

REPORT OF THE GROUP DIRECTOR, NEIGHBOURHOODS AND HOUSING

| | | |
|--|--|-----------|
| LICENSING SUB-COMMITTEE: 01/03/2022 | Classification DECISION | Enclosure |
| Application for Review of Premises Licence: The London Tavern, 92 Rendlesham Road, London, E5 8PA | Ward(s) affected Hackney Downs | |

1. SUMMARY

| | | |
|--|---|-------------------------------|
| Applicant: Rockwell Charles | | In SPA: Not Applicable |
| Date of Application 7 December 2021 | | |
| The Grounds for Review: <ul style="list-style-type: none"> Prevention of Public Nuisance | | |
| Current Premises Licence Details: Premises Licence permitting 1) Sale by retail of alcohol 2) Recorded Music See Appendix B | | |
| Current Capacity | Unknown | |
| Policies Applicable | LP1 (General Principles), LP2 (Licensing Objectives) and LP11(Cumulative Impact – General) | |
| List of Appendices | Appendix A– Application requesting the review of the premises licence and supporting documents Appendix B – Current Licence Appendix C - Representations from responsible authorities Appendix D - Representations from other persons Appendix E - Location map | |
| Relevant Representations | <ul style="list-style-type: none"> Licensing Authority Other Persons | |

2. APPLICATION FOR REVIEW OF PREMISES LICENCE

2.1 Rockwell Charles on behalf of Environmental Protection, as a responsible authority under the Licensing Act 2003, have applied for the review of the premises licences granted for the premises known as The London Tavern on the grounds of prevention of public nuisance. For further application details, see Appendix A.

3. CURRENT POSITION/ HISTORY

- 3.1 The premises were in possession of a justice's licence prior to the introduction of the Licensing Act 2003 in 2005. The premises licensee and DPS is Mr Thomas Joseph Kearns. A copy of the current premises licence is attached as Appendix B.
- 3.2 No Temporary Event Notices have been submitted for the current year.

4. REPRESENTATIONS: RESPONSIBLE AUTHORITIES

| From | Relevant Representations details |
|--|--|
| Environmental Health Authority (Environmental Protection) | Not Applicable, see review application |
| Environmental Health Authority (Environmental Enforcement) | Have confirmed no representation on this application |
| Environmental Health Authority (Health & Safety) | No representation received |
| Weights and Measures (Trading Standards) | 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 has been withdrawn on the basis of the agreed new conditions as set out in para 9.1 |
| Licensing Authority (Appendix C) | Representation received on the grounds of The Prevention of Public Nuisance. |
| Health Authority | No representation received |

5. REPRESENTATIONS: INTERESTED PARTIES

| From | Details |
|---|---|
| Representations in support of the review application received from and on behalf of local residents. (Appendices D1-D2) | 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. REPRESENTATIONS: LICENSEE

- 6.1 No representations have been received from the licensee.

7. POLICY CONSIDERATIONS

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

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

7.3 The Policy applies to applications where relevant representations have been made. With regard to this application, policies, LP1 (General Principles), LP2 (Licensing Objectives) and LP11 (Cumulative Impact – General) are relevant.

8. GUIDANCE CONSIDERATIONS

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

9. OFFICER OBSERVATIONS

9.1 Police and the applicant have agreed including the following new conditions attached to the premises licence.

- 1) The premises shall install and maintain a comprehensive CCTV system as per the minimum requirements of the Metropolitan Police. All public areas including 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 upon the request of Police or authorised officer throughout the preceding 31-day period.
- 2) 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 is open to the public. This staff member shall be able to show Police or an authorised officer of Hackney Borough Council recent data or footage with the absolute minimum of delay when requested.
- 3) The premises licence holder will ensure that a personal licence holder will be on duty whenever the venue is open and operating past 9pm every night.
- 4) No noise shall emanate from the premises nor vibration be transmitted through the structure of the premises which gives rise to a nuisance.
- 5) Notices shall be prominently displayed at all exits requesting patrons to respect the needs of local residents and leave the area quietly.
- 6) A challenge 25 scheme shall be in operation during the opening hours of the premises. Where any sale of alcohol is taking place employees at the premises must request sight of evidence of the age of any person appearing to be under the age of 25 years (Challenge 25). Such evidence should include a photo such as a driving licence, passport or PASS card.
- 7) An incident log shall be kept at the premises and be made available on request to an authorised officer of the council or police which will record the following;
 - All crimes reported to the venue
 - All ejections of patrons

- Any complaints received
 - Any incidents of disorder
 - Seizures of drugs or offensive weapons
 - Any faults in the CCTV system
 - Any refusal of the sale of alcohol
 - Any visit by a relevant authority or emergency service
- 8) The premises will operate a zero-tolerance policy to drugs and will comply with the Hackney Police Drugs and Weapons policy (2014 or as amended) where appropriate. Prominent signage shall be displayed by every entrance and exit detailing the drugs and weapons policies.
- 9) Male and female door supervisors (SIA) will be employed at the premises on a Friday and Saturday night from 8pm on an operational risk assessment basis. The full names, SIA numbers, agency or home address with telephone number will be supplied and recorded in an SIA register together with the time and date of deployment. This register will be retained on the premises and will be made available for inspection upon request by any relevant authority.
- 10) On a yearly basis all staff shall be given refresher training on the legislation relating to sales of alcohol to underage persons, drunken persons and how to deal with people incapacitated by drink or drugs. Such training shall include first aid and any welfare training such as WAVE (or as amended). Records of the training to be kept at the venue and made available to police or authorised officer immediately upon request. Any new staff will be trained on appointment.
- 11) The Licence Holder shall provide and maintain a dedicated telephone number of the Designated Premises Supervisor for use by any Responsible Authority or any person who may wish to make a complaint during the operation of the licence. This shall be provided to the Licensing Authority, Police, and local Residents Associations. The Licence Holder shall ensure that any changes to these details are sent to these parties within seven days.
- 12) Reasonable steps to be taken to ensure that an authorised person is a member of Pubwatch and attends at least six meetings a year.
- 13) The outside seating area shall close to customers at 9pm Monday to Sunday save for customers leaving the venue to smoke in the designated smoking area. No more than 10 customers will be allowed to use the area at any time post 9pm. No glass or open containers to be taken into the smoking area after 9pm.
- 14) The use of the external area shall be for seated customers only.
- 15) There shall be no music played in the external area.
- 16) During the hours of operation all doors and windows to the premises will remain closed save for access and egress to and from the property.
- 17) Refuse, including bottles, shall not be taken outside the premises between the hours of 23.00 and 07.00.

10. REASONS FOR OFFICER OBSERVATIONS

N/A

11. LEGAL IMPLICATIONS

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

12. LEGAL COMMENTS

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

- The Prevention of crime and disorder
- Public Safety
- Prevention of public nuisance
- The protection of children from harm

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

13. HUMAN RIGHTS ACT 1998 IMPLICATIONS

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

14. MEMBERS DECISION MAKING

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

14.2 The steps are:

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

15. CONCLUSION

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

| | |
|---|--|
| Group Director, Neighbourhoods and Housing | Ajman Ali |
| Lead Officer (holder of original copy): | 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: The London Tavern 92 Rendlesham Road London E5 8PA | Licensing Service 1 Hillman Street London E8 1DY |

Printed matter

Licensing Act 2003
LBH Statement of Licensing Policy

APPENDIX A

↳ Hackney

LA 40

Application for the review of a premises licence or club premises certificate under the Licensing Act 2003

PLEASE READ THE FOLLOWING INSTRUCTIONS FIRST

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

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

I The London Borough of Hackney - Environmental Protection (Noise Team)
(Insert name of applicant)

apply for the review of a premises licence under section 51 of the Licensing Act 2003 for the premises described in Part 1 below.

