

For Consideration By	Licensing Sub-Committee
Meeting Date	6 October 2022
Type of Application	Variation to a Premises Licence
Address of Premises	Hackney Tap (Formerly Gyoza Town), Ground Floor, 354 Mare Street, E8 1 HR
Classification	Decision
Ward(s) Affected	Hackney Central
Group Director	Rickardo Hyatt

1. **Summary**

- 1.1. This is an application to vary a premises licence to vary conditions 39, 40 and 41 and to vary the hours for recorded music , late night refreshment and Supply of Alcohol.

2. **Application**

- 2.1. Bloomsbury Leisure Holdings Limited have made an application to vary a premises licence under section 34 of the Licensing Act 2003.
- 2.2. The applicant is seeking variation of conditions relating to the use of the external area, to allow for additional time and customer numbers and to vary licensable activities and times, as follows:-

1. Condition **39** to be varied as follows:

From: "The external area shall be closed to the public at 22:00 hours daily and shall not reopen until the start of trade the following day, with the exception of smokers immediately outside the front of the premises who will not be permitted to take drinks outside after 22:00 hours"

To: "The external area shall be closed to the public at 23:30 hours from Monday to Thursday, 0000 hours from Friday to Saturday and 22:30 hours on Sundays and shall not reopen until the start of trade the following day, with the exception of smokers immediately outside the front of the premises who will not be permitted to take drinks outside after 23:30 hours from Monday to Thursday, 0000 hours from Friday to Saturday and 22:30 hours on Sundays"

2. Condition **40** to be varied as follows:

From: "The maximum number of persons (excluding staff) allowed in the external area of the premises shall not exceed 30 patrons".

To: "The maximum number of persons (excluding staff) allowed in the external area of the premises shall not exceed 84 seated patrons".

3. Condition **41** to be varied as follows:

From: "The external area will display notices advising customers that the area is for seated patrons only and customers that are not seated will be asked to leave this external area. Service to this area will include on a Thursday, Friday and Saturday night between 17:00 hours until close, which will be by waiter/ waitress only between the months of April and September"

To: Notices will be displayed in the external area stating that this area is for seated patrons only. Waiter/Waitress services will be available in the external seating area after 17:00 hours on Thursday to Saturday between April 1st and September 30th each year.

4. To extend hours for the following activities:

Recorded Music	Standard Hours: Mon 10:00-00:30 Tue 10:00-00:30 Wed 10:00-00:30 Thu 10:00-01:00 Fri 10:00-01:30 Sat 10:00-01:30 Sun 11:00-23:00
Late Night Refreshment	Standard Hours: Mon 23:00-00:00 Tue 23:00-00:00 Wed 23:00-00:00 Thu 23:00-00:30 Fri 23:00-01:00 Sat 23:00-01:00
Supply of Alcohol	Standard Hours: Mon 10:00-00:00 Tue 10:00-00:00 Wed 10:00-00:00 Thu 10:00-00:30 Fri 10:00-01:00 Sat 10:00-01:00 Sun 11:00 - 22:30
The opening hours of the premises	Standard Hours: Mon 11:00-00:30 Tue 11:00-00:30 Wed 10:00-00:30 Thu 10:00-01:00 Fri 10:00-01:30 Sat 10:00-01:30 Sun 11:00-23:00

2.3. The application is attached as Appendix A.

3. **Current Status/History**

3.1. The current premises licence was granted on 14 April 2020(attached as Appendix C).

3.2. No Temporary Event Notices were submitted for the premises in 2022.

4. **Representations: Responsible Authorities**

From	Details
Environmental Health Authority (Environmental Protection) Appendix B3	Representation received on the grounds of The Prevention of Public Nuisance. See para 8.1 below
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 Appendix B1	Representation on the ground of the Prevention of Crime and Disorder, and The Prevention of Public Nuisance
Licensing Authority Appendix B2	Representation on the ground of The Prevention of Public Nuisance
Health Authority	No representation received

5. **Representations: Other Persons**

From	Details
Representation	None

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 additional conditions should be applied the licence:

None.

9. **Reasons for Officer Observations**

- 9.1. Not Applicable

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: Current Licence

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

Appendix A

Application to vary a premises licence under the Licensing Act 2003

PLEASE READ THE FOLLOWING INSTRUCTIONS FIRST

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

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

I/We Bloomsbury Leisure Holdings Limited

(Insert name(s) of applicant)

being the premises licence holder, apply to vary a premises licence under section 34 of the Licensing Act 2003 for the premises described in Part 1 below

Premises licence number: 107507

Part 1 – Premises Details

Postal address of premises or, if none, ordnance survey map reference or description
Hackney Tap (Formerly Gyoza Town)
Ground Floor
354 Mare Street

Post town London

Postcode E8 1HR

Telephone number at premises (if any)

Non-domestic rateable value of premises

£ 54,500.00 (i.e. Band C)

Part 2 – Applicant details

Daytime contact telephone number

E-mail address (optional)

Current postal address if different from premises address

Bloomsbury Leisure Holdings Limited
Basement of Tavistock Hotel
Bedford Way

Post town London

Postcode WC1H 9EU

Part 3 - Variation

Please tick as appropriate

Do you want the proposed variation to have effect as soon as possible?

