

<b>For Consideration By</b>	Licensing Sub-Committee
<b>Meeting Date</b>	13 July 2023
<b>Type of Application</b>	Review of a premises licence
<b>Address of Premises</b>	Simmons (Formerly The Viaduct),83 Rivington Street, London, EC2A 3AY
<b>Classification</b>	Decision
<b>Ward(s) Affected</b>	Hoxton East and Shoreditch
<b>Group Director</b>	Rickardo Hyatt

## 1. Summary

- 1.1. Application for the review of a premises licence on the basis of the prevention of crime and disorder and public safety.

## 2. Application

- 2.1. PC Sian Giles, on behalf of Metropolitan Police Authority has applied for the review of a premises licence under Section 51 of the Licensing Act 2003 in respect of the above premises.
- 2.2. The review application is attached as Appendix A.

## 3. Current Status/History

- 3.1. Simmons (Formerly The Viaduct) has been in possession of a premises licence since 24<sup>th</sup> November 2006. The licence was transferred to Simmons Waterloo Limited on 24<sup>th</sup> March 2023 and the Designated Premises Supervisor is Mr Suresh Gurung.
- 3.2. The premises "Simmons" formerly known as "The Viaduct" and before that "Cargo". The premises licence was reviewed following the receipt of an application by the Metropolitan Police dated 29th October 2021. The holder of the licence appealed to Magistrates against the decision to revoke the licence made by the Licensing Sub-Committee on 14th December 2021. Following negotiation, which included revised and additional conditions and reduced hours, the appeal was settled and agreed via a Consent Order.
- 3.3. The current premises licence is attached as Appendix B.

- 3.4. Temporary event notices have been submitted over the past 12 months as follows:

<u>Date of the event(s)</u>	<u>Hours</u>
01/01/2023-01/01/2023	00:01-03:00
09/01/2023-10/01/2023	23:00-02:00

4. **Representations: Responsible Authorities**

<b>From</b>	<b>Details</b>
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	No representation received
Police	Not Applicable, see review application
Licensing Authority (Appendix C)	Representation received on the grounds of The Prevention of Public Nuisance
Health Authority	No representation received

5. **Representations: Other Persons**

<b>From</b>	<b>Details</b>
Representations in support of the review application received from and on behalf of local residents.(Appendices D1-D13)	Representation received on the grounds of The Prevention of Crime and Disorder, Public Safety, Prevention of Public Nuisance and The Protection of Children from Harm.

6. **Representations: Licensee (previous)**

- 6.1. Representation from previous licence holder is attached as Appendix E.

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) and LP2 (Licensing Objectives) are relevant.

**8. Guidance Considerations**

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

**9. Officer Observations**

9.1. The applicant is seeking additional measures of the premises licence.

**10. Reasons for Officer Observations**

10.1. N/A

**11. Legal Implications**

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

**12. Legal Comments**

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

- The Prevention of Crime and Disorder
- Public Safety
- Prevention of Public Nuisance
- The Protection of Children from Harm

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

**13. Human Rights Act 1998 Implications**

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

**14. Members Decision Making**

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

14.2. The steps are:

- A. **Option 1**  
**Take no action**

- B. **Option 2**  
**Modify the conditions of the premises licence.**
- C. **Option 3**  
**Exclude a licensable activity from the scope of the premises licence.**
- D. **Option 4**  
**Remove the designated premises supervisor.**
- E. **Option 5**  
**Suspend the premises licence for a period not exceeding three months.**
- F. **Option 6**  
**Revoke the licence.**

**15. Conclusion**

- 15.1. That Members decide on the application for review of the premises licence under the Licensing Act 2003.

**Appendices:**

- Appendix A: Application for the review of a premises licence and supporting documents
- Appendix B: Current Licence
- Appendix C: Representation from responsible authorities
- Appendix D: Representation from other persons
- Appendix E: Representation from previous licence holder
- Appendix F: Location map

**Background documents**

- Licensing Act 2003
- LBH Statement of Licensing Policy

<b>Report Author</b>	Name: Shan Uthayasangar Title: Licensing Officer Email: shan.uthayasangar@hackney.gov.uk Tel: 02083562431
<b>Comments for the Group Director of Finance and Corporate Resources prepared by</b>	Name Title Email Tel


**METROPOLITAN  
POLICE**
**TOTAL POLICING**

## Application for the Review of a Premises Licence or Club Premises Certificate under the Licensing Act 2003

### PLEASE READ THE FOLLOWING INSTRUCTIONS FIRST

- Before completing this form please read the guidance notes at the end of the form.
- If you are completing this form by hand please write legibly in block capitals. In all cases ensure that your answers are inside the boxes and written in black ink. Use additional sheets if necessary.
- You may wish to keep a copy of the completed form for your records.

I **PC Sian Giles 229287**

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

### Part 1 – Premises or club premises details

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

The Viaduct 83 Rivington Street

Post town:

Hackney

Post code:  
(if known)

EC2A 3AY

Name of premises licence holder or club holding club premises certificate (if known):

Eden Garden Entertainment Ltd

Number of premises licence or club premises certificate (if known):

LBH-PRE-0480

### Part 2 – Applicant details

I am:

Please tick Yes

<b>1</b>	<b>an individual, body or business which is not a responsible authority</b> (please read guidance note 1 and complete (A) or (B) below)	<input type="checkbox"/>
<b>2</b>	<b>a responsible authority (please complete (C) below)</b>	<input checked="" type="checkbox"/>
<b>3</b>	<b>a member of the club to which this application relates (please complete section (A) below)</b>	<input type="checkbox"/>

**PROTECTIVE MARKING**

<b>(A) DETAILS OF INDIVIDUAL APPLICANT</b> (fill in as applicable)										
<b>Mr</b>	<input type="checkbox"/>	<b>Mrs</b>	<input type="checkbox"/>	<b>Miss</b>	<input type="checkbox"/>	<b>Ms</b>	<input type="checkbox"/>	<b>Any other title (e.g. Rev.)</b>	<input type="checkbox"/>	
<b>Surname:</b>						<b>First Names:</b>				
I am 18 years old or over				<input type="checkbox"/>						
<b>Current postal address if different from premises address:</b>										
<b>Post town:</b>						<b>Post code:</b>				
<b>Daytime Tel. No.:</b>						<b>Email:</b> (optional)				

<b>(B) DETAILS OF OTHER APPLICANT</b> (fill in as applicable)	
<b>Name and Address:</b>	
<b>Telephone Number (if any):</b>	
<b>Email address: (optional)</b>	

<b>(C) DETAILS OF RESPONSIBLE AUTHORITY APPLICANT</b> (fill in as applicable)	
<b>Name and Address:</b>	
PC Sian Giles CE Licensing unit, Metropolitan Police. Shoreditch Police Station	
<b>Telephone Number (if any):</b>	
<b>Email address: (optional)</b>	sian.giles@met.police.uk

<b>This application to review relates to the following licensing objective(s)</b>		
Please tick one or more boxes		
<b>1</b>	<b>The prevention of crime and disorder</b>	<input checked="" type="checkbox"/>
<b>2</b>	<b>Public safety</b>	<input checked="" type="checkbox"/>
<b>3</b>	<b>The prevention of public nuisance</b>	<input type="checkbox"/>
<b>4</b>	<b>The protection of children from harm</b>	<input type="checkbox"/>
<b>Please state the ground(s) for review:</b> (please read guidance note 2)		
please see attached documnetation for our evidence for the review application.		

**PROTECTIVE MARKING**

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

Please see attached.

**PROTECTIVE MARKING**

<b>Have you made an application for review relating to this premises before?</b>	<input checked="" type="checkbox"/> (Please tick yes)							
	<b>Day</b>	<b>Month</b>	<b>Year</b>					
<b>If yes, please state the date of that application:</b>	1	6	0	9	2	0	2	1
<b>If you have made representations before relating to this premises please state what they were and when you made them:</b>								
<p>Police requested a review of the premises Licenses for Cargo at 83 Rivington Street EC2A 3AY Licence numbers LBH-PRE-0480 refers. The Metropolitan police has serious concerns that the following Licensing objectives are at risk.</p> <p>The prevention of Crime and disorder                  The prevention of Public Nuisance                  Public safety .</p> <p>A hearing was held on 14<sup>th</sup> December 2021 and a decision to revoke the premises licence was made by the committee. This was then appealed and settled by means of a consent order.                  The venue then reopened under its new business name of the Viaduct.</p> <p>please see attached for further.</p>								



## PROTECTIVE MARKING

Please tick Yes

I have sent copies of this form and enclosures to the responsible authorities and the premises licence holder or club holding the club premises certificate, as appropriate.



I understand that if I do not comply with the above requirements my application will be rejected.



**IT IS AN OFFENCE, LIABLE ON CONVICTION TO A FINE UP TO LEVEL 5 ON THE STANDARD SCALE, UNDER SECTION 158 OF THE LICENSING ACT 2003 TO MAKE A FALSE STATEMENT IN OR IN CONNECTION WITH THIS APPLICATION.**

### Part 3 – Signatures (please read guidance note 4)

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

Signature:



Date:

06/03/2023

Capacity:

Police Officer

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

Post town:

Post code:

Telephone Number (if any):

If you would prefer us to correspond with you using an e-mail address, your e-mail address (optional):

#### Notes for Guidance

1. A responsible authority includes the local police, fire and rescue authority and other statutory bodies which exercise specific functions in the local area.
2. The ground(s) for review must be based on one of the licensing objectives.
3. Please list any additional information or details, for example dates of problems which are included in the grounds for review if available.
4. The application form must be signed.
5. An applicant's agent (for example, solicitor) may sign the form on their behalf provided that they have actual authority to do so.
6. This is the address which we shall use to correspond with you about this application.

## Appendices

- 1- Premises Licence for The Viaduct
- 2- Consent order
- 3- Opening party email chain
- 4- Email chain regarding 24th September 2022 assault
- 5- Email from Mr Khan titled The Viaduct, early engagement
- 6- Incident report of GBH 11<sup>th</sup> February 2023.
- 7- CCTV montage of the incident – this CCTV is the venues CCTV.

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- 8- confirmation of SNOW radio call to The Viaduct
  - 9- SIA log from 17<sup>th</sup> February 2023
  - 10- SIA log from 11th Feb 2023
  - 11- SIA log from 6th January
  - 12- SIA log from 7th January
  - 13- SIA log from 13th Jan
  - 14- SIA log from 14<sup>th</sup> Jan
  - 15- SIA log from 20th Jan
  - 16- SIA log from 21<sup>st</sup> Jan
  - 17- SIA log from 27th Jan
  - 18- SIA log from 28<sup>th</sup> Jan
  - 19- SIA log from 3<sup>rd</sup> Feb
  - 20- SIA log from 4<sup>th</sup> Feb
  - 21- SIA log from 10<sup>th</sup> Feb
  - 22- log of SIA numbers on duty Aug 22-Feb 23
  - 23- email from Mr Khan.



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

Premises licence number LBH-PRE-T-0480

#### Part 1 - Premises Details

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

Cargo, The Arches  
 83 Rivington Street

Post town	London	Postcode	EC2A 3AY
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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  
 Other Entertainment Similar to Live or Rec Music or Dance Performance  
 Late Night Refreshment  
 Supply of Alcohol

#### The times the licence authorises the carrying out of licensable activities

<b>Films</b>	<b>Standard Hours:</b>
	Mon 10:00-23:00
	Tue 10:00-23:00
	Wed 10:00-23:00
	Thu 10:00-23:00
	Fri 10:00-00:00
	Sat 10:00-00:00
	Sun 12:00-22:30

<b>Live Music</b>	<b>Standard Hours:</b>
	Mon 10:00-23:00
	Tue 10:00-23:00
	Wed 10:00-23:00

Thu 10:00-23:00  
Fri 10:00-00:00  
Sat 10:00-00:00  
Sun 12:00-22:30

**Recorded Music**

**Standard Hours:**  
Mon 10:00-23:00  
Tue 10:00-23:00  
Wed 10:00-23:00  
Thu 10:00-23:00  
Fri 10:00-00:00  
Sat 10:00-00:00  
Sun 12:00-22:30

**Performance of Dance**

**Standard Hours:**  
Mon 10:00-23:00  
Tue 10:00-23:00  
Wed 10:00-23:00  
Thu 10:00-23:00  
Fri 10:00-00:00  
Sat 10:00-00:00  
Sun 12:00-22:30

**Other Entertainment  
Similar to Live or Rec  
Music or Dance  
Performance**

**Standard Hours:**  
Mon 10:00-23:00  
Tue 10:00-23:00  
Wed 10:00-23:00  
Thu 10:00- 23:00  
Fri 10:00-00:00  
Sat 10:00-00:00  
Sun 12:00- 22:30

**Late Night  
Refreshment**

**Standard Hours:**  
Fri 23:00-00:00  
Sat 23:00-00:00

**Supply of Alcohol**

**Standard Hours:**  
Mon 10:00-23:00  
Tue 10:00-23:00  
Wed 10:00-23:00  
Thu 10:00-23:00  
Fri 10:00-00:00  
Sat 10:00-00:00  
Sun 12:00-22:30

**The opening hours of the premises**

**Standard Hours:**  
Mon 09:00-23:30  
Tue 09:00-23:30  
Wed 09:00-23:30

Thu 09:00-23:30  
Fri 09:00-00:30  
Sat 09:00-00:30  
Sun 11:00-23:00

**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 email (where relevant) of holder of premises licence**

Eden Gardens Entertainment Ltd  
44A Hanover Gate Mansions  
London  
NW1 4SN

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

06869497

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

Jane Elizabeth Griffiths

[REDACTED]  
[REDACTED]  
[REDACTED]  
[REDACTED]

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

[REDACTED]  
[REDACTED]

Date of grant: 24 November 2006



Gerry McCarthy  
Head of Community Safety, Enforcement and Business Regulation  
Document re-issued : 31/10/2022

## **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

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

c. where a customer does not in relation to a sale of alcohol specify the quantity of alcohol to be sold, the 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 7.2(b) above would (apart from this paragraph) not be a whole number of pennies, the price given by that sub-paragraph shall be taken to be the price actually given by that sub- paragraph rounded up to the nearest penny.

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

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

### **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. The premises shall install and maintain a comprehensive CCTV system as per the minimum requirements of a Metropolitan Police Crime Prevention Officer.  
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 officers throughout the preceding 31-day period.
11. 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 must be able to show a Police or authorised council officer recent data or footage when requested.
12. There shall be a SIA registered door supervisor employed at the premises every day from 2100 hours at a ratio of 1:100. On Friday and Saturday a minimum of 5 door supervisors shall be present from 2200 hours. Extra SIA will be considered continually as part of an ongoing operational risk assessment. All door supervisors shall enter their full details in the premises daily register at the commencement of their work. They shall record their full name, home address and contact telephone number, their SIA registration number, and the time they commence and conclude working. If the door supervisor was provided by an agency the name, registered business address and contact telephone number will also be recorded. This register will be made available to police or authorised officers immediately upon request.
13. Door supervisors engaged in duties outside shall wear a high visibility vest or jacket so that they are clearly identifiable.
14. (1) All persons entering the venue will be counted in and out by a member or members of door staff using coordinated mechanical clicker devices, capable of identifying the number of persons within the premises at any time. These will be supplied by the venue.  
  
(2) There shall be a risk assessment carried out for each day that the premises' are to be open to the public. Such assessments shall identify the total numbers of persons (including staff, performers and contractors), who can be safely accommodated on the premises. La  
  
(3) The person or persons responsible for monitoring entry to the premises shall be notified in writing of the maximum number of admissions permitted.
15. Signs will be prominently displayed at all exit points reminding customers to leave quietly and respect local residents.
16. The premises will have a venue management agreement policy, approved by the police licensing officer and/or Crime prevention officer, detailing the following;
  - a. Entry and search policy
  - b. Drugs Policy, which shall include Hackney Police local Policy 2011 (or as amended)
  - c. Queuing and dispersal policy
  - d. Security Policy
  - e. Noise Policy
  - f. Smoking Policy

- g. Alcohol Policy
  - h. Theft Reduction Policy, as per Hackney Police Local Policy 2011 (or as amended)
17. The premises shall operate an Identification Scanner which shall be used for all customers entering the venue from 19:00 every day of the week.
  18. All customers queuing to enter the venue shall be monitored by SIA door staff to ensure the queue is maintained in an orderly manner. A barrier system is to be used so that any queue does not cause obstruction to the public highway. Any customers found to be consuming alcohol or other intoxicating substances (such as Nitrous Oxide) in the queue shall be refused entry to the premises.
  19. A Challenge 25 proof of age scheme shall be operated at the premises where the only acceptable forms of identification are recognised photographic identification cards, such as driving licence or passport.
  20. An incident log shall be kept at the premises, and made available on request to an authorised officer of the council or the police, which will record the following.
    - a. All crimes reported:
    - b. All ejections of patrons
    - c. Any complaints received.
    - d. Any incidents of disorder.
    - e. Seizure of drugs or offensive weapons.
    - f. Any faults in the CCTV system or searching equipment or scanning equipment. Any refusal of the sale of alcohol.
    - g. Any visit by a relevant authority or emergency service.
  21. Signs will be prominently displayed by entry and exit points reminding customs:
    - a. CCTV in operation.
    - b. Drugs policy.
    - c. Weapons policy.
    - d. To leave quietly and respect local residents .
  22. All staff shall receive training on the legislation relating to the sales of alcohol to underage persons, drunken persons. the four licensing objectives and WAVE (Welfare and Vulnerability Engagement). All staff shall have refresher training on these topics every 12 months at least. tWritten records of such training shall be kept on the premises and produced to a police officer or other authorised officer upon request.
  23. The licensee shall be a member of local Pub watch scheme and SNOW (insert full name) radio. The licensee or a representative shall take all reasonable steps to attend all meetings and maintain a record thereof. The licensee shall use his/her best endeavours to ensure that all necessary communication equipment is in full working order at all times the premises are open to the public.
  24. Reasonable steps to be taken to ensure that an authorised person is a member of Pubwatch and SNOW.
  25. The pavement from the building line to the kerb edge immediately outside the premises, including the gutter/channel at it's junction with the kerb edge, shall be swept and or washed, and litter and sweepings collected and stored in accordance with the approved refuse storage arrangements.

26. Patrons will not be allowed to take open containers outside of the premises at any time.
27. The door at arch 3 shall be locked in an open position when arch 3 is in use.
28. The Licensee shall ensure that all staff are fully trained and made aware of the legal requirement of businesses to comply with their duty of care 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.
29. 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.
30. The Licensees premises are situated in an area within which refuse may only be left on the public highway at certain times (time bands). If the Licensees 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.
31. 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.
32. All amplified recorded and live music played within the premises, shall be subject to the control of noise limiter so noise and vibration is inaudible in the nearest noise sensitive premises between the hours of 23:00 and 07:00 on any day and does not cause nuisance at all other times anytime.
33. The noise limiter should be kept in a secure, lockable cupboard or similar location. The system is to be completely independent of control by persons other than the Licensee.
34. Patrons of the premises shall be encouraged, by signs within the premises visible at all exit points, to disperse from the area of the premises quietly. Door supervisors shall also supervise persons leaving the premises after entertainment has taken place and where necessary, request that persons leaving the premises do so in an orderly manner as quickly as possible.
35. There shall be no off-sales of alcohol from the Premises.
36. Arch I shall operate as a restaurant, in which the sale of alcohol shall not be sold, supplied, or consumed on the premises otherwise than to persons who are taking substantial table meals and that the consumption of alcohol by such a person is ancillary to taking such meals. The supply of alcohol shall be by waiter or waitress service only.
37. Substantial food and non-intoxicating beverages are to be available throughout the Premises in all locations and at all times that alcohol is available for sale.

