

| For Consideration By | Licensing Sub-Committee |
|----------------------|-------------------------------------------------------------------|
| Meeting Date | 19 October 2023 |
| Type of Application | Vary a Premises Licence |
| Address of Premises | Plonk Golf, Railway Arch 407, Mentmore Terrace, London, E8 3PH |
| Classification | Decision |
| Ward(s) Affected | London Fields |
| Group Director | Rickardo Hyatt |

1. **Summary**

- 1.1. This is an application to vary a premises licence;
 - To extend the hours for the sale of alcohol on Thursday, Friday and Saturday.

2. **Application**

- 2.1. Mr Elliot Scott has made an application to vary a premises licence under section 34 of the Licensing Act 2003.
- 2.2. The applicant is seeking authorisation for the following licensable activities and times:

| Supply (On sa | y of Alcohol les) | Standard Hours: |
|------------------|----------------------|------------------------------------------------------------------------------------------------------------------------|
| | | Thur 12:00-00:00 Fri 12:00-00:00 Sat 12:00-00:00 |
| | | Non-standard Hours: On Sundays that are either Bank Holidays or immediately proceed a Bank Holdiay Monday: 12:00-00:00 |

| The opening hours of the premises | Standard Hours: | |
|-----------------------------------|---------------------------------------------|--|
| | Thur 07:00-00:30 | |
| | Fri 07:00-00:30 | |
| | Sat 07:00-00:30 | |
| | Non-standard Hours: | |
| | On Sundays that are either Bank Holidays or | |
| | immediately proceed a Bank Holdiay Monday | |
| | until 00:30 | |

2.3. The application is attached as Appendix A. The applicant has not proposed any additional measures to address the licensing objectives.

3. **Current Status/History**

- 3.1. The current premises licence was granted on 10 November 2020 (attached as Appendix C).
- 3.2. Temporary event notices have given in current year at this premises as follows:

| Date of the event(s) | <u>Hours</u> |
|-----------------------|--------------|
| 15/07/2023-16/07/2023 | 12:00-22:00 |
| 22/07/2023-23/07/2023 | 12:00-22:00 |
| 29/07/2023-30/07/2023 | 12:00-22:00 |
| 05/08/2023-06/08/2023 | 12:00-22:00 |
| 12/08/2023-13/08/2023 | 12:00-22:00 |
| 19/08/2023-20/08/2023 | 12:00-22:00 |
| 16/09/2023-17/09/2023 | 12:00-22:00 |
| 23/09/2023-24/09/2023 | 12:00-22:00 |
| 30/09/2023-01/10/2023 | 12:00-22:00 |

4. Representations: Responsible Authorities

| From | Details |
|--------------------------------|------------------------------------------|
| Environmental Health Authority | No representation received |
| (Environmental Protection) | |
| Environmental Health Authority | Have confirmed no representation on this |
| (Environmental Enforcement) | application |
| Environmental Health Authority | No representation received |
| (Health & Safety) | |
| Weights and Measures | No representation received |
| (Trading Standards) | |
| Planning Authority | Have confirmed no representation on this |
| | application |
| Area Child Protection Officer | No representation received |
| Fire Authority | No representation received |
| Police | Have confirmed no representation on this |
| | application |

| Licensing Authority | Have confirmed no representation on this application |
|---------------------|------------------------------------------------------|
| Health Authority | No representation received |

5. Representations: Other Persons

| From | Details | |
|-----------------------------|-----------------------------------------------|--|
| 3 representations received | Representation received on the grounds of The | |
| from and on behalf of local | Prevention of Crime and Disorder, Public | |
| residents. (Appendices B1- | Safety, Prevention of Public Nuisance and The | |
| B3) | Protection of Children from Harm. | |

6. **Guidance Considerations**

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

7. **Policy Considerations**

- 7.1. Licensing Sub-Committee is required to have regard to the London Borough of Hackney's Statement of Licensing Policy ("the Policy) adopted by the Licensing Authority.
- 7.2. The Policy applies to applications where relevant representations have been made. With regard to this application, policies, LP1 (General Principles), LP2 (Licensing Objectives), LP3 (Core Hours) and LP6 (External Areas and Outdoor Events) are relevant.

8. Officer Observations

8.1. If the Sub-Committee is minded to approve the application, the following additional conditions should be applied the licence:

None.

9. Reasons for Officer Observations

9.1. No additional conditions have been proposed by the applicant and responsible authorities.

10. **Legal Comments**

- 10.1. The Council has a duty as a Licensing Authority under the Licensing Act 2003 to carry out its functions with a view to promoting the following 4 licensing objectives;
 - The Prevention of Crime and Disorder
 - Public Safety
 - Prevention of Public Nuisance
 - The Protection of Children from Harm
- 10.2. It should be noted that each of the licensing objectives have equal

importance and are the only grounds upon which a relevant representation can be made and for which an application can be refused or terms and conditions attached to a licence.

11. Human Rights Act 1998 Implications

- 11.1. There are implications to:
 - *Article 6* Right to a fair hearing
 - *Article 14* Not to discriminate
 - Balancing: **Article 1-** Peaceful enjoyment of their possession (i.e. a licence is defined as being a possession) with **Article 8** Right of Privacy (i.e. respect private & family life) to achieve a proportionate decision having regard to the protection of an individuals rights against the interests of the community at large.

12. <u>Members Decision Making</u>

12.1. **Option 1**

That the application be refused

12.2. **Option 2**

That the application be approved, together with any conditions or restrictions which Members consider necessary for the promotion of the Licensing objectives.

