

For Consideration By	Licensing Sub-Committee
Meeting Date	15 December 2022
Type of Application	Vary a Premises Licence
Address of Premises	The Edge Shoreditch, 23-24 Shoreditch High Street, London,E1 6PG
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 allow authorisation
- To remove condition 33 to enable the regulated entertainment in outside area.
 - To extend the hours for the regulated entertainment, sale of alcohol (on-sales) and late night refreshment on Thursday to Saturday

2. **Application**

- 2.1. Mr Bashkim Delijaj has made an application to vary a premises licence under section 34 of the Licensing Act 2003.
- 2.2. The premises is located in Shoreditch Special Policy Area.
- 2.3. The applicant is seeking to vary licensable activities and times as follows:

Films	Standard Hours: Thu 12:00-01:30 Fri 12:00-01:30 Sat 12:00-01:30
Live Music	Standard Hours: Thu 12:00-01:30 Fri 12:00-01:30

	Sat 12:00-01:30
Recorded Music	Standard Hours: Thu 12:00-01:30 Fri 12:00-01:30 Sat 12:00-01:30
Late Night Refreshment	Standard Hours: Thu 23:00-01:30 Fri 23:00-01:30 Sat 23:00-01:30
Supply of Alcohol (On sales)	Standard Hours: Thu 12:00-01:30 Fri 12:00-01:30 Sat 12:00-01:30
The opening hours of the premises	Standard Hours: Thu 12:00-02:00 Fri 12:00-02:00 Sat 12:00-02:00

- 2.4. The application also seeks to vary the following condition to allow regulated entertainment in outside area:

33. There shall be no regulated entertainment or music of any kind in the outdoor areas of the premises.

- 2.5. The application is attached as Appendix A. The applicant has proposed some additional measures to address the licensing objectives.

3. **Current Status/History**

- 3.1. The current premises licence was granted on 17 September 2015(attached as Appendix C).
- 3.2. Temporary event notices have given in current year in the garden area at this premises as follows:

<u>Date of the event(s)</u>	<u>Hours</u>
25/11/2022-27/11/2022	12:30-21:30
03/12/2022-06/12/2022	12:00-21:30

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:

None.

9. **Reasons for Officer Observations**

- 9.1. No new conditions have been proposed by the applicant or responsible authorities.

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



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 Bashkim Delijaj

(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

071284

Part 1 – Premises Details

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

23-24 Shoreditch high Street

Post
town

London Hackney

Postcode

E1 6PG

Telephone number at premises (if
any)

[REDACTED]

Non-domestic rateable value of
premises

£96000

Part 2 – Applicant details

Daytime contact
telephone number

[REDACTED]

E-mail address (optional)

[REDACTED]

Current postal address if different from premises address			
Post town		Postcode	

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

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)

- 1) We are applying for entertainment in our outdoor area, Music and TV Screens. We have taken the courtesy to have a company perform a Noise Impact Assessment Report.
- 2) Increase our service times and opening time as follows:
Thursday - Saturday: 12:00-01:30am
- 3) To extend opening times:
Thursday - Saturday: 12:00-02:00am

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	.....	.....		
Wed	.....	.....	State any seasonal variations for performing plays (please read guidance note 6)			
Thur	.....	.....		
Fri	.....	.....	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)			
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 checked="" type="checkbox"/>
Day	Start	Finish	Please give further details here (please read guidance note 5) We will be playing pre-recorded programs but not limited to TV programs, videos, news and sport. We currently play indoors, but would like to extend it outdoors.		
Mon	12:00	23:30			
Tue	12:00	23:30	State any seasonal variations for the exhibition of films (please read guidance note 6) We will be playing pre-recorded programs but not limited to TV programs, videos, news and sport. We currently play indoors, but would like to extend it outdoors.		
Wed	12:00	23:30			
Thur	12:00	01:30	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	12:00	01:30			
Sat	12:00	01:30			
Sun	12:00	23:30			

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			
Fri			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)
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						
Sat			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)			
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 checked="" type="checkbox"/>
Day	Start	Finish	Please give further details here (please read guidance note 5) Music Played from a set playlist or DJ. Currently we have music indoors but would like to extend outdoors. We have carried out a Noise Impact Assessment Report and will be strict with our noise levels.		
Mon	12:00	23:30			
Tue	12:00	23:30	State any seasonal variations for the performance of live music (please read guidance note 6)		
Wed	12:00	23:30			
Thur	12:00	01:30			
Fri	12:00	01:30	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)		
Sat	12:00	01:30			
Sun	12:00	23:30			

