



# Hackney Licensing Policy Consultation

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**Hackney is known around the world for being a great place for a night out. Its bars, restaurants and nightclubs are some of the very best, and they're part of what makes our borough unique.**

However, we're also a small borough, with high density housing and a diverse community living very close together, and this can cause tensions without guidelines in place to help licensees and residents alike.

By law, councils must have an up-to-date licensing policy. Hackney first introduced a policy in 2005. It was most recently renewed in 2015 after a new draft policy was withdrawn following concerns about changes to nightclub opening hours and an error in the consultation document.

We listened to those concerns and pledged to go back to the drawing board and really listen to people and investigate the best options for Hackney. After two years of frank and open discussions with businesses and residents, and further evidence gathering, I believe that the new proposals for new applications much better meet the needs of both licensees and the local community.

From roundtable discussions to independent studies on the impact of licensed premises, we've been busy gathering evidence to make sure that this policy really reflects Hackney.

For example, the results of the Behaviour Study helped us to better understand the impact the changes in Shoreditch are having on the area. Now a busy, mainstream nightlife area, the study found it comparable with the most 'intense hot spots' of Westminster and Camden.

It highlighted issues around cheap, late-night off-licence sales and alcohol-related anti-social behaviour in both Dalston and Shoreditch, and found that noise was a particular problem in Dalston, where it created conflict between residents and businesses.

We fed this insight into our proposals for the two Special Policy Areas – which puts the onus on applicants to demonstrate that they will not add to the cumulative effect of noise and anti-social behaviour, as well as new proposals around 'off' sales.

We want to continue these conversations, and as part of the consultation process, we will be hosting an information event at Hackney House on **Wednesday 22 November**. This will be an opportunity to find out more about the draft policy and the evidence that has informed it. If you would like to attend please go to [hackney.gov.uk/licensing](https://hackney.gov.uk/licensing) to register your interest or contact [consultation@hackney.gov.uk](mailto:consultation@hackney.gov.uk)

Striking a balance between promoting Hackney's vibrant nightlife and the increasing complaints from residents about noise and ASB is a real challenge. As licensed premises sprawl out of the traditional town centres, we need to make sure we're doing everything we can to promote a healthy and diverse cultural offer, as well as ensuring residents can get a good night's sleep.

We have had a policy since 2005, and a lot's changed since then. We think that this draft policy is fair; we are asking applicants to prove to us that they will act responsibly and take into account the rights of residents.

We will consider applications on their own merit and will support licensees to do a good job, but will always take actions when they don't meet the high standards we expect.

We think this draft policy will work, and I look forward to hearing what people think of it.



**Cllr Emma Plouviez,  
Licensing Chair**

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**The Licensing Policy covers all premises in Hackney where any of the following take place:**

- The sale or supply of alcohol
- Regulated entertainment
- The provision of late night refreshment
- Supply of alcohol in qualifying clubs

The Licensing Act 2003 requires that the Council review the Licensing Policy at least every five years, consulting the public on a draft Licensing Policy and making revisions to the policy as appropriate. Through the Licensing Policy, the Council sets out to promote the four licensing objectives of the Licensing Act 2003, which are:

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

The vibrant mix of entertainment and leisure activities in the borough makes Hackney attractive to visitors and an exciting place to live, not only at night but in the daytime and early evening too. It is an example of how diverse attractions can co-exist and complement one another. This greater choice encourages people to travel into the borough to enjoy their leisure time, generating jobs and business opportunities.

Whilst night-time economy premises contribute to the vitality and vibrancy of life in town centres by attracting visitors and investment into the borough, the Council believes they should not unduly detract from the local residential amenity. In addition to proposing the updated Licensing Policy, the Council will continue to work in partnership with the Police, local residents, businesses, licensees and community and regulatory agencies towards safeguarding the quality of life for residents, and the creation of a safer and more pleasant environment for all.

## What has informed the proposals?

The following information and datasets have been relied upon to inform the development of the policy. Some of the documents are available via the licensing consultation website.

- A Crime Data study, which shows a correlation between locations of licensed premises, their

operational hours and incidents of relevant criminal activity. The study maps out data to show spatial breakdowns.