13. **Conclusion**

13.1. That Members decide on the application under the Licensing Act 2003.

Appendices:

Appendix A: Application to vary a premises licence and supporting documents

Appendix B: Representations from other persons

Appendix C: Current Licence Appendix D: Location map

Background documents

Licensing Act 2003
LBH Statement of Licensing Policy

| Report Author | Name: Shan Uthayasangar | | |
|---------------|-----------------------------------------|--|--|
| | Title: Licensing Officer | | |
| | Email: shan.uthayasangar@hackney.gov.uk | | |
| | Tel: 02083562431 | | |

| Comments for the Group Director of Finance and Corporate Resources prepared by | Name Title Email Tel |
|-----------------------------------------------------------------------------------|-------------------------------|
| Comments for the Director of Legal, Democratic and Electoral Services prepared by | Name Title Email Tel |

Hackney LA07

Application to vary a premises licence under the Licensing Act 2003

PLEASE READ THE FOLLOWING INSTRUCTIONS FIRST

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

| You may wish to keep a copy of the completed form for your records. | | | | | |
|------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|--------------------------------|--------------|----------------|---------------|---------|
| I/We Elliot Scott (Insert name(s) of applicant) being the premises licence holder, apply to vary a premises licence under section 34 of the Licensing Act 2003 for the premises described in Part 1 below | | | | | |
| Premises 109311 | licence number | , | | | |
| Part 1 – Pre | emises Details | | | | |
| Postal addi description Plonk Golf Railway Arc Mentmore To Hackney | h, 407 | or, if none, | ordnance surve | ey map refere | ence or |
| Post town | London | | | Postcode | E8 3PH |
| | | | | | |
| any) | number at prem | ` | | | |
| Non-domestic rateable value of premises | | £23250 | | | |
| Part 2 – Applicant details | | | | | |
| Daytime co | | | | | |
| E-mail address (optional) | | | | | |
| | stal address if om premises | | | | |

| Post town | | Postcode | |
|----------------------|------------------------------------------------------------------------------------------|-------------|-----------------------------|
| | | | |
| Part 3 – Var | riation | | |
| | as appropriate | | |
| Do you wa ☐ No | nt the proposed variation to have effect as | s soon as p | ossible? ⊠Yes |
| If not, from effect? | what date do you want the variation to take | e DD | MM YYYY |
| | t the proposed variation to have effect in rel yy? (Please see guidance note 1) ☐ Yes | | introduction of the ☑ No |
| guidance n | ote 2) to opening hours, and supply of alcohol hours | variation (| Please see |
| Amendment | to opening nours, and suppry of alcohol nours | | |
| | | | |
| | | | |
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| | | | |
| | | | |
| | | | |
| If your prop | osed variation would mean that 5,000 or me | ore | |
| people are | expected to attend the premises at any one estate the number expected to attend: | | |

Part 4 Operating Schedule

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

| | | vision of regulated entertainment (Please see dance note 3) | Please tick all that apply |
|---|-------|-----------------------------------------------------------------------------------------------|----------------------------|
| | a) | plays (if ticking yes, fill in box A) | |
| | b) | films (if ticking yes, fill in box B) | |
| | c) | indoor sporting events (if ticking yes, fill in box C) | |
| | d) | boxing or wrestling entertainment (if ticking yes, fill in box | ox D) |
| | e) | live music (if ticking yes, fill in box E) | |
| | f) | recorded music (if ticking yes, fill in box F) | |
| | g) | performances of dance (if ticking yes, fill in box G) | |
| | h) | anything of a similar description to that falling within (e), (if ticking yes, fill in box H) | (f) or (g) |
| | Pro | vision of late night refreshment (if ticking yes, fill in bo | x I) |
| | Sup | oply of alcohol (if ticking yes, fill in box J) | |
| I | n all | cases complete boxes K, L and M | |

| Plays Standard days and timings (please read | | | Will the performance of a play take place indoors or outdoors or both – please tick (please read guidance | Indoors | |
|----------------------------------------------|------------|--------|------------------------------------------------------------------------------------------------------------------|---------------|-----|
| | nce note 8 | | note 4) | Outdoors | |
| Day | Start | Finish | | Both | |
| Mon | | | Please give further details here (pleas note 5) | e read guida | nce |
| Tue | | | | | |
| Wed | | | State any seasonal variations for perf (please read guidance note 6) | orming play | 'S |
| Thur | | | | | |
| Fri | | | Non-standard timings. Where you into premises for the performance of play times to those listed in the column or | s at differen | |
| Sat | | | please list (please read guidance note | 7) | |
| Sun | | | | | |

| Films Standard days and timings (please read | | | Will the exhibition of films take place indoors or outdoors or both – please tick (please read guidance | Indoors | |
|----------------------------------------------|------------|--------|---------------------------------------------------------------------------------------------------------------------|---------------|-----|
| | nce note 8 | | note 4) | Outdoors | |
| Day | Start | Finish | | Both | |
| Mon | | | Please give further details here (pleas note 5) | e read guida | nce |
| Tue | | | | | |
| Wed | | | State any seasonal variations for the films (please read guidance note 6) | exhibition o | f |
| Thur | | | | | |
| Fri | | | Non-standard timings. Where you int premises for the exhibition of films at to those listed in the column on the le | different tir | nes |
| Sat | | | (please read guidance note 7) | | |
| Sun | | | | | |

| Indoor sporting events Standard days and timings (please read guidance note 8) | | and read | Please give further details (please read guidance note 5) |
|--------------------------------------------------------------------------------|-------|-------------|-----------------------------------------------------------------------------------------------------------------------------------------------------|
| Day | Start | Finish | |
| Mon | | | |
| Tue | | | State any seasonal variations for indoor sporting events (please read guidance note 6) |
| Wed | | | |
| Thur | | | Non-standard timings. Where you intend to use the premises for indoor sporting events at different times to those listed in the column on the left, |
| Fri | | | please list (please read guidance note 7) |
| Sat | | | |
| Sun | | | |

| Boxing or wrestling entertainments Standard days and | | 5 | Will the boxing or wrestling entertainment take place indoors or outdoors or both – please tick | Indoors | |
|------------------------------------------------------|-------------------------|--------|--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|--------------|------|
| timing | s (please nce note 8 | read | (please read guidance note 4) | Outdoors | |
| Day | Start | Finish | | Both | |
| Mon | | | Please give further details here (pleas note 5) | e read guida | nce |
| Tue | | | | | |
| Wed | | | State any seasonal variations for box wrestling entertainment (please read of | _ | e 6) |
| Thur | | | | | |
| Fri | | | Non-standard timings. Where you int premises for boxing or wrestling ented different times to those listed in the company of t | ertainment a | t |
| Sat | | | left, please list (please read guidance r | note 7) | |
| Sun | | | | | |