38. The maximum capacity of the Premises, not including staff and performers. is 550 (or any lesser figure if indicated by the fire safety risk assessment, a copy of which shall be served on the licensing authority)
39. When licensable activity is taking place in the premises on Thursday, Friday and Saturday the venue shall deploy toilet attendants. to be stationed in both male and female toilets between 21:00 hours and closing.
40. All of the SIA personnel employed by or contracted to the venue shall be equipped with a working and effective Body-worn Video Camera. The footage derived from each such device shall be retained for a minimum of 31 days and provided upon request to the Police or other authorised officers immediately, or with minimum delay and in any event no later than 48 hours following such a request. All SIA personnel above. are to be the Head Door Supervisor and Any Door Supervisor(s) stationed at the entrance to the Premises.
41. From 21:00, the venue shall employ clearly identifiable members of staff to act as welfare officers.
42. The venue shall employ 1 welfare officer for the first 200 customers at the venue. Thereafter there shall be an additional welfare officer for each additional 200 customers (or part thereof). Where there is more than one welfare officer at least 50% must be female,
43. Each welfare officer must be in a position to evidence their having undergone Welfare and Vulnerability Engagement training prior to undertaking their appointed role.
44. No third-party DJ led promoted events shall take place at the Premises. For any other promoted events. a risk assessment shall be carried out, this risk assessment will include but not be limited to:
  - a. checks the venue has undertaken into any performing acts.
  - b. contacting venues where they have performed previously to see if there were any adverse issues.
  - c. checking artists/promoters' social media to identify any potential issues.
  - d. The risk assessment shall also demonstrate any measures to be put place to mitigate any identified risks, together with the rationale applied.
  - e. A copy of all risk assessments shall be retained on the premises for immediate inspection by police or responsible authorities upon request.
45. No queue will be permitted outside the venue (as defined by the red line on the plan attached to this Premises Licence) once the full capacity of the venue is reached.
46. Any queue that forms outside the venue (as defined by the red line on the plan attached to this Premises Licence) once the venue has achieved the safe capacity identified for that day will be immediately and safely dispersed by venue staff or SIA approved personnel or contractors.

47. From 21:00, a designated member of staff shall monitor the CCTV system installed at the premises whenever licensable activity is taking place and communicate with operational staff and/or SIA approved personnel or contractors, as appropriate.
48. Prior to the premises providing licensable activities a dispersal policy for the premises applicable to standard operating nights and promoted events shall be drawn up and agreed with the police.
49. Amended plans of the premises to be attached to the premises licence, compliant with regulations, are to be lodged with the council

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

**Annex 4 - Plans**

PLAN/LBH-PRE-T-0480/120608





IN THAMES MAGISTRATES' COURT

EDEN GARDENS ENTERTAINMENT LTD  
( Premises at Cargo, 83 Rivington Street)

Appellant/  
Premises Licence Holder

-v-

LONDON BOROUGH OF HACKNEY

Respondent/  
Licensing Authority

---

CONSENT ORDER

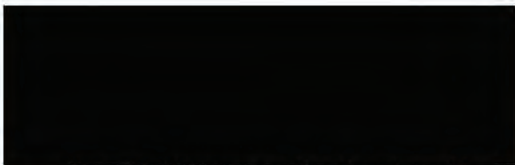
---

UPON reading the court file and, in particular, the correspondence confirming that the terms of this Order are agreed by the Appellant and the Respondent who both consent to it being made

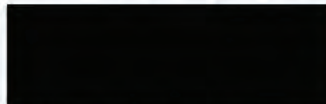
THE COURT ORDERS THAT:

1. Pursuant to section 181(2)(b) of the Licensing Act 2003, this appeal against the decision of the Respondent licensing authority, taken at premises licence review proceedings heard on 14 December 2021, and relating to licensed premises then known as "Cargo" at The Arches, 83 Rivington Street, London, EC2A 3AY (henceforth "the decision"), is allowed.
2. The decision be substituted by the terms set out in Schedule 1 to this Consent Order.
3. There be no order as to costs.

1-3 August 2022 at Stratford Magistrates' Court be vacated.



Counsel/Solicitor for the Appellant



Solicitor for the Respondent

Court



Dated: 09.08.2022



### Schedule 1 to Consent Order

1. Licensable hours are amended to:

Sale by Retail of Alcohol

Monday to Thursday – 10:00 to 23:00

Friday and Saturday – 10:00 to 00:00

Sunday – 12:00 to 22:30,

Regulated Entertainment

Monday to Thursday – 10:00 to 23:00

Friday and Saturday – 10:00 to 00:00

Sunday – 12:00 to 22:30

Late Night Refreshment

Friday and Saturday – 23:00 to 00:00

2. Opening Hours are amended to:

Monday to Thursday – 09:00 to 23:30

Friday and Saturday – 09:00 to 00:30

Sunday – 11:00 to 23:00

3. The following conditions are added to the premises licence:

- i. There shall be no off-sales of alcohol from the Premises.
- ii. Arch 1 shall operate as a restaurant, in which the sale of alcohol shall not be sold, supplied, or consumed on the premises otherwise than to persons who are taking substantial table meals and that the consumption of alcohol by such persons is ancillary to taking such meals. The supply of alcohol shall be by waiter or waitress service only.



- iii. Substantial food and non-intoxicating beverages are to be available throughout the Premises in all locations and at all times that alcohol is available for sale.
- iv. The maximum capacity of the Premises, not including staff and performers, is 550 (or any lesser figure if indicated by the fire safety risk assessment, a copy of which shall be served on the licensing authority)
- v. When licensable activity is taking place in the premises on Thursday, Fridays and Saturdays the venue shall deploy toilet attendants, to be stationed in both male and female toilets between 21:00 hours and closing.
- vi. All of the SIA personnel employed by or contracted to the venue shall be equipped with a working and effective Body-worn Video Camera. The footage derived from each such device shall be retained for a minimum of 31 days and provided upon request to the Police or other authorised officer immediately, or with minimum delay and in any event no later than 48 hours following such a request. All SIA personnel above, are to be the Head Door Supervisor and Any Door Supervisor(s) stationed at the entrance to the Premises.
- vii. From 21:00, the venue shall employ a clearly identifiable members of staff to act as welfare officers.
- viii. The venue shall employ 1 welfare officer for the first 200 customers at the venue. Thereafter there shall be 1 additional welfare officer for each additional 200 customers (or part thereof). Where there is more than 1 welfare officer at least 50% must be female.
- ix. Each welfare officer must be in a position to evidence their having undergone Welfare and Vulnerability Engagement training prior to undertaking their appointed role.
- x. No third-party DJ led promoted events shall take place at the Premises. For any other promoted events, a risk assessment shall be carried out, this risk assessment will include but not be limited to:
  - a. checks the venue has undertaken into any performing acts.

- b. contacting venues where they have performed previously to see if there were any adverse issues.
  - c. checking artists/promoters' social media to identify any potential issues.
  - d. The risk assessment shall also demonstrate any measures to be put place to mitigate any identified risks, together with the rationale applied.
  - e. A copy of all risk assessments shall be retained on the premises for immediate inspection by police or responsible authorities upon request.
- xi. No queue will be permitted outside the venue (as defined by the red line on the plan attached to this Premises Licence) once the full capacity of the venue is reached.
- xii. Any queue that forms outside the venue (as defined by the red line on the plan attached to this Premises Licence) once the venue has achieved the safe capacity identified for that day will be immediately and safely dispersed by venue staff or SIA approved personnel or contractors.
- xiii. From 21:00, a designated member of staff shall monitor the CCTV system installed at the premises whenever licensable activity is taking place and communicate with operational staff and/or SIA approved personnel or contractors, as appropriate.
- xiv. Prior to the premises providing licensable activities a dispersal policy for the premises applicable to standard operating nights and promoted events shall be drawn up and agreed with the police.

4. The following amendments are made to the existing conditions on the premises licence

- i. Condition 14 to be amended to:

14(1) All persons entering the venue will be counted in and out by a member or members of door staff using coordinated mechanical clicker devices, capable of identifying the number of persons within the premises at any time. These will be supplied by the venue.



14(2) There shall be a risk assessment carried out for each day that the premises are to be open to the public. Such assessments shall identify the total numbers of persons (including staff, performers and contractors), who can be safely accommodated on the premises.

14(3) The person or persons responsible for monitoring entry to the premises shall be notified in writing of the maximum number of admissions permitted.

ii. Condition 17 to be amended to:

The premises shall operate an Identification Scanner which shall be used for all customers entering the venue from 19:00 every day of the week.

iii. Condition 18 to be amended to:

All customers queuing to enter the venue shall be monitored by SIA door staff to ensure the queue is maintained in an orderly manner. A barrier system is to be used so that any queue does not cause obstruction to the public highway. Any customers found to be consuming alcohol or other intoxicating substances (such as Nitrous Oxide) in the queue shall be refused entry to the premises.

iv. Condition 22 to be amended to:

All staff shall receive training on the legislation relating to the sales of alcohol to underage persons, drunken persons, the four licensing objectives and WAVE (Welfare and Vulnerability Engagement). All staff shall have refresher training on these topics every 12 months at least. Written records of such training shall be kept on the premises and produced to a police officer or other authorised officer upon request.

v. Condition 23 to be amended to:

The licensee shall be a member of local Pubwatch scheme and SNOW (insert full name) radio. The licensee or a representative shall take all reasonable steps to attend all meetings and maintain a record thereof. The licensee shall use his/her best endeavours to ensure that all necessary communication equipment is in full

working order at all times the premises are open to the public.

5. Amended plans of the premises to be attached to the premises licence, compliant with regulations, are to be lodged with the council.

**Subject: RE: Missed call catch up**



**Sian.Giles@met.police.uk**

Thu, 15 Sept  
2022, 13:58

to Rocky

You are viewing an attached message.

London Borough of Hackney Mail can't verify the authenticity of attached messages.

Hi Rocky,

Thank you for your email. Although I acknowledge your reasons why such notice wasn't given and I do not expect you to inform us of every event going forward. However I would have thought an event of this nature – a launch party at a venue where the previous licence had been revoked would have qualified for a courtesy email ensuring Police and the local authority were aware.

Nevertheless, looking ahead... we would of course welcome working in partnership with yourselves. Many thanks

Sian

**From:** Rocky [REDACTED]

**Sent:** 13 September 2022 10:17

**To:** Giles Sian - CE-CU <[Sian.Giles@met.police.uk](mailto:Sian.Giles@met.police.uk)>

**Subject:** Re: Missed call catch up

Hi Sian,

Thank you for your email.

The event was an invitation only preview for marketing purposes and a thank-you for our own redevelopment team. We invited bloggers and food critics to come and see the refurbished premises and generate public interest in the new brand. To be clear, we had invited around 200 people to come to the venue over a 4 hour period, to ensure they all got to see the results of our work. This meant we had a peak occupancy of 77 "guests" (many of whom were our own staff) on the premises at any one time, and by 10pm that was down to 43 guests, with the premises closed and empty by 10.30pm. Whilst I thought such a closed-door event, not open to the public, would not be of interest to the Police, I will certainly endeavour to share with you such marketing/blogging/tasting events moving forward. It will likely be difficult to share every single one with you because we are hosting a lot of limited number marketing events given the venue is brand new, and often these are agreed at short notice when key influencers are available.

I am sorry you feel that we may have deliberately not informed you and that there may have been a lack of transparency. We certainly did not try and hide this event from you and I feel this is evidenced by Jane informing you when you passed by the premises at 3pm on Thursday. As I have said, we didn't tell you sooner as we did not think it would be of interest to the Police. It wasn't a commercial ticketed grand public launch party and was intended to see a fraction of our Licensed capacity figure actually on site. I can assure you that I and the team are committed to working in partnership with the Police and value your guidance very much.

Kind regards

Rocky

Sent from my iPad

On 12 Sep 2022, at 14:41, [Sian.Giles@met.police.uk](mailto:Sian.Giles@met.police.uk) wrote:

Hi Rocky,

Yes I called after I learnt from Jane you were holding an opening party at The Viaduct on Thursday night. I was surprised by this as it was agreed, and you offered, that no such event would take place. You also assured us that we would be forewarned of any events at the location.

I acknowledge that you may have been working within your licence, however I would have appreciated that you let me know that you had invited over 200 people, had a DJ and was holding a



launch party. It leads me to question why I wasn't informed.

Going forward and in keeping with our working relationship which I had hoped would be transparent and open please could I kindly request that you inform me of any such future events.

Many thanks  
Sian

-----Original Message-----

From: Rocky <[REDACTED]>  
Sent: 09 September 2022 19:23  
To: Giles Sian - CE-CU <[Sian.Giles@met.police.uk](mailto:Sian.Giles@met.police.uk)>  
Subject: Missed call catch up

Hi Sian, Apologies I missed your call yesterday; was a bit manic my end.

Please let me know if there is anything you may require from me?

Kind regards,  
Rocky

Sent from my iPhone

NOTICE - This email and any attachments are solely for the intended recipient and may be confidential. If you have received this email in error, please notify the sender and delete it from your system. Do not use, copy or disclose the information contained in this email or in any attachment without the permission of the sender. Metropolitan Police Service (MPS) communication systems are monitored to the extent permitted by law and any email and/or attachments may be read by monitoring staff. Only specified personnel are authorised to conclude binding agreements on behalf of the MPS by email and no responsibility is accepted for unauthorised agreements reached with other personnel. While reasonable precautions have been taken to ensure no viruses are present in this email, its security and that of any attachments cannot be guaranteed.

**Subject: RE: Assault inside Viaduct**



**Sian.Giles@met.police.uk**

Tue, 4  
Oct  
2022,  
11:30

to jane

You are viewing an attached message.

London Borough of Hackney Mail can't verify the authenticity of attached messages.

Thanks Jane, link sent

**From:** Jane [REDACTED]  
**Sent:** 03 October 2022 14:23  
**To:** Giles Sian - CE-CU <[Sian.Giles@met.police.uk](mailto:Sian.Giles@met.police.uk)>  
**Subject:** Re: Assault inside Viaduct

Hello,

Yes, I have the footage for arch 3, can you send me a download link please and I will put this on for you.

Thanks,  
Jane

---

**From:** [Sian.Giles@met.police.uk](mailto:Sian.Giles@met.police.uk) <[Sian.Giles@met.police.uk](mailto:Sian.Giles@met.police.uk)>

**Sent:** 03 October 2022 11:34

**To:** Jane [REDACTED]  
**Subject:** RE: Assault inside Viaduct

Hi Jane,

Thank you for this and the footage.

Do you have coverage from the camera inside Arch 3 on the incident please?

Many thanks

Sian

**From:** Jane [REDACTED] >  
**Sent:** 30 September 2022 16:41  
**To:** Giles Sian - CE-CU <[Sian.Giles@met.police.uk](mailto:Sian.Giles@met.police.uk)>  
**Cc:** Rocky [REDACTED] >  
**Subject:** Re: Assault inside Viaduct

Hello,

Please see attached as requested.

Regards,

Jane

---

**From:** [Sian.Giles@met.police.uk](mailto:Sian.Giles@met.police.uk) <[Sian.Giles@met.police.uk](mailto:Sian.Giles@met.police.uk)>  
**Sent:** 30 September 2022 09:00  
**To:** Jane [REDACTED]  
**Subject:** RE: Assault inside Viaduct

Hi Jane,

Thank you for this information.

Please may I request CCTV of the incident and the incident log.

I will send you a link now for the CCTV to be uploaded.

Many thanks

Sian

**From:** Jane [REDACTED]  
**Sent:** 29 September 2022 20:39  
**To:** Giles Sian - CE-CU <[Sian.Giles@met.police.uk](mailto:Sian.Giles@met.police.uk)>  
**Cc:** Rocky [REDACTED]  
**Subject:** Re: Assault inside Viaduct

Dear Sian

Thank you for your email. I am aware of an altercation that took place between 2 IC1 males who were friends of each other inside The Viaduct at 21:38 on Saturday 24th September 2022. They were part of a group of 9 (4 IC1 females and 5 IC1 males). The group entered the premises at 20:25 and took a table in arch 3. At 21:37 the 2 males [REDACTED] 10/06/20 - "victim" and [REDACTED] 15/02/99 - "aggressor") leave arch 3 to enter arch 2 where they are having a discussion which becomes heated and [REDACTED] lashes out. Security are immediately on the scene to attend to both males. Pinnacle Operations and SBG Operations attended the scene and called for the medics using the SNOW radio. The injured male claimed he had fallen and did not want to escalate the incident. At 21:43 Hackney Enforcement arrived to assess what had happened. At 21:48 both males involved in the altercation left together with a female friend and made their way to Shoreditch High Street.

If there is anything further you may require please don't hesitate to ask.

Regards,

Jane

On 29 Sep 2022, at 09:45, [Sian.Giles@met.police.uk](mailto:Sian.Giles@met.police.uk) wrote:

Dear Jane and Rocky,

There has been a report of an assault inside The Viaduct at the weekend. Are you aware of this?

Many thanks

Sian

<image001.png> | **PC Sian Giles**

<image002.jpg> | **Licensing Officer**

**Central East BCU (*Hackney & Tower Hamlets*)**

**Metropolitan Police Service**

M: 07796 183078

A: Stoke Newington Police Station

W: [www.met.police.uk](http://www.met.police.uk)

E: [sian.giles@met.police.uk](mailto:sian.giles@met.police.uk)

*Committed to policing excellence and making Central East safer for all, by improving quality of life and reducing crime.*

<image003.png>

**Unless otherwise stated this email is GSC Code – Official**

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Subject: The Viaduct; Early Engagement



Fri, 20  
Jan,  
08:43

to Sian.Giles

You are viewing an attached message.

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Dear Sian,

Thank you and Mike very much for your time yesterday. It is very helpful to commence early engagement prior to any License application being put together for The Viaduct. It is my absolute priority to ensure all concerns and risks identified by police are allayed in any application we may eventually submit. I am incredibly proud of our working partnership over the last years. I know it has been instrumental in the development of The Viaduct as a venue which upholds the licensing objectives and offers a facility to both our community and visitors to Shoreditch- thank you very much for all your time and guidance in this regard. I look forward to continuing this invaluable partnership-working deep into the future.

I note that Police would submit representations against any license application. Notwithstanding this, I appreciate the opportunity to continue with our early engagement in order to ensure any license application allays police concerns and encompasses key operational procedures which would uphold licensing objectives robustly.

I was very pleased to hear that there aren't any crimes recorded at the premises since its opening and I am pleased to say that we are slowly but surely building up a client base which I am confident will grow and help the premises flourish. However there are some key areas of the current premises license which, if varied, would greatly assist viability of the premises whilst not compromising the licensing objectives.

When I initially presented plans for the creation of The Viaduct, over a year ago, we had discussed that later hours of opening could be considered once the premises had opened and traded in line with licensing objectives for a period of 6 months.

We will continue to submit some TENs applications for the premises and would appreciate your consideration of these alongside the respective risk assessments we shall submit.

We also discussed the opportunity to meet with Superintendent Andy Port and Chief Inspector Lucky Singh; I would like to thank them for the partnership working which I have found invaluable over the last year and would be keen to attain their feedback on The Viaduct. From our very early discussions to now, I believe we have delivered on all commitments that were made for The Viaduct and are proud to have got to this stage through our efforts and partnership-working.

I look forward to continuing with our early engagement. It is our priority to ensure any license application is supported by the police, if at all possible.

Kind regards  
Rocky

Sent from my iPad

# Helpline

## Accident, Incident or Near Miss



**Data Protection Notice:** Ensure the individual is aware that personal information is collected in the Helpline for the purposes of monitoring and managing incidents, restricted to Helpline users who have a legitimate basis to access it. Shield Safety Group Limited are the providers of this service & will not share your personal information with third parties unless compelled by law.

