorised, subject to demonstrating LP 1 and LP2, as follows:

- *Monday to Thursday 08:00 to 23:00*
- *Friday and Saturday 08:00 to 00:00*
- *Sunday 10:00 to 22:30*

Hours may be more restrictive dependent on the character of the area and if the individual circumstances require it.

Later hours may be considered where the applicant has identified any risk that may undermine the promotion of the licensing objectives and has put in place robust measures to mitigate those risks.

It should be noted that this policy does not apply to those who are making an application within a special policy area (see section 3) unless they have been able to demonstrate that the proposed activity or operation of the premises will not add to the cumulative impact that is already being experienced.

These hours broadly tie in with what is understood to be the current Licence. The premises are in an SPA and so late hours can cause particular problems.

LP5 Planning Status

Licence applications should normally be from premises where:

(a) The activity to be authorised by the Licence is a lawful planning use or is a deemed permitted development pursuant to the General Permitted Development Order (1995) as amended.

(b) The hours sought do not exceed those authorised by any planning permission.

The Licensing Authority may take into account the lack of planning permission or an established lawful use in deciding whether there is likely to be any harm to the licensing objectives.

The planning status of the premises is incompatible with the Licence application, especially in relation to the night-club, which does not have planning permission at all; nor the ground floor external floor seating area, which was refused consent in 2003.

LP6 External Areas and Outdoor Events

The Licensing Authority will normally restrict external areas and outdoor activity to between 08:00 and 22:00 unless the applicant can demonstrate that comprehensive control measures have been implemented that ensure the promotion of the licensing objectives, in particular the public nuisance objective. Notwithstanding any proposed control measures, the Licensing Authority may restrict the hours and/or activity even further.

Planning permission for “The creation of new outside seating area” was refused planning permission in 2003. However, when in 2019 planning permission was granted for “Erection of external canopy to the front of the building” this did not permit the creation of the seating area that was previously refused.

The proposed “control measures” are therefore irrelevant for this part of the premises – no Licence should be granted for this area.

c). Planning objections – see my Statement at Appendix 1.

[REDACTED]

On behalf of resident of [REDACTED] Hoxton Square

17 May 2021

Appendix 1: Statement in relation to Licensing Policy LP5: Planning Status

1. Introduction

I am a chartered surveyor and chartered town planner of some 40 years standing, based in central Hackney. I have held senior position in leading planning consultancies for many years; I am currently a sole practitioner.

I have inspected the planning register and have prepared this statement on behalf of local residents at 10 Hoxton Square, in the context of the Licencing Act objectives and Hackney Licensing Policy LP5 in particular.

My observations are that:

i. Planning permissions for the night-club has NOT been granted consent –a principal use for which the Licence application is being made;

ii. The relevant planning conditions have NOT been complied with; and

iii. The external ground floor area does NOT have permission for the uses for which the Licence application is being made; indeed planning permission was refused.

I have come to the **conclusion** that the application for a License under the Licensing Act 2003 is incompatible with the planning status of the premises.

2. Licensing context

The scope of this application has similarities with the current Licence, as provided to me by the Licencing team on 13 April, by email, see appendix 2. If that email is correct¹ then the principal differences are the extensions of activities to the early hours of the morning on certain days.

I note that in the current Licence (as set out in the appendix), condition 15 is: *Any amplified music shall be at a level such that it is not audible in nearby residents premises between 23.00 and 7.00 in line with Licensing Policy LP7.* I would comment that this reference is a typo, as LP7 only applies to Minor Variations applications. This condition is similar to relevant planning conditions, to which I refer later.

3. The premises' planning status

The building was constructed pursuant to a planning permission in 2001 for "Erection of a 4 + 5 storey with basement building to form **bar and restaurant**, B1 offices on first floor and 7 live/work units above". [my emphasis]

The bar and restaurant is located on the basement and ground floors. It was

¹ The 2017 Planning Statement portrays a different story – see end of section 5

² The Use Classes Order has been recently revised but that does not affect the permitted uses in

subject to two main relevant conditions:

- (9) The use hereby permitted may only be carried out between 0900 hours and 2300 hours every day.
Reason: To ensure that the use is operated in a satisfactory manner and does not unduly disturb adjoining occupiers or prejudice local amenity.
- (15): No loud or love music shall be played at the premises at any given time.

