

Licensing Policy Consultation 2023

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Contents

Introduction, Background, Consultation & Engagement Approach, Response rate	2
Executive summary	3
Overview of results	
<ul style="list-style-type: none">• Are you a....	4
<ul style="list-style-type: none">• Please give your postcode:	5
<ul style="list-style-type: none">• The Licensing Objectives:	
<ul style="list-style-type: none">• To what extent do you agree or disagree that the proposed core hours policy can continue to promote the licensing objectives?	6-7
<ul style="list-style-type: none">• To what extent do you agree or disagree that the proposed policy can support outdoor events, activities and areas in Hackney whilst minimising any negative impact on local communities?	8-9
<ul style="list-style-type: none">• To what extent do you agree or disagree that the proposed Special Policy Areas can promote the licensing objectives?	10-11
<ul style="list-style-type: none">• To what extent do you agree or disagree that the proposed Special Consideration Area policy can help to promote the licensing objectives?	12-13
About you	14-17
Appendices	

Introduction

The Council is consulting on the new Statement of Licensing Policy, which outlines what will be considered when businesses apply for permission to sell alcohol, carry out regulated entertainment such as live music, film or dancing or sell hot drinks and hot food between 11pm and 5am.

Background

The Council is required by law to review the licensing policy at least every five years. The Policy only applies to new licensing applications, not existing licences.

They are also required to promote the four licensing objectives set out in the Licensing Act 2003, which are the prevention of crime and disorder; public safety; the prevention of public nuisance; and the protection of children from harm.

The Policy aims to balance the need for pubs and clubs to thrive with the needs of people living in the local neighbourhood and ensuring residents nearby are not negatively impacted by nightlife. This impact could be noise at particular times of the night; litter; or increased alcohol-related crime or hospital admissions. These proposals would not affect existing licences. They would only affect those making new licensing applications.

Consultation & Engagement Approach

A survey was created on the Council's statutory consultation platform from 15 May 2023 until 26 June 2023.

The Licensing Team worked with staff from the Consultation and Engagement Team and Communications Team to ensure the consultation was promoted via various channels. These included:

- Mail to statutory consultees
- Hackney Licensing webpage - www.hackney.gov.uk/licensing
- A press release sent to local media, in addition to promotion through Love Hackney
- Staff Headlines
- The consultation and information event was publicised through posts on the Hackney Council Facebook page, Twitter page and the Hackney
- Business Network Twitter page (@HackneyBusiness)

Response rate

A total of 38 responses were received to the survey.

Executive summary

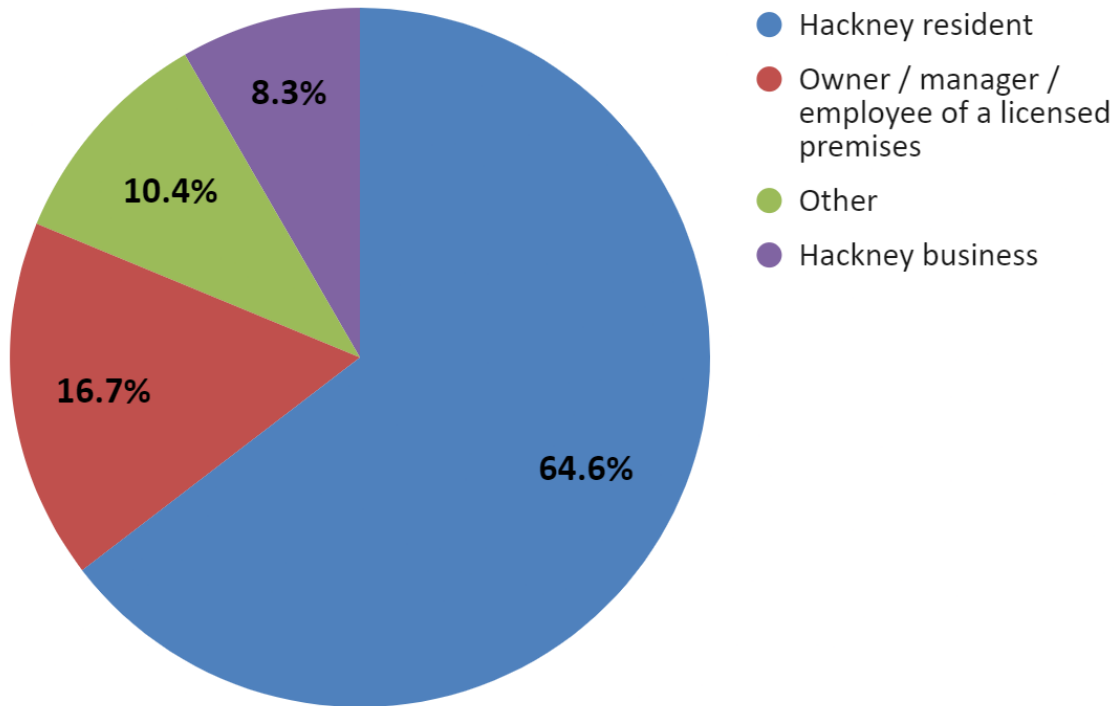
- **Are you a....(Base 48 responses).**
 - The majority of respondents, at just under two thirds, stated that they were a Hackney resident. Just under 17% stated that they were an owner, manager or employee of a licensed premises, followed by 10% stating “other” and 8% stating a Hackney business.
- **Please give your postcode: (Base 38)**
 - Just over a third of respondents stated that they live in the E8 postcode area, followed by under a quarter in N16, 11% each for E5 and N1, with the others accounting for a small proportion.

The Licensing Objectives

- **To what extent do you agree or disagree that the proposed core hours policy can continue to promote the licensing objectives? (Base 38)**
 - Just over half of respondents stated that they disagree, with just under half stating that they agree. This difference between agree and disagree was the response of 3 respondents.
- **To what extent do you agree or disagree that the proposed policy can support outdoor events, activities and areas in Hackney whilst minimising any negative impact on local communities? (Base 38)**
 - This resulted in a 50/50 split in terms of agree and disagree.
- **To what extent do you agree or disagree that the proposed Special Policy Areas can promote the licensing objectives? (Base 38)**
 - Almost two thirds of respondents stated that they disagree, with just over a third stating that they agree.
- **To what extent do you agree or disagree that the proposed Special Consideration Area policy can help to promote the licensing objectives? (Base 38)**
 - Just over half of respondents stated that they disagree, with just under half stating that they agree. This difference between agree and disagree was the response of 3 respondents.

Overview of results

Are you a: (Tick all that apply) (Base 48 responses)



Respondents were asked to specify whether they were a resident of Hackney, an owner/manager/employee of a licensed premises, a Hackney business or other. Respondents were able to tick all responses that applied to the.

The majority of respondents, at just under two thirds, stated that they were a Hackney resident (31). Just under 17% stated that they were an owner, manager or employee of a licensed premises (8), followed by 10% stating “other” (5) and 8% stating a Hackney business (4).

