

# Licensing Sub Committee

**Thursday, 19 September 2024 at 6.30 p.m.  
Council Chamber - Town Hall, Whitechapel**

## Supplemental Agenda

**4 .2 Application for a New Premise Licence for The Pickle Factory, 11-14 The Oval, London, E2 9DT (Pages 3 - 28)**

Further supplementary papers submitted on behalf of the applicant.

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# Agenda Item 4.2

## The Pickle Factory, 11-14 The Oval, Cambridge Heath, London

### Supplemental Evidence Bundle

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1.	Food and drinks menu	2 - 7
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**Fizz** 125ml (glass)

Mongarda > Col Fondo (2021) > Glera > Veneto, IT <sup>11.5</sup>

Krone > Amphora Blanc de Blancs (2021) > Chardonnay > Tulbach, SA <sup>17.5</sup>

**White** 125ml (glass) / 500ml (carafe)

Carousel White > Bianco (NV) > Trebbiano > Abruzzo, IT <sup>8.5/29.5</sup>

Stajerska Kolektiv > Stajerska White (2021) > Field Blend > Stajerska, SL <sup>10.5/37</sup>

Aline Beauné > Bourgogne Aligoté (2022) > Aligoté > Burgundy, FR <sup>13.5/51</sup>

**Orange** 125ml (glass) / 500ml (carafe)

Maria Jover > Parajes del Valle (2022) > Macabeo > Manchuela, ES <sup>10.5/37</sup>

Domaine Stoeffler > Feu Follet (2022) > Muscat, Pinot Gris > Alsace, FR <sup>13.5/49</sup>

**Pink** 125ml (glass) / 500ml (carafe)

Nibiru > Grundstein Rosé (2022) > Zweigelt, Blauer Portugieser > Kamptal, AU <sup>11/39.5</sup>

Can Sumoi > La Rosa (2023) > Sumoll, Parellada, Xarel-lo > Penedes, ES <sup>12.50/46</sup>

**Red** 125ml (glass) / 500ml (carafe)

Carousel Red (NV) > Montepulciano > Abruzzo, IT <sup>8.5/29.5</sup>

Le Petit Saint Vincent > Saumur Champigny (2021) > Cabernet Franc > Loire, FR <sup>12/46</sup>

Reyneke > Syrah (2020) > Stellenbosch, SA <sup>13/48</sup>

## House Cocktails

Rasp-Beret > Gin, raspberry & thyme cordial, soda, tonic <sup>11</sup>

Pachi's Paloma > Tequila, grapefruit, lime, soda <sup>12</sup>

Oaxacan Negroni > The Lost Explorer Espadin Mezcal, Campari, Fotli Rojo <sup>13</sup>

Basil Smash > Gin, chartreuse, apple & basil cordial, cider <sup>13</sup>

Wise Old Sage > Market Row Rum, lime, sage & ginger syrup, soda <sup>14</sup>

Frida's Margarita > Mezcal, chilli infused Cointreau, lime <sup>14</sup>

Lola's Cola Daiquiri > The Brixton Dram, cola syrup, lime <sup>15</sup>

Blush Bubbles > Tequila, strawberry, rosé syrup, lemon, soda <sup>15</sup>

## Beer & Cider

Estrella Damm > ES (schooner) <sup>5</sup>

Daura Damm gluten free > ES (330ml) <sup>4</sup>

The Kernel > Pale Ale > Centennial, Columbus, Galaxy > London, UK (330ml) <sup>6</sup>