☒ Yes

☐
No

If not, from what date do you want the variation to take effect?

ASAP

Do you want the proposed variation to have effect in relation to the introduction of the late night levy? (Please see guidance note 1) ☐ Yes ☒ No

Please describe briefly the nature of the proposed variation (Please see guidance note 2)

This is an application to vary the premises licence in order to vary the opening hours of the premises, hours permitted for sale of alcohol and hours permitted for recorded music as follows:

- Opening Hours – Monday to Wednesday from 1000 hours to 0030 hours, Thursday from 1000 hours to 0100 hours, Friday to Saturday from 1000 hours to 0130 hours, Sunday 1100 hours to 2300 hours (Unchanged) (*Currently Monday to Thursday from 1000 hours to 2330 hours, Friday to Saturday from 1000 hours to 0030 hours and Sunday from 1100 hours to 2300 hours*).
- Hours permitted for Sale of Alcohol – Monday to Wednesday from 1000 hours to 0000 hours, Thursday from 1000 hours to 0030 hours, Friday to Saturday from 1000 hours to 0100 hours, Sunday 1100 hours to 2230 hours (Unchanged) (*Currently Monday to Friday from 1000 hours to 2300 hours, Saturday from 1000 hours to 0000 hours and Sunday from 1100 hours to 2230 hours*).
- Hours permitted for recorded music – Monday to Wednesday from 1000 hours to 0030 hours, Thursday from 1000 hours to 0100 hours, Friday to Saturday from 1000 hours to 0130 hours, Sunday 1100 hours to 2300 hours (*Currently Monday to Thursday from 1000 hours to 2300 hours, Friday to Saturday from 1000 hours to 0000 hours and Sunday from 1100 hours to 2230 hours*).
- Hours permitted for Late Night Refreshment – Monday to Wednesday from 2300 hours to 0000 hours, Thursday from 2300 hours to 0030 hours, Friday to Saturday from 2300 hours to 0100 hours (*Currently Friday and Saturday from 2300 hours to 0000 hours*).

Additionally, the following conditions are to be varied as part of this application:

- Condition 39 to be varied so that it reads, "The external area shall be closed to the public at 23:30 hours from Monday to Thursday, 0000 hours from Friday to Saturday and 22:30 hours on Sundays and shall not re-open until the start of trade the following day, with the exception of smokers immediately outside the front of the premises who will not be permitted to take drinks outside after 23:30 hours from Monday to Thursday, 0000 hours from Friday to Saturday and 22:30 hours on Sundays. This currently reads, "*The external area shall be closed to the public at 22:00 hours and shall not re-open until the start of trade the following day, with the exception of smokers immediately outside the front of the premises who will not be permitted to take drinks outside after 22:00 hours.*"

- Condition 40 to be varied so that it reads, "The maximum number of persons (excluding staff) allowed in the external area of the premises shall not exceed 84 seated patrons" (*Currently 30 Patrons*).
- Condition 41 to be varied so that it reads, "*Notices will be displayed in the external area stating that this area is for seated patrons only. Waiter/Waitress services will be available in the external seating area after 17:00 hours on Thursday to Saturday between April 1st and September 30th each year.*" This currently reads, "*The external area will display notices advising customers that the area is for seated patrons only and customers that are not seated will be asked to leave this external area. Service to this area will include on a Thursday, Friday and Saturday night between 17:00 hours until close, which will be by waiter/waitress only between the months of April and September.*"

Any conditions on the current premises licence that conflict with this variation are to be amended accordingly.

There are no further changes being made as part of this application.

If your proposed variation would mean that 5,000 or more people are expected to attend the premises at any one time, please state the number expected to attend:

Part 4 Operating Schedule

Please complete those parts of the Operating Schedule below which would be subject to change if this application to vary is successful.

Provision of regulated entertainment (Please see guidance note 3)	Please tick all that apply
a) plays (if ticking yes, fill in box A)	<input type="checkbox"/>
b) films (if ticking yes, fill in box B)	<input type="checkbox"/>
c) indoor sporting events (if ticking yes, fill in box C)	<input type="checkbox"/>
d) boxing or wrestling entertainment (if ticking yes, fill in box D)	<input type="checkbox"/>
e) live music (if ticking yes, fill in box E)	<input type="checkbox"/>
f) recorded music (if ticking yes, fill in box F)	<input checked="" type="checkbox"/>
g) performances of dance (if ticking yes, fill in box G)	<input type="checkbox"/>
h) anything of a similar description to that falling within (e), (f) or (g) (if ticking yes, fill in box H)	<input type="checkbox"/>

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

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

In all cases complete boxes K, L and M

A

Plays Standard days and timings (please read guidance note 8)			Will the performance of a play take place <u>indoors or outdoors or both – please tick</u> (please read guidance note 4)	Indoors	<input type="checkbox"/>			
				Outdoors	<input type="checkbox"/>			
				Both	<input type="checkbox"/>			
Day	Start	Finish	<u>Please give further details here</u> (please read guidance note 5)					
Mon								
Tue								
Wed						<u>State any seasonal variations for performing plays</u> (please read guidance note 6)		
Thur								
Fri			<u>Non standard timings. Where you intend to use the premises for the performance of plays at different times to those listed in the column on the left, please list</u> (please read guidance note 7)					
Sat								
Sun								

