

For Consideration By	Licensing Sub-Committee
Meeting Date	8 June 2026
Type of Application	Review of a premises licence
Address of Premises	45 Curtain Road, London, EC2A 3PT
Classification	Decision
Ward(s) Affected	Hoxton East and Shoreditch
Group Director	Rickardo Hyatt

1. **Summary**

- 1.1. Application for the review of a premises licence on the grounds of the prevention of public nuisance and the protection of children from harm.

2. **Application**

- 2.1. Ms Julie O’Neill, on behalf of Shoreditch Community Association which is an “other persons” has applied for the review of the premises licence (no. **PREM/2023/0090**) known as Blue Marlin Club and Rooftop, Level-3 (Part of) Level -2, (Part of) Ground Floor & Roof Terrace, Mondrian Hotel, 45 Curtain Road, London, EC2A 3PT under Section 51 of the Licensing Act 2003.
- 2.2. The review application is attached as Appendix A.

3. **Current Status/History**

- 3.1. The premises is currently issued with two licences (**PREM/2023/0090** and **PREM/2023/0088**) and an associated ‘shadow’ licence (105685).
- 3.2. Premises licence **PREM/2023/0090** was granted on 8th February 2024. The premises licence holder is Molard Investments Limited. The Designated Premises Supervisor (DPS) is Alexandra Lupo. The current DPS has held this position since 29 July 2025. A copy of the current Premises Licence is attached as Appendix C.
- 3.3. Premises Licence **PREM/2023/0088** was granted on 8th February 2024 for Virgin Hotels London Shoreditch (part of) Level-2, Level-1, (Part of) Ground Floor & First to Fifth Floors (Hotel Bedrooms), Mondrian Hotel, 45 Curtain Road, London, EC2A 3PT. The premises licence holder is Molard Investments Limited.

3.4. The associated 'shadow' licence (no. 105685) granted in February 2020 for Virgin Hotel, 45 Curtain Road, London, EC2A 3PT). The licence holder is Partrum Management Limited.

3.5. Below is the list of temporary event notices given in respect of events at the premises in the last 12 months:

<u>Date From</u>	<u>Date To</u>	<u>Start</u>	<u>End</u>
07/02/2026	07/02/2026	03:00	04:30
01/01/2026	01/01/2026	03:00	04:00
01/11/2025	02/11/2025	03:00	04:00

4. **Representations: Responsible Authorities**

From	Details
Environmental Health Authority (Environmental Protection)	No representation received
Environmental Health Authority (Environmental Enforcement)	Have confirmed no representation to this application
Environmental Health Authority (Health & Safety)	No representation received
Weights and Measures (Trading Standards)	No representation received
Planning Authority	Have confirmed no representation to this application
Area Child Protection Officer	No representation received
Fire Authority	Have confirmed no representation to this application
Police	No representation received
Licensing Authority	No representation received
Health Authority	No representation received
Immigration Enforcement Licensing Compliance Team - Home Office	Have confirmed no representation to this application

5. **Representations: Other Persons**

From	Details
3 Representations received from and on behalf of local residents. (Appendices B1-B3) Also additional information from B2 including 2 videos.	Representations received in support of the review application on the grounds of prevention of public nuisance and protection of children from harm

6. **Representations: Licensee**

6.1 No representations have been received from the premises licence holder(s).

7. **Guidance Considerations**

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

8. Policy Considerations

8.1. The Licensing Sub-Committee is required to have regard to the London Borough of Hackney's Statement of Licensing Policy ("the Policy") adopted by the Licensing Authority.

8.2. Extracts from the Licensing Policy are reproduced at the front of the agenda for this meeting

8.3. The Policy applies to applications where relevant representations have been made. With regard to this application, policies, LP1 (General Principles) and LP2 (Licensing Objectives) are relevant.

9. **Officer Observations**

9.1. The review application relates to failures to uphold the licensing objectives for the 'prevention of public nuisance' and the 'protection of children from harm.' The applicant seeks to:

1. The disapplication of the deregulation provision of the Live Music Act 2012 and the Licensing Act 2003 (descriptions of entertainment) (Amendment) Order 2013.
2. A prohibition on live music (including DJs) and other noise nuisance making events in respect of the rooftop area only.
3. New licence condition (Condition 38) that prohibits all forms of entertainment on the rooftop at any time. This includes live music, recorded music, DJ or DJ-led performances, use of public address systems, any musical or entertainment performances, and any sound intended for entertainment that is audible at or in any nearby residential premises.

4. New licence condition (Condition 39): No licensable activities shall be carried on the rooftop areas of the premises otherwise than pursuant to this premises licence.
5. Condition 35 Alteration: Condition 35 to be amended to include the following statement: "Section 177A of the Licensing Act shall not apply to this condition."

10. **Reasons for Officer Observations**

10.1 Not applicable.

11. **Legal Implications**

11.1 A legal representative will be in attendance to advise Members

12. **Legal Comments**

12.1 The Council has a duty as a Licensing Authority under the Licensing Act 2003 to carry out its functions with a view to promoting the following licensing objectives;

- The Prevention of Crime and Disorder
- Public Safety
- Prevention of Public Nuisance
- The Protection of Children from Harm

12.2 It should be noted that each of the licensing objectives have equal importance and are the only grounds upon which a relevant representation can be made and for which an application can be refused or terms and conditions attached to a licence.

13. **Human Rights Act 1998 Implications**

13.1 There are implications to;

- **Article 6** – Right to a fair hearing
- **Article 14** – Not to discriminate
- Balancing: **Article 1-** Peaceful enjoyment of their possession (i.e. a licence is defined as being a possession) with **Article 8** – Right of Privacy (i.e. respect private & family life) to achieve a proportionate decision having regard to the protection of an individuals rights against the interests of the community at large.

14. **Members Decision Making**

14.1 Members must, having regard to the application and any relevant representations, take such steps (if any) as it considers necessary for the promotion of the licensing objectives.

14.2 **The steps are:**

- A. Option 1**
Take no action

B. Option 2
Modify the conditions of the premises licence.

C. Option 3
Exclude a licensable activity from the scope of the premises licence.

D. Option 4

Remove the designated premises supervisor.

E. Option 5
Suspend the premises licence for a period not exceeding three months.

F. Option 6
Revoke the licence.

15. **Conclusion**

15.1 That Members decide on the application for review of a premises licence.

Appendices:

Appendix A: Application for the review of a premises licence and supporting documents

Appendix B: Representations from Other Persons

Appendix C: Copy of current premises licence

Appendix D: Location map

Background documents

Licensing Act 2003

LBH Statement of Licensing Policy

Report Author	Name: Sanaria Hussain Title: Senior Licensing Officer Email: sanaria.hussain@hackney.gov.uk Tel: 020 8356 2431
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Hackney LA 40	Application for the review of a premises licence or club premises certificate under the Licensing Act 2003
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PLEASE READ THE FOLLOWING INSTRUCTIONS FIRST

Before completing this form please read the guidance notes at the end of the form. If you are completing this form by hand please write legibly in block capitals. In all cases ensure that your answers are inside the boxes and written in black ink. Use additional sheets if necessary.

You may wish to keep a copy of the completed form for your records.

I SHOREDITCH COMMUNITY ASSOCIATION
(Insert name of applicant)

apply for the review of a premises licence under section 51 / apply for the review of a club premises certificate under section 87 of the Licensing Act 2003 for the premises described in Part 1 below (delete as applicable)

Part 1 – Premises or club premises details

Postal address of premises or, if none, ordnance survey map reference or description 45, CURTAIN ROAD	
Post town LONDON	Post code (if known) EC2A 3PT

Name of premises licence holder or club holding club premises certificate (if known) MOLARD INVESTMENTS LIMITED

Number of premises licence or club premises certificate (if known) PREM/2023/0090

Part 2 - Applicant details

I am

Please tick ✓ yes

1) an individual, body or business which is not a responsible authority (please read guidance note 1, and complete (A) or (B) below)

2) a responsible authority (please complete (C) below)

3) a member of the club to which this application relates

(please complete (A) below)

(A) DETAILS OF INDIVIDUAL APPLICANT (fill in as applicable)

Please tick ✓ yes

Mr Mrs Miss Ms Other title
(for example, Rev)

Surname

First names

I am 18 years old or over

Please tick ✓ yes

**Current postal
address if
different from
premises
address**

Post town

Post Code

Daytime contact telephone number

**E-mail address
(optional)**

(B) DETAILS OF OTHER APPLICANT

Name and address

SHOREDITCH COMMUNITY ASSOCIATION

Telephone number (if any)

(C) DETAILS OF RESPONSIBLE AUTHORITY APPLICANT

Name and address
Telephone number (if any)
E-mail address (optional)

This application to review relates to the following licensing objective(s)

- 1) the prevention of crime and disorder
- 2) public safety
- 3) the prevention of public nuisance
- 4) the protection of children from harm

Please tick one or more boxes

Please state the ground(s) for review (please read guidance note 2)

1. NOISE NUISANCE EMANATING FROM THE ROOFTOP OF THE PREMISES.
 2. BREACH OF CONDITIONS 28, 36 AND 37
- [PLEASE SEE P106R ATTACHED]

Please provide as much information as possible to support the application
(please read guidance note 3)

PLEASE SEE RIDGE ATTACHED.

Please tick ✓

yes
Have you made an application for review relating to the premises before

If yes please state the date of that application

Day	Month	Year

If you have made representations before relating to the premises please state what they were and when you made them

yes

Please tick ✓

- I have sent copies of this form and enclosures to the responsible authorities and the premises licence holder or club holding the club premises certificate, as appropriate
- I understand that if I do not comply with the above requirements my application will be rejected

IT IS AN OFFENCE, UNDER SECTION 158 OF THE LICENSING ACT 2003, TO MAKE A FALSE STATEMENT IN OR IN CONNECTION WITH THIS APPLICATION. THOSE WHO MAKE A FALSE STATEMENT MAY BE LIABLE ON SUMMARY CONVICTION TO A FINE OF ANY AMOUNT.

Part 3 – Signatures (please read guidance note 4)

Signature of applicant or applicant's solicitor or other duly authorised agent (please read guidance note 5). **If signing on behalf of the applicant please state in what**

Signature

Date

~~26 MARCH 2026~~ 30 MARCH 2026

Capacity

Contact name (where not previously given) and postal address for correspondence associated with this application (please read guidance note 6)

PREVIOUSLY GIVEN ABOVE UNDER
"DETAILS OF OTHER APPLICANT"

Post town

Post Code

Telephone number (if any)

If you would prefer us to correspond with you using an e-mail address your e-mail address (optional)

LD 9
[Redacted]

Notes for Guidance

1. A responsible authority includes the local police, fire and rescue authority and other statutory bodies which exercise specific functions in the local area.
2. The ground(s) for review must be based on one of the licensing objectives.
3. Please list any additional information or details for example dates of problems which are included in the grounds for review if available.
4. The application form must be signed.
5. An applicant's agent (for example solicitor) may sign the form on their behalf provided that they have actual authority to do so.
6. This is the address which we shall use to correspond with you about this application.

1. INTRODUCTORY MATTERS; OVERVIEW OF CORE ISSUE; LICENSING OBJECTIVES

1.1 The **Key in Annex A** attached sets out the meanings of certain abbreviations and defined terms that are not otherwise defined in this Rider.

1.2 The **Brief Chronology and Current Position in Annex A** is intended to acquaint all parties with some salient facts that have occurred over the approximately 2-year period since the 2024 Hearing.

It also sets out the current licence holding arrangements, as the Applicant understands them to be as at the date of this Application.

1.3 **Pic Annex 1** shows a view of multiple properties in Christina Street.

1.4 Submissions in support of this Application will be made by interested parties, which the Applicant is confident will demonstrate **actual and prolonged noise nuisance emanating from the Rooftop** occurring during the period May 2024- December 2025.

1.5 Core Issue

1.5.1. The central issue is that the existing licence conditions have not been able to prevent actual public nuisance arising from rooftop entertainment.

This is mainly due to the statutory deregulation introduced by the Live Music Act 2012 (the “LMA”); this has materially undermined enforceability of the licence regime.

1.6 Core Aim

1.6.1 The primary purpose of this Application is – broadly - to seek

- (i) the disapplication of the deregulation provisions of the LMA; and**
- (ii) a prohibition on live music (including DJs) and other noise nuisance making events**

but only in respect of the Rooftop.

1.6.2 Annex B contains the Applicant's 2 specific requests.

In Annex B, (a) the Determination relates to (i) above, and (b) the New Condition 38 relates to (ii) above.

1.6.3 If the Applicant's requests were to be granted, this would have the effect that the Operators would still have the benefit of the LMA on the other parts of the premises covered by the relevant premises licence (i.e.- the basement and certain other parts of the relevant building).

1.6.4 The Applicant submits that this approach is *appropriate, proportionate* and - on the facts and due to the reasons set out below – *necessary* in order for the existing licence conditions to operate as intended to effectively regulate Rooftop Entertainment.

1.7 Effect of the LMA

1.7.1 At present, the effect of the LMA is that conditions which would otherwise regulate the provision of Rooftop Entertainment (for example - Condition 35 of the relevant premises licence relating to the setting of sound limiting devices) are rendered inoperative.

This means that the public nuisance cannot – at the time of making this Application - be effectively controlled through the licensing regime.

1.7.2 The current effect of the LMA has thus been to create a major “enforcement gap”.

(This is not the only such gap – there are others relating to statutory nuisance and planning that have arisen in this matter – see further 2.6 and 2.8 below.)

1.7.3 Thus the Applicant requests that – at the very least - the Sub-Committee determine that the LMA deregulation provisions do not apply going forward in respect of the Rooftop (please see Annex B).

1.7.4 Further justification for the request in 1.7.3 above appears in 2. below.

1.8 Consequence of Disapplication of LMA

1.8.1 Once the LMA is disappplied, the Sub-Committee will be in a position to consider what conditions are necessary and proportionate to promote the Licensing Objectives.

1.8.2 The Applicant considers that - in addition to the existing conditions - there should be a new condition imposed which prohibits Rooftop Entertainment; particularly given (i) the history of noise nuisance to date; and (ii) and the characteristics of the Rooftop.

The Applicant therefore seeks the new Condition 38 appearing in Annex B.

1.8.3 Further justification for the request in 1.8.2 above appears in 2. below.

1.9 Alternative/Fallback Position?

1.9.1 The Applicant has considered a number of draft suggested amendments to the existing conditions (including, but not limited to, the New Conditions as referred to below).

1.9.2 However these amendments are detailed, time-consuming and detract from the core noise nuisance issue.

1.9.3 Furthermore, “breach” of conditions seems to be commonplace – see in particular 4. below re: breach.

1.9.4 The core noise nuisance issue has now become over-riding and time sensitive: residents need resolution as soon as possible before the warmer months of 2026 commence and for other reasons (especially re: 1.11 below).

1.9.5 In the light of all the above, the Applicant is not providing any such draft amendments existing conditions.

Rather, the Applicant requests (contained Annex B) are designed to deal with the core aim set out in 1.6.1.

The Applicant feels the grant of these core requests alone will adequately deal with the noise nuisance problems that have arisen - and without the need for any lengthy debate at all on other existing conditions.

1.10 The main Licensing Objective – *prevention of public nuisance*

1.10.1 The main relevant licensing objective here is the ‘prevention of public nuisance’

1.10.2 The Applicant notes that other legal remedies exist (including proceedings in relation to statutory nuisance in the Magistrates’ Court and potential recourse to the High Court.

1.10.3 However it is the Sub-Committee that has been expressly charged - by the Licensing Act 2003 - with the duty of *preventing* public nuisance before it arises.

1.10.4 It is therefore appropriate for the Sub-Committee to exercise its powers to impose effective conditions *now* rather than leaving residents to pursue other remedies/ litigation in the future.

This is particularly so in the light of the fact that public nuisance has occurred in the past and there is all likelihood - given the nature of the Rooftop site - that it will occur again from spring/summer 2026 and onwards.

1.11 Protection of Children

The protection of children from harm is also engaged on the facts.

Further submissions with more detail on these facts will be made by at least one interested party.

1.12 Human Rights

The interference with residents' enjoyment of their homes engages Article 8 ECHR. The measures sought are targeted and proportionate to address that interference.

1.13 Summary Position

In summary:

(i) residents have experienced sustained actual public nuisance;

(ii) the existing licence conditions are rendered ineffective by the LMA; and

(iii) alternative enforcement mechanisms have not provided an adequate remedy.

In those circumstances, it is appropriate, proportionate and necessary for the Sub-Committee to intervene.

2. (FURTHER) JUSTIFICATION FOR THE REQUESTS

2.1 Departure from previous position

2.1.1 At the Previous Hearing, residents and the Sub-Committee were led to understand that the Rooftop use would remain “low-key” and not involve any “beach club” - please see Annex C.

2.1.2 The subsequent pattern of use has materially departed from that position, with the Rooftop being used for regular events featuring Rooftop Entertainment.

2.1.3 The Applicant has no insight into the current operator(s) plans for the Rooftop during spring/summer 2026 (save for Annex D re: certain Sintillate events advertised on its website as at 24 March 2026).

2.1.4 Nonetheless, for the reasons set out further below, the Applicant submits that not too much weight should be placed on the current plans of the current operator(s); operators and plans change and it is the very nature of the Rooftop site itself that needs to be regulated going forward. (See further on this 3. below)).

2.2 Nature of Rooftop Use- swimming pool feature

2.2.1 The Rooftop includes a swimming pool, which appears to be used as a focal point for “beach club-style” events involving amplified music.

2.2.2 Comparable premises (for example Shoreditch House) operate rooftop pools without loud live music events. This demonstrates that such facilities can be operated successfully without generating public nuisance.

2.3 Targeted Nature of Application

2.3.1 The Applicant does not object to live music etc at the Premises generally - other than on the Rooftop.

2.3.2 In particular, live music taking place within enclosed, sound proofed areas (such as the Basement nightclub) is not the subject of this Application.

2.3.3 The current operator does in fact operate a nightclub in the basement (Parallel 45): the Applicant has no objection at the current time to that nightclub basement operation.

2.3.4. Annex B has been drafted specifically so that the relevant provisions apply only in respect of the Rooftop.

2.3.5 The requests in this Application are therefore limited, targeted, and proportionate.

2.4 Original Licensing Intention

2.4.1 The original 2016 Premises Licence indicates that the Rooftop use was envisaged as *restaurant-led and without regulated entertainment*, reflecting the risk of noise nuisance to nearby residents (see Annex E).

2.4.2 To the Applicant's knowledge, the first operator on the premises (Gansevoort / Curtain Hotel) did not operate the Rooftop in a manner giving rise to nuisance.

(The sustained pattern of problematic use only emerged from May 2024 onwards.)

This demonstrates that the Rooftop can be operated successfully without generating public nuisance.

2.5 Inherent unsuitability of Rooftop for Live Music

By its very nature, the Rooftop is inherently unsuitable for Rooftop Entertainment – sound travels in the open air and has caused actual noise nuisance to residents on multiple occasions.

2.6 Filling in the statutory nuisance enforcement gap

2.6.1 A further “enforcement gap” has arisen in this case in that – as the Applicant understands it - after pursuing one statutory nuisance avenue, Hackney Noise Pollution has determined not to issue a noise abatement order.

Further submissions with more detailed facts on this point are likely to be made by interested parties.

2.6.2 Annex F is a (non verbatim) summary of remarks at the 2024 Hearing relating to the distinction between statutory nuisance and public nuisance. The distinction was clearly understood by Cllr Smyth.

2.6.3 The Applicant in addition notes that - whilst Hackney has established procedures for the investigation of statutory nuisance (as it is required to have under the Environmental Protection Act 1990) - there appears to be no equivalent mechanism for addressing public nuisance.

Further submissions with more detailed facts on this point are very likely to be made by at least one interested party.

2.6.4 So, since in the very circumstances that have arisen in this case (no noise abatement order, LMA deregulation), the licensing system becomes the only viable solution for protection of residents: the Applicant thus urges the Sub-Committee to act now.

2.6.5 Hackney officers (from both Licensing and Noise Pollution) have toiled on this matter over a prolonged period, and for that the Applicant is grateful.

But the time has now come to bring the matter to a resolution: this Application is therefore also intended to assist in enabling Hackney Licensing to discharge its regulatory functions more effectively going forward (and hopefully save Hackney time and resources).

2.7 The Leonard Street case (St Michael's Church, 2024)

2.7.1 The Sub-Committee considered an application for a premises licence at St Michael's Church, Leonard Street, London EC2A 4QX at a hearing in August 2024.

2.7.2 The Leonard Street premises is situated within a similarly sensitive residential environment. The Sub-Committee was asked to consider the impact of live music events at the location and did impose conditions ("no DJ sets on the roof") due to concerns of potential adverse effects on nearby residents.

2.7.3 In contrast to the Leonard Street case – where the Sub-Committee was considering prospective impact - the present case concerns an already established pattern of nuisance: *the justification for intervention in the present case is therefore materially stronger than in the Leonard Street case.*

2.8 Planning

2.8.1 The Applicant has sought to engage with the Hackney Planning in relation to the manner in which the Rooftop is being operated, but has been informed that those matters will not be pursued further through planning channels. (See email of 26 Jan 2026 to the Applicant from Hackney Planning in Annex G.)

2.8.2 The Applicant does not invite the Sub-Committee to determine any planning issue; that is clearly not within the remit of the Sub-Committee. We provide Annex G to give a holistic overview of the planning issue the Applicant has identified.

2.8.3 Currently, there is no realistic prospect of the planning issue being addressed through planning control.

Given the planning circumstances, this is all the more reason for the licencing objectives to be strongly upheld by the Sub-Committee in order to protect local residents.

3. NEW OPERATORS – RELEVANCE OF PAST HISTORY

3.1 The Applicant recognises that the current operators on the Rooftop may not have been aware of historic events.

3.2 The Applicant notes that Mr Richard Jayakody appears to have been the manager of BML, and is now the manager of 45, London.

3.2 The manner in which the Rooftop has been operated over the past 2 summers has been materially different from what was envisaged both at the time of the original licence (2016) and at the 2024 Hearing.

That pattern of use is directly relevant to determining what steps are now appropriate and proportionate.

3.3 The Applicant and residents are not concerned with changing corporate structures, hoteliers and operators over time.

In fact, there have been multiple changes in hoteliers, operators and management within a relatively short period.

3.4 The focus of this Application (and, the Applicant submits, properly applied licensing regulation) is therefore on the use of the Rooftop, rather than the identities of operators on it from time to time.

4. BREACH OF THE NEW CONDITIONS

4.1 We refer to Conditions 36, 37 and (amended) Condition 20 (the “**New Conditions**”) - all of which came about as a result of the 2024 hearing.

The Applicant is grateful to the Sub-Committee for having imposed the New Conditions.

However, there seem to have been a number of (in some cases almost immediate) breaches in this regard:

4.2 Condition 36

4.2.1 To the knowledge of the Applicant, (i) Molard never had a website; and (ii) contact details of the type referred to in Condition 36 have never appeared on any entity or person’s website (be that Mondrian/BML/the Operator/other person).

4.2.2 This is a clear and evident breach of Condition 36.

4.2.3 This breach is not a mere technical breach: it impacted the practical likelihood of being to resolve the core noise nuisance issue as it arose and in an amicable fashion.

4.3 Condition 37

4.3.1 To the knowledge of the Applicant, subject only to 4.3.4 below, the PLH/Molard has not held nor publicised any liaison meeting of the type referred to in Condition 37.

4.3.2 This is a clear breach of Condition 37.

4.3.3 In a similar way to the breach of Condition on 36, this breach is not a mere technical breach: it impacted the practical likelihood of being to resolve the core noise nuisance issue as it arose and in an amicable fashion.

4.3.4 The Applicant is aware of one circumstance in July 2025 where BLM attempted to arrange a liaison meeting – more details on this may appear in fact submissions by interested parties.

4.4 Condition 20

4.1 The Applicant refers to Pic Exhibit 3 – arguably Sintillate activities on the Rooftop are in breach of Condition 20.

5. SHADOW LICENCE LOOPHOLE

5.1 Even if the Sub-Committee were to grant the Core Request in full, this could in effect all be “sidestepped” by the activation of the Shadow Licence (since - even if any of the requests contained in this Application were granted, these would not attach to the Shadow Licence).

5.2 The Applicant notes there is - as at the date of this Application - no Designated Premises Supervisor with respect to the Shadow Licence.

5.3 Further submissions on this issue may be made at the hearing in this matter.

6. MOLARD AND PARTRUM AS PLHs

6.1 As at the date of this Application, so far as the Applicant is aware, Molard has ceased to have any operations (whether at the premises or at all - please see Annex H).

6.2 In these circumstances it is difficult to see how Molard can comply with its obligations under the premise licence – or how the responsible authorities can practically enforce against Molard.

6.3 One aspect of this practical enforcement issue is that a copy of this Application can only be served in accordance with the relevant statutory requirement *outside Hackney*.

6.4 The service of process issue referred to in 6.3 above is exacerbated when it comes to Partrum (Partrum has no UK address).

6.5 Further submissions on this issue may be made at the hearing in this matter

7. THE REQUESTS

Given all the above, the Applicant submits that the measures sought in Annex B are appropriate, proportionate, and necessary to promote the licensing objectives.

The Applicant therefore respectfully requests that the Sub-Committee make the determination and impose the new Condition set out in Annex B.

The Applicant look forwards to addressing any questions the Sub-Committee may have: the Shoreditch Community Association is always happy to assist the Sub-Committee in promoting the licensing objectives in Shoreditch.

Shoreditch Community Association

ANNEX A (page 1)

Key Abbreviations/defined terms

BML = Blue Marlin Ibiza (London) Limited

Molard = Molard Investments Limited

Partrum = Partrum Investments Limited

PLH = Premises Licence Holder

Rooftop Entertainment = see Annex B

Rooftop = the rooftop area of 45, Curtain Road

2024 Hearing = the most recent Sub-Committee hearing relating to the premises that took place via Zoom meeting on 8th February 2024

ANNEX A (page 2)

Brief chronology (as known to SCA)

Prior to Feb 2024 – Blue Marlin Ibiza lost its music licence in Ibiza – *due to complaints from local Ibizian residents about noise nuisance* - per various press and other reports. [NB – This fact was not disclosed at the 2024 Hearing and only discovered by residents subsequently]

8 Feb 2024 – (i) 2024 Hearing took place; and (ii) BML official launch party held at the Premises (as reported by Daily Mail on 9 Feb 2024)

5 May 2024 – Start of rooftop of noise nuisance from BML

5 May 2024 – December 2005 Multiple online noise nuisance notifications made to Hackney

1 August 2024 – Virgin Hotels took over from Mondrian

9 May 2025 - administrator of BML appointed (not known to residents at the time)

Around **July 2025** - One Resident informed by Hackey that no noise abatement order would be issued

5 Dec 2025 Shadow licence reissued (see further 2 below on shadow licence)

Weekend of 7 and 8 Dec 2025 – Resumption of noise nuisance emanating from the Rooftop

18 Dec 2025 – SCA notified Trade Inn Licences and others of intention to make this Application.

The Applicant

[NB - Hotel ownership went from Gansevoort/Curtain to Mondrian in 2020, then from Mondrian to Virgin in 2024]

[NB – The above chronology only purports to be a brief overview and is not in any way intended to be an exhaustive list of relevant material facts and issues]

ANNEX A (page 3)

Current position

1. Primary licence

PLH = Molard (has ceased to operate at all – See Annex H)

Primary licence created as a result of the “split “ that occurred between hotel v basement/roof as per 2024 Hearing

2. Shadow licence

PLH – Partrum (BVI company, with Geneva correspondence address, no UK address)

Originally granted 2020

October 2025: Hackney received an application to transfer from Molard to Parturm

Dec 2025 : Hackney received a request to update the licence details.

5 Dec 2025: Shadow licence re-issued

[NB The Applicant only became first aware of some of the above in March 2026.]

NB – No “split” shadow licences; contrast 1

Annex A (page 4)

3. Current operator

45, London (trading name of business run by Eclection Group Limited)

45th & 7th is the restaurant on the Rooftop

Sintillate Uk Ltd runs certain live music and entertainment events on the Rooftop (see Annex D and Pic Exhibit 3)

45, London runs a nightclub in the basement called Parrell 45

[All the above concerned the licensing position of the premises on the Rooftop only – for the avoidance of doubt nothing in this Application relates to the licence(s) for the hotel portion of the building at 45, Curtain Road]

Presubmit 1
Big Annex 1



View from Cosmopolitan House, Christina Street of multiple properties in Christina Street.

ANNEX B (page 1)

Proposed Determinations and Condition

The Applicant respectfully requests that the Licensing Sub-Committee:

- (i) makes the following determination; and
- (ii) imposes the following new Condition 38,

all in respect of the premises licence.