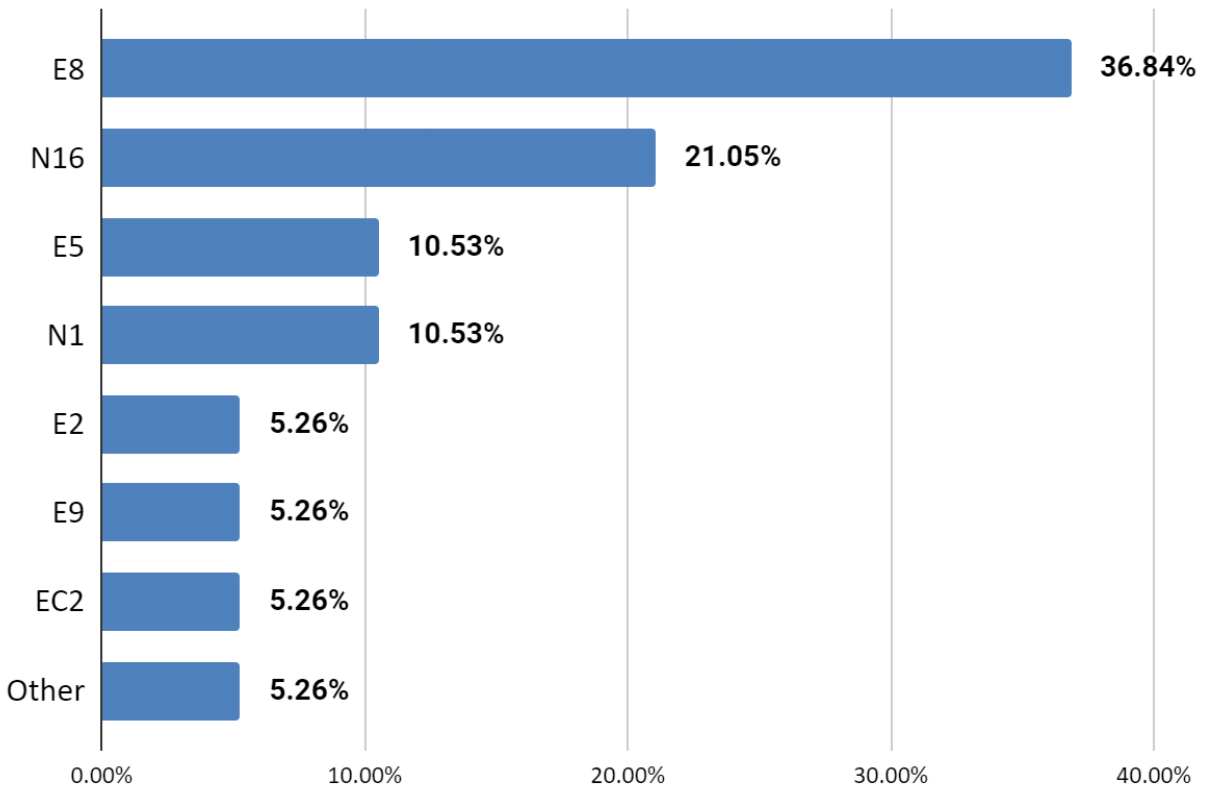
Those who stated “other” were:

- Tower Hamlets resident.
 - As I live right on the border with the appallingly over-concentrated Shoreditch Night Time Economy I expect that my views are afforded full weight in spite of not being a Hackney resident.
- Enfield resident
- Chair - London Fields User Group
- Hackney employee
- Chair - London Fields Ward Safer Neighbourhood Panel

When looking at the data to see how many Hackney residents also selected another options, it found the following:

- 4 Hackney residents were also owner/manager/employee of a licensed premises
- 4 Hackney residents were Hackney business owners
- 2 Hackney residents stated Other
 - Chair of London Fields User Group and Ward Safer Neighbourhood Panel

Please give your postcode: (Base 38)

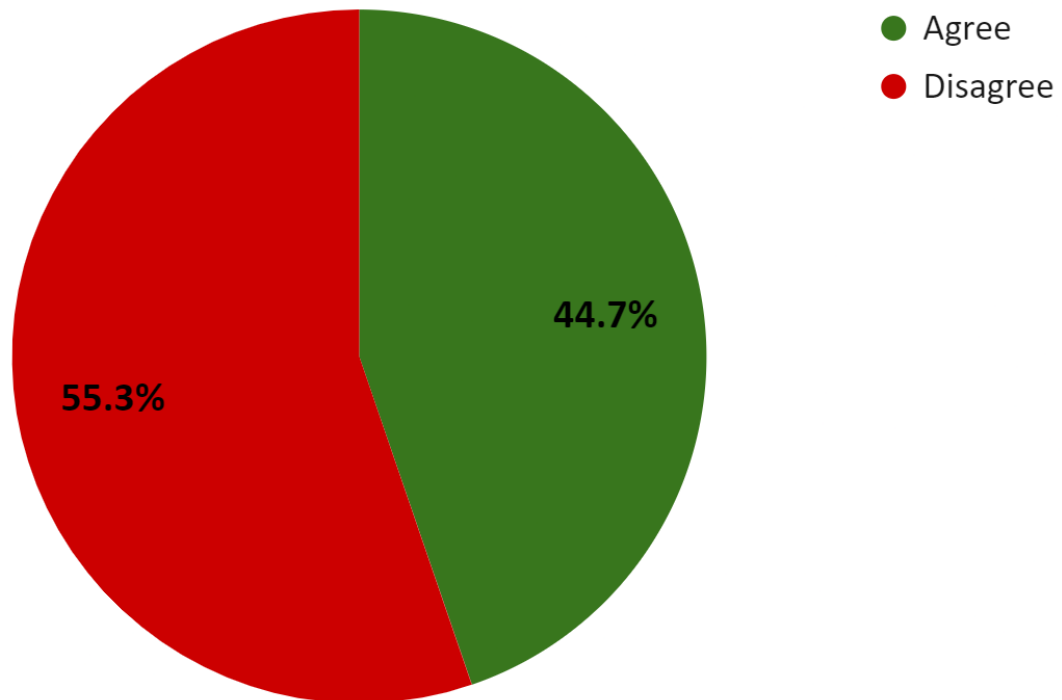


Just over a third of respondents stated that they live in the E8 postcode area (14), followed by under a quarter in N16 (8), 11% each for E5 and N1 (4), with the others accounting for a small proportion.

Those who stated “other” gave N9 and N5 postcode areas.

The Licensing objectives

To what extent do you agree or disagree that the proposed core hours policy can continue to promote the licensing objectives? (Base 38)



Respondents were asked whether they agree or disagree that the proposed core hours policy can continue to promote licensing objectives.

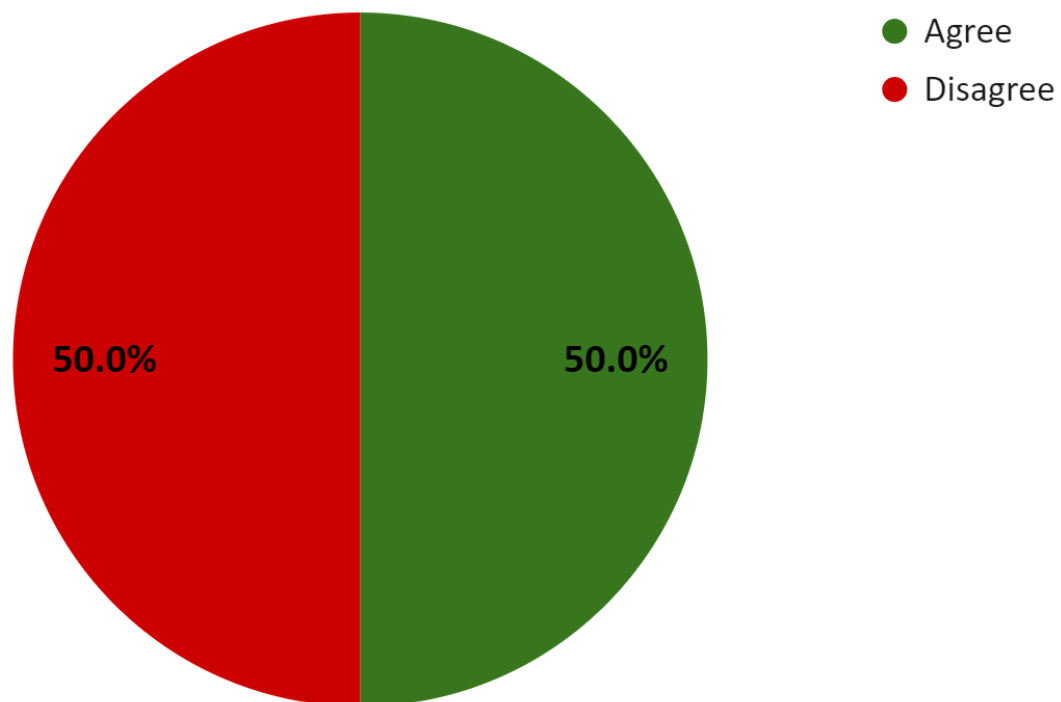
Just over half of respondents stated that they disagree (21), with just under half stating that they agree (17). This difference between agree and disagree was the response of 3 respondents.

When asked to provide any comments to support their response, some of the comments were:

- **Agree**
 - “Core hours pose a threat to the NTE and each venue should be considered on its merits.”
 - “Closing at midnight was too early and the council should support responsible landlords and club owners in staying open later while minimising disturbance.”
 - “Night time workers, livers, operators, creators need a place to feel welcome and included, so 24/7 hours are important.”
 - “Weekend core hours should be slightly extended until 1:00 am.”