B

Films Standard days and timings (please read guidance note 8)			Will the exhibition of films take place indoors <u>or outdoors or both – please tick</u> (please read guidance note 4)	Indoors	<input type="checkbox"/>
				Outdoors	<input type="checkbox"/>
				Both	<input type="checkbox"/>
Day	Start	Finish	Please give further details here (please read guidance note 5)		
Mon					
Tue					
Wed			State any seasonal variations for the exhibition of films (please read guidance note 6)		
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 7)		
Sat					
Sun					

C

Indoor sporting events Standard days and timings (please read guidance note 8)			Please give further details (please read guidance note 5)
Day	Start	Finish	
Mon			
Tue			State any seasonal variations for indoor sporting events (please read guidance note 6)
Wed			
Thur			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 7)
Fri			
Sat			
Sun			

D

Boxing or wrestling entertainments Standard days and timings (please read guidance note 8)			<u>Will the boxing or wrestling entertainment take place indoors or outdoors or both – please tick</u> (please read guidance note 4)	Indoors	<input type="checkbox"/>
				Outdoors	<input type="checkbox"/>
				Both	<input type="checkbox"/>
Day	Start	Finish	<u>Please give further details here</u> (please read guidance note 5)		
Mon					
Tue			<u>State any seasonal variations for boxing or wrestling entertainment</u> (please read guidance note 6)		
Wed			<u>Non standard timings. Where you intend to use the premises for boxing or wrestling entertainment at different times to those listed in the column on the left, please list</u> (please read guidance note 7)		
Thur					
Fri					
Sat					
Sun					

E

Live music Standard days and timings (please read guidance note 8)			Will the performance of live music take place <u>indoors or outdoors or both – please tick</u> (please read guidance note 4)	Indoors	<input type="checkbox"/>
				Outdoors	<input type="checkbox"/>
				Both	<input type="checkbox"/>
Day	Start	Finish	Please give further details here (please read guidance note 5)		
Mon					
Tue			State any seasonal variations for the performance of live music (please read guidance note 6)		
Wed			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 7)		
Thur					
Fri					
Sat					
Sun					

F

Recorded music Standard days and timings (please read guidance note 8)			Will the playing of recorded music take place <u>indoors or outdoors or both – please tick</u> (please read guidance note 4)	Indoors	<input type="checkbox"/>
				Outdoors	<input type="checkbox"/>
				Both	<input checked="" type="checkbox"/>
Day	Start	Finish	Please give further details here (please read guidance note 5)		
Mon	1100				
Tue		0030			
	1100				
Wed		0030	State any seasonal variations for the playing of recorded music (please read guidance note 6)		
	1000				
Thur		0030			
	1100				
Fri		0100	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 7)		
	1000				
Sat		0130			
	1000				
Sun		0130			
	1100	2300			

G

Performances of dance Standard days and timings (please read guidance note 8)			Will the performance of dance take place indoors or outdoors or both – please tick (please read guidance note 4)	Indoors	<input type="checkbox"/>
				Outdoors	<input type="checkbox"/>
				Both	<input type="checkbox"/>
Day	Start	Finish			
Mon			<u>Please give further details here</u> (please read guidance note 5)		
Tue					
Wed			<u>State any seasonal variations for the performance of dance</u> (please read guidance note 6)		
Thur					
Fri			<u>Non standard timings. Where you intend to use the premises for the performance of dance at different times to those listed in the column on the left, please list</u> (please read guidance note 7)		
Sat					
Sun					

H

Anything of a similar description to that falling within (e), (f) or (g) Standard days and timings (please read guidance note 8)			Please give a description of the type of entertainment you will be providing	
Day	Start	Finish	<u>Will this entertainment take place indoors or outdoors or both – please tick</u> (please read guidance note 4)	Indoors <input type="checkbox"/>
Mon				Outdoors <input type="checkbox"/>
				Both <input type="checkbox"/>
Tue			<u>Please give further details here</u> (please read guidance note 5)	
Wed				
Thur			<u>State any seasonal variations for entertainment of a similar description to that falling within (e), (f) or (g)</u> (please read guidance note 6)	
Fri				
Sat			<u>Non standard timings. Where you intend to use the premises for the entertainment of a similar description to that falling within (e), (f) or (g) at different times to those listed in the column on the left, please list</u> (please read guidance note 7)	
Sun				

Late night refreshment Standard days and timings (please read guidance note 8)			Will the provision of late night refreshment take place indoors or outdoors or both – please tick (please read guidance note 4)	Indoors	<input type="checkbox"/>
				Outdoors	<input type="checkbox"/>
				Both	<input checked="" type="checkbox"/>
Day	Start	Finish			
Mon	2300		Please give further details here (please read guidance note 5)		
Tue		0000			
	2300				
Wed		0000	State any seasonal variations for the provision of late night refreshment (please read guidance note 6)		
	2300				
Thur		0000			
	2300				
Fri		0030	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 7)		
	2300				
Sat		0100			
	2300				
Sun		0100			