Determination

Pursuant to section 177A of the Licensing Act 2003, the Licensing Sub-Committee hereby determines:

That the deregulation provisions relating to live music and entertainment under the Live Music Act 2012 shall not apply to any licensable activity carried on at the rooftop area of the premises and, accordingly, all conditions attached to the premises licence shall apply in full to such activity.

This is for the promotion of the relevant licensing objectives, including in particular the prevention of public nuisance.

For the avoidance of doubt, this determination:

- (i) applies to all activities falling within the definition of "Rooftop Entertainment" below, whether or not such activities would otherwise benefit from any statutory exemption or deregulation (including, but not limited to, under the Live Music Act 2012); and
- (ii) is made to ensure that, in the event that Condition 38 is varied, removed or not complied with, all licensable activities on the rooftop area of the premises remain subject to all the licence conditions.

ANNEX B (page 2)

Condition 38

No Rooftop Entertainment shall be carried on at any time on the rooftop area of the premises.

For the avoidance of doubt, this prohibition applies whether sound is amplified or unamplified, and **r**egardless of the number of performers or attendees.

“Rooftop Entertainment” means any activity on the rooftop area of the premises which consists of **and/or** includes **and/or** involves:

- live music (within or outside the meaning of the Live Music Act 2012), recorded music, and DJ or DJ-led performances; **and/or**
- any event involving the use of a public address system, speeches, or hosted events; **and/or**
- any performance of a musical or entertainment nature; **and/or**
- the playing of sound through speakers or other equipment; **and/or**
- the making of any sound intended for the purposes of entertainment and which is audible at or in any nearby (including all residential) premises; **and/or**
- any event, gathering, or activity involving sound which is audible at or in any nearby (including all residential) premises.

For the avoidance of doubt, Condition 38 is imposed as a separate and independently enforceable measure, which is in addition to the above determination under section 177A, for the promotion of the relevant licensing objectives, including in particular the prevention of public nuisance.

ANNEX C

Certain representations made at the 2024 Sub-Committee Hearing

The following are verbatim quotes of Counsel for Mondrian at the 2024 Hearing (SCA emphasis added in bold) :

1. On proposed rooftop activities :

“There is no change in the use or change in the conditions. The nightclub is in the basement. **The roof terrace is a restaurant and bar. It's always is. Always has been and always will be. We've got no intention to run a beach club, whatever whatever that might be.**”

“**I don't I don't know what a beach club is quite frankly.** We want the same conditions on the existing license, nothing more nothing less.”

“ ... because of our license conditions **we wouldn't want to do anything that constitutes nuisance....**”

On being asked whether to accept a “ restaurant only” condition : “ **we might have canape receptions** where something is a meal, but you wouldn't got a table meal. It's not served at a table.”

2. On reason for “ splitting” the previous single licence:

“[The intention] was simply to divide the one license into two which makes it better in terms of enforceability. Because you know who to enforce against and (b), in terms of transparency so if there are any complaints about the rooftop for example, which is my friend Hugo's [of BML's] Marlin's] demise over here, it can be directed to Hugo and anything to do with the hotel can be directed to David [of Mondrian].”

3. On the issue of consultation:

“We are more than happy with [a] commitment and condition to meet on a....six monthly basis.”

ANNEX D

(AI produced) Sintillate Events – 45 Curtain Road

[NB – no visibility on events shown post May 2026]

December 2025

- Saturday 6 December 2025
- Saturday 13 December 2025
- Saturday 20 December 2025

January 2026

- Saturday 17 January 2026
- Saturday 24 January 2026
- Saturday 31 January 2026

March 2026

- Saturday 28 March 2026

April 2026

- Saturday 4 April 2026

May 2026

- Saturday 2 May 2026



Text of the 2026 original Premises Licence – emphasis added in bold

LICENSING ACT 2003: Application for a Premises Licence

RE: Gansevoort Hotel, 45 Curtain Road, EC2A 3BS

I write to confirm the decision of the Sub Committee held on 2 February 2016 to consider the above application.

The decision

The Sub-Committee in considering this decision from the information presented to it within the report and at the hearing has determined that having regard to the promotion of all the licensing objectives:

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

the application as amended by the applicant at the hearing to remove all non-standard hours and all regulated entertainment on the roof top area at the premises shown on drawing title 'Licensing G10' has been approved in accordance with the Council's licensing statement with the following conditions:

- 10. Non-resident hotel guests (which shall include any person who is not staying at the premises in a hotel room overnight) shall not be allowed access to or remain on the premises between the hours of 02:00 to 07:00.*
- 11. There shall be no entry or re-entry to the premises for non-resident hotel guests after 00:30, which for the avoidance of doubt excludes access to the hotel lobby via the entrance on the corner of Curtain Road and Scrutton Street for persons checking in.*
- 12. The roof top area at the premises shown on drawing title Licensing G10 shall only be used by resident hotel guests and/or members of the private members club shown on drawing title Licensing G-3 (Basement) together with a maximum of three named guests of such member between the hours of 09:00 to 22:00.*
- 13. No person shall have access to the roof top area at the premises after 22:30.*
- 14. All servicing including deliveries to and collections from the premises but excluding refuse collection shall take place between the hours of 07:00 and 18:00 on Monday to Saturday only and only via the service/delivery area at the premises on Scrutton Street shown on drawing title Licensing G00 (Hotel Ground).*
- 15. There shall be no supply of alcohol in the area marked "Meeting Room" and shown coloured pink on drawing title Licensing G2 (Basement) other than to persons attending a pre-booked conference, lecture, meeting, exhibition and/or function in that area.*
- 16. Security Industry Authority registered door supervisors shall, in addition to the 24 hour reception staff, be present at the Conference/Members Club/Restaurant Entrance to the premises on Scrutton Street between the hours of 21:00 until 02:30.*

17. Access in to and out of the building shall be carefully controlled and monitored from the hotel lobby by the reception staff including a concierge and CCTV operation to assist at all times.

18. Notices shall be prominently displayed and maintained at all entrances and exits at the premises advising all guests (which for the avoidance of doubt includes all resident hotel guests and/or non-resident hotel guests) to leave the premises quietly.

19. Security Industry Authority registered door supervisors, door staff, reception staff including a concierge and security staff shall assist all guests leave to the premises quietly.

20. All music played in the Meeting Room shown hatched on drawing title Licensing G2 (Basement) shall be lowered to a level to enable face to face conversation half an hour before the end of every function or 01:30 hours at the latest.

21. Uniformed door staff shall be available on arrival and departure to assist patrons into taxis and cars.

22. Security staff shall constantly patrol the exterior of the premises to deal with any potential noise disturbances by guests outside the premises and ensure that no bottles or glasses are taken outside; all deliveries to and collections from the premises are made via the service/delivery area at the premises on Scrutton Street; and all private hire vehicles only drop off/pick up from the location stated in the taxi management policy.

23. Guests shall not be permitted to take bottles or glasses from the premises.

24. There shall be no guests smoking outside the premises and all staff shall direct all guests wishing to smoke to the internal courtyard within the premises shown coloured yellow on drawing title Licensing G00 (Hotel Ground). There shall be no more than 20 guests smoking in the internal courtyard at any one time.

25. All refuse, including waste from the supply of alcohol, shall be managed and stored for collection in the sub-level basement at the premises. All refuse shall only be placed outside the premises for collection by a waste carrier between the hours of 08:00 to 18:00 Monday to Saturday and not at all on Sundays. Where the premises licence holders waste carrier cannot or does not collect the refuse between the allotted time band agreed with the premises licence holder such refuse shall be returned to sub-level basement at the premises for collection at another time.

26. Security Industry Authority registered door supervisors shall be employed in respect of functions in the Meeting Room shown hatched on drawing title Licensing G2 (Basement) at the premises on the basis of the risk assessment to be carried out in respect of all functions in the Meeting Room by the premises licence holder in accordance with the premises security policy.

27. The premises licence holder shall ensure that the premises written security policy is available to view at all times on the premises. Such policy shall provide what the minimum number of Security Industry Authority registered door supervisors are required for functions, where such supervisors will be located and the hours they will be present at the premises; require name badges to be worn and checks to be carried out to verify a supervisor's registration with the Security Industry Association; and specify what circumstances. At least one female door supervisor should be employed.

28. Alcohol shall not be sold/supplied in open containers for consumption off the premises or sold/supplied and opened/consumed directly outside the premises except to the tables and chairs outside the premises in the external area on Curtain Road adjacent to the Café/Bar shown coloured blue on drawing title Licensing G00 (Hotel Ground) between the hours of 10:00 and 22:30.

29. A challenge 21 policy shall be operated in areas at the premises where alcohol is sold/supplied.

30. The premises licence holder shall participate in an accreditation or award scheme and any Police/Council initiatives in respect of the sale of alcohol.

31. An electronic or written record of all resident hotel guests and members of the private members club on drawing title Licensing G-3 (Basement) together with the names of their guests shall be recorded and maintained and made available to the Police and Council Licensing Enforcement Officers to inspect.

32. Members of the private members club on drawing title Licensing G-3 (Basement) shall be permitted to bring a maximum of three guests to the premises at any one time.

33. The "Meeting Room" shown double hatched on drawing title Licensing G2 (Basement) shall not be used by more than 210 guests at any one time.

34. There shall be no licensable activities at the premises unless and until a written dispersal policy in respect of all guests at the premises has been submitted to the Police and the Council's Licensing Enforcement Officer for their approval by the premises licence holder. The premises licence holder shall implement and adhere to the written dispersal policy approved by the Police and Council Licensing Enforcement Officer.

35. There shall be no licensable activities at the premises unless and until a written policy relating to the management of taxis dropping off and collecting any guest at/from the premises has been submitted to the Police and the Council's Licensing Enforcement Officer for their approval by the premises licence holder. The premises licence holder shall implement and adhere to the written taxi management policy approved by the Police and Council Licensing Enforcement Officer.

36. The written taxi management policy to be submitted by the premises licence holder to the Police and the Council's Licensing Enforcement Officer for approval shall cover the following:

- 36.1 arrangements with private hire vehicle services;
- 36.2 informing all guests that private hire vehicles should not drop off/pick up from Christina Street and/or Phipp Street;
- 36.3 all drivers with whom the premises licence holder has made arrangements with to bring/collect guests to/from the premises shall be informed not to cause a noise disturbance by keeping their engines running, closing doors or speaking loudly for such arrangement to continue;
- 36.4 notices being prominently displayed and maintained at all entrances, exits and reception at the premises advising all guests of the location where private hire vehicles can drop off/pick up from; and
- 36.5 all staff at the premises shall assist guests book/hail a private hire vehicle from the location stated in the policy that such vehicles should drop off/pick up from.

37. The premises shall maintain a comprehensive CCTV system as per the minimum requirements of a Metropolitan Police Crime Prevention Officer. All public areas, entry and exit points will be covered enabling frontal identification of every person entering in any light condition. The CCTV system shall continually record whilst the premises is open for licensable activities and during all times customers remain on the premises. All recordings are to be stored for a minimum period of 31 days with date and time stamping. Recordings shall be made available immediately upon the request of Police or authorised officer.

38. A staff member from the premises who is conversant with the operation of the CCTV system shall be on the premises at all times when the premises are open. This staff member shall be able to show Police or an authorised officer of Hackney Borough Council recent data or footage with the absolute minimum of delay when requested.

39. There shall be no more than 125 guests on the roof top area at the premises shown on drawing title Licensing G10 at any one time.

40. There shall be no supply of alcohol in the "Meeting Room" shown coloured pink on drawing title Licensing G2 (Basement) after 01:00 hours.

41. There shall be no entry or re-entry to the Design Studios shown coloured pink on drawing title Licensing G00 (Hotel Ground) via the Design Studios Entrance on Christina Street or the Café/Bar shown coloured green on the same drawing via the Café/Bar Entrance after 23:00 hours.

42. Intoxicating liquor shall not be sold for consumption in the area hatched yellow on drawing title Licensing G00 (Hotel Ground) other than to persons who are taking a substantial meal from the menu and that the consumption of intoxicating liquor by such persons is ancillary to taking such meals. The supply of alcohol in the area hatched yellow shall be to guests at a table in that area by a waiter or waitress. A colour copy of drawing title Licensing G00 (Hotel Ground) shall be kept in the area hatched yellow on the drawing.

43. Intoxicating liquor shall not be sold for consumption in the area coloured yellow on drawing title Licensing G-1 (Basement) other than to persons who are taking a substantial meal from the menu and that the consumption of intoxicating liquor by such persons is ancillary to taking such meals. The supply of alcohol in the area coloured yellow shall be to guests at a table in that area by a waiter or waitress. A colour copy of drawing title Licensing G-1 (Basement) shall be kept in the area coloured yellow on the drawing.

44. There shall be no supply of alcohol to resident hotel guests between the hours of 02:00 to 07:00 except in one of the hotel bedrooms/suites shown on drawing titles Licensing G01, Licensing G02, Licensing G03, Licensing G04 and Licensing G05.

45. Sound limiting devices (device type to be approved by the Council's Pollution Team) shall be installed to all music systems at the premises. All limiting devices should be set at a level to ensure inaudibility at the front elevations of all nearby residential premises. All limiting devices should be controlled by the premises licence holder and kept in a locked, tamper-proof box.

46. Calibration certificates for all sound limiting devices together with copies of the methodology must be submitted to the Pollution Team following the installation and setting of levels of the devices and annually when such devices are recalibrated to ensure that the music volume does not exceed the level at which a noise nuisance to neighbours will occur.

47. The external area on Curtain Road adjacent to the Café/Bar shown coloured blue on drawing title Licensing G00 (Hotel Ground) shall not be used after 23:00 hours and all furniture in such area removed or stored to prevent it being used.

48. The premises licence holder shall ensure that all noise is restricted to ensure face to face conversation is possible at all times in the internal courtyard within the premises shown coloured yellow on drawing title Licensing G00 (Hotel Ground) and the roof top area at the premises shown on drawing title Licensing G10.

49. There shall be no more than 296 guests in the restaurant shown hatched yellow, the Café/Bar shown coloured blue and the bar shown hatched green on drawing title Licensing G00 (Hotel Guest) at any one time.

50. There shall be no supply of alcohol to guests in the restaurant shown hatched yellow, the Café/Bar shown coloured blue and the bar shown hatched green on drawing title Licensing G00 (Hotel Guest) after 01:45 hours.

51. There shall be no more than 400 members and their guests in the private members club shown on drawing title Licensing G-3 (Basement).

Reasons for the decision

In determining this application for a premises licence the Licensing Sub-committee have had particular regard to the following: (1) nature of the establishment; (2) **the impact from the use of the roof terrace**; (3) the impact of traffic to and from the premises; (4) the total number of guests attending the premises, but not staying overnight; (5) the impact on nearby residents from guests leaving the premises and (6) the late hours of operation applied for in respect of guests not staying overnight at the premises.

The operation of this hotel would be unusual as, at any one time, there are likely to be more guests at the hotel enjoying licensable activities who are not staying overnight at the hotel than who are.

The licensing sub-committee therefore considered very carefully the effectiveness of the measures proposed to address the impact the operation of the premises was likely to have on the promotion of the licensing objectives.

It is important that the use of the roof terrace is carefully managed to ensure that its use does not impact on non-hotel guests nearby. The use of the roof terrace as a restaurant and swimming pool with no regulated entertainment by a maximum of 125 resident hotel guests and/or members/guests of the private members club only the licensing sub-committee believed would not undermine the licensing objectives.

It is clear that traffic to and from the premises was likely to undermine the licensing objectives if not properly managed especially on the narrow streets around the premises like Christina Street and Phipp Street. Whilst work had been undertaken by the applicant on the impact the operation of the hotel was likely to have on traffic, no management plan was put forward to explain what measures would be taken to address such impact. It was clear from discussions at the hearing what the management plan needed to address and the licensing sub-committee believed that adherence to such a plan would ensure that the licensing objectives would not be undermined.

The large number of **non-resident hotel guests enjoying licensable activities at the premises is the licensing sub-committee believes likely to undermine the licensing objectives.** The applicant proposed a limit on the number non-resident hotel guests in the "Meeting Room" in the basement of the premises. However, the sub-committee believed that further limits on the number of non-resident hotel guests were also necessary to ensure that such a large number of guests did not undermined the licensing objectives.

The impact on nearby residents from guests leaving the premises late at night could be mitigated the licensing sub-committee believed by effective management of the hotel. The security patrols proposed by the applicant are likely to address noise disturbances by a small number of guests outside the premises, however, greater measures are the sub-committee believe necessary to effectively manage the large number of guests enjoying licensable activities on the various floors at the premises. It was clear from discussions at the hearing what needed to be addressed in respect of guests leaving the premises late at night and adherence to a dispersal plan as proposed by the applicant the licensing sub-committee believe would ensure that the licensing objectives would not be undermined.

The sub-committee believed that while the conditions proposed in the operating schedule of the application and the further conditions as amended by the applicant at the hearing were intended to address the impact the operation of the premises was likely to have on the promotion of the licensing objectives, it was not satisfied that these conditions were clear or precise enough to ensure that the measures set out in the same would be effective.

The licensing sub-committee has therefore revised such conditions as it is content that were the same is adhered to the licensing objectives would not be undermined.




Public informative

The applicant is reminded of the need to secure a separate license for tables and chairs outside the premises.

Please keep this letter in a safe place. It should be produced upon request as evidence of your licence until it is sent to you. The Police and other enforcing agencies are aware that your new licence is in the process of being issued and will accept this letter as evidence that you have a licence.

Details

   **Licence Number: 073416**

   **Date of Grant: 02/02/2016**

Approved activities/hours:

Plays INDOOR	Standard Hours: Mon 07:00-02:00 Tue 07:00-02:00 Wed 07:00-02:00 Thu 07:00-02:00 Fri 07:00-02:00 Sat 07:00-02:00 Sun 07:00-02:00
Films INDOOR Provision of films 24/7 within hotel rooms Indoors	Standard Hours: Mon 07:00-02:00 Tue 07:00-02:00 Wed 07:00-02:00 Thu 07:00-02:00 Fri 07:00-02:00 Sat 07:00-02:00 Sun 07:00-02:00
Live Music INDOOR	Standard Hours: Mon 07:00-02:00 Tue 07:00-02:00 Wed 07:00-02:00 Thu 07:00-02:00 Fri 07:00-02:00 Sat 07:00-02:00 Sun 07:00-02:00
Recorded Music INDOOR	Standard Hours: Mon 07:00-02:00 Tue 07:00-02:00 Wed 07:00-02:00 Thu 07:00-02:00 Fri 07:00-02:00 Sat 07:00-02:00 Sun 07:00-02:00
Performance of Dance INDOOR	Standard Hours: Mon 07:00-02:00 Tue 07:00-02:00 Wed 07:00-02:00 Thu 07:00-02:00 Fri 07:00-02:00 Sat 07:00-02:00 Sun 07:00-02:00

Late Night Refreshment INDOOR	Standard Hours: Mon 23:00-02:00 Tue 23:00-02:00 Wed 23:00-02:00 Thu 23:00-02:00 Fri 23:00-02:00 Sat 23:00-02:00 Sun 23:00-02:00
Supply of Alcohol INDOOR	Standard Hours: Mon 07:00-02:00 Tue 07:00-02:00 Wed 07:00-02:00 Thu 07:00-02:00 Fri 07:00-02:00 Sat 07:00-02:00 Sun 07:00-02:00
Supply of Alcohol ROOF TERRACE	Standard Hours: Mon 09:00-22:00 Tue 09:00-22:00 Wed 09:00-22:00 Thu 09:00-22:00 Fri 09:00-22:00 Sat 09:00-22:00 Sun 09:00-22:00

Opening hours:

INDOOR	Standard Hours: Mon 00:00-00:00 Tue 00:00-00:00 Wed 00:00-00:00 Thu 00:00-00:00 Fri 00:00-00:00 Sat 00:00-00:00 Sun 00:00-00:00
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Alcohol sales type: On Premises

Where the licence is time limited the dates: N/A
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This licence is subject to the following conditions:

Mandatory Conditions:

Supply Of Alcohol (On/Both)

1. No supply of alcohol may be made under the premises licence:
 - (a) At a time when there is no designated premises supervisor in respect of the premises licence.
 - (b) At a time when the designated premises supervisor does not hold a personal licence or his personal licence is suspended.
2. Every supply of alcohol under the premises licence must be made or authorised by a person who holds a personal licence.
3.
 - (1) The responsible person must ensure that staff on relevant premises do not carry out, arrange or participate in any irresponsible promotions in relation to the premises.
 - (2) In this paragraph, an irresponsible promotion means any one or more of the following activities, or substantially similar activities, carried on for the purpose of encouraging the sale or supply of alcohol for consumption on the premises -
 - (a) games or other activities which require or encourage, or are designed to require or encourage, individuals to;
 - (i) drink a quantity of alcohol within a time limit (other than to drink alcohol sold or supplied on the premises before the cessation of the period in which the responsible person is authorised to sell or supply alcohol), or
 - (ii) drink as much alcohol as possible (whether within a time limit or otherwise);
 - (b) provision of unlimited or unspecified quantities of alcohol free or for a fixed or discounted fee to the public or to a group defined by a particular characteristic in a manner which carries a significant risk of undermining a licensing objective;
 - (c) provision of free or discounted alcohol or any other thing as a prize to encourage or reward the purchase and consumption of alcohol over a period of 24 hours or less in a manner which carries a significant risk of undermining a licensing objective;
 - (d) selling or supplying alcohol in association with promotional posters or flyers on, or in the vicinity of, the premises which can reasonably be considered to condone, encourage or glamorise anti-social behaviour or to refer to the effects of drunkenness in any favourable manner.
 - (e) dispensing alcohol directly by one person into the mouth of another (other than where that other person is unable to drink without assistance by reason of a disability).
4. The responsible person must ensure that free potable water is provided on request to customers where it is reasonably available.
5.
 - 5.1. The premises licence holder or club premises certificate holder must ensure that an age verification policy is adopted in respect of the premises in relation to the sales or supply of alcohol.
 - 5.2 The designated premises supervisor in relation to the premises licences must ensure that the supply of alcohol at the premises is carried on in accordance with the age verification policy.
 - 5.3. The policy must require individuals who appear to the responsible person to be under 18 years of age (or such older age as may be specified in the policy) to produce on request, before being served alcohol, identification bearing their photograph, date of birth and either:-
 - (a) a holographic mark or
 - (b) an ultraviolet feature
6. The responsible person must ensure that:
 - a) where any of the following alcoholic drinks is sold or supplied for consumption on the premises (other than alcoholic drinks sold or supplied having been made up in advance ready for

sale or supply in a securely closed container) it is available to customers in the following measures:

- beer or cider: 1/2 pint;
 - gin, rum, vodka or whisky: 25ml or 35ml; and
 - still wine in a glass: 125ml; and
- b) these measures are displayed in a menu, price list or other printed material which is available to customers on the premises; and
- c) where a customer does not in relation to a sale of alcohol specify the quantity of alcohol to be sold, the customer is made aware that these measures are available.

Minimum Drinks Pricing

7. 7.1 A relevant person shall ensure that no alcohol is sold or supplied for consumption on or off the premises for a price which is less than the permitted price.

7.2 For the purposes of the condition set out in paragraph 7.1 above -

- (a) "duty" is to be construed in accordance with the Alcoholic Liquor Duties Act 1979;
- (b) "permitted price" is the price found by applying the formula - $P = D + (D \times V)$
Where -
- (i) P is the permitted price,
 - (ii) D is the rate of duty chargeable in relation to the alcohol as if the duty were charged on the date of the sale or supply of the alcohol, and
 - (iii) V is the rate of value added tax chargeable in relation to the alcohol as if the value added tax were charged on the date of the sale or supply of the alcohol;
- (c) "relevant person" means, in relation to premises in respect of which there is in force a premises licence -
- (i) the holder of the premises licence,
 - (ii) the designated premises supervisor (if any) in respect of such a licence, or
 - (iii) the personal licence holder who makes or authorises a supply of alcohol under such a licence;
- (d) "relevant person" means, in relation to premises in respect of which there is in force a club premises certificate, any member or officer of the club present on the premises in a capacity which enables the member or officer to prevent the supply in question; and
- (e) "value added tax" means value added tax charged in accordance with the Value Added Tax Act 1994.

7.3 Where the permitted price given by Paragraph 7.2(b) above would (apart from this paragraph) not be a whole number of pennies, the price given by that sub-paragraph shall be taken to be the price actually given by that sub-paragraph rounded up to the nearest penny.

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

Exhibition Of Films

8. Admission of children (under 18) to the exhibition of any film must be restricted in accordance with: -

- (a) Recommendations made by the film classification body where the film classification body is specified in the licence, or
- (b) Recommendations made by the licensing authority where the film classification body is not specified in the licence, or the relevant licensing authority has not notified the holder of the licence that this subsection applies to the film in question.

"film classification body" means person('s) designated under s4 of the Video Recordings Act 1984(c.39).

Door Supervision

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

Conditions derived from operating schedule

10. Non-resident hotel guests (which shall include any person who is not staying at the premises in a hotel room overnight) shall not be allowed access to or remain on the premises between the hours of 02:00 to 07:00.
11. There shall be no entry or re-entry to the premises for non- resident hotel guests after 00:30, which for the avoidance of doubt excludes access to the hotel lobby via the entrance on the corner of Curtain Road and Scrutton Street for persons checking in.
12. The roof top area at the premises shown on drawing title 'Licensing G10 'shall only be used by resident hotel guests and/or members of the private members club shown on drawing title 'Licensing G-3 (Basement) together with a maximum of three named guests of such member between the hours of 09:00 to 22:00.
13. No person shall have access to the roof top area at the premises after 22:30.
14. All servicing including deliveries to and collections from the premises but excluding refuse collection shall take place between the hours of 07:00 and 18:00 on Monday to Saturday only and only via the service/delivery area at the premises on Scrutton Street shown on drawing title 'Licensing G00 (Hotel Ground).
15. There shall be no supply of alcohol in the area marked "Meeting Room" and shown coloured pink on drawing title "Licensing G2 (Basement) other than to persons attending a pre-booked conference, lecture, meeting, exhibition and/or function in that area.
16. Security Industry Authority registered door supervisors shall, in addition to the 24 hour reception staff, be present at the 'Conference/Members Club/Restaurant Entrance 'to the premises on Scrutton Street between the hours of 21:00 until 02:30.
17. Access in to and out of the building shall be carefully controlled and monitored from the hotel lobby by the reception staff including a concierge and CCTV operation to assist at all times.
18. Notices shall be prominently displayed and maintained at all entrances and exits at the premises advising all guests (which for the avoidance of doubt includes all resident hotel guests and/or non- resident hotel guests) to leave the premises quietly.
19. Security Industry Authority registered door supervisors, door staff, reception staff including a concierge and security staff shall assist all guests leave to the premises quietly.
20. All music played in the Meeting Room shown hatched on drawing title "Licensing G2 (Basement) shall be lowered to a level to enable face to face conversation half an hour before the end of every function or 01:30 hours at the latest.
21. Uniformed door staff shall be available on arrival and departure to assist patrons into taxis and cars.

22. Security staff shall constantly patrol the exterior of the premises to deal with any potential noise disturbances by guests outside the premises and ensure that no bottles or glasses are taken outside; all deliveries to and collections from the premises are made via the service/delivery area at the premises on Scrutton Street; and all private hire vehicles only drop off/pick up from the location stated in the taxi management policy.
23. Guests shall not be permitted to take bottles or glasses from the premises.
24. There shall be no guests smoking outside the premises and all staff shall direct all guests wishing to smoke to the internal courtyard within the premises shown coloured yellow on drawing title 'Licensing G00 (Hotel Ground). There shall be no more than 20 guests smoking in the internal courtyard at any one time.
25. All refuse, including waste from the supply of alcohol, shall be managed and stored for collection in the sub-level basement at the premises. All refuse shall only be placed outside the premises for collection by a waste carrier between the hours of 08:00 to 18:00 Monday to Saturday and not at all on Sundays. Where the premises licence holders waste carrier cannot or does not collect the refuse between the allotted time band agreed with the premises licence holder such refuse shall be returned to sub-level basement at the premises for collection at another time.
26. Security Industry Authority registered door supervisors shall be employed in respect of functions in the 'Meeting Room' shown hatched on drawing title "Licensing G2 (Basement) at the premises on the basis of the risk assessment to be carried out in respect of all functions in the Meeting Room by the premises licence holder in accordance with the premises 'security policy.
27. The premises licence holder shall ensure that the premises 'written security policy is available to view at all times on the premises. Such policy shall provide what the minimum number of Security Industry Authority registered door supervisors are required for functions, where such supervisors will be located and the hours they will be present at the premises; require name badges to be worn and checks to be carried out to verify a supervisor's registration with the Security Industry Association; and specify what circumstances. At least one female door supervisor should be employed.
28. Alcohol shall not be sold/supplied in open containers for consumption off the premises or sold/supplied and opened/consumed directly outside the premises except to the tables and chairs outside the premises in the external area on Curtain Road adjacent to the 'Café/Bar' shown coloured blue on drawing title 'Licensing G00 (Hotel Ground) between the hours of 10:00 and 22:30.
29. A challenge 21 policy shall be operated in areas at the premises where alcohol is sold/supplied.
30. The premises license holder shall participate in an accreditation or award scheme and any Police/Council initiatives in respect of the sale of alcohol.
31. An electronic or written record of all resident hotel guests and members of the private members club on drawing title 'Licensing G-3 (Basement) together with the names of their guests shall be recorded and maintained and made available to the Police and Council Licensing Enforcement Officers to inspect.
32. Members of the private members club on drawing title 'Licensing G-3 (Basement) shall be permitted to bring a maximum of three guests to the premises at any one time.