- “.....should be combined with attention to issues such as biodiversity both within and beyond the core hours e.g. minimising light pollution through use of downlighting and yellow spectrum LEDs.
 - “The core hours are too restrictive and at odds with Hackney's otherwise vibrant, energetic and youthful culture.”
 - “Later hours should be encouraged to give hospitality venues greater freedom in inner London.”
 - “While noise affects me as a resident, I appreciate the benefits that licensed activities within these hours can bring to the area.”
- **Disagree**
 - “I think the late licensing hours should be reduced and if required then they have to be specifically applied for within strict requirements and carry a higher licensing fee.”
 - “In the case of shops in residential settings licensed to sell alcohol, midnight is too late - it's likely to cause anti-social behaviour and disturbance outside shops.”
 - “The core hours do not reflect the habits of Hackney residents or visitors.”
 - “Current core hours are not being enforced tightly. This leads to licensed premises operating well past their licensable hours late into the night. Leading to excessive noise, litter, antisocial behaviour and in the summer an increase in people peeping against residences during the late nights.”
 - “The proposed core hours policy is anti-business and anti-youth, and does not realise the potential for Hackney to have an enduring and positive night time economy past 11pm.”

To what extent do you agree or disagree that the proposed policy can support outdoor events, activities and areas in Hackney whilst minimising any negative impact on local communities? (Base 38)



Respondents were asked whether they agree or disagree that the proposed policy can support outdoor events, activities and areas in Hackney whilst minimising any negative impact on local communities

This resulted in a 50/50 split in terms of agree and disagree (19 each).

When asked to provide any comments to support their response, some of the comments were:

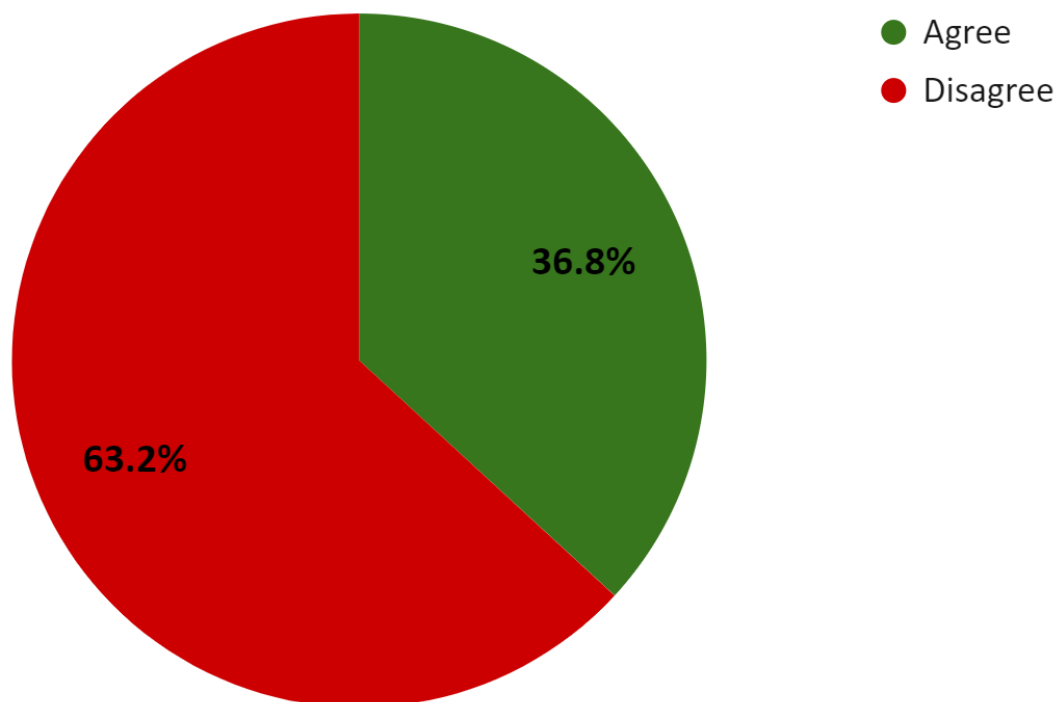
- **Agree**
 - "I think 10pm is a reasonable end time for any outside event in a residential area and that no extensions should be offered beyond that."
 - "I believe that unique punctual celebrations can be positive for the community but that it has to be strongly regulated."
 - "And that should be done more on a case-by-case basis as it does apply to all venues."
 - "Again greater case by case freedom should be given to encourage the struggling culture and hospitality sectors."
 - "Many venues have conditions within their existing licences that external activities are limited to 9pm. This enables a good quality of life

for all. And matches with the Council's Sustainable community strategy as noted in the Licensing strategy document.”

- **Disagree**

- “For outdoor events in parks it should be 9pm - public nuisance to residents.”
- “We need to be more social for our health and for the strength and community bonds of society. These types of laws are much less restrictive in places like Spain, Greece and France, where there is invariably a much tighter sense of community. In such places it's extremely common to have outdoor events past 10pm - and this is to be encouraged where appropriate.”
- “For pubs and constantly opening venues that makes sense as a lot of pubs have signs saying they are considering their residential neighbours. One off events should not be so strict as they have less potential for nuisance especially on an ongoing basis.”
- “This does not go far enough. A default of 08:00 is far too early, it should be more like 11:00.”

To what extent do you agree or disagree that the proposed Special Policy Areas can promote the licensing objectives? (Base 38)



Respondents were asked whether they agree or disagree that the proposed policy can support outdoor events, activities and areas in Hackney whilst minimising any negative impact on local communities.

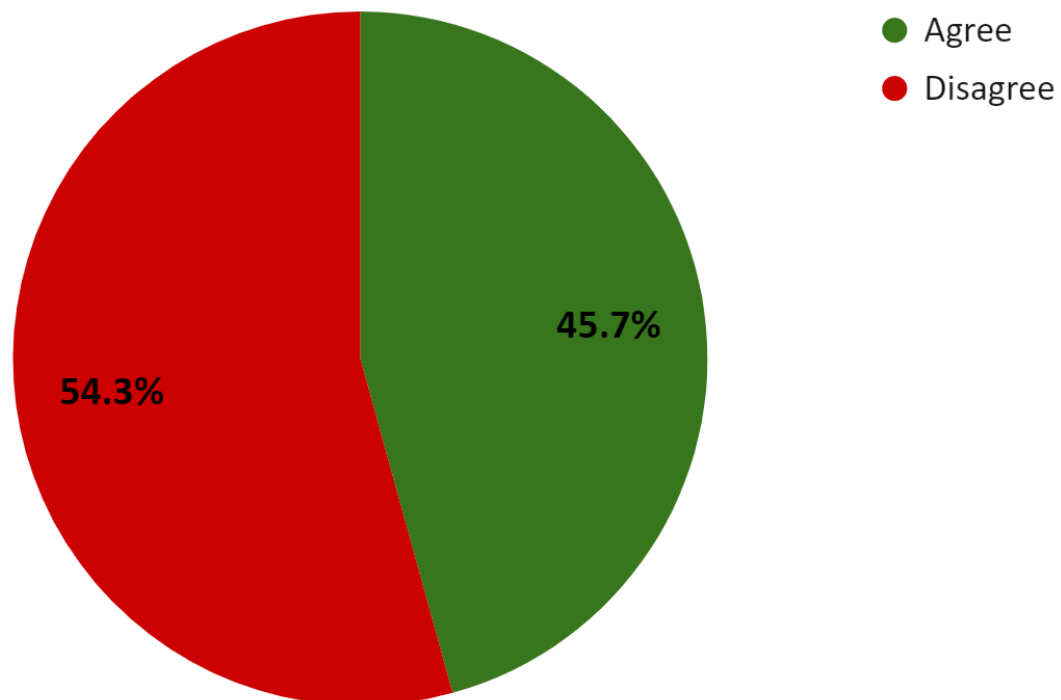
Almost two thirds of respondents stated that they disagree (24), with just over a third stating that they agree (14).

When asked to provide any comments to support their response, some of the comments were:

- **Agree**
 - "It is very helpful to have a Special Policy Area for Shoreditch. Core hours should be until 23.00 only as there is saturation of licensed premises."
 - "The implementation of the Shoreditch SPA has had no positive impact on the licensing objectives - crime, anti-social behaviour nuisance have all increased while it has been in place. The SPA in Dalston has had a devastating effect on the local economy and community."
 - "That seems very strict, all types of economic/human activity comes with a downside, like markets produce food waste that has to be cleaned by the council. It's better to have similar nightlife venues localised in one vibrant area."