### Status

Status	Open
Opened by	Jane Griffiths
Date created	12/02/2023 01:39
Updated by	Jane Griffiths
Last updated	12/02/2023 01:40

# General details

Location	<b>The Viaduct</b>
Your reference	<b>N/A</b>
Date and Time of incident	<b>11/02/2023 23:00</b>
Notified by	<b>In Person</b>

## Describe what happened

Two IC1 males were at the bar in the tap room stood drinking, a third IC1 male who was with a mixed group sat outside comes to the bar beside them to get a drink. There is a conversation between the three. As the third male leave the bar with his drink one of the initial two males follows and is physically violent towards him. Two other males in the victims group step in are violent back. Security intervenes to de-escalate and separate the parties. The initial aggressor is held while police are called on the snow radio. all parties are held and kept separate until police arrive. Medics are called to give assistance to the victim.

Subject: Viaduct



**samantha.mathys@hackney.gov.uk**

Fri, 24 Feb,  
15:58 (10  
days ago)

to channing.riviere, david.tuitt, karen.law, Sian.Giles

You are viewing an attached message.

London Borough of Hackney Mail can't verify the authenticity of attached messages.

Hello,

Regarding the Viaduct call, there is nothing on the logs from them regarding the last assault. The only calls coming into control from that time were Rochester and EO10.

We are confident that no attempt was made.

**Sam Mathys**

Late Night Levy Manager / [Hackney Nights](#)  
Community Safety, Business Regulation & Enforcement  
Climate, Homes and Economy  
London Borough Hackney  
Hackney Service Centre  
[1 Hillman Street](#)  
[London](#)  
[E8 1DY](#)  
(M) 07783 871 716

--

Samantha Mathys

Late Night Levy Manager  
London Borough Hackney  
Hackney Service Centre  
1 Hillman Street  
London  
E8 1DY  
(T) 07513 845 764

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



9-SIA log from 17th  
February 2023

Pinnacle Protection Sign In

Week of: W/E 04/12/22

The Viaduct

Date	Name	Badger No.	Start	Finish	Total Hrs
16.02	[REDACTED]	[REDACTED]	20:00	23:30	3.5
17.02	[REDACTED]	[REDACTED]	19:00	21:30	2.5
17.02	[REDACTED]	[REDACTED]	21:00		
17.02	[REDACTED]	[REDACTED]	22:00		
17.02	[REDACTED]	[REDACTED]	22:00		
17.02	[REDACTED]	[REDACTED]	22:00		







11- SIA log from 6th January

DAY **FRIDAY** DATE **06 / 01 / 2023**

Door Supervisors on Duty

Name	Badge No.	Expiry Date	Time on	Time off	Signature
[REDACTED]	[REDACTED]	[REDACTED]	19:00	00:30	[REDACTED]

Fire Exit Check *I confirm that all fire exits are clear and unobstructed by any obstacle*

Time checked	Initials	Time	Initials	Time	Initials
Start of Shift	[REDACTED]	22:30	[REDACTED]	01:30	/
20:00	[REDACTED]	23:00	[REDACTED]	02:00	
20:30	[REDACTED]	23:30	[REDACTED]	02:30	
21:00	[REDACTED]	00:00	[REDACTED]	03:00	
21:30	[REDACTED]	00:30	[REDACTED]	03:30	
22:00	[REDACTED]	01:00	[REDACTED]	04:00	

Capacity Check Log

Time	In	Out	Net	Time	In	Out	Net	Time	In	Out
19:30	3	0	3	22:30	22	15	7	01:30	/	
20:00	9	3	6	23:00	32	27	5	02:00		
20:30	12	5	7	23:30	36	27	9	02:30		
21:00	15	5	10	00:00	36	34	2	03:00		
21:30	22	15	7	00:30	36	36	0	03:30		
22:00	22	15	7	01:00				04:00		

Floor / Toilet Check Log

Floor & Toilet Areas check for spillages / glass every day at the following times, and any hazards reported to Duty Manager for action.

Time	Initials	Time	Initials	Time	Initials
19:30	[REDACTED]	22:30	[REDACTED]	02:00	/
20:00	[REDACTED]	23:00	[REDACTED]	02:30	
20:30	[REDACTED]	23:30	[REDACTED]	03:00	
21:00	[REDACTED]	00:00	[REDACTED]	03:30	
21:30	[REDACTED]	00:30	[REDACTED]	04:00	
22:00	[REDACTED]	01:30	[REDACTED]	04:30	

Enforcement Visit Log

Time of Visit      Details of Visit / Action Taken



# 12- SIA log from 7th January

DAY SATURDAY DATE 07 / 01 / 20 23

Door Supervisors on Duty					
Name	Badge No	Expiry Date	Time on	Time off	Signature
[REDACTED]	[REDACTED]	[REDACTED]	19:00	00:30	[REDACTED]

Fire Exit Check					
<i>I confirm that all fire exits are clear and unobstructed by any obstacle</i>					
Time checked	Initials	Time	Initials	Time	Initials
Start of Shift	[REDACTED]	22:30	[REDACTED]	01:30	
20:00	[REDACTED]	23:00	[REDACTED]	02:00	
20:30	[REDACTED]	23:30	[REDACTED]	02:30	
21:00	[REDACTED]	00:00	[REDACTED]	03:00	
21:30	[REDACTED]	00:30	[REDACTED]	03:30	
22:00	[REDACTED]	01:00	[REDACTED]	04:00	

Capacity Check Log							
Time	In	Out	Net	Time	In	Out	Net
19:30	0	0	0	22:30	58	28	30
20:00	38	0	38	23:00	62	35	27
20:30	42	0	42	23:30	62	42	20
21:00	43	2	41	00:00	62	49	13
21:30	43	5	38	00:30	62	62	0
22:00	55	14	41	01:00			

Floor / Toilet Check Log					
Floor & Toilet Areas check for spillages / glass every day at the following times, and any reported to Duty Manager for action.					
Time	Initials	Time	Initials	Time	Initials
19:30	[REDACTED]	22:30	[REDACTED]	02:00	
20:00	[REDACTED]	23:00	[REDACTED]	02:30	
20:30	[REDACTED]	23:30	[REDACTED]	03:00	
21:00	[REDACTED]	00:00	[REDACTED]	03:30	
21:30	[REDACTED]	00:30	[REDACTED]	04:00	
22:00	[REDACTED]	01:00	[REDACTED]	04:30	

Enforcement Visit Log	Time of Visit	Details of Visit / Action Taken



















17- SIA log from 27th Jan

FRIDAY

DATE 27 / 01 / 2023

DAY [Redacted]

Door Supervisors on Duty

Name	Badge No	Expiry Date	Time on	Time off	Signature
[Redacted]	[Redacted]	[Redacted]	19:00	00:30	[Redacted]
[Redacted]	[Redacted]	[Redacted]	19:05	01:00	[Redacted]

Fire Exit Check *I confirm that all fire exits are clear and unobstructed by any obstacle*

Time checked	Initials	Time	Initials	Time	Initials
Start of Shift	[Redacted]	22:30	[Redacted]	01:30	
20:00	[Redacted]	23:00	[Redacted]	02:00	
20:30	[Redacted]	23:30	[Redacted]	02:30	
21:00	[Redacted]	00:00	[Redacted]	03:00	
21:30	[Redacted]	00:30	[Redacted]	03:30	
22:00	[Redacted]	01:00	[Redacted]	04:00	

Capacity Check Log

Time	In	Out	Net	Time	In	Out	Net	Time	In	Out	Net
19:30	47	0	47	22:30	60	5	55	01:30			
20:00	59	0	59	23:00	60	11	49	02:00			
20:30	60	0	60	23:30	60	20	40	02:30			
21:00	60	0	60	00:00	60	23	37	03:00			
21:30	60	0	60	00:30	60	55	5	03:30			
22:00	60	1	59	01:00	60	60	0	04:00			

Floor / Toilet Check Log *Floor & Toilet Areas check for spillages / glass every day at the following times, and any hazards reported to Duty Manager for action.*

Time	Initials	Time	Initials	Time	Initials
19:30	[Redacted]	22:30	[Redacted]	02:00	
20:00	[Redacted]	23:00	[Redacted]	02:30	
20:30	[Redacted]	23:30	[Redacted]	03:00	
21:00	[Redacted]	00:00	[Redacted]	03:30	
21:30	[Redacted]	00:30	[Redacted]	04:00	
22:00	[Redacted]	01:30	[Redacted]	04:30	

Enforcement Visit Log

Enforcement Visit Log	Time of Visit	Details of Visit / Action Taken	AM Infor



18- SIA log from 28th Jan

DAY SATURDAY DATE 28 / 01 / 2023

Door Supervisors on Duty

Name	Badge No	Expiry Date	Time on	Time off	Signature
[REDACTED]	[REDACTED]	[REDACTED]	14:30	00:30	[REDACTED]

Fire Exit Check *I confirm that all fire exits are clear and unobstructed by any obstacle*

Time checked	Initials	Time	Initials	Time	Initials
Start of Shift	[REDACTED]	22:30	[REDACTED]	01:30	/
20:00	[REDACTED]	23:00	[REDACTED]	02:00	
20:30	[REDACTED]	23:30	[REDACTED]	02:30	
21:00	[REDACTED]	00:00	[REDACTED]	03:00	
21:30	[REDACTED]	00:30	[REDACTED]	03:30	
22:00	[REDACTED]	01:00	[REDACTED]	04:00	

Capacity Check Log

Time	In	Out	Net	Time	In	Out	Net	Time	In	Out	Net
19:30	157	110	47	22:30	182	182	0	01:30	/		
20:00	164	114	50	23:00	188	188	0	02:00			
20:30	174	122	52	23:30	188	188	0	02:30			
21:00	176	131	45	00:00	188	188	0	03:00			
21:30	176	136	40	00:30	188	188	0	03:30			
22:00	179	179	0	01:00				04:00			

Floor / Toilet Check Log

Floor & Toilet Areas check for spillages / glass every day at the following times, and any hazards reported to Duty Manager for action.

Time	Initials	Time	Initials	Time	Initials
19:30	[REDACTED]	22:30	[REDACTED]	02:00	/
20:00	[REDACTED]	23:00	[REDACTED]	02:30	
20:30	[REDACTED]	23:30	[REDACTED]	03:00	
21:00	[REDACTED]	00:00	[REDACTED]	03:30	
21:30	[REDACTED]	00:30	[REDACTED]	04:00	
22:00	[REDACTED]	01:30	[REDACTED]	04:30	

Enforcement Visit Log

Enforcement Visit Log	Time of Visit	Details of Visit / Action Taken	AM Informed



19- SIA log from 3rd Feb

DAY Friday DATE 03 / 02 / 2020

Door Supervisors on Duty					
Badge No	Expiry Date	Time on	Time off	Signature	
[REDACTED]	[REDACTED]	19:00	12:30 [REDACTED]	[REDACTED]	

Fire Exit Check					
I confirm that all fire exits are clear and unobstructed by any obstacle					
Time checked	Initials	Time	Initials	Time	Initials
Start of Shift	[REDACTED]	22:30	[REDACTED]	01:30	
20:00	[REDACTED]	23:00	[REDACTED]	02:00	
20:30	[REDACTED]	23:30	[REDACTED]	02:30	
21:00	[REDACTED]	00:00	[REDACTED]	03:00	
21:30	[REDACTED]	00:30	[REDACTED]	03:30	
22:00	[REDACTED]	01:00	[REDACTED]	04:00	

Capacity Check Log											
Time	In	Out	Net	Time	In	Out	Net	Time	In	Out	Net
19:30	9			22:30	31	17	14	01:30			
20:00	9	7	2	23:00	46	43	27	02:00			
20:30	9	7	2	23:30	59	43	17	02:30			
21:00	9	9	0	00:00	0	0	0	03:00			
21:30	9	9	0	00:30				03:30			
22:00	17	15	2	01:00				04:00			

Floor / Toilet Check Log					
Floor & Toilet Areas check for spillages / glass every day at the following times, and any hazards reported to Duty Manager for action.					
Time	Initials	Time	Initials	Time	Initials
19:30	[REDACTED]	22:30	[REDACTED]	02:00	
20:00	[REDACTED]	23:00	[REDACTED]	02:30	
20:30	[REDACTED]	23:30	[REDACTED]	03:00	
21:00	[REDACTED]	00:00	[REDACTED]	03:30	
21:30	[REDACTED]	00:30	[REDACTED]	04:00	
22:00	[REDACTED]	01:00	[REDACTED]	04:30	

Enforcement Visit Log	Time of Visit	Details of Visit / Action Taken	AM Informe









## 22- log of SIA numbers on duty Aug 22-Feb 23

DATE	NUMBER OF SIA ON DUTY
18/08/2022	4
19/08/2022	6
20/08/2022	6
26/08/2022	4
27/08/2022	4
02/09/2022	2
16/09/2022	2
24/09/2022	1 assault takes place
19/11/2022	2
24/11/2022	1
december missing	
06/01/2023	1
07/01/2023	1
13/01/2023	1
14/01/2023	1
20/01/2023	1
21/01/2023	1
27/01/2023	1
28/01/2023	1
03/02/2023	1
04/02/2023	1
10/02/2023	1
11/02/2023	1 date blank in book. Night of assault
17/02/2023	6
24/02/2023	4



# 23- email from Mr Khan

Subject: Re: Incident at The Viaduct 11/2/23



Thu, 2 Mar,  
19:52 (4 days  
ago)

to Sian.Giles, jane

You are viewing an attached message.

London Borough of Hackney Mail can't verify the authenticity of attached messages.

Hi Sian,

Please see below a short timeline of the incident:

22:55:01 – 3 Males at bar. 2 in a pair (buff coat and check shirt) and 1 on own (glasses with short hair and beard).

22:56:14 – Buff Coat and Glasses speak as Glasses leaves the bar. Glasses makes gesture to Buff Coat and grabs own crotch. Buff Coat takes off coat and proceeds after Glasses for 2 to 3 steps then is stopped by Check Shirt.

22:57:57 – Male with beard and glasses returns to bar and immediately becomes aggressive. Male in buff coat takes off coat. Friends on both sides intervene.

22:58:43 – Glasses leaves bar area with coat belonging to Buff Coat.

22:59:13 – Glasses is struck by Buff Coat.

22:59:24 – Buff Coat pushed/hit ends up on floor. White Jacket (friend of Glasses) kicks Buff Coat.

22:59:58 – White Jacket strikes Buff Coat. Security on scene. White Coat continues to be aggressive. Strikes Check Shirt. Black T-Shirt (with White Jacket) also strikes at Check Shirt.

23:00:54 – Additional Security on scene. Parties separated.

23:02:02 – Altercation as White Jacket has evaded security and strikes at Buff Coat. DPS also on scene attempting to separate parties.

23:02:55 – Male in all black seen de-escalating White Jacket.

23:04:02 – White Jacket leaves bar area

23:08:28 – White Jacket back and remonstrating with Buff Coat.

23:09:33 – White Jacket pushed back by 2 security.

23:12:53 – Police on scene.

During the incident we had 1 SIA Door Supervisor on site and a response team connected to the on-site SIA Door Supervisor via a radio system. From the moment the assault occurred at 22:59:13, additional SIA were onsite within 1 minute and 43 seconds. In total 6 SIA responded to the situation and both victim and suspect were detained, and Police informed and brought to the premises. At the time of the incident there were 27 customers within the premises. The initial altercation occurred directly between 2 people, with a total of 3 of their friends then becoming involved.

The SIA on site [REDACTED] and the team that responded, should have dealt with the situation better. We are disappointed with the response, communication, and effective management of the situation. We have taken this up directly with the Director of Pinnacle Security and are attaining commitments that SIA standards will be improved. Our management do have radios.

Thursday 9<sup>th</sup> March 2023 for a meeting at Stoke Newington Police Station works well. Please let me know what time you would like for me to attend.

Kind regards,  
Rocky

Sent from my iPhone

On 28 Feb 2023, at 13:24, [Sian.Giles@met.police.uk](mailto:Sian.Giles@met.police.uk) wrote:

Dear Rocky,

Unfortunately i cannot meet on the 8<sup>th</sup> what availability do you have for that week and we can try to suit a date/time that suits all?

Again- can one of you respond to my enquiries below?

Many thanks  
Sian

**From:** Rocky [REDACTED] >  
**Sent:** 28 February 2023 13:12  
**To:** Giles Sian - CE-CU <[Sian.Giles@met.police.uk](mailto:Sian.Giles@met.police.uk)>  
**Cc:** Jane [REDACTED]  
**Subject:** Re: Incident at The Viaduct 11/2/23

Dear Sian,

Could we please meet at the police station on Wednesday 8th March? Anytime that maybe most convenient your side.

Kind regards,  
Rocky

Sent from my iPhone

On 26 Feb 2023, at 02:18, [Sian.Giles@met.police.uk](mailto:Sian.Giles@met.police.uk) wrote:

Dear Rocky and Jane,

Can one of you respond to my enquiries below?

Many thanks  
Sian

**From:** Giles Sian - CE-CU  
**Sent:** 21 February 2023 07:13  
**To:** Rocky [REDACTED]  
**Cc:** Jane [REDACTED]  
**Subject:** RE: Incident at The Viaduct 11/2/23

Hi Rocky,

Are you able to meet on 6<sup>th</sup> March at Stoke Newington Police Station?

Can i ask if you have watched the footage? if you haven't then i suggest you do. From it you will see how the incident log does not capture the incident in its entirety. I know there was only one SIA on duty at the time, a breach of your licence. This one SIA struggled to contain large scale disorder within your venue. Do your staff have radios to communicate with the SIA? If they do why weren't they used? Why was only one SIA on duty?

Many thanks  
Sian

**From:** Rocky [REDACTED]  
**Sent:** 17 February 2023 10:24  
**To:** Giles Sian - CE-CU <[Sian.Giles@met.police.uk](mailto:Sian.Giles@met.police.uk)>  
**Cc:** Jane [REDACTED]  
**Subject:** Re: Incident at The Viaduct 11/2/23

Dear Sian,

Apologies for the delay in response. I have had some unavoidable commitments and I am away until 2 March as is Jane next week. Would it be possible to organise the meeting for 3 March onwards?

It would be helpful, at this stage, if you could kindly share what the number of failings are and any shortcomings in the incident log. We can certainly get to work on these asap.

Kind regards,  
Rocky

Sent from my iPhone

On 15 Feb 2023, at 17:30, [Sian.Giles@met.police.uk](mailto:Sian.Giles@met.police.uk) wrote:

Dear Rocky,

I have read the incident log and watched the CCTV.

I suggest a meeting is needed next week, the incident log is insufficient and does not capture the true extent of the incident. There are a number of failings here which i would like to speak to you about. I would also like to speak to Jane and the SIA on duty at the time.

Can i propose a meeting at Stoke Newington Police Station on Monday at 1400.

Many thanks  
Sian

**From:** Rocky [REDACTED]  
**Sent:** 13 February 2023 17:56  
**To:** Giles Sian - CE-CU <[Sian.Giles@met.police.uk](mailto:Sian.Giles@met.police.uk)>  
**Cc:** Jane [REDACTED]  
**Subject:** Re: Incident at The Viaduct 11/2/23

Hi Sian,

Please find incident report attached. The CCTV footage has also been uploaded.

Kind regards  
Rocky

Sent from my iPhone

On 13 Feb 2023, at 09:29, [Sian.Giles@met.police.uk](mailto:Sian.Giles@met.police.uk) wrote:

Dear all,

Please may i request an incident log and CCTV for the incident which occurred on 11<sup>th</sup>? Males fighting.