The Kernel > Bière de Saison > Raspberry > London, UK (330ml) <sup>7.5</sup>

Showerings > Triple Vintage Cider > Somerset, UK (375ml) <sup>7.5</sup>

## Non-alcoholic

Free Damm non-alc. lager > ES (330ml) <sup>4</sup>

Wise Young Sage > Lime, sage & ginger syrup, soda <sup>5</sup>

Raspberry & Lyres Collins <sup>7</sup>

Botivo & Soda <sup>7</sup>

Ambijus 'Clearly Confused' Sparkling (125ml) <sup>8</sup>

## **Agave**

Negroni > Lost Explorer Espadin, Campari, Cynar, Cocchi Americano // 13.5

Margarita > Tequila, Triple Sec, Basil, Habanero, Lime // 13

Martini > Lost Explorer Espadin, Cocchi Americano, Shallot, Guindilla // 14

Manhattan > Lost Explorer Espadin, Carousel 10Y Vermouth, Botivo, Fino // 15

75 > Tequila, Strawberry, Tarragon, Bubbles // 16

Paloma > Tequila, Rhubarb, Pink Peppercorn, Grapefruit Soda // 14

Old Fashioned > Lost Explorer Espadin, Anchos, Grilled Peach, Fig Leaf // 15

Espresso Martini > Lost Explorer Espadin, Chartreuse, Beetroot, Coffee // 14

## **Otro**

Gimlet Verde > Gin, Pear, Dill // 13

Terreno > Rye Whiskey, Artichoke, Porcini, Absinthe // 15

**Please ask to see our agave list**

## **Wines (125ml)**

### **Fizz**

Krone > 'Amphora Blanc de Blancs' > Chardonnay > South Africa // 17.5

### **White**

Carousel White > Trebbiano > Italy // 8

Aline Beauné 'Bourgogne Aligoté' > Aligoté > France // 13.5

### **Orange / Pink**

Maria Jover 'Parajes del Valle' > Macabeo > Spain // 10.5

Can Sumoi 'La Rosa' > Sumoll, Parellada, Xarel-lo > Spain // 12.5

### **Red**

Carousel Red > Montepulciano > Italy // 8

Andi Mann 'Spätburgunder Calx' > Pinot Noir > Germany // 13

**Please ask to see our bottle list**

## **Beers (330ml)**

Estrella Damm > Spain // 6

The Kernel > Pale Ale > Centennial Columbus Galaxy > UK // 6

The Kernel > Bière de Saison > Raspberry > UK // 7.5

Mitad y Mitad > Beer & Tequila Shot // 8

## **Mocktails**

Rhubarb, Pink Peppercorn, Grapefruit Soda // 8.5

Strawberry, Tarragon, Soda // 8.5

## **No & Lo**

Botivo & Soda // 7

Ambijus > 'Clearly Confused' > Norway (125ml) // 8

Muri > 'Nuala' > Denmark (125ml) // 8



## **Snacks**

Chapulines // 3.5

Vegetable Escabeche // 4

Totopos, Pumpkin Seed Mole // 6

## **Tostadas // 8**

Tomato, Avocado, Chilli Emulsion

Ceviche, Salsa Macha, Aioli, Pickled Onions

Chicharon, Guacasalsa, Spenwood

## 2024 - The Pickle Factory - 2

	Event	Standard/Late	TEN HOURS	TENS USED (MAX 15)	DAYS USED (MAX 21)	SUBMITTED?	REFERENCE	AREA IN USE	CAPACITY
27/01/2024	Hannah Devenish Private Party	Standard	12-3am	1	1	Yes		Canvas & Cocktail Bar	300
02/02/2024	No Kurfew	Standard	12-3am	1	1	Yes		Canvas & Cocktail Bar	300
03/02/2024	Abidemi Martins	Standard	12-3am	1	1	Yes		Canvas & Cocktail Bar	300
09/03/2024	Alex Neidhardt Supper Club	Late	12-3am	1	1	Yes		Canvas & Cocktail Bar	100
01/02/2024	Fever 105 Easter party	Standard	12-5am	1	1	Yes		Canvas & Cocktail Bar + Pickle Factory	500
13/04/2024	Patrick Frost Private Party	Late	12-4am	1	1	Yes		Canvas & Cocktail Bar	300
20/04/2024	RetroGroove	Standard	12-4am	1	1	Yes		Canvas & Cocktail Bar	300
17/05/2024	Abi Church - Private Party	Standard	12-4am	1	1	YES		Canvas & Cocktail Bar	300
30/05.24	Adidas x SNS	Standard	12-1am	1	1	Yes		Canvas & Cocktail Bar	300
08/06/2024	Fever 105 - June	Standard	12-5am	1	1	YES		Canvas & Cocktail Bar + Pickle Factory	500
28/08/2024	Canvas Private Hire	Standard	10-04am	1	1	Yes		Canvas & Cocktail Bar	300
	<b>Remaining</b>			<b>4</b>	<b>8</b>				

Total Tens Used = 11

# 2023 - The Pickle Factory - 1

Date	Event	Standard/Late	TEN HOURS	TENS USED (MAX 15)	DAYS USED (MAX 21)	SUBMITTED?	REFERENCE	AREA IN USE	CAPACITY
19/2/2024	Jawara Alleyne	Standard	12-2am	1	1	Yes		The Pickle Factory	270
29/03/2024	TPF x Insolar	Standard	12-5am	1	1	Yes		The Pickle Factory	270
01/02/2024	TPF with Angel d'Lite & DJ Sweet6teen	Standard	12-5am	1	1	Yes		The Pickle Factory	270
06/05/2024	Laurine and Cecilio	Standard	12-5am	1	1	Yes		The Pickle Factory	270
27/05/24	GALA Afters	Standard	12-4am	1	1	Yes		The Pickle Factory	270
25/08/2024	Last Night At Pickle	Standard	12-7am	1	1	Yes		The Pickle Factory	270
			<b>Total</b>	<b>6</b>	<b>6</b>				