- “.....it can be demonstrated that smaller independent operators are more interested and more effective in promoting the licensing objectives, and that the implementation of an SPA threatens these objectives by creating a commercial market into which only corporate groups can afford to enter.”
- **Disagree**
 - “I would strongly object to any attempt in this new licensing policy to reduce the Shoreditch SPA boundary or in any other way to make it any easier for an applicant to obtain a licence in the area. I am also concerned that a decision to drop reference to specific areas (Shoreditch and Dalston) might prevent downgrading one or both of them entirely. We need more and stronger licensing controls, not less.”
 - “An innovative night time industry depends on constant change. Making it too difficult for new spaces to open might reduce the overall attractiveness as a nightlife destination.”
 - “Applicants should be able to demonstrate good environmental practice such that the proposed activity will not add to the cumulative impact of unsustainable and therefore unsafe aspects such as single use plastic. Offering reuse and recycling facilities plus means of minimising impact on biodiversity such as use of downlighting and yellow spectrum LEDs should be a requirement for applications to not be subject to presumption of rejection (though rejection may be the correct decision for other reasons).”
 - “The removal of the defined boundaries of the Special policy areas would make these nebulous and harder for both the Council and applicants to assess the applicability of the Special policy area to an application. I do however support the presumption to refuse new applications in these areas, unless the applicant can clearly prove that the proposed activity(s) will not add to the cumulative impact being experienced in the area in question. ”

To what extent do you agree or disagree that the proposed Special Consideration Area policy can help to promote the licensing objectives? (Base 38)



Respondents were asked whether they agree or disagree that the proposed Special Consideration Area policy can help to promote the licensing objectives.

Just over half of respondents stated that they disagree (19), with just under half stating that they agree (16). This difference between agree and disagree was the response of 3 respondents.

When asked to provide any comments to support their response, some of the comments were:

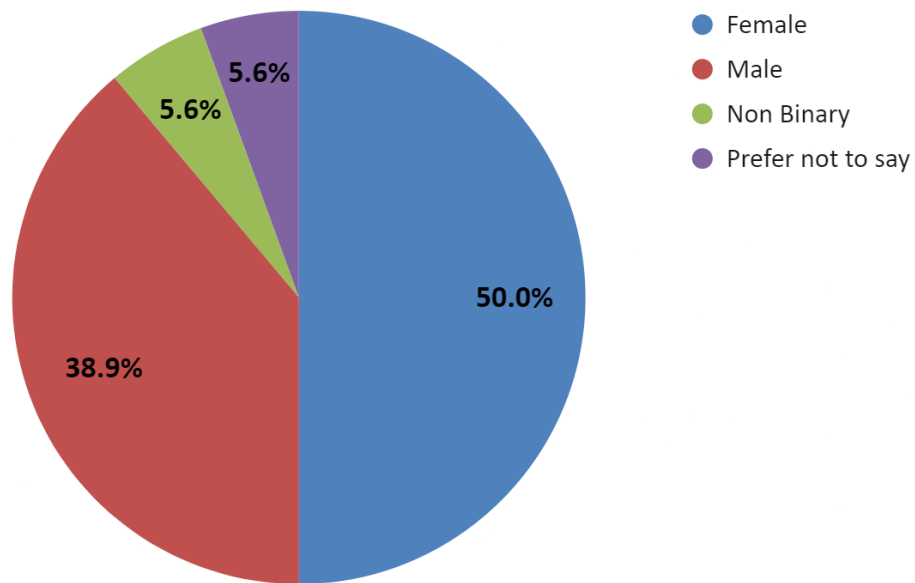
- **Agree**
 - "It is the council's prerogative to accommodate and support and provide strategies and solutions and encourage active engagement with the night economy."
 - "I think it's good if it is to raise awareness of local issues to a potentially non local venue operator or owner."
 - "In my opinion, all applicants should demonstrate their understanding of the negative impacts the premise may have and include measures to mitigate those issues."
 - "This: "there will not be a presumption to refuse application." Why not? The SPAs or SCAs are areas which are already saturated with late night entertainment. The presumption to refuse application should remain."

- **Disagree**

- “Disagree with 70% of the late night levy going to the police”
- “I don't agree. If an area has been identified as suffering a Cumulative Impact it should be designated as a Special Policy Area. These controls are already too weak to effectively deal with the impact, I can't see how introducing a watered-down version would make much real difference to consideration of a licence application.”
- “There is room for a greater variety of cultural offerings in for example Dalston, these new venues should be encouraged not discouraged.”
- “The Special Consideration Area sounds like a much more proportionate and flexible response to some of the pressures and issues Special Policy Area is designed to address (but seek to do in an overly heavy handed and prescriptive way).....”

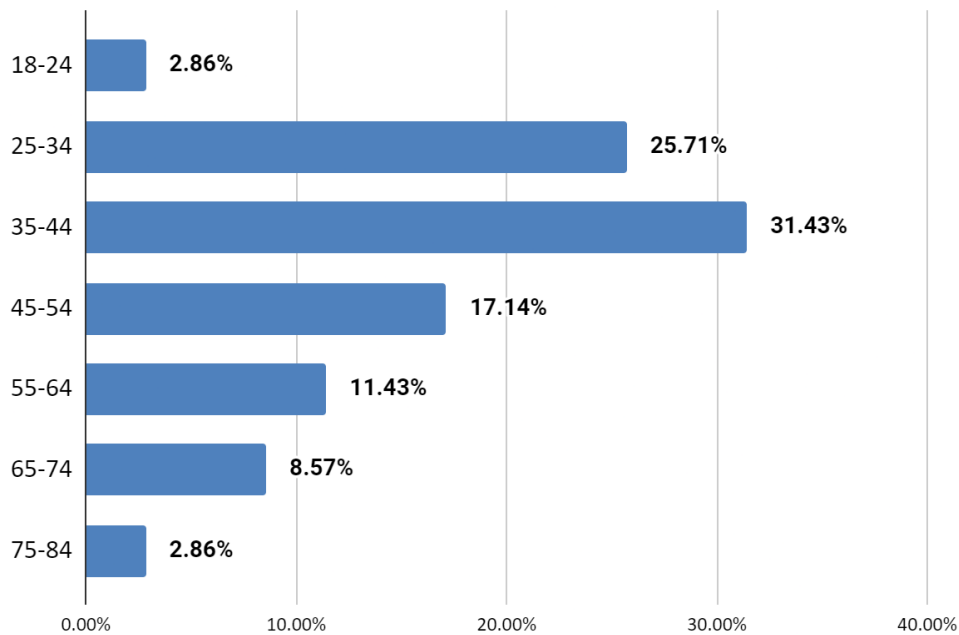
About you

Gender: Are you... (Base 36)



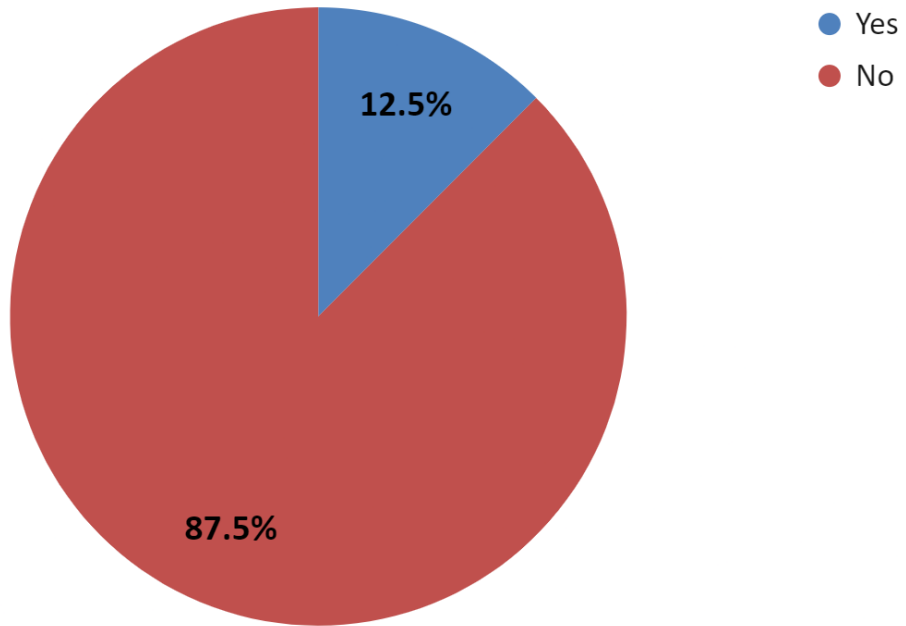
Half of respondents stated that they were female (18), with just over a third stating they were male (14). All others accounted for a much smaller proportion.

