

For Consideration By	Licensing Sub-Committee
Meeting Date	14 June 2022
Type of Application	Premises Licence
Address of Premises	Open House Hackney, 5 Prince Edward Road, Hackney, E9 5LX
Classification	Decision
Ward(s) Affected	Hackney Wick
Director	Aled Richards

1. **Summary**

- 1.1. This is an application for a premises licence to allow authorisation for the provision of regulated entertainment and sale of alcohol on Monday to Sunday.

2. **Application**

- 2.1. Michael Slovich III has made an application for a premises licence under section 17 of the Licensing Act 2003.
- 2.2. The applicant is seeking authorisation for the following licensable activities and times:

Plays	Standard Hours: Wed 19:00-22:30 Thu 19:00-22:30 Fri 19:00-22:30 Sat 19:00-22:30
Live Music	Standard Hours: Wed 19:00-23:00 Thu 19:00-23:00 Fri 19:00-23:00 Sat 12:00-16:00 Sat 19:00-23:00 Sun 16:00-21:00
Recorded Music	Standard Hours: Mon 12:00-23:00 Tue 12:00-23:00 Wed 12:00-23:00 Thu 12:00-23:00 Fri 12:00-23:00

	Sat 12:00-23:00 Sun 12:00-23:00
Supply of Alcohol (On sales)	Standard Hours: Wed 17:00-23:00 Thu 17:00-23:00 Fri 17:00-23:00 Sat 17:00-23:00 Sun 17:00-22:00
The opening hours of the premises	Standard Hours: Mon 10:00-23:00 Tue 10:00-23:00 Wed 10:00-23:00 Thu 10:00-23:00 Fri 10:00-23:00 Sat 10:00-23:00 Sun 10:00-23:00

2.3. The application is attached as Appendix A.

3. **Current Status/History**

3.1. The premises is not currently licensed for any activity and it is not located within the Shoreditch Special Policy Area.

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

Date of the event(s)	Hours
05/06/2022-05/06/2022	00:00-04:00

4. **Representations: Responsible Authorities**

From	Details
Environmental Health Authority (Environmental Protection) (Appendix B1)	Representation received on the grounds of The Prevention of Public Nuisance
Environmental Health Authority (Environmental Enforcement)	Have confirmed no representation following agreed conditions as set out in para 8.1
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 (Appendix B2)	Representation received on the grounds of The Prevention of Crime and Disorder and Prevention of Public Nuisance
Licensing Authority	No representation received
Health Authority	No representation received

5. **Representations: Other Persons**

From	Details
1 representation received from and on behalf of local residents. (AppendixC)	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), LP3 (Core Hours) are relevant.

8. **Officer Observations**

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

Supply Of Alcohol (On/Both)

1. No supply of alcohol may be made under the premises licence:
 - (a) At a time when there is no designated premises supervisor in respect of the premises licence.
 - (b) At a time when the designated premises supervisor does not hold a personal licence or his personal licence is suspended.
2. Every supply of alcohol under the premises licence must

be made or authorised by a person who holds a personal licence.

3. (1) The responsible person must ensure that staff on relevant premises do not carry out, arrange or participate in any irresponsible promotions in relation to the premises.

(2) In this paragraph, an irresponsible promotion means any one or more of the following activities, or substantially similar activities, carried on for the purpose of encouraging the sale or supply of alcohol for consumption on the premises -

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

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

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

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

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

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

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

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

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

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

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

- A. a holographic mark or
- B. an ultraviolet feature.

6. The responsible person 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;

(i) "permitted price" is the price found by applying the formula - $P = D + (D \times V)$ Where -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;

(b) "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;

(c) "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

(d) "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 Responsible Authority representations

9. The premises shall maintain a comprehensive CCTV system as per the minimum requirements of a Metropolitan Police Crime Prevention Officer. All public areas, entry and exit points will be covered enabling frontal identification of every person entering in any light condition. The CCTV system shall continually record whilst the premises is open for licensable activities and during all times when customers remain on the premises. All recordings shall be stored for a minimum period of 31 days with date and time stamping. Recordings shall be made available immediately upon the request of the Police or authorised officer.

10. A staff member from the premises who is conversant with the operation of the CCTV system shall be on the premises at all times when the premises are open to the public. This staff member shall be able to show Police or an authorised officer of Hackney Borough Council recent data or footage with the absolute minimum of delay when requested.

11. An incident log shall be kept at the premises, and made available immediately to an authorised officer of the Hackney Borough Council or the Police, which will record the following: all crimes reported to the venue any complaints received any incidents of disorder any faults in the CCTV system any refusal of the sale of alcohol any visit by a relevant authority or emergency service.

12. There shall be clear and prominent signage asking all customers to leave quietly and respect local residents.

13. All instances of crime or disorder to be reported by the designated premises supervisor or responsible member of staff to an agreed police contact point, as agreed with the Police.

14. Where the sale or supply of alcohol is taking place employees of the premises must request sight of evidence of the age of any person appearing to be under 25 years of age (Challenge 25). Such evidence may include a driving licence or passport.

15. The premises will display and maintain appropriate signage advising customers of the contact details of the Designated Premises Supervisor.

16. All staff will be given refresher training every six months on the legislation relating to the sales of alcohol to underage persons and drunken persons. Written records of this training shall be kept on the premises and produced to police or other authorised officers upon request. 9) All supply of alcohol for consumption on the premises shall be to guests attending a pre-booked event.