33. The "Meeting Room" shown double hatched on drawing title "Licensing G2 (Basement) shall not be used by more than 210 guests at any one time.
34. There shall be no licensable activities at the premises unless and until a written dispersal policy in respect of all guests at the premises has been submitted to the Police and the Council's Licensing Enforcement Officer for their approval by the premises licence holder. The premises licence holder shall implement and adhere to the written dispersal policy approved by the Police and Council Licensing Enforcement Officer.
35. There shall be no licensable activities at the premises unless and until a written policy relating to the management of taxis dropping off and collecting any guest at/from the premises has been submitted to the Police and the Council's Licensing Enforcement Officer for their approval by the premises licence holder. The premises licence holder shall implement and adhere to the written taxi management policy approved by the Police and Council Licensing Enforcement Officer.
36. The written taxi management policy to be submitted by the premises licence holder to the Police and the Council's Licensing Enforcement Officer for approval shall cover the following:
 - 36.1 arrangements with private hire vehicle services;
 - 36.2 informing all guests that private hire vehicles should not drop off/pick up from Christina Street and/or Phipp Street;
 - 36.3 all drivers with whom the premises licence holder has made arrangements with to bring/collect guests to/from the premises shall be informed not to cause a noise disturbance by keeping their engines running, closing doors or speaking loudly for such arrangement to continue;
 - 36.4 notices being prominently displayed and maintained at all entrances, exits and reception at the premises advising all guests of the location where private hire vehicles can drop off/pick up from; and
 - 36.5 all staff at the premises shall assist guests book/hail a private hire vehicle from the location stated in the policy that such vehicles should drop off/pick up from.
37. The premises shall maintain a comprehensive CCTV system as per the minimum requirements of a Metropolitan Police Crime Prevention Officer. All public areas, entry and exit points will be covered enabling frontal identification of every person entering in any light condition. The CCTV system shall continually record whilst the premises is open for licensable activities and during all times customers remain on the premises. All recordings are to be stored for a minimum period of 31 days with date and time stamping. Recordings shall be made available immediately upon the request of Police or authorised officer.
38. A staff member from the premises who is conversant with the operation of the CCTV system shall be on the premises at all times when the premises are open. This staff member shall be able to show Police or an authorised officer of Hackney Borough Council recent data or footage with the absolute minimum of delay when requested.
39. There shall be no more than 125 guests on the roof top area at the premises shown on drawing title 'Licensing G10' at any one time.
40. There shall be no supply of alcohol in the "Meeting Room" shown coloured pink on drawing title "Licensing G2 (Basement) after 01:00 hours.

41. There shall be no entry or re-entry to the 'Design Studios 'shown coloured pink on drawing title 'Licensing G00 (Hotel Ground) via the 'Design Studios Entrance 'on Christina Street or the 'Café/Bar 'shown coloured green on the same drawing via the 'Café/Bar Entrance ' after 23:00 hours.
42. Intoxicating liquor shall not be sold for consumption in the area hatched yellow on drawing title 'Licensing G00 (Hotel Ground) other than to persons who are taking a substantial meal from the menu and that the consumption of intoxicating liquor by such persons is ancillary to taking such meals. The supply of alcohol in the area hatched yellow shall be to guests at a table in that area by a waiter or waitress. A colour copy of drawing title 'Licensing G00 (Hotel Ground) shall be kept in the area hatched yellow on the drawing.
43. Intoxicating liquor shall not be sold for consumption in the area coloured yellow on drawing title 'Licensing G-1 (Basement) other than to persons who are taking a substantial meal from the menu and that the consumption of intoxicating liquor by such persons is ancillary to taking such meals. The supply of alcohol in the area coloured yellow shall be to guests at a table in that area by a waiter or waitress. A colour copy of drawing title 'Licensing G-1 (Basement) shall be kept in the area coloured yellow on the drawing.
44. There shall be no supply of alcohol to resident hotel guests between the hours of 02:00 to 07:00 except in one of the hotel bedrooms/suites shown on drawing titles 'Licensing G01', 'Licensing G02', 'Licensing G03', 'Licensing G04 'and 'Licensing G05'.
45. Sound limiting devices (device type to be approved by the Council's Pollution Team) shall be installed to all music systems at the premises. **All limiting devices should be set at a level to ensure inaudibility at the front elevations of all nearby residential premises.** All limiting devices should be controlled by the premises licence holder and kept in a locked, tamper-proof box.
46. Calibration certificates for all sound limiting devices together with copies of the methodology must be submitted to the Pollution Team following the installation and setting of levels of the devices and annually when such devices are recalibrated **to ensure that the music volume does not exceed the level at which a noise nuisance to neighbours will occur.**
47. The external area on Curtain Road adjacent to the 'Café/Bar 'shown coloured blue on drawing title 'Licensing G00 (Hotel Ground) shall not be used after 23:00 hours and all furniture in such area removed or stored to prevent it being used.
48. The premises licence holder shall ensure that **all noise is restricted to ensure face to face conversation is possible at all times** in the internal courtyard within the premises shown coloured yellow on drawing title 'Licensing G00 (Hotel Ground) and **the roof top area at the premises** shown on drawing title 'Licensing G10'.
49. There shall be no more than 296 guests in the restaurant shown hatched yellow, the 'Café/Bar 'shown coloured blue and the bar shown hatched green on drawing title 'Licensing G00(Hotel Guest) 'at any one time.
50. There shall be no supply of alcohol to guests in the restaurant shown hatched yellow, the 'Café/Bar 'shown coloured blue and the bar shown hatched green on drawing title 'Licensing G00(Hotel Guest) after 01:45 hour.
51. There shall be no more than 400 members and their guests in the private members club shown on drawing title 'Licensing G-3 (Basement).'

ANNEX F

AI produced, non-verbatim summary extract from 2024 Hearing

LICENSING OFFICER:

Complaints have been received and investigated. No formal finding of statutory nuisance has been made.

CHAIR:

The absence of a statutory nuisance finding does not prevent this Sub-Committee from considering the matter under the licensing objectives.

LICENSING OFFICER:

That is correct.

APPLICANT REPRESENTATIVE:

The absence of a statutory nuisance finding is relevant to the level of impact being described.

CHAIR:

It may be relevant, but it is not determinative. We are concerned with the licensing objectives.

RESIDENT REPRESENTATIVE:

From the residents' perspective, the impact is clearly significant regardless of that threshold.

MEMBER:

Is it your position that the licensing regime should address impacts below that threshold?

RESIDENT REPRESENTATIVE:

Yes. The issue is whether the disturbance is sufficient to interfere with residential amenity, and residents say that it is.

RESIDENT REPRESENTATIVE:

The threshold for statutory nuisance is not the appropriate measure in this context. The question is whether the disturbance justifies intervention under the licensing regime.

CHAIR :

We recognise that there has been no formal finding of statutory nuisance.

CHAIR :

However, that does not prevent us from considering whether the licensing objectives are being undermined

ANNEX *G*

Email correspondence in December 2025 -Feb 2026 with Hackney Planning Enforcement

From: [REDACTED]

Date: 17 February 2026 at 19:40:08 GMT

To: ~~Peter Kavanagh <pkavanagh@hackney.gov.uk>~~

Cc: ~~planningenforcement@hackney.gov.uk, [REDACTED]~~

Subject: Re: 45 Curtain Road

[REDACTED]

I am just sending this email to you as a matter of courtesy -

I will be submitting this email and email chain below (in redacted form) in submissions regarding an imminent application to the Hackney Licensing Committee for a premises licence review in respect of the rooftop of 45, Curtain Road.

Thank you:

AI research :

If an ancillary planning use is private members club can an event be offered to the public ?

Short answer: generally no, not without risking a breach of planning control. But it depends on the nature, scale, and frequency of the event. Here is the proper planning law analysis.

1. What an “ancillary” use means in planning law

An ancillary (or incidental) use must be subordinate to and genuinely connected with the primary planning use. This principle comes from cases such as:

- **Gravesham Borough Council v Secretary of State for the Environment**
- **Wallington v Secretary of State for Wales**

The courts have said an ancillary use:

- must be subservient and secondary,
- must not have a separate planning character,
- must not change the overall nature of the planning unit.

So if the planning permission is, for example, a community or leisure use with an ancillary private members' club, the club activities must remain subordinate to that main use.

2. Private members' club vs events open to the public

A private members' club has a distinct planning character because:

- access is restricted to members and their bona fide guests,
- it does not function as a public venue,
- impacts such as footfall, noise, and traffic are assumed to be more limited.

If events are opened to the general public:

- this may change the character toward a public entertainment or drinking establishment,
- it can generate greater noise, late-night activity, and wider catchment.

That risks:

- the use ceasing to be "ancillary", and
- a material change of use requiring planning permission.

3. When public events may still be lawful

Occasional public events may still be acceptable if they are truly incidental. Relevant factors include:

(a) Frequency

- One-off or rare events are less likely to change the planning character.
- Regular public events are more likely to do so.

(b) Scale and intensity

- Small events connected to the main use may remain ancillary.
- Large ticketed events marketed widely are much more risky.

(c) Functional link

The event must be clearly connected to the main planning use (for example):

- a community fundraising evening.
- a cultural event supporting the primary use.

If the event is unrelated and commercial, this suggests a separate use.

4. Key test: material change of use

The central question for the local planning authority is whether the activities:

- alter the character of the use,
- increase impacts materially, or
- create a new primary use.

Authorities will apply the “fact and degree” test derived from:

- East Barnet UDC v Secretary of State for the Environment

5. Interaction with licensing law

Even if a premises has a licence under the:

- Licensing Act 2003

this does not override planning control. A premises can lawfully hold a licence but still breach planning permission if:

- it operates beyond the authorised planning use.

This distinction is frequently emphasised in enforcement.

6. Practical enforcement risk

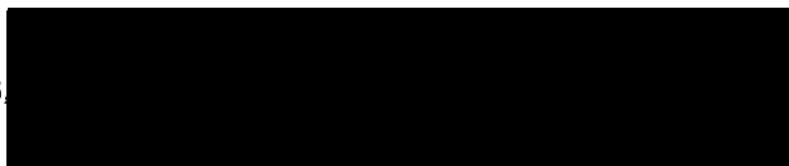
A planning authority could:

- investigate complaints from neighbours,
- issue a planning enforcement notice if the public events become regular,
- argue that the premises is operating as a public entertainment venue.

This is particularly likely where noise or disturbance increases.

Sent from my iPhone

On 26 Jan 2026, at 10:05,



Ps - for the avoidance of doubt all rights and remedies are reserved



Deputy Leader Shoreditch Community Association

Sent from my iPhone

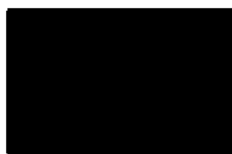
On 26 Jan 2026, at 09:4



The facts materially changed in the latter half of 2025, hence my most recent request to you.



Thank you for your attention to this matter.



Shoreditch Community Association

Sent from my iPhone

On 26 Jan 2026, at 08:00,

[REDACTED] wrote:

Dear [REDACTED]

You first raised this matter with the Council's Planning Service in February 2024. At that time, we responded promptly and explained clearly that there was no breach of planning control. Despite this, you have continued to raise the same issue repeatedly since then, with only minor variations.

On the 18th June 2025, I wrote to advise you that I would not be responding further on this matter, as the same concerns had been raised multiple times and I had already set out, in some detail, why the use you complained of is lawful and does not amount to a breach of planning control.

Notwithstanding that, you have continued to email about the same issue. I am therefore writing once more, and **for the final time**, to underline the Planning Service's position.

The relevant part of the site benefits from planning permission for use as a hotel. The associated planning application referred to certain ancillary uses that would take place in the hotel site - then including a private member's club. For clarity, ancillary uses are secondary uses which do not require planning permission in their own right. There is no legal requirement for ancillary uses to be exhaustively specified (or even mentioned at all) in a planning application, and the operator is free to carry out such uses - or other ancillary activities - provided that the site continues to function primarily as a hotel.

To be absolutely clear:

-
-
- Hotels may lawfully allow non-residents to use bars, dining rooms and other facilities.
-
-
-
- Hotels may lawfully use or hire out function rooms and other spaces for events, whether for guests or
- non-residents.
-
-
-
- Hotels may lawfully host live music - whether for events or otherwise.

-
-
-
- Hotels may lawfully subcontract or franchise the management of bars, restaurants or similar facilities
- to third parties.
-

All of these activities are common, normal, and entirely lawful within a hotel use. A simple review of hotel operations across London - from large international hotels to small local establishments - demonstrates that activities of the type you are complaining about are routine.

There is therefore no breach of planning control, and no basis for planning enforcement action.

If you submit a new complaint alleging a different matter that could constitute a breach of planning control, the Planning Service will of course consider it in the usual way. However, we will not continue to respond to correspondence relating to this issue, as it has been explained clearly and repeatedly that the activities in question are lawful.

This email should therefore be treated as the Council's final response on this matter.

Yours sincerely,



Planning Service

Housing, Climate and Economy Directorate

Hackney Service Centre, 1 Hillman Street, Hackney, London, E8 1DY

?



?

?

www.hackney.gov.uk

On Thu, 22 Jan 2026 at 08:05, [REDACTED]

I refer to the correspondence in December on this (below).

I have a call with [REDACTED]

Does Hackney planning enforcement have any thoughts on the planning issue raised in the December correspondence?

Many thanks

[REDACTED]
Deputy Leader Shoreditch Community Association

Sent from my iPhone

On 15 Dec 2025, at 16:15, [REDACTED] wrote:

----- Forwarded message -----

NB – Following email was altered [REDACTED] March 2026 merely to clean up some typos

From [REDACTED]

Date: Mon, Dec 15, 2025 at 4:14 PM

Subject:

To [REDACTED]

Dear Hackney Planning,

45 Curtain Road - New facts and enforcement action request

I refer to previous correspondence re: above property - some relevant extracts from your prior emails to me on this are included below as a brief reminder as to why you were not able to take enforcement action against Blue Marlin.

(The relevant planning permission is in detailed in one of the extracts below but, broadly speaking the permission for the roof is for restaurant and ancillary private members club.)

The facts have now materially changed.

Blue Marlin has ceased to operate.

The current facts are: Restaurant on the roof (called 45th and 7th) which is run by 45 London - which is a trading name of Election Limited (the "Operator"). We assume the Operator has a lease/licence from Virgin. Virgin runs the hotel which is at the building; and it seems that Virgin hotel residents have their breakfast in the rooftop restaurant. The Operator is permitting a third party entity - Sintillate (see link below) to carry on live music events on Saturday - see link below to one of the brunch events and the blurb clearly references DJs and live musicians.

<https://www.sintillate.com/london/whatson/sintillate-night-brunch-at-45th-7th?date=2025-12-20>

They call their offering a "brunch": but in reality the Operator is running the restaurant as it does every day of the week (and residents have no problem with that) and Sintillate is providing live music entertainment all day (seems to be broadly 3-10pm) (the "Sintillate Activity").

Our contention is that the Sintillate Activity is in breach of planning permission - since it is not a restaurant and neither is it an ancillary PRIVATE Members club since Sintillate is offering its events to the public: anyone can book on their website.

Can you please kindly consider immediate use of your enforcement functions with a view to directing all the relevant commercial interests to stop the Sintillate Activity?

We would like this done asap please since the Sintillate Activity has caused local residents distress already in the holiday season.

We have copied [REDACTED] on this since she is already aware of this matter.

My number is [REDACTED] if you want to discuss this.

I look forward to hearing from you

Many thanks



Deputy Leader Shoreditch Community Association

2 extracts from prior emails re: Blue Marlin

"The planning permission does not control which customers the hotel permits to enter the ancillary spaces so we are unable to take enforcement action against the advertisement and use of the space for non-members."

In relation to the Blue Marlin - the relevant planning permission, 2014/3728, granted on 29/02/2016 grants permission for, amongst other things, a "mixed use development, comprising 6,707sqm of boutique hotel (use class C1); with ancillary conference centre, private members club, restaurant and cafe/bar; design studios (use class B1), parking, plant and associated works". The ancillary private members club was always to have its own entrance and operate with a degree of separation from the hotel - this is shown on the approved plans. From the website and materials I can find online, the club operates as a private member's club, offering bar, gym, meeting, dining facilities, with some club nights. These are all things which may lawfully take place in a private member's club, so the fact of the club offering club nights does not cause a material change of use to take place."

Pic exhibit
2 ←
forming part of Annex G
←
"private members club"



PRIVATE MEMBERS' CLUB
LONDON



14 DECEMBER 2023

PETE TONG



BIMI: MAGAZINE
BEST STYLING IBIZA MAGAZINE



MARLIN'S

ROOFTOP RESTAURANT

DAY-TO-NIGHT

DINING

POOL

MUSIC



MARLIN'S ON THE ROOF OPEN TO NON-MEMBERS
RESERVATIONS: 020 7461 1111
BLUE MARLIN IBIZA LONDON
140, CANNON STREET, LONDON EC6A 3DF

←
"open to non-members"

Annex H

- EXTRACTS from LATEST

MOLARD ANNUAL REPORT 2024

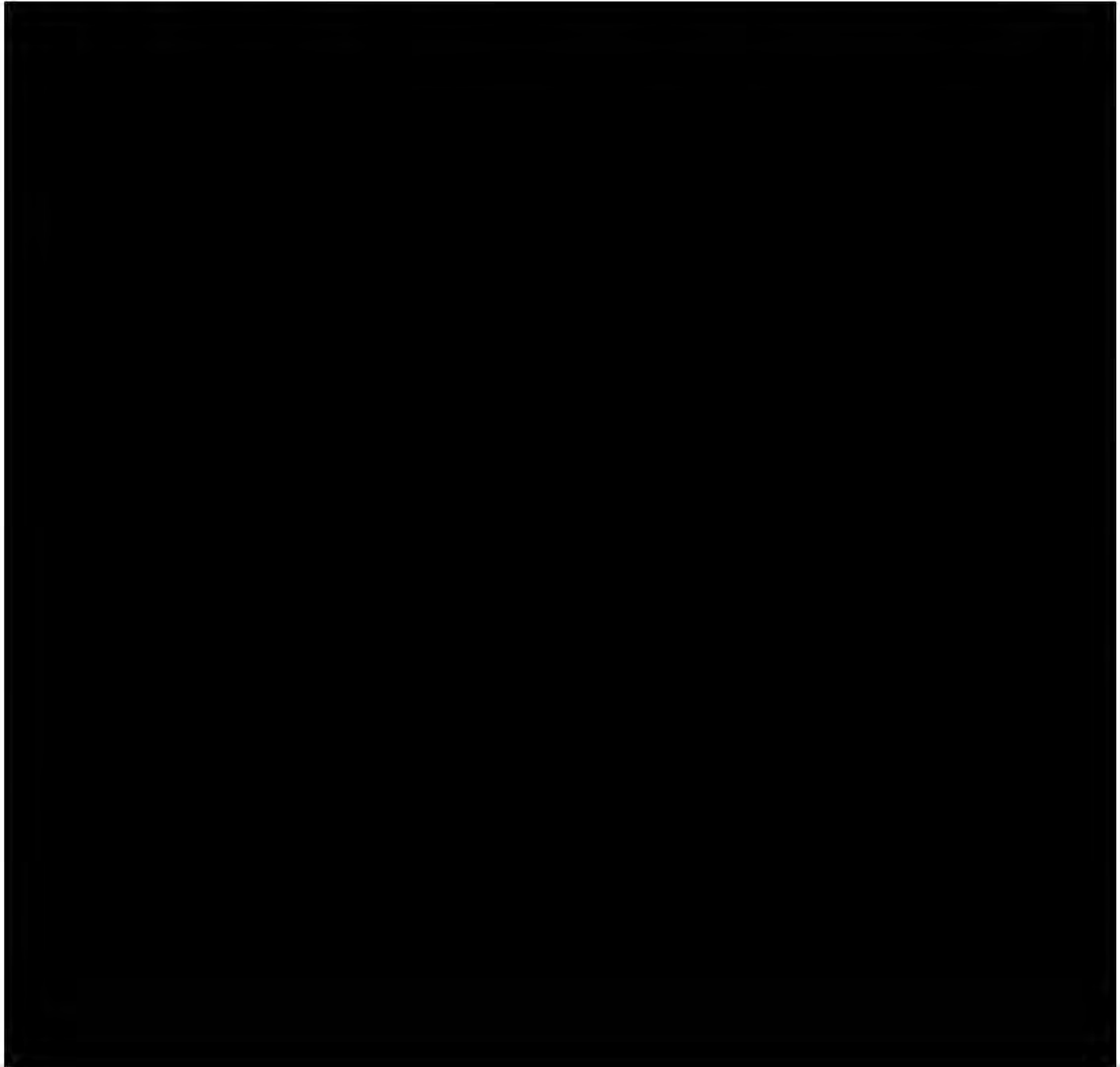
Company registration number 12261938 (England and Wales)