- A Public Health study, which shows the correlation of alcohol-related incidents recorded by the London Ambulance Service, accident and emergency data and other relevant data sets. Information from the Joint Strategic Needs Assessment (JSNA), which provides a detailed description of the health and wellbeing needs of the local population, also fed into the Public Health report.
- An evening and night-time economy Behaviour Study, which looked at a number of critical areas associated with the night-time economy and its wider impacts.
- A Cost/Benefit Analysis of the night-time economy, detailing the impact on emergency and Council services.
- A public consultation survey on Hackney's Evening and Night-time Economy which ran from 25 April 2016 to 17 July 2016.
- Stakeholder workshops and Policy Steering Group meetings which included licensee and resident representatives covering a range of topics.
- All current relevant legislation and official guidance. These are directly referred to in the draft Licensing Policy.

## What are the key elements of the proposed Licensing Policy?

The proposed policy is made up of five key proposals:

- Changes to the Special Policy Areas (SPAs), including extension of the Shoreditch SPA boundary and simplification of the Dalston SPA policy
- New general principles for applicants
- New core hours policy
- New policy on 'off' sales, the supply of alcohol for consumption off the premises
- New policy on outdoor activities

The proposed policies aim to support a safe borough with a vibrant mix of entertainment and leisure activities that appeal to a wide range of people.

## What are the proposed changes to the Special Policy Areas (SPAs)?

There are currently two SPAs in Hackney – one in Dalston and one in Shoreditch.

SPAs can be imposed in areas where a significant number of licensed premises concentrated in one area is impacting on the licensing objectives (i.e. is having a “cumulative impact”).

The effect of an SPA is that applications within the SPA are normally refused unless the applicant can demonstrate that there will be no additional cumulative impact. “Cumulative impact” can be defined by the potential impact from issues such as anti-social behaviour, public nuisance, crime and noise intensified by a significant number of licensed premises concentrated in one area.

### Shoreditch SPA

Evidence from the Cumulative Impact Assessment shows that the Shoreditch SPA continues to be justified due to a correlation between the number of alcohol-related ambulance pick-ups and the number and locations of licensed premises, as well as other findings related to crime and anti-social behaviour. Further evidence suggests that the Shoreditch SPA be extended in some areas

immediately beyond the existing boundary. It is therefore proposed to extend the Shoreditch SPA boundary west to City Road, south towards the City and east to the boundary with Tower Hamlets.

Within the Shoreditch SPA, the policy would also be revised so that applicants will have to demonstrate that the proposed activity will not add to issues of cumulative impact.

Please refer to the Shoreditch SPA map to see the existing and proposed boundary.

### Dalston SPA

The Dalston SPA boundary will be retained, however, the aim is to revise the policy to simplify the way it is applied. The existing policy includes a table of hours which sets out the acceptable hours of operation by activity and use within the Dalston SPA. This table of hours is not included in the proposed policy.

Like the Shoreditch SPA, applicants within the Dalston SPA will also have to demonstrate that the proposed activity will not add to issues of cumulative impact, including anti-social behaviour, public nuisance, crime and noise.

Please refer to the Dalston SPA map to see the existing boundary.

## What are the proposed general principles for applicants?

Within the proposed Licensing Policy, the Council will expect applicants to demonstrate the following general principles:

- (a) That they have an understanding of the nature of the locality in which the premises are located and that this has been taken into consideration.
- (b) Where the application is for evening and night-time activity, that the proposal reflects the Council's aspiration to diversify the offer, whilst at the same time promoting the licensing objectives.

## What is the core hours policy?

The core hours policy sets out the generally acceptable hours of operation for licensable premises and activity.

The core hours have been designed to be generally aligned with hours of activity that have been deregulated by other legislative measures, such as the Live Music Act 2012 and the Deregulation Act 2015. The hours are also based on the Council's own experience from representations raised by authorities such as the Chief Officer of Police, the Environmental Health Authority and the Planning Authority and the licensing decisions made as a result.

The Council supports the principle of flexibility in its approach to licensing hours and under the proposed policy would consider the merits of each individual application.

