



Draft Statement of Licensing Policy

Foreword

Hackney Licensing Strategy & the Licensing Act 2003

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Foreword by Councillor Emma Plouviez, Chair of the Licensing Committee

This Statement of Licensing Policy sets out how Hackney Council and its statutory partners will consider new applications and notices under the Licensing Act 2003.

This is the first complete review of the Policy since the 'rebalancing' exercise carried out by the Home Office and the Live Music Act 2001 brought in significant changes to licensing legislation.

London is one of the world's most thriving and exciting cities. Hackney is very much a part of this and in recent years has continued to establish itself as one of the main centres for culture, leisure and hospitality in the capital.

Hackney is home to many restaurants, pubs, clubs and bars, shops and art galleries and a number of theatres, cinemas and many restaurants as well as the vibrant and highly successful late night economy of clubs, bars and music venues. Not only does this add to the richness of life for our residents but these venues are an important source of economic growth in the borough, providing jobs and attracting visitors and tourists.

It has been a very exciting few years for Hackney. The Borough continues to benefit from the legacy of the 2012 Olympic and Paralympic Games. We've seen huge increases in land values; further development and regeneration such as Woodberry Down; and improvements to transport links via the London Overground. The arrival of Crossrail, 24 hour tube at weekends and a number of new hotels will further help to support the visitor economy, encouraging greater numbers into the area thanks to reduced journey times to the Borough.

Hackney Council wants visitors and residents alike to continue to enjoy what is on offer in a safe and clean environment. We want to support our many independent businesses that lie at the heart of our town and local centres, as well as maintain the strength and variety of our high street offer, including local employment and creative industries.

One of the key issues for the Council is to manage growth and find the balance between the wellbeing of residents and the desires of the licensed operators.

This Policy is informed by evidence that shows that the areas of Shoreditch and Dalston do still suffer from negative cumulative impact as a result of the higher numbers of licensed premises in those areas. Therefore whilst crime is falling overall in Hackney, there are still concentrations of crime and disorder in key areas such as Dalston and Shoreditch. It is on that basis that the Dalston Special Policy area remains and the Shoreditch Special Policy area is expanded.

The Policy also seeks to recognise the character of the Borough by introducing a Borough-wide hours approach. This will act as a guide to all interested parties to the types of operation, licensable activities and hours of operation that will generally be considered acceptable, with the expectation that applicants wishing

to go beyond these hours will have to demonstrate very good measures in their application.

In addition we have concerns about increasing levels alcohol use and the impact on public health particularly with regard to off-sales and high-strength, low priced alcohol and have tried to address this through restricting the hours of new off-licences where appropriate.

We are increasingly concerned about the high number of temporary event notices we receive and the impact these, if not managed well, can have on the residents. We have amended the policy and provided guidance to assist people in putting on events which do not have adversely impact on the licensing objectives.

We want applicants to carefully consider how their proposal will promote the licensing objectives. By referring to the appended Checklists, applicants are able to see what matters should be addressed where relevant to the application.

We want applicants to recognise the concerns of the Police and other partners that night time activity appears to correlate with higher levels of crime and disorder, especially in key areas such as Shoreditch and Dalston. Other negative impacts, such as noise, anti-social behaviour and harm to health are also matters taken into consideration during the development of this Policy. We expect applicants to demonstrate how they will minimise harm to those customers who could be at greatest risk.

The many licensees, restaurateurs and hoteliers have already helped to boost Hackney's reputation. This Policy aims to help them and the other sectors of the licensed trade continue their work and balance the needs of visitors and residents alike by making Hackney an even better place in which to live and have fun at the heart of this great world city.

1. Hackney Licensing Strategy and the Licensing Act 2003

- 1.1 Hackney has a thriving hospitality and entertainment economy. This brings many benefits to the Borough in terms of employment and business opportunities, attracting many visitors and people who want to live in this inner city borough.
- 1.2 Whilst welcoming the employment and visitor opportunities that the hospitality industry brings, the Council believes that good management of this vibrant industry is essential, not only for the continued sustainability of the industry itself but also for the residents who live here and the visitors who come to enjoy the facilities.
- 1.3 This balance of interests is the challenge for the Council and is addressed through the Licensing Policy which shows how the Council will promote the Licensing Objectives:
- ***Prevention of crime and disorder***
 - ***Public safety***
 - ***Prevention of public nuisance***
 - ***Protection of children from harm.***
- 1.4 The Council must have regard to these licensing objectives and supplementary guidance when carrying out its functions under the Licensing Act 2003.
- 1.5 In addition, the Council will look to the Licensing Policy to assist in achieving its corporate aspirations of ensuring:
- A strong local economy supporting businesses and securing work for local people
 - A clean and pleasant environment for all
 - A safe and secure borough for residents and visitors
 - A healthy borough
- 1.6 The current Licensing Policy came into effect in January 2011, was amended in January 2014, and will expire in January 2016. The Council is consulting on the review of the Licensing Policy and, subject to consultation, adopt the new Licensing Policy prior to January 2016.
- 1.7 The proposed consultation on the review of the Licensing Policy will be carried out in accordance with the Licensing Act 2003 and relevant guidance. Consultation will be with the appropriate Responsible Authorities [police, fire service, environmental health (noise and health and safety), planning, trading standards, child protection officers, licensing authority and public health authority]; representatives of licence holders; and Hackney residents. The consultation will run for 12 weeks via a number of formats.

1.8 Health and Alcohol

- 1.8.1 Many people enjoy consuming alcohol safely and in moderation. However, the increase in harm caused by alcohol misuse is rapid and widespread, both in health terms and community safety. Nationally, alcohol-related deaths have doubled since 1992, a rate unheard of in almost all other illnesses. Among men aged between 15 and 59, alcohol is the leading risk factor for premature death. Alcohol-related harm is not confined to a minority of very heavy drinkers who experience acute problems. The greatest harm overall is suffered by the large population of regular drinkers whose exposure to alcohol has long-term consequences for their health and wellbeing.
- 1.8.2 The Local Alcohol Profile for Hackney shows that the Borough has significantly higher alcohol-specific hospital admissions for men than the national and London average. Evidence also demonstrates that alcohol also drives inequalities: people from more deprived groups suffer far greater harm from alcohol than people in higher socio-economic groups. The consumption of alcohol by children and young people can have negative impact on their health as well as other aspects of their lives, such as educational attainment and future employability. Alcohol is often a significant contributor to the local levels of hospital admissions, injury and domestic violence.
- 1.8.3 With regard to how health and alcohol are linked to the licensing objectives, please see Paragraph 5.3.

1.9 Protection of Children

- 1.9.1 Hackney is committed to protecting children from harm and views this as an important licensing objective. The Council's Licensing Service works with the City & Hackney Safeguarding Children Board (CHSCB) and Children and Young People's Services (CYPS) during the development of licensing policy.
- 1.9.2 Alcohol use, misuse and abuse is one of the recurring key 'parental factors' in child protection and safeguarding, often contributes to parental neglect of children and domestic abuse and violence within families.
- 1.9.3 Alcohol can often be a factor in child sexual exploitation, where young people may be encouraged or coerced to drink. It may also be a factor in risk taking behaviour by young people who drink irresponsibly and then get involved in activities that otherwise they would not.
- 1.9.4 Nationally, evidence has been found of the sexual exploitation of children taking place on licensed premises, or licensed premises being used for the purposes of grooming and enticement.

1.9.5 The CHSCB works with other statutory authorities and the wider community to promote risk management in relation to child sexual exploitation.

2. Policy Approach

2.1 The approach to the Licensing Policy is based around the following themes:

- The four Licensing Objectives
- The Special Policy Areas
- Borough-wide hours policy based on the character of the area
- Temporary Event Notices (TENs)
- Other policies including outdoor events

2.2 The Licensing Policy is underpinned by the four core policies which will relate to all applications for a licence anywhere in the Borough. These have a set of checklist appendices for applicants to consider when submitting their application and include, as appropriate, within their operating schedule and which will be used to help assess applications and determine appropriate conditions should the application be granted. These checklists will be updated from time to time throughout the life span of this policy. Precedent conditions are also on the Council's website or available upon request to assist applicants or those who are considering objecting to an application on the basis that the premises operates in a specified way.

2.3 Alongside the Core Policies the Licensing Policy introduces a spatial link, which means that wherever a premises is located there will be a guide to the Hours of Operation that are considered to be acceptable for the particular licensable activity. This is either through the Cumulative Impact Policies for the Shoreditch or Dalston Special Policy Areas or through the Borough-wide Hours Policy where the appropriate hours for licensable activities are linked to the character of the area the premises is in. There are four character areas identified:

- Major Town Centres – predominantly commercial, providing a range of employment, retail and leisure activities. Very good public transport links.
- District Town Centres – predominantly high street locations, providing convenience goods and services to local communities, with a range of transport links.
- Local Centres – predominantly in residential areas, providing local facilities, accessible by cycling and walking.
- All other areas – including residential areas, commercial fringes and open spaces and waterways.

- 2.4 This proposed link between the character of the area and the hours of operation for licensable activity directly links the Licensing Policy with the Borough's planning policies.
- 2.5 There will be occasions when, notwithstanding the proposed acceptable licensing hours, the suggested licensable activity will not be considered appropriate.

3 Borough Profile

- 3.1 Hackney is an established centre for leisure, arts and culture in London. There are over 1100 premises licensed under the Licensing Act 2003 in an area of just 19 square kilometres.
- 3.2 According to the Office of National Statistics 2013 mid-year estimates, Hackney's population stood at 257,379. This, as well as Hackney's relatively small geographical area makes it one of the most densely populated boroughs in London. This population set to increase further to over 298,000 by 2031.

4. Integrating strategies

- 4.1 The Licensing Policy is just one of the Council's policies and is required under the Licensing Act to integrate with the council's other strategies where appropriate. Regard should be given to the available data, findings, shared vision and plans informing Hackney's Sustainable Community Strategy (the "Strategy"), adopted by the Council and the local strategic partnership (Team Hackney) in November 2008.
- 4.2 The Strategy has the following vision for the Borough in 2018:
- an aspirational, working borough, a vibrant part of this world city, renowned for its innovative and creative economy; a place that values the diversity of its neighbourhoods, and makes the most of their links across the globe to enrich the economic and social life of everyone who lives in the Borough.
 - a borough with greater opportunity and prosperity for everyone, whatever their background; and narrowing economic, environmental and health inequality. We will have secured the benefits arising from hosting the 2012 Olympic and Paralympic Games.
 - a green, cosmopolitan part of London with safe, strong and cohesive communities, and a shared sense of fairness, citizenship and social responsibility.
- 4.3 The Council and its partners have identified two fundamental dynamics that will shape the Borough over the coming decade – population growth and cohesion. The Strategy has six priorities set for the achievement of the vision:

- Reduce poverty by supporting residents into sustainable employment, and promoting employment opportunities, including prioritising the London Living Wage.
- Help residents to become better qualified and raise educational aspirations.
- Promote health and wellbeing for all, and support independent living
- Make the Borough safer, and help people to feel safe in Hackney.
- Promote mixed communities in well-designed neighbourhoods, where people can access high quality, affordable housing.
- Be a sustainable community, where all citizens take pride in, and take care, of Hackney and its environment for future generations.

4.4 In addition, Hackney also encourages all employers to pay the London Living Wage and .as a responsible landlord, the Borough expects all its business tenants/leaseholders, including licence holders, to operate professionally and in accordance with best practice.

4.5 Regard shall also be given to the Borough's Local Development Framework Core Strategy (“Core Strategy”). This sets the strategic direction for delivering the spatial elements of the Strategy. Its vision is that by 2026 Hackney has exploited its great strengths as a prime location in London and one of the most diverse communities in the country.

5 Scope and Operation of the Policy

5.1 The Policy covers all premises in Hackney where any of the following takes place:

- Sale or supply of alcohol
- Any regulated entertainment
- Provision of late night refreshment
- Supply of alcohol in qualifying clubs.

5.2 The Council is responsible for the determination of premises licences, club premises certificates, personal licences and provisional statements. It also receives temporary event notices (TENs). The Council will, in determining applications, take account of the representations made by the Responsible Authorities and/or other persons on the promotion of the Licensing Objectives.

5.3 There is currently no specific Licensing Objective relating to public health. This may, however, change within the lifetime of this Licensing Policy and as such the Licensing Policy will be kept under review. While public health is currently not a licensing objective under the Licensing Act 2003, the Health Authority is a responsible authority and has access to unique data that could inform licensing decision and policy, which may not be available from the other responsible authorities. Any health related data

will have to be linked to one or more of the licensing objectives for the Licensing Sub Committee to take it into account when making a decision on an application.

- 5.4 Despite the absence of a public health licensing objective, there are still clear health implications that are linked to the existing licensing objectives. The objective on public safety includes the prevention of accidents and injuries that can result from alcohol consumption. Evidence from emergency departments and ambulance pick up data may show the level of drunkenness that is causing accidents and injuries.
- 5.5 The number of alcohol related assaults may be relevant to the crime and disorder objectives while under 18 alcohol-related incidents could link to the protection of children from harm objective. Alcohol related incidents, including problems linked with street drinkers, could also be considered under the public nuisance objective.
- 5.6 Applications that do not receive representations will, in accordance with the Act, be granted as applied for, subject to any relevant conditions being applied derived from the operating schedule. Where relevant representations are made the Licensing Authority must hold a hearing to determine the application. A Licensing Sub-committee will consider the evidence provided by applicants and those making representations, national guidance, this Statement of Licensing Policy and any other pertinent information.
- 5.7 The Licensing Sub-committee will determine the application on its merits, taking any appropriate steps to promote the licensing objectives. Appropriate conditions will relate to matters within the control of the applicant, the proposed licensable activity and the impact of those activities in the local area.
- 5.8 Any licence issued will be subject to the relevant mandatory conditions and any other appropriate conditions arising from the operating schedule or as attached by a Licensing Sub-committee.
- 5.9 The Council is an enforcement authority for a number of regulatory services, including Licensing, and works in partnership with other agencies. The Council will exercise its Licensing Enforcement functions in accordance with the principles of the Regulators' Code and the Licensing Enforcement Policy.

6. Core Licensing Policies

- 6.1 The Policies and Checklists are intended to help applicants assess the risk of their proposed activity on the licensing objectives.
- 6.2 The considerations in the checklist may not necessarily apply, or apply equally to all types of applications. Licensees/applicants should use their

own experience and/or knowledge of their customers and/or location to add to or amend the checklist criteria to help form an appropriate operating schedule. The content of an operating schedule and the matters covered in the checklist will be the basis for any proposed conditions that may be attached to the grant of the licence and must be enforceable. A pool of precedent conditions can be found on the Council's website or is available upon request.

- 6.3 The Policies and Checklists also highlight the issues that the Responsible Authorities will be considering when determining whether to make a representation on an application or when applying for the review on an existing premises licence or certificate.

GP General Principles

1

Where relevant representations have been made, the Council will adopt the following principles :

- (a) The Council supports the principle of flexibility in its approach to licensing hours and will consider the merits of each individual application. The licensing hours fixed will always reflect the individual merits of the application, the relevant representations received and the requirement to promote the licensing objectives.
- (b) Earlier hours may be set if the individual circumstances require it.
- (c) Some licences or certificates may be deemed inappropriate in certain areas and circumstances.

CL Prevention of Crime & Disorder

P1

To prevent crime and disorder the Licensing Authority will take into account the following criteria in determining applications for licences or certificates and when considering an application to review an existing licence or certificate:

- (a) Whether the premises make a significant contribution to levels of crime and disorder.
- (b) Whether the application appropriately addresses the issues raised in the Checklist in Appendix 1 and whether the appropriate management measures have been identified in the Operating Schedule to prevent crime and disorder.

**CL
P2** **Public Safety**

To promote public safety the Licensing Authority will take into account the following criteria in determining applications for licences or certificates and when considering an application to review an existing licence or certificate:

- (a) Whether the necessary and satisfactory risk assessments have been undertaken, the management procedures put in place and the relevant certification produced to demonstrate that the public will be safe both within the premises and within the area where they are in a position to influence matters.
- (b) Whether the application appropriately addresses the issues raised in the Checklist in Appendix 2 and whether the appropriate management measures have been identified in the Operating Schedule to promote public safety.

**CL
P3** **Prevention of Public Nuisance**

To prevent public nuisance the Licensing Authority will take into account the following criteria in determining applications for licences or certificates and considering an application to review an existing licence or certificate:

- (a) Whether the applicant has addressed the potential for nuisance arising from the characteristics and style of the proposed activity and identified the appropriate steps to reduce the risk of public nuisance occurring.
- (b) Whether the application appropriately addresses the issues raised in the Checklist in Appendix 3 and whether the appropriate management measures have been identified in the Operating Schedule to prevent public nuisance.

**CL
P4** **Protection of Children from Harm**

To protect children from harm the Licensing Authority will take into account the following criteria in determining applications for licences or certificates and considering an application to review of an existing licence or certificate:

- (a) Whether the applicant has addressed the risks and identified measures to protect children from harm when on the premises or in the area where it is within their powers to influence this.
- (b) Whether the application appropriately addresses the issues raised in the Checklist in Appendix 4 and whether the appropriate management measures have been identified in the Operating Schedule to protect children from harm.

7. Cumulative Impact Policies

- 7.1 Policies relating to cumulative impact, which the Council refers to as a Special Policy Area (“SPA”), provide a presumption to refuse applications for new premises licences, new club premises certificates and variation applications where representations are made and when concerns cannot be allayed.
- 7.2 Hackney has two Special Policy Areas: Shoreditch and Dalston. The SPA for Shoreditch was introduced in January 2005 and the SPA for Dalston was introduced in January 2014.
- 7.3 Analysis of the hospitality economy in the Borough has been undertaken which shows an increase in the number of premises in the wider Shoreditch area in particular. There are also real concerns about the impact on the physical environment, the safety of visitors and residents, and the environmental disturbance to residents arising from increased activity in both the Shoreditch SPA area and the wider Shoreditch area.
- 7.4 As a result of this evidence, a summary of which is provided in Appendix 9, it is proposed to extend the Shoreditch SPA to the south as defined on the map showing the existing Shoreditch SPA and the proposed extension to the Shoreditch SPA (Appendix 5).
- 7.5 The analysis of Licensing Decisions and the impacts of the hospitality industry in Dalston show that the introduction of the SPA policy has not prevented the introduction of new appropriate licensed premises. Rather, it has led to a better quality and more consistent offer in the area with licensed premises including more effective methods of addressing the impact of any new premises; and therefore addressing the issue of cumulative impact in the area.
- 7.6 The review, however, enables us to reconsider the Dalston SPA Policy and look at the proposed licensing hours for a number of activities in the Dalston SPA, in particular those activities whose characteristics and impacts do not normally add to the cumulative impact. As such, the revised Licensing Policy proposes to increase the acceptable licensing hours (subject to the other caveats) for theatres and cinemas to 02:00 on Fridays and Saturdays and midnight Sunday to Thursday.
- 7.7 In addition the Licensing Policy proposes to extend the licensing hours for restaurants (both those serving alcohol and those not serving alcohol) to midnight Sunday–Thursday and 01:00 Friday and Saturday subject to the alcohol sales being ancillary to a meal. There are a number of “restaurant premises” where there is a significant bar area and it is **not** the intention that this amendment would allow these bar areas to operate in isolation from the restaurant. These extended hours would relate to

restaurants where the sale of alcohol is an ancillary activity. A restaurant serving alcohol is defined in Licensing terms as a premises where alcohol is served ancillary to a substantial table meal and is via a waited table service.

- 7.8 The proposed Licensing Policy for the Dalston SPA also removes the 'combined uses' category as this is imprecise and causes uncertainty and also clarifies the point that 'acceptable hours' relates to the end of licensable activity and the premises then closing to the public 30 minutes thereafter to allow drinking up time and for patrons to leave the premises in an orderly manner.
- 7.9 The hours matrix in the Dalston SPA clearly states the hours where licensable activity will be acceptable although the policy clarifies that in the first instance, even where applications are made within those hours, there is still an expectation of high management standards for the premises along with the premises demonstrating that any proposal will not significantly add to the cumulative impact in the area.

SPA 1 Special Policy Area – Shoreditch

1

It is the Council's policy that where a relevant representation is made to any application within the area of the Shoreditch SPA, the application will be refused unless there are exceptional circumstances. This policy is to be strictly applied.

The Council expects that any exceptional circumstances offered by the applicant should be genuinely exceptional and so would not include reference to:

- The quality and track record of the management
- The good character of the applicant
- The extent of any variation sought.

SPA 2 Special Policy Area – Dalston

2

All **new or variation** applications within the Dalston SPA will have to show in the first instance:

- High standards of management (an example would include a Management Strategy – see Glossary)
- The quality and track record of the management
- The good character of the applicant

If the above has been established the licensable activity may be allowed in accordance with the table below but only for those types of premises that have been identified, provided that there is no:

- Increase in the capacity of an existing premises, or
- Extension of the hours of operation of an existing premises beyond that set out in the table below, or
- Activity/use where there is a genuine concern, regardless of the table below, that the proposal will have a significant negative impact in the area. For example, this may include premises that have a large capacity or are mainly outdoors.

The policy is directed at the concentration of persons in the area and particularly those who have been drinking late at night. Therefore, any application will need to demonstrate that it will not add to the issues of cumulative impact in the Dalston area, especially if they wish to operate beyond the hours set out in the table below or if an existing premises wishes to increase its capacity.

Hours are for licensable activities with the premises closing to the public 30 minutes after the licensable activities cease.

Type of Premises	
Restaurant (with or without alcohol)*	Fri & Sat 01.00 Sun – Thur 00.00
Pubs/Bars/other drinking establishments*	Fri & Sat 00.00 Sun- Thur 23.00
Nightclubs/dance venues*	Not considered appropriate
Off Licences*	Daily 23.00
Take-aways/fast-food premises	Daily 00.00
Theatres/cinemas*	Fri & Sat 02.00 Sun – Thur 00.00
Other indoor entertainment venues *	Fri & Sat 00.00
Qualifying Clubs	Daily 0.00

* Restaurant - All licences will be subject to the condition that alcohol is sold ancillary to a substantial table meal and is via a waited table service.

* Public/bars/other drinking establishments includes hotel public bars. Hotel residents and their bona fide guests can use purchase alcohol up to 24 hours per day, non-residents are restricted as above.

* Off Licences - the sale of alcohol from all new off licences will be restricted to between 11am – 11pm

* Other indoor entertainment venues - outdoor events and activities will have a specific policy

* Qualifying Clubs- clubs established for the benefit of its members and guests as defined in Section 61 of the Act.

* Theatres/cinemas – the primary activity is the showing of the film or the theatre performance. Alcohol should only be sold ancillary to the primary activity.

* Nightclubs/dance venues – establishments where the primary activities are music, dancing and vertical drinking which are traditionally late night venues.

8. Borough-wide Hours Policy

8.1 The Hours Policy sets out the intention of the Licensing authority to grant applications for licences or variations where customers are permitted to be on the premises provided it is within the hours prescribed by the Policy. The Policy sets out the generally acceptable hours for different types of licensable activity based on an assessment of the area, characteristics of the types of premises and the potential impact on the licensing objectives (Appendix 7).

8.2 The Policy will apply to all types of premises licences and club premises certificates and the hours policy sets out the normally acceptable framework for licensable activity to take place outside the SPA areas. Applications for licences outside the core hours will be considered on their merits and applicants will be expected to evidence why their particular application will not have a negative impact on the Licensing objectives.

8.3 Applications for hours within the policy framework will normally be considered favourably, subject to the provision of an appropriate operating schedule, and having regard to any representations which may be made.

8.4 The Borough has been classified into areas based on our current planning policies. See Paragraph 2.3 for more details.

8.5 These areas are identified at a Borough-wide level along with detailed boundaries of each area at Appendix 7. The hours for the Dalston SPA need to be read in conjunction with policy SPA2 (Special Policy – Dalston).

HP1 Borough-wide Hours Policy

Applications within the core hours set out in the table below will generally be granted, subject to compliance with other Licensing Policies. Please see 6.1 – 6.5 for more detail.

Applications outside the core hours set out below will be considered on their merits and applicants will need to demonstrate how their proposed activity will not have a negative impact on the licensing objectives and be compliant with other Licensing Policies.

