

<b>For Consideration By</b>	Licensing Sub-Committee
<b>Meeting Date</b>	14 February 2024
<b>Type of Application</b>	Variation to a Premises Licence
<b>Address of Premises</b>	Dolphin, 165 Mare Street, Hackney, E8 3RH
<b>Classification</b>	Decision
<b>Ward(s) Affected</b>	London Fields
<b>Group Director</b>	Rickardo Hyatt

1. **Summary**

1.1. This is an application to vary a premises licence to extend the hours for regulated entertainment and supply of alcohol for consumption on the premises on Monday to Sunday.

2. **Application**

2.1. Ms Nuvit Yildiz and Mr Atique Islam Choudhury have made an application to vary a premises licence under section 34 of the Licensing Act 2003.

2.2. The applicant is seeking variation to extend the hours for the following activities , as follows:-

<b>Indoor Sporting Events</b>	<b>Standard Hours:</b> Mon 11:00-01:00 Tue 11:00-01:00 Wed 11:00-01:00 Thu 11:00-02:00 Fri 11:00-02:00 Sat 11:00-02:00 Sun 11:00-01:00
<b>Live Music</b>	<b>Standard Hours:</b> Mon 11:00-01:00 Tue 11:00-01:00 Wed 11:00-01:00 Thu 11:00-02:00 Fri 11:00-02:00 Sat 11:00-02:00 Sun 11:00-01:00
<b>Recorded Music</b>	<b>Standard Hours:</b> Mon 11:00-01:00 Tue 11:00-01:00

	Wed 11:00-01:00 Thu 11:00-02:00 Fri 11:00-02:00 Sat 11:00-02:00 Sun 11:00-01:00
<b>Performances of Dance</b>	<b>Standard Hours:</b> Mon 11:00-01:00 Tue 11:00-01:00 Wed 11:00-01:00 Thu 11:00-02:00 Fri 11:00-02:00 Sat 11:00-02:00 Sun 11:00-01:00
<b>Anything of a similar description</b>	<b>Standard Hours:</b> Mon 11:00-01:00 Tue 11:00-01:00 Wed 11:00-01:00 Thu 11:00-02:00 Fri 11:00-02:00 Sat 11:00-02:00 Sun 11:00-01:00
<b>Supply of Alcohol On Premises</b>	<b>Standard Hours:</b> Mon 11:00-00:30 Tue 11:00-00:30 Wed 11:00-00:30 Thu 11:00-02:30 Fri 11:00-02:30 Sat 11:00-02:30 Sun 11:00-00:30
<b>The opening hours of the premises</b>	<b>Standard Hours:</b> Mon 11:00-01:00 Tue 11:00-01:00 Wed 11:00-01:00 Thu 11:00-03:00 Fri 11:00-03:00 Sat 11:00-03:00 Sun 11:00-01:00

2.3. The application is attached as Appendix A.

3. **Current Status/History**

3.1. The Dolphin has been in possession of a premises licence since 24th November 2005. The Metropolitan Police Authority submitted an expedited review application. At a meeting on 15th October 2021 to consider interim steps, a decision was made to suspend the premises licence pending the full review. At the full review hearing on 11th November 2021, the Licensing Sub-Committee decided to maintain the interim steps and revoke the premises licence.

3.2. Mrs Nuvit Yildiz subsequently appealed against the decision to the Magistrate's on 30th November 2021. Following a series of court hearings, the Magistrates decided (with an agreement from all parties) to dispose of the matter and remit the case back to the Licensing Sub-Committee. At the hearing the Licensing Sub-Committee approved for the core hours. The applicant appealed against the decision and it was agreed through consent order to amend condition 14 and additional condition 42. An application to transfer a premises licence was received in October 2023 to add Mr Atique Islam Choudhury to the premises licence. The current licence is attached as **Appendix D**.

3.2. No Temporary Event Notices were submitted for the premises in 2024.

4. **Representations: Responsible Authorities**

<b>From</b>	<b>Details</b>
Environmental Health Authority (Environmental Protection)	No representation received
Environmental Health authority (Environmental Enforcement)	No representation received
Environmental Health Authority (Health & Safety)	No representation received
Weights and Measures (Trading Standards)	No representation received
Planning Authority	No representation received
Area Child Protection Officer	No representation received
Fire Authority	No representation received
Police <b>Appendix B</b>	Representation on the ground of the Prevention of Crime and Disorder, and The Prevention of Public Nuisance
Licensing Authority	No representation received
Health Authority	No representation received

5. **Representations: Other Persons**

<b>From</b>	<b>Details</b>
Representation received from and on behalf of local residents. <b>(Appendix C)</b>	Representation received on the grounds of The Prevention of Crime and Disorder, Public Safety and Prevention of Public Nuisance

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) 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. Not Applicable

10. **Legal Comments**

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

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

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

## 11. Human Rights Act 1998 Implications

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

## 12. Members Decision Making

### 12.1. Option 1

**That the application be refused**

### 12.2. Option 2

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

## 13. Conclusion

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

### Appendices:

Appendix A: Application for a premises licence and supporting documents  
Appendix B: Representations from Responsible Authorities  
Appendix C: Representations from Other Persons  
Appendix D: Current Licence  
Appendix E: Location map

### Background documents

Licensing Act 2003  
LBH Statement of Licensing Policy

<b>Report Author</b>	Name: Sanaria Hussain Title: Senior Licensing Officer Email: sanaria.hussain@hackney.gov.uk Tel: 02083562431
<b>Comments for the Group Director of Finance and Corporate Resources prepared by</b>	Name Title Email

	Tel
<b>Comments for the Director of Legal, Democratic and Electoral Services prepared by</b>	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** Ms Nuvit Yildiz and Mr Atique Islam Choudhury

*(Insert name(s) of applicant)*

**being the premises licence holder, apply to vary a premises licence under section 34 of the Licensing Act 2003 for the premises described in Part 1 below**

**Premises licence number**

LBH-PRE-T-0669

**Part 1 – Premises Details**

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

Dolphin  
165 Mare Street  
Hackney

Post town

London

Postcode

E8 3RH

Telephone number at premises (if any)

Non-domestic rateable value of premises

£17

**Part 2 – Applicant details**

Daytime contact telephone number

E-mail address (optional)

