

Appendix 1

**(Manhattan)
186 Hackney Road
London
E2 7QL**

Licensable Activities authorised by the licence

The sale by retail of alcohol

See the attached licence for the licence conditions

Signed by

John McCrohan 
Trading Standards and Licensing Manager

Date: 23rd May 2014



TOWER HAMLETS

LICENSING ACT 2003

Part A - Format of premises licence

Premises licence number

18055

Part 1 - Premises details

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

(Manhattan)
186 Hackney Road
London

Post town

London

Post code

E2 7QL

Telephone number

██████████

Where the licence is time limited the dates

Not applicable

Licensable activities authorised by the licence

The sale by retail of alcohol

The times the licence authorises the carrying out of licensable activities

The Supply of Alcohol (on sales only)

- Monday to Saturday from 11:00hrs to 23:00hrs
- Sunday from 10:00hrs 22:30hrs

The opening hours of the premises

- Monday to Saturday from 11:00hrs to 23:00hrs
- Sunday from 10:00hrs 22:30hrs

The licence authorises supplies of alcohol, these are on and/ or off supplies

On sales only

Part 2

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

Art Euphoria Ltd.
Studio 1
88 Chatsworth Road
E5 0LS

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

Registered Number: 08456811

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

Lorenzo Calder-Kevork-Row



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

Licence Number: LBH-PER-N-1009
Issuing Authority: London Borough of Hackney

Annex 1 - Mandatory conditions

No supply of alcohol may be made under the premises licence-

- a) at a time where there is no designated premises supervisor in respect of the premises licence, or
- b) at a time when the designated premises supervisor does not hold a personal licence or his personal licence is suspended

Every supply of alcohol under the premises licence must be made or authorised by a person who holds a personal licence

1.

- (1) The responsible person shall take all reasonable steps to 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 in a manner which carries a significant risk of leading or contributing to crime and disorder, prejudice to public safety, public nuisance, or harm to children—
 - (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 (other than any promotion or discount available to an individual in respect of alcohol for consumption at a table meal, as defined in section 159 of the Act);
 - (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;

- (d) provision of free or discounted alcohol in relation to the viewing on the premises of a sporting event, where that provision is dependent on;
 - (i) the outcome of a race, competition or other event or process, or
 - (ii) the likelihood of anything occurring or not occurring;
 - (e) 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.
2. The responsible person shall ensure that no alcohol is dispensed 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).
 3. The responsible person shall ensure that free tap water is provided on request to customers where it is reasonably available.
 4.
 - (1) The premises licence holder or club premises certificate holder shall ensure that an age verification policy applies to the premises in relation to the sale or supply of alcohol.
 - (2) The policy must require individuals who appear to the responsible person to be under 18 years of age (or such older age as may be specified in the policy) to produce on request, before being served alcohol, identification bearing their photograph, date of birth and a holographic mark.
 5. 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—
 - (i) beer or cider: ½ pint;
 - (ii) gin, rum, vodka or whisky: 25 ml or 35 ml; and
 - (iii) still wine in a glass: 125 ml; and
 - (b) customers are made aware of the availability of these measures.

Annex 2 - Conditions consistent with the operating Schedule

1. The holder of the premises licence shall subscribe to and ensure a member of staff participates fully in the local 'Pubwatch' scheme;
2. The premises will comply with all relevant legislation including fire safety, pest control and health and safety;
3. A local minicab address and number will be provided to customers;
4. Staff shall monitor and supervise the outside area at regular intervals to ensure customers are not blocking the pavement or causing a nuisance to neighbours;
5. The area outside and immediate vicinity will be kept clear and tidy and constantly maintained in a clean and satisfactory manner;
6. Prominent, clear and legible notices at the exist requesting customers to respect local residents and to leave quickly and quietly;
7. Staff training to include details of offences including the sale and supply of alcohol, in particular to under 18s;
8. The premises shall use a 'Challenge 25' Scheme;
9. If there is any doubt regarding the age of customers, valid photographic ID will be requested – only photographic ID with the relevant holographic mark or UK Driving Licensing or passport will be acceptable;
10. An Incident / Refusal Log Book shall be used;
11. No drinks to be taken outside of the premises after 21:00hrs

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

Not applicable

Annex 4 - Plans

The plans are those submitted to the licensing authority on the following date:

23rd April 2014 – Ground and First Floors



Part B - Premises licence summary

Premises licence number

18055

Premises details

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

(Manhattan)
186 Hackney Road
London

Post town

London

Post town

E2 7QL

Telephone number

07914 670 285

Where the licence is time limited the dates

Not applicable

Licensable activities authorised by the licence

The sale by retail of alcohol

The times the licence authorises the carrying out of licensable activities

The Supply of Alcohol (on premises only)

- Monday to Saturday from 11:00hrs to 23:00hrs
- Sunday from 10:00hrs 22:30hrs

The opening hours of the premises

- Monday to Saturday from 11:00hrs to 23:00hrs
- Sunday from 10:00hrs 22:30hrs

Name, (registered) address of holder of premises licence

Art Euphoria Ltd.
Studio 1
88 Chatsworth Road
E5 0LS

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

On sales only

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

08456811

Name of designated premises supervisor where the premises licence authorises for the supply of alcohol

Lorenzo Calder-Kevork-Row

State whether access to the premises by children is restricted or prohibited

No restrictions

Appendix 2



This form should be completed and forwarded to: Licensing Section, Mulberry Place (AH), PO Box 55739, 5 Clove Crescent, London E14 1BY with a cheque for the correct fee, made payable to the London Borough of Tower Hamlets. http://www.towerhamlets.gov.uk/content_pages/pay_it.aspx

Or alternatively from <http://www.towerhamlets.gov.uk/> under 'Online Services'

Application to vary a premises licence under the Licensing Act 2003

PLEASE READ THE FOLLOWING INSTRUCTIONS FIRST

Before completing this form please read the guidance notes at the end of the form. you are completing this form by hand please write legibly in block capitals. In all cases ensure that our answers are inside the boxes and written in black ink. Use additional sheets if necessary. You may wish to keep a copy of the completed form for your records.

I/we ART EUPHORIA (Insert name(s) of applicant)

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

Premises Licence number 18055

Part 1 – Premises details

Postal address of premises or, if none, ordnance survey map reference or description	
<u>186 HACKNEY ROAD</u>	
Post town... <u>LONDON</u>	Post code <u>E2 7QL</u>

Telephone number at premises (if any)

Non-domestic rateable value of premises £ 14,500

Part 2 - Applicant details

Daytime contact telephone number	[REDACTED]		
E-mail address (optional)	[REDACTED]		
Current postal address if different from premises address	SAME		
Post Town	LONDON	Postcode	E2 7QL

Part 3 - Variation

Do you want the proposed variation to have effect as soon as possible? Please tick yes

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

Day	Month	Year

Please describe briefly the nature of the proposed variation (please see guidance note1)

CHANGE OF PREMISES LICENCE OPERATING HOURS.