Hours are for licensable activities with the premises closing to the public 30 minutes after the licensable activities cease.

Type of premises	Major town centres (outside the SPA)	District town centres	Local centres	All other areas
Restaurant	Fri & Sat 01.00 Sun – Thur 00.00	Fri & Sat 00.00 Sun – Thur 23.00	Fri & Sat 00.00 Sun – Thur 23.00	Daily 23.00
Pubs/bars and other drinking /dining establishments*	Fri & Sat 00.00 Sun- Thur 23.00	Fri & Sat 00.00 Sun- Thur 23.00	Fri & Sat 00.00 Sun- Thur 23.00	Daily 23.00
Music/dance venues, theatres and cinemas	Fri & Sat 00.00 Sun- Thur 23.00	Fri & Sat 00.00 Sun- Thur 23.00	Fri & Sat 00.00 Sun- Thur 23.00	Daily 23.00
Off licences*	Daily 23.00	Daily 23.00	Daily 23.00	Daily 23.00
Take-aways/ fast-food premises	Daily 00.00	Daily 00.00	Daily 23.00	NCA
Other indoor entertainment venues*	Fri & Sat 00.00	Daily 23.00	Daily 23.00	Daily 23.00
Qualifying Clubs*	Daily 00.00	Daily 00.00	Daily 23.00	Daily 23.00

* Restaurant - All licences will be subject to the condition that all alcohol is sold ancillary to a substantial table meal and is via a waited table service.

* Public/bars/other drinking establishments includes hotel public bars. Hotel residents and their bona fide guests can use purchase alcohol up to 24 hours per day, non-residents are restricted as above.

* Off Licences - the sale of alcohol from all new off licences will normally be restricted to between 11:00 and 23:00.

* Other indoor entertainment venues - outdoor events and activities will have a specific policy

* Qualifying Clubs- clubs established for the benefit of its members and guests as defined in Section 61 of the Act.

* Theatres/cinemas – the primary activity is the showing of the film or the theatre performance. Alcohol sales would normally be ancillary to the primary activity.

* Music/dance venues – establishments where the primary activities are music and dancing.

8.6 The map showing the allocated areas of the detailed boundaries of the Borough-wide Hours Policy is based on the planning areas of the Borough and amended where necessary to reflect actual circumstances in relation to licensed premises, and strengthens the link between the two regulatory frameworks of Licensing and Planning. When considering any planning application for a scheme which involves a use which could take up a premises licence under the Licensing Act 2003, the planning authority,

whilst assessing the application on its individual merits, will be mindful of the Licensing Hours Policy.

- 8.7 When assessing Licensing applications the Licensing Authority will take account of the following policy relating to the planning status of a premises and will need to demonstrate that the operation of the premises would not undermine the promotion of the licensing objectives.

HP2 Planning Status

Licence applications should normally be from premises where:

- (a) The activity to be authorised by the licence is a lawful planning use or is a deemed permitted development pursuant to the General Permitted Development Order (1995) as amended.
- (b) The hours sought do not exceed those authorised by any planning permission.

The Licensing Authority may take into account the lack of planning permission or an established lawful use in deciding whether there is likely to be any harm to the licensing objectives.

9.0 Temporary event notices (TENs)

- 9.1 Permitted Temporary Activities are small-scale, temporary events which include licensable activities that are allowed to take place without the need for a premises licence or club premises certificate. Advance notice must be given to the Metropolitan Police, Environmental Health (Noise Pollution Team) and the Licensing Authority.
- 9.2 The Police and Environmental Health (Noise Pollution) are the only parties that can object to a TEN. The role of the Licensing Authority is to ensure that the statutory limits for the giving of TENs in a calendar year by an individual and the restriction of the number of TENs in respect of a particular premises are not exceeded. The Police and Council remain the enforcement authorities and may monitor any event.
- 9.3 The Borough receives large numbers of TENs every year, and according to the most recent statistics from the Home Office, the second highest in London. The Licensing Authority is concerned about the impacts of these events as they are not subject to the same safeguards and conditions which are placed on a premises licence. This Policy aims to encourage safe and well managed events and the Licensing Authority is looking to assist responsible event organisers to provide an event that is safe for visitors, residents and organisers by way of early communication with the Police and Licensing Authority to enable a proper risk assessment to be

made. In order to assist with such dialogue please also refer to the guidance in Appendix 8.

TENS 1 Temporary Event Notices

The Licensing Authority would expect premises users for standard TENS to provide notice of the event, at least four weeks prior to the date of the event, having regard to paragraph 9.3, or an objection in relation to one or more of the licensing objectives may be made and maintained. Where an event is to be held on a premises that has an existing authorisation the Licensing Authority expects that the existing conditions will be imposed where relevant.

If any objection is made and not subsequently withdrawn the relevant Licensing Sub-Committee will determine whether it is appropriate to issue a counter-notice having regard to the objection/s made and whether the event would undermine the licensing objectives. This may include, for example, the inability for responsible authorities to make a proper assessment of the event and as such the fact that it may undermine one or more of the licensing objectives.

If an objection is received to a late TEN a counter notice will be served and the event will not be allowed to go ahead.

10.0 Personal licence policy requirements

- 10.1 The supply of alcohol under a premises licence must be made by, or authorised by, a person who holds a personal licence. The Licensing Act requires any sale made when the personal licence holder is not present to have been authorised by a personal licence holder.
- 10.2 If the person applying for a personal licence is qualified and does not have any criminal convictions the application will be granted. If, however, the applicant has a relevant conviction the Police may object to an application and a hearing will be held.

PL1 Personal Licences

- (a) When determining a contested application the Council will consider whether a refusal of the licence is appropriate for the promotion of the crime and disorder objective and will consider the:
- (i) Seriousness and relevance of any conviction(s)
 - (ii) The period that has elapsed since committing the offence(s)
 - (iii) Any circumstances relating to the licensing objectives.

11. Outdoor Events and Activities

- 11.1. The Council is aware of the popularity of outdoor events and activities. These range from street parties, events in car parks and industrial yards, to pop-ups or activity on private land awaiting development. These activities can further add to Hackney's rich cultural heritage, diversity and help bring communities together.
- 11.2 Hackney Council already holds premises licences which authorise regulated entertainment in several of its parks and open spaces. These licences have been granted with control measures attached, including limited hours of activity, restricted numbers of events annually and other steps appropriate for the promotion of the licensing objectives. These are further supported by the work of the Hackney Events Action Team (HEAT) where the events take place on Hackney owned or operated land.
- 11.3 However, by their very nature, outdoor events and activities can often be the source of nuisance as a result of noise and disturbance. The Licensing Authority will expect applicants and/or premises users to have assessed the impact that any proposed outdoor events and/or activities may have on any the licensing objectives and identify the measures they will put in place to mitigate this impact.

OA Outdoor Events and Activities

1

The Licensing Authority will normally restrict outdoor events and activities to between 08:00 and 23:00 unless the applicant can demonstrate that comprehensive control measures have been implemented that ensure the promotion of the licensing objectives, in particular the public nuisance objective. Notwithstanding any proposed control measures, the Licensing Authority may restrict the hours and/or activity even further. This may apply to premises licences as well as temporary event notices.

Crime and Disorder Checklist

The following list of questions is to guide applicants and should be tailored to the individual premises.

General Security

- Is Close Circuit TV installed inside and outside the premises?
- If so, what are the areas covered?
- Does the cameras should cover all internal areas accessible to the public and areas immediately outside the premises?
- Does the CCTV have the ability to see clear full face recording of patrons entering? Does it record the patron search area at entrance?
- What is the retention period for recordings?
- Are the recordings in real time and on hard drive? And how do you ensure the provision of instant access to Police and Authority officers, the availability to produce copies or download images?
- Are all door staff licensed with the Security Industry Authority (SIA) and SIA badges must be clearly displayed whilst working?
- Are female door staff deployed?
- Are there measures to ensure that door staff continue to retain their SIA registration such as checks on the SIA website to ensure that licences are current
- Are door staff details recorded and do they sign in when commencing work and out when they leave?
- Are appropriate numbers of SIA licensed door security staff provided to ensure effective door control, queuing control, and conflict management?
- Is induction/training given to new door staff and records kept?
- Do door staff receive any venue specific training to enable them to deal effectively with the clientele of the venue?
- Are search arches/wands used and where located?
- Do you have procedures that must be followed by staff should they find drugs or weapons during a search?

Entry/Exit

- Is there a well-managed and efficient door policy to manage queuing?
- Is there a robust search policy, where appropriate?
- Are searches always be carried out in public areas and covered by CCTV
- Are all staff trained on search policies and records kept?
- Is there use of ID scanning and recording systems?

- If so, what are the hours during which such systems will be in place when all patrons will be required to use the system?
- Will there be a “No ID, No entry” policy?
- Is there a proof of age scheme? If so, what? Is there any dress code used at the premises?
- How are the numbers of patrons in the premises managed and effectively monitored, including reference to any capacity restriction?
- What restrictions are there on patrons taking drinks outside the premises?
- What restrictions are there on numbers of patrons using outside smoking areas?
- Are patrons searched on re-entering from smoking areas if there is the potential for patrons to have contact with non-patrons?
- Is the location of lighting inside/outside the premises identified?

Drugs

- Do you have a robust drugs policy where appropriate?
- Is there a clear written policy regarding persons caught using/supplying drugs?
- Do you display anti-drug signs to remind customers of zero tolerance policy?
- What measures are proposed to prevent possession, supply or consumption of illegal drugs and possession of weapons? For example, designing out areas or surfaces where there is a likelihood of drug use.
- Is there provision for safe storage for any seized drugs?

Operational activity

- Has the use of plastic/polycarbonate drinking containers been considered for any proposed outside areas?
- Will glass bottles be handed across the bar?
- Is there a drinking up time before the terminal time of the licence?

Management

- Has a full risk assessment been carried out?
- What is the frequency of staff training?
- What training is given?
- Availability of completed training records and details of the content of training?
- Is the DPS on site at all times?

Off sales

For premises selling alcohol for consumption off the premises the following should be considered:

- Are beers, ales, lagers and ciders and anything similar that are sold/supplied in a can only be sold in multiple packs in order to discourage street drinkers?
- Will there be a restriction on the sales/supplies of beers, ales, lagers or ciders or anything similar of 6.5% ABV or above, excluding the sale of specialist branded alcoholic beverages?
- Will there be a restriction on the sale/supply of miniature bottles of spirits of 50ml or less at any time?
- Will ales, lagers and cider be supplied only in bottles of 2 litres and above in capacity?

Please also see the Council's pool of precedent conditions on the Council's website. A copy can also be requested from the Council's Licensing Service.

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Public Safety Checklist

Management of safety of staff and customers

- Has a full risk assessment been carried out in respect of public safety?
- If so, have all staff been made aware of the risk assessment and precautionary measures therein?
- Does your risk assessments include matters such as emergency management, contingency planning and evacuation procedures in the event of fire, bomb threats or suspect packages and when to contact emergency services?
- Do you have emergency evacuation plans?
- Does your risk assessment consider factors to manage overcrowding such as floor space, numbers of toilets, potential queuing time and available fire exits?
- What staff training will there be? Will it include an awareness of selling alcohol to those already drunk?
- Have you considered the potential impact of drunkenness on levels of violence?
- What measures are there to combat drink spiking?
- How will you ensure the safety of customers, particularly women and vulnerable adults?
- Are staff given training to recognise and deal with any harassment experienced by customers and is there a written policy?
- Does publicity material both inside the venue and on any website exist in relation to combating harassment?

Access and egress for disabled people

- What provisions have you in place for disabled persons to enter and leave the premises safely, with particular emphasis of evacuation arrangements in cases of emergency?
- Have reasonable adjustments and assessment of suitability of access and facilities for disabled persons been considered? Information for businesses is available from the Equality and Human Rights Commission via www.equalityhumanrights.com

First Aid

- What arrangements are there for first aid equipment and first aiders?
- What training of first aiders is there to deal with drug and alcohol related problems?
- Are there first aid facilities?
- Is there an accident book available?
- Is there a written policy to deal with all types of accidents & emergency incidents that take place at the premises?

Fire Safety

- Are there fire procedures in place and means of escape in case of any emergency?
- What safety precautions are in place if you intend using dry ice, smoke, fog, pyrotechnics, lasers, vehicles, explosives, real flame etc.?
- Are safety certificates available for relevant installations, such as electrical installations, boilers, temporary installations etc.?
- Has the use of plastic/polycarbonate drinking containers been considered for any proposed outside areas?

Safety of customers when leaving the premises

- For premises operating to later hours what is the availability of taxis and public transport?
- Is a scheme such as “TFL Cabwise” promoted?
- If so, is information available to customers with regards to safe options for travelling home?
- Is a telephone available inside the premises for patrons to call taxis?
- Is there a dispersal policy to reduce queuing for taxis and transport?

General

- Is free drinking water available?
- Are chill out areas available?
- Are personal safety notices displayed?
- Are staff aware of their responsibilities regarding smoke-free legislation and for monitoring compliance?
- Have you contacted the Environmental Health team for food safety and health & safety guidance?
- Businesses that provide food and drink to the public need to register with Hackney’s Environmental Health Service. This requirement applies to new businesses and new operators taking over existing businesses.

Please also see the Council’s pool of precedent conditions on the Council’s website. A copy can also be requested from the Council’s Licensing Service.

Prevention of Public Nuisance Checklist

Management

- Is there a noise management policy in place?
- Is there a well-managed and efficient door policy to reduce Noise and nuisance from customers arriving?
- Is an acoustic report needed if application involves live or recorded music and later hours?
- Will a sound limiting device be installed?
- What details are there of the location and types of any schemes designed to attenuate noise from the premises be provided?
- Will music sound levels and tempo be reduced towards the end of the evening?
- Will lighting be increased towards the end of the evening?

Outdoor Areas

- What measures are there to minimise the noise caused by patrons outside the premises be provided?
- Are there details of the location and management of any outdoor areas within the property boundary for use by patrons drinking, eating, smoking, queuing or congregating outside that will not cause a disturbance to local residents, and the hours of use of such areas? If so, are the hours of use included? Are prominent signs on display asking customers to keep noise to a minimum?
- Has a street trading licence been obtained for any area on the public highway where tables and chairs are proposed to be situated?
- If the operation of the venue will attract additional litter such as food cartons or publicity flyers, what measures will be put in place to deal with this? Will there be litter patrols for takeaways?
- Has the use of plastic/polycarbonate drinking containers been considered for any proposed outside areas?

Customers when leaving the premises

- Is there a customer dispersal policy to minimise noise disturbance to local residents from customers leaving the premises which sets out measures to avoid a mass exit at the end of the evening?
- Are there details of the role of door staff and winding down periods?
- Is there any wind down/chill out areas?
- Will there be an area for patrons to use whilst waiting for taxis?
- Are details of the location and availability of any taxi ranks, bus stops, train or tube stations in relation to the premises which are operational at or just after the terminal hour of the licence provided?

General

- What measures are there to prevent/minimise noise disturbance to local residents caused by commercial deliveries, collections and storage/disposal of waste, including beer deliveries, refuse collections and storage / disposal of waste and recyclables / discharging of bottle bins etc.?
- What measures are there to prevent/minimise Noise or odour nuisance to local residents from plant and machinery.

Please also see the Council's pool of precedent conditions on the Council's website. A copy can also be requested from the Council's Licensing Service.

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Protection of Children from Harm Checklist

Management

- Is there a documented policy setting out measures to protect children from harm should be in place at the premises.
- Will there be a “No ID, No entry” policy?
- What details of which proofs of age will be accepted?
- Adoption of a proof of age schemes (e.g. Challenge 25), details of which should be provided?
- Will a refusals register be used to record instances when sales have been refused?
- Are all staff trained on what details of which should be recorded and in the age related sections of the Licensing Act 2003?
- Is there a documented process to ensure the frequency at which the refusals register is checked to see if it is consistently used?
- How will you ensure that staff are aware of safeguarding concerns including those specifically relating to child sexual exploitation, domestic violence and abuse and missing children and radicalisation?
- Are staff aware of the signs of child sexual exploitation and to understand that the sexual exploitation of a child is sexual abuse and a crime?
- Are your staff aware of how to report any concerns about potential perpetrators of sexual exploitation who may be operating in the area to the appropriate authorities?

Operating considerations

- Venues that are family friendly are particularly welcome and applicants are encouraged to make this clear in their application, and to make this explicit in the operating schedule?
- Are there restrictions on the hours children may be present?
- Are there requirements for accompanying adults to be present?
- What arrangements are in place to ensure compliance with the age restrictions of the appropriate British Board of Film Classification (BBFC)?
- Has the use of plastic/polycarbonate drinking containers been considered for any proposed outside areas?

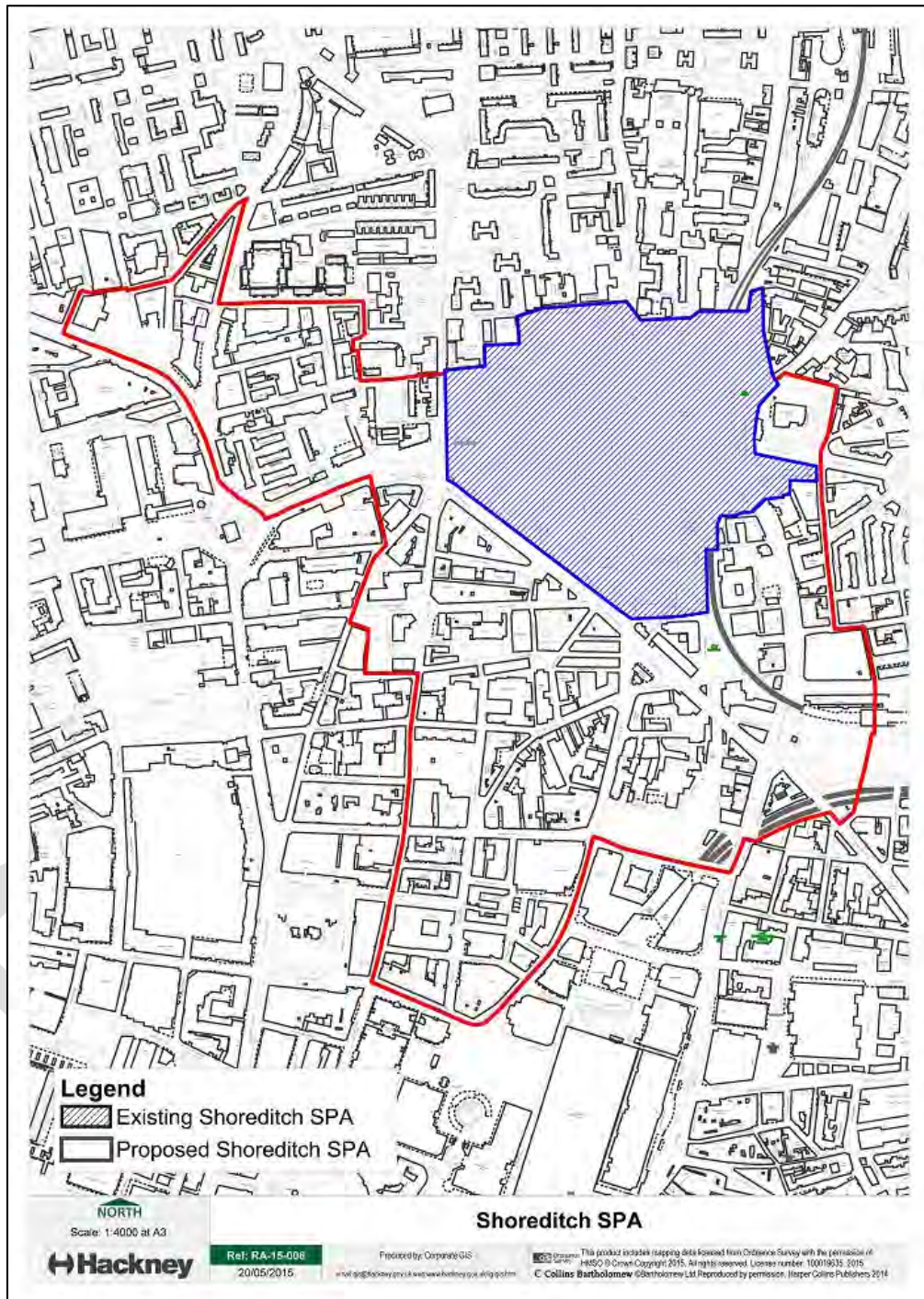
The City & Hackney Safeguarding Children Board (CHSCB) can provide advice to assist licensees to identify risk and report concerns at different types of licensed premises so that children remain safe and businesses operate responsibly.

The CHSCB has a webpage dedicated to providing local information about child sexual exploitation policies and procedures including risk factors and signs and symptoms. It can be found on the CHSCB website: www.chscb.org.uk

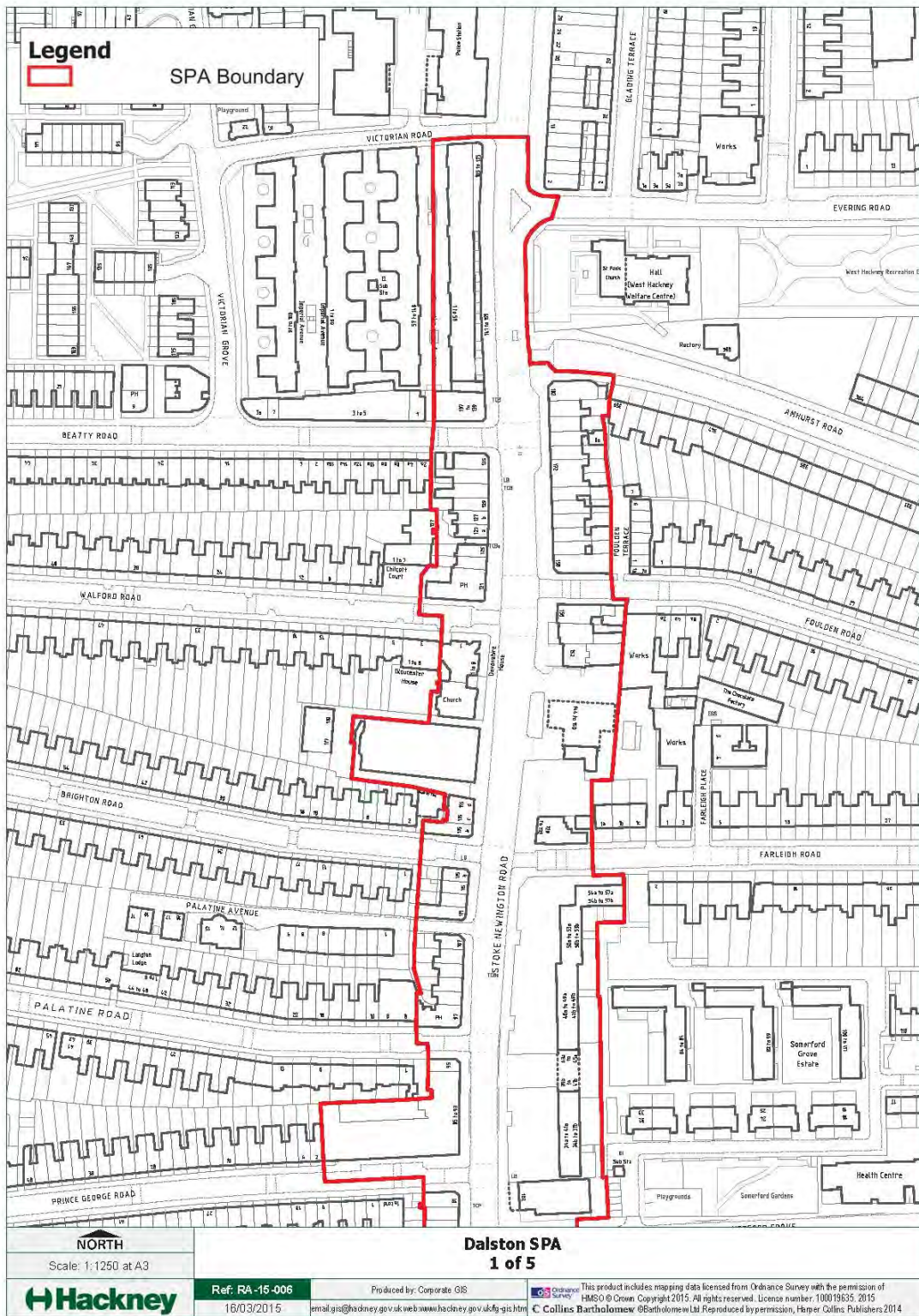
Please also see the Council's pool of precedent conditions on the Council's website. A copy can also be requested from the Council's Licensing Service