J

Supply of alcohol Standard days and timings (please read guidance note 8)			Will the supply of alcohol be for consumption – please tick (please read guidance note 9)	On the premises	<input type="checkbox"/>
				Off the premises	<input type="checkbox"/>
Day	Start	Finish		Both	<input checked="" type="checkbox"/>
Mon	1000		<u>State any seasonal variations for the supply of alcohol</u> (please read guidance note 6)		
Tue		0000			
	1000				
Wed		0000	<u>Non-standard timings. Where you intend to use the premises for the supply of alcohol at different times to those listed in the column on the left, please list</u> (please read guidance note 7)		
	1000				
Thur		0000			
	1000				
Fri		0030			
	1000				
Sat		0100			
	1000				
Sun		0100			
	1100	2230			

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 10).

L

Hours premises are open to the public Standard days and timings (please read guidance note 8)			State any seasonal variations (please read guidance note 6)
Day	Start	Finish	
Mon	1100		
Tue		0030	
	1100		
Wed		0030	
	1000		
Thur		0030	
	1100		
Fri		0100	
	1000		
Sat		0130	
	1000		
Sun		0130	
	1100	2300	
			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 7)

Please identify those conditions currently imposed on the licence which you believe could be removed as a consequence of the proposed variation you are seeking.

Condition 39 – “The external area shall be closed to the public at 22:00 hours and shall not re-open until the start of trade the following day, with the exception of smokers immediately outside the front of the premises who will not be permitted to take drinks outside after 22:00 hours.”

Condition 40 – “The maximum number of persons (excluding staff) allowed in the external area of the premises shall not exceed 30 Patrons).

Condition 41 – “The external area will display notices advising customers that the area is for seated patrons only and customers that are not seated will be asked to leave this external area. Service to this area will include on a Thursday, Friday and Saturday night between 17:00 hours until close, which will be by waiter/waitress only between the months of April and September.”

Please tick as appropriate

- I have enclosed the premises licence ☐
- I have enclosed the relevant part of the premises licence ☐

If you have not ticked one of these boxes, please fill in reasons for not including the licence or part of it below

Reasons why I have not enclosed the premises licence or relevant part of premises licence.

M Describe any additional steps you intend to take to promote the four licensing objectives as a result of the proposed variation:

a) General – all four licensing objectives (b, c, d and e) (please read guidance note 11)

Condition 39 to be varied so that it reads, “The external area shall be closed to the public at 23:30 hours from Monday to Thursday, 0000 hours from Friday to Saturday and 22:30 hours on Sundays and shall not re-open until the start of trade the following day, with the exception of smokers immediately outside the front of the premises who will not be permitted to take drinks outside after 23:30 hours from Monday to Thursday, 0000 hours from Friday to Saturday and 22:30 hours on Sundays.

Condition 40 to be varied so that it reads, “The maximum number of persons (excluding staff) allowed in the external area of the premises shall not exceed 84 seated patrons”.

Condition 41 to be varied so that it reads, “*Notices will be displayed in the external area stating that this area is for seated patrons only. Waiter/Waitress services will be available in the external seating area after 17:00 hours on Thursday to Saturday between April 1st and September 30th each year.*”

b) The prevention of crime and disorder

As per current licence.

c) Public safety

As per current licence.

d) The prevention of public nuisance

As per current licence.

e) The protection of children from harm

As per current licence.

Checklist:


Please tick to indicate agreement

- I have made or enclosed payment of the fee; or ☐
- I have not made or enclosed payment of the fee because this application has been made in relation to the introduction of the late night levy. ☐
- I have sent copies of this application and the plan to responsible authorities and others where applicable. ☐
- I understand that I must now advertise my application. ☐
- I have enclosed the premises licence or relevant part of it or explanation. ☐
- 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 5 – Signatures (please read guidance note 12)

Signature of applicant (the current premises licence holder) or applicant's solicitor or other duly authorised agent (please read guidance note 13). **If signing on behalf of the applicant, please state in what capacity.**

Signature	
Date	11/07/2022
Capacity	Solicitor to applicant

Where the premises licence is jointly held, signature of 2nd applicant (the current premises licence holder) or 2nd applicant's solicitor or other authorised agent (please read guidance note 14). **If signing on behalf of the applicant, please state in what capacity.**

