

For Consideration By	Licensing Sub-Committee
Meeting Date	13 December 2022
Type of Application	Vary a Premises Licence
Address of Premises	Balls,333 Old Street, Hackney, London,EC1V 9LE
Classification	Decision
Ward(s) Affected	Hoxton East and Shoreditch
Group Director	Rickardo Hyatt

1. Summary

- 1.1. This is an application to vary a premises licence;
- To include the basement to the premises licence
 - To include the outside area in the ground floor
 - To remove and amend conditions on the premises licence

2. Application

- 2.1. Takestyle Ltd has made an application to vary a premises licence under section 34 of the Licensing Act 2003.
- 2.2. The premises is located in the Shoreditch Special Policy Area.
- 2.3. The applicant is seeking authorisation for the following proposed variation:
- To include the basement area and outside area in the ground floor(as per new and revised plans provided)
 - To remove condition 28: No open bottles, glasses or drinks will be permitted to be taken outside the premises at any time.
 - To amend condition 12 to read: No open bottles, glasses or drinks shall be permitted to be taken outside the premises at any time except for drinks to be consumed at the outside tables which shall be served in toughened glasses and all bottles to be consumed at the outside tables shall be decanted into toughened glasses or toughened containers.

- To amend condition 17(d) to read: No open bottles, glasses or drinks shall be permitted to be taken outside the premises at any time except for drinks to be consumed at the outside tables which shall be served in toughened glasses or containers.

2.4. The application and revised plans attached as Appendix A. The applicant has proposed measures that could be converted to conditions (see paragraph 8.1 below).

3. **Current Status/History**

3.1. The current premises licence was granted on 12 July 2021(attached as Appendix C).

3.2. Temporary event notices have given in current year at this premises as follows:

<u>Date of the event(s)</u>	<u>Hours</u>
28/10/2022-30/10/2022	16:00-03:00
29/11/2022-29/11/2022	12:00-00:00

4. **Representations: Responsible Authorities**

From	Details
Environmental Health Authority(Environmental Protection)	Have confirmed no representation on this application
Environmental Health Authority (Environmental Enforcement)	Have confirmed no representation on this application
Environmental Health Authority (Health & Safety)	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 received on the grounds of The Prevention of Crime and Disorder and Prevention of Public Nuisance
Licensing Authority (Appendix B2)	Representation received on the grounds of The Prevention of Public Nuisance
Health Authority	No representation received

5. **Representations: Other Persons**

From	Details
None	No representation received

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), LP6 (External Areas and Outdoor Events) and LP10 (Special Policy Areas-Dalston and Shoreditch) 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:
1. The outside tables and chairs shall be closed to the public at 22.00 daily, must be taken out of use at that time and customers requested to go inside.

9. **Reasons for Officer Observations**

- 9.1. Condition above has been proposed by applicant.

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 to vary 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: Shan Uthayasangar Title: Licensing Officer Email: shan.uthayasangar@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

↳ Hackney
LA07

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 Takestyle Ltd

(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

PREM/2021/0044

Part 1 – Premises Details

Postal address of premises or, if none, ordnance survey map reference or description

Balls,
333 Old Street
London EC1V 9LE

Post town	London	Postcode	EC1V 9LE
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Telephone number at premises (if any)	
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Non-domestic rateable value of premises	£222200
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Part 2 – Applicant details

Daytime contact telephone number	
E-mail address (optional)	
Current postal address if different from premises address	The Courtyard, Shoreham Road, Upper Beeding, Steyning, West Sussex, BN44 3TN

Post town	Steyning	Postcode	BN44 3TN
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Part 3 – Variation

Please tick as appropriate	
Do you want the proposed variation to have effect as soon as possible?	<input checked="" type="checkbox"/> Yes
	<input type="checkbox"/> No

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

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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

<p>Please describe briefly the nature of the proposed variation (Please see guidance note 2)</p> <p>1) To submit an additional plan to add the Basement to the premises licence.</p> <p>2) To submit a revised plan of the Ground Floor to add the outside area highlighted in red on the plan to the premises licence to allow consumption of alcohol at the outside tables and chairs.</p> <p>3) To remove, amend & replace conditions on the premises licence as per the application form.</p>
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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)
- b) films (if ticking yes, fill in box B)
- c) indoor sporting events (if ticking yes, fill in box C)
- d) boxing or wrestling entertainment (if ticking yes, fill in box D)
- e) live music (if ticking yes, fill in box E)
- f) recorded music (if ticking yes, fill in box F)
- g) performances of dance (if ticking yes, fill in box G)
- h) anything of a similar description to that falling within (e), (f) or (g) (if ticking yes, fill in box H)

