

REPORT OF GROUP DIRECTOR, NEIGHBOURHOODS AND HOUSING

LICENSING SUB-COMMITTEE: 30/09/2021	Classification DECISION	Enclosure
Application for a Premises Licence Hoxton Trust Community Garden, 156 Hoxton Street, Hackney, London, N1 6SH	Ward(s) affected Hoxton East and Shoreditch	

1. SUMMARY

Applicant(s) : Mr Joseph Ryan		In SPA: Not Applicable																
Date of Application 06/07/2021		Period of Application Permanent																
Proposed licensable activity Supply of Alcohol (On Premises)																		
Proposed hours of licensable activities																		
<table><tr><td>Supply of Alcohol:</td><td>Standard Hours:</td></tr><tr><td></td><td>Mon 16:00-21:00</td></tr><tr><td></td><td>Tue 16:00-21:00</td></tr><tr><td></td><td>Wed 16:00-21:00</td></tr><tr><td></td><td>Thu 16:00-21:00</td></tr><tr><td></td><td>Fri 16:00-21:00</td></tr><tr><td></td><td>Sat 12:00-21:00</td></tr><tr><td></td><td>Sun 12:00-21:00</td></tr></table>			Supply of Alcohol:	Standard Hours:		Mon 16:00-21:00		Tue 16:00-21:00		Wed 16:00-21:00		Thu 16:00-21:00		Fri 16:00-21:00		Sat 12:00-21:00		Sun 12:00-21:00
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	Fri 16:00-21:30																	
	Sat 12:00-21:30																	
	Sun 12:00-21:30																	
Capacity: Not known																		
Policies Applicable	LP1 (General Principles), LP2 (Licensing Objectives), LP5 (Planning Status), LP6 (External Areas and Outdoor Events) and LP11 (Cumulative Impact-General)																	

List of Appendices	A – Application for a premises licence and supporting documents B – Representations from responsible authorities C – Representations from other persons D – Location map
Relevant Representations	<ul style="list-style-type: none"> • Police • Licensing Authority • Other Persons

2. APPLICATION

2.1 Mr Joseph Ryan has made an application for a premises licence under the Licensing Act 2003:

- To authorise the supply alcohol for consumption on the premises

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

3. CURRENT STATUS / HISTORY

3.1 The premises are not currently licensed for any activity.

3.2 Temporary Event Notices have given in current year at this premises as follows.

<u>Date of the event(s)</u>	<u>Hours</u>
30/04/2021-02/05/2021	11.30-21.00
14/05/2021-16/05/2021	11.30-21.00
22/05/2021	11.30-21.00
19/06/2021	11.30-21.00
10/07/2021-11/07/2021	11.30-21.30
17/07/2021	11.30-21.00
24/07/2021	11.30-21.00
31/07/2021	11.30-21.00
28/08/2021	11.30-21.00
11/09/2021	11.30-21.00

4. REPRESENTATIONS: RESPONSIBLE AUTHORITIES

From	Details
Environmental Health Authority (Environmental Protection)	Have confirmed no representation on this application
Environmental Health Authority (Environmental Enforcement)	Representation has been withdrawn with the agreed conditions as set out in para 8.1
Environmental Health Authority (Health & Safety)	Have confirmed no representation on this application
Weights and Measures (Trading Standards)	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 (Appendix B1)	Representation received on the grounds of The Prevention of Crime and Disorder and Prevention of Public Nuisance
Licensing Authority (Appendix B2)	Representation received on the grounds of The Prevention of Public Nuisance
Health Authority	Have confirmed no representation on this application

5. REPRESENTATIONS: OTHER PERSONS

From	Details
11 Representations opposing the application received from and on behalf of local residents. (Appendices C1-C11).	Representation received on the grounds of The Prevention of Crime and Disorder, Public Safety, Prevention of Public Nuisance and The Protection of Children from Harm.

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), LP5 (Planning Status), LP6 (External Areas and Outdoor Events) and LP11 (Cumulative Impact-General) are relevant.

8. OFFICER OBSERVATIONS

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

Supply Of Alcohol (On/Both)

Supply of Alcohol

- No supply of alcohol may be made under the premises licence:
 - At a time when there is no designated premises supervisor in respect of the premises licence.
 - At a time when the designated premises supervisor does not hold a personal licence or his personal licence is suspended.
- Every supply of alcohol under the premises licence must be made or authorised by a person who holds a personal licence.
- 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.
 - In this paragraph, an irresponsible promotion means any one or more of the following activities, or substantially similar activities, carried on for the

purpose of encouraging the sale or supply of alcohol for consumption on the premises -

(a) games or other activities which require or encourage, or are designed to require or encourage, individuals to;

(i) drink a quantity of alcohol within a time limit (other than to drink alcohol sold or supplied on the premises before the cessation of the period in which the responsible person is authorised to sell or supply alcohol), or

(ii) drink as much alcohol as possible (whether within a time limit or otherwise);

(b) provision of unlimited or unspecified quantities of alcohol free or for a fixed or discounted fee to the public or to a group defined by a particular characteristic in a manner which carries a significant risk of undermining a licensing objective;

(c) provision of free or discounted alcohol or any other thing as a prize to encourage or reward the purchase and consumption of alcohol over a period of 24 hours or less in a manner which carries a significant risk of undermining a licensing objective;

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

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

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

5. 5.1. The premises licence holder or club premises certificate holder must ensure that an age verification policy is adopted in respect of the premises in relation to the sales or supply of alcohol.