| Live music Standard days and timings (please read | | | Will the performance of live music take place indoors or outdoors or both – please tick (please read | Indoors | |
|----------------------------------------------------------------|------------|--------|--------------------------------------------------------------------------------------------------------------------|--------------|------|
| | nce note 8 | | guidance note 4) | Outdoors | |
| Day | Start | Finish | | Both | |
| Mon | | | Please give further details here (pleas note 5) | e read guida | nce |
| Tue | | | | | |
| Wed | | | State any seasonal variations for the live music (please read guidance note 6 | • | e of |
| Thur | | | | | |
| Fri | | | Non-standard timings. Where you into premises for the performance of live different times to those listed in the c | music at | |
| Sat | | | left, please list (please read guidance r | note 7) | |
| Sun | | | | | |

| Recorded music Standard days and timings (please read | | and | Will the playing of recorded music take place indoors or outdoors or both – please tick (please read | Indoors | |
|-------------------------------------------------------------|----------|--------|-------------------------------------------------------------------------------------------------------------------|--------------|-----|
| | nce note | | guidance note 4) | Outdoors | |
| Day | Start | Finish | | Both | |
| Mon | | | Please give further details here (pleas note 5) | e read guida | nce |
| Tue | | | | | |
| Wed | | | State any seasonal variations for the recorded music (please read guidance | | |
| Thur | | | | | |
| Fri | | | Non-standard timings. Where you int premises for the playing of recorded different times to those listed in the c | music at | |
| Sat | | | left, please list (please read guidance r | note 7) | |
| Sun | | | | | |

| dance | andard days and | | Will the performance of dance take place indoors or outdoors or both – please tick (please read guidance | Indoors | |
|--------|-------------------------|--------|-------------------------------------------------------------------------------------------------------------------|-----------------------------|------|
| timing | s (please nce note 8 | read | note 4) | Outdoors | |
| Day | Start | Finish | | Both | |
| Mon | | | Please give further details here (pleas note 5) | e read guida | nce |
| Tue | | | | | |
| Wed | | | State any seasonal variations for the dance (please read guidance note 6) | performance | e of |
| Thur | | | | | |
| Fri | | | Non-standard timings. Where you into premises for the performance of dance times to those listed in the column on | ce at differer the left, | |
| Sat | | | please list (please read guidance note 7 | 7) | |
| Sun | | | | | |

| Anything of a similar description to that falling within (e), (f) or (g) Standard days and timings (please read guidance note 8) | | | Please give a description of the type of entertainment you will be providing | of | |
|----------------------------------------------------------------------------------------------------------------------------------|-------|--------|---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-------------------------------------|-----|
| Day | Start | Finish | indoors or outdoors or both - | Indoors | |
| Mon | | | please tick (please read guidance | Outdoors | |
| | | | note 4) | Both | |
| Tue | | | Please give further details here (pleas note 5) | e read guida | nce |
| Wed | | | | | |
| Thur | | | State any seasonal variations for entersimilar description to that falling with (please read guidance note 6) | | |
| Fri | | | | | |
| Sat | | | Non-standard timings. Where you int premises for the entertainment of a si description to that falling within (e), (f different times to those listed in the cleft, please list (please read guidance n | milar) or (g) at olumn on th | |
| Sun | | | | | |

| refres | Late night refreshment Standard days and | | Will the provision of late night refreshment take place indoors or outdoors or both – please tick | Indoors | |
|--------|------------------------------------------------|--------|-------------------------------------------------------------------------------------------------------------------------|--------------|-----|
| timing | s (please | read | (please read guidance note 4) | Outdoors | |
| Day | Start | Finish | | Both | |
| Mon | | | Please give further details here (pleas note 5) | e read guida | nce |
| Tue | | | | | |
| Wed | | | State any seasonal variations for the late night refreshment (please read gu | • | |
| Thur | | | | | |
| Fri | | | Non-standard timings. Where you int premises for the provision of late night at different times, to those listed in the | ht refreshme | ent |
| Sat | | | the left, please list (please read guidan | ce note 7) | |
| Sun | | | | | |

| Supply of alcohol Standard days and timings (please read | | and | Will the supply of alcohol be for consumption – please tick (please read guidance note 9) | On the premises | |
|----------------------------------------------------------------|-----------------------|--------|-----------------------------------------------------------------------------------------------------------------------|---------------------------------|-----|
| | s (please nce note | | read guidance note 9) | Off the premises | |
| Day | Start | Finish | | Both | |
| Mon | | | State any seasonal variations for the alcohol (please read guidance note 6) | supply of | |
| Tue | | | | | |
| Wed | | | | | |
| Thur | 12:00 | 00:00 | Non-standard timings. Where you into premises for the supply of alcohol at to those listed in the column on the le | different tim | nes |
| Fri | 12:00 | 00:00 | (please read guidance note 7) On Sundays that are either Bank Holidays, or proceed a Bank Holiday Monday, we would in | immediately atend to use the | |
| Sat | 12:00 | 00:00 | premises for the supply of alcohol from 12:00 | til 00:00 | |
| Sun | | | | | |

| Please highlight any adult entertainment or services, activities, other entertainment or matters ancillary to the use of the premises that may give rise to concern in respect of children (please read guidance note 10). | | | | |
|----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|--|--|--|--|
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L

| open Stand timing | s premis to the pu ard days as (please nce note | u blic and read | State any seasonal variations (please read guidance note 6) |
|-------------------------|-------------------------------------------------------------|------------------------------|--------------------------------------------------------------------------------------------------------------------|
| Day | Start | Finish | |
| Mon | | | |
| | | | |
| Tue | | | |
| | | | |
| Wed | | | |
| | | | Non-standard timings. Where you intend the |
| Thur | 07:00 | 00:30 | premises to be open to the public at different times from those listed in the column on the left, please |
| | | | list (please read guidance note 7) |
| Fri | 07:00 | 00:30 | On Sundays that are either Bank Holidays, or immediately proceed a Bank Holiday Monday, we would intend to use the |
| | | | premises to be open to the public until 00:30 |
| Sat | 07:00 | 00:30 | |
| | | | 1 |
| Sun | | | |
| | | | 1 |
| | | | |