17. There shall be no open containers or drinks taken outside the premises at any time. Those leaving the venue to smoke shall not take their drinks outside.

18. There shall be a maximum of *** tbc *** smokers outside the premises at any one time.

19. Any queues to the premises shall be orderly and shall not block any footway. All queues will be managed by staff.

20. SIA door supervisors shall be employed on a risk assessment basis. When employed, all SIA staff shall wear a high visibility armband or vest to be easily identifiable. They shall enter their name, address, SIA number and times they begin and finish their shift in a daily register. If employed by an agency all agency contact details shall be recorded also.

21. 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.

22. 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.

23. In order to minimise the amount of time any waste remains on the public highway in readiness for collection, the Licensee will ensure the timeframe within which it may expect its waste carrier to collect is adhered to.

24. 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.

25. The Licensee shall provide a safe receptacle for cigarette ends to be placed outside for the use of customers, such receptacles being carefully placed so as not to cause an obstruction or trip.

26. The current trade waste agreement/duty of care waste transfer document shall be conspicuously displayed and maintained in the window of the premises where it can be conveniently seen and read by persons standing in 5 Edward Road < E9 5LX. This should remain unobstructed at all times and should clearly identify:-

- the name of the registered waste carrier
- the date of commencement of trade waste contract
- the date of expiry of trade waste contract
- the days and times of collection
- the type of waste including the European Waste Code

9. **Reasons for Officer Observations**

9.1. Conditions 9 to 20 have been proposed by the Police, conditions 21 to 26 have been proposed by Environmental Enforcement. The applicant has agreed to the Environmental Enforcement conditions.

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**

12.1. **Option 1**

That the application be refused

12.2. **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.

Appendices:

Appendix A: Application for a premises licence and supporting documents

Appendix B: Representations from responsible authorities

Appendix C: Representations from other persons

Appendix D: Location map

Background documents

Licensing Act 2003

LBH Statement of Licensing Policy

Report Author	Name: Sanaria Hussain Title: Senior Licensing Officer Email: sanaria.hussain@hackney.gov.uk Tel: 02083562431
Comments for the Group Director of Finance and Corporate Resources prepared by	Name Title Email Tel
Comments for the Director of Legal, Democratic and Electoral Services prepared by	Name Title Email Tel

APPENIDX A

Hackney
LA01

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/ Michael Slovich III
W
e

.....
(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

**5 Prince Edward Road Hackney
Hackney Wick
E95LX**

Post town	LONDON	Postcode	E9 5LX
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Telephone number at premises (if any)	0 [REDACTED]
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Non-domestic rateable value of premises	£1,800,000
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Part 2 - Applicant details

Please state whether you are applying for a premises licence as **appropriate** **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 | | please complete section (B) |
| ii as a partnership (other than limited liability) | | please complete section (B) |

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

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

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

I am making the application pursuant to a statutory function or a function discharged by virtue of Her Majesty's prerogative

(A) INDIVIDUAL APPLICANTS (fill in as applicable)

Mr <input checked="" type="checkbox"/>	Ms <input type="checkbox"/>	Miss <input type="checkbox"/>	Other Title (for example, Rev) <input type="checkbox"/>
Surname SLOVICH III		First names MICHAEL	
Date of birth [REDACTED]	I am 18 years <input checked="" type="checkbox"/> Please tick yes		
Nationality [REDACTED]			
Current residential address if different	Same as premises address		

from premises address			
Post town		Postcode	
Daytime contact telephone number	[REDACTED]		
E-mail address (optional)	[REDACTED]		
Where applicable (if demonstrating a right to work via the Home Office online right to work checking service), the 9-digit 'share code' provided to the [REDACTED]			

SECOND INDIVIDUAL APPLICANT (if applicable)

M r	Mr s	Mi ss	M s	Other Title (for example, Rev)	
Surname			First names		
Date of birth		I am 18 years old or over		Please tick yes	
Nationality					
Current postal address if different from premises address					
Post town		Postcode			
Daytime contact telephone number					
E-mail address (optional)					
Where applicable (if demonstrating a right to work via the Home Office online right to work checking service), the 9-digit 'share code' provided to the applicant by that service (please see note 15 for information)					

(B) OTHER APPLICANTS

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

Name
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	1	0
3	2	0
2	2	2

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

DD	MM	YYYY
N	A	

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

Open House Hackney is a new creative arts centre in the heart of Hackney Wick. Our mission is to create a place of belonging for many different types of people who seek to be creative, build new relationships & experience the arts. We host a regular programme of art exhibitions, workshops, classes & plan to start hosting occasional live music events.

We are planning to build a small bar in our downstairs gallery space where we will serve a simple selection of wines, beers & cocktails.

We have two spaces where we will require the alcohol license: Our downstairs Street Front gallery & our upstairs Workshop. Our capacity is 50 people in the Street Front Gallery & 100 people in the upstairs Workshop space.

We will not be serving or selling alcohol after 11pm or serving alcohol off the premises.