Total Tens Used = 6

## 2023 - The Pickle Factory - 2

Date	DAY	Event	Standard/Late	TEN HOURS	TENS USED (MAX 20)	DAYS USED (MAX 26)	SUBMITTED?	REFERENCE NUMBER	AREA IN USE	CAPACITY
11-12/02/23	Sat	Chaps Drinks Launch	Standard	9pm-3am	1	2	Yes	156767	Canvas & Cocktail Bar	300
16-17/03/23	Sat/Sun	Rinse	Standard	9pm-2am	1	2	Yes	157172	Canvas & Cocktail Bar + Pickle Factory	500
27-29/05/2023	Sat/Sun	TRPHSE/THE BASEMENT	Late	9pm-3am	1	3	Yes	159703	Canvas & Cocktail Bar	300
10-11/06/2023	Sat	Dave Raptor	Late	8pm-2am	1	2	Yes	160121	Canvas & Cocktail Bar	300
29/07/23	Sat	Freckle Collective	Standard	4pm-3am	1	2	Yes		Canvas & Cocktail Bar	300
11/08/23	Fri	Dorian Electra	Standard	9pm-2am	1	2	Yes		Canvas & Cocktail Bar	300
19/08/23	Sat	Black Pride Afters	Late	8pm-4am	1	2	Yes		Canvas & Cocktail Bar	300
16/09/23	Sat	Skept / Mains	Standard	10-5am	1	2	Yes		Canvas & Cocktail Bar	300
19/10/23	Thurs	ACA Live	Standard	5pm-12am	1	1	No		Canvas & Cocktail Bar	300
		NYE/NYD			1	2			Canvas & Cocktail Bar + Pickle Factory	300
				Totals	10	20				

12

Total TENS Used = 10

# 2023 - The Pickle Factory - 1

Date	DAY	Event	Standard/Late	Event running times	TEN START DATE	TEN END DATE	TEN HOURS	TENS USED (MAX 20)	DAYS USED (MAX 26)	SUBMITTED?	REFERENCE NUMBER	AREA IN USE	CAPACITY
1/1/2023	Sunday	Get Pickled x NYE afterparty	Standard	06:00 - 16:00	01/01/2022	01/01/2022	06:00 - 08:00	1	1	YES	154457	The Pickle Factory	270
6-7/4/2023	Thursday/Fri	DJ Masda All Night	Late	23:00 - 05:00	7/4/2023	7/4/2023	02:00 - 05:00	1	2	YES	158397	The Pickle Factory	270
28-29/04/2023	Sunday/Mon	Ash Lauryn	Late	23:00 - 05:00	01/04/2023	01/04/2023	02:00 - 05:00	1	2	YES	158741	The Pickle Factory	270
01_05_2023			Late	?	?	?	?			YES	159077	The Pickle Factory	270
28-29/05/2023	Sunday	GALA Afters	Late	23:00 - 05:00	29/05/2023	29/05/2023	02:00 - 05:00	1	2	YES	159733	The Pickle Factory	270
15/08/2023	Tues	Hudson Mohawk	Standard	9-2am	15/08/2023	16/08/2023	11pm-2am	1	2			The Pickle Factory	270
27/08/23	Sunday	Tristan Da Cunha	Late - Rejected	10-5am	27/08/23	28/08/2023	10-5pm					The Pickle Factory	270
16/10/2023	Thursday	UAL - Private Hire	Late	21:00-03:00	16/10/2023	17/10/2023	02:00-03:00	1	1			The Pickle Factory	270
									6		10		

Total TENS Used = 10

# 2022 - The Pickle Factory - 1

Date	DAY	Event	Event running times	TEN START DATE	TEN END DATE	TEN HOURS	TENS USED (MAX 15)	DAYS USED (MAX 21)	TEN COMPLETED/SUBMITTED	REFERENCE NUMBER	AREA IN USE	CAPACITY	Description
1/1/2022		Get Pickled x NYE afterparty	06:00 - 16:00	01/01/2022	01/01/2022	06:00 - 08:00	1	1	submitted	1141868	The Pickle Factory	270	PF only
03/11/2022	Thurs	Dazed x Nothing (Private Brand Event)	21:00 - 02:00am	03/11/2022	04/11/2022	21:00- 02:00	1	1			Canvas + Cocktail Bar	300	This ten is needed to cover the back room and cocktail bar at Canvas. Its a private brand event for Dazed and confused magazine with a very safe audience profile.
17/11/2022	Thurs	Objekt + Animal Event (Private Party)	21:00 - 02:00am	17/11/2022	18/02/2022	21:00- 02:00	1	1			Canvas + Cocktail Bar	300	Private event for design agency Objekt + Animal showcasing their new portfolio. For this ten, we only need it to cover the Canvas Cocktail bar as Pickle Factory would be operating in licensed hours.
12/12/2022	Mon	Kiss FM (Corporate Event)	21:00 - 02:00am	12/12/2022	13/12/2022	21:00- 02:00	1	1			Canvas + Cocktail Bar	300	Private corporate event for Kiss FM radio staff only. Again the ten is only needed to cover the canvas cocktail bar as Pickle Factory will operate in licensed hours.
17/4/2022	Sunday	Soul In Motion	22:00 - 05:00	17/4/2022	18/04/2022		1	1	Submitted	1198352	The Pickle Factory	270	
01/05/2022	Sunday	Soulvent					1	1	Submitted	1202701	The Pickle Factory	270	
01/06/2022	Wednesday	Yu Su all night							Submitted	1211446	The Pickle Factory	270	
02/06/2022	Thursday	Secretsundaze		01/06/2022	03/06/2022		1	2					
28/08/2022	Sunday	Soul In Motion	22:00 - 05:00	29/08/2022	29/08/2022		1	1	Submitted		The Pickle Factory	270	
							5	6					