MOLARD INVESTMENTS LIMITED
ANNUAL REPORT AND FINANCIAL STATEMENTS
FOR THE YEAR ENDED 31 MARCH 2024

MOLARD INVESTMENTS LIMITED

STRATEGIC REPORT

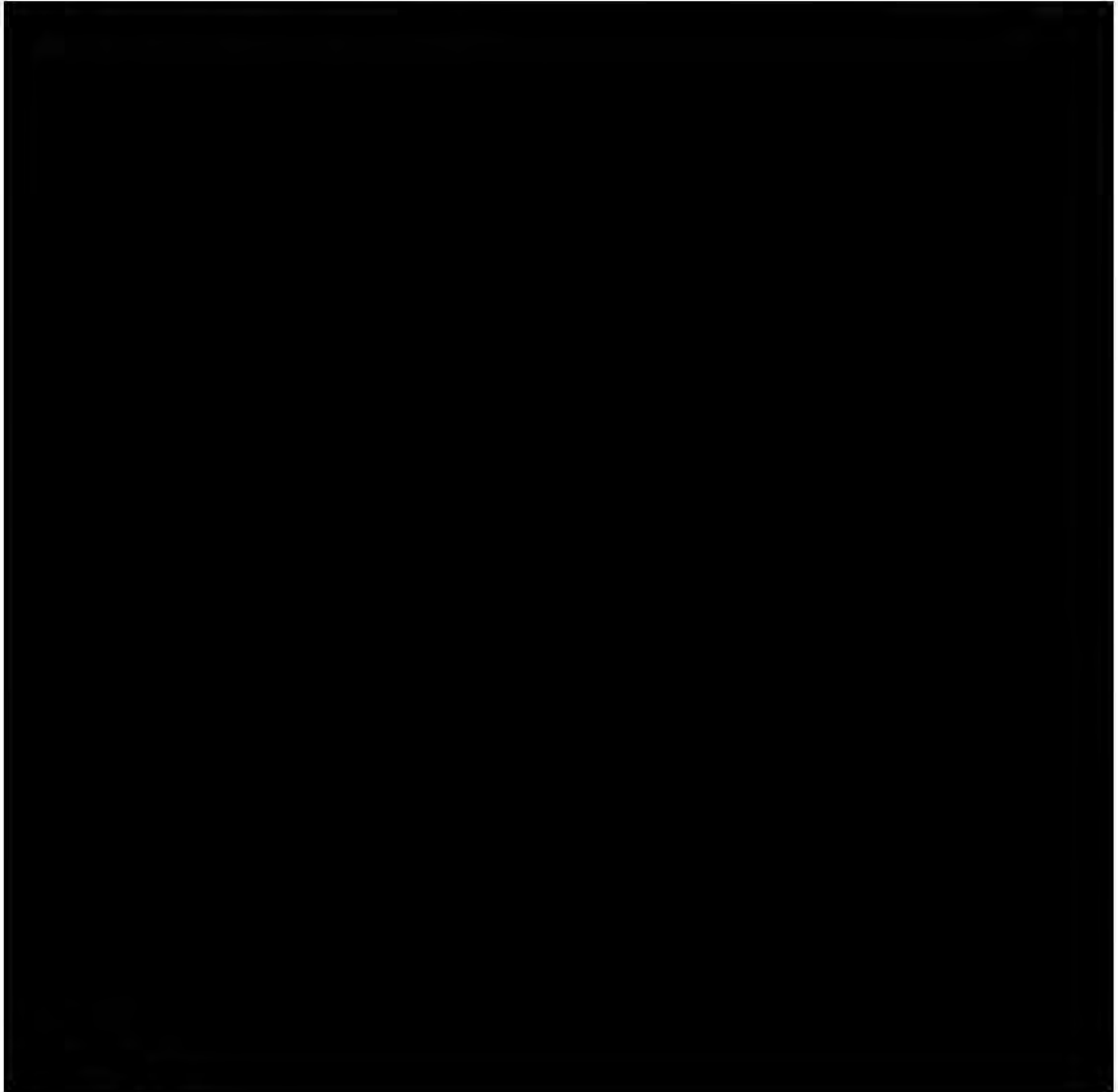
FOR THE YEAR ENDED 31 MARCH 2024



MOLARD INVESTMENTS LIMITED

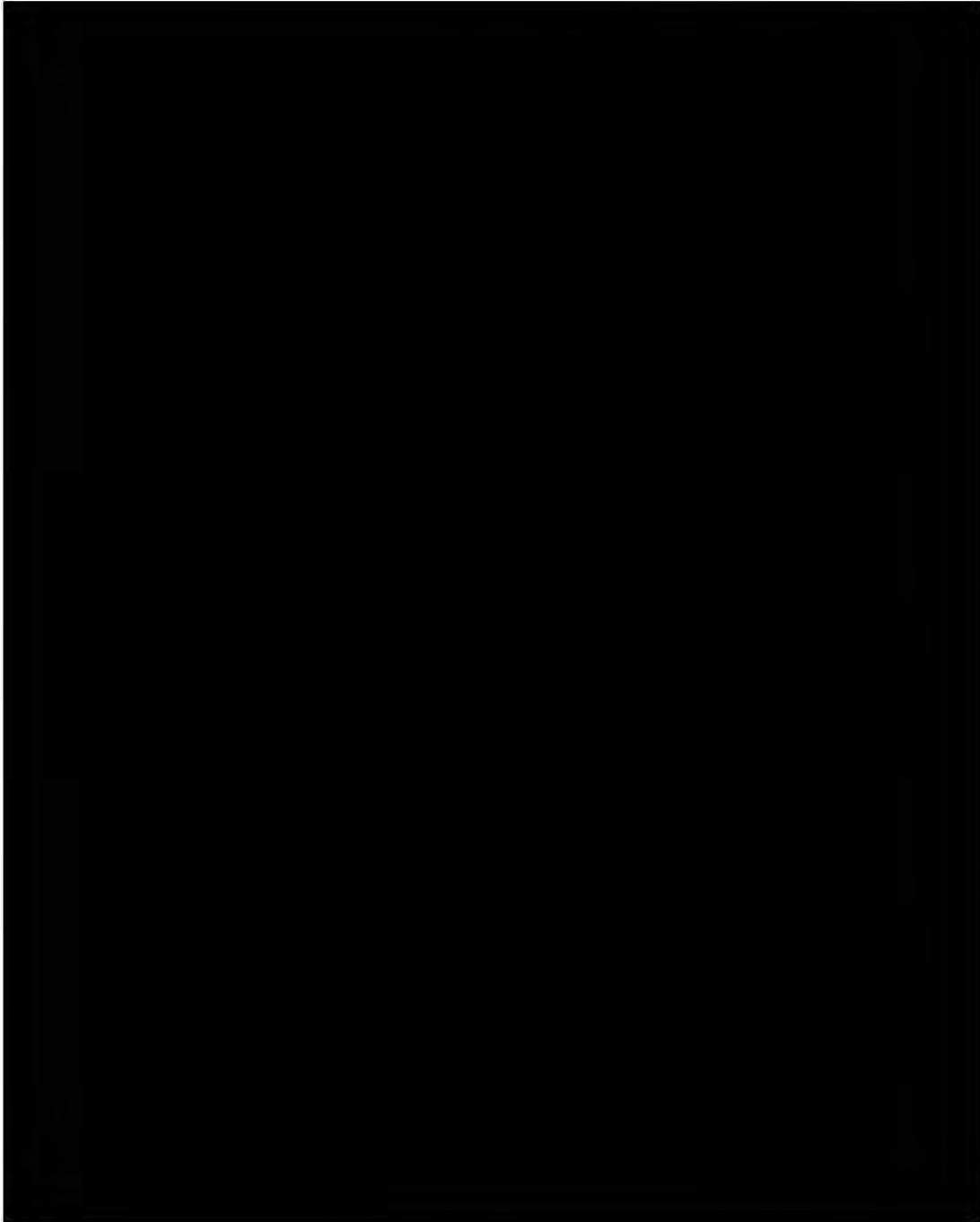
DIRECTORS' REPORT

FOR THE YEAR ENDED 31 MARCH 2024

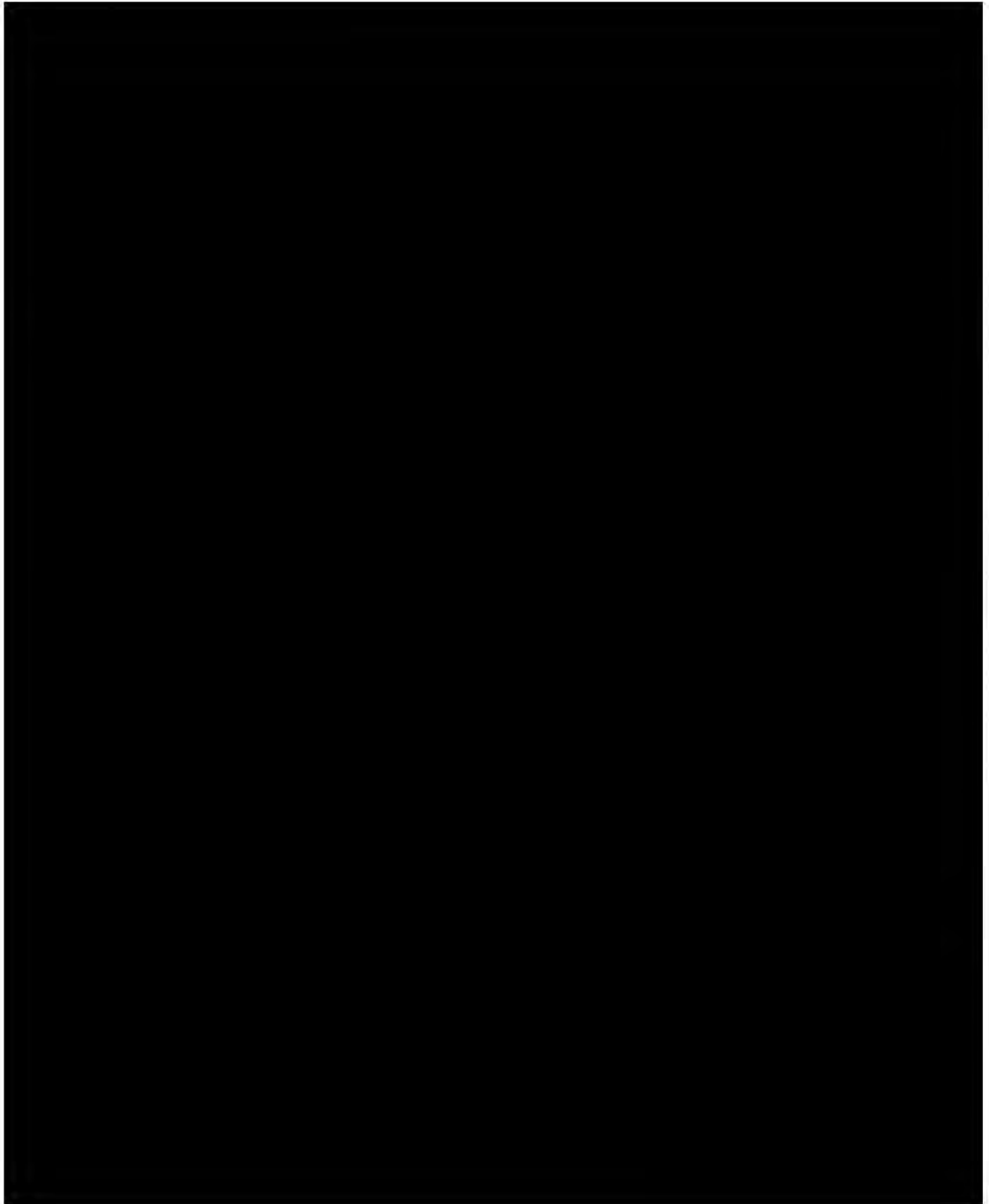
A small, solid black rectangular area, likely redacting a signature or name. It is positioned to the left of the date.

7 March 2025

MOLARD INVESTMENTS LIMITED



MOLARD INVESTMENTS LIMITED



Pic Exhibit 3



Promotional event pic taken from Sintillate website on 18 March 2026.



45 Curtain Road — Application to Review Premises Licence PREM/2023/0090

1 message

29 April 2026 at 15:14

To: Sanaria Hussain <sanaria.hussain@hackney.gov.uk>

Cc: [REDACTED]

Re: 45 Curtain Road — Application to Review Premises Licence PREM/2023/0090 (the “Application”)

Dear Sanaria

We write further to the above Application since there have been further new facts that have transpired since the submission of that Application.

We wish to draw the attention of the licensing authority and the Licensing Committee to the following facts:

(i) During the period 11- 14 April 2026, we had correspondence with an agent for 45,London /Election Group (the operators on the rooftop of the premises (“the Operators”)) re: noise from the rooftop of the premises (this is marked on the attached as Annex 1).

We are also aware of the following extract from an Opentable website review of 45th & 7th (which operates on the rooftop of the premises) of 12 April 2026:

“The pictures made it look like an outdoor roof terrace. However we were indoors and the atmosphere is quite loud and the music needs to be changed or made quieter. Very hard to have a conversation and there are speakers everywhere. Seemed to be trying to be some kind of Instagram beach party vibe, when really it’s a greenhouse on a roof terrace with a plastic roof. Imagine it will be like a sauna in summertime.”

(ii) Further to the correspondence referred to in (i) we were then approached by [REDACTED] of Thomas & Thomas.

In a phone call with us on 27 April 2026 [REDACTED] stated that he acted as solicitor in this matter for Molard Investments Limited and Partrum Management Limited, but he was not aware he acted for the Operators.

We therefore respectfully request that:

a. This email and the attached correspondence be included in the all parties bundle and brought to the attention of all relevant parties, including the Licensing Committee (see below re :copying of this email to [REDACTED]); and

b. The Licensing Committee impose a new Condition 39 on Premises Licence, as set out in revised Annex B, also attached.

Point (b) is particularly relevant to the “shadow licence loophole” referred to in point 5 of the Rider to the Application (and we reserve the right to make further submissions on this point at the hearing).

In addition, the revised Annex B to the Rider to the Application contains some drafting refinements /clarifications to the earlier version, in addition to the proposed Condition 39.

We make these requests to promote full transparency in advance of the hearing. In this connection we have therefore copied this email to [REDACTED], and we also refer him to the 2025 accounts of Molard Investments Limited (published on 31 March 2026) which you have indicated will form part of the hearing bundle.

We also intend to submit a 1-2 page skeleton argument (again for distribution to all parties) prior to the hearing.


We would be grateful for your confirmation that the request to add this letter and the attached documents to the bundle will be accommodated.

Many thanks,

[REDACTED]

Deputy Leader

Shoreditch Community Association

 **3443_001.pdf**
245K

Annex 1 - 28 April

From: [Redacted]
Sent: 15 April 2026 1:35 PM
To: [Redacted]
Subject: Fwd: Noise Nuisance - 45 Curtain Road, London - 11 April 2026

EXTERNAL E-MAIL

Sent from my iPhone

Begin forwarded message:

*Emails of 12-14 April 2026
between SCA +
"licensing consultants"
agent for the
operators on
the laptop*

From: [Redacted]
Date: 14 April 2026 at 12:42:59 BST
To: [Redacted]
Cc: [Redacted]
Subject: Noise Nuisance — 45 Curtain Road, London - 11 April 2026

To: [Redacted] and [Redacted]

Re: the above titled matter, we note [Redacted] (your agent) has not answered the questions we raised in our email of 12 April 2026 (below, and on which you were copied) (and re-iterated in our email earlier today- again, you were copied).

We look forward to your response.

[Redacted]
Deputy Leader
Shoreditch Community Association

Sent from my iPhone

Begin forwarded message:

From: [Redacted]
Date: 14 April 2026 at 12:04:56 BST
To: [Redacted]
Cc: [Redacted]
[Redacted]
Subject: RE: Noise Nuisance — 45 Curtain Road, London - 11 April 2026

Dear [REDACTED],

Thank you for your email.

I must reiterate that I am not instructed in relation to this matter. My clients are tenants of the hotel's F&B outlets, however the premises licence is held by the hotel owners, and any matters relating to licensing, including noise complaints, fall under their responsibility and legal representation.

As such, I am not in a position to comment on the allegation raised, nor can I advise on any actions to be taken.

You will need to direct all correspondence to the hotel owners or their appointed solicitors. Unfortunately, I am not in direct contact with the hotel owners and therefore I am unable to assist further or facilitate an introduction.

Kind Regards,

<image001.png>

[REDACTED]
Licensing Consultant

From: [REDACTED]

Sent: 14 April 2026 14:20

To: [REDACTED]

Cc: [REDACTED]

Subject: Re: Noise Nuisance — 45 Curtain Road, London - 11 April 2026

Dear [REDACTED],

We believe your clients caused, or permitted others to cause, noise nuisance on the roof on 11 April - please let us know what your clients intend to do about it, as per my email of 12 April 2026.

PS - who are the "hotel's solicitors"?

Thank you.

[REDACTED]
Deputy Leader Shoreditch Community Association

Sent from my iPhone

On 14 Apr 2026, at 07:19, [REDACTED]
wrote:

Dear [REDACTED]

I hope you're well.

My clients are the tenants of the hotel's F&B outlets, however the premises licence is held by the hotel owners.

As such, I am not instructed in relation to this matter. You will need to direct your correspondence to the hotel owners' solicitors, who I understand are formally handling this on their behalf.

Kind Regards,

<image001.png>

From [REDACTED]
Sent: 13 April 2026 23:55

[REDACTED]
Subject: Re: Noise Nuisance — 45 Curtain Road, London - 11 April 2026

I do not appear to have received acknowledgment of the email below (sent yesterday) from anyone.

Please immediately acknowledge receipt (at a minimum) and revert.

Thank you

[REDACTED]
Deputy Leader
Shoreditch Community Association

On 12 Apr 2026, at 08:57, [REDACTED]
[REDACTED] wrote:

Dear [REDACTED]

Shoreditch Community Association writes to report that residents in the immediate vicinity of 45 Curtain Road experienced loud thudding bass music which appeared to emanate from the rooftop of 45 Curtain Road until approximately 22:30 on Saturday 11 April 2026.

This constitutes a noise nuisance affecting local residents and we require that those responsible take immediate steps to ensure it does not recur.

Please confirm receipt of this email and inform us of the steps to be taken.

[REDACTED]
Deputy Leader
Shoreditch Community Association

RTRISBD
ANNEX B - 28 APRIL

Proposed New Conditions and Determination

The Applicant respectfully requests that the Licensing Sub-Committee:

- (i) imposes the following new Conditions 38 and 39 (set out in A. and B. below respectively); and
- (ii) alters Condition 35 by adding the text set out in C. below;
- (iii) makes the determination set out in D. below;

all in respect of the premises licence.

A. Condition 38

The premises licence holder shall ensure that no Rooftop Entertainment is carried on at any time on the rooftop area of the premises.

For the avoidance of doubt, this prohibition applies whether sound is amplified or unamplified, and regardless of the number of performers or attendees.

“Rooftop Entertainment” means any activity on the rooftop area of the premises which consists of and/or includes and/or involves:

- live music (within or outside the meaning of the Live Music Act 2012), recorded music, and DJ or DJ-led performances; and/or
- any event involving the use of a public address system, speeches, or hosted events; and/or
- any performance of a musical or entertainment nature; and/or

- the playing of sound through speakers or other equipment; and/or
- the making of any sound intended for the purposes of entertainment and which is audible at any residential premises; and/or
- any event, gathering, or activity involving sound which is capable of being heard beyond the Premises.

Section 1777A of the Licensing Act shall not apply to this Condition.

For the avoidance of doubt, Condition 38 is imposed as an additional and independent measure, for the promotion of the licensing objective of the prevention of public nuisance.

B. Condition 39

No licensable activities shall be carried on the rooftop areas of the premises otherwise than pursuant to this premises licence.

Section 1777A of the Licensing Act shall not apply to this Condition.

For the avoidance of doubt, Condition 39 is imposed as an additional and independent measure, for the promotion of the licensing objective of the prevention of public nuisance.

C. Condition 35 – alteration

Condition 35 shall be altered by adding the following:

“Section 1777A of the Licensing Act shall not apply to this Condition.

For the avoidance of doubt, Condition 35 is imposed as an additional and independent measure, for the promotion of the licensing objective of the prevention of public nuisance.”

D. Determination

The Sub-Committee, having considered the application for review under the Licensing Act 2003, is satisfied that the licensing objective of the prevention of public nuisance has been undermined by the use of the rooftop area for live music and entertainment.

The Sub-Committee therefore resolves to modify the premises licence by imposing the above Conditions 38 and 39, and altering Condition 35.

The Sub-Committee further determines that the exemption under Section 177A of the Licensing Act 2003 shall not apply to the rooftop areas of premises insofar as it relates to live music in such area.

REASONS

The Sub-Committee considers that:

- The rooftop area, by reason of its open and elevated nature, presents a heightened risk of noise breakout
- Evidence demonstrates that music from this area has caused disturbance to nearby residents
- The condition imposed is appropriate and proportionate to promote the licensing objectives
- Less restrictive measures would not adequately address the concerns identified



Sanaria Hussain <sanaria.hussain@hackney.gov.uk>

45, Curtain Road - materials for bundle

3 messages

26 May 2026 at 09:25

To: Sanaria Hussain <sanaria.hussain@hackney.gov.uk>

Cc: [REDACTED]

Can I please ask you include this email and the email chain in the hearing bundle?

It contains correspondence with the solicitor for the premises licence holder (copied - amongst others - to the operators on the rooftop) regarding noise nuisance emanating from the rooftop (including throughout the last May Bank Holiday weekend).

SCA notes that the operators on the rooftop did not respond to the emails. Virgin did respond- and SCA understands that Virgin are not the operators on the rooftop.

Many thanks

Kind regards,

[REDACTED]
Shoreditch Community Association

Sent from my iPhone

Begin forwarded message:

From: [REDACTED]

Date: 25 May 2026 at 21:08:44 BST

Subject: Re: Bank Holiday noise nuisance - 45, Curtain Road

Dear [REDACTED]

We write further to our prior emails below.

SCA is once again receiving reports this evening — Bank Holiday Monday, 25 May 2026 — of music emanating from the rooftop of 45 Curtain Road.

This completes a pattern of noise nuisance across the entirety of the Bank Holiday weekend.

We are aware that reports have been made to Hackney Council.

We note that despite prior correspondence, no remedial action appears to have been taken by your client or the operators. The situation has continued unabated over the course of this weekend. No doubt you will be advising your client of its responsibilities as premises licence holder.

We have copied the operators as we have done throughout.

This correspondence will be submitted to Hackney Council as part of the evidence in the forthcoming review proceedings.

Regards

Deputy Leader
Shoreditch Community Association

On 24 May 2026, at 20:40, [REDACTED] wrote:

I am afraid to say SCA is receiving further reports of noise nuisance emanating from the rooftop of 45 Curtain Road today/this evening.

Anything you or your clients can do to alleviate the situation (I appreciate this may be after the Bank Holiday weekend) would be greatly appreciated.

We also copying in those whom we believe are the operators on the rooftop.

Thank you.

Regards,

[REDACTED]
Shoreditch Community Association

Sent from my iPhone

On 24 May 2026, at 13:53, [REDACTED] wrote:

Understood - thank you.

Regards,

[REDACTED]

Sent from my iPhone

On 24 May 2026, at 13:47, [REDACTED] wrote:

[REDACTED]

Thank you for your note. I don't normally monitor e mails at the weekend but I will take instructions and respond as soon as I'm able.


[REDACTED]

From: [REDACTED]
Sent: Friday, May 22, 2026 10:17 pm
[REDACTED]
Subject: Re: Noise

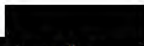


I do not appear to have heard from you in relation to my email of 16 May below.

It is 22.16 on Friday 22 May and we again have reports of loud thumping bass music emanating from the roof of 45, Curtain Road. Families are trying to enjoy their bank holiday weekend and residents - including children - in the area need to sleep.

We will be informing Hackney Council and its Licensing Committee of this situation.


Deputy Leader
Shoreditch Community Association

Sent from my iPhone

- > On 16 May 2026, at 20:11, 
 wrote:
- >
- > It is Saturday 16 May - a rainy day- and we have reports of loud thudding bass music emanating from 45,Curtain Road rooftop that is echoing all around the vicinity.
- >
- > I have called the contact number on 45 London webpage but there is no answer.
- >
- > The noise is continuing as I type.
- >
- > This is really an unacceptable situation.
- >
- > Please arrange for your clients and their tenants to stop this immediately- it is causing distress to local residents. Please also be aware that children in the area are currently revising for and sitting public examinations.
- >
- >
- >
- > 
- > Deputy Leader
- > Shoreditch Community Association
- >
- >
- > Sent from my iPhone



Sent from my iPhone

Begin forwarded message:

From: [REDACTED]
Date: 26 May 2026 at 09:25:27 BST
To: Sanaria Hussain <sanaria.hussain@hackney.gov.uk>
[REDACTED]
Subject: 45, Curtain Road - materials for bundle

[Quoted text hidden]

Sanaria Hussain <sanaria.hussain@hackney.gov.uk>
To: [REDACTED]
Cc: David Tuitt <david.tuitt@hackney.gov.uk>

26 May 2026 at 10:22

Dear [REDACTED]

Thank you for your email. I can confirm this has been received.

This correspondence will be included in the hearing bundle and brought to the attention of the members of the Licensing Sub-Committee (LSC).

Best regards,
Sanaria Hussain
Senior Licensing Officer
Housing, Climate and Economy
Hackney Service Centre
1 Hillman Street
London E8 1DY
Direct Line:020 8356 4972
Duty Line:020 8356 2431
<https://www.hackney.gov.uk/>

[Quoted text hidden]

Registered number: 12261938

Company Information

MOLARD INVESTMENTS LIMITED

ANNUAL REPORT AND FINANCIAL STATEMENTS

FOR THE YEAR ENDED 31 MARCH 2025

MOLARD INVESTMENTS LIMITED

COMPANY INFORMATION

Directors S A J Nahum
W R Collins (appointed 11 November 2024)
E M Sawyer (resigned 11 November 2024)