2003 Planning permission for “The creation of new outside seating area” was refused planning permission in 2003. However, when in 2019 planning permission was granted for “Erection of external canopy to the front of the building” this did not permit the creation of the seating area that was previously refused.

Conditions 9 and 15 have been varied at times since then, by applications in:

2006: Condition (9) was varied to –

- unrestricted hours for operation of the B1 offices and live/work units; and
- to extend opening hours of A3 and A4 use on basement and ground floors to 01.00 on Monday to Saturday

2006 an application to vary Condition 15 to defined noise levels was Refused

2008: Condition 15 was varied to say: “the operation of the commercial part of the premises should not be detrimental to the amenity of neighbours”.

2017: Condition 9 was varied, the effect of which was to allow opening hours between 0900 and 0100 Sunday to Thursday; and 0900 and 0330 Friday to Saturday.

2019: The current position results from an application for further variations of conditions 9 (opening hours) and 15 (live music) dated 21.11.2017 (the planning permission ref 2017/4528 on the register is not dated). This included two relevant conditions and reasons (not numbered):

- Condition [1]: The hours of opening of the A3 and A4 use shall be between 09:00 and 01:30 on Sunday to Thursday and 09:00 and 03:30 on Friday and Saturday;
 - Reason: To ensure that the use is operated in a satisfactory manner and does not unduly disturb adjoining occupiers or prejudice local amenity.
- and
- Condition [6]: The operation of the commercial part of the premises shall not be detrimental to the amenity of neighbouring occupiers.
 - Reason: In order to protect the amenity of neighbouring residential occupiers

The 2017 application for extended hours was supported by a Planning Statement; the main premise being that it sought alignment with a Licence approved in October 2011. However, given the cyber attack it is not possible to

verify that. The Planning Statement explains that (para 4.2) that: *“The grant of extended hours to 03:30 hours within an established SPA was considered exceptional under licensing”*.

4. Observations

I have three main observations in relation to the interaction of the planning status of the premises and the Licence application:

1. The permitted planning uses of the relevant part of the premises do NOT grant consent for a night-club – a principal use for which the Licence application is being made:

In planning terminology, uses fall either into one of the proscribed Use Classes² or are sui generis. It can be seen from Condition [1], quoted above, and from the planning history that the relevant part of the premises has only two permitted uses:

- As a restaurant (Use Class A3 at the time); and
- As a bar (Use Class A4 at the time, which comprises uses such as a public house, wine bar or other drinking establishment).

Uses like those applied for, such as “plays, recorded music, performance of dance and anything of similar description”, do not fall within these two Use Classes. Nor does “live music”. These kinds of use tend to fall within what was Use Class D2: “D2 Assembly and leisure - Cinemas, music and concert halls, bingo and dance halls (but not night clubs), swimming baths, skating rinks, gymnasiums or area for indoor or outdoor sports and recreations (except for motor sports, or where firearms are used).”

Use as a night-club - which is effectively the current use of parts of the premises - was excluded from any Use Class and becomes sui generis. Such a use is NOT permitted. However, it is assumed that “late night refreshment” means a either a drink or a meal and so falls within either/both Use Classes A3 and A4.

2. The relevant planning conditions have NOT been kept: The key point to note in to the variations is the conditionality of the consent for the hours. From my discussions with my clients it is clear to me that the conditions have indeed been regularly breached. I am now instructed by my clients, who are not versed in planning matters and so had not raised the issue with the planners before, to report these breaches to the planning enforcement team, to ensure that the

3. The external area at ground floor does NOT have permission for the uses for which the Licence application is being made:

Planning permission for “The creation of new outside seating area” was refused planning permission in 2003. However, when in 2019 planning permission was

² The Use Classes Order has been recently revised but that does not affect the permitted uses in the planning permissions granted

granted for “Erection of external canopy to the front of the building”, this did NOT permit the creation of the seating area – or its use for a restaurant - that was previously refused.

The fact that planning permission does not exist for the external seating area must surely be contrary to Policy LP6.

6. Conclusions

I have come to the conclusion that the application for a Shadow License under the Licensing Act 2003 is incompatible with the planning status of the premises.