Part 1 – Premises details

| | | | |
|---|--------|-----------------------------|--------|
| Postal address of premises or, if none, ordnance survey map reference or description | | | |
| London Tavern 92 Rendlesham Road | | | |
| Post town | London | Post code (if known) | E5 8PA |

| |
|---|
| Name of premises licence holder or club holding club premises certificate (if known) |
| Mr Thomas Joseph Kearns |

| |
|---|
| Number of premises licence or club premises certificate (if known) |
| LBH-PRE-T-0647 |

Part 2 - Applicant details

I am

Please tick
yes

1) an individual, body or business which is not a responsible authority (please read guidance note 1, and complete (A) or (B) below)

2) a responsible authority (please complete (C) below)



3) a member of the club to which this application relates
(please complete (A) below)



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

Please tick yes

Mr

Mrs

Miss

Ms

Other title

(for example, Rev)

Surname

First names

I am 18 years old or over

Please tick yes

Current postal address if different from premises address

Post town

Post Code

Daytime contact telephone number

E-mail address (optional)

(B) DETAILS OF OTHER APPLICANT

Name and address

Telephone number (if any)

E-mail address (optional)

(C) DETAILS OF RESPONSIBLE AUTHORITY APPLICANT

| |
|--|
| Name and address Environmental Protection (Noise Team) Business Regulation London Borough of Hackney 1 Hillman Street London E8 1DY |
| Telephone number (if any) 020 8356 5432 |
| E-mail address (optional) environmental.protection@hackney.gov.uk |

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

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

Please tick one or more boxes

-

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

The application to review the premises licence for the London Tavern - 92 Rendlesham Road, London E5 8PA has been brought on the grounds of the licensing objective the prevention of public nuisance.

Loud amplified music emanating from the establishment.

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

Please refer to attachment A and the appendixes 1 - 11

Please tick ✓

yes

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

If yes please state the date of that application

Day Month Year

| | | | | | | | |
|---|---|---|---|---|---|---|---|
| 0 | 7 | 1 | 2 | 2 | 0 | 2 | 1 |
|---|---|---|---|---|---|---|---|

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

No previous representation has been made.

Please tick

✓ yes

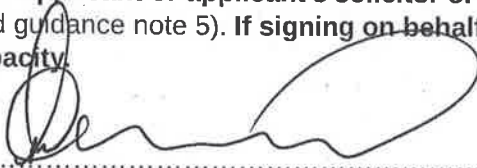
- I have sent copies of this form and enclosures to the responsible authorities and the premises licence holder or club holding the club premises certificate, as appropriate
- I understand that if I do not comply with the above requirements my application will be rejected

IT IS AN OFFENCE, UNDER SECTION 158 OF THE LICENSING ACT 2003, TO MAKE A FALSE STATEMENT IN OR IN CONNECTION WITH THIS APPLICATION. THOSE WHO MAKE A FALSE STATEMENT MAY BE LIABLE ON SUMMARY CONVICTION TO A FINE OF ANY AMOUNT.

Part 3 – Signatures (please read guidance note 4)

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

Signature



Date 7th December 2021

Capacity: Senior Environmental Protection Officer

Contact name (where not previously given) and postal address for correspondence associated with this application (please read guidance note 6)

Rockwell Charles Rockwell Charles
Environmental Protection (Noise Team)
Business Regulation
London Borough of Hackney
1 Hillman Street

Post town

London

Post Code

E8 1DY

Telephone number (if any)

If you would prefer us to correspond with you using an e-mail address your

e-mail address (optional) environmental.protection@hackney.gov.uk or rockwell.charles@hackney.gov.uk

Attachment A

Application for the Review of the Premises Licence

London Tavern - 92 Rendlesham Road, London E5 8PA.

This application for a review of the premises licence was instigated by the London Borough of Hackney's Environmental Protection (Noise Team) under the licensing objective the prevention of public nuisance.



The London Tavern - 92 Rendlesham Road, London E5 8PA

London Tavern Pub is located on the ground floor of a three storey terraced building at the intersection of Rendlesham Road and Kenninghall Road, London E5. It directly overlooks residential flats ranging from 7 to 4 storeys in height on Rendlesham Road and Kenninghall Road. The local area could be considered mixed-use, but it's make up is predominantly residential. The environmental noise climate in the area during the daytime is made up of sporadic road traffic noise, low level construction activities, accompanied at times by noise from children playing at St Scholastica's Catholic Primary School and Benthal Primary School which is 27m to east and 48m to the southwest of the London Tavern respectively. During the evening period the background noise level is noticeably lower.

The venue, which benefits from a premises licence [please see **Appendix 1**], operates regulated entertainment, in the form of recorded music from;

| | |
|----------------|-------------------|
| Mon, Tue & Wed | 11:00 - 23:30hrs. |
| Fri & Sat | 11:00 - 00:30hrs |
| Sun | 12:00 - 23:30hrs. |

The two noise conditions (9 & 10) attached to the licence stipulates;

9. Outside drinking area will not be used after 23:00 hours.

*10 Amplified and/ or live music shall not be played at a level that is likely to cause a nuisance to nearby residents. [please see **Appendix 1**]*

Environmental Protection has received ongoing noise complaints regarding loud amplified music emanating from the internal area of the pub and from the external speakers affixed to the building. Over a 6 months period between 14th May 2021 to 22nd November 2021, I can confirm that Environmental Protection has received 29 official noise complaints from 10 separate residents regarding loud amplified music. A summary of the 29 noise complaints has been provided within this submission. [please see **Appendix 2**]

Environmental Protection has recognised the detrimental effect the hospitality sector has suffered under the Covid-19 lockdown restrictions. In light of this and with the reopening of pubs with gardens and outdoor spaces on 12th April 2021, Environmental Protection has successfully engaged with a number of licensed venues in ensuring that their licensing objective, the prevention of public nuisance, is met, when official complaints of noise are made.

Environmental Protection received the initial complaint of noise nuisance regarding loud amplified music emanating from the London Tavern on 14th May 2021. In response to this complaint a Senior Environmental Protection Officer visited the London Tavern on **5th June 2021 at 22:00hrs**. On arrival the officer observed loud amplified music sounding throughout the residential surroundings. The music emanating from the open doors of the pub was intrusively loud whilst the officer stood 25m away on the opposite side of Kenninghall Road.

The officer entered the London Tavern on the night and asked the bar staff for the premises licence holder. The officer was directed to an elderly white male who refused to give his name on the officer's request. As the music in the pub was too

loud, the individual led the officer outside the pub so that they could converse at a normal level. The officer introduced himself and attempted several times to explain the reason he was there. The officer also attempted to explain that the music was currently being played at an unreasonably loud volume. The man, who again refused to give his name on request, became increasingly agitated and remarked words to the effect " I know who complained, I will sort them out". The man was shortly joined by two other patrons from the pub who both became aggressive and verbally abusive to the officer. Due to safety reasons the officer had to curtail his visit. Before departing the officer informed the man that he would be writing to the Premises Licence Holder about the incident [Please see **Appendix 3**]

An account of this incident was logged and forwarded to the relevant sections of the Council due to concerns of health & safety, potential breaches of planning, licensing, Covid requirements and noise nuisance. [Please see **Appendix 4**]

Since the officer's intervention on the 5th June 2021 there have been a further 26 official complaints of loud amplified music registered against the London Tavern. It can be noted from the noise complaint summary that different households complained simultaneously about loud amplified music on 21st & 29th June, 20th July, 21st August and the 8th October 2021. [Please see **Appendix 2**] There is even a noise complaint posted on London Tavern's Facebook page from a neighbour dated Tuesday 20th July 2021 at 23:30hrs, pleading for them to turn the music down. [Please see **Appendix 5 &6**]

An Environmental Protection Officer visited the vicinity of the London Tavern on **15th October 2021 at 23:30hrs**. On parking his vehicle approximately 50m away from the London Tavern on Rendlesham Road he could hear loud amplified music sounding throughout the residential surroundings.[please see **Appendix 7**] The music was being played at such a loud level from the London Tavern, that the officer was able to identify the song "Can I kick it" by the artist A Tribe Called Quest playing. The officer approached the pub and confirmed that the external speakers were in operation and were the source of the noise [please see **Appendix 8**]. A short video of the noise was recorded on the night which will be presented in the licensing sub-committee hearing.

As the Senior Environmental Protection Officer responsible for the Hackney Downs ward, I have inspected the documentary records on the file relating to London Tavern 92 Rendlesham Road E5 8PA. I can confirm that Environmental Protection has received 29 noise complaints from 10 separate residents regarding loud amplified music over a 6 month period from 14th May 2021 to 22nd November 2021. These

noise complaints regarding loud amplified music have not been substantiated as a nuisance under statutory provisions of the Environmental Protection Act 1990. Nevertheless the complaints registered by the large number of different complainants and the evidence independently witnessed by the officer on the **5th June 2021 at 22:00hrs** and **15th October 2021 at 23:30hrs**, confirms that the music from the London Tavern has been indiscriminately loud so as to affect a cross-section of the residential community and hence a public nuisance.