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

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

In all cases complete boxes K, L and M

A

Plays Standard days and timings (please read guidance note 8)			Will the performance of a play 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	Please give further details here (please read guidance note 5)		
Mon					
Tue			State any seasonal variations for performing plays (please read guidance note 6)		
Wed					
Thur			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 7)		
Fri					
Sat					
Sun					

B

Films Standard days and timings (please read guidance note 8)			Will the exhibition of films 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	Please give further details here (please read guidance note 5)		
Mon					
Tue			State any seasonal variations for the exhibition of films (please read guidance note 6)		
Wed					
Thur			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)		
Fri					
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			State any seasonal variations for indoor sporting events (please read guidance note 6)
Tue			
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)			Will the boxing or wrestling entertainment 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	Please give further details here (please read guidance note 5)		
Mon					
Tue					
Wed			State any seasonal variations for boxing or wrestling entertainment (please read guidance note 6)		
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 7)		
Sat					
Sun					

E

Live music Standard days and timings (please read guidance note 8)			Will the performance of live music 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	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					
Thur			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)		
Fri					
Sat					
Sun					

F

Recorded music Standard days and timings (please read guidance note 8)			Will the playing of recorded music 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	Please give further details here (please read guidance note 5)		
Mon					
Tue			State any seasonal variations for the playing of recorded music (please read guidance note 6)		
Wed					
Thur			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)		
Fri					
Sat					
Sun					

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"/>
Day	Start	Finish		Outdoors	<input type="checkbox"/>
				Both	<input type="checkbox"/>
Mon			Please give further details here (please read guidance note 5)		
Tue					
Wed			State any seasonal variations for the performance of dance (please read guidance note 6)		
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 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	Will this entertainment take place indoors or outdoors or both – please tick (please read guidance note 4)	Indoors	<input type="checkbox"/>
Mon				Outdoors	<input type="checkbox"/>
				Both	<input type="checkbox"/>
Tue			Please give further details here (please read guidance note 5)		
Wed					
Thur			State any seasonal variations for entertainment of a similar description to that falling within (e), (f) or (g) (please read guidance note 6)		
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 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 type="checkbox"/>
Day	Start	Finish	Please give further details here (please read guidance note 5)		
Mon					
Tue					
Wed			State any seasonal variations for the provision of late night refreshment (please read guidance note 6)		
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 7)		
Sat					
Sun					

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"/>
				Both	<input type="checkbox"/>
Day	Start	Finish	State any seasonal variations for the supply of alcohol (please read guidance note 6)		
Mon					
Tue					
Wed					
Thur			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 7)		
Fri					
Sat					
Sun					

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).

None

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) None
Day	Start	Finish	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) None
Mon	10.00	00.30	
Tue	10.00	00.30	
Wed	10.00	00.30	
Thur	10.00	00.30	
Fri	10.00	01.30	
Sat	10.00	01.30	
Sun	10.00	00.30	

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. Amend Conditions Number 12, & 17(d) and remove Condition 28 at Annex 2 of the Premises Licence.

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)

We will continue to operate our premises in a responsible manner, actively promote the Licensing Objectives at all times and prevent any increase in negative cumulative impact in the vicinity and wider Shoreditch CIZ / SPA.

CIZ Statement.

The Applicant fully understands that Balls is located within the Shoreditch CIZ / SPA & what that means, of the issues arising and the conditions required to address the issues.

The Applicant wishes to add the Basement and the external area where the outside tables and chairs are located to the Premises Licence.

The Basement will be used for events such as magicians, acoustic performers etc and it will only be for consumption by customers who would go to the Ground Floor Bar to buy drinks. The Applicant is not applying to increase the capacity for the sale of alcohol by adding a bar to the Basement or by providing alcohol to customers by staff service.

No increase in the licensed or opening hours are requested and the full list of permitted conditions remains in force, except for amendments to permit the use of the outside tables & chairs (permitted under a Pavement Permit issued by LB Hackney) until 22.00 daily. The amendments require that drinks to be consumed at the outside tables shall be served in toughened glasses or containers. An additional condition requiring closure of the outside tables & chairs at 22.00 is offered.