Appendix2 – email from Licensing team dated 13 April 2021

This email responded to my request of 6th April: I act for the owners of 10 Hoxton Square who have concerns about the noise emanating from these premises. Can you please send me copy of their premises/entertainment licence?

Dear Sir/Madam,

Thanks for your email. Please find the details below as requested.

Films, Recorded Music, Performance of Dance, Other Entertainment Similar to Live or Rec Music or Dance Performance

Mon 09:00-
01:00^Tue
09:00-
01:00^Wed
09:00-
01:00^Thu
09:00-
01:00^Fri
09:00-
03:00^Sat
09:00-
03:00^Sun
09:00-01:00

Live Music:

Location 1:
Mon 09:00-
23:00^Tue
09:00-
23:00^Wed
09:00-
23:00^Thu
09:00-
23:00^Fri
09:00-
03:00^Sat
09:00-
03:00^Sun
09:00-23:00

Location 2: Mon 09:00-23:00^Tue 09:00-23:00^Wed 09:00-23:00^Thu 09:00-23:00^Fri 09:00-23:00^Sat
09:00-23:00^Sun 09:00-23:00

Late Night Refreshment

Mon 23:00-
01:00^Tue
23:00-
01:00^Wed
23:00-
01:00^Thu
23:00-
01:00^Fri
23:00-
03:00^Sat
23:00-
03:00^Sun
23:00-01:00

Hours for the supply of alcohol (On Premises)

Mon 10:00-
01:00^Tue
10:00-
01:00^Wed
10:00-
01:00^Thu
10:00-
01:00^Fri
09:00-
03:00^Sat
09:00-
03:00^Sun
12:00-23:30

Non-standard hours:

Good Friday: 12:00 to 22:30, Christmas Day: 12:00 to 22:30. On New Year's Eve from the end of permitted hours on New Years Eve to the start of permitted hours on the following day.

Mandatory Conditions

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 customers 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.

Door Supervisor Condition:

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).

Conditions derived from the operating schedule

10. In the allocated ground floor area as set out within a floorplan to be attached to the operating schedule and agreed by Police and Licensing Authority, alcohol may only be sold or supplied after 01:00 hours to persons taking table meals.

11. Substantial refreshment and non intoxication beverages shall be available throughout the premises during the permitted hours.

12. Menus will be displayed within the venue at all times.

13. No licensable activities or the consumption of alcohol to take place in the external seating area after 23:00.

14. There shall be no entry or re-entry to the external premises after 00:45 hours. All heaters and tables associated with the external seating area to be switched off/removed after 00:45 hours.

Conditions for Regulated Entertainment

15. Any amplified music shall be at a level such that it is not audible in near by residents' premises between 23:00 and 07:00 in line with the Council's Licensing Policy LP7

16. Doors should be kept closed at all times regulated entertainment is underway

17. Signs should be sited and maintained at all exits requesting that customers leave the area quietly

18. The Pollution Team may at any time require noise level tests to be accompanied with a certificate of compliance

19. SIA registered door supervisors shall be employed to ensure the proper use of the lobby to ensure that there is no music breakout from the premises and to encourage patrons to promptly disperse in order to prevent congregation outside the premises. Management to oversee these at all times

20. The Premises shall not be used for the provision of regulated entertainment until the Council's building control department have confirmed in writing that the premises are technically suitable for the intended use by applying of the appropriate technical regulations.

Condition derived from responsible authorities representation

21. The installation of sound limiting devices capable of controlling live music systems to all areas where live music is to be played (device type to be approved by the Pollution Team). The limiting devices should be set to ensure inaudibility in all residential premises and a certificate of compliance submitted to the Pollution Team.

22. Live music on the ground floor should cease at 23.00.

Conditions derived from Sub-Committee hearing

23. 50% of the external seating area is to be cordoned off after 23:00 hours and not used.

24. There shall be no more than 30 patrons allowed in the external seating area after 23:00 hours.

25. After 23:00 hours, smokers shall be restricted to the external seating area.

26. There shall be a minimum of 1 SIA registered door supervisors on Sundays to Thursdays and 2 SIA registered door supervisors on a Friday and Saturday, in both cases from 20:00 hours until half an hour after closing.

