



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

Wednesday, 14th August, 2019

at 7.00 pm

Council Chamber, Hackney Town Hall, Mare
Street, London E8 1EA

Councillors sitting:

Cllr Margaret Gordon, Cllr Brian Bell
(Substitute), and Cllr Harvey Odze

TIM SHIELDS
Chief Executive

Contact:
Clifford Hart – Governance Services Officer
020 8356 15673597
Clifford.hart@hackney.gov.uk

6 August 2019

The press and public are welcome to attend this meeting

AGENDA

Wednesday, 14th August, 2019

ORDER OF BUSINESS

Title	Ward	Page No
1 Election of Chair		
2 Apologies for Absence		
3 Declarations of Interest - Members to declare as appropriate		
4 Minutes of the Previous Meeting		
5 Licensing Sub-Committee Hearing Procedure		(Pages 1 - 2)
6 Application for a premises licence - Basement, 79 Kingsland High Street, London E8 2PB	Dalston	(Pages 3 - 40)
7 Application for a premises licence - Wagamama, Arch 385 , Mentmore Terrace, London E8 3PH	London Fields	(Pages 41 - 112)
8 Temporary Event Notices - Standing Item		

Licensing Sub-Committee Hearings

This guide details the procedure for Licensing Sub-Committee hearings under the Licensing Act 2003. Whilst this will be used in most cases, the procedure will be altered in exceptional circumstances and when for example Personal Licences, Temporary Event Notices and Reviews are considered.

A Licensing Sub-Committee will be held if:

- The applicant has applied for a Premises Licence, Provisional Statement, Club Premises Certificate or expressed their intention to vary their existing licence/certificate and has advertised this in a local newspaper and displayed a distinctive blue notice at the premises, following which representations have been made by a Responsible Authority or Other Person/s.
- A Review has been requested by a Responsible Authority or Other Person/s and the Review has been advertised by displaying a distinctive blue notice at the premises and also at the Council's office and website.
- An application is made to transfer a Premises Licence or for interim authority and the Police have issued an objection

- The applicant has made a Personal Licence application and the Police have objected to the Licence being granted.
- A Temporary Event Notice has been given and the Police and/or those in the Council that exercise environmental health functions have issued an objection.

Prior to your item being heard:

- The Licensing team upon receiving representations will form a view as to whether the representations are irrelevant, frivolous, vexatious or for review applications; repetitious.
- The Licensing team would have provided written notice to all parties in advance of the hearing and would have responded to any request relating to personal details being removed from the agenda.

If you do not believe this to have happened, please contact the Licensing Service on 020 8356 4970 or email licensing@hackney.gov.uk as soon as possible. For further information on the application process, please see the guidance notes at www.hackney.gov.uk/licensing.

Making decisions on the items being heard:

Hearings will normally be held in public unless the Sub-Committee believe it not to be in the public interest to do so. Although the Chair will try to make the proceedings as informal as possible, these hearings are of a quasi-judicial nature, and the rules of natural justice shall apply.

Only those Responsible Authorities and Other Persons who have made a relevant representation in writing at the consultation stage **can register to speak at a subsequent hearing**. Applicants, Other Persons and Responsible Authorities will all be given a fair opportunity to put their case and the Sub-Committee will take these representations into account when making their decision. The Sub-Committee may still make a decision on any matter even if any party fails to attend the hearing. However, in these circumstances, it will only be that party's written representation that may be taken into account.

For new applications relating to Premises Licences and Club Premises Certificates, Members can grant with additional conditions attached to the licence, exclude any licensable activities, refuse a Designated Premises Supervisor (DPS) if appropriate or reject the application.

Members when making decisions on variation applications regarding a Premises Licence or Club Premises Certificate, can modify (add, delete or amend) conditions on the licence or reject the application in whole or part. Members will be considering the request for a variation and the impact that this may have. Therefore, representations should be focused on the impact of the variation, although concerns relating to the existing terms of the licence may be relevant in considering the track record of the applicant. However, Members may consider other issues which relate to the promotion of the licensing objectives, although only if it is reasonable and proportionate to do so.

For Provisional Statements, Members can consider any steps that are necessary having regard to the representations made in order to ensure the licensing objectives are not undermined.

Members when deciding a Review application can modify (add, delete or amend) the conditions of the licence, exclude any licensable activities, remove a DPS if appropriate, suspend the licence/certificate for up to 3 months or revoke the licence/certificate completely.

For transfer of Premises Licences, interim authority requests and Personal Licence applications Members can only refuse or grant the application.

Members when deciding on an objection made against a Temporary Event Notice (TEN) will determine whether or not to issue a Counter Notice, which if issued will prevent the proposed event from proceeding. If a TEN has been given for a premises that already has a licence/certificate, Members may impose any of those conditions from the existing licence/certificate to the TEN.

Before the meeting starts:

The Sub-Committee Members are requested to report for business no more than half an hour before the meeting starts to deal with any administrative/procedural issues. This will allow Members to consider;

- the appointment for any substitutes if required
- the appointment of the chair
- any procedural issues
- obtain the list of attendees
- late documents delivered prior to the meeting and to ensure all the paperwork is in order

The Sub-Committee will not be considering any of the actual points raised within the Report itself and no Responsible Authority or Other Person/s shall be present when the Sub-Committee deal with the above issues.

Attending the hearing that concerns you:

All Applicants, Other Persons and Responsible Authorities involved will be informed in writing of the date and time that their application will be considered by the Licensing Sub-Committee. Please contact the Licensing Service on 020 8356 4970 or email licensing@hackney.gov.uk to confirm whether you wish to attend and/or register to speak at the Sub-Committee hearing or if you wish for someone else to speak on your behalf. If you are unable to attend, the application may be heard in your absence.

All parties should arrive promptly at the outset of the scheduled meeting regardless of when the item is listed to be heard on the agenda.

Please contact the Licensing Service for advice within 4 working days from the date on the notice letter if any of the following apply;

- you have special requirements to help make your representation, because of a disability or you need a translator for example
- you wish to supply additional [documentary] information such as photographs and videos/DVDs

Please note that if you wish to provide additional relevant information, this should be given at least **5 working days** before the hearing. Any additional information provided once the hearing has started will only be accepted if all parties agree. Please note that the use of videos/DVDs is at the Sub-Committee's discretion – requests to show these should be made in advance to the Committee Officer.

Timings

In most cases the application will last no longer than 1 hour, and the times to be allocated to each section are shown on the relevant hearing procedure. If you think that your evidence is likely to exceed this time period, please let the Licensing Service know **within 4 working days of the date on the notice letter** and the Sub-Committee will be advised. If your request is agreed, all parties will also be granted the same extension of time.

Rights of Press and Public to Report on Meetings

Where a meeting of the Council and its committees are open to the public, the press and public are welcome to report on meetings of the Council and its committees, through any audio, visual or written methods and may use digital and social media providing they do not disturb the conduct of the meeting and providing that the person reporting or providing the commentary is present at the meeting.

Those wishing to film, photograph or audio record a meeting are asked to notify the Council's Monitoring Officer by noon on the day of the meeting, if possible, or any time prior to the start of the meeting or notify the Chair at the start of the meeting.

The Monitoring Officer, or the Chair of the meeting, may designate a set area from which all recording must take place at a meeting.

The Council will endeavour to provide reasonable space and seating to view, hear and record the meeting. If those intending to record a meeting require any other reasonable facilities, notice should be given to the Monitoring Officer in advance of the meeting and will only be provided if practicable to do so.

The Chair shall have discretion to regulate the behaviour of all those present recording a meeting in the interests of the efficient conduct of the meeting. Anyone acting in a disruptive manner may be required by the Chair to cease recording or may be excluded from the meeting. Disruptive behaviour may include: moving from any designated recording area; causing excessive noise; intrusive lighting; interrupting the meeting; or filming members of the public who have asked not to be filmed.

All those visually recording a meeting are requested to only focus on recording councillors, officers and the public who are directly involved in the conduct of the meeting. The Chair of the meeting will ask any members of the public present if they have objections to being visually recorded. Those visually recording a meeting are asked to respect the wishes of those who do not wish to be filmed or photographed. Failure by someone recording a meeting to respect the wishes of those who do not wish to be filmed and photographed may result in the Chair instructing them to cease recording or in their exclusion from the meeting.

If a meeting passes a motion to exclude the press and public then in order to consider confidential or exempt information, all recording must cease and all recording equipment must be removed from the meeting room. The press and public are not permitted to use any means which might enable them to see or hear the proceedings whilst they are excluded from a meeting and confidential or exempt information is under consideration.

Providing oral commentary during a meeting is not permitted.

Lobbying of Councillors

If a person or an organisation wants to make a representation to the Licensing Sub-Committee, they must **NOT** contact Sub-Committee Members directly. Licensing Sub-Committee Members have to retain an open mind on any application and determine it on its merits. Members can not

be in anyway biased towards a party. Therefore, if a Member of the Sub-Committee has had any prior involvement they must ensure that they come to the hearing with an open mind.

Local ward councillors may be able to speak on behalf of objectors if requested to do so, provided that if they have a disclosable pecuniary interest they leave the meeting room when the application is being considered unless they have been granted dispensation.

Reports

Agendas and Reports for Licensing Sub-Committees are published on the Council's website (www.hackney.gov.uk) 5 working days before the hearing takes place. Copies are also available by contacting Governance Services on 0208 356 3578 or email governance@hackney.gov.uk. Copies of applications together with the detail of any objections will be included in the report.

Appeals

Applicants or any party to the hearing can appeal against the decision made by the Sub-Committee. The appeal to the Thames Magistrates Court must be made within 21 days of the decision being sent formally in writing. However, TEN's have the added restriction that no appeals can be made later than 5 working days before the event is scheduled to take place.

Withdrawal of an Item or Cancellation of a Hearing

An item may be withdrawn from the agenda of a Licensing Sub-Committee meeting at short notice due to the withdrawal or resolution of the representations or objections to an application or notice. A hearing by the Licensing Sub-Committee may therefore be cancelled at short notice if there are no substantive items remaining on the agenda.

As much advance notice as is practicable of the withdrawal of an item on the agenda or cancellation of a meeting of the Licensing Sub-Committee will be provided on the Council's website but please note that this might be as little as a few hours before the hearing if the applicant chooses to leave it that late to satisfactorily address any representation or objection giving rise to the need for a hearing.

Facilities

There are public toilets available, with wheelchair access, on the ground floor of the Town Hall. Induction loop facilities are available in the Assembly Halls, rooms 101, 102 & 103 and the Council Chamber. Access for people with mobility difficulties can be obtained through the ramp on the side to the main Town Hall entrance.

Contacts

If you have a query about Licensing Sub-Committee procedures and protocols then please contact Governance Services –

Governance Services
2nd Floor Room 118
Hackney Town Hall
London, E8 1EA

Telephone: 020 8356 1266

E-mail: governance@hackney.gov.uk

.If your query relates general licensing matters or to specific applications then you are advised to speak to the Licensing Service. They can be contacted at:

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

Telephone: 020 8356 4970

Fax: 020 8356 4974

E-mail: licensing@hackney.gov.uk

ADVICE TO MEMBERS ON DECLARING INTERESTS

Hackney Council's Code of Conduct applies to **all** Members of the Council, the Mayor and co-opted Members.

This note is intended to provide general guidance for Members on declaring interests. However, you may need to obtain specific advice on whether you have an interest in a particular matter. If you need advice, you can contact:

- The Corporate Director of Legal, HR and Regulatory Services;
- The Legal Adviser to the committee; or
- Governance Services.

If at all possible, you should try to identify any potential interest you may have before the meeting so that you and the person you ask for advice can fully consider all the circumstances before reaching a conclusion on what action you should take.

1. Do you have a disclosable pecuniary interest in any matter on the agenda or which is being considered at the meeting?

You will have a disclosable pecuniary interest in a matter if it:

- relates to an interest that you have already registered in Parts A and C of the Register of Pecuniary Interests of you or your spouse/civil partner, or anyone living with you as if they were your spouse/civil partner;
- relates to an interest that should be registered in Parts A and C of the Register of Pecuniary Interests of your spouse/civil partner, or anyone living with you as if they were your spouse/civil partner, but you have not yet done so; or
- affects your well-being or financial position or that of your spouse/civil partner, or anyone living with you as if they were your spouse/civil partner.

2. If you have a disclosable pecuniary interest in an item on the agenda you must:

- Declare the existence and nature of the interest (in relation to the relevant agenda item) as soon as it becomes apparent to you (subject to the rules regarding sensitive interests).
- You must leave the room when the item in which you have an interest is being discussed. You cannot stay in the meeting room or public gallery whilst discussion of the item takes place and you cannot vote on the matter. In addition, you must not seek to improperly influence the decision.
- If you have, however, obtained dispensation from the Monitoring Officer or Standards Committee you may remain in the room and participate in the meeting. If dispensation has been granted it will stipulate the extent of your involvement, such as whether you can only be present to make representations, provide evidence or whether you are able to fully participate and vote on the matter in which you have a pecuniary interest.

3. Do you have any other non-pecuniary interest on any matter on the agenda which is being considered at the meeting?

You will have 'other non-pecuniary interest' in a matter if:

- i. It relates to an external body that you have been appointed to as a Member or in another capacity; or
- ii. It relates to an organisation or individual which you have actively engaged in supporting.

4. If you have other non-pecuniary interest in an item on the agenda you must:

- i. Declare the existence and nature of the interest (in relation to the relevant agenda item) as soon as it becomes apparent to you.
- ii. You may remain in the room, participate in any discussion or vote provided that contractual, financial, consent, permission or licence matters are not under consideration relating to the item in which you have an interest.
- iii. If you have an interest in a contractual, financial, consent, permission or licence matter under consideration, you must leave the room unless you have obtained a dispensation from the Monitoring Officer or Standards Committee. You cannot stay in the room or public gallery whilst discussion of the item takes place and you cannot vote on the matter. In addition, you must not seek to improperly influence the decision. Where members of the public are allowed to make representations, or to give evidence or answer questions about the matter you may, with the permission of the meeting, speak on a matter then leave the room. Once you have finished making your representation, you must leave the room whilst the matter is being discussed.
- iv. If you have been granted dispensation, in accordance with the Council's dispensation procedure you may remain in the room. If dispensation has been granted it will stipulate the extent of your involvement, such as whether you can only be present to make representations, provide evidence or whether you are able to fully participate and vote on the matter in which you have a non pecuniary interest.

Further Information

Advice can be obtained from Suki Binjal, Interim Director of Legal, on 020 8356 6234 or email suki.binjal@hackney.gov.uk



FS 566728

Relevant Extracts from Hackney's Statement of Licensing Policy

Please find below relevant extracts from the Statement of Licensing Policy 2018.

LP1 General Principles

The Council expects applicants to demonstrate:

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

LP2 Licensing Objectives

Prevention of Crime and Disorder

Whether the proposal includes satisfactory measures to mitigate any risk of the proposed operation making an unacceptable contribution to levels of crime and disorder in the locality.