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

N/A

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

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

Provision of regulated entertainment (please read guidance note 2) Please tick all that apply

- a) plays (if ticking yes, fill in box A) X
- 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) X
- f) recorded music (if ticking yes, fill in box F) X
- 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) X

In all cases complete boxes K, L and M

A

Plays Standard days and timings (please read guidance note 7)			Will the performance of a play take place indoors or outdoors or both – please tick (please read guidance note 3)	Indoors	
				Outdoors	
Day	Start	Finish		Both	
Mon			Please give further details here (please read guidance note 4)		
Tue					
Wed	19.00	22.30	State any seasonal variations for performing plays (please read guidance note 5)		
Thur	19.00	22.30			
Fri	19.00	22.30	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 (please read guidance note 6)		
Sat	19.00	22.30			
Sun					

B

Films Standard days and timings (please read guidance note 7)			Will the exhibition of films take place indoors or outdoors or both – please tick (please read guidance note 3)	Indoors	
				Outdoors	
				Both	
Day	Start	Finish			
Mon			Please give further details here (please read guidance note 4)		
	-----	-----			
Tue					
	-----	-----			
Wed			State any seasonal variations for the exhibition of films (please read guidance note 5)		
	-----	-----			
Thur					
	-----	-----			
Fri			Non-standard timings. Where you intend to use the premises for the exhibition of films at different times to those listed in the column on the left, please list (please read guidance note 6)		
Sat					
	-----	-----			
Sun					
	-----	-----			

C

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

D

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

E

Live music Standard days and timings (please read guidance note 7)			Will the performance of live music take place indoors or outdoors or both – please tick (please read guidance note 3)	Indoors	X
				Outdoors	
Day	Start	Finish		Both	
Mon			Please give further details here (please read guidance note 4) We will not be hosting live music every day, instead we will have a programme of semi-regular live music (approx once a week) that will take place either on a Wednesday, Thursday, Friday evening, or Saturday lunch time, Saturday evening. Additionally to this, we have a weekly, amplified open mic event that takes place from 4pm- 8pm every Sunday.		
Tue					
Wed	7PM	11PM	State any seasonal variations for the performance of live music (please read guidance note 5) In the summer we will be hosting more frequent live music events (approx twice a week) & plan to host a full day event (with live music) once a quarter.		
Thur	7PM	11PM			
Fri	7PM	11PM	Non-standard timings. Where you intend to use the premises for the performance of live music at different times to those listed in the column on the left, please list (please read guidance note 6) N/A		
Sat	12PM	4PM			
	7PM	11PM			
Sun	4PM	9PM			

F

Recorded music Standard days and timings (please read guidance note 7)			Will the playing of recorded music take place indoors or outdoors or both – please tick (please read guidance note 3)	Indoors	
				Outdoors	
Day	Start	Finish		Both	
Mon	12.00	11PM	Please give further details here (please read guidance note 4) We plan to play daily recorded music (from spotify) in our downstairs gallery.		
Tue	12.00	11PM			
Wed	12.00	11PM	State any seasonal variations for the playing of recorded music (please read guidance note 5) N/A		
Thur	12.00	11PM			
Fri	12.00	11PM	Non-standard timings. Where you intend to use the premises for the playing of recorded music at different times to those listed in the column on the left, please list (please read guidance note 6) N/A		
Sat	12.00	11PM			
Sun	12.00	11PM			

G

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

H

Anything of a similar description to that falling within (e), (f) or (g) Standard days and timings (please read guidance note 7)			Please give a description of the type of entertainment you will be providing		
Day	Start	Finish	Will this entertainment take place indoors or outdoors or both – please tick (please read guidance note 3)	Indoors	
Mon	-----	-----		Outdoors	
				Both	
Tue	-----	-----	Please give further details here (please read guidance note 4)		
Wed	-----	-----			
Thur	-----	-----	State any seasonal variations for entertainment of a similar description to that falling within (e), (f) or (g) (please read guidance note 5)		
Fri	-----	-----			
Sat	-----	-----	Non-standard timings. Where you intend to use the premises for the entertainment of a similar description to that falling within (e), (f) or (g) at different times to those listed in the column on the left, please list (please read guidance note 6)		
Sun	-----	-----			

I

Late night refreshment Standard days and timings (please read guidance note 7)			Will the provision of late night refreshment take place indoors or outdoors or both – please tick (please read guidance note 3)	Indoors	
Day	Start	Finish		Outdoors	
Mon				Please give further details here (please read guidance note 4)	
Tue			N/A		
Wed			State any seasonal variations for the provision of late night refreshment (please read guidance note 5)		
Thur					
Fri			Non-standard timings. Where you intend to use the premises for the provision of late night refreshment at different times, to those listed in the column on the left, please list (please read guidance note 6)		
Sat					
Sun					

J

Supply of alcohol Standard days and timings (please read guidance note 7)			Will the supply of alcohol be for consumption – please tick (please read guidance note 8)	On the premises	X
				Off the premises	
				Both	
Day	Start	Finish	State any seasonal variations for the supply of alcohol (please read guidance note 5) N/A Non-standard timings. Where you intend to use the premises for the supply of alcohol at different times to those listed in the column on the left, please list (please read guidance note 6) N/A		
Mon					
Tue					
Wed	5PM	11PM			
Thur	5PM	11PM			
Fri	5PM	11PM			
Sat	5PM	11PM			
Sun	5PM	10PM			

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 Michael Slovich III	
Date of birth [REDACTED]	
[REDACTED]	
Postcode	E9 5LX
Personal licence number (if known) [REDACTED]	
Issuing licensing authority (if known) Hackney Council	

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)			State any seasonal variations (please read guidance note 5)
Day	Start	Finish	N/A
Mon	10AM	11PM	
Tue	10AM	11PM	
Wed	10AM	11PM	
Thur	10AM	11PM	
Fri	10AM	11PM	
Sat	10AM	11PM	
Sun	10AM	11PM	
			Non-standard timings. Where you intend the premises to be open to the public at different times from those listed in the column on the left, please list (please read guidance note 6)
			N/A

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

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

We will make sure that there is always effective & responsible management of the venue & a sufficient amount of trained staff supervising the premises at all times when it is open to the public.