Many thanks

**PC Sian Giles**  
**Licensing Officer**  
**Central East BCU (*Hackney & Tower Hamlets*)**  
**Metropolitan Police Service**  
M: 07887332604  
A: Stoke Newington Police Station  
W: [www.met.police.uk](http://www.met.police.uk)  
E: [sian.giles@met.police.uk](mailto:sian.giles@met.police.uk)

*Committed to policing excellence and making Central East safer for all, by improving quality of life and reducing crime.*

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**This premises licence has been issued by:**

Licensing Service  
1 Hillman Street  
London E8 1DY

## **PART A – PREMISES LICENCE**

### **Premises Licence Number**

LBH-PRE-T-0480

### **Part 1 – Premises details**

Simmons (Formerly The Viaduct)  
The Arches  
83 Rivington Street  
Hackney  
London  
EC2A 3AY

### **Where the licence is time limited the dates**

Not Applicable

### **Licensable activities authorised by the licence**

Films  
Live Music  
Recorded Music  
Performance of Dance  
Other Entertainment Similar to Live or Rec Music or Dance Performance  
Late Night Refreshment  
Supply of Alcohol

### **The times the licence authorises the carrying out of Licensable activities**

<b>Films</b>	<b>Standard Hours:</b> Mon 10:00-23:00 Tue 10:00-23:00 Wed 10:00-23:00 Thur 10:00-23:00 Fri 10:00-00:00 Sat 10:00-00:00 Sun 12:00-22:30
<b>Live Music</b>	<b>Standard Hours:</b> Mon 10:00-23:00 Tue 10:00-23:00

	<p>Wed 10:00-23:00  Thur 10:00-23:00  Fri 10:00-00:00  Sat 10:00-00:00  Sun 12:00-22:30</p>
<b>Recorded Music</b>	<p><b>Standard Hours:</b></p> <p>Mon 10:00-23:00  Tue 10:00-23:00  Wed 10:00-23:00  Thur 10:00-23:00  Fri 10:00-00:00  Sat 10:00-00:00  Sun 12:00-22:30</p>
<b>Performance of Dance</b>	<p><b>Standard Hours:</b></p> <p>Mon 10:00-23:00  Tue 10:00-23:00  Wed 10:00-23:00  Thur 10:00-23:00  Fri 10:00-00:00  Sat 10:00-00:00  Sun 12:00-22:30</p>
<b>Anything of Similar Description</b>	<p><b>Standard Hours:</b></p> <p>Mon 10:00-23:00  Tue 10:00-23:00  Wed 10:00-23:00  Thur 10:00-23:00  Fri 10:00-00:00  Sat 10:00-00:00  Sun 12:00-22:30</p>
<b>Late Night Refreshment</b>	<p><b>Standard Hours:</b></p> <p>Fri 23:00-00:00  Sat 23:00-00:00</p>
<b>Supply of Alcohol</b>	<p><b>Standard Hours:</b></p> <p>Mon 10:00-23:00  Tue 10:00-23:00  Wed 10:00-23:00  Thur 10:00-23:00  Fri 10:00-00:00  Sat 10:00-00:00  Sun 12:00-22:30</p>



<b>The opening hours of the premises</b>	<b>Standard Hours:</b> Mon 09:00-23:30 Tue 09:00-23:30 Wed 09:00-23:30 Thur 09:00-23:30 Fri 09:00-00:30 Sat 09:00-00:30 Sun 11:00-23:00
--	--

**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**

Simmons Waterloo Limited  
3<sup>rd</sup> Floor, 120 Charing Cross Road  
London  
WC2H 0JR

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

14298581

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

Suresh Gurung

[REDACTED]  
[REDACTED]  
[REDACTED]  
[REDACTED]

**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: [REDACTED]  
Issuing Authority: [REDACTED]

Date of Grant: 24 November 2006

Signed:



**Gerry McCarthy**  
Head of Community Safety, Enforcement and Business Regulation  
Document re-issued: 10 May 2023

## 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.
4. 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).
5. The responsible person must ensure that free potable water is provided on

request to customers where it is reasonably available.

6. 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.
7. 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

7.1 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

(c) 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;

(d) "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;



(e) “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

(f) “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. The premises shall install and maintain a comprehensive CCTV system as per the minimum requirements of a Metropolitan Police Crime Prevention Officer. 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 officers throughout the preceding 31-day period.
11. 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 must be able to show a Police or authorised council officer recent data or footage when requested.
12. There shall be a SIA registered door supervisor employed at the premises every day from 2100 hours at a ratio of 1:100. On Friday and Saturday a minimum of 5 door supervisors shall be present from 2200 hours. Extra SIA will be considered continually as part of an ongoing operational risk assessment. All door supervisors shall enter their full details in the premises daily register at the commencement of their work. They shall record their full name, home address and contact telephone number, their SIA registration number, and the time they commence and conclude working. If the door supervisor was provided by an agency the name, registered business address and contact telephone number will also be recorded. This register will be made available to police or authorised officers immediately upon request.
13. Door supervisors engaged in duties outside shall wear a high visibility vest or jacket so that they are clearly identifiable.
14. (1) All persons entering the venue will be counted in and out by a member or members of door staff using coordinated mechanical clicker devices, capable of identifying the number of persons within the premises at any time. These will be supplied by the venue.  
(2) There shall be a risk assessment carried out for each day that the premises' are to be open to the public. Such assessments shall identify the total numbers of persons (including staff performers and contractors), who can be safely accommodated on the premises.  
(3) The person or persons responsible for monitoring entry to the premises shall be notified in writing of the maximum number of admissions permitted.
15. Signs will be prominently displayed at all exit points reminding customers to leave quietly and respect local residents.
16. The premises will have a venue management agreement policy, approved by the police licensing officer and/or Crime prevention officer, detailing the following;
  - a. Entry and search policy
  - b. Drugs Policy, which shall include Hackney Police local Policy 2011 (or as amended)
  - c. Queuing and dispersal policy

- d. Security Policy
- e. Noise Policy
- f. Smoking Policy
- g. Alcohol Policy
- h. Theft Reduction Policy, as per Hackney Police Local Policy 2011 (or as amended)

17. The premises shall operate an Identification Scanner which shall be used for all customers entering the venue from 19:00 every day of the week.
18. All customers queuing to enter the venue shall be monitored by SIA door staff to ensure the queue is maintained in an orderly manner. A barrier system is to be used so that any queue does not cause obstruction to the public highway. Any customers found to be consuming alcohol or other intoxicating substances (such as Nitrous Oxide) in the queue shall be refused entry to the premises.
19. A Challenge 25 proof of age scheme shall be operated at the premises where the only acceptable forms of identification are recognised photographic identification cards, such as driving licence or passport.
20. An incident log shall be kept at the premises, and made available on request to an authorised officer of the council or the police, which will record the following.
  - a. All crimes reported:
  - b. All ejections of patrons
  - c. Any complaints received.
  - d. Any incidents of disorder.
  - e. Seizure of drugs or offensive weapons.
  - f. Any faults in the CCTV system or searching equipment or scanning equipment.
  - Any refusal of the sale of alcohol.
  - g. Any visit by a relevant authority or emergency service.
21. Signs will be prominently displayed by entry and exit points reminding customs:
  - a. CCTV in operation.
  - b. Drugs policy.
  - c. Weapons policy.
  - d. To leave quietly and respect local residents.
22. All staff shall receive training on the legislation relating to the sales of alcohol to underage persons, drunken persons. the four licensing objectives and WAVE (Welfare and Vulnerability Engagement). All staff shall have refresher training on these topics every 12 months at least. tWritten records of such training shall be kept on the premises and produced to a police officer or other authorised officer upon request.
23. The licensee shall be a member of local Pub watch scheme and SNOW (insert full name) radio. The licensee or a representative shall take all reasonable steps to attend all meetings and maintain a record thereof. The licensee shall use his/her best endeavours to ensure that all necessary communication equipment is in full working order at all times the premises are open to the public.
24. Reasonable steps to be taken to ensure that an authorised person is a member of Pubwatch and SNOW.

25. The pavement from the building line to the kerb edge immediately outside the premises, including the gutter/channel at its junction with the kerb edge, shall be swept and or washed, and litter and sweepings collected and stored in accordance with the approved refuse storage arrangements.
26. Patrons will not be allowed to take open containers outside of the premises at any time.
27. The door at arch 3 shall be locked in an open position when arch 3 is in use.
28. The Licensee shall ensure that all staff are fully trained and made aware of the legal requirement of businesses to comply with their duty of care 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.
29. 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.
30. The Licensees premises are situated in an area within which refuse may only be left on the public highway at certain times (time bands). If the Licensees 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.
31. 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.
32. All amplified recorded and live music played within the premises, shall be subject to the control of noise limiter so noise and vibration is inaudible in the nearest noise sensitive premises between the hours of 23:00 and 07:00 on any day and does not cause nuisance at all other times anytime.
33. The noise limiter should be kept in a secure, lockable cupboard or similar location. The system is to be completely independent of control by persons other than the Licensee.
34. Patrons of the premises shall be encouraged, by signs within the premises visible at all exit points, to disperse from the area of the premises quietly. Door supervisors shall also supervise persons leaving the premises after entertainment has taken place and where necessary, request that persons leaving the premises do so in an orderly manner as quickly as possible.
35. There shall be no off-sales of alcohol from the Premises.



36. Arch I shall operate as a restaurant, in which the sale of alcohol shall not be sold, supplied, or consumed on the premises otherwise than to persons who are taking substantial table meals and that the consumption of alcohol by such a person is ancillary to taking such meals. The supply of alcohol shall be by waiter or waitress service only.
37. Substantial food and non-intoxicating beverages are to be available throughout the Premises in all locations and at all times that alcohol is available for sale.
38. The maximum capacity of the Premises, not including staff and performers, is 550 (or any lesser figure if indicated by the fire safety risk assessment, a copy of which shall be served on the licensing authority).
39. When licensable activity is taking place in the premises on Thursday, Fridays and Saturdays the venue shall deploy toilet attendants, to be stationed in both male and female toilets between 21:00 hours and closing.
40. All of the SIA personnel employed by or contracted to the venue shall be equipped with a working and effective Body-worn Video Camera. The footage derived from each such device shall be retained for a minimum of 31 days and provided upon request to the Police or other authorised officers immediately, or with minimum delay and in any event no later than 48 hours following such a request. All SIA personnel above, are to be the Head Door Supervisor and Any Door Supervisor(s) stationed at the entrance to the Premises.
41. From 21:00, the venue shall employ clearly identifiable members of staff to act as welfare officers.
42. The venue shall employ 1 welfare officer for the first 200 customers at the venue. Thereafter there shall be an additional welfare officer for each additional 200 customers (or part thereof). Where there is more than one welfare officer at least 50% must be female.
43. Each welfare officer must be in a position to evidence their having undergone Welfare and Vulnerability Engagement training prior to undertaking their appointed role.
44. No third-party DJ led promoted events shall take place at the Premises. For any other promoted events, a risk assessment shall be carried out, this risk assessment will include but not be limited to:
  - a. checks the venue has undertaken into any performing acts.
  - b. contacting venues where they have performed previously to see if there were any adverse issues.
  - c. checking artists/promoters' social media to identify any potential issues.
  - d. The risk assessment shall also demonstrate any measures to be put place to mitigate any identified risks, together with the rationale applied.
  - e. A copy of all risk assessments shall be retained on the premises for immediate inspection by police or responsible authorities upon request.
45. No queue will be permitted outside the venue (as defined by the red line on the plan attached to this Premises Licence) once the full capacity of the venue is reached.

46. Any queue that forms outside the venue (as defined by the red line on the plan attached to this Premises Licence) once the venue has achieved the safe capacity identified for that day will be immediately and safely dispersed by venue staff or SIA approved personnel or contractors.
47. From 21:00, a designated member of staff shall monitor the CCTV system installed at the premises whenever licensable activity is taking place and communicate with operational staff and/or SIA approved personnel or contractors, as appropriate.
48. Prior to the premises providing licensable activities a dispersal policy for the premises applicable to standard operating nights and promoted events shall be drawn up and agreed with the police.
49. Amended plans of the premises to be attached to the premises licence, compliant with regulations, are to be lodged with the council

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

Not Applicable.

## **Annex 4 – Plans**

PLAN/LBH-PRE-T-0480/120608



# APPENDIX C

## 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	Viaduct 83 Rivington Street Hackney London EC2A 3AY
NAME OF APPLICANT	PC Sian Giles

### COMMENTS

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

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

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

The Licensing Authority has considered the application and submits the following comments.

The Premises known as Viaduct, 83 Rivington Street, Hackney, London, EC2A 3AY was formerly known as "Cargo". Cargo was subject to a review application from the Metropolitan Police in 2021, the review hearing took place on 14th December 2021.

The issues identified by the Metropolitan Police at the time demonstrated a risk to the promotion of the licensing objectives, in particular the prevention of crime and disorder and public safety. The outcome of the review hearing was a revocation of the premises licence.

The operators of the premises appealed the decision of the Licensing Sub-Committee and engaged in discussion and mediation with the Responsible Authorities. This eventually led to the appeal being settled by way of Consent order.

During the mediation, the operators of the premises accepted various conditions and modifications would be added to the premises licence.

The operators also indicated that they would seek to change the fundamental nature of the premises, away from the previous "night club" model to a more bespoke offering, including a restaurant area, brewery etc. The forthcoming changes were shown to Responsible Authorities via presentations and during a number of meetings with the operators and their respective staff.

Given the substantive engagement that has been undertaken by the Police and Local Authority. The Licensing Authority are extremely disappointed to learn that a serious incident has taken place at the premises. Further to this, it would appear that the Premises Licence conditions agreed via the Consent Order were not being followed. The operator would have had a clear idea of the conditions having only agreed to them after lengthy negotiation. This would suggest that the Licensing objectives are at serious risk of being undermined.

The Licensing Authority now has serious doubts about the ability of the operator to conduct the premises in a manner that promotes the Licensing objectives. The situation is further exacerbated by the fact that the premises is located within the Shoreditch Special Policy Area.

The Licensing Authority supports the application for the review.

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 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:** 03/04/2023

## APPENDIX D1

**License Review The Viaduct, The Arches, 83 Rivington Street, London, EC2A 3AY**

1 message

24 March 2023 at 17:04

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

Dear Sir/Madam,

As a actual neighbour of Shoreditch I would like to strongly support the license review of The Viaduct and therefore remove them this license for once and all.

This venue is an actual threat to the area promoting criminal behaviour and also not being able to prevent it when the have an incident. This rebranding sounds exactly like the old Cargo with numerous crime reports.

This represents a mayor issue for public safety and therefore children like ours who live in the area.

We have a kid and find very difficult not just to explain the problematic that we have to live with and how the Council fails to protect them from this kid of harm.

Thank you,

Kind regards,  
[REDACTED]



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**Viaduct - PERMANENTLY Revoke Licence**

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3 April 2023 at 19:28

To: "licensing@hackney.gov.uk" &lt;licensing@hackney.gov.uk&gt;

Cc: [REDACTED]

To Whom it may concern,

I have lived on Boundary Street between Calvert Avenue & Navarre Streets for 7 years. Over the course of these years ASB behaviour has made my street unsafe and unbearable to live.

My street has been closed countless times as a result of knife crime, literally right outside the entrance to my residence. (see attached photos)

I previously objected to Cargo's licence because of this. I am shocked and feel unsafe knowing the same management continues to violate the conditions of their licence and blatantly jeopardises the safety of our community for financial gain.

I have seen people park in my street and going to the venue, and returning after to blast music from their cars after the club closes.

They have used their cars as weapons, drink and take drugs just outside my windows. Streets are littered with broken bottles and gas canisters the morning after the club has been open.

Evidence can always be found immediately outside the club itself at the intersection of Rivington and Shoreditch High Street.

The only way I manage to sleep is with white noise machine and earplugs. (see below videos of the noise and violence I have to try and sleep through)

Extreme Driving / Violence - Boundary Street  
<https://www.youtube.com/watch?v=glvzZ83OILA>

Middle of Night Car Gathering / Car Bar - Boundary Street  
<https://www.youtube.com/watch?v=jnvev1g4nXo>

Glass Throwing / Chasing - Boundary Street  
<https://www.youtube.com/watch?v=c555QVnXk2E>

Viaduct's licence must be PERMANENTLY revoked to ensuring our neighbourhood can be kept safe.

Thank you for your help.

Sincerely,











**License review: The Viaduct, The Arches, 83 Rivington Street, London EC2A 3AY**

1 message

3 April 2023 at 19:53

To: "Licensing (Shared Mailbox)" &lt;licensing@hackney.gov.uk&gt;

Dear Licensing

I would like to support the police request for a full revocation of the license at this venue:

The Viaduct, The Arches, [83 Rivington Street, London EC2A 3AY](#)

It is clear from the Police submission that the venue's owner, Mr Khan, has no respect for the conditions applied after this venue was previously closed back in Dec 2021.

Because he didn't adhere to the conditions which were put in place to prevent crime and increase Public Safety, a young visitor to his venue now has life-changing injuries.

The evidence provided by the Police upholds 2 of the licensing objectives:

- the prevention of crime and disorder
- public safety

As a local resident, I would argue that this venue and its owner have long been a public nuisance in Shoreditch, both as Cargo and now as The Viaduct. The name change has not resulted in a culture change and the disregard for residential neighbours and authority partners continues today.

- the prevention of public nuisance

Will the arches be used in future? Residents feel that there is a strong employment future in the arches that does not involve the licensed economy.

Neighbouring businesses are gyms, Print works, design studios. None of these requires a license and involves employment opportunities with more secure job tenure.

There is an employment future for Shoreditch that doesn't involve alcohol.

I note that Eden Gardens Entertainment is also the license holder on a further 12 venues in the Shoreditch Town Centre area. If the rot starts with the top management team this raises concerns over the management of the other Eden Gardens Entertainment venues.

I therefore, support the full revocation of the license at The Viaduct, Rivington Street, Shoreditch.

Regards

Resident

I do not consent to my information being shared with any 3rd parties



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**The Viaduct, The Arches, 83 Rivington St EC2A 3AY**

1 message

3 April 2023 at 20:17

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

Dear all,

**RE: Licensing Review at The Viaduct, The Arches, 83 Rivington St EC2A 3AY**

I strongly support the the above licensing review. In particular, on the grounds of prevention of crime and disorder and of public safety. In addition to the obvious dangerous incidents that took place inside The Viaduct, it seems that the venue is not able to control anti-social and dangerous behaviour. This hugely augments the feeling of living in an unsafe neighbourhood when large groups of rowdy patrons are discharged in the streets from the venue. The scale of its operation multiplies the negative cumulative impact of the night economy on the area such as anti-social behaviour, use of substance such as Nitrous Oxide (often seen in the nearby streets), urination, streets fights etc. I do not feel safe with such venue in the area.

I strongly urge that the licence is revoked.

Yours sincerely,

  
**Charlotte Road**  
London EC2A 

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**Cargo / Viaduct Licence Review Submission**

1 message

3 April 2023 at 20:42

To: licensing@hackney.gov.uk

Cc: [REDACTED]

Dear Licensing team

My wife and I are residents of Calvert Avenue, Shoreditch - not far from Cargo/the Viaduct.

We submitted an impact statement in connection with the original Cargo licence review because of the shocking levels of antisocial behaviour we were regularly experiencing, which we believed (albeit based on circumstantial evidence) were connected with Cargo. The closure of Cargo made a remarkable difference to the character of Shoreditch almost overnight and antisocial behaviour in our street has dramatically declined, at least until recently.

We were very disappointed when the Viaduct reopened under the same management, especially having heard - through the Cargo licence review process - about the lack of records and safeguards with which Cargo turned out to be operating. However, we were initially quite pleased at the seemingly fairly empty venue with minimal activity. In recent weeks activity seems to have picked up. Hearing today that the Viaduct is being reviewed (again) for breaches - including lax security, a key concern last time - beggars belief.