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

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

A. a holographic mark or

B. an ultraviolet feature.

6. The responsible person shall ensure that:

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

- beer or cider: 1/2 pint;

- gin, rum, vodka or whisky: 25ml or 35ml; and

- still wine in a glass: 125ml; and

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

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

Minimum Drinks Pricing

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

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

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

(b) “permitted price” is the price found by applying the formula - $P = D + (D \times V)$

Where -

(i) P is the permitted price,

(ii) D is the amount of duty chargeable in relation to the alcohol as if the duty were charged on the date of the sale or supply of the alcohol, and

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

(c) “relevant person” means, in relation to premises in respect of which there is in force a premises licence -

(i) the holder of the premises licence,

(ii) the designated premises supervisor (if any) in respect of such a licence, or

(iii) the personal licence holder who makes or authorises a supply of alcohol under such a licence;

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

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

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

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

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

Door Supervision

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

Conditions derived from operating schedule

9. Appropriate induction training shall be undertaken with all relevant staff who do not hold a Personal Licence to cover appropriate subjects for their role including:
 - a. The responsible sale of alcohol.
 - b. The prevention of under-age sales of alcohol, the Challenge 25 policy and in checking & authenticating accepted forms of identification.
 - c. The responsibility to refuse the sale of alcohol to any person who is drunk.
 - d. Fire safety & emergency evacuation procedures.
10. Refresher training shall be undertaken with all staff who do not hold a Personal Licence at least every 12 months.
11. All training will be recorded and training records made available on request to an authorised officer of the Licensing Authority or the Police.
12. The premises shall maintain written reports and registers. These will be kept for a minimum of 12 months and made available to the police and any authorised officer of the licensing authority on request. Records will be maintained of the following:
 - a. Any complaint against the premises in respect of any of the licensing objectives
 - b. Any crime reported at the premises
 - c. Any illegal drug related incident
 - d. Any fault in the CCTV system
13. All written reports and registers will be regularly checked by the DPS.
14. The venue shall maintain a CCTV system. The CCTV system shall continually record whilst the venue is open for licensable activities and / or when customers remain on the premises. All recordings shall be time & date stamped, maintained for a 31 day period and be made available to the Police or authorised officer of the licensing authority upon request. The CCTV system shall:
 - a. Cover all entry points used by the public.
 - b. Enable frontal identification of persons entering in any light condition.
 - c. Be maintained by a suitably qualified person.
15. Sufficient competent persons should be authorised by the premises licence holder to provide the Police with downloaded CCTV data (footage and /or images) in an appropriate recorded format (usually to a disc, memory stick or data file sent electronically) when formally requested to do so. The authorised person(s) should be sufficient to enable such data to be obtained by the police within 48 hours of a formal request being made.
16. Sufficient competent persons should be authorised by the premises licence holder to ensure that at all times the premises is open to the public, a member of staff is available to show the Police, when formally requested to do so, any images / footage from CCTV system with a minimum of delay.
17. A Zero Tolerance Policy towards the use, possession and supply of illegal drugs will be adopted and enforced.
18. At any time when a licensable activity is taking place, the premises will be risk assessed to identify the requirements for door supervisors:
 - a. Where a requirement for door supervisor is identified a minimum of one SIA Registered Door Supervisor per 100 customers or part thereof shall be employed.

- b. Where a requirement for door supervisor is identified, a register of door supervisors employed will be maintained. This register will record their name, SIA Door Supervisor Licence number, contact details and be signed by the Door Supervisor as well as an authorised member of the premises management team.
19. No self-service of alcohol will be permitted at the premises.
 20. No externally promoted events will be permitted at the premises; 'externally promoted events' are those which are promoted, managed and delivered by external promoters not affiliated to the Premises Licence holder.
 21. The number of persons accommodated at any one time (excluding staff) shall not exceed 200 persons.
 22. Commercial waste shall not be collected from the premises between the hours of 23.00 and 07.00 on any day.
 23. Glass set aside for recycling shall not be emptied from one receptacle into another in any external area of the premises between the hours of 23.00 and 07.00 on any day.
 24. The area immediately outside the premises will be maintained to ensure that any litter generated by the premises and / or its customers is regularly cleared.
 25. No amplification system or speakers will be used in the external areas of the premises.
 26. Alcoholic drinks will not be permitted to leave the licensed area of the premises (as delineated within the red lines on the associated plans).
 27. A sign requesting customers to respect local residents and leave the premises quietly will be displayed at each public exit to the premises.
 28. A suitable Dispersal Policy will be adopted by the premises and all relevant staff will receive training in the implementation of the policy. A copy of the policy will be kept at the premises and made available to the Police or Environmental Health Officer on request.
 29. A Challenge 25 policy will be enforced, where any person reasonably looking under the age of 25 shall be asked to prove their age when attempting to purchase alcohol; signs to this effect will be displayed at the premises. The only acceptable forms of identity will be those photographic identification documents recognised in the Home Office guidance; including passports, photo-card driving licence or proof of age card bearing a PASS hologram.
 30. A register of refusals book or electronic equivalent designed to record all refusals of sales of alcohol shall be maintained on the premises and made available to the police and local authority officers upon reasonable request.

Conditions derived from Responsible Authority representations

31. The Licensee shall ensure that all relevant staff are fully trained and made aware of the legal requirement of businesses to comply with their responsibility as regards the disposal of waste produced from the business premises. The procedure for handling and preparing for disposal of the waste shall be in writing

and displayed in a prominent place where it can be referred to at all times by staff.

32. The Licensee shall ensure that any contract for general and recyclable waste disposal shall be appropriate in size to the amount of waste produced by the business. The Licensee shall maintain an adequate supply of waste receptacles provided by his registered waste carrier (refuse sacks or commercial waste bins) in order to ensure all refuse emanating from the business is always presented for collection by his waste carrier and shall not use any plain black or unidentifiable refuse sacks or any other unidentifiable or unmarked waste receptacles.
33. The Licensee's premises are situated in an area within which refuse may only be left on the public highway at certain times (time bands). If the Licensee's waste carrier cannot or does not comply by collecting the refuse within an hour after the close of any time band imposed by the waste authority, the Licensee must remove the refuse from the public highway and/or keep it within the premises until such time as his/her waste carrier arrives to collect the refuse.
34. The Licensee shall instruct members of staff to make regular checks of the area immediately outside the premises and remove any litter, bottles and glasses emanating from the premises. A final check should be made at close of business.

9. REASONS FOR OFFICER OBSERVATIONS

- 9.1 Conditions 9 to 30 above are derived from the applicant's operating schedule. Conditions 31 to 34 have been agreed with environmental enforcement.

10. LEGAL COMMENTS

- 10.1 The Council has a duty as a Licensing Authority under the Licensing Act 2003 to carry out its functions with a view to promoting the following 4 licensing objectives;
- The Prevention of Crime and Disorder
 - Public Safety
 - Prevention of Public Nuisance
 - The Protection of Children from Harm
- 10.2 It should be noted that each of the licensing objectives have equal importance and are the only grounds upon which a relevant representation can be made and for which an application can be refused or terms and conditions attached to a licence.