Public Safety

Whether the necessary and satisfactory risk assessments have been undertaken, the management procedures put in place and the relevant certification produced to demonstrate that the public will be kept safe both within and in close proximity to the premises.

Prevention of Public Nuisance

Whether the applicant has addressed the potential for nuisance arising from the characteristics and style of the proposed activity and identified the appropriate steps to reduce the risk of public nuisance occurring.

Protection of Children from Harm

Whether the applicant has identified and addressed any risks with the aim of protecting children from harm when on the premises or in close proximity to the premises.

LP3 Core Hours

Hours for licensable activity will generally be authorised, subject to demonstrating LP 1 and LP2, as follows:

- Monday to Thursday 08:00 to 23:00
- Friday and Saturday 08:00 to 00:00
- Sunday 10:00 to 22:30

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

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

It should be noted that this policy does not apply to those who are making an application within a special policy area (see section 3) unless they have been able to demonstrate that the proposed activity or operation of the premises will not add to the cumulative impact that is already being experienced.

LP4 Off' Sales of Alcohol

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

LP5 Planning Status

Licence applications should normally be from premises where:

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

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

LP6 External Areas and Outdoor Events

The Licensing Authority will normally restrict external areas and outdoor activity to between 08:00 and 22:00 unless the applicant can demonstrate that comprehensive control measures have been implemented that ensure the promotion of the licensing objectives, in particular the public nuisance objective. Notwithstanding any proposed control measures, the Licensing Authority may restrict the hours and/or activity even further

LP7 Minor Variations

The Council expects applications to be made in the following circumstances only:

- Small changes in the layout/structure of the premises
- The addition of voluntary/agreed conditions
- Removal of conditions that are dated and have no impact on the operation of the premises
- Reduction of hours for any licensable activity

LP8 Temporary Event Notices

When considering an objection to a TEN the Council will:

- Expect that any existing conditions will be maintained (where relevant) in circumstances where an event is to take place at a premises that has an existing authorisation.
- Assess any history of complaints as a result of licensable activity that may or may not have been authorised by a TEN.
- Consider the track record of the premises user
- Consider any other control measures proposed to mitigate the objection

LP9 Personal Licences

(a) The Council will consider whether a refusal of the licence is appropriate for the promotion of the crime prevention objective and will consider the:

- (i) Seriousness and relevance of any conviction(s)
- (ii) The period that has elapsed since committing the offence(s)
- (iii) Any mitigating circumstances that assist in demonstrating that the crime prevention objective will not be undermined.

LP10 Special Policy Areas – Dalston and Shoreditch

It is the Council's policy that where a relevant representation is made to any application within the area of the Dalston SPA or Shoreditch SPA, the applicant will need to demonstrate that the proposed activity and the operation of the premises will not add to the cumulative impact that is currently being experienced in these areas. This policy is to be strictly applied.

It should also be noted that the;

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

May not be in itself sufficient.

It should be noted that if an applicant can demonstrate that they will not add to the cumulative impact in their operating schedule and at any hearing, then the Core Hours Policy within LP3 will apply.

LP11 Cumulative Impact – General

The Council will give due regard to any relevant representations received where concerns are raised and supported around the negative cumulative impact the proposed application has on one or more of the licensing objectives.

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Agenda Item 5

Licensing Sub-Committee hearings, under the Licensing Act 2003 & Local Government (Miscellaneous Provisions) Act 1982 – Type A [Re; Premises Licence, Club Premises Certificate, Provisional Statement & Sex Establishment Licence]

<p>Step 1 Appointment of Chair and introduction</p>	<p>The Sub-Committee will appointment a Chair.</p> <p>The Chair will introduce the Sub-Committee, announce the item, and establish the identity of those taking part.</p> <p>The Sub-Committee will consider any requests to depart from normal procedure, such as holding a private session if it is considered to be in the public interest to do so or if a deferral/adjournment is requested for the item.</p> <p>The Chair (or Legal Adviser if asked by the Chair) will briefly outline how the hearing will proceed. However, Members may seek clarification on any issue raised during the hearing if required and if requested.</p>	<p>5 minutes</p>
<p>Step 2 Licensing Officer</p>	<p>The Licensing Officer will outline the report.</p>	<p>5 minutes</p>
<p>Step 3 Applicant's Case</p>	<p>The Applicant will present their case in support of their application.</p>	<p>5 minutes</p>
<p>Step 4 Responsible Authorities' Case</p>	<p>The Chair will invite the relevant Responsible Authorities in attendance to highlight their reasons for objecting to the application as contained within the report.</p>	<p>5 minutes each</p>
<p>Step 5 Other Persons' Case</p>	<p>The Chair will invite the Other Persons in attendance to present their case, highlighting their reasons for objecting or supporting the application as contained in their written submissions.</p>	<p>5 minutes each</p>
<p>Step 6 Discussion</p>	<p>The Chair will structure and lead a discussion on the information presented enabling Sub-Committee Members to clarify any points raised and ask questions if necessary.</p>	<p>15 minutes</p>
<p>Step 7 Closing remarks</p>	<p>The Chair will ask Responsible Authorities, Other Persons, Applicants and the Licensing Officer if they have any final comments to make. These comments can <u>only</u> be in relation to issues raised during the discussion. These remarks should be brief.</p>	<p>10 minutes</p>
<p>Step 8 - Final clarification</p>	<p>Licensing Sub-Committee Members will have a final opportunity to seek clarification on any points raised, following which the Chair will conclude the discussion.</p>	<p>5 minutes</p>
<p>Step 9 Consideration</p>	<p>The Sub-Committee will normally withdraw to consider the evidence that has been presented to them with the Committee Officer and Legal Adviser in order that the Sub-Committee can reach a decision and obtain legal advice if required.</p> <p>The Legal Adviser will repeat any legal advice given to Members upon returning to the public hearing.</p> <p>In simple cases the Sub-Committee may not consider it necessary to retire.</p>	<p>10 minutes</p>
<p>Step 10 Chair announces the decision</p>	<p>The Sub-Committee will return and the Chair will announce the decision. Reasons for their decision will be given, if appropriate.</p> <p>The Licensing Officer will draw attention to any restrictions which will affect the running of the premises and provide a written record of the decision, which will be sent to the applicant.</p>	<p>5 minutes</p>

The Council's procedure rules are also incorporated into these hearing procedures in so far as it does not conflict the procedures as set out above. The Licensing Hearing Regulations can also be viewed by following the link below – <http://www.legislation.gov.uk/ukxi/2005/44/contents/made>

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REPORT OF GROUP DIRECTOR, NEIGHBOURHOODS AND HOUSING		
LICENSING SUB-COMMITTEE: 14/08/2019	Classification DECISION	Enclosure
Application for a Premises Licence Basement, 79 Kingsland High Street, E8 2PB	Ward(s) affected Dalston	

1. SUMMARY

Applicant(s) Keshia Riley-Douglas	In SPA
Date of Application 24/06/2019	Period of Application Permanent/
Proposed licensable activity Live Music Recorded Music Other Entertainment Similar to Live or Rec Music or Dance Performance Late Night Refreshment Supply of Alcohol (On Premises)	
Proposed hours of licensable activities	
Live Music INDOOR:	Standard Hours: Thu 12:00-23:00 Fri 12:00-23:00 Sat 12:00-23:00 Sun 12:00-22:30
Recorded Music BOTH: Indoors and Outdoors	Standard Hours: Mon 11:00-23:00 Tue 11:00-23:00 Wed 11:00-23:00 Thu 11:00-23:00 Fri 11:00-00:00 Sat 11:00-00:00 Sun 11:00-22:30
Other Entertainment Similar to Live or Rec Music or Dance Performance BOTH:	Standard Hours: Mon 11:00-23:00 Tue 11:00-23:00 Wed 11:00-23:00 Thu 11:00-23:00 Fri 11:00-00:00 Sat 11:00-00:00 Sun 11:00-22:30

Late Night Refreshment		Standard Hours: Fri 23:00-00:00 Sat 23:00-00:00
BOTH:		
Supply of Alcohol		Standard Hours: Mon 12:00-23:00 Tue 12:00-23:00 Wed 12:00-23:00 Thu 12:00-23:00 Fri 12:00-00:00 Sat 12:00-00:00 Sun 12:00-22:30
INDOOR:		
The opening hours of the premises		
INDOOR		Standard Hours: Mon 11:00-00:00 Tue 11:00-00:00 Wed 11:00-00:30 Thu 11:00-00:30 Fri 11:00-03:00 Sat 11:00-03:00 Sun 11:00-00:00
Capacity: Not known		
Policies Applicable	LP1 (General Principles), LP2 (Licensing Objectives), LP3 (Core Hours), LP10 (Special Policy Areas – Dalston and Shoreditch),	
List of Appendices	A – Application for a premises licence and supporting documents B – Representations from responsible authorities C – Representations from other persons D – Location map	
Relevant Representations	<ul style="list-style-type: none"> • Environmental Health Authority (Environmental Protection and Environmental Enforcement) • Police • Licensing Authority • Other Persons 	

2. APPLICATION

- 2.1 Keshia Riley-Douglas has made an application for a premises licence under the Licensing Act 2003:
- To authorise the supply alcohol for consumption **on** the premises
 - To authorise regulated entertainment
 - To authorise late night refreshment
- 2.2 The application is attached as Appendix A. The applicant has, following receipt or representations, reduced the proposed hours for licensable activity to the core hours described in LP3 of the Council's Statement of Licensing

Policy. The applicant has proposed measures that could be converted to conditions (see paragraph 8.1 below).

3. CURRENT STATUS / HISTORY

- 3.1 The premises were licensed for sale of alcohol and regulated entertainment until the licence was revoked by Licensing Sub-Committee in January 2018, following a review application submitted by the Police.

4. REPRESENTATIONS: RESPONSIBLE AUTHORITIES

From	Details
Environmental Health Authority (Environmental Protection)	Representation has been withdrawn with the agreed conditions as set out in para 8.1
Environmental Health Authority (Environmental Enforcement)	Representation has been withdrawn with the agreed conditions as set out in para 8.1
Environmental Health Authority (Health & Safety)	No representation received
Weights and Measures (Trading Standards)	Have confirmed no representation on this application
Planning Authority	No representation received
Area Child Protection Officer	No representation received
Fire Authority	Have confirmed no representation on this application
Police (Appendix B1)	Representation received on the grounds of The Prevention of Crime and Disorder, Public Safety, Prevention of Public Nuisance, The Protection of Children from Harm, Licensing Hours, Special Policy Area and Cumulative Impact.
Licensing Authority (Appendix B2)	Representation received on the grounds of The Prevention of Crime and Disorder, Prevention of Public Nuisance, Special Policy Area.
Health Authority	No representation received

5. REPRESENTATIONS: OTHER PERSONS

From	Details
3 representations received from and on behalf of local residents. (Appendices C1-C3)	Representations received on the grounds of The Prevention of Crime and Disorder, Public Safety, Prevention of Public Nuisance, The Protection of Children from Harm and Special Policy Area

6. GUIDANCE CONSIDERATIONS

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

7. POLICY CONSIDERATIONS

- 7.1 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.
- 7.2 The Policy applies to applications where relevant representations have been made. With regard to this application, policies LP1 (General Principles), LP2 (Licensing Objectives), LP3 (Core Hours) and LP10 (Special Policy Areas – Dalston and Shoreditch) are relevant.

8. OFFICER OBSERVATIONS

- 8.1 If the Sub-Committee is minded to approve the application, the following conditions should be applied the licence:

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.

Door Supervision

8. 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

9. A member of staff trained in first aid will be on site at all times licensable activity is taking place.

10. A designated safeguarding officer will be on site for all events where children are present

11. An ID scanner will be used on all weekend events or events which prove to be popular.

12. There shall be no entry re-entry after 01.00.

13. All customers will be searched on entry to the premises after 22.00 (including after smoking)

14. Music will be turned off 30 minutes before closing

15. Security will be outside at all times to oversee crowd management

16. The capacity of the premises will be restricted to 120, at which level a one in one out system will be applied.

17. No glass bottles will be allowed outside or inside the premises after 20.00

18. A “Challenge 25” policy will be applied for sale of alcohol.

19. Children will not be allowed in the premises beyond 20.00 on any day, excepting private events.

20. Children must be accompanied by an adult at all times.

21. SIA registered security staff will be employed on busy nights.

Conditions derived from Responsible Authority representations

22. There shall be a maximum of 8 people outside smoking at any time.

23. There shall be a maximum of 4 people in the smoking area at any time after 22:00 hours

24. The Licensee shall ensure that all staff are fully trained and made aware of the legal requirement of businesses to comply with their responsibility as regards the disposal of waste produced from the business premises. The procedure for handling and preparing for disposal of the waste shall be in writing and displayed in a prominent place where it can be referred to at all times by staff.

25. The Licensee shall ensure that any contract for general and recyclable waste disposal shall be appropriate in size to the amount of waste produced by the business. The Licensee shall maintain an adequate supply of waste receptacles provided by his registered waste carrier (refuse sacks or commercial waste bins) in order to ensure all refuse emanating from the business is always presented for collection by his waste carrier and shall not use any plain black or unidentifiable refuse sacks or any other unidentifiable or unmarked waste receptacles.

26. The Licensee's premises are situated in an area within which refuse may only be left on the public highway at certain times (time bands). If the Licensee's waste carrier cannot or does not comply by collecting the refuse within an hour after the close of any time band imposed by the waste authority, the Licensee must remove the refuse from the public highway and/or keep it within the premises until such time as their waste carrier arrives to collect the refuse.

27. The Licensee shall instruct members of staff to make regular checks of the area immediately outside the premises and remove any litter, bottles and glasses emanating from the premises. A final check should be made at close of business.

28. The Licensee shall provide a safe receptacle for cigarette ends to be placed outside for the use of customers, such receptacle being carefully placed so as not to cause an obstruction or trip.

29. The current trade waste agreement/duty of care waste transfer document shall be conspicuously displayed and maintained in the window of the premises where it can be conveniently seen and read by persons standing in the premises

This should remain unobstructed at all times and should clearly identify:-

- the name of the registered waste carrier

- the date of commencement of trade waste contract
- the date of expiry of trade waste contract
- the days and times of collection
- the type of waste including the European Waste Code

9. REASONS FOR OFFICER OBSERVATIONS

9.1 Conditions 9 to 21 above are derived from the applicant's operating schedule. Conditions 22 to 23 have been proposed by Environmental Protection and 24 to 29 by Environmental Enforcement. The proposed conditions have been accepted by the applicant.

10. LEGAL COMMENTS

10.1 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 4 licensing objectives;

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

10.2 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.

11. HUMAN RIGHTS ACT 1998 IMPLICATIONS

11.1 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.

12. MEMBERS DECISION MAKING

A. Option 1

That the application be refused

B. Option 2

That the application be approved, together with any conditions or restrictions which Members consider necessary for the promotion of the Licensing objectives.

13. CONCLUSION

13.1 That Members decide on the application under the Licensing Act 2003.

Group Director, Neighbourhoods and Housing	Kim Wright
Lead Officer (holder of original copy):	Mike Smith Principal Licensing Officer Licensing Service 1 Hillman Street E8 1DY Telephone: 020 8356 4973

LIST OF BACKGROUND PAPERS RELATING TO THIS REPORT

The following document(s) has been relied upon in the preparation of the report.