If your proposed variation would mean that 5,000 or more people are expected to attend the premises at any one time, please state the number expected to attend

--

Part 4 Operating Schedule

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

Provision of regulated entertainment

Please tick yes

- 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 (g)
(if ticking yes, fill in box H)

Provision of late night refreshment (if ticking yes, fill in box I)

Supply of alcohol (if ticking yes, fill in box J)

In all cases complete boxes K, L and M

A

Plays Standard days and timings (please read guidance note 6)			Will the performance of a play take place indoors or outdoors or both - please tick (please read guidance note 2)	Indoors	
Day	Start	Finish		Outdoors	
				Both	
Mon			Please give further details here (please read guidance note 3)		
Tue					
Wed			State any seasonal variations for performing plays (please read guidance note 4)		
Thur					
Fri			Non standard timings. Where you intend to use the premises for performance of plays at different times to those listed in the column on the left, please list (please read guidance note 5)		
Sat					
Sun					

B

Films Standard days and timings (please read guidance note 6)			Will the exhibition of a film take place indoors or outdoors or both - please tick (please read guidance note 2)	Indoors	
Day	Start	Finish		Outdoors	
				Both	
Mon			Please give further details here (please read guidance note 3)		
Tue					
Wed			State any seasonal variations for exhibition of films (please read guidance note 4)		
Thur					
Fri			Non standard timings. Where you intend to use the premises for exhibition of films at different times to those listed in the column on the left, please list (please read guidance note 5)		
Sat					
Sun					

C

Indoor sporting events Standard days and timings (please read guidance note 6)			<p>Please give further details here (please read guidance note 3)</p> <p><u>State any seasonal variations for indoor sporting events</u> (please read guidance note 4)</p> <p><u>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</u> (please read guidance note 5)</p>
Day	Start	Finish	
Mon			
Tue			
Wed			
Thur			
Fri			
Sat			
Sun			

D

Boxing or wrestling entertainment Standard days and timings (please read guidance note 6)			<p><u>Will the Boxing or wrestling entertainment take place indoors or outdoors or both - please tick</u> (please read guidance note 2)</p>	Indoors	
Day	Start	Finish		Outdoors	
Mon			<p>Please give further details here (please read guidance note 3)</p> <p><u>State any seasonal variations for boxing or wrestling entertainment</u> (please read guidance note 4)</p> <p><u>Non standard timings. Where you intend to use the premises for boxing or wrestling entertainment at different times to those listed in the column on the left, please list</u> (please read guidance note 5)</p>	Both	
Tue					
Wed					
Thur					
Fri					
Sat					
Sun					

E

Live music Standard days and timings (please read guidance note 6)			Will the performance of live music take place indoors or outdoors or both – please tick [Y] (please read guidance note 2)	Indoors		
Day	Start	Finish		Outdoors		
				Both		
Mon			Please give further details here (please read guidance note 2)			
Tue						
Wed				State any seasonal variations for the performance of live music (please read guidance note 4)		
Thur						
Fri				Non standard timings. Where you intend to use the premises for the performance of live music at different times to those listed in the column on the left, please list (please read guidance note 5)		
Sat						
Sun						

F

Recorded music Standard days and timings (please read guidance note 6)			Will the playing of recorded music take place indoors or outdoors or both – please tick [Y] (please read guidance note 2)	Indoors		
Day	Start	Finish		Outdoors		
				Both		
Mon			Please give further details here (please read guidance note 3)			
Tue						
Wed				State any seasonal variations for playing recorded music (please read guidance note 4)		
Thur						
Fri				Non standard timings. Where you intend to use the premises for the playing of recorded music entertainment at different times to those listed in the column on the left, please list (please read guidance note 5)		
Sat						
Sun						

G

Performances of dance Standard days and timings (please read guidance note 6)			Will the performance of dance take place <u>indoors or outdoors or both – please tick (Y)</u> (please read guidance note 2)	Indoors		
Day	Start	Finish		Outdoors		
Mon			Please give further details here (please read guidance note 3)	Both		
Tue						
Wed				State any seasonal variations for the performance of dance (please read guidance note 4)		
Thur						
Fri				Non standard timings. Where you intend to use the premises for the performance of dance entertainment at different times to those listed in the column on the left, please list (please read guidance note 5) 5)		
Sat						
Sun						

H

Anything of a similar description to that falling within (e), (f) or (g) Standard days and timings (please read guidance note 6)			Please give a description of the type of entertainment you will be providing	
Day	Start	Finish		
Mon			Please give further details here (please read guidance note 3)	
Tue				
Wed				State any seasonal variations for entertainment of a similar description to that falling within (e), (f) or (g) (please read guidance note 4)
Thur				
Fri				Non standard timings. Where you intend to use the premises for the entertainment of similar description to that falling within (e), (f) or (g) at different times to those listed in the column on the left, please list (please read guidance note 5)
Sat				
Sun				

I

Late night refreshment Standard days and timings (please read guidance note 6)			Will the provision of late night refreshment take place indoors or outdoors or both – please tick <input type="checkbox"/> (please read guidance note 2)	Indoors	
Day	Start	Finish		Outdoors	
Mon	23:00	01:00	Please give further details here (please read guidance note 2)	Both	
Tue	23:00	01:00			
Wed	23:00	01:00		State any seasonal variations for the provision of late night refreshment (please read guidance note 4)	
Thur	23:00	02:00			
Fri	23:00	04:00		Non standard timings. Where you intend to use the premises for the provision of late night refreshment at different times to those listed in the column on the left, please list (please read guidance note 5)	
Sat	23:00	04:00			
Sun	23:00	01:00			

J

Supply of alcohol Standard days and timings (please read guidance note 6)			Will the supply of alcohol be for consumption – please tick <input type="checkbox"/> (please read guidance note 7)	On the premises	
Day	Start	Finish		Off the premises	
Mon	11:00	01:00 01:00	Please give further details here (please read guidance note 7)	Both	
Tue	11:00	01:00			
Wed	11:00	01:00		State any seasonal variations for the supply of alcohol (please read guidance note 4)	
Thur	11:00	02:00			
Fri	11:00	04:00		Non standard timings. Where you intend to use the premises for the supply of alcohol at different times to those listed in the column on the left, please list (please read guidance note 5)	
Sat	11:00	04:00			
Sun	10:00	01:00			

K

Please highlight any adult entertainment or services, activities, other entertainment or matters ancillary to the use of the premises that may give rise to concern in respect of children (please read guidance note 8)

n/a

L

Hours premises are open to the public Standard timings (please read guidance note 6)			State any seasonal variation (please read guidance note 4)	
Day	Start	Finish		
Mon	11:00	01:00	<p><u>Christmas eve + New years eve</u> 11:00 until 05:00</p> <hr/>	
Tue	11:00	01:00		
Wed	11:00	01:00		
Thur	11:00	02:00		<p>Non standard timings. Where you intend to the premises to be open at different times to those listed in the column on the left, please list (please read guidance note 5)</p> <hr/>
Fri	11:00	04:00		
Sat	11:00	04:00		
Sun	10:00	01:00		

Please identify those conditions currently imposed on the licence which you believe could be removed as a consequence of the proposed variation you are seeking

Please tick yes

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



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

Reasons why I have failed to enclose the premises licence or relevant part of premises licence

M

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

a) General – all four licensing objectives (b,c,d,e) (please read guidance note 9)

AS DETAILED BELOW IN B), c), D) + E)

b) The prevention of crime and disorder

The holder of the premises licence shall subscribe to and ensure a member of staff participates fully in the local pubwatch scheme.

c) Public safety

- ① The premises @ 186 will continue to comply with all relevant legislation including fire safety, pest control, health + safety and so forth.
- ② our local minicab details will continue to be provided if public transport not available - effecting a safe + efficient ride home.

d) The prevention of public nuisance

- ① staff shall monitor/supervise the street/pavement area - ensuring customers are not blocking the pavement or causing nuisance to neighbours
 - ② immediate area outside premises will be kept clear, tidy + constantly maintained in a clean + satisfactory manner.
 - ③ prominent, clear + legible exit notices - requesting customers leave ^{quickly}
- See attached our risk assessment.

e) The protection of children from harm

- ① staff training on details of any offences including sale + supply of alcohol - especially to under 18's + 25's.
- ② any doubt regarding age - valid photographic 'challenge 25' scheme to be used.
- ③ acceptable i.d to validate - only with holographic mark or British driving licence or current passport.