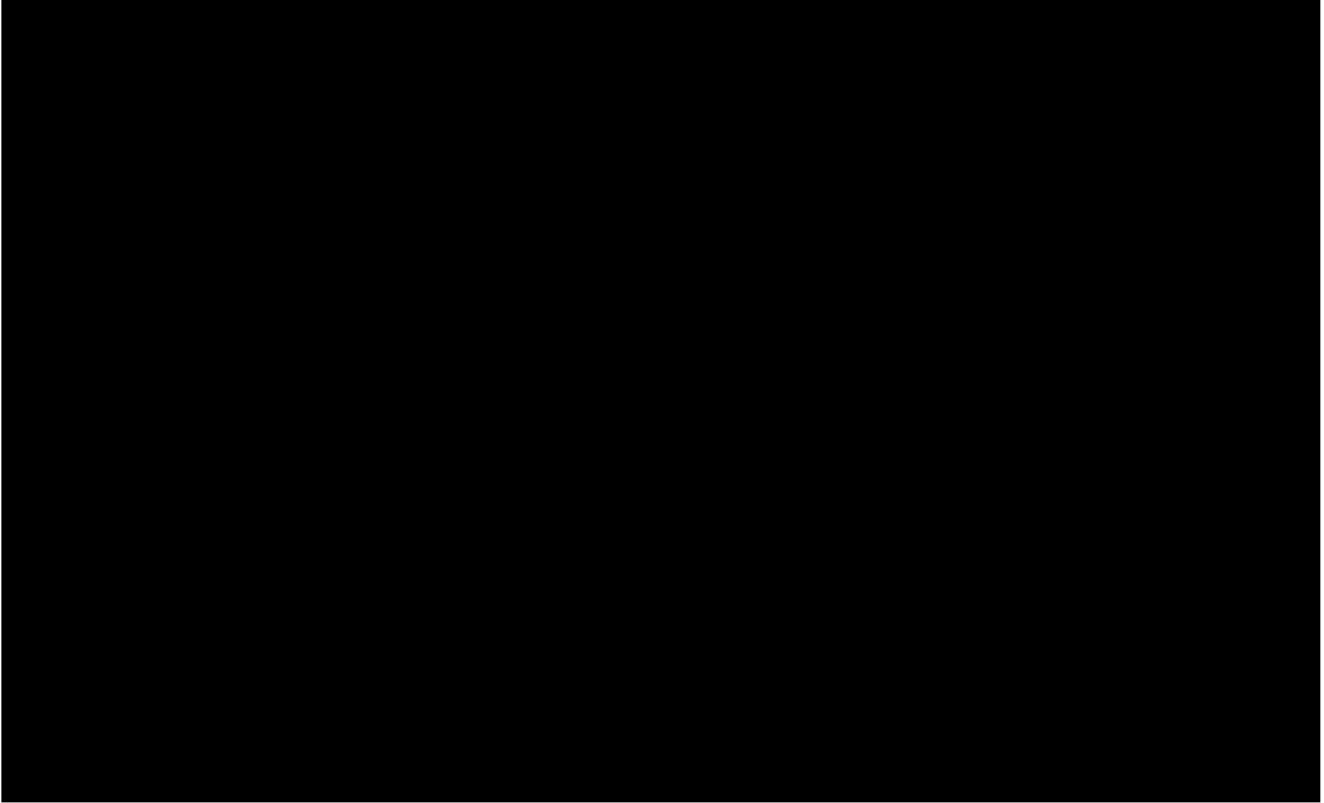
Registered number 12261938

Registered office 4th Floor
Millbank Tower
21-24 Millbank
London
SW1P 4QP

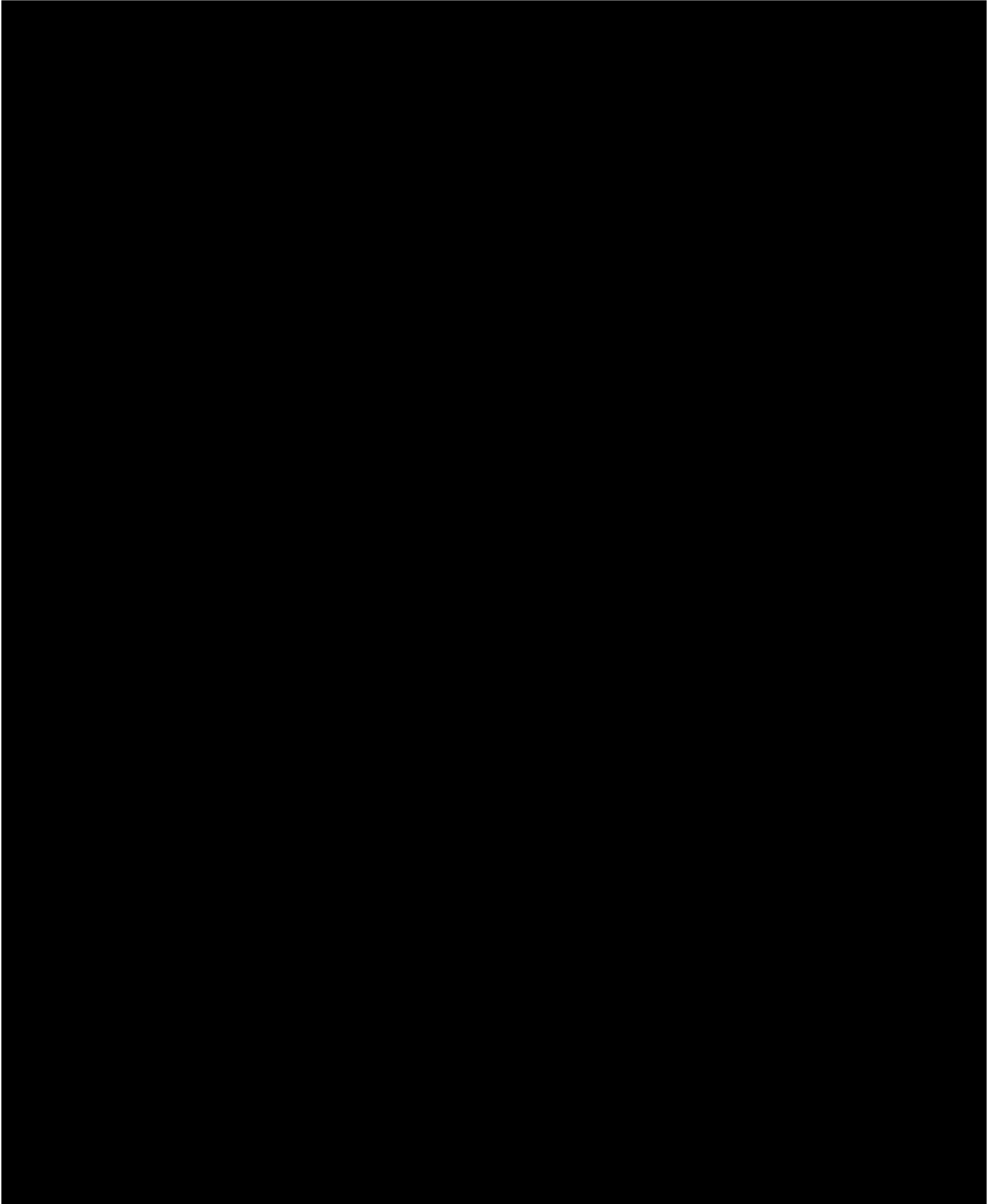


MOLARD INVESTMENTS LIMITED

CONTENTS

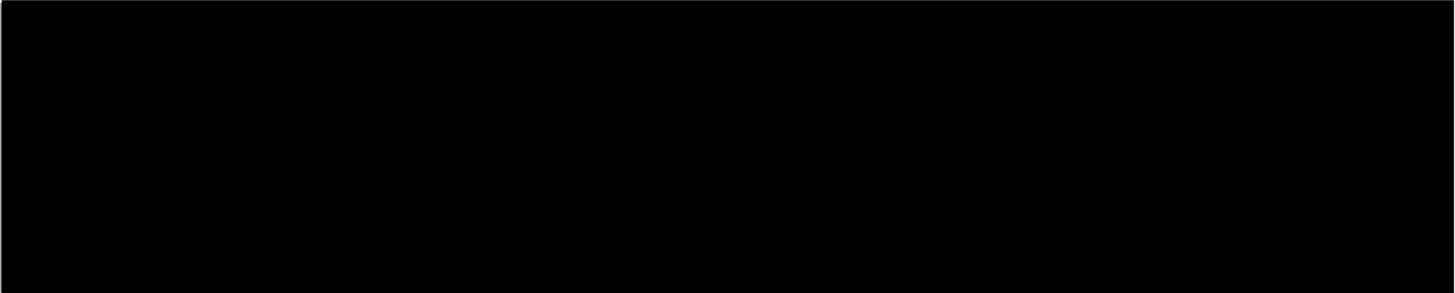


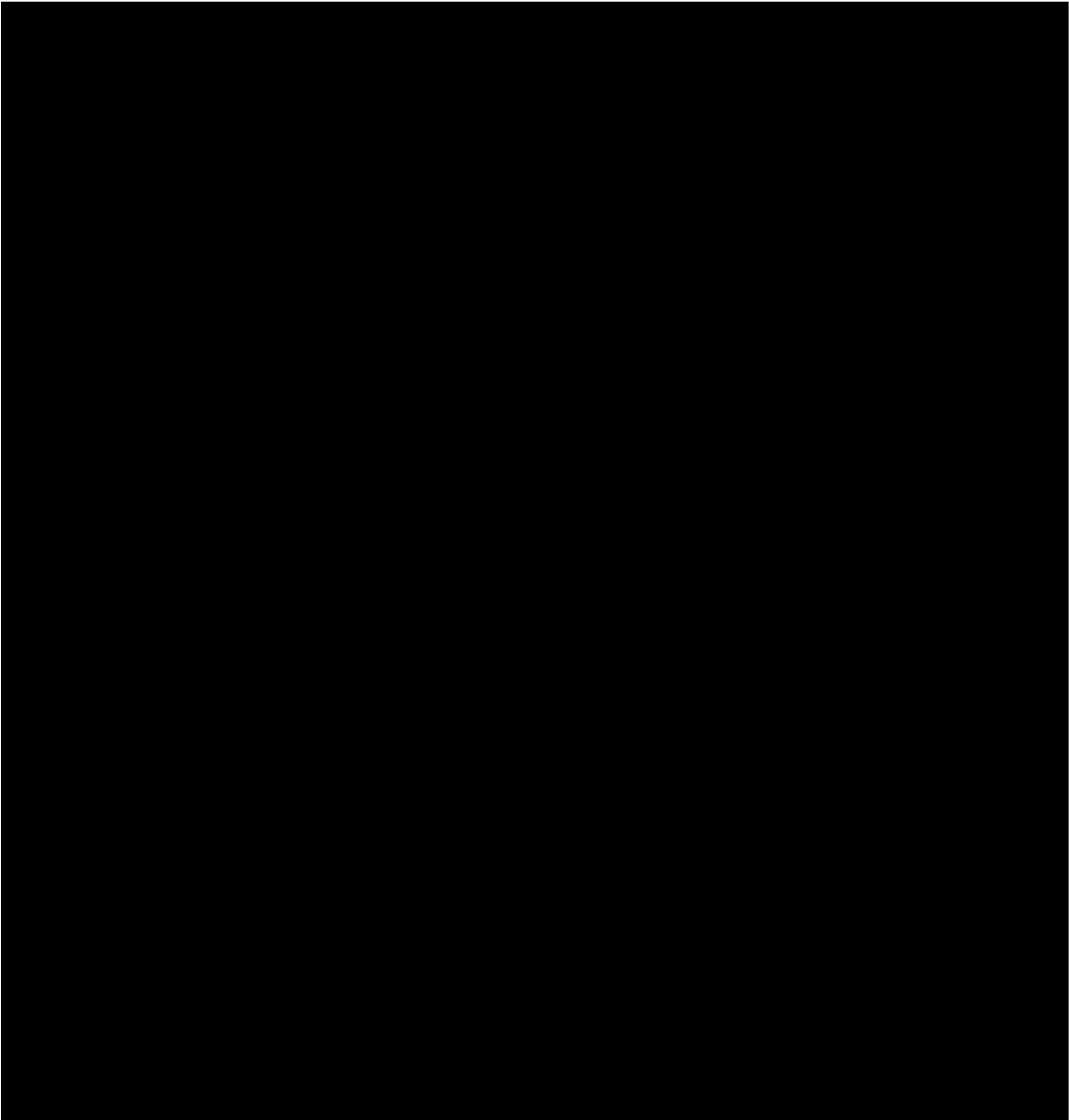
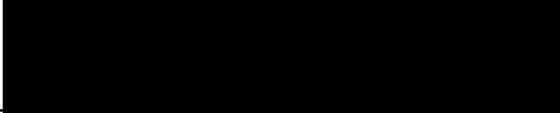
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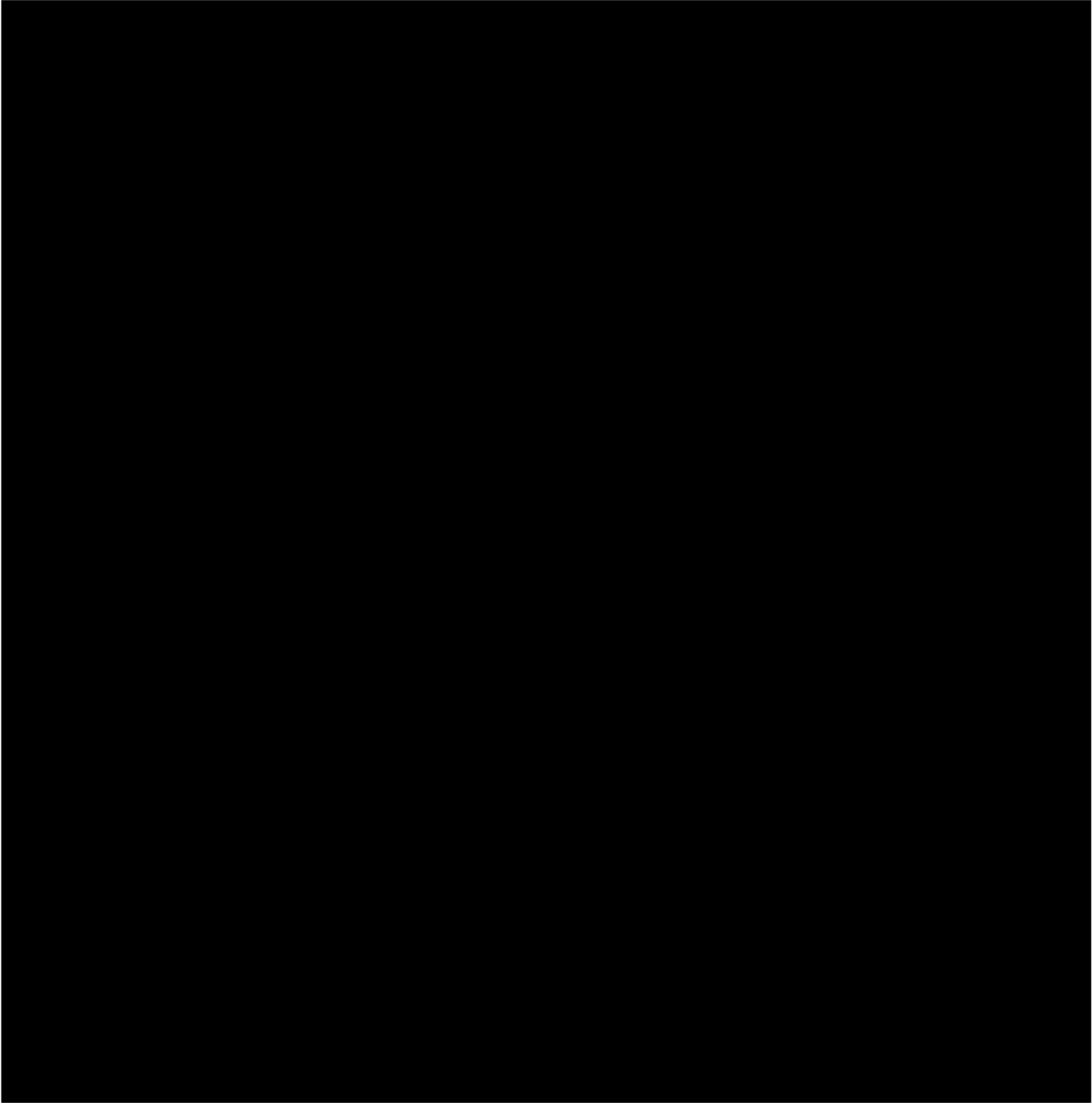
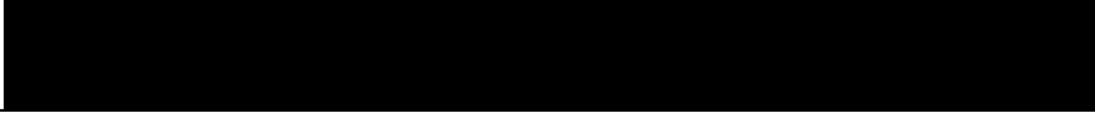
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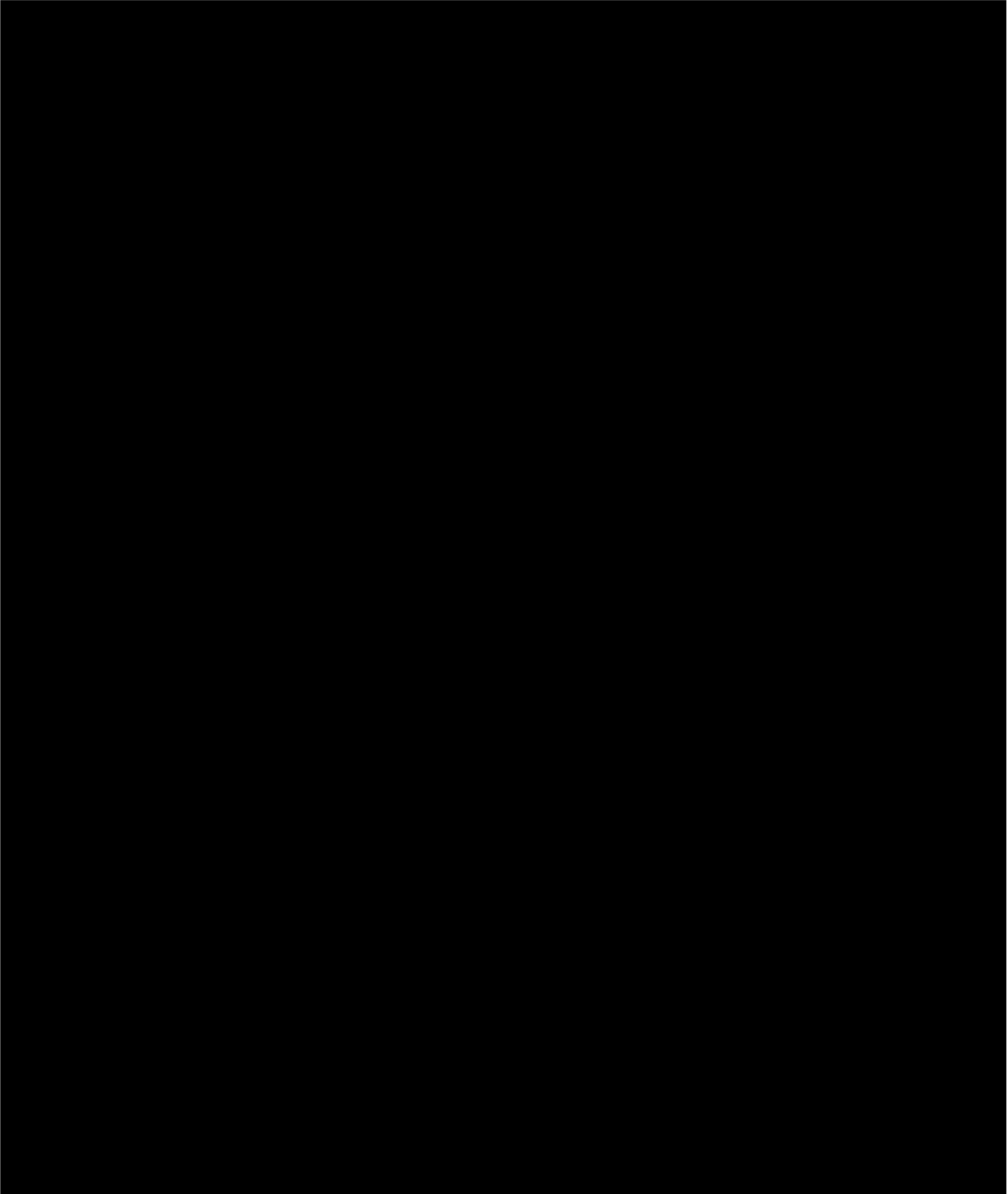
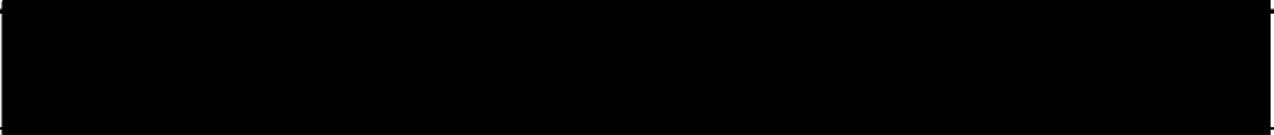


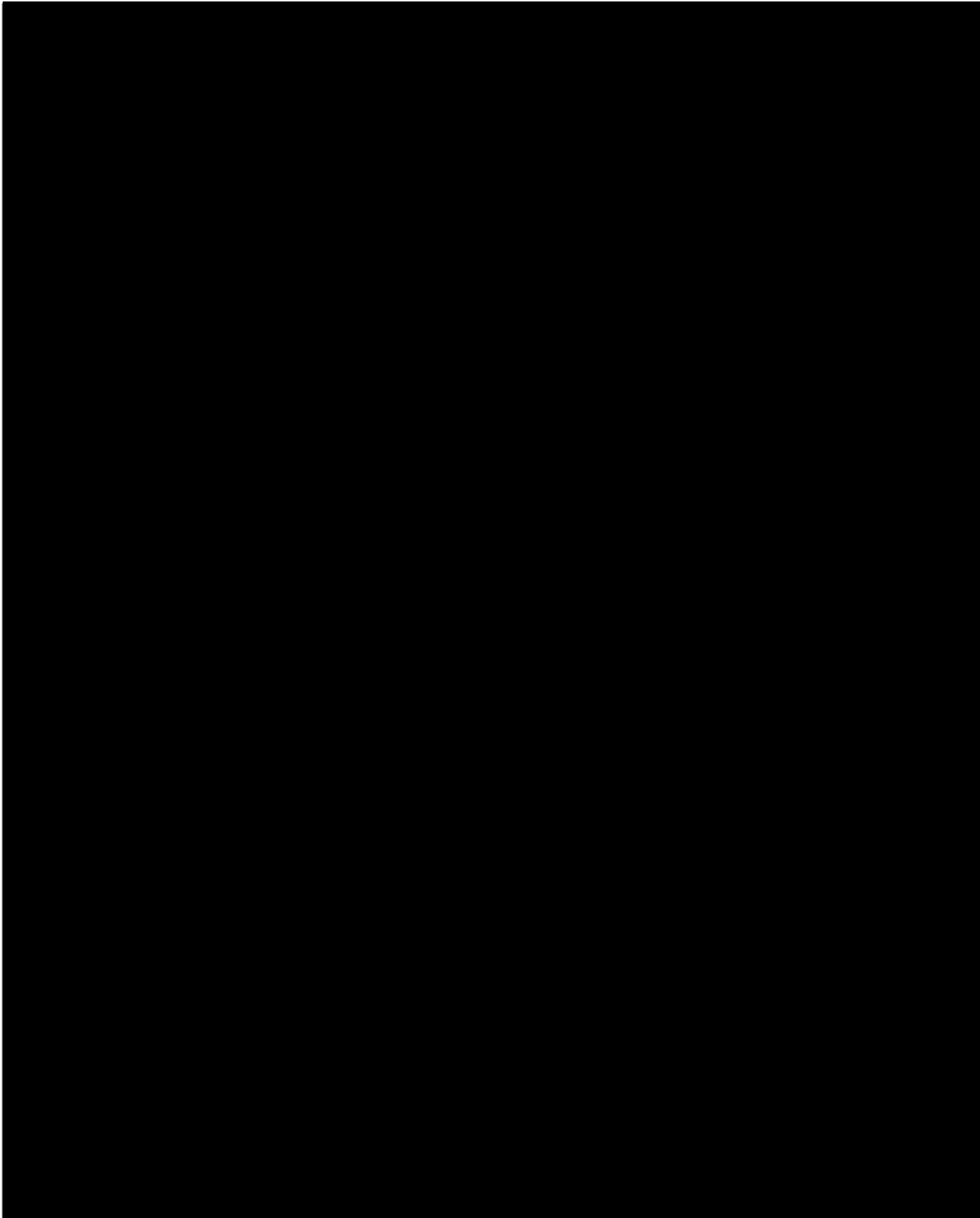
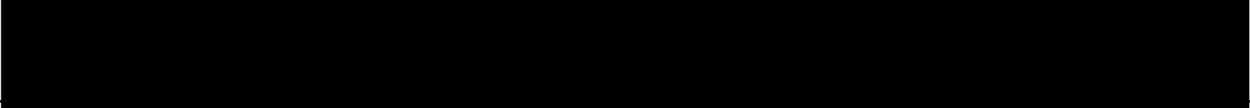
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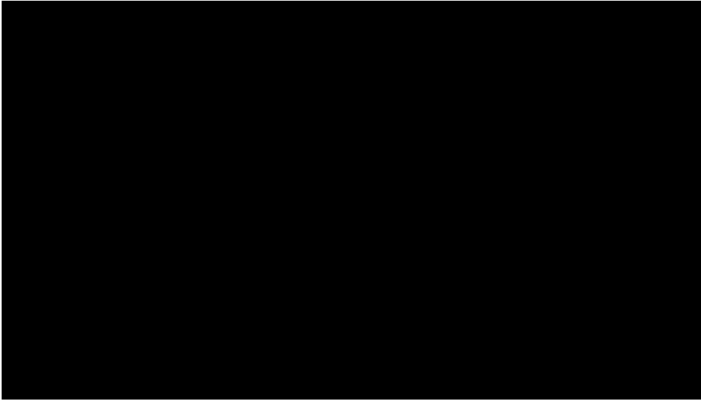