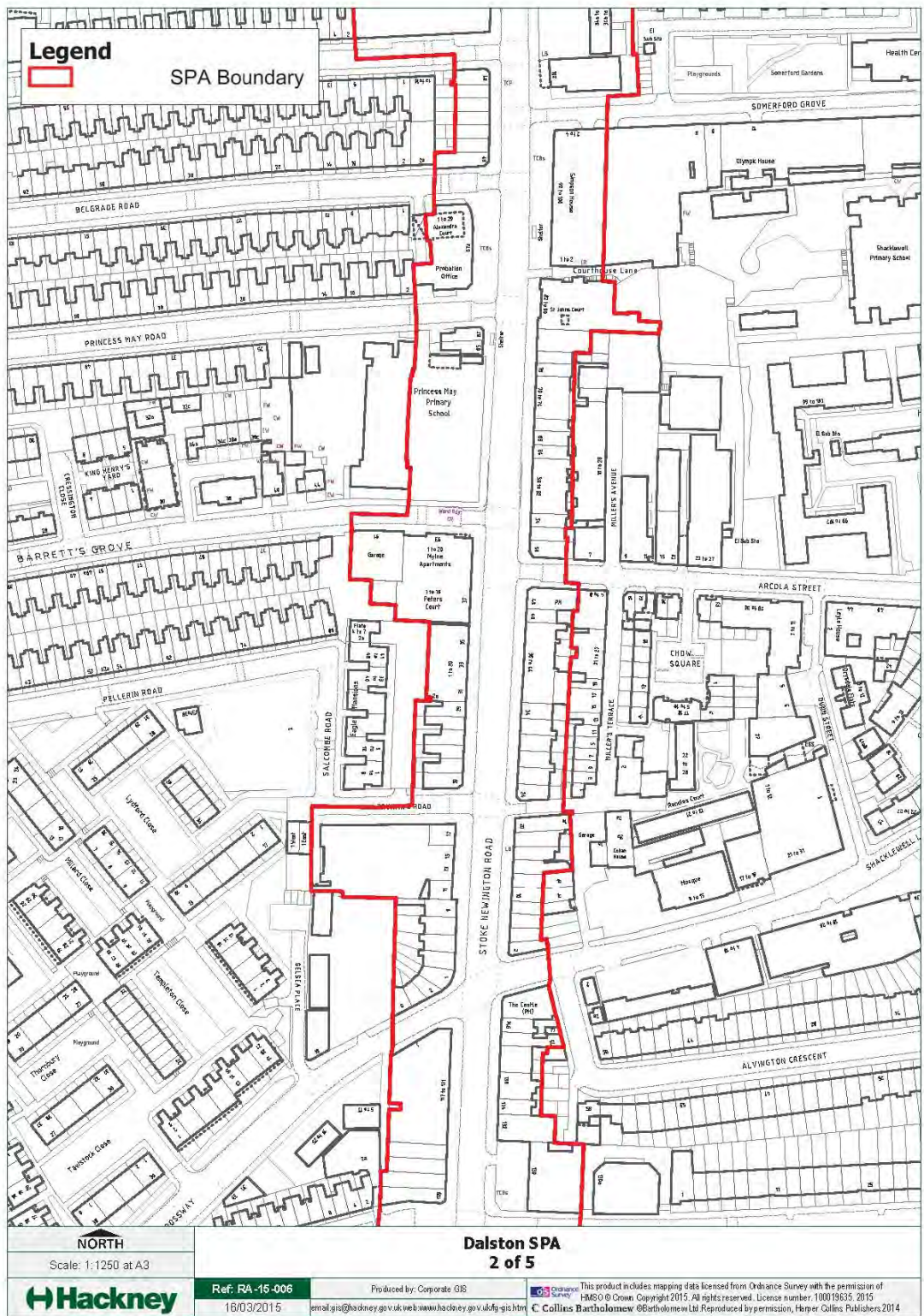
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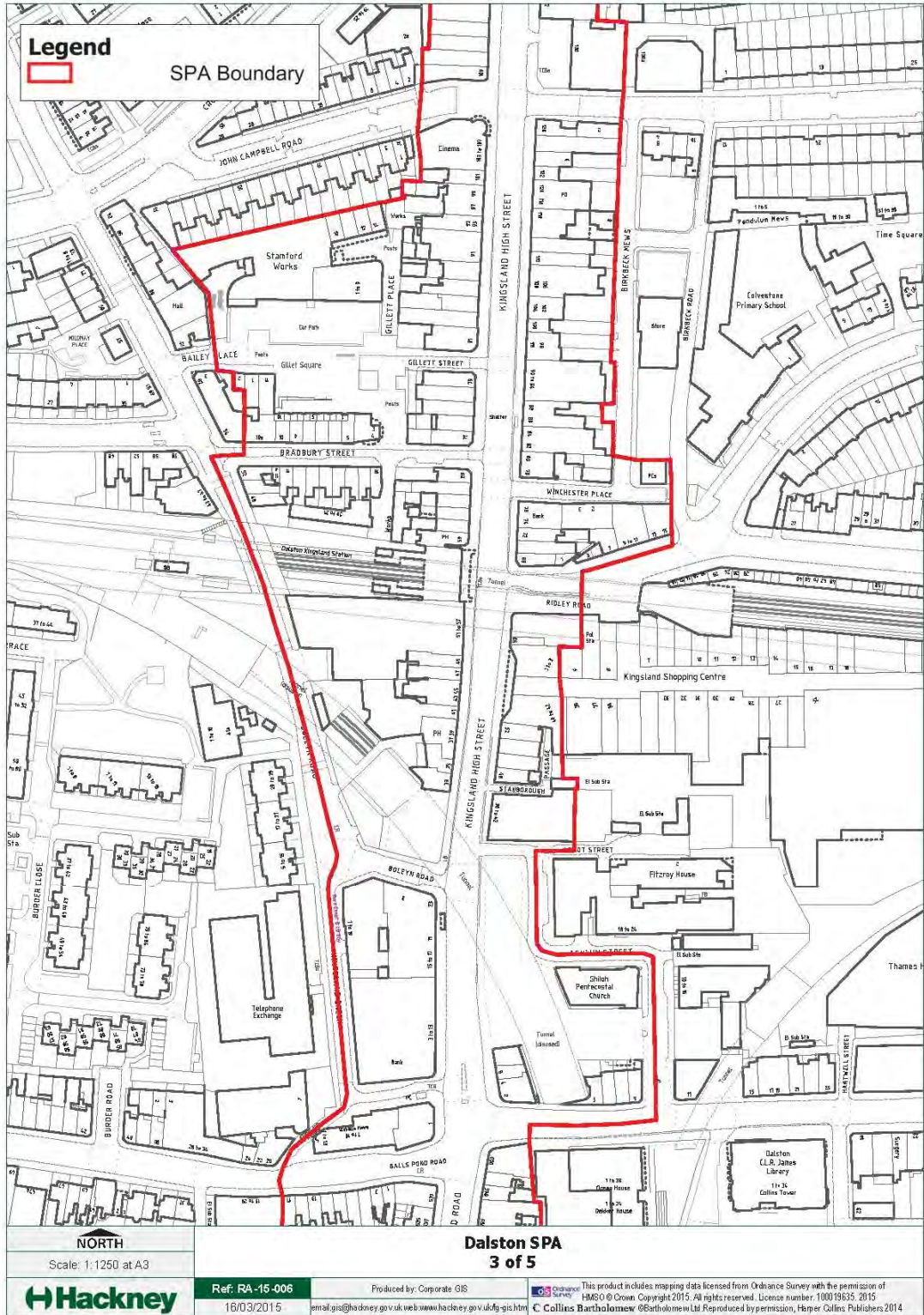
Existing Shoreditch SPA and Proposed Extension



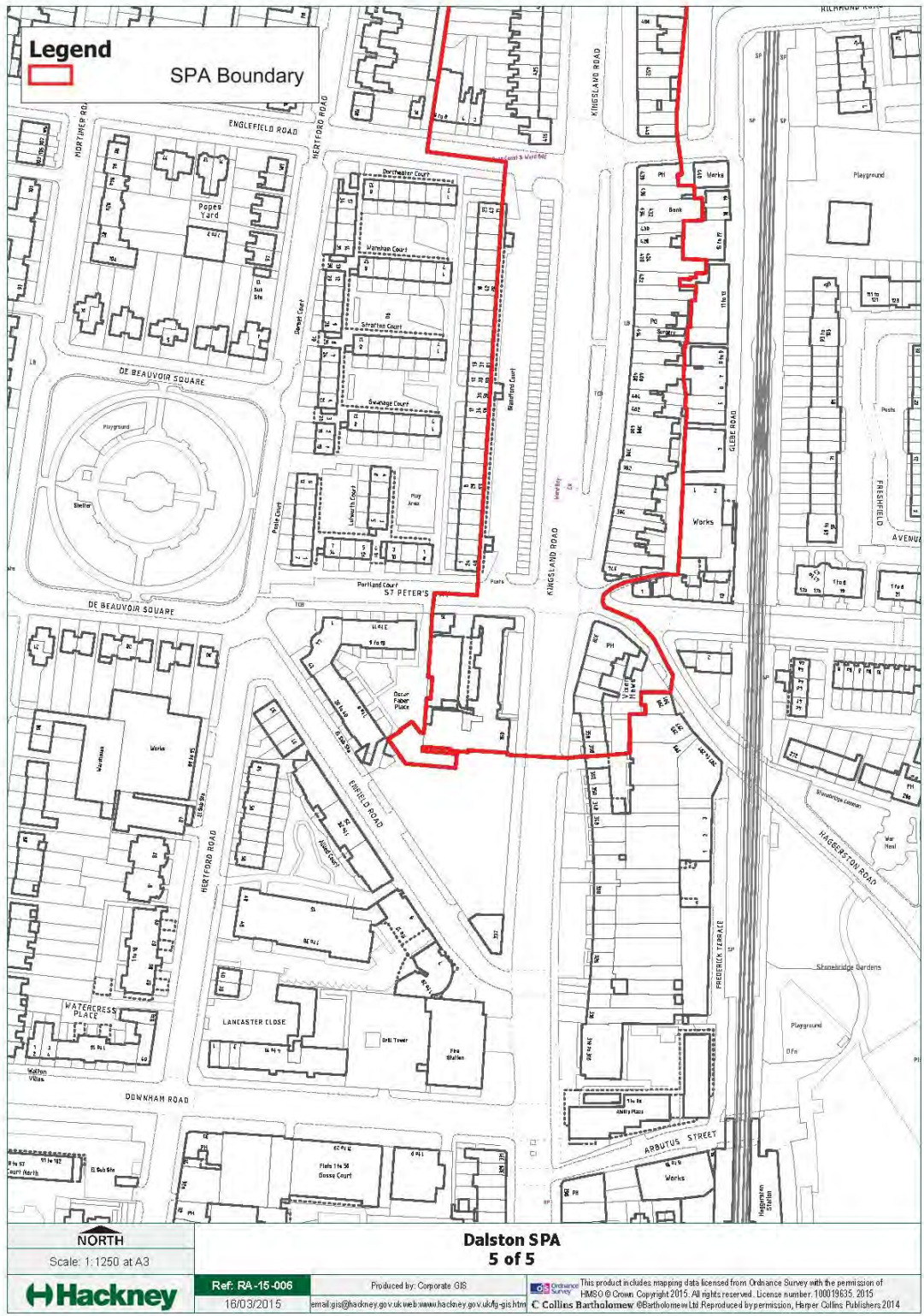
Dalston SPA Boundary







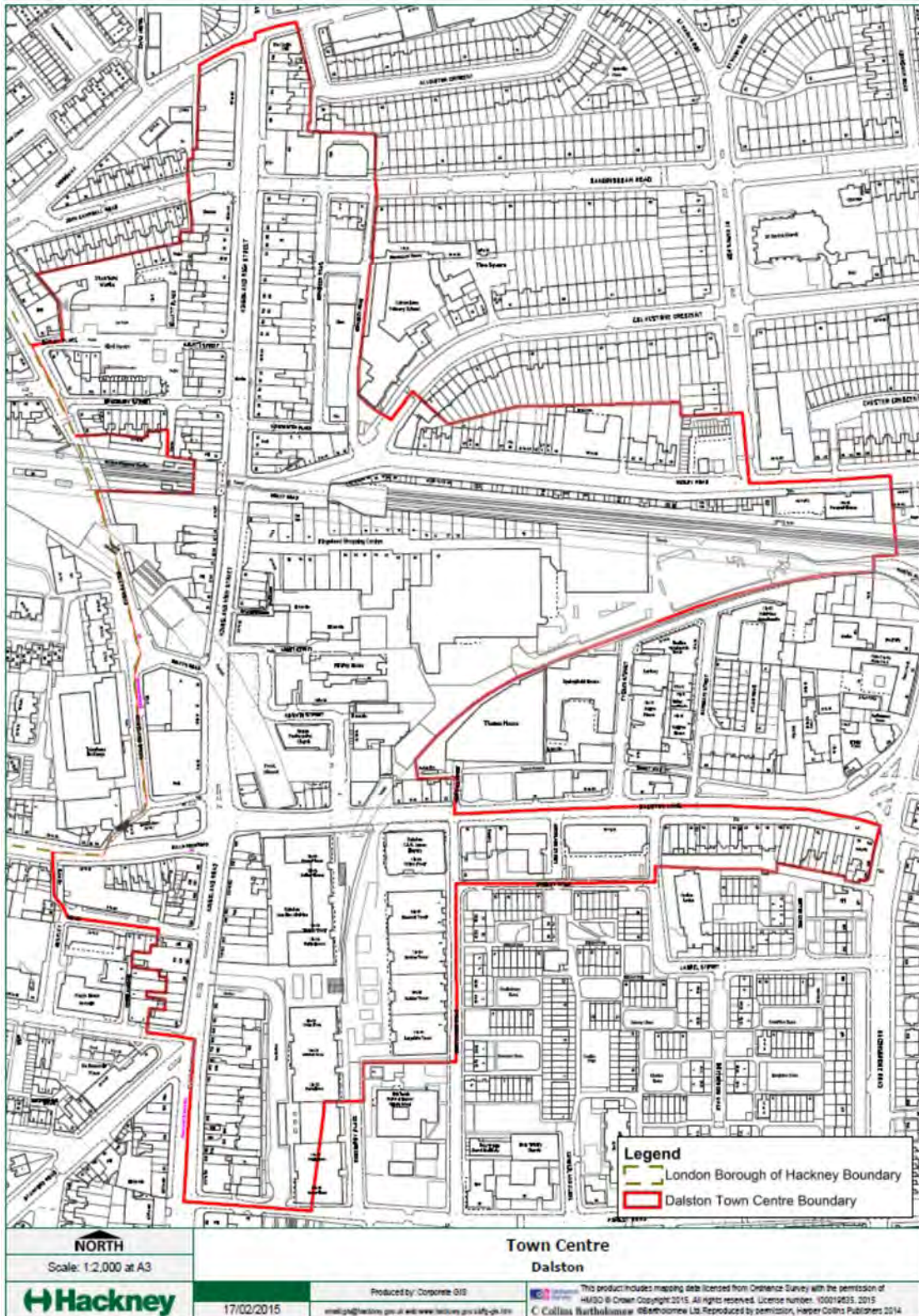




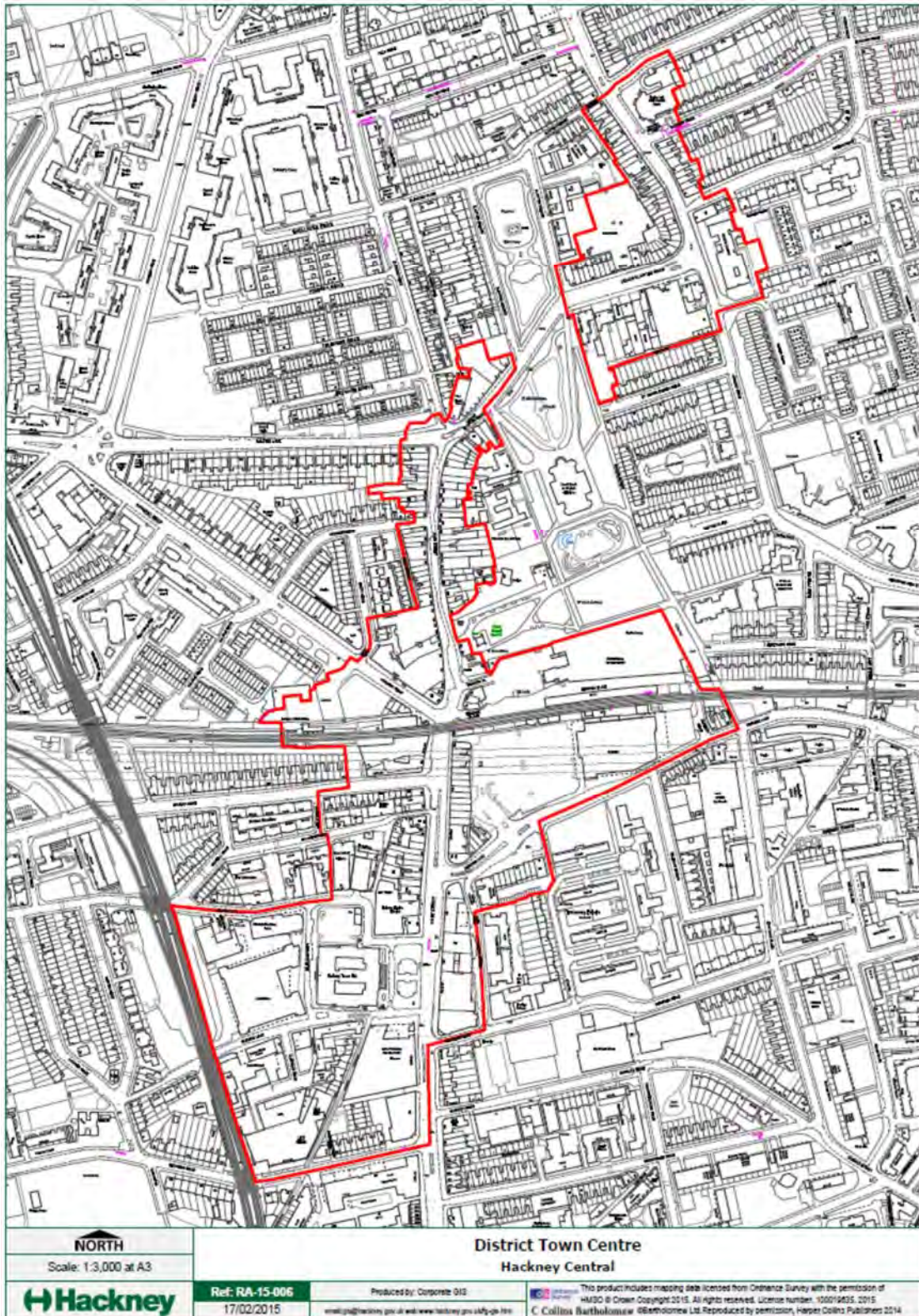
(a) Borough-Wide Hours Policy Character Areas Map




(b). MAJOR TOWN CENTRES (Dalston excluding the SPA)



(d) DISTRICT TOWN CENTRES – HACKNEY CENTRAL, STOKE NEWINGTON & FINSBURY PARK





NORTH		District Town Centre	
Scale: 1:3,500 at A3		Stoke Newington	
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	17/02/2015	<small>enquiries@hackney.gov.uk or www.hackney.gov.uk/gis/ra</small>	

