



**L I C E N S I N G S U B
C O M M I T T E E**

**S U P P L E M E N T A R Y
P A P E R S 3**

Tuesday 14 February 2023
at 2.00 pm

Licensing Sub Committee E
Tuesday 14 February 2023
Agenda

- 8 Premises Licence: German Doner, 127 Kingsland High Street, E8 2PB**
(Pages 7 - 30) – Applicant's bundle.

German Doner, 127 Kingsland High Street, E8 – proposed changes to terms and conditions:

Revised plan covering ground floor only

The hours for sale of late night refreshment be modified to:

Sunday to Wednesday 23:00 to 00:30 day following;

Thursday 23:00 to 02:30 day following

Friday and Saturday 23:00 to 03:30 day following

1. The premises shall install and maintain a comprehensive CCTV system as per the minimum requirements of a Metropolitan Police Crime Prevention officer. All entry and exit points will be covered to enable 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 when customers remain on the premises. All recordings shall be stored for a minimum of 31 days with time and date stamping. Recording shall be made available immediately upon the request of Police or authorized officers throughout the preceding 31 days period.
2. 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 it is open to the public. This staff member shall be able to show the Police or the Licensing Authority recent data or footage with the absolute minimum of delay when requested.
3. The licence holder shall maintain an Incident Book at the premises to record the following:--all crimes reported to the venue--all ejections of patrons--any complaints received--any incidents of disorder--seizures of drugs or offensive weapons and their location.--any faults in the CCTV system--any visits by a relevant authority or emergency service.
4. Premises to operate a zero-tolerance policy to drugs and comply with the Hackney Police/Council Community Safety Unit Drugs and Weapons Policy where appropriate.

5. No noise shall emanate from the premises nor vibration be transmitted through the structure of the premises which gives rise to a nuisance.
6. Notices shall be prominently displayed at the exit requesting patrons to respect the needs of local residents and leave the area quietly.
7. On Fridays and Saturdays, there shall be no more than 15 patrons at any one time seated at tables on the ground floor consuming food between 23:00 hours and 02:30 hours day following. From 02:30 until close tables will be removed and the premises will operate with takeaway only.
8. After 23:00 there shall be no more than 4 customers smoking outside of the premises at any one time.
9. The Licensee shall instruct members of staff to make regular checks of the area immediately outside the premises and remove any litter, emanating from the premises. A final check should be made at close of business.
10. From 23:00 hours a host will be employed to manage customers ordering, waiting, consuming food, smoking and leaving the premises in accordance with a management plan. Such plan to be provided to the police and licensing authority in writing.
11. Staff will be trained as appropriate in first aid, crime scene management and WAVE training.
12. The licence will not be used until the premise licence LBH-PRE-T-1209 or equivalent has been surrendered.

German Doner, 127 Kingsland High Street, E8 – Night-time Management plan:

This plan has been devised on the basis of our aim to provide a quality service to our customers while promoting the licensing objectives:

1. Prevention of crime and disorder
2. Prevention of public nuisance
3. Public safety
4. Protection of Children from harm

Signage

We have placed signs at the entrance and exit reminding customers that residents live nearby, and they should keep their noise down to avoid any nuisance and disturbance.

Attendant

On Friday and Saturday from around 22:30 we will employ a customer attendant to be responsible for the management of customers outside, entering, ordering, waiting and consuming food. For those temporary leaving to smoke and those leaving the premises to ensure they are reminded to keep voices down and where appropriate move on quickly.

The attendant will be responsible for controlling any customers smoking outside and limiting the number to 4. They will monitor the customer side of the premises and the porch and pavement immediately outside

From 23:00 to 02:00 customers will be encouraged to wait inside the premises and also to consume food inside the premises.

From 02:00 the inside seating area will be managed, and tables will be removed as appropriate to ensure that no customers will be able to use the tables inside the premises after 02:30.

Customers will still be encouraged to queue and wait inside the premises.