Age: What is your age group? (Base 35)



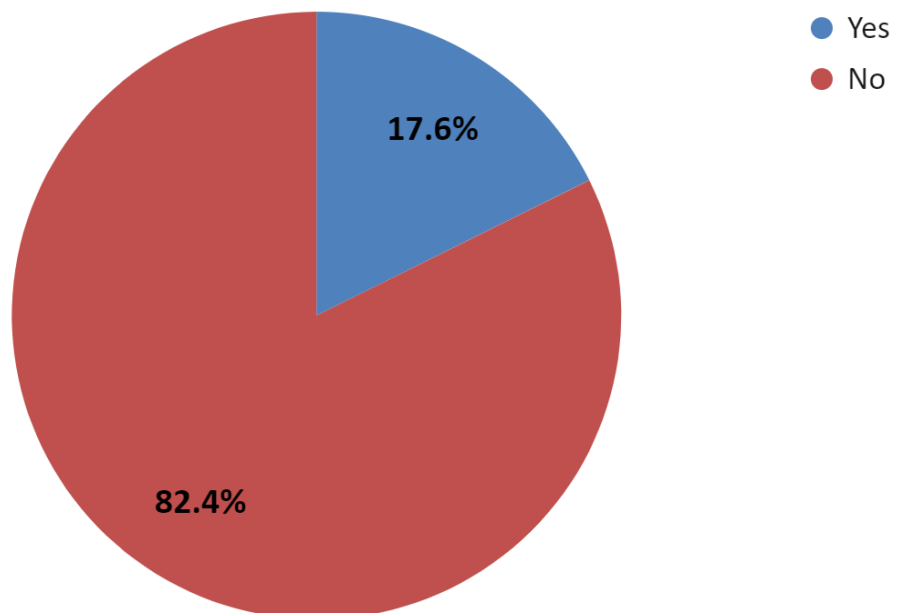
The highest age group of respondents was 35-44 (11), followed by 25-34 (9), 45-54 (6), 55-64 (4), 65-74 (3), 18-24 and 75-84 (1 each).

Disability (Base 32)



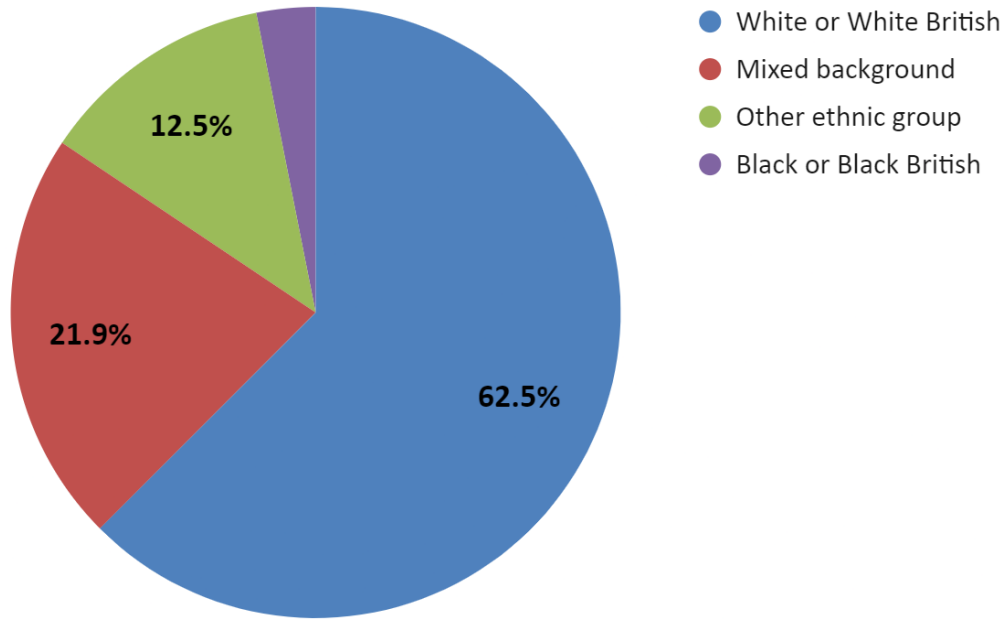
The majority of respondents stated that they did not have a disability (28), with a smaller percentage stating that they do (4).

Caring responsibilities (Base 34)



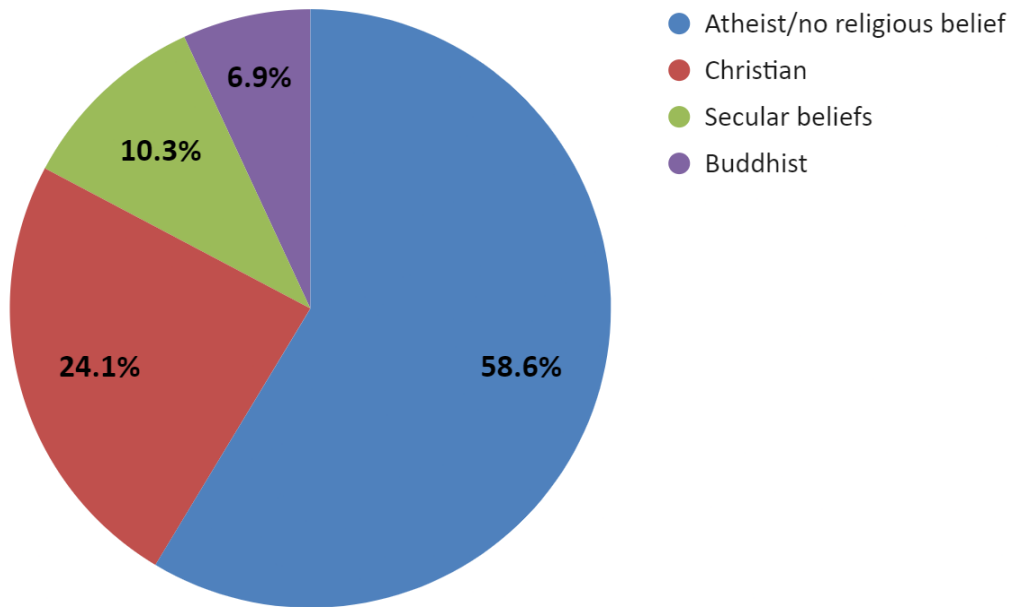
The majority of respondents stated that they did not have caring responsibilities (28), with a smaller percentage stating that they do (6).

Ethnicity. Are you... (Base 32)



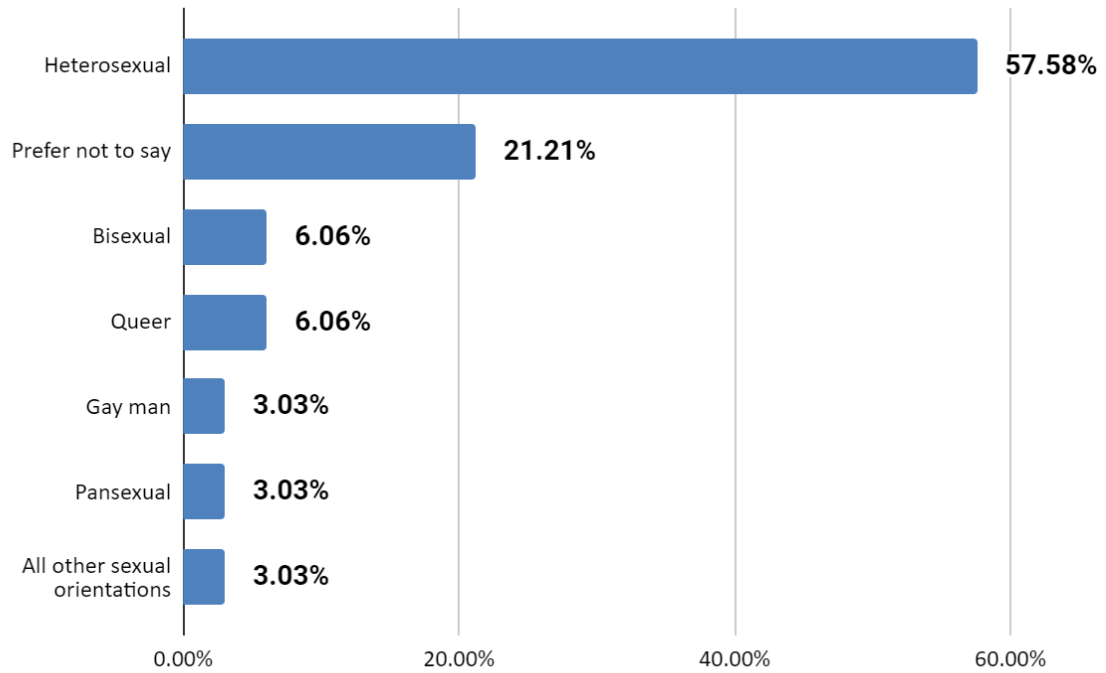
Almost two thirds of respondents stated that they were “White or White British” (20), followed by “Mixed Background” (7), “Other ethnic group” (4) and Black or Black British (1).