186 - further details for extension of hours.

①

please see attached Risk assessment and forms covered by ourselves and our in-house SIA registered security team run by Barry Williams. (former security @ Joiners arms + current security @ Mezcal bar on 184 Hackney rd, (see attached pages) 4/5+6)

We will duly be compiling minutes from our forthcoming newly formed local Hackney Road pubwatch scheme.

This new community scheme proposes to include us @ 186 Hackney rd, 184 Hackney rd, The Marksman pub and also a few other local bars to be included in the future.

This ensures the local residents, community, tourists + visitors to Hackney rd and this popular part of Tower Hamlets will keep in contact with each other to confidently resolve any issues that arise from the extension of hours and the bars/pubs in general.

Have appropriate due diligence checks been carried out on external activity/service provider(s) or venue(s)? Guidance NA

If yes, were the checks satisfactory? YES/NO



186 - further details for extension of hours

(2)

Regarding the request of later closing on the Thursday, Friday and Saturdays - this is to allow extra time ensuring people can go home safely.

We use the local cab service and all staff members are aware of the details so customers have this information on hand.

Our in-house security team led by Barry Williams (07939 894 897) who has vast experience conducting bar + pub security teams in the locality, will additionally ensure public nuisance, street loitering and so forth will be governed in an extremely professional and tight manner.

Furthermore all local residents + companies that work/live in the vicinity shall be contacted in the next few weeks to ensure they have the main point of contact if they wish to talk directly to us regarding any concerns so that this extension of operating hours in fact can be of benefit →

186 - further details

(3)

for extension of hours

for the local community rather than detriment,
as some bars/pubs have been known to
operate in the past.

We @ 186 Hackney Road very much
are keen (as local residents ourselves) to
instigate this brand new pubwatch scheme of
our own accord and to lead the way for
future pub and bar / restaurant enterprises
to come together with the very people that
live locally and have the right to be able
to ensure their own safety at all times.

This dutifully includes all four licensing
objectives - the prevention of crime and disorder,
public safety, prevention of public nuisance and
the protection of children from harm.

Sincerely

all of the team @ 186 Hackney Rd.

Security Policy and Risk Assessment

1. To keep the entrance, exit and fire exit clear at all times for easy access and exit and when clear out the crowd in a flowing manner. If there is a problem with customer not wanting to move or being violent in any way you must tell management right away so they can decide if the police need to be called.
2. To make sure Security is visible at all time
3. To communicate with Manager if there is a problem
4. While on patrol if we find any bags or coats that are lying around we must try to Find the owner or Take it downstairs reporting it to the Manager saying where the bag or coats were located.
5. While on patrol in the bar-room you must keep your eye for Thieves, pickpockets and drug dealers that may try to operate in the bar-room.
6. Any Drugs or Weapons seized while on duty must be reported to head doorman and Bar Manager and must be logged into the report book.
7. Thieves, pickpockets and drug dealers will be ejected from the premise and if caught in the act they will be detained and the police will be notified. A report must be done any footage from CCTV must be passed on to the police, staff and other venues so everyone is aware.
8. If there is any incident of any kind it MUST be put into the report book the same night and if the police is called you MUST get a CAD number
9. Security staff must let customers be aware there is a search policy and we provide a cloakroom for bags and coats.
10. To have signs display for Toilets, Smoking areas etc.
11. To identify potential hazards while on duty i.e. fire hazards, drugs, weapons, suspicious packages, defects to buildings etc.
12. In the event of a fire or fire alarm test, building evacuation procedure must be followed.
13. To ensure appointed first aiders' on site, first aid equipment checked.
14. Security staff must be professional at all times no drinking alcohol or smoking while on duty

THIS POLICY WILL BE UPDATED EVERY MONTH

GENERAL RISK ASSESSMENT FORM

For recording general risk assessments at 186 Hackney Road

The signed hard copy of the completed form should be kept on file at the venue used.

Guidance

Venue: 186 Hoxton / 186 Hackney Road	Date(s) of Activity: On going
Activity Details: 1) Events at 186 Hackney Road	Number of people : 150
Assessor: Barry Desmond Williams 360 Services	Job Title: Fire Marshall
	Assessment Date: 20/02/15
	Review Date: ongoing
	Number of Security: 2

SEVERITY OF HARM/LOSS	Superficial	Minor	Major	Death/Catastrophic
LIKELIHOOD				
Very Likely	Medium Risk	Medium Risk	High Risk	High Risk
Likely	Low Risk	Low Risk	Medium Risk	High Risk
Remote	Insignificant Risk	Insignificant Risk	Insignificant Risk	Low Risk

Risk Acceptable

Risk Level to be Reduced if Reasonably Practicable

Unacceptable Risk

1 Hazards Affecting people	2 People Who or what might be harmed?	3 Severity Select from Matrix above	4 Likelihood Select from Matrix above	5 Risk Level Given by Matrix Use To Prioritise	7 Additional Controls Needed If extra controls are needed please provide action plan for putting in place
Front Door					
OBSTACLES IN THE WAY	PEOPLE COMING INTO THE VENUE	Major High risk	Minor Medium risk	Medium risk	Action: SIA DOOR PERSONAL TO MAN DOOR By Whom: - BDB SECURITY SERVICES By When: ON THE NIGHT
	<ul style="list-style-type: none"> BARRIERS FOR SMOKING AREA OUTSIDE SECURITY TO GUIDE PEOPLE INTO THE VENUE AND TO MONITOR THE NUMBERS COMING IN AS WELL AS DOING RANDOM SEARCHES 				