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 checked="" type="checkbox"/>
Day	Start	Finish	Please give further details here (please read guidance note 5) Music Played from a set playlist or DJ. Currently we have music indoors but would like to extend outdoors. We have carried out a Noise Impact Assessment Report and will be strict with our noise levels.		
Mon	12:00 -----	23:30 -----			
Tue	12:00 -----	23:30 -----	State any seasonal variations for the playing of recorded music (please read guidance note 6)		
Wed	12:00 -----	23:30 -----			
Thur	12:00 -----	01:30 -----	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	12:00 -----	01:30 -----			
Sat	12:00 -----	01:30 -----			
Sun	12:00 -----	23:30 -----			

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	Please give further details here (please read guidance note 5)			
Mon						
Tue						
Wed			State any seasonal variations for the performance of dance (please read guidance note 6)			
Thur						
Fri						
Sat			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)			
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	x
				Outdoors	
				Both	
Day	Start	Finish	Please give further details here (please read guidance note 5) We would like to increase our serving time of late refreshments on Thur, Fri and Sat to 01:30am. We will also be increasing security on site on proposed days to 3 SIA Fri and Sat.		
Mon	23:00	23:30			
Tue	23:00	23:30			
Wed	23:00	23:30	State any seasonal variations for the provision of late night refreshment (please read guidance note 6)		
Thur	23:00	01:30			
Fri	23:00	01:30			
Sat	23:00	01:30	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)		
Sun	23:00	23:30			

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	X
				Off the premises	<input type="checkbox"/>
				Both	
Day	Start	Finish	State any seasonal variations for the supply of alcohol (please read guidance note 6) We would like to increase our serving time of late refreshments on Thur, Fri and Sat to 01:30am. We will also be increasing security on site on proposed days to 3 SIA Fri and Sat.		
Mon	12:00	23:30			
Tue	12:00	23:30			
Wed	12:00	23:30			
Thur	12:00	01:30			
Fri	12:00	01:30			
Sat	12:00	01:30			
Sun	12:00	23:30	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)		

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).

We are not changing any other activities.

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	12:00	00:00	
Tue	12:00	00:00	
Wed	12:00	00:00	
Thur	12:00	02:00	
Fri	12:00	02:00	
Sat	12:00	02:00	
Sun	12:00	00:00	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.

33. There shall be no regulated entertainment or music of any kind in the outdoor areas of the premises;

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)

The Licensee, that is the person in whose name the premises licence is issued, shall ensure that all times when the premises are for any licensable activity, there are sufficient competent staff on duty at the premises for the purpose of fulfilling the terms and conditions of the licence and for preventing crime and disorder. The Licensee shall ensure that all staff will undertake training in their responsibilities in relation to the sale of alcohol, particularly with regard to drunkenness and underage persons. Records will be kept of training and refresher training. We will continue to follow rules and guidance that is set in place on our premises licence.

b) The prevention of crime and disorder

Any incidents of a criminal nature that may occur on the premises will be reported to the Police.

The Licensee will continue to have comprehensive CCTV coverage at the premises and insure it is operated and maintained at the premises.

The CCTV system will continue to conform to the following points:

1. Cameras must be sited to observe the entrance and exit doors both inside and outside.
 2. Cameras on the entrances must capture full frame shots of the heads and shoulders of all people entering the premises i.e. capable of identification.
 3. Cameras viewing till areas must capture frames not less than 50% of the screen.
 4. Cameras overlooking floor areas should be wide angled to give an overview of the premises.
 5. Be capable of visually confirming the nature of the crime committed.
 6. Provide a linked record of the date, time and place of any image.
 7. Provide good quality images –colour during opening times.
 8. Operate under existing light levels within and outside the premises.
 9. Have the recording device located in a secure area or locked cabinet.
 10. Have a monitor to review images and recorded picture quality.
 11. Be regularly maintained to ensure continuous quality of image capture retention.
 12. Have signage displayed in the customer area to advise that CCTV is in operation.
 13. Digital images must be kept for 31 days.
 14. Police will have access to images at any reasonable time.
 15. The equipment must have a suitable export method, e. G. CD/DVD writer so that the Police can make an evidential copy of the data they require. This data should be in the native file format, to ensure that no image quality is lost when making the copy, if this format is non-standard (i.e. manufacturer proprietary) then the manufacturer should supply the replay software to ensure that the video on the CD can be replayed by the police on a standard computer. Copies must be made available to Police on request.
- We will continue to follow rules and guidance that is set in place on our premises licence.