Description of document	Location
Office File: Basement, 79 Kingsland High Street, E8 2PB	Licensing Service 1 Hillman Street London E8 1DY

Printed matter

Licensing Act 2003

LBH Statement of Licensing Policy

APPENDIX A

LA01	Application for a premises licence to be granted 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/W

e KESHIA RILEY-DOUGLAS
(Insert name(s) of applicant)

apply for a premises licence under section 17 of the Licensing Act 2003 for the premises described in Part 1 below (the premises) and I/we are making this application to you as the relevant licensing authority in accordance with section 12 of the Licensing Act 2003

Part 1 – Premises details

Postal address of premises or, if none, ordnance survey map reference or description			
BASEMENT 79 Kingsland High ST E8 2PB			
Post town	London	Postcode	E8 2PB

Telephone number at premises (if any)	
Non-domestic rateable value of premises	£

Part 2 - Applicant details

Please state whether you are applying for a premises licence as **Please tick as appropriate**

- a) an individual or individuals * please complete section (A)
- b) a person other than an individual *
- i as a limited company/limited liability partnership please complete section (B)
 - ii as a partnership (other than limited liability) please complete section (B)
 - iii as an unincorporated association or please complete section (B)
 - iv other (for example a statutory please complete section (B)

- iii as an unincorporated association or please complete section (B)
- iv other (for example a statutory corporation) please complete section (B)
- c) a recognised club please complete section (B)
- d) a charity please complete section (B)
- e) the proprietor of an educational establishment please complete section (B)
- f) a health service body please complete section (B)
- g) a person who is registered under Part 2 of the Care Standards Act 2000 (c14) in respect of an independent hospital in Wales please complete section (B)
- ga) a person who is registered under Chapter 2 of Part 1 of the Health and Social Care Act 2008 (within the meaning of that Part) in an independent hospital in England please complete section (B)
- h) the chief officer of police of a police force in England and Wales please complete section (B)

* If you are applying as a person described in (a) or (b) please confirm (by ticking yes to one box below):

I am carrying on or proposing to carry on a business which involves the use of the premises for licensable activities; or

I am making the application pursuant to a statutory function or

a function discharged by virtue of Her Majesty's prerogative

(A) INDIVIDUAL APPLICANTS (fill in as applicable)

Mr	Mrs	Miss <input checked="" type="checkbox"/>	Ms	Other Title (for example, Rev)	
Surname Riley-Douglas			First names Keshia		
Date of birth <input type="text"/>		I am 18 years <input checked="" type="checkbox"/>		Please tick yes	
Nationality		British			
Current residential address if different		<input type="text"/>			

from premises address	[REDACTED]		
Post town	London	Postcode	[REDACTED]
Daytime contact telephone number	[REDACTED]		
E-mail address (optional)	[REDACTED]		
Where applicable (if demonstrating a right to work via the Home Office online right to work checking service), the 9-digit 'share code' provided to the applicant by that service (please see note 15 for information)			

SECOND INDIVIDUAL APPLICANT (if applicable)

M r	Mr s	Mi ss	M s	Other Title (for example, Rev)	
Surname			First names		
Date of birth		I am 18 years old or over		Please tick yes	
Nationality					
Current postal address if different from premises address					
Post town				Postcode	
Daytime contact telephone number					
E-mail address (optional)					
Where applicable (if demonstrating a right to work via the Home Office online right to work checking service), the 9-digit 'share code' provided to the applicant by that service (please see note 15 for information)					

(B) OTHER APPLICANTS

Please provide name and registered address of applicant in full. Where appropriate please give any registered number. In the case of a partnership or other joint venture (other than a body corporate), please give the name and address of each party concerned.

What licensable activities do you intend to carry on from the premises?

(Please see sections 1 and 14 and Schedules 1 and 2 to the Licensing Act 2003)

Provision of regulated entertainment (please read guidance note 2) Please tick all that apply

- a) plays (if ticking yes, fill in box A)
- b) films (if ticking yes, fill in box B)
- c) indoor sporting events (if ticking yes, fill in box C)
- d) boxing or wrestling entertainment (if ticking yes, fill in box D)
- e) live music (if ticking yes, fill in box E) ✓
- f) recorded music (if ticking yes, fill in box F) ✓
- g) performances of dance (if ticking yes, fill in box G)
- h) anything of a similar description to that falling within (e), (f) or (g) (if ticking yes, fill in box H) ✓

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

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

In all cases complete boxes K, L and M

Please provide name and registered address of applicant in full. Where appropriate please give any registered number. In the case of a partnership or other joint venture (other than a body corporate), please give the name and address of each party concerned.

Name
Address
Registered number (where applicable)
Description of applicant (for example, partnership, company, unincorporated association etc.)
Telephone number (if any)
E-mail address (optional)

Part 3 Operating Schedule

When do you want the premises licence to start?

DD MM YYYY

2	8	0	7	2	0	1	9
---	---	---	---	---	---	---	---

If you wish the licence to be valid only for a limited period, when do you want it to end?

DD MM YYYY

--	--	--	--	--	--	--	--

Please give a general description of the premises (please read guidance note 1)

The Premises is a basement property which holds 150 people standing. The property has two fire exits and a small kitchen with a small open space which is 24ft by 22ft wide.

The property will be used as a social space for light bites like (chips) as well as drinks on a daily basis while hosting retro games, like dominos and cards and music entertainment.

The premises programme will develop over time and offer basic services to start. Alcohol will be served up until 45 minutes before closing, and music will be off 30 minutes before closing.

A

Plays Standard days and timings (please read guidance note 7)			Will the performance of a play take place indoors or outdoors or both – please tick (please read guidance note 3)	Indoors	
				Outdoors	
Day	Start	Finish		Both	
Mon			Please give further details here (please read guidance note 4)		
Tue					
Wed			State any seasonal variations for performing plays (please read guidance note 5)		
Thur					
Fri			Non-standard timings. Where you intend to use the premises for the performance of plays at different times to those listed in the column on the left, please list (please read guidance note 6)		
Sat					
Sun					

B

Films Standard days and timings (please read guidance note 7)			Will the exhibition of films take place indoors or outdoors or both – please tick (please read guidance note 3)	Indoors	
				Outdoors	
Day	Start	Finish		Both	
Mon			Please give further details here (please read guidance note 4)		
Tue					
Wed			State any seasonal variations for the exhibition of films (please read guidance note 5)		
Thur					
Fri			Non-standard timings. Where you intend to use the premises for the exhibition of films at different times to those listed in the column on the left, please list (please read guidance note 6)		
Sat					
Sun					

C

Indoor sporting events Standard days and timings (please read guidance note 7)			Please give further details (please read guidance note 4)
Day	Start	Finish	
Mon			State any seasonal variations for indoor sporting events (please read guidance note 5)
Tue			
Wed			
Thur			Non-standard timings. Where you intend to use the premises for indoor sporting events at different times to those listed in the column on the left, please list (please read guidance note 6)
Fri			
Sat			
Sun			

D

Boxing or wrestling entertainments Standard days and timings (please read guidance note 7)			Will the boxing or wrestling entertainment take place indoors or outdoors or both – please tick (please read guidance note 3)	Indoors	
				Outdoors	
				Both	
Day	Start	Finish			
Mon			Please give further details here (please read guidance note 4)		
Tue					
Wed			State any seasonal variations for boxing or wrestling entertainment (please read guidance note 5)		
Thur					
Fri			Non-standard timings. Where you intend to use the premises for boxing or wrestling entertainment at different times to those listed in the column on the left, please list (please read guidance note 6)		
Sat					
Sun					

E

Live music Standard days and timings (please read guidance note 7)			Will the performance of live music take place indoors or outdoors or both – please tick (please read guidance note 3)	Indoors	<input checked="" type="checkbox"/>
Day	Start	Finish		Outdoors	<input type="checkbox"/>
Mon			Please give further details here (please read guidance note 4) When these sessions are scheduled the premises will host jazz events to start between 12pm until 23.00hrs from Thursday until Sunday	Both	<input type="checkbox"/>
Tue					
Wed			State any seasonal variations for the performance of live music (please read guidance note 5) These Jazz events will take place before October 2019 giving us time to become more established.		
Thur	12:00	23:00			
Fri	12:00	23:00	Non-standard timings. Where you intend to use the premises for the performance of live music at different times to those listed in the column on the left, please list (please read guidance note 6) This will be scheduled as the venue develops. This will be the music of Jazz band.		
Sat	12:00	23:00			
Sun	12:00	23:00			

F

Recorded music Standard days and timings (please read guidance note 7)			Will the playing of recorded music take place indoors or outdoors or both - please tick (please read guidance note 3)	Indoors	<input checked="" type="checkbox"/>
				Outdoors	<input type="checkbox"/>
				Both	<input type="checkbox"/>
Day	Start	Finish			
Mon	11:00	23:30	Please give further details here (please read guidance note 4) MUSIC Will be played via a PA System and Aux cable inside the building		
Tue	11:00	23:30			
Wed	11:00	00:30	State any seasonal variations for the playing of recorded music (please read guidance note 5)		
Thur	11:00	00:30			
Fri	11:00	02:30	Non-standard timings. Where you intend to use the premises for the playing of recorded music at different times to those listed in the column on the left, please list (please read guidance note 6)		
Sat	11:00	02:30			
Sun	11:00	23:30			

G

Performances of dance Standard days and timings (please read guidance note 7)			Will the performance of dance take place indoors or outdoors or both – please tick (please read guidance note 3)	Indoors	
				Outdoors	
				Both	
Day	Start	Finish	Please give further details here (please read guidance note 4)		
Mon					
Tue					
Wed			State any seasonal variations for the performance of dance (please read guidance note 5)		
Thur					
Fri			Non-standard timings. Where you intend to use the premises for the performance of dance at different times to those listed in the column on the left, please list (please read guidance note 6)		
Sat					
Sun					

H

Anything of a similar description to that falling within (e), (f) or (g)
Standard days and timings (please read guidance note 7)

Please give a description of the type of entertainment you will be providing

Poetry events- Poetey read and performed by customers

Life Drawing- fine art by customers

Games night - board games played by customers

Cocktail nights - cocktails made by customers

Music will be played inside up until ~~12am~~ Monday and Tuesday. 23:30

Wednesday the music inside will be played until 1.30 am

Thursday to Saturday Music will be played until 3.30am

Sunday Music will be played until 1am

Anything of a similar description to that falling within (e), (f) or (g)
Standard days and timings (please read guidance note 7)

Day	Start	Finish
Mon	11:00	23:30
Tue	11:00	23:30
Wed	11:00	00:30
Thur	11:00	00:30
Fri	11:00	02:30
Sat	11:00	02:30
Sun	11:00	23:30

Will this entertainment take place indoors or outdoors or both – please tick (please read guidance note 3)

Indoors	<input type="checkbox"/>
Outdoors	<input type="checkbox"/>
Both	<input checked="" type="checkbox"/>

Please give further details here (please read guidance note 4) These nights will be programmed in as the venue becomes more established and to start with the venue will serve basic light bites with drinks i

State any seasonal variations for entertainment of a similar description to that falling within (e), (f) or (g) (please read guidance note 5)

As festive periods the events will be themed. NYE, Valatines, Christmas and Bank Holidays.

Non-standard timings. Where you intend to use the premises for the entertainment of a similar description to that falling within (e), (f) or (g) at different times to those listed in the column on the left, please list (please read guidance note 6)

On Bank holidays the venue will be open to the public in a accordance to our latest opening times. 04.00am

Late night refreshment Standard days and timings (please read guidance note 7)			Will the provision of late night refreshment take place indoors or outdoors or both – please tick (please read guidance note 3)	Indoors	
Day	Start	Finish		Outdoors	<input checked="" type="checkbox"/>
				Both	
Mon			Please give further details here (please read guidance note 4) We will serve Jerk Chicken and Corn from 23.00 until 1.30am on Friday and Saturdays this Will start From late June. <i>Served on BBQ Within the entrance on the left.</i>		
Tue					
Wed			State any seasonal variations for the provision of late night refreshment (please read guidance note 5) In the Summer months food may be served a until 2am where the premise is open. <i>late</i>		
Thur					
Fri	23:00	01:30	Non-standard timings. Where you intend to use the premises for the provision of late night refreshment at different times, to those listed in the column on the left, please list (please read guidance note 6) on Bank Holidays which fall on another day to Friday and Saturday food will be served from 23.00hrs until 1.30am		
Sat	23:00	01:30			
Sun					

J

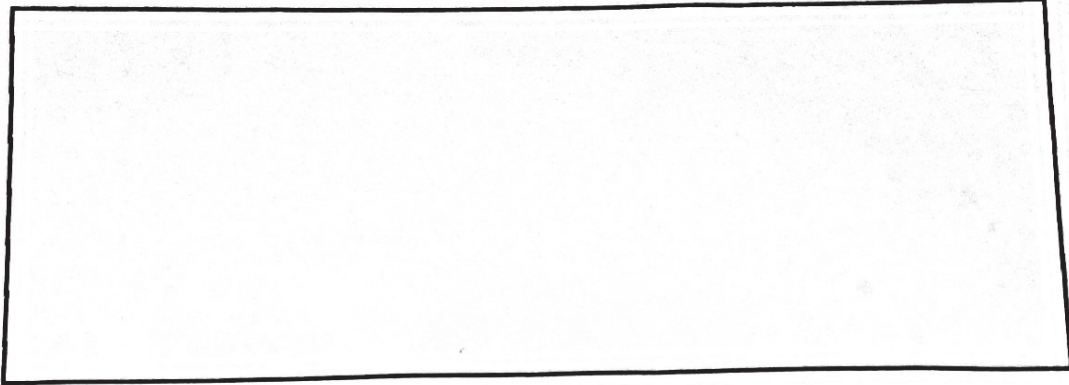
Supply of alcohol Standard days and timings (please read guidance note 7)			Will the supply of alcohol be for consumption – please tick (please read guidance note 8)	On the premises	<input checked="" type="checkbox"/>
Day	Start	Finish		Off the premises	<input type="checkbox"/>
Mon	12:00	23:15	State any seasonal variations for the supply of alcohol (please read guidance note 5)	Both	<input type="checkbox"/>
Tue	12:00	23:15			
Wed	12:00	23:45			
Thur	12:00	23:45		Non-standard timings. Where you intend to use the premises for the supply of alcohol at different times to those listed in the column on the left, please list (please read guidance note 6) On Bank Holidays where these days fall on another day to what is stated the premises will supply alcohol in accordance with the latest time 3.30am	
Fri	12:00	02:15			
Sat	12:00	02:15			
Sun	12:00	23:15			

State the name and details of the individual whom you wish to specify on the licence as designated premises supervisor (Please see declaration about the entitlement to work in the checklist at the end of the form):

Name Keisha Riley-Douglas	
Date of birth [REDACTED]	
[REDACTED]	
Postcode	[REDACTED]
Personal licence number (if known)	
Issuing licensing authority (if known)	

K

Please highlight any adult entertainment or services, activities, other entertainment or matters ancillary to the use of the premises that may give rise to concern in respect of children (please read guidance note 9).