5

1. Hazards Affecting people	2. People Who or what might be harmed?	6. Current Controls What is in place at the present time?	3. Severity Select from Matrix above	4. Likelihood Select from Matrix above	5. Risk Level Given by Matrix Use to Prioritise	7. Additional Controls Needed If extra controls are needed please provide action plan for putting in place
Inside the Venue THE BAR AREA	Staff and Customers inside	<ul style="list-style-type: none"> INSTRUCTION GIVEN TO SECURITY MONITOR THE NUMBER OF PEOPLE BY A COUNTING SYSTEM, TO PATROL THE BAR AND TOILET AREA TO PREVENT PEOPLE FROM BLOCKING FIRE EXIT INSTRUCTIONS HAVE BEEN GIVEN TO SECURITY TO KEEP THE ALL TIMES TO ENABLE A ROUTE TO MAIN EXIT/FIRE ROUTE. 	Major High risk	Major High Risk	Major High risk	Action: - For security to prevent from over crowding By Whom: - security By When: - on going Instruction given by venue owner
Smoking Area	Customers in the smoking area	<ul style="list-style-type: none"> INSTRUCTION GIVEN TO SECURITY FOR THE SMOKING AREA TO BE KEPT TO A MANAGEABLE CONTROLLED EXTERNAL AREA AND TO ENSURE CLEAR ROUTES TO THE FIRE EXIT/MAIN EXIT. 	Major Medium risk	Major Medium risk	Minor	Action: - security to keep area safe and clear By Whom: - Security By When: - on going
Electricity	People in the venue	<ul style="list-style-type: none"> Supervision 	Major	Remote	Low	Action: - All persons must be warned about the dangers of electrical supply leads. By Whom: - Promoter and venue owner By When: -On going
Fire Safety	People in the venue	<ul style="list-style-type: none"> All fire exits/entrances to be kept clear at all times 	Major	Remote	Insignificant	Action: - Security to keep area clear By Whom: Security By When: - on the Day

Required Level of Provision for First Aid: First Aid kit and mobile phone available. Transport or ambulance will be provided/called if required

Controls incorporated into local safety rules for venue Policy

Do any persons have individual risk assessments to be read in conjunction with this general risk assessment?



Founded 1879

St Aloysius' College
Hornsey Lane, Highgate, London N6 5LY
Specialist Mathematics & Computing College

email: enquiries@sta.islington.sch.uk Website: www.sta.islington.sch.uk

Headteacher: T. Mannion

Tel: 020 7561 7800

Fax: 020 7263 5963

2nd February 2015

TO WHOM IT MAY CONCERN

Re: 186 Hackney Road, London, E2 7QL

On Sunday afternoon (1st February 2015) I visited the bar/cafe at 186 Hackney Road to view the premises and have a glass of wine.

What I found was a small team of responsible, dedicated and very welcoming individuals who could not do enough to make my time in the bar/cafe an extremely pleasant one.

Given the fact that I work in a large comprehensive school I take particular note of businesses which are being run in such an enterprising and responsible way.

As a consequence I spoke briefly with the owners who told me of their future plans to include yoga and an application for a late licence which would help to secure the economic viability of their establishment.

I really do feel that enterprises of this nature and driven by such responsible and committed people should be given every ounce of support so as a local resident (81 James Hammett House) I thought it a duty to write to you to give my support for this enterprise.

I would welcome the opportunity to talk to you about this matter should you feel it worthwhile.

Yours sincerely,

T. Mannion
Headteacher



Inspection March 2012



Appendix 3

external designated smoking area

entrance (from Hackney rd)

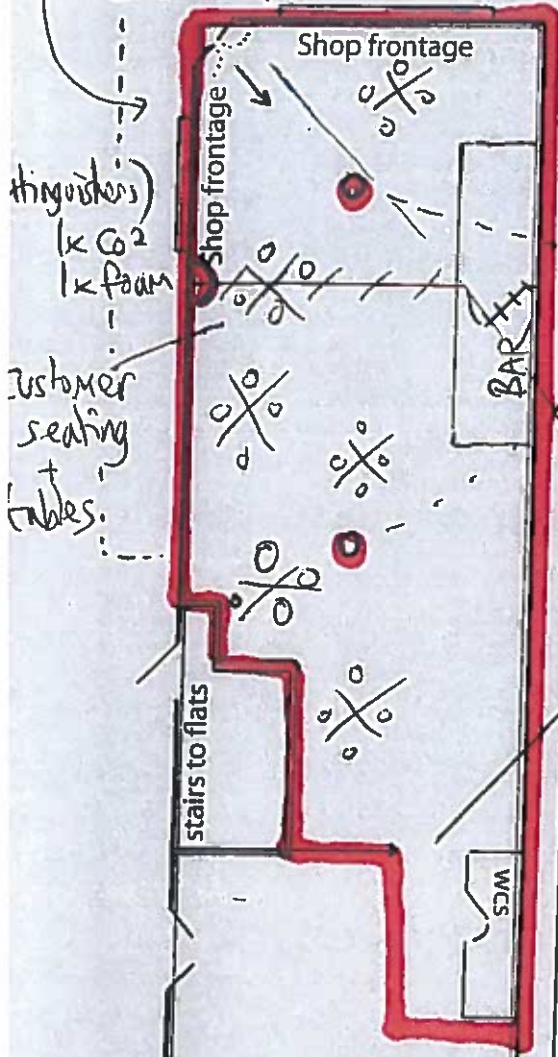
FLOORPLAN (1/2)
186 HACKNEY ROAD
BETHNAL GREEN
E2 7QL

(EXISTING)
licensed
premises

applying for variation/extension
of hours.

fridges
(x Co2
x foam)