Total TENS Used = 5

<b>Role</b>	<b>Contract</b>
GM	Full Time
Operations Manager	Full Time
2x Duty Managers	Full Time
Finance Manager	Full Time
Book Keeper	Full Time
Bar Manager	Full Time
12 x Bar Staff / Waiter	Part Time
Bar Back	Part Time
Head Chef	Full Time
Sous Chef	Full Time
Comi Chef	Full Time
Kitchen Porter	Full Time
Senior Programmer	Full Time
Junior Programmer	Full Time
Marketing Manager	Full Time
Marketing Assistant	Full Time
Community Manager	Full Time
Head of Security	Full Time
Security	Full Time
Security	Full Time
Security	Full Time
Security	Part Time
Security	Part Time
Security	Part Time
Sound Technician	Full Time
Lighting Technician	Full Time
Venue Technician	Part Time

## The Pickle Factory Noise Management Policy

There are 4 licensing objectives of equal importance:

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

Noise sits under the prevention of public nuisance, and we have a legal obligation to keep noise levels to a minimum both whilst we are operating the premises.

We want to operate as good neighbours and intend to continue operating in this location for a long time. Therefore it is important to maintain close relationships with local residents, businesses and the statutory authorities such as the Police, Council and Fire Service.

The Operator in the planning stage for the new Pickle Factory, entered into a detailed consultation process with an industry leading acoustic consultant, RBA Acoustics, to formulate a comprehensive plan to ensure that noise pollution arising from its undertaking is mitigated to the greatest extent possible.

The target set by the Operator for RBA Acoustics was to implement control measures whether physical, mechanical or operational, to ensure that the level of noise nuisance from the new Pickle Factory when open to the public, is actually less than the noise impact to the local area from the current operation of the current Pickle Factory.

Included in this Policy is a plan of the premises which identifies Pickle 1, Pickle 2 and the Courtyard. This is important, as this Policy refers to these areas.

### **What we will look out for**

**Internal noise:** internal noise can come from a variety of sources such as:

- **Speakers, Playlists or sound-making equipment**
- **Noise emanating from our smoking area.**
- **People attending and leaving the premises and this is dealt in more detail in our dispersal policy.**

**External noise:** Noise outside our premises, this can arise by virtue of:

- **People**
  - Queuing to get in.
  - Leaving.
- **Machinery (air conditioning, glass cleaning or refrigeration units)**
- **Deliveries**
  - Receiving.
  - Food delivery drivers.
- **Glass bin emptying**



We recognise that our courtyard demands extra care and attention.

### **Our specific standards for internal and external noise**

**Internal noise:** Internal noise can arise from the following:-

- **People:** It is our responsibility to ensure that the operation of the premises does not cause a disturbance. This will be dealt with by way of the following:-
  - o Keeping external windows and door closed after 11pm.
  - o Keeping internal retractable wall from Pickle 2 to courtyard closed after 11pm.
  - o Managing our customers in the courtyard by our staff and requesting customers to respect the need of local residents.
- **Speakers and venue soundproofing**
  - o Limiting our internal noise to a decibel level set by RBA Acoustics and the Environmental Health Noise Team Officer of Tower Hamlets at the appropriate levels as referred to in the RBA Acoustic report.  
The levels will be set by a noise limiter on each appropriate channel which will determine the level of sound being played in each of the areas of the premises to ensure that the various operational configurations for the premises are met at all times for Pickle 1, Pickle 2 and the Courtyard.
  - o Installing soundproofed doors in Pickle 2 to replace the entrance to the current greenroom and the door at back of the room.
  - o Installing airlocked lobby at front of the building, and adding double glazing to all external windows on front, to ensure no noise leakage from any of our rooms escapes the front of the venue.
  - o Filling in rooflights in Pickle 1 with an acoustically absorptive material, to ensure no noise leakage through them.
  - o Loudspeakers shall not be located in the entrance lobby, or outside the premise building. Anti-vibration mounts will be used if speakers are attached to the walls or ceilings.
  - o Immediately reducing bass frequencies if we have any complaints from local area, as some music genres cause more disturbance than others even if at same overall dB level.

**External noise:** Noise can be generated by the following factors:

- **People**
  - o Managing the queue for ingress, to ensure it goes alongside our premises and doesn't extend onto the street. We will have a dedicated security member managing this queue, also to ensure people are quiet and respectful to our neighbours while outside the building.
  - o Having an SIA trained street team member in our cul-de-sac to ensure people arrive and leave in a quiet and orderly manner on ingress and egress.
  - o Reminding our customers on egress to be quiet and respectful while leaving the premises.