To conclude, this matter has been ongoing and brought to the attention of the management of the London Tavern on 5th June 2021 and to the premises licence holder on 25th June 2021. The premises licence holder has had ample time to resolve this matter on his own initiative and has chosen not to engage with the Senior Environmental Protection Officer responsible for the Hackney Downs ward. A further letter dated 26th October 2021 [please see **Appendix 10**] was sent to the Premises Licence Holder advising that further noise complaints had been received and Environmental Protection would be now seeking a review of the Premises Licence. The premises licence holder has shown little regard to neighbouring premises who are now also personally seeking a review of the premises licence for the London Tavern [please see **Appendix 11**]

There has been substantial evidence showing the ineffectiveness in controlling the music noise level emanating from the London Tavern with respect to recorded music. A review of the premises licence is fair and just, to ensure that the licensing objective the prevention of public nuisance is achieved and maintained.

RECOMMENDATIONS

1) Modify and exclude a licensable activity from the Premises Licence.

Under section 177A(3) of the Licensing Act 2003, I request to lift the suspension of relevant conditions and give renewed effect to recorded music as regulated entertainment between 08:00hrs to 23:00hrs. I then further seek under sections 177A(4) and 52(4)(b) to remove Recorded music in its entirety as a licensable activity from the premises licence.



This premises licence has been issued by:

Licensing Service
2 Hillman Street
London E8 1FB

PART A – PREMISES LICENCE

Premises Licence Number

LBH-PRE-T-0647

Part 1 – Premises details

The London Tavern
92 Rendlesham Road
Hackney
London
E5 8PA
020 8533 7854

Where the licence is time limited the dates

Not Applicable

Licensable activities authorised by the licence

Recorded Music
Supply of Alcohol

The times the licence authorises the carrying out of Licensable activities
Standard Hours:

| | |
|---|--|
| Recorded Music | |
| (Recorded music (Karaoke, Juke box and sound system, occasional DJ on days of applicant's discretion) | Mon 11:00-23:30 Tue 11:00-23:30 Wed 11:00-23:30 Fri 11:00-00:30 Sat 11:00-00:30 Sun 12:00-23:30 |

Supply of Alcohol Standard Hours:

Mon 11:00-23:30
Tue 11:00-23:30
Wed 11:00-23:30
Thu 11:00-23:30
Fri 11:00-00:30

Sat 11:00-00:30
Sun 12:00-23:30

Non-Standard Hours:

Extension on the above by one hour on Bank Holiday
Weekends (Friday to Monday), Christmas Eve, Boxing Day &
Special Event Days

The opening hours of the premises

Standard Hours:

Mon 11:00-00:00
Tue 11:00-00:00
Wed 11:00-00:00
Thu 11:00-00:00
Fri 11:00-01:00
Sat 11:00-01:00
Sun 12:00-00:00

Non-Standard Hours:

Extension the above by one hour on Bank Holiday
Weekends (Friday to Monday), Christmas Eve, Boxing Day &
Special Event Days

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

On and Off Premises

Part 2 –

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

Mr Thomas Joseph Kearns
The London Tavern
92 Rendlesham Road
Hackney
London
E5 8PA

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

Not Applicable

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

Mr Thomas Joseph Kearns

Personal licence number and issuing authority of personal licence held by designated premises supervisor where the premises licence authorises the supply of alcohol

Licence No: LBH-PER-T-0540
Issuing Authority: Hackney

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

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

6. The responsible person shall ensure that:

- a) where any of the following alcoholic drinks is sold or supplied for consumption on the premises (other than alcoholic drinks sold or supplied having been made up in advance ready for sale or supply in a securely closed container) it is available to customers in the following measures:
 - beer or cider: 1/2 pint;
 - gin, rum, vodka or whisky: 25ml or 35ml; and
 - still wine in a glass: 125ml; and
- b) customers are made aware of the availability of these measures.

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

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

7.2 For the purposes of the condition set out in paragraph 7.1 above - (a) "duty" is to be construed in accordance with the Alcoholic Liquor Duties Act 1979;

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

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

Where -

(i) P is the permitted price,

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

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

(i) the holder of the premises licence,

(ii) the designated premises supervisor (if any) in respect of such a licence, or (iii) the personal licence holder who makes or authorises a supply of alcohol under such a licence;

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

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

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

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

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

Annex 2 – Conditions consistent with the Operating Schedule 8.

Children will be accompanied by their parents or guardian. **Conditions**

derived from Responsible Authority representations 9. Outside

drinking area will not be used after 23:00 hours.

10. Amplified and/or live music shall not be played at a level that is likely to cause a nuisance to nearby residents.

Annex 3 – Conditions attached after a hearing by the licensing authority Not

Applicable

Annex 4 – Plans

PLAN/LBH-PRE-T-02082005

Noise complaint Summary

The London Tavern - 92 Rendlesham Road E5 8PA

APPENDIX 2

| No. | Date & time | Complainant's address | Type of noise | Noise source | Action taken |
|-----|----------------------------|--------------------------------------|---|---|--|
| 1 | 14/05/21 at 15:44hrs (Fri) | Complainant 1 Kenninghall Road E5 | Noise from patrons using the beer garden past midnight and LAM from inside the pub as the doors are left opened. | The London Tavern 92 Rendlesham Rd E5 8PA | 5/6 Visited the TLT, complt updated on 11/6. 25/6 letter sent to alleged offender [AO] and complt updated. |
| 2 | 15/05/21 at 19:47hrs (Sat) | Complainant 2 Rendlesham Rd E5 | This pub has built outdoor seating for its customers. They do not sit and drink, the sit and scream and drink | The London Tavern 92 Rendlesham Rd E5 8PA | 5/6 Visited the TLT, complt updated on 11/6. 25/6 letter sent to AO and complt updated. |
| 3 | 13/06/21 at 21:11hrs (Sun) | Not given | LAM TLT pub has installed speakers outside without planning permission There is very loud music persistently being played until they close. | The London Tavern 92 Rendlesham Rd E5 8PA | 25/6 Email updating complt sent. |
| 4 | 13/06/21 at 22:08hrs (Sun) | Complainant 3 Kenninghall Road E5 | Outdoor speakers playing loud music from The London Tavern pub. | The London Tavern 92 Rendlesham Rd E5 8PA | 5/6 Visited the TLT. 25/6 letter sent to alleged AO. |
| 5 | 20/06/21 at 00:36hrs (Sun) | Complainant 4 Kenninghall Road E5 | LAM - it's constantly open after 11 pm with loud music and people outside. Very loud | The London Tavern 92 Rendlesham Rd E5 8PA | 25/6 Email sent to complt updating them on the action taken. |
| 6 | 21/06/21 at 19:33hrs (Mon) | Complainant 5 Kenninghall Road E5 | LAM TLT pub recently installed several amplified speakers on the outside of the building with volume to a max | The London Tavern 92 Rendlesham Rd E5 8PA | 25/6 Email sent to complt updating them on the action taken. |
| 7 | 21/06/21 at 19:45hrs (Mon) | Complainant 6 Kenninghall Road E5 | LAM They blare music on outside speakers at all different times of the day. | The London Tavern 92 Rendlesham Rd E5 8PA | 25/6 Email sent to complt updating them on the action taken. |

Noise complaint Summary

APPENDIX 2

The London Tavern - 92 Rendlesham Road E5 8PA

| No. | Date & time | Complainant's address | Type of noise | Noise source | Action taken |
|-----|----------------------------|-----------------------------------|--|---|--|
| 8 | 29/06/21 at 20:19hrs (Tue) | Complainant 7 Kenninghall Rd, E5 | LAM Multiple times a week the pub plays loud music with the doors wide open so that sounds can be heard for customers drinking outside | The London Tavern 92 Rendlesham Rd E5 8PA | 19/7 Called and emailed complt updating them on the next course of action. |
| 9 | 29/06/21 at 22:21hrs (Tue) | Complainant 5 Kenninghall Rd E5 | LAM Ongoing loud music in the outdoor area off the pub | The London Tavern 92 Rendlesham Rd E5 8PA | 19/7 Called and emailed complt updating them on the next course of action. |
| 10 | 29/06/21 at 21:13hrs (Tue) | Complainant 2 Rendlesham Rd E5 | LAMT LT is playing loud music, outside of the pub. This has happened yesterday, Monday, 28 June and today, 29 June. | The London Tavern 92 Rendlesham Rd E5 8PA | 19/7 Called and emailed complt updating them on the next course of action. |
| 11 | 20/07/21 at 20:01hrs (Tue) | Complainant 8 Kenninghall Road E5 | LAM They blast music daily which inhibits ability to work and general calls. Additionally, the clientele are regularly loud and often are outside until after 12am even on weeknights. | The London Tavern 92 Rendlesham Rd E5 8PA | 18/08 emailed complt updating them on the next course of action. |
| 12 | 20/07/21 at 21:14hrs (Tue) | Complainant 9 Kenninghall Road E5 | LAM - blasting music outside most evenings. It's a Tuesday evening, and they're playing loud music, which means I can't open my front windows on this hot evening. | The London Tavern 92 Rendlesham Rd E5 8PA | 18/08 Email sent to complt updating them on the next course of actions.. |
| 13 | 07/08/21 at 22:51hrs (Sat) | Complainant 5 Kenninghall Road E5 | LAM - 10pm onwards, extremely loud music/live music coming from the venue | The London Tavern 92 Rendlesham Rd E5 8PA | Complaint logged no further action taken |