We have working CCTV across the premises that we will check regularly.

We will make sure suitable risk assessments are completed for any potentially high risk events.

We will make sure we stick to the agreed operating hours.

We will make sure that for larger events we always have an experienced security person on the door.

b) The prevention of crime and disorder

Effective and responsible management of the premises

Provision of effective CCTV

Training & supervision of staff

Adoption of best practice guidance

Provision of toughened or plastic glasses

c) Public safety

Suitable risk assessments

Provision of sufficient number of people employed or engaged to secure the safety of the premises & patrons

d) The prevention of public nuisance

Appropriate instruction, training and supervision to prevent incidents of public nuisance

Control of operating hours

Adoption of best practice guidance

Collection & disposal of litter

Effective ventilation systems

e) The protection of children from harm

Sufficient number of staff to secure the protection of children from harm.
Appropriate instruction, training & supervision of staff in respect to determining age of the customer.
Adopting of best practice guidance.
Limitation on the hours when children may be on the premises
Limitations or exclusions by age when certain activities are taking place.
Imposition of requirements for children to be accompanied by an adult..
Acceptance of accredited 'proof of age' cards and/or driving licenses.

Checklist:

Please tick to indicate agreement

- | | |
|--|---|
| I have made or enclosed payment of the fee. | X |
| I have enclosed the plan of the premises. | X |
| I have sent copies of this application and the plan to responsible authorities and others where applicable. | X |
| I have enclosed the consent form completed by the individual I wish to be designated premises supervisor, if applicable. | X |
| I understand that I must now advertise my application. | X |
| I understand that if I do not comply with the above requirements my application will be rejected. | X |
| [Applicable to all individual applicants, including those in a partnership which is not a limited liability partnership, but not companies or limited liability partnerships] I have included documents demonstrating my entitlement to work in the United Kingdom or my share code issued by the Home Office online right to work checking service (please read note 15). | X |

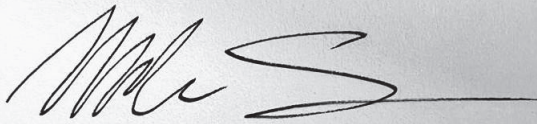
IT IS AN OFFENCE, UNDER SECTION 158 OF THE LICENSING ACT 2003, TO MAKE A FALSE STATEMENT IN OR IN CONNECTION WITH THIS APPLICATION. THOSE WHO MAKE A FALSE STATEMENT MAY BE LIABLE ON SUMMARY CONVICTION TO A FINE OF ANY AMOUNT.

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, or have conducted an online right to work check using the Home Office right to work checking service which confirmed their right to work (please see note 15)
Signature	 <div style="text-align: right;">Michael Slovich III</div>
Date	04.02.22
Capacity	Applicant

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)

--	--

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

Notes for Guidance

1. Describe the premises, for example the type of premises, its general situation and layout and any other information which could be relevant to the licensing objectives. Where your application includes off-supplies of alcohol and you intend to provide a place for consumption of these off-supplies, you must include a description of where the place will be and its proximity to the premises.
2. In terms of specific regulated entertainments please note that:
 - Plays: no licence is required for performances between 08:00 and 23.00 on any day, provided that the audience does not exceed 500.
 - Films: no licence is required for 'not-for-profit' film exhibition held in community premises between 08.00 and 23.00 on any day provided that the audience does not exceed 500 and the organiser (a) gets consent to the screening from a person who is responsible for the premises; and (b) ensures that each such screening abides by age classification ratings.
 - Indoor sporting events: no licence is required for performances between 08.00 and 23.00 on any day, provided that the audience does not exceed 1000.
 - Boxing or Wrestling Entertainment: no licence is required for a contest, exhibition or display of Greco-Roman wrestling, or freestyle wrestling between 08.00 and 23.00 on any day, provided that the audience does not exceed 1000. Combined fighting sports – defined as a contest, exhibition or display which combines boxing or wrestling with one or more martial arts – are licensable as a boxing or wrestling entertainment rather than an indoor sporting event.
 - Live music: no licence permission is required for:
 - a performance of unamplified live music between 08.00 and 23.00 on any day, on any premises.
 - a performance of amplified live music between 08.00 and 23.00 on any day on premises authorised to sell alcohol for consumption on those premises, provided that the audience does not exceed 500.
 - a performance of amplified live music between 08.00 and 23.00 on any day, in a workplace that is not licensed to sell alcohol on those premises, provided that the audience does not exceed 500.
 - a performance of amplified live music between 08.00 and 23.00 on any day, in a church hall, village hall, community hall, or other similar community premises, that is not licensed by a premises licence to sell alcohol, provided that (a) the audience does not exceed 500, and (b) the organiser gets consent for the performance from a person who is responsible for the premises.