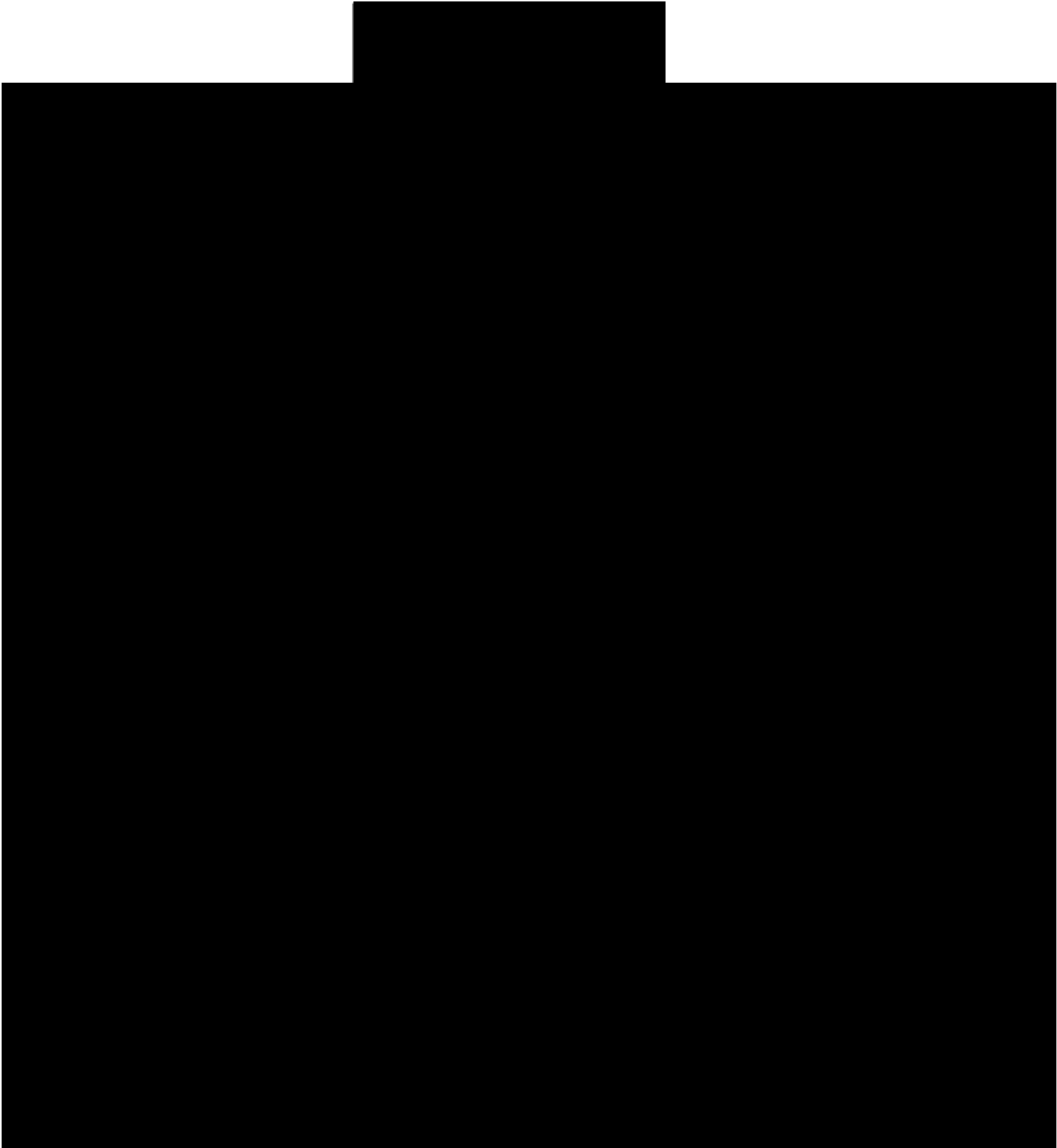


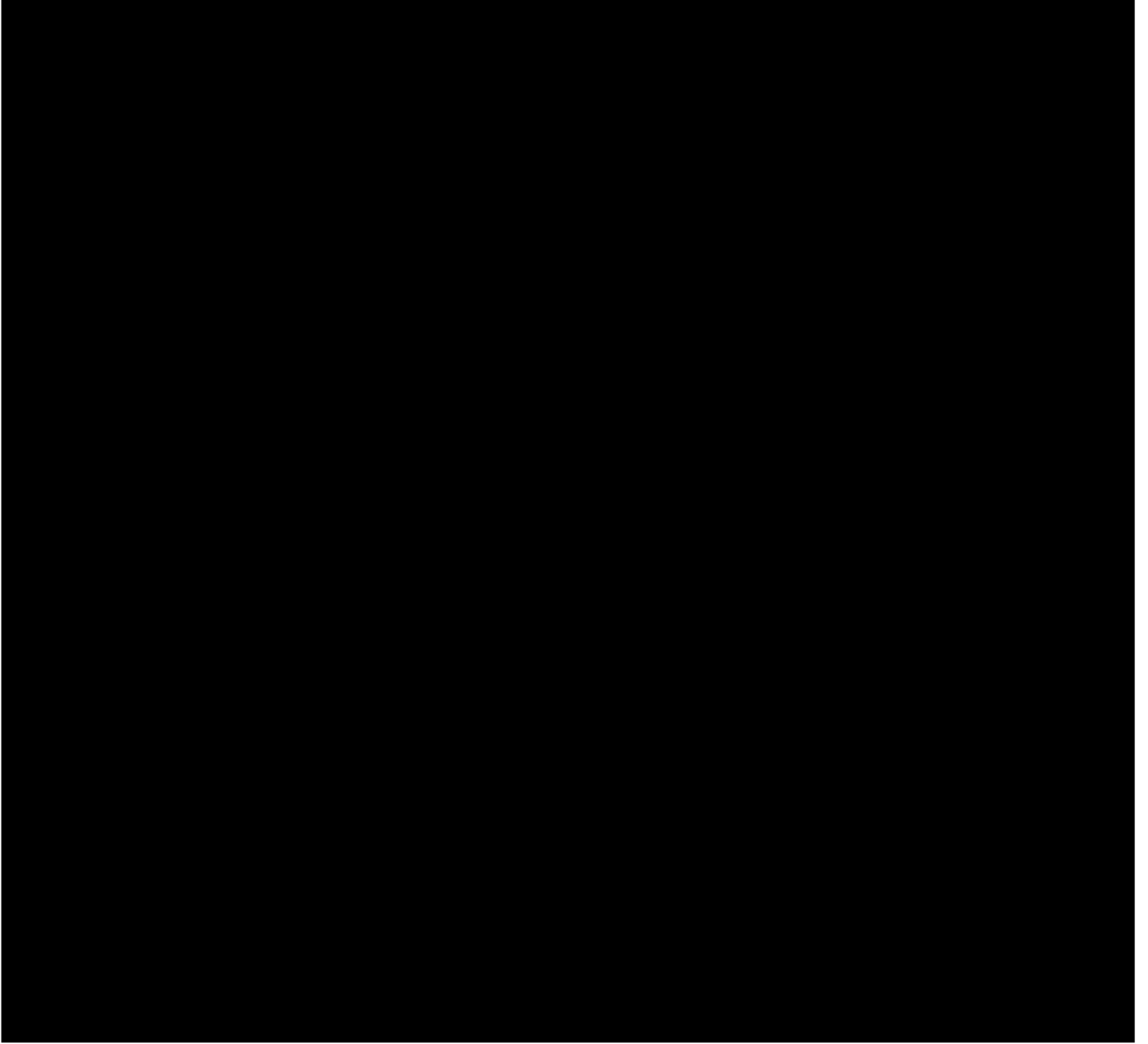


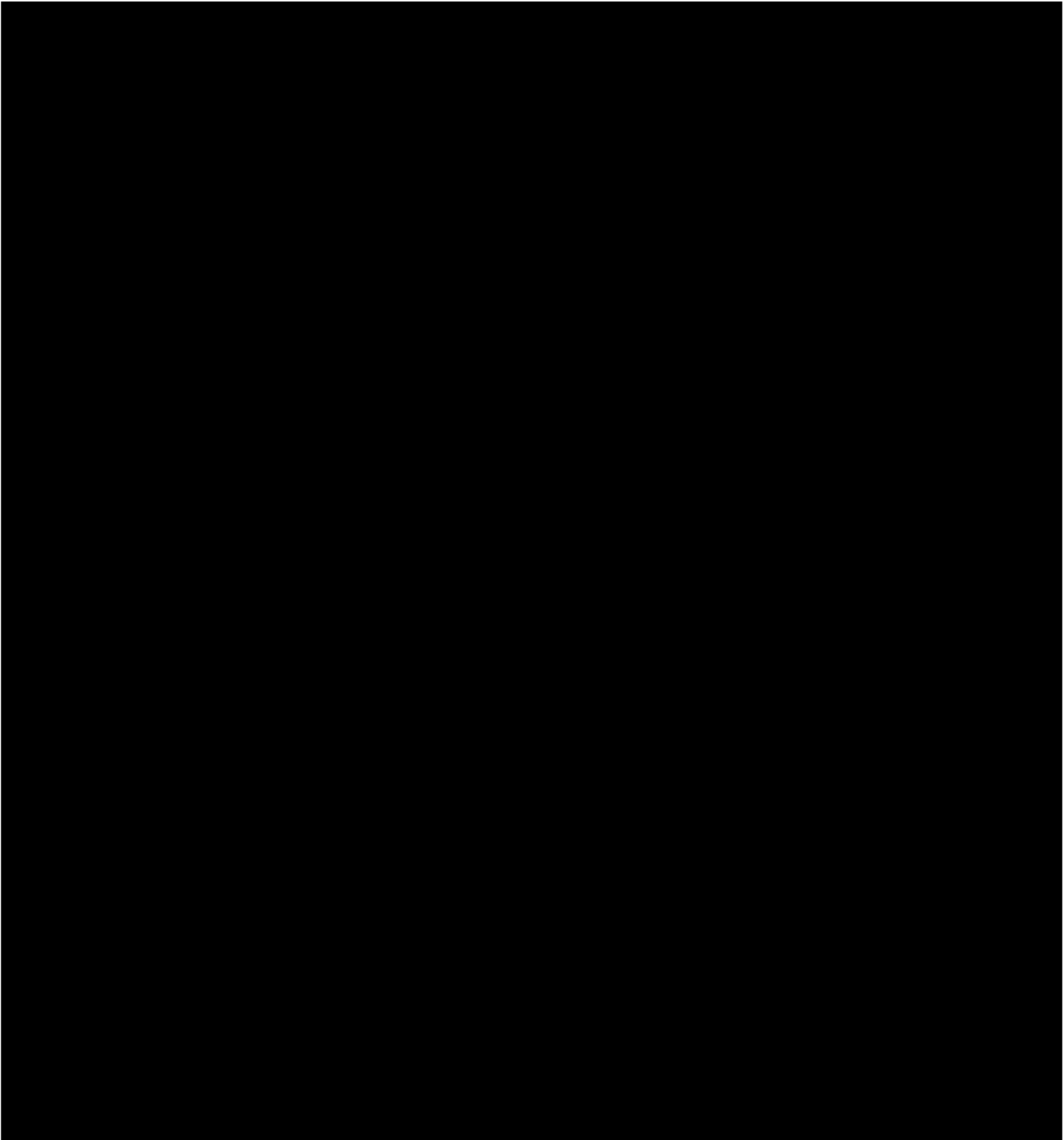


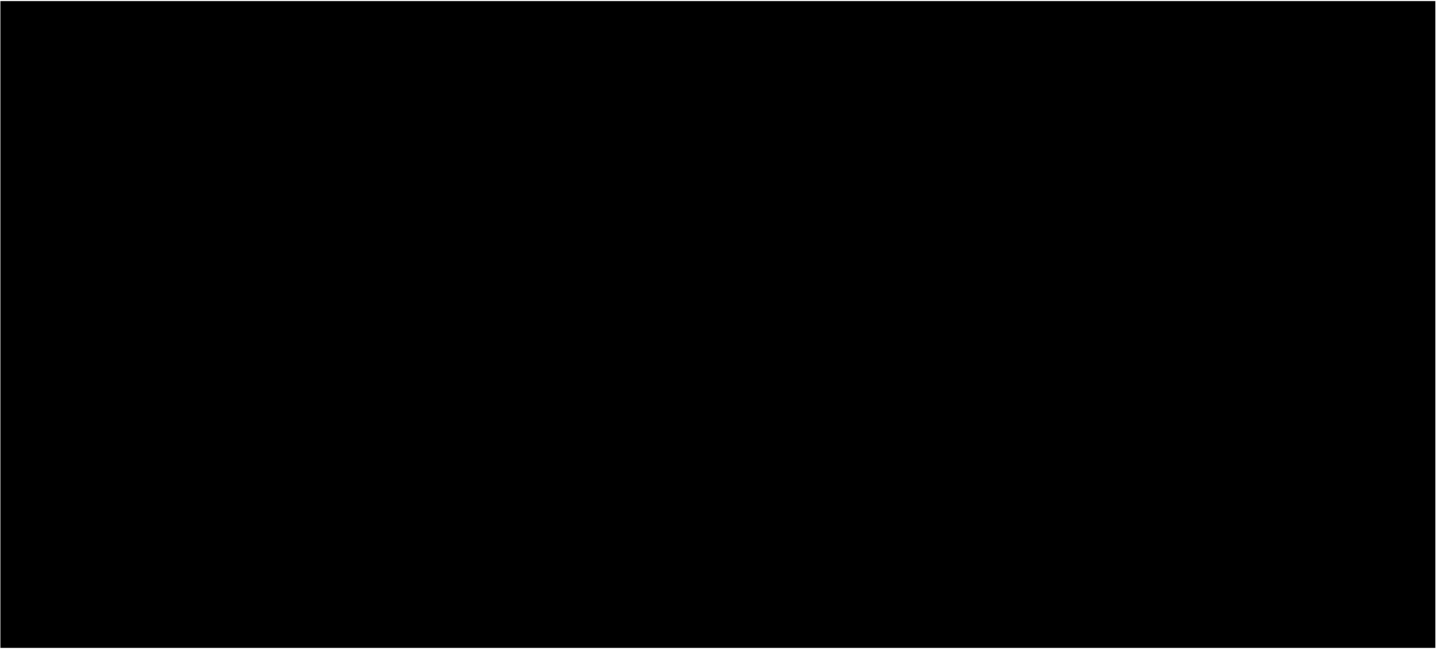


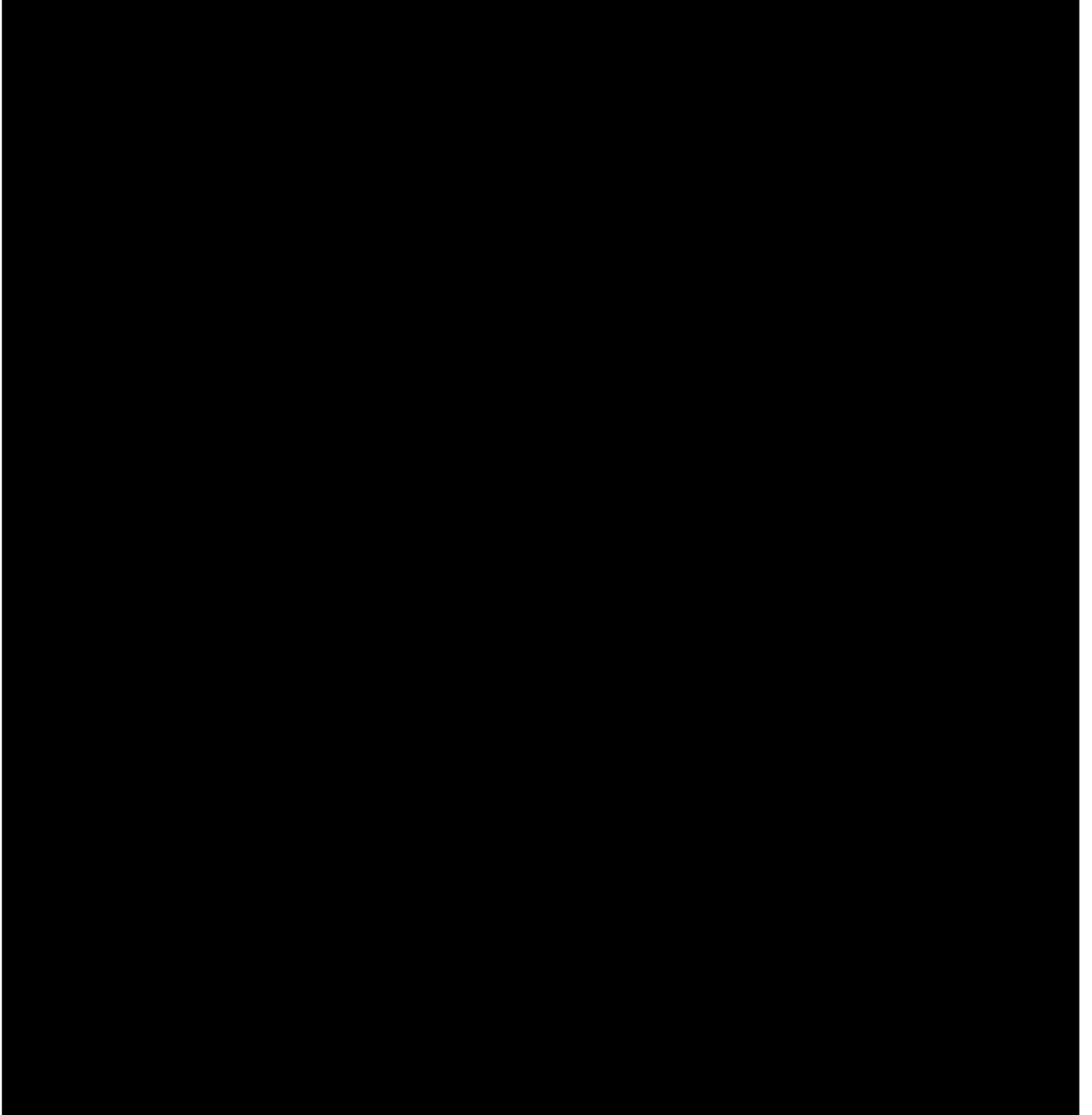


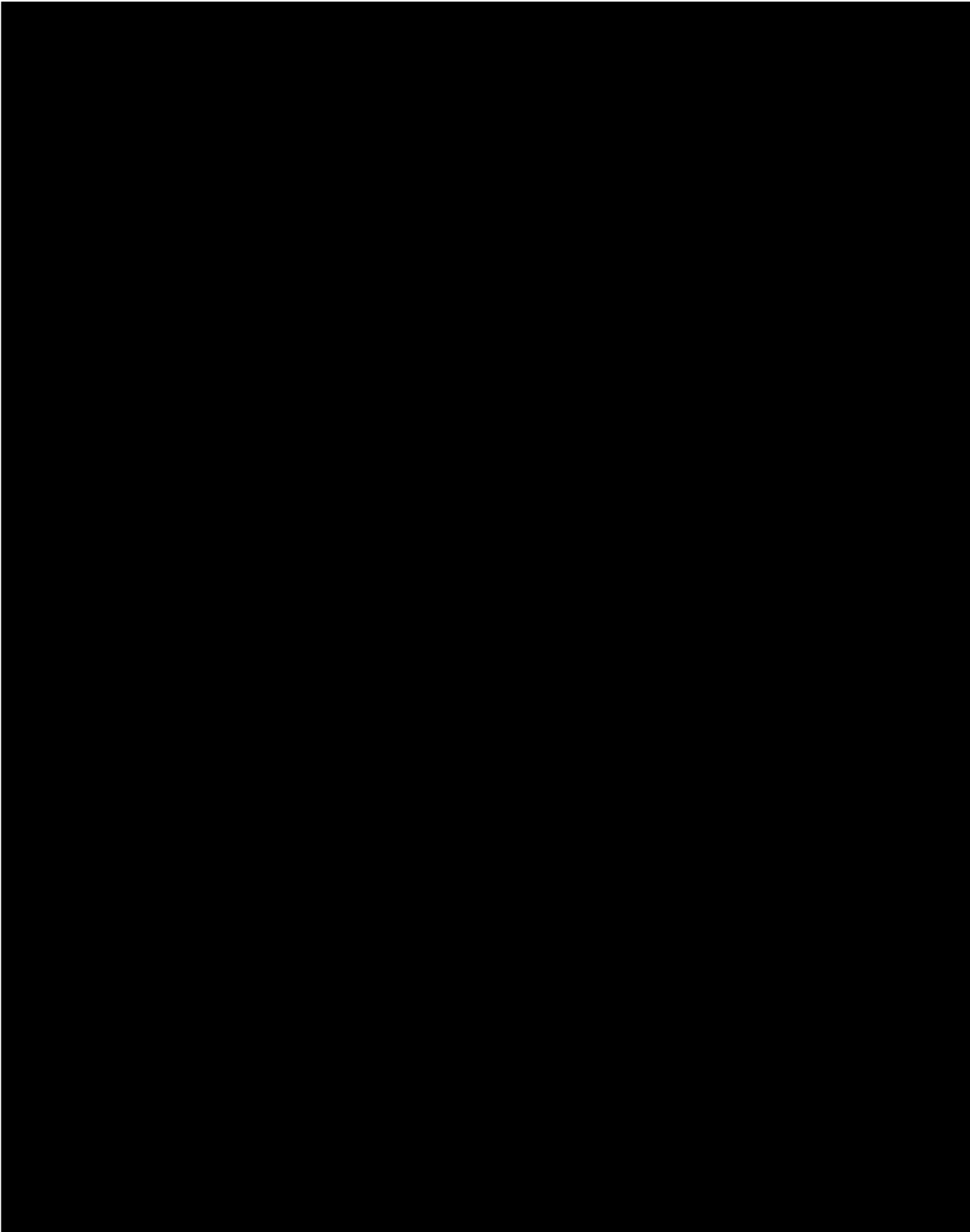


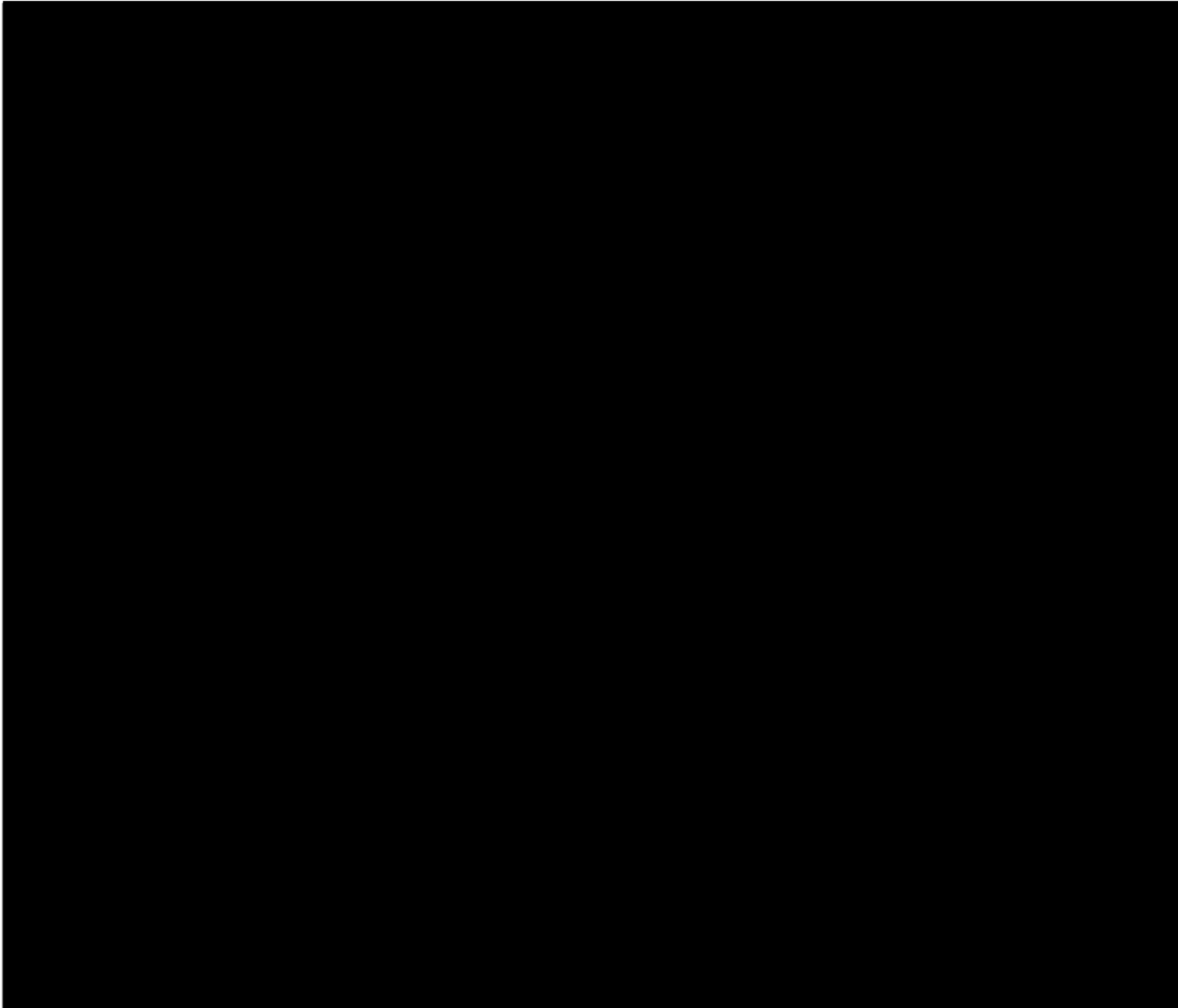


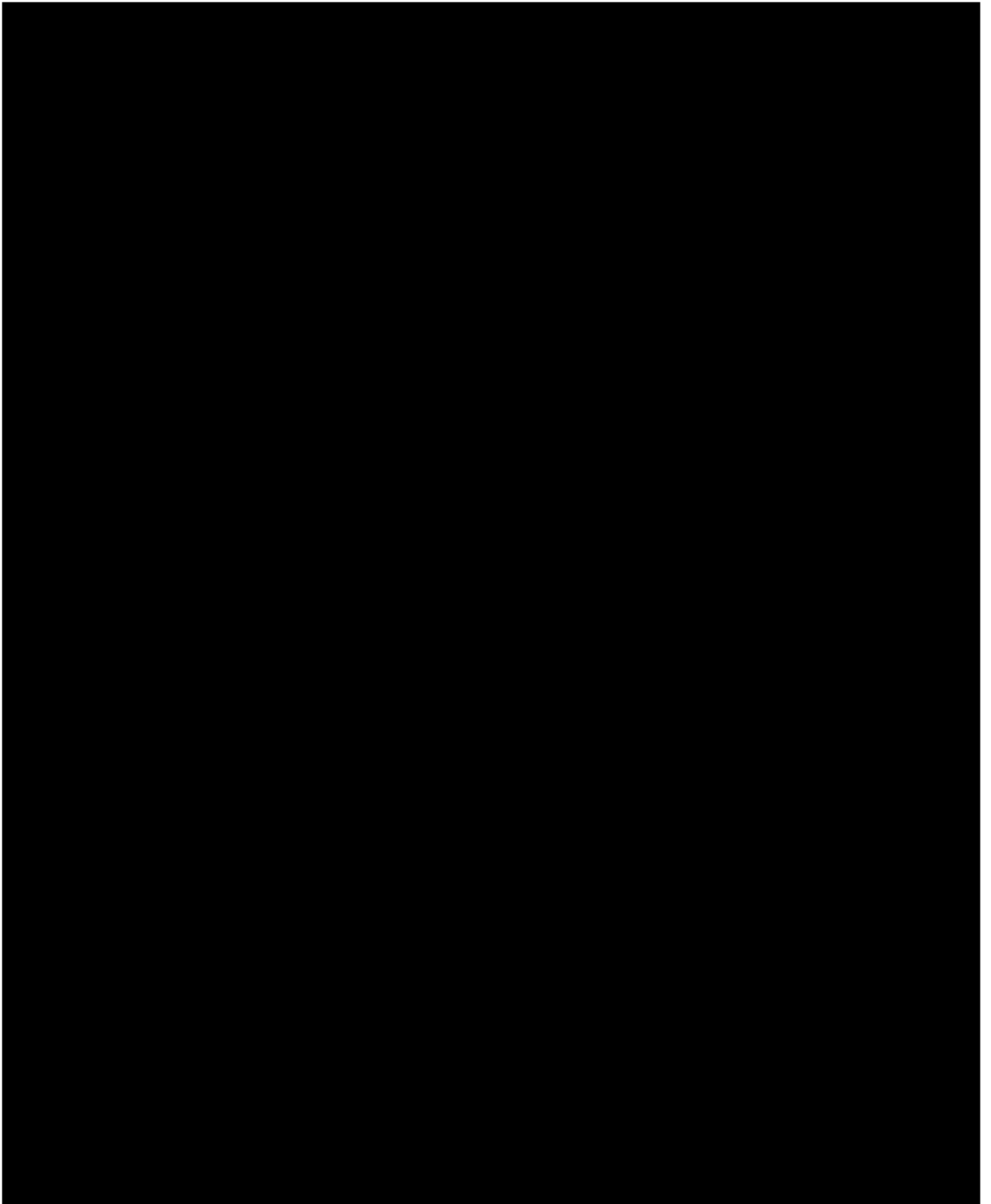


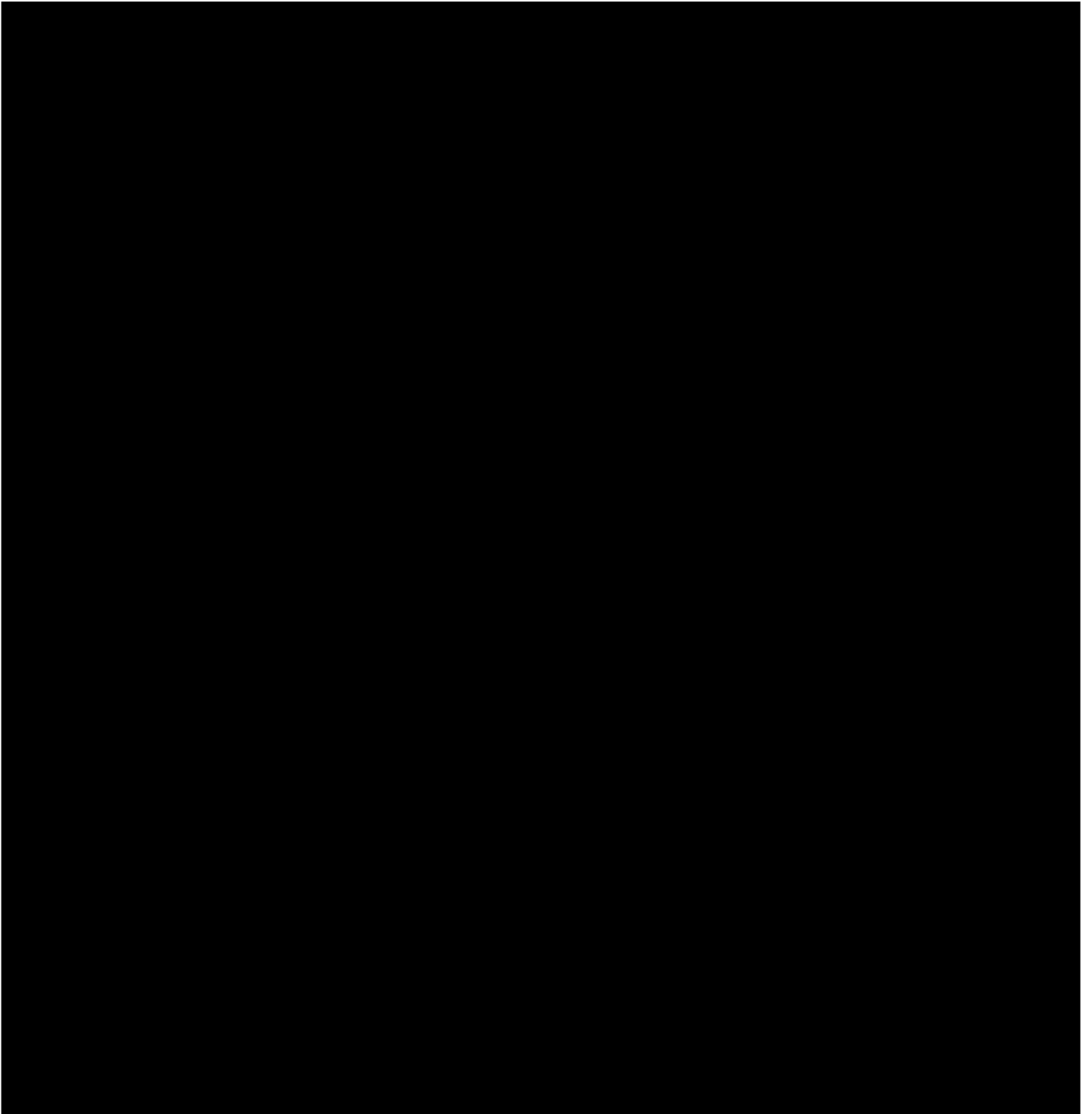


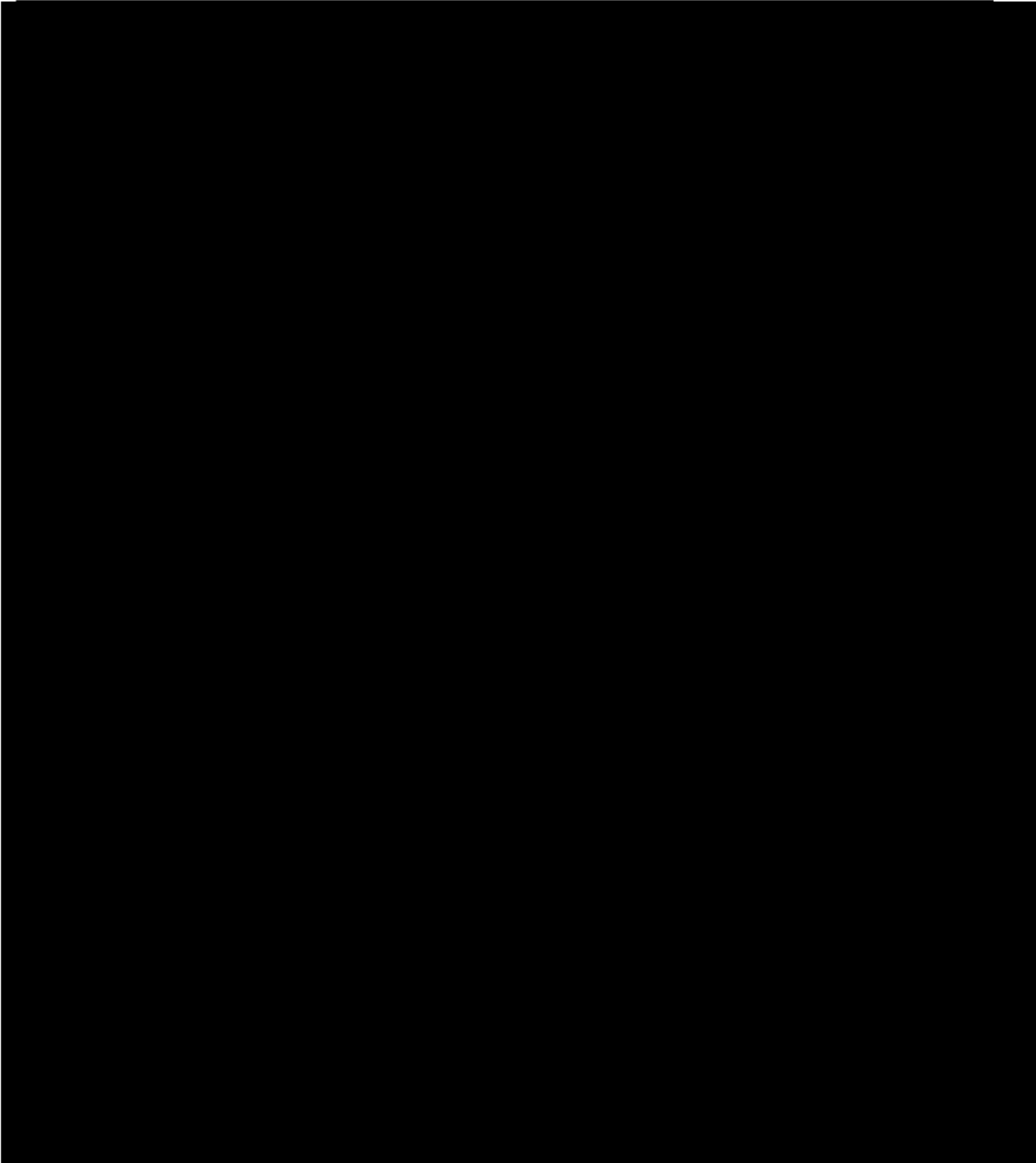


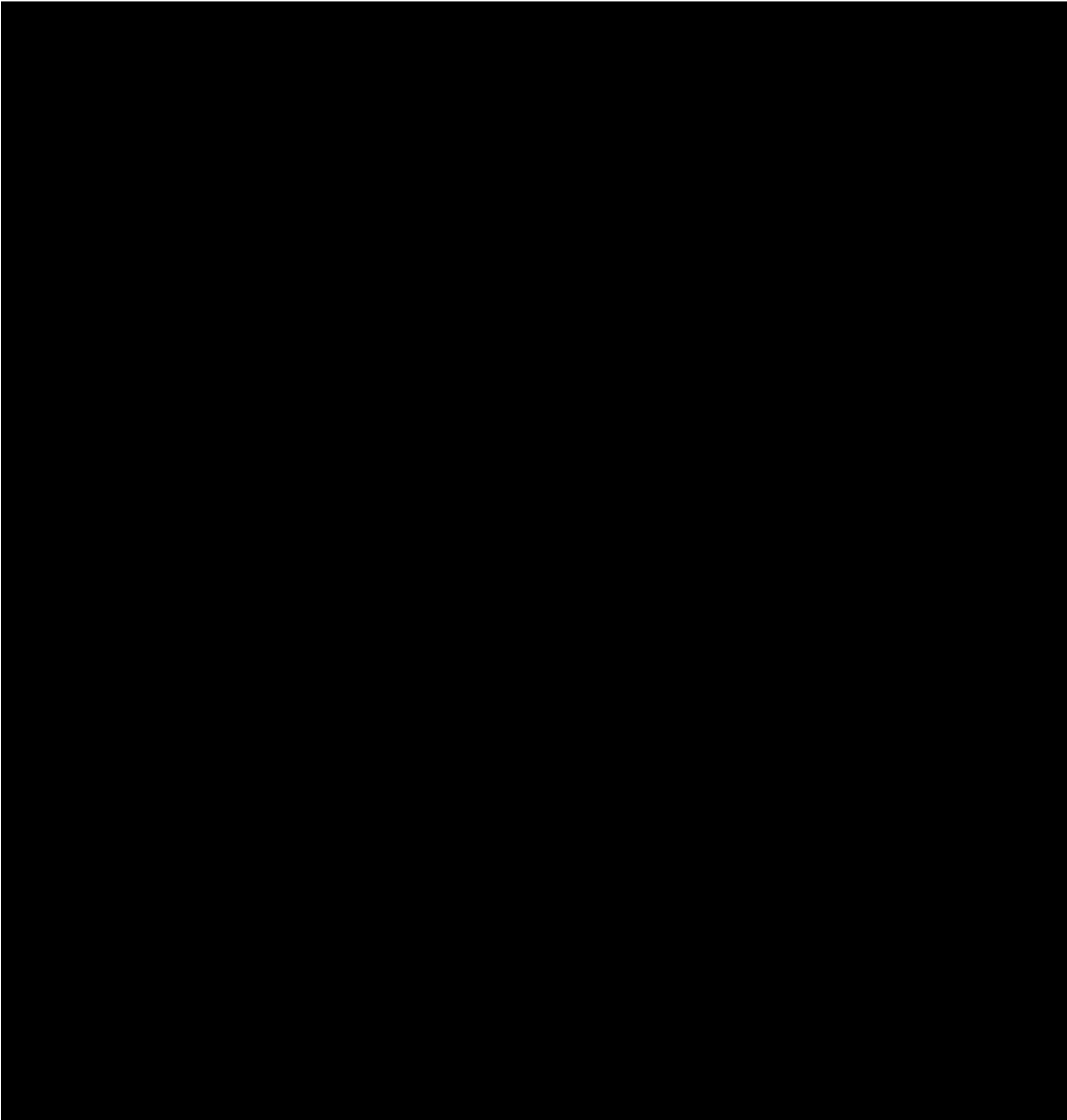


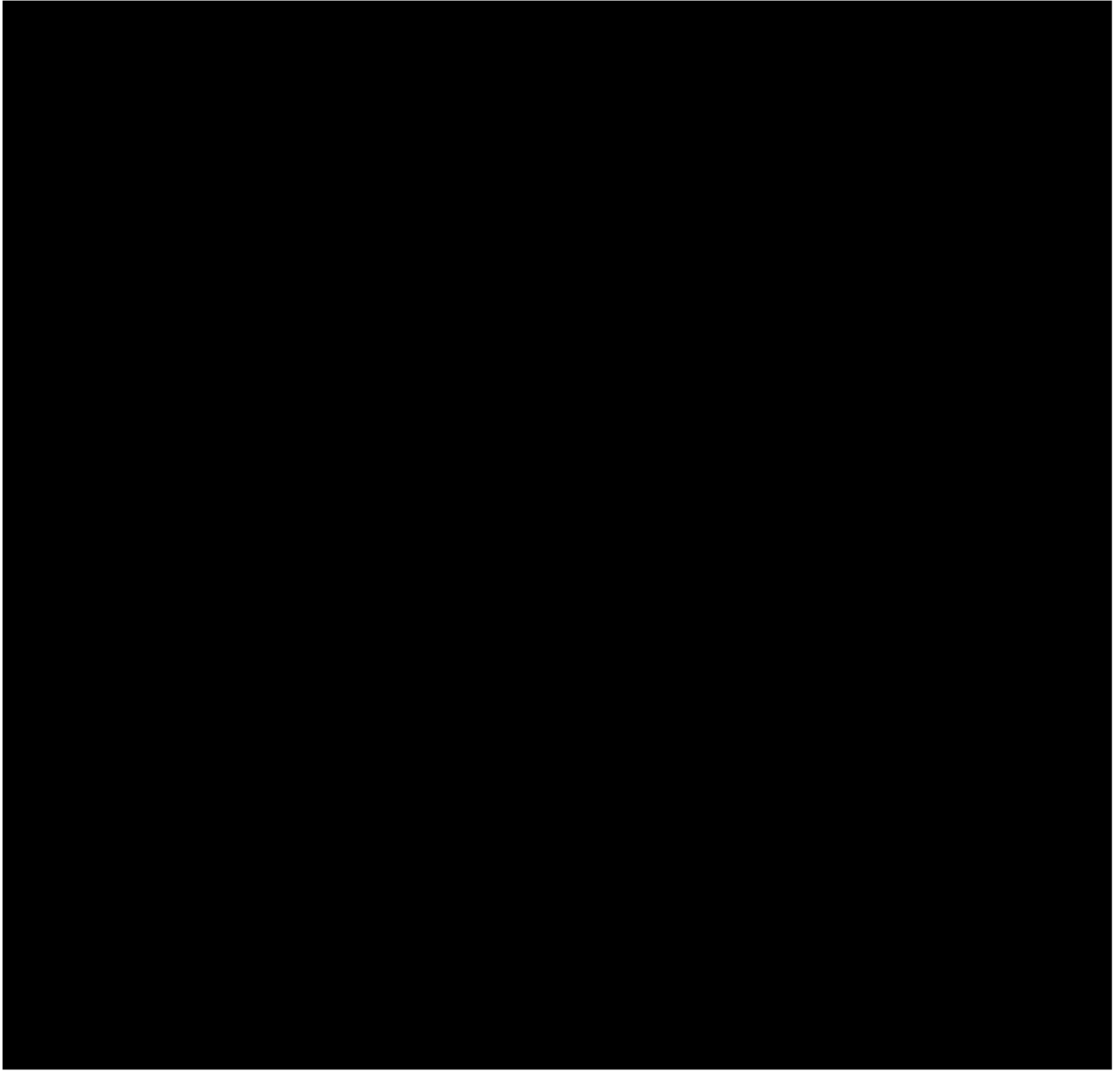


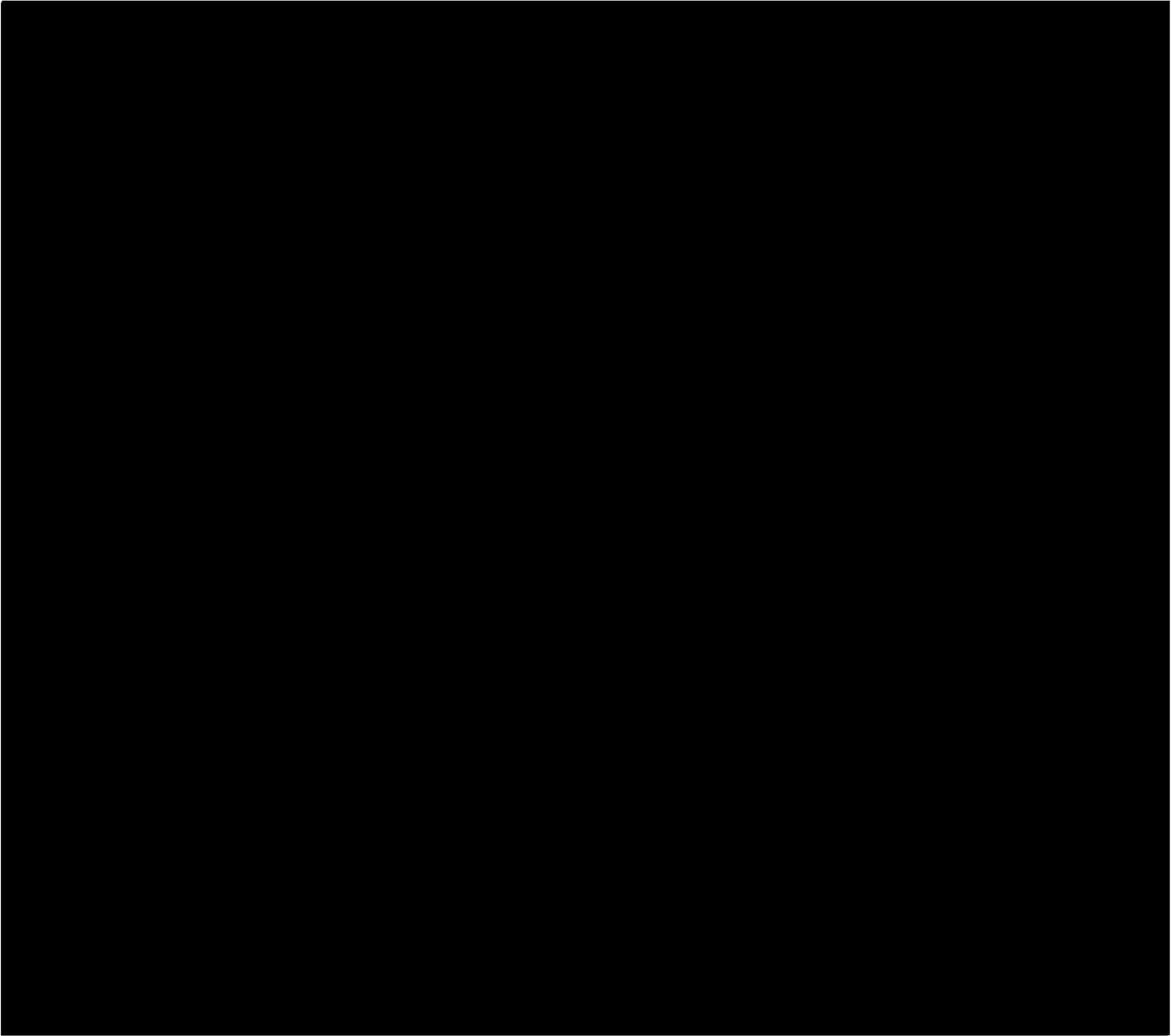


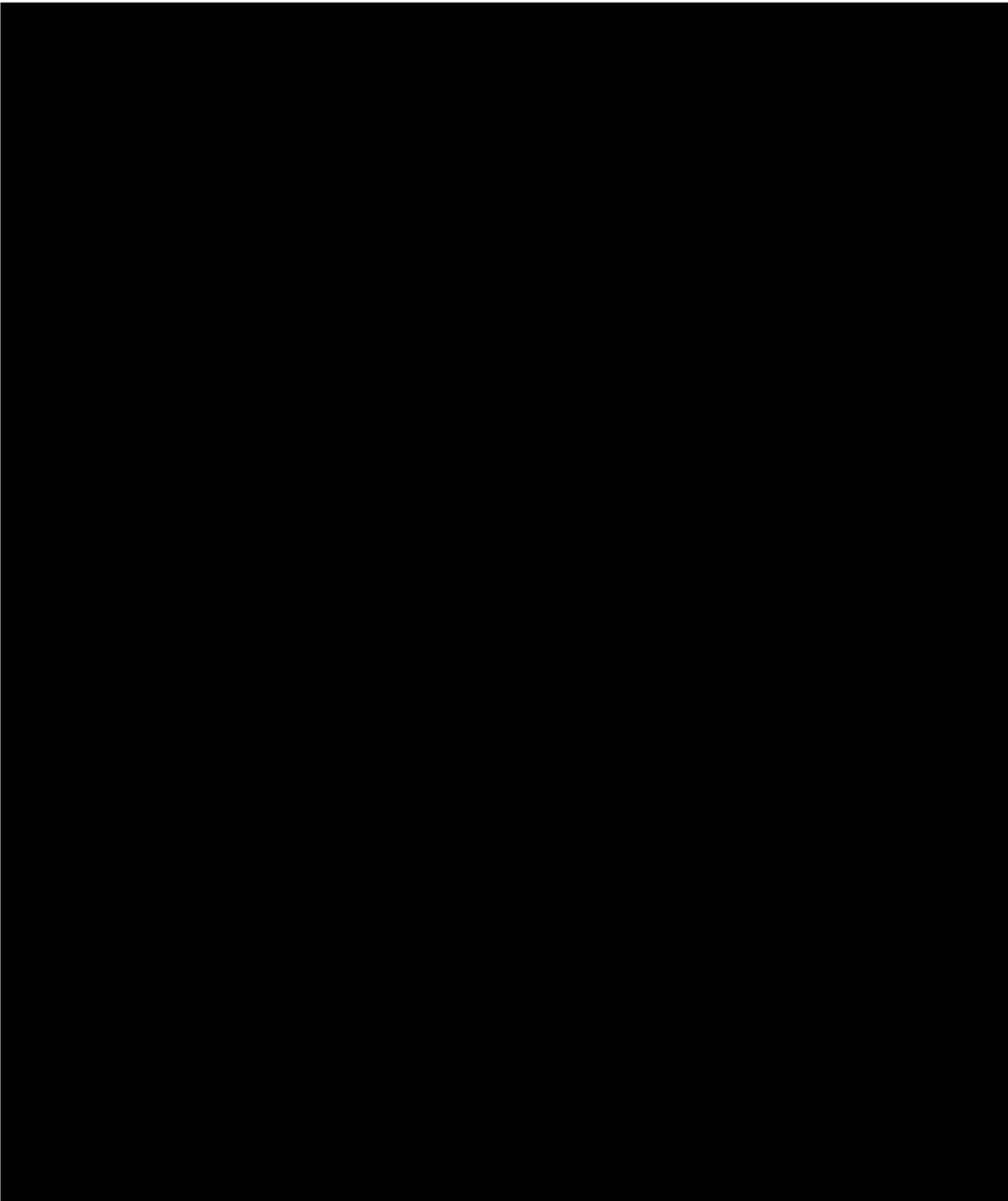


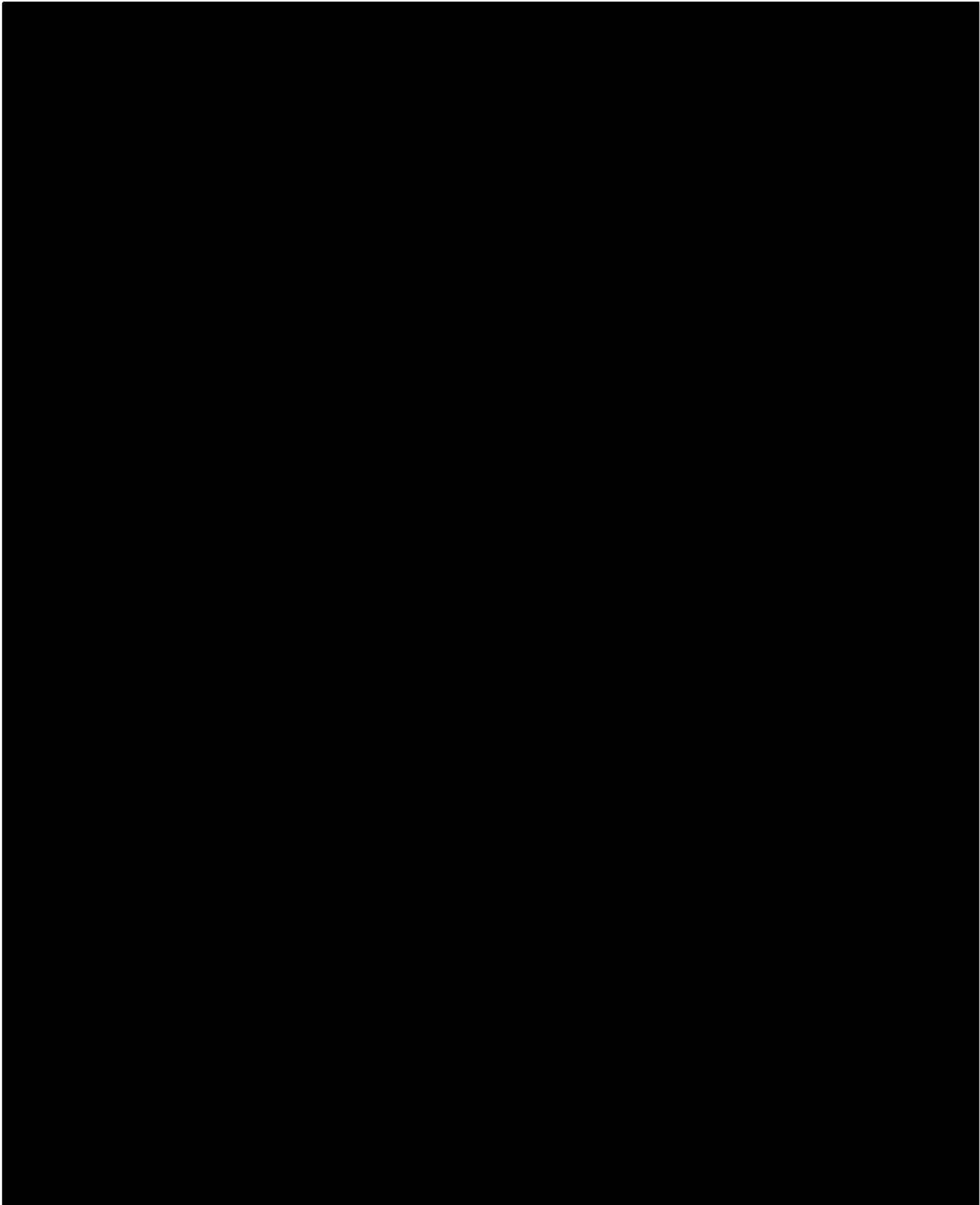












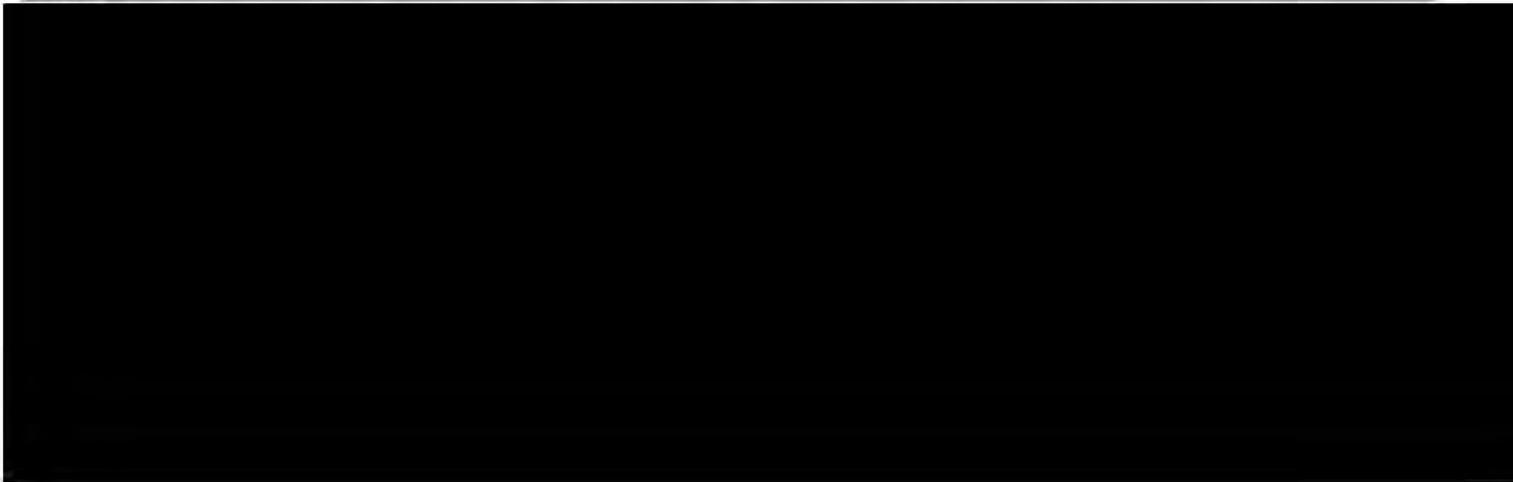




Subangini Sriramana <subangini.sriramana@hackney.gov.uk>

Fwd: 45 Curtain Road -invitation to the premises licence holder (via its solicitor) to propose noise limiting conditions for consideration (with all rights fully reserved)- none received

1 message



From: [REDACTED]
Date: 29 May 2026 at 10:06:12 BST
To: Sanaria Hussain <sanaria.hussain@hackney.gov.uk>
Cc: [REDACTED]
Subject: **Fwd: 45 Curtain Road -invitation to the premises licence holder (via its solicitor) to propose noise limiting conditions for consideration (with all rights fully reserved)- none received**

Dear Sanaria

Can I please ask you to include this email and the email correspondence below in the hearing bundle?

The subject matter is in the header of this email.

At the time of writing (Friday) we have had no proposals for noise limiting conditions (or other response).

Thank you

Kind regards,

[REDACTED]
Snoreditch Community Association

Sent from my iPhone

On 26 May 2026, at 17:28, [REDACTED] wrote:

Dear [REDACTED]

Thank you for your patience whilst I took instructions.

I'm putting together a response addressing your questions and concerns and will get this over to you Thursday latest.

[REDACTED]

From: [REDACTED]
Date: 11 May 2026 at 11:23:12 BS1
To: [REDACTED]
Cc: [REDACTED]
Subject: Re: Event on roof of 45 Curtain Road Friday May 8 2026

Many thanks — understood.

For the avoidance of doubt, our invitation remains subject to the caveats set out in our earlier email today, and all rights, remedies and positions remain expressly reserved.

Kind regards,

[REDACTED]

Deputy Leader

Shoreditch Community Association

Sent from my iPhone

On 11 May 2026, at 11:09, [REDACTED] wrote:

Dear [REDACTED]

Thank you very much for your email and for your offer of considering possible revised conditions in advance of the hearing of the review.

We continue to consider the issues raised through the application and may revert to you prior to the hearing.

[REDACTED]

From: [REDACTED]
Date: Monday, 11 May 2026 at 09:36
To: [REDACTED]
Cc: [REDACTED]
Subject: Re: Event on roof of 45 Curtain Road Friday May 8 2026

Dear [REDACTED]

Thank you for your response.

Could you please clarify what specific measures were in fact implemented on Friday 8 May, given the open-air nature of the event and the stated 11:30pm finish time?

For the purposes of the forthcoming review hearing, the Shoreditch Community Association's position remains that, amongst other things, there should be a new condition prohibiting "Rooftop Entertainment".

However, the SCA would be prepared to consider any alternative conditions your client wishes to propose in relation to noise control, provided such conditions are:

- specific;
- objectively enforceable in the light of the operation of the Live Music Act 2012; and
- capable of effective monitoring by residents and London Borough of Hackney Licensing.

As office holders of the SCA have not had access to the rooftop area, and are not experts in acoustics, the SCA is not in a position to draft detailed operational conditions. Responsibility for proposing such conditions properly rests with the premises licence holder and its advisers.

Please therefore do feel free to take instructions and provide fully drafted alternative proposed conditions for our consideration prior to the hearing.

The SCA would need to consult with members and affected residents in relation to any such proposals before reaching a concluded position.

For the avoidance of doubt, and having regard to the interaction between the premises licence and the operation of the Live Music Act 2012, it is the SCA's position that this matter must proceed to a full review hearing before the Sub-Committee and is not capable of resolution by agreement between the parties alone.

Accordingly, all rights remedies and positions are expressly reserved.

Kind regards,

[REDACTED]

Deputy Leader

Shoreditch Community Association

Sent from my iPhone

On 8 May 2026, at 16:45, [REDACTED] wrote:

Dear [REDACTED]

Thank you for bringing this to my attention.

I have passed on your concerns. I'm told it is a small event and will be appropriately managed.

From: [REDACTED]
Date: Thursday, 7 May 2026 at 18:40
To: [REDACTED]
Cc: [REDACTED]
Subject: Re: Event on roof of 45 Curtain Road tomorrow 6-11.30 pm

If you cannot open the link it concerns

Parra Vie & RAI Friends- Rooftop Sunset Party

Fri 8 May - 6-11.30 pm

"High above the streets of Shoreditch, join us for an exclusive sunset session at 45th & 7th, the breathtaking rooftop at 45 London. Set against the panoramic backdrop of the skyline, we invite you to a curated evening where organic textures meet progressive energy.

Panoramic views, sunset cocktails, and the poolside elegance of Shoreditch's premier rooftop destination.

Organic Progressive. Rhythmic, sophisticated, and built for the transition from golden hour to starlight.

Venue: 45th & 7th Rooftop (45 [London](#)), 45 [Curtain Rd](#), [Shoreditch](#).

Atmospheric Rooftop Sunset / Open-Air.

Dress Code: Shoreditch-Polished / Sunset Chic”

Sent from my iPhone

On 7 May 2026, at 18:32, [REDACTED] wrote:

Can your client- Molard Investments Limited- please explain asap what measures it will be taking to prevent the risk of public (noise) nuisance arising from the event advertised to take place tomorrow, as per the link below.

We have only this afternoon become aware of this advertisement.

Thank you

[REDACTED]

Deputy Leader

Shoreditch Community Association

[https://ra.co/clubs/278781/
events](https://ra.co/clubs/278781/events)



Fwd: 45 Curtain Road - PREM/0023/0090

1 message

Licensing (Shared Mailbox) <licensing@hackney.gov.uk>
To: Sanaria Hussain <sanaria.hussain@hackney.gov.uk>

21 April 2026 at 12:42

Kind Regards,

Licensing Service
London Borough of Hackney
Tel: 020 8356 2431
Email: licensing@hackney.gov.uk