L

Hours premises are open to the public Standard days and timings (please read guidance note 7)			State any seasonal variations (please read guidance note 5)
Day	Start	Finish	
Mon	11:00	00:00	Non-standard timings. Where you intend the premises to be open to the public at different times from those listed in the column on the left, please list (please read guidance note 6) read guidance note 6) On Bank Holidays and Festive holidays where these days fall on another day to what is stated the premises will supply alcohol in accordance with the latest time 3.30am WE will apply for a Temporary licence for bank Holidays
Tue	11:00	00:00	
Wed	11:00	00:30	
Thur	11:00	00:30 00:30	
Fri	11:00	03:00	
Sat	11:00	03:00	
Sun	11:00	00:00	

M Describe the steps you intend to take to promote the four licensing objectives:

a) General – all four licensing objectives (b, c, d and e) (please read guidance note 10)

All Days will be covered my staff who are first aid trained, a safeguarding officer who be working when children are onsite and security who work on all busy nights.

b) The prevention of crime and disorder

I will work closely with the police to obtain any persons who's know to police who may be of concern. or licencing officer.

An I'd scanner will be used on all weekend events or events which prove to be popular.

No re-entry after 1am on days which close late.

Re -searching on every occasion (even after smoking)

c) Public safety

All customers will be searched on entry to the premises after 10pm
Music will be turned off 30 minutes before closing in order to allow the slow dispersal of people.

Security will be outside at all times to over see crowd management

The capacity of the premises is 150 people, however we will have a buffer of 30 people in order to not over crowded the place, at which point we will operate a one in one out system.

Challenge 25 will be in place
People who are too intoxicated will be refuse entry.

d) The prevention of public nuisance

All rubbish will be cleared for outside the premises on a nightly basis.

All music will be kept to a regulated decibel.

People who are loud or disorderly will be asked to move on quietly.

On any busy days we will make sure the que for entry is kept to a minimum.

Any persons within close proximity to the building who is disorderly will be asked to leave or police will be called.

No glass bottles will be allowed outside after 8pm
or inside

e) The protection of children from harm

Children will not be allowed in the premises beyond 8pm on any given day unless it involves a private party hired by the public.

Children must always be accompanied by an adult at any given time.

Designated safe guarding officer working when children are ~~leave~~ on the premises

Checklist:

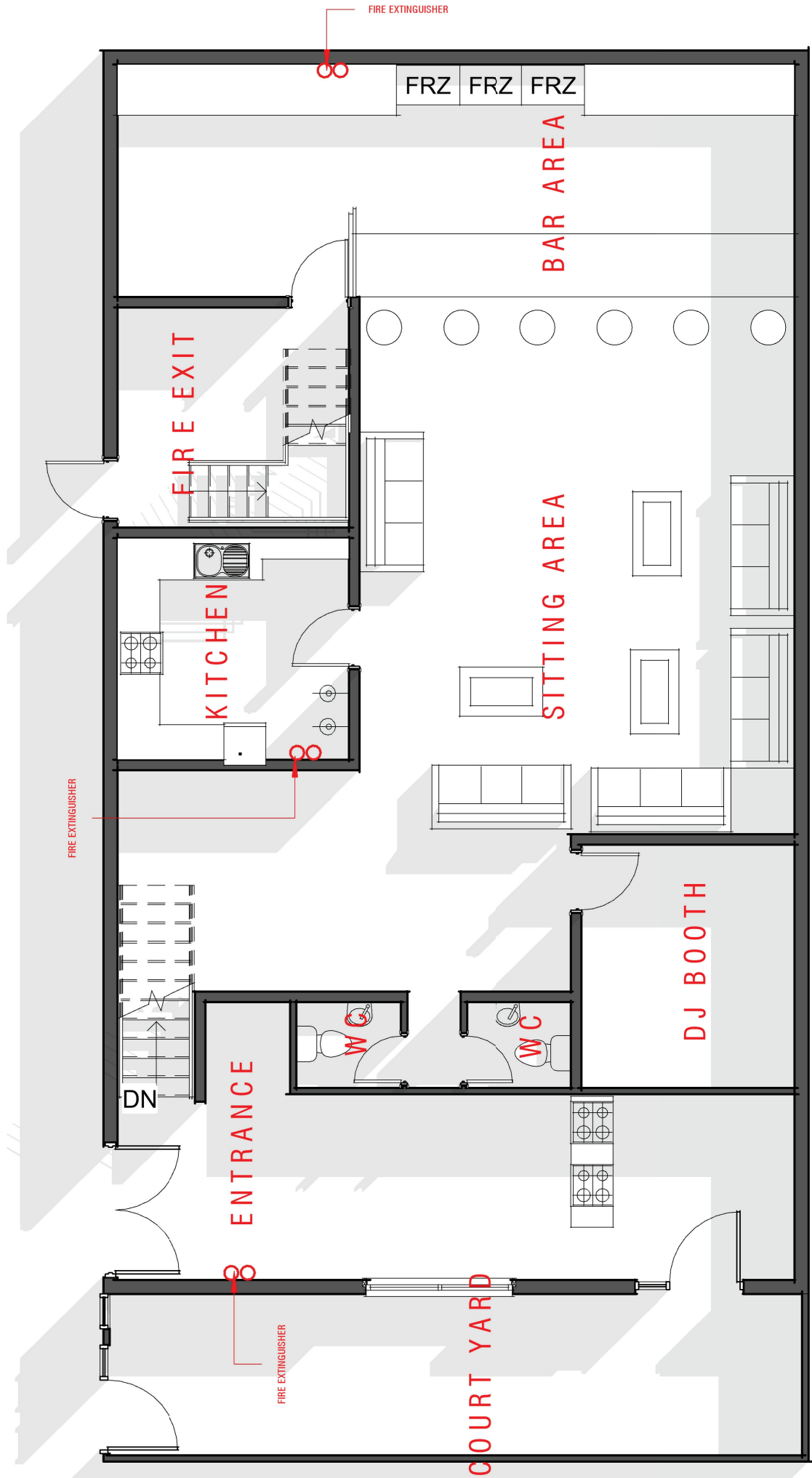
Please tick to indicate agreement

- I have made or enclosed payment of the fee. ✓
- I have enclosed the plan of the premises. ✓
- I have sent copies of this application and the plan to responsible authorities and others where applicable. ✓
- I have enclosed the consent form completed by the individual I wish to be designated premises supervisor, if applicable. ✓
- I understand that I must now advertise my application. ✓
- I understand that if I do not comply with the above requirements my application will be rejected. ✓
-

[Applicable to all individual applicants, including those in a partnership which is not a limited liability partnership, but not companies or limited liability partnerships] I have included documents demonstrating my entitlement to work in the United Kingdom or my share code issued by the Home Office online right to work checking service (please read note 15).

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.

IT IS AN OFFENCE UNDER SECTION 24B OF THE IMMIGRATION ACT 1971 FOR A PERSON TO WORK WHEN THEY KNOW, OR HAVE REASONABLE CAUSE TO BELIEVE, THAT THEY ARE DISQUALIFIED FROM DOING SO BY REASON OF THEIR IMMIGRATION STATUS. THOSE WHO EMPLOY AN ADULT WITHOUT LEAVE OR WHO IS SUBJECT TO CONDITIONS AS TO EMPLOYMENT WILL BE LIABLE TO A CIVIL PENALTY UNDER SECTION 15 OF THE IMMIGRATION, ASYLUM AND NATIONALITY ACT 2006 AND PURSUANT TO SECTION 21 OF THE SAME ACT, WILL BE COMMITTING AN OFFENCE WHERE THEY DO SO IN THE KNOWLEDGE, OR WITH REASONABLE CAUSE TO BELIEVE, THAT THE EMPLOYEE IS DISQUALIFIED.



1

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1 : 100

APPENDIX B1

RESPONSIBLE AUTHORITY REPRESENTATION: APPLICATION UNDER THE LICENSING ACT 2003

RESPONSIBLE AUTHORITY DETAILS

NAME OF AUTHORITY	Metropolitan Police service
ADDRESS OF AUTHORITY	Licensing Unit, Stoke Newington Police Station 33 Stoke Newington High Street London N16 8DS
CONTACT NAME	PC 1505CE Dave ATKINS
TELEPHONE NUMBER	020 7275 3022
E-MAIL ADDRESS	hackneylicensing@met.police.uk

APPLICATION PREMISES

NAME & ADDRESS OF PREMISES	79B Kingsland High Street London E8 2PB
NAME OF PREMISES USER	Keshia RILEY-DOUGLAS

COMMENTS

I make the following relevant representations in relation to the above application to vary the Premises Licence at the above address.

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

Representations (which include comments and/or objections) in relation to:

Police make the following objections in relation the application for a new premises licence at 79B Kingsland High Street, E8 2PB on the following grounds;

The premises is located within the Dalston special Policy area. This area has heavy foot traffic throughout the day and night, which is increases over the weekend period. This particular premises is the site of a previous licensed venue that had its licence revoked in December 2017 due to continual problems and serious crime relating to the premises. Therefore the applicant will need to provide evidence that there will be no negative cumulative impact on the four licensing objectives.

There are often see large crowds gathered in the public square adjacent to the proposed premises location which often suffers from Anti-Social behaviour in the form of street drinkers and drug use leading to a negative impact on local residents and businesses.

There appears to be very little space at the front of the venue to incorporate a Barbeque and staff whilst effectively searching prospective customers. The use of the barbeque at the venue is likely to encourage attention from street drinkers in the area whether or not this is who this is aimed at.

Police also recommend that all non-standard hours such as extended hours on Bank holidays and festive holidays are removed from the application and the applicant can apply for a Temporary event Notices (TEN) on these occasions so they can be appropriately risk assessed.

Police have taken the time to meet with applicant and have discussed the issues surrounding the history of the venue and the local area. We have spoken about police concerns regarding the barbeque and bringing the premises hours it mirror those of the core hours as outlined in LP3 in the statement of Licensing policy by London Borough of Hackney.

Despite the above Police feel that Should there be a new licence granted for the premises is the opinion of police that previous clientele will attempt to re-establish themselves in the venue and the drop in ASB and Crime and disorder that has been seen since Its closure will begin to rise again. Should the committee feel mindful to grant the application for a new licence police feel it would be appropriate to ensure that it is a time limited to the period of a year so the venue can establish and prove itself as a community asset and not effect the area and community in a negative capacity. Added to this the applicant has no current lease for the premises and after discussions with the freeholder the applicant has been advised to attempt to obtain a licence for the premises prior to any formal agreement. Without a lease the newly licensed premises has the possibility of being passed to a third party that has a completely different vision for the premises that is likely to add to the negative cumulative impact of the area.

The above representations are supported by the following evidence and information.

Are there any actions or measures that could be taken to allay concerns or objections? If so, please explain.

Signed PC 1505CE ATKINS (By E-mail)
Name (printed)

**RESPONSIBLE AUTHORITY REPRESENTATION:
APPLICATION UNDER THE LICENSING ACT 2003****RESPONSIBLE AUTHORITY DETAILS**

NAME OF AUTHORITY	Licensing Authority
ADDRESS OF AUTHORITY	Hackney Service Centre 1 Hillman Street London E8 1DY
CONTACT NAME	David Tuitt
TELEPHONE NUMBER	020 8356 4942
E-MAIL ADDRESS	david.tuitt@hackney.gov.uk

APPLICATION PREMISES

NAME & ADDRESS OF PREMISES	Basement 79 Kingsland High Street London E8 2PB
NAME OF APPLICANT	Keshia Riley-Douglas

COMMENTS

I make the following relevant representations in relation to the above application to vary the Premises Licence at the above address.

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

Representation in relation to:

I make a representation in relation to this application as the premises is located within the Dalston Special Policy Area (SPA). The SPA has been identified as suffering from the negative cumulative impact of the concentration of licensed premises in the area. It should be noted that **LP10** (Special Policy Areas – Dalston and Shoreditch) of the Council's Statement of Licensing Policy states:

LP10 Special Policy Areas – Dalston and Shoreditch

It is the Council's policy that where a relevant representation is made to any application within the area of the Dalston SPA or Shoreditch SPA, the applicant will need to demonstrate that the proposed activity and the operation of the premises will not add to the cumulative impact that is currently being experienced in these areas. This policy is to be strictly applied.

It should also be noted that the;

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

May not be in itself sufficient.

It should be noted that if an applicant can demonstrate that they will not add to the cumulative impact in their operating schedule and at any hearing, then the Core Hours Policy within LP3 will apply.

Evidential research used to inform the Policy made a number of notable findings, including:

- Most crime in Dalston (51%) occurred between the hours of 2200 and 0359 hours peaking between 0100 to 0259 hours over a period of 5 years.
- Friday's to Sunday's experienced the most crime overall (67%) of the total, particularly between Friday PM to Saturday AM, and Saturday PM to Sunday Morning between 2200 hours and 0459 hours (42%).
- A 'Behaviour Study' undertaken between May and November 2016 made a series of findings, including Dalston being a noisy location late at night, with many noise 'incidents', as well as a generally high ambient noise level creating potential conflicts of between local residents and ENTE businesses and patrons.

The above representations are supported by the following evidence and information.

The Licensing Act 2003, Statement of Licensing Policy 2018-2023 and S182 Guidance issued by the Home Office.

Are there any actions or measures that could be taken to allay concerns or objections? If so, please explain.

Discussion with the applicant to obtain further information in relation to the proposed operation of the premises and the measures proposed in the operating schedule. This is having regard to the nature of the local area and the setting of

the premises within the Dalston SPA.

Name: David Tuitt, Business Regulation Team Leader – Licensing and Technical Support

Date: 22/07/2019



Licensing (Shared Mailbox) <licensing@hackney.gov.uk>

79 Kingsland High Street E8 2PB

1 message

[REDACTED]
To: "licensing@hackney.gov.uk" <licensing@hackney.gov.uk>

21 July 2019 at 16:56

Dear Licensing,

The combination of entertainment and alcohol sales is especially problematic in basement premises like these often leading to nuisance and crime.

The late hours applied for seem reckless in the circumstances given the problematic history of the premises.

This proposal would add to the cumulative impact of ASB in the locality.

Regards,

Basement

79 Kingsland High Street

London

E8 2PB

Dalston

Miss Riley-Douglas

Application for a premises licence for live music from 12:00 to 23:00 Thurs to Sun , recorded music and anything of similar description from 11:00 to 23:30 Sun to Tue, 11:00 to 00:30am Wed and Thurs and from 11:00 to 02:30am Fri and Sat, late night refreshment from 23:00 to 01:30am Fri and Sat and to authorise the supply of alcohol for consumption on the premises from 12:00 to 23:15 Sun to Tue, 12:00 to 23:45 Wed and Thurs and from 12:00 to 02:15am Fri and Sat.