customer
seating
+
tables



BS5839
linked smoke
detectors

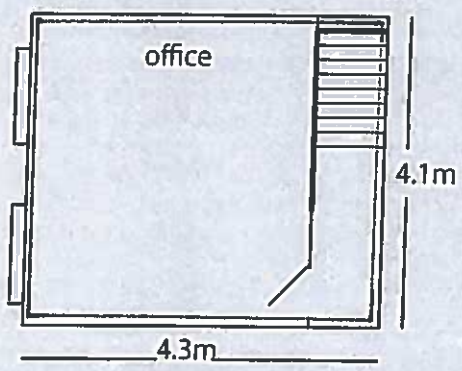
non-maintained
lp65 emergency lights

EXISTING & PROPOSED
GROUND FLOOR & FIRST
FLOOR PLAN

SCALE 1:100

Red outline indicates application site

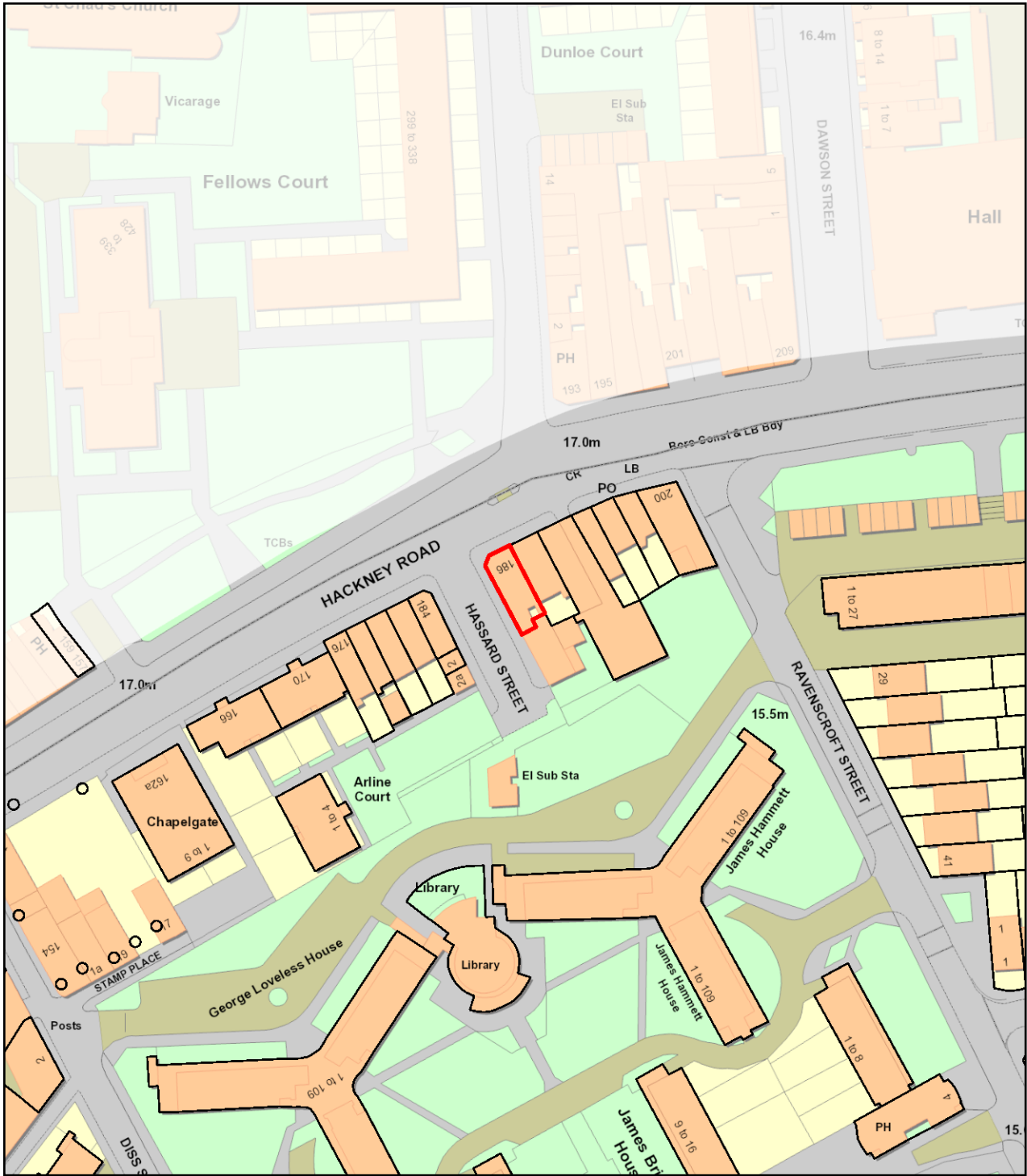
Stairs to 1st
floor office



5m
Ground floor
approx floor area
1400 sqft

4.3m
4.1m
1st floor office
approx floor area
226 sqft

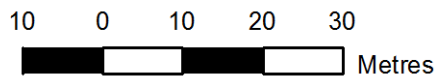
Drg no. 1/2
page size: A4
date: 11.01.15
drawn by: Chou
@ Design Access



186 Hackney Road



Scale 1:1153



Appendix 4

Section 182 Advice by the Home Office Updated on March 2015

Relevant, vexatious and frivolous representations

- 9.4 A representation is “relevant” if it relates to the likely effect of the grant of the licence on the promotion of at least one of the licensing objectives. For example, a representation from a local businessperson about the commercial damage caused by competition from new licensed premises would not be relevant. On the other hand, a representation by a businessperson that nuisance caused by new premises would deter customers from entering the local area, and the steps proposed by the applicant to prevent that nuisance were inadequate, would be relevant. In other words, representations should relate to the impact of licensable activities carried on from premises on the objectives. For representations in relation to variations to be relevant, they should be confined to the subject matter of the variation. There is no requirement for a responsible authority or other person to produce a recorded history of problems at premises to support their representations, and in fact this would not be possible for new premises.
- 9.5 It is for the licensing authority to determine whether a representation (other than a representation from responsible authority) is frivolous or vexatious on the basis of what might ordinarily be considered to be vexatious or frivolous. A representation may be considered to be vexatious if it appears to be intended to cause aggravation or annoyance, whether to a competitor or other person, without reasonable cause or justification. Vexatious circumstances may arise because of disputes between rival businesses and local knowledge will therefore be invaluable in considering such matters. Licensing authorities can consider the main effect of the representation, and whether any inconvenience or expense caused by it could reasonably be considered to be proportionate.
- 9.6 Frivolous representations would be essentially categorised by a lack of seriousness. Frivolous representations would concern issues which, at most, are minor and in relation to which no remedial steps would be warranted or proportionate.
- 9.7 Any person who is aggrieved by a rejection of their representations on either of these grounds may lodge a complaint through the local authority’s corporate complaints procedure. A person may also challenge the authority’s decision by way of judicial review.

- 9.8 Licensing authorities should not take decisions about whether representations are frivolous, vexatious or relevant to the licensing objectives on the basis of any political judgement. This may be difficult for councillors who receive complaints from residents within their own wards. If consideration is not to be delegated, contrary to the recommendation in this Guidance, an assessment should be prepared by officials for consideration by the sub- committee before any decision is taken that necessitates a hearing. Any councillor who considers that their own interests are such that they are unable to consider the matter independently should disqualify themselves.
- 9.9 It is recommended that, in borderline cases, the benefit of the doubt about any aspect of a representation should be given to the person making that representation. The subsequent hearing would then provide an opportunity for the person or body making the representation to amplify and clarify it.
- 9.10 Licensing authorities should consider providing advice on their websites about how any person can make representations to them.

Appendix 5

John McCrohan
LBTH Licensing
Toby Club
Vawdrey Close
E1 4UA

HT - Tower Hamlets Borough

Licensing Office
Limehouse Police Station
27 West India Dock Road &
5 Birchfield Street
E14 8EZ

Telephone: 0207 161 8792

Facsimile:

Email:

Alan.D.Cruickshank@met.pnn.police
.uk

www.met.police.uk

Your ref:

Our ref:

7 April 2015

Dear Mr McCrohan

Application to vary a premises licence

186 Hackney Road, E2 7QL

Please accept this letter as notification that the police as a responsible authority wish to object to this application on the following two licensing objectives

The prevention of crime and disorder

The prevention of public nuisance

The applicant has applied for the following alcohol hours::

Sunday - Wednesday : 1100 - 0100

Thursday : 1100 - 0200

Friday - Saturday : 1100 - 0400

Since the closure of the Joiners Arms, this would be the longest hours in this part of Hackney Road. Such late night venues attract people from nearby venues who have less hours. This often means that they are already under the influence of alcohol and the venue becomes known as a place for "one last drink"

It is very easy for a venue which has had up to then not come to notice to change into one that is known for police calls to the venue, whether it is for violence, theft or ASB.

There are still residential properties in Hackney Road and the surrounding streets. There is a small side street next to number 186. Unless properly controlled, it would be easy, as seen in a previous visit, to have people spill outside onto the street, talking loudly or dropping litter. On our visit on the 5th December 2015, there was a distinct smell of cannabis in the air on the street. 12-15 people were talking quite loudly. There was no ASB but just a lack of managerial control.

I have tried to contact the applicants by e-mail to try to come to an agreement. Unfortunately at the time of writing, they have not replied.

The applicant has stated in the application, "regarding the request of later closing on the Thursday, Friday and Saturdays-this is to allow extra time ensuring people can go home safely"

Could the applicant explain why later hours ensures the safety of their visitors? It is often the case that people that stay on longer, drinking more, become more vulnerable to many situations.