Signature	
Date	
Capacity	

- a performance of amplified live music between 08.00 and 23.00 on any day, in a workplace that is not licensed to sell alcohol on those premises, provided that the audience does not exceed 500.
 - a performance of amplified live music between 08.00 and 23.00 on any day, in a church hall, village hall, community hall, or other similar community premises, that is not licensed by a premises licence to sell alcohol, provided that (a) the audience does not exceed 500, and (b) the organiser gets consent for the performance from a person who is responsible for the premises.
 - a performance of amplified live music between 08.00 and 23.00 on any day, at the non-residential premises of (i) a local authority, or (ii) a school, or (iii) a hospital, provided that (a) the audience does not exceed 500, and (b) the organiser gets consent for the performance on the relevant premises from: (i) the local authority concerned, or (ii) the school or (iii) the health care provider for the hospital.
 - Recorded Music: no licence permission is required for:
 - any playing of recorded music between 08.00 and 23.00 on any day on premises authorised to sell alcohol for consumption on those premises, provided that the audience does not exceed 500.
 - any playing of recorded music between 08.00 and 23.00 on any day, in a church hall, village hall, community hall, or other similar community premises, that is not licensed by a premises licence to sell alcohol, provided that (a) the audience does not exceed 500, and (b) the organiser gets consent for the performance from a person who is responsible for the premises.
 - any playing of recorded music between 08.00 and 23.00 on any day, at the non-residential premises of (i) a local authority, or (ii) a school, or (iii) a hospital, provided that (a) the audience does not exceed 500, and (b) the organiser gets consent for the performance on the relevant premises from: (i) the local authority concerned, or (ii) the school proprietor or (iii) the health care provider for the hospital.
 - Dance: no licence is required for performances between 08.00 and 23.00 on any day, provided that the audience does not exceed 500. However, a performance which amounts to adult entertainment remains licensable.
 - Cross activity exemptions: no licence is required between 08.00 and 23.00 on any day, with no limit on audience size for:
 - any entertainment taking place on the premises of the local authority where the entertainment is provided by or on behalf of the local authority;
 - any entertainment taking place on the hospital premises of the health care provider where the entertainment is provided by or on behalf of the health care provider;
 - any entertainment taking place on the premises of the school where the entertainment is provided by or on behalf of the school proprietor; and
 - any entertainment (excluding films and a boxing or wrestling entertainment) taking place at a travelling circus, provided that (a) it takes place within a moveable structure that accommodates the audience, and (b) that the travelling circus has not been located on the same site for more than 28 consecutive days.
4. Where taking place in a building or other structure please tick as appropriate (indoors may include a tent).
 5. For example state type of activity to be authorised, if not already stated, and give relevant further details, for example (but not exclusively) whether or not music will be amplified or unamplified.
 6. For example (but not exclusively), where the activity will occur on additional days during the summer months.

7. For example (but not exclusively), where you wish the activity to go on longer on a particular day e.g. Christmas Eve.
8. Please give timings in 24 hour clock (e.g. 16.00) and only give details for the days of the week when you intend the premises to be used for the activity.
9. If you wish people to be able to consume alcohol on the premises, please tick 'on the premises'. If you wish people to be able to purchase alcohol to consume away from the premises, please tick 'off the premises'. If you wish people to be able to do both, please tick 'both'.
10. Please give information about anything intended to occur at the premises or ancillary to the use of the premises which may give rise to concern in respect of children regardless of whether you intend children to have access to the premises, for example (but not exclusively) nudity or semi-nudity, films for restricted age groups or the presence of gaming machines.
11. Please list here steps you will take to promote all four licensing objectives together.
12. The application form must be signed.
13. An applicant's agent (for example solicitor) may sign the form on their behalf provided that they have actual authority to do so.
14. Where there is more than one applicant, each of the applicants or their respective agents must sign the application form.
15. This is the address which we shall use to correspond with you about this application.

Appendix B1

RESPONSIBLE AUTHORITY REPRESENTATION: APPLICATION UNDER THE LICENSING ACT 2003

RESPONSIBLE AUTHORITY DETAILS

NAME OF AUTHORITY	Metropolitan Police service
ADDRESS OF AUTHORITY	Licensing Unit, Stoke Police Station 33 Stoke Newington High Street London N16 8DS
CONTACT NAME	PC 3288CE Amanda GRIGGS
TELEPHONE NUMBER	07796 183078
E-MAIL ADDRESS	hackneylicensing@met.police.uk

APPLICATION PREMISES

NAME & ADDRESS OF PREMISES	Hackney Tap 354 Mare Street London E8 1HR
NAME OF PREMISES USER	Bloomsbury Leisure Holdings Ltd

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 to vary the Premises Licence at Hackney Tap, 354 Mare Street, London, E8 1HR for the following reason(s);

The current premises licence gives the venue hours that are in line with the Council's Licensing Policy. This variation application seeks to extend these hours so that the only day that remains within core hours is Sunday.

The premises is situated in The Narrowway, a busy shopping street that has a long history of issues of ASB and Street drinking, with the SNT still getting numerous calls to deal with aggressive beggars, drug taking, thefts and assaults.

Above the shops are residential flats, an increase in hours, and an increase in capacity of the outside area, will have a negative impact on them.

The proposals for the outside area include the numbers nearly tripling from 30 to 84, as well as the hours the area can be used being extended considerably. Under LP6 of the Council's Licensing Policy, it states that the Local Authority will normally restrict external areas and outdoor activity to between the hours of 0800-2200hrs. Given the nature of the area itself, this would be more than appropriate for this location, therefore police would object to the increase in hours for its use and therefore the changing of conditions in relation to this area.

Should an extension to the licence be granted allowing it to operate until after midnight, then police ask that the following condition be attached;

'SIA door supervisors shall be employed at a ratio of 1 per 100 customers on nights when the venue shuts after midnight. 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.'

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.

Reduction in hours and capacity of outside area.