| Please identify those conditions currently imposed on the licence which you believe could be removed as a consequence of the proposed variation you are seeking. | | | | |
|------------------------------------------------------------------------------------------------------------------------------------------------------------------|---|--|--|--|
| | | | | |
| Please tick as appropriate | е | | | |
| I have enclosed the premises licence | | | | |
| I have enclosed the relevant part of the premises licence | | | | |
| If you have not ticked one of these boxes, please fill in reasons for not including the licence or part of it below | | | | |
| Reasons why I have not enclosed the premises licence or relevant part of premises licence. | | | | |
| | | | | |
| | | | | |
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M Describe any additional steps you intend to take to promote the four licensing objectives as a result of the proposed variation: a) General – all four licensing objectives (b, c, d and e) (please read guidance note 11) All risk assessments will be revisited and updated where necessary. All staff will be re trained in operational procedures, policies, and legal requirements. b) The prevention of crime and disorder We will continue to enforce all legal requirements, policies, and licence conditions c) Public safety We will continue doing everything required for health and safety and fire safety d) The prevention of public nuisance We will continue to enforce all relevant policies, legal requirements, and license conditions

| e) The protection of children from harm | | | | | | | |
|----------------------------------------------|----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-------------|--|--|--|--|--|
| | ariation should have no impact on this, as we will have no children in or nea | ar | | | | | |
| | | | | | | | |
| Checklist: | | | | | | | |
| | Please tick to indicate agreem | nent | | | | | |
| I have no | ade or enclosed payment of the fee; or of the made or enclosed payment of the fee because this application made in relation to the introduction of the late night levy. | | | | | | |
| | ent copies of this application and the plan to responsible es and others where applicable. | | | | | | |
| I understa | and that I must now advertise my application. | | | | | | |
| I have en | closed the premises licence or relevant part of it or explanation. | \boxtimes | | | | | |
| | I understand that if I do not comply with the above requirements my application will be rejected. | | | | | | |
| APPLICATION SUMMARY CO Part 5 – Signat | SE STATEMENT IN OR IN CONNECTION WITH THIS I. THOSE WHO MAKE A FALSE STATEMENT MAY BE LIABLE ONVICTION TO A FINE OF ANY AMOUNT. tures (please read guidance note 12) | ≣ ON | | | | | |
| solicitor or oth | pplicant (the current premises licence holder) or applicant's her duly authorised agent (please read guidance note 13). If half of the applicant, please state in what capacity. | | | | | | |
| Signature | | | | | | | |
| Date | 23/06/2023 | | | | | | |
| Capacity | Current Premises Licence Holder | | | | | | |
| current premis | mises licence is jointly held, signature of 2nd applicant (the ses licence holder) or 2nd applicant's solicitor or other ent (please read guidance note 14). If signing on behalf of the ase state in what capacity. | | | | | | |
| Signature | | | | | | | |
| Date | | | | | | | |
| Capacity | | | | | | | |

| | ame (where not previously given) and add d with this application (please read guidand | | rrespondence | | |
|-----------------------------------------------------------------------------------------|------------------------------------------------------------------------------------------|-----------|--------------|--|--|
| Post town | | Post code | | | |
| Telephone any) | number (if | | | | |
| If you would prefer us to correspond with you by e-mail, your e-mail address (optional) | | | | | |

Notes for Guidance

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

- 1. You do not have to pay a fee if the only purpose of the variation for which you are applying is to avoid becoming liable for the late night levy
- 2. Describe the premises. For example, the type of premises, its general situation and layout and any other information which could be relevant to the licensing objectives. Where your application includes off-supplies of alcohol and you intend to provide a place of consumption of these off-supplies of alcohol, you must include a description of where the place will be and its proximity to the premises.
- 3. In terms of specific regulated entertainments please note that:
 - Plays: no licence is required for performances between 08.00 and 23.00 on any day, provided that the audience does not exceed 500.
 - Films: no licence is required for 'not-for-profit' film exhibition held in community premises between 08.00 and 23.00 on any day provided that the audience does not exceed 500 and the organiser (a) gets consent to the screening from a person who is responsible for the premises; and (b) ensures that each such screening abides by age classification ratings.
 - Indoor sporting events: no licence is required for performances between 08.00 and 23.00 on any day, provided that the audience does not exceed 1000.
 - Boxing or Wrestling Entertainment: no licence is required for a contest, exhibition or display of Greco-Roman wrestling, or freestyle wrestling between 08.00 and 23.00 on any day, provided that the audience does not exceed 1000. Combined fighting sports defined as a contest, exhibition or display which combines boxing or wrestling with one or more martial arts are licensable as a boxing or wrestling entertainment rather than an indoor sporting event.
 - Live music: no licence permission is required for:



APPENDIX B1

Plonk Golf Late Licensing

1 message

26 July 2023 at 14:16

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

Dear Licensing Team,

I am writing to strongly oppose the application for a late license for the premises below. The property backs onto a residential street (Mentmore Terrace and Martello Terrace) and whilst the impact of sound (amplified noise and sound of customers coming and going echoing in the surrounding streets) has been tolerated by residents within normal pub hours, any extension to these hours will have a detrimental impact on our quality of sleep and life in general. I realise I am one day past the application deadline but I ask you to make an exception in this circumstance.

Many thanks

(Resident of Ellingfort Road)

| Plonk Golf | London | Mr Scott | Application for variation of premises to | 25/07/2023 |
|------------------|---------------|----------|------------------------------------------|------------|
| Arch 407 | <u>Fields</u> | | extend supply of alcohol hours till | |
| Mentmore Terrace | | | 00:00 Thur to Sat. | |
| London | | | | |
| E8 3PH | | | | |





APPENDIX B2

objection - plonk variation to licence

1 message

15 August 2023 at 07:59

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

Dear Licensing

Please find attached our objection to the above.

We would also like to raise a formal complaint in regards to Plonk as they are in breach of their licensing conditions as outlined in this objection.