c) Public safety

Appropriate fire safety procedures are in place including fire extinguishers (foam, H2O and CO2), fire blanket, internally illuminated fire exit signs, numerous smoke detectors and emergency lighting (see enclosed plan for details of locations). All appliances are inspected annually.

All emergency exits shall be kept free from obstruction at all times.

We will continue to follow rules and guidance that is set in place on our premises licence.

d) The prevention of public nuisance

All customers will be asked to leave quietly.
Clear and legible notices will be prominently displayed to remind customers to leave quietly and have regard to our neighbours.
We will continue to follow rules and guidance that is set in place on our premises licence.

e) The protection of children from harm

The licensee and staff will ask persons who appear to be under the age of 25 for photographic ID such as proof of age cards, the Connexions Card and Citizen Card, photographic driving licence or passport, an official identity card issued by HM Forces or by an EU country, bearing the photograph and date of birth of bearer.
All staff will be trained for UNDERAGE SALES PREVENTION regularly.
A register of refused sales shall be kept and maintained on the premises.
We will continue to follow rules and guidance that is set in place on our premises 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	04/10/22
Capacity	Business Director

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

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

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	The Edge 23-24 Shoreditch High Street London E1 6PG
NAME OF PREMISES USER	Bashkim Delijaj

COMMENTS

I make the following relevant representations in relation to the above application to vary a 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 a Premises Licence at The Edge, 23-24 Shoreditch High Street, London, E1 6PG for the following reason(s);

The venue is in the Shoreditch SPA, and therefore the responsibility is on the applicant to demonstrate how the venue will not add to the cumulative impact, as laid out under LP10 of the councils Licensing Policy. Police do not believe that the application does this. The SPA has been adopted on an evidential basis due to the saturation of licensed premises and the negative impact that this saturation has on the area. The issues in and around the night time economy in Shoreditch are as prominent as they ever have been. There is a high footfall across the area, especially at weekends, which is focused on and around the licensed premises, and therefore the associated ASB, continue alongside. As well as the more regular ASB such as shouting, littering and urination, there has been an increase in the amount of NOX being taken and sold in the area.

Police are concerned about the addition of regulated entertainment to the outside, external areas. The councils licensing policy states in LP6 that external and outdoor areas will normally restrict hours to 0800-2200hrs unless the applicant has demonstrated comprehensive control measures. Again police do not believe that the applicant has done this.

During a visit by Police Licensing officers on 7th May 2022 numerous breaches were found, including being over capacity, and an issue with the noise levels. Music could clearly be heard outside the venue, and it was found to be playing in the outside areas, which was a breach of condition 33. Another visit was conducted on Saturday 8th October when again the venue was over the capacities on the licence. This was explained by the Fire Risk Assessment giving them a larger capacity however the capacities are a condition on the licence which unless varied has to be enforced. This currently does not form part of the variation as submitted. The DJ was located right next to the entrance to the outside area so music could clearly be heard there.

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 at this time

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	The Edge Shoreditch 23-24 Shoreditch High Street Hackney London E1 6PG
NAME OF APPLICANT	Bashkim Delijaj

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 an extension to the hours for licensable activity and use of the external area for regulated entertainment. Regulated entertainment in the external area is currently restricted by a condition the applicant is seeking to remove. Condition 33.

The hours sought for the use of the external area are beyond the hours outlined in the Licensing Policy LP6 for External Areas and Outdoor events.

“LP6 External Areas and Outdoor Events

The Licensing Authority will normally restrict external areas and outdoor activity to between 08:00 and 22:00 unless the applicant can demonstrate that comprehensive control measures have been implemented that ensure the promotion of the licensing objectives, in particular the public nuisance objective. Notwithstanding any proposed control measures, the Licensing Authority may restrict the hours and/or activity even further.”