Religion or belief: Are you or do you have.... (Base 29)



The majority of respondents stated that they were “Atheist/no religious belief” (17), followed by just under a quarter of respondents “Christian” (7), and then a smaller percentage for “Secular beliefs” (3) and “Buddhist” (2).

Sexual orientation: Are you... (Base 33)



The majority of respondents stated that they were “Heterosexual” (19), followed by “Prefer not to say” (7), and all others accounting for a much smaller percentage response.

APPENDICES

Received	Comments	
<p>18/06/2023 Local resident</p>	<p>I was hoping to leave my comments at the link below but I was unable to get the consultation survey page to open:</p> <p>www.consultation.hackney.gov.uk</p> <p>I note the following in bold below:</p> <p>Special Policy Areas Special policy areas exist in areas where there are already a large number of licensed premises and there is deemed to be a cumulative impact on local residents. This cumulative impact could mean noise at particular times of the night; litter; or increased alcohol-related crime or hospital admissions. Hackney's existing special policy areas are in Dalston and Shoreditch, but the new licensing policy removes references to these locations ahead of an independent assessment that would determine where special policy areas should be located in the borough. We would then consult on these locations.</p> <p>Does removing references to the SPA's in Dalston and Shoreditch (or indeed any elsewhere in the borough) from the revised policy mean that the SPA's have been withdrawn? If so, what measures will LbH be taking to mitigate this?</p> <p>Why is an independent assessment (and its expense) needed, surely the borough is well aware of areas of concern within the borough?</p>	
<p>20/06/2023 On behalf of Shoreditch Pubwatch</p>	<p>To whom it may concern, I am writing to you as pub watch chair on behalf of licensees from the Shoreditch area. I would like to outline concerns that we have with the new licensing policy to be dated 2023-2028. Please see notes below and refer to the licensing policy. LP5 planning status- The policy outlines that whether or not a venue has planning permission may affect the decision made on a licensing application. Planning and licensing are</p>	

	<p>2 separate legislations and need to not be considered by each other.</p> <p>LP10 3.10 Introduction of SCA and the abolition of the SPA The policy sets out that SPAs will be replaced with SCAs, these will be determined by independent cumulative impact surveys and will allow Hackney Council to effectively have pop up SPAs anywhere that they deem necessary. I believe this to be a drastic and unnecessary precaution which will deter independent businesses and entrepreneurs from coming to Hackney.</p> <p>I am aware that the policy says that the presence of an SCA will not be absolute in terms of licence refusal. However upon a licence being applied for it will be refused by relevant authorities stating that the venue falls within SCA.</p> <p>This I know to be true having dealt with licensing in Hackney for the last 15 years. This response will not deter large operators however it will deter smaller start up concepts from starting businesses in Hackney and have a negative impact on business diversification in Hackney. Who will conduct these surveys for SCAs? And, how will the timing of the surveys be determined? For example if a survey were to be carried out in Victoria Park during festival season. The results would determine that this area would be considered an SCA.</p> <p>It is also my understanding that if an area is to be considered an SCA there will be a consultation period in which it can be objected to by residents and licensees, is this correct?</p> <p>LP11 Special consideration areas - Applicants have to demonstrate understanding of licencing and good management in any case. Thus I believe there is no need for there to be the assumption that the application will be turned down.</p> <p>Sexual entertainment 4.11 It is my belief that all types of venues should have the right to apply to exist and be judged on the operator's merits. By banning sexual entertainment licences you will drive the scene underground where no regulation exists and the performers will be at risk of assault and trafficking. Also the current sexual entertainment licensees that exist hold a monopoly, which is decidedly undemocratic.</p> <p>The last time the licensing policy was changed in 2013 a meeting was set up for all businesses, residents, ward councillors and relevant authorities to attend and discuss the draft. I have recently been informed by Hackney Council that this will not be happening. As a community we strongly object to this and insist that such a meeting</p>	
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	happens before any decisions on this draft policy are made.	
26/06/2023 Local owner/operator	<p>Dear all</p> <p>I have been operating XXXXXXXXXXXX for 14 years and XXXXXXXXXXXX (previously XXXXXXXXXI) since 2012. I am co-chair of XXXXX pubwatch, which I founded in 2009. It's a genuine privilege to operate these spaces in Hackney, London's most exciting and progressive borough.</p> <p>I ask the licensing committee to reconsider the effectiveness of SPAs and to withdraw them from the policy completely. Furthermore, the core hours proposed are restrictive, out-of-step with those of neighbouring boroughs and bear no relation to the demands and lives of Hackney residents or visitors.</p> <p>I am aware of the complex and challenging issue that can be associated with the night-time economy, but I passionately believe the answer to these challenges is for more, safer, regulated late night spaces not fewer. Dalston is one of Hackney's two major town centres, with our unique and independent night-time economy specifically protected in the draft Dalston plan.</p> <p>In the draft policy and consultation, no evidence has been provided that demonstrate the implementation of SPAs supports the licensing objectives. The two SPAs have been in place long enough to be able to assess their impact, their effectiveness should be evaluated before they are proposed in a new policy. If you look at noise data, for example, complaints regarding licensed premises are dwarfed by complaints relating to residential and other sources. Last year, noise complaints relating to licensed premises were under 10% of the total volume of complaints.</p> <p>The ground-breaking work Samantha Mathys and colleagues have been undertaking with Hackney Nights and the Late-Night Levy Board (chaired by Maurice Mason) is exceptional, and I imagine will be replicated across other local authorities. The board meetings provide a pragmatic, cooperative and effective approach the issues around safety, crime and nuisance relating to the night-time economy, allowing stakeholders to focus on problem solving together. This is where the future of you approach to licensing should be, and not in regressive SPAs (or SCAs). I believe that this partnership approach is the most effective way to keep our customers and residents safe, and that prohibitive measures like SPAs only serve to displace problems to illegal, unsuitable, or residential settings.</p>	
26/06/2023	Following the Dalston Pubwatch meeting of Wednesday	

<p>On behalf of Dalston Pubwatch</p>	<p>21st June 2023, members make the following representation to Hackney Council regarding the Draft Licensing Policy and Consultation. We received 30 positive votes for this representation and 0 negative votes.</p> <p>We'd like to take the opportunity to remind the licensing authority that although it is legally possible to write a policy with strong negative presumptions such as the SPA and SCA, there is no obligation to do so.</p> <p>It should be noted that negative presumptions deter investment, diversity choice and growth, as well as making operation more difficult for independent businesses and playing to the comparative advantage of corporate groups. If the council has a desire to increase diversity and protect independent businesses within the NTE it should be noted that the SPA and SCA will be in conflict with this goal.</p> <p>We recognise the obligation of the council to undertake a fair consultation with relevant stakeholders, which in this context should include consultation when the proposals are still at a formative stage. We are therefore confident that the council will take our views into conscientious consideration with the weight that they deserve and make changes to the draft policy accordingly.</p> <p>While we are aware that the Government updated its consultation principles: guidance in 2018 to allow more flexibility on timelines, there remains an obligation for a consultation to last for a proportionate amount of time. The previous guidance for consultation was 12 weeks which we believe would have been proportionate in this 2023 consultation as well.</p> <p>A 12-week consultation would provide the opportunity to create higher levels of awareness and understanding for all stakeholders of the effects of implementing (or not) an SPA or an SCA, bearing in mind that an SCA is a brand new concept to Hackney's night time economy operators.</p> <p>Progressing this important 2023 policy at such an unnecessary speed, risks preventing the best thoughtful and constructive ideas and dialogue from all interested parties, to be considered. An unnecessarily accelerated consultation period in itself contradicts the whole nature of fair consultation and will probably result in poor and uninformed decision making that the night time economy, local residents and Hackney would be saddled with for the next five years.</p> <p>Examples of the unnecessarily rushed consultation:</p> <ol style="list-style-type: none"> 1. As the consultation period in this case is only six weeks, this resulted in residents being sent letters dated 12.06.23 with a deadline of 26.06.23. 2. The policy was presented to Pubwatch only five days prior to expiry of the consultation. This is anti-business and 	
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anti-night-time-economy, a huge contradiction to recent years of positive relationship-building between the night time economy operators and the local authorities, namely police and council stakeholders. We recognise everyone's best efforts (often during adverse conditions such as the pandemic and this current cost of living crisis), to really make a difference. Initiatives such as Hackney Nights and the strengthening of Hackney's four key Pubwatch groups are strong because their growth and consolidation have been thoughtful and meaningful.