Applicant's response to the resident objector OP1

Open House Hackney Response to Resident Representation

Dear sir/madam,

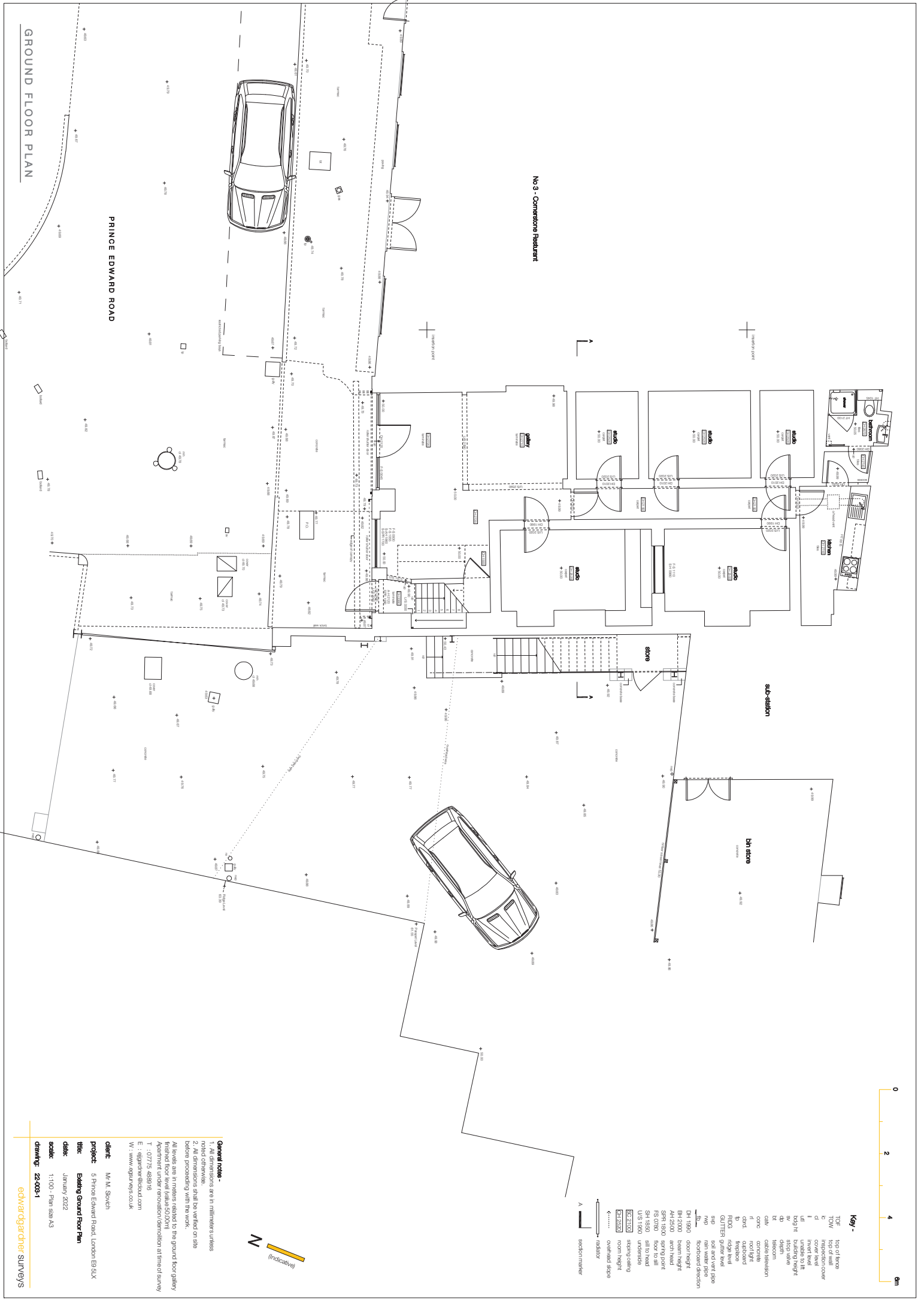
We appreciate your concerns regarding the noise levels caused by the side entrance being used for entering & exiting & as a smoking area.

We will address this by:

- a) Reducing the number of late night bookings we host to a minimum, with the majority of events finishing by 11pm.
- b) Only serving drinks in conjunction with events and not having the bar open to the general public every day of the week.
- c) Not permitting the fire exit to be opened by guests & used as a smoking area or entrance/ exit during events.
- c) Having the smoking area be downstairs & out of the front of the premises.
- d) Having a maximum of 4 people outside smoking at any time.

Best wishes,

The Open House Hackney Team



GROUND FLOOR PLAN

PRINCE EDWARD ROAD

No 3 - Comestons Restaurant

sub-station

bin store

Key-

- TCF Top of fence
- TOW Top of wall
- d cover
- d cover level
- F invert level
- UJL outside to left
- UJRH outside to right
- sw stop valve
- dp depth
- blh block
- blh block extension
- conc concrete
- f roof light
- clwd cladded
- FLS floor level
- RPCS rafter purlin
- GUTTER gutter level
- swp
- col and vent pipe
- rwp rain water pipe
- rdn downward direction
- UD up
- DLH 1880 door height
- BH 2000 basin height
- SPN 1800 spiral point
- FS 0780 floor to sill
- SH 1850 sill to head
- US 1850 underside
- SC 2100 skirting ceiling
- RM 2050 room height
- overhead slope
- radiator
- section marker