The Licensing Authority notes that the applicant has conducted an acoustic report, however, we have not seen the report.

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: 31/10/2022



This premises licence has been issued by:

Licensing Service
2 Hillman Street
London E8 1FB

PART A – PREMISES LICENCE


Premises Licence Number

071284

Part 1 – Premises details

Momento Lounge Bar
23-24 Shoreditch High Street
Hackney
London
E1 6PG
020 7655 4556

Certified as a true copy
of the licence



Lisa Inzani, Solicitor
Poppleston Allen Solicitors
London

Where the licence is time limited the dates

Not Applicable

Licensable activities authorised by the licence

Films
Live Music
Recorded Music
Late Night Refreshment
Supply of Alcohol

The times the licence authorises the carrying out of Licensable activities

Films

Standard Hours:

Indoors

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

Playing of pre recorded programs including but not limited to
TV programs, videos, news and sports

Live Music

Standard Hours:

INDOOR:

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

Amplified and non amplified live music in the form of DJs and live musicians

Recorded Music

Standard Hours:

Indoors

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

Amplified and non amplified music played through an in house music system, including in the form of DJs

**Late Night
Refreshment**

Standard Hours:

Indoors

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

Supply of Alcohol

Standard Hours:

INDOOR:

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

The opening hours of the premises

INDOOR

Standard Hours:

Mon 12:00-00:00

Tue 12:00-00:00

Wed 12:00-00:00

Thu 12:00-00:00

Fri 12:00-01:00

Sat 12:00-01:00

Sun 12:00-00:00

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 e-mail (where relevant) of holder of premises licence

Mr Bashkim Dellaj



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

N/A

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

Saimir Ndrejoni



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

Licence No: 

Issuing Authority: 

Date of Grant: 17 September 2015

Signed:



**David Tuitt
Team Leader - Licensing**

Annex 1 - Mandatory Conditions

Supply of Alcohol

1. No supply of alcohol may be made under the premises licence:
 - (a) At a time when there is no designated premises supervisor in respect of the premises licence.
 - (b) At a time when the designated premises supervisor does not hold a personal licence or his personal licence is suspended.
2. Every supply of alcohol under the premises licence must be made or authorised by a person who holds a personal licence.
3. (1) The responsible person must ensure that staff on relevant premises do not carry out, arrange or participate in any irresponsible promotions in relation to the premises.

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

- (a) games or other activities which require or encourage, or are designed to require or encourage, individuals to;
 - (i) drink a quantity of alcohol within a time limit (other than to drink alcohol sold or supplied on the premises before the cessation of the period in which the responsible person is authorised to sell or supply alcohol), or
 - (ii) drink as much alcohol as possible (whether within a time limit or otherwise);
- (b) provision of unlimited or unspecified quantities of alcohol free or for a fixed or discounted fee to the public or to a group defined by a particular characteristic in a manner which carries a significant risk of undermining a licensing objective;
- (c) provision of free or discounted alcohol or any other thing as a prize to encourage or reward the purchase and consumption of alcohol over a period of 24 hours or less in a manner which carries a significant risk of undermining a licensing objective;
- (d) selling or supplying alcohol in association with promotional posters or flyers on, or in the vicinity of, the premises which can reasonably be considered to condone, encourage or glamorise anti-social behaviour or to refer to the effects of drunkenness in any favourable manner.