We were expecting a consultation timeline from the policy makers that would have been more constructive.

Whether short-notice provision of draft policy documents to the stakeholders has been done by design, or by innocent oversight, either way, the process is unfair for everyone and we ask Hackney to address this anomaly by extending the consultation time, before the process becomes compromised and tarnished with unnecessary contradiction and poor decision making.

In the interests of a positive outcome for all stakeholders, we request that moving forward there is discussion (and amendments made) around adequate timelines for consultation, and as stakeholders, we would like to be a part of that discussion.

In particular we request that timelines around the implementation of any SPA or SCA, which are measures that affect our businesses and communities profoundly, are consulted upon with a 12-week time frame.

LP10 Special Policy Areas

No evidence base has been provided that supports the existence of Special Policy Areas despite these being in operation for 14 years in Shoreditch and 9 years in Dalston. There should be an abundance of data to demonstrate if SPAs support the licensing objectives. In June's Pubwatch meeting we asked Hackney why there was no evidence to support SPAs, and the response was that evidence could not be hypothetical in terms of the possible alternative scenario of no SPA in place. Yet hypothetical evidence is required by applicants in order to prove they will not contribute to the cumulative impact. The above contradiction isn't logical. An Applicant for a new licence (or variation to an existing licence) has to provide evidence that supports the SPA, yet the creation of that SPA requires no such evidence.

The language of the SPA remains intentionally vague and gives no guidance on what factors may be looked favourably for applicants in an SPA ('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.’). Note Islington’s draft policy, where each Special Policy Area has clearly stated possible exceptions that would be viewed favourably by the licensing committee.

The implementation of the SPA has had a chilling effect on the development of Dalston’s evening and night time economy, and subsequently on the independent retail sector and cultural offer.

Dalston is unique in both the density of culturally important venues; and the number of independent owner-operated premises and as such is a vital resource for the borough.

At May’s Pubwatch meeting we asked for a show of hands for anyone who was granted their licence after the implementation of the SPA. Not one hand went up.

While this situation could be viewed as temporarily beneficial for existing licence holders, the reality is that the potential stagnation of this resource and the lack of new operators will continue to reduce opportunities in the area.

Due to these reasons, as well as the potential for licence review, we challenge the repeated assertion in the overview of the Licensing Policy that existing licences are not affected by the new policy. We reject the proposals for Special Consideration Policy areas on the same grounds.

LP3 Core Hours

We would like to see the core hours extended for more diverse and youth friendly activities in a similar way to the Islington Licensing Policy which recognises the importance of nightclubs and their contribution to the culture of a borough and encourages applications which have terminal hours of 1am through the week and 2am on weekends.

This action would not only support young people in one of London’s youngest boroughs, but also demonstrates commitment to live music and the venues that serve as creative incubators across the borough.

A review of the core hours within the policies of Westminster, Islington, Tower Hamlets and Camden shows Hackney’s proposed core terminal hours to be the most restrictive, and Newham and City of London do not have a core hours policy at all.

We would like to see Hackney’s core hours policy reflect the needs of the residents within the borough as well as visitors, investors, and future residents. We also understand that Hackney has a desire to retain its world class reputation as well as being proactive in encouraging diversity within nightlife.

Recognising that Hackney has a well run NTE, and that the possibility to increase the pool of Late Night Levy funding from premises operating after midnight exists, we would like to see core hours extended to the following:

General

Monday to Thursday 08:00 to 00:00

Friday and Saturday 08:00 to 01:00

Sunday 10:00 to 23:00

Nightclubs

Monday to Thursday 08:00 to 01:30

Friday and Saturday 08:00 to 02:30

Sunday 10:00 to 00:30

Hackney Nights & The Late Night Levy Board

There are mixed views among members on the Late Night Levy itself, especially among some of our smaller operators, but the impact of the Late Night Levy Board in addressing key issues around the late night economy is significant and positive.

The Board represents an effective partnership between stakeholders of Hackney's licensed venues, the police, enforcement and council members and has pooled resources and knowledge to great effect. This partnership approach has shown that the best way to address challenges around licensed premises is through cooperation and skillsharing.

The Hackney Nights initiative is a valuable suite of training materials and resources that operators find extremely useful in the training of their staff, especially around areas of welfare and vulnerability.

Climate Action Plan

We would like to express our support for the Climate Action Plan included within the Licensing Policy. We are proud to be part of Hackney's economic landscape, and as a group of independent operators we champion measures that result in Hackney being a progressive and sustainable borough that is globally applauded.

We are also pleased with the specificity of sustainability interests that we currently see within the mix of councillors in Hackney, and look forward to jointly supporting policies and partnerships where appropriate.

We ask that the licensing committee reconsider the severity of the proposed measures in favour of a policy that reflects Hackney's diversity, innovation and progressive legacy. Rather than prohibitive measures like SPAs we are

	<p>in favour of more cooperation and problem solving in the spirit of the Late Night Levy Board and partnership.</p>	
<p>26/06/2023 On behalf of Metropolitan Police</p>	<p>I have reviewed the proposed Hackney licensing policy and have consulted with my Licensing Officers who have requested some changes to the policy. I have considered these proposed changes and I feel that they would go further to assist venues in upholding the Licensing objectives and will also assist my officers when working with venues.</p> <p>The changes bring clarity to what is expected of venues when conducting risk assessments for their activities and enables them to bring about steps to mitigate risk, working with my Licensing Team where appropriate.</p> <p>The Night Time Economy is an important part of Hackney which is constantly evolving as new venues open and attract new people to the borough and therefore the Licensing Policy must evolve with it.</p> <p>I consider that more detail in the policy is preferable as this may be particularly helpful to rely on it when the Legislation or Guidance is silent (or minimal) on a particular issue.</p> <p>CRIME & DISORDER</p> <p>When addressing the crime and disorder licensing objective the applicant should identify any particular risks (having regard to their particular type of premises and / or activities) which are likely to adversely affect the promotion of the crime and disorder licensing objective. The applicant should also list such steps that are required to deal with these identified issues. Both risks and mitigating steps should be included within the applications operating schedule.</p> <p>Where the Metropolitan Police, acting as a responsible authority, makes recommendations in respect of an application relating to the licensing objectives the Licensing Authority would expect the applicant to incorporate these into their operating schedule.</p> <p>RESPONSIBLE DRINKING</p> <p>Responsible Drinking - The Licensing Authority expects alcohol to be promoted in a responsible way in the Borough. This should incorporate relevant industry standards, such as the Portman Group Code of Practice.</p>	

Where appropriate and proportionate, if its discretion is engaged, the Licensing Authority will apply conditions to ensure responsible drinking. The Licensing Authority also recognises the positive contribution to best practice that "Pubwatch" and other similar schemes can make in promoting the licensing objectives and is committed to working with them. Model Pool Conditions can be found in the Secretary of State's Guidance.

Nitrous Oxide

Misuse of nitrous oxide is associated with increased antisocial behavior including littering, noise nuisance and vandalism, all of which are detrimental to residents' quality of life and feelings of safety. Use of nitrous oxide is also a health concern and has other associated harms.

As a result, this Licensing Authority expects Licence Holders to refuse entry to any person seen use or selling NOX as a psychoactive Substance. Refusals should also be entered into Licence Holders refusals logs.

Where its discretion is engaged this Licensing Authority impose conditions to formally require refusal of persons seen selling or using NOx as a psychoactive Substance.

DRINK SPIKING

In reference to the Local Governments Association (LGA) Guidance note on drink spiking prevention, this Licensing Authority expects license holders and applicants to have a zero-tolerance policy towards drinks spiking. This involves as a minimum ensuring all reports of spiking are acted upon and that all incidents of alleged spiking are recorded and reported to the police. Licence holders and applicants should also be aware of the Metropolitan Police's definition of drink spiking:

"Spiking is where someone adds drugs or alcohol to another person's drink without them knowing, it is illegal."