- o Notices shall be prominently displayed at all exits, and within the external courtyard, requesting patrons to respect the needs of local residents and business when in the external courtyard, and when leaving the area, to do so quietly.
- o Our security team will receive specific training on managing noise levels within and outside the building, as we recognise the utmost importance of this.
- o Staggering the closing of rooms, and closing the bar an hour before end of the night, in order to stagger egress rather than our crowd all leaving at the same time, which could cause a disturbance to our neighbours.
- o We have a detailed Dispersal Policy as part of the raft of policies we have in place in order to operate these premises which all staff will be trained on, which outlines how to quickly, safely and quietly move our crowd away from our venue towards nearby transport links.
- o Ensuring that our smokers are kept within our acoustically proofed courtyard.
- **Machinery (air conditioning, glass cleaning and refrigeration units)**
  - o These will be serviced annually.
- **Deliveries**
  - o Ensuring these are received only during hours of 8am – 22.00 hours.
- **Waste disposal & collection**
  - o Ensuring no waste disposal is done during hours 10pm - 8am the following day.
  - o Ensuring waste collection is only done between 8am - 10pm Monday to Saturday, and 9am - 9pm on Sundays.

## **Courtyard**

The courtyard of Pickle Factory 2 is to be used for the following purposes:

- Music will be played at the level set by the Environmental Health Officer and RBA Acoustics through the sound limiter at all times.
- The courtyard will be used as a smoking area.
- All regulated entertainment will cease in the Courtyard by 22:00 hours.

As with all areas of the premises when open to the public, it is the clear responsibility of the venue management, venue staff, security management and security staff to make regular visual inspections of the courtyard to help ensure that the number of people present in that area does not exceed the stated allowable limits. Venue management can also monitor crowd density in the courtyard from viewing live CCTV pictures and can deploy additional security personnel to limit access to the area if at any time they feel that this is necessary.

## **Evaluation of potential noise from the courtyard:**

The venue management recognises that the courtyard must be monitored carefully from a noise perspective.

Attached is the technical note dated 29<sup>th</sup> August 2024 provided by our acoustics engineers RBA acoustics which clearly detail the assessment regarding sound levels and that these are within acceptable levels for the use of the courtyard.

## **Plan for the eradication of noise:**

The Operator in the planning stage for Pickle Factory 2, entered into a detailed consultation process with an industry leading acoustic consultant, RBA Acoustics, to formulate a comprehensive plan to ensure that noise pollution arising from its undertaking is mitigated to the greatest extent possible. The target set by the Operator for RBA Acoustics was to implement control measures whether physical, mechanical or operational, to ensure that the level of noise nuisance from Pickle Factory 2 when open to the public is actually less than the noise impact to the local area from the current operation of Pickle Factory 1.

As stated in the report, the evaluation of the level of noise pollution is based on a combination of sophisticated acoustic modelling and noise readings taken immediately outside of the three residential developments which are the nearest and most likely to be affected by noise from the venue, those specifically being: 24 The Oval, the closest residential flats on Hackney Road, and 1 Corbridge crescent. The RBA Acoustics Report is available to read in full and has been submitted along with this Noise Management Plan.

In relation to reducing noise emission from the courtyard, the following recommended measures will be put in place:

- Replacement of all door sets with doors capable of achieving suitable acoustic ratings – specifics for different doors as detailed in RBA Acoustics report.
- Replacement of existing glazing on front façade of building with secondary glazing to achieve a suitable acoustic rating – specifics on target acoustic ratings as detailed in RBA Acoustics report
- Fully enclose courtyard with an absorptive barrier spanning the full height of both buildings – specifics and drawings of the proposed acoustic barrier as detailed in RBA Acoustics report.
- Folding doors in courtyard to be of a high-performance construction at least to achieve a suitable minimum acoustic rating and sound reduction index – specifics as stated in RBA Acoustics report.
- Installing an awning above the smoking area, to further attenuate noise from outside area.
- All glazing in the courtyard to be enhanced in specification to meet a suitable acoustic rating – specifics as detailed in RBA Acoustics report.

With regards to controlling and minimising the actual level of noise produced in the courtyard itself, the following measures will be put in place:

- Clear signage will be displayed in prominent locations throughout the courtyard and at points of entry and exit, urging patrons to respect the needs of local residents and businesses (our neighbours) and so to be quiet whilst in the courtyard and when leaving the area.
- Advance training along with regular pre-opening briefings will be delivered by venue management to all staff and security, directing them to be vigilant as to the behaviour of any person(s) situated in the courtyard who may be making excessive noise and to report such behaviour to security and venue management immediately, so that they may take steps to remedy the issue as deemed appropriate.

- Venue management will also monitor the behaviour of people in the courtyard by viewing the live CCTV feeds of the area and can quickly deploy security personnel to intervene to resolve any incidences of loud or anti-social behaviour.
- When specifying and configuring the equipment to be installed for the sound system, it is noted that loudspeakers must not be in the entrance lobby, or outside the premises building nor on any ceilings. Anti-vibration mounts will be deployed for any loudspeakers which need to be attached to walls.
- The courtyard will only permit a maximum of 110 customers at any one time.