11. HUMAN RIGHTS ACT 1998 IMPLICATIONS

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

12. MEMBERS DECISION MAKING

- A. **Option 1**
That the application be refused

B. Option 2

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

13. CONCLUSION

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

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

LIST OF BACKGROUND PAPERS RELATING TO THIS REPORT

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

Description of document	Location
Office File: Hoxton Trust Community Garden, 156 Hoxton Street, London, N1 6SH	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 Joseph Ryan
(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			
Hoxton Trust Community Garden 156 Hoxton Street			
Post town	London	Postcode	N1 6SH

Telephone number at premises (if any)	
Non-domestic rateable value of premises	£13,500.00

Part 2 - Applicant details

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

- | | | | |
|----|--|-------------------------------------|-----------------------------|
| a) | an individual or individuals * | <input checked="" type="checkbox"/> | please complete section (A) |
| b) | a person other than an individual * | | |
| | i as a limited company/limited liability partnership | <input type="checkbox"/> | please complete section (B) |
| | ii as a partnership (other than limited liability) | <input type="checkbox"/> | please complete section (B) |
| | iii as an unincorporated association or | <input type="checkbox"/> | please complete section (B) |
| | iv other (for example a statutory corporation) | <input type="checkbox"/> | please complete section (B) |
| c) | a recognised club | <input type="checkbox"/> | please complete section (B) |

- d) a charity ☐ 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 Ryan			First names Joseph		
Date of birth [REDACTED]		I am 18 years old or over <input checked="" type="checkbox"/> Please tick			
Nationality [REDACTED]					
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)	
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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			
0	4	0	8	2	0	2	1

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

DD		MM		YYYY			

Please give a general description of the premises (please read guidance note 1)

The Premises Licence Holder for the Howl at the Moon Public House is seeking a new Premises Licence for Hoxton Trust Community Garden to be used as an outside area for customers to be able to enjoy a drink outside in the early evening.

The applicant has held the Premises Licence for Howl at the Moon for 12 years and have developed a loyal and respected customer base.

During 2020 and into 2021 with the Covid-19 pandemic severely curtailing the activities inside their business, they entered an agreement with the Hoxton Trust to use their gardens as an area for customers to drink outside.

This was very well received and in 2021 a number of TENs have been employed to permit the sale of alcohol without any reported incidents.

Going forward outside spaces for the public to socialise are valuable assets and the Hoxton Trust have agreed that a more permanent arrangement should now be put in place to allow for use of the park after the hours the park is currently open.

It is clear that the pandemic will have a material impact on the way businesses have to operate and that some customers are going to feel uncomfortable in close proximity indoor spaces; this application seeks to provide a suitable outdoor space for customers to enjoy until the early evening.

The plan shows the layout of the gardens and a subjective layout of the loose furniture which may be moved around subject to requirements.

There are two small bars to offer service in the area and when required, for example through the winter months a temporary tent will be set up to provide some protection from the elements.

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"/>
Day	Start	Finish		Both	<input type="checkbox"/>
Mon			<u>Please give further details here</u> (please read guidance note 4)		
Tue					
Wed			<u>State any seasonal variations for performing plays</u> (please read guidance note 5)		
Thur					
Fri			<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)		
Sat					

J

Supply of alcohol Standard days and timings (please read guidance note 7)			<u>Will the supply of alcohol be for consumption – please tick</u> (please read guidance note 8)		On the premises	<input checked="checked" type="checkbox"/>
					Off the premises	<input type="checkbox"/>
					Both	<input type="checkbox"/>
Day	Start	Finish	<u>State any seasonal variations for the supply of alcohol</u> (please read guidance note 5)			
Mon	16.00	21.00				
Tue	16.00	21.00				
Wed	16.00	21.00				
Thur	16.00	21.00				
Fri	16.00	21.00				
Sat	12.00	21.00				
Sun	12.00	21.00				
<u>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</u> (please read guidance note 6)						

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

Name	
Joseph Ryan	
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).

N/A

L

Hours premises are open to the public Standard days and timings (please read guidance note 7)			<u>State any seasonal variations</u> (please read guidance note 5)
Day	Start	Finish	
Mon	16.00	21.30	<u>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</u> (please read guidance note 6)
Tue	16.00	21.30	
Wed	16.00	21.30	
Thur	16.00	21.30	
Fri	16.00	21.30	
Sat	12.00	21.30	
Sun	12.00	21.30	

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

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

1. **Staff Training** – Appropriate induction training shall be undertaken with all relevant staff who do not hold a Personal Licence to cover appropriate subjects for their role including:
 - a. The responsible sale of alcohol.
 - b. The prevention of under-age sales of alcohol, the Challenge 25 policy and in checking & authenticating accepted forms of identification.
 - c. The responsibility to refuse the sale of alcohol to any person who is drunk.
 - d. Fire safety & emergency evacuation procedures

Refresher training shall be undertaken with all staff who do not hold a Personal Licence at least every 12 months.

All training will be recorded and training records made available on request to an authorised officer of the Licensing Authority or the Police.

- 2. Recording Practices** – The premises shall maintain written reports and registers. These will be kept for a minimum of 12 months and made available to the police and any authorised officer of the licensing authority on request. Records will be maintained of the following:

- a. Any complaint against the premises in respect of any of the licensing objectives
- b. Any crime reported at the premises
- c. Any illegal drug related incident
- d. Any fault in the CCTV system

All written reports and registers will be regularly checked by the DPS.

b) The prevention of crime and disorder

- 3. CCTV** - The venue shall maintain a CCTV system. The CCTV system shall continually record whilst the venue is open for licensable activities and / or when customers remain on the premises. All recordings shall be time & date stamped, maintained for a 31 day period and be made available to the Police or authorised officer of the licensing authority upon request. The CCTV system shall:
- a. Cover all entry points used by the public.
 - b. Enable frontal identification of persons entering in any light condition.
 - c. Be maintained by a suitably qualified person.
- 4. CCTV** - Sufficient competent persons should be authorised by the premises licence holder to provide the Police with downloaded CCTV data (footage and / or images) in an appropriate recorded format (usually to a disc, memory stick or data file sent electronically) when formally requested to do so. The authorised person(s) should be sufficient to enable such data to be obtained by the police within 48 hours of a formal request being made.
- 5. CCTV** - Sufficient competent persons should be authorised by the premises licence holder to ensure that at all times the premises is open to the public, a member of staff is available to show the Police, when formally requested to do so, any images / footage from CCTV system with a minimum of delay.
- 6. Drugs Zero Tolerance Policy** – A Zero Tolerance Policy towards the use, possession and supply of illegal drugs will be adopted and enforced.
- 7. Door Supervisor Risk Assessments** – At any time when a licensable activity is taking place, the premises will be risk assessed to identify the requirements for door supervisors:
- a. Where a requirement for door supervisor is identified a minimum of one SIA Registered Door Supervisor per 100 customers or part thereof shall be employed.