22/07/2019

**Morna Lounge 79 Kingsland High St, Dalston, London E8 2PB**

1 message

8 July 2019 at 07:33

to: [REDACTED] <licensing@hackney.gov.uk> <licensing@hackney.gov.uk>

Re: Morna Lounge 79 Kingsland High St, Dalston, London E8 2PB

Dear Sir or Madam,

As a resident of Hackney I am writing to object to the application by Morna Lounge for:

premises licence for live music from 12:00 to

23:00 Thurs to Sun , recorded music and anything of similar description from 11:00 to 23:30 Sun to Tue, 11:00 to 00:30am Wed and Thurs and from 11:00 to 02:30am Fri and Sat, late night refreshment from 23:00 to 01:30am Fri and Sat and to authorise the supply of alcohol for consumption on the premises from 12:00 to 23:15 Sun to Tue, 12:00 to 23:45 Wed and Thurs and from 12:00 to 02:15am Fri and Sat.' for the basement at [79 Kingsland High Street](#).

I object on the grounds of the following:

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

Given the large number of other licensed premises in the area, the problem of alcohol-related anti-social behaviour at Morna Lounge, I hope you reject it's application.

Thank you.

From:

[REDACTED]
Lydford Close
Shellgrove Estate
London
N16 [REDACTED]



Licensing (Shared Mailbox) <licensing@hackney.gov.uk>

Morna Lounge, 79 Kingsland High Street

1 message

15 July 2019 at 17:23

To: "Licensing (Shared Mailbox)" <licensing@hackney.gov.uk>
Cc: "Peter Snell (Cllr)" <Peter.Snell@hackney.gov.uk>, "Soraya Adejare (Cllr)" <Soraya.Adejare@hackney.gov.uk>, Guy.Hicks@met.pnn.police.uk, Wardens Unknown <wardens@hackney.gov.uk>

Dear Hackney Licensing,

I am writing on behalf of the Rio Cross Residents Association to OBJECT to the application for a 'premises licence for live music from 12:00 to 23:00 Thurs to Sun , recorded music and anything of similar description from 11:00 to 23:30 Sun to Tue, 11:00 to 00:30am Wed and Thurs and from 11:00 to 02:30am Fri and Sat, late night refreshment from 23:00 to 01:30am Fri and Sat and to authorise the supply of alcohol for consumption on the premises from 12:00 to 23:15 Sun to Tue, 12:00 to 23:45 Wed and Thurs and from 12:00 to 02:15 am Fri and Sat.' for the basement at 79 Kingsland High Street.

We understand from reports in the Hackney Gazette that the proprietors failed to win back their previous license after it was revoked by the police following an incident involving a knife and a further history of reports of weapons, drugs and fights at the premises.

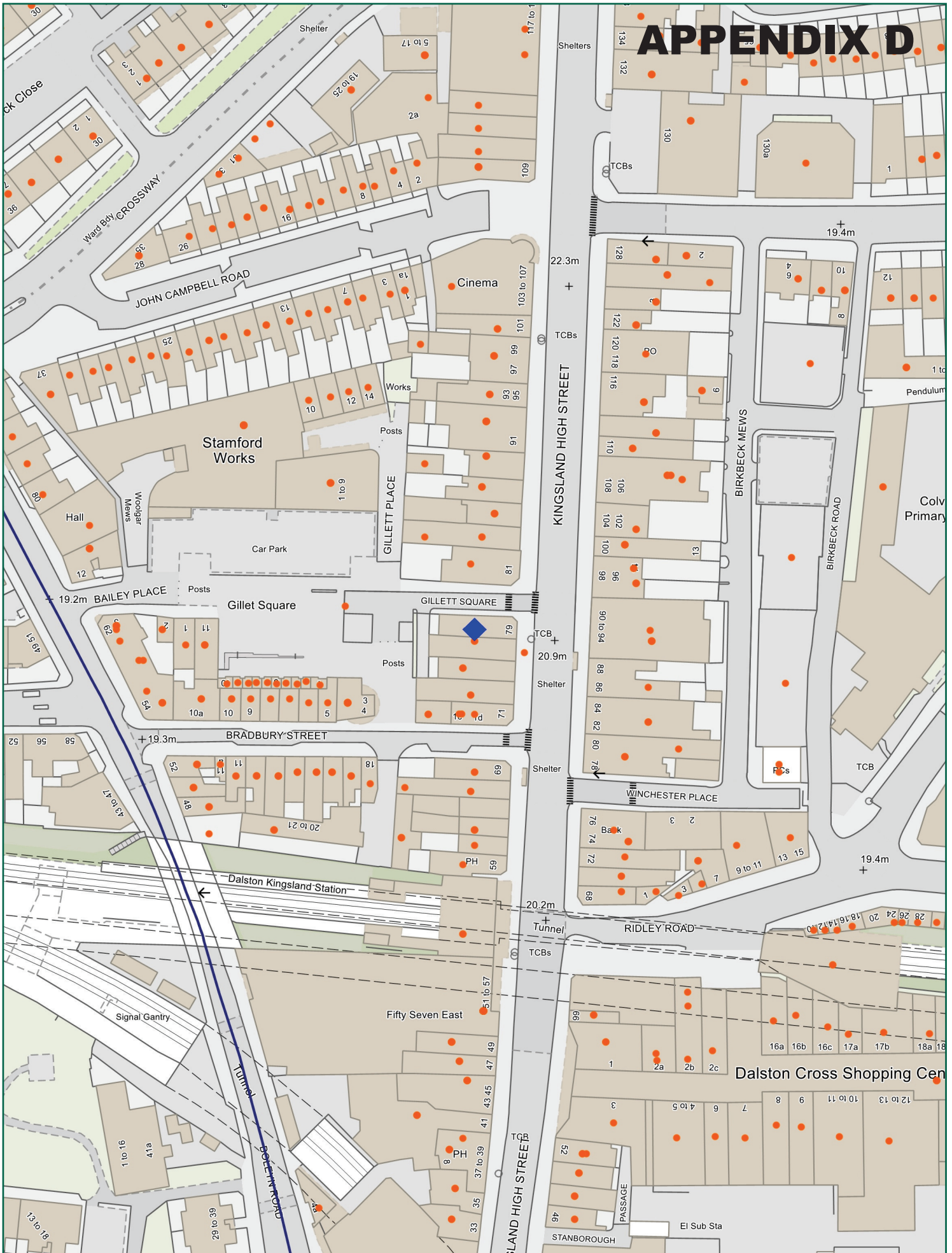
Especially in the context of cuts to police resources and limited availability of Council wardens we are extremely concerned that providing this licence will create an unacceptable risk of crime and anti-social behaviour in an area where local residents already experience high levels.

In view of the Licensing Policy's objective of preventing crime and disorder, we urge you to reject this application.

Yours sincerely,

Secretary, Rio Cross Residents Association

APPENDIX D



Scale: 1:1250 at A4



Ref:

01 August 2019

Page 39
Product: Unspecified

email:

please specify copyright statement

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REPORT OF GROUP DIRECTOR, NEIGHBOURHOODS AND HOUSING		
LICENSING SUB-COMMITTEE: 14/08/2019	Classification DECISION	Enclosure
Application for a Premises Licence Wagamama, Railway Arch 385, Mentmore Terrace, E8 3PH	Ward(s) affected London Fields	

1. SUMMARY

Applicant(s) Wagamama Limited	In SPA : No
Date of Application 12/06/2019	Period of Application Permanent
Proposed licensable activity Late Night Refreshment Supply of Alcohol (Off Premises)	
Proposed hours of licensable activities	
Late Night Refreshment Both	Standard Hours: Fri 23:00-00:00 Sat 23:00-00:00
Supply of Alcohol	Standard Hours: Mon 10:00-23:00 Tue 10:00-23:00 Wed 10:00-23:00 Thu 10:00-23:00 Fri 10:00-00:00 Sat 10:00-00:00 Sun 10:00-22:30
The opening hours of the premises	
	Standard Hours: Mon 10:00-23:30 Tue 10:00-23:30 Wed 10:00-23:30 Thu 10:00-23:30 Fri 10:00-00:30

	Sat 10:00-00:30 Sun 10:00-23:00
Capacity: Not known	
Policies Applicable	LP1 (General Principles), LP2 (Licensing Objectives), LP3 (Core Hours), LP4 ('Off' Sales of Alcohol), LP11 (Cumulative Impact - General)
List of Appendices	A – Application for a premises licence and supporting documents B – Representations from responsible authorities C – Representations from other persons D – Location map
Relevant Representations	<ul style="list-style-type: none"> • Environmental Enforcement • Licensing Authority • Other Persons

2. APPLICATION

2.1 Wagamama Limited has made an application for a premises licence under the Licensing Act 2003:

- To authorise the supply alcohol for consumption off the premises
- Late night refreshment

2.2 The application is attached as Appendix A. The applicant has proposed measures that could be converted to conditions (see paragraph 8.1 below).

3. CURRENT STATUS / HISTORY

3.1 The premises are not currently licensed for any activity.

3.2 No TENs have been submitted in respect of the premises in the current calendar year.

4. REPRESENTATIONS: RESPONSIBLE AUTHORITIES

From	Details
Environmental Health Authority (Environmental Protection)	Have confirmed no representation on this application
Environmental Health Authority (Environmental Enforcement) (Appendix B1)	Representation received on the grounds of the prevention of public nuisance and proposed conditions as set out in para 8.1
Environmental Health Authority (Health & Safety)	No representation received
Weights and Measures (Trading Standards)	Representation has been withdrawn. Following reassurances regarding Deliveroo's procedures for age verification checks.
Planning Authority (Appendix B2)	Informative

Area Child Protection Officer	No representation received
Fire Authority	Have confirmed no representation on this application
Police	Representation has been withdrawn with the agreed to remove non-standard timing for New Year's Eve and conditions as set out in para 8.1
Licensing Authority (Appendix B3)	Representation received on the grounds of Public Nuisance, Core Hours and Off' Sales of Alcohol.
Health Authority	No representation received

5. REPRESENTATIONS: OTHER PERSONS

From	Details
21 representations received from and on behalf of local residents, including 1 petition. (Appendices C1-C21).	Representation received on the grounds of The Prevention of Crime and Disorder, Public Safety, Prevention of Public Nuisance and Protection of Children from Harm

6. GUIDANCE CONSIDERATIONS

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

7. POLICY CONSIDERATIONS

- 7.1 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.
- 7.2 The Policy applies to applications where relevant representations have been made. With regard to this application, policies, LP1 (General Principles), LP2 (Licensing Objectives), LP3 (Core Hours), LP4 ('Off' Sales of Alcohol) and LP11 (Cumulative Impact - General).

8. OFFICER OBSERVATIONS

- 8.1 If the Sub-Committee is minded to approve the application, the following conditions should be applied the licence:

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.

Conditions derived from operating schedule

8. The premises licence holder 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 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. All recordings shall 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 authorized officer throughout the preceding 31 day period.
9. No less than one member of staff who is able to operate the CCTV system shall be on the premises at all times.
10. An incident log shall be kept and maintained at the premises and made available on request to an authorised officer of the Council or the Police, which will as a minimum record the following:
 - a) all crimes reported to the venue
 - b) all ejections of patrons
 - c) any complaints received
 - d) any incidents of disorder
 - e) seizures of drugs or offensive weapons
 - f) any faults in the CCTV system or searching equipment or scanning equipment
 - g) any refusal of the sale of alcohol
 - h) any visit by a relevant authority or emergency service
11. Sales of alcohol for consumption off the premises shall only be supplied with and ancillary to food.
12. Delivery drivers shall be instructed to abort delivery where the sale is believed to be a “street sale”. For the purposes of this condition a “street sale” is where the delivery is to an open public space with no known address.
13. No members of the public shall be permitted on the premises.
14. Delivery drivers shall be asked to remain respectful to neighbours by keeping noise to a minimum and shall be instructed not to leave engines idle whilst waiting outside the premises to collect deliveries.
15. No waste or recyclable materials, including bottles, to be placed in external receptacles or in areas outside the premises between 23.00 hours and 07.00 hours on the following day.

16. A challenge 25 proof of age scheme shall be adopted, implemented and advertised on all websites and materials associated with the premises.
17. The Premises Licence Holder will ensure that any delivery service engaged in the delivery of alcohol has an adequate proof of age scheme in place (i.e. Challenge 25) to be undertaken at the point of delivery to any customer.
18. The Licensee shall ensure that all staff are fully trained and made aware of the legal requirement of businesses to comply with their responsibility as regards the disposal of waste produced from the business premises. The procedure for handling and preparing for disposal of the waste shall be in writing and displayed in a prominent place where it can be referred to at all times by staff.
19. The Licensee shall ensure that any contract for general and recyclable waste disposal shall be appropriate in size to the amount of waste produced by the business. The Licensee shall maintain an adequate supply of waste receptacles provided by his registered waste carrier (refuse sacks or commercial waste bins) in order to ensure all refuse emanating from the business is always presented for collection by his waste carrier and shall not use any plain black or unidentifiable refuse sacks or any other unidentifiable or unmarked waste receptacles.
20. In order to minimise the amount of time any waste remains on the public highway in readiness for collection, the Licensee will ensure the timeframe within which it may expect its waste carrier to collect is adhered to.
21. The Licensee shall instruct members of staff to make regular checks of the area immediately outside the premises and remove any litter, bottles and glasses emanating from the premises. A final check should be made at close of business.
22. The Licensee shall provide a safe receptacle for cigarette ends to be placed outside for the use of customers, such receptacle being carefully placed so as not to cause an obstruction or trip.
23. The current trade waste agreement/duty of care waste transfer document shall be conspicuously displayed and maintained in the window of the premises where it can be conveniently seen and read by persons standing outside, Railway Arch 385, Mentmore Terrace, Hackney, London, E8 3PH
This should remain unobstructed at all times and should clearly identify:-
 - the name of the registered waste carrier
 - the date of commencement of trade waste contract
 - the date of expiry of trade waste contract
 - the days and times of collection

the type of waste including the European Waste Code

9. REASONS FOR OFFICER OBSERVATIONS

9.1 Conditions 8 to 17 have been agreed with the police. Conditions 18 to 23 have been proposed by environmental enforcement.

10. LEGAL COMMENTS

10.1 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 4 licensing objectives;

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

10.2 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.

11. HUMAN RIGHTS ACT 1998 IMPLICATIONS

11.1 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.

12. MEMBERS DECISION MAKING

A. Option 1

That the application be refused

B. Option 2

That the application be approved, together with any conditions or restrictions which Members consider necessary for the promotion of the Licensing objectives.

13. CONCLUSION

13.1 That Members decide on the application under the Licensing Act 2003.

Group Director, Neighbourhoods and Housing	Kim Wright
Lead Officer (holder of original copy):	Shan Uthayasangar Licensing Officer Licensing Service 1 Hillman Street E8 1DY Telephone: 020 8356 2431

LIST OF BACKGROUND PAPERS RELATING TO THIS REPORT

The following document(s) has been relied upon in the preparation of the report.