Noise complaint Summary

APPENDIX 2

The London Tavern - 92 Rendlesham Road E5 8PA

| No. | Date & time | Complainant's address | Type of noise | Noise source | Action taken |
|-----|----------------------------|--------------------------------------|--|---|--|
| 14 | 21/08/21 at 22:53hrs (Sat) | Complainant 5 Kenninghall Road E5 | LAM - The London Tavern seems to have recently installed several amplified speakers on the outside of the building with volume to a max | The London Tavern 92 Rendlesham Rd E5 8PA | Complaint logged no further action taken |
| 15 | 21/08/21 at 22:05hrs (Sat) | Complainant 7 Kenninghall Road E5 | Friday 19th August, 18:45 Very loud music played with doors wide open - specifically a song called 'F*** You' by Lily Allen, | The London Tavern 92 Rendlesham Rd E5 8PA | Complaint logged no further action taken |
| 16 | 05/09/21 at 20:51hrs (Sun) | Complainant 10 Rendlesham Road E5 | LAM - Loud music being played from inside the London Tavern pub. Crowd outside shouting, singing, cheering loudly. | The London Tavern 92 Rendlesham Rd E5 8PA | Complaint logged no further action taken |
| 17 | 11/09/21 at 20:28hrs (Sat) | Complainant 7 Kenninghall Road E5 | LAM - Very loud music played from inside the pub, doors wide open and speaker mounted on wall outside playing to the outside tables. Often loud music from this time carries on until closing time and often past 11pm, as late as 2:30am in the past. | The London Tavern 92 Rendlesham Rd E5 8PA | Complaint logged no further action taken |
| 18 | 18/09/21 at 21:49hrs (Sat) | Complainant 5 Kenninghall Road E5 | LAM - Excessive loud music played in outdoor area since 7pm | The London Tavern 92 Rendlesham Rd E5 8PA | Complaint logged no further action taken |
| 19 | 18/09/21 at 23:10hrs (Sat) | Complainant 5 Kenninghall Road E5 | LAM - Excessive loud music played in outdoor area since 7pm | The London Tavern 92 Rendlesham Rd E5 8PA | Complaint logged no further action taken |

Noise complaint Summary

APPENDIX 2

The London Tavern - 92 Rendlesham Road E5 8PA

| No. | Date & time | Complainant's address | Type of noise | Noise source | Action taker |
|-----|----------------------------|--------------------------------------|---|---|---|
| 20 | 25/09/21 at 00:35hrs (Sat) | Complainant 5 Kenninghall Road E5 | LAM - from external speakers | The London Tavern 92 Rendlesham Rd E5 8PA | Complaint logged no further action taken |
| 21 | 26/09/21 at 18:39hrs (Sun) | Complainant 5 Kenninghall Road E5 | LAM - Extremely loud played in the outdoor area. | The London Tavern 92 Rendlesham Rd E5 8PA | Complaint logged no further action taken |
| 22 | 01/10/21 at 22:10hrs (Fri) | Complainant 5 Kenninghall Road E5 | LAM - Excessive loud music played in the outdoor area of the pub. | The London Tavern 92 Rendlesham Rd E5 8PA | 6/10 Email sent to complt acknowledging receipt of complaint and update given |
| 23 | 08/10/21 at 23:17hrs (Fri) | Complainant 5 Kenninghall Road E5 | LAM - from loud speaker installed on the outside of the pub | The London Tavern 92 Rendlesham Rd E5 8PA | Complaint logged NFA |
| 24 | 08/10/21 at 23:56hrs (Fri) | Complainant 9 Kenninghall Road E5 | It's nearly midnight and the London Tavern are blasting out music. It was a bit quieter after about 11:15pm then it got louder again. I've lived on Kenninghall Road since 2012 and pre-pandemic they weren't this disruptive with noise disturbance. | The London Tavern 92 Rendlesham Rd E5 8PA | 17/10 Emailed complt informing them at a letter was sent to PLH - regarding further complaints and the application to review their Premises Licence |
| 25 | 08/10/21 at 23:56hrs (Fri) | Complainant 2 Rendlesham Rd E5 | Pub has built outdoor seating for its customers. They do not sit & drink, they sit and scream & drink. This goes on day in, day out. | The London Tavern 92 Rendlesham Rd E5 8PA | 6/10 Emailed complt acknowledging their noise complaint and advised them on the next course of action. |

Noise complaint Summary

The London Tavern - 92 Rendlesham Road E5 8PA

APPENDIX 2

| No. | Date & time | Complainant's address | Type of noise | Noise source | Action taken |
|-----|-----------------------------|--------------------------------------|---|---|--|
| 26 | 11/10/21 at 12:50hrs (Mon) | Complainant 1 Kenninghall Road E5 | The pub has built a beer garden over the last 12 months. Since pubs have reopened, it has been staying open past midnight from Fri-Sunday, and past 2300 on Thursdays. There is a lot of noise from patrons in the garden, but also from music which the pub plays inside, but keeping the doors open and letting the noise escape. | The London Tavern 92 Rendlesham Rd E5 8PA | 13/10 Emailed complt acknowledging their noise complaint and advised them on the next course of action. |
| 27 | 15/10/21 at 22:11 hrs (Fri) | Complainant 3 Kenninghall Road E5 | Outdoor speakers playing loud music from The London Tavern pub from evenings 7days a week. | The London Tavern 92 Rendlesham Rd E5 8PA | 26/10 Letter delivered to PLH advising of further noise complaints & option to review their Premises Licence |
| 28 | 16/10/21 at 22:44hrs (Sat) | Complainant 5 Kenninghall Road E5 | LAM - from loud speaker installed on the outside of the pub | The London Tavern 92 Rendlesham Rd E5 8PA | 26/10 Letter delivered to PLH advising of further noise complaints & option to review theirPremises Licence |
| 29 | 22/11/21 at 12:26hrs | Complainant 3 Kenninghall Road E5 | Please refer to email in Appendix 11 | The London Tavern 92 Rendlesham Rd E5 8PA | 02/12 Contacted complt and asked to include email as part of the review evidence. |



Environmental Health Team
Business Regulation
Public Realm
London Borough of Hackney,
Hackney Service Centre,
1 Hillman Street,
London E8 1DY

Mr Thomas Joseph Kearns
The London Tavern
92 Rendlesham Road
London E5 8PA

25th June 2021

Dear Mr T J Kearns,

RE: Environmental Protection Act 1990 Section 80, Allegation of Noise Nuisance from The London Tavern 92 Rendlesham Road, London E5 8PA.

I write further to my visit to your establishment on 5th June 2021 at 10pm. I was approached on the night by an elderly white man who came forth as the premises licence holder, but refused to give his name upon my requests. I tried successively to explain that the Council had received official complaints about noise nuisance caused by raised voices from your external seating area and the playing of music within your pub. However, this individual became extremely agitated, disruptive, threatening and verbally abusive towards me, even though I pointed out that the music level being played at the time was prominent on the opposite side of Kenninghall Road.

Due to the highly aggressive and abusive behaviour displayed by this individual I curtailed my visit. I must inform you that under section 28 of the London Local Authorities Act 1996, any person that intentionally obstructs any authorised officer acting in the exercise of their powers or fails to give any authorised officer any assistance or information which the officer may reasonably be required in line with their duties is guilty of an offence and liable on summary conviction to a fine not exceeding level 3 on the standard scale.

I have now received further complaints of noise. I must advise you that if it is confirmed by myself or another authorised Council Officer that you are causing a nuisance you will be served with a Noise Abatement Notice. Breach of such a notice is a criminal offence which would render you liable for prosecution and, if convicted, an unlimited fine and a criminal record being imposed.

The London Tavern currently benefits from a premises licence which authorises licensable activities. This licence granted, regulated and enforced by the London Borough of Hackney has conditions attached to ensure that the licensing objective the prevention of public nuisance is promoted. May I ask you to refer to Condition 10 below;

Amplified and /or live music shall not be played at a level that is likely to cause a nuisance to nearby residents.