Balls will remain essentially as it is now, a place for fun entertainment with a Bar. It will not become a nightclub or a destination bar as the existing hours will remain.

The Applicant is firmly of the opinion that the Licensing Objectives will continue to be fully promoted and that there will be no increase in negative cumulative impact in the CIZ / SPA. The Applicant considers that the variation can safely be approved as an exception to the CIZ / SPA Policy. c

b) The prevention of crime and disorder

Amend Conditions 12 & 17d) at Annex 2 of the Premises Licence to read as follows:

Amend Condition 12 to read: "No open bottles, glasses or drinks shall be permitted to be taken outside the premises at any time except for drinks to be consumed at the outside tables which shall be served in toughened glasses and all bottles to be consumed at the outside tables shall be decanted into toughened glasses or toughened containers."

Amend Condition 17 d) to read "No open bottles, glasses or drinks shall be permitted to be taken outside the premises at any time except for drinks to be consumed at the outside tables which shall be served in toughened glasses or containers.

Remove Condition 28 at Annex 2 of the Premises Licence.

Additional condition to be added to the Premises Licence " The outside tables and chairs shall be closed to the public at 22.00 daily, must be taken out of use at that time and customers requested to go inside."

All other conditions to remain in force.

c) Public safety

See Box B Prevention of Crime & Disorder for changes to the Conditions at Annex 2 of the Premises Licence in relation to Conditions 12) & 17d) & the removal of condition 28). An additional condition is offered in Box B.

All other existing conditions to remain in force unchanged.

d) The prevention of public nuisance

See Box B Prevention of Crime & Disorder for changes to the Conditions at Annex 2 of the Premises Licence in relation to Conditions 12) & 17d) & the removal of condition 28). An additional condition is offered in Box B.
All other existing conditions to remain in force unchanged.

e) The protection of children from harm

See Box B Prevention of Crime & Disorder for changes to the Conditions at Annex 2 of the Premises Licence in relation to Conditions 12) & 17d) & the removal of condition 28). An additional condition is offered in Box B.
All other existing conditions to remain in force unchanged.

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	[REDACTED]
Date	29/09/2022
Capacity	Authorised Licensing Consultant

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.

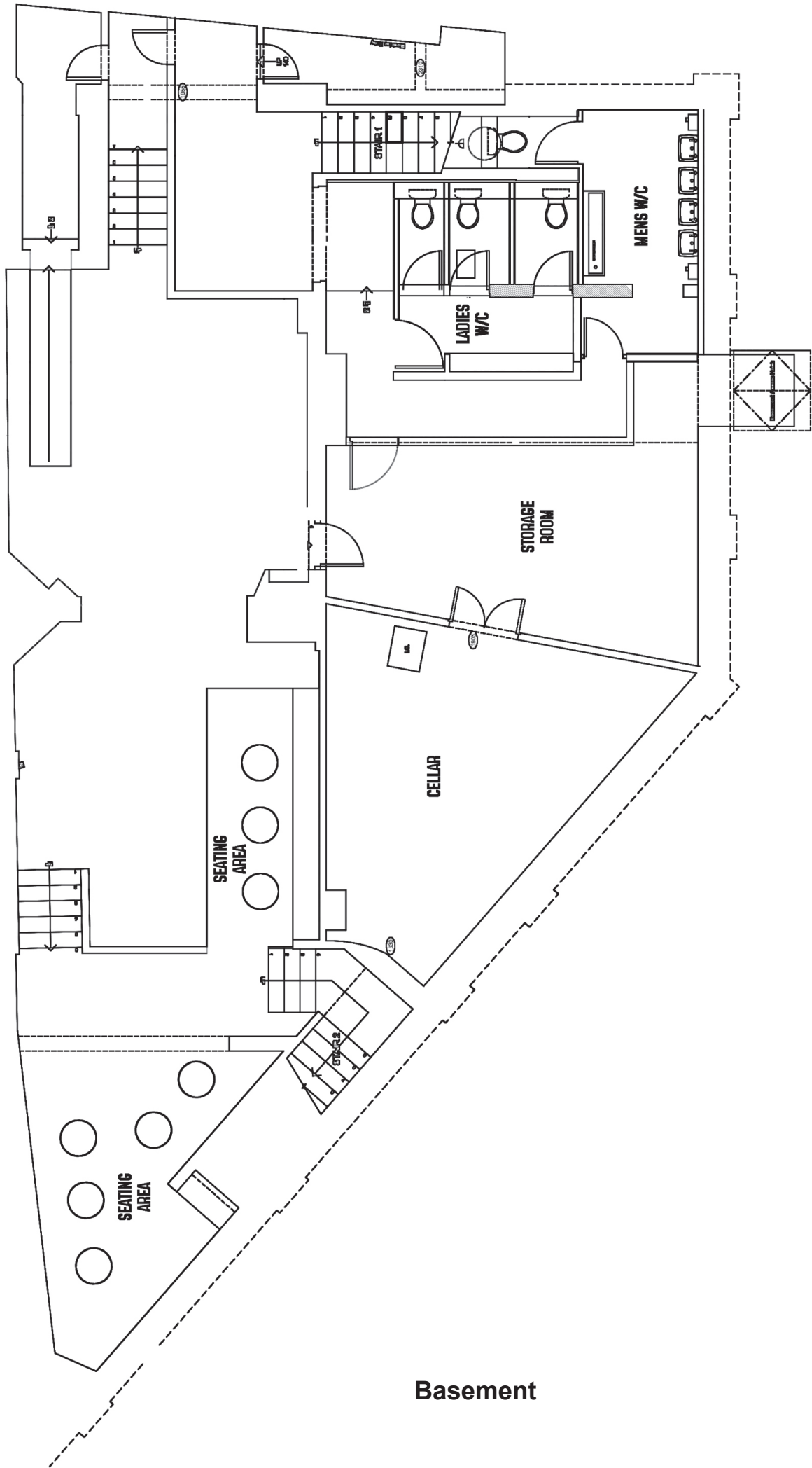
Signature	
Date	
Capacity	

Contact name (where not previously given) and address for correspondence associated with this application (please read guidance note 15) GT Licensing Consultants, [REDACTED]			
Post town	[REDACTED]	Post code	[REDACTED]
Telephone number (if any)	[REDACTED]		
If you would prefer us to correspond with you by e-mail, your e-mail address (optional) [REDACTED]			

Notes for Guidance

This application cannot be used to vary the licence so as to extend the period for which the licence has effect or to vary substantially the premises to which it relates. If you wish to make that type of change to the premises licence, you should make a new premises licence application under section 17 of the Licensing Act 2003.

1. You do not have to pay a fee if the only purpose of the variation for which you are applying is to avoid becoming liable for the late night levy
2. 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 of consumption of these off-supplies of alcohol, you must include a description of where the place will be and its proximity to the premises.



Basement

DO NOT SCALE

NOTES

No	Date	Details Of Issue	Initials

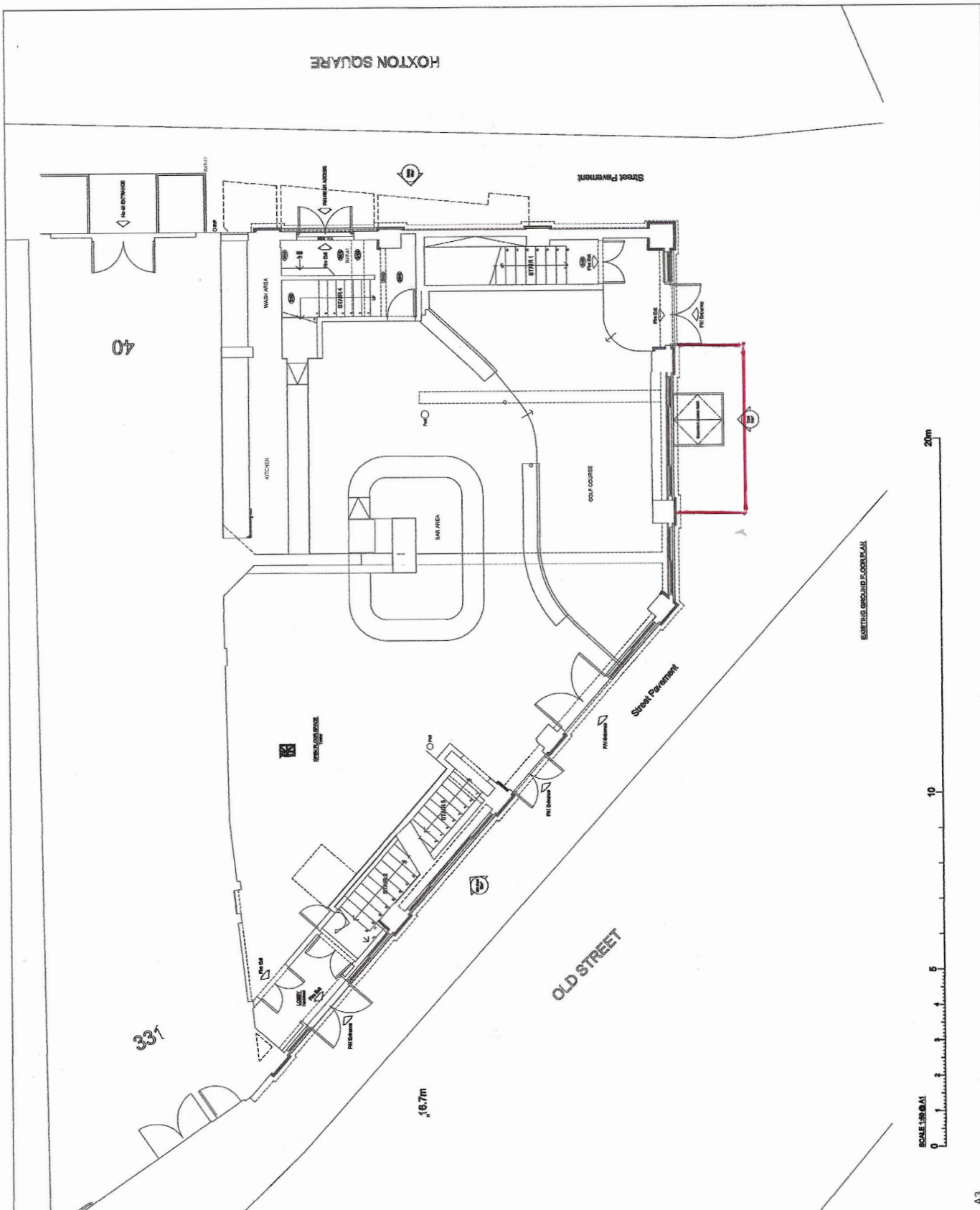


DTWO DESIGN

0203 270 134-144 Coventry Road, London, EC2A 4NE

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Client	333/Mother bar
Project	333 Mother Bar
Title	Ground Floor Plan Licensing
Drawn	DGT
Date	20/10/20
Scale	1:100
Revision No.	C



Ground Floor

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	Balls 333 Old Street London EC1V 9LE
NAME OF PREMISES USER	Takestyle 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 Balls, 333 Old Street, London, EC1V 9LE for the following reason(s);

Police would like more information about what the basement will be used for once included in the licensable area. The application states that it will be for magicians, acoustic performances etc but in reality how would this work? Would these be separate events to the rest of the premises? Would it be a ticketed option? What would the capacity of the basement be?

The application goes on to state that it is not increasing the capacity for the sale of alcohol by not having a bar in the basement or having the capacity of waiter/waitress service in the basement. Police would argue by increasing the licensable area of the venue the capacity for the sale of alcohol automatically increases. The greater the licensable area, the greater the number of people the venue can hold therefore the greater the capacity of alcohol sales. Just by not increasing a bar area does not mean the capacity of alcohol sales doesn't change. By opening the basement and an outside area there will be considerably more people able to drink in the venue.

However police are not overly concerned by the proposals of an outside area, providing the proposed conditions covering this area are fully adhered to.

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.

None

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 1 Hillman Street London E8 1FB
CONTACT NAME	Channing Riviere
TELEPHONE NUMBER	020 8356 4622
E-MAIL ADDRESS	Channing.riviere@hackney.gov.uk

APPLICATION PREMISES

NAME & ADDRESS OF PREMISES	Balls 333 Old Street Hackney London EC1V 9LE
NAME OF APPLICANT	Takestyle Ltd.

COMMENTS

I make the following relevant representations in relation to the above application.

- the prevention of crime and disorder
- public safety
- the prevention of public nuisance **x**
- the protection of children from harm

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

The premises is located in the Shoreditch Special Policy Area (Shoreditch SPA), the Shoreditch SPA has been designated as such due to the impact of the number of premises within the area and their impact on the licensing objectives as well as the local amenity.

“LP10 Special Policy Areas – Dalston and Shoreditch

It is the Council’s policy that where a relevant representation is made to any application within the area of the Dalston SPA or Shoreditch SPA, the applicant will need to demonstrate that the proposed activity and the operation of the premises will not add to the cumulative impact that is currently being experienced in these areas. This policy is to be strictly applied.

It should also be noted that the;

- *quality and track record of the management;*
- *good character of the applicant; and*
- *extent of any variation sought*

May not be in itself sufficient.

It should be noted that if an applicant can demonstrate that they will not add to the cumulative impact in their operating schedule and at any hearing, then the Core Hours Policy within LP3 will apply.”

The applicant has proposed the inclusion of a basement area and external seating area in the application. The applicant has indicated that there will be no increase in the capacity, however, extension of the licensable area is tantamount to an increase in capacity. Will the use of the basement area be available everyday or limited to events only? Would the applicant be prepared to limit the use of the basement area via conditions?

The Licensing Authority notes the proposed amendments to conditions in relation to the use of an external seating area.

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

The Licensing Act 2003, Statement of Licensing Policy 2016 and Guidance issued by the Home Office.

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

N/A

Name: Channing Riviere (Principal Licensing Officer)

Date: 27/10/2022

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

Premises licence number PREM/2021/0044

Part 1 - Premises Details

Postal address of premises, or if none, ordnance survey map reference of description

Ground Floor
 333 Old Street

Post town	London	Postcode	EC1V 9LE
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Telephone number	
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Where the licence is time limited the dates

Not applicable

Licensable activities authorised by the licence

Films
 Live Music
 Recorded Music
 Performance of Dance
 Late Night Refreshment
 Supply of Alcohol

The times the licence authorises the carrying out of licensable activities

Films	Standard Hours
	Mon 10:00-00:00
	Tue 10:00-00:00
	Wed 10:00-00:00
	Thu 10:00-00:00
	Fri 10:00-01:00
	Sat 10:00-01:00
Sun 10:00-00:00	

Live Music	Standard Hours
	Mon 10:00-00:00

Tue 10:00-00:00
Wed 10:00-00:00
Thu 10:00-00:00
Fri 10:00-01:00
Sat 10:00-01:00
Sun 10:00-00:00

Recorded Music

Standard Hours

Mon 10:00-00:00
Tue 10:00-00:00
Wed 10:00-00:00
Thu 10:00-00:00
Fri 10:00-01:00
Sat 10:00-01:00
Sun 10:00-00:00

Performance of dance

Standard Hours

Mon 10:00-00:00
Tue 10:00-00:00
Wed 10:00-00:00
Thu 10:00-00:00
Fri 10:00-01:00
Sat 10:00-01:00
Sun 10:00-00:00

Late Night Refreshment

Standard Hours

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

Supply of Alcohol

Standard Hours

Mon 10:00-00:00
Tue 10:00-00:00
Wed 10:00-00:00
Thu 10:00-00:00
Fri 10:00-01:00
Sat 10:00-01:00
Sun 10:00-00:00

The opening hours of the premises

Standard Hours:

Mon 10:00-00:30

Tue 10:00-00:30

Wed 10:00-00:30

Thu 10:00-00:30

Fri 10:00-01:30

Sat 10:00-01:30

Sun 10:00-00:30

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

On Premises

Part 2

Name, (registered) address, telephone number and email (where relevant) of holder of premises licence

Takestyle Ltd
The Courtyard
Shoreham Road
Upper Beeding
Steyning
West Sussex
BN44 3TN

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

02432705

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

Ashley Collett

[Redacted]

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: 12/07/2021

[Redacted]

**David Tuitt
Team Leader - Licensing**

Annex 1 - Mandatory Conditions

Supply Of Alcohol (On/Both)

1. No supply of alcohol may be made under the premises licence:
 - (a) At a time when there is no designated premises supervisor in respect of the premises licence.
 - (b) At a time when the designated premises supervisor does not hold a personal licence or his personal licence is suspended.
2. Every supply of alcohol under the premises licence must be made or authorised by a person who holds a personal licence.
3. (1) The responsible person must ensure that staff on relevant premises do not carry out, arrange or participate in any irresponsible promotions in relation to the premises.
(2) In this paragraph, an irresponsible promotion means any one or more of the following activities, or substantially similar activities, carried on for the purpose of encouraging the sale or supply of alcohol for consumption on the premises -
 - (a) games or other activities which require or encourage, or are designed to require or encourage, individuals to;
 - (i) drink a quantity of alcohol within a time limit (other than to drink alcohol sold or supplied on the premises before the cessation of the period in which the responsible person is authorised to sell or supply alcohol), or (ii) drink as much alcohol as possible (whether within a time limit or otherwise);
 - (b) provision of unlimited or unspecified quantities of alcohol free or for a fixed or discounted fee to the public or to a group defined by a particular characteristic in a manner which carries a significant risk of undermining a licensing objective;
 - (c) provision of free or discounted alcohol or any other thing as a prize to encourage or reward the purchase and consumption of alcohol over a period of 24 hours or less in a manner which carries a significant risk of undermining a licensing objective;
 - (d) selling or supplying alcohol in association with promotional posters or flyers on, or in the vicinity of, the premises which can reasonably be considered to condone, encourage or glamorise anti-social behaviour or to refer to the effects of drunkenness in any favourable manner.
 - (e) dispensing alcohol directly by one person into the mouth of another (other than where that other person is unable to drink without assistance by reason of a disability).
4. The responsible person must ensure that free potable water is provided on request to customers where it is reasonably available.
5. 5.1. The premises licence holder or club premises certificate holder must ensure that an age verification policy is adopted in respect of the premises in relation to the sales or supply of alcohol.

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

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

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

6. The responsible person shall ensure that:

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

- beer or cider: 1/2 pint;
- gin, rum, vodka or whisky: 25ml or 35ml; and
- still wine in a glass: 125ml; and

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

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

Minimum Drinks Pricing

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

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

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

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

(i) P is the permitted price,

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

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

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

(i) the holder of the premises licence,

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

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

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

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

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

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

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

Exhibition Of Films

8. Admission of children (under 18) to the exhibition of any film must be restricted in accordance with: -

(a) Recommendations made by the film classification body where the film classification body is specified in the licence, or

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

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

Door Supervision

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

Annex 2 - Conditions consistent with the Operating Schedule

10. CCTV covering the interior & exterior of the premises will be installed to the minimum standards of the Metropolitan Police Service, will be kept operational at all times the premises are open to the public and be capable of taking images to an evidential standard in any lighting conditions. The CCTV shall cover all internal areas of the venue which are open to the public and the area immediately outside the premises including the smoking area. It shall be capable of taking a head & shoulders shot of persons entering the premises, be capable of storing images for a minimum of 31 days and a member of staff trained & capable of downloading images shall be on duty at all times the premises are open to the public. Screenshots & images shall be provided to the Police or Authorised Officers on request.

11. The DPS or a personal licence holder shall be on duty at all times the premises are open to the public.

12. No open bottles, no glasses or drinks will be permitted to be taken outside the premises at any time.

13. After 22.00 a maximum of 8 smokers will be allowed outside at any time. Staff shall monitor their conduct by use of the CCTV and physically.

14. Front of house staff will be trained on induction and given refresher training at six monthly intervals for their role & in the operation of the CCTV System & Challenge

15. Training will include operating the CCTV System & downloading images & operating Challenge 25 including identifying persons under 25, making a challenge, acceptable proof of age and checking it, making and recording a refusal, proxy sales, avoiding sales to intoxicated persons, avoiding conflict, responsible alcohol retailing and safeguarding children.

16. An incident book shall be kept at the premises, and made available to the Police or Authorised Officers, which will record the following:

- a) All crimes reported, b) Lost property;
- c) All ejections of customers;
- d) Any complaints received;
- e) Any incidents of disorder;
- f) Any seizure of drugs or offensive weapons;
- g) Any faults in the CCTV System. Details of any work carried out on the CCTV System including the date, name and phone number of the Engineer shall be recorded.
- h) Any refusal in the sale of alcohol;
- i) Any visit by a relevant authority or emergency service. If Police are called the CAD Number shall be obtained and recorded;
- j) Door Supervisor details if required.

17. Notices will be prominently displayed by the entry / exit door and bar (as appropriate) advising customers:

- a) That CCTV & Challenge 25 are in operation;

- b) Of the provisions of the Licensing Act regarding underage & proxy sales;
- c) Of the permitted & opening times of the premises;
- d) That no open bottles or cans, glasses or drinks will be permitted to be taken outside the premises at any time;
- e) To respect residents, leave quietly and not to loiter outside;
- f) Advising that the premises has a zero tolerance to illegal drugs & weapons;
- g) That a maximum of 8 smokers will be allowed outside after 22.00.
- h) That the roof terrace closes to the public at 22.00.

18. A minimum of 6 staff shall be on duty in the premises from 19.00 to close on Friday, Saturday and on Bank Holiday Sundays.

19. A minimum of 4 SIA licensed Door Supervisors shall be on duty from 20.00 to 30 minutes after close or until the last patrons have left the premises & vicinity of the premises. Door Supervisors shall apply the Venue`s Policies including the Security / Search & Dispersal Policies at all times they are on duty.

20. Management shall undertake an ongoing daily risk assessment taking into account any advice received from the Metropolitan Police Service (MPS) and any events taking place in Shoreditch to identify the staffing levels and any need for additional SIA Licensed Door Supervisors on nights when required.

21. If Door Supervisors are in attendance they must record their dates & times of attendance, full name, signature, full SIA licence number and if employed by an independent company the name, address & phone number of the company in a section within the Incident Book.

22. All Door Supervisors must clearly display their SIA licence & wear high vis vests with the Venue`s name on them at all times while on duty. Door Supervisors shall be equipped with radios and body cams while on duty.

23. The premises shall have written policies for drugs & weapons, search & security, management of queues, dispersal, first aid & emergency procedures details of which will be included in staff training. A copy of the policies shall be provided to the Police Licensing Team & Licensing Authority.

24. When Door Supervisors are not on duty, at the terminal hour a member of staff shall be tasked to monitor departing customers to remind them to leave the premises & area quietly, ensure customers do not loiter outside, monitor their conduct and ensure no open bottles, no glasses or drinks are removed from the premises.

25. The number for a local cab office shall be clearly displayed and a phone provided for customers to call a cab. Staff will call a cab for any customer requiring one.

26. A fire risk assessment and emergency plan will be prepared and regularly reviewed. All staff will receive appropriate fire safety training.

27. Notices will be prominently displayed by the entry / exit door and bar as appropriate.

28. No open bottles, glasses or drinks will be permitted to be taken outside the premises at any time.

29. Management & staff will regularly monitor the outside of the premises including the smoking area & customers outside smoking by CCTV & physically. Suitable containers will be provided for cigarette ends.

30. The outside front of the premises will be kept tidy at all times and shall be swept at close.

31. No deliveries will be received or glass bottles / rubbish removed between 20.00 and 08.00.

32. A phone number will be displayed for residents to contact management with any concerns. Details of any complaints & the action taken will be recorded in the Incident Book.

33. Staff will direct customers to the phone number displayed for the cab office or call a cab for customers on request. If during permitted opening hours customers should be asked to remain inside the premises until the cab arrives.

34. All doors and windows will be kept closed except for the entry and egress of customers during the playing of musical entertainment.

35. A Noise Limiter shall be installed which shall be set & sealed in conjunction with the Council's Noise / Pollution Team and through which all amplified music shall be played. The Noise Limiter shall be kept in a locked container the keys to which shall be kept by the Premises Licence Holder, DPS or Duty Manager.

36. No music from the premises shall be audible at the nearest noise sensitive premises.

37. . Notices will be prominently displayed by the entry / exit door and bar as appropriate.

38. Challenge 25 will be operated as the proof of age policy. Only a photographic driving licence, valid passport, proof of age card bearing the holder's photograph and the pass hologram / logo on it or UK Armed Forces photographic id card will be accepted as proof of age.

39. All refusals of service will be recorded in the Incident Book (refusals section) which will be made available to the Police or Authorised Officers on request.

40. Front of house staff will be trained on induction and given refresher training at six monthly intervals .

41. No child or young person under 18 shall be admitted to or be allowed to be on the premises after 20.00.

42. 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.

43. 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

44.

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).

45. 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.

46. 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.

47. 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 (BALLS) 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

48. The business will operate as a family entertainment centre with an integral crazy golf course, food service and bar.

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

Annex 4 - Plans

PLAN/PREM/2021/0044/12072021



Scale: 1:1250 at A4

Balls, 333 Old Street, EC1V 9LE



Ref:
Friday, December 2, 2022

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