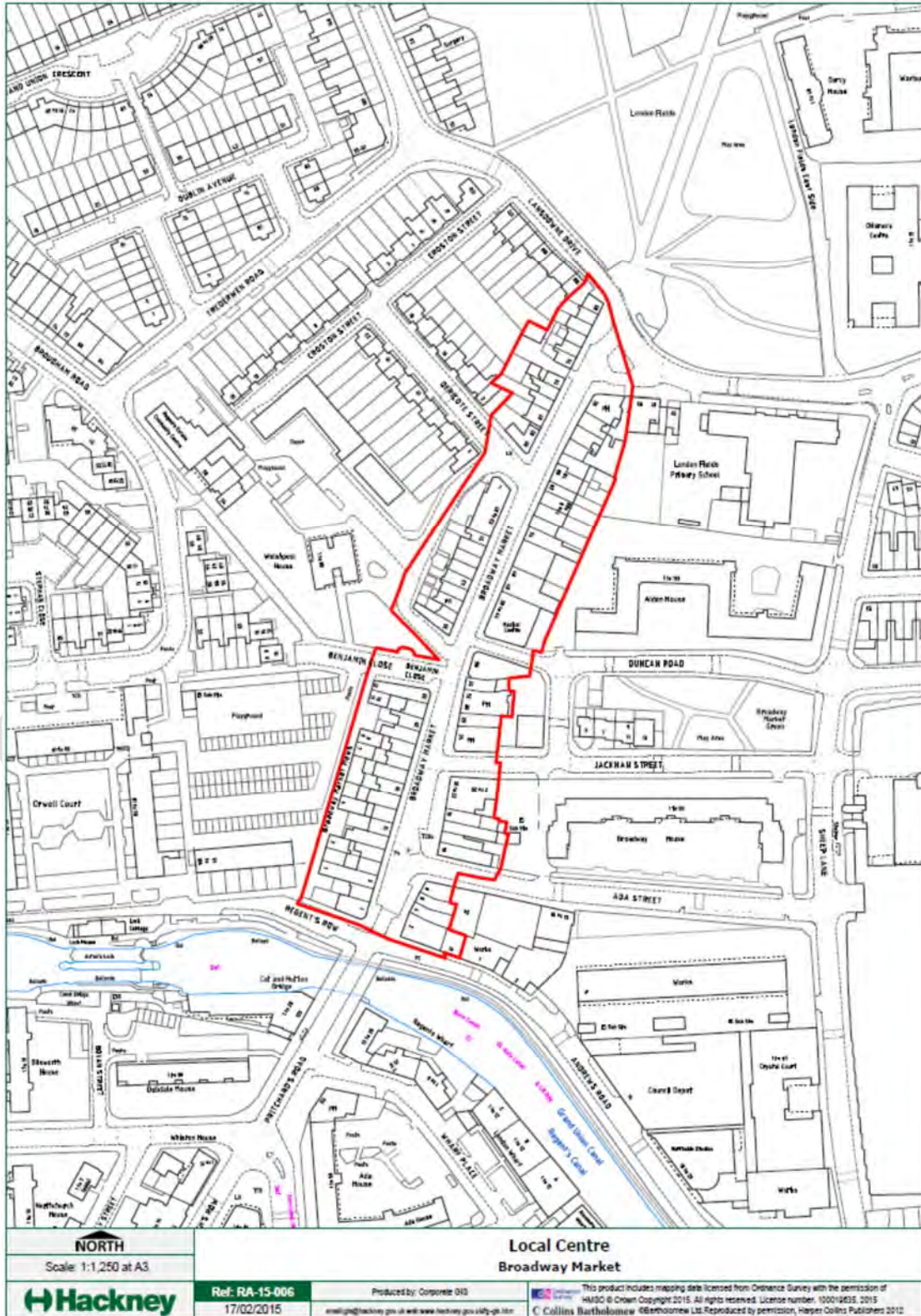


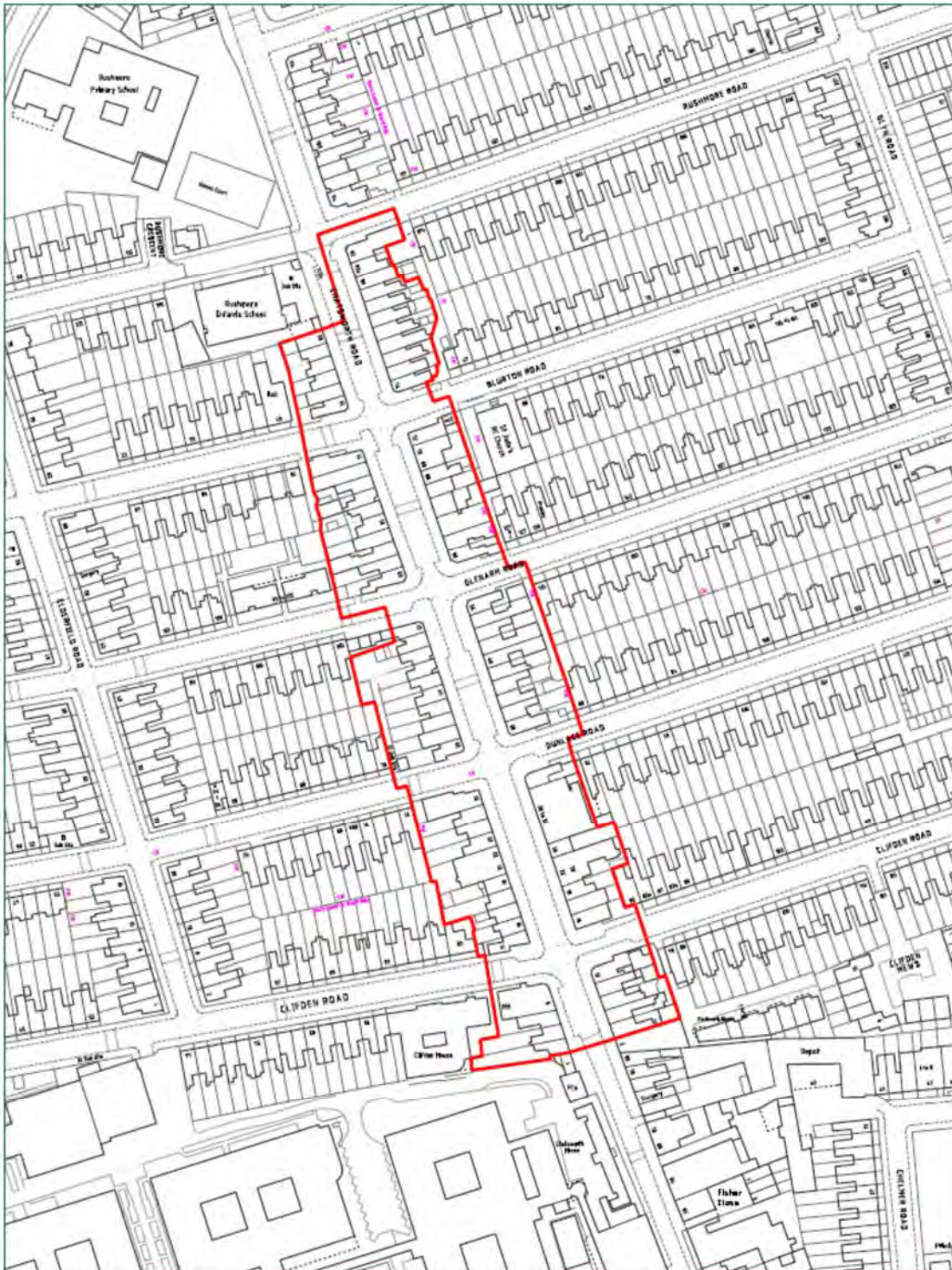
<p>NORTH</p> <p>Scale: 1:1,000 at A3</p>	<p>District Town Centre</p> <p>Finsbury Park</p>
<p>Hackney</p>	<p>Ref: RA-15-006</p> <p>17/02/2015</p>
<p>Produced by: Concrete GIS</p> <p>www.gis@hackney.gov.uk web: www.hackney.gov.uk/gis/ra</p>	<p>This product includes mapping data licensed from Ordnance Survey with the permission of HMG © Crown Copyright 2015. All rights reserved. License number: 100019315. 2015</p> <p>C Collins Bartholomew © Bartholomew Ltd. Reproduced by permission, Harper Collins Publishers 2014</p>

APPENDIX 7

(e) LOCAL CENTRES –

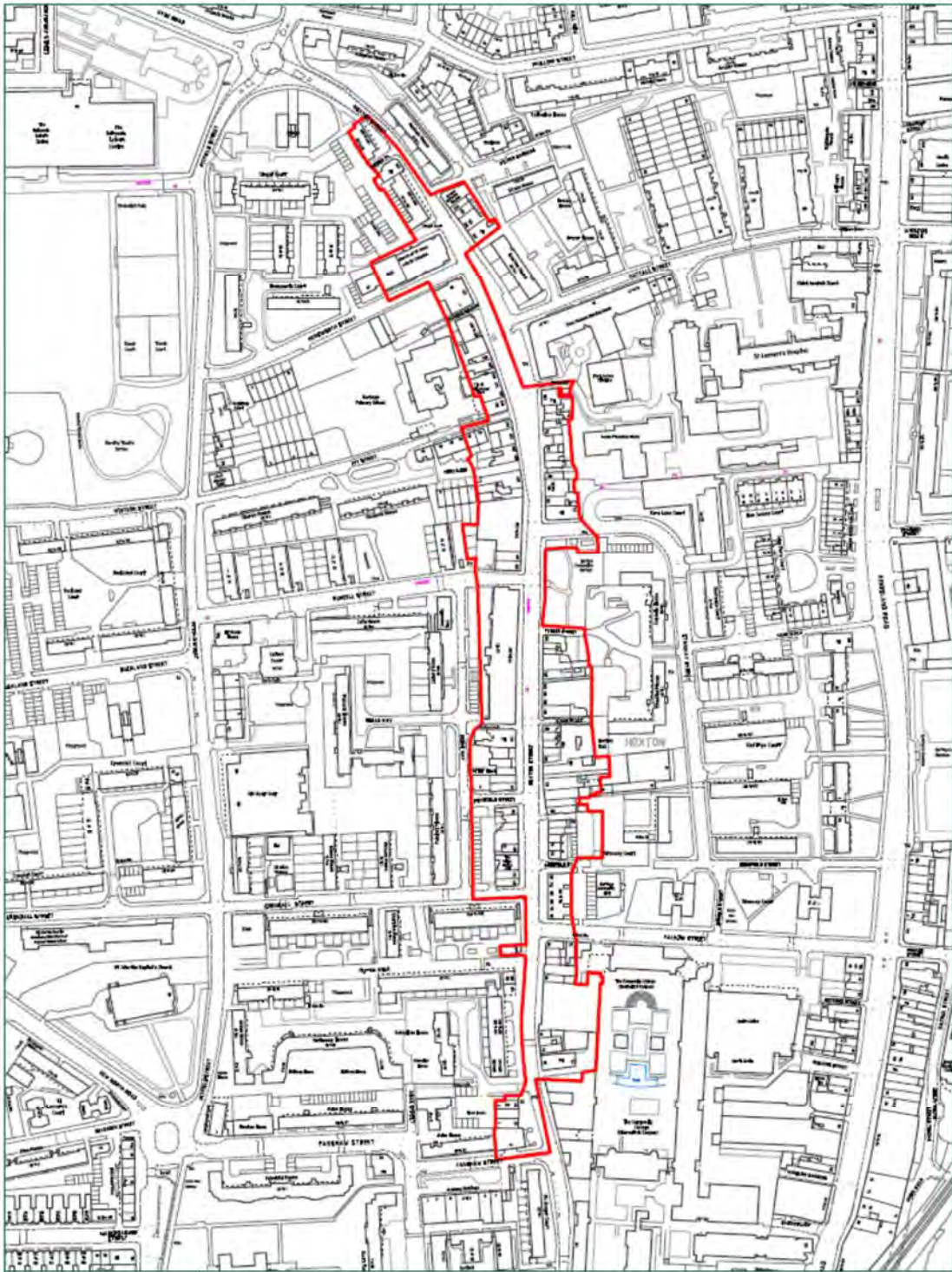
Broadway Market, Chatsworth Road, Hackney Wick, Hoxton Street, Kingsland Road, Lauriston Road, Lower Clapton Road, Manor House, Shacklewell Lane, Stamford Hill, Stoke Newington Church Street, Stoke Newington Road, Upper Clapton Road, Well Street, Wick Road





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	<small> Produced by: Coruspace GIS Ref: RA-15-006 17/02/2015 email: gis@hackney.gov.uk web: www.hackney.gov.uk/gis/15/01 </small>
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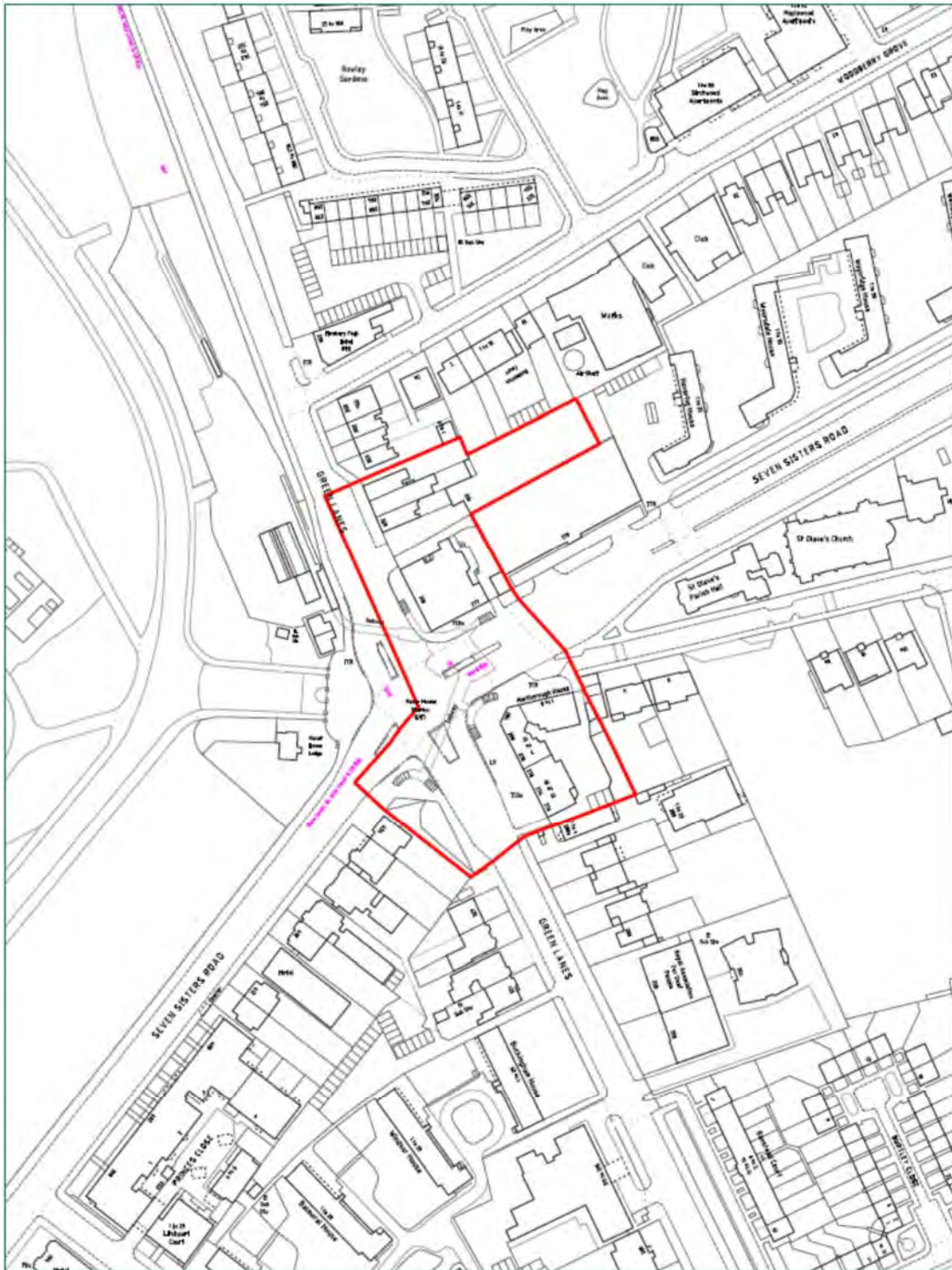
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<p>Hackney</p>	<p>Ref: RA-15-006</p> <p>17/02/2015</p>	<p>Produced by: Corporate GIS</p> <p><small>email:gis@hackney.gov.uk web:www.hackney.gov.uk/dgpa/336</small></p>
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 NORTH	Local Centre Lauriston Road
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<p>NORTH</p> <p>Scale: 1:1,250 at A3</p>	<p>Local Centre Lower Clapton Road</p>	
<p>Hackney</p>	<p>Ref: RA-15-006 17/02/2015</p>	<p>Produced by: Corporate GIS This product includes mapping data licensed from Ordnance Survey with the permission of HM30 © Crown Copyright 2015. All rights reserved. License number: 100019635. 2015 C Collins Bartholomew © Bartholomew Ltd. Reproduced by permission, Harper Collins Publishers 2012</p>



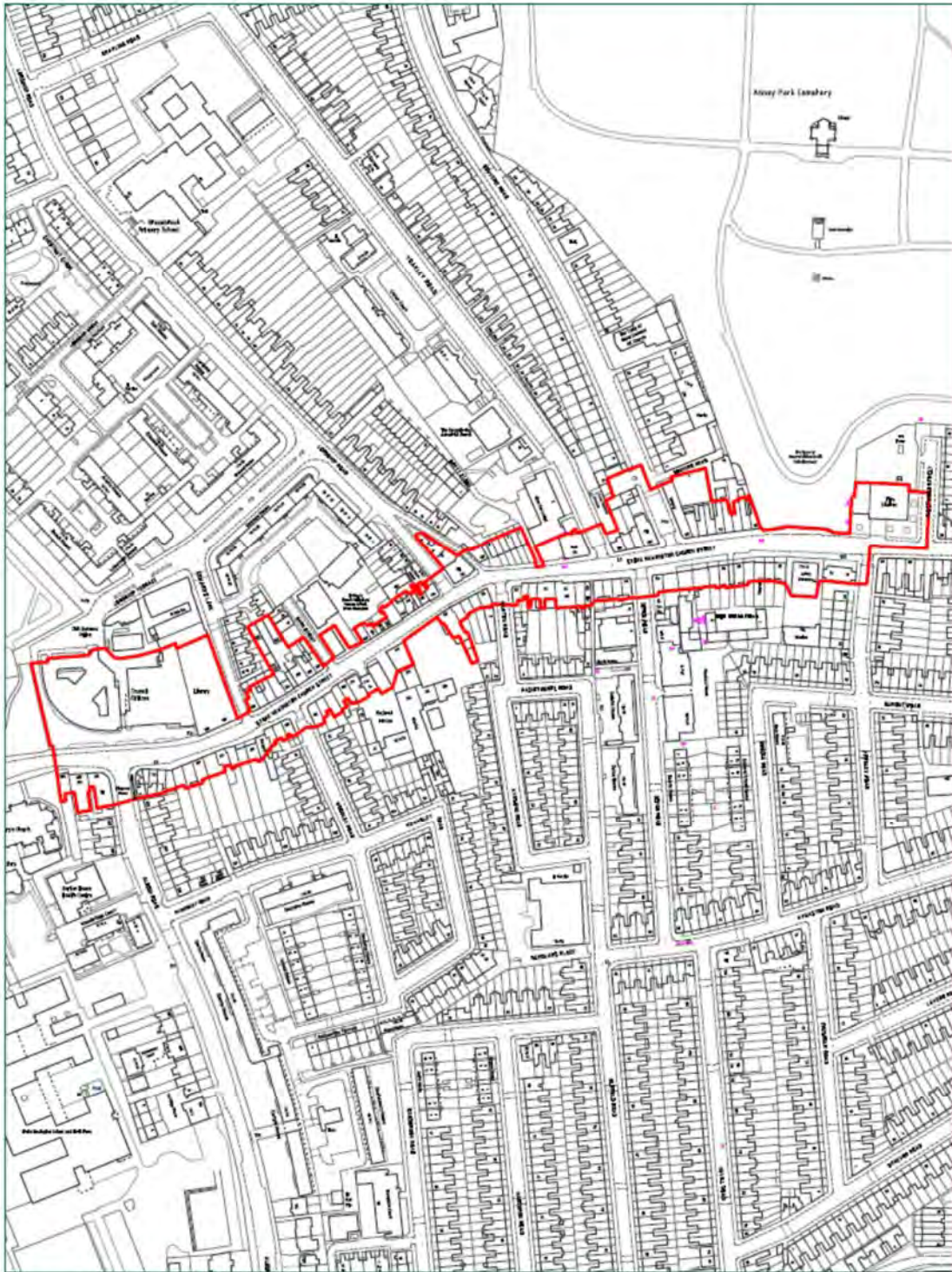
NORTH Scale: 1:1,250 at A3	Local Centre Manor House	
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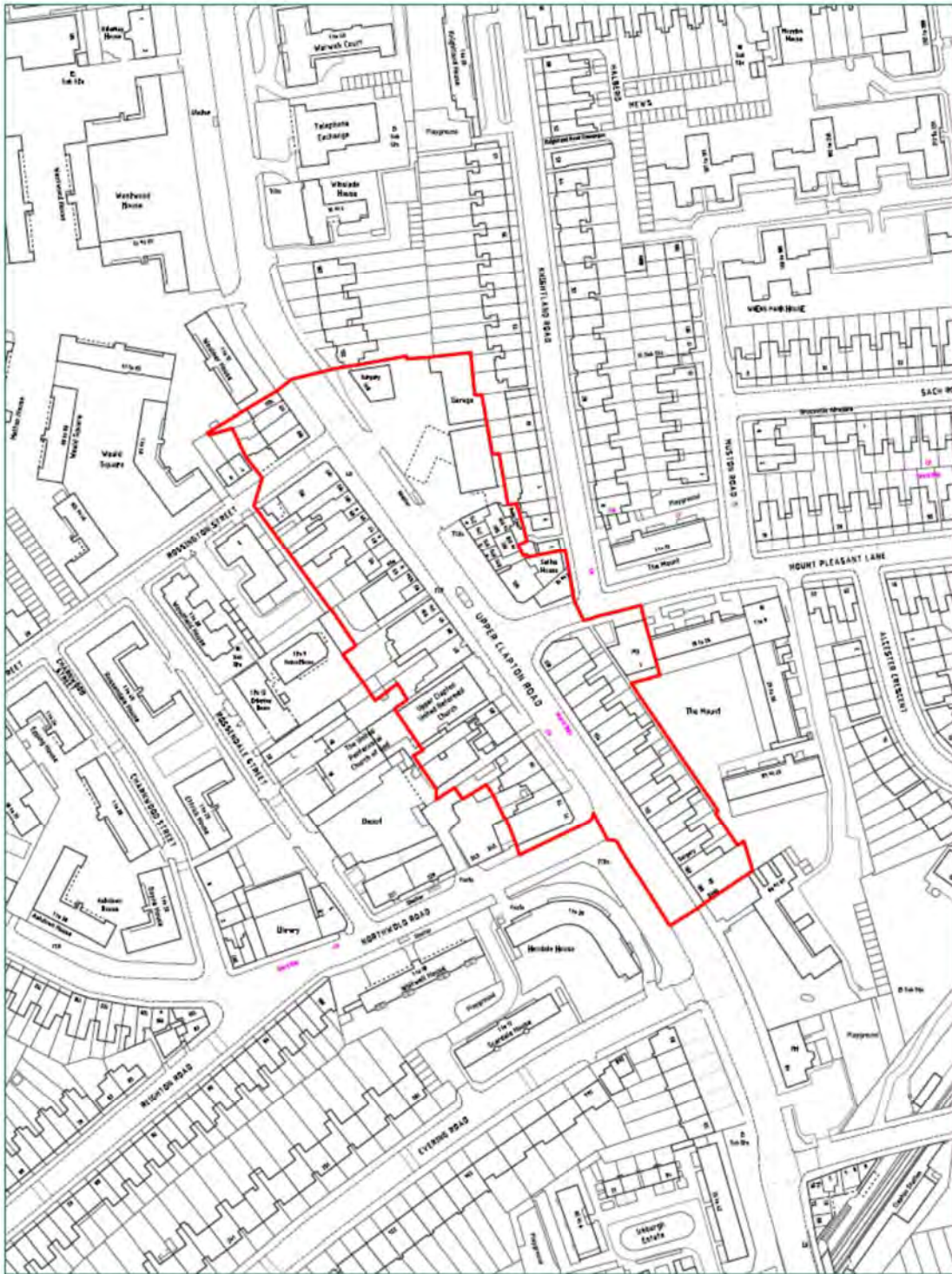


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 NORTH	Local Centre Stoke Newington Church Street		
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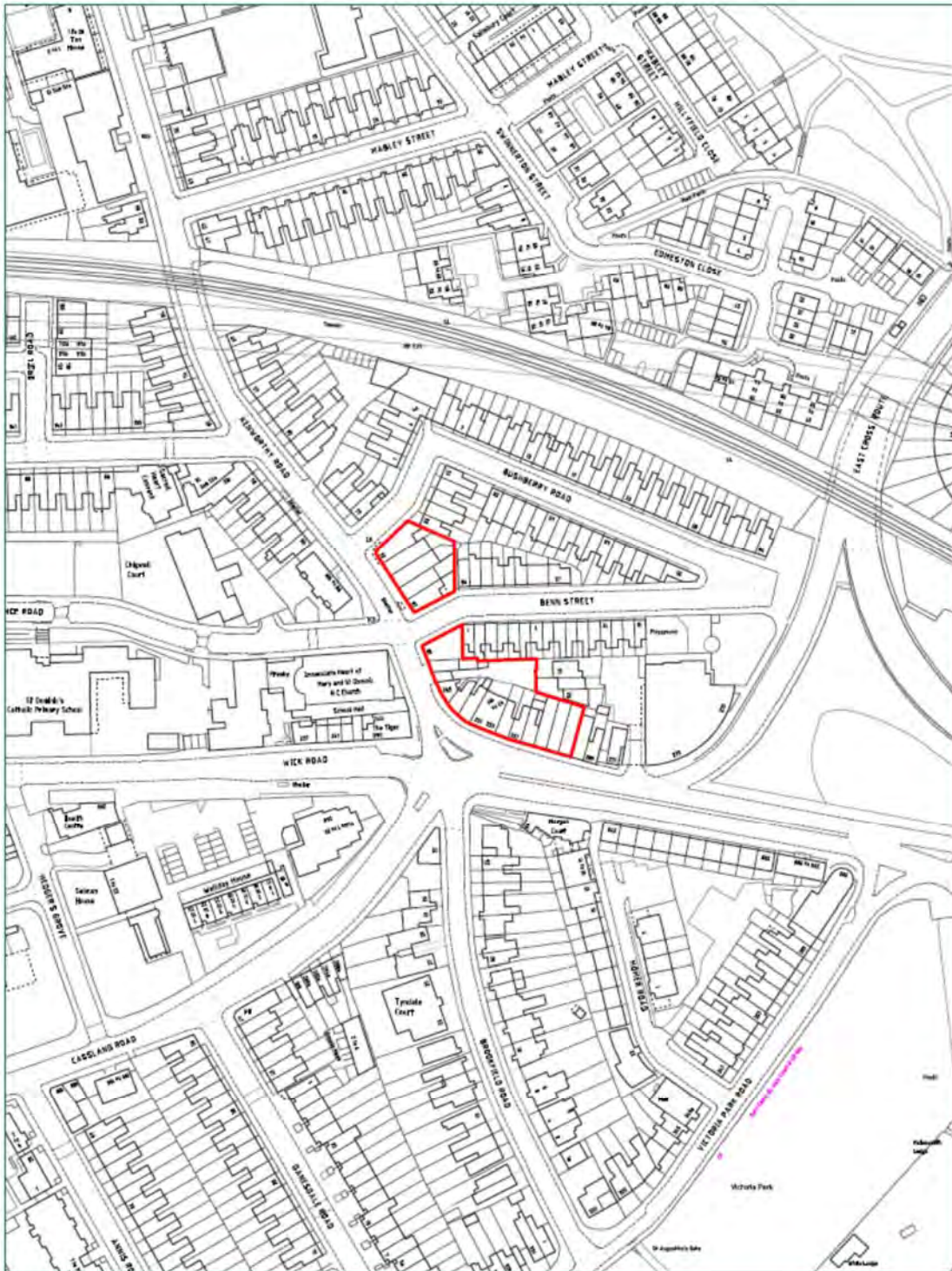




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NORTH Scale: 1:1,250 at A3	Local Centre Well Street	
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NORTH	Local Centre Wick Road		
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Appendix 8

Temporary Event Notice – Checklist

The following measures should be considered for events being authorised by TENs.