If further complaints are received, Environmental Protection as a responsible authority as well as local residents shall have no other option than to seek to apply for a review of your premises licence on the grounds of public nuisance. I sincerely hope that you will now take measures to ensure that no further nuisance is caused.

If you believe that I can be of assistance to you, please do not hesitate to contact me by email.

Mr Rockwell Charles
Senior Environmental Protection Officer
Environmental Protection Team
London Borough of Hackney
Email: rockwell.charles@hackney.gov.uk
C.C Entertainment Licensing



Rockwell Charles <rockwell.charles@hackney.gov.uk>

Environmental Protection Act 1990, allegations of noise nuisance from - The London Tavern PH - 92 Rendallsham Road E5 8PA

Rockwell Charles <rockwell.charles@hackney.gov.uk>

To: "Covid Response Team (Shared Mailbox)" <covidresponseteam@hackney.gov.uk>, "Licensing (Shared Mailbox)" <licensing@hackney.gov.uk>

Dear All,

Environmental Protection has received official complaints of noise nuisance caused by loud amplified music [L-AM] and raised voices, emanating from the above premises.

As part of my investigation I visited the Public House[PH] on 5th June 2021 at 10pm to discuss the allegation with the PLH or DPS. On arrival I observed whilst standing directly outside 24 Kenninghall Road, approx. 20m way from the PH, a pronounced bass beat from the music. There was also raised voices from the large number of people drinking and socialising in the newly built external seating area.

I approached the bar and asked to speak to the PLH/DPS, to which an elderly white male who was sitting by the bar responded. I introduced myself and showed my identification and tried talking to him, but he could not hear me over the music.

He asked me to follow him outside the pub and asked me to remove my facemask as he could not still make out all the words I was saying.

I explained that the volume of the music and voices would have given rise to that and refused to remove my facemask for obvious reasons. The man who refused to give his name when asked twice became extremely irate when I explained that the Council had received official noise complaints, regarding loud amplified music and voices from the newly installed outdoor seating area.

He threatened that he would sort out the complainant and didn't allow me to talk or explain the reason behind my visit.

Two men joined him from the bar who tried to join in the one way discussion.

I was asked to leave my business card, but I explained I did not have one. I was then asked to accompany the man back into the bar to leave my details.

Under the circumstances I refused to re-enter the bar, but produced my i.d, the elderly white man told me to "fuck off" as well as one of the two men that accompanied him.

I explained that I will be writing to the establishment about the noise as well as the incident.

Follow up Action

- 1) Licensing - Can you confirm that the newly constructed external seating area is lawful?
- 2) CRT - Can an unannounced visit be undertaken - I recall a number of people sitting down inside the bar at the time, loud music and absence of facemasks

Mr Rockwell Charles

Senior Environmental Protection Officer

Environmental Protection Team

Environmental Health

Business Regulation

Public Realm

London Borough of Hackney

1 Hillman Street

London E8 1DY

E: rockwell.charles@hackney.gov.uk

https://mail.google.com/mail/u/0/?ik=51b117de38&view=pt&search=all&permmsgid=msg-a%3Ar1131558939872591149&siml=msg-a%3Ar1131558939872591149

The London Tavern

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Francie Clik

I've tried to call the pub to make a polite request that on weeknights you turn the music down after 11pm. We have hardly slept in our block opposite and we support the pub at weekends or reasonable hours. Please could you kindly consider it? I can't actually see anyone in the pub currently and the music is blasting at 11.30 on a Tuesday. I'd appreciate an email address or contact of the person in charge. I trust you have the correct licenses to be playing music at this hour in a built up area?

https://www.facebook.com/francie.clark/?comment_id=1291b195dd0a12008zgy4zayNtq1Nz4M2X-E4NTM4MTYwMEZ0DLNj0%3D&_dt_10=EAZX9hXDJ6uYgZ4aATFWPBQw-XA-9MAJ7nCIURUPF6eC6H1Kk4s32TrW4yGSJWwm-mDBKFNor6KT.ctNvbyS0bHTmekXwGUFUPa9DEjwL

Sign out 3 19:47



10 >



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Francie Clk

I've tried to call the pub to make a polite request that on weeknights you turn the music down after 11pm. We have hardly slept in our block opposite and we support the pub at weekends or reasonable hours. Please could you kindly consider it? I can't actually see anyone in the pub currently and the music is blasting at 11.30 on a Tuesday. Id appreciate an email address or contact of the person in charge. I trust you have the correct licenses to be playing music at this hour in a built up area?

18w Like Reply

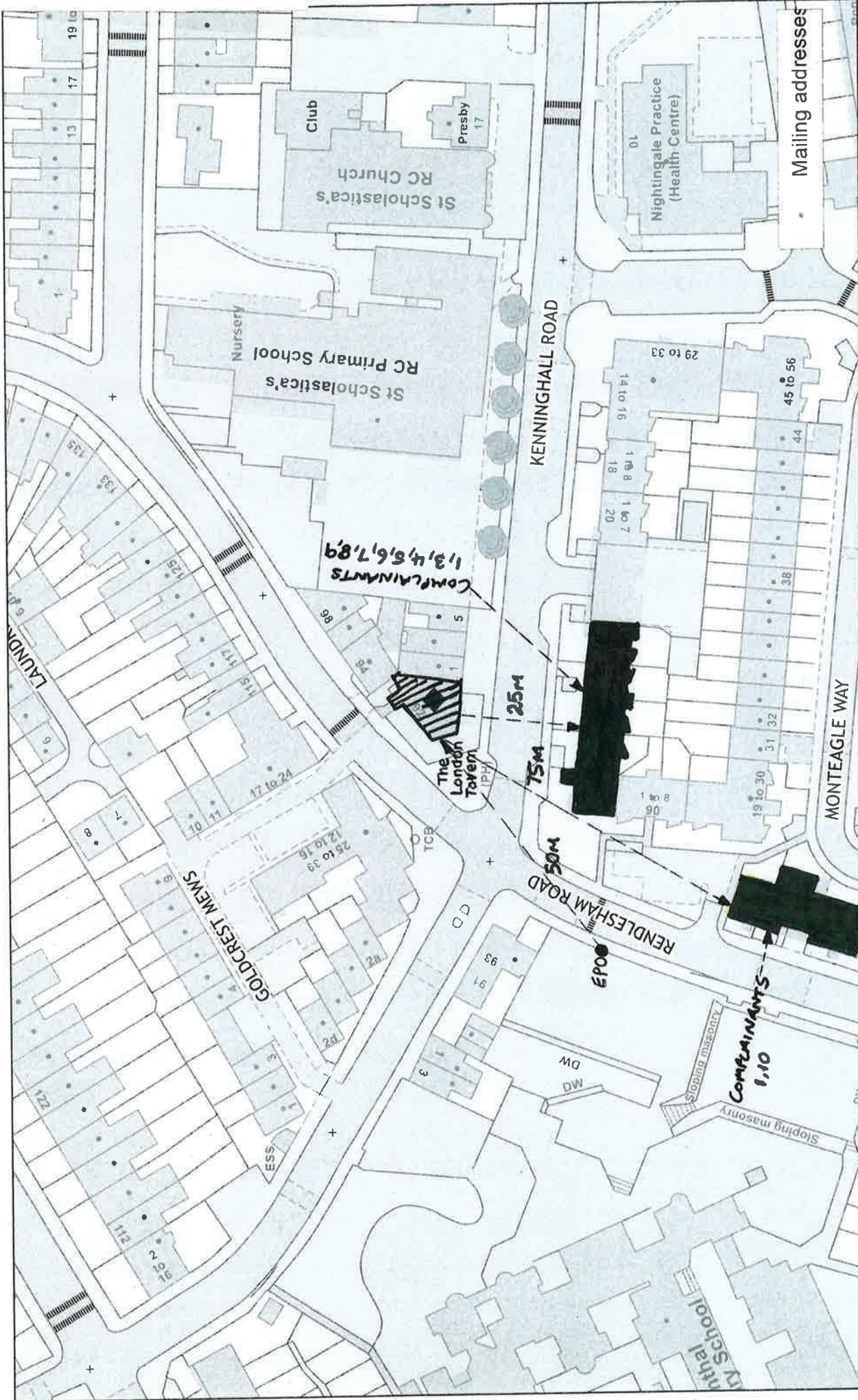


The London Tavern Francie Clk hi, I am sorr...

View 1 more reply...

Write a comment...