The LGA has set some recommendations for Licence holder, and we would expect our Licence holders to follow these where appropriate to their venues:

<https://www.local.gov.uk/publications/lga-guidance-note-drink-spiking-prevention#recommended-actions-for-licensed-premises->

Applicants for new and variations of exiting licences as well as those submitting TENs are expected to work with the Metropolitan Police in order to consider actions needed to

prevent drinks spiking in their venues/events

Where its discretion is engaged this Licensing Authority will impose conditions on licences aimed at preventing drinks spiking, specifically any recommended by the metropolitan police.

WELFARE

This Licensing Authority believes that all Licensed venues should train their staff in Welfare and Vulnerability Engagement (WAVE). As of 2023 this Licensing Authority in partnership with the Metropolitan Police and the London Borough of Tower Hamlets is delivering monthly WAVE training sessions for Licensed venues within both Tower Hamlets and Hackney. As a result, we expect that all Licensed venues who sell alcohol for consumption on their premises should train their staff in WAVE and adopt Ask for Angela or similar initiatives aimed at assisting vulnerability within alcohol licensed venues.

MISOGYNY IN THE NIGHT TIME ECONOMY

Sadly this is still an issues for women working in and visiting licensed venues in London. As a result, this Licensing Authority encourages Licensed venues to sign up to the Mayor of London's Women's Night Safety Charter:

<https://www.london.gov.uk/programmes-strategies/arts-and-culture/24-hour-london/womens-night-safety-charter>

As well as the Women's Night Safety Charter we would encourage applicants and licence holders to discuss applications with the Council's Violence Against Women and Girls Service, who can provide advice and training to venues on preventing misogyny within licensed premises.

Lastly, we expect Licence Holders to take a zero-tolerance approach misogyny within their venues where this is towards customers or employees. We would expect refusal in the first instance of acts of misogyny and reporting to the Metropolitan Police.

One of the Council's Community Safety Partnership Priorities is tackling violence against women and girls. As a result the Licensing Authority expects Licence holders to take a proactive approach to customer safety including the following:

- Making provisions to ensure that customers safely leave their premises, for example providing information on licensed taxi companies, adequate lighting outside the premises,
- Training of staff in spotting signs of harassment, and how to intervene where safe and appropriate to do so, and/or reporting such harassment to management/emergency services.

TEMPORARY EVENT NOTICES

Expect that any existing conditions will be maintained (where relevant) in circumstances where an event is to take place at a premises that has an existing authorisation. Risk Assessments: In order to assist the Metropolitan Police, we would strongly urge that Risk Assessments are either included with the TEN submission or sent to the Police via the details in Council's Responsible Authority list on their website. Such risk assessments need to include a description of the event, any risks identified with the event such as increased possibility of intoxicated customers, underage attending the event, or perceived drug use, and any mitigating steps that have implemented to address the identified risks.

Where promoted music events are taking place at the premises such a risk assessment should include checking previous venues where the artists / performers / promoters have performed recently to see if there have been any issues, and any social media sites to check for any potential problems such as a young audience.

The risk assessment should also consider the provision and numbers of SIA security, search, ejection policy and entry and egress / dispersal plans.

Designated Premises Supervisors (DPS)

Though there is no requirement for a designated premises supervisor (DPS) to be on the premises at all times that alcohol is being sold, the Licensing Authority expects where they are likely to be absent for a prolonged period, perhaps due to ill health, maternity leave or extended holiday, that a new DPS to be appointed to cover the period of absence. If there are concerns that a DPS is repeatedly absent, the Police may apply for a review of the Premises Licence if this gives rise to concerns about the operation of the premises and its impact on the licensing objectives.

	<p>Special Policy Areas</p> <p>We recognise the importance of Special Policy Areas in helping us reduce the levels of Crime and Anti-Social Behaviour in both Dalston and Shoreditch. The importance of maintaining both policies in maintaining such hard won reductions cannot be underestimated.</p> <p>Special Consideration Area</p> <p>We welcome the development of this policy as a tool that can help tackle crime and disorder before they require more restrictive policies. We look forward to working with the council in its development.</p>	
<p>26/06/2023 On behalf of the Director of Public Health</p>	<p>i've had a quick look at the policy and I think:</p> <ul style="list-style-type: none"> - it could mention the health and wellbeing strategy, especially given the mention of healthy residents in 1.18 - I am very pleased that it mentions PH and the negative impact of licensing activities on health in para 1.27 and para 1.33-1.36 - I am however a bit disappointed that the core hours are so early in the morning (LP3 after para 2.22) is there any way we could push these to 10 am every day and not only sunday? 8am is awfully early for people to be drinking alcohol. Again LP 4 after para 2.26 us there anyways this can be 10 am and not 8am? could the policy mention public health in 4.25? <p>perhaps I have missed it but I did not see anything on: price regulations Voluntary removal of the sale of high strength alcohol server training and accountability</p> <p>I know my predecessor XXXXXX has already pushed for the below and I was wondering what was possible and what wasn't and it was not always clear from the licensing policy document: During the screening process, officers could suggest the specific conditions, detailed below, to be attached to certain applications. These conditions are aimed at reducing the misuse of alcohol and contribute to the licensing objectives.</p>	

Ref number	Condition wording	Licensing Objective(s)	Condition theme	On/Off sales
1	Off sales of alcohol shall be restricted to those in a designated area / sealed bottles of XX	Crime & Disorder Public nuisance	Sales restriction	Off
2	Sales of alcohol shall be ancillary to a table meal to persons seated outside or a takeaway meal where the food sales must be over £X and the alcohol sold in sealed containers.	Crime & Disorder Public nuisance	Ancillary to food	Off
3	Any sales of alcohol shall be charged at no less than 50p per unit of alcohol. A unit of alcohol is 10ml of ethanol. The number of units is calculated by multiplying the % Alcohol By Volume x Volume in centilitres. Thus a half-litre of beer at 5% ABV contains 2.5 units: (5/100 ABV) x 50cl.	Crime & Disorder Public nuisance	Cost	Both
4	After XXhrs and before XXhrs, non hotel residents and persons not attending a pre-booked function/event/restaurant reservation shall not be permitted in the premises	Crime & Disorder Public nuisance	Hours	Both
5	The age verification policy operated at the premises shall be 'Challenge 25', where any person who appears under 25 years of age shall be required to provide proof of age using an acceptable form of ID. The only forms of ID that may be accepted shall be: a) a proof of age card bearing the PASS hologram logo b) a passport c) a UK photo driving licence	Young People	Age	Both
6	Notices advertising that the premises operates a 'Challenge 25' scheme be displayed prominently at the premises entrance(s) and inside the premises.	Young People	Age	Both

	7	years to purchase or attempt to purchase alcohol and that it is also an offence to purchase alcohol on behalf of a person aged under 18 years	Young People	Age / Delivery	Off
	8	Full training is provided to all staff relating to age verification, using Challenge 25 and the law relating to the sale of alcoholic products. Refresher training should be provided annually	Young People	Age	Off
	9	Delivery			
	9a	Alcohol will only be delivered as part of a substantial meal	Crime and disorder Public nuisance	Sensible drinking	Off
	9b	At the time the order is placed a declaration will required from the person placing the order to confirm they are over 18 years of age	Young People	Age	Off
	9c	Customers to be reminded it is a criminal offence for a person under 18 years to purchase or attempt to purchase alcohol and that it is also an offence to purchase alcohol on behalf of a person aged under 18 years	Young People	Age	Off
	9d	ID verification will be made when orders containing alcohol are delivered (no ID no delivery) – acceptable proof of age shall include identification bearing the customer's photograph, date of birth and integral holographic mark or security measure	Young People	Age	Off
	9e	Staff making the deliveries must be at least 18 years old	Young People	Age	Off
	9f	Alcohol can only be delivered to a residential or business address and not to a public place, and delivery staff will not deliver to any person anywhere other than at the residential or business address given when the order was placed	Public nuisance	Delivery	Off
	9g	Deliveries will not be made between the hours of 23:00 and 07:00	Public nuisance	Delivery	Off
	10	Sales of alcohol to be consumed off site will only be permitted at pre booked events where attendees have purchased a ticket	Crime and disorder Public nuisance	Sensible drinking	Off