27. The premises shall maintain a comprehensive CCTV system as per the minimum requirements of a Metropolitan Police crime prevention officer to include one camera covering the entrance and exit to the ground floor and basement. All entry and exit points will be covered enabling frontal identification of every person entering in any light condition. The CCTV system shall continually record whilst the premises is open for licensable activities and during all times when customer remain on the premises. All recordings shall be stored for a minimum period of 31 days with date and time stamping. Recordings shall be made available immediately on request of the Police or an authorised officer. A staff member from the premises who is conversant with the operation of the CCTV system shall be on the premises at all times when the premises are open to the public. This staff member shall be able to show the police recent data or footage with the absolute minimum of delay when requested.

Kind Regards,

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

**APPENDIX B9**

Licensing (Shared Mailbox) <licensing@hackney.gov.uk>

11 Hoxton Square, London N1 6NU - OBJECTION TO LICENSE

1 message

18 May 2021 at 19:20

To: licensing@hackney.gov.uk

Cc: subangini.sriramana@hackney.gov.uk, kam.adams@hackney.gov.uk, steve.race@hackney.gov.uk

Dear Licensing team,

I am writing as a parent living at [REDACTED] [Hoxton Square](#). I was frustrated to hear about the application made by Mr. Daly with a request for review of the current license held by Gigi's to hold opening hours until 3am.

Since living here, I have become more aware of the noise pollution from surrounding clubs and drunken behaviour that involved shouting, screaming and loud music.

It is especially awful when this antisocial drunken behaviour results in people relieving themselves in the street, being sick on the side-walk.

Living in Hoxton Square with my 10 month old son with a hope to stay here long term, I would like to see the environment grow towards a family friendly one. However, when I see drug deals and late night suspicious behavior in the Square, I feel disheartened.

I hope we can work together to work towards progressing change for the better.

Please would you consider my request to deny the request from Mr .Daly.

Many thanks,

[REDACTED]



This premises licence has been issued by:

Licensing Service
1 Hillman Street
London E8 1DY

PART A – PREMISES LICENCE

Premises Licence Number

LBH-PRE-T-0651

Part 1 – Premises details

Zig Zag
11 Foston Square
Hackney
London
N1 6NU

Where the licence is time limited the dates

Not Applicable

Licensable activities authorised by the licence

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

The times the licence authorises the carrying out of Licensable activities

Films

Standard Hours:

Mon 09:00-01:00
Tue 09:00-01:00
Wed 09:00-01:00
Thu 09:00-01:00
Fri 09:00-03:00
Sat 09:00-03:00
Sun 09:00-01:00

Non-Standard Hours

New Year's Eve - from the end of the permitted hours on New Year's Eve to the start of the permitted hours on New Year's Day.

Live Music
(Basement)

Standard Hours:

Mon 09:00-23:00
Tue 09:00-23:00
Wed 09:00-23:00
Thu 09:00-23:00
Fri 09:00-03:00
Sat 09:00-03:00
Sun 09:00-23:00

Non-Standard Hours:

New Year's Eve-From the end of the permitted hours on New Year's Eve to the start of the permitted hours on New Year's Day.

Live Music
(Ground Floor)

Standard Hours:

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

Recorded Music

Standard Hours:

Mon 0 :00-01:00
Tu 0 :00-01:00
Wed 09:00-0 :00
Thu 0 00 1:00
Fri 09:00-03:00
Sat 09:00-03:00
Sun 09:00-01:00

Non-Standard Hours:

New Year's Eve - from the end of the permitted hours on New Year's Eve to the start of the permitted hours on New Year's Day.

**Performance of
Dance**

Standard Hours:

Mon 0 :00 01:00
Tue 0 :00-0 :00
Wed 09:00-01:00
Thu 09:00 01:00
Fri 09:00-03:00
Sat 09:00-03:00
Sun 09:00-01:00

Non-Standard Hours:

New Year's Eve - from the end of the permitted hours on New Year's Eve to the start of the permitted hours on New Year's Day.

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

Standard Hours:

Mon 09:00-01:00
Tue 09:00-01:00
Wed 09:00-01:00
Thu 09:00-01:00
Fri 09:00-03:00
Sat 09:00-03:00
Sun 09:00-01:00

Non-Standard Hours:

New Year's Eve - from the end of the permitted hours on New Year's Eve to the start of the permitted hours on New Year's Day.