Signed

PC 3288CE GRIGGS

(By E-mail)

Name (printed)

Appendix B2

RESPONSIBLE AUTHORITY REPRESENTATION: APPLICATION UNDER THE LICENSING ACT 2003

RESPONSIBLE AUTHORITY DETAILS

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

APPLICATION PREMISES

Premises	Hackney Tap 354 Mare Street London E8 1HR
Applicant	Bloomsbury Leisure Holdings Limited

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 to make a representation in relation to this application to vary the existing premises licence.

The premises is situated within the “Narrowway” portion of Mare Street. Whilst this area appears predominantly retail led, there are some residential properties above the ground floor shops. The concern is that the extension of hours of activity and the intensification of outdoor activity could cause nuisance to the occupants of the residential properties along this part of Mare Street.

During a visit to the site on 28 July 2022 it could be seen that 14 tables of up to 6 persons had already been positioned outside. Whilst the premises was not in operation at the time of the visit, the furniture had been left out which appears to be contrary to the existing condition (45) which states: *Furniture in the external area cannot be left out at night and must all be put away at the end of each external trading session. This means that barriers, tables and chairs from the external seating area must be packed away and moved to the front of the premises where they will be secured behind barriers once the external area has closed to the public. At the end of trading all furniture and barriers will be stored inside the premises.*





It would also be useful for the applicant to clarify the status of any shop front or pavement licence.

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.

Discussion with the applicant in relation to additional measures to mitigate the issues raised above.

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

9 August 2022

Appendix B3



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

Re: Licensing Act 2003: Application to vary a Premises Licence Re: Hackney Tap, 354 Mare Street E8 1HR

1 message

Adeshola Awomolo <adeshola.awomolo@hackney.gov.uk>

9 August 2022 at 17:02

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

Dear Sanaria,

Environmental Protection team will be objecting to the licensing application for the above premises as i have concern about a likely noise emanating from the use of the outside space, i am currently working with the applicant representative in agree to conditions to alleviate our concerns, I will consult you in due course.

Regards

--

Adeshola Awomolo
Senior Environmental Protection Officer
Environmental Health Service
Business Regulation
London Borough of Hackney
Hackney Service Centre
[1 Hillman Street](#)
[London](#)
[E8 1DY](#)
Tel : 0208 356 4455
e. Adeshola.Awomolo@hackney.gov.uk

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



This premises licence has been issued by:
Licensing Service
1 Hillman Street
London
E8 1DY

Premises licence number 107507

Part 1 - Premises Details

Postal address of premises, or if none, ordnance survey map reference of description Gyoza Town Ground Floor 354 Mare Street			
Post town	London	Postcode	E8 1HR
Telephone number			

Where the licence is time limited the dates Not Applicable
--

Licensable activities authorised by the licence Recorded Music Late Night Refreshment Supply of Alcohol

The times the licence authorises the carrying out of licensable activities	
Recorded Music	Standard Hours:
	Mon 10:00-23:00
	Tue 10:00-23:00
	Wed 10:00-23:00
	Thu 10:00-23:00
	Fri 10:00-00:00
	Sat 10:00-00:00
	Sun 11:00-22:30

Supply of Alcohol**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 10:00-00:00
Sun 11:00-22:30

Late Night Refreshment**Standard Hours:**

Fri 23:00-00:00
Sat 23:00-00:00

The opening hours of the premises**Standard Hours:**

Mon 10:00-23:30
Tue 10:00-23:30
Wed 10:00-23:30
Thu 10:00-23:30
Fri 10:00-00:30
Sat 10:00-00:30
Sun 11:00-23:00

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 email (where relevant) of holder of premises licence

Bloomsbury Leisure Holdings Limited
Basement of Tavistock Hotel
Bedford Way
London
WC1H 9EU

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

07126903

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

Jonathan Charles Dalton



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

Personal licence number: [REDACTED]

Issuing Authority: [REDACTED]

Date of grant: 14/04/2020

A handwritten signature in black ink, appearing to read 'David Tuitt'.

David Tuitt
Team Leader - Licensing

Annex 1 - Mandatory Conditions

Supply of Alcohol (On and Off Premises)

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. Substantial food and substantial beverages other than alcohol (including drinking water) shall be available in all parts of the premises where alcohol is sold or supplied until 30 minutes prior to closing daily.

9. An incident log shall be kept at the premises, and made available on request to an authorised officer of the council or the police, which will record the following.

- a. All crimes reported:
- b. All ejections of patrons
- c. Any complaints received.
- d. Any incidents of disorder.
- e. Seizure of drugs or offensive weapons.
- f. Any faults in the CCTV system.
- g. Any refusal of the sale of alcohol.
- h. Any visit by a relevant authority or emergency service.

10. The premises shall install and maintain a comprehensive CCTV system as per the minimum requirements of a Metropolitan Police Crime Prevention Officer. All public areas and each 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 to view immediately and copies will be provided with minimum delay upon the request of Police or authorised officer.

11. There shall be a staff member from the premises who is conversant with the operation of the CCTV system on the premises at all times when the premises are open to the public. This staff member must be able to show a Police or authorised council officer recent data or footage when requested.

12. Premises to operate zero tolerance policy to drugs and comply with Hackney Police Drugs and Weapons policy where appropriate.