- b. Where a requirement for door supervisor is identified, a register of door supervisors employed will be maintained. This register will record their name, SIA Door Supervisor Licence number, contact details and be signed by the Door Supervisor as well as an authorised member of the premises management team.
- 8. **Self-Service of Alcohol** – No self-service of alcohol will be permitted at the premises.
- 9. **Externally Promoted Events** – No externally promoted events will be permitted at the premises; ‘externally promoted events’ are those which are promoted, managed and delivered by external promoters not affiliated to the Premises Licence holder.

c) Public safety

- 10. **Fire Safety** – A fire risk assessment will be conducted and regularly reviewed. In-line with the Fire Risk Assessment:
 - a. Fire extinguishers are installed in accordance with the recommendations of the fire risk assessment.
 - b. Emergency lighting is installed in accordance with the recommendations of the fire risk assessment.
 - c. All emergency exits are marked on the premises plan.
- 11. **Capacity** - The number of persons accommodated at any one time (excluding staff) shall not exceed 200 persons.

d) The prevention of public nuisance

- 12. **Commercial Waste Disposal** – Commercial waste shall not be collected from the premises between the hours of 23.00 and 07.00 on any day
- 13. **Glass Recycling** – Glass set aside for recycling shall not be emptied from one receptacle into another in any external area of the premises between the hours of 23.00 and 07.00 on any day
- 14. **Litter** - The area immediately outside the premises will be maintained to ensure that any litter generated by the premises and / or its customers is regularly cleared.
- 15. **External Areas** – No amplification system or speakers will be used in the external areas of the premises.
- 16. **No Alcohol Permitted Outside** – Alcoholic drinks will not be permitted to leave the licensed area of the premises (as delineated within the red lines on the associated plans).
- 17. **Exit Signage** – A sign requesting customers to respect local residents and leave the premises quietly, will be displayed at each public the exit to the premises.
- 18. **Dispersal Policy** – A suitable Dispersal Policy will be adopted by the premises and all relevant staff will receive training in the implementation of the policy. A copy of the policy will be kept at the premises and made available to the Police or Environmental Health Officer on request.

e) The protection of children from harm

- 19. Challenge 25** – A Challenge 25 policy will be enforced, where any person reasonably looking under the age of 25 shall be asked to prove their age when attempting to purchase alcohol; signs to this effect will be displayed at the premises. The only acceptable forms of identity will be those photographic identification documents recognised in the Home Office guidance; including passports, photo-card driving licence or proof of age card bearing a PASS hologram.
- 20. Register of Refusals** – A register of refusals book or electronic equivalent designed to record all refusals of sales of alcohol shall be maintained on the premises and made available to the police and local authority officers upon reasonable request.

Checklist:

Please tick to indicate agreement


- I have made or enclosed payment of the fee. *(The payment receipt is Attached)* ✓
- 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. *(Application Has Been Sent Electronically for the Licensing Authority to Forward)* ☐
- 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 ✓

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	06/07/2021
Capacity	Peter Mayhew – Agent (Licensing Consultant)

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)			
Peter Mayhew Beyond the Blue Limited 			
Post town		Postcode	
Telephone number (if any)			
If you would prefer us to correspond with you by e-mail, your e-mail address (optional)			
			



Premises Licence Plan

Hoxton Gardens

156 Hoxton Street, London N1 6SH

APPENDIX B1

RESPONSIBLE AUTHORITY REPRESENTATION: APPLICATION UNDER THE LICENSING ACT 2003

RESPONSIBLE AUTHORITY DETAILS

NAME OF AUTHORITY	Metropolitan Police service
ADDRESS OF AUTHORITY	Licensing Unit, Stoke Newington Police Station 33 Stoke Newington High Street London N16 8DS
CONTACT NAME	PC 1505CE Dave ATKINS
TELEPHONE NUMBER	07796183078
E-MAIL ADDRESS	hackneylicensing@met.police.uk

APPLICATION PREMISES

NAME & ADDRESS OF PREMISES	Hoxton Trust Community Garden 156 Hoxton Street London N1 6SH
NAME OF PREMISES USER	Jospeh Ryan

COMMENTS

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

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

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

Police submit the following representations for the new premises licence at Hoxton Trust community Gardens, Hoxton Street, N1

This site that the applicant is seeking to licence is a small park area that is situated on highway that is comprised of both residential and commercial premises.

Over the past year the site has been operated under a number of temporary event notices and has been in conjunction with the Howl at Moon Public house which is situated next to the gardens at on the opposite corner of Stanway Street and Hoxton Street. Over this time police have had cause to speak to the operators at Howl at the moon who have been managed events in the gardens regarding the lack of social distancing in the street, people drinking in the road and congesting the footway.

In addition to this it has been noted that there have been a number of occasions in addition to the lack of adherence to the Covid regulations that were in place at the time the site was operating a bar which was not authorised by a Temporary event notice at the proposed site.

Although this site has been operated under temporary event notices it should be noted that these are only temporary and have predominantly been operated at weekends only. Given the location of this proposed site Police are concerned that the addition of this licence to supply alcohol will be of detriment to local residents and business owners with the increased number of persons attending the area to consume alcohol and meet with friends.

It is of concern to Police that should this site be granted a premises licence it will undermine the licensing objectives namely Crime and disorder and Public nuisance.

In respect of this licence police would ask

- What will the capacity of the site be?
- How will manage dispersal from the site to ensure that customers don't congregate in the street after the site closes?