However the Council is also mindful that the borough is amongst the most densely populated in London with large numbers of residential premises often close to areas of commercial activity as well as other mixed-use neighbourhoods. The Council will therefore take an approach to licensing hours that seeks to balance the needs of the licensed trade whilst protecting residential amenity in order to promote the licensing objectives.

**Hours for licensable activity will be subject to demonstrating the general principles and promoting the licensing objectives and will be authorised as follows:**

<b>Monday to Thursday</b>	<b>08:00 to 23:00</b>
<b>Friday and Saturday</b>	<b>08:00 to 00:00</b>
<b>Sunday</b>	<b>10:00 to 22:30</b>

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

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

It should be noted that this policy does not apply to those who are making an application within a special policy area unless they have been able to demonstrate that the proposed activity or operation of the premises will not add to the existing cumulative impact.

## What is the policy on 'off' sales?

Evidence from the Police and Public Health suggests that the availability of alcohol from premises authorised to sell alcohol for consumption off the premises has had a negative impact on the promotion of the licensing objectives.

The Behaviour Study shows that the borough appears to have a large number of convenience stores and supermarkets which are licensed to sell alcohol into the early hours of the morning. Many of these are located in and amongst the licensed premises, leading to patrons supplementing the alcohol they purchase and consume in licensed premises. There are particular concerns that alcohol sales of this nature are more likely to lead to incidents of anti-social behaviour, such as anti-social behaviour stemming from street drinking or drinking before arriving at licensed premises.

**The proposed policy on operational hours is as follows:**

Hours for the supply of alcohol for consumption off the premises will generally be restricted to between **08:00** and **23:00**.

## What is the policy on outdoor activities?

External areas and outdoor events such as beer gardens, terraces, street parties and pop-ups can further add to Hackney's rich cultural heritage, diversity and help bring communities together. However, by their very nature, these spaces and activities can often be the source of nuisance as a result of noise and disturbance. Under the proposed Licensing Policy, the Council would expect applicants to have assessed any negative impact of their proposed outdoor areas or activities and identify measures to mitigate this impact.

The Council will generally restrict external areas and outdoor activity to between **08:00** and **22:00** unless the applicant can demonstrate that control measures have been implemented to mitigate any negative impacts and promote the licensing objectives.

## Have your say

### Who do we want to hear from?

The consultation is open to all. We would particularly encourage local residents, businesses and licensees within and near the Dalston SPA and the Shoreditch SPA to let us know their views.

### How can you take part?

You can complete this questionnaire online at [consultation.hackney.gov.uk](http://consultation.hackney.gov.uk) or return your completed questionnaire to **FREEPOST HACKNEY LICENSING SERVICE** by **Friday 12 January 2018**.

### For more information

 Email: **[consultation@hackney.gov.uk](mailto:consultation@hackney.gov.uk)**  
(please include "Licensing Consultation" in the subject line)  
Phone: **020 8356 2431** to request paper copies of the consultation documents

If you would like to find out what this document says please tick the appropriate box, put your name, address and phone number at the bottom of this page and return it to the address below.

### Bengali

এই দলিলে কি লেখা আছে সে সম্পর্কে যদি আপনি জানতে চান তাহলে অনুগ্রহ করে উপযুক্ত বাক্সে টিক দিন, এই পাতার নীচে আপনার নাম, ঠিকানা ও ফোন নম্বর লিখুন এবং এটি নীচের ঠিকানায় ফেরত পাঠান।

### Somali

Haddii aad jeclaan lahayd in aad ogaato waxa dokumeentigani sheegayo fadlan calaamadi godka ku haboon, ku qor magacaaga, cinwaanka iyo telefoon lambarkaaga boggan dhankiisa hoose ka dibna ku celi cinwaanka hoose.

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### Urdu

اگر آپ یہ جاننا چاہتے ہیں کہ دستاویز میں کیا لکھا ہے تو ازراہ کرم مناسب باکس میں صحیح کا نشان لگائے اور اپنا نام، پتہ اور فون نمبر اس صفحہ کے نیچے لکھئے اور اسے نیچے دیئے گئے پتہ پر واپس بھیج دیجئے۔

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