We wholeheartedly agree with the assessment of the police that a venue cannot be trusted to adhere to any conditions if it chooses to ignore the ones imposed on it during the process of review and appeal.

Please allow residents of Shoreditch to continue to experience the peace we have enjoyed since Cargo closed and do not put your faith in the promises of a group that is seemingly as unreliable as its corporate ownership structure is convoluted.

Yours sincerely

[REDACTED]

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**The Viaduct, The Arches, 83 Rivington Street, London EC2A 3AY - please review and permanently revoke the license**

1 message

3 April 2023 at 23:37

To: "licensing@hackney.gov.uk" &lt;licensing@hackney.gov.uk&gt;

Cc: [REDACTED]

Dear licensing team,

I am a resident on the Boundary Estate. I fully support the license review of The Viaduct. I was one of the residents who spoke at the review of the Cargo license two years back. I raised my concerns that Shoreditch Bar group should not be allowed to re-open at the same venue. At that review, they spoke of changing the concept and redecorating -my reply was as long as the venue continues to encourage heavy drinking and late night events and parties, I cannot imagine how the situation would improve. I hate to say that my comments were proven correct.

The Shoreditch Bar Group had been given many opportunities and warnings before the review of Cargo two years back; the Cargo revocation was also a wake up call for them. Yet, the latest incident has once again shown that they cannot and will not change their operating and business model - which is to open large venues, pack in the crowds, encourage heavy drinking and rowdy unruly gatherings with no safety to patrons and the public. We cannot condone such a violent incident especially as it happened at such close proximity to a large residential estate.

My neighbours and I who live on the Boundary estate have suffered the problems of crime and anti-social behaviour. We have suffered sleepless weekends and a couple of residents have shared how the situation had affected their mental health.

If this review results in the revocation of The Viaduct, my request would be to make this a final review and permanent revocation of the license at this premise. There should not be another iteration of the same thing in a different name.

Thank you and regards,

[REDACTED]  
Resident on the Boundary Estate  
Chair of the Boundary Tenants & Residents Association

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**LICENCE REVIEW - The Viaduct**

1 message

3 April 2023 at 16:25

To: licensing@hackney.gov.uk

Cc: [REDACTED]

[The Viaduct, The Arches, 83 Rivington Street, London EC2A 3AY](#)

I understand that Viaduct (formerly Cargo, under the same ownership and management) is subject to a new licensing review. I write as chair of the Tower Hamlets Weavers Ward Safer Neighbourhoods Panel and vice-chair of the Boundary Tenants and Residents Association. The Boundary TRA represents 800 homes on the Boundary Estate and nearby streets spanning the border between Hackney and Tower Hamlets, and in close proximity to Rivington Street and The Viaduct.

During the last review in 2021 we submitted a lengthy collection of impact statements demonstrating how mismanagement of this venue affects the everyday lives of local residents.

A number of us spoke at the hearing and the community as a whole was hugely relieved when the licence was revoked. Life improved immediately following the closure of the bar. Mass night time urination along Virginia Road stopped occurring straight away. ASB on the Boundary Estate associated with car bars and the night time economy was greatly reduced.

We were thus disappointed that Shoreditch Bar Group chose to appeal and reopen, albeit under a new brand, and that a new licence agreement was made with Hackney Council licensing officers.

And now we are devastated to discover that while the bar has undergone a rebranding exercise, it has continued to be run by the same owner with a continuing disregard to the licensee's duties to uphold licensing objectives.

We fully endorse the concluding words of the police submission:

Mr Khan and business were given a second chance after the initial review hearing with it being settled by Hackney Council at appeal. The violation of imposed conditions demonstrates a blatant disregard to the subcommittee, its members and the licensing legislation. It also illustrates again how the business puts financial gain over the safety of the public. Police are of the opinion that how could the venue possibly be trusted to adhere to any conditions if they chose to ignore the ones imposed on them during the process of revocation review and appeal.

And would add that this also shows a blatant disregard for the local community who have expressed their concerns so forcefully during the previous review.

We SUPPORT the review of this license, and would ask that the council REVOKE the licence fully and finally. The owners and managers have proven themselves to be untrustworthy and unfit to run this venue under any current or future branding.

A venue of this size cannot be tolerated to continue under poor management when it has the capacity to make such an impact on the everyday lives of so many nearby residents, many of whom are council tenants who do not have the choice to move elsewhere.

As a reminder of why this matters so much to the residents of the Boundary Estate, I attach the impact statements submitted for the previous Cargo licence review.

Best wishes

[REDACTED]

[REDACTED]



## **Impact statements - Boundary Estate and other nearby residents**

I have lived on and near to the Boundary Estate for nearly thirty years. As Chair of the Weavers Ward Safer Neighbourhoods Panel I am closely connected with local crime and ASB issues. I am also a member of the Columbia Tenants and Residents Association, and a founder of the Boundary Tenants and Residents Association.

For ten years (2000-2010) I was owner, licensee and personal licence holder of a successful venue on Old Street, Shoreditch EC2 and was a member of the Shoreditch Pubwatch.

From these various activities and backgrounds I have considerable experience of night time economy issues and the way they affect the local community.

The night time economy in Shoreditch has transformed in the last few years in a way that is now having a considerably harmful impact on the amenity of local residents. It particularly affects residents who live on the Boundary Estate which spans the border between Hackney and Tower Hamlets, to the east of Shoreditch High Street. It is also affecting residents of the Columbia TRA estates stretching along Columbia Road and generally all of the residential community to the east of Shoreditch High Street, from Hackney Road to Bethnal Green Road.

I am submitting 14 impact statements from residents living in this neighbourhood. The submitters all wish to remain anonymous but I can vouch for the identity of each one of these authors.

I am also submitting an ASB diary for the month of August. This contains reports made to our community WhatsApp groups. Many (but not all) of these were also reported to police or council. CAD numbers are included where recorded.

The concentration of bars, particularly on the Rivington St / Shoreditch High Street axes is now creating predictable, regular weekend scenes that some residents have described as 'carnage'. The pattern is well-established. Clubgoers use the Boundary Estate as a car park from early evening, often lingering by their cars for some 'pre-loading' drinking activity accompanied by loud music. When the clubs close, these visitors return to their cars and the party continues often until dawn. Peak activity tends to be 3-5am, after the bars have closed.

There is an extraordinary amount of policing deployed around the Shoreditch bars on these nights, but enforcement tends to end shortly after the bars have closed, when their customers have theoretically dispersed. Many of them just relocate to the residential streets of the Boundary Estate and continue their activities unpoliced. Residents suffer hugely from this behavior, as the attached impact statements attest.

During the weekend, there is so much activity involving such a large number of bars, that it is almost impossible to evidentially connect a specific crime or ASB incident occurring on residential streets after the bars have closed with one or other specific venue.

On the night on Monday 6 September and morning of Tuesday 7 September a large number of incidents were reported via our community social media (WhatsApp) and some of these were also reported to the police. I am aware of at least 6 CAD numbers connected with night time economy ASB that night. On this occasion, most of the bars were closed or very quiet. It is

clear that one bar must have been running a large promotion, and on this occasion it should be possible to connect these disturbances to once specific venue. I suspect but do not know that this is Cargo, as Cargo does seem to be the main 'attactor' hub for nights of high disturbance.

I would like to note in addition that Cargo is one of over 20 licensed venues in the Shoreditch area all owned by one company, Shoreditch Bar Group. I am concerned that effective action will need to be taken at the corporate level. If conditions are attached to one of their venue's licenses, or a licence is suspended, this company can simply move their activities across to one of their many other venues.

24 November 2021

██████████  
██████████ Chambord Street  
London E2 ██████████

## **Resident 1, Abingdon House, Boundary Estate (Boundary Street)**

I live on the ground floor of Abingdon House with my 3 young children. On the weekends the level of noise at night is awful. It scares my children, disturbs their sleep, terrifies me too. Reckless adults stand or sit directly outside my windows with loud music, using drugs, leaning on our windows, graffiti on my kitchen window, urinating directly on the walls near my windows and I am afraid to even ask them to move as they become angry and make the situation worse, as if they are entitled to act in this way on our estate and that I have no right to ask them to stop. My children wake up from sleep, and this affects them the next day at school and affects my focus at work the next day as well. If I go out on the weekend I am afraid to come home at night with my children and only come home if I am accompanied by a family member. I have had druggies at my security door blocking me from going in to my house and trying to scare me and children with their dog. They also ring our buzzer at early hours and try to gain entrance into the building. I will attach a picture of the graffiti on my kitchen window. They leave half filled cups with alcohol on my window ledge.

I feel as though i have no right to live here safely with my children and there are not enough measures being taken for our safety.



## **Resident 2, Abingdon House, Boundary Estate (Boundary Street)**

Living in Calvert Avenue has become almost unbearable on weekend and now increasingly weeknight evenings. We are woken up at all hours of the morning and night to the sound of fighting, glass breaking and loud music being played from parked cars. I feel unsafe coming home on a Friday/Saturday evening, so much so that I now actively plan to be home early enough to avoid the large groups of drunk and therefore often aggressive revellers who congregate on Calvert Avenue after the clubs, pubs and bars close. I am amazed every weekend by the sheer volume of anti-social behaviour I am witness to; groups of people taking and selling Nitrous Oxide, groups drinking in and around double-parked cars that play loud music (these same people who then presumably drive away inebriated) and groups of people physically fighting in the street (recently two men were filmed firing paintball guns that looked like semi-automatic rifles at a group of people whilst 2 police officers looked on!). These are all things that I believe me and my fellow residents should not have to deal with. We should all be able to sleep through the night without being woken multiple times and we should all be able to feel safe coming home at whatever time we wish. I am saddened that now it seems commonplace to wake up on a Saturday/Sunday morning to the news of yet another stabbing on or around Calvert Avenue and the Boundary Estate.

Venues like Cargo and The Lighthouse (both located on Rivington street) now not only host events into the early hours of Friday, Saturday and Sunday mornings, but events/parties are now held on many weeknights as well. These venues do not do enough, if in fact anything at all, about limiting the violent and anti-social behaviour of their patrons when the clubs close and swarms of drunk people fill the streets. This is unacceptable and these venues must be held accountable for the part they play in fuelling the anti-social behaviour and violent crime that is a regular occurrence in Shoreditch.



### **Resident 3 - Cookham House, Boundary Estate (Old Nichol St)**

I live on the Boundary Estate in Tower Hamlets. It's a lovely part of the city but is somewhat marred by the impact of the nighttime economy nearby. Unfortunately, the bars and clubs (many of which are in Hackney) lead to a lot of ASB on the estate, which is rarely if ever policed, which includes - inter alia public drinking, drug taking and dealing, theft and vandalism, littering, car bars and drink driving, urination and defecation and loud music and shouting. Unfortunately it also leads to violence and verbal and physical abuse which I've experienced firsthand.

In my view, a lot of the issues result from the presence of non-residents driving in and parking on the estate, where they will hold informal parties by the cars, taking drugs and drinking, playing music loudly etc. all of which is very disruptive for local residents, given it will often continue to 5 or 6 in the morning with no enforcement from police or other agencies. This is despite the area being residents only for parking during the weekend.

The other issues is that even when the Parties are over, the streets are left littered with trash, NO2 cannisters, urine and faeces and broken glass. This is often not cleared up until several days later - if at all. A lot of this rubbish and detritus can be linked back to these groups of partygoers and their vehicles.

I've noticed that Hackney council have street cleaners at the weekend which clear up after this. This is very absent in Tower Hamlets. It is evident on Boundary St on a Saturday or Sunday morning where one side of the street has been cleaned (Hackney) while the other is covered in litter, gas cannisters and excrement - usually until the middle of the week.

Unfortunately I've heard many tourists comment on the state of the streets which is a shame given the contribution from tourism to the local economy, and the fact that the Boundary Estate is a historic area with some beautiful buildings.

## **Resident 4 - Sivill House, Dorset Estate (Columbia Road)**

For anyone walking home from work from Old Street station on a Friday night, the area is like a war zone. The energy is aggressive and puts me on my guard. A friend of mine nearly had his bike snatched by a group of black guys sitting outside Busaba on Old St and the only reason he didn't is because he stood up to them and gave them the same filthy look they were giving to passers us.

The area is not welcoming. It is dirty and edgy. The streets are filthy due to the sheer volume of people. Many of whom simply drop their litter on the floor.

The western end of Columbia Road is a joke. Friday and Saturday mornings week in week out the section outside Leopold Buildings is left in a disgusting state.

The rubbish is made up of a mixture of fast food, drink bottles and NOX canisters strewn across the pavement but there is also rubbish which looks to have been left by cars that are parked up.

The street cleaner does a fantastic job but the source of the problem, which is relentless, is not being dealt with.

Car bars are present in the middle of the night Thursdays to Sundays playing unbelievably loud music outside people's windows. The perpetrators:

1. Do not live in the area.
2. Do not care about the impact that their behaviour has on others.
3. Downgrade the area by their presence.

A lot of local residents have lived in the area before the whole 'Shoreditch' thing took off. It has brought an ever increasing number of problems for residents who's lives have been affected by this extra dimension.

## **Resident 5 - Wargave House, Boundary Estate (Navarre Street)**

This is a relatively peaceful residential area. I have lived here for over 30 years and have never known of such relentless weekend disturbance and violence by people who are drawn to the area to supposedly 'have a good time'. I believe some of the perpetrators get a kick out of creating the noise and disturbing this quiet area. That's how it feels!

I am constantly on edge on Fridays and Saturdays. I witness and am frequently woken up between 1am to 5am and sometimes later by angry voices, altercations, women screaming, loud music and breaking glass. Parking for residents after 10pm has become a problem from Fridays. My neighbour was verbally abused when he tried to park his car after work. It's alarming to see how the impact of the Licensing Policy requires such a heavy police presence along with the Territorial Support Group every weekend. Despite this police presence violence, stabbings, excess drinking fuelling aggression, car bars, nightly disturbance, abusive attitudes towards residents continues, public urination, drug crime and serious assaults continue.

It's actually frightening to live here with the potential for a violent incident any weekend. Most of the blocks of flats along Boundary Street and Calvert Avenue are family units and many children have been awoken and disturbed by the violence and noise. This will have a long term impact as it has been going on for years.

The first disturbing incident woke me in the early hours of the morning. It was a hysterical woman screaming in Boundary Street. When I walked along the street the next morning there was blood on the pavement. Later I saw the film of the incident. It was a very violent incident and shocking! This was the first of many similar violent incidents happening mainly on Fridays and Saturdays.

Regular incidents include Car-bars from 9.30pm (loud music blasted from cars combined with alcohol, Nox and drugs), altercations and a violent mass brawl involving over 70 to 100 individuals and recently there have been at least three stabbings and a serious assault, all incidents occurred in the area of Calvert Avenue and Boundary Street in the early hours of the morning after police have left the area. The sheer numbers of people attracted to the area and overflowing into the quiet streets of Shoreditch is disturbing. The courtyards and streets are used as toilets. Women frequently using the courtyard outside my kitchen window.

Hackney Council's licensing policy has allowed South Shoreditch to develop into 'Clubland' without regard for the health and well-being of Hackney residents and those in Tower Hamlets and other neighbouring boroughs.

There was a brief lull during Lockdown when the clubs shut and there was a sense of relief. However, it made me realise how much I had been disturbed and put on edge by all the various disturbing incidents occurring during the early hours after the clubs closed. As soon as Lockdown ended the groups gathered on the streets to party. It actually makes me angry, upset and reinforces the disquiet in me to have write this.

## **Resident 6 - Cleeve House, Boundary Estate (Calvert Avenue)**

We have owned a flat on Calvert Avenue for over 3 years now.

We are regularly impacted by Cargo-related ASB. Calvert Avenue is very wide and people move from Cargo into the road here and cause significant disruption. This includes loud street parties, consuming drugs and alcohol, aggressive behaviour etc. There are frequent large fights that break out leaving us fearing our own safety. This happens every Friday and Saturday, as well as any time Cargo hosts a specific event.

We try to report all of these events to the Met Police, but there are so many that occasionally it gets overwhelming. We have also tried to contact Hackney Council about these issues. No one in our flat gets sufficient sleep on these nights which is impacting both our mental and emotional health.



## Resident 7 - Walker House, Calvert Avenue

I have lived on Boundary Street between Calvert Avenue and Navarre Streets for 6 years. Over the course of these years ASB behaviour has made my street increasingly unsafe and unbearable to live. Cargo being the largest and nearest to my residence is a magnet for partygoers and clubbers from across London.

I have seen people parking in my street and going to Cargo, and coming here after they have been the club. They have used their cars as weapons, drink and take drugs on my street, blast music and scream in the streets just outside my windows. Streets are littered with broken bottles and gas canisters the morning after Cargo has been open. Evidence can always be found immediately outside the club itself at the intersection of Rivington and Shoreditch High Street.

My street has been closed three times within the past 9 months as a result of extreme knife crime, literally right outside the entrance to my residence. (see attached photo)

The only way I manage to sleep is with white noise machine and earplugs. (see below videos of the noise and violence I have to try and sleep through)

Extreme Driving / Violence - Boundary Street

<https://www.youtube.com/watch?v=glvzZ83OILA>

Middle of Night Car Gathering / Car Bar - Boundary Street

<https://www.youtube.com/watch?v=jnviewlg4nXo>

Glass Throwing / Chasing - Boundary Street

<https://www.youtube.com/watch?v=c555QVnXk2E>

Cargos licence must be revoked and not renewed unless there are significant MET patrols and resources devoted to ensuring our neighbourhood can be made and kept safe.



## **Resident 8 - Virginia Road**

*AS STATED BELOW, RESIDENT 8 & FAMILY IS EXPECTING TO LEAVE SHOREDITCH PERMANENTLY DUE TO THE IMPOSSIBILITY OF LIVING WITH THIS LEVEL OF ASB. THEY ARE EXPECTING TO HAVE MOVED BY THE END OF THE YEAR.*

My husband and disabled mother in law have lived in our home on the boundary estate on Virginia road for for 31 years.

We have dozens of men and women come onto my road to urinate as it is slightly quieter than Calvert Avenue. People will urinate on our doorsteps, beneath my kitchen window in-between cars or on the primary school wall. These people will use our private vehicles or my windowsill as a shelf to leave their belongings on whilst urinating. I can often see people using cocaine outside my home too. Whilst people are urinating or parking their cars, they will often be loud and rowdy. Glass bottles will be chucked and discarded on the road or pavements. We often get woken up by people parking up getting ready to go out to the club. We often hear women loudly talk whilst urinating outside our homes discussing their plans for the night including the club names such as Cargo.

This is a regular occurrence every friday and saturday night, even more so when Cargo has a big promotion night.

This leaves us anxious, sleep deprived and dreading the weekends. We have had to purchase a white noise machine to block out most of the noise to try and have some peace within our homes. Our road smells of stale urine especially in the hot summer. When we have politely asked club goers to move on, we have had violent reactions which has lead to us having to call 999 for our safety. The typical response from these people is that it is OUR faults for living in Shoreditch. Despite us living here long before Cargo arrived. We are left anxious every weekend hoping that it will not be too loud and rowdy outside our homes. We cannot enjoy our weekends and often left sleep deprived depending on the behaviour outside on our road. We struggle to find parking spaces as club goers will take up resident bays.

As a result of this, we are looking to leave my husbands childhood home and relocate out of the area causing us much emotional and financial stress.