Prevention of crime and disorder

- Are arrangements for effective management of the operation provided?
- Has a suitable and sufficient event risk assessment of all relevant activities and any measures emanating from such assessments been completed?
- Is Close Circuit TV installed inside and outside the premises?
- If so, what are the areas covered?
- Are all door staff licensed with the Security Industry Authority (SIA) and SIA badges must be clearly displayed whilst working?
- Are there measures to ensure that door staff continue to retain their SIA registration such as checks on the SIA website to ensure that licences are current?
- Is your event being advertised on social media?

Public safety

- What arrangements are there for first aid equipment and first aiders?
- What training of first aiders is there to deal with drug and alcohol related problems?
- What measures are in place to control safe capacity such as counting or erecting perimeter fencing?
- Have fire risk assessments been carried out and are there fire procedures in place and means of escape in case of any emergency?
- Do you have emergency evacuation plans?
- Do you need a road closure?
- Do you have public liability insurance for you event?
- Have you contacted the Environmental Health team for food safety and health & safety guidance?
- Businesses that provide food and drink to the public need to register with Hackney's Environmental Health Service. This requirement applies to new businesses and new operators taking over existing businesses.

Prevention of public nuisance

- What mechanisms are there to encourage responsible management and supervision?
- What measures are there to prevent noise which may cause a nuisance to surrounding occupiers?
- What measures are there to manage patrons arriving at, queuing or departing from the premises, including clear arrangements with taxis and

mini cabs, parking facilities, queuing systems, signage and other measures to prevent and minimise disturbances.

- What measures are there to minimise noise disturbance to local residents from customers leaving the premises which sets out measures to avoid a mass exit at the end of the evening?
- What measures will be put in place to deal with the clearance waste and litter, including measures to prevent unreasonable disturbances during collection?
- Is there a well-managed and efficient door policy to manage queuing?
- Is there provision of temporary toilets?

Protection of children from harm

- What measures are there to prevent under age sales and/or drinking?
- Is Challenge 25 policy promoted?
- Is proof of age cards or other age identification to prevent the purchase of alcohol by minors?
- Are there limitations:
 - on hours when children, or children under certain age limits, may be present?
 - on the parts of premises that children will be allowed to access?
 - or exclusions when certain activities are taking place?
 - Requirements for accompanying adults at all or various times
- What measures are there to prevent children being exposed to unsuitable images?
- How will you ensure that staff are aware of safeguarding concerns including those specifically relating to child sexual exploitation, domestic violence and abuse and missing children and radicalisation?
- Are staff aware of the signs of child sexual exploitation and to understand that the sexual exploitation of a child is sexual abuse and a crime?
- Are your staff aware of how to report any concerns about potential perpetrators of sexual exploitation who may be operating in the area to the appropriate authorities?

The City & Hackney Safeguarding Children Board (CHSCB) can provide advice to assist licensees to identify risk and report concerns at different types of licensed premises so that children remain safe and businesses operate responsibly.

The CHSCB has a webpage dedicated to providing local information about child sexual exploitation policies and procedures including risk factors and signs and symptoms. It can be found on the CHSCB website: www.chscb.org.uk

Licensing Policy Review 2015 Evidence Base Executive Summary

Overview

To inform the review of the Licensing Policy a series of datasets evidence has been analysed to determine the impact on the four Licensing Objectives. Each aspect of this service data has been aligned by post code where possible to determine area level impacts of licensed premises. These initial findings are also compared to borough wide totals. Data included in the Hospitality Monitor cover:

- Numbers, types, terminal hours and concentrations of licensed premises
- Police and Community Safety data on general crime and disorder levels and those that are potentially alcohol and licensing related
- Noise complaints data relating to commercial premises with a focus relevant entertainment premises
- Waste collection and Street Cleansing information
- Ambulance figures for alcohol related call outs
- Licensing related enforcement complaints
- Corporate Complaints, Member's Enquiries and Resident Surveys
- Economic impact assessment

Economic Impact

Over the past decade, the numbers of restaurants, cafes, pubs and clubs that comprise Hackney's food service and accommodation sectors have grown by 66% to over 700 businesses in 2012. As some of the fastest growing sectors in the Borough, more than 5,000 jobs or 7% of Hackney's employment, comes from the these businesses, traditionally labelled the Night Time Economy.

The success of Hackney's destination offer has facilitated an expansion of the operational hours of firms within these industries to daytimes, particularly at weekends and during the summer.

Hackney's reputation as a centre for innovation is also seeding a new model of hospitality business as pop-ups, temporary events and markets have enabled many young businesses to launch without the high costs of rental contracts. In 2013, roughly 2500 temporary events were licensed in the Borough. The majority of these were for existing premises, including office buildings hosting short-term events.

The hospitality economy is the second largest growth sector for employment in the Borough after finance and insurance. As the table below shows, the majority of the employment and business in the hospitality industry is in the Shoreditch area.

Table 1 Hospitality Business and Employees 2012

Hospitality Business & Employees 2012		
Area	Number of Employees	Number of Business
Shoreditch	3,602	615
Dalston	681	180
Hackney Central	328	70
Broadway Market	296	115
Stoke Newington	590	155

There is obviously a wider supply chain linked to the hospitality industry which is not included in the numbers in the table as these support businesses - such as lawyers and accountants - service a number of sectors of the economy.

The changing nature of the hospitality industry coupled with the rise or consistently high cost of land and property, reflected in commercial rents, has resulted in a more fluid hospitality offer with more businesses setting up in different, less conventional, types of premises and also expanding out of the traditional centres, thus creating new hubs of activity.

Licensing Profile

The number of licences for alcohol related activity and late night entertainment have increased consistently since the last policy review; between 1 January 2011 and 31 December 2014 there were 342 licences granted under the Licensing Act 2003. The total number of valid licences for alcohol, late night refreshment and entertainment under the Licensing Act 2003 currently stands at 1292. Figure 1 below highlights hotspots of premises licensed under the Licensing Act 2003.

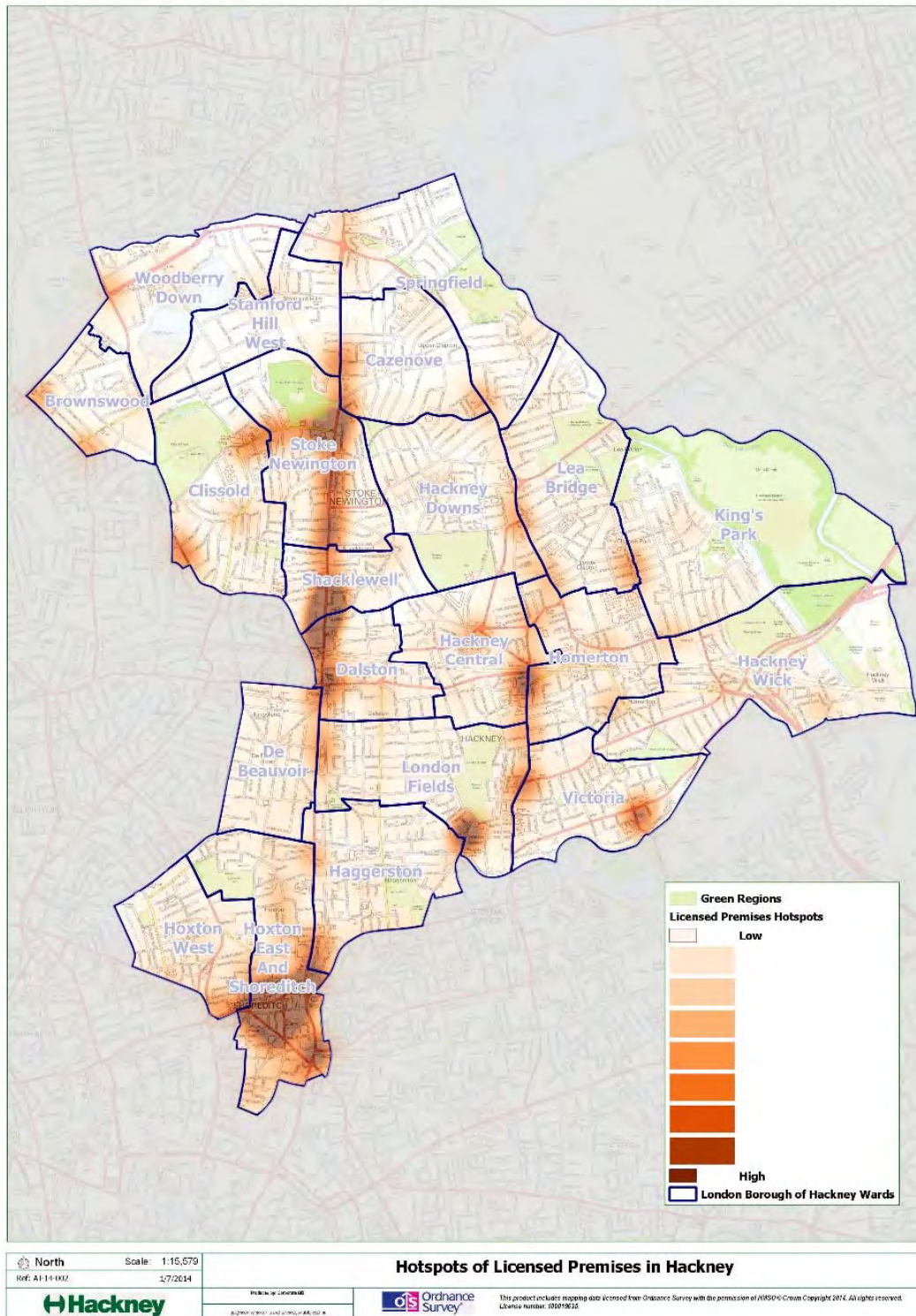
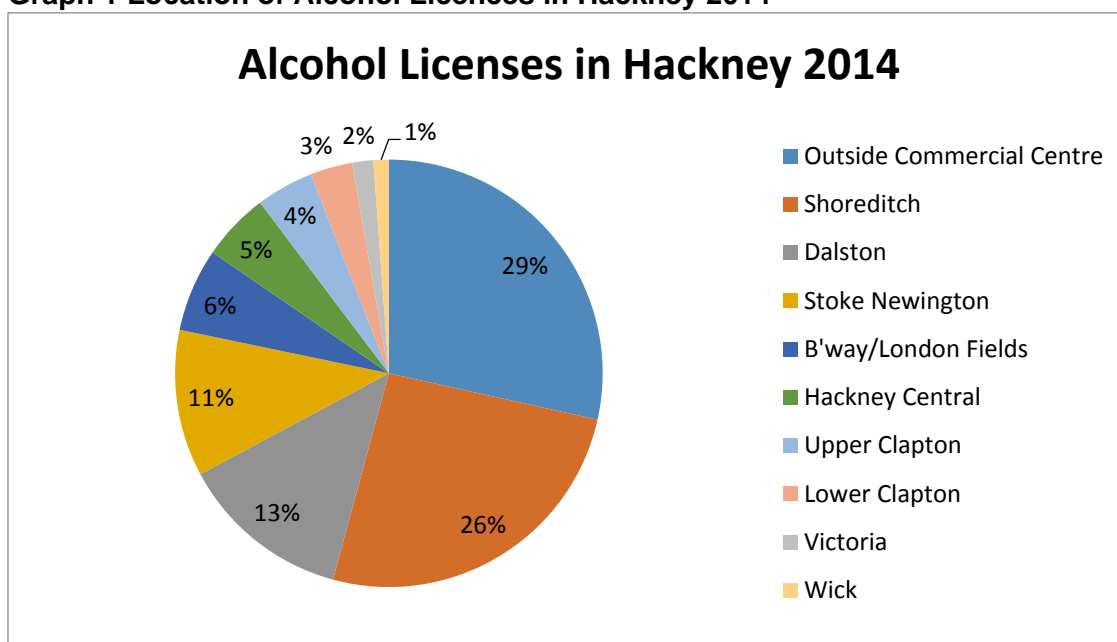


Figure 1: Hotspots of Licensing Premises

The majority of licenses in the borough, 87%, are for the sale and consumption of alcohol. The analysis below examines the premises, hours and geography of licensed businesses in Hackney in 2014. Hours do not vary much between Monday-Thursday and the weekend, but as the public service impact is highest at the weekend, we have considered Friday as the representative sample.

In all areas, some premises stay open later than others. Late Night is considered after 23:00 and 62% of premises on the weekend are open after this time. There are more late night licences issued for Friday to Sunday nights, but a large proportion of all licences have late night licences for the full week. The dominant premises categories in terms of licences issued are to pubs and bars, restaurants and off licences. Graph 1 illustrates the area distribution of alcohol licences in the borough.

Graph 1 Location of Alcohol Licences in Hackney 2014



The largest proportion of licenced premises are located outside major commercial areas; therefore, distributed randomly across the borough. That said, 70% of licenced premises are within Town, District, Local Centres and Shoreditch.

Table 2 Total Count of Alcohol and Late Night Licences by Area

Area	Alcohol	% of Borough	After 23:00	% beyond 23:00
Outside NTE Zone	321	28%	171	53%
Shoreditch	290	26%	202	70%
Dalston	146	13%	113	77%
Stoke Newington	125	11%	83	66%
B'Way/London Fields	71	6%	44	62%
Hackney Central	58	5%	37	64%
Upper Clapton	49	4%	25	51%
Lower Clapton	36	3%	17	47%
Victoria	18	2%	9	50%
Wick	13	1%	4	31%
Total	1127	N/A	705	N/A

Table 2 demonstrates the concentration of premises in each area. Shoreditch hosts more alcohol licenced premises than the second and third highest areas combined (28% of borough total). Late Night Shoreditch has a similar count. The area around Broadway and London Fields has grown quickly since 2011 overtaking Hackney Central in total numbers of premises. Both Upper and Lower Clapton have also emerged as new and active areas for alcohol premises as well. These new areas highlight the growing pressures on commercial rents in popular areas like Shoreditch and Dalston.

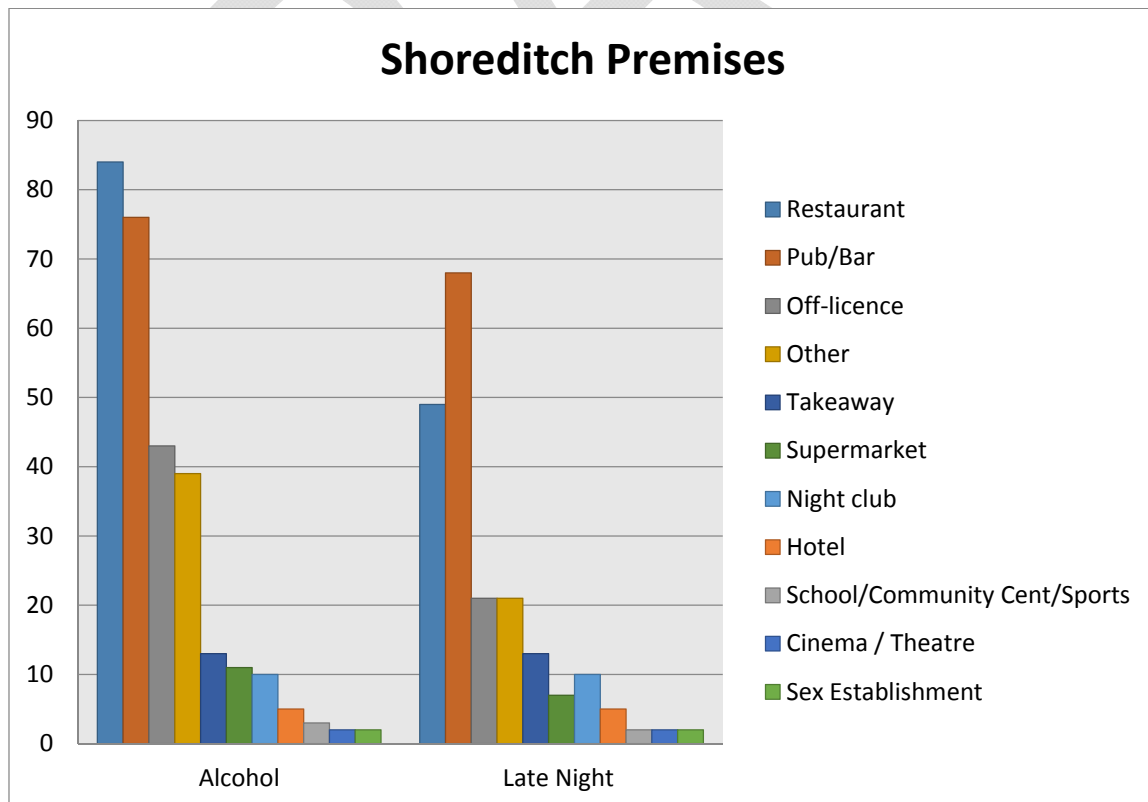
Shoreditch

Shoreditch contains 28% (290) of the Borough’s alcohol licences .The Shoreditch SPA and the area to the south of it, which will make up the proposed SPA extension comprises 0.5sq km in a borough of 19sq km.

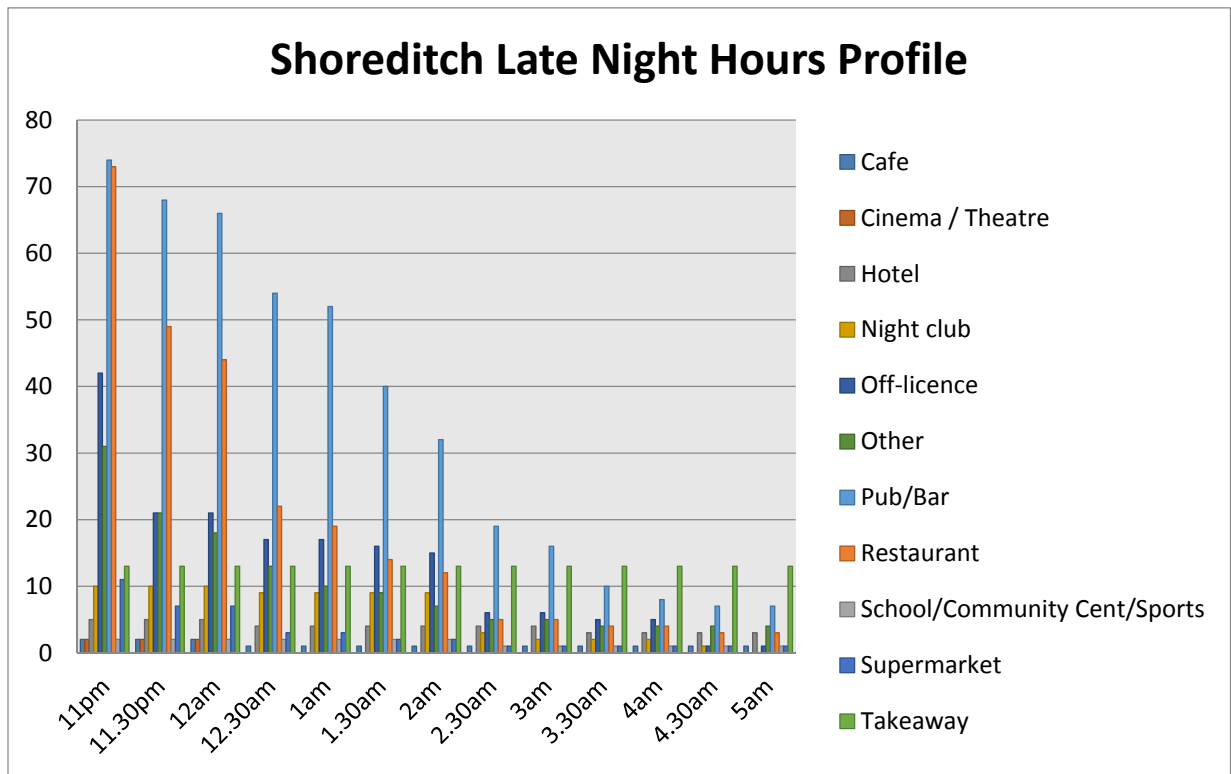
33% of all current licences granted between 1 Jan 2011 and 1 December 2014 are in the current or proposed Shoreditch SPA and 96% of those licences granted authorise the sale or supply of alcohol. This would further suggest a sizeable concentration of licensable activity in the southernmost tip of the Borough which is also the area adjoining the existing Tower Hamlets Cumulative Impact Policy Area.

Of the 290 premises in Shoreditch, 84 of these are restaurants, 76 pubs/bars, 43 Off-licences, 10 Night Clubs and 5 Hotels. Graph 2 illustrates all premises types in Shoreditch.

Graph 2 Shoreditch Premises



Graph 3 Shoreditch Hours Profile After 23:00



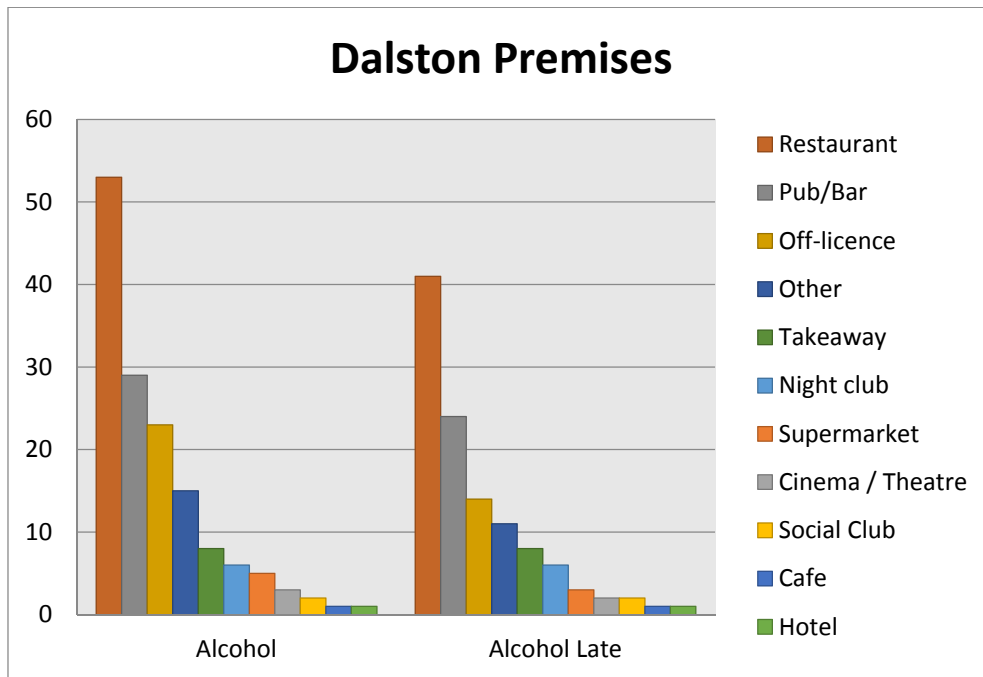
Of the 202 premises open after 23:00, over 50% close by 02:00am. While restaurants are the most common premise in Shoreditch, the majority of late night establishments are Bars and Pubs increasingly outnumbers restaurants as closing times get later. After 1:30am Off Licences are the second most common establishment open. After 03:00am, only 16 Pubs/Bars, 5 Restaurants and 6 Off Licences remain open, 27% of the peak number at 23:30pm.

Dalston

The second largest concentration of alcohol licenced premises in the borough within commercial centres is Dalston (13%). Although this area represents the 3rd highest concentration of premises, it is roughly half the total premises in Shoreditch.