Police look forward to hearing from the applicant in order to discuss this application further and the points raised above.

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

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

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

APPENDIX B2

RESPONSIBLE AUTHORITY REPRESENTATION: APPLICATION UNDER THE LICENSING ACT 2003

RESPONSIBLE AUTHORITY DETAILS

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

APPLICATION PREMISES

Premises	Hoxton Trust Community Garden 156 Hoxton Street London N1 6SH
Applicant	Joseph Ryan

COMMENTS

I make the following relevant representations in relation to the above application for a premises licence at the above address

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

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

I write to make a representation in relation to this application. The proposal seeks to authorise alcohol sales in an open space. This has the potential to significantly alter the nature of the immediate area by changing from what is currently a park to a premises based around alcohol consumption on site.

- The site appears to be overlooked by dense residential properties, most notably by Cordelia House to the East and opposite the site on Hoxton Street to the West.
- The application makes reference to a maximum capacity of up to 200. I would be concerned that this number of people engaging in alcohol consumption outdoors would have a severe impact on residents in the local area.
- Furthermore, up to 200 persons having to disperse from the site, especially during the warmer months would have a noticeable and negative impact. Reference is made to a Dispersal Policy so it would be useful if this is supplied at this stage for assessment
- Given the significance of the change, details of the planning status of the land should be clarified in accordance with LP5 (Planning Status)
- The plan shows that there is a public W/C in the park, however it is unclear on what the arrangements are in relation to toilet provision for patrons at the site
- I am aware that a series of temporary event notices (TENs) have been used to authorise alcohol sales at this site. However these have been restricted to weekends so have been much more limited in scope.

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

The Licensing Act 2003, s182 Guidance issued by the Home Office, Statement of Licensing Policy

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

The impact of the grant of the premises licence here would likely have a negative impact on the prevention of public nuisance. It is unlikely that additional conditions will allay concerns.

Name: **David Tuitt (Business Regulation Team Leader) - Licensing and Technical Support**

3 August 2021

Licence for Hoxton Trust Community Gardens

1 message

21 July 2021 at 17:26


To: licensing@hackney.gov.uk
Dear Sir/Madam,

I'd like to object to the proposed premises licence for Hoxton Trust Community Gardens.

As a local resident for all my life I have used the gardens regularly. However since it has been used as a pub garden for the Howl it has become a disgrace; people urinating in the gardens, it is raucus when they close the space - i feel very unsafe with all the drunk people around, the noise is unbarable. It encourages street drinking around the space with people who are 'not allowed into the community gardens' congregating on the periphery.

Granting the licence will cut short the time local people can use the space by 2 hrs (16:00-18:00) during the week and longer at weekends. Why?

Sincerely


Cordelia House

Application for premises license Hoxton Trust Community Garden

1 message

22 July 2021 at 16:14

To: Licensing <licensing@hackney.gov.uk>
Cc: "Kam Adams (Cllr)" <kam.adams@hackney.gov.uk>

I am writing to object to the application for a premises license for the Hoxton Trust Community Garden, [156 Hoxton Street, N1 6SH](#).

The Garden is a much loved neighbourhood green space. Hackney is blessed with parks and Shoreditch Park is a short distance away but the Hoxton Trust Community Garden has a distinctly different character. First it is a community growing space fulfilling a strong educational purpose. Second, the small heavily planted garden provides a very welcoming safe space, in particular for families, young children and older people.

It is not clear from the application whether the proposed hours would be for the exclusive use of the pub or whether the drinkers would share the garden with the park users.

If the former is the case, then the application would restrict a valuable community space from 4 PM every weekday as well as from noon on the weekends. There seems no justification for this loss of residential amenity (affecting school children especially).

If the latter is the case, then the potential for public nuisance becomes very real as community park users and drinkers share the same space. As a nearby resident, I object to this application on the grounds of the prevention of such nuisance and in the interest of public safety and the protection of children from harm.

I understand this objection will be shared with the applicant but please keep my personal details confidential.

Many thanks,


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


Objection to application

1 message

26 July 2021 at 21:24

[REDACTED]
To: "licensing@hackney.gov.uk" <licensing@hackney.gov.uk>

Dear Hackney Council Licensing Department

I am a Hackney resident living in Victoria Ward. However I have friends in Hoxton East and Hoxton West and know Hoxton Street quite well.

On Hoxton Street, opposite the end of Purcell Street, there is a little park or garden. On the next corner, there is a pub called Howl at the Moon. My friend in Hoxton says he heard today that the licensee of the pub is applying to extend his business to this little park, with tables, drinks and music, for many hours both on weekdays and at weekends.

This is a quiet little public green space from what I saw of it on visits to Hoxton Street. It is quite inappropriate for it to serve as an extension to the pub.

There are many homes round about, including Arden Estate on Purcell Street just across the road. The noise and likely antisocial behaviour would seriously affect them. It would also take the garden out of other recreational use.

I wish therefore to raise an objection to this application.

I wish to raise another complaint. Tuesday 27.7.21's licensing committee meeting - which I now learn has been changed to Thursday 29.7.21 - does not even appear on the list of licensing committee meetings on the council web site. I sent an email asking to see the agenda and papers but still have not received them. So I do not even know if this item is on the agenda.

There is a serious democratic deficit here. Surely it means this application cannot be considered. Local residents have had no opportunity to voice objections.

I am also concerned that there may be other items on the agenda to which the same objections apply.

Yours sincerely

[REDACTED]

license application at Howl at the moon hoxton.

1 message

28 July 2021 at 13:58


To: licensing@hackney.gov.uk

I wish to oppose granting a license to the Howl at the moon public house in hoxton street.

They have taken over the local park which is a memorial to four young men tragically killed whilst driving to a funeral of a friend. From what I am told by Hoxton trust the howl at the moon have hired the park until September 2021 and will not be able to hire it again after that date.

I certainly hope this is true as the park is a public space and should be used as such and not as an extension of a public house creating a lot of noise pollution for the local population.

I was told that they only have use of the park during the hours it is meant to be closed and yet last Saturday a couple eating a sandwich were told that they would have to order a drink from the pub or leave the premises at 1600 hours at a time when public access is allowed.

So I object to the park being used as an extension of a public house and certainly object to the licensing application.