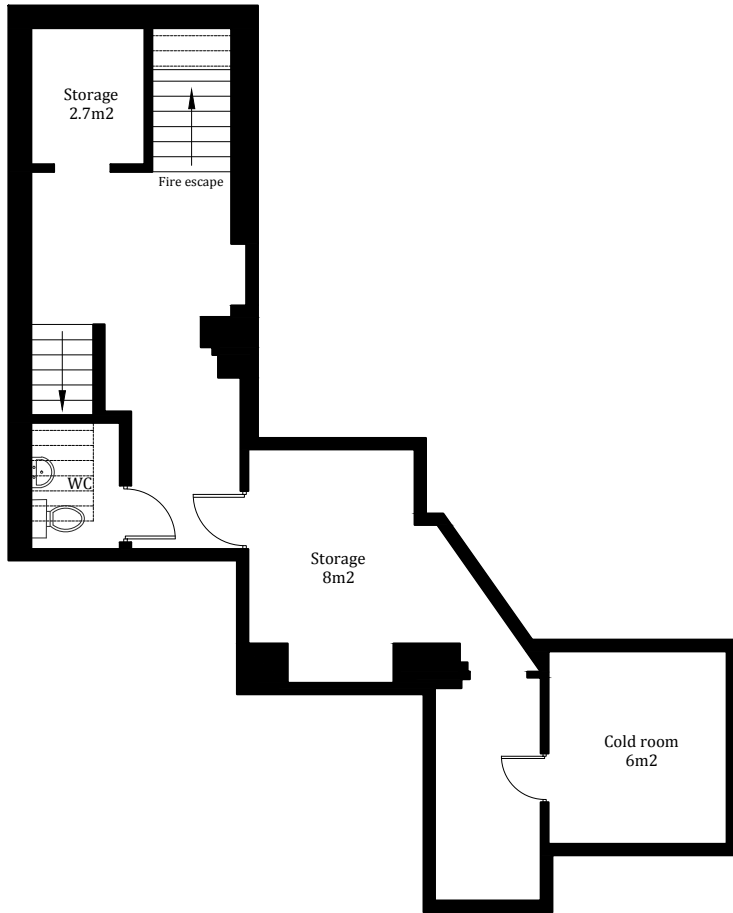
Last orders for food will be accepted 03:15 with the aim that all orders will be concluded and customers off the premises by 03:30.

At regular intervals throughout the period of trade, staff will clean the outside immediately outside the premises and remove any litter. At the close of business the outside area will be checked and swept and all sweepings and litter will be disposed of appropriately.

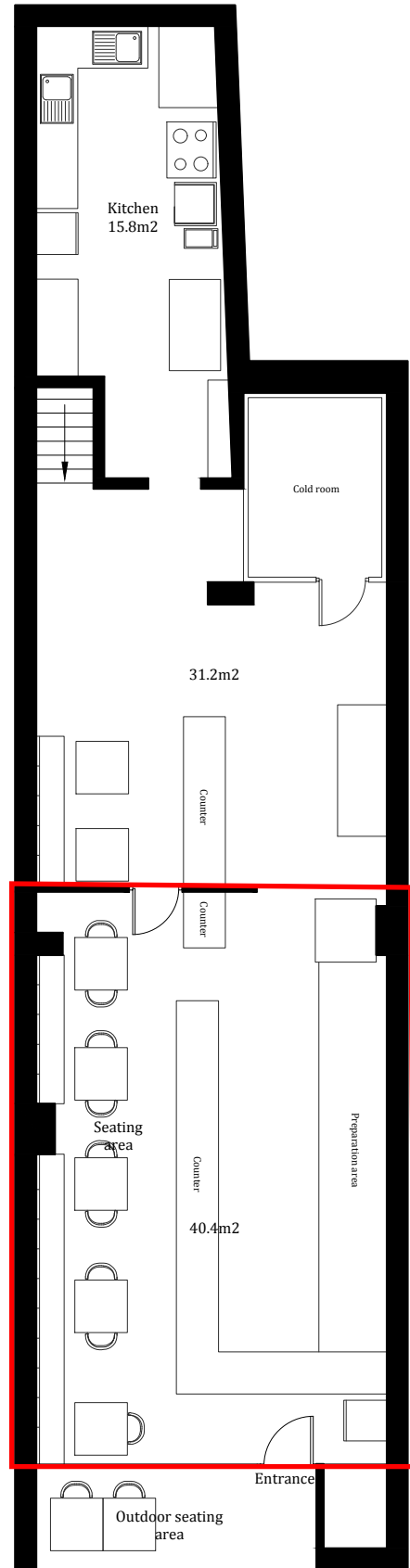
Vulnerable persons:

Appropriate signage will be displayed visible from the street indicating that the premises is a place of safety for any vulnerable person. A member of staff trained in WAVE will be on the premises and will be able to deal with issues should they arise.