This includes:

- failure to fulfil the requirement that people pre-book a two hour slot
- offering take away alcohol
- allowing more than four people outside after 10pm
- irresponsible drinks promotions

Many thanks





Objection: extension of hours – Plonk Golf licence Variation

We are objecting to the application to extend the Licensed Hours at the above premises. This is because:

- to do so would be contrary to the agreed operational model that forms part of the original licence;
- the operators are already in breach of their existing licence in numerous regards and as such do not demonstrate a willingness to comply with the Licensing Objectives
- a later licence will contribute to local noise and nuisance
- 1) The premises in question was originally a light industrial unit and we objected at the time to the granting of a premises licence at a time when no change of use was granted.

We argued that the location of the building and the lack of soundproofing in the rear yard – now a crazy golf course – would impact on local residents.

Despite this a licence was granted though with a number of conditions.

The applicants made a number of assertions about the nature of their offering but it is evident from multiple sources that the presentation to the Licensing Sub-committee and the reality of their mode of operation are radically different.

As such rather than considering extending the Licence, the sub-Committee should instead require enforcement of existing conditions which are currently being breached.

2a) It is noted in the record from the Licensing Sub-committee "The Applicant stated in their representations that the premises is not a bar. The alcohol is ancillary to golf and gaming."

At present the last booking for Golf outside is 9pm and the outside area is closed at 10pm.

The conditions also state "All customers shall book a two (2) hour session/slot before they commence using the mini golf and arcade/ gaming facilities on the premises."

As such with Golf bookings closing at 9pm there is no reason for a later licence unless it is the desire and intention to encourage people to stay for a further two hours on site drinking alcohol. This would clearly be contrary to the proposed model of the bar being ancillary.

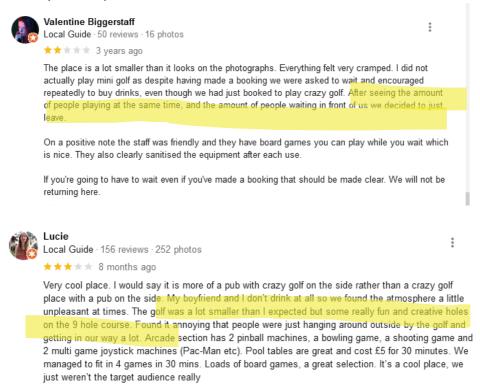
Despite this requirement there is no facility on the website to book a session for golf or gaming. There is facility to book for golf. There is a facility to book for pool. But you cannot book via the website for the arcade. This would rather suggest that the requirement in the condition that people book this is neither enforced nor enforceable.

We were always concerned that the applicants argument that this was primarily a golf provision with an ancillary bar was spurious and they clearly have no intention of adhering to the requirements that the Licensing Sub-committee put in place to ensure that they stuck to the operational model that the bar was ancillary.

Further we note that the Maximum capacity including the Golf Course is 67 people. But once the

outside area is closed the maximum capacity after 10pm is for 47 people.

2b) Reviews on Google and elsewhere make it clear that a number of patrons see the golf as secondary to the operation of a bar:



2c) Although the Conditions state "All customers shall book a two (2) hour session/slot before they commence using the mini golf and arcade/ gaming facilities on the premises," this isn't actively enforced and the management encourage both walk-ins and non-playing drinkers.

Indeed there is currently no option via their website to book a slot for arcade/gaming.

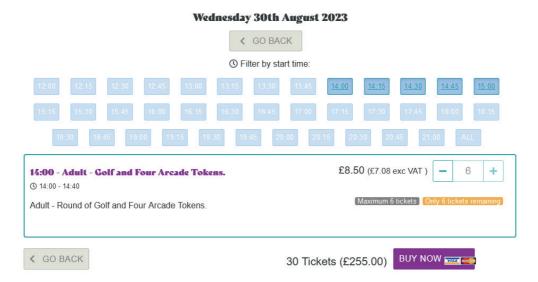
The Website booking doesn't book a two hour slot – only a 90 minute slot. So every booking is in breach of this licence requirement to book a two hour slot.



Capacity:

Although the capacity outside is for maximum 20 people they booking system allows more than this to be booked in within an hour time slot.

To illustrate I booked in 30 people to be on site playing golf to arrive between 2 and 3pm – clearly going over capacity.

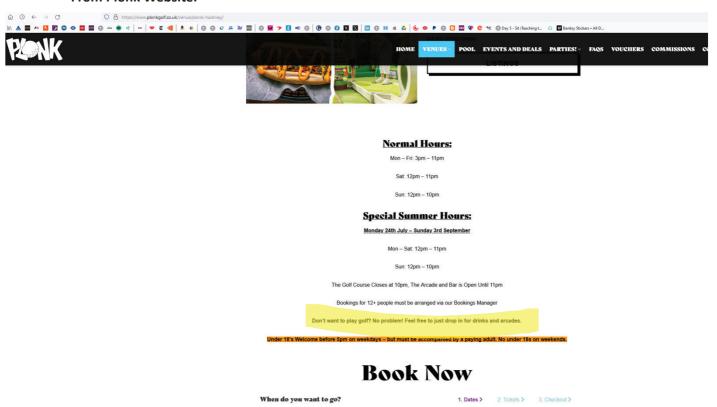


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This from their FAQs:



From Plonk Website:



The signage at the front door also encourages people to drop in without a booking



Since then the management have added pool tables allowing booking for only 30 minutes:



HOW TO ROOK

You can book slots on our pool tables using the calendar below. The slots are 30 minutes long, so book multiple slots if you want to have more time. We always leave 1 table available for people to walk up and play.

And again stress that you don't need to book anything - you can just walk in and drink...

Don't want to play pool? No problem! Feel free to just drop in for drinks and arcades.

In practice there is no mechanism for booking for arcades and this provision doesn't exist. As such the applicants have made no effort to meet the existing conditions and are in breach.

It is clear from the above that the Management are not meeting the agreed conditions which were introduced to address the following concerns

"There were concerns that the outside area was not fit for purpose, and there were concerns about customers queuing, and being encouraged to buy alcohol while they waited. The applicant agreed to a two hour booking condition to prevent walk-in customers using the bar only. It is expected that after the two hour booking slot customers will leave the premises."

If this were indeed the case why do they feel the need to have an extension? With the last golf booking at 9pm and the rear closing at 10pm then the last booked customer would be leaving at 11pm wouldn't they!

Outside space not licensed for alcohol consumption:

There shouldn't be any drinking our here as it doesn't form part of their licensed space. In practice the outside space is being used as a drinking space as much as a golf space.

It's proved to be a back-door to being a beer garden – but without any proper licensing or sound proofing.



3: Condition 7.7.1 states "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."

Condition 3 states: "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."

But as the on-website promotions make clear alcohol is supplied below the permitted price – through prizes such as promotions below.

WEDNESDAYS TOURNAMENTS

ALL VENUES - 7pm - Close

Free to enter with any Golf and Tokens / Golf ticket per person playing.

Where pubs do quizzes, we do tournaments! Bring your people and battle against each other across our pillars of gaming – Crazy Golf, Pinball, Foosball, Arcades and Jenga.

Follow us and share your scores and the winner of every group gets a cocktail on us!!

BOOK POOL

MONTHLY DOUBLES TOURNAMENT

On the last Wednesday of every month we host our riotous and always sellout Doubles pool tournament. With over £200 in bar tabs, medals, cases of beer and Tees up for grabs its all toplay for... so grab a mate with the best aim and head on down!

Only 12 slots per month are available so book quick!!

BOOK POOL TOURNAMENTS

This PDF reveals the further lack of regard the operators have for the conditions that they agreed with the Licensing Sub-Committee

https://www.plonkgolf.co.uk/wp-content/uploads/2021/09/PLONK-LONDON-FIELDS-VENUE-PACK.pdf

- Breaches condition related to background music only
- Breaches maximum capacity
- Has "bottomless bar" promoting irresponsible drinking



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The operators have shown disregard for this condition as this (illegal) advertising sign shows. date 8.8.23







Worryingly in January 2021 they were offering drinks by phone, a breach of their "no off sales" rule and making it impossible to deliver the "challenge 25" requirement.

5: other breaches





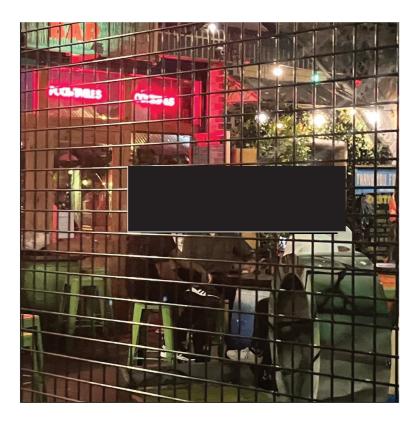
The venue continues to obstruct fire doors:

We have observed customers drinking outside the premises.



Condition 15 states only four smokers outside after 10pm

Despite this we have observed more than four people in the outside area (drinking not smoking) in this example at 22:15 on the 11.8.23.



Condition 14:

14. Notices will be prominently displayed by the entry/ exit door and servery (as appropriate) advising customers about premises rules:

- No such notice visible

Sound nuisance:

"The applicant stated they are planning to invest in soundproofing to prevent any noise nuisance." There is no evidence of sound-proofing on the rear terrace/golf area to reduce noise nuisance.

No drinking while playing golf:

"The applicant confirmed that customers would not be able to consume alcohol and play golf at the same time."

This rule is broken constantly as demonstrated by numerous images on social media and first hand observation. Most people drink and play golf at same time.





6: Transport and related ASB

By moving the closure time later in the evening this increases likelihood that patrons will have been on site drinking for 2-3 hours as they MUST have booked a slot for golf by 9pm or booked to use the arcades as per this condition. "All customers shall book a two (2) hour session/slot before they commence using the mini golf and arcade/ gaming facilities on the premises."

The risk is that they will then disperse through adjacent residential streets with attendant noise and risk of public toileting, an ongoing issue due to licensed premises here.

In conclusion we were always concerned that Plonk was granted a licence and while we were disappointed that a licence was granted we were pleased that conditions were attached.

It comes as no surprise that the applicants have totally disregarded these conditions and nothing about their behaviour suggests that they should have an extension to their operating hours.

Quite the opposite. We would ask that the Sub-committee use this opportunity to instruct officers to review the current licence and ensure that Plonk adhere to these conditions.



15.8.23



APPENDIX B3

Objection Variation to Licence - Plonk Golf.

1 message

22 August 2023 at 15:31

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

Cc: CE-Licensing@met.police.uk, kerrie.l.ryan@met.pnn.police.uk, PC Vanesa Fericean <Vanesa.Fericean@met.police.uk>, PC Katherine Moore <Katherine.Moore@met.police.uk>, "Stephen P. Harrison" <Stephen.P.Harrison@met.pnn.police.uk>

22nd August 2023

Re: Objection: Plonk Golf Variation to Licence – Extension of Hours

Arch 407 Mentmore Terrace London E8 3PH

Dear LB of Hackney Licensing,

I am writing to Object to the application to a variation to extend their licensing hours at the above premises, both as a Local resident and on behalf of members and residents including those from objections and concerns to this application with me as of the concerns to the concerns to

As a resident and in my capacities as of I fully endorse and support all the points outlined in the objections raised by on behalf of Objection.

I fully endorse and support all the points outlined in the objection on behalf of Objection.

We further believe that since the granting of the applicant's original Licence with extensive conditions, they have chosen on numerous levels to operate in breach of their existing licence in every aspect. And as such they have not demonstrated a desire or inclination to observe and Comply with the Licensing Objectives.

We feel that a later licence will only further serve to contribute to local ASB, noise and nuisance and would afford them further opportunity to continue breaching their License.

Yours Faithfully





Objection: extension of hours – Plonk Golf licence Variation

We are objecting to the application to extend the Licensed Hours at the above premises. This is because:

- to do so would be contrary to the agreed operational model that forms part of the original licence;
- the operators are already in breach of their existing licence in numerous regards and as such do not demonstrate a willingness to comply with the Licensing Objectives
- a later licence will contribute to local noise and nuisance
- 1) The premises in question was originally a light industrial unit and we objected at the time to the granting of a premises licence at a time when no change of use was granted.

We argued that the location of the building and the lack of soundproofing in the rear yard – now a crazy golf course – would impact on local residents.

Despite this a licence was granted though with a number of conditions.

The applicants made a number of assertions about the nature of their offering but it is evident from multiple sources that the presentation to the Licensing Sub-committee and the reality of their mode of operation are radically different.

As such rather than considering extending the Licence, the sub-Committee should instead require enforcement of existing conditions which are currently being breached.

2a) It is noted in the record from the Licensing Sub-committee "The Applicant stated in their representations that the premises is not a bar. The alcohol is ancillary to golf and gaming."

At present the last booking for Golf outside is 9pm and the outside area is closed at 10pm.

The conditions also state "All customers shall book a two (2) hour session/slot before they commence using the mini golf and arcade/ gaming facilities on the premises."

As such with Golf bookings closing at 9pm there is no reason for a later licence unless it is the desire and intention to encourage people to stay for a further two hours on site drinking alcohol. This would clearly be contrary to the proposed model of the bar being ancillary.

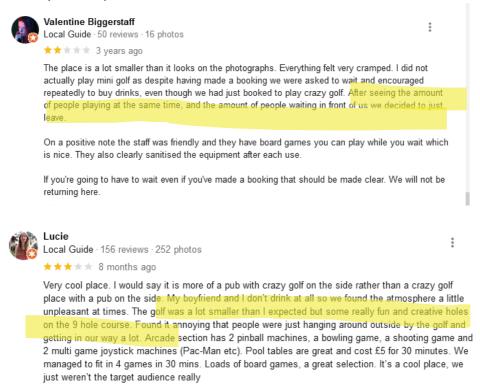
Despite this requirement there is no facility on the website to book a session for golf or gaming. There is facility to book for golf. There is a facility to book for pool. But you cannot book via the website for the arcade. This would rather suggest that the requirement in the condition that people book this is neither enforced nor enforceable.

We were always concerned that the applicants argument that this was primarily a golf provision with an ancillary bar was spurious and they clearly have no intention of adhering to the requirements that the Licensing Sub-committee put in place to ensure that they stuck to the operational model that the bar was ancillary.

Further we note that the Maximum capacity including the Golf Course is 67 people. But once the

outside area is closed the maximum capacity after 10pm is for 47 people.

2b) Reviews on Google and elsewhere make it clear that a number of patrons see the golf as secondary to the operation of a bar:



2c) Although the Conditions state "All customers shall book a two (2) hour session/slot before they commence using the mini golf and arcade/ gaming facilities on the premises," this isn't actively enforced and the management encourage both walk-ins and non-playing drinkers.

Indeed there is currently no option via their website to book a slot for arcade/gaming.

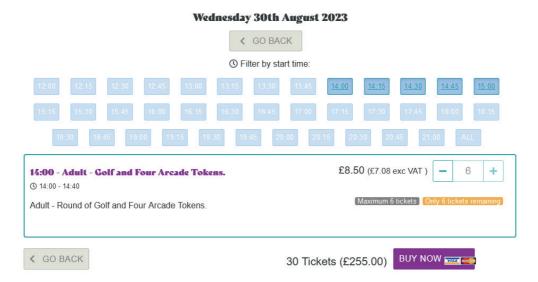
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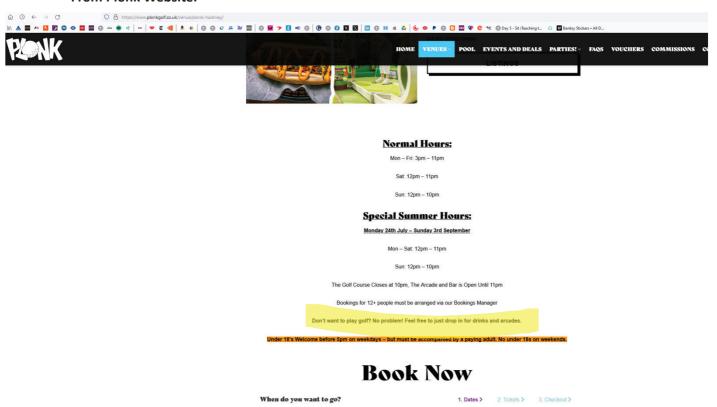


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17 likes

plonkgolf When you're hungry but you also want to play 🚱

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15.8.23

APPENDIX C



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

Premises licence number 109311

Part 1 - Premises Details

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

Plonk Golf Railway Arch, 407 Mentmore Terrace

Post townLondonPostcodeE8 3PH

Telephone number

Where the licence is time limited the dates

Not applicable

Licensable activities authorised by the licence

Supply of Alcohol

The times the licence authorises the carrying out of licensable activities

Supply of Alcohol Standard Hours:

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

The opening hours of the premises

Standard Hours:

Mon 07:00-23:30 Tue 07:00-23:30 Wed 07:00-23:30 Thu 07:00-23:30 Fri 07:00-23:30 Sat 07:00-23:30 Sun 07:00-23:30

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

On Premises

Part 2

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

Mr Elliot Scott 268 Kingsland Road London E8 4BH

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

N/A

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



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

Personal licence number:



Issuing Authority:

Date of grant: 10 November 2020



Gerry McCarthy

Head of Community Safety, Enforcement and Business Regulation

Document re-issued: 11/05/2023

Annex 1 - Mandatory Conditions

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

- 5.3. The policy must require individuals who appear to the responsible person to be under 18 years if age (or such older age as may be specified in the policy) to produce on request, before being served alcohol, identification bearing their photograph, date of birth and either:-
- A. a holographic mark or
- B. an ultraviolet feature.
- 6. The responsible person shall ensure that:
- a) where any of the following alcoholic drinks is sold or supplied for consumption on the premises (other than alcoholic drinks sold or supplied having been made up in advance ready for sale or supply in a securely closed container) it is available to customers in the following measures:
- beer or cider:1/2 pint;
- gin, rum, vodka or whisky: 25ml or 35ml; and
- still wine in a glass: 125ml; and
- a. these measures are displayed in a menu, price list or other printed material which is available to customers on the premises; and
- b. where a customer does not in relation to a sale of alcohol specify the quantity of alcohol to be sold, the customer is made aware that these measures are available.

Minimum Drinks Pricing

- 7. 7.1 A relevant person shall ensure that no alcohol is sold or supplied for consumption on or off the premises for a price which is less than the permitted price.
- 7.2 For the purposes of the condition set out in paragraph 7.1 above -
- (a) "duty" is to be construed in accordance with the Alcoholic Liquor Duties Act 1979;
- (b) "permitted price" is the price found by applying the formula P = D+(DxV) Where -
- (i) P is the permitted price,
- (ii) D is the amount of duty chargeable in relation to the alcohol as if the duty were charged on the date of the sale or supply of the alcohol, and
- (iii) V is the rate of value added tax chargeable in relation to the alcohol as if the value added tax were charged on the date of the sale or supply of the alcohol;
- (c) "relevant person" means, in relation to premises in respect of which there is in force a premises licence -
- (i) the holder of the premises licence,
- (ii) the designated premises supervisor (if any) in respect of such a licence, or
- (iii) the personal licence holder who makes or authorises a supply of alcohol under such a licence;
- (d) "relevant person" means, in relation to premises in respect of which there is in force a club premises certificate, any member or officer of the club

present on the premises in a capacity which enables the member or officer to prevent the supply in question; and

- (e) "value added tax" means value added tax charged in accordance with the Value Added Tax Act 1994.
- 7.3 Where the permitted price given by Paragraph 8.2(b) above would (apart from this paragraph) not be a whole number of pennies, the price given by that sub-paragraph shall be taken to be the price actually given by that sub- paragraph rounded up to the nearest penny.
- 7.4 (1) Sub-paragraph 7.4(2) below applies where the permitted price given by Paragraph 7.2(b) above on a day ("the first day") would be different from the permitted price on the next day ("the second day") as a result of a change to the rate of duty or value added tax.
- (2) The permitted price which would apply on the first day applies to sales or supplies of alcohol which take place before the expiry of the period of 14 days beginning on the second day.

Door Supervisor

8. 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

- 9. Staff shall direct customers to a nearby cab office or call a cab for customers on request.
- 10. No child or young person under 18 will be permitted to be on the premises after 19:00.

Conditions derived from Responsible Authority representations

- 11. The premises shall install and maintain a comprehensive CCTV system as per the minimum requirements of a Metropolitan Police Crime Prevention Officer. All public areas and each entry and exit points will be covered enabling frontal identification of every person entering in any light condition. The CCTV system shall continually record whilst the premises is open for licensable activities and during all times when customers remain on the premises. All recordings shall be stored for a minimum period of 31 days with date and time stamping. Recordings shall be made available immediately upon the request of a Police or authorised officer.
- 12. There shall be a staff member from the premises who is conversant with the operation of the CCTV system on the premises at all times when the premises are open to the public. This staff member must be able to show a Police or authorised council officer recent data or footage when requested.
- 13. No bottles, glasses or drinks will be permitted to be taken beyond the terrace at any time.
- 14.After 22:00 hours the use of the outside terrace shall cease and be closed to customers, and only a maximum of four (4) smokers at any one time will be permitted on the outside terrace after that time. Staff shall monitor customers and their conduct by use of the CCTV and physically"
- 15.Notices will be prominently displayed by the entry/ exit door and servery (as appropriate) advising customers:
- a) That CCTV & Challenge 25 are in operation;
- b) Of the provisions of the Licensing Act regarding underage & proxy sales;
- c) Of the permitted & opening times of the premises;
- d) Of the opening & closing times of the outside terrace area;
- e) That no bottles, glasses or drinks will be permitted to be taken beyond the terrace at any time.
- f) To respect residents, leave quietly and not to loiter outside;
- g) Advising that the premises has a zero tolerance to illegal drugs & weapons;
- h) That a maximum of 4 smokers will be allowed outside on the terrace after 22.00.
- 16.A minimum of 2 staff shall be on duty in the premises at any time.

- 17.SIA door supervisors shall be employed on an operational risk assessment basis whenever licensable activity is taking place. 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 times they commence and conclude working. If the door supervisor is 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 other authorised officer upon request
- 18.No persons shall be permitted to leave the premises with opened containers containing alcohol.
- 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 a 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.
- g) Any refusal of the sale of alcohol.
- h) Any visit by a relevant authority or emergency service.
- i) Any refusal of sales
- 21.Premises to operate zero tolerance policy to drugs and comply with Hackney Police Drugs and Weapons policy where appropriate.
- 22.All instances of crime and disorder witnessed or brought to the attention of staff to be reported by the Designated Premises Supervisor or responsible member of staff to the police
- 23.All staff shall receive training on the legislation relating to the sales of alcohol to underage persons and drunken persons and shall have refresher training every 12 months. There shall be written records of such training which will be kept on the premises and produced to a police officer or other authorised officer upon request.
- 24. The premises licence holder or designated premises supervisor to ensure that all management and staff who are not personal licence holders be fully trained and briefed on the four licensing objectives and challenge 25.

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

26. All sales of alcohol shall only be to those who are using the mini golf and arcade/gaming facilities

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

- 27.All licensable activity will cease 30 minutes before the premises closes each Day.
- 28. No off sales of alcohol are permitted.
- 29. There shall be a written dispersal policy, a copy of which shall be kept on the premises and made available to a police or other authorised officer upon Request.
- 30. All customers shall book a two (2) hour session/slot before they commence using the mini golf and arcade/ gaming facilities on the premises.
- 31. Only background music will be played at the premises at any time.
- 32. The capacity of the premises shall be limited as follows (excluding staff), on the premises at any time:
- Golf area 20 persons
- Bar seated area 30 persons
- Archade area 17 persons
- Total capacity 67 persons (excluding staff)

Annex 4 - Plans PLAN/109311/10112020