**Late Night
Refreshment**

Standard Hours:

Mon 23:00-01:00
Tue 23:00-01:00
Wed 23:00-01:00
Thu 2 :00-01:00
Fri 2 :00-03:00
Sat 23 00 03:00
Sun 23:00-01:00

Non-Standard Hours:

New Year's Eve 23:00 to 05:00 the day following

Supply of Alcohol

Standard Hours:

Mon 10:00-01:00
Tue 10:00-01:00
Wed 10:00-01:00
Thu 10:00-01:00

Fri 09:00-03:00
Sat 09:00-03:00
Sun 12 00 23:30

Non-Standard Hours:

Good Friday: 12:00 to 22:30

Christmas Day: 12:00 to 22:30

On New Year's Eve from the end of permitted hours on New Year's Eve to the start of permitted hours on the following day.

The opening hours of the premises

Standard Hours:

Mon 09:00-01:00

Tue 09:00-01:00

Wed 09:00-01:00

Thu 09:00-01:00

Fri 09:00-03:30

Sat 09:00-03:30

Sun 09:00-01:00

Non-Standard Hours:

New Year's Eve - from the end of the permitted hours on New Year's Eve to the start of the permitted hours on New Year's Day.

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

On Premises

Part 2 –

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

11 Hoxton Street Ltd
10 Hoxton Square
Hackney
London
N1 6NU

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

11676827

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

Taiyab Hussain

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 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.

Exhibition Of Films

- 8. Admission of children (under 18) to the exhibition of any film must be restricted in accordance with: -
 - (a) Recommendations made by the film classification body where the film classification body is specified in the licence, or

(b) Recommendations made by the licensing authority where the film classification body is not specified in the licence, or the relevant licensing authority has not notified the holder of the licence that this subsection applies to the film in question.

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

Door Supervision

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

Annex 2 – Conditions consistent with the Operating Schedule

10. In the allocated ground floor area as set out within a floorplan to be attached to the operating schedule and agreed by Police and Licensing Authority, alcohol may only be sold or supplied after 01:00 hours to persons taking table meals.
11. Substantial refreshment and non-intoxication beverages shall be available throughout the premises during the permitted hours.
12. Menus will be displayed within the venue at all times.
13. No licensable activities or the consumption of alcohol to take place in the external seating area after 23:00.
14. There shall be no entry or re-entry to the external premises after 00:45 hours. All heaters and tables associated with the external seating area to be switched off/removed after 00:45 hours.

Conditions for Regulated Entertainment

15. Any amplified music shall be at a level such that it is not audible in near by residents' premises between 23:00 and 07:00 in line with the Council's Licensing Policy LP7
16. Doors should be kept closed at all times regulated entertainment is underway
17. Signs should be sited and maintained at all exits requesting that customers leave the area quietly
18. The Pollution Team may at any time require noise level tests to be accompanied with a certificate of compliance
19. SIA registered door supervisors shall be employed to ensure the proper use of the lobby to ensure that there is no music breakout from the premises and to encourage patrons to promptly disperse in order to prevent congregation outside the premises. Management to oversee these at all times

20. The Premises shall not be used for the provision of regulated entertainment until the Council's building control department have confirmed in writing that the premises are technically suitable for the intended use by applying of the appropriate technical regulations.

Conditions derived from Responsible Authority representations

21. The installation of sound limiting devices capable of controlling live music systems to all areas where live music is to be played (device type to be approved by the Pollution Team). The limiting devices should be set to ensure inaudibility in all residential premises and a certificate of compliance submitted to the Pollution Team.
22. Live music on the ground floor should cease at 23.00.

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

23. 50% of the external seating area is to be cordoned off after 23:00 hours and not used.
24. There shall be no more than 30 patrons allowed in the external seating area after 23:00 hours.
25. After 23:00 hours, smokers shall be restricted to the external seating area.
26. There shall be a minimum of 1 SIA registered door supervisors on Sundays to Thursdays and 2 SIA registered door supervisors on a Friday and Saturday, in both cases from 20:00 hours until half an hour after closing.
27. The premises shall maintain a comprehensive CCTV system as per the minimum requirements of a Metropolitan Police crime prevention officer to include one camera covering the entrance and exit to the ground floor and basement. All entry and exit points will be covered enabling frontal identification of every person entering in any light condition. The CCTV system shall continually record whilst the premises is open for licensable activities and during all times when customer remain on the premises. All recordings shall be stored for a minimum period of 31 days with date and time stamping. Recordings shall be made available immediately on request of the Police or an authorised officer. A staff member from the premises who is conversant with the operation of the CCTV system shall be on the premises at all times when the premises are open to the public. This staff member shall be able to show the police recent data or footage with the absolute minimum of delay when requested.

Annex 4 – Plans

PLAN/LBH-PRE-T-0651/GHE GEFJ

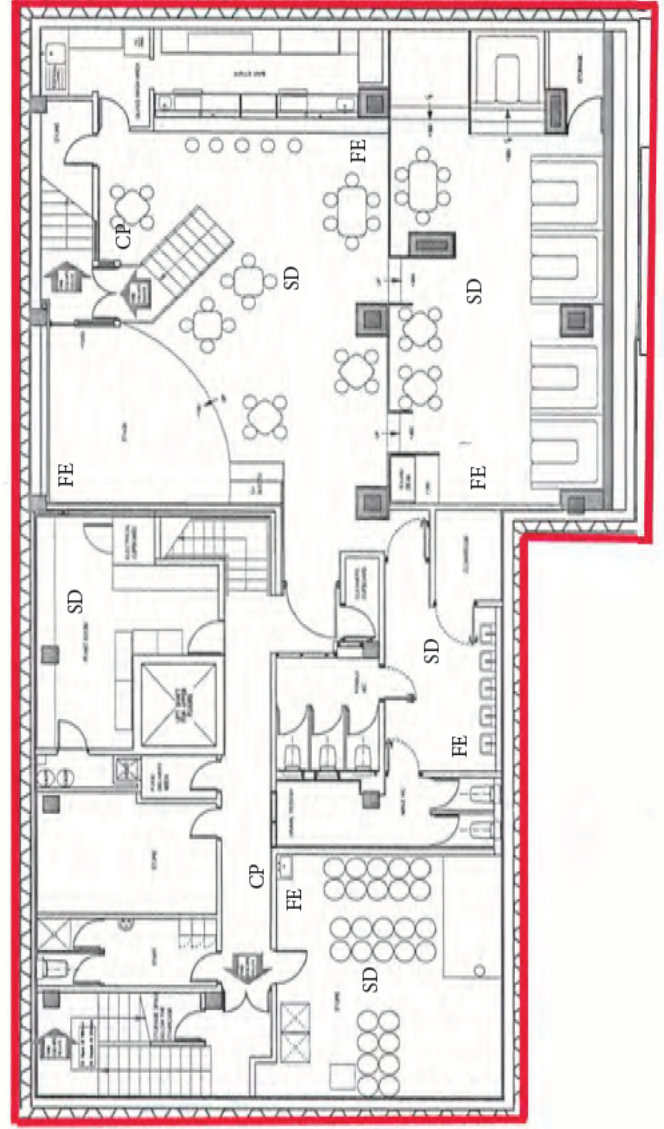
PREMISES LICENCE DRAWING
 GIGI's
 11 HOXTON SQUARE
 N1 6NU



IMPORTANT: Licensable activities can take place anywhere within the red line. The position of loose furniture and equipment is shown for diagrammatic purposes only. Firefighting equipment is indicated but may be moved subject to the fire risk assessment carried out under the Regulatory Reform (Fire Safety) Order 2005 or by agreement with the fire officer.

IMPORTANT:- Licensable activities can take place anywhere within the red line. The position of loose furniture and equipment is shown for diagrammatic purposes only. Firefighting equipment is indicated but may be moved subject to the fire risk assessment carried out under the Regulatory Reform (Fire Safety) Order 2005 or by agreement with the fire officer.