We encourage all of our customers to respect the fact that we have neighbours, and do everything we can to make sure that, when our customers leave or are enjoying themselves in our external or internal areas, they understand that any excessive noise or unruly behaviour can have an impact on the local neighbourhood.

We also encourage all of our customers to respect neighbouring businesses, it's important to recognise that they may work different hours from us.

By having this approach, it helps us to be seen as a good neighbour within the local area and promotes a positive image of the venue.

### **Noise and ASB Complaints logbook**

We like to operate as good neighbours and intend to operate in this location for a long time, therefore it is important to build and maintain close relationships with local residents, businesses and the statutory authorities such as the Police, Council and Fire Service.

If we receive complaints from any of the above sources they should be treated seriously and with respect.

We will be polite and apologise, and pass the person to the most senior person in the building. All complaints must be logged in the complaints logbook. The log is kept in the manager's office, so that it can be accessed easily, with a logged date and time.

A copy of the complaints logbook will be made available to a member of the Noise Team at the Local Authority at anytime, on request by them.

### **RBA's Conclusion as set out in their Acoustic Report**

According to RBA's measurements (see Acoustic Report dated 01/08/2024 S.12.0), with all these mitigation measures in place, we will have ensured that the new proposed operation will generate less noise than the current operation at the Pickle Factory.

**IN THE MATTER OF AN APPLICATION  
UNDER THE LICENSING ACT 2003**

**“THE PICKLE FACTORY”  
11-14 THE OVAL E2 9DT**

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**SUBMISSIONS ON BEHALF  
OF THE APPLICANT**

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**I. INTRODUCTION**

1. This is an application by East Space Limited for a new premises licence to be held at “The Pickle Factory”, 11-14 the Oval E2 9DT.
2. The premises comprises two adjacent buildings: 11-12 the Oval (known herein as Pickle 1) and 13-14 the Oval (known herein as Pickle 2) with a courtyard in between.
3. A premises licence was held at 11-12 the Oval (144705) however this lapsed when the premises licence holder was dissolved by Companies House.
4. A premises licence is held by the Applicant at 13-14 the Oval (156449).
5. The proposal (should the licence be granted) is for a significant refurbishment of both buildings to create one venue. The capacity for both would be 654.
6. Key to the refurbishment is extensive soundproofing of both buildings. This will prevent noise breakout in future.
7. The refurbishment will also bring substantial benefits to the local area as the premises will be used as a community space during the daytime and on weekdays. The refurbishment and soundproofing will cost in the region of £1.7 million. This investment will only be possible if the future of these buildings can be secured by the grant of the licence. The new premises licence is fundamental to the future of the premises as a cultural landmark, and without the ability for the premises to trade as proposed the whole venue is at risk of ceasing to exist.
8. The Licensing Sub Committee (LSC) is referred to details of the proposed refurbishment within the application and the CGI images of the proposed operation at evidence bundle p7-25 for an idea of the level of improvement

which could result from a grant of this licence. The benefits are not just in appearances. The LSC is referred to the remedial steps which are proposed in the acoustic report at evidence bundle p39 - 50 (see [15] to [17] below).

## **II. THE APPLICANT**

9. East Space Limited is owned and operated by Jonny Edwards an extremely experienced and well-respected figure within London's nighttime economy. Mr Edwards has operated in the industry since 2016 and is well known and respected by his peers and the responsible authorities. If confirmation of this is needed, the LSC is referred to the statement from Amy Lamé the Mayor of London's Night Czar who supports the application (Appendix 16).

## **III. THE PREMISES**

10. The Oval is a small turning off Hackney Road, close to the boundary between the London Boroughs of Hackney and Tower Hamlets. The immediate vicinity of the Pickle Factory is comprised of business and industrial units, a number of which are abandoned and derelict. The closest residential unit is 24 the Oval a small block of flats located back towards Hackney Road.
11. The Applicant has traded for some time from "Pickle 2" with a capacity of 274 and a terminal hour of 05:00 (sale and supply of alcohol) and 0600 (premises open to the public) on "weekends" which broadly mirrors the hours which are the subject of the application. The LSC is referred to the complete hours for Pickle 2 at evidence bundle p63-64. This licence has been in operation since 2015.
12. Furthermore both premises have traded as one unit under a significant number of TENs with a capacity up to 500 (see supplementary bundle at p2).

## **IV. RELEVANT REPRESENTATIONS**

13. The LSC will note the content of the representations from interested persons both against and in favour of the application. The sub-committee will want to be assured that the premises can trade without causing disturbance via either noise breakout from the premises or dispersal. It is notable in this regard that there is no representation from the Environmental Health Officer (EHO) or indeed any responsible authority. In discussion with the responsible authorities, conditions were agreed with the EHO which will ensure that the premises do not cause any disturbance to local residents (see email correspondence at evidence bundle p57).
14. Whilst there has been no enforcement action of any kind taken against the premises, residents have raised noise breakout from the premises within

representations. The applicant apologises for any past disturbance. It is accepted that the premises requires soundproofing.

## V. THE PROPOSED REFURBISHMENT

15. Key to this application are the benefits which would result from both premises being licensed. If a licence is granted as sought then remedial works as proposed within the acoustic report can be completed. This will ensure that no noise nuisance is caused from either premises in the future. It will also bring about much needed renovation to this area and provide a valuable community space.
16. As set out above there is an open courtyard between the two premises. It is proposed that limited use be made of this area given the potential for noise nuisance. Conditions have been agreed with EHO that (i) there will be no more than 110 people in the courtyard at any one time (ii) all regulated entertainment shall be by controlled by way of a noise limiter device to be set by EHO and (iii) regulated entertainment in the courtyard shall cease by 22:00.
17. The LSC will also note the proposals for movement between the two buildings. Rather than allowing customers to move along the front of the building or through the open courtyard, the proposal is to create a permanent structure between the two "the bridge" which will be a sound proofed acoustic chamber. This will enable movement between the two buildings without noise breakout (see evidence bundle p117).

## VI. THE BOROUGH'S STATEMENT OF LICENSING POLICY

18. The Tower Hamlets Statement of Licensing Policy (SLP) recognises:
  - i. the effect the pandemic has had upon licensed premises and that the trade brings *not just social benefits for customers, but jobs and associated regeneration, as well as the benefits to the arts in respect to music, dance and other entertainment, all of which celebrates the rich mixture of cultural diversity and creativity that exists within Tower Hamlets* [5.16];
  - ii. *the desirability of encouraging and promoting live music, dance, theatre and festivals for the wider cultural benefit of the community, particularly for children. This broad strategy includes all forms of licensable live entertainment. The Licensing Authority recognises that a rich cultural provision has a positive role in community cohesion* [24.1]

iii. *the Licensing Authority will regulate live performances on a risk assessed basis and we will be mindful of the licensing objectives and the need to ensure we are not committing disproportionate costs to regulation [24.3].*

19. The LSC should therefore both encourage appropriate additions to the Borough's cultural life and the economic benefits applications such as this can bring. This will apply in particular in areas which are in need of regeneration and to premises which serve the diverse communities of Tower Hamlets.

20. The applicant refers the LSC to the evidence bundle at p26 – 29 which provides information about how the premises will serve the community. This includes fundraising for local charities, hosting BAME and LGBTQI+ events and mid-week and weekend afternoon events for the benefit of the local community.

21. These claims are strongly supported by the evidence before the LSC. Examples include representations in support of the application from:

i. The Wickers Charity (a local charity supporting young people in East London and in particular within the BAME community) which states if granted the premises would provide a vital space for arts music and community events (see Appendix 17).

The Wickers Charity is a regular user of the existing premises (see evidence bundle p26);

ii. "Black Artist Database" who describe the premises as *a crucial part of the cultural eco-system* (see Appendix 27);

iii. the Hackney Night Shelter (East London's largest homeless charity) which describes the work and fundraising activity the premises has performed on behalf of this charity (see Appendix 29);

iv. The support of Night Czar Amy Lamé as set out above.

22. The evidence bundle also sets out the economic benefit of granting the licence. Whilst these are of course predictions, the substantial contribution made to date and the proposed £1.7 million investment into the building speaks for itself.

## **VII. THE LICENSING OBJECTIVES**

23. The Applicant addresses how the licensing objectives will be promoted under the following headings.

i. **PREVENTION OF CRIME AND DISORDER**



### a. Oval Space

24. The LSC will be aware that a premises licence was held at a venue known as Oval Space. This licence was revoked following a shooting at the premises. The investigation into that shooting (both criminal and licensing) revealed matters of concern and the premises licence was revoked as a result.
25. Oval Space was located at 30 the Oval, further way from Hackney Road and on the opposite side of the Oval itself to the application premises. It is a different unit and operation.
26. There is no connection whatsoever between the former DPS and management of Oval Space and the applicant. The proposed licensable activity at the application site is completely different to the operation at Oval Space.
27. A number of the objections to the application link the applicant to Oval Space and/or refer to the venue as having previously *operated as Oval Space / assume that East Space Ltd is associated with the Oval Space*. This is not correct. As set out above there is no such connection.
28. The business model for this site if the licence is granted is to run the applicant's own entertainment. This would not be a venue that was reliant upon externally promoted events. Oval Space was primarily a venue used by promoters some of which were connected to gang violence.

### b. Anti-Social Behaviour on Oval Space

29. To the extent that local residents raise concerns about littering, public urination and unauthorised street activities (such as barbecues) it is clear that the clientele who would be attracted to the application site would not engage in such activities.
30. Should the licence be granted it would bring not only significant investment but a greatly enhanced security presence to the Oval. There will be a minimum of 1 member of SIA door staff per 100 people (see proposed condition 7) with an emphasis upon supervision of the surrounding area later at night. The dispersal policy at evidence bundle p117 specifies that 2-3 SIA staff will be present **outside** the club throughout the hours of peak egress on main event nights. This is supported by the security policy at evidence bundle p87 which provides deployment diagrams at pages 121 to 125.
31. The guidance issued to licensing authorities by the Home Office under Section 182 of the Licensing Act 2003 states at 2.1 that *licensing authorities should look to the police as the main source of advice on crime and disorder*. There is no representation from the Metropolitan Police in this case. The police are

aware of the application and the applicant has liaised with the police from an early stage. The police are making no representation as they have no concerns. The premises will not contribute to crime and disorder.

32. The LSC can be very confident that were there a connection between this operation and those responsible for the problems at Oval Space then the police would be making strong representations against the grant of this application.

33. To grant the licence would **promote** the prevention of crime and disorder.

**ii. PREVENTION OF PUBLIC NUISANCE**

**a. Dispersal**

34. The representations against the application principally raise concerns relating to noise breakout from the premises. These are addressed below at [40] to [43]. To the extent that concerns are raised in relation to dispersal, these are linked to Oval Space and not the existing Pickle Factory operation. This is despite the fact that Pickle 2 trades until 6AM at weekends with a 274 capacity and that both premises have been trading under TENs with a higher capacity. Representations must of course relate to the application site and not other licensed premises to be relevant.

35. Any operation of this nature will require comprehensive policies dealing with (amongst other matters) dispersal, travel and security. These have been drawn up and provided within the supporting evidence.

36. The premises dispersal policy is provided at evidence bundle p114. It is a comprehensive document. There will be staggered closure times with the second bar stopping service one hour before the first and significant lowering of the sound system in advance of closure (evidence bundle p114).

37. As set out above, during peak egress on main event nights, 2-3 members of SIA door staff will be deployed along the Oval to ensure speedy and quiet dispersal (p117 - 118).

38. Implementation of the dispersal policy is a condition of the proposed licence (condition 19).

39. Furthermore customers will not be allowed to use the external area to the front of the premises post 23:00 aside from smokers (restricted to 30 at a time).

40. Given (i) the robust plans in place to deal with dispersal, (ii) the nature of the immediate vicinity of the premises and (iii) the absence of any nuisance caused by dispersal under the existing licence or the TENs, there is no

evidential basis to conclude that granting the licence with strict conditions would undermine the public nuisance licensing objective on this basis.

**b. Noise breakout from within**

41. As set out above it is accepted that there has on occasion been noise breakout from the premises. If the licence is granted, this will be remedied by noise mitigation works to be carried out at both Pickle 1 and 2 and within the courtyard.
42. Works will be completed which will involve at a minimum (for both premises) (i) the Replacement / upgrading of front and rear fire doors with acoustic material, (ii) infilling all windows / doors not in use to rear with brickwork and (iii) airlocking and soundproofing the bridge between buildings.
43. The courtyard will be enclosed with an absorptive barrier running to the height of both buildings with high rated acoustic folding doors and high performance secondary glazing.
44. The above is a mere summary of the exhaustive soundproofing work that will be carried out. The LSC is referred to the report of the sound engineer at evidence bundle p39 - 40 and the plan at p47 for full details.
45. Once such work is completed, the impact of regulated entertainment at the premises has been accurately modelled. Taking measurements from the nearest noise sensitive premises (24 the Oval, Corbirdge Crescent and Hackney Road) the sound engineer has calculated that noise levels with mitigation will be **lower than at present** despite an additional noise source being introduced. This will bring the noise down **below** background noise levels at all receptors (evidence bundle p40). This is not mere aspiration. This is the expert opinion of an independent sound engineer.
46. There is however a method by which the LSC can **guarantee** nuisance is not caused to local residents. Conditions 15 (duplicated at 40) require that a noise limiter must be fitted to all musical amplification *set to a level determined by and to the satisfaction of an authorised officer of the Environmental Health Service so as to ensure no noise nuisance is caused to local residents or businesses*. In other words the EHO and not the applicant will control how loud the music is. If the music creates a nuisance it will be turned down (and will be incapable of being turned up) until that nuisance cannot be caused.

**iii. PROTECTION OF CHILDREN FROM HARM / PUBLIC SAFETY**

47. Neither are raised in representations nor arguably engaged by the application.

48. Children will not in any event be allowed on the premises after 21:00 (see condition 37).

### **VIII. CONCLUSION**

49. Given the above there is no evidential basis to refuse the application in the terms sought.

50. In the unlikely event that nuisance is caused the sound limiter can be adjusted in to prevent this.

51. Should the objectives fail to be promoted in any other way the licence will be susceptible to review and then amendment / revocation. Were this to happen the applicant would lose millions of pounds of investment. The LSC can be assured that based upon the applicant's track record and the clear incentive to promote the licensing objectives, they will be promoted.

52. The Applicant looks forward to assisting the LSC and interested parties at the hearing on 19<sup>th</sup> September 2024.

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17 September 2024