Staff will also be trained in Crime scene management and first aid. And 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 it is open to the public. This staff member shall be able to show the Police or the Licensing Authority recent data or footage with the absolute minimum of delay when requested.



Basement floor plan



Ground floor plan

 area for licensable activity



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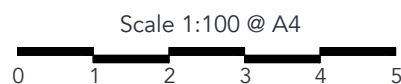
Project Title
 Garip's German Doner
 127 Kingsland High Street,
 London, E8 2PB

Sheet Title
 Basement and ground
 floor plan

Reference Number
 074A_PL01A

Date
 31/01/2023

Notes:
 This drawing is not to be copied, altered or changed without permission.
 While this drawing can be used as a base drawing for construction purposes, it is VERY IMPORTANT that all dimensions are checked carefully before any work commences or any materials are ordered.
 This drawing can be used as part of a planning application, although the planning officer may ask for more specific information about some aspects of the design.
 The drawing intends to illustrate the general arrangement of the project proposals. As it stands this drawing does not include all of the detail necessary for a full plans building regulations application.





**COMPLETE
LICENSING**

THE GERMAN DONER

**Expert Report
Version 1.0**

1.1. LICENSING EXPERTISE AND BACKGROUND

- 1.1.1 I retired from the Metropolitan Police in 2019, having joined in 1980. During my police service, I worked in several uniform and non-uniform roles, including a long spell as the 'village policeman' for Soho in the City of Westminster and then as office manager for Westminster Police Licensing Team, based in Westminster City Hall. Whilst working in Soho I was frequently called upon to observe and report on disputes between licensed premises and local residents. I also liaised with licensed premises to promote best practice.
- 1.1.2 During my time at West End Central, I was commended twice, once for professionalism, initiative and dedication leading to the arrest of a gang of prolific burglars and a second time for sensitivity and detective ability when uncovering and dealing with vulnerable women, trafficked for prostitution.
- 1.1.3 Whilst managing the Westminster police Licensing Team, I was responsible for dealing with all aspects of licensing, including processing and dealing with hundreds of licence applications, thousands of TEN notices and many Expedited Reviews, including:
- Amika, South Molton Street;
 - Madam Jo Jo's, Brewer Street;
 - Studio Valbonne, Kingly Street;
 - Avalon, Shaftesbury Avenue;
 - along with other premises in Dean Street and Piccadilly.
- 1.1.4 All of the above were closed as a result of serious crime and disorder, often coupled with management teams that failed to engage with us in the police service. In addition to these late-night bars and nightclubs, which were formally closed, I was responsible for closing the Embassy Club in Old Burlington Street and Jalouse in Hanover Square on behalf of the police, supported by the evidence-based cases I was able to build, based on serious crime and disorder. In both cases the premises management realised that Reviews would follow, so they surrendered their licences and closed voluntarily and permanently. I have also liaised with well-known nightclubs to prevent the need for Review, including:
- Novikov, Berkeley Street;
 - Whisky Mist in the Hilton, Park Lane; and
 - Dstrkt, in Soho,
- 1.1.5 From my experience, I have seen first-hand the need for the police to work with business operators to identify problems and resolve issues through a collaborative approach whenever possible.