Yours sincerely  Caliban tower N1 

1

Hi,

Could you please raise the below as a casework with the Licensing team.

I am writing on behalf of [REDACTED] who wants to object to the Licence Application for Hoxton Trust Community Garden, 156 Hoxton Street, London N1 6SH.

Please find below a copy of [REDACTED] email, which give a detailed account of his concerns.

He wants the points raised in his email to be taken into consideration in determining the outcome of this application.

Please ensure that I receive a copy of your response as well as [REDACTED].

Kind regards,

Kam.

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

From: [REDACTED]

Date: Mon, 26 Jul 2021 at 10:22

Subject: Hoxton communal gardens

To: (kam.adams@hackney.gov.uk)

Kam, I have been informed that a licence application has been made to allow patrons of the Howl at the Moon to use the communal gardens for the purpose of drinking alcohol.

I cannot believe that this application should ever be considered, the gardens are a space for local families and their children to use for recreation purpose, ie, picnics and children playing and older people to enjoy, especially since March

2020 everyone has been in lockdown

The gardens are also a memorial to 6 young local Hoxton people who lost their lives in an horrific car crash, it is a fundamentally important place for local people to enjoy social interaction

It has been allowed previously for patrons of the Howl at the Moon to use for drinking alcohol because of social distance rules, but I personally have witnessed a fight amongst these drinkers on 1 occasion, I am a former licensee of 6 pubs in the east end, 1 in Hackney ([REDACTED]) and I object to this application in the strongest possible terms and I am today seeking the support of St Anne's and St John's churches in support of my objection

I call upon you as our Councillor to support our objections, regards [REDACTED]

	<p>--</p> <p>Sent from</p> <p>EmailForOutlook for mobile</p>
2	<p>Hi,</p> <p>Could you please raise the below as a casework with the Licensing team.</p> <p>I am writing on behalf of [REDACTED] who wants to object to the Licence Application for Hoxton Trust Community Garden, 156 Hoxton Street, London N1 6SH.</p> <p>Please find below a copy of [REDACTED] email, which gives a detailed account of his concerns.</p> <p>He wants the points raised in his email to be taken into consideration in determining the outcome of this application.</p> <p>Please ensure that I receive a copy of your response as well as [REDACTED].</p> <p>Kind regards,</p> <p>Kam.</p> <p>----- Forwarded message -----</p> <p>From:</p> <p>Claydon McKenzie (Cllr) (claydon.mckenzie@hackney.gov.uk)</p> <p>Date: Mon, 26 Jul 2021 at 09:07</p> <p>Subject: Re: The howl at the moon using our local park.</p> <p>To: [REDACTED]</p> <p>Cc: Kam Adams (Cllr) (kam.adams@hackney.gov.uk), Steve Race (Cllr) (steve.race@hackney.gov.uk), Anya Sizer (Cllr) (anya.sizer@hackney.gov.uk)</p> <p>Dear [REDACTED]</p> <p>I hope you are well.</p> <p>The location Macbeth Pub falls within Hoxton East Ward. I have therefore taken the liberty of forwarding your email on to your local councillors who I am sure will be able to assist you.</p> <p>Kind regards</p> <p>Claydon McKenzie</p> <p>Labour Councillor for Hoxton West Ward</p> <p>On Mon, 26 Jul 2021 at 08:21, [REDACTED] wrote:</p> <p>Dear councillor it has come to my attention that the public house in hoxton street is using the park opposite it's pub as an extension of their building and is serving drinks and using it to have live music going. I understand that Shoreditch trust has rented them the park without consulting local people which is very bad form as there is a monument to four young men whom were killed in a car crash whilst attending the funeral of a friend who was murdered a few weeks before, That park should not be used for that purpose and local residents should have had a say on the matter. I would like to know how the money obtained by shoreditch trust is going to be used for the benefit of local people as they have had to suffer the noise pollution.</p> <p>We have enough music venues in hoxton the Macbeth in hoxton street is one which is the bane of the locals lives with noise pollution and my niece [REDACTED] [REDACTED] hoxton street has complained many times of the noise and lack of sleep it causes the residents and had it stopped</p> <p>I would ask you to have shoreditch trust stop this arrangement immediately as patrons can now go inside the public house to drink as restrictions have been lifted and there is no need for them to use the park which by the way stopped people drinking beer inside it.</p> <p>I would also like shoreditch trust to consult the local people should any other</p>

	<p>scheme like this use the local peoples amenities and the should be transparent with the monies made.</p> <p>I thank you for any help you can give with this matter regards [REDACTED]</p> <p>Caliban tower.</p> <p>Disclaimers apply, for full details see: https://hackney.gov.uk/email-disclaimer</p> <p>--</p> <p>Cllr Kam Adams Councillor, Hoxton East & Shoreditch 020 8356 3373 kam.adams@hackney.gov.uk www.welovehoxtonandshoreditch.blogspot.com @welovehands</p>
3	<p>Hi,</p> <p>Could you please raise the below as a casework with the Licensing team.</p> <p>I am writing on behalf of [REDACTED] who wants to object to the Licence Application for Hoxton Trust Community Garden, 156 Hoxton Street, London N1 6SH.</p> <p>Please find below a copy of [REDACTED] email, which gives a detailed account of her concerns.</p> <p>She wants the points raised in her email to be taken into consideration in determining the outcome of this application.</p> <p>Please ensure that I receive a copy of your response as well as [REDACTED]</p> <p>[REDACTED]</p> <p>Kind regards, Kam.</p> <p>----- Forwarded message -----</p> <p>From: [REDACTED]</p> <p>Date: Thu, 22 Jul 2021 at 16:15</p> <p>Subject: Application for premises license Hoxton Trust Community Garden</p> <p>To: Licensing (licensing@hackney.gov.uk)</p> <p>Cc: Kam Adams (Cllr) (kam.adams@hackney.gov.uk)</p> <p>I am writing to object to the application for a premises license for the Hoxton Trust Community Garden, 156 Hoxton Street, N1 6SH.</p> <p>The Garden is a much loved neighbourhood green space. Hackney is blessed with parks and Shoreditch Park is a short distance away but the Hoxton Trust Community Garden has a distinctly different character. First it is a community growing space fulfilling a strong educational purpose. Second, the small heavily planted garden provides a very welcoming safe space, in particular for families, young children and older people.</p> <p>It is not clear from the application whether the proposed hours would be for the exclusive use of the pub or whether the drinkers would share the garden with the park users.</p> <p>If the former is the case, then the application would restrict a valuable community space from 4 PM every weekday as well as from noon on the weekends. There seems no justification for this loss of residential amenity (affecting school children especially).</p> <p>If the latter is the case, then the potential for public nuisance becomes very real as community park users and drinkers share the same space. As a nearby resident, I object to this application on the grounds of the prevention of such nuisance and in the interest of public safety and the protection of children from harm.</p> <p>I understand this objection will be shared with the applicant but please keep my</p>