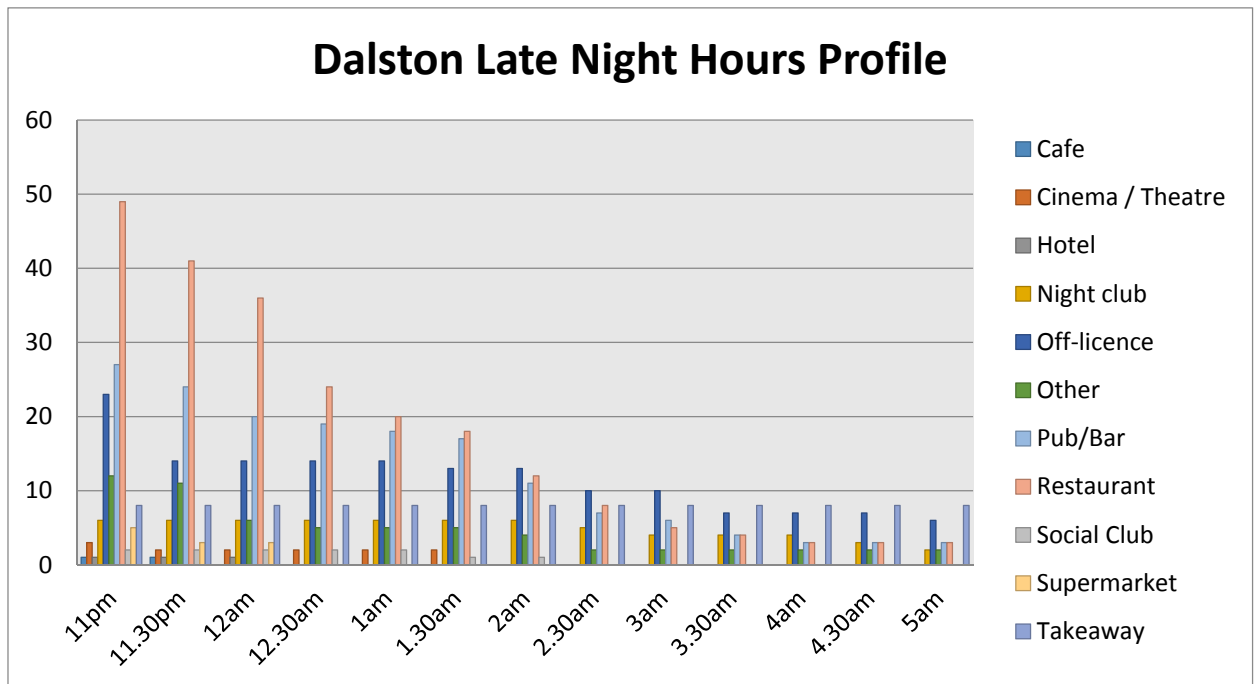
Graph 4 illustrates the premises distribution in Dalston. Like Shoreditch, Dalston has more restaurants than any other type of premises (53). Unlike Shoreditch where the numbers of restaurants and pubs/bars are nearly equal, Dalston has much fewer Pubs and Bars (29). This is a similar pattern across the rest of the borough, where a much higher concentration of Bars and Pubs are located. Dalston also hosts 23 Off-Licences, 6 Night Clubs, and 1 Hotel.

Graph 4 Dalston Premises



Graph 5 shows the late hours profile in Dalston. Similar to Shoreditch, of the 113 premises open after 23:00 most premises close by 02:00am with only 26% of premises remaining open at 03:00am. Bars/Pubs are the most common type premises open until after 02:00 am when Off-Licences are the most common premises. Dalston restaurants close by mostly by 02:00am; however, by 02:30am the same numbers of Restaurants, Bars/Pubs and Night Clubs are open (8, 7 and 5 respectively.)

Graph 5 Dalston Hours Profile After 23:00



Public Service Impacts

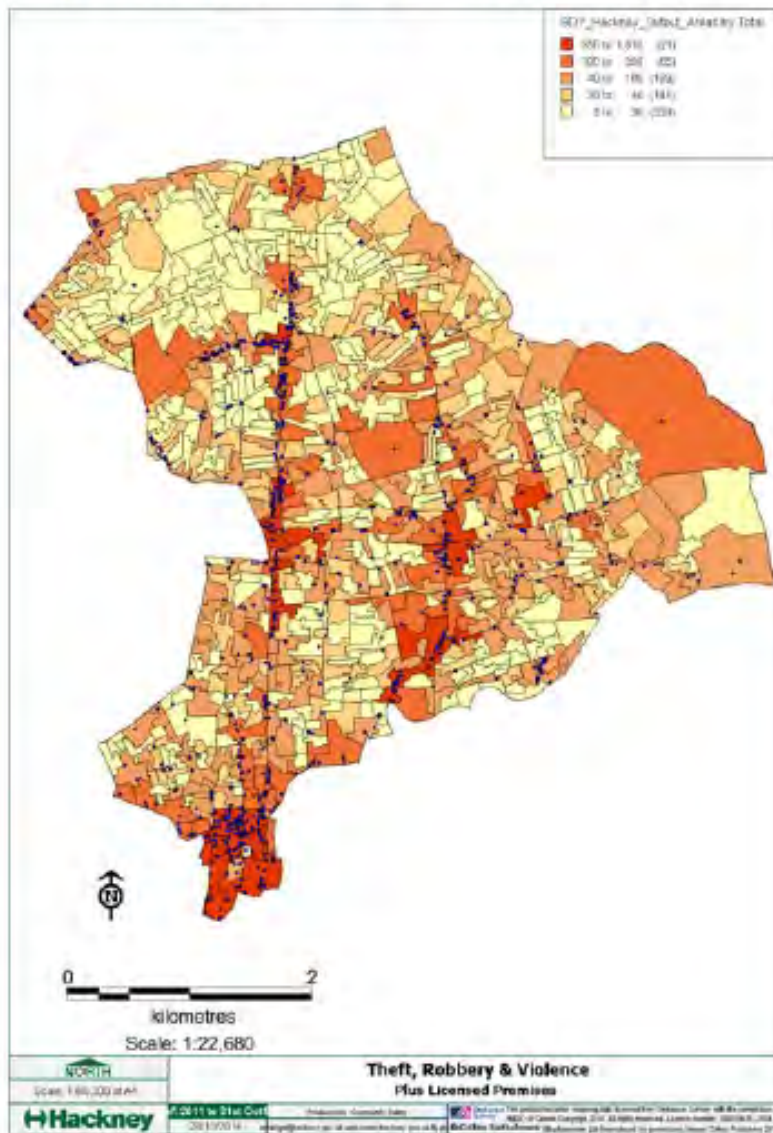
Crime

The Council's Strategic Analysis & Performance Manager carried out an analysis of crime types considered more likely to have been committed in areas where large numbers of people congregate. All violence against the person (VAP), theft & handling and personal robbery crime between January 2011 and 31 October 2014 were extracted for analysis.

The analysis showed that whilst crimes are dispersed across the Borough, some areas stand out as having higher levels of crime concentration; most notably in the south of the Borough (Shoreditch), along the A10 (Dalston to Stoke Newington), and in the region of Mare Street (Hackney Central/Homerton and down to London Fields).

Analysis does reveal that crimes are clustered, albeit not highly.

Map1: robbery, violence, theft & Licensed Premis



Where areas containing the top 50% of crimes have been singled out, the pattern of crime also appears to follow the trajectory of commercial premise locations. Evidence suggests that areas with higher concentrations of crime also have higher concentrations of commercial premises, particularly in Shoreditch, Dalston, Hackney Central/Homerton, and London Fields.

It is notable that along the A10 in Stoke Newington there is a high concentration of licensed premises, but not as highly concentrated levels of crime. This was also found to be the case in previous research into acquisitive crime which examined crime risk in relation to certain types of licensed premises. That research found that some types of licensed premises appeared to be more “risky” than others, particularly vertical drinking establishments such as pubs and clubs. Although Stoke Newington had a high number of licensed premises overall, it has a lower concentration of vertical drinking establishments than Dalston and Shoreditch, and as such Stoke Newington had lower crime levels.

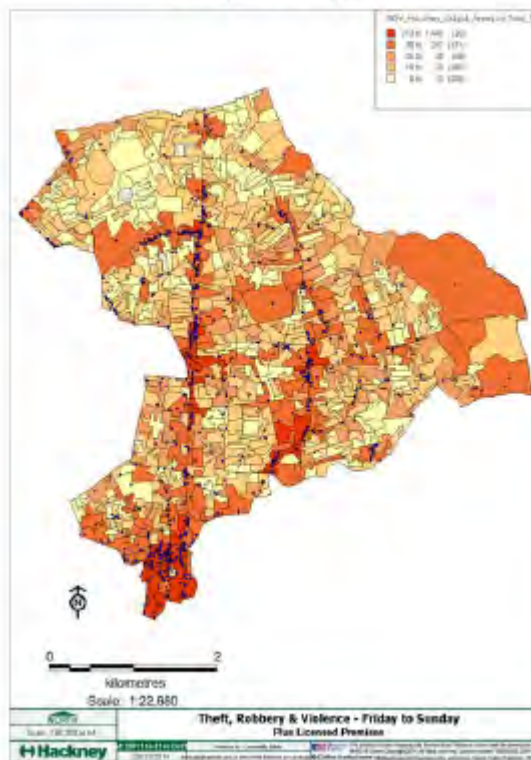
There are no overly apparent seasonal patterns of offending, although crimes tend to dip between December and April.

Some 53% occur between a Friday and a Sunday, and at weekends offences are also more prolific during night time hours, particularly between 2200 and 0259 hours (31% of all crimes), whilst 50% of all crime occurs between 1800 and 0259 hours.

Looking at the weekend activity in more detail, a much higher proportion of crime occurs between 1800 and 0259 hours (57%) as opposed to the same hours on Mondays to Thursdays (38%).

At weekends crimes also appear to be more concentrated during night time economy hours; Friday night and Saturday morning, and a Saturday night to Sunday morning.

Map6: robbery, violence, theft & Licensed Premis
Friday to Sunday



Map7: robbery, violence, theft & Licensed Premis
Top 50% - Friday to Sunday



Robbery, violence and theft (RV&T) crimes make up almost 78% of all crimes at all hours across the Borough as a whole; 53% of these crimes are theft & handling offences. Violence accounts for 38% of all offences and ABH (actual bodily harm) and common assault, and robbery contributes 7.3% of all crime.

Seventy one per cent of RV&T crimes occurred between Friday and Sunday and 62% of all crime on a Friday to Sunday occurs between 1800 and 0359 hours , and at these times acquisitive crime is much more prominent than violence, with theft accounting for 64% of crime, particularly theft against the person (pickpocket type crimes).

Half of all RV &T incidents committed during these hours took place in Shoreditch, the A10 in the vicinity of Dalston, and to a lesser extent London

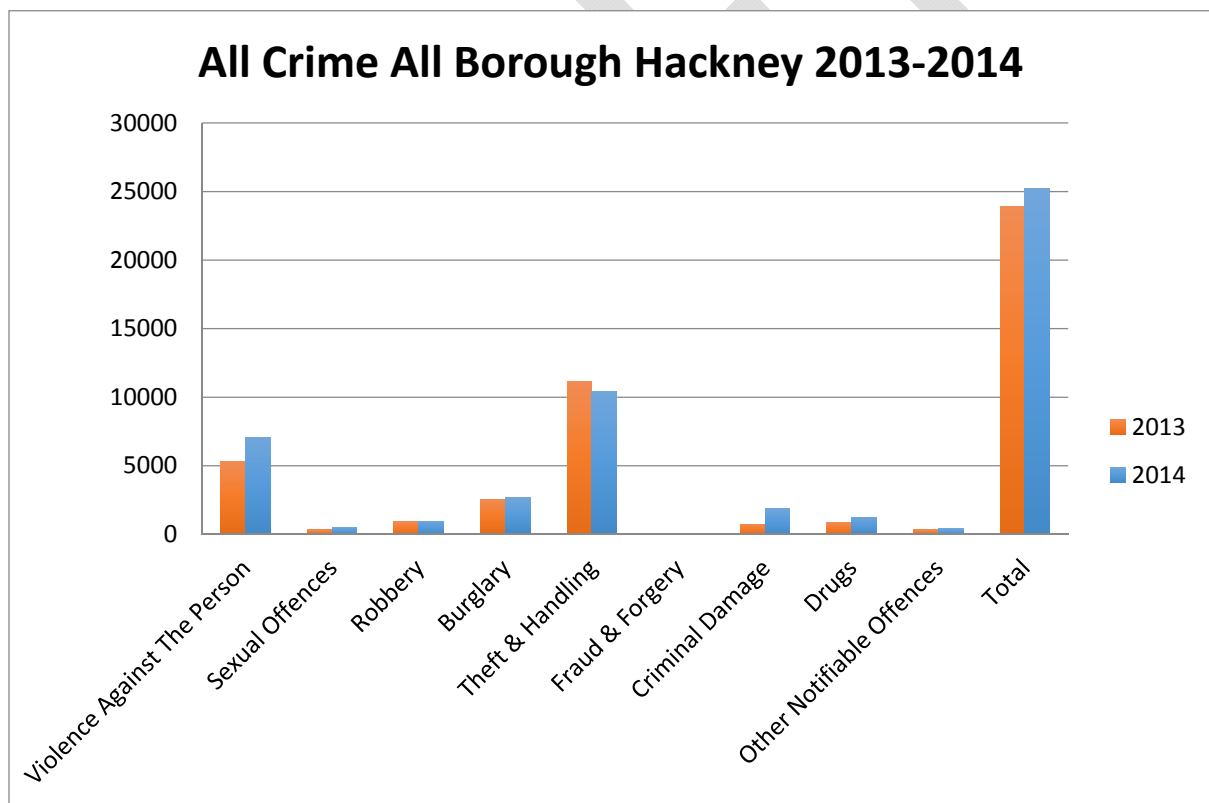
Fields. Again, this would suggest a correlation with high volume commercial locations, although the data is not linked to individual premises, it is based on Census Output Areas focusing on evening and weekend hours when most alcohol licensed premises are active.

Geographical Analysis—Shoreditch

Given that Robbery, violence and theft (RV&T) crimes make up almost 78% of all crimes at all hours across the Borough as a whole and that Shoreditch incidents comprise a majority of these, the following graphs illustrate the specifics of crime in the Shoreditch area.

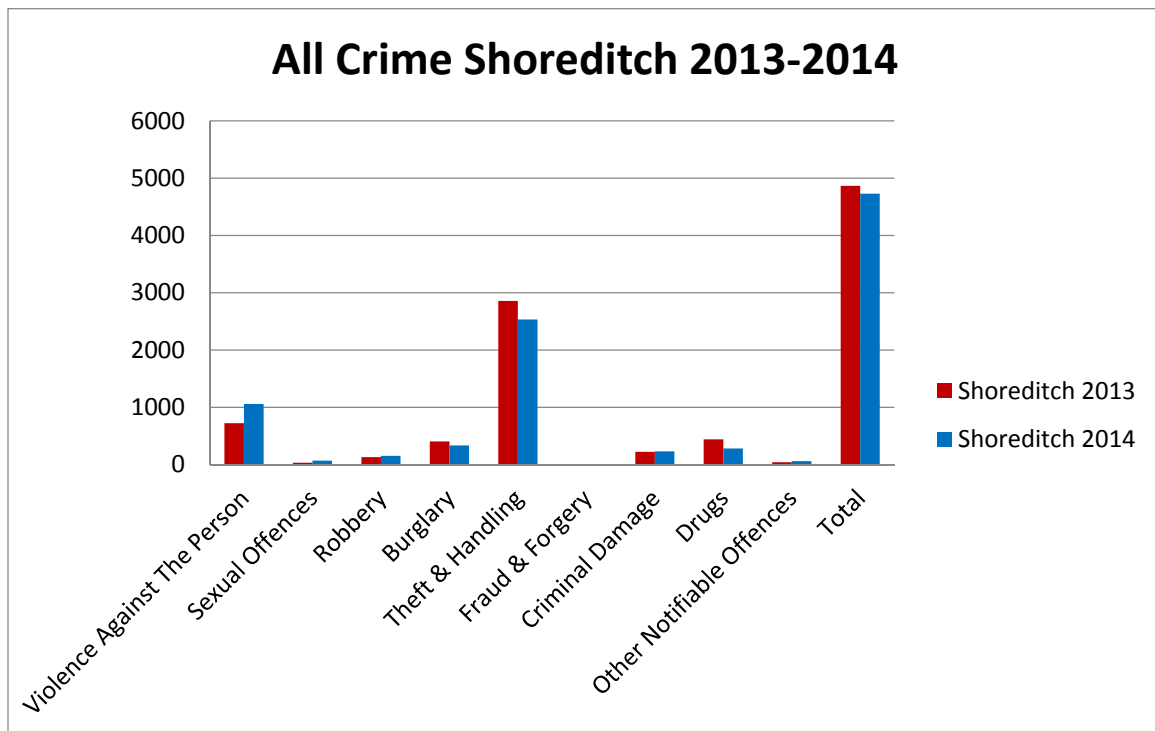
A variety of data and time periods have been considered in order to test the crime patterns in the proposed Shoreditch Special Policy Area at a lower level of geographic concentration. Graphs 8 and 9 illustrate London Metropolitan Crime data at all hours for the whole Borough and Shoreditch. Graph 9 examines all 'hours' incidences of Theft and Handling in Shoreditch in 2013-2014.

Graph 8 All Crime All Borough 2013- 2014



Graph 8 demonstrates that crime has slightly increased in the borough, with higher rates of Violence against the person (up by 32%), criminal damage (up 156%) and drugs. Theft and Handling, while still the largest proportion of crime incidents in the borough (41% in 2014 down from 47% in 2013) has reduced by 6% between 2013-2014. Violence against the Person was 28% of all crime incidents in 2014.

Graph 9 All Crime Shoreditch 2013- 2014



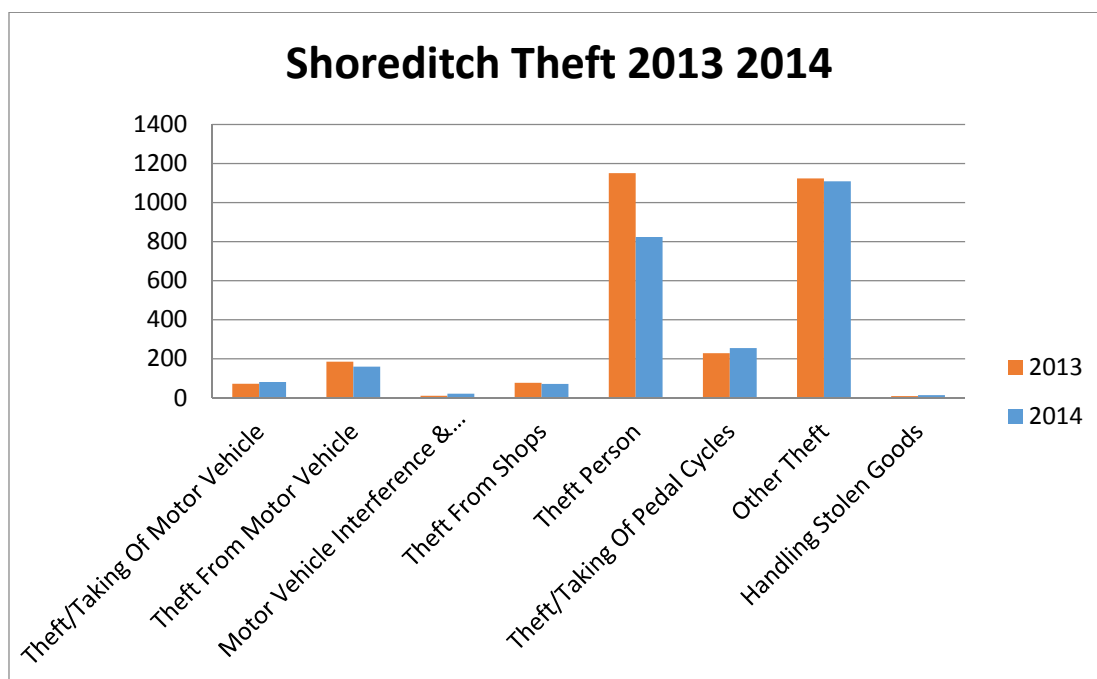
Graph 9 illustrates all crime for all hours in Shoreditch. Similar to the borough crime profile, the most common types of incidents are Theft & Handling in 2014 (54% of all crime in Shoreditch down from 59% in 2013). Not only has the proportion of Theft as a total percentage of crime decreased, but total incidents have decreased by 11% in Shoreditch between 2013-2014. Violence against the Person in Shoreditch follows the borough wide trend of increase in Shoreditch (up by 46%). Violence against the Person is 22% of all Shoreditch crime.

Graph 10 considers Theft & Handling in Shoreditch in-depth between 2013-2014. The largest category of incidents are Other Theft (44%) defined by the Home Office as

‘Blackmail, Theft in A Dwelling Other than an Automatic Machine or Meter, Theft by an Employee, Theft of Mail, Dishonest Use of Electricity, Theft from an Automatic Machine or Meter, Theft—Making off without a Payment and Other Theft. The Subcategory Other Theft includes theft if not classified elsewhere including the removal of articles from places open to the public. Theft from vehicle other than a motor vehicle. Theft of conveyance other than a motor or pedal cycle. Unauthorised taking of conveyance other than a motor vehicle or pedal cycle (does not include being found with a conveyance that has already been stolen).’

Similar to the rest of the borough, Other Theft has decreased in Shoreditch (down by 1% between 2013-2014).

Graph 10 Theft and Handling Shoreditch 2013-2014



Theft Person is the second most common category comprising 33% of all Theft in Shoreditch in 2013-2014. This category has reduced the number of incidents by 28% over the period.

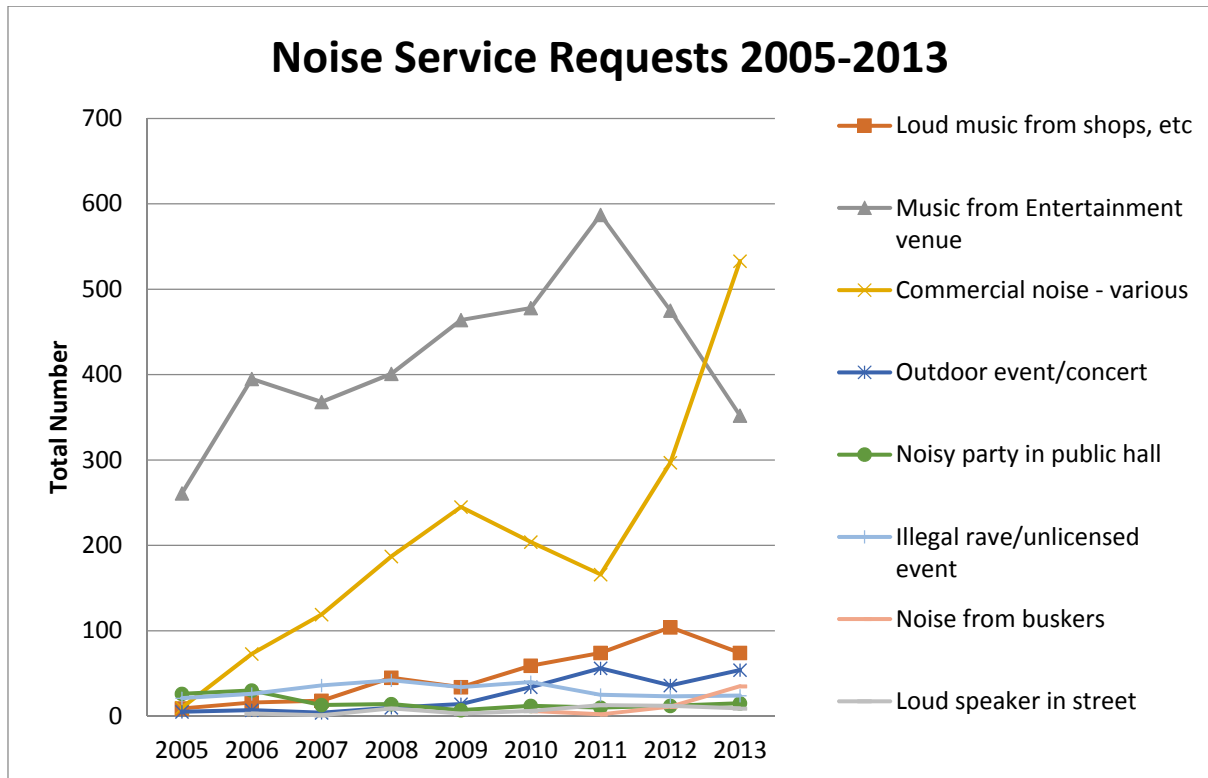
There has been active focus by Licensed Premises in Shoreditch and the Met Police to reduce pickpocketing and similar theft. The success of this partnership and active monitoring of individual premises can be seen the numbers. The slight increase in Violence Against the Person and Criminal Damage together with a substantial decrease in Theft and Handling stands in contrast to past trends.