- 1.1.6 I represented the Metropolitan Police at weekly licensing hearings in front of Westminster Licensing Committee. I have extensive experience in licensing applications, compliance, and Reviews. I worked with premises that caused the Metropolitan Police concern, suggesting action plans or Minor Variations to promote the licensing objectives. I was responsible for training new staff in Westminster and provided training in licensing across the Metropolitan Police area. Frequently officers from other licensing teams would come and spend time with me to gain knowledge and experience. Whilst working in the Westminster Police Licensing Team, for several years, I sat on Gold Advisory Groups at both Scotland Yard and at the Mayor's Office at London City Hall, for both Gay Pride and Notting Hill Carnival. I later acted as licensing advisor to Sector Commanders at both events for a number of years.
- 1.1.7 I understand that my duty is to help the licensing authority and court to promote the licensing objectives in an appropriate and proportionate way by giving independent assistance by way of objective, unbiased opinion on matters within my expertise, both in preparing reports and giving oral evidence. I understand that this duty overrides any obligation to the party by whom I am engaged or the person who has paid or is liable to pay me. I confirm that I have complied with and will continue to comply with that duty.

1.2. VISIT FRIDAY 10TH FEBRUARY

- 1.2.1 On Friday 10th February I went to Kingsland Rd to make a site visit to German Doner at 127 Kingsland High Street. I first walked around the area to familiarise myself with the area.
- 1.2.2 I arrived in the area at 9.30 pm and the streets were busy with both pedestrian and vehicular traffic. As I walked around, I noticed that the street level premises were often licensed ones, with a diverse offering of different cuisines, night clubs, pubs, karaoke and take away premises. Just off the street are a number of well attended jazz music venues. There is a second German Kebab shop further south. This premises has no connection with the premises at 127. There were a number of second hand and vintage clothing shops. Above street level, there is residential properties on 3 or more floors. There are also recently built premises nearby. The area seems to be undergoing renovation and investment. Further south were supermarkets and a shopping centre, situated near Ridley Rd market.
- 1.2.3 There was a McDonalds opposite the railway station.
- 1.2.4 At 10.00pm, I went to the German Doner at 127. When I arrived, I found Mr. Erhan Erkisi outside, sweeping cigarette butts immediately outside of the premises.



- 1.2.5 Once he'd swept up, we went in to the back of the shop where we were met by Ismail, who had been behind the counter with two other men. Ismail, informed me that he had been in the UK for 13 years and had worked in a number of food led businesses. The three men behind the counter were all wearing black uniforms and were clean and tidy. The premises had seating for 15, with banquet seating along one wall and square Formica topped tables with additional chairs. The premises appeared clean and well presented.
- 1.2.6 Ismail showed me the premises behind the seating area. There was a prep kitchen on the ground floor. We then went down a staircase and into the basement, which is used for storing dry goods, has a walk-in fridge and also has a WC used for staff.
- 1.2.7 I went back upstairs. There was no music playing in the venue, though some music from adjacent premises was just audible within the premises, more so in the basement. There were two customers seated. I sat at the back and watched a steady flow of people coming in, some eating in, more taking food away. Mr. Erkisi was outside of the premises. I saw him engaging in conversation with people outside of the premises, who had stopped in the covered doorway. The people moved on down the street, keeping the doorway free.
- 1.2.8 I then continued to watch the premises and the general street scene.
- 1.2.9 By 11.00 pm, there appeared to be more people in the streets. Whilst there was no queue to enter German Doner, many premises had people queuing to gain entry to them. Some premises had placed barriers on the pavement to assist in controlling the queues, others had less organised queues.
- 1.2.10 Notwithstanding that the pavements are wide, I saw pedestrians having to walk into the street to move around the queues. Everyone one seemed in good spirits, out for a good night out.
- 1.2.11 I also saw a number of street beggars, most of whom were women, begging either seated outside cash points, another outside an off licence, others walking the streets. The pavements on the Main Street are very wide, well maintained and were busy.
- 1.2.12 Opposite the German Doner, at 127, is another kebab shop, the Ali Baba. This place had a steady flow of customers. Often people would stand outside the Ali Baba to eat their food.
- 1.2.13 The seating inside German Doner appeared to me to be a helpful factor in German Doner managing the customer flow at their premises. German Doner got progressively busier and by 2.30 all of the seats were taken and a queue along the length of the counter. The three men preparing the food were working as a well practiced team and were satisfying the demand for food in good time. Erkan was outside keeping an eye on the premises. At this time, the Ali Baba was also very busy, with people

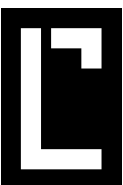


queuing and others eating outside. There were no customers outside the German Doner. Further south in the street, people were still in the pen outside the club just down the road. All of the people seemed well behaved, with those in the pen being supervised by door staff wearing hi viz clothing.