Current postal address if different from premises address

5 Brooklyn Avenue

Post town	Loughton	Postcode	IG10 1BJ
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### Part 3 – Variation

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

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

DD	MM	YYYY
<input type="text"/>	<input type="text"/>	<input type="text"/>

Do you want the proposed variation to have effect in relation to the introduction of the late night levy? (Please see guidance note 1)  Yes  No

<p><b>Please describe briefly the nature of the proposed variation</b> (Please see guidance note 2)</p> <p>In order to extend the hours of licensable activities as:</p> <p>Indoor Sporting Events – Live Music – Recorded Music – Other Entertainment Similar to Live or Recorded Music or Dance Performance Sunday to Wednesday from 11:00 to 01:00 Thursday to Saturday from 11:00 to 02:00</p> <p>Supply of Alcohol consumption ON the premises Sunday to Wednesday from 11:00 to 00:30 Thursdays to Saturday from 11:00 to 02:30</p> <p>The opening hours of the premises Sunday to Wednesday from 11:00 to 01:00 Thursdays to Saturday from 11:00 to 03:00</p>
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If your proposed variation would mean that 5,000 or more people are expected to attend the premises at any one time, please state the number expected to attend:



## Part 4 Operating Schedule

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

- | <b>Provision of regulated entertainment (Please see guidance note 3)</b>                                    | <b>Please tick all that apply</b>   |
|---|-------------------------------------|
| a) plays (if ticking yes, fill in box A)  | <input type="checkbox"/>            |
| b) films (if ticking yes, fill in box B)  | <input type="checkbox"/>            |
| c) indoor sporting events (if ticking yes, fill in box C)   | <input checked="" type="checkbox"/> |
| d) boxing or wrestling entertainment (if ticking yes, fill in box D)  | <input type="checkbox"/>            |
| e) live music (if ticking yes, fill in box E)   | <input checked="" type="checkbox"/> |
| f) recorded music (if ticking yes, fill in box F)   | <input checked="" type="checkbox"/> |
| g) performances of dance (if ticking yes, fill in box G)  | <input type="checkbox"/>            |
| h) anything of a similar description to that falling within (e), (f) or (g) (if ticking yes, fill in box H) | <input checked="" type="checkbox"/> |
| <b>Provision of late night refreshment</b> (if ticking yes, fill in box I)                                  | <input type="checkbox"/>            |
| <b>Supply of alcohol</b> (if ticking yes, fill in box J)  | <input checked="" type="checkbox"/> |

**In all cases complete boxes K, L and M**

**A**

<b>Plays</b> Standard days and timings (please read guidance note 8)			<b>Will the performance of a play take place indoors or outdoors or both – please tick</b> (please read guidance note 4)	Indoors	<input type="checkbox"/>
				Outdoors	<input type="checkbox"/>
				Both	<input type="checkbox"/>
Day	Start	Finish			
Mon			<b>Please give further details here</b> (please read guidance note 5)		
Tue			<b>State any seasonal variations for performing plays</b> (please read guidance note 6)		
Wed			<b>Non-standard timings. Where you intend to use the premises for the performance of plays at different times to those listed in the column on the left, please list</b> (please read guidance note 7)		
Thur					
Fri					
Sat					
Sun					

**B**

<b>Films</b> Standard days and timings (please read guidance note 8)			<b>Will the exhibition of films take place indoors or outdoors or both – please tick</b> (please read guidance note 4)	Indoors	<input type="checkbox"/>
				Outdoors	<input type="checkbox"/>
				Both	<input type="checkbox"/>
Day	Start	Finish	<b>Please give further details here</b> (please read guidance note 5)		
Mon					
Tue			<b>State any seasonal variations for the exhibition of films</b> (please read guidance note 6)		
Wed					
Thur			<b>Non-standard timings. Where you intend to use the premises for the exhibition of films at different times to those listed in the column on the left, please list</b> (please read guidance note 7)		
Fri					
Sat					
Sun					

**C**

<b>Indoor sporting events</b> Standard days and timings (please read guidance note 8)			<b>Please give further details</b> (please read guidance note 5) N/A
Day	Start	Finish	
Mon	11:00	01:00	<b>State any seasonal variations for indoor sporting events</b> (please read guidance note 6) N/A
Tue	11:00	01:00	
Wed	11:00	01:00	<b>Non-standard timings. Where you intend to use the premises for indoor sporting events at different times to those listed in the column on the left, please list</b> (please read guidance note 7) N/A
Thur	11:00	02:00	
Fri	11:00	02:00	
Sat	11:00	02:00	
Sun	11:00	01:00	

**D**

<b>Boxing or wrestling entertainments</b> Standard days and timings (please read guidance note 8)			<b>Will the boxing or wrestling entertainment take place indoors or outdoors or both – please tick</b> (please read guidance note 4)	Indoors	<input type="checkbox"/>
				Outdoors	<input type="checkbox"/>
				Both	<input type="checkbox"/>
Day	Start	Finish			
Mon			<b>Please give further details here</b> (please read guidance note 5)		
Tue					
Wed			<b>State any seasonal variations for boxing or wrestling entertainment</b> (please read guidance note 6)		
Thur					
Fri			<b>Non-standard timings. Where you intend to use the premises for boxing or wrestling entertainment at different times to those listed in the column on the left, please list</b> (please read guidance note 7)		
Sat					
Sun					

**E**

<b>Live music</b> Standard days and timings (please read guidance note 8)			<b>Will the performance of live music take place indoors or outdoors or both – please tick</b> (please read guidance note 4)	Indoors	<input checked="" type="checkbox"/>			
				Outdoors	<input type="checkbox"/>			
				Both	<input type="checkbox"/>			
<b>Day</b>	<b>Start</b>	<b>Finish</b>	<b>Please give further details here</b> (please read guidance note 5) N/A					
Mon	11:00	01:00						
Tue	11:00	01:00						
Wed	11:00	01:00				<b>State any seasonal variations for the performance of live music</b> (please read guidance note 6) N/A		
Thur	11:00	02:00						
Fri	11:00	02:00	<b>Non-standard timings. Where you intend to use the premises for the performance of live music at different times to those listed in the column on the left, please list</b> (please read guidance note 7) N/A					
Sat	11:00	02:00						
Sun	11:00	01:00						