London Tavern - 92 Rendlesham Road E5 8PA



Scale: 1:1000 at A4



Ref:

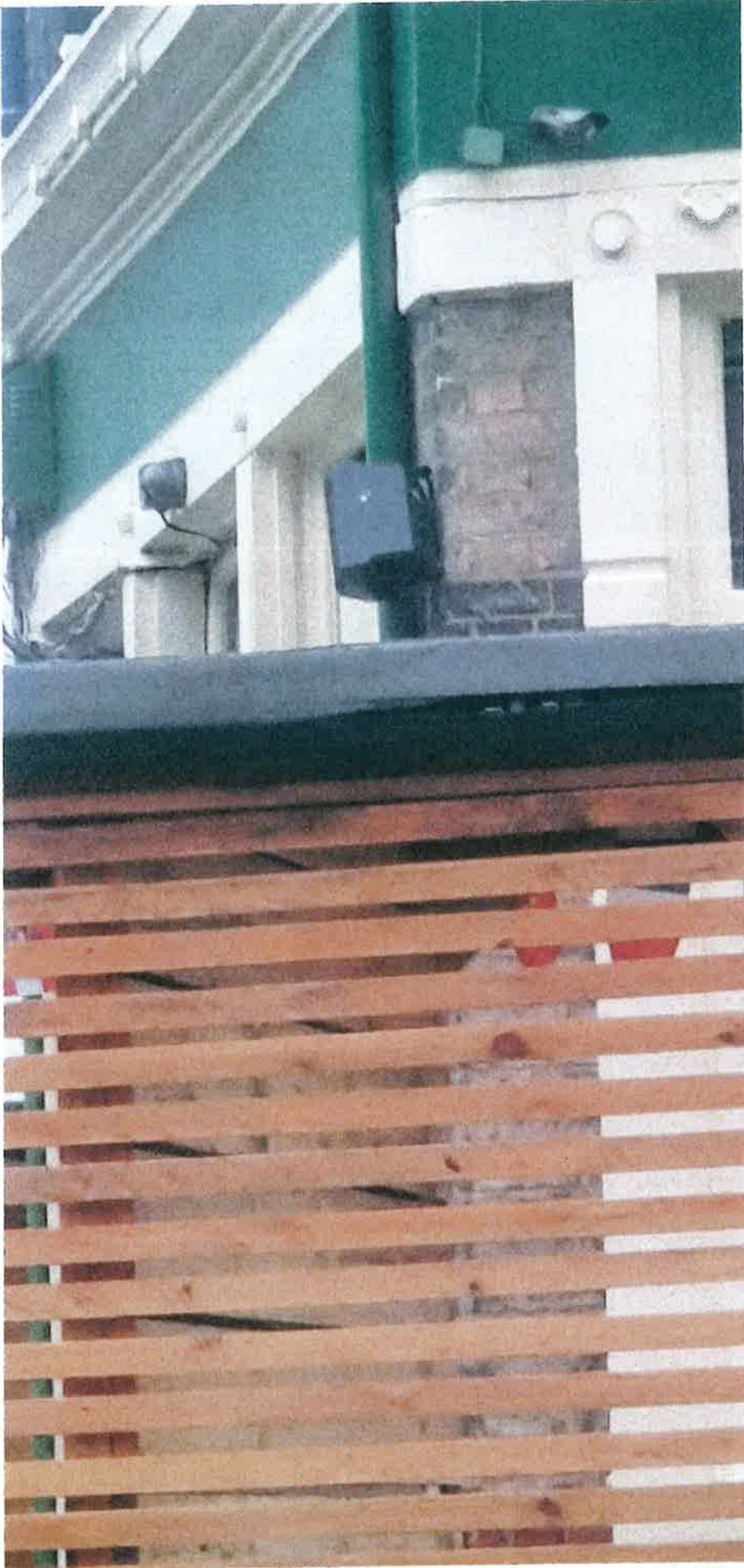
Thursday, December 2, 2021

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Environmental Health Team
Business Regulation
Public Realm
London Borough of Hackney,
Hackney Service Centre,
1 Hillman Street,
London E8 1DY

Mr Thomas Joseph Kearns
The London Tavern
92 Rendlesham Road
London E5 8PA

26th October 2021

Dear Mr T J Kearns,

RE: Environmental Protection Act 1990 Section 80, Allegation of Noise Nuisance from The London Tavern 92 Rendlesham Road, London E5 8PA.

I write further to my letter dated 25th June 2021 explaining to you that the Council had received official complaints about noise nuisance caused by raised voices from your external seating area and the playing of loud amplified music from your pub.

Environmental Protection have now received further complaints from residents of noise caused by the playing of loud amplified music within your pub and from the external speakers affixed to the building. The volume of the music emanating from your establishment has been loud and intrusive enough to indiscriminately affect a cross section of neighbouring residential properties.

You were advised in writing on 25th June 2021 that if further complaints were received, that Environmental Protection as a responsible authority as well as local residents shall have no other option than to seek a review of your premises licence on the grounds of public nuisance. Environmental Protection and your neighbours have expressed concerns over the operation of your premises licence, especially in upholding the licensing objective the prevention of public nuisance.

Your premises licence granted, regulated and enforced by the London Borough of Hackney has conditions attached to ensure that the licensing objective the prevention of public nuisance is promoted. Condition 10 requires that;

"Amplified and /or live music shall not be played at a level that is likely to cause a nuisance to nearby residents."

Due to evidence of non-compliance and continued complaints of noise nuisance, Environmental Protection is informing you of an application to seek a review of your premises licence.

If you believe that I can be of assistance to you, please do not hesitate to contact me by email.

Mr Rockwell Charles
Senior Environmental Protection Officer
Environmental Protection Team
London Borough of Hackney
Email: rockwell.charles@hackney.gov.uk

C.C Entertainment Licensing

Environmental Protection Act 1990 Section 80, Noise Nuisance from The London Tavern 92 Rendlesham Road, London E5 8PA. (Planning Application 2021/2809)

22 November 2021 at 12:..

To: "rockwell.charles@hackney.gov.uk" <rockwell.charles@hackney.gov.uk>, "Planning@Hackney.gov.uk" <Planning@hackney.gov.uk>, "Licensing (Shared Mailbox)" <licensing@hackney.gov.uk>

Good morning all

I'm writing regarding persistent nuisance from the London Tavern 92 Rendlesham Road E5 8PA - Previous correspondence with the Environmental Protection Officer is below. I have copied the Environmental Health, Planning and Licensing departments as I believe this matter is pertinent to all three areas.


There continues to be regular instances of nuisance arising from the licensed premises. I provide here a link to several videos as evidence <https://we.tl/t-5pkbYnSMJo>, as you can see, this is audible from long distances. There has also been instances of violence from the premises which has resulted in multiple police attendances. I have reported several (but my no means all) instances of nuisance via the council "Fix My Street" platform.

Furthermore, the premises continues to use outdoor seating booths and speakers which were subject to planning applications 2021/1193 and 2021/2809 and respectively refused on the grounds of adverse noise and disturbance to the detriment of the residential amenity of surrounding properties, contrary to Policy D14 (Noise) of the London Plan 2021. Enforcement Notice 2020/3123/ENF was issued 29/10/2021 however the applicant has not taken action pursuant to the notice.

- Under the The Licensing Act 2003 I request a review of the premises licence on the grounds of the prevention of public nuisance.
- Under The Environmental Protection Act 1990 Section 80 I request enforcement action is taken against the licence holder on the same grounds.

I detailed reply to these concerns and requests would be appreciated, including enforcement action the council intends to take.

Many thanks





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-0647

Part 1 – Premises details

The London Tavern
92 Rendlesham Road
Hackney
London
E5 8PA
020 8533 7854

Where the licence is time limited the dates

Not Applicable

Licensable activities authorised by the licence

Recorded Music
Supply of Alcohol

The times the licence authorises the carrying out of Licensable activities

Recorded Music Standard Hours:

Premises: Mon 11:00-23:30
 Tue 11:00-23:30
 Wed 11:00-23:30
 Fri 11:00-00:30
 Sat 11:00-00:30
 Sun 12:00-23:30

Non-Standard Hours:

Recorded music (Karaoke, Juke box and sound system,
occasional DJ on days of applicant's discretion)

Supply of Alcohol Standard Hours:

Premises:

Mon 11:00-23:30
Tue 11:00-23:30
Wed 11:00-23:30
Thu 11:00-23:30
Fri 11:00-00:00
Sat 11:00-00:00
Sun 12:00-23:30

The opening hours of the premises

Standard Hours:

Mon 11:00-00:00
Tue 11:00-00:00
Wed 11:00-00:00
Thu 11:00-00:00
Fri 11:00-01:00
Sat 11:00-01:00
Sun 12:00-00:00

Non-Standard Hours:

Extension the above by one hour on Bank Holiday
Weekends (Friday to Monday), Christmas Eve, Boxing Day
& Special Event Days

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

On and Off Premises

Part 2 –

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

Mr Thomas Joseph Kearns
The London Tavern
92 Rendlesham Road
Hackney
London
E5 8PA

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

Not Applicable

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

Mr Thomas Joseph Kearns

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 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.