	<p>personal details confidential. Many thanks, [REDACTED] [REDACTED] Hoxton Square N1 [REDACTED] [REDACTED] -- Cllr Kam Adams Councillor, Hoxton East & Shoreditch 020 8356 3373 kam.adams@hackney.gov.uk www.welovehoxtonandshoreditch.blogspot.com @welovehands</p>
4	<p>Hi, Could you please raise the below as a casework with the Licensing team. I am writing on behalf of [REDACTED] who wants to object to the Licence Application for Hoxton Trust Community Garden, 156 Hoxton Street, London N1 6SH. Please find below a copy of [REDACTED] email, which give a detailed account of his concerns. He wants the points raised in his email to be taken into consideration in determining the outcome of this application. Please ensure that I receive a copy of your response as well as [REDACTED]. Kind regards, Kam. ----- Forwarded message ----- From: [REDACTED] Date: Sun, 25 Jul 2021 at 19:11 Subject: Hoxton gardens To: Kam Adams (Cllr) (kam.adams@hackney.gov.uk)</p> <p>Hello Kam it has come to my attention that the howl at the moon is applying to keep using the park for their own use to keep selling alcohol, we residents understood that this was temporary during the easing down of lockdown. However it has come to my attention that they now want to use the gardens permanently. These gardens where a memorial for the people of Hoxton and was not created for commercial use to line the pockets of a greedy landlord. The gardens were hired out for private functions before the pandemic and it was always well managed and we never had any noise or reason to complain but since the pub has used it we have had to put up with people shouting and screaming up to about one in the morning, when people are leaving they are pissing in the flats and arguing and shouting as they go. I unfortunately most weekends cannot even watch my tv as there is so much noise coming from there.</p> <p>Before anyone gives them any permission to use the park anymore maybe they should consult the residents because their are a lot of people on this and neighbouring estates who have had enough. The howl at the moon is situated in the middle of three estates and they should realize that they cannot carry on the way they are, we as residents have a right to a certain quality of life and not have to put up with the mayhem caused by idiot just thinking of his pocket.</p>

	<p>██████████</p> <p>Sent from Mail for Windows 10</p> <p>--</p> <p>Cllr Kam Adams Councillor, Hoxton East & Shoreditch 020 8356 3373 kam.adams@hackney.gov.uk www.welovehoxtonandshoreditch.blogspot.com @welovehands</p>
5	<p>Hi,</p> <p>Could you please raise the below as a casework with the Licensing team. I am writing on behalf of ██████████ who wants to object to the Licence Application for Hoxton Trust Community Garden, 156 Hoxton Street, London N1 6SH. Please find below a copy of ██████████ email, which gives a detailed account of his concerns. He wants the points raised in his email to be taken into consideration in determining the outcome of this application. Please ensure that I receive a copy of your response as well as ██████████.</p> <p>Kind regards, Kam.</p> <p>----- Forwarded message -----</p> <p>From: ██████████</p> <p>Date: Sun, 25 Jul 2021 at 17:50 Subject: Park, To: Kam Adams (kam.adams@hackney.gov.uk) Cc: ██████████</p> <p>██████████</p> <p>Dear Kam, I was in the Market yesterday and was told that the Howl at the Moon is applying for permanent use of the park. This was the first any of us here had heard of this. The park is for the use of local people and not for someone to make a quick few quid. There are signs up saying no drinking in the park. This was to stop people getting drunk and making a disturbance. Residents are already complaining about the noise now coming from the park and dont want this to be a permanent thing. The park is also a memorial. Do those hoping to get further use of the park know this? Everyone was told that the use of the park like this was temporary. I strongly object to the park being used further like this. I have already stated that none of us knew and have been given no notice about this so could you pass this email on to which ever officer is dealing with the pubs application. Thank you, ██████████, Caliban Towers, Purcell Street N1 ██████████</p>
6	<p>Hi,</p> <p>Could you please raise the below as a casework with Hackney Licensing Team. I am writing on behalf of ██████████ who wants to object to the Licence Application for Hoxton Trust Community Garden,</p>

156 Hoxton Street, London N1 6SH.

She wants the point raised in her email below to be taken into consideration in determining the outcome of this application.

Please ensure that I receive a copy of your response as well as [REDACTED].

Kind regards,

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

From:

[REDACTED]

Date: Mon, 26 Jul 2021 at 11:41

Subject: Re: Licence Application - week ending 09/07/2021 (Hoxton Trust Community Garden)

To: Kam Adams (Cllr) (kam.adams@hackney.gov.uk)

Cc: Owen Ramsay (owen.ramsay@hackney.gov.uk)

Thank you Kam, that is helpful.

I would like to register an objection from the North & South Arden TMO in any case. I manage an estate with over 700 households, many of whom have no access to a private garden. The Hoxton Trust gardens are an important local resource providing access to a safe green space for our residents.

We also receive complaints about noise and disruption from this pub which has been spilling over into Hoxton Gardens, whilst that has been used in recent months. Before the pandemic complaints about this pub were being raised at Safer Neighbourhood Panel meetings.

Given the lifting of restrictions on indoor gathering it would seem to be less necessary for the pub to have use of this outdoor space now too. The blocks most affected are Cordelia House, Rosalind House and 1-24 Regan Way, though it may also have an impact on 31-40 Purcell Street.

Regards

[REDACTED]

[REDACTED]

On Mon, 26 Jul 2021 at 11:26, Kam Adams (Cllr) (kam.adams@hackney.gov.uk) wrote:

Dear [REDACTED],

Hope you are well and had a good weekend.