Description of document	Location
Office File: Wagamama, Railway Arch 385, Mentmore Terrace, E8 3PH	Licensing Service 1 Hillman Street London E8 1DY

Printed matter

Licensing Act 2003

LBH Statement of Licensing Policy

↳ Hackney
LA01

Application for a premises licence to be granted under the Licensing Act 2003

PLEASE READ THE FOLLOWING INSTRUCTIONS FIRST

Before completing this form please read the guidance notes at the end of the form. 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/We Wagamama Limited
(Insert name(s) of applicant)

apply for a premises licence under section 17 of the Licensing Act 2003 for the premises described in Part 1 below (the premises) and I/we are making this application to you as the relevant licensing authority in accordance with section 12 of the Licensing Act 2003

Part 1 – Premises details

Postal address of premises or, if none, ordnance survey map reference or description Wagamama RAILWAY ARCH 385 MENTMORE TERRACE HACKNEY LONDON			
Post town	LONDON	Postcode	E8 3PH

Telephone number at premises (if any)	
Non-domestic rateable value of premises	£19750.00

Part 2 - Applicant details

Please state whether you are applying for a premises licence as **appropriate** **Please tick as**

a)	an individual or individuals *	<input type="checkbox"/>	please complete section (A)
b)	a person other than an individual *		
i.	as a limited company/limited liability partnership	<input checked="" type="checkbox"/>	please complete section (B)

	ii.	as a partnership (other than limited liability)	<input type="checkbox"/>	please complete section (B)
	iii.	as an unincorporated association or	<input type="checkbox"/>	please complete section (B)
	iv.	other (for example a statutory corporation)	<input type="checkbox"/>	please complete section (B)
c)		a recognised club	<input type="checkbox"/>	please complete section (B)
d)		a charity	<input type="checkbox"/>	please complete section (B)
e)		the proprietor of an educational establishment	<input type="checkbox"/>	please complete section (B)
f)		a health service body	<input type="checkbox"/>	please complete section (B)
g)		a person who is registered under Part 2 of the Care Standards Act 2000 (c14) in respect of an independent hospital in Wales	<input type="checkbox"/>	please complete section (B)
ga)		a person who is registered under Chapter 2 of Part 1 of the Health and Social Care Act 2008 (within the meaning of that Part) in an independent hospital in England	<input type="checkbox"/>	please complete section (B)
h)		the chief officer of police of a police force in England and Wales	<input type="checkbox"/>	please complete section (B)

* If you are applying as a person described in (a) or (b) please confirm (by ticking yes to one box below):

- I am carrying on or proposing to carry on a business which involves the use of the premises for licensable activities; or

- I am making the application pursuant to a
 - statutory function or
 - a function discharged by virtue of Her Majesty's prerogative

(A) INDIVIDUAL APPLICANTS (fill in as applicable)

Title Mr			
Surname		First names	
I am 18 years old or over ..			
Date of birth			
Nationality			
Current residential address if different from premises address		UK-England	
Post town		Postcode	
Daytime contact telephone number			
E-mail address (optional)			
Where applicable (if demonstrating a right to work via the Home Office online right to work checking service), the 9-digit 'share code' provided to the applicant by that service (please see note 15 for information)			

SECOND INDIVIDUAL APPLICANT (if applicable)

Title Mr			
Surname		First names	
I am 18 years old or over .. Please tick yes			

Date of birth			
Nationality			
Current postal address if different from premises address		UK-England	
Post town		Postcode	
Daytime contact telephone number			
E-mail address (optional)			
Where applicable (if demonstrating a right to work via the Home Office online right to work checking service), the 9-digit 'share code' provided to the applicant by that service (please see note 15 for information)			

(B) OTHER APPLICANTS

Please provide name and registered address of applicant in full. Where appropriate please give any registered number. In the case of a partnership or other joint venture (other than a body corporate), please give the name and address of each party concerned.

Name Wagamama Limited
Address WARDOUR STREET LONDON W1F 0UR UK-England
Registered number (where applicable) 02605751
Description of applicant (for example, partnership, company, unincorporated association etc.) Limited company
Telephone number (if any)

E-mail address (optional) <div style="background-color: black; width: 150px; height: 15px; margin-top: 5px;"></div>

Part 3 Operating Schedule

When do you want the premises licence to start? DD MM YYYY

If you wish the licence to be valid only for a limited period, when do you want it to end? DD MM YYYY

Please give a general description of the premises (please read guidance note 1)
 The premises consists of a ground floor kitchen unit located in railway arch number 385, Mentmore Terrace. The premises also includes two WC facilities and a delivery driver waiting area. Please see attached drawing number J001325_A2_00 for full details.

If 5,000 or more people are expected to attend the premises at any one time, please state the number expected to attend.

What licensable activities do you intend to carry on from the premises?

(Please see sections 1 and 14 and Schedules 1 and 2 to the Licensing Act 2003)

	Provision of regulated entertainment (please read guidance note 2)	Please tick all that apply
a)	plays (if ticking yes, fill in box A)	<input type="checkbox"/>
b)	films (if ticking yes, fill in box B)	..
c)	indoor sporting events (optional, fill in box C)	..
d)	boxing or wrestling entertainment (if ticking yes, fill in box D)	..
e)	live music (optional, fill in box E)	..
f)	recorded music (if ticking yes, fill in box F)	..
g)	performances of dance (optional, fill in box G)	..
h)	anything of a similar description to that falling within (e), (f) or (g) (if ticking yes, fill in box H)	..

<u>Provision of late night refreshment</u> (if ticking yes, fill in box I)	<input checked="" type="checkbox"/>
<u>Supply of alcohol</u> (if ticking yes, fill in box J)	<input checked="" type="checkbox"/>

In all cases complete boxes K, L and M

I

Late night refreshment Standard days and timings (please read guidance note 7)			Will the provision of late night refreshment take place indoors or outdoors or both – please tick (please read guidance note 3)	Indoors	
				Outdoors	
Day	Start	Finish		Both	<input checked="" type="checkbox"/>
Mon			Please give further details here (please read guidance note 4)		
Tue					
Wed			State any seasonal variations for the provision of late night refreshment (please read guidance note 5)		
Thur					
Fri	23:00	00:00	Non-standard timings. Where you intend to use the premises for the provision of late night refreshment at different times, to those listed in the column on the left, please list (please read guidance note 6) New Year's Eve – from the end of permitted hours on New Year's Eve to the start of permitted hours on New Year's Day		
Sat	23:00	00:00			
Sun					

J

Supply of alcohol Standard days and timings (please read guidance note 7)			Will the supply of alcohol be for consumption – please tick (please read guidance note 8)	On the premises	
				Off the premises	<input checked="" type="checkbox"/>
				Both	
Day	Start	Finish	State any seasonal variations for the supply of alcohol (please read guidance note 5)		
Mon	10:00	23:00			
Tue	10:00	23:00			
Wed	10:00	23:00			
Thur	10:00	23:00			
Fri	10:00	00:00			
Sat	10:00	00:00			
Sun	10:00	22:30			
			Non-standard timings. Where you intend to use the premises for the supply of alcohol at different times to those listed in the column on the left, please list (please read guidance note 6) New Year's Eve – from the end of permitted hours on New Year's Eve to the start of permitted hours on New Year's Day		

State the name and details of the individual whom you wish to specify on the licence as designated premises supervisor (Please see declaration about the entitlement to work in the checklist at the end of the form):

Name Mr David Christopher Spencer	
Date of birth [REDACTED]	
Address [REDACTED]	
UK-England	
Postcode	[REDACTED]
Personal licence number (if known) [REDACTED]	
Issuing licensing authority (if known) [REDACTED]	

K

Please highlight any adult entertainment or services, activities, other entertainment or matters ancillary to the use of the premises that may give rise to concern in respect of children (please read guidance note 9).

None

L

Hours premises are open to the public Standard days and timings (please read guidance note 7)			State any seasonal variations (please read guidance note 5)
Day	Start	Finish	
Mon	10:00	23:30	Non-standard timings. Where you intend the premises to be open to the public at different times from those listed in the column on the left, please list (please read guidance note 6) New Year's Eve – from the end of permitted hours on New Year's Eve to the start of permitted hours on New Year's Day
Tue	10:00	23:30	
Wed	10:00	23:30	
Thur	10:00	23:30	
Fri	10:00	00:30	
Sat	10:00	00:30	
Sun	10:00	23:00	

M Describe the steps you intend to take to promote the four licensing objectives:

a) General – all four licensing objectives (b, c, d and e) (please read guidance note 10)

The applicant, Wagamama Limited, operate a chain of well-known licensed Asian restaurants across the UK. This application seeks a new premises licence to permit the sale of alcohol for off sales only from 10:00 to 23:00 hours Monday to Thursday, 10:00 to 00:00 hours Friday and Saturday and 10:00 to 22:30 hours on Sunday, plus late night refreshment from 23:00 to 00:00 hours Friday and Saturday.

The premises will trade as a kitchen for deliveries only and the applicant is seeking a premises licence to allow them to sell alcoholic drinks ancillary to food and to provide deliveries of hot food and drink until midnight on Friday and Saturday.

The applicant has given careful consideration to Hackney's Statement of Licensing Policy and the Licensing Objectives when preparing this application. The applicant is seeking hours for licensable activities within the Core Hours set out in the Policy and has proposed the robust set of conditions below to ensure the promotion of the Licensing Objectives.

The applicant does not consider any further steps are necessary to promote the Licensing Objectives and is committed to working in partnership with the local authorities.

b) The prevention of crime and disorder

1. The premises licence holder 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 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. All recordings shall 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 authorized officer throughout the preceding 31 day period.

2. No less than one member of staff who is able to operate the CCTV system shall be on the premises at all times.

3. An incident log shall be kept and maintained at the premises and made available on request to an authorised officer of the Council or the Police, which will as a minimum record the following:

- a) all crimes reported to the venue
- b) all ejections of patrons
- c) any complaints received
- d) any incidents of disorder
- e) seizures of drugs or offensive weapons
- f) any faults in the CCTV system or searching equipment or scanning equipment
- g) any refusal of the sale of alcohol
- h) any visit by a relevant authority or emergency service

4. Sales of alcohol for consumption off the premises shall only be supplied with

and ancillary to food.

c) Public safety

d) The prevention of public nuisance

5. Delivery drivers shall be instructed to abort delivery where the sale is believed to be a “street sale”. For the purposes of this condition a “street sale” is where the delivery is to an open public space with no known address.
6. No members of the public shall be permitted on the premises.
7. Delivery drivers shall be asked to remain respectful to neighbours by keeping noise to a minimum and shall be instructed not to leave engines idle whilst waiting outside the premises to collect deliveries.
8. No waste or recyclable materials, including bottles, to be placed in external receptacles or in areas outside the premises between 23.00 hours and 07.00 hours on the following day.

e) The protection of children from harm

9. A challenge 25 proof of age scheme shall be adopted, implemented and advertised on all websites and materials associated with the premises.
10. The Premises Licence Holder will ensure that any delivery service engaged in the delivery of alcohol has an adequate proof of age scheme in place (i.e. Challenge 25) to be undertaken at the point of delivery to any customer.

Checklist:

Please tick to indicate agreement

- I have made or enclosed payment of the fee.
- I have enclosed the plan of the premises.
- I have sent copies of this application and the plan to responsible authorities and others where applicable.

- I have enclosed the consent form completed by the individual I wish to be designated premises supervisor, if applicable.
- I understand that I must now advertise my application.
- I understand that if I do not comply with the above requirements my application will be rejected.
- [Applicable to all individual applicants, including those in a partnership which is not a limited liability partnership, but not companies or limited liability partnerships] I have included documents demonstrating my entitlement to work in the United Kingdom or my share code issued by the Home Office online right to work checking service (please read note 15).

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.

IT IS AN OFFENCE UNDER SECTION 24B OF THE IMMIGRATION ACT 1971 FOR A PERSON TO WORK WHEN THEY KNOW, OR HAVE REASONABLE CAUSE TO BELIEVE, THAT THEY ARE DISQUALIFIED FROM DOING SO BY REASON OF THEIR IMMIGRATION STATUS. THOSE WHO EMPLOY AN ADULT WITHOUT LEAVE OR WHO IS SUBJECT TO CONDITIONS AS TO EMPLOYMENT WILL BE LIABLE TO A CIVIL PENALTY UNDER SECTION 15 OF THE IMMIGRATION, ASYLUM AND NATIONALITY ACT 2006 AND PURSUANT TO SECTION 21 OF THE SAME ACT, WILL BE COMMITTING AN OFFENCE WHERE THEY DO SO IN THE KNOWLEDGE, OR WITH REASONABLE CAUSE TO BELIEVE, THAT THE EMPLOYEE IS DISQUALIFIED.

Part 4 – Signatures (please read guidance note 11)

Signature of applicant or applicant’s solicitor or other duly authorised agent (see guidance note 12). **If signing on behalf of the applicant, please state in what capacity.**

Declaration	<ul style="list-style-type: none"> • [Applicable to individual applicants only, including those in a partnership which is not a limited liability partnership] I understand I am not entitled to be issued with a licence if I do not have the entitlement to live and work in the UK (or if I am subject to a condition preventing me from doing work relating to the carrying on of a licensable activity) and that my licence will become invalid if I cease to be entitled to live and work in the UK (please read guidance note 15). • The DPS named in this application form is entitled to work in the UK (and is not subject to conditions preventing him or her from doing work relating to a licensable activity) and I have seen a copy of his or her proof of entitlement to work, or have conducted an online right to work check using the Home Office right to work checking service which confirmed their
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	right to work (please see note 15)
Signature	Poppleston Allen
Date	12/6/2019
Capacity	Solicitors acting for and on behalf of the applicant

For joint applications, signature of 2nd applicant or 2nd applicant's solicitor or other authorised agent (please read guidance note 13). If signing on behalf of the applicant, please state in what capacity.

Signature	
Date	12/6/2019
Capacity	

Contact name (where not previously given) and postal address for correspondence associated with this application (please read guidance note 14)			
<p>██████████ POPPLESTON ALLEN STANLEY BUILDING 7 PANCRAS SQUARE UK-England</p>			
Post town	LONDON	Postcode	N1C 4AG
Telephone number (if any)	██████████		
If you would prefer us to correspond with you by e-mail, your e-mail address (optional)			
██████████			

Notes for Guidance

- Describe the premises, for example the type of premises, its general situation and layout and any other information which could be relevant to the licensing objectives. Where your application includes off-supplies of alcohol and you intend to provide a place for consumption of these off-supplies, you must include a description of where the place will be and its proximity to the premises.
- In terms of specific regulated entertainments please note that:
 - Plays: no licence is required for performances between 08:00 and 23.00 on any day, provided that the audience does not exceed 500.
 - Films: no licence is required for 'not-for-profit' film exhibition held in community premises between 08.00 and 23.00 on any day provided



**RESPONSIBLE AUTHORITY REPRESENTATION:
APPLICATION UNDER THE LICENSING ACT 2003**

RESPONSIBLE AUTHORITY DETAILS

NAME OF AUTHORITY	London Borough of Hackney
ADDRESS OF AUTHORITY	Community Safety & Enforcement Service First Floor Hackney Service Centre 1 Hillman Street London E8 1DY
CONTACT NAME	Gabriela Mistak
TELEPHONE NUMBER	020 8356 7765
E-MAIL ADDRESS	Gabriela.mistak@hackney.gov.uk

APPLICATION PREMISES

NAME & ADDRESS OF PREMISES	Wagamama, Railway Arch 385, Mentmore Terrace, Hackney, London, E8 3PH
NAME OF APPLICANT	Wagamama Limited

COMMENTS

I make the following relevant representations in relation to the above application to vary the Premises Licence at the above address.