We actively avoid going out on Friday and Saturday night's because it is not safe. It upsets us greatly when we witness people throw their rubbish, NOX cannisters and alcohol bottles around our homes. Every Saturday and Sunday morning, I find myself cleaning outside my home tidying up the litter and also washing away the smell of urine. On the latest Cargo promotion night, there was cocaine residue left on my windowsill which I also had to clean. I do not feel safe as a woman alone walking 2 minutes from a bus stop if I am working late and as a result will order a taxi to my door instead.

## **Resident 9 - Culham House, Boundary Estate (Rochelle Street)**

I am a resident of the Boundary estate and I am writing this impact statement regarding the horrific antisocial behaviour I and my neighbours have to suffer as a result of after hours partying from people going to Cargo and other local clubs.

I have seen large groups of people leaving the nightclubs specifically Cargo and heading to the bandstand in the middle of my estate. They leave their cars parked in our parking spaces then some of the cars open up and do what the Americans call "tailgating" selling Alcohol, N02 canisters, illegal drugs ranging from skunk weed to cocaine and ketamine. I do not have any issue with people who wish to take drugs it is their choice what they put into their bodies. However they play loud music and there is regular fighting sexual assaults and some of them will enter our buildings and use them to defacate and urinate on stairwells and in lifts. Most of the people who live in the estate have to take sleeping tablets and even those are useless due to the extreme levels of noise. I have been attacked in my own building by these people and found drug paraphenalia including used syringes without the lid on, we have children who live here and one had a needle-stick injury. The morning after the entire estate is littered with empty N02 canisters and balloons, broken glass vomit and faeces. Those of us who have to work have our ability to perform severely compromised as a result of this reoccurring extreme antisocial behaviour. We live in fear every weekend and I have personally seen so many stabbings and fights that I have developed complex post traumatic stress disorder and have been put on psychiatric medication.

Our lives, my life on a weekend is like a living hell and I am sick of the refusal of the council and police to do anything about it.

My particular block on the estate is run by Providence Row, a housing provider who specialise in helping homeless and people with special needs, such as emerging from drug and alcohol addiction. Many residents in my block are coping with mental health issues. They are already casualties and this housing is intended to help them recover back in to society. Many cannot read or write and there is a large ratio of high-support needs individuals with serious mental and physical health issues.

My troubled neighbour keeps getting his windows smashed in and it has had the effect of making him hypervigilant. He's one of those "I'm so hard I eat rocks and shit gun powder" types and his cat got out and hasn't come back and he'd rather eat his own foot than show emotions in front of another man and he's been crying like a kid who dropped his ice cream in the sand for days.

He's living in a state of perpetual fear, lacks the ability and support to be able to process his situation and he's going to end up on psychiatric drugs for the rest of his life.

## **Resident 10 - Anlaby House, Boundary Street**

I write as a long term resident and RTM Director of Anlaby House, Boundary Street.

Anlaby House consists of 69 residential flats and 3 commercial units, the residential flats including my own flat, which is located on the third floor of Anlaby House, as residents we are tormented and at “our wits end” over the utter chaos that descends upon our area of Boundary Street from Friday evenings until Monday mornings.

Typically the “car bars” will arrive to start their parties around midnight on the Friday evening, prior to the occupants going to a club or bar on Rivington Street, unfortunately Boundary street and surrounding streets make a convenient place for pre and post club activities and also a convenient toilet for party goers. I have hours of CCTV footage of fighting, car bars, partying, verbal and physical abuse and work a lot with the Met police supplying them with relevant material where and when requested when a crime has been committed.

Unfortunately, ASB is not a crime nor are car bars or the use of our street as public toilet, it is utterly shocking to me that this is allowed to happen and go unchallenged by the local councils, who clearly are making more £££££ from the nighttime economy and letting the residents take the full force of the outcomes.

Within Anlaby House we have a residents WhatsApp group that regularly report ASB, scuffles, car bars etc etc to “noise patrols” there are 76 residents who are members of this group, and I am sure I speak for the majority when I say “This must stop” or at least be policed appropriately such that we can feel safe in the evenings and sleep well rather than dreading the weekends



## **Resident 11 - Anlaby House, Boundary Street**

We live in a block just off Shoreditch High St.

The flat next door is an Airbnb and the guests come for the night life in Shoreditch. We are constantly disturbed and woken throughout the night especially on Thursdays, Fridays, Saturdays and Sundays. We are woken most often between 2 and 5am ( 4.30 am is a recurring time) and regularly cannot get back to sleep as the guests ( returning from bars and clubs ) continue to party in the flat. The noise has impacted our well-being and our safety has been threatened several times. There are several of these flats in our block now - completely fuelled by shoreditch's nighttime economy.

We do not feel safe going out of the block at night time - we have car bars outside our entrance most weekends (which the airbnb guests regularly frequent).

I moved to this flat 18 years ago and I can honestly say it is horrible living here now. The night time economy has gone through the roof and it feels very out of control and unsafe. In the mornings particularly around the weekend the streets are filthy , stinking and strewn with debris vomit and worse from the night before however this is nothing compared to the situation at night and the way it has impacted us.

## **Resident 12 - Sandford House, Boundary Estate (Arnold Circus)**

I am a 32 year old woman who moved to the Boundary Estate in August 2020. Oftentimes on the weekend, and also sometimes during the week, I am unable to sleep for many hours in the night due to the noise in my surrounding environment ever since lockdown was lifted.

I live on the ground floor, so I feel particularly vulnerable to the spillage from the nighttime economy into the Boundary Estate and especially the “car bar” phenomenon, as sometimes these parties take place right outside my bedroom window. The street garbage can out front my bedroom window is often used as a urinal for women to crouch behind.

As someone who already suffers from insomnia, my use of prescribed medication to aid in sleep has increased since moving to the area (and it doesn't always help). There have also been several night time stabbings occurring blocks from my flat on multiple occasions which are particularly concerning to my safety as I feel extremely vulnerable if I am returning home late at night.

Taking all this into consideration, I strongly feel that adequate regulation of the night time economy is needed in Shoreditch to control the anti-social behaviour stemming from the industry.

### **Resident 13 - Cleeve House, Boundary Estate (Calvert Avenue)**

We are a married couple in our late 30s and have lived in Cleeve House on Calvert Avenue, Shoreditch, since 2015. One end of Calvert Avenue joins Shoreditch High Street near the junction with Rivington Street. We are both professionals with relatively demanding jobs.

Before the lockdown in 2020, it was rare for us to report anti-social behaviour. We understood well that Shoreditch has a lively night time economy and that it would ordinarily be quite unreasonable to suggest that this is a nuisance.

Since June 2021, however, anti-social behaviour has become much more frequent and disruptive than before. Particularly in the period between June and sometime in October 2021, we experienced regular disruption to sleep, extended periods of sleeplessness and various associated physical symptoms (fatigue, exhaustion, irritability, anxiety etc.). It is difficult for us to do our jobs in these circumstances. There is widespread concern in the Boundary Estate (in Hackney and Tower Hamlets) about the issue of anti-social behaviour and we have seen that in recent months several residents have shared stories of their experience with the local Tenants and Residents Association. The exact concerns vary, for example some people are far more affected by public urination than we are, but the common theme is regular anti-social behaviour and loud noise at night.

For us, one particularly obvious example of anti-social behaviour since June 2021 has been the widespread use of nitrous oxide. Paraphernalia can be seen strewn along Rivington Street, swept up onto the corner of Shoreditch High Street and scattered down Calvert Avenue several mornings each week. The late-night bars and clubs have signs up saying they prevent entry by those 'seen' taking nitrous oxide. The following three photographs, taken by us, show Rivington Street on the morning of 22 August 2021:

*Photo A: Rivington Street at c. 07.55am on 22 August 2021*

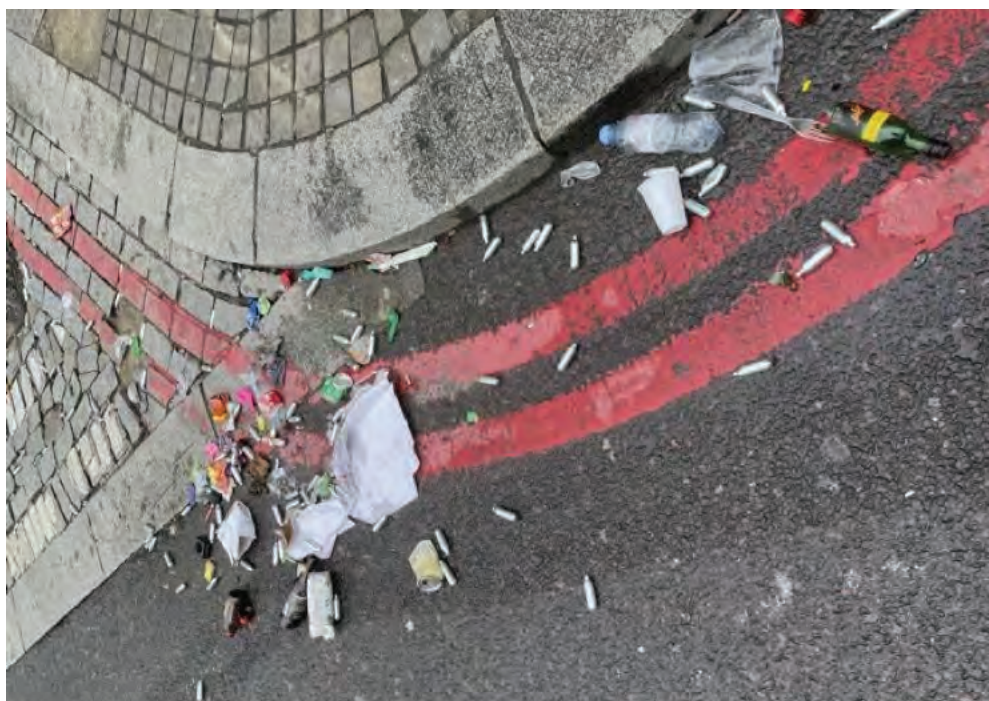




*Photo B: Area in front of office building on Rivington Street at c. 07.55am on 22 August 2021*



*Photo C: Corner of Rivington Street and Shoreditch High Street at c. 07.55am on 22 August 2021*



In this statement, we describe three examples of the disruption we experienced in September 2021.

In fairness, since sometime in October 2021 we have noticed a larger police and local authority presence on Calvert Avenue on Friday and Saturday nights. There does appear to have been a reduction in anti-social behaviour, at least on Friday and Saturday nights before 03.00am.



## Night of Monday, 6 September, to Tuesday, 7 September

This was a remarkable night of disruption, as set out below. All photographs were taken by us.

At around 01.45am, we were woken up when a fight broke out on the south side of Calvert Avenue. There was screaming and shouting followed by two sets of people restraining the two arguing individuals. We were alarmed by the commotion, which was unexpected on a Monday night. We reported the matter to the Metropolitan Police via their website with reference BCA-98557-21-0193-00. After 30 minutes or so the shouting subsided. We noted during this time that there was a surprisingly high volume of foot traffic on the street for a Monday and multiple private hire cars appeared to be picking people up and turning at the corner with Boundary Street. We could hear nitrous oxide balloons being filled further towards Shoreditch High Street (a now familiar background sound on weekend nights but more unusual on Monday nights). The noise level was unusually high for a Monday but at length we were able to get back to sleep, not long after 02.30am.

*Photo D: Fight at c. 01.48am on Calvert Avenue*



Photo E: Fight at c. 01.48am, Calvert Avenue





Photo F: c. 02.28am Nitrous Oxide dispensers in black Mercedes, Calvert Avenue



Photo G: c. 02.29am Nitrous Oxide dispensers in Range Rover, Calvert Avenue (near Shoreditch High Street Corner with large crowd around them)





Between not long after 02.30am and around 04.00am on the same night we slept fitfully, being woken up a number of times by loud noises such as music playing and shouting in the street. There was no one persistent disruption so we did not report anything.

At 04.10am, however, we were woken abruptly by very loud music. Two cars were parked on the other side of Calvert Avenue beside the Church. Both were surrounded by people taking nitrous oxide from balloons that were being filled in the first car. That car was playing loud music from its stereo and everyone was laughing, singing, shouting and swaying. We reported this to the police by telephone with reference CAD-951-07/09/21. It was difficult to get back to sleep from this point on until we had to get up at 06.00am.

*Photo H: c. 04.14am Car bar and nitrous oxide dispensers, Calvert Avenue*



*Photo 1: c. 04.16am Car bar and nitrous oxide dispensers with numerous happy customers lined up against the railings, Calvert Avenue*



The next morning, one of us had to go into, and play a leading role in, an important all-day meeting. The lack of sleep was so disruptive that it made us think about our options and question whether people with professional jobs like us are still welcome living in this part of Shoreditch. It is incredibly difficult to do a job requiring prolonged periods of concentration to a high standard following a night like this, and especially when sleeplessness and broken sleep are experienced regularly.

### **Night of Friday, 10 September, to Saturday, 11 September**

We were delighted to sleep through a whole Friday night for the first time in several weeks. Unfortunately, when we went outside, we learned from the police who were present on the road that the reason for this seemed to be a brutal stabbing on Calvert Avenue around 01.00am. Calvert Avenue had been closed off by the police at the junction with Shoreditch High Street from around that time for the rest of the night. This was at least the second stabbing leading to a prolonged overnight road closure since mid-June. It was striking to see the number of nitrous oxide canisters lying around the area on the Saturday morning – no street sweepers had been able to get through to tidy up after revellers.

## **Weekend of Friday, 24 September, to Monday, 27 September**

We were away from home for a few days after the above events. Soon after our return, however, we were woken up multiple times on Friday, Saturday and (most disappointingly) Sunday night. While awake late at night we witnessed car stereos playing loud music, street drinking, shouting, public urination (not into the urinals provided), nitrous oxide taking and dispensing, etc.

Overall, the cumulative effect of frequently disrupted sleep throughout September had, by this time, made us feel increasingly anxious, irritable and impatient much of the time. Our concentration had become impaired and we experienced fatigue, headaches and bouts of low mood. Our ability to do our jobs was affected.

## **Resident 14 - Abingdon House, Boudary Estate (Boundary Street)**

I am a resident of Abingdon House, Boundary Street in Tower Hamlets and have lived here for 10 years

This statement is a community impact statement, written to provide local context surrounding the issues the specific locality, and in this instance, The Night Time Economy area of Shoreditch, is currently facing.

Over recent years, the Shoreditch area has become home to busiest night time economy area in Hackney, and the second biggest in London. There are numerous busy bars which attract thousands of people over a weekend. Most of the venues are open past midnight with some open until 3 am, and all frequently utilising Temporary Event Notices to extend their operating hours until 6 am. Alongside these bars and clubs are local businesses, shops, houses, flats, train and tube stations, parks, hotels and so on. Close to Liverpool Street and The City, Shoreditch attracts a mixed crowd, local workers, and people young and old and from far and wide.

A significant enough portion of these cause ASB related problems which is having a dramatic detrimental impact on local residents. The specific problems that have arisen alongside the Night Time Economy include:

- **Violence and public disorder**, with frequent instances of grievous bodily harm (including knife crime). There is usually at least one altercation / assault which takes place on Boundary Street per fortnight
- **Drug use and drug dealing**, both for the local homeless population and for partygoers, which results in many intoxicated individuals in the streets late at night and often leads to violence or dangerous driving under the influence. This can be easily witnessed during any given week
- **Prostitution**, with people making use of local residents' courtyards to conduct their business
- **Vandalism and littering**, including everything from smashing windows of local shops, to spray painting on walls or vehicles parked in the street, to broken glass on the pavements, to people urinating / defecating on residents' door steps
- **Antisocial noise levels throughout the night** and into the early hours of the morning. This is most directly felt by residents when groups of partygoers arrive to the area by car, park outside residents' windows on Boundary Street and play loud music from their vehicles to party, drink and take drugs either before or after going to a local venue. This can take place for hours at a time and is impossible to ignore as Abingdon House is only permitted single pane windows due to building regulations, so the sound barrier is negligible. During the summer months when this is most problematic, I will have to ask partygoers to move on multiple times per night on Thursday, Friday, Saturday and Sunday nights. Many react aggressively or turn the volume of their music up further. The matter is often aggravated by the noise of young children crying, who have been disturbed. Raising the issue with law enforcement often does not lead to officers arriving for another hour or so

This all takes place in close proximity to places of residence and is not confined to local venues or even the main streets. The antisocial noise levels during the night are therefore the biggest issue, stopping residents from sleeping, especially those who live on the ground floor or those with young children.



Measures implemented to date (e.g. the through-the-night police / parking patrols) are not nearly sufficient to address the issue. We need additional measures, in particular to stop the antisocial behaviour in such close proximity to places of residence. There are many viable options available, including: closing the street to nonpermit-holder vehicles in the evenings; stepping up police and parking warden patrols to move on partygoers; implementing an automatic ticketing system (like those in place in many car parks) to fine non-permit-holder vehicles for parking in the area during the evenings; allowing for double glazing to keep the noise out; etc.

To put it in context, here are some statistics which highlight the problem

Since Jan 2020 to Sept 2020, 3311 crimes have been recorded in Shoreditch. These consist of 1742 Thefts, 565 Violence, 268 Robbery, 252 Burglary, 161 Drugs, 51 Sexual Offences, and 275 miscellaneous.

Alongside these, a total of 1018 separate ASB incidents have been recorded. These range from rowdy behaviour, littering, begging, noise, drugs, and a number of others.

These also take into account the majority of the year being heavily influenced by COVID. These figures of 3311 and 1018 are actually significantly down from what it would be the year previously.

With all this in mind, it is imperative that ASB is taken seriously by all concerned. Offenders should be dealt with effectively and robustly..

## **Resident 15 - Walker House, Calvert Avenue**

I am a 55 year old married man. My wife and I live in a one-bedroomed flat on the second floor of Walker House, on the corner of Boundary Street and Calvert Avenue, E2. We are leaseholders and have lived in our flat since 2007.

Over that last 3 to 4 years, our sleep on Thursday, Friday, Saturday and Sunday nights has become increasingly disturbed as we have experienced a proliferation of club goers in the area, particularly between the hours of 01.00 and 05.00, who seem intent on continuing to party in the street having left clubs or bars in the area. This includes drinking, shouting, revving of car engines and (most miserably of all for the local residents) the high incidence of 'car bars' in the area, where the car owners sell alcohol and NOX balloons from the backs of their cars, doors open, with music being blared at full volume.

This has also led to various other instances of ASB, not least the running battles being fought between 00.00 and 02.00 along Boundary Street on the night of 6/7 September, after the evening's 'entertainment' at Cargo had finished and the 'clientele' exited the club.

We tend to sleep with foam ear plugs in to dim the traffic noise, but now on Thursday through Sunday nights we know that we will STILL be woken up throughout the nights by various acts of ASB relating to the 'night time economy'. This has become progressively bad over the last four years.

This lack of sleep has led to prolonged bouts of anxiety and mild depression. Despite us both being healthy and fit, we are also now reticent to leave our properties after 21.00 on Thursday, Friday, Saturday and Sunday nights, particularly having experienced aggressive behaviour by night time economy clientele.

We believe that Cargo, amongst others, and its late licences and questionable theme nights has materially contributed to these myriad and consistent acts and instances of ASB that has led to us feeling like prisoners in our own home on Thursday through Sunday nights.

## **Resident 16 - Laleham House, Camlet Street (Boundary Estate)**

I have been a resident of the boundary estate for the past 8 years. The area has a reputation of being a “lively” with a strong night time economy. However, since I moved to the area, this has gone from a higher than average amount of drunken shouting to a point where the antisocial behaviour and indeed crime has become out of control. This has undoubtedly been fuelled by the night time economy, as made apparent when the crime dropped significantly during lockdown when the bars were shut.