SD = Smoke Detector
FE = Fire Extinguisher
CP = Call Point



EASTWEST ARCHITECTURE

6-16 Abchurch Street
Haggerston
London E8 4DT
projects@eastwestarchitecture.co.uk
www.eastwestarchitecture.co.uk
020 7148 0668

Pre-Planning Construction
 Planning As Built
 Tender For Information Only
 Contract Preliminary

Drawn: BW Checked: DS
Printed: 31/10/2018
Scale: 1:125 @ A3

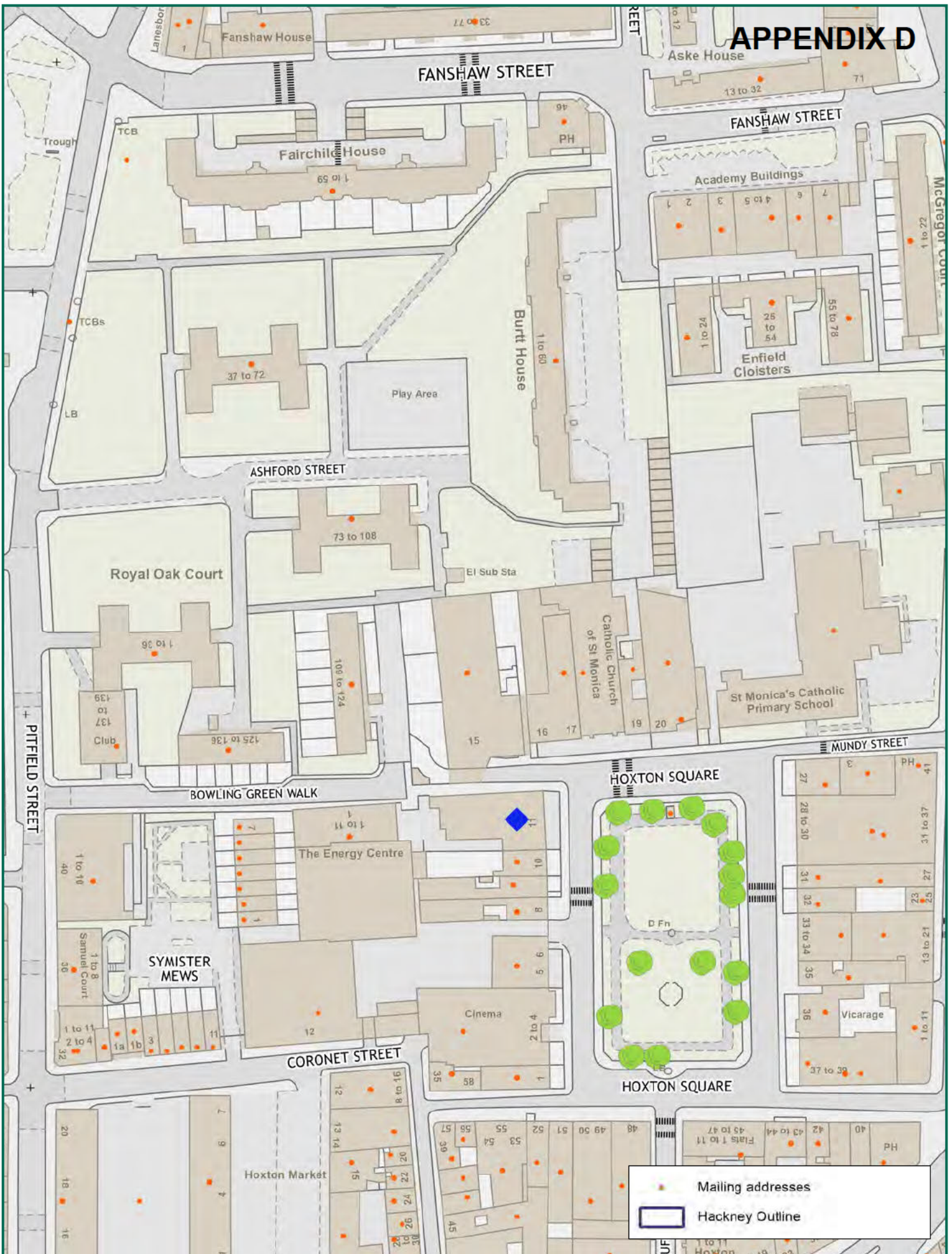
Client: PAUL DALY VENUES

Project: ZIGFRID VON UNDERBELLY
11 HOXTON SQUARE
LONDON N1 6NU

Title: EXISTING
GROUND FLOOR PLAN
AND BASEMENT PLAN

No. A01.01.P Rev. -

APPENDIX D



	Mailing addresses
	Hackney Outline



Scale: 1:1250 at A4



Ref:
Friday, June 11, 2021

Produced by: unspecified
email:

please specify copyright statement