**F**

<b>Recorded music</b> Standard days and timings (please read guidance note 8)			<b>Will the playing of recorded music take place indoors or outdoors or both – please tick</b> (please read guidance note 4)	Indoors	<input checked="" type="checkbox"/>
				Outdoors	<input type="checkbox"/>
				Both	<input type="checkbox"/>
<b>Day</b>	<b>Start</b>	<b>Finish</b>	<b>Please give further details here</b> (please read guidance note 5) N/A		
Mon	11:00	01:00			
			<b>State any seasonal variations for the playing of recorded music</b> (please read guidance note 6) N/A		
Tue	11:00	01:00			
			<b>Non-standard timings. Where you intend to use the premises for the playing of recorded music at different times to those listed in the column on the left, please list</b> (please read guidance note 7) N/A		
Wed	11:00	01:00			
Thur	11:00	02:00			
Fri	11:00	02:00			
Sat	11:00	02:00			
Sun	11:00	01:00			

**G**

<b>Performances of dance</b> Standard days and timings (please read guidance note 8)			<b>Will the performance of dance take place indoors or outdoors or both – please tick</b> (please read guidance note 4)	Indoors	<input checked="" type="checkbox"/>
Day	Start	Finish		Outdoors	<input type="checkbox"/>
				Both	<input type="checkbox"/>
Mon	11:00	01:00	<b>Please give further details here</b> (please read guidance note 5) N/A		
Tue	11:00	01:00			
Wed	11:00	01:00	<b>State any seasonal variations for the performance of dance</b> (please read guidance note 6) N/A		
Thur	11:00	02:00			
Fri	11:00	02:00	<b>Non-standard timings. Where you intend to use the premises for the performance of dance at different times to those listed in the column on the left, please list</b> (please read guidance note 7) N/A		
Sat	11:00	02:00			
Sun	11:00	01:00			



H

<b>Anything of a similar description to that falling within (e), (f) or (g)</b> Standard days and timings (please read guidance note 8)			<b>Please give a description of the type of entertainment you will be providing</b>		
Day	Start	Finish	<b>Will this entertainment take place indoors or outdoors or both – please tick</b> (please read guidance note 4)	Indoors	<input checked="" type="checkbox"/>
Mon	11:00	01:00		Outdoors	<input type="checkbox"/>
				Both	<input type="checkbox"/>
Tue	11:00	01:00	<b>Please give further details here</b> (please read guidance note 5) N/A		
Wed	11:00	01:00	<b>State any seasonal variations for entertainment of a similar description to that falling within (e), (f) or (g)</b> (please read guidance note 6) N/A		
Thur	11:00	02:00	<b>Non-standard timings. Where you intend to use the premises for the entertainment of a similar description to that falling within (e), (f) or (g) at different times to those listed in the column on the left, please list</b> (please read guidance note 7) N/A		
Fri	11:00	02:00	N/A		
Sat	11:00	02:00	N/A		
Sun	11:00	01:00	N/A		

I

<b>Late night refreshment</b> Standard days and timings (please read guidance note 8)			<b>Will the provision of late night refreshment take place indoors or outdoors or both – please tick</b> (please read guidance note 4)	Indoors	<input type="checkbox"/>
				Outdoors	<input type="checkbox"/>
Day	Start	Finish		Both	<input type="checkbox"/>
Mon			<b>Please give further details here</b> (please read guidance note 5)		
Tue					
Wed			<b>State any seasonal variations for the provision of late night refreshment</b> (please read guidance note 6)		
Thur					
Fri			<b>Non-standard timings. Where you intend to use the premises for the provision of late night refreshment at different times, to those listed in the column on the left, please list</b> (please read guidance note 7)		
Sat					
Sun					

**J**

<b>Supply of alcohol</b> Standard days and timings (please read guidance note 8)			<b>Will the supply of alcohol be for consumption – please tick</b> (please read guidance note 9)	On the premises	<input type="checkbox"/>
				Off the premises	<input type="checkbox"/>
				Both	<input type="checkbox"/>
<b>Day</b>	<b>Start</b>	<b>Finish</b>	<b>State any seasonal variations for the supply of alcohol</b> (please read guidance note 6) N/A		
Mon	11:00	00:30			
Tue	11:00	00:30			
Wed	11:00	00:30			
Thur	11:00	02:30			
Fri	11:00	02:30			
Sat	11:00	02:30			
Sun	11:00	00:30			
			<b>Non-standard timings. Where you intend to use the premises for the supply of alcohol at different times to those listed in the column on the left, please list</b> (please read guidance note 7) N/A		

**K**

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

N/A

**L**

<p><b>Hours premises are open to the public</b> Standard days and timings (please read guidance note 8)</p>			<p><b>State any seasonal variations</b> (please read guidance note 6) N/A</p>
Day	Start	Finish	<p><b>Non-standard timings. Where you intend the premises to be open to the public at different times from those listed in the column on the left, please list</b> (please read guidance note 7) N/A</p>
Mon	11:00	01:00	
Tue	11:00	01:00	
Wed	11:00	01:00	
Thur	11:00	03:00	
Fri	11:00	03:00	
Sat	11:00	03:00	
Sun	11:00	01:00	

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.

N/A

Please tick as appropriate

- I have enclosed the premises licence
- I have enclosed the relevant part of the premises licence

If you have not ticked one of these boxes, please fill in reasons for not including the licence or part of it below

Reasons why I have not enclosed the premises licence or relevant part of premises licence.

**M** Describe any additional steps you intend to take to promote the four licensing objectives as a result of the proposed variation:

**a) General – all four licensing objectives (b, c, d and e) (please read guidance note 11)**

Existing conditions will remain as it is.

**b) The prevention of crime and disorder**

**c) Public safety**

**d) The prevention of public nuisance**

**e) The protection of children from harm**

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Checklist:


**Please tick to indicate agreement**

- I have made or enclosed payment of the fee; or
- I have not made or enclosed payment of the fee because this application has been made in relation to the introduction of the late night levy.
- I have sent copies of this application and the plan to responsible authorities and others where applicable.
- I understand that I must now advertise my application.
- I have enclosed the premises licence or relevant part of it or explanation.
- I understand that if I do not comply with the above requirements my application will be rejected.