- 1.2.14 Throughout the night, I walked up and down the street. Most premises were open to 1.00 am, including the off licences, which appeared to be doing good business. Many of the pedestrians were drinking from cans, bottles and polycarbonate drinking containers.
- 1.2.15 By just after 2.00 am some of the premises were closed or closing, with increased pedestrian traffic in both directions. At 3.00 am, most of the premises were closed or closing and again there were many people in the streets. Most were in very good humour, though some were talking quite loudly, others shouting happily to each other. Both the Ali Baba and German Doner were busy, but the numbers in the street started to drop. I saw people step into the German Doner and select soft drinks and water from a fridge just inside the door, to take away with them.
- 1.2.16 At 3.30am, there were 7 people seated in the German Doner, when the council street cleaning lorry and team passed up the street, cleaning the pavements and gutters. Soon after this time, the streets were almost empty of pedestrians and the only customers in the German Doner were people who worked in or outside other premises close by. I spoke to doormen and club staff who were buying food to eat on the way home.
- 1.2.17 At about 3.00 am, a lady turned up to help cleaning and tidying the premises and at 4.00 am they were clean and tidy, as was the outside. The Ali Baba remained open and trading, but the German Doner closed.

1.3 REPRESENTATIONS

- 1.3.1 I have read the representations against this application and would make the following comments:
- Many of the representations are clearly duplicates of each other.
 - There are fears that there will be people gathering outside of this premises. I saw no evidence of this. There was a staff member on duty to discourage gathering.
- 1.3.2 There is a fear of littering. Again the staff member kept the area free of litter, including bottles and cans not sold at the premises, but discarded outside.
- 1.3.3 Mention is made of an illegal club operating in the basement. Photos have been submitted of an open door, two doors north of the premises. The first door north of the premises has electrical supply



equipment in and is blocked off by a wall, less than a metre behind the door. The second doorway, open in the photos, was not open when I was watching.

- 1.3.4 I did access the basement of the German Doner; it contained supplies for the premises above, a walk in fridge and staff toilets. I saw no area where it would be possible to set tables. I believe therefore that the second door may lead to a basement, but it is not part of the premises subject to this application.
- 1.3.5 Incidentally, none of the photos show any people gathering outside of German Doner.
- 1.3.6 The police representation shows concern about an increase of crime and disorder and public nuisance.
- 1.3.7 From my observation, the customers in this premises had already spent many hours in the immediate area and therefore weren't an additional increase in footfall. The premises employ staff to ensure that the customers were eating or queuing inside and that take away food is not eaten within the vicinity. The staff also keep the area outside of the premises clean and tidy.
- 1.3.8 I saw no congregation of customers outside.
- 1.3.9 During my observations, although I saw no vulnerable people, clearly, given the nature of the area and the night time premises, there may be occasion when a vulnerable person may present themselves at the premises. I am aware of a move by the Metropolitan police to include premises that are open during the night to assist in dealing with vulnerable people. I have recommended that staff receive WAVE training, that 'Ask for Angela' or similar posters are displayed. The provision of such a place of safety can only be a positive benefit.
- 1.3.10 The owner is arranging for first aid training to be provided and I have further recommended that the first aid kit is augmented with a stab kit, should the need arise in the local area.

1.4. CONCLUSIONS

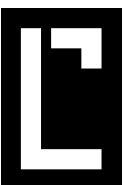
- 1.4.1 During my observations, at no time was there a queue outside of the German Doner, nor did I see their customers eating take away food within the vicinity of the premises.
- 1.4.2 There is a bus stop and shelter immediately outside of the German Doner. At about 01.20, a group of 5 men stood under it, having an animated conversation with loud voices. The males had come from along the road and were nothing to do with the German Doner. After about 15 minutes, they moved on.