General notes-

1. All dimensions are in millimeters unless noted otherwise.
 2. All dimensions shall be verified on site before proceeding with the work.
- All levels are in meters related to the ground floor gallery level and under the main entrance at time of survey
- T : 02775 48916
 E : agard@edward.com
 W : www.edward.com

client: M.M. Stovch

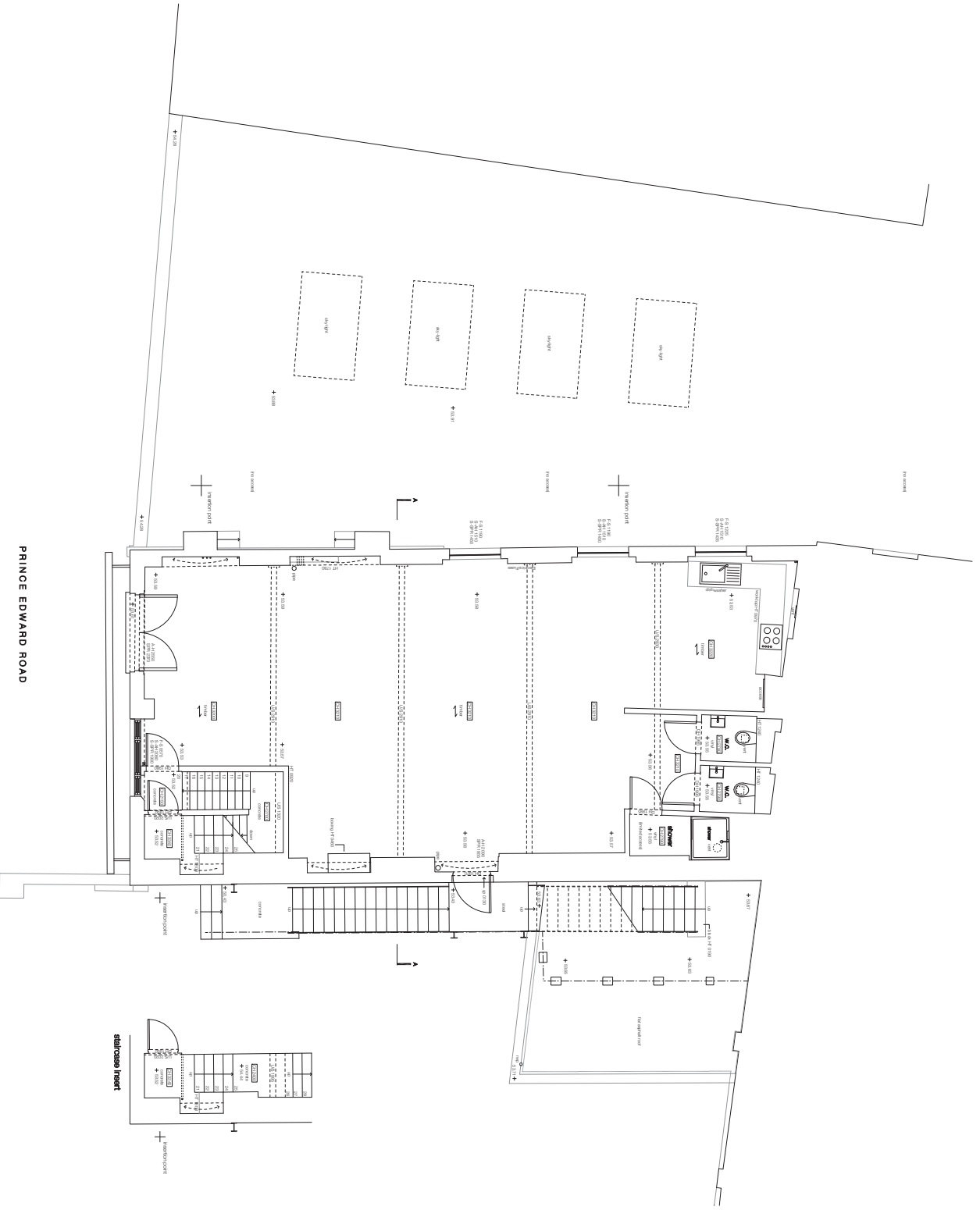
project: 5 Prince Edward Road, London E9 6JX

title: Existing Ground Floor Plan

date: January 2022

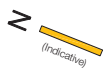
scale: 1:100 - Plan Size A3

drawing: 25-003-1



Key -

- TOP Top of floor
- TCW Top of wall
- E Inspection cover
- D Cover level
- U Under floor
- UL Under lift
- BL Building height
- W Stop valve
- BT Bathroom
- CH Cable channel
- CONC Concrete
- ROD ROD
- ROD ROD
- IP IP
- RDCS RDCS
- GUTTER Gutter level
- SVP Soil and vent pipe
- SB Backward direction
- CH 1800 door height
- BH 2000 beam height
- AH 2500 arch height
- SPR 1800 spring point
- FS 0750 floor to sill
- SH 1800 sill to head
- SH 2500 sill to top
- SC 2100 ceiling
- SC 2600 ceiling
- room height
- overhead duct
- radiator
- section marker



General notes -

1. All dimensions are in millimeters unless indicated otherwise.
 2. All dimensions shall be verified on site before proceeding with the work.
- All levels are in meters related to the ground floor/galley finished floor level (value 50.00m)
 Apartment under renovation/demolition at time of survey
 T : 07775 488916
 E : @gardnerandwharfedale.co.uk
 W : www.gardnerandwharfedale.co.uk

client: M. M. Smith

project: 5 Prince Edward Road, London E9 5LX

title: Existing First Floor Plan

date: January 2022

scale: 1:100 - Plan size A3

drawing: 22-008-2



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

Licensing Act 2003 - Application for a Premises Licence Re: 5 Prince Edward Road, E9 5LX

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

9 March 2022 at 09:58

APPENDIX B1

Hello Sanaria

Hope you are well

The EP Team will be objecting to the premises license application for [5 Prince Edward Road, E9 5LX](#) as the applicant has not confirmed the conditions discussed for the use of the designated smoking area.