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

Representation in relation to:

Wagamama, Railway Arch 385, Mentmore Terrace, Hackney, London, E8 3PH

ENVIRONMENTAL LICENCE CONDITIONS IN RESPECT OF

Wagamama, Railway Arch 385, Mentmore Terrace, Hackney, London, E8 3PH

1. The Licensee shall ensure that all staff are fully trained and made aware of the legal requirement of businesses to comply with their responsibility as regards the disposal of waste produced from the business premises. The procedure for handling and preparing for disposal of the waste shall be in writing and displayed in a prominent place where it can be referred to at all times by staff.
2. The Licensee shall ensure that any contract for general and recyclable waste disposal shall be appropriate in size to the amount of waste produced by the business. The Licensee shall maintain an adequate supply of waste receptacles provided by his registered waste carrier (refuse sacks or commercial waste bins) in order to ensure all refuse emanating from the business is always presented for collection by his waste carrier and shall not use any plain black or unidentifiable refuse sacks or any other unidentifiable or unmarked waste receptacles.
3. In order to minimise the amount of time any waste remains on the public highway in readiness for collection, the Licensee will ensure the timeframe within which it may expect its waste carrier to collect is adhered to.
4. The Licensee shall instruct members of staff to make regular checks of the area immediately outside the premises and remove any litter, bottles and glasses emanating from the premises. A final check should be made at close of business.
5. The Licensee shall provide a safe receptacle for cigarette ends to be placed outside for the use of customers, such receptacle being carefully placed so as not to cause an obstruction or trip.
6. The current trade waste agreement/duty of care waste transfer document shall be conspicuously displayed and maintained in the window of the premises where it can be conveniently seen and read by persons standing outside, Railway Arch 385, Mentmore Terrace, Hackney, London, E8 3PH

This should remain unobstructed at all times and should clearly identify:-

- the name of the registered waste carrier
- the date of commencement of trade waste contract
- the date of expiry of trade waste contract
- the days and times of collection
- the type of waste including the European Waste Code

The above representations are supported by the following evidence and information.

We have received complaints in the past regarding littering and build-up of waste in the area. Experience has also shown that there is the probability that there will be cigarette litter outside these premises due to the smoking ban and that it is possible that glasses and bottles may be left outside by patrons.

Are there any actions or measures that could be taken to allay concerns or objections? If so, please explain.

Name: Gabriela Mistak

Date: 04/07/2019

**Planning Authority Representation:
Application under the Licensing Act 2003**

Details of Authority	2 Hillman Street, Hackney, London, E8 1FB
Officer contact name	Claudette Abraham
Officer telephone number	020 8356 4870
Officer's email address	claudette.abraham@hackney.gov.uk

APPLICATION PREMISES

Name and address of premises	Wagamama Railway Arch 385 Mentmore Terrace Hackney E8 3PH
Applicant name	Wagamama Limited

COMMENTS

I make the following relevant representation in relation to the above application at the above address.

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

Please supply any relevant evidence/information to support the above representation.

The premises application proposes for a new premises licence as a food outlet under the licensing Act 2003. The proposed licensing activities are:

Late Night Refreshment Fri-Sat 23:00-00:00

Supply of Alcohol Mon-Thu 10:00-23:00 Fri-Sat 10:00-00:00, Sun 10:00-22:30

Hours of operation Mon -Thur 10:00-23:30, Fri-Sat 10:00-00:30, Sun 10:00-23:00

No recent development history could be found which would establish the usage of the premises as a food establishment, or any conditions found in regards to hours of operation. The applicant is advised that planning permission for the usage of the premises is required prior to the operation of the premises.

If the applicant would like formal confirmation that the use of the premises is lawful it is recommended they apply for Lawful Development Certificate. Licensing approval does not grant planning approval. Operation of the premises without appropriate planning permission is unlawful and may result in enforcement action.

Please provide the following information (if applicable)

Area (that permission applies to)	Ground Floor
Permitted use	Class A3
Permitted hours	N/A

Specific/restrictive conditions	N/A
Recent applications	N/A
Decisions	N/A
Pending Decisions	N/A
Reasons for refusal	N/A
Relevant Conditions/discharges	N/A

Are there any actions or measures that could be taken to allay concerns or objections? If so, please explain.

No representation with informative

If the applicant would like formal confirmation that the use of the premises is lawful it is recommended they apply for Lawful Development Certificate. Licensing approval does not grant planning approval. Operation of the premises without appropriate planning permission is unlawful and may result in enforcement action.

The applicant is advised that these comments do not represent a formal decision of the Local Planning Authority as to the acceptability or otherwise of the proposed use and that the decision of the Licensing Authority is not prejudicial to the determination of any subsequent planning application.

Signed	
Name	Graham Callam
Date	15/07/19

**RESPONSIBLE AUTHORITY REPRESENTATION:
APPLICATION UNDER THE LICENSING ACT 2003**

RESPONSIBLE AUTHORITY DETAILS

NAME OF AUTHORITY	Licensing Authority
ADDRESS OF AUTHORITY	Hackney Service Centre 1 Hillman Street London E8 1DY
CONTACT NAME	David Tuitt
TELEPHONE NUMBER	020 8356 4942
E-MAIL ADDRESS	david.tuitt@hackney.gov.uk

APPLICATION PREMISES

NAME & ADDRESS OF PREMISES	Wagamama Railway Arch 385 Mentmore Terrace London E8 3PH
NAME OF APPLICANT	Wagamama Limited

COMMENTS

I make the following relevant representations in relation to the above application to vary the Premises Licence at the above address.

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

Representation in relation to:

The premises is located within railway arches surrounded by commercial premises but with residential dwellings directly opposite. I am aware anecdotally that the levels of activity in this part of the street during the late evening is minimal. Although, it is noted that the application is consistent with LP3 (Core Hours) and LP4 ('Off' sales for Alcohol) as set in the Councils Policy, there remains a risk that the proposed activity could cause a public nuisance in the area. I have had discussions with the applicant in relation to the plan attached to the application and some of the conditions offered in relation to third party *delivery drivers*. However, some concern about a negative impact on the nuisance objective remains.

The above representations are supported by the following evidence and information.

The Licensing Act 2003, Statement of Licensing Policy 2018-2023, S182 Guidance issued by the Home Office and knowledge of the area.

Are there any actions or measures that could be taken to allay concerns or objections? If so, please explain.

Further discussion with the applicant in relation to:

- It is noted that the premises could operate without the sale of alcohol between 05:00 and 23:00 as no licensable activity would be carried on. Therefore, details of the planning status of the site would be helpful for this application, having regard to LP5 (Planning Status).
- Further consideration/discussion on the mechanisms for deliveries and management of persons carrying out deliveries and would also be useful.

Name: David Tuitt, Business Regulation Team Leader – Licensing and Technical Support

Date: 10/07/2019



Wagamama ref 103144

1 message

23 June 2019 at 14:28


To: licensing@hackney.gov.uk

To whom it may concern,

I wish to oppose in the strongest terms to the alcohol license and change of use planning application that has been submitted by Wagamama for Arch 385, Mentmore Terrace, E8.

I am a resident in All Nations House and will be directly affected by this planning application. There are a number of prep kitchens servicing the food delivery economy and they will create negative direct and residual outcomes for the community in terms of pollution (noise, litter and smell), safety, anti-social behaviour and general atmosphere.

I am also really unhappy about a high street chain disrupting a thriving independent economy and many other residents are too.

This sends a poor message from Hackney Council to social entrepreneurs and other enterprises in the area who run small businesses with a strong sense of social value.

Please do not hesitate to contact me if you have further questions,

Sincerely,



Sent from my iPhone



APPENDIX C2

Licensing (Shared Mailbox) <licensing@hackney.gov.uk>

Objection to License applicataion for Arch 385 Wagamamas

1 message

1 July 2019 at 10:40

[REDACTED]
To: "Licensing (Shared Mailbox)" <licensing@hackney.gov.uk>

Dear Licensing Team

I am writing to strongly object to the application:

Wagamama
385 Railway Arch Mentmore Terrace London
E8 3PH

Application for a premises licence for late night refreshment from 23:00 to 00:00 Fri and Sat and to authorise the supply of alcohol for consumption off the premises from 10:00 to 23:00 Mon to Thurs, 10:00 to 00:00 Fri and Sat and from 10:00 to 22:30 Sun.

I live almost opposite this arch and am concerned about the increased noise and disturbance of late night footfall outside of my house, not only from late night customers but also delivery drivers. There is not a current night time economy on that part of the road and this is not an appropriate place for such a venue. I understand that the applicant has not submitted an appropriate planning application for change of use. I request that you do not approve their license as this will set a precedent for road and encourage other businesses to open.

Please acknowledge receipt of this objection

Regards,

[REDACTED]

APPENDIX C3



Licensing (Shared Mailbox) <licensing@hackney.gov.uk>

Wagamama 385 Railway Arch Mentmore Terrace London E8 3PH

1 message

1 July 2019 at 12:40

To: "[REDACTED]" <licensing@hackney.gov.uk>

Dear Licensing Team

I am writing to strongly object to the possible licence of Wagamama 385 Railway Arch Mentmore Terrace

This will negatively impact with increased noise pollution and anti social behaviour -

we are most concerned about the late licence and alcohol provision - this is a residential street with many families and young children and this licence will negatively impact upon our surroundings. There will also be an increase in delivery drivers up and down our street adding to noise disturbance and increase

Please can you urgently consider our objections

[REDACTED]
Mentmore Terrace
London E8 [REDACTED]



APPENDIX C4

Licensing (Shared Mailbox) <licensing@hackney.gov.uk>

Premises Licence Application OBJECTION Railway Arch 385, Mentmore Terrace

1 message

1 July 2019 at 16:39

[REDACTED]
To: licensing@hackney.gov.uk

Dear Licensing Team

I am writing to register my objection for a premises licence by Wagamama Limited for Railway Arch [385, Mentmore Terrace](#), Hackney, London E83PH.

The main basis for this objection is that this application could '**be seen as a re-run of any planning processes**' and therefore Hackney Council Licensing Policy **LP5 Planning Status** should be adopted. The premises is currently for B1, B2, B8 use and the proposed business would require a planning application for change of use, this would give nearby residents the opportunity to fully review the proposed business and make detailed objections through the planning process. I understand this process was attempted by a nearby business, Patty and Bun, [397 Mentmore Terrace](#) two years ago and their premises application was refused.

The Applicant has also not addressed the following **Public Nuisance** issues, which again would be addressed in a planning application:

- Public Nuisance – N17. The proposed premises will emit fumes and odours as it is an "industrial kitchen". No details on the number of 'meals' prepared per day was given in the application, nor was any odour and pollution controls detailed in the application. The cooking at this 'industrial' scale has already shown to be a significant nuisance to anyone living in the area – See: <https://www.hackneygazette.co.uk/news/london-fields-burger-chain-patty-and-bun-spends-40k-to-combat-onion-smell-1-5211163>
- Public Nuisance – W2. The applicant states that no waste will be placed in external receptacles between 23:00 and 0700 hrs the following day yet the business is open for delivery orders until 23:00 and midnight. The application does not state the actual operational hours of the business and it would be reasonable to expect that the majority of waste disposal occurs at the 'end of the day' ie after 23:00/00:00 when the kitchen is cleaned.
- Public Nuisance and Safety – The application does not state the number of delivery drivers waiting outside the premises at any one time. The proposed 'delivery point' is (I believe, as it is unclear as to the premises orientation from the accompanying plan) at the rear of the premises which would cause significant noise and air pollution nuisance to adjoining residents and be a safety concern to road users, including children accessing the nearby park and playing areas. The applicant should be able to provide an estimate of the number of delivery drivers using the business so as to enable the Council to make an assessment of their environmental impact and safety to other road users. Whilst I applaud the applicants request for delivery drivers to respect neighbours, in practice we can see across the Borough that this is not the case. The applicant has not addressed how they would ensure that external suppliers (ie delivery drivers) do not cause a nuisance to residents.

I also note that the application only provides the name of one designated premises supervisor yet the business will be supplying alcohol for 92.5 hours a week. I understand that it is a Mandatory Condition of the supply of Alcohol to have a designated premises supervisor present at all times.

For the reasons stated above I strongly urge the Council to refuse the application for a premises licence made by Wagamama for Railway Arch 385.

Please acknowledge receipt of this objection by email.

Yours sincerely

[Redacted]

[Redacted] Martello St

London E8 [Redacted]



APPENDIX C5

Licensing (Shared Mailbox) <licensing@hackney.gov.uk>

Objection to Licence application number 103144

1 message

1 July 2019 at 15:47

To: "licensing@hackney.gov.uk" <licensing@hackney.gov.uk>
 Cc: "MCan.Ozsen@Hackney.gov.uk" <MCan.Ozsen@hackney.gov.uk>, "Anntoinette.Bramble@hackney.gov.uk" <Anntoinette.Bramble@hackney.gov.uk>, "emma.plouviez@hackney.gov.uk" <emma.plouviez@hackney.gov.uk>

To: Licencing Team Hackney Council

Ccd: London Fields Councillors (for information only).

Re: Application by Wagamama for late night licence Arch 385 Mentmore Terrace

Licence number: 103144

Details of application

Application for a premises licence for late night refreshment from 23:00 to 00:00 Fri and Sat and to authorise the supply of alcohol for consumption off the premises from 10:00 to 23:00 Mon to Thurs, 10:00 to 00:00 Fri and Sat and from 10:00 to 22:30 Sun.

Objection from: [REDACTED], All Nations House, Martello Street, E8 [REDACTED] (this property is directly opposite Arch 385).

I wish to object to the proposed licensing application on the following grounds:

- Public nuisance: Increased noise and disturbance caused by a licensed premises at this address at the proposed hours.
- Public nuisance: potential for unpleasant odours from the premises.

Residents of All Nations House have consistently objected to applications for licences at premises at the north end of Mentmore Terrace because of a catalogue of problems cause by similar businesses in the past.

Having a licensed premises on Mentmore Terrace, which serves alcohol every day of the week and until midnight on Friday and Saturday will greatly increase noise, disturbance and antisocial behaviour in a residential area.

- This is already an ongoing problem severely affecting our quality of life. The noise from people under the influence of alcohol - screaming and shouting, late at night - on Mentmore Terrace and on London Fields station frequently wakes us up. Many of the people living in our block have young families – and they are badly affected by noise in the street. This is a particular problem in the summer, when we need to keep windows open at night to ventilate and cool the house.
- We have consistently complained to the Council's noise pollution team when people have hosted events at the Arches opposite our house. The Arches are not soundproofed, and noise from events within the premises can clearly be heard in our flats, even within the windows closed. Even when events take place in Arches at the south end of Mentmore Terrace (eg London Fields Brewery), we are obliged to close our windows and turn up the radio to block out the noise pollution.