13. The premises shall adhere to Hackney Police Theft, Weapons and Drugs Policies and any updates thereof.

14. All instances of crime and disorder witnessed by staff members or reported to staff members to be reported by the Designated Premises Supervisor or responsible member of staff to an agreed police contact point as agreed with the police.

15. All staff shall receive training on the legislation relating to the sales of alcohol to underage persons and drunken persons and shall have refresher training every 12 months. There shall be written records of such training which will be kept on the premises and produced to a police officer or other authorised officer upon request.

16. Locations of fire safety and other safety equipment subject to change in accordance with the requirements of the responsible authorities or following a risk assessment.
17. 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.
18. Checks shall be undertaken prior to opening to ensure that all public areas are kept clear and fire exits unlocked and capable of use in an emergency.
19. A complaints log ("the log") will be maintained in either electronic or physical format and any complaints by residents in relation to noise or other potential public nuisance issues, such as odour from cooking etc., will be noted in the log. The log will record the date, time and name of the person making the record, along with the nature of the complaint and any action taken to rectify the complaint. A copy of the log will be made available to the council Licensing or Environment Protection team upon request.
20. During the hours of operation of the premises, the licence holder shall ensure sufficient measures are in place to remove and prevent litter or waste arising or accumulating from customers in the area immediately outside the premises, and that this area shall be swept and or washed, and litter and sweepings collected and stored in accordance with the approved refuse storage arrangements by close of business
21. Signs will be prominently displayed at all entrance and exit points reminding customers to leave quietly and respect local residents.
22. A Challenge 25 policy will be implemented at the premises and all staff shall be trained in the enforcement of the policy prior to being permitted to sell alcohol. Training records to be made available to the licensing authority on request. ID accepted as part of this policy will include a valid passport, photo ID, driving licence, ID cards with Pass Mark or European ID cards or digital ID where a secure form of ID (as detailed above) has been registered with the digital ID provider as proof of age.
23. The Licensee shall ensure that all 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.
24. 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.

If the business is on a Time Banded Street

25. A The Licensee's premises are situated in an area within which refuse may only be left on the public highway at certain times (time bands). If the Licensee's waste carrier cannot or does not comply by collecting the refuse within an hour after the close of any time band imposed by the waste authority, the Licensee must remove the refuse from the public highway and/or keep it within the premises until such time as their waste carrier arrives to collect the refuse.

Or, if the business is not on a Time Banded Street

B. 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.

Or, if the business is on a street which is being considered for Time Banding

C. In streets or areas where the London Borough of Hackney imposes a requirement that refuse may only be left on the public highway at certain times the Licensee must ensure he complies with any orders or notices served by the Council AND if the Licensee's waste carrier cannot or does not comply by collecting the refuse within an hour after the close of any time band imposed by such order or notice, the Licensee must remove the refuse from the public highway and/or keep it within the premises until such time as his/her waste carrier arrives to collect the refuse).

26. 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.

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

28. 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 the PREMISES (Gyoza Town). 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

29. The only external areas permitted to be used by customers will be those agreed in conjunction with the landowner and evidenced on a plan that will be provided to the police or licensing authority on request.

30. Any external areas will be substantially enclosed by barriers. Furniture and barriers will be removed and stored in the premises when the area is not being traded.

31. An external area management plan (the 'EAMP') will be drawn up and implemented at the premises and will cover any external area in use. The EAMP will set out the following:

- the areas designated for customer use, with reference to a plan showing the areas
- the numbers permitted to use the external areas
- the management procedures to be put in place to ensure that EAMP is complied with
- the times that any such areas are permitted to be used
- policy for putting out and removing furniture
- policy for dealing with non-customers within the area
- policy for dealing with aggressive begging
- policy for dealing with customer complaints
- policy for cleaning up litter both within and in the vicinity of the external areas
- policy for ensuring customers only use the designated external areas

32. CCTV will cover any external area in use, with recordings made available to the police in the course of any investigation into a criminal offence.

33. The need for door supervisors will be risk assessed by the management to ensure that the licensing objectives are promoted. Such risk assessment will be made available to police and licensing on request.

34. Signage will be displayed at the exits of the premises notifying customers that only the enclosed external spaces can be used and that otherwise, taking drinks or food outside is prohibited.

35. Substantial food will be available to customers until 30 minutes prior to closing daily. Any changes to the operation must be notified to the police in advance of an application being submitted to vary this condition.

36. A minimum of two- thirds of customer floor space will be given over to tables and chairs (including high tables).

37. The premises will draw up and implement a dispersal policy to ensure that as far as practicable customers disperse quickly and quietly at the end of trading. This policy will be made available to the licensing authority or environmental protection officer on request.

38. A complaints log will be kept at the premises where complaints made by local residents will be logged, alongside any action taken to rectify the complaint. This log will be made available to the licensing authority or environmental protection officer on request.

39. The external area shall be closed to the public at 22:00 hours daily and shall not re-open until the start of trade the following day, with the exception of smokers immediately outside the front of the premises who will not be permitted to take drinks outside after 22:00 hours.

40. The maximum number of persons (excluding staff) allowed in the external area of the premises shall not exceed 30 patrons.