Yes, you heard correctly that Howl at the Moon has put in a licence Application for the use of the Hoxton Trust Community Garden.

To my knowledge, the trust doesn't know why the pub is applying for a licence as the arrangement is for them to use the garden on a temporary basis until the end of September. From what I gathered, they haven't asked the trust if they can use the garden on a long term basis, even if they did the answer will probably be no.

So granting them a licence when they haven't asked the trust if they can continue to use the garden after September wouldn't make any sense.

I am not comfortable with this arrangement continuing as I have received some complaints from the residents that the garden has become an extension of the pub and they have been denied access to the garden, which I have fed back to the trust CEO.

I am in support of residents objecting to this licence application.

Have a good day.

Regards,

Kam.

Objection to Hoxton Trust Community Garden Licence Application

1 message

Kam Adams (Cllr) <kam.adams@hackney.gov.uk>

30 July 2021 at 11:55

To: "Members Enquiry (Shared Mailbox)" <members.enquiry@hackney.gov.uk>

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

Hi,

Could you please raise the following as a casework with Hackney Licensing Team

I am sure you have received emails from the residents of Hoxton objecting to the Howl at the Moon Licence Application for Hoxton Trust Community Garden, [156 Hoxton Street, London N1 6SH](#).

As residents have made clear that they don't want this licence application to be approved. I have received so many complaints from the residents that the garden has become an extension of the pub and they have been denied access to the garden, which I have fed back to the trust CEO. Some residents feel that the space no longer belongs to the community.

To my knowledge, the trust doesn't know why the pub is applying for a licence as the arrangement with the Howl at the Moon is for them to use the garden on a temporary basis until the end of September. From what I gathered, they haven't asked the trust if they can use the garden on a long term basis, even if they did the answer will probably be no.

So granting them a licence when they haven't asked the trust if they can continue to use the garden after September wouldn't make any sense, and it will be a hard sell to the community. Therefore, I am writing to object to this licence application as I am not comfortable for the current arrangement with pub to be extended beyond the agreed date, which is end of September.

Kind regards,

Kam.

--

Cllr Kam Adams

Councillor, Hoxton East & Shoreditch

020 8356 3373

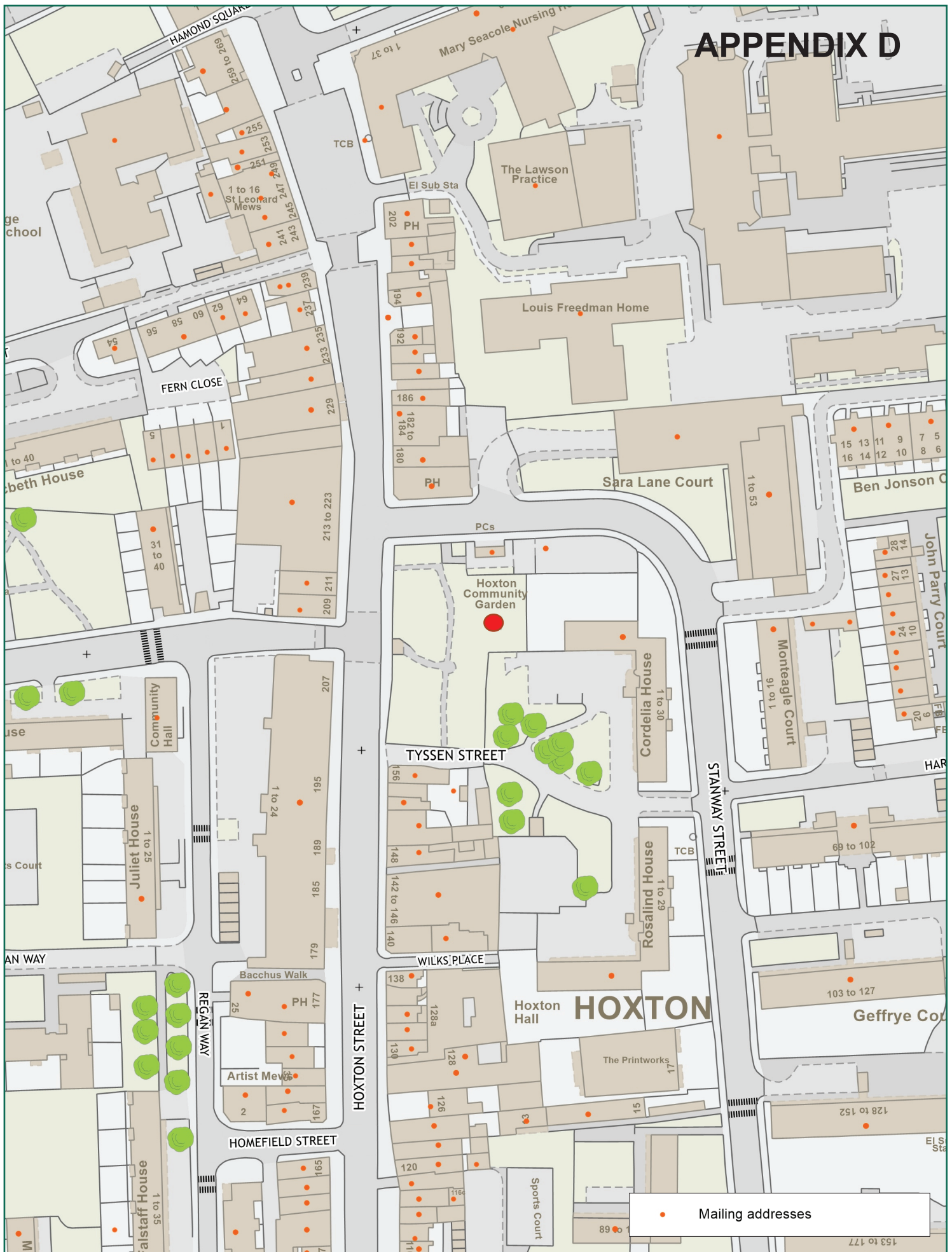
kam.adams@hackney.gov.uk

www.welovehoxtonandshoreditch.blogspot.com

@welovehands



APPENDIX D



Scale: 1:1250 at A4



Hoxton Trust Community Garden, 156 Hoxton Street, N1 6SH

Ref:

Tuesday, September 21, 2021

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