I would also question the statement that longer hours "can be of benefit for the local community" How exactly will this come about? Late hours are often a source of disquiet to local residents.

I ask the committee to refuse this application.

If however they are to grant a licence, I would ask them to consider the following hours and conditions.

Maximum alcohol hours

Mon - Wed : 1100 - midnight

Thur-Sat : 1100- 0030

Sun : 1100-2330

All with a half hour drinking up time.

LNR to reflect the above hours.

These hours reflects the nearest bar to them. I understand that the committee may after hearing from the residents consider these hours to be too long.

Conditions

1.

Install / maintain CCTV

CCTV

The CCTV system shall incorporate a recording facility and any recordings shall be retained and stored in a suitable and secure manner for a minimum of 31 days. A system shall be in place to maintain the quality of the recorded image and a complete audit trail maintained. The system will comply with other essential legislation, and all signs as required will be clearly displayed. The system will be maintained and fully operational throughout the hours that the premises are open for any licensable activity.

There must also be someone on the premises, who can download the images and present them on request by a police officer or other responsible authority.

(Can one camera be placed o/s the entrance and on entry,)

2. SIA staff: two SIA : Friday and Saturday : from 1900 - 0100

All other conditions to remain on the licence.

Appendix 6

Kathy Driver

From: Ian Wareing
Sent: 09 April 2015 12:11
To: Licensing
Cc: Alan.D.Cruickshank@met.pnn.police.uk
Subject: 186 Hackney Road

Follow Up Flag: Follow up
Flag Status: Completed

Please accept this email as representation against the variation for the above premises.

EH has concerns over the very late hours sought. The applicant has undertaken some acoustic works to limit the noise escape from the bar which appear to have worked well, although when these works were tested to discharge a Planning Condition, it was during early evening and not during sensitive hours after 23.00 until the end of proposed variation. It is also my understanding that at the time of writing, not all of the remedial works have been completed although I stand to be corrected.

Our further concerns relate to 'associated noise' linked to customer arrival, egress, and smoking area. Although this premises is situated on a busy main road in the borough, traffic noise will subside in its frequency as the night turns to morning and so on. Also noise from high spirited individuals walking along that road will be transient and less frequent as the hours progress. It is our opinion that if the hours that are sought were to be agreed, it would lead to an increase of the described noise in the area with the potential to cause significant Public Nuisance to local residents. I have first-hand experience and have witnessed the impact that noise from customers and vehicle movements outside a Licensed Premises can have on individuals who live nearby. It ultimately affects their sleep, rest and relaxation, then the knock on effects of being tired during the day at work and the psychological effect of not catching up on that lost sleep.

If committee are minded to grant the application we would recommend that the hours are drastically reduced and that conditions imposed with regards to a noise limiting device and restrictions on the outside area.

It is our recommendation that the application be refused in order to protect the amenity of the area.

Regards,

Ian

Ian Wareing
Technical Officer
Pollution Team
Environmental Protection
Environmental Health
2nd Floor
Gladstone Place Offices
1 Ewart Place
London
E3 5EQ

020 7364 5008
ian.wareing@towerhamlets.gov.uk

Appendix 7

Kathy Driver

From: [REDACTED]
Sent: 27 March 2015 16:46
To: Licensing
Subject: representation for extended opening hours

188 Hackney road
E2 7QL

27 March 2015

Dear Sir /Madam

I am writing in response to the extended license application made by art euphoria , 186 Hackney road E2 7QL.

I have two main concerns in this matter .

Firstly , the use of the room at the rear of the property and noise arising from this .

This space is in effect the backyard to the building and as such has very limited sound insulation , having a single layer breeze block wall and corrugated roof .

This area is less than ten feet from my bedroom window and in similar proximity to at least three other residences . It would trouble me greatly if music were to be played in this area beyond a reasonable hour to allow me to sleep undisturbed .

My second concern is for noise and anti- social behaviour in the immediate vicinity of the venue .

I fear that making this premises a late night drinking destination would attract people for the sole purpose of extending their night out and drinking into the early hours .Even with comprehensive door control this will inevitably lead to drunken behaviour and disturbance .

Furthermore, will there be put in place adequate measures to limit the number of customers smoking outside at any one time as this could also create a nuisance .

I have been resident at 188 Hackney road for over 20 years . I am very aware of the changing nature of many areas in and around the borough and have no wish to prevent any development or regeneration that benefits the local community but I would be disheartened if this was allowed at the expense of the current residents .

Yours sincerely

Bhageerutty - Stan

Appendix 8

[REDACTED]

The Licencing Section
London Borough of Tower Hamlets
Mulberry Place (AH)
PO Box 55739
5 Clove Crescent
London
E14 1BY

23rd March 2015

Dear Sir/Madam,

We are writing with regards to a recent application to change a premising licence made by 186 Hackney Road, E2 7QL. We live in [REDACTED] above the bar, and wish to appeal against this application due to the disturbances we anticipate an extension of opening hours will cause.

We have already experienced numerous problems since the opening of the bar last year, primarily noise disturbance. This is mainly caused by poor soundproofing, and the resultant noise disturbance is extremely problematic and aggravating for both ourselves on the second floor as well as for the family living directly above the bar.

The soundproofing was promised to be carried out before the bar's opening, but was not. When the soundproofing was finally carried out, it was left unfinished and not to a standard capable of blocking the noise. Our neighbours report that the staff do not consistently keep to the agreed 80DB sound level in the bar, and even in our flat two floors above, we can often hear the music clearly through our floor. The issue of soundproofing has been slow to be addressed, and still remains unfinished, despite the bar being open for several months.

Another disturbance we have encountered since the bar's opening is the level of noise from the bar's customers having conversations outside the bar, for example whilst smoking outside. This continues late into the night and it appears that little is done by bar staff to prevent these high noise levels. We appreciate that we live on a busy road, but we have never experienced such problems from the kebab shop or Mezcal bar at 184 Hackney Road, despite these being just as close to our flat.

We feel that allowing the bar to open until 1am from Sunday to Wednesday, 2am on Thursdays and 4am on Fridays and Saturdays is an unreasonable request which we strongly oppose, due to the increased noise disturbance which will be caused by the music and poor soundproofing and customers outside the bar.

We hope you will consider our case,

Yours faithfully,

[REDACTED]

Rosy Hawksley & Sam Collins,
[REDACTED]

LBTH
TRADING STANDARDS
25 MAR 2015
LICENSING

Appendix 9

[REDACTED]

[REDACTED]

[REDACTED]

The Licensing Section

London Borough of Tower Hamlets

Mulberry Place

5 Clove Crescent

London. E14 2BG

Dear Sir / Madam,

I am writing in regard to the application for a premises licence variation for the provision of late night refreshment, supply of alcohol and extension of opening hours for 186 Hackney Road, London, E2 7QL.