The crime is frequent, pretty much on a daily basis, however it increases notably at weekends or when certain licenced venues hold events. It consists of public urination, screaming in the early hours of the morning, car bars, drug and nitrous oxide use and trade, public sexual acts, vandalism and theft of bikes, homes, public property, violence, threats of violence, dangerous driving, drink and drug driving and intimidation.

I have personally been affected by all of the above issues. Sadly reporting to local authorities and the MET, with little if any action taken, is the norm.

Dealing with all of these issues has had a significant effect on my mental health. I’ve been prescribed anti anxiety medication. Our buildings are single glazed and the impact has become so great I’m having to pay several thousand pounds to install secondary glazing to try and have some restbite from the noise.

I worry constantly about mine and my family’s safety and the long term impact it’s having on our emotional well-being.

## **Resident 17 - Virginia Road**

I am 38 years old, I have a wife and young son, and have lived in the area for close to 5 years. From the outset, I would like to make it clear that I enjoy socialising and going out to restaurants, bars and clubs myself, so I am not writing this from the point of view that all noise is bad noise or that having fun is off limits. We live in a big city and people have the right to live their lives and enjoy themselves, I accept the hustle and bustle that comes with living in London and thrive off the energy.

With that said, the sort of crowd Cargo attracts and the manner in which they comport themselves before entering the venue and upon leaving the venue is shocking and beyond my comprehension. Over the last few years, I have witnessed a number of stabbings, countless fights between groups of men and groups of women. I was once woken up in the early hours by a lady screaming that her friend had just been sexually assaulted on Rivington Street. Leaving the house on a Sunday morning has become an exercise in seeing which shop windows have been smashed in the area, which bins have been kicked over and how many people are lying on the pavement unconscious from consuming too much alcohol or too many drugs. Urine flows down the pavements like the Nile and the level of rubbish left for binmen to clean up seems to increase by the week. Don't get me started on those silver nitrous oxide canisters.

Sunday through to Thursday there are seldom any issues in the area, believe it or not it has a family feel to it. The problems start on Friday night and go through to the early hours of Sunday morning. Unless Cargo holds a Tim Westwood sponsored event on Sunday in which case the chaos flows through to Sunday evening.

To come back to my original premise, I have no issue with people having a good time, in fact I welcome and encourage it, but I do have an issue with a venue of Cargo's profile and experience drawing the crowds in and then taking no responsibility in keeping the area directly surrounding the venue safe and liveable. I do not believe this is an issue for Cargo to solve alone, there needs to be strong cooperation between Cargo and the council and measures need to be put in place to curb the despicable behaviour the venue attracts.

One club should not be allowed to have such a detrimental impact on a neighbourhood without consequences.

Thank you for taking the time to read my statement. I hope it has helped provide you with a perspective into what it's like to live in the area.



## **Resident 18 - Cleeve House, Boundary Estate (Calvert Avenue)**

Since moving to Cleeve House on Calvert Avenue just over a year ago, I have experienced the deterioration in the situation on the boundary estate as a result of the night time economy in Shoreditch. Not only are we subjected to nightly disturbances, public urination, fighting, loud music played until sunrise, distribution of drugs with impunity - the past few months have seen an increase in violent crime. At least 3 stabbing incidents between Rivington Street and Calvert Avenue have been serious enough to cause police on the scene to maintain a cordon for days while they waited to determine whether the victim would survive.

I am uncomfortable coming home late at night, afraid to invite guests over without endangering them, unable to sleep, and unable to reasonably request understanding from revellers for fear of an aggressive response. The atmosphere of lawlessness and the impunity with which the law is flouted in the presence of police is a direct result of the unmanageable situation created by the outflow of drunk and disorderly people from nearby bars, the most troublesome of which is Cargo - regularly attracting the heaviest police presence. This creates an environment in which tensions flare and violence is the inevitable result. It is a matter of time before someone loses their life as a result - this is entirely predictable. If Hackney Council does not act, this will be a life sold for profit in business rates and night time levies.

## Resident 19 - Calvert Avenue

I write this statement to hopefully give you some idea of what it is like to live on Calvert Avenue and be impacted by the flow-on effects of the night-time economy.

To provide some context for my experience, my flat faces Calvert Avenue. Directly below the windows of my living and bedroom there are car parking spaces, which are nowadays almost always filled with car bars in the early hours of Friday and Saturday. I also have a direct view onto the street.

Since moving into my flat in April 2019, I have seen a continued worsening of anti-social behaviour. What is a peaceful street of small businesses and flats during the day descends into complete chaos as a result of intoxicated and disorderly people on Friday and Saturday nights. Worryingly, the trend also seems to be for more and more incidents to occur on weeknights as well as the weekend.

The peak times for anti-social behaviour are when people first arrive and park their cars to go into Shoreditch (around 7/8pm) and then again around 2am going through to about 5am, when it seems people leave bars and clubs for the surrounding streets.

I can't stress enough that this is not just people being a bit loud and having a good time. Late on Friday and Saturday night, the street becomes lawless – people are out of control and have complete disregard for basic norms of behaviour. Some examples include:

- the street being parked-up with cars (3 cars deep) that blare music through amplified system with drinking, smoking weed inside cars and on the streets, doing cocaine off of bin lids, and NOX use and dealing happening in and around the cars in the middle of the street and all over the pavement;
- people screaming at each other in the middle of the street;
- shouting matches and fights breaking out (noting that there have been at least two stabbings on this street in the last few months and more in the nearby area);
- incessant shouting and beeping of car horns;
- urination on doorsteps, windows, in planters etc.;
- defecation in the street.

The aftermath in the morning is that street is covered in piles of rubbish (bottles, NOX canisters, balloons, food and drink packaging), smells terrible and there is often significant damage (e.g. the barber on the corner recently having its windows smashed).

Because a lot of the anti-social behaviour congregates around car bars parked in front of my block of flats and the awning to my front door, I feel pretty unsafe walking through this and always make sure I am home well before it all starts.

However, the biggest impact on me has been the noise and not being able to sleep through the night on weekends. Since the lift of lockdown, I have been woken almost every Friday and Saturday night in the early hours (2-4am) by the noise from the street. Even with earplugs I get woken because of the bass of the amplified music and because a lot of the noise is quite alarming – it is not just loud but often aggressive or distressed shouting/screaming.

The anticipation of knowing that you are going to get woken up and not going to be able to sleep is also very stressful. The only reprieve is colder weather and rain - it has gotten to the

point where I hope for heavy rain on the weekends knowing that this might mean a full night's sleep.

I (and I know other residents) have also felt completely powerless to do anything about the situation. Neighbours have experienced verbal and physical confrontations when they have made polite requests for people to be quieter or not urinate on their doorstep. Residents have also been explicitly told by some of the groups that patrol the area (e.g. park guard) not to confront anyone. Whilst we can make reports to the council and police this almost never results in any action being taken to stop the situation. We are also constantly told that whilst things are bad in our street and around the Boundary Estate, much worse is happening in Shoreditch proper and so the police can't prioritise residents' concerns. That is understandable from a police perspective, but it means residents continue to suffer exactly the same issues night after night, week after week. There are many times when I have just wanted to throw something out of the window in frustration and I can genuinely see a dangerous situation arising if residents are driven to direct confrontation or otherwise take the situation into their own hands.

The sustained impact of all of the above is that I have had to make the difficult decision to move out of my flat. Being constantly woken up in the middle of the night and not being able to rely on getting a full night's sleep has become an unliveable situation. I want to note that being able to move away is such a luxury and a level of flexibility that most residents simply do not have - nor should they be forced to make this choice.

To me, it is completely unacceptable that a residential area that houses 1000s of people needs to put up with the behaviour that we do. The night-time economy that fuels the whole situation is making a large amount of profit at the expense of residents' wellbeing (including many families and children). Not to mention the massive drain this is on already strained police and council resources.

It is clear from my experience that sufficient resources are not available to deal with the levels of anti-social behaviour caused by the masses of people drawn to the bars and clubs in Shoreditch. The only solution would be to either significantly increase resources dedicated to the problem or reduce the scale of the night-time economy to match the resources that are currently available.

## **Resident 20 - Calvert Avenue**

I am a Hackney resident and council tax payer. I have lived in a flat on the Boundary Estate for ten years. My adult son visits me frequently from his university.

Friday and Saturday nights have always been lively. However, with the growth and promotion of the night time economy in Shoreditch over recent years, weekend nights have become unbearable.

It's hard to put a finger on exactly when or why things got worse, but I would say that they definitely have over the last three or four years. The impacts are very clear: our sleep is disrupted, and we feel intimidated and uneasy on the streets.

You have to understand what a late license means for nearby residents. 3 am closing means there are people on the streets until 4 or 5am. They are drunk or intoxicated, sometimes amiably so, but many times aggressively. Our sleep is interrupted every weekend by shouting in the street. A few weeks ago I was woken by guys fighting at 4am; last month by the sound of the shop downstairs having its window broken at about 4am.

In order to get some sleep, I have to leave the radio on to drown out the noise; I also take sleeping pills. Without these, I can only sleep patchily, being woken several times each night. I hadn't realised quite how much we have been putting up with until the lockdown when clubs were shut.

The streets have an intensity that didn't seem to be there a few years ago. With so many clubs so tightly packed in, the streets are not just crowded but tense. I don't know if this is intoxication or turf wars. I lose count of the times my son or I have been offered drugs. I worry about him walking back from the tube if he visits family on a weekend evening. My partner and younger son don't like to visit at weekends, and if they do, don't like to go out on the streets. We saw with the stabbing on 10th September that our anxiety wasn't exaggerated.

The police presence doesn't seem to help much. It doesn't seem like public order in a residential neighbourhood is their priority, when there is mayhem on the streets around the clubs. The extra resources enabled by the night time levy don't seem to have much effect.

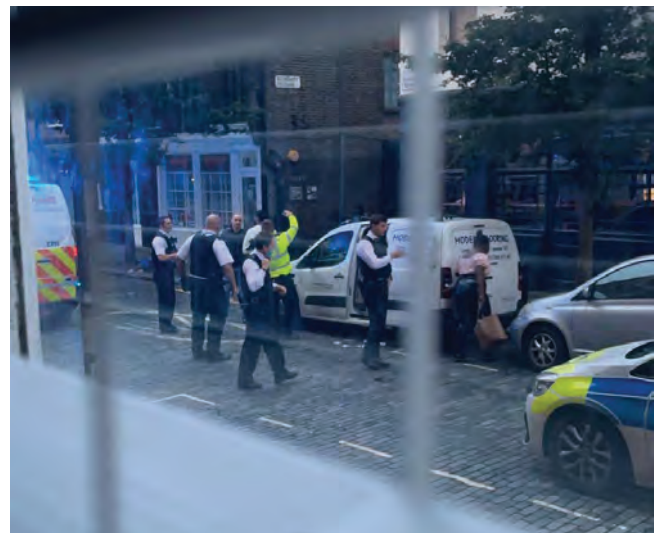
The frustrating thing is that the growth of the clubs has been actively promoted by local and regional government under the concept of the night time economy. If I go to a football match, there are police in neighbouring streets to manage the crowd and roads are closed so matchgoers don't park there and are directed out of the area to public transport after the game. Here, Calvert Avenue is treated as if it is part of the club area: I look out of my living room window onto two urinals, part of a temporary public infrastructure that tolerates and normalises anti-social behaviour.

In summary, the impacts of clubs such as Cargo on neighbours are huge, and existing attempts to manage the coexistence of a club area and a large residential neighbourhood make little or no difference. There is a direct correlation between the clubs' closing time and the worst anti-social behaviour and disruption for residents. On this basis we ask the council to revoke Cargo's late license.

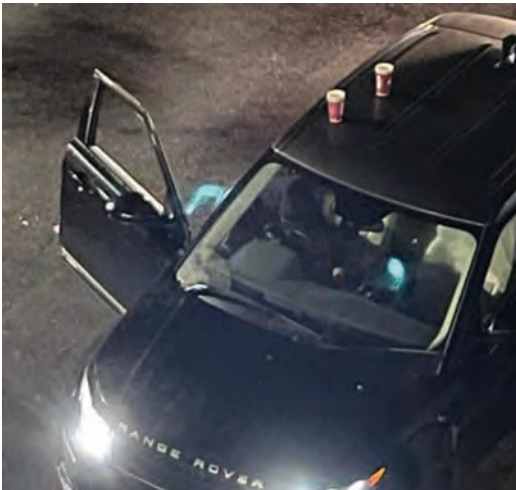




1 August 2020 11:30pm, Shorditch High Street, junction with Rivington Street. Two Territorial Support Group police vans parked as part of their routine weekend night time policing. Indicative of the 'normal' level of night time economy disruption. Enforcement is focussed around the clubs and tends to end at 3am while residents continue to be disrupted until dawn.



1 August 2021 5:30am, Boundary Street - argument and abuse between driver and passengers, police intervention. View from residents bedroom window,.



15 August 2021 ~3am, Calvert Avenue. Typical car bar activities invariably include loud music, raised voices, arguments, threats of violence, urination and defecation.



12 September 2020, Calvert Avenue. 8g nitrous oxide cannisters collected by shopkeepers clearing up the previous night's clubbing activities.



15 August 2021, Calvert Avenue. 615g nitrous oxide containers gathered for waste collection. These industrial-sized cannisters are used by criminal gangs who sell by the balloon to car bar clubgoers.

## **Appendix**

### **ASB Diary 31 July - 7 September 2021**

Compilation of reports via community WhatsApp Groups  
Boundary Tenants and Residents Association  
Weavers Community Action Group

Images and videos associated with these reports can be downloaded from this Google Drive link  
<https://drive.google.com/drive/folders/1IMVNowTqcfqWu9aAxQ3-9hYnbiROD7Pb>

Boundary TRA / Weavers Community Action Group -- ASB diary for August 2021

Date/Time	Who	Report Ref	Where	21	Photos/Videos
31/07/21 03:00		THH ASB 3584	Hocker Street	3am on Hocker Street for about 30 minutes. Reported to THH ASB (ref THASB3584). Should I be reporting elsewhere too? [SS] These people kept me awake for 2 1/2 till early hours of the morning, they were walking up and down Austin st, Virginia rd, Hocker St arguing for hours	WhatsApp Video 2021-07-31 at 08.28.56.mp4
01/08/21 00:00			Calvet Avenue	Car last night on Calvert avenue, driver taking laughing gas and drinking, Whilst also dealing drugs...	WhatsApp Video 2021-08-01 at 10.16.35
01/08/21 04:00			Calvet Avenue	Car bar. Officers did 'deploy' shortly afterwards. Police were active for about 30 minutes and after they left the party quickly picked back up again	WhatsApp Video 2021-08-01 at 04.11.34.mp4
01/08/21 05:30		BOS-35877-21-0101-B20	Boundary Estate	BOS-35877-21-0101-B20 I've just reported what I saw on last nights walk about. Quite a list	
01/08/21 05:30		CAD-1667-01/08/21	Boundary St	Argument and abuse between driver and passengers. [JL] This happened about 5.30am ? [RD] But there were other things going on at midnight and at ~3.30am. Not feeling exactly well slept this morning	WhatsApp Video 2021-08-01 at 05.33.41, WhatsApp Image 2021-08-01 at 05.33.43.jpeg, WhatsApp Image 2021-08-01 at 05.33.44.jpeg, WhatsApp Image 2021-08-01 at 05.33.44 (1), WhatsApp Image 2021-08-01 at 05.33.45
05/08/21 02:30		CAD -754/050821 , CAD5577 05.08.	Calvet Avenue	Black Mercedes convertible open top playing loud music on Calvert Avenue outside church from about 2.20am, 5 early 20s occupants (4M 1F) shouting, sitting on Zip car, urinating against churchyard wall. May have been drinking beforehand. Plate Y11 DNV or close to it.	
05/08/21 13:00		CAD 5577 05.08.21	Calvet Avenue	Car bar (time not reported here)	
06/08/21 21:30		CAD7261 - 06/08/202	Arnold Circus	Just reported group of around 30 playing gunshot music in the bandstand at Arnold circus.	
07/08/21 01:40		BOS-36958-21-0101-B20	Navarre St	Reported: noisy cars, music, males NOx use from 01.45am 40mins	
07/08/21 03:30		CHS260924	Navarre St	Can hear music on Navarre St, sounds like coming from speakers/cars have reported to police CHS260924 [JL] I reported too. It continued on in Boundary st till 4am	
07/08/21 20:00		BCA-88286-21-0193-00	Boundary St	Car bar on Boundary Street. Usual activities. Eventually moved on because parking warden arrived. BCA-88286-21-0193-00	
07/08/21 21:00		BOS-37160-21-0101-B20	Boundary St	Car bar on boundary street reported BOS-37160-21-0101-B20	

Boundary TRA / Weavers Community Action Group -- ASB diary for August 2021

Date/Time	Who	Report Ref	Where	21 Photos/Videos
15/08/21 02:00		CAD1623	Calvert Avenue / Boundary St	<p>Between 2 and 4 am tonight (Saturday/Sunday) we witnessed scenes of antisocial behaviour that were off the charts on Calvert Avenue/Boundary Street. These included at least 150 nitrous oxide balloons being filled directly outside our window. Dozens of cars parked on the road with music blaring. Numerous people milling around and shouting. Horns hooting. Drinking in the street etc. Much of this is current ongoing.</p> <p>Astonishingly, a Hackney Enforcement van was parked on Calvert Avenue during this period and the officers did absolutely nothing about what was happening around them.</p> <p>This is disgraceful. The situation on this street has deteriorated dramatically since the end of lockdown including as compared to any time I can remember in the past 5 years. Action needs to be taken on a systematic basis every Saturday night. I would be grateful for a written explanation of the steps you will take to fulfil your obligations towards local residents.</p> <p>Photographs below of the current scene directly outside (taken since I started writing this).</p> <p>BOS-38546-21-0101-B20 for the ongoing stuff on the corner of Calvert/Boundary</p> <p>A handful of car bar number plates - this is the position right now with stereos blaring and nitrous oxide taking and clear drunkenness and shouting (despite things having generally quietened down in the past hour):</p> <p>LR17 WHW or WMW GD14 ULV V10 EBL</p> <p>Also the public urination into the flower beds despite the urinal recently set up. This could constitute indecent exposure as they frequently urinate into the flower bed while facing our building.</p> <p>[response] My wife just got a call from the SNT. Not sure how they got her number as I made all the reports last night. Anyway, they said it's not their job to do anything about the ASB issues or take any action. They said they do not look at "back streets" like Calvert Avenue. If we want anything to change we should "collect signatures" and put pressure on the Council. Interested to hear how that squares with the apparently constructive engagement that has been taking place through the TRA and other community fora. Seems like they really don't care at all.</p>
15/08/21 05:00		BOS-38540-21-0101-B20	Calvert Avenue / Boundary St	<p>image1-2.jpeg, image1-3.jpeg, image1-4.jpeg</p> <p>image2-2.jpeg, image2-0.jpeg, image2-1.jpeg</p>