Annex 2 – Conditions consistent with the Operating Schedule

8. Children will be accompanied by their parent or guardian.

Conditions derived from Responsible Authority representations

9. Outside drinking area will not be used after 23:00 hours.

10. Amplified and/or live music shall not be played at a level that is likely to cause a nuisance to nearby residents.

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

Not Applicable

Annex 4 – Plans

PLAN/LBH-PRE-T-0647/02082005

APPENDIX C

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 | The London Tavern 92 Rendlesham Road London E5 8PA |
| Applicant | Rockwell Charles (on behalf of Environmental Protection) |

COMMENTS

I make the following relevant representations in relation to the above application 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 in relation to the application to review the premises licence issued in respect of the above. The application is made on behalf of the Environmental Protection Service following a series of noise nuisance complaints and what appears to be a failure of the licensee to take remedial action. The Environmental Protection Service is of the opinion that the licensing objective relating to the prevention of public nuisance is being undermined due to the nature and number of complaints received. It appears that the licensee has further aggravated the problem by installing loud speakers to the exterior of the building.

Further to the above it appears also that the construction of external seating areas has exacerbated the nuisance. The Sub-Committee should note that there have been two planning applications (ref: 2021/1193 and 2021/2809) refused in respect of the seating areas constructed externally. The letters confirming refusal of the planning applications have been attached for information. Attention is drawn to the reasons for refusal which include "...increased activity in close proximity to residential properties, would result in adverse noise and disturbance to the detriment of the residential amenity of surrounding properties...". Information from the Planning Service suggests enforcement action is ongoing.

Lastly, it should be noted that the guidance issued by the Home Office under s182 of the Licensing Act 2003 states the following:

11.10 Where authorised persons and responsible authorities have concerns about problems identified at premises, it is good practice for them to give licence holders early warning of their concerns and the need for improvement, and where possible they should advise the licence or certificate holder of the steps they need to take to address those concerns. A failure by the holder to respond to such warnings is expected to lead to a decision to apply for a review. Co-operation at a local level in promoting the licensing objectives should be encouraged and reviews should not be used to undermine this cooperation.

The Environmental Protection Service has demonstrated that despite the matter being raised with the licensee on 5th and 25th June 2021, numerous complaints were received subsequently.

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

The Licensing Act 2003, guidance issued by the Home Office under s182 of the Licensing Act 2003

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

The Environmental Protection Service has made a recommendation which is supported. However, due to the nature of the ongoing public nuisance and the licensee appearing to further aggravate the matter by installing loudspeakers to the exterior along with what appears to be an unauthorised external seating area, I feel it would be justified for the Sub-Committee to take more stringent steps, such as revocation of the premises licence, even in the first instance.

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

4 January 2022

Mr CHRIS ARNAOUTI

Dear Sir/Madam

Town and Country Planning Act 1990 (as amended)
Town and Country Planning (Development Management Procedure) (England) Order 2015

Application Number: 2021/1193

Site Address: 92 Rendlesham Road, Hackney, London, E5 8PA

Development Description: Construction of timber fencing and booths for outdoor seating associated with the London Tavern, along the frontages facing Kenninghall and Rendlesham roads (part retrospective).

Thank you for your recent application for the above address on which a decision has now been made. The decision on your application is attached. Please carefully read all of the information contained in these documents.

Please quote your application reference number in any correspondence with the Council, either by post to the Hackney Planning Service, 2 Hillman Street, London, E8 1FB, by email to planning@hackney.gov.uk, or by phone to 020 8356 8062.

Yours sincerely



Natalie Broughton

Head of Planning and Building Control
Neighbourhoods and Housing

□

PLANNING DECISION NOTICE

Town and Country Planning Act 1990 as amended

Town and Country Planning (Development Management Procedure) (England) Order 2015

Agent: CHRIS ARNAOUTI

Applicant: T Kearns

92 Rendlesham Road
Hackney
London
E5 8PA

Part 1- Particulars of the Application

Application No: 2021/1193

Date of Application: 20-04-2021

Date Validated: 10-05-2021

Application Type: Full Planning Permission

Proposal: Construction of timber fencing and booths for outdoor seating associated with the London Tavern, along the frontages facing Kenninghall and Rendlesham roads (part retrospective).

Location: 92 Rendlesham Road, Hackney, London, E5 8PA

Plan Numbers: Site location plan, dated 12/04/2021; Site plan, dated 12/04/2021; Existing ground floor plan, dated 12/04/2021; Existing elevations Rev A, dated 10/05/2021; Proposed ground location plan, dated 12/04/2021; Proposed ground floor plan, dated 12/04/2021; Proposed elevations Rev A, dated 10/05/2021; Proposed units-cubicle, dated 12/04/2021; Access and Design statement; Heritage statement

Part 2 – Particulars of Decision: **Refuse**

Notice is hereby given that the London Borough of Hackney as local planning authority in pursuance of its powers under the above mentioned Act and Rules, Orders and Regulations made there under permits the development referred to in Part1, in accordance with the plan(s) submitted and recommend that permission be refused for the following reason(s).

Refusal reason(s):

1-The proposed development would, by reason of scale, massing and siting, result in uncharacteristic and unsympathetic additions detrimental to the character, appearance and setting of the non-designated heritage asset and the surrounding streetscene, contrary to policies D3 and HC1 of the London Plan and LP1 and LP4 of Hackney's LP33.

2-The proposed development would, by reason of increased activity in close proximity to residential properties, result in adverse noise and disturbance to the detriment of the residential amenity of surrounding properties, contrary to policy D14 of the London Plan and policy LP2 of Hackney's LP33.

Informative/s:

1-Hackney Planning Service adopts a positive and proactive approach when engaging with applicants / agents in line with the National Planning Policy Framework. As part of our planning process, we endeavour to contact applicants / agents regarding any minor issues that may be able to be resolved during the course of the application, providing an opportunity to submit amendments before a final decision is made. We also encourage the pre-application service to avoid delays as a result of amendments and unforeseen issues during the planning process.

Date of Decision: 01-07-2021

Yours sincerely

A handwritten signature in black ink, appearing to read 'Natalie Broughton', written in a cursive style.

Natalie Broughton

**Head of Planning and Building Control
Neighbourhoods and Housing**

□

Statement of Applicant's Rights - Appeals to the Planning Inspectorate

If you are aggrieved by the decision of your local planning authority to refuse permission for the proposed development or to grant it subject to conditions, then you can appeal to the Secretary of State under section 78 of the Town and Country Planning Act 1990. Please carefully read the information provided below as different appeal deadlines will apply depending on the type of application or circumstances relevant to your application.

If this is a decision on a planning application relating to the same or substantially the same land and development as is already the subject of an enforcement notice, if you want to appeal against your local planning authority's decision on your application, then you must do so within 28 days of the date of this notice.

If an enforcement notice is served relating to the same or substantially the same land and development as in your application and if you want to appeal against your local planning authority's decision on your application, then you must do so within: 28 days of the date of service of the enforcement notice, or within 6 months [12 weeks in the case of a householder appeal] of the date of this notice, whichever period expires earlier.

If this is a decision to refuse planning permission for a householder application and you want to appeal against your local planning authority's decision, then you must do so within 12 weeks of the date of this notice.

If this is a decision to refuse planning permission for a minor commercial application and you want to appeal against your local planning authority's decision then you must do so within 12 weeks of the date of this notice.

If this is a decision to refuse express consent for the display of an advertisement and you want to appeal against your local planning authority's decision, then you must do so within 8 weeks of the date of receipt of this notice.

If you want to appeal against your local planning authority's decision and the application refused does not fall within one of the criteria specified above, then you must do so within 6 months of the date of this notice.

Appeals can be made online at: <https://www.gov.uk/planning-inspectorate>. If you are unable to access the online appeal form, please contact the Planning Inspectorate to obtain a paper copy of the appeal form on Tel: 0303 444 5000.

The Secretary of State can allow a longer period for giving notice of an appeal but will not normally be prepared to use this power unless there are special circumstances which excuse the delay in giving notice of appeal.