I have emailed the applicant several times to confirm this but there has not been any response.

The developer needs to confirm the information in my email to her on 04.03.2022

Regards,

Ola

[Quoted text hidden]

[Quoted text hidden]



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

[Quoted text hidden]

APPENDIX B2

RESPONSIBLE AUTHORITY REPRESENTATION: APPLICATION UNDER THE LICENSING ACT 2003

RESPONSIBLE AUTHORITY DETAILS

NAME OF AUTHORITY	Metropolitan Police service
ADDRESS OF AUTHORITY	Licensing Unit, Stoke Police Station 33 Stoke Newington High Street London N16 8DS
CONTACT NAME	PC 3691CE Kerrie RYAN
TELEPHONE NUMBER	07796 183078
E-MAIL ADDRESS	hackneylicensing@met.police.uk

APPLICATION PREMISES

NAME & ADDRESS OF PREMISES	5 Prince Edward Road Hackney Wick London E9 5LX
NAME OF PREMISES USER	Michael Slovich III

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 make the following representations in relation to the application for a Premises Licence at 5 PRINCE EDWARD ROAD, HACKNEY WICK, LONDON, E9 5LX for the following reason(s);

This premises is located in Hackney Wick and is described in the application as 'a new creative arts centre'.

This application seeks authorisation to sell alcohol for consumption on the premises between 1700hrs and 2300hrs Wednesday – Saturday and 1700hrs – 2200hrs on Sundays.

There is limited information in the application. It appears that the premises operates over two floors, with the proposal of a bar on one of the floors, serving a selection of alcoholic beverages. Police will require further information before agreeing to this application, as follows;

- Will the bar be open to the public everyday?
- Will alcohol only be sold at events?
- Will all events be ticketed and/or pre-booked?
- Will there be a personal licence holder on the premises whenever alcohol is being served.
- Hackney Wick has become very popular and has seen many new developments, both residential and commercial – does the DPS have experience of running and/or managing a licensed premises?

Police have included a list of conditions to be considered by the applicant. These conditions will be attached to the licence should this application be granted and will ensure the promotion of the licensing objectives.

Police look forward to hearing from the applicant soon to discuss a way forward for this application and would like to arrange a site visit to gather further information about the operation of the business.

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

Personal knowledge of the local area and issues in the area.

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

Signed
PC 3691CE RYAN

By E-mail)
Name (printed)

Proposed Conditions for
5 Prince Edward Road, London, E9

- 1) The premises shall maintain a comprehensive CCTV system as per the minimum requirements of a Metropolitan Police Crime Prevention Officer. All public areas, entry and exit points will be covered enabling frontal identification of every person entering in any light condition. The CCTV system shall continually record whilst the premises is open for licensable activities and during all times when customers remain on the premises. All recordings shall be stored for a minimum period of 31 days with date and time stamping. Recordings shall be made available immediately upon the request of Police or authorised officer.
- 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 are 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) An incident log shall be kept at the premises, and made available immediately to an authorised officer of the Hackney Borough Council or the Police, which will record the following:
 - all crimes reported to the venue
 - any complaints received
 - any incidents of disorder
 - any faults in the CCTV system
 - any refusal of the sale of alcohol
 - any visit by a relevant authority or emergency service.
- 4) There shall be clear and prominent signage asking all customers to leave quietly and respect local residents.
- 5) All instances of crime or disorder to be reported by the designated premises supervisor or responsible member of staff to an agreed police contact point, as agreed with the Police.
- 6) Where the sale or supply of alcohol is taking place employees of the premises must request sight of evidence of the age of any person appearing to be under 25 years of age (Challenge 25). Such evidence may include a driving licence or passport.
- 7) The premises will display and maintain appropriate signage advising customers of the contact details of the Designated Premises Supervisor.

- 8) All staff will be given refresher training every six months on the legislation relating to the sales of alcohol to underage persons and drunken persons. Written records of this training shall be kept on the premises and produced to police or other authorised officer upon request.
- 9) All supply of alcohol for consumption on the premises shall be to guests attending a pre-booked event.
- 10) There shall be no open containers or drinks taken outside the premises at any time. Those leaving the venue to smoke shall not take their drinks outside.
- 11) There shall be a maximum of *** tbc *** smokers outside the premises at any one time.
- 12) Any queues to the premises shall be orderly and shall not block any footway. All queues will be managed by staff.
- 13) SIA door supervisors shall be employed on a risk assessment basis. When employed, all SIA staff shall wear a high visibility armband or vest to be easily identifiable. They shall enter their name, address, SIA number and times they begin and finish their shift in a daily register. If employed by an agency all agency contact details shall be recorded also.