Graphs 11 and 12 illustrate data obtained by the Metropolitan Police as all relevant Total Notifiable Offences in Shoreditch occurring between 2000 and 0800 between 2005-2011. This demonstrates a previous pattern of increases in evening Theft and Handling, specifically Other Theft and Pickpocketing which have since declined between 2013-2014.

Noise

Records held by the Noise Team dating back to 2005 were analysed. Statistics show total complaints in the category ‘commercial noise’ increased by 13% between 2012 and 2013 with year-on-year increases. The highest number of commercial complaints were outside of the main hospitality areas.

Graph 13 Noise Service Requests 2005-2013



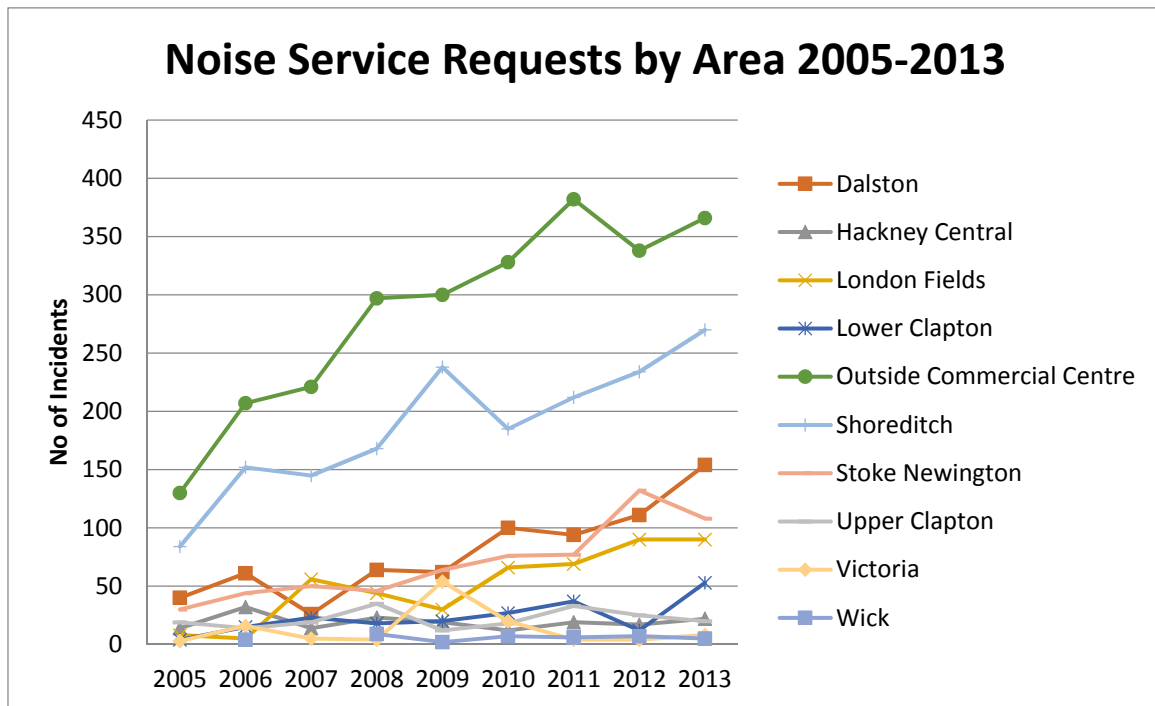
The number of complaints in relation to music from entertainment venues peaked in 2011 but decreased by 40% in 2013. Outdoor event noise peaks in 2011 with a variable pattern annually.

However there was a large increase in complaints in the 'noise various' category – some 221% between 2011 and 2013. This category includes unloading deliveries, extractor fans, development and building noise and informal music.

Noise various is also a catch all category with service requests generated from non-specific sources or loud music /voices with no apparent commercial location.

Graph 14 shows that whilst the pattern and character of the noise complaints may have changed, the highest number of requests come from areas outside commercial centres. Shoreditch had the highest annual increases within commercial centres, peaking in 2013, followed by Dalston, Stoke Newington and then London Fields/Broadway Market, which shows some affinity between noise complaints and the main hospitality areas.

Graph 14 Noise Service Requests by Area 2005-2014



Waste

The waste datasets are not focused on recording data around the night time economy hours. However, the waste service has to respond to demand and over the last year has had to divert resources to respond to the clean-up operations required to address issues arising from the Night Time economy in the Borough particularly and regularly around Dalston and Shoreditch.

Recent sampling has been undertaken on the A10, two weekends in March 2014 and in the Shoreditch Triangle, two weekends in November/December 2014. This sampling was undertaken between 23:00 and 04:00 hours.

The A10 sampling showed low to moderate impact and the Shoreditch sampling showed a high impact on specific streets particularly though less prominent and streets leading to transport facilities. The most common issues spotted during the sampling were glass bottles, urine, vomit, excrement, NOx canisters and general obstructions.

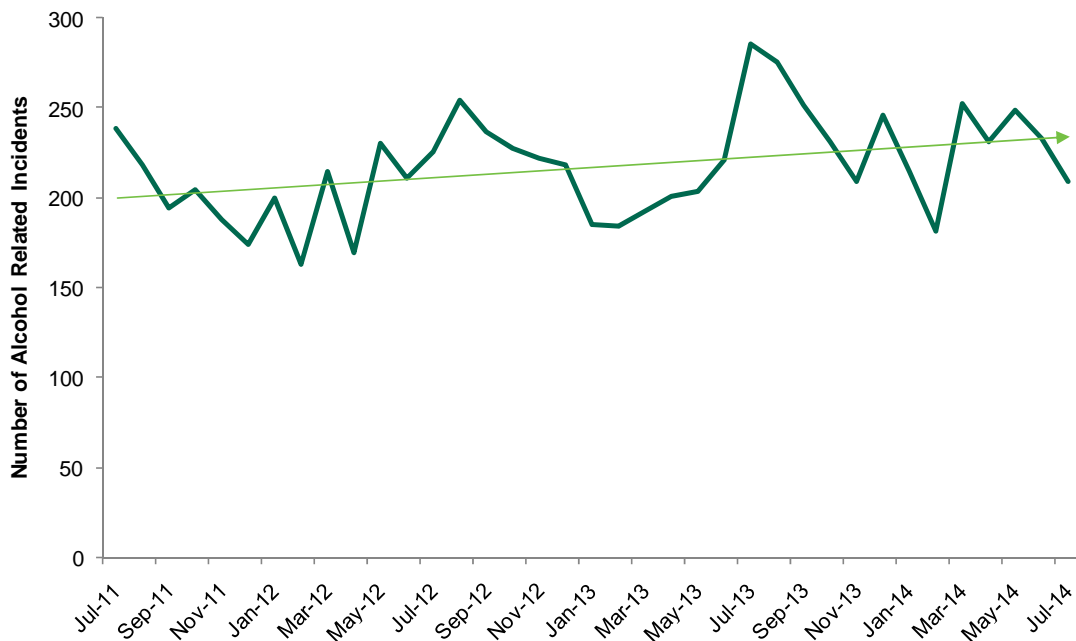
Sampling also took place in November/December 2014 in Broadway/London Fields and no significant incidents were found.

Further sampling is taking place to build up the data set around the main commercial areas to test the initial findings.

The limited evidence suggest there are small areas of concern around the major centres but generally satisfaction with cleanliness in the Borough is high 77% of the 2013 e-panel being satisfied with the cleanliness in their local area.

Health

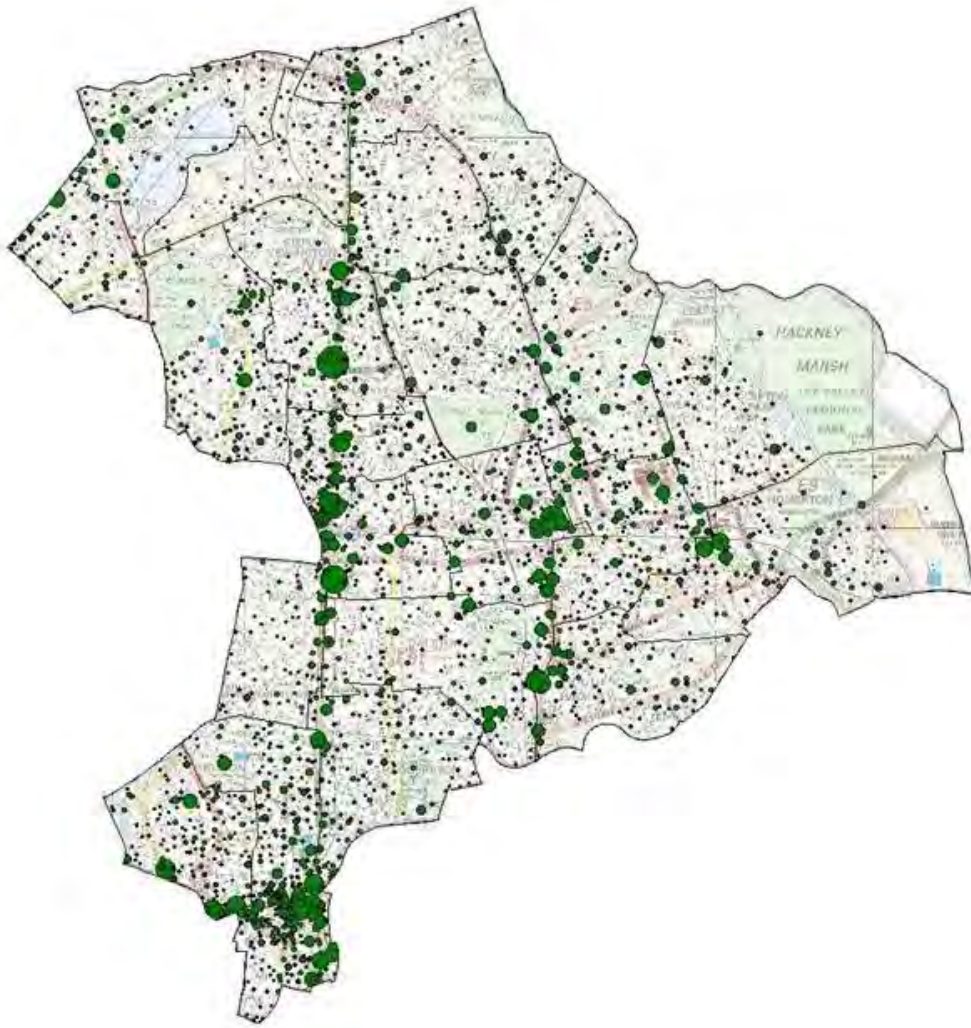
Graph 8 below displays London Ambulance Service data for alcohol related incidents from July 2011 to July 2014 in Hackney.



Source: LAS

Between July 2011 and July 2014, the highest proportion of alcohol related call outs were in the Hoxton East and Shoreditch ward. This accounted for around 15% of all calls, which was over double that of the next ward (Dalston). These are followed by Hackney Central and Stoke Newington respectively. The above appears to correlate with locations where there are the highest concentrations of licensed premises.

The map below shows ambulance pick-ups for alcohol-related incidents over a 3 year period (2011-14). Multiple attendance at a single location is depicted with a larger circle. Alcohol-related incidents are clustered around Hackney's entertainment areas – Shoreditch and Dalston – but also around transportation hubs and busy roads.



Statistically, the highest number of alcohol related incidents occur between 11:00 hrs and 03:59 hours on Friday/early Saturday morning and late Saturday/early Sunday morning. This appears to correlate with the hours most alcohol licensed premises are expected to peak.

The rate per 100,000 of hospital admissions for alcohol related harm in Hackney were above both the London and national average in Q4 2012/13.

Character of the areas that make up the Borough Hours Policy

1. Major Town Centres

Dalston Town Centre

This area is predominantly commercial, providing a range of employment. Retail provision includes the Kingsland Shopping Centre, Kingsland High Street and Ridley Road Market as well as many shops and banks.

A range of leisure opportunities such as Rio Cinema, Arcola Theatre, Gillett Square, Dalston Square, Vortex Jazz Club and Premier Inn. Late night premises include Alibi, the Nest, Dalston Superstore. Also many restaurants, pubs, bars and off-licences.

Transport consists of London Overground to Stratford, Richmond, Clapham Junction, Crystal Palace, New Cross and West Croydon. Multiple bus routes running to the City, London Bridge, West End and North London. A number of this bus routes run 24 hours per day. A taxi rank was recently installed.

Further development on the horizon includes the Eastern Curve, Dalston Lane Terrace and redevelopment of Kingsland Shopping Centre. Dalston is also on the route of the proposed Crossrail 2.

The hours proposed in the Policy are designed to recognise the nature of this area and reflect these in the hours' matrix. With the exception of night clubs, all types of activity are considered acceptable within the hours. Despite there being a higher concentration of licensed premises here, restaurant, theatre and cinema operations are particularly encouraged to locate in this area due to the nature of their business.

The hours have been set to reflect higher levels of crime than the borough average (see Map 2 within the crime report). The crime report also found that when the top 50% of crimes are mapped, the Dalston appears as an area where this is higher. These figures are further amplified between Friday and Sunday.

Data from the London Ambulance Service shows that Dalston ward as a whole suffers from higher than average numbers of alcohol related incidents over the 3 year period to July 2014, second to the Hoxton East and Shoreditch ward.

2. District town centres

The following areas are predominantly high street locations, with a range of transports.

Hackney Central

Mare Street (including the recently pedestrianized Narrow Way), Amhurst Road. Retail provision includes large Tesco, Marks and Spencer, Iceland as well as many small independent shops, banks and other service providers.

Leisure opportunities include the Hackney Empire Theatre, Picture House, Oslo Bar and Baxters Court. St John Churchyard host many events throughout the year. Also many restaurants, pubs, bars, takeaways and off-licences.

Transport links Hackney Central served by London Overground to Stratford, Richmond, Clapham Junction. Multiple bus routes providing links to the City, West End, North and East London.

Ongoing development includes nearby Fashion Hub, direct link between Hackney Downs and Hackney Central Stations, a TK Maxx and a Travelodge hotel.

Stoke Newington

Stoke Newington High Street, Stoke Newington Church Street and Stamford Hill. Retail provision mainly consists of smaller independent shops. Banks and a Post Office are also located here.

Leisure opportunities mainly restaurants, however, some pubs, bars etc.

Transport provision limited although Stoke Newington station provides a direct link to Liverpool Street. A number of bus routes operate here, some 24 hours per day.

Forthcoming development includes removal of the gyratory system. TFL to begin operating the service from Stoke Newington station under London Overground banner so will update station and rolling stock.

Finsbury Park

Area split between Hackney, Haringey and Islington.

Seven Sisters Road, Blackstock Road. Retail provision mainly consists of smaller independent shops. Banks are also located here.

Leisure opportunities include small restaurants and cafes, however, some pubs, bars etc. Arsenal's Emirates stadium is nearby.

Fairly well served by transport via Finsbury Park with mainline routes to Kings Cross, Cambridge as well as Victoria and Piccadilly tube lines. A number of bus routes operate here, some 24 hours per day.

The hours proposed in the Policy are designed to recognise the nature of this area by reflecting these in the hours' matrix. Nightclubs are again considered

unacceptable in these areas, Restaurant, theatre and cinema operations are particularly encouraged by the Policy to locate here.

The hours have been set to reflect the higher than average levels of robbery, theft and violence in these areas as highlighted in the maps in the crime report. And as these crimes appear to lessen during the night, the hours are designed to maintain this, especially at weekends.

Data from the London Ambulance Service shows Hackney Central and Stoke Newington wards as areas where alcohol related incidents were above the borough average between July 2011 and July 2014.

3. Local centres

The following areas are predominantly residential nature, providing local facilities, accessible by cycling and walking.

Stamford Hill

Mix of residential and commercial activity. Whilst Stamford Hill is the A10 and a busy route in and out of London, it is not a dual carriageway.

Transport mainly consists of bus routes, although Stamford Hill station, just outside of the centre, provides a direct link to Liverpool Street.

Hackney Wick

Hackney Wick is an area undergoing rapid change, in particular the eastern part of Hackney Wick which is now being actively developed and this is leading to significant social as well as physical development. One result of this development is that there is a very lively, and expanding, range of social activities many of which fall within the scope of licensing regulations. Transport consists of links to the east and west via the London Overground and bus routes.

Manor House

Mix of residential and commercial activity. Green Lanes a busy route. Transport mainly consists of buses. However, Manor House is on the Piccadilly Line which will run all night at weekends from September 2015.

The Manor Club, 277 Green Lanes previously held a late licence in this area. However, this was surrendered a few years ago. Haringey's Finsbury Park is opposite which hosts events of up to 45000 persons during the summer months.

Upper Clapton Road

Mix of residential and commercial activity. Notable premises include the Crooked Billet pub. Transport mainly consists of buses. Clapton Station, located outside

the centre, will soon be operated by TFL under the London Overground franchise.

Lower Clapton Road

Mix of residential, but increasingly, licensed commercial activity. Licensed premises include the Clapton Hart pub and smaller independent restaurants. Lower Clapton Road another busy route. Transport mainly consists of buses, rail links located some distance away.

Lauriston Road

Very residential, with commercial activity clustered around the roundabout at junction of Lauriston Road and Victoria Park Road. Notable premises include the Lauriston and Royal Inn on the Park and additional shops and restaurants. Very residential in nature, this area is just yards from Victoria Park in Tower Hamlets, home to many large scale outdoor events in the summer. Many residents attracted to the village feel of this area.

Well Street

Pedestrianized thoroughfare, mixed with residential activity, as well as market and retail. The Gun pub recently reopened after some years closed. Bus routes operate from here into Stratford and the City. However, there are no nearby rail links.

Broadway Market

Mainly pedestrianized, heavy commercial mix with residential activity. The market operates on Saturdays, attracting significant numbers for both retail and leisure activities. Close proximity to London Fields presents some problems of anti-social behaviour and nuisance, especially in the warmer months.

Notable premises include the Cat and Mutton pub, Off Broadway, Sir Walter Scott and Dove Freehouse along with many pubs, restaurants and shops. A number of new licences has been granted in recent years.

Transport provision is poor, with Cambridge Heath and London Fields stations both located some distance away. Two buses routes operate close by, however both are single decked.

Hoxton Street

Mainly retail led area with the market operating throughout the week. Sizeable residential blocks are also located here. Notable licensed premises include Howl at the Moon and Bacchus Pub. Hoxton Station the nearest rail but this is some distance away. Area only served by one bus route.

Chatsworth Road

Burgeoning area that has seen a number of new licences granted in recent years. Residential uses tend to exist on upper floors of buildings with commercial located on the ground floors. Market operates on Sundays only. Bus routes operate from here into Stratford and the City. However, in terms of rail, Homerton on the London Overground is the nearest station although this is quite a few minutes' walk away. There are no other nearby rail links.

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Stoke Newington Church Street

Area characterised by its large number of independent restaurants and retailers and general village feel. Many residential properties located above commercial, densely populated in the side leading off the main road. Notable premises include Stoke Newington Town Hall, Booth's and the Lion Pub.

Transport provision comes from buses as Stoke Newington Rail is some distance away.

Stoke Newington Road

Mix of residential, both above commercial and in side streets. Also many licensed premises including Scenario, Brewdog, Yucatan Bar as well as independent shops, cafes and restaurants. The Dalston SPA includes the whole length of Stoke Newington Road. Forming part of the A10, transport provision consists of buses, with no nearby rail links.

Kingsland Road

Mix of commercial and residential, including many licensed premises such as Power Lunches, the Haggerston and Passing Clouds as well as independent shops, cafes and restaurants. The Dalston SPA includes some of Kingsland Road. Forming part of the A10, transport provision consists of many bus routes, with Haggerston rail on the London Overground located nearby.

Shacklewell Lane

Small commercial parades, many of which have been converted to residential. Premises of note include the Shacklewell Arms, which remains a popular destination due to its proximity to Dalston. Dense residential nature means transport provision limited to a single bus route, with Dalston rail links some distance away.

Wick Road.

Small commercial parade with residential located above and adjacent to commercial. Notable premises include the Tiger Pub. Often heavy traffic in this area as it provides access to the A12/Blackwall Tunnel. Transport provision comes from buses only as Homerton and Hackney Wick stations located some distance away.

Hackney's local centres tend to have a mixture of commercial and residential activity. The policy seeks to recognise this by limiting hours of activities to less than those found in the other centres. Applicants wishing to go beyond the hours set out would have to show that their operation would not cause undue harm to the licensing objectives.

The hours have been set to balance the residential nature of these areas, but also acknowledge that businesses will continue to locate themselves here.

Levels of crime are much lower in these areas which could be due to a reduced amount of commercial activity in the later hours.

This is also supported by the data from the London Ambulance Service, which shows that these areas suffer less from alcohol related incidents. This may also be due to the lower level of commercial activity in relation to a higher number of residential properties in these areas.

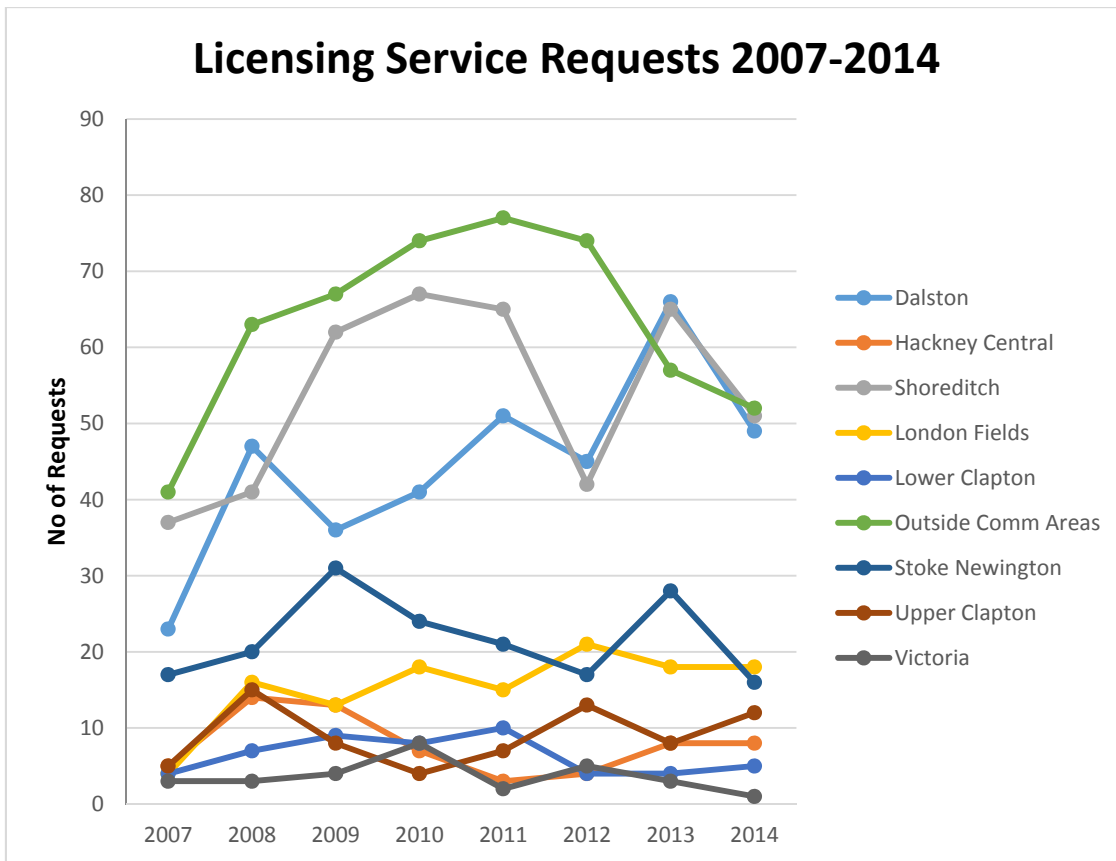
Complaints Analysis

Whilst there are complaints related to the hospitality industry they do not make up a significant proportion of the reported Members' Enquiries or Corporate Complaints

- Members' Enquiries 2012-2014
 - 2012, 6 hospitality related (16% of total)
 - 2013, 35 hospitality related (8% of total)
 - 2014, 9 hospitality related (3% of total)
- Corporate Complaints
 - Oct 2012-Oct 2013 17 hospitality related (4% of total)
 - Oct-Dec 2013, 2 hospitality related, (5% of total)
 - Jan-July 2014, 16 hospitality related (7% of total)

The complaints to Licensing Enforcement should provide the most accurate picture of where Licenced premises are causing concern to residents or businesses.