I am writing on behalf of Sugiarto Electroplaters (tenant, [REDACTED] Massow Design (tenant, [REDACTED] Sinopolpolishing Ltd (tenant, [REDACTED] Mr Harry Sugiarto (owner, [REDACTED] and Dr Herman Sugiarto (owner, [REDACTED]

We view the proposed variations negatively and inappropriate for the neighbourhood for the following reasons:

- We have owned and operated from these premises since the early 1990s. While we accept that the area has changed in the intervening years, very much in positive way, we believe this continues to be a primarily residential neighbourhood. Until very recently, there has been little nightlife in the area, particularly premises operating with a late licence. The provision of a late licence risks changing the character of the neighbourhood, alienating existing residents and shops in the area.
- We ourselves have submitted redevelopment plans to Tower Hamlets council for flats on 190-194 Hackney Road (pre-planning application reference PF/15/00040). The proposed late licence would put a noisy, intrusive presence right on our doorstep. The viability of our and other developers' plans would be negatively affected – we would revisit our plans if a late licence were granted. The provision of a late licence would negatively affect the desirability of living in the neighbourhood at a time when there is a shortage of housing development in the area.
- 186 Hackney Road sits on the corner of Hassard Street, which is a dimly lit side street with no real passing foot traffic, with an existing residential development at the end of the street. To my understanding, there is no CCTV on this street. There have been instances when patrons from the bar on Hassard Street using the pavement to “relieve themselves” etc. This will only get worse if another late licence is provided to 186 Hackney Road. We also consider

criminal damage to premises, etc to be a real risk if the license were granted. There is also limited-to-no low police presence on this street at night.

- There are already a number of late licensed premises within a short walk of 186 Hackney Road, e.g. on Rivington Street, Shoreditch high street, Cambridge Heath Road. This bar is somewhat of an outlier. The provision of a late licence here, rather than somewhere closer to existing late-licensed bars, doesn't make sense to us.
- Opposite 186 Hackney Rd, there is already a late licensed bar at the basement of 184 Hackney Rd, and we understand that there is plan to convert the ground floor into a bar. On the opposite side of the road, at 190 Hackney Road, a wine bar already exists (Sager & Wilde). We feel there is already sufficient licensed premises in the area, any more would be detrimental for residents living in the vicinity.
- Should the license be granted, we would suggest the following as a compromise:
 1. Limitation on opening hours until 11pm
 2. The licence is to specify the presence of at least two security guards during opening hours
 3. The proprietors to ensure customers are kept indoors as much as possible, and allow a maximum of 4 customers to go outside for smoking
 4. The proprietors should increase the number of toilet facilities, prevent customers to urinate outside the premises, especially at the end of Hassard Street. The current toilet facilities are inadequate for the number of customers served
 5. The premises should be properly sound-proofed

We would be more than happy to discuss our points in greater detail at your convenience. We are available by phone (██████████) or via email (██████████). Let us know if you have any further questions.

Yours faithfully,

Dr Herman Sugiarto

Appendix 10

LBTH
TRADING STANDARDS
- 7 APR 2015
LICENSING

March 27th 2015

Ref: Licence Application For 186 Hackney Road E2 7QL.

Dear Sir/Madam

I am writing to make my concerns known about the extended license application made by Art Euphoria at 186 Hackney Road E2 7QL (next door).

Firstly of all, if they use the room at the rear of the property this will be very noisy, as this area only has a corrugated roof (I have been in there and seen it for myself). I have the bathroom window open all summer due to the heat and that is next to my bedroom. As you know noise rises anyway.

I'm concerned about anti-social behaviour in the immediate vicinity of the venue and the noise that comes with it. Then with the smokers allowed outside, this will surely lead to drunkenness disturbance.

Plus, during the summer folks like to stand outside even if they are not smokers! Thus creating more nuisance.

Having lived at 188 Hackney Road for over 18 years, I am aware of how the area has changed, but this part of Hackney Road is very residential with only a small parade of shops.

Yours faithfully,

Kim Williamson

Appendix 11

Anti-Social Behaviour from Patrons Leaving the Premises

General Advice

Members need to bear in mind that once patrons have left a premises they are no longer under direct control. Members will need to be satisfied that there is a link between the way the premises is operating and the behaviour that is complained of. An example of this would be that irresponsible drinking is being encouraged. Before deciding that any particular licensing conditions are proportionate, Members will also need to be satisfied that other legislation is not a more effective route. For example, if the problem is drinking in the street it may be that the Council should designate the area as a place where alcohol cannot be consumed in public.

Members may also wish to consider whether the hours of opening relate to any problems of anti-social behaviour.

If Members believe that there is a substantial problem of anti-social behaviour and it cannot be proportionately addressed by licensing conditions they should refuse the application.

Licensing Policy

The policy recognises that other legislation or measures may be more appropriate but also states that licensing laws are “a key aspect of such control and will always be part of an overall approach to the management of the evening and night time economy” (**see Section 4.15 and 4.16 of the Licensing Policy**).

The Licensing Authority expects the applicant to have addressed all crime and disorder issues relating to the premises in their operating schedule and to have sought appropriate advice. (**See Sections 6.2 of the Licensing Policy**)

The Licensing Authority will consider attaching conditions to deter crime and disorder and these may include Conditions drawn from the Model Poll of Conditions relating to Crime and Disorder. (**See Appendix 3 of the Licensing Policy**). In particular Members may wish to consider (this list is not exhaustive):

- Bottle Bans
- Plastic containers
- CCTV (outside the premises)
- Restrictions on open containers for “off sales”
- Proof of Age scheme
- Crime prevention notices
- Drinks promotions-aimed at stopping irresponsible promotions
- Signage

Cumulative Impact

There is a process by which the Licensing Authority can determine that an area is saturated following representations. However, the process for this involves wide consultation and cannot come from representations about a particular application. (**See Section 7 of the Licensing Policy**).

Police Powers

The Licensing Act 2003, Part 8 gives a senior police officer the power to close a premises for up to 24 hours where the officer believes there is, or is likely to be disorder on or in the vicinity and closure is necessary in the interests of public.

Guidance Issued under Section 182 of the Licensing Act 2003

The key role of the Police is acknowledged (2.1).

Conditions attached to licences cannot seek to manage the behaviour of customers once they are beyond the direct management of the licence holder, but can relate to the immediate vicinity of the premises as they seek entry or leave (1.16).

Conditions are best targeted on deterrence and preventing crime and disorder (2.3) CCTV inside & out, communication, police liaison, no glasses are all relevant

There is also guidance issued around public nuisance (2.14 – 2.20).

The pool of conditions, adopted by the Council is recommended (see Appendix 3 of the Licensing Policy). Licence conditions should not duplicate other legislation (1.16).

Necessary and appropriate conditions should normally focus on the most sensitive periods and may address disturbance as customers enter or leave the premises but it is essential that conditions are focused on measures within the direct control of the licence holder (2.18/2.20).

Licensing law is not the primary mechanism for the general control of nuisance and anti-social behaviour by individuals once they are away from the licensed premises and, therefore, beyond the direct control of the individual, club or business holding the licence, certificate or authorisation concerned (13.13).

Other Legislation

Crime and Disorder Act 1998

The Council has a duty under Section 17 of the Crime and Disorder Act 1998 to do all it reasonably can to prevent crime and disorder.

The Act also introduced a wide range of measures designed to address anti-social behaviour committed by adults and young people. These include:

- Anti-Social Behaviour Orders
- Child Curfew Schemes
- Truancy
- Parenting Orders
- Reparation Orders
- Tackling Racism

Appendix 12

Access and Egress Problems

Such as:

Disturbance from patrons arriving/leaving the premises on foot

Disturbance from patrons arriving/leaving the premises by car

Lack of adequate car parking facilities

Close proximity to residential properties

Comment

The above have been grouped together as egress problems. Of course the particular facts will be different for each alleged problem.