**IT IS AN OFFENCE, UNDER SECTION 158 OF THE LICENSING ACT 2003, TO MAKE A FALSE STATEMENT IN OR IN CONNECTION WITH THIS APPLICATION. THOSE WHO MAKE A FALSE STATEMENT MAY BE LIABLE ON SUMMARY CONVICTION TO A FINE OF ANY AMOUNT.**

**Part 5 – Signatures** (please read guidance note 12)

**Signature of applicant (the current premises licence holder) or applicant's solicitor or other duly authorised agent** (please read guidance note 13). **If signing on behalf of the applicant, please state in what capacity.**

Signature	
Date	12/12/2023
Capacity	Licensing Consultant

**Where the premises licence is jointly held, signature of 2nd applicant (the current premises licence holder) or 2nd applicant's solicitor or other authorised agent** (please read guidance note 14). **If signing on behalf of the applicant, please state in what capacity.**

Signature	
Date	
Capacity	

**Contact name (where not previously given) and address for correspondence associated with this application (please read guidance note 15)**

[REDACTED]

**Post town**

[REDACTED]

**Post code**

[REDACTED]

**Telephone number (if any)**

[REDACTED]

**If you would prefer us to correspond with you by e-mail, your e-mail address (optional)**

[REDACTED]

### Notes for Guidance

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

1. You do not have to pay a fee if the only purpose of the variation for which you are applying is to avoid becoming liable for the late night levy
2. Describe the premises. For example, the type of premises, its general situation and layout and any other information which could be relevant to the licensing objectives. Where your application includes off-supplies of alcohol and you intend to provide a place of consumption of these off-supplies of alcohol, you must include a description of where the place will be and its proximity to the premises.
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:



- a performance of unamplified live music between 08.00 and 23.00 on any day, on any premises.
- a performance of amplified live music between 08.00 and 23.00 on any day on premises authorised to sell alcohol for consumption on those premises, provided that the audience does not exceed 500.
- a performance of amplified live music between 08.00 and 23.00 on any day, in a workplace that is not licensed to sell alcohol on those premises, provided that the audience does not exceed 500.
- a performance of amplified live music between 08.00 and 23.00 on any day, in a church hall, village hall, community hall, or other similar community premises, that is not licensed by a premises licence to sell alcohol, provided that (a) the audience does not exceed 500, and (b) the organiser gets consent for the performance from a person who is responsible for the premises.
- a performance of amplified live music between 08.00 and 23.00 on any day, at the non-residential premises of (i) a local authority, or (ii) a school, or (iii) a hospital, provided that (a) the audience does not exceed 500, and (b) the organiser gets consent for the performance on the relevant premises from: (i) the local authority concerned, or (ii) the school or (iii) the health care provider for the hospital.
- Recorded Music: no licence permission is required for:
  - any playing of recorded music between 08.00 and 23.00 on any day on premises authorised to sell alcohol for consumption on those premises, provided that the audience does not exceed 500.
  - any playing of recorded music between 08.00 and 23.00 on any day, in a church hall, village hall, community hall, or other similar community premises, that is not licensed by a premises licence to sell alcohol, provided that (a) the audience does not exceed 500, and (b) the organiser gets consent for the performance from a person who is responsible for the premises.
  - any playing of recorded music between 08.00 and 23.00 on any day, at the non-residential premises of (i) a local authority, or (ii) a school, or (iii) a hospital, provided that (a) the audience does not exceed 500, and (b) the organiser gets consent for the performance on the relevant premises from: (i) the local authority concerned, or (ii) the school proprietor or (iii) the health care provider for the hospital.
- Dance: no licence is required for performances between 08.00 and 23.00 on any day, provided that the audience does not exceed 500. However, a performance which amounts to adult entertainment remains licensable.
- Cross activity exemptions: no licence is required between 08.00 and 23.00 on any day, with no limit on audience size for:
  - any entertainment taking place on the premises of the local authority where the entertainment is provided by or on behalf of the local authority;

- any entertainment taking place on the hospital premises of the health care provider where the entertainment is provided by or on behalf of the health care provider;
  - any entertainment taking place on the premises of the school where the entertainment is provided by or on behalf of the school proprietor; and
  - any entertainment (excluding films and a boxing or wrestling entertainment) taking place at a travelling circus, provided that (a) it takes place within a moveable structure that accommodates the audience, and (b) that the travelling circus has not been located on the same site for more than 28 consecutive days.
4. Where taking place in a building or other structure please tick as appropriate (indoors may include a tent).
  5. For example state type of activity to be authorised, if not already stated, and give relevant further details, for example (but not exclusively) whether or not music will be amplified or unamplified.
  6. For example (but not exclusively), where the activity will occur on additional days during the summer months.
  7. For example (but not exclusively), where you wish the activity to go on longer on a particular day e.g. Christmas Eve.
  8. Please give timings in 24 hour clock (e.g. 16.00) and only give details for the days of the week when you intend the premises to be used for the activity.
  9. If you wish people to be able to consume alcohol on the premises, please tick 'on the premises'. If you wish people to be able to purchase alcohol to consume away from the premises, please tick 'off the premises'. If you wish people to be able to do both, please tick 'both'.
  10. Please give information about anything intended to occur at the premises or ancillary to the use of the premises which may give rise to concern in respect of children regardless of whether you intend children to have access to the premises, for example (but not exclusively) nudity or semi-nudity, films for restricted age groups or the presence of gaming machines.
  11. Please list here steps you will take to promote all four licensing objectives together.
  12. The application form must be signed.
  13. An applicant's agent (for example solicitor) may sign the form on their behalf provided that they have actual authority to do so.
  14. Where there is more than one applicant, each of the applicants or their respective agents must sign the application form.
  15. This is the address which we shall use to correspond with you about this application.

**RESPONSIBLE AUTHORITY REPRESENTATION:  
APPLICATION UNDER THE LICENSING ACT 2003**

**RESPONSIBLE AUTHORITY DETAILS**

NAME OF AUTHORITY	Metropolitan Police service
ADDRESS OF AUTHORITY	Licensing Unit, Stoke Police Station 33 Stoke Newington High Street London N16 8DS
CONTACT NAME	PC 3288CE Amanda GRIGGS
TELEPHONE NUMBER	07884 561085
E-MAIL ADDRESS	hackneylicensing@met.police.uk

**APPLICATION PREMISES**

NAME & ADDRESS OF PREMISES	<b>The Dolphin 165 Mare Street London E8 3RH</b>
NAME OF PREMISES USER	<b>Nuvit Yildiz &amp; Atique Choudhury</b>

**COMMENTS**

I make the following relevant representations in relation to the above application to vary the Premises Licence at the above address.

- 1) the prevention of crime and disorder      ◆
- 2) public safety
- 3) the prevention of public nuisance      ◆
- 4) the protection of children from harm

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

**Police make the following representations in relation to the application to vary the Premises Licence at The Dolphin, 165 Mare Street, E8 3RH for the following reason(s);**

This application seeks to vary the licence to extend all licensable activity at the venue. All hours applied for are in excess of core hours, which are the hours the venue currently operate under. These hours were only granted for this venue in November 2022 and it was some time after this that the venue opened to trade. The decision to give core hours was appealed and resulted in a consent order where some of the conditions were amended. These included removing a condition to have an ID scanner, as well as reducing the number of security required. This was agreed as the hours of trading were significantly reduced compared with what the venue previously had and it was therefore felt proportionate to do so.

Since it has opened there have numerous noise complaints about the venue, which are being dealt with by Environmental Protection.

Recently there has also been a minor variation to reduce the number of SIA required yet again as the venue has not been reaching capacity.

The application states that the current conditions will continue and no new conditions are proposed despite the increase in hours. Police views are that if the hours are increased back in line with those that the venue operated at before, then the same conditions should apply. These would include the reintroduction of an ID scanner and an increase in SIA required.

Police would expect more conditions to be offered to mitigate any issues that may arise from the increased hours.

Police would at this current time object to this variation until such time as the noise issues are remedied to the satisfaction of EP, and more stringent conditions to reflect the later hours are proposed.

1.

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

Personal knowledge of the local area and issues in the area.

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

Information as requested, reduction of hours, conditions as appropriate

Signed  
PC 3288CE GRIGGS  
(By E-mail)  
Name (printed)



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**Fwd: Representation: The Dolphin, 156 Mare Street E8 3RH, for application submitted w/e 15 Dec 23**

1 message

**Licensing (Shared Mailbox)** <licensing@hackney.gov.uk>

10 January 2024 at 08:24

To: Sanaria Hussain &lt;sanaria.hussain@hackney.gov.uk&gt;

Kind Regards,

Licensing Service  
London Borough of Hackney  
Tel: 020 8356 2431  
Email: [licensing@hackney.gov.uk](mailto:licensing@hackney.gov.uk)  
[www.hackney.gov.uk/licensing](http://www.hackney.gov.uk/licensing)

----- Forwarded message -----

From: [REDACTED]  
Date: Mon, 8 Jan 2024 at 21:14  
Subject: Representation: The Dolphin, 156 Mare Street E8 3RH, for application submitted w/e 15 Dec 23  
To: <[licensing@hackney.gov.uk](mailto:licensing@hackney.gov.uk)>

To whom it may concern,

Please find attached my objection to the licence application submitted by Ms Yildiz & Mr Choudhury regarding The Dolphin, 165 Mare Street, E8 3RH.

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

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**Objection to licence application, The Dolphin, 165 Mare Street, E8 3RH.docx**  
21K

## **Objection to licence application, The Dolphin, 165 Mare Street, E8 3RH**

I'm writing to raise an objection to granting a late licence to the pub "The Dolphin" on 165 Mare Street, E8 3RH, as an interested party, as this would fail to meet your objective "prevention of public nuisance".

I live at [REDACTED] Mare Street, [REDACTED] to the pub, in a [REDACTED] flat. Ever since the pub reopened in spring 2023, I have not been able to enjoy a reasonably quiet Friday or Saturday night at my own home.

While the pub is generally quiet on weekdays, with some exceptions as recorded in my complaint log, it is loud on Fridays and Saturdays – sometimes on Thursday nights too. Starting from the early evening, its music is loud enough that it is audible from my bedroom. It gets louder as the night progresses often until 2-3am, and occasionally past these times. This makes it impossible for me to live a normal life, as it restricts me from carrying out activities such as reading, listening to music and watching a film – as the music will be heard despite the TV being on at a loud volume.

Due to the volume of the noise from the pub, and the time to which this continues, it has made it impossible to sleep. I have been using earplugs to try to solve the problem, but they have been little help as the music can still be heard in my bedroom, and often it is possible to feel the bass of the music through the floor, walls and furniture. I have spent many nights unable to sleep, waiting for the pub to close so that I could have some quiet in my room. This has caused significant mental stress, has driven me to tears, and has resulted in a general downturn in my mental health as I feel unable to be safe and comfortable in my home.

In addition to the loud music, during the summer months, when the pub's garden is open, customers are out until late, often after midnight and into the early hours. My window backs onto the garden, which means that people's voices are audible in my room, even over the incredibly loud music. Moreover, the doors to the pub are often being left open – or being opened and closed often – making the impact of the loud music increase. This obviously makes the situation worse.

Since July 2023, after my partner unsuccessfully went to speak to the pub managers to ask to lower the music, I have made many complaints to Hackney council regarding the noise, and several officers have visited. The log reference number is 13912.

All noise complaint officers have been extremely helpful, agreeing with me that the noise level was too high to be acceptable, and all asked the pub to lower the music after the visit. But while the pub owners lowered it slightly immediately after the visit, they also usually turned it back up after 10 to 15 minutes, sometimes even at a higher volume than earlier.

A specifically bad incident happened on the night between Saturday 28 and Sunday 29 October, when noise complaint officers visited my property twice after I complained. The first time, the visit happened shortly after midnight. The officers agreed the noise was too loud, took notes and asked the pub managers to lower it. Unfortunately that did not happen, and after several hours (due to the clocks going back that weekend, it was over two hours after their first visit) I was forced to place another complaint and invite the noise officers back at around 1.30am. The same repeated: the officers visited, said the noise was too loud, and asked the managers to lower it, but this did not happen. I was only able to fall asleep after 3am, when the

music stopped and the pub closed. I spent most of the night in tears, and felt the impact on my mental health for days after.

On more than one occasion I had to leave my own house and stay at my partner's or a friend's, sometimes as late as 2am, in order to be able to get some sleep. This was obviously very distressing both for me and for my hosts.

Additionally, this has had a negative impact on my physical health, as I am often tired on weekends and unable to perform the activities I would like to, especially if they require a slightly higher energy level – such as going to the gym, going for longer walks, and so on.

However, even worse, as mentioned above the effect on my mental health has been devastating. I am not able to enjoy weekends anymore, as I always worry whether I will be able to have a proper night's sleep or not. If I am staying in, I cannot enjoy watching a film or reading; if I am going out, I worry about how loud the music will be once I go home. Some weekends the pub closes just after midnight and some others it closes around 2 or 3 am, with it staying open until 4am on one occasion. If the pub is loud, I never know when I will be able to sleep.

I feel like I am not able to enjoy my own home. I feel sleep deprived and distressed.

I am aware that the council has been in conversation with the owners about noise management.

I know that an abatement notice has already been served to the pub owners. This has had no effect, as the noise levels have continued unchanged since the notice was served months ago.

While the situation is already very serious for me, I believe that granting an extension to their licence will make it considerably worse, as it will not motivate the owners to fix existing issues, and they will continue to ignore warnings, advice, and notices from the council. At the same time it means the nuisance will continue uninterrupted until very late at night every weekend, making it impossible for me to sleep, rest or relax as I reasonably should be allowed to in my own home.

On 2 January, I received an email from Christopher Sibanda, Chartered Environmental Health Practitioner and Senior Environmental Protection Officer, saying that he and his colleague George Wokorach – whom I had also been in contact with regarding the pub's noise – had attended a meeting on 28 December with the pub owners. In the email, I was invited to allow an acoustic consultant into my property so that they could set the appropriate noise levels of a sound limiting device, so that the music would not be too loud when played. I gave my permission to do so, but the acoustic consultant still has not got in touch with me despite me providing dates and times I am available.

I do not believe the pub owners will take reasonable steps to limit the noise from the premises if they are allowed to remain open later at night, simply because they have not done so in the months since they have been open, especially on the weekends they stayed open late – after 2am, even after visits from Hackney Council officers, requests from my partner, and an abatement notice.

A separate application filed in the week ending on 15 December 2023 shows the owners have requested to lower the number of security guards from 4 to 2 on weekends, making it even harder to manage potentially loud customers. For such large and sometimes busy premises it seems wholly irresponsible to have two



security guards present as it would only take one minor incident for the pub to be without adequate security across the rest of the premises. This request to reduce the number of SIA Security Guards only serves to show that the management are not interested in protecting their patrons, and the surrounding community. If granted, I will feel even more uncomfortable in my own home, and on my walk home, knowing that it is a potentially unsafe venue.

I feel that the loud noise has eroded my right to live in a home I pay rent for. I do not think I can face continuing to live here if this means that, every weekend, I will be put into a highly stressful situation and prevented from sleeping despite my best efforts.

While I support the efforts that have been made across the borough of Hackney to support, and resurrect nightlife following the Covid-19 pandemic, this must be done in a responsible way. As a young woman living in Hackney, I want to be able to attend and enjoy safe venues, that build a better Hackney for all its residents and do not force people to regularly endure sleepless nights and drastic impact on their mental health.

Therefore, I am requesting your reconsider granting a late licence to The Dolphin for the reasons I have just explained:

- Loud music coming from the pub every weekend;
- No reduction of the problem despite months of complaints, requests from noise officers and formal notices;
- Serious physical and especially mental health effect this has had on me;
- The potential to legitimise the behaviour of bad management;
- The potential for said bad practices, ignoring of council notices, and disregard for the community to increase.

Yours sincerely

[REDACTED]

Flat [REDACTED]  
[REDACTED] Mare Street  
London  
E8 [REDACTED]

[REDACTED]

[REDACTED]



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

Licensing Service  
1 Hillman Street  
London E8 1DY

**PART A – PREMISES LICENCE**

**Premises Licence Number**

LBH-PRE-T-0669

**Part 1 – Premises details**

Dolphin  
165 Mare Street  
Hackney  
London  
E8 3RH

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

Not Applicable

**Licensable activities authorised by the licence**

Indoor Sporting Events  
Live Music  
Recorded Music  
Other Entertainment Similar to Live or Rec Music or Dance Performance  
Supply of Alcohol

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

<b>Indoor Sporting Events</b>	<b>Standard Hours:</b> Mon 11:00-23:00 Tue 11:00-23:00 Wed 11:00-23:00 Thur 11:00-23:00 Fri 11:00-00:00 Sat 11:00-00:00 Sun 11:00-22:30
<b>Live Music</b>	<b>Standard Hours:</b> Mon 11:00-23:00 Tue 11:00-23:00 Wed 11:00-23:00 Thur 11:00-23:00 Fri 11:00-00:00

	Sat 11:00-00:00 Sun 11:00-22:30
<b>Recorded Music</b>	<b>Standard Hours:</b> Mon 11:00-23:00 Tue 11:00-23:00 Wed 11:00-23:00 Thur 11:00-23:00 Fri 11:00-00:00 Sat 11:00-00:00 Sun 11:00-22:30
<b>Anything of Similar Description</b>	<b>Standard Hours:</b> Mon 11:00-23:00 Tue 11:00-23:00 Wed 11:00-23:00 Thur 11:00-23:00 Fri 11:00-00:00 Sat 11:00-00:00 Sun 11:00-22:30
<b>Supply of Alcohol</b>	<b>Standard Hours:</b> Mon 11:00-23:00 Tue 11:00-23:00 Wed 11:00-23:00 Thur 11:00-23:00 Fri 11:00-00:00 Sat 11:00-00:00 Sun 11:00-22:30
<b>The opening hours of the premises</b>	<b>Standard Hours:</b> Mon 11:00-23:30 Tue 11:00-23:30 Wed 11:00-23:30 Thur 11:00-23:30 Fri 11:00-00:30 Sat 11:00-00:30 Sun 11:00-23:00

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

On Premises



## Annex 1 - Mandatory Conditions

### Supply of Alcohol

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

5. The responsible person must ensure that free potable water is provided on request to customers where it is reasonably available.
6. 5.1. The premises licence holder or club premises certificate holder must ensure that an age verification policy is adopted in respect of the premises in relation to the sales or supply of alcohol.  
5.2 The designated premises supervisor in relation to the premises licences must ensure that the supply of alcohol at the premises is carried on in accordance with the age verification policy.  
5.3. The policy must require individuals who appear to the responsible person to be under 18 years of age (or such older age as may be specified in the policy) to produce on request, before being served alcohol, identification bearing their photograph, date of birth and either:-
  - A. a holographic mark or
  - B. an ultraviolet feature.
7. The responsible person shall ensure that:
  - a) where any of the following alcoholic drinks is sold or supplied for consumption on the premises (other than alcoholic drinks sold or supplied having been made up in advance ready for sale or supply in a securely closed container) it is available to customers in the following measures:
    - beer or cider: 1/2 pint;
    - gin, rum, vodka or whisky: 25ml or 35ml; and
    - still wine in a glass: 125ml; and
      - a. these measures are displayed in a menu, price list or other printed material which is available to customers on the premises; and
      - b. where a customer does not in relation to a sale of alcohol specify the quantity of alcohol to be sold, the customer is made aware that these measures are available.

### **Minimum Drinks Pricing**

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

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

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

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

Where -

(i) P is the permitted price,

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

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

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

(i) the holder of the premises licence,

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

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

under such a licence;

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

(f) “value added tax” means value added tax charged in accordance with the Value Added Tax Act 1994.

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

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

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

### **Door Supervision**

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. The premises shall maintain a comprehensive CCTV system as per the minimum requirements of the Metropolitan Police Crime Prevention Officer. All entry and exit points will be covered enabling frontal identification of every person entering in any light condition. The CCTV system shall continually record whilst the premises is open for licensable activities and during all times when customers remain on the premises. All recordings shall be stored for a minimum period of 31 days with date and time stamping. Recordings shall be made available immediately upon the request of Police or any authorised officer of Hackney Borough Council. A staff member from the premises who is conversant with the operation of the CCTV system shall be on the premises at all times - when the premises are open to the public. This staff member shall be able to show Police or any authorised officer of Hackney Borough Council recent data or footage with the absolute minimum of delay when requested.

10. An incident log shall be kept at the premises, and made available immediately on request to any authorised officer of the Hackney Borough Council or the Police, which will record the following:

- a. all crimes reported to the venue;
- b. any complaints received;
- c. any incidents of disorder;
- d. any faults in the CCTV system or searching equipment or scanning equipment;
- e. any refusal of the sale of alcohol;
- f. any visit by a relevant authority or emergency service.

11. There shall be "CCTV in Operation" signs prominently displayed.

12. All instances of crime or disorder are to be reported by the Designated Premises Supervisor or a responsible member of staff to an agreed police contact point, as agreed with the Police.

13. There shall be no promotional sales of alcohol at the premises.

14. There shall be a minimum of 4 SIA registered door supervisors employed at the public house and restaurant on a Thursday, Friday and Saturday evenings from 2000 hours to 30 minutes after closing on these days. Additional SIA registered door supervisors to be employed on an operational risk assessment basis. All door supervisors shall enter their full details in the premises daily register at the commencement of their work. They shall record their full name, home address and contact telephone number, their SIA registration number, and the time they commence and conclude working. If the door supervisor was provided by an agency the name, registered business address and contact telephone number will also be recorded. This register will be made available to police or any authorised officer of Hackney Borough Council immediately upon request.

15. There shall be no glass, drinks or open containers outside the front of the premises at any time. Customers shall not be permitted to take glasses, drinks or open containers outside the front of the premises at any time, with the exception of water in plastic vessels.



16. Entry and exit to the premises shall be through the front main entrance directly into the premises and not the access way between the restaurant at 163 Mare Street and the Dolphin Bar at 165 Mare Street, except after 0000hours Sunday to Thursday

17. Where the sale or supply of alcohol is taking place, employees of the premises must request sight of evidence of the age of any person appearing to be under 25 years of age (Challenge 25). Such evidence may include a driving licence or passport.

18. The premises will also, in cooperation with the police, regularly facilitate a premises drug audit using the ion itemiser or similar device

19. The premises will display prominent signage by every entrance and exit, requesting customers to leave the premises quietly and respect local residents.

20. The premises will display and maintain appropriate signage advising customers of the contact details, including telephone contact numbers, of the Designated Premises Supervisor and the manager of the premises.

21. Refuse, including bottles, shall not be taken outside the premises between the hours of 2000 and 0800.

22. All staff should receive training and have an awareness of the four licensing objectives.

23. All emergency exits will remain clearly marked at all times. Emergency escape routes will be kept free of obstruction at all times.

24. The Licensee shall ensure that all staff are fully trained and made aware of the legal requirement of businesses to comply with their duty of care as regards the disposal of waste produced from the business premises. The procedure for handling and preparing for disposal of the waste shall be in writing and displayed in a prominent place where it can be referred to at all times by staff.

25. The Licensee shall ensure that any contract for general and recyclable waste disposal shall be appropriate in size to the amount of waste produced by the business.

26. The licensee shall maintain an adequate supply of waste receptacles provided by his registered waste carrier (refuse sacks or commercial waste bins) in order to ensure all refuse emanating from the business is always presented for collection by his waste carrier and shall not use unidentifiable refuse sacks or any other unidentifiable or unmarked waste receptacles

27. In order to minimise the amount of time any waste remains on the public highway in readiness for collection, the Licensee will ensure the timeframe within which it may expect its waste carrier to collect is adhered to.

28. The Licensee shall erect a sign asking customers to refrain from littering the public highway outside the premises and will also instruct a member of staff to make regular checks of the area immediately outside and within 10 metres either side of the premises and remove any litter, bottles and glasses emanating from the premises. A final check should be made at close of business.

29. The Licensee shall provide a safe receptacle for cigarette ends to be placed outside for the use of customers, such receptacle being carefully placed so as not to cause an obstruction or trip.

30. The Licensee's premises are situated in an area within which refuse may only be left on the public highway at certain times (time bands). If the Licensee's waste carrier cannot or does not comply by collecting the refuse within an hour after the close of any time band imposed by the waste authority, the Licensee must remove the refuse from the public highway and/or keep it within the premises until such time as his/her waste carrier arrives to collect the refuse.

31. All devices capable of playing music in either premises shall be operated through a sound limiting device. The sound limiting device shall be installed within the premises and set at a level determined by and to the satisfaction of an authorised officer of the Noise Pollution Service to allow no more than background music after 2330 hours. The operational panel of the noise limiter shall be secured to the satisfaction of the officer. The keys securing the device shall be held by the Designated Premises Supervisor or another responsible member of staff, and the device shall not be accessed via any other person. The limiter shall not be altered without prior agreement with the Noise Pollution Service

32. The premises will operate an electronic identification scanning system (e.g. ClubScan) after 2100 hrs for customers entering the premises.

33. Door staff shall use "clickers" to monitor capacity at the premises.

34. A free cloakroom service shall be provided, and suitable signage displayed encouraging customers to use it.

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

35. All staff engaged in the sale of alcohol shall be fully trained and made aware of the legal requirements relating to underage sales and other legal requirements relating to the sale and supply of alcohol. Such training must take place on a 12 monthly basis and written records of the training must be maintained on the premises for inspection by the Police or Authorities. This training is to include WAVE (Welfare And Vulnerability Engagement) training.

36. All staff will be given refresher training every six months on the legislation relating to the sales of alcohol to underage persons and drunken persons. Written records of this training shall be kept on the premises and produced to police or other authorised officers upon request.

37. A written Dispersal Policy shall be submitted to and approved by the Licensing Authority and the Police, and a copy shall be kept on the premises and made available to the Police or other authorised officers upon request.

38. No live or recorded Music to be played in the garden.

39. The premises licence holder shall provide the Licensing Authority with a copy of their Risk Assessment.

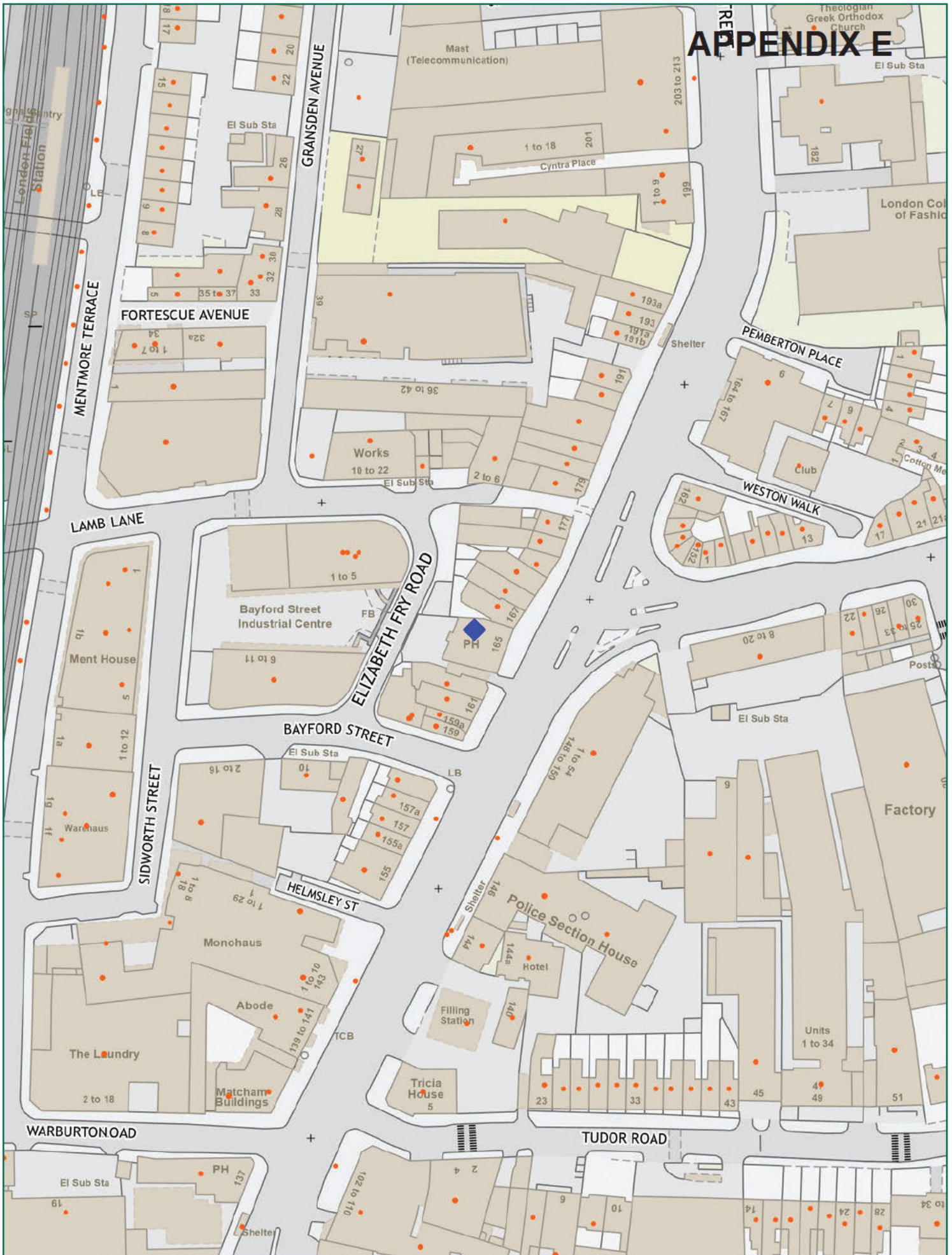
40. The premises licence holder shall provide a new plan for the garden.


41. The capacity of the premises shall be agreed with the Licensing Authority.

42. On Thursday to Saturday, the search policy will also apply when any private events that are held at the premises.


**Annex 4 – Plans**

PLAN/LBH-PRE-T-0669/250705



 NORTH

Scale: 1:1250 at A4

 Hackney

**The Dolphin, 165 Mare Street, E8 3RH**

Ref:	Produced by: unspecified	please specify copyright statement
Friday, October 15, 2021	email:	