www.hackney.gov.uk/licensing

----- Forwarded message -----

From: [REDACTED]
Date: Fri, 17 Apr 2026 at 16:35
Subject: 45 Curtain Road - PREM/0023/0090
To: licensing@hackney.gov.uk <licensing@hackney.gov.uk>

With reference to the above, I am a resident/Leaseholder at: Flat [REDACTED] [Christina St, EC2A](#) [REDACTED]
The noise from this roof-top venue was very intrusive during summer evenings and could be plainly heard from within my living room & bedroom despite the installation of secondary glazing throughout my property.
This is a residential area and adjacent outlets of any sort need to take note of it and be respectful, as good neighbours should.

[REDACTED]



Appendix B2

Sanaria Hussain <sanaria.hussain@hackney.gov.uk>

45 Curtain Road PREM/2023/0090

1 message

20 April 2026 at 13:57

To: Hackney Licensing <licensing@hackney.gov.uk>

Cc: [REDACTED] Sanaria Hussain <sanaria.hussain@hackney.gov.uk>

Dear Hackney Licensing

Please find below my representation supporting the SCA regarding the request of Application for premises licence review - 45 Curtain Road PREM/0023/0090

The below representation is based on Sin-till-late being on the rooftop of the hotel however, currently these events are I believe now being held in a different part of the premises. We are concerned that once this review is completed that the Sin-till-late will relocate to the rooftop restaurant/terrace.

My representation initially was on the basis of - The Prevention of Public Nuisance

Hackney Noise Pollution Case Ref 31598 - Saturday 6th December 2025

Noise pollution attributed to the Rooftop of this premises affecting my terrace and living area. The music could be heard above the sound of the television with the double glazed windows closed. Sintillate Rooftop - Live music and DJ (on roof top) - To be clear I am referring to the Roof top/terrace to include the restaurant which has a retractable glass roof and retractable doors it is not soundproofed by design.

I complained to [REDACTED] Licensing Consultant on the grounds of a statutory nuisance being defined as a matter which is unreasonable and causes substantial interference in the use and enjoyment of a persons property. I quoted what was previously Condition 29 Sound Limiting Device, I was unaware this condition is now defined as Condition 35.

[REDACTED] advised:

The noise was not emanating from the outside terrace and that the rooftop terrace speakers do not function. The speakers on the rooftop are non-functioning however, the Live DJ set within the mainly glass restaurant was the issue. There is a noise limiter I believe as previously discussed with Noise Pollution Hackney but it has never set up as per Condition 35. We are most concerned in the summer months the noise level will again be a problem.

[REDACTED] also claimed the volume was monitored and remained at conversational level allowing guests to speak comfortably at their tables. This claim is absurd as we could hear the thumping bass over our television from this event and it was unreasonable.

Condition 35

35. Sound limiting devices (device type to be approved by the Council's Environmental Protection Team) shall be installed to all music systems at the premises. All limiting devices should be set at a level to ensure inaudibility at the front elevations of all nearby residential premises. All limiting devices should be controlled by the premises licence holder and kept in a locked, tamper-proof box. Calibration certificates to be provided to the Environmental Protection Team.

There is a history of Public Nuisance from this premises from the previous holder of this license Blue Marlin- Previous case reference: 20855 logged 15 reoccurrences from June 2024 to August 2025.

It appears the rooftop venue restaurant/terrace diner is now being operated by Virgin.

Please acknowledge receipt of my representation.

Yours sincerely

[REDACTED]
Cosmopolitan House
Christina Street
London EC2A [REDACTED]



Sanaria Hussain <sanaria.hussain@hackney.gov.uk>

Submissions for hearing Re: Notification of a (Remote) Licensing Sub -Committee hearing -Application for the Review of a Premises Licence (No PREM/2023/0090)Re: 45 Curtain Road, London EC2A 3PT

1 message

23 May 2026 at 10:53

To: Sanaria Hussain <sanaria.hussain@hackney.gov.uk>

Cc: [Redacted]

Dear Sanaria,

Please find attached a video recorded last night Friday (22/05/26) giving an example of the noise originating from the Virgin Hotel roof terrace DJ at 1030pm last night and also a noise complaint form sent to Hackney Noise pollution earlier that evening.

I wish both to be included as evidence submitted to the hearing.

I would be grateful if you could acknowledge receipt of this email.

Kind regards,

[Redacted]
Cosmopolitan House
EC2A [Redacted]

Sent from my iPhone

On 20 May 2026, at 17:50, [Redacted] wrote:

[Redacted]
[Redacted]
[Redacted]
[Redacted]

[Redacted]

10:42



Signal strength, Wi-Fi, and battery (49%) icons.



Noise report: The Curt...



New noise report

Details

Kind of noise: Music from club/bar

Noise source: The Curtain, 45 Curtain Road, EC2A 3PT

Ward: Hoxton East & Shoreditch

Where is the noise coming from? A shop, bar, nightclub, building site or other commercial premises

Is the residence a Hackney Estates property? No

Complaint details

Noise started: Fri, 22 May 2026, 5:30 p.m.

Noise ended: Ongoing at Fri, 22 May 2026, 7:39 p.m.

Rooms affected: Living Room

Noise description: Thumping club music from club DJ on open rooftop terrace of Virgin Hotel Curtain Road EC2

Effect on complainant: It is very irritating as I can hear it over my television and it gets on my nerves as this is happening every weekend.

They are breaking the condition of licensing that states a noise limiter should be installed and no residential properties should hear any music.

This is a statutory noise nuisance and should be stopped.



Free case





Sanaria Hussain <sanaria.hussain@hackney.gov.uk>

Virgin Hotel - Public Nuisance Noise Submission- Notification of a (Remote) Licensing Sub -Committee hearing -Application for the Review of a Premises Licence (No PREM/2023/0090)Re: 45 Curtain Road, London EC2A 3PT

1 message

24 May 2026 at 22:22

To: Sanaria Hussain <sanaria.hussain@hackney.gov.uk>, Hackney Noise Pollution <pollutionsupport@hackney.gov.uk>, Mayor <mayor@hackney.gov.uk>

Cc: [Redacted]

Dear Sanaria,

I would like to submit for the hearing another attached video of the club DJ noise originating on the roof terrace tonight (Sunday 24/05/26 1015pm) under public nuisance.