Boundary TRA / Weavers Community Action Group -- ASB diary for August 2021

Date/Time	Who	Report Ref	Where		21	Photos/Videos
15/08/21 05:19		CAD 1759 15 Aug		ASB on Calvert Avenue, NOX is being taken and also drinking and car bars with loud music		
15/08/21 09:44			Calvert Avenue / Arnold Circus	Car bar		WhatsApp Image 2021-08-15 at 09.44.42.jpeg
15/08/21 17:55		CAD 5123 15 Aug		I saw two white men (I think) in the distance with an angle grinder cutting away the lock of a bike parked on the railings between Sunbury House and Taplow House (right outside the door to flats 16 to 30) and then cycling away with it. It was during the middle of this afternoon. I've reported it to the police. They've given a CAD reference for the person whose bike it was to get in touch		
21/08/21 01:30		CAD 546 21.8.2021	Boundary St	Reporting disturbance and noise friday 1:30am 21.8.21 Boundary st. REF: 05462182021		
21/08/21 21:48			Virginia Road	6 women in sailors hats are urinating outside		
21/08/21 23:10			Calvet Avenue	I've got drug dealers and traffic! Can't believe there's no toilets at the food car park on The high st.. mad		WhatsApp Video 2021-08-22 at 00.01.49.mp4
21/08/21 23:45		CAD 8093 21 Aug 21	Calvet Avenue	BMW convertible playing loud music for last couple of hours. Smoking weed and drinking alcohol.		
21/08/21 23:59			Club Row	I've just reported one [car bar] on club row also. So loud and Inconsiderate		
22/08/21 00:00		Cad 55 22 Aug 21	Calvet Avenue	I reported another [car bar] on Calvert ave [mm] I think this is worth trying to take pretty high up, people have been shot and killed for carrying imitation firearms so this demonstrates an almost surreal level of permissivity and assumption of impunity by those involved. It says a lot about the atmosphere on the street at these times and how ineffective a deterrent police presence is		WhatsApp Video 2021-08-22 at 13.57.30.mp4
22/08/21 02:30			Austin St	This is one of the women, with her friend Nicole, who was kicking doors and banging on windows in Austin Street last night		WhatsApp Image 2021-08-22 at 17.09.05.jpeg
28/08/21 22:30		CAD 7299 28/8/21	Abingdon House/ Boundary St	Car Bar		
29/08/21 00:20			Navarre St	Noise complaint (reported, CAD not recorded)		
29/08/21 00:41		CAD 239 30/08/2021	Navarre St	Noise complaint, Navarre St, music from cars CAD 239 30/08/2021		
29/08/21 13:29			Calvert Avenue	I reported a fight outside the church on Calvert as well as multiple vehicles parked up playing 'whoever stops revving their engine first is a rotten egg'		
29/08/21 23:59		BOS-41388-21-0101-B20.	Boundary St	Two car bars		
30/08/21 02:00		CAD 971 30 Aug	Calvert Avenue	Calvert Avenue around 2-3 am. Car bars		
05/09/21 05:30			Columbia Road	Car bar outside Leopold Buildings (two car bars, one after another)		WhatsApp Video 2021-09-05 at 06.30.23.mp4, WhatsApp Video 2021-09-05 at 06.30.55
05/09/21 19:00			Sivill House car park / Columbia Rd	Approximately 300 nitros oxide canisters scattered around Sivill garage area.		WhatsApp Image 2021-09-05 at 19.38.21.jpeg, WhatsApp Image 2021-09-05 at 19.38.21 (1).jpeg, WhatsApp Image 2021-09-05 at 19.38.22.jpeg

Boundary TRA / Weavers Community Action Group - ASB diary for August 2021

Date/Time	Who	Report Ref	Where		21	Photos/Videos
05/09/21 21:34		CAD 7049 5 Sept	Calvert Avenue	Car bar		
05/09/21 22:36		CAD 1119 5 Sept	Calvert Avenue	Car Bar / Calvert Avenue		
06/09/21 07:58		BOS-42496-21-0101-B20	Calvert Avenue	Car bar (incident from earlier in the day)		
07/09/21 00:00			Calvert Avenue	Car bar - refer to impact statement for full description		WhatsApp Image 2021-09-07 at 08.27.45.jpeg
07/09/21 01:07		CAD 356 7 Sept	Calvert Avenue	Absolute carnage on Calvert		
				Car bar - refer to impact statement for full description		
07/09/21 02:17		BCA-98557-21-0193-00	Calvert Avenue	Picture 1: fight at 1.48am, Calvert Avenue Picture 2: fight at 1.48am, Calvert Avenue Picture 3: 2.28am Nitrous Oxide dispensers in black Mercedes, Calvert Avenue Picture 4: 2.29am Nitrous Oxide dispensers in Range Rover, Calvert Avenue (near Shoreditch High Street Corner with large crowd around them)		image1.jpeg, image2.jpeg, image3.jpeg, image4.jpeg
07/09/21 02:54		CAD 725 7 Sept	Calvert Avenue	Car bar		
07/09/21 03:00		CAD 751 7 Sept	Calvert Avenue	Car bar		
				Car bar - refer to impact statement for full description		
07/09/21 04:10		CAD 951	Calvert Avenue	Picture 5: 4.14am Car bar and nitrous oxide dispensers, Calvert Avenue Picture 6: 4.16am Car bar and nitrous oxide dispensers with numerous happy customers lined up against the railings, Calvert Avenue		image5.jpeg, image6.jpeg

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**Cargo license hearing**

1 message

3 April 2023 at 15:47

To: "licensing@hackney.gov.uk" &lt;licensing@hackney.gov.uk&gt;

Cc: 

To whom it may concern:

I am a resident in the Shoreditch area and previously objected to the Cargo licence. After the overwhelming evidence presented during the first licence hearing, I was troubled that the venue was allowed to rebrand and continue operating and am not at all surprised that it has continued to be run with complete disregard for the law (i.e.: lax security, withholding of information from the authorities and failure to observe licensing conditions).

A venue of this size should not be permitted to operate in the middle of a densely populated city and if it is allowed to continue operating the owners will simply continue to break the terms of their licensing conditions in order to maximise profits. They have been given two chances and have made no attempt to run their operation lawfully which has not only been highly detrimental to the area and residents living in the vicinity but also encourages similar businesses to bend the rules.

I respectfully request that the licence be permanently revoked and that the venue be used for positive purposes that will benefit the area.

Best,



**"The Viaduct, The Arches, 83 Rivington Street, London EC2A 3AY"**

1 message

3 April 2023 at 15:43

To: "licensing@hackney.gov.uk" &lt;licensing@hackney.gov.uk&gt;

Cc: [REDACTED]

Dear Sirs

I am writing in support of The Viaduct license review.

I am a Boundary resident and I previously objected to the Cargo license.

I am appalled, but not surprised, to discover that the rebranded venue, under the same ownership is continuing to fail in their obligations to meet the licensing objectives.

Many local residents like myself suffer so much from this venue (and in general, The Shoreditch Bars Group) with loud and disruptive anti social behaviour, physical attacks and drug dealing/taking all increasing in my local area, including leaving objects associated with drugs lying around for children to find, all because of this venue and also because of the unscrupulous owners of the venue.

This venue is known for having lax security.

This venue has made a habit of withholding of information from the authorities.

This venue has consistently failed to observe licensing conditions, which is well documented and detailed by the local police.

An excerpt from a police statement states:

"Mr Khan and business were given a second chance after the initial review hearing with it being settled by Hackney Council at appeal. The violation of imposed conditions demonstrates a blatant disregard to the subcommittee. its members and the llcensing legislation. It also illustrates again how the business puts financial gain over the safety of the public. Police are of the opinion that how could the venue possibly be trusted to adhere to any conditions if they chose to ignore the ones Imposed on them during the process of revocation review and appeal."

The above extract from a police statement clearly shows the venue's blatant disregard for the local community, who were forced to expressed our serious concerns during the previous review.

The Viaduct has failed to observe and abode by the below licensing objections:

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

Thus, I am writing to request that The Viaducts license be permanently revoked.

Regards

[REDACTED]  
Boundary Resident



**Cargo/ Viaduct - further licencing review : PLEASE REVOKE**

1 message

3 April 2023 at 15:38

To: "Licensing (Shared Mailbox)" &lt;licensing@hackney.gov.uk&gt;

**RE: THE VIADUCT 83 Rivington Street EC2A 3AY // LICENCE REVIEW**

Dear Hackney Licensing team,

As a resident on Rivington Street, I would like to support the case, brought by our local police force, for **revoking the license** given to **THE VIADUCT** in view of the further breach of the licensing conditions agreed between the venue, the Police and Hackney Council.

There has been a long history of public disorder at the venue which has had an on-going impact on our neighbourhood (public disorder, noise, fouling, late night fights & brawls, crime, assaults, etc).

This public disorder led the police to build a case for the venue's licence to be revoked less than two years ago.

The Police is doing their very best to prevent crime and disorder in our neighbourhood.

**Preventing crime and disorder is a matter for all** – *especially* for business owners whose licence has been under threat on the grounds of fuelling crime and disorder in the area.

THE VIADUCT (formerly known as CARGO ) have failed to prevent yet another disorderly situation, despite having been given a chance by the Police and Hackney Council less than two years ago.

In a bid to **protect our community, prevent public nuisance, prevent further crime and disorder** and protect our local police force, may I please ask Hackney's licensing team to observe the strictest position with regards to this venue's licence.

As a resident, I share the Police's view, that the venue's licence should be revoked.

**THE VIADUCT's breach of the licensing agreement poses a clear and present danger to our neighbourhood**, causing much upset to its residents, Hackney street cleaning team and the local police.

Thank you very much for your consideration in this serious matter,

Best wishes,

[REDACTED]

[REDACTED] Rivington Street

London EC2A [REDACTED]

**"The Viaduct, The ARches, 83 Rivington Street, London EC2A 3AY"**

1 message

3 April 2023 at 15:34

To: "licensing@hackney.gov.uk" &lt;licensing@hackney.gov.uk&gt;

To Hackney Licensing,

I am writing in support of the police's request to revoke the license of this venue in Shoreditch for several reasons.

In terms of the prevention of crime/disorder, this venue has been trouble for years. As Cargo there were always large crowds of people late into the night and violence often ensued. This was particularly prevalent after the reopening post-Covid. As a neighbour it was quite terrifying to know this was happening on a regular basis, particularly the knife crime and drug use. This is one of the reasons their license was revoked. Unfortunately, the owner was allowed to reopen and rebrand as The Viaduct. This owner is well known as he owns 17 venues in Shoreditch, all of which have a dodgy reputation. Clearly things have not improved, proven by the man who suffered a severe head injury in a fight inside the Viaduct, with only one SIA on duty (and who did nothing about it, not even calling the police when it happened). As the venue has not held up their end of the bargain made with the police as a condition of reopening they should lose their license.

This venue is a public nuisance. Rivington Street is regularly filled with drug paraphernalia, noise, trash, violence, urine, vomit etc, due to this venue.

The public and residents of the area do not feel safe with this venue present. Try walking down Rivington Street Thursday night through Saturday night after midnight and you will turn around and walk the other way. It looks like Sodom and Gommorah. Although the owner had hoped his new venue would attract a better crowd, this has not been the case.

I have a child, as do many other residents in the area, and we believe this venue should be removed to protect them from harm. This venue, and the other venues of the Shoreditch Bar Group, definitely make this area less safe for children. They have to see the detritus associated with drinking, drugs and violence, people passed out in the street, and have a harder time sleeping due to the noise.

For all the above reasons I strongly hope the council will revoke the licence of The Viaduct and restore some sanity to the Shoreditch Triangle.

Yours sincerely,

  
Bateman's Row

(I do not consent to my name being released)  
Please inform me when there is a license review hearing,

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**The Viaduct, The Arches, 83 Rivington Street, London EC2A 3AY**

1 message

3 April 2023 at 14:55

Reply-to: [REDACTED]  
To: "Licensing (Shared Mailbox)" <licensing@hackney.gov.uk>

Dear Hackney Licensing,

I write to support the police's application for a review of the Viaduct's license.

This venue is one of the most notorious in the entire neighbourhood, in its old guise as Cargo and now as Viaduct. With the new branding and style, it seems little has changed and yet again someone has been seriously hurt as a direct result of the venue.

The issue isn't only the venue. The \*operator\* clearly contributes to the degradation of each of the four main licensing objectives, particularly crime and disorder, public safety and public nuisance. Cargo, run by the same operator, was found to have been a detriment to all the objectives. The new venue has already put someone in the hospital. The common link? The operator. And this must be looked at in the context of all the operator's other venues. These are some of the other most notorious in the neighborhood. For example their bar The Shoreditch regularly has overwhelming queues of obviously inebriated punters late into the night. They messily spill out right underneath our bedroom windows. I've personally seen underage girls offered free drinks to come into the Sunset Bar on Curtain Road, also run by the same operator. I've seen girls passed-out outside the Hoxton Pony in the middle of the afternoon (I have photos). Enough is enough.

This venue puts public safety at risk simply by being owned and operated by this operator. I support the police and believe the license should be terminated.

[REDACTED]  
Batemans Row  
EC2A [REDACTED]



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**The Viaduct, The Arches, 83 Rivington Street, EC2A 3AY**

1 message

3 April 2023 at 14:21

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

Dear Hackney Licensing,

I would like to object in the strongest possible terms to any license being granted to The Viaduct (formerly Cargo). This Shoreditch Bar Group venue is toxic and has long been one of the venues in the Shoreditch area to be a source of trouble, disorder, violence, crime, drug related incidents etc.

The license should be refused due to the following livening objectives.

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

Regards,

  
 Holywell Lane,  
EC2A 

We are Eden Gardens Entertainment Ltd, the former operator of the Viaduct, The Arches, 83 Rivington Street, London EC2A 3AY. We have read the Police application for review.

We are making this application as “Premises Licence Holder” and/or “Other Party” depending on the status of a recently submitted application by Simmons Group under their subsidiary Simmons Waterloo Limited, for a Transfer of the Premises Licence for the above premises, said Transfer Application having immediate effect. The reasons for the Transfer are set out below and we would take this opportunity to confirm that it has in no way been brought to undermine the Review process

## **Eden Gardens Entertainment Ltd**

A high-level meeting was convened on 2 March 2023 to consider the future of the premises. The directors have also investigated the incidents highlighted by the Police in their Review Application, with the specific site operations team, and have made enquiries with all staff and key management personnel referred to in the review papers. From the content of the Review Application, the owners of Eden Gardens Entertainment Ltd can see that trust has broken down between our management team and the Police.

Given the above, Eden Gardens Entertainment Ltd has decided on the following steps:-

1. The premises shall immediately stop trading.
2. The premises was put on the market, to be sold to a third party at arms length. Eden Gardens Entertainment Ltd is to have no further involvement with this site.
3. Eden Gardens Entertainment Ltd has considered the mental health and financial vulnerabilities of all staff at the premises.
4. Notwithstanding the immediate closure of the premises, Eden Gardens Entertainment has made every effort to retain staff with job security where possible.
5. Key management personnel involved with the Review incidents have parted with the company and will no longer be part of the operation or part of SBG operations.
6. Following a short marketing campaign, Simmons Group were selected as the most suitable operator to take over the premises due to their successful track record of operating licensed premises around Central London, and in Hackney itself.
7. There is now a binding legal agreement in place between Simmons Group and Eden Gardens Entertainment Ltd for the sale of the premises.
8. To show commitment to the Council, Police and to Simmons, we have transferred the licence to Simmons with immediate effect.
9. At cost to Eden Gardens Entertainment, the premises will remain closed until determination of the Review at hearing.
10. It is our intention to preserve the jobs of all employees as a result of the sale to Simmons Group.

## **The promotion of the licensing objectives**

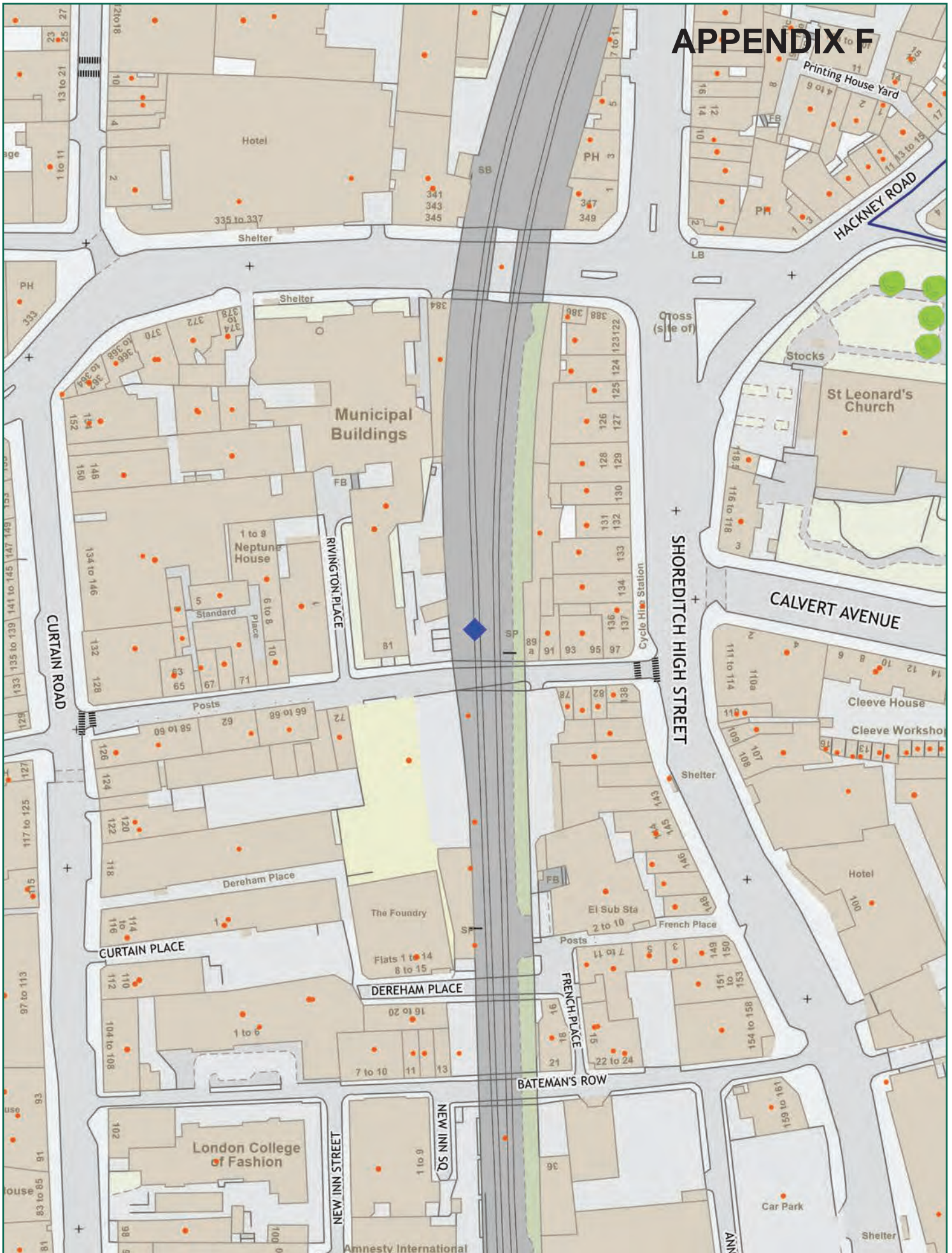
We would ask you to find that the actions taken by Eden Gardens Entertainment Ltd, as set out in this representation, address directly the concerns expressed by the Police. Further, we submit that the licence and its conditions are already suitable to promote the licensing objectives, including the Prevention of Crime and Disorder (we will provide detailed submissions on this for the consideration of the Members at the upcoming Review Hearing); but, given the breakdown in trust, a clean break and a new experienced operator taking over the premises will enable the licence to continue in place.

Having carried out due diligence on Simmons Group, their excellent track record, experience and professionalism there is every reason to believe they will promote the Licensing Objectives in the future.

**Specific Issues Raised by the Police**

Given the incidents highlighted by the Police in their Application for Review, we will be providing detailed written submissions for consideration by the Members at the upcoming Review hearing, addressing same; however, should the Members be minded to find that the Transfer of the Premises Licence addresses their concerns, our submissions on the day may be limited. We will be guided by the Members as to what they will find most helpful in making their determination.

# APPENDIX F



Scale: 1:1250 at A4

## Simmons (Formerly The Viaduct), 83 Rivington Street, EC2A 3AY



Ref:

Produced by: unspecified

please specify copyright statement

Monday, July 3, 2023

email: