

For Consideration By	Licensing Sub-Committee
Meeting Date	28 March 2024
Type of Application	Premises Licence
Address of Premises	Art'otel London Hoxton, 1-3 Rivington Street, London EC2A 3DT
Classification	Decision
Ward(s) Affected	Hoxton East and Shoreditch
Group Director	Rickardo Hyatt

# 1. **Summary**

1.1. This is an application for a premises licence for regulated entertainment, late night refreshment and supply of alcohol for consumption on and off the premises.

## 2. **Application**

- 2.1. Hoxton Hotel Operator Limited has made an application for a premises licence under section 17 of the Licensing Act 2003.
- 2.2. The applicant is seeking authorisation for the following licensable activities and times:

Films	Standard Hours:
	Mon 07:00-00:00
	Tue 07:00-00:00
	Wed 07:00-00:00
	Thu 07:00-00:00
	Fri 07:00-00:00
	Sat 07:00-00:00
	Sun 07:00-00:00
	Non-standard Hours:
	New Year's Eve until 03:00am

Live Music	Standard Hours:
	Mon 23:00-02:00
	Tue 23:00-02:00
	Wed 23:00-02:00
	Thu 23:00-02:00
	Fri 23:00-02:00
	Sat 23:00-02:00
	Sun 23:00-02:00
	Non-standard Hours:
	New Year's Eve until 03:00am
	British Summertime: an additional hour to be added
	to 03:00.
Recorded Music	Standard Hours:
	Mon 23:00-02:00
	Tue 23:00-02:00
	Wed 23:00-02:00
	Thu 23:00-02:00
	Fri 23:00-02:00
	Sat 23:00-02:00
	Sun 23:00-02:00
	Non-standard Hours:
	New Year's Eve until 03:00am
	British Summertime: an additional hour to be added
	to 03:00.
Anything of a Similar Description	Standard Hours:
	Mon 08:00-02:00
	Tue 08:00-02:00
	Wed 08:00-02:00
	Thu 08:00-02:00
	Fri 08:00-02:00
	Sat 08:00-02:00
	Sun 08:00-02:00
	Non-standard Hours:
	New Year's Eve until 03:00am
	British Summertime: an additional hour to be added to 03:00.
1	

Late Night Defreehment	Standard Hours:
Late Night Refreshment Members of the public	Standard Hours:
Wellbers of the public	Mon 23:00-02:00
	Tue 23:00-02:00
	Wed 23:00-02:00
	Thu 23:00-02:00
	Fri 23:00-02:00
	Sat 23:00-02:00
	Sun 23:00-02:00
Late Night Refreshment	Standard Hours:
Hotel residents and their	
bona fide guests	Mon 23:00-05:00
	Tue 23:00-05:00
	Wed 23:00-05:00
	Thu 23:00-05:00
	Fri 23:00-05:00
	Sat 23:00-05:00
	Sun 23:00-05:00
	Suit 23.00-03.00
Supply of Alcohol	Standard Hours:
(On and Off Sales)	
Members of the public	Mon 08:00-02:00
	Tue 08:00-02:00
	Wed 08:00-02:00
	Thu 08:00-02:00
	Fri 08:00-02:00
	Sat 08:00-02:00
	Sun 08:00-02:00
	Suit 08.00-02.00
	Non-standard Hours:
	New Year's Eve until 03:00am
	British Summertime: an additional hour to be added
	to 03:00.
Supply of Alcohol	Standard Hours:
(On and Off Sales)	
Hotel residents and their	Mon 00:00-00:00
bona fide guests	Tue 00:00-00:00
	Wed 00:00-00:00
	Thu 00:00-00:00
	Fri 00:00-00:00
	Sat 00:00-00:00
	Sun 00:00-00:00

The opening hours of the premises	Standard Hours:
	Mon 00:00-00:00
	Tue 00:00-00:00
	Wed 00:00-00:00
	Thu 00:00-00:00
	Fri 00:00-00:00
	Sat 00:00-00:00
	Sun 00:00-00:00

2.3. The application is attached as Appendix A. The applicant has proposed measures that could be converted to conditions (see paragraph 8.1 below).

# 3. **Current Status/History**

- 3.1. The premises is not currently licensed for any activity.
- 3.2. No temporary event notices have been given for this premises in current year.

# 4. Representations: Responsible Authorities

From	Details
Environmental Health Authority	Representation withdrawn based on agreed
(Environmental Protection)	condition as set out in para 8.1 below.
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	Have confirmed no representation on this application
Area Child Protection Officer	No representation received
Fire Authority	No representation received
Police	Representation withdrawn based on agreed terminal hours for late night refreshment and New Years Eve as stated above in 2.2.
Licensing Authority (Appendix B)	Representation received on the grounds of the prevention of public nuisance
Health Authority	No representation received

Navigation Authority Canal &	No representation received
River Trust	
Maritime & Coastguard Agency	No representation received

#### 5. Representations: Other Persons

From	Details
Representation received from and on behalf of local	No representation received
residents.	

#### 6. **Guidance Considerations**

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

### 7. **Policy Considerations**

- 7.1. Licensing Sub-Committee is required to have regard to the London Borough of Hackney's Statement of Licensing Policy ("the Policy) adopted by the Licensing Authority.
- 7.2. The Policy applies to applications where relevant representations have been made. With regard to this application, policies, LP1 (General Principles), LP2 (Licensing Objectives), LP3 (Core Hours), LP6 (External Areas and Outdoor Events) and LP12 (Cumulative Impact-General) are relevant.

#### 8. Officer Observations

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

#### **Mandatory Conditions:**

#### Supply of Alcohol (On and Off)

- 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
  - (c) V is the rate of value added tax chargeable in relation to the alcohol as if the value added tax were charged on the date of the sale or supply of the alcohol:
  - (d) "relevant person" means, in relation to premises in respect of which there is in force a premises licence -
  - (i) the holder of the premises licence,
  - (ii) the designated premises supervisor (if any) in respect of such a licence, or
  - (iii) the personal licence holder who makes or authorises a supply of alcohol under such a licence:
  - (e) "relevant person" means, in relation to premises in respect of which there is in force a club premises certificate, any member or officer of the club present on the premises in a capacity which enables the member or officer to prevent the supply in question; and
  - (f) "value added tax" means value added tax charged in accordance with the Value Added Tax Act 1994.
  - 7.3 Where the permitted price given by Paragraph 8.2(b) above would (apart from this paragraph) not be a whole number of pennies, the price given by that sub-paragraph shall be taken to be the price actually given by that sub- paragraph rounded up to the nearest penny.

- 7.4 (1) Sub-paragraph 7.4(2) below applies where the permitted price given by Paragraph 7.2(b) above on a day ("the first day") would be different from the permitted price on the next day ("the second day") as a result of a change to the rate of duty or value added tax.
- (2) The permitted price which would apply on the first day applies to sales or supplies of alcohol which take place before the expiry of the period of 14 days beginning on the second day.

#### **Exhibition of Films**

- 8. Admission of children (under 18) to the exhibition of any film must be restricted in accordance with: -
  - (a) Recommendations made by the film classification body where the film classification body is specified in the licence, or
  - (b) Recommendations made by the licensing authority where the film classification body is not specified in the licence, or the relevant licensing authority has not notified the holder of the licence that this subsection applies to the film in question.
    - "film classification body" means person('s) designated under s4 of the Video Recordings Act 1984 (c.39).

#### **Door Supervision**

9. Each individual who is to carry out a security activity at the premises must be licensed by the Security Industry Authority.

#### Conditions derived from operating schedule

- 10. The approved arrangements at the premises, including means of escape provisions, emergency warning equipment, the electrical installation and mechanical equipment, shall at all material times be maintained in good condition and full working order.
- 11. The means of escape provided for the premises shall be maintained unobstructed, free of trip hazards, be immediately available and clearly identified in accordance with the plans provided.
- 12. All emergency exit doors shall be available at all material times without the use of a key, code, card or similar means.
- 13. All emergency doors shall be maintained effectively self- closing and not held open other than by an approved device.
- 14. The licensee shall install and maintain a comprehensive CCTV system as per the minimum requirements of a Metropolitan Police Crime Prevention Officer.

All entry and exit points will be covered enabling frontal identification of every person entering in any light condition. The CCTV system shall as a minimum 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 provided immediately upon the request of Police or authorised officer throughout the preceding 31-day period.

- 15. No less than one member of staff who is able to operate the CCTV system shall be on the premises at all times.
- 16. 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 as a minimum record the following:
  - (a) all crimes reported to the venue
  - (b) all ejections of patrons
  - (c) any complaints received
  - (d) any incidents of disorder
  - (e) seizures of drugs or offensive weapons
  - (f) any faults in the CCTV system or searching equipment or scanning equipment
  - (g) any refusal of the sale of alcohol
  - (h) any visit by a relevant authority or emergency service.
- 17. The licensee shall display the telephone number/email address of the Designated Premises Supervisor for use by any Responsible Authority or any person who may wish to make a complaint during the operation of the licence in a prominent external location at the premises that is easily accessible to the public.
- 18. The licence holder shall enter into an agreement with a hackney carriage and/or private carriage firm to provide transport for customers, with contact numbers made readily available to customers who will be encouraged to use such services.
- 19. No entertainment, performance, service or exhibition involving nudity or sexual stimulation which would come within the definition of a sex establishment as defined in Schedule 3 of the Local Government (Miscellaneous Provisions) Act 1982 as amended by the Police and Crime Act 2009, shall be provided.
- 20. Adequate and appropriate supply of first aid equipment and materials must be available on the premises at all times.
- 21. At least one member of staff who has received first-aid training from a HSE approved trainer shall be on duty when the public are present.
- 22. There shall be a written dispersal policy, a copy of which shall be kept on the premises and made available to police or other authorised officer upon request.

- 23. Substantial food shall be available at all times.
- 24. Clear and prominent notices shall be displayed and maintained at all exits in a place where they can be seen and easily read by customers requiring customers to leave the premises and the area quietly.
- 25. In areas where regulated entertainment is taking place, all external doors and windows shall be kept closed, other than for access and egress, while that regulated entertainment is taking place.
- 26. No fumes, steam or odours shall be emitted from the licensed premises so as to cause a nuisance to any persons living or carrying on business in the area where the premises are situated.
- 27. Use of the terraces on the ground, 4th, 5th and 25th floors (shown on the plans) shall cease at 23:00, save for persons temporarily going outside to smoke.
- 28. Staff who are engaged in the sale of alcohol will receive formalised training in the sale of age restricted products, and training records evidencing such training will be kept and maintained at the premises, available for inspection by a representative of the statutory authorities for not less than 2 years. Such training is to be refreshed at intervals not exceeding twelve months.
- 29. Where a person appears to be under the age of 25 identification in the form of a passport, photo driving licence or a proof of age card bearing the PASS hologram will be sought and if not provided service of alcohol shall be refused.
- 30. The licensee shall undertake litter patrols around the perimeter of the building to collect any litter associated with the premises. The collection and removal of litter should include satisfactory disposal of spilled food and similar materials so as to leave the footway in a clean, safe and wholesome condition.
- 31. All refuse and recycling is placed in receptacles which are located in our internal loading bay, prior to their collection. Collection takes place in the internal loading bay.
- 32. Relevant staff are to be 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 is can be referred to at all times by staff.
- 33. The hotel will have two types of security staff:
  - a) Hotel security staff and doormen ("Hotel Security"). Hotel security will be on duty 24/7, covering the entrance lobby and patrolling the hotel building.

- b) SIA registered door supervisors ("Door Supervisors"). Door Supervisors will be on duty on the 25th Floor Bar as necessary according to business need, including on Thursdays to Saturdays from 21:00 until close. Management shall record the full name, home address and contact telephone number, SIA registration number, and the time/date of employment of any Door Supervisor/s employed at the premises. Where Door Supervisor/s are provided by an agency, this information will be requested from the agency, and the name, business address and contact telephone number of the relevant agency will also be recorded. These records are to be maintained for no less than 12 months.
- 34. Music emanating from the premises shall be played at such a level to ensure that no nuisance is caused to any unassociated noise sensitive or residential premises.

## 09. Reasons for Officer Observations

9.1 Conditions 10 to 33 are derived from the applicant's operating schedule and condition 34 has been agreed with the Environmental Protection.

#### 10. <u>Legal Comments</u>

- 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 for a premises licence and supporting documents

Appendix B: Representation from responsible authority

Appendix C: Location map

#### **Background documents**

Licensing Act 2003 LBH Statement of Licensing Policy

Name: Suba Sriramana Title: Licensing Officer Email: Suba.Sriramana@hackney.gov.uk
Tel: 020 8356 4915

**→** Hackney LA01

Application for a premises licence to be granted under the Licensing Act 2003

# PLEASE READ THE FOLLOWING INSTRUCTIONS FIRST

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Tele	phon	e nun	nber at prem	ises (if any)				
Non-	-dom	estic ı	rateable valu	e of premises	<b>£</b> Cons	struction	on-C	
	e stat	te wh	nt details ether you are	e applying for a	premis	ses lic	cence as	Please tick as
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							(B)	

	iv other (for example a statuto corporation)	ory		please complete section (B)			
c)	a recognised club			please complete section (B)			
d)	a charity			please complete section (B)			
e)	the proprietor of an educational establishment			please complete section (B)			
f)	a health service body			please complete section (B)			
g)	a person who is registered under Part 2 please complete section of the Care Standards Act 2000 (c14) in respect of an independent hospital in Wales						
ga)	a person who is registered under 2 of Part 1 of the Health and Sc Act 2008 (within the meaning of in an independent hospital in En	cial Care fthat Part)		please complete section (B)			
h)	the chief officer of police of a point England and Wales	olice force		please complete section (B)			
I am	co one box below):  carrying on or proposing to carry e premises for licensable activitie making the application pursuant statutory function or a function discharged by virtue	es; or to a			$\boxtimes$		
(A) IN	DIVIDUAL APPLICANTS (fill in	as applicable	e)				
Mr	☐ Mrs ☐ Miss ☐	Ms 🗌		er Title example, )			
Surr	name	First n	ames	;			
Date	of birth I am 18	years old or	over	☐ Please tick yes			
Nati	onality						
addr	ent residential ess if different premises address						
Post	town			Postcode			

		-					
Daytime contact number	telephone						
E-mail address (optional)		·					
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B) OTHER APPL lease provide na ppropriate pleas ther joint ventur ddress of each p	ame and reg se give any i e (other tha	register in a bod	ed nu	mber.	In t	the case of	a partnership o
Name							
Hoxton Hotel Opera	itor Limited						

Address
County Hall - Riverside Building 2nd Floor Belvedere Road London SE1 7GP
Registered number (where applicable)
13427049
Description of applicant (for example, partnership, company, unincorporated association etc.)
Private Limited Company
Telephone number (if any)
E-mail address (optional)
Part 3 Operating Schedule
When do you want the premises licence to start?  DD MM YYYY  1 9 0 2 2 0 2 4
If you wish the licence to be valid only for a limited period, when do you want it to end?
Please give a general description of the premises (please read guidance note 1)
art'otel Hoxton will be a luxury 5 star hotel with 357 bedrooms, including 48 suites, all of which will have mini-bars and to which room service will be available 24/7. There will be a ground floor grand café and bar with terrace and a first floor lounge and bar, both providing all day dining, and a bar and a signature chef fine-dining restaurant with terraces on the 25th floor. The hotel will have multiple meeting and event spaces, including an auditorium and screening room on level B1, an art gallery on level B2 which will be open to the public and used on occasion for private functions, flexible 'creative rooms' on the 24th floor used for meetings, conferences, events and private dining, and a creative studio on the first floor which will host creative workshops and artist presentations. The hotel will also have spa, swimming pool and gym facilities, and there will be co-working space on floors 2-6.
If 5,000 or more people are expected to attend the premises at any one time, please state the number expected to attend.

What licensable activities do you intend	l to carry on	from the	premises?
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(Please see sections 1 and 14 and Schedules 1 and 2 to the Licensing Act 2003)

Prov 2)	vision of regulated entertainment (please read guidance note	Please that app		all		
a)	plays (if ticking yes, fill in box A)					
b)	films (if ticking yes, fill in box B)					
c)	indoor sporting events (if ticking yes, fill in box C)					
d)	boxing or wrestling entertainment (if ticking yes, fill in box D)					
e)	live music (if ticking yes, fill in box E)					
f)	recorded music (if ticking yes, fill in box F)					
g)	performances of dance (if ticking yes, fill in box G)					
h)	anything of a similar description to that falling within (e), (f) or (if ticking yes, fill in box H)	(g)				
Pro	Provision of late night refreshment (if ticking yes, fill in box I)					
Sup	ply of alcohol (if ticking yes, fill in box J)			$\boxtimes$		

In all cases complete boxes K, L and M  $\,$ 

Plays Standard days and timings (please read guidance note 7)		Will the performance of a play take place indoors or outdoors or both – please tick (please read guidance note 3)	Indoors	
550 125101			Outdoors	
Start	Finish		Both	
		note 4)		
		to 23:00 daily.		
		State any seasonal variations for performing plays (please read guidance note 5)		
		premises for the performance of plays times to those listed in the column on	at different	
		list (please read guidance note 6)		
	ard days a s (please nce note 7	ard days and s (please read nce note 7)	place indoors or outdoors or both – please tick (please read guidance note 3)  Start Finish  Please give further details here (please note 4)  Plays will only be provided within the de-regulate to 23:00 daily.  State any seasonal variations for performance of plays  Non-standard timings. Where you interpremises for the performance of plays	place indoors or outdoors or both – please tick (please read guidance note 3)  Start Finish  Please give further details here (please read guidance note 4)  Plays will only be provided within the de-regulated hours of 08 to 23:00 daily.  State any seasonal variations for performing plays (please read guidance note 5)  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

Standa timing	Films Standard days and timings (please read guidance note 7)		Will the exhibition of films take place indoors or outdoors or both – please tick (please read guidance note 3)	Indoors	$\boxtimes$	
galaal	100 11010 1	,		Outdoors		
Day	Start	Finish		Both		
Mon	07:00	00:00	Please give further details here (please r note 4)	ead guidance	:	
			The applicant's core business is as an hotel. Howe			
Tue	07:00	00:00	displays of moving images may be shown from ti including at events, for example private screening functions.			
Wed	07:00	00:00	State any seasonal variations for the exhibition of films (please read guidance note 5)			
Thur	07:00	00:00	New Year's Eve: From the start of permitted hour Eve to the end of permitted hours on New Year's		S	
Fri	07:00	00:00	Non-standard timings. Where you intenpremises for the exhibition of films at dithose listed in the column on the left, placed guidance note 6)	fferent times	1	
Sat	07:00	00:00				
Sun	07:00	00:00				

event Stand timing	or sportings ard days s (please nce note	and read	Please give further details (please read guidance note 4)
Day	Start	Finish	
Mon			
Tue			State any seasonal variations for indoor sporting events (please read guidance note 5)
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, please list (please read guidance note 6)
Fri			- (piedse fedd galdaliec field c)
Sat			-
Sun			

enter Stand	g or wrestainments ard days a	s and	Will the boxing or wrestling entertainment take place indoors or outdoors or both – please tick (please read guidance note 3)	Indoors	
timings (please read guidance note 7)			read guidance note 3)	Outdoors	
Day	Start	Finish		Both	
Mon			Please give further details here (please read guidance note 4)		•
Tue					
Wed			State any seasonal variations for boxing or wrestling entertainment (please read guidance note 5)		
Thur					
Fri			Non-standard timings. Where you inten premises for boxing or wrestling enterta different times to those listed in the colu please list (please read guidance note 6)	inment at	
Sat			,		
Sun					

Stand timing	Live music Standard days and timings (please read guidance note 7)		Will the performance of live music take place indoors or outdoors or both – please tick (please read guidance note 3)	Indoors	$\boxtimes$
guidai			guidance note 3)	Outdoors	
Day	Start	Finish		Both	
Mon	23:00	02:00	Please give further details here (pleas note 4)	e read guida	nce
			Live music (both amplified and unamplified) will be provided for example jazz or blues bands, DJs, or as entertainment at		
Tue	23:00	02:00	functions. All events are managed by the venue and are pre- qualified by the applicant's experienced Meetings & Events		
			Team.		
			The applicant's core business is as an hotel, and care will be taken not to disturb any neighbouring properties and the hotel's own residential guests.		
Wed	23:00	02:00	State any seasonal variations for the performance of live music (please read guidance note 5)		
			New Year's Eve: From the start of permitted ho		
Thur	23:00	02:00	Year's Eve to the end of permitted hours on Ne British Summertime: an additional hour to be a	_	
			British Summerume, an additional flour to be a	idded to 03.00.	
Fri	23:00	02:00	Non-standard timings. Where you int premises for the performance of live i	music at	
			different times to those listed in the cleft, please list (please read guidance n		е
Sat	23:00	02:00	ron, prodes not (prodes road gandanes n	.0.0	
Sun	23:00	02:00			

Standa timing	Recorded music Standard days and timings (please read guidance note 7)		Will the playing of recorded music take place indoors or outdoors or both – please tick (please read guidance note 3)	Indoors	$\boxtimes$	
guidai			guidance note 3)	Outdoors		
Day	Start	Finish		Both		
Mon	23:00	02:00	Please give further details here (please note 4)	read guidanc	е	
Tue			Recorded music will be provided in licensed area core business is as an hotel, and care will be take			
Tue	23:00	02:00	neighbouring properties and the hotel's own resid			
Wed	23:00	02:00	State any seasonal variations for the playing of recorded music (please read guidance note 5)  New Year's Eve: From the start of permitted hours on New Year's Eve:			
Thur	23:00	02:00	Eve to the end of permitted hours on New Year's			
			British Summertime: an additional hour to be add	ded to 03:00.		
Fri	23:00	02:00	Non-standard timings. Where you inter premises for the playing of recorded me	usic at differ	ent	
			times to those listed in the column on the list (please read guidance note 6)	he left, pleas	e	
Sat	23:00	02:00				
Sun	23:00	02:00				

dance Stand	Performances of dance Standard days and timings (please read		Will the performance of dance take place indoors or outdoors or both – please tick (please read guidance note 3)	Indoors	
guidance note 7)			note 3)	Outdoors	
Day	Start	Finish		Both	
Mon			Please give further details here (pleas note 4)	e read guida	nce
Tue					
Wed			State any seasonal variations for the performance of dance (please read guidance note 5)		
Thur					
Fri			Non-standard timings. Where you into premises for the performance of dance times to those listed in the column on list (please read guidance note 6)	e at differen	ıt
Sat			(		
Sun					

Anything of a similar description to that falling within (e), (f) or (g) Standard days and timings (please read guidance note 7)			Please give a description of the type of you will be providing  This section has been completed to give the appl to provide entertainment similar to that falling w and might include, for example, performance art  The applicant's core business is as an hotel, and not to disturb neighbouring properties and the hor residential guests.	icant the flexib ithin (e), (f) or ists. care will be tak	ility (g)
Day	Day Start Finish Will this entertainment take place indoors or outdoors or both – please		Indoors	$\boxtimes$	
Mon	08:00	02:00	tick (please read guidance note 3)	Outdoors	
				Both	
Tue	08:00	02:00	Please give further details here (please read guidance note 4)		
Wed	08:00	02:00			
Thur	08:00	02:00	State any seasonal variations for enters similar description to that falling within (please read guidance note 5)		
Fri	08:00	02:00	New Year's Eve: From the start of permitted hou Eve to the end of permitted hours on New Year's		ır's
			British Summertime: an additional hour to be ad	ded to 03:00.	
Sat	08:00	02:00	Non-standard timings. Where you interpremises for the entertainment of a sime to that falling within (e), (f) or (g) at different those listed in the column on the left, p	nilar descript erent times t	tion
			(please read guidance note 6)		
Sun	08:00	02:00			

Stand	hment ard days		Will the provision of late night refreshment take place indoors or outdoors or both – please tick	Indoors	
timings (please read guidance note 7)			(please read guidance note 3)	Outdoors	
Day	Start	Finish		Both	$\boxtimes$
Mon	23:00	05:00	Please give further details here (please note 4)	read guidan	ce
Tue			Refreshment will be available at the hotel 24 hours a day		
Tue	23:00	05:00			
Wed	23:00	05:00	State any seasonal variations for the provision of late night refreshment (please read guidance note 5)		
Thur	23:00	05:00			
Fri	23:00	05:00	Non-standard timings. Where you into premises for the provision of late nigh at different times, to those listed in the left, please list (please read guidance no	t refreshmei column on	nt
Sat	23:00	05:00	Tert, prease list (prease read guidance no	ne o)	
Sun	23:00	05:00			

Supply of alcohol Standard days and			Will the supply of alcohol be for consumption – please tick (please read guidance note 8)	On the premises			
timings (please read guidance note 7)				Off the premises			
Day	Start	Finish		Both	$\boxtimes$		
Mon	00:00	00:00	State any seasonal variations for the alcohol (please read guidance note 5)	supply of			
Tue	00:00	00:00	(For non-residents) New Year's Eve: From the start of permitted hours on New Year's Eve to the end of permitted hours on New Year's Day.				
Wed	00:00	00:00	(For non-residents) British Summertime: an additional hour to be added to 03:00.				
Thur	00:00	00:00	Non-standard timings. Where you int premises for the supply of alcohol at to those listed in the column on the le	different tim	ies		
Fri	00:00	00:00	(please read guidance note 6)				
			Hotel residents and their bona fide guests will	be able to			
Sat	00:00	00:00	purchase alcohol 24 hours a day.				
			For members of the public, the hours for the sa be 08:00 to 02:00 daily.	ale of alcohol v	vill		
Sun	00:00	00:00					

State the name and details of the individual whom you wish to specify on the licence as designated premises supervisor (Please see declaration about the entitlement to work in the checklist at the end of the form):

Name Axel Knueger			
Date of birth			
Address			
Postcode Postcode			
Personal licence number (if known)			
Issuing licensing authority (if known)			

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 9).			
None			

L

Hours premises are open to the public Standard days and timings (please read guidance note 7)			State any seasonal variations (please read guidance note 5)
Day	Start	Finish	
Mon	00:00	00:00	
Tue	00:00	00:00	
Wed	00:00	00:00	
			Non-standard timings. Where you intend the
Thur	00:00	00:00	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 6)
Fri	00:00	00:00	
Sat	00:00	00:00	
Sun	00:00	00:00	

<b>M</b> Describe the steps you intend to take to promote the four licensing objectives:				
a) General – all four licensing objectives (b, c, d and e) (please read guidance note 10)				
Hoxton Hotel Operator Limited is a part of the Park Plaza Hotels & Resorts group.				
Park Plaza is an experienced operator of luxury hotels across the world and maintains high standards of operation across its estate, which includes Park Plaza hotels throughout London including in Westminster, Lambeth and Ealing, and an art'otel in the Battersea Power Station development in Wandsworth.				
The applicant has reviewed Hackney Council's pool of conditions and a list of proposed conditions is attached to this application.				
b) The prevention of crime and disorder				
See Proposed Conditions.				
c) Public safety				
See Proposed Conditions.				
d) The prevention of public nuisance				
See Proposed Conditions.				

e) Th	ne protection of children from harm	
See	Proposed Conditions.	
Chec	cklist: Please tick to indicate agree	ment
•	I have made or enclosed payment of the fee.	$\boxtimes$
•	I have enclosed the plan of the premises.	$\boxtimes$
•	I have sent copies of this application and the plan to responsible authorities and others where applicable.	
•	I have enclosed the consent form completed by the individual I wish to be designated premises supervisor, if applicable.	$\boxtimes$
•	I understand that I must now advertise my application.	$\boxtimes$
•	I understand that if I do not comply with the above requirements my application will be rejected.	$\boxtimes$
	[Applicable to all individual applicants, including those in a partnership which is not a limited liability partnership, but not companies or limited liability partnerships] I have included documents demonstrating my entitlement to work in the United Kingdom or my share code issued by the Home Office online right to work checking service (please read note 15)	

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.

IT IS AN OFFENCE UNDER SECTION 24B OF THE IMMIGRATION ACT 1971 FOR A PERSON TO WORK WHEN THEY KNOW, OR HAVE REASONABLE CAUSE TO BELIEVE, THAT THEY ARE DISQUALIFIED FROM DOING SO BY REASON OF THEIR IMMIGRATION STATUS. THOSE WHO EMPLOY AN ADULT WITHOUT LEAVE OR WHO IS SUBJECT TO CONDITIONS AS TO EMPLOYMENT WILL BE LIABLE TO A CIVIL PENALTY UNDER SECTION 15 OF THE IMMIGRATION, ASYLUM AND NATIONALITY ACT 2006 AND PURSUANT TO SECTION 21 OF THE SAME ACT, WILL BE COMMITTING AN OFFENCE WHERE THEY DO SO IN THE KNOWLEDGE, OR WITH REASONABLE CAUSE TO BELIEVE, THAT THE EMPLOYEE IS DISQUALIFIED.

Part 4 – Signatures (please read guidance note 11)

Signature of applicant or applicant's solicitor or other duly authorised agent (see guidance note 12). If signing on behalf of the applicant, please state in what capacity.

	<ul> <li>[Applicable to individual applicants only, including those in a partnership which is not a limited liability partnership] I understand I am not entitled to be issued with a licence if I do not have the entitlement to live and work in the UK (or if I am subject to a condition preventing me from doing work relating to the carrying on of a licensable activity) and that my licence will become invalid if I cease to be entitled to live and work in the UK (please read guidance note 15).</li> </ul>
Declaration	
	The DPS named in this application form is entitled to work in the UK (and is not subject to conditions preventing him or her from doing work relating to a licesable activity) and I have seen a copy of his or her proof of entitlement to work, or have conducted an online right to work check using the Home Office right to work checking service which confirmed their right to work (please see note 15)
Signature	
Date	21 December 2023
Capacity	Applicant's Solicitor

For joint applications, signature of  $2^{nd}$  applicant or  $2^{nd}$  applicant's solicitor or other authorised agent (please read guidance note 13). If signing on behalf of the applicant, please state in what capacity.

Signature	
Date	
Capacity	

Contact name (where not previously given) and postal address for correspondence associated with this application (please read guidance note 14)
Harris Hagan

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

#### **Notes for Guidance**

- 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 for consumption of these off-supplies, you must include a description of where the place will be and its proximity to the premises.
- 2. 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



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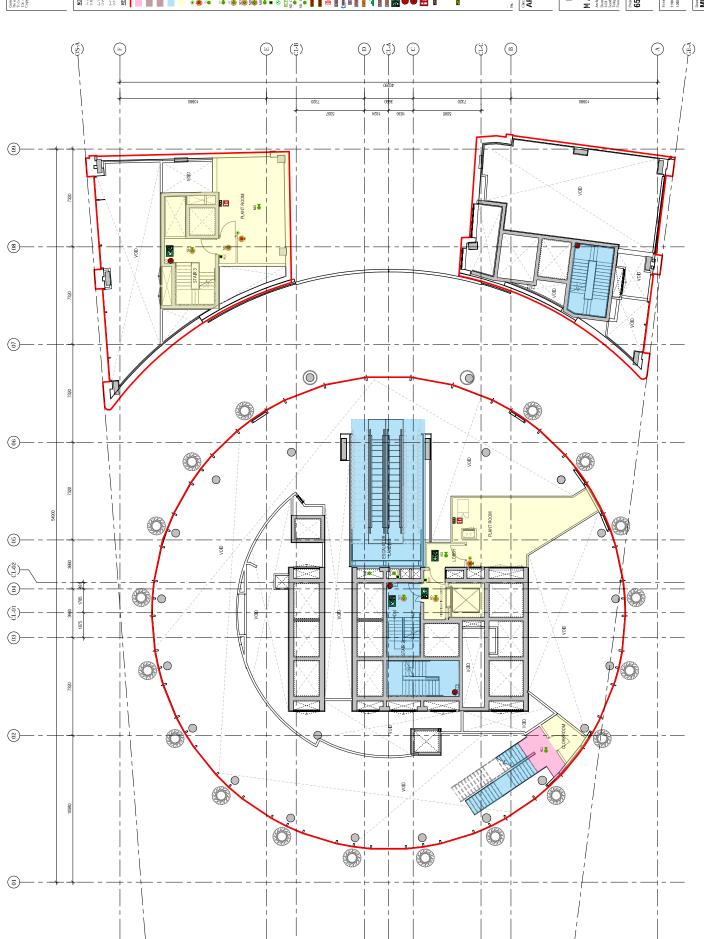
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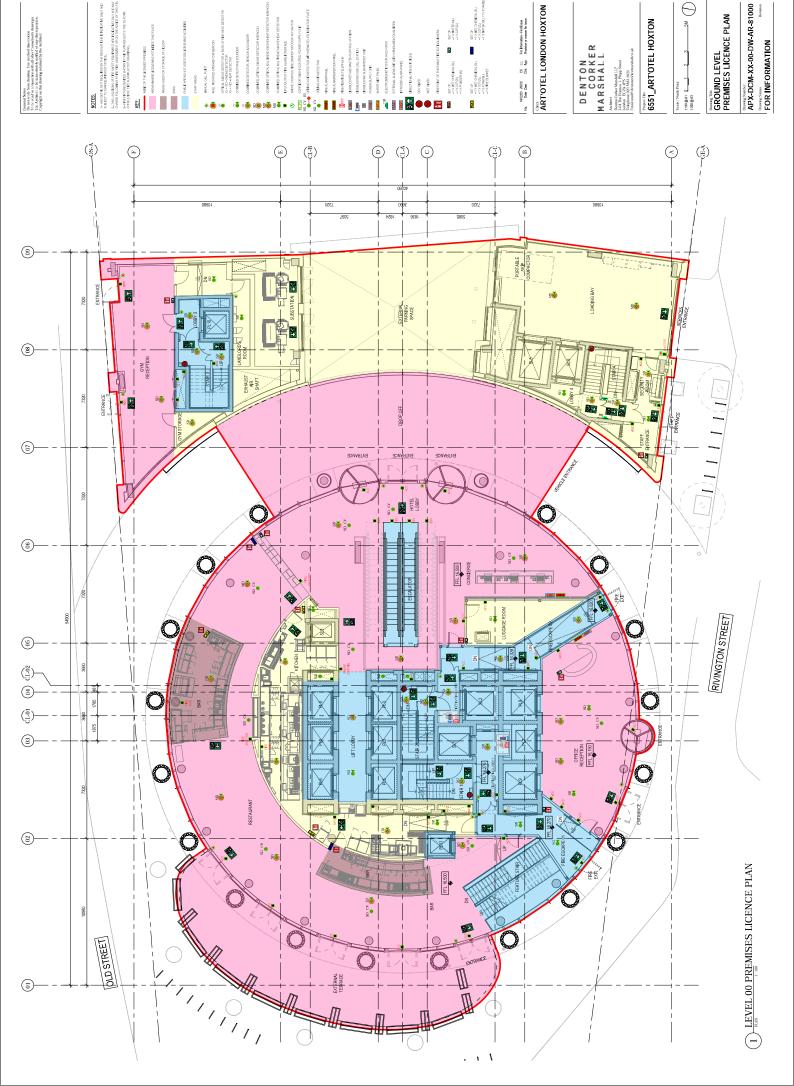
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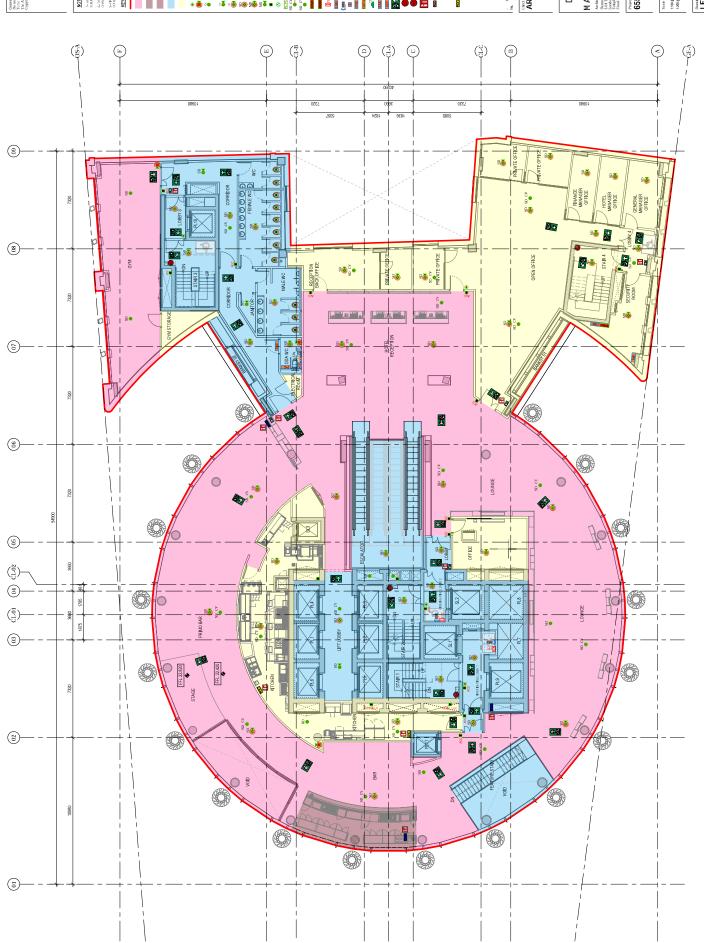
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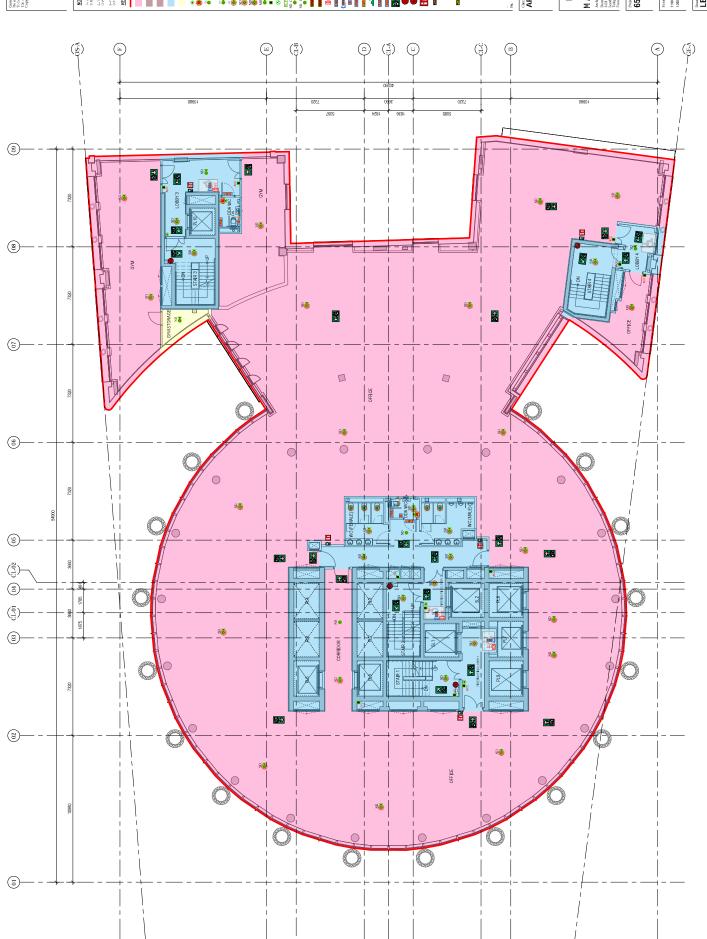
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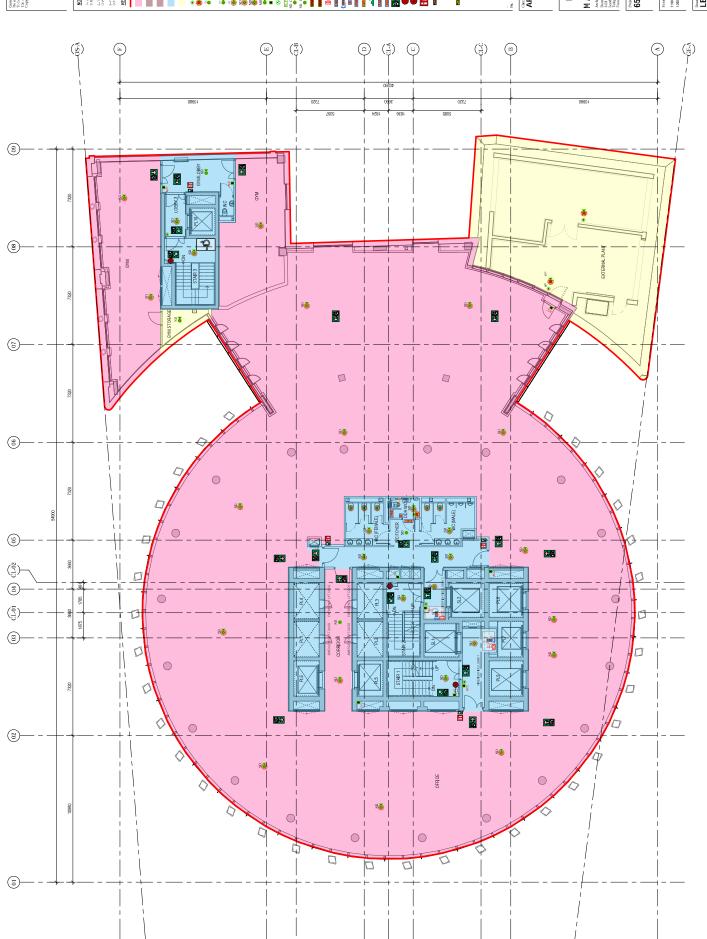
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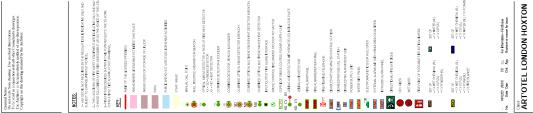
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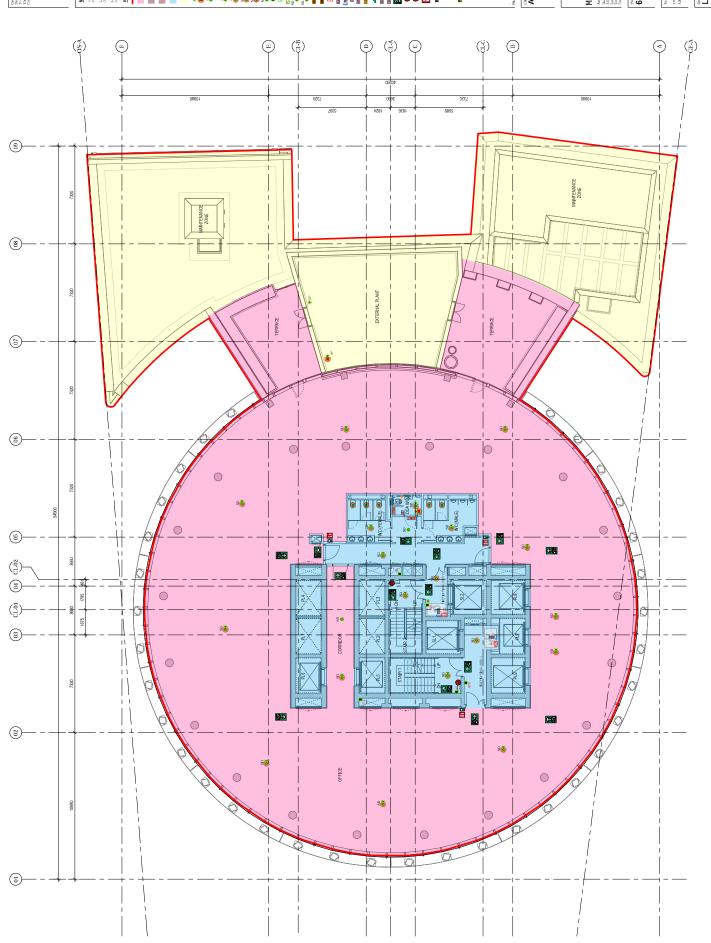
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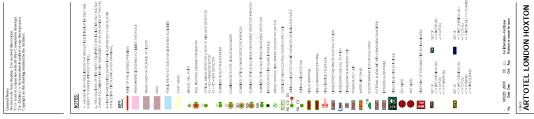
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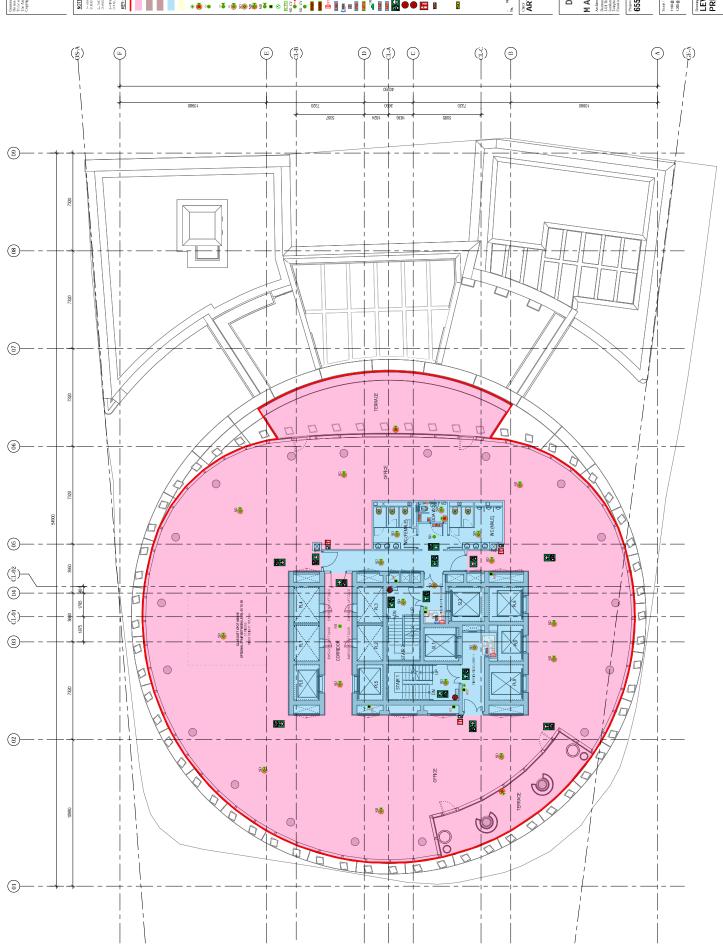
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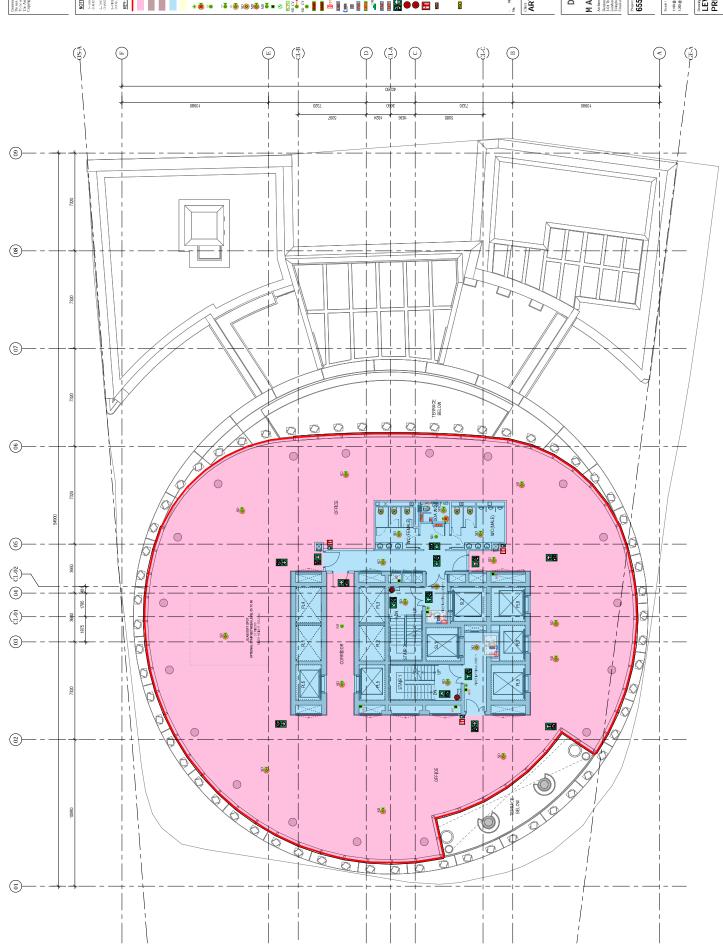
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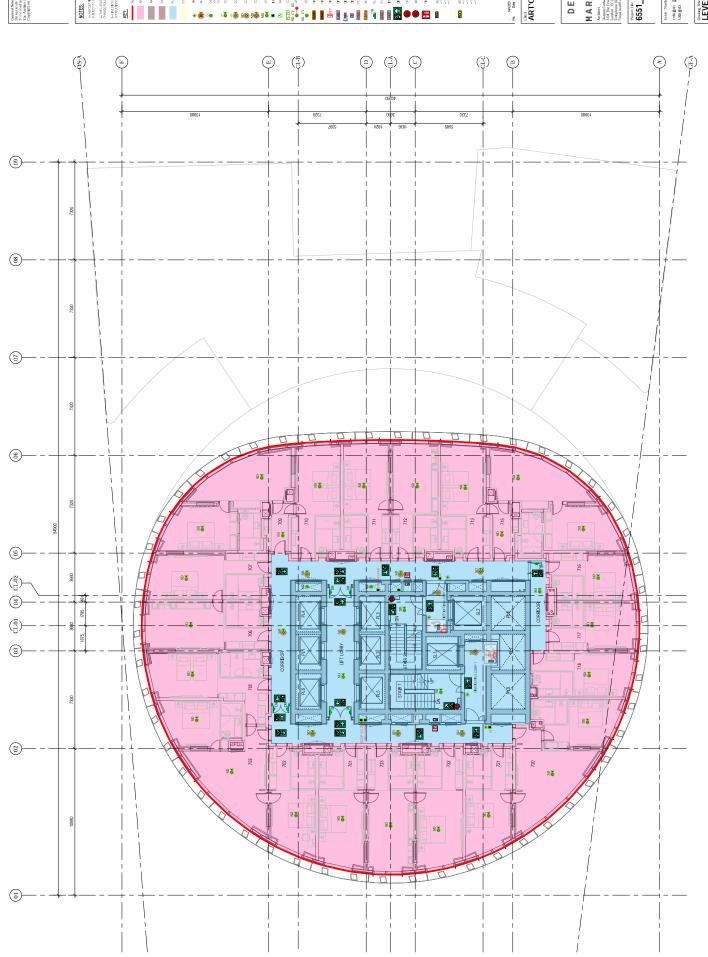
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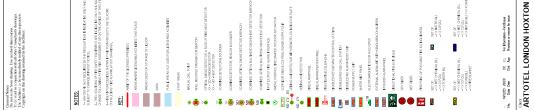
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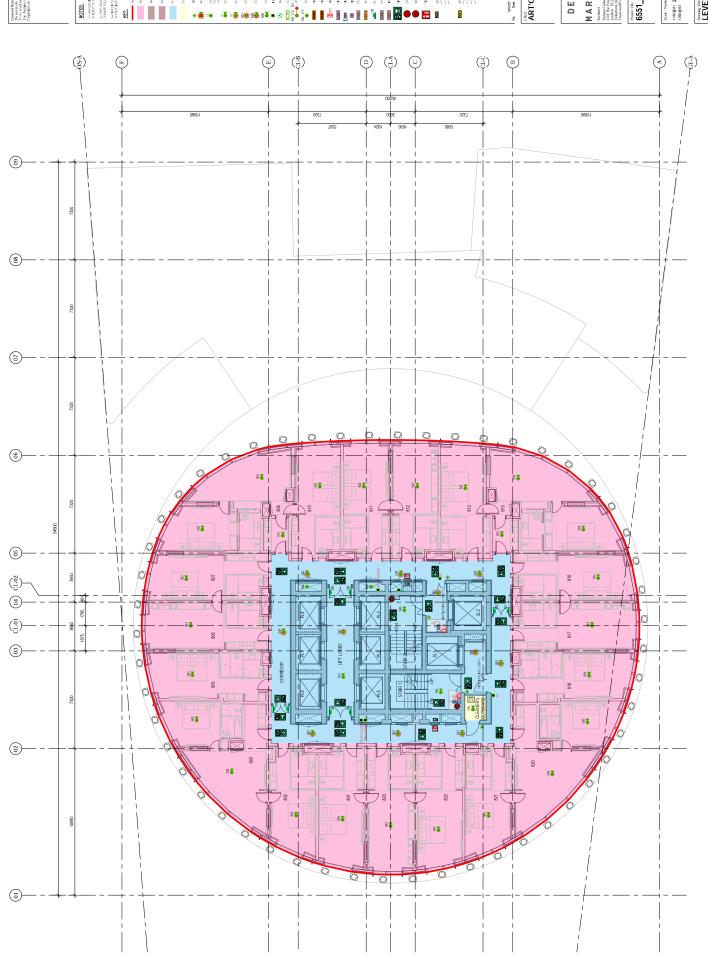
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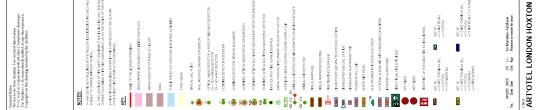
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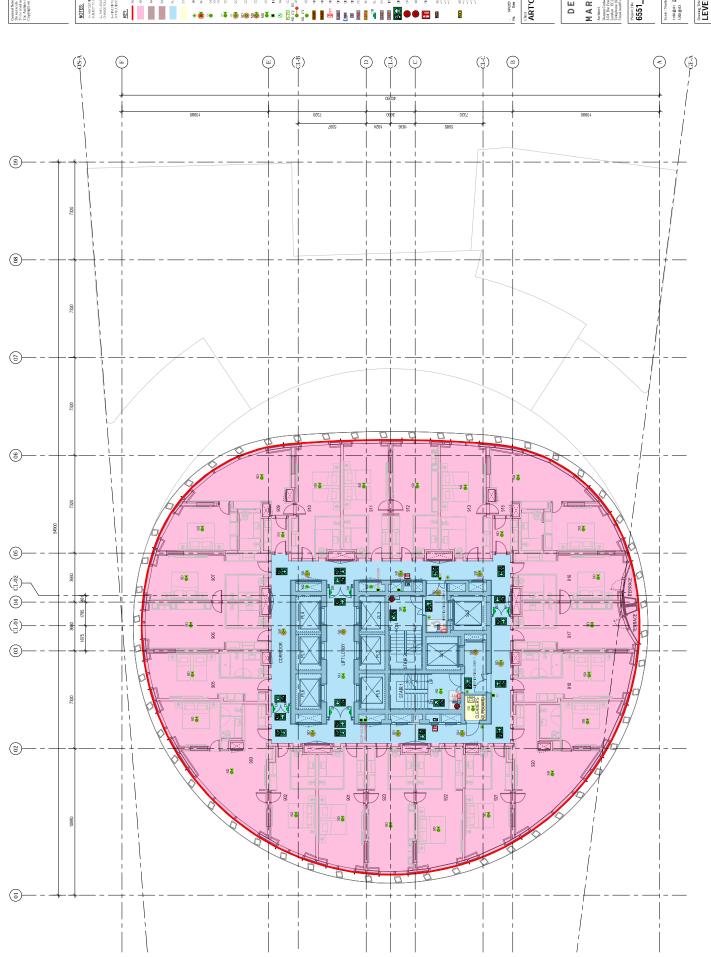


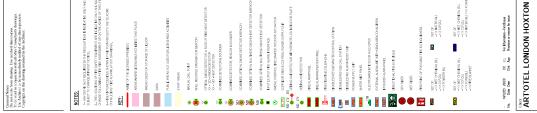
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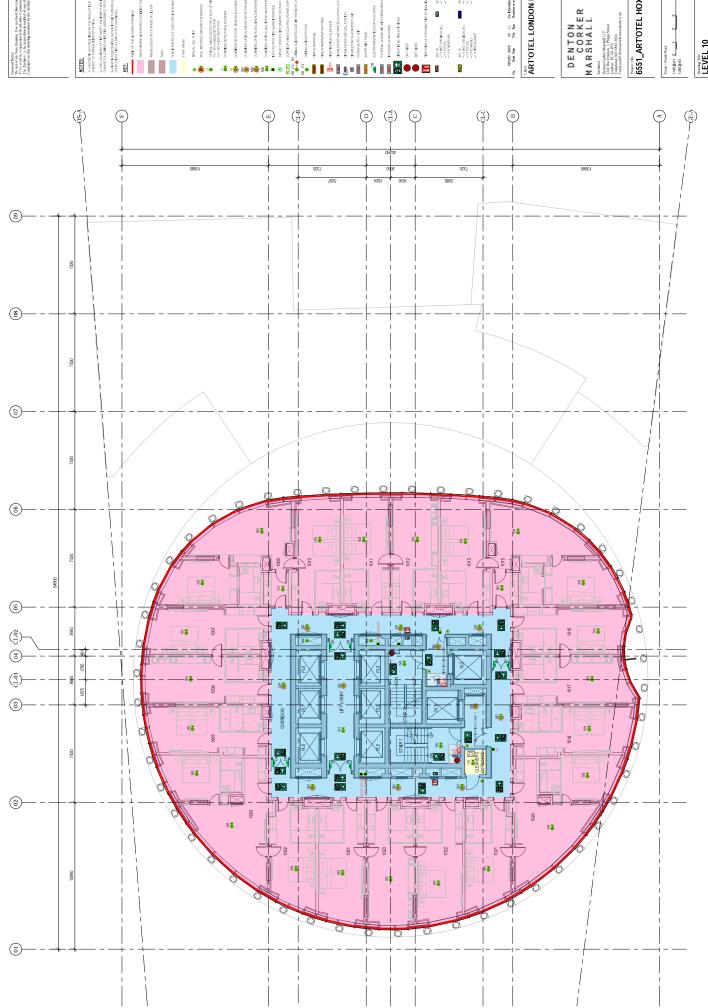


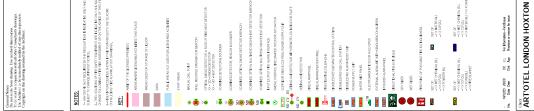
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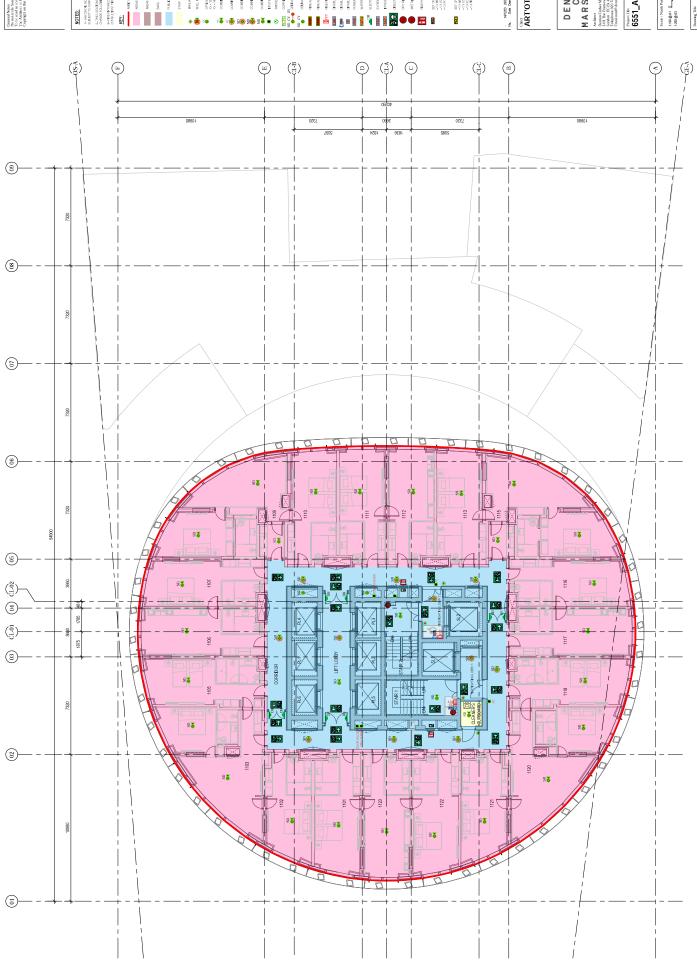
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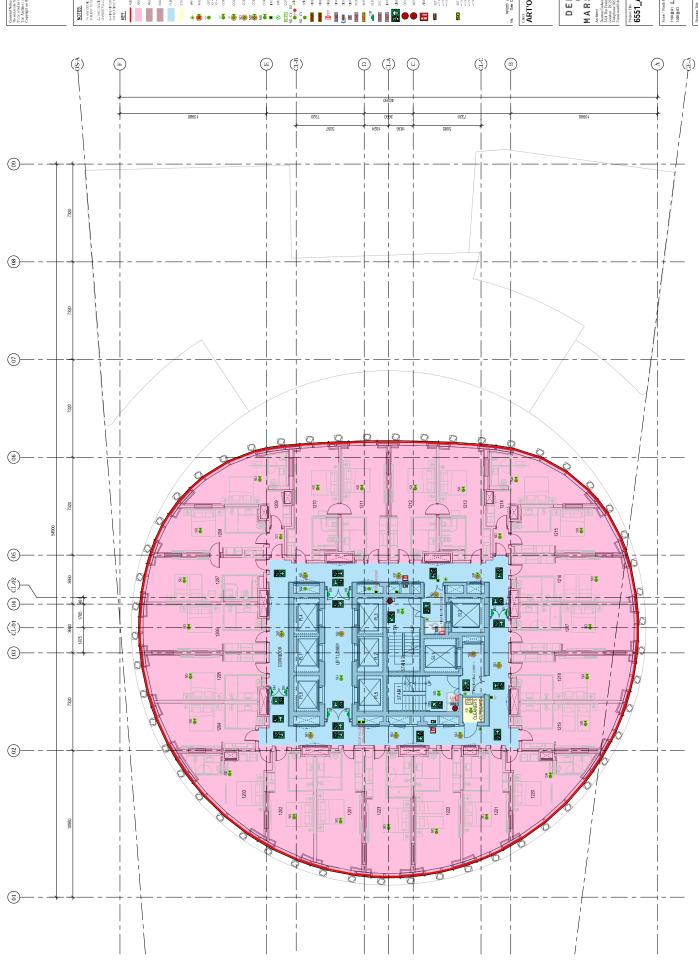
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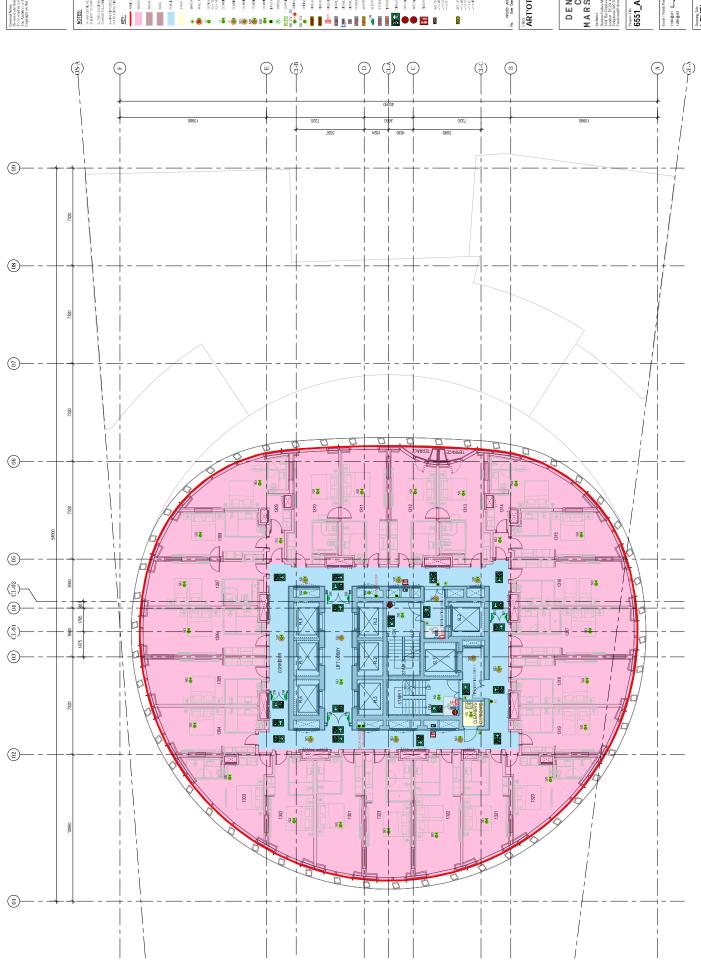
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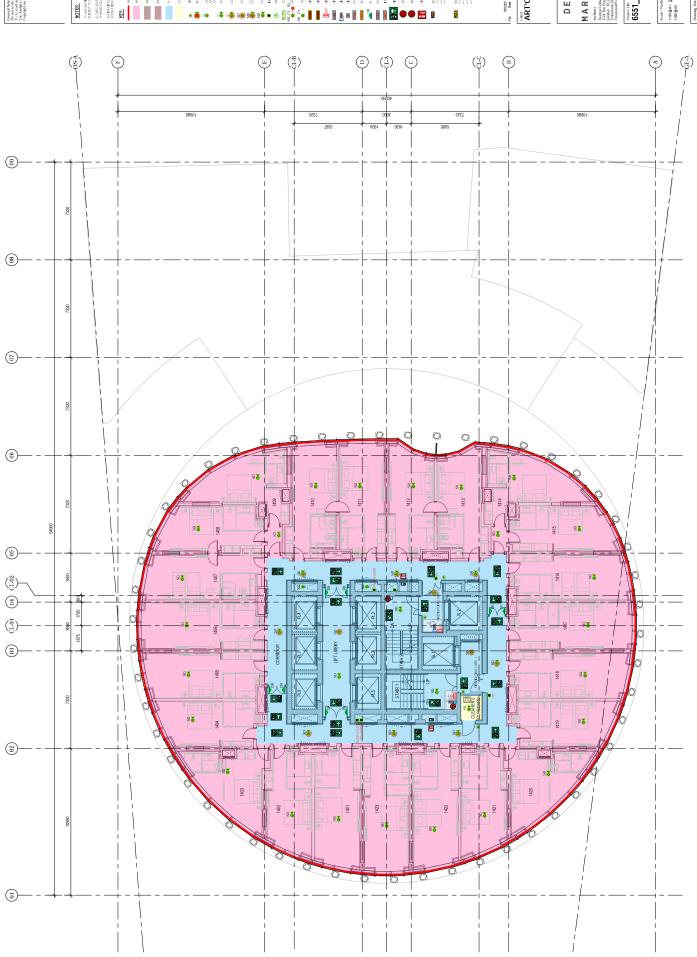
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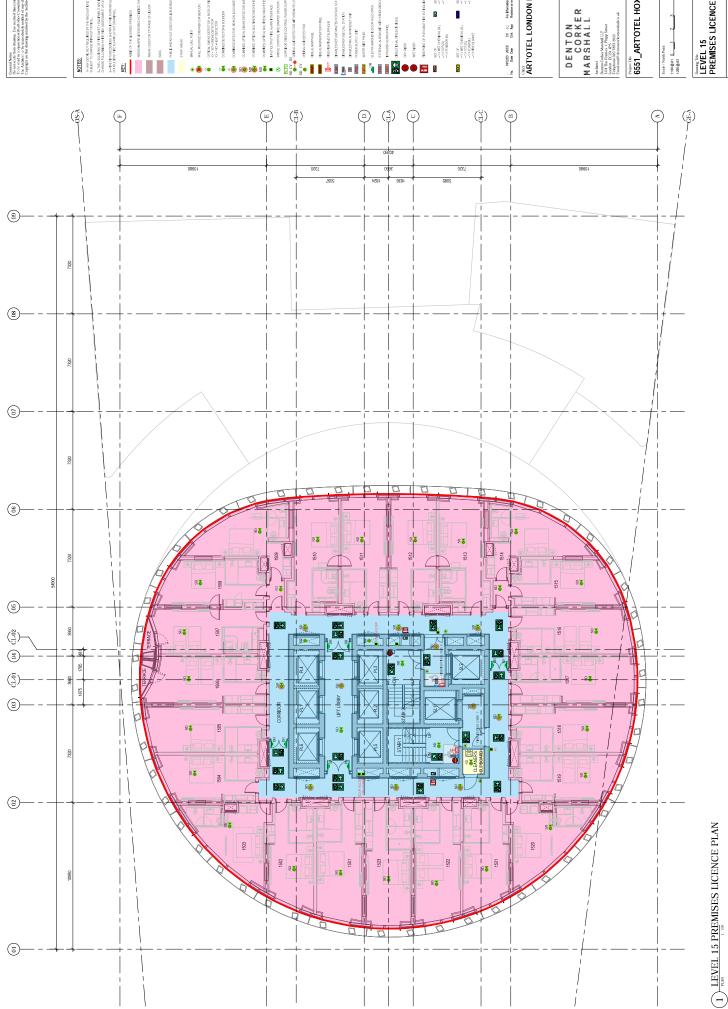
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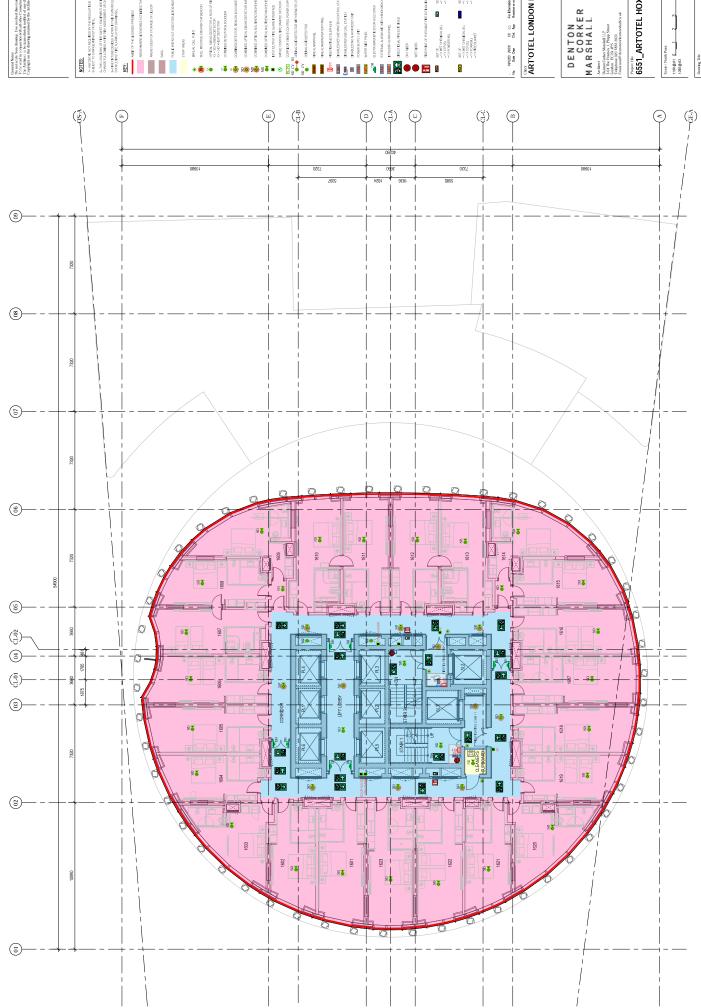


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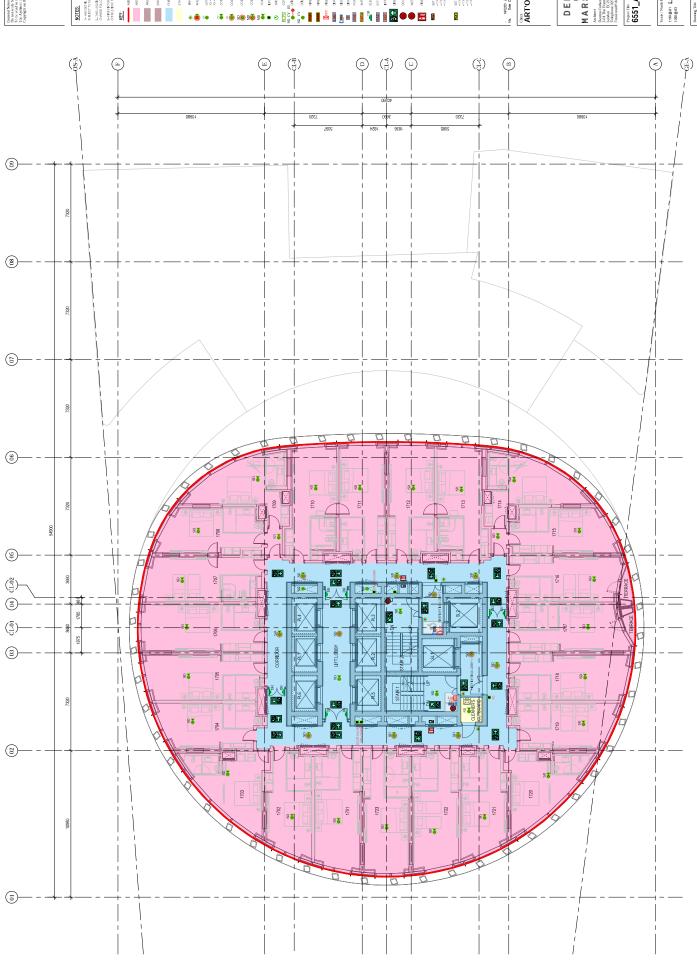


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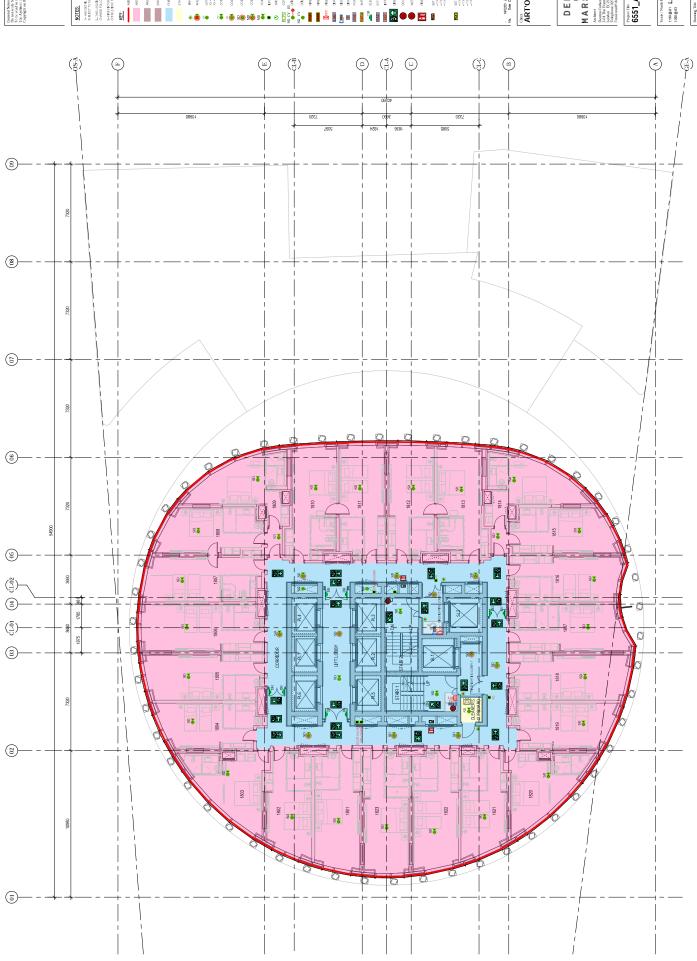
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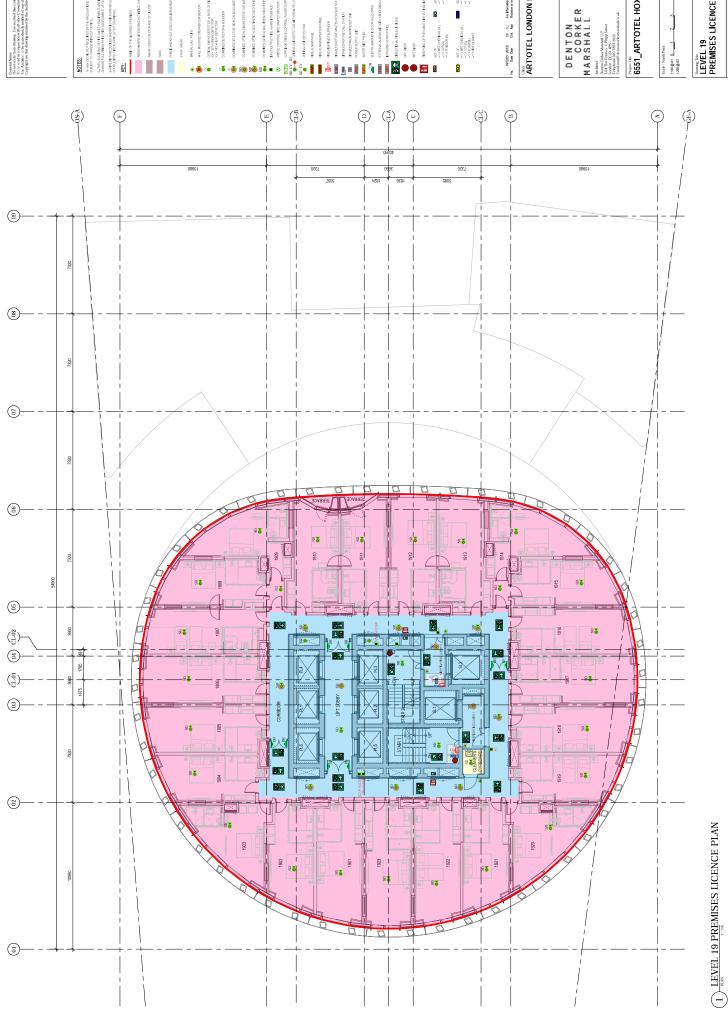
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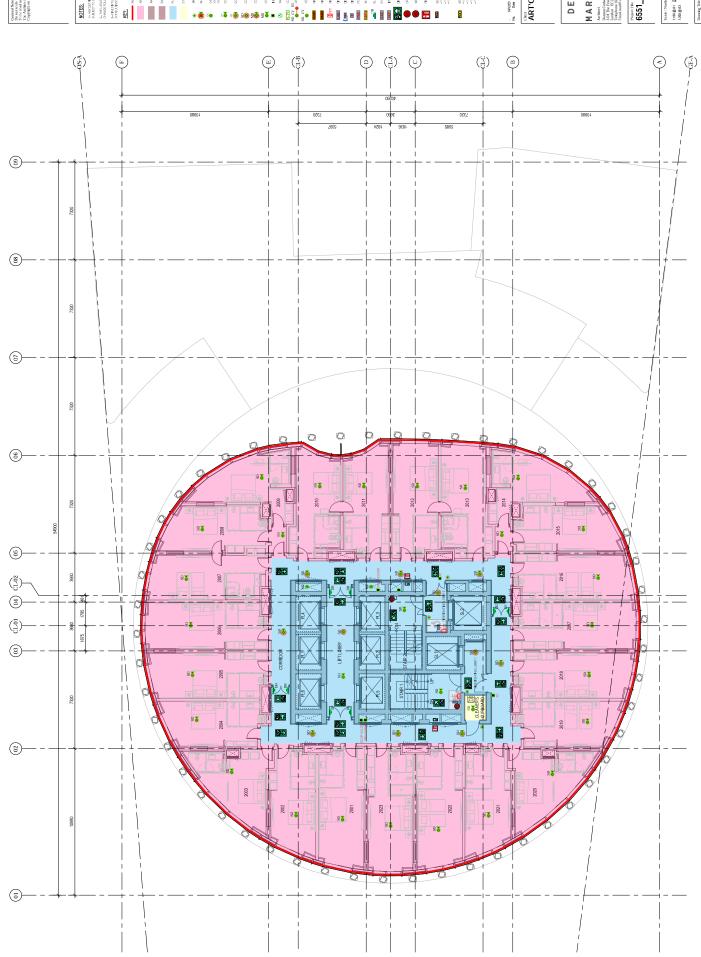
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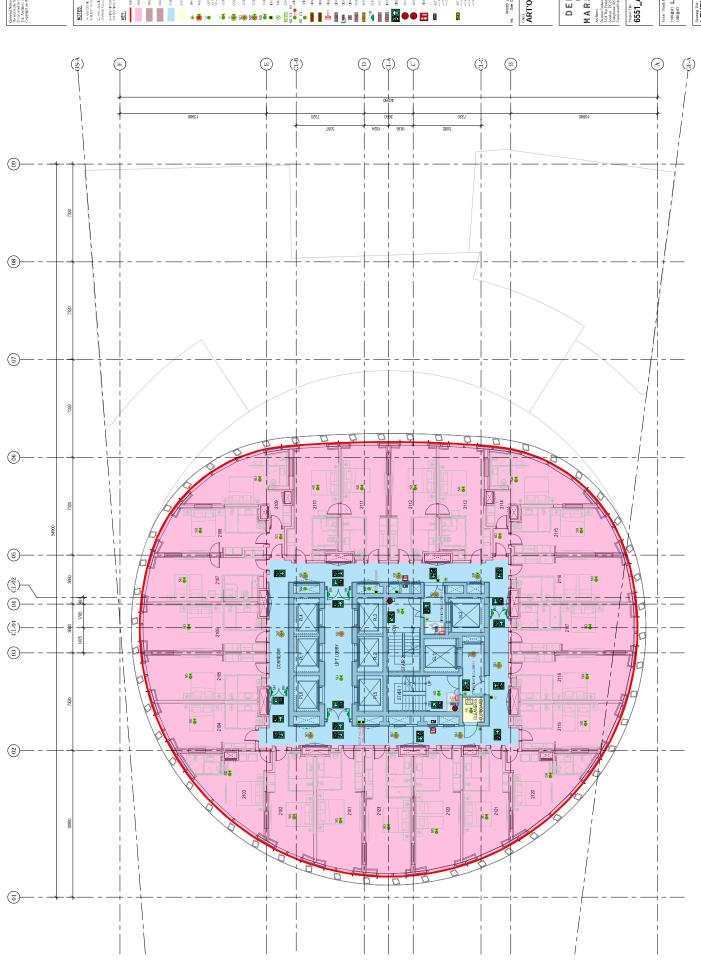
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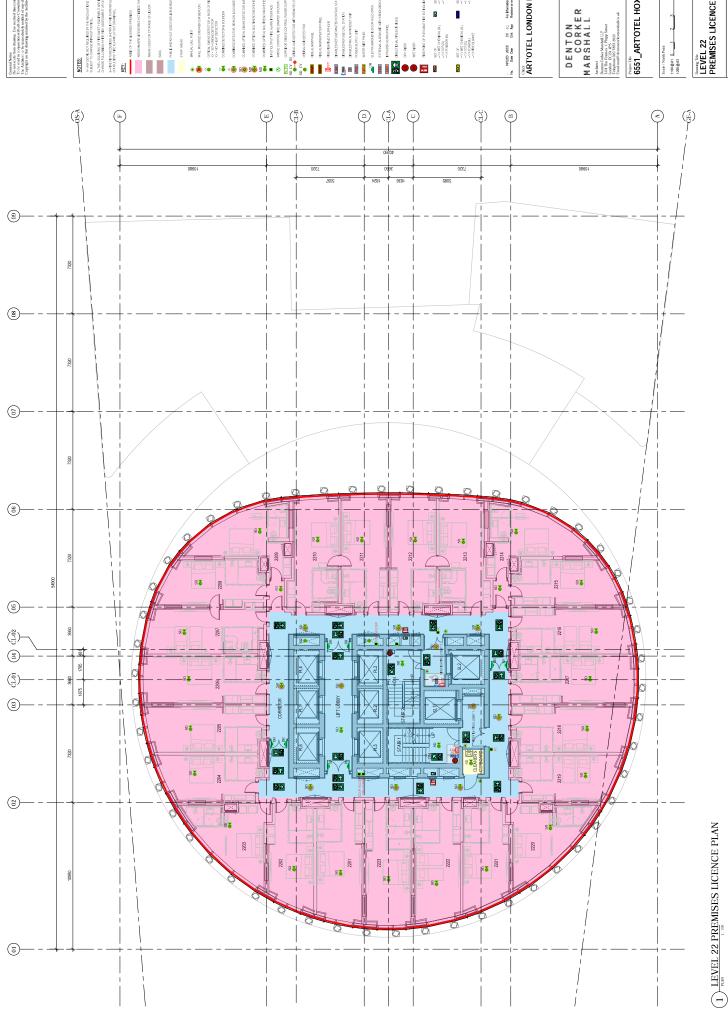
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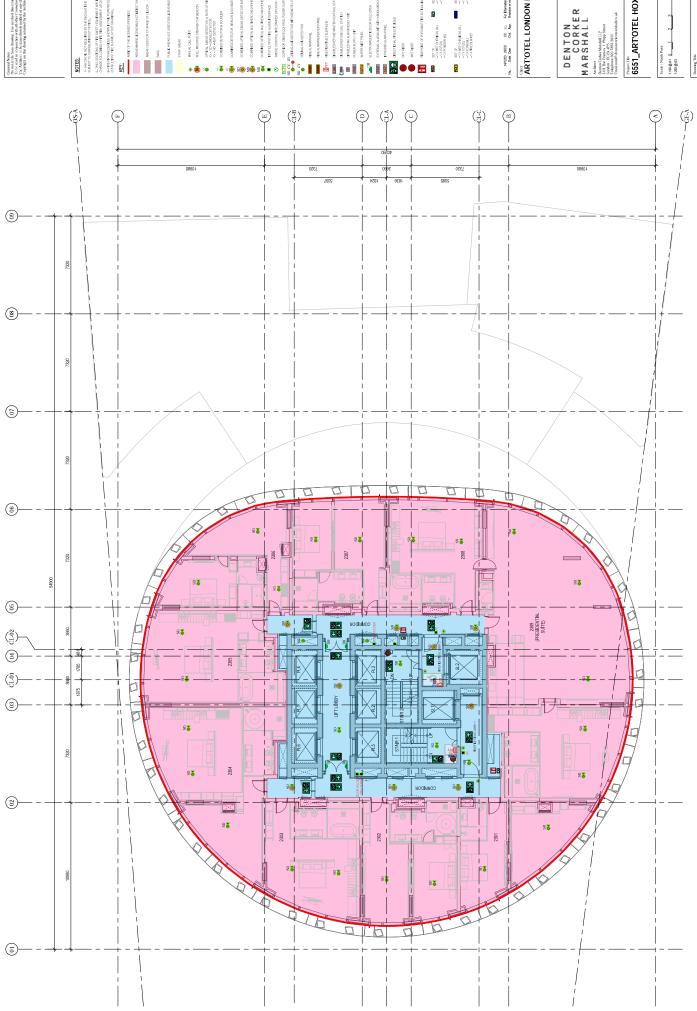


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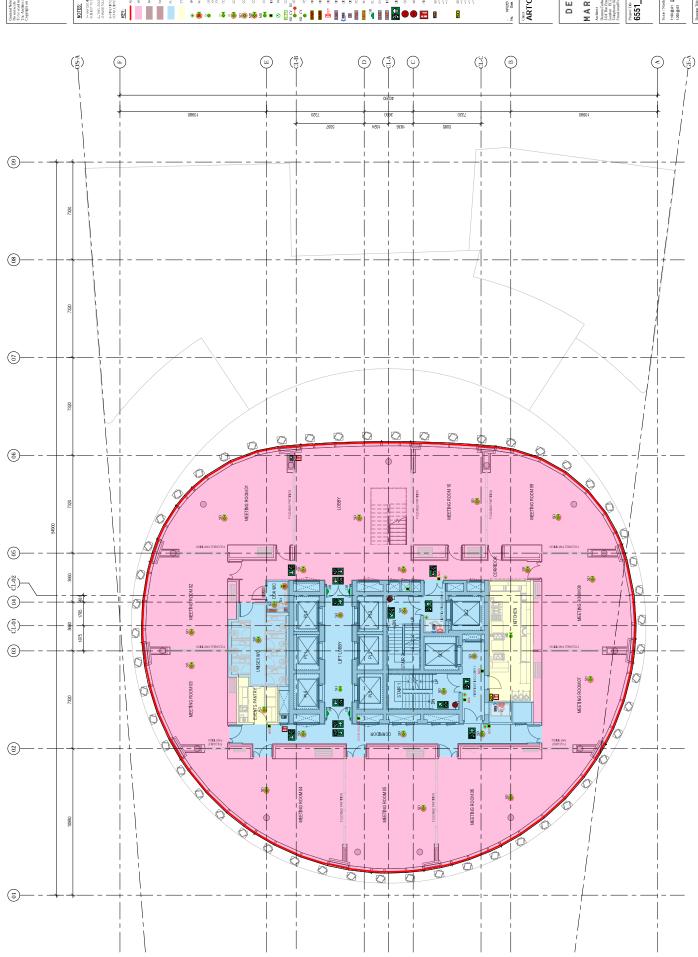
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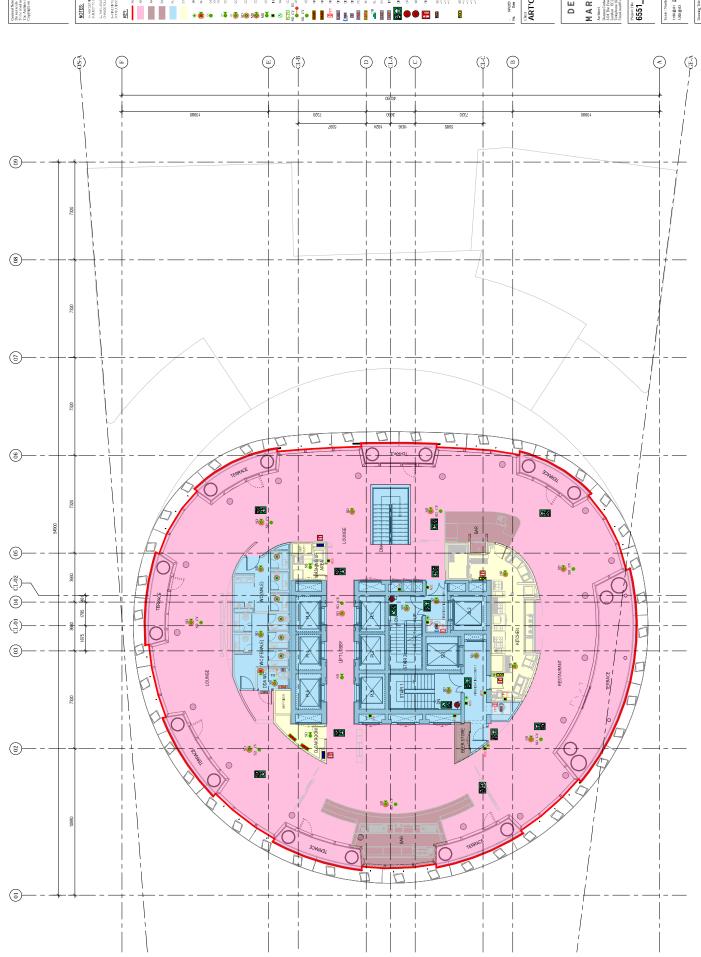
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FOR INFORMATION

## Hoxton Hotel Operator Limited

### Application for a Premises Licence for art'otel London Hoxton

## **Proposed Conditions**

B6	The approved arrangements at the premises, including means of escape
	provisions, emergency warning equipment, the electrical installation and
	mechanical equipment, shall at all material times be maintained in good condition
	and full working order.
B7	The means of escape provided for the premises shall be maintained unobstructed,
	free of trip hazards, be immediately available and clearly identified in accordance
	with the plans provided.
B8	All emergency exit doors shall be available at all material times without the use of a
	key, code, card or similar means.
B9	All emergency doors shall be maintained effectively self- closing and not held open
	other than by an approved device.
C1	The licensee shall install and maintain a comprehensive CCTV system as per the
	minimum requirements of a Metropolitan Police Crime Prevention Officer. All entry
	and exit points will be covered enabling frontal identification of every person
	entering in any light condition. The CCTV system shall as a minimum 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
	provided immediately upon the request of Police or authorised officer throughout
	the preceding 31-day period.
C2	No less than one member of staff who is able to operate the CCTV system shall be
	on the premises at all times.
C4	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 as a minimum record the
	following:
	(a) all crimes reported to the venue
	(b) all ejections of patrons
	(c) any complaints received
	(d) any incidents of disorder



	<ul> <li>(e) seizures of drugs or offensive weapons</li> <li>(f) any faults in the CCTV system or searching equipment or scanning equipment</li> <li>(g) any refusal of the sale of alcohol</li> <li>(h) any visit by a relevant authority or emergency service.</li> </ul>
G2	The licensee shall display the telephone number/email address of the Designated Premises Supervisor for use by any Responsible Authority or any person who may wish to make a complaint during the operation of the licence in a prominent external location at the premises that is easily accessible to the public.
G4	The licence holder shall enter into an agreement with a hackney carriage and/or private carriage firm to provide transport for customers, with contact numbers made readily available to customers who will be encouraged to use such services.
G8	No entertainment, performance, service or exhibition involving nudity or sexual stimulation which would come within the definition of a sex establishment as defined in Schedule 3 of the Local Government (Miscellaneous Provisions) Act 1982 as amended by the Police and Crime Act 2009, shall be provided.
G9	Adequate and appropriate supply of first aid equipment and materials must be available on the premises at all times.
G10	At least one member of staff who has received first-aid training from a HSE approved trainer shall be on duty when the public are present.
G13	There shall be a written dispersal policy, a copy of which shall be kept on the premises and made available to police or other authorised officer upon request.
G15	Substantial food shall be available at all times.
H1 (as amended in red)	The sale of alcohol between 02:00 and 08:00 is restricted to hotel residents and their bona fide guests.
N1	Clear and prominent notices shall be displayed and maintained at all exits in a place where they can be seen and easily read by customers requiring customers to leave the premises and the area quietly.
N3 (as amended in red)	In areas where regulated entertainment is taking place, all external doors and windows shall be kept closed, other than for access and egress, while that regulated entertainment is taking place.
N17	No fumes, steam or odours shall be emitted from the licensed premises so as to cause a nuisance to any persons living or carrying on business in the area where the premises are situated.



O3 (as amended in red)	Use of the terraces on the ground, 4 <sup>th</sup> , 5 <sup>th</sup> and 25 <sup>th</sup> floors (shown on the plans) shall cease at 23:00, save for persons temporarily going outside to smoke.					
P2 (as amended in red)	Staff who are engaged in the sale of alcohol will receive formalised training in the sale of age restricted products, and training records evidencing such training will be kept and maintained at the premises, available for inspection by a representative of the statutory authorities for not less than 2 years. Such training is to be refreshed at intervals not exceeding twelve months.					
P3 (as amended in red)	Where a person appears to be under the age of 25 identification in the form of a passport, photo driving licence or a proof of age card bearing the PASS hologram will be sought and if not provided service of alcohol shall be refused.					
W1 (as amended in red)	The licensee shall undertake litter patrols around the perimeter of the building to collect any litter associated with the premises. The collection and removal of litter should include satisfactory disposal of spilled food and similar materials so as to leave the footway in a clean, safe and wholesome condition.					
W3 (as amended in red)	All refuse and recycling is placed in receptacles which are located in our internal loading bay, prior to their collection. Collection takes place in the internal loading bay.					
W5 (as amended in red)	Relevant staff are to be 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 is can be referred to at all times by staff.					
Proposed	The hotel will have two types of security staff:					
security condition:	a) Hotel security staff and doormen ("Hotel Security"). Hotel security will be on duty 24/7, covering the entrance lobby and patrolling the hotel building.					
	b) SIA registered door supervisors ("Door Supervisors"). Door Supervisors will be on duty on the 25th Floor Bar as necessary according to business need, including on Thursdays to Saturdays from 21:00 until close. Management shall record the full name, home address and contact telephone number, SIA registration number, and the time/date of employment of any Door Supervisor/s employed at the premises. Where Door Supervisor/s are provided by an agency, this information will be requested from the agency, and the name, business address and contact telephone number of the relevant agency will also be recorded. These records are to be maintained for no less than 12 months.					



# Appendix B

# RESPONSIBLE AUTHORITY REPRESENTATION: APPLICATION UNDER THE LICENSING ACT 2003

#### **RESPONSIBLE AUTHORITY DETAILS**

NAME OF AUTHORITY	Licensing Authority	
ADDRESS OF AUTHORITY	Licensing Service Hackney Service Centre 1 Hillman Street London E8 1DY	
CONTACT NAME	David Tuitt	
TELEPHONE NUMBER	020 8356 4942	
E-MAIL ADDRESS	david.tuitt@hackney.gov.uk	

#### **APPLICATION PREMISES**

Premises	art'otel London Hoxton 1-3 Rivington Street London EC2A 3DT
Applicant	Hoxton Hotel Operator Limited

#### **COMMENTS**

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

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2) public safety

3) the prevention of public nuisance x

4) the protection of children from harm

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

I write to make a representation in response to this application due to the potential impact on the promotion of the licensing objectives, in particular, the prevention of crime and disorder and the prevention of public nuisance.

The site is described as a 5\* luxury hotel. It is the culmination of a long planning process to get to this stage. However, there may be a negative impact on the promotion of the licensing objectives if some elements of the application are not restricted, notably, where the general public are allowed access. It should be noted that I have no comments to make on the request for unrestricted hours for hotel residents and their bona fide guests (e.g. films, and alcohol via minibars and/or room service as highlighted in the application).

Newly commissioned research on behalf of the Council shows that the Shoreditch area suffers from the negative cumulative impact likely to be as a result of the large number of night-time, licensed venues in the area. The report states that this is at a significantly greater intensity and spatial scale than the rest of the borough's clusters of night-time economy. These impacts include:

- High levels of crime, such as thefts, robberies and violence
- Significant on-street urination
- Large numbers of calls to the London Ambulance Service

Although data suggests that crime and ambulance calls have fallen since 2019, the level remains higher than in other parts of the borough. The proposed hours for the publicly accessible parts of the site could add to these figures given the prominent location of the premises within the Shoreditch Triangle.

The following proposed conditions are highlighted:

"H1 - The sale of alcohol between 02:00 and 08:00 is restricted to hotel residents and their bona fide guests"

The proposed condition suggests the intention is for public parts to be accessible from 08:00 to 02:00 daily. The applicants attention is therefore drawn to the following from the Council's Licensing Statement:

#### LP3 Core Hours

Hours for licensable activity will generally be authorised, subject to demonstrating LP1 and LP2, as follows:

- Monday to Thursday 08:00 to 23:00
- Friday and Saturday 08:00 to 00:00
- Sunday 10:00 to 22:30

Hours may be more restrictive dependent on the character of the area and if the individual circumstances require it.

Later hours may be considered where the applicant has identified any risk that may undermine the promotion of the licensing objectives and has put in place robust measures to mitigate those risks.

It should be noted that this policy does not apply to those who are making an application within a special policy area (see section 3) unless they have been able to demonstrate that the proposed activity or operation of the premises will not add to the cumulative impact that is already being experienced.

It should also be noted that where a premises is not in possession of planning permission for the proposed activity and/or hours may be further restricted during weekdays and not permitted at all at weekends.

#### And

"O3 - Use of the terraces on the ground, 4th, 5th and 25th floors (shown on the plans) shall cease at 23:00, save for persons temporarily going outside to smoke"

The applicants attention is also drawn the following from the Licensing Statement:

#### LP6 External Areas and Outdoor Events

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

However, it is appreciated that there may be additional planning controls in relation to any terraces.

Reference is made to a spa which would require a premises licence under the London Local Authorities Act 1990.

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

The Licensing Act 2003, guidance issued by the Home Office under s182 of the Licensing Act 2003

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

Further discussion with the applicant on the points raised above.

Name: David Tuitt (Business Regulation Team Leader) - Licensing and Technical Support

18th January 2024