- 1.4.3 Besides the soft drinks and water, on sale at German Doner, the food offering starts at nearly £9.00 . Further south in the street there are £3.00 pizza slices for sale. Further south is McDonalds where the food offerings start even cheaper. The price point and food offer does affect the number and type of persons that use German Doner.
- 1.4.4 The customers in German Doner were nearly all between 20 and 30 yrs of age and appear fairly affluent by the their clothing. Some engaged in convivial exchanges when in the premises and were all good humoured.
- 1.4.5 The area is very busy from 10.00 pm through to at least 3.30, when it dropped off.
- 1.4.6 Dalston Station is apparently open all night. There are bus routes along the Main Street.
- 1.4.7 I saw no uniform police or council staff , other than 4 or 5 speeding police vans or the council street cleansing team. However, besides the vagrancy issues, there wasn't a need for any policing, other than general patrolling.
- 1.4.8 The area is frequented by people between 20 and 30. There was a general feeling of enjoyment and almost no criminal undertone.
- 1.4.9 Many of the premises selling alcohol or with regulated entertainment had SIA doorstaff and often barriers to contain their customers. From my observations, I could see no need for such at the German Doner, in the same way as Ali Baba across the street have no cause to use similar.
- 1.4.10 Ismail and Erkan have developed an effective management process for their business to control their customers and promote the licensing objectives.
- 1.4.11 The management starts from around 21:30 when they engage an experienced member of staff to manage customers and people standing outside the premises. Customers are encouraged to enter the premises and order and eat inside. Customers leaving the premises are reminded by signage and also by the customer attendant to leave the premises quickly and quietly. It was thought that it would be better to discourage people to eat inside, however, experience from the TENs and reviewing practice is that it is easier for them in controlling customers to retain the seating inside the premises. This avoids people standing outside and assists the customer attendant in moving people on or inside the premises quickly. From my observations this appears to be effective and I would recommend the premises be able to allow customers to remain inside the premises until 02:30 and that after that time the tables removed and the premises operate as takeaway only.



- 1.4.12 From 23:00 smokers were allowed to stand in the covered entrance area. Although this is limited to a maximum of 4 because of the nature of the premises people generally eat inside and usually only go to smoke when they leave the premises to move on. However, this area is controlled effectively by the customer attendant.
- 1.2.13 Throughout the opening hours the outside area is swept and kept free from rubbish. An additional cleaning staff arrived around 03:00 and assisted not only in cleaning inside but also in cleaning the outside pavement. Which was completed after close.
- 1.2.14 From my observations, I was reminded of Soho of the 80s. Besides McDonalds at the south end of the street, the premises are predominantly privately owned and individual, not parts of chains . It is a thoroughly enjoyable street for a night out. Authorising German Doner to operate with the times sought will not have any negative impact on the promotion of the licensing objectives.





**COMPLETE
LICENSING**

THE GERMAN DONER

Photos





GERMAN DONER

WILTON'S
MUSIC HALL
TOLD BY AN IDIOT'S
CHAMP 2015
RIDDIGORE
BUFFY REVAMPED
THE CITY AND THE
LONDON'S HALL OF
THE FACTORY'S MALBETH
LONDON'S HALL OF
THE FACTORY'S MALBETH

WE'RE OPEN

Uber Eats

Uber Eats
delivery

WE'RE OPEN

FOOD HYGIENE

0 1 2 3

GERMAN



LUNCH SPEC

BETWEEN 12.00-16.00 | £3

TAKE AWAY ONLY

MEAT DONER or **CHICKEN DONER**
With **SALAD AND CHIPS**

FOR EVERYONE WITH A CURIOUS IMAGINATION

WILTON'S
MUSIC HALL
SPRING 2023

FEATURING
TOLD BY AN IDIOT'S CHARLIE AND STAN
RUDDIGORE
BUFFY REVAMPED
THE CITY AND THE TOWN
JENTIN CRISP, NAKED HOPE, JARMAN
THE FACTION'S MACBETH
LUCKY DOG PICTUREHOUSE
TOM CARRADINE, ONETRACKMINDS
DEAD POETS LIVE PARIS, FROM PIAF TO POP

Polite Notice

Please respect our neighbours.
You are requested to keep noise to a minimum when leaving these premises.

VEGAN DONER













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