*** ADDITIONAL CONDITIONS MAY BE ADDED
FURTHER TO DISCUSSIONS WITH THE APPLICANT ***



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

Re: 5 Prince Edward Road, E9 5 EU

1 message

APPENDIX C

16 March 2022 at 00:40

To: "licensing@hackney.gov.uk" <licensing@hackney.gov.uk>

On Thursday, March 10, 2022, [REDACTED] wrote:

I am a neighbour of the property requesting LAO3 license,

I have objections based on suitability of the property for a nightly alcohol license;

lack of suitable smoking area - for the events that have already occurred at the property, the side fire escape and small roof balcony is used as a smoking area, groups of people causing disturbance to nearby residential properties. The staircase is in a narrow alley way surrounded by residential properties.

This side entrance is also used as entrance/exit, so for late events causing large amounts of disturbance.

Regarding live music, based on being a neighbour and hearing current live music events running at the property (sunday open mic night) - there is not suitable sound proofing to the building and the fire escape door (used for access) is kept open CONTINUOUSLY - causing all sound to escape into surrounding area.

The property is surrounded on all sides by very near residential housing and lacks soundproofing- it is not suitable as a nightly live music venue.

Given previous party events thrown at the property there have been excess of people urinating in the alleyway and refuse collection area for our building.

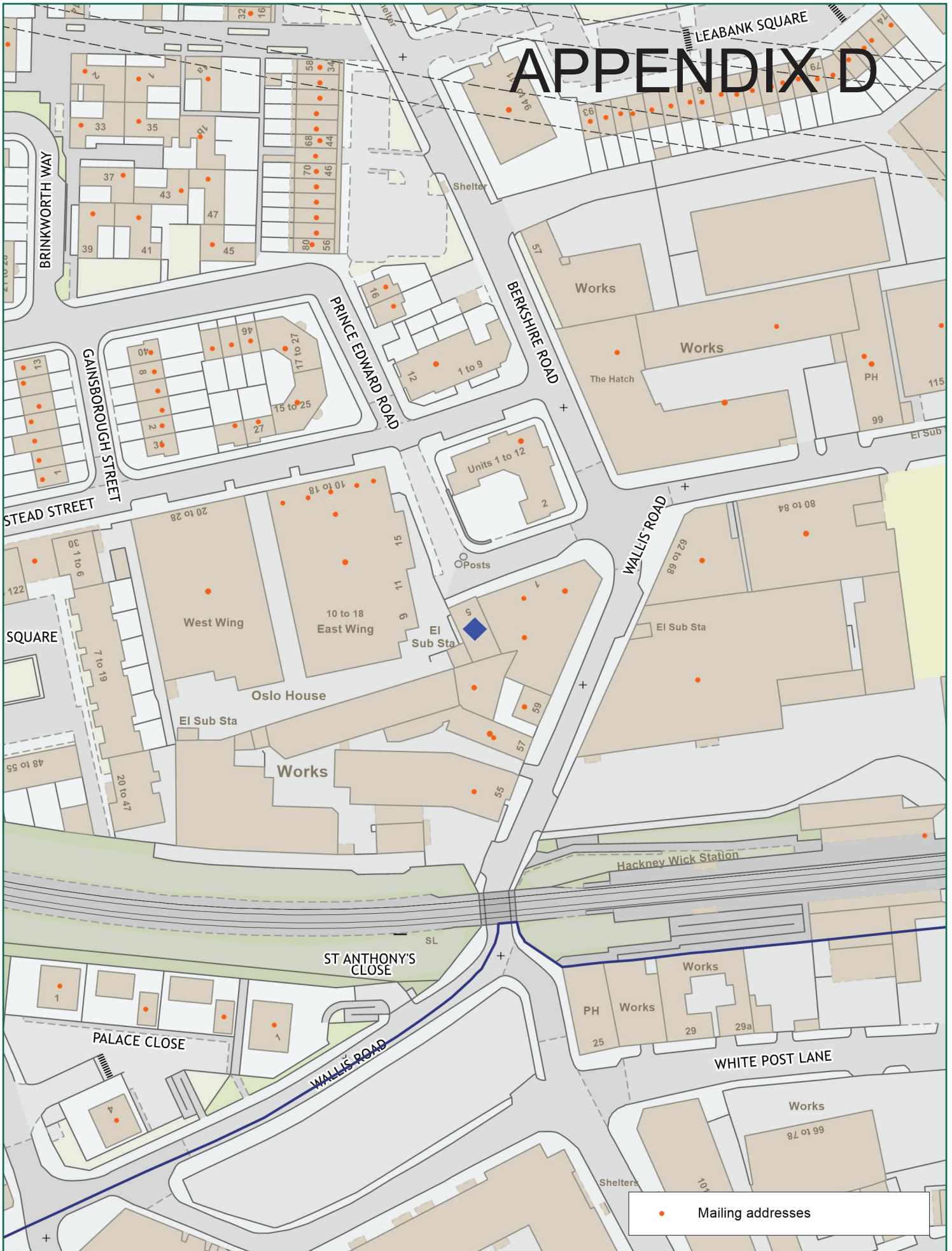
Given previous party events thrown in which live music/ dj's have been blasted into the street via the open doors on second and third level of the property (some events during lockdown) and some that required attendance by the police, I have reservations that a late night bar/ music venue can be operated in a property surrounded by flats on all sides, by the licence applicant.

king regards,


concerned resident

please contact me at this address if you require further clarification.

APPENDIX D



● Mailing addresses


NORTH

Scale: 1:1250 at A4



Ref:
Thursday, May 26, 2022

Produced by: unspecified
email:

please specify copyright statement