When calling the Virgin hotel reception they stated that this continues until 2300 which is way past the time that they break another condition of their license.

I have also filled two noise complaints over the weekend to noise pollution who are doing absolutely nothing to stop this continuous noise pollution every weekend covering this residential area.

The hotel appears to be doing absolutely anything they want with no regard to the surrounding residents. Hackney Council appears to be doing nothing about this matter. Please could you explain why noise pollution and licensing are not acting on this?

Regards

[Redacted]
Cosmopolitan House
EC2A [Redacted]



Appendix B2

Video- 1- Date Received : 23/05/2026

Video- 2 - Date Received : 24/05/2026

Appendix B3

To: licensing@hackney.gov.uk and
sanaria.hussain@hackney.gov.uk

27 April 2026

Re: Application for review of premises licence at 45, Curtain Road – PREM/2023/0090 – interested party representation (the “Application”)

I am a resident of Cosmopolitan House, [REDACTED] Christina Street, London, EC2A [REDACTED], and I make the representations in this letter in that capacity. (For completeness, in April 2025 I was elected Deputy Leader of the Applicant.)

Defined terms used in this letter that are not expressly defined in this letter bear the meanings set out in the Application.

The following are some facts – set out in a broad chronological order – that are in addition to the points made in the Application.

All these facts are relevant to the prevention of public nuisance (and point 13. below is also relevant to protection of children from harm):

1. I have lived in Christina Street since 2020, and in Shoreditch for over 20 years. The residential and other buildings in Christina Street all pre-date the 2017 construction of the building on the relevant licensed premises.

I am aware that others in Christina Street let out their properties on long and/or short term lets (including Air B&B type arrangements).

2. Soon after the 2024 Hearing, I started email correspondence with Hackney Planning regarding potential issues re: breach of relevant planning permission at the premises.

Hackney Planning decided there were no issues and declined to engage with me further.

[The Applicant raised similar issues – but on changed facts- in December 2005 – see Annex F of the Application.]

3. On Sunday 5 May 2024 another resident in Christina Street sent me a video/audio recording - taken that day – of loud thumping bass music emanating from the rooftop of the relevant premises.
4. In spring/summer 2024 I became aware that Hackney Licensing /Noise Pollution had indicated they would start investigative/enforcement proceedings in respect of the noise nuisance.
5. During the afternoon of Wednesday 22 May 2024 loud thumping bass music was emanating from the rooftop of the premises.

I recall it vividly – it was the day that Rishi Sunak announced he was calling a general election - and the noise was so loud I could not work (I was working from home that day).

Since it was daytime, I went round to the premises and spoke to the security guard on the door of BML. He said there was a special event on the rooftop that day and he kindly called the manager on his mobile phone. (I think it must have been the duty manager of the Mondrian - I had never seen him before and it was not [REDACTED], the Mondrian general manager who attended the 2024 Hearing).

The duty manager came out and all three of us stood outside in Scrutton Street (in the rain) and we could all clearly hear the music reverberating around the vicinity. The duty manager said he would go up to BML and see what he could do: I left as it was now raining heavily.

Within about 15 minutes of me returning home I could not hear the music.

Since the matter was resolved, I did not report that incident to Hackney Council via Noise Works.

[The PLH should be able to retrieve the incident log for this incident.]

6. During the BML era I reported 8 incidents of noise nuisance emanating from the rooftop of the premises, via the Hackney Noise Works system (as Cllr Wrout had recommended at the 2024 Hearing).

7. BML had a lot of events in the warmer months at weekends and that ran from 12 noon to 9pm at night, with amplified DJ music.

My understanding is that Noise Pollution has no staff on duty at weekends to investigate noise nuisance in real time.

8. In May 2025 I reached out to [REDACTED] on email and informed him of the ongoing noise issue.

His immediate reaction was to say he apologised for the disturbance and to offer me an introduction to BML.

So far as I am aware (aside from the persons mentioned in 5. above), [REDACTED] is the only person from any of the business interests, their agents or consultants, who has ever issued any type of apology for the noise nuisance.

For the avoidance of any doubt, I make no criticism of Virgin [REDACTED] has been the consummate professional throughout.

9. On 17 June 2025 I spoke to [REDACTED] of BML on the telephone and he indicated he was liaising with Hackney Council re: the noise nuisance (when I tried to follow up with him in July 2025, he had by then left BML).
10. I was aware (via [REDACTED] of BML) that BML planned to have a liaison meeting on 30 June 2025. I gave my apologies in advance for my absence at that meeting since I was to be on holiday at the time.
11. On 22 July 2025 I was surprised – and concerned - to learn that Noise Pollution had indicated (amongst other things) that no noise abatement order would be issued.
12. In October 2025 I became aware that 45, London – in lieu of BML – was operating at the premises (and shortly thereafter discovered that BML had gone into administration).
13. I have a teenage son. He is currently studying for and, at the time of the hearing is likely to be sitting, his GCSEs.

The “outdoor pool vibe” at the premises has been a magnet for DJs and amplified music for the past 2 summers.

But the problem is not just in the summer: one of the times the music was at its loudest was the rainy day in May 2024 (mentioned in 5 above) and there have also been incidents in winter.

The prolonged and demonstrated public nuisance has caused real harm to real lives.

All the facts point to a high risk of public nuisance being carried on into the future unless something is done to prevent it.

I therefore beg the Committee to grant the requests in the Application.

██████████



Sanaria Hussain <sanaria.hussain@hackney.gov.uk>

Freedom of Information Request – Noise Complaints: 45 Curtain Road

1 message

3 April 2026 at 11:22

To: foI@hackney.gov.uk

Cc: [REDACTED] John Anani <john.anani@hackney.gov.uk>, Sanaria Hussain <sanaria.hussain@hackney.gov.uk>

Subject: Freedom of Information Request – Noise Complaints: 45 Curtain Road

Dear Freedom of Information Officer,

I am writing to make a request for information under the Freedom of Information Act 2000 (and/or the Environmental Information Regulations 2004, as applicable).

Please provide as soon as possible the following information in respect of the property at 45 Curtain Road, London:

The total number of noise complaints recorded against this address, from May 2024 to the date of this request.

Thank you.

[REDACTED]
Deputy Leader
Shoreditch Community Association

John Anani <john.anani@hackney.gov.uk>
To: Sanaria Hussain <sanaria.hussain@hackney.gov.uk>

17 April 2026 at 12:27

Dear Sanaria

Regarding review of the said license, I write to advise that Environmental Protection was in receipt of nineteen (19) unsubstantiated complaints between Sun, 9 Mar 2025 & Sun, 31 Aug 2025; list of complaints attached.

I have interrogated the Environmental Protection Noiseworks database for further complaints but none have been found since October 2025 to date.

Kind regards

John

[Quoted text hidden]

John Anani
Senior Environmental Protection Officer
Environmental Protection
Climate, Homes and Economy
London Borough of Hackney
Hackney Service Centre
1 Hillman Street
London E8 1D
john.anani@hackney.gov.uk

 Noise Complaint Summary - Blue Marlin Ibiza 45 Curtain Road EC2A 3PT.pdf
80K

[Redacted]

[Redacted]

[Redacted]

[Redacted]

[Redacted]

[Redacted]

[Redacted]

[Redacted]

[Redacted]

Noise Complaint Summary - Blue Marlin Ibiza 45 Curtain Road EC2A 3PT

No	Date & time	Complainant's address	Type of noise
1	Sun, 9 Mar 2025, 1:04 p.m.	Complainant 1 Christina Street, EC2A	Blue Marlin open air roof terrace/ Virgin Hotel Curtain Road EC2. Thumping DJ club music from open air roof terrace that has just started again at 1230 Sunday morning.
2	Sat, 22 Mar 2025, 5:53 p.m.	Complainant 1 Christina Street, EC2A	DJ playing thumping bass music from open air terrace from Blue Marlin club, Virgin Hotel Curtain Road EC2.
3	Sat, 22 Mar 2025, 6:17 p.m.	Complainant 1 Christina Street, EC2A	loud thumping bass music from dj on open roof terrace
4	Thu, 10 Apr 2025, 8:41 p.m.	Complainant 2 Christina Street, EC2A	Loud thumping bass music from DJ at Blue Marlin Ibiza, on the rooftop of Virgin Hotel
5	Sat, 19 Apr 2025, 6:33 p.m.	Complainant 1 Christina Street, EC2A	Loud thumping bass music from DJ set on roof of the premises
6	Thu, 1 May 2025, 7:58 p.m.	Complainant 2 Christina Street, EC2A	Blue Marlin playing loud thumping DJ sets on the Virgin hotel roof
7	Thu, 1 May 2025, 8:41 p.m.	Complainant 1 Christina Street, EC2A	Thumping bass music from open air roof top terrace with DJ on Blue Marlin Club/Virgin Hotel. This is happening on a regular basis
8	Sun, 11 May 2025, 4:10 p.m.	Complainant 2 Christina Street, EC2A	Loud thumping DJ music from Blue Marlin on on rooftop Event going on until 9pm This is in beach of licence conditions
9	Sun, 11 May 2025, 7:26 p.m.	Complainant 1 Christina Street, EC2A	AGAIN - Thumping Bass music from DJ on open air roof terrace Blue Marlin Club, Virgin Hotel
10	Sun, 8 Jun 2025, 6:19 p.m.	Complainant 2 Christina Street, EC2A	Same as usual - thumping bass music from Blue Marlin rooftop
11	Sat, 21 Jun 2025, 7:41 p.m.	Complainant 1 Christina Street, EC2A	Blue Marlin/Virgin Hotel have a fully live jazz band on the open roof terrace covering the whole of the area with drums and a full band.

Noise Complaint Summary - Blue Marlin Ibiza 45 Curtain Road EC2A 3PT

12	Sun, 29 Jun 2025, 5:31 p.m.	Complainant 1 Christina Street, EC2A	Bass music from live DJ on open air roof terrace
13	Fri, 11 Jul 2025, 8:59 p.m.	Complainant 1 Christina Street, EC2A	Thumping bass music from live DJ on open air roof terrace of Virgin Hotel, Blue Marlin Club
14	Sun, 13 Jul 2025, 6:48 p.m.	Complainant 2 Christina Street, EC2A	Same as all previous reports - Blue Marlin DJ music on roof
15	Thu, 17 Jul 2025, 8:16 p.m.	Complainant 2 Christina Street, EC2A	Same as usual
16	Sun, 20 Jul 2025, 5:21 p.m.	Complainant 1 Christina Street, EC2A	Live DJ music from open top roof terrace, Blue Marlin Club/ Virgin Hote
17	Fri, 25 Jul 2025, 8:52 p.m.	Complainant 1 Christina Street, EC2A	Live DJ music from open air roof terrace at Blue Marlin Club/Virgin Hotel
18	Sun, 24 Aug 2025, 7:34 p.m.	Complainant 1 Christina Street, EC2A	DJ rooftop party live and loud!
19	Sun, 31 Aug 2025, 9:25 p.m.	Complainant 3 Christina Street, EC2A	Loud music, very heavy base. People shouting.



This premises licence has been issued by:

Licensing Service
1 Hillman Street
London E8 1DY

PART A – PREMISES LICENCE

Premises Licence Number

PREM/2023/0090

Part 1 – Premises details

Blue Marlin Club and Rooftop
Level-3 (Part of) Level -2, (Part of) Ground Floor & Roof Terrace, Mondrian Hotel
45 Curtain Road
Hackney
London
EC2A 3PT

Where the licence is time limited the dates

Not Applicable

Licensable activities authorised by the licence

Plays
Films
Live Music
Recorded Music
Performance of Dance
Other Entertainment Similar to Live or Rec Music or Dance Performance
Late Night Refreshment
Supply of Alcohol

The times the licence authorises the carrying out of Licensable activities

Plays Indoors and Outdoors	Standard Hours: Mon 07:00-02:00 Tue 07:00-02:00 Wed 07:00-02:00 Thu 07:00-02:00 Fri 07:00-03:00 Sat 07:00-03:00 Sun 07:00-02:00
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Films Indoors and Outdoors	Standard Hours: Mon 07:00-03:00 Tue 07:00-03:00 Wed 07:00-03:00 Thu 07:00-03:00 Fri 07:00-03:00 Sat 07:00-03:00 Sun 07:00-03:00
Live Music Indoors and Outdoors	Standard Hours: Mon 07:00-03:00 Tue 07:00-03:00 Wed 07:00-03:00 Thu 07:00-03:00 Fri 07:00-03:00 Sat 07:00-03:00 Sun 07:00-03:00
Recorded Music Indoors and Outdoors	Standard Hours: Mon 07:00-03:00 Tue 07:00-03:00 Wed 07:00-03:00 Thu 07:00-03:00 Fri 07:00-03:00 Sat 07:00-03:00 Sun 07:00-03:00
Performance of Dance Indoors and Outdoors	Standard Hours: Mon 07:00-03:00 Tue 07:00-03:00 Wed 07:00-03:00 Thu 07:00-03:00 Fri 07:00-03:00 Sat 07:00-03:00 Sun 07:00-03:00
Anything of Similar Description Indoors and Outdoors	Standard Hours: Mon 07:00-03:00 Tue 07:00-03:00 Wed 07:00-03:00 Thu 07:00-03:00 Fri 07:00-03:00 Sat 07:00-03:00 Sun 07:00-03:00
Late Night Refreshment Indoors and Outdoors	Standard Hours: Mon 23:00-03:00 Tue 23:00-03:00 Wed 23:00-03:00 Thu 23:00-03:00

	Fri 23:00-03:00 Sat 23:00-03:00 Sun 23:00-03:00
Supply of Alcohol	Standard Hours: Mon 07:00-03:00 Tue 07:00-03:00 Wed 07:00-03:00 Thu 07:00-03:00 Fri 07:00-03:00 Sat 07:00-03:00 Sun 07:00-03:00
The opening hours of the premises	Standard Hours: Mon 00:00-00:00 Tue 00:00-00:00 Wed 00:00-00:00 Thu 00:00-00:00 Fri 00:00-00:00 Sat 00:00-00:00 Sun 00:00-00:00

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

On Premises

Part 2 –

Name, (registered) address, telephone number and e-mail (where relevant) of holder of premises licence

Molard Investments Limited
4th Floor Millbank Tower
21-24 Millbank
London
SW1P 4QP


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

12261938

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

Alexandra Lupo

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


Date of Grant: 8 February 2024

Signed:


Gerry McCarthy
Head of Community Safety, Enforcement and Business Regulation
Document re-issued: 30 July 2025

Annex 1 - Mandatory Conditions

Supply Of Alcohol (On/Both)

1. No supply of alcohol may be made under the premises licence:
 - (a) At a time when there is no designated premises supervisor in respect of the premises licence.
 - (b) At a time when the designated premises supervisor does not hold a personal licence or his personal licence is suspended.
2. Every supply of alcohol under the premises licence must be made or authorised by a person who holds a personal licence.
3. (1) The responsible person must ensure that staff on relevant premises do not carry out, arrange or participate in any irresponsible promotions in relation to the premises.
(2) In this paragraph, an irresponsible promotion means any one or more of the following activities, or substantially similar activities, carried on for the purpose of encouraging the sale or supply of alcohol for consumption on the premises -
 - (a) games or other activities which require or encourage, or are designed to require or encourage, individuals to:
 - (i) drink a quantity of alcohol within a time limit (other than to drink alcohol sold or supplied on the premises before the cessation of the period in which the responsible person is authorised to sell or supply alcohol), or (ii) drink as much alcohol as possible (whether within a time limit or otherwise);
 - (b) provision of unlimited or unspecified quantities of alcohol free or for a fixed or discounted fee to the public or to a group defined by a particular characteristic in a manner which carries a significant risk of undermining a licensing objective;
 - (c) provision of free or discounted alcohol or any other thing as a prize to encourage or reward the purchase and consumption of alcohol over a period of 24 hours or less in a manner which carries a significant risk of undermining a licensing objective;
 - (d) selling or supplying alcohol in association with promotional posters or flyers on, or in the vicinity of, the premises which can reasonably be considered to condone, encourage or glamorise anti-social behaviour or to refer to the effects of drunkenness in any favourable manner.
 - (e) dispensing alcohol directly by one person into the mouth of another (other than where that other person is unable to drink without assistance by reason of a disability).
4. The responsible person must ensure that free potable water is provided on request to customers where it is reasonably available.
5. 5.1. The premises licence holder or club premises certificate holder must ensure that an age verification policy is adopted in respect of the premises in relation to the sales or supply of alcohol.

5.2 The designated premises supervisor in relation to the premises licences

must ensure that the supply of alcohol at the premises is carried on in accordance with the age verification policy.

5.3. The policy must require individuals who appear to the responsible person to be under 18 years of age (or such older age as may be specified in the policy) to produce on request, before being served alcohol, identification bearing their photograph, date of birth and either:-

- A. a holographic mark or
- B. an ultraviolet feature.

6. The responsible person shall ensure that:
- a) where any of the following alcoholic drinks is sold or supplied for consumption on the premises (other than alcoholic drinks sold or supplied having been made up in advance ready for sale or supply in a securely closed container) it is available to customers in the following measures:
 - beer or cider: 1/2 pint;
 - gin, rum, vodka or whisky: 25ml or 35ml; and
 - still wine in a glass: 125ml; and
 - a. these measures are displayed in a menu, price list or other printed material which is available to customers on the premises; and
 - b. where a customer does not in relation to a sale of alcohol specify the quantity of alcohol to be sold, the customer is made aware that these measures are available.

Minimum Drinks Pricing

7. 7.1 A relevant person shall ensure that no alcohol is sold or supplied for consumption on or off the premises for a price which is less than the permitted price.

7.2 For the purposes of the condition set out in paragraph 7.1 above -

- (a) "duty" is to be construed in accordance with the Alcoholic Liquor Duties Act 1979;
- (b) "permitted price" is the price found by applying the formula - $P = D + (D \times V)$ Where -
 - (i) P is the permitted price,
 - (ii) D is the amount of duty chargeable in relation to the alcohol as if the duty were charged on the date of the sale or supply of the alcohol, and
 - (iii) V is the rate of value added tax chargeable in relation to the alcohol as if the value added tax were charged on the date of the sale or supply of the alcohol;
- (c) "relevant person" means, in relation to premises in respect of which there is in force a premises licence -
 - (i) the holder of the premises licence,
 - (ii) the designated premises supervisor (if any) in respect of such a licence, or
 - (iii) the personal licence holder who makes or authorises a supply of alcohol under such a licence;
- (d) "relevant person" means, in relation to premises in respect of which there is in force a club premises certificate, any member or officer of the club present on the premises in a capacity which enables the member or officer to prevent the supply in question; and

- (e) "value added tax" means value added tax charged in accordance with the Value Added Tax Act 1994.

7.3 Where the permitted price given by Paragraph 8.2(b) above would (apart from this paragraph) not be a whole number of pennies, the price given by that sub-paragraph shall be taken to be the price actually given by that sub- paragraph rounded up to the nearest penny.

7.4 (1) Sub-paragraph 7.4(2) below applies where the permitted price given by Paragraph 7.2(b) above on a day ("the first day") would be different from the permitted price on the next day ("the second day") as a result of a change to the rate of duty or value added tax.

(2) The permitted price which would apply on the first day applies to sales or supplies of alcohol which take place before the expiry of the period of 14 days beginning on the second day.

Exhibition of Films

8. Admission of children (under 18) to the exhibition of any film must be restricted in accordance with: -
- (a) Recommendations made by the film classification body where the film classification body is specified in the licence, or
 - (b) Recommendations made by the licensing authority where the film classification body is not specified in the licence, or the relevant licensing authority has not notified the holder of the licence that this subsection applies to the film in question.

"film classification body" means person('s) designated under s4 of the Video Recordings Act 1984 (c.39).

Door Supervision

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

Annex 2 – Conditions consistent with the Operating Schedule

10. Security Industry Authority registered door supervisors shall, in addition to the 24 hour reception staff, be present at the Conference/Basement Club/Restaurant Entrance to the premises on Scrutton Street between the hours of 21:00 until 03:30.

11. At least one female door supervisor should be employed.

12. The premises shall maintain a comprehensive CCTV system as per the minimum requirements of a Metropolitan Police Crime Prevention Officer. All public areas, entry and exit points will be covered enabling frontal identification of every person entering in any light condition. The CCTV system shall continually record whilst the premises is open for licensable activities and during all times customers remain on the premises. All recordings are to be stored for a minimum period of 31 days with date and time stamping. Recordings shall be made available immediately upon the request of a Police authorised officer.

13. Members of the private members club on drawing title 'Level-3' shall be permitted to bring a maximum of four guests to the premises at any one time.

14. An electronic or written record of all resident hotel guests and members of the private members club on drawing title 'Level-3' together with the names of their guests shall be recorded and maintained and made available to the Police and Council Licensing Enforcement Officers to inspect.

15. Access into and out of the building shall be carefully controlled and monitored from the hotel lobby by the reception staff including a concierge and CCTV operation to assist at all times.

16. Security staff shall constantly patrol the exterior of the premises to deal with any potential noise disturbances by guests outside the premises and ensure that no bottles or glasses are taken outside; all deliveries to and collections from the premises are made via the service/delivery area at the premises on Scrutton Street; and all private hire vehicles only drop off/pick up from the corner of Scrutton Street and Curtain Road.

17. The following policies will be implemented and agreed by the police, local authority and noise pollution teams: Drugs Policy; Security Policy; Noise Policy; Queuing and Dispersal Policy; Smoking Policy; and Members Policy.

18. Children will be accounted for at all times in case of an evacuation or emergency.

19. No customers from the event spaces will be admitted, or permitted to leave when carrying open or sealed bottles or glasses.

20. After 6pm Alcohol shall not be sold for consumption on the drawing title 'Licensing G06 (Rooftop)' other than to persons who are taking a substantial meal from the menu and shall be supplied by a waiter or waitress.

21. There shall be no entry or re-entry to the premises for non-resident hotel guests after 01:45 in respect of the event spaces at basement level 1-3. For the avoidance of doubt this excludes access to the hotel lobby via the entrance on the corner of Curtain Road and Scrutton Street for persons checking into the hotel.

22. There shall be no entry or re-entry to the 'Design Studios' shown coloured pink on drawing title 'Level 0' (Hotel Ground) via the 'Design Studios Entrance' on Christina Street after 23:00 hours.

23. After 9pm age restrictions will be applied to the basement areas of the premises.

24. A challenge 25 policy shall be operated in areas at the premises where alcohol is sold/supplied.

25. Notices shall be prominently displayed and maintained at all entrances and exits at the premises advising all guests (which for the avoidance of doubt includes all resident hotel guests and/or non-resident hotel guests) to leave the premises quietly.

26. There shall be no access by anyone, except for staff, to the basement level 3 (titled as 'Level-3' on the drawing/plan), between the hours of 03:00 to 07:00.

27. The rooftop area at the premises shown on drawing title 'Level 6' shall only be used between the hours of 07:00 to midnight.

28. No person shall have access to the rooftop area of the premises after 00:30 hours.

29. There shall be no more than 125 guests on the rooftop area at the premises shown on drawing titled 'Level 6' at any one time.

30. No music to be played in the external areas of the rooftop terrace after 22:00 hours.

31. The glass rooftop to the restaurant on the rooftop floor will be physically closed by 22:00 hours.

32. There will be no music on the rooftop area in respect of that part not covered by the glass enclosure between 22:00 and 07:00 hours.

33. All servicing including deliveries to and collections from the premises but excluding refuse collection shall take place between the hours of 07:00 and 18:00 on Monday to Saturday only and only via the service/delivery area at the premises on Scrutton Street shown on drawing title 'Level 0' (Hotel Ground).

34. All refuse, including waste from the supply of alcohol, shall be managed and stored for collection in the sub level basement at the premises. All refuse shall only be placed outside the premises for collection by a waste carrier between the hours of 08:00 to 18:00 Monday to Saturday and not at all on Sundays.

35. Sound limiting devices (device type to be approved by the Council's Environmental Protection Team) shall be installed to all music systems at the premises. All limiting devices should be set at a level to ensure inaudibility at the front elevations of all nearby residential premises. All limiting devices should be controlled by the premises licence holder and kept in a locked, tamper-proof box. Calibration certificates to be provided to the Environmental Protection Team.

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

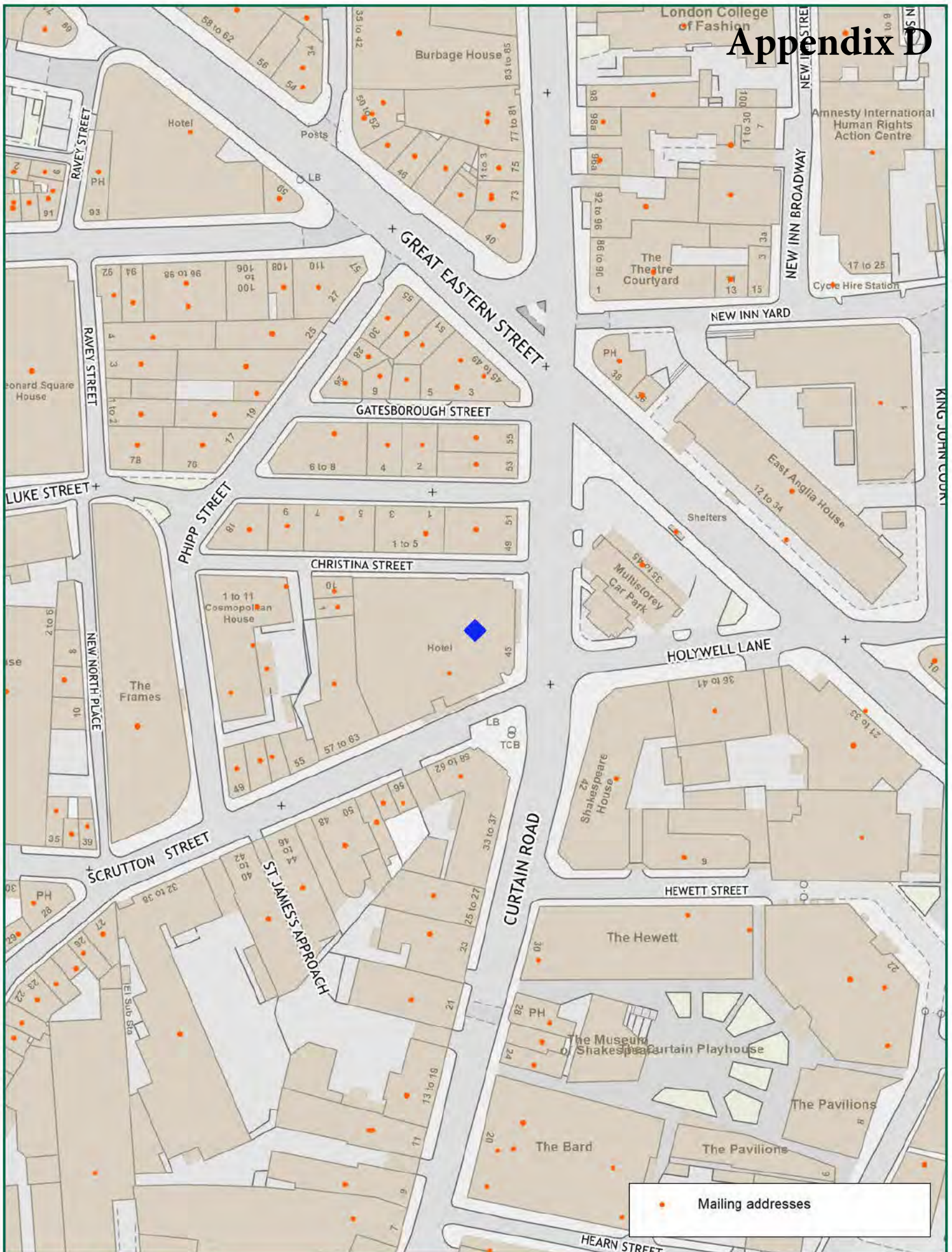
36. The Premises Licence holder shall maintain a dedicated contact telephone number and email address that must be available at all times to all local residents, the Environmental Health Officers, the Licensing Authority, the Police, and any responsible authority or any person wishing to make a complaint. These contact details shall be included on the website of the premises and on display at the premises.

37. The Premises Licence holder shall hold and publicise 2 liaison meetings each year (at least every 6 months) with local residents to address any concerns or complaints about the premises from local residents to prevent public nuisance.

Annex 4 – Plans

PLAN/PREM/2023/0090/161123

Appendix D



Scale: 1:1250 at A4

45 Curtain Road, London, EC2A 3PT



Ref:
Wednesday, May 27, 2026

Produced by: unspecified
email:

please specify copyright statement