The Secretary of State need not consider an appeal if it seems to the Secretary of State that the local planning authority could not have granted planning permission for the proposed development or could not have granted it without the conditions they imposed, having regard to the statutory requirements, to the provisions of any development order and to any directions given under a development order.

If you intend to submit an appeal that you would like examined by inquiry then you must notify the Local Planning Authority and Planning Inspectorate (inquiryappeals@planninginspectorate.gov.uk) at least 10 days before submitting the appeal. [Further details are on GOV.UK](#)

Purchase Notices

If either the local planning authority or the Planning Inspectorate refuses planning permission or grants it subject to conditions, the owner may claim that he can neither put the land to a reasonably beneficial use in its existing state nor render the land capable of a reasonably beneficial use by the carrying out of any development which has been or would be permitted. In these circumstances, the owner may serve a purchase notice on the Council. This notice will require the Council to purchase the owner's interest in the land in accordance with the provisions of Chapter 1 of Part VI of the Town and Country Planning Act 1990 and Section 32-37 of the Planning (Listed Buildings & Conservation Areas) Act 1990.

Chris Arnaouti

Dear Sir/Madam

**Town and Country Planning Act 1990 (as amended)
Town and Country Planning (Development Management Procedure) (England) Order
2015**

Application Number: 2021/2809

Site Address: 92 Rendlesham Road, London, E5 8PA

Development Description: Retention of timber fencing and booths for outdoor seating associated with the London Tavern, along the frontages facing Kenninghall and Rendlesham roads for a temporary period of three years.

Thank you for your recent application for the above address on which a decision has now been made. The decision on your application is attached. Please carefully read all of the information contained in these documents.

Please quote your application reference number in any correspondence with the Council, either by post to the Hackney Planning Service, 2 Hillman Street, London, E8 1FB, by email to planning@hackney.gov.uk, or by phone to 020 8356 8062.

Yours sincerely



Natalie Broughton

**Head of Planning and Building Control
Neighbourhoods and Housing**

□

PLANNING DECISION NOTICE

Town and Country Planning Act 1990 as amended

Town and Country Planning (Development Management Procedure) (England) Order
2015

Agent: Chris Arnaouti

Applicant: T Kearns

92 Rendlesham Road
Hackney
London
E5 8PA

Part 1- Particulars of the
Application

Application No: 2021/2809

Date of Application: 12-09-2021

Date Validated: 13-09-2021

Application Type: Full Planning Permission

Proposal: Retention of timber fencing and booths for outdoor seating associated with the London Tavern, along the frontages facing Kenninghall and Rendlesham roads for a temporary period of three years.

Location: 92 Rendlesham Road, London, E5 8PA

Plan Numbers: Site Plan 12/04/2021; Pre-Existing Front Patio Tables 12/04/2021; Existing Elevations 12/04/2021; Proposed Location Plan 12/04/2021; Proposed Ground Floor Plan 12/04/2021; Proposed Elevations 12/04/2021; Proposed Units Cubicle 12/04/2021; Heritage Statement dated 12/09/2021; Access & Design Statement.

Part 2 – Particulars of Decision: **Refuse**

Notice is hereby given that the London Borough of Hackney as local planning authority in pursuance of its powers under the above mentioned Act and Rules, Orders and Regulations made there under permits the development referred to in Part1, in accordance with the plan(s) submitted and recommend that permission be refused for the following reason(s).

Refusal reason(s):

1- The proposed development, by reason of scale, massing and siting, would result in uncharacteristic and unsympathetic additions detrimental to the character, appearance and setting of the non-designated heritage asset and the surrounding streetscene, contrary to policies D3 and HC1 of the London Plan 2021 and LP1 and LP4 of the Hackney Local Plan 2033.

2- The proposed development, by reason of increased activity in close proximity to residential properties, would result in adverse noise and disturbance to the detriment of the residential amenity of surrounding properties, contrary to policy D14 of the London Plan 2021 and policy LP2 of the Hackney Local Plan 2033.

Date of Decision: 08-11-2021

Yours sincerely

A handwritten signature in black ink, appearing to read 'Natalie Broughton', written in a cursive style.

Natalie Broughton

**Head of Planning and Building Control
Neighbourhoods and Housing**

□

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Re: Licensing Act 2003 - Application for a Review of a Premises Licence (LBH-PRE-T-0647) Re London Tavern 92 Rendlesham Road, London E5 8PA

1 message

20 December 2021 at 20:53

To: "Licensing (Shared Mailbox)" <licensing@hackney.gov.uk>, Rockwell Charles <rockwell.charles@hackney.gov.uk>

Dear All

Please be advised that the pub has again removed pale blue advertising papers for the review after they were previously replaced.

Please also note that the premises is currently (20:50 on Monday 20th December) playing music on outdoor speakers at audible levels from neighbouring properties.

Please redact this email to remove all personal identifiers

Get [Outlook for Android](#)

From: [REDACTED]
Sent: Thursday, December 16, 2021 10:04:10 AM
To: Licensing (Shared Mailbox) <licensing@hackney.gov.uk>; Rockwell Charles <rockwell.charles@hackney.gov.uk>
Subject: Licensing Act 2003 - Application for a Review of a Premises Licence (LBH-PRE-T-0647) Re London Tavern 92 Rendlesham Road, London E5 8PA

Dear Mr Charles

Thank you for your correspondence, I am pleased that the council is taking action against the premises which has been a cause of significant disturbance during the year. Please note that the pale blue A4 notices advertising the review at the premises have been removed, potentially in an effort to obstruct the course of the review.

I provided correspondence to yourself and Licencing on 22/11/2021 regarding the persistent public nuisance, I also believe it is appropriate to review the licence in conjunction with licencing objectives 1) prevention of crime and disorder, and 2) public safety for reasons I have set out below.

Public safety -

I am sorry to read about your experience on 5th June 2021. The landlord and patrons have created a culture at the London Tavern of intimidation and hostility towards local residents and enforcement, as you experienced yourself. I am concerned for the safety of local residents after reading your statement in attachment A, regarding your exchange with the landlord who remarked words to the effect "I know who complained, I will sort them out".

Prevention of crime and disorder -

During the last 12 months there have been several instances of violence inside and outside the pub, police have attended on at least two occasions to intervene. Furthermore, since the erection of the outdoor seating booths, which had planning permission refused twice, there has been a sharp increase in antisocial behaviour in the area, including consumption of drugs on the premises.

Failure to comply with licence conditions and enforcement measures -

Having reviewed the premises licence LBH-PRE-T-0647 included in appendix A1 of your report, I can confirm that the pub has consistently breached the conditions of its licence in regards to it opening hours. As noted above, the premises has also removed pale blue A4 notices advertising the review, potentially in an effort to obstruct the process. Separately, the outdoor seating booths have been erected unlawfully and having had two retrospective planning applications refused the premises continue to use the booths and outdoor speakers.

These actions demonstrate a pattern of contempt for enforcement and residents, at the same time suggesting that the premises does not intend to cooperate or comply with future licence or enforcement conditions.

To conclude, I do not believe that the proposed modification of licensable activity from the Premises Licence goes far enough to address the persistent problems caused by the premises. A full review of their licence should be carried out, and as a minimum effect a reduction in their standard hours with strict limitations on their use of outdoor space and removal of recorded and live music from their licensable activity.

Sincerely

Please redact this email to remove all personal identifiers

[REDACTED]

Fwd: Licensing Act 2003 - Application for a Review of a Premises Licence (LBH-PRE-T-0647) Re London Tavern 92 Rendlesham Road, London E5 8PA

1 message

30 December 2021 at 15:10


To: licensing@hackney.gov.uk

I am writing regarding the Application for a review of a Premises Licence, (LBH-PRE-T-0647) Re London Tavern 92 Rendlesham Road, London E5 8PA.

I have been advised by Mr Rockwell Charles that I do not need to disclose my name, address or email address. In fact, I am fearful of the landlord and punters, should they get hold of my name and address!

My reasons for supporting this licence review are as follows:

I live in the direct vicinity of The London Tavern and am subjected to ongoing music blaring from their sound systems, both within the pub and in their outside area. The can go late into the night, well beyond 11pm and sometimes beyond 12am.

Their outdoor space has created a noisy and rowdy space with a noisy and rowdy crowd, who have little to no regard for the local residents, of which there are many.

In case of any questions, please contact me on this email address.

Regards


>

 **London Tavern 92 Rendlesham Rd Review of Premises Licence.pdf**
1838K



Scale: 1:1250 at A4

The London Tavern, 92 Rendlesham Road, E5 8PA



Ref:
Wednesday, February 16,
2022

Produced by: unspecified

email:

please specify copyright statement