41. The external area will display notices advising customers that the area is for seated patrons only and customers that are not seated will be asked to leave this external area. Service to this area will include on a Thursday, Friday and Saturday night between 17:00 hours until close, which will be by waiter/ waitress only between the months of April and September.

42. Patrons will not be permitted to take drinks into any external area not enclosed by barriers. Signs will be displayed to this effect.

43. The external area is the area immediately adjacent to the premises, on the right hand side (when looking at the premises from the front). Alcohol will only be consumed in this area by the outside patrons.

44. The external area will be supervised and managed by staff at all times.

45. Furniture in the external area cannot be left out at night and must all be put away at the end of each external trading session. This means that barriers, tables and chairs from the external seating area must be packed away and moved to the front of the premises where they will be secured behind barriers once the external area has closed to the public. At the end of trading all furniture and barriers will be stored inside the premises.

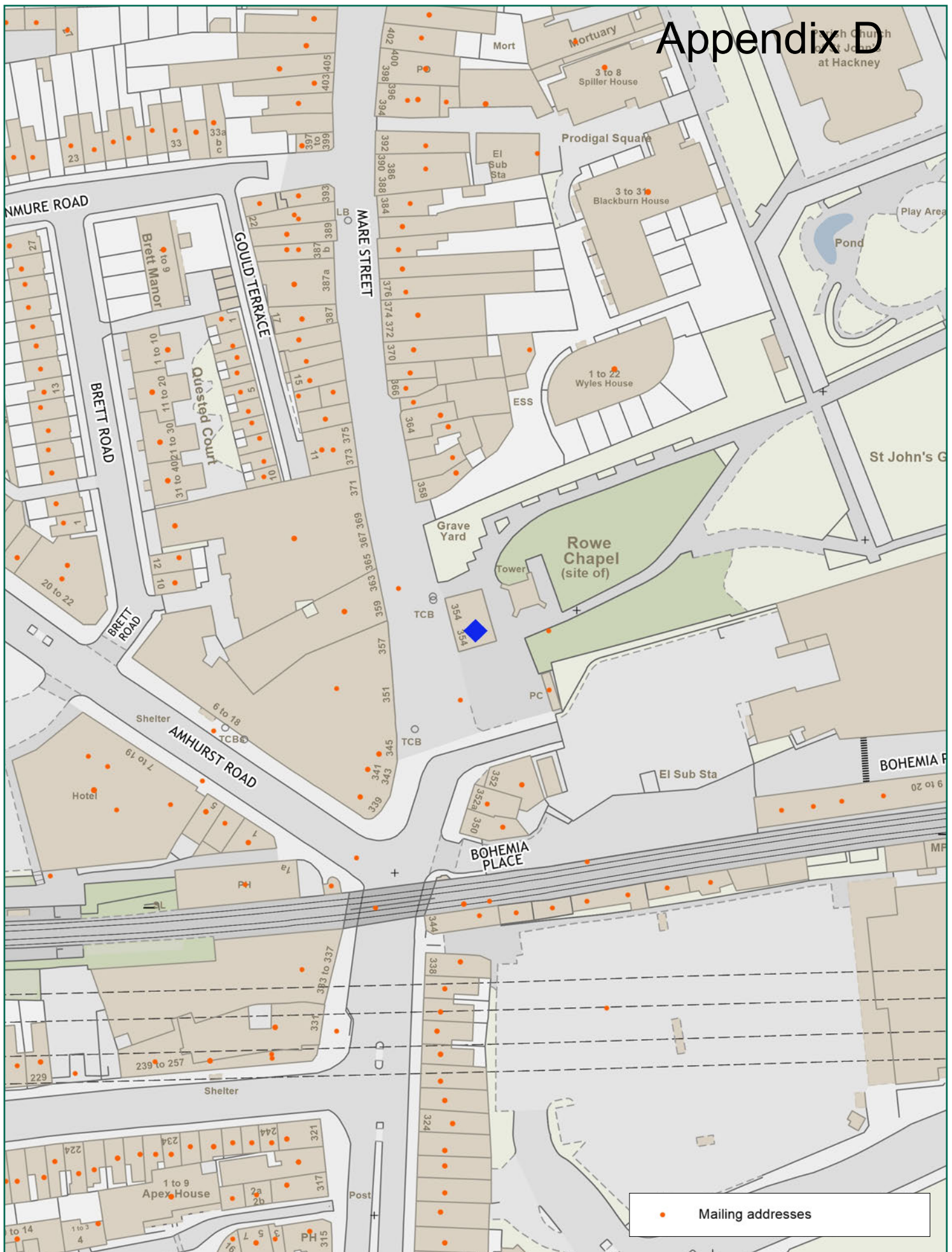
46. After the external is closed (at 22:00 hours), there shall be no more than 10 patrons smoking outside the premises at any one time. Patrons, smoking after the external area is closed, should only be allowed to smoke at the front of the premises.

Annex 3 - Conditions attached after a hearing by the licensing authority
None.

Annex 4 - Plans

PLAN/107507/06012021

Appendix D



Scale: 1:1250 at A4

354 Mare Street, E8 1HR



Ref:

Tuesday, September 27, 2022

Produced by: unspecified

email:

please specify copyright statement