- (e) dispensing alcohol directly by one person into the mouth of another (other than where that other person is unable to drink without assistance by reason of a disability).
4. The responsible person must ensure that free potable water is provided on request to customers where it is reasonably available.
5. 5.1. The premises licence holder or club premises certificate holder must ensure that an age verification policy is adopted in respect of the premises in relation to the sales or supply of alcohol.
- 5.2 The designated premises supervisor in relation to the premises licences must ensure that the supply of alcohol at the premises is carried on in accordance with the age verification policy.
- 5.3. The policy must require individuals who appear to the responsible person to be under 18 years if 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. Where Pubwatch exists covering the area of which the premises is situated then the DPS or other nominated employee shall participate in Pubwatch.
11. Two SIA registered door supervisors will be on duty on Thursdays, Fridays and Saturdays from 20:00 hours until 30 minutes after the premises has closed. The need for door supervisors will be assessed by way of risk assessment and cognisance will be taken of any police advice.
12. Substantial food shall be available in all parts of the premises where alcohol is sold or supplied for consumption on the premises until 30 minutes prior to the terminal hour for sale of alcohol.
13. Refuse, including bottles, is to be taken and placed into receptacles outside the premises at times which will minimise the disturbance to nearby premises.
14. A log (which may be electronic) shall be kept detailing all refused sales of alcohol. The log shall include the date and time of the refusal and the name of the member of staff who refused the sale. A copy of the log or electronic report shall be made available upon reasonable request.
15. The premises shall maintain a comprehensive CCTV system as per the minimum requirements of a Metropolitan Police Crime Prevention Officer. All public areas and all entry and exit points will be covered enabling frontal identification of every person entering in any light condition. The CCTV system shall continually record whilst the premises is open for licensable activities and during all times when customers remain on the premises. All recordings shall be stored for a minimum period of 31 days with date and time stamping. Recordings shall be made available immediately upon the request of Police or authorised officer.
16. A staff member from the premises who is conversant with the operation of the CCTV system shall be on the premises at all times when the premises are open to the public. This staff member shall be able to show Police or an authorised officer of Hackney Borough Council recent data or footage with the absolute minimum of delay when requested.
17. An incident log shall be kept at the premises, and made available immediately to an authorised officer of the Hackney Borough Council or the Police, which will record the following:
 - a. all crimes reported to the venue
 - b. any complaints received
 - c. any incidents of disorder
 - d. any faults in the CCTV system
 - e. any refusal of the sale of alcohol
 - f. any visit by a relevant authority or emergency service.

18. All instances of crime or disorder to be reported by the designated premises supervisor or responsible member of staff to an agreed police contact point, as agreed with the Police.
19. There shall be no glass, drinks or open containers taken outside the premises at any time except for the external rear garden area of the premises.
20. Where the sale or supply of alcohol is taking place employees of the premises must request sight of evidence of the age of any person appearing to be under 25 years of age (Challenge 25). Such evidence may include a driving licence or passport.
21. After 9pm on Friday and Saturday nights there shall be personal licence holder on duty at the premises until close.
22. Premises to operate a zero tolerance policy to drugs and comply with the Hackney Police Weapons Policy and Hackney Police Theft Reduction Policy where appropriate.
23. The premises will display prominent signage by every entrance and exit requesting customers to leave the premises quietly and respect local residents.
24. All staff should receive regular training around the legislation relating to drunk and underage sales. There shall be written records kept of this training and produced to police or other authorised officer upon request.
25. All smokers from the venue will be advised to use the rear garden. There shall be a maximum of 8 smokers outside the front of the premises at any one time.
26. 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 prominently place where it can be referred to at all times by staff.
27. 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 place any waste on the public highway in plain black or unidentifiable refuse sacks or any other unidentifiable or unmarked waste receptacles.

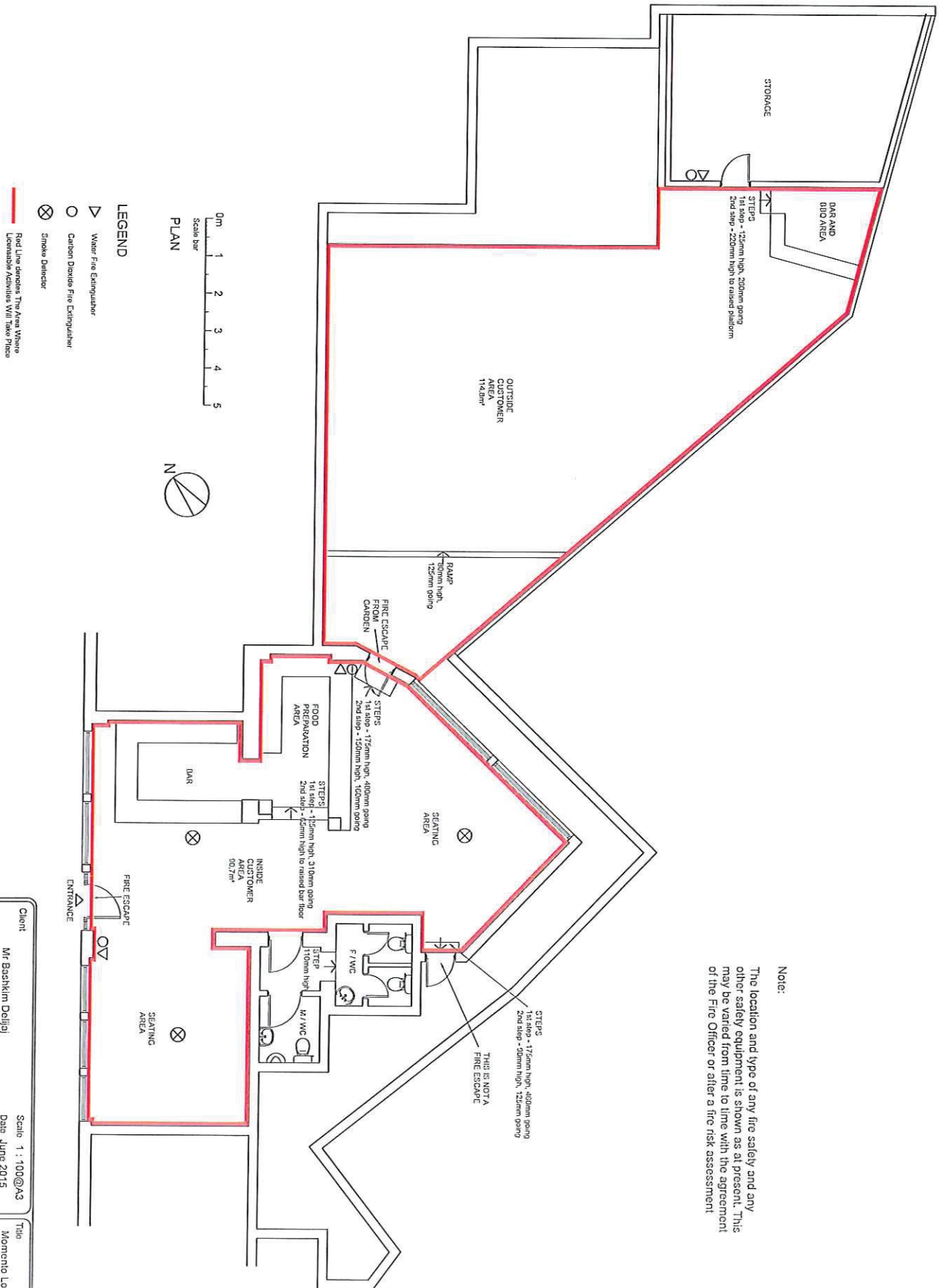
28. The licensee's premises are situated in an area within which refuse may only be left on the public highway at certain times (time bands). If the licensee's waste carrier cannot or does not comply by collecting the refuse within an hour after the close of any time band imposed by the waste authority, the licensee must remove the refuse from the public highway and / or keep it within the premises until such time as his waste carrier arrives to collect the refuse.
29. The licensee shall instruct a member 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.
30. The capacity of the premises shall be as follows:
 - Outdoor rear garden A maximum of 60 patrons
 - Indoor area A maximum of 60 patrons(total capacity for the premises shall therefore be no more than 120 patrons at any one time)
31. No regulated entertainment shall be provided at the premises unless and until a sound limitation device has been installed at the premises (device type to be approved by the Pollution Team) on all music systems. The limiting devices shall be set to ensure inaudibility in the nearest noise sensitive premises and a certificate of compliance shall be submitted to the Pollution Team. The limiting devices shall be recalibrated annually and a certificate of recalibration must be submitted to the Pollution Team. The limiting devices shall be controlled by the licensee and kept in a locked, tamper-proof box.
32. No noise emanating from the premises shall be audible within the nearest noise sensitive premises.
33. There shall be no regulated entertainment or music of any kind in the outdoor areas of the premises;

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

N/A

Annex 4 – Plans

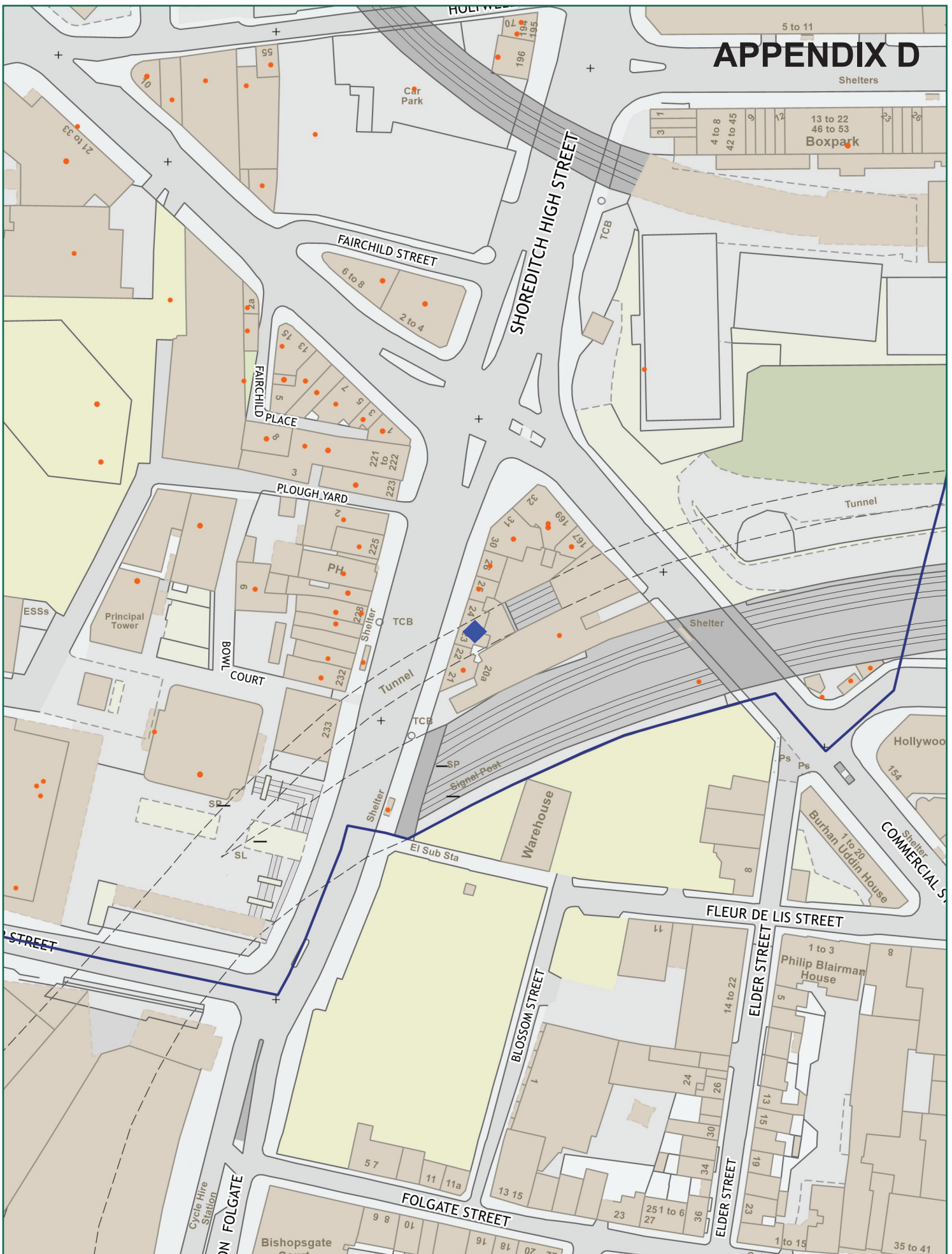
PLAN/071284/17092015



Note:
The location and type of any fire safety and any other safety equipment is shown as at present. This may be varied from time to time with the agreement of the Fire Officer or after a fire risk assessment

Client	Mr Bashkim Delija	Scale 1 : 100@A3	Title
		Date June 2015	Momento Lounge Bar Plan
		Drawn N P	
Project	Momento Lounge Bar 23-24 Shoreditch High Street, London E1 6PG		
	SHOREDITCH23 01		

APPENDIX D



Scale: 1:1250 at A4



The Edge Shoreditch, 23-24 Shoreditch High Street, E1 6PG

Ref:

Monday, December 5, 2022

Produced by: unspecified

email:

please specify copyright statement