Graph 9 below shows the number of service requests received by the Licensing Enforcement team in relation to geographical areas of the borough. The data includes partial data for 2014 (up to September). The data shows that there is a higher volume of service requests and complaints emanating from Dalston and Hoxton areas.



The Shoreditch area has been identified as suffering from negative cumulative impact as a result of the concentration of licensed bars and clubs. The view of In the last five to ten years Shoreditch has become widely viewed as a night time drinking destination especially at weekends. Large amounts of people frequent the area often travelling some distance from other parts of London and beyond in order to attend the bars, clubs and restaurants. More and more operators are seeking to capitalise on the popularity of the area by opening new venues to attract the revellers.

It is the nature of the Shoreditch area now for all bars and venues to be in part drinking destinations for many of these revellers, or for the likelihood of many to travelling between the various licenced venues. The latter, has made it more difficult to attribute particular excessive drinking problems to one single premises. Also, although premises may not give rise to complaints from residents, they may still present a least significant increase in cumulative impact to the area, since these premises will contribute to people becoming intoxicated even though they may move on to other venues to continue drinking.

It is now quite commonplace for those submitting licence applications to state that they are not intending for their venue to be a drinking destination but this becomes inevitable as they expand their offer due to demand and economic pressures.

During visits in Shoreditch, in particular at weekend night time visits, the Licensing Enforcement team frequently witness masses of people moving between venues. This is significantly worse in warmer weather where larger numbers of people congregate in large the street. Also drunken and anti-social behaviour is routinely witnessed in the form of shouting, fighting, obstructed pavements, vomiting, and urinating openly in the streets. Although the Licensing Enforcement Team receive complaints relating to specific premises with regard to this type of behaviour, it is in most cases not directly linked to one single premises.

Additionally, due to the increasing lack of available venues in the Shoreditch SPA and also due to the current policy for exceptionality, more and more applications are being submitted for venues on the outskirts and beyond the SPA boundary. These venues by their very location also contribute to saturation and problems within the SPA. A geographical expansion of the SPA would enable special consideration to be given and the promotion of the licensing objectives in respect of future applications in these areas.

Conclusions

- The crime analysis shows a correlation between the locations of premises, subsequent availability of alcohol and higher levels of violence, theft and robbery over the period between January 2011 and October 2014. This is further exacerbated at the weekend and during the early hours of the morning. This would appear to show that there is negative impact being caused by night time licensable activity which is further concentrated in areas where there are high numbers of licensed premises. Shoreditch also suffers from a disproportionate amount of crime, as demonstrated by the 2013 to 2014 statistics.
- The data obtained from the London Ambulance Service via Public Health appears to shows a correlation between locations of licensed premises and alcohol related call-outs. The number of ambulance calls over the three year period to July 2014 has been increasing steadily, with the highest number of alcohol related incidents occurring between 23:00 and 04:00 on Friday and Saturday nights.
- Whilst the highest number of requests to the Noise Pollution Team come from areas outside commercial centres, commercial centres as still shown to have high numbers. Shoreditch had the highest annual increases, followed by Dalston, Stoke Newington and then London Fields/Broadway Market
- The Shoreditch SPA should remain as existing. Despite the existence of this policy since the Act commenced, crime in this area remains high. It

is therefore appropriate that applications for new licences or those wishing to vary existing licences should continue to be refused unless the applicant can demonstrate that there are exceptional circumstances to justify departing from the Policy.

- The area around the Shoreditch SPA, south to the boundaries with Islington, the City of London and Tower Hamlets have also reached saturation. The restrictions in the SPA may have led to some operators choosing to locate business as close to the core area as possible, whilst remaining outside of the actual area. Extending the SPA to this area appears to be appropriate for the promotion of the licensing objectives by helping to control further growth and limiting the negative impact in the process. It is therefore appropriate that applications for new licences or those wishing to vary existing licences should be refused unless the applicant can demonstrate that there are exceptional circumstances to justify departing from the Policy.
- The Dalston SPA should remain, with the existing boundary retained. This area has the second highest concentration of licensed premises, which appears to correlate with higher levels of crime. Recent transport improvements puts Dalston within easy reach of many parts of London. This assist in making the area a busier, more attractive destination for late night revellers. The SPA helps to manage the growth of licensed premises and remains appropriate for the promotion of the licensing objectives.
- The Council wish to adopt a borough wide hours approach having regard to the make-up of the borough as many licenced premises are distributed randomly across the borough. As such it is considered only appropriate to manage the growth of licensed premises within these areas.



**GD - Hackney Borough
GN - Stoke Newington Police
Station**

Telephone: 020 7275 3101

Facsimile:

Email:c/o

Your ref:

Our ref:

Dear Sir, Madam

This letter confirms the Police's views on the Special Policy Areas Shoreditch and Dalston (SPA). In addition this report has been drafted to evidence the increasing demand on police resources within the borough brought about by the continuing growth of the night time economy.

It is also worthy of note that despite effective work to reduce crime levels, Hackney is the 6th highest local authority in England when it comes to alcohol-related recorded crime. Hackney also features in the Top 10 for alcohol-related violent crime and in the Top 20 for alcohol-related sexual offences.

Shoreditch

Shoreditch continues to have a disproportionately large number of licensed premises in the area when compared to the other sectors. The uniquely diverse and eclectic feel of Shoreditch night time entertainment attracts locals and visitors long distances; with major influxes in footfall from Thursday through to Sunday. The pubs, clubs and restaurants in the area are continually competing against each other - trying to draw in more and more customers. If there were no restraint around this, there would be a sharp increase in late opening with a knock on effect increasing in anti-social behaviour, noise, urination, drug misuse and violence in the area. The increased activity in the area would demand a mirrored increase in policing and no doubt the London Ambulance service and NHS. Other factors would require more joint working with the local authority - such as the hidden economy behind unlicensed street trading in nitrous oxide for example. Some intelligence suggests this is providing a new and less punitive occupation for organised gangs who traditionally supplied controlled drugs in the area.

In the last few months the Met Police's Operation Equinox has provided a considerable response in relation to late night violence with additional resources and in some cases - limited funding - being streamed into tackling the issue. The focus on this is likely to continue until the end of the financial year with corporate expectations

that we respond to these increases within core business. This will become an increasing challenge as cut backs continue.

The buffer area around the SPA is also placing a demand on policing with continual complaints of alcohol related crime and disorder. As they continue to respond to this - the Licensing Unit Chairs the Licensing Operational Enforcement Group (LOEG). This body of statutory and non statutory partners ensures problem licensed premises are tackled in an effective joined up manner.

In essence, the collective response/view of Hackney police Licensing Team and the LOEG is that there is a clear need for the SPA to remain in Shoreditch and to extend the special policy to include the buffer area in order that Licensing Objectives and MPS priorities are achieved.

Dalston

Dalston in recent years was described by Vogue magazine as “The coolest place on the planet”. The area started a slow transformation into the ‘new Shoreditch’ and saw an increase in applications together with an associated rise in ASB, crime and disorder. The saturation of licensed venues and related rises in ASB, crime etc led to the implementation of the Dalston SPA. Since this implementation the number of new licence applications has slowed dramatically and the ‘coolness’ of the area is no longer so apparent. Many operators complain of a reduction in footfall of around 20% and some have intimated a return to the ‘bad old days’ of Dalston. These operators feel the crowd dynamic is changing to a more problematic type of customer. Much like Shoreditch, the area still suffers from incidents of violence and ASB but these too are to a large extent under control because of the support and drive from Operation Equinox.

As above, this will need to be sustained without support in the new financial year.

It should be noted that the introduction of street wardens has been a success from a police perspective. They have been a key player in reducing ASB in areas such as John Campbell Road, a reduction of 45% of ASB complaints between Dec 13 to Dec 14 has been recorded.

That said any new application or variation still attracts a high number of negative representations from residents who suffer the effects of alcohol related nuisance and disorder. New applications and variations increase the number of premises and hours of licensable activity. This in turn, increases crime and disorder, anti-social behaviour, noise and general nuisance late at night and in the early hours of the morning. This view is also supported by LOEG members as a collective group of experts.

It is important to note that there is a cumulative impact from the matters described above.

The number and concentration of premises is causing harm to the objectives in the SPA’s and it is this rather than poor management of individual premises, that is the cause.

The remainder of the borough

Since the Olympics and in particular since the implementation of the SPA in Dalston we have witnessed an increase in operators looking for the ‘next big thing’. Areas such as Mare street, London Fields, Lower Clapton and Hackney Wick are all starting to see a steady increase in licence applications. As these areas grow and

concentrations of licensed venues increase so to will the burdens on the police service. A service that, like all public sector partners are experiencing increased demand with decreased funding.

A handwritten signature in blue ink that reads "Simon Laurence" with "ch. Supt." written above it.

Chief Superintendent Simon Laurence
Borough Commander Hackney

DRAFT

Glossary

These definitions are to assist in understanding the Policy and so are not legal definitions. Reference should be made to the Act, the Guidance, and any regulations issued by the Secretary of State for any legal information.

Alcohol – includes beer, wine, cider, spirits or other fermented, distilled or spirituous liquor of or exceeding 0.5% strength.

Acceptable Hours – relates to the end of the licensable activity and the closure of the premises to the public 30 minutes later to allow for the drinking up/cooling down period during which music volume may be reduced, customers may consume their drinks and make arrangements for transport from the premises. This will assist in the gradual dispersal of customers and consequently reduce impact on the area.

Authorised Officers – Those employees authorised by the Council or other agencies such as the Police.

Bar - a place where drinks, especially alcoholic drinks, are the primary but not necessarily the sole focus of operation for the premises.

Borough Wide hours policy definitions – The Borough has been classified into areas in line with the planning areas. On this basis, the Borough-wide Hours Policy sets the Licensing Authority's intention to grant applications for licences or variations (where customers are allowed to be on the premises) provided it is within the acceptable hours for different types of licensable activities as prescribed in the policy.

Certificates – see Club Premises Certificates (below).

Character Areas – There are five character areas identified, Major town Centres, District Town Centres, Local Centre and All other Areas. These character areas directly link to the Borough's planning policies and means that wherever a premises is located a guide is provided to the hours of operation that are considered to be acceptable for a particular licensable activity.

Checklist Appendices – These are lists of matters to be considered by applicants when submitting their application in respect of the four core licensing policies.

Cinema – shows motion pictures to an audience. See also **Theatre** below.

Club Premises Certificate – provides authorisation for qualifying clubs to use club premises for qualifying club activities (see Qualifying Clubs below).

Conditions – Limitations or restrictions attached to a licence or certificate. There are 3 types of condition: proposed, imposed and mandatory:

- Proposed by applicant in, or arising from, operating schedule or as proposed by responsible authorities;
- Imposed – following a hearing by the local authority;
- Mandatory conditions - to be included in every licence where premises:
 - sells or supplies alcohol;
 - shows films;
 - employs security.

Core Policies – contained the general principles and the four licensing objectives of prevention crime and disorder, promotion of public safety, prevention of public nuisance and protection of children from harm. These are intended to help applicants assess the risk of their proposed activity on the licensing objectives.

Counter Notice – issued by local licensing authority in response to Temporary Event Notice where permitted limits are exceeded or as a result of a decision of the Licensing Sub-Committee following an objection from a responsible authority or where a responsible authority objects to a late TEN.

Cumulative Impact – the potential impact a significant number of licensed premises, concentrated in one area, has on the promotion of the licensing objectives. This is a proper matter for a licensing authority to consider in developing the Policy

Designated Premises Supervisor (DPS) – The person named on the Premises Licence as having day-to-day responsibility for running the premises (this can include the Premises Licence holder). Every designated premises supervisor must have a personal licence. (See Council's guidance notes for further details)

Disco Jockey (DJ) – This includes the making of music or the playing of pre-recorded music to an audience involving the deliberate selection and changing of songs whether to create a continuous stream of music or not. An element of skill, judgement and performance may be employed in carrying this out. As part of this entertainment, compering and voice-overs may also take place. The provision of DJs is likely to require permission for regulated entertainment. (See below)

Enforcement – the police are key enforcers of licensing law. However, the Council enforcement officers also have an enforcement role. The Guidance has no binding effect on police officers who, within the terms of their force orders and the law, remain operationally independent

Entertainment – see “Regulated Entertainment” (below).

Guidance issued under section 182 of the Licensing Act 2003 – this represents the guidance to licensing authorities on the discharge of their functions. The Act states that the Secretary of State must issue this and may

from time to time revise this. Licensing authorities must have regard to this Guidance when carrying out their functions under the Act.

General Permitted Development Order (GPDO) - The Town and Country Planning (General Permitted Development) Order 1995 is legislation that sets out what kinds of development are permitted and so do not need planning permission from the Council. It includes physical buildings works, like extensions to buildings, and changes of use, like changing a restaurant into a shop.

Hotel Public Bars – Bars located within hotel premises that are also open to non-residents. The policy allows for extended hours to other public bars in some situations.

Hours of Operation - the hours specified on the licence for licensable activities.

Incidental Music – live or recorded music incidental to another activity which is not itself entertainment or the provision of entertainment facilities. Whether such music is incidental or not will be considered on a case-by-case basis. Factors in assessing this include the following:

- Against a background of other activities taking place, will the additional music create the potential to undermine the four licensing objectives?
- Is the music the main or one of the main reasons for people attending the premises?
- Is the music advertised as the main attraction?
- Does the volume of the music disrupt or predominate over other activities or could it be described as “background” music?

Factors not normally considered relevant are:

- Numbers of musicians;
- Whether the musicians are paid;
- Whether the performance is prearranged;
- Whether there is a charge for admission.

The exemption of incidental music will generally not apply to DJs playing pre-recorded music to an audience.

Late night Refreshment - Provision of hot food or drink between the hours of 11pm and 5am. This includes food or drink heated on the premises. An example would be the use of a microwave oven.

Licence Review – Under the Licensing Act 2003, Responsible Authorities and Other Persons have the power to apply for a review by the licensing authority of existing licences on grounds relating to the promotion of the licensing objectives. Such a review can result in the modification of the licence, its suspension or revocation.

Licensed/Licensable Activities: These relate to:

- Sale of alcohol (by retail in any quantity, whether in small quantities to customers or by wholesale);
- Any Regulated Entertainment (to an audience);
- Provision of late night refreshment (namely hot drink or food between 11pm and 5am);
- Supply of alcohol in qualifying clubs (in respect of their members or guests).

Licensing Act 2003 – The primary legislation pertinent to this Policy.

Licensing Authority – for the purpose of the Licensing Act 2003 this is the Council.

Licensing Committee – a committee of 10 to 15 councillors, appointed by the Council. The Council's Licensing Committee deals with relevant licensing and registration functions and will receive reports for information on a range of issues to ensure they have the up-to-date position on matters.

Licensing Enforcement Policy - The enforcement policy for Licensing Act 2003 provides information on the way in which enforcement activities are carried out in relation to the regulation of the sale and supply of alcohol.

Any decision to deviate from the provisions contained in the policy will be documented, properly reasoned and based on material evidence.

Licensing Hours – Hours within which licensable activities may take place as specified in the licence.

Licensing Objectives - Any decision taken by the Council in regard to determination of licences, certificates and notifications will aim to promote the licensing objectives which are:

- Prevention of crime and disorder;
- Public safety;
- Prevention of public nuisance; and
- Protection of children from harm.

Each objective is of equal importance, and the four objectives will be paramount considerations for the council at all times, and responsible authorities or other persons may make representations if they feel that the applicant's proposals do not adequately promote the licensing objectives.

Licensing Policy – The purpose of the Licensing Policy is to guide both applicants for licences and residents about the way in which the Licensing Authority will implement the Licensing Act 2003 in Hackney. The policy, along with current national guidance and primary legislation, forms the basis on which decisions are made.

Licensing Sub-Committee(s) – one or more committees of three members appointed from the Licensing Committee to whom the functions of the Licensing Committee can be delegated under the Act.

Local Area – Enquiries about the locality will assist applicants when determining the steps that are appropriate for the promotion of the licensing objectives. For example, premises within close proximity to residential premises should consider how this will impact upon their smoking, noise management and dispersal policies, to ensure the promotion of the public nuisance objective

Mandatory Conditions – See “Conditions” above.

Night Clubs/Dance Venues - An establishment that stays open late at night and provides food, drink, entertainment, and music for dancing, usually featuring a DJ and loud amplified music for dancing.

Off Licence – Retail premises where alcohol is sold in sealed containers for consumption off the premises.

Operating Schedule – This, essentially, is the applicant’s completed application form and is a crucial document setting out the applicant’s risk assessment for the operation of the licensed business. The applicant will be expected to indicate in the operating schedule the manner in which they propose to promote each of the four licensing objectives. Licence conditions will emerge from this and therefore operating schedules should be subject to discussions with the responsible authorities.

Operation Makesafe - is a campaign led by the MPS in Partnership with London Boroughs and including The City of London Police, to raise awareness of Child Sexual Exploitation within the business community including hotels, cab companies and licensed premises.

Other Indoor Entertainment Venues – entertainment venues other cinema and theatre. E.g.:

- Could be a live music venue or specialist venue such as Circus Space, a bowling alley or a gallery;
- Exclusive private members clubs; or
- “Event Space” and pre-booked or private event spaces.

Other Persons - includes any individual, body or business, who apart from the Responsible Authorities and regardless of their geographic proximity to the premises, are entitled to make representation to licensing authorities on applications for the grant, variation, or review of premises licences.

Personal Licence – permits individuals to supply or to authorise the supply of alcohol. An individual will not require a personal licence for other

licensable activities, or for the supply of alcohol under a club premises certificate or temporary event notice.

Planning Policies – policies applicable under planning legislation. Licensing and Planning are separate regimes, but consents from both must be in place to operate legally.

Whilst assessing the application on its individual merits, the planning authority will also be mindful of the Licensing Hours Policy when considering any planning application for a scheme which involves a use which could take up a premises licence under the Licensing Act 2003. If there is variance between the hours given under a licence and those permitted by the planning permission then the earlier hours will apply.

Precedent conditions (or Model Conditions) - To assist responsible authorities, and applicants in completing their operating schedules the council has a pool suggested conditions available for use (available on the Hackney website).

Premises Licence – authorises the holder of the licence to use the premises for specified licensable activities. The premises licence will also include details of operating conditions. No annual renewal is required as these licences will be valid for the life of the premises, subject to any review.

Pubs (Public Houses) - premises where alcoholic drinks, are the primary but not necessarily the sole focus of operation.

Qualifying Clubs – To be classified as a qualifying club in relation to a qualifying club activity, a number of general conditions must be met. These are that:

- under the rules of the club, persons may not be admitted to membership, or be admitted as candidates for membership, to any of the privileges of membership without an interval of at least two days between their nomination for membership and their admission;
- under the rules of the club, those becoming members without prior nomination or application may not be admitted to the privileges of membership without an interval of at least two days between their becoming members and their admission;
- the club is established and conducted in good faith as a club;
- the club has at least 25 members;
- alcohol is not supplied to members on the premises otherwise than by or on behalf of the club.

To qualify as a club authorised to supply alcohol to its members and guests, additional conditions must be met. These are:

- The purchase and supply of alcohol by and for the club is managed by a committee made up of elected members of the club all aged over 18 years;

- No arrangements may be made for any person to receive any commission, percentage or similar payment at the expense of the club with reference to purchases of alcohol by the club;
- No arrangements may be made for any person to derive directly or indirectly any monetary benefit from the supply of alcohol to members or guests apart from to benefit the club as a whole or any indirect benefit a person derives by reason of the supply contributing to a general gain for the club as a whole.

Regulated Entertainment – is entertainment that is:

- Provided to the public; or
- Provided exclusively to members of a qualifying club and their guests; or
- Provided for profit/personal gain

Regulated Entertainment includes:

- The performance of a play;
- An exhibition of a film;
- An indoor sporting event;
- Boxing or wrestling entertainment;
- A performance of live music;
- Any playing of recorded music;
- A dance performance;
- Where the entertainment takes place in the presence of an audience and is provided at least partly to entertain that audience.

[Some entertainment previously regulated including some of the above categories has been deregulated in certain circumstances.]

Regulated entertainment does **not** include entertainment or entertainment facilities involving:

- Films as part of exhibitions in museums galleries etc.;
- Music incidental to something other than regulated entertainment;
- TV and radio broadcasts;
- Religious meetings or services;
- Places of public worship;
- Garden fetes unless for private gain;
- Vehicles in motion.

Regulators' Code - The Regulators' Code which applies to local authorities came into effect April 6th 2014 under the provisions of Section 23 of the Legislative & Regulatory Reform Act 2006. Regulators whose functions are specified under Section 24(2) of the Act (and includes the Licensing Authority) must have regard to the Code when:

- developing policies, principles or operating procedures that guide their regulatory activities;

- setting standards or giving guidance which will guide the exercise of regulatory functions;

Any decision to deviate from the provisions contained in the Code will be documented, properly reasoned and based on material evidence.

Representations – A representation made by one or more of the Responsible Authorities can be an objection to an application or part of an application or can be in support of an application. Representations that are considered to be relevant are those that address the likely effect of the application on the promotion of the four licensing objectives. If the representation is made by an Other Person it will not be relevant if the licensing authority considers it to be repetitious, vexatious or frivolous.

Responsible Authorities include:

- The Chief Officer of Police;
- The Fire Authority;
- The enforcing authority for section 18 of the Health and Safety at Work etc. Act 1974;
- The local Planning Authority;
- The Environmental Health services of the licensing authority;
- The Licensing Authority;
- The local Authority - Children and Young People Services;
- Director of Public Health.

Restaurants – A restaurant is defined as a premises serving alcohol ancillary to a substantial table meal and is via a waited table service.

Restaurant/Bar (mixed use) - will define the areas to be set aside for dining and should comprise at least 75% of the total licensed area.

Review - see Licence review above

Risk Assessment - the process of examining the risks involved in the planned activity at a licensed premises should be carried out taking into account public safety to identify potential hazards posed to staff or customers and setting out precautions to manage the hazards. Risks associated with licensed premises can vary dependent on the premises type and characteristics, the design, layout and general environment, the location, the policies in place and the events being held there.

Special Policy Area (SPA) – Where a high concentration of licensed premises has been identified as causing a negative impact on the licensing objectives in an area. The Council may consider the refusal of any application and/or additional measures to address any such concerns. Special policies apply in Shoreditch and Dalston.

Take-away - any premises that sells hot food/drink for the customers to eat elsewhere although some will have space for customers to dine.

Temporary Event Notices (TENs) – These are given to the Licensing Authority by premises users and authorise licensable activities to take place without the requirement for a premises licence. A ‘Standard’ TEN must be given at least ten working days in advance of an event. A ‘Late’ TEN must be given between five and nine working days in advance.

Theatre – Generally used for dramatic performance or plays using live actors to an audience. Licensable activities may only take place on days that theatre productions/performances are occurring.

The Policy allows for extended hours for theatres and cinemas. However, in order to accept extended hours for supply of alcohol for these categories of premises the applicant will need to demonstrate that it will not be possible to operate as a bar independent of the main activity. This could be achieved by the layout of the premises, with a bar area not immediately accessible from the street, or by a condition that the bar will not be used on days/at times when no productions/screenings are taking place at the venue.

Variation – a change to a premises licence, including an increase in the capacity of the premises, a change in the hours of operation of the premises or one or more of the licensable activities, a change to the way the premises is to operate in regard to the operating schedule (e.g. a change in the type of activity), or a request to vary an existing condition attached to the premises licence. Policies relating to variations do not apply to applications to change the name or address of someone named in the licence, or a variation application to specify a new individual as the designated premises supervisor.