Egress only is referred to-if necessary access can be added or substituted in.

General Advice

In considering concerns relating to disturbance from egress, Members need to be satisfied that the premises under consideration has been identified as the source of the actual or potential disturbance. If they are satisfied that this is a problem, then proportionate conditions should be considered.

The hours of operation also need to be considered.

If Members believe that there is a substantial problem concerning egress and it cannot be proportionately addressed by licensing conditions, they should refuse the application.

Licensing Policy

The policy recognises that noise nuisance can be an issue, especially if a premises is open late at night. (**See Section 10 of the Licensing Policy**).

The Licensing Authority expects the applicant to have addressed all nuisance issues relating to the premises in their operating schedule and to have sought appropriate advice from the Council's Environmental Health Officers. (**See Section 10.2 of the Licensing Policy**).

The policy also recognises that staggered closing can help prevent problems at closure time (**See Section 15.1**).

However, while all applications will be considered on their merits, consideration will be given to imposing stricter conditions in respect of noise control where premises are situated close to local residents. (**See Section 15.5**)

The Council has adopted a set of framework hours (**See 15.8 of the licensing policy**). This relates to potential disturbance caused by late night trading.

The Licensing Authority will consider attaching conditions to prevent nuisance and these may include Conditions drawn from the Model Pool of Conditions relating to the prevention of Public Nuisance. (**See Annex G of the Licensing Policy**). In particular Members may wish to consider (this list is not exhaustive):

- hours of opening (this needs to be balanced against potential disorder caused by artificially early closing times)
- Whether certain parts should close earlier than the rest (for example a “beer garden”, or restricted in their use)
- Whether or not certain activities should have to close at an early hour, for example live music
- Conditions controlling noise or vibration (for example, noise limiters, keeping doors and windows closed).
- Prominent clear and legible notices at all exits requesting the public to respect the needs of local residents and leave the premises and area quietly

Guidance Issued under Section 182 of the Licensing Act 2003

The prevention of public nuisance could include low-level nuisance, perhaps affecting a few people living locally as well as major disturbance affecting the whole community. (2.19).

Licence conditions should not duplicate other legislation (1.16).

Any conditions should be tailored to the type, nature and characteristics of the specific premises. Licensing authorities should be aware of the need to avoid inappropriate or disproportionate measures that could deter events that are valuable to the community, such as live music. Noise limiters, for example, are very expensive to purchase and install and are likely to be a considerable burden for smaller venues. (2.20)

Measures can include ensuring the safe departure of customers, these can include:

- Providing information on the premises of local taxi companies who can provide safe transportation home; and
- Ensuring adequate lighting outside the premises, particularly on paths leading to and from the premises and in car parks

Necessary and appropriate conditions should normally focus on the most sensitive periods (2.22) and may address disturbance as customers enter or leave the premises but it is essential that conditions are focused on measures within the direct control of the licence holder.

Appendix 13

Noise while the premise is in use

General Advice

If they conclude this is a problem Members should consider whether it is possible to carry out suitable and proportionate noise control measures so that noise leakage is prevented. In addition Members may consider that only certain activities are suitable.

The hours of operation also need to be considered (see below).

If Members believe that there is a substantial problem of noise while the premises are in use and it cannot be proportionately address by licensing conditions they should refuse the application.

Licensing Policy

The policy recognises that noise nuisance can be an issue, especially if a premises is open late at night. **(See Sections 8.1 of the Licensing Policy)**.

While all applications will be considered on their merits, consideration will be given to imposing stricter conditions in respect of noise control where premises are situated close to local residents. **(See Section 12.11)**.

The Licensing Authority expects the applicant to have addressed all nuisance issues relating to the premises in their operating schedule and to have sought appropriate advice from the Council's Environmental Health Officers. **(See Section 8.2 of the Licensing Policy)**.

The Licensing Authority will consider attaching conditions to prevent nuisance and these may include Conditions drawn from the Model Poll of Conditions relating to Crime and Disorder. **(See Appendix 2 Annex D of the Licensing Policy)**. In particular Members may wish to consider (this list is not exhaustive):

- hours of opening (this needs to be balanced against potential disorder caused by artificially early closing times)
- Whether certain parts should close earlier than the rest (for example a "beer garden", or restricted in their use)
- Whether or not certain activities should have to close at an early hour, for example live music
- Conditions controlling noise or vibration (for example, noise limiters, keeping doors and windows closed).
- Prominent clear and legible notices at all exits requesting the public to respect the needs of local residents and leave the premises and area quietly
- Conditions controlling the use of explosives, pyrotechnics and fireworks
- Conditions controlling the placing of refuse
- Conditions controlling noxious smells

- Conditions controlling lighting (this needs to be balanced against potential crime prevention benefits)

Police Powers

Part 8 of the Licensing Act 2003 enables a senior police officer to close down a premises for up to 24 hrs. a premises causing a nuisance resulting from noise emanating from the premises.

Guidance Issued under Section 182 of the Licensing Act 2003

The Licensing Policy has adopted the recommended Pool of Conditions as permitted (13.20 and Annex D).

The prevention of public nuisance could include low-level nuisance, perhaps affecting a few people living locally as well as major disturbance affecting the whole community (2.33).

Licence conditions should not duplicate other legislation (1.16).

Necessary and appropriate conditions should normally focus on the most sensitive periods (2.36) and may address disturbance as customers enter or leave the premises but it is essential that conditions are focused on measures within the direct control of the licence holder (2.38).

Other Legislation

The Environmental Protection Act 1990, Part 111 gives Environmental Health Officers the power to deal with statutory nuisances.

The Anti-social Behaviour Act 2003, Sections 40 and 41 give Environmental Health Officers the power of closure up to 24 hours in certain circumstances.

Appendix 14

Licensing Policy Relating to Hours of Trading

All applications have to be considered on their own merits.

The Council has however adopted a set of framework hours as follows:

Monday to Thursday	06:00hrs to 23:30hrs
Friday and Saturday	06:00hrs to 00:00hrs (midnight)
Sunday	06:00hrs to 22:30hrs

(see 12.8 Of the Licensing Policy)

In considering the applicability of frame work hours to any particular application regard should be had to the following

- Location
- Proposed hours of regulated activities, and the proposed hours the premises are open to the public
- The adequacy of the applicants proposals to deal with issues of crime and disorder and public nuisance
- Previous history
- Access to public transport
- Proximity to other licensed premises, and their hours

(See 12.8 of the licensing policy)

Subject to any representations to the contrary in individual cases the following premises are not generally considered to contribute to late night anti-social behaviour and will therefore generally have greater freedom

- Theatres
- Cinemas
- Premises with club premises certificates
- Premises licensed for off sales only

Appendix 15

Planning

An application for a Premises Licence can be made in respect of a premises even where the premises does not have relevant Planning Permission. That application has to be considered and Members can only refuse the application where the application itself does not promote one or more of the Licensing Objectives. Members cannot refuse just because there is no planning permission. Where a Premises Licence is granted and which exceeds what is allowed by the Planning Permission and that Premises then operates in breach of planning then the operator would be liable to enforcement by Planning.