Noise from business, operations will likely take place outside the licensing hours— filling/emptying glass recycling/ extractor fans / noise from delivery vans.

- Access to the arch is directly adjacent to All Nations House gardens, and any noise caused by daily business operations will negatively affect our quality of life.

In addition, we are concerned about the potential for odours. We had a long-term problem with odours emanating from Patty & Bun, who occupied arches just to the north of the proposed venue. Even though they installed state-of-the-art extractors, the smell from cooking was so bad we had to close our windows, again, a particular problem on hot days.

I have cc'd our local Councillors (for information only) and ask that you acknowledge receipt of this email.

Kind regards,

A solid black rectangular box used to redact the sender's name and signature.

APPENDIX C6



Licensing (Shared Mailbox) <licensing@hackney.gov.uk>

Licensing application for: Wagamama 385 Railway Arch, Mentmore Terrace E8 3PH

1 message

[Redacted]
To: "Licensing (Shared Mailbox)" <licensing@hackney.gov.uk>

2 July 2019 at 17:54

Dear Sir/Madam,
I would like to oppose the licensing application for the Wagamama for the address as above.
Mentmore Terrace is primarily a residential street with a few commercial units that operating within standard office hours.

There is already a huge problem with noise and anti-social behaving on our street, caused by people going to/leaving licenced premises. For the last few years, the residents have made an endless number of complaints about this. I'm sure the council can see it in their own files

The bottom line is there is a lot of people who live on Mentmore terrace now and a restaurant licensed until 11/midnight will unavoidably cause a great deal of disturbance to them.

Regards,

[Redacted]
[Redacted] Mentmore Terrace
E8
[Redacted]

--
[Redacted]



APPENDIX C7

Licensing (Shared Mailbox) <licensing@hackney.gov.uk>

Railway arch 385, Mentmore Terrace

1 message

8 July 2019 at 19:04

To: licensing@hackney.gov.uk

I am writing regarding a license application that has been submitted by Wagamama (via their solicitor Poppleston Allen) with regard to Railway Arch 385, Mentmore Terrace, London E8 3 PH.

I live at the back of All Nations House, directly overlooking the back of Arch 385. We are a family of three, including a 16 year old child about to start Sixth Form in September this year.

I object strongly to the granting of this license to Wagamama on every level but in specific:

1. I believe the existence of a late night takeaway facility near a train station and many local pubs as well as a nightclub (Wringer and Mangle) will result without doubt in increased levels of crime and disorder. As people pour out of pubs - largely drunk - instead of leaving the area they will now be attracted to stay in the area to buy food and even more alcohol, up until 11pm weekdays and up to midnight at the weekends. The existence of lots of Deliveroo drivers coming in and out of the back of the arch at all times of the day and night, will also be a beacon for thieves, acid attacks and possible stabbings, and drunken brawls. And all of this right on our doorstep, disturbing our sleep, peace and security seven days a week. All day long from morning until night. And leading to our 16 year old daughter feeling even more anxious and insecure as she leaves our house to head to school or to visit her friends.

2. A large food prep and takeaway facility as proposed by Wagamama in their application will create a complete public nuisance for everyone living in our area - including lots of families with children of all ages including babies. The constant comings and goings of Deliveroo drivers at all times of the day and night - creating high levels of noise and pollution from bike fumes - as well as the nuisance caused by drivers coming in and out of the back of the arches to all pedestrians - including the high levels of people coming in and out of the train station. The noises and smells from food preparation and refrigerators and extraction systems will make it practically impossible for us to continue living in the home we have lived in as Hackney residents for over fifteen years now. The only way to avoid public nuisance is to say no to this application and discourage any further such applications in the future.

3. Public safety will be put at risk if this application is granted. Is it the policy of Hackney Council to drive long-standing local residents out of their homes by putting their safety at risk? Our safety will be threatened by the presence of high volumes of traffic coming in and out of the arches. By the large numbers of potential customers attracted by the sale of alcohol and take away food at all hours day and night. There has been a proliferation of stabbings and attacks in East London. It leads to genuine fears about personal safety and security. My daughter rightly feels anxious about her safety. Access into our home demands engaging with walking through London fields or the railway arches. By bringing larger volumes of people to the area, particularly at night, you are asking for trouble. Mentmore terrace is not a shopping street with all the protection that brings, but is off the beaten track, and to give a license to such a facility to operate the hours they propose will absolutely impact on the safety and security of all residents in the area, particularly those with children. And I also need to point out that beside All Nations House is Signal House. Signal House completely backs onto the railway arches, including arch 385. There are a number of vulnerable residents living in Signal House (supported by Family Mosaic) and I would be very concerned for their health and well being and safety if this application succeeds and the business operates the proposed activities for the proposed hours. The likelihood of large volumes of noise going on until after midnight seven days a week will absolutely affect all local residents but most particularly the more vulnerable among us, particularly the young and some of those vulnerable tenants from Signal House.

4. Lastly I would like to say that as a parent of a 16 year old daughter Hackney Council will directly be exposing her to harm if this license is granted. There will be large numbers of mainly male delivery drivers around the location at all times of the day and night who could pose a threat and I'm sure Mentmore will become a beacon for drug dealing, petty crime, muggings, drunken disorderly behaviour and gang related crime. Is it Hackney Council's policy to expose children to harm? The granting of this license will do that. And it will set a precedence with other such license applications following hot on the heels of this one. As residents we won't sit idly by and let this happen. Our experience with 'Patty and Bun' was deeply problematic and caused much stress, aggravation and upset, and resulted in Patty and Bun admitting it was a mistake to set up their business on Mentmore and moving on. Where we live cannot be allowed to become some money making experiment in the night economy market. Hackney Council need to listen to the genuine concerns of the many local residents who are already organised and motivated and will work tirelessly to prevent the destruction of our area.

Many thanks,

All Nations House



APPENDIX C8

Licensing (Shared Mailbox) <licensing@hackney.gov.uk>

RAILWAY ARCH ON MENMORE TERRACE - UNIT 385

1 message

8 July 2019 at 19:48

[REDACTED]
To: licensing@hackney.gov.uk

Dear Sir/Madam,

I am a residence for almost 16 years at All Nations House London E8 [REDACTED] My home overlooks railway units and I have recently come across Wagamama's application to develop an F+B business.

I am very worried about this encroachment on not just my home (with my wife and teenage daughter) but all my neighbours and the terrible health and safety affects this will have. I strongly object to this. Let me elaborate.

1. Granting this licence to Wagamama will attract a wholly unwelcome night activity which has had tragic outcomes in the past. I speak here of the likes of Wringer and Mangle. In this regard the licence will have negative affects on crime and disorder.

2. I have had a long running debate with a previous F+B outlet (Patti and Bun) and their food prep had a very negative impact on air quality and air pollution. With this new take away from Wagamama being proposed this will hugely increase in its impact. The idea that the noise and smells will increase is unbearable to us and our neighbours.

3. Added to this business and the hours they propose to trade being in this residential setting means there will be significant impact on public safety. With many children of all ages in our block alone added to which the block that supports residents with special needs (Signal house) this will increase local tensions and further threaten our safety ad the safety of the public.

4, Finally, I have mentioned not only my daughter and other children in our block - I have stressed this as they will be the ones most adverse affected by noise, pollution, deliveries in and out, public disturbance. I believe and trust the council will and must place their web being above all other considerations.

When this planning permission for the license and also their application to get the terms of this archway changed I fully expect and hope the council do the right thing and think of us the local council tax player sand residents.

Best wishes

[REDACTED]
All Nations House
London E8 [REDACTED]



APPENDIX C9

Licensing (Shared Mailbox) <licensing@hackney.gov.uk>

Premises Licence Application OBJECTION Railway Arch 385, Mentmore Terrace

1 message

[REDACTED]
To: licensing@hackney.gov.uk

10 July 2019 at 10:43

Dear Licensing Team

I am writing to register my objection for a premises licence by Wagamama Limited for Railway Arch [385, Mentmore Terrace](#), Hackney, London E83PH.

The main basis for this objection is that this application could '**be seen as a re-run of any planning processes**' and therefore Hackney Council Licensing Policy **LP5 Planning Status** should be adopted. The premises is currently for B1, B2, B8 use and the proposed business would require a planning application for change of use, this would give nearby residents the opportunity to fully review the proposed business and make detailed objections through the planning process. I understand this process was attempted by a nearby business, Patty and Bun, [397 Mentmore Terrace](#) two years ago and their premises application was refused.

The Applicant has also not addressed the following **Public Nuisance** issues, which again would be addressed in a planning application:

- Public Nuisance – N17. The proposed premises will emit fumes and odours as it is an "industrial kitchen". No details on the number of 'meals' prepared per day was given in the application, nor was any odour and pollution controls detailed in the application. The cooking at this 'industrial' scale has already shown to be a significant nuisance to anyone living in the area – See: <https://www.hackneygazette.co.uk/news/london-fields-burger-chain-patty-and-bun-spends-40k-to-combat-onion-smell-1-5211163>
- Public Nuisance – W2. The applicant states that no waste will be placed in external receptacles between 23:00 and 0700 hrs the following day yet the business is open for delivery orders until 23:00 and midnight. The application does not state the actual operational hours of the business and it would be reasonable to expect that the majority of waste disposal occurs at the 'end of the day' ie after 23:00/00:00 when the kitchen is cleaned.
- Public Nuisance and Safety – The application does not state the number of delivery drivers waiting outside the premises at any one time. The proposed 'delivery point' is (I believe, as it is unclear as to the premises orientation from the accompanying plan) at the rear of the premises which would cause significant noise and air pollution nuisance to adjoining residents and be a safety concern to road users, including children accessing the nearby park and playing areas. The applicant should be able to provide an estimate of the number of delivery drivers using the business so as to enable the Council to make an assessment of their environmental impact and safety to other road users. Whilst I applaud the applicants request for delivery drivers to respect neighbours, in practice we can see across the Borough that this is not the case. The applicant has not addressed how they would ensure that external suppliers (ie delivery drivers) do not cause a nuisance to residents.

I also note that the application only provides the name of one designated premises supervisor yet the business will be supplying alcohol for 92.5 hours a week. I understand that it is a Mandatory Condition of the supply of Alcohol to have a designated premises supervisor present at all times.

For the reasons stated above I strongly urge the Council to refuse the application for a premises licence made by Wagamama for Railway Arch 385.

Please acknowledge receipt of this objection by email.

Yours sincerely

██████████

██████ MENTMORE TERRACE

London E8 ██████



APPENDIX C10

Licensing (Shared Mailbox) <licensing@hackney.gov.uk>

Wagamama

1 message

[Redacted]
To: licensing@hackney.gov.uk

10 July 2019 at 13:46

Dear Sir / Madam,

I strongly recommend not having a Wagamama at this unit with a late license with alcohol. We have young children and the noise, rubbish, and disruption to our children's sleep will be detrimental in many ways.

Our home at [Redacted] London lane E8 [Redacted] is a NO

Regards

[Redacted]

Sent from my iPad

APPENDIX C11



Licensing (Shared Mailbox) <licensing@hackney.gov.uk>

Wagamama's Industrial Kitchen application for 385, Mentmore Terrace

1 message

[Redacted]
To: licensing@hackney.gov.uk

10 July 2019 at 13:57

Dear Madam/Sir,

I am writing to register concern and objection to the setting up of an industrial kitchen on Mentmore Terrace. I am particularly concerned about the number of delivery drivers likely to be waiting around outside as occurred with Patty and Bun. Although stated that deliveries would be at the back they were always at the front and caused significant nuisance.

I am also concerned about the granting of a Alcohol licence as this would set a precedent for making the street an active part of the "night time" economy. We already have noisy deliveries at Patty and Bun and the Bakers from Midnight to dawn. This already means we can't have the windows open at night.

[Redacted]

[Redacted], [Mentmore Terrace London E8](#) [Redacted].

--
[Redacted]
[Redacted]
[Redacted]
[Redacted]



Wagamamas license

1 message

[REDACTED]
To: licensing@hackney.gov.uk

10 July 2019 at 14:14

Hi

I've emailed [REDACTED] earlier this week about builders working at Wagamamas without a building permission or license.

See documentation from yesterday





I want to object against Wagamamas opening here at [385 Mentmore Terrace](#).

The opening of a food preparation kitchen for takeaway food and alcoholic drinks will produce a huge amount of traffic (delivery bikes, customers), noise and offensive smells.

Page 87

There will be a proliferation of delivery bikes darting in and out of the rear entrance on Martello Street, very near the park and the station entrance, which could be a hazard.

The street is currently residential and light industrial (predominately day time business) and we are unhappy about a potential new night time economy developing on the street, as the proposed opening times will be until midnight at weekends. Previously Patty and Bun ran a similar outlet in another arch and residents had to put up with a lot of disturbance and strong smells.

The arches, or the street, are not suitable for this type of business, and permission should not be granted.

Thanks

[REDACTED]

--

[REDACTED]

[REDACTED]



APPENDIX C13

Licensing (Shared Mailbox) <licensing@hackney.gov.uk>

Wagamama licence application

1 message

10 July 2019 at 15:03

To: licensing@hackney.gov.uk

>

Dear Licensing Team

I am writing to register my objection for a premises licence by Wagamama Limited for Railway Arch 385, Mentmore Terrace, Hackney, London E83PH.

The main basis for this objection is that this application could 'be seen as a re-run of any planning processes' and therefore Hackney Council Licensing Policy LP5 Planning Status should be adopted. The premises is currently for B1, B2, B8 use and the proposed business would require a planning application for change of use, this would give nearby residents the opportunity to fully review the proposed business and make detailed objections through the planning process. I understand this process was attempted by a nearby business, Patty and Bun, 397 Mentmore Terrace two years ago and their premises application was refused.

The Applicant has also not addressed the following Public Nuisance issues, which again would be addressed in a planning application:

- Public Nuisance – N17. The proposed premises will emit fumes and odours as it is an "industrial kitchen". No details on the number of 'meals' prepared per day was given in the application, nor was any odour and pollution controls detailed in the application. The cooking at this 'industrial' scale has already shown to be a significant nuisance to anyone living in the area – See: <https://www.hackneygazette.co.uk/news/london-fields-burger-chain-patty-and-bun-spends-40k-to-combat-onion-smell-1-5211163>
- Public Nuisance – W2. The applicant states that no waste will be placed in external receptacles between 23:00 and 0700 hrs the following day yet the business is open for delivery orders until 23:00 and midnight. The application does not state the actual operational hours of the business and it would be reasonable to expect that the majority of waste disposal occurs at the 'end of the day' ie after 23:00/00:00 when the kitchen is cleaned.
- Public Nuisance and Safety – The application does not state the number of delivery drivers waiting outside the premises at any one time. The proposed 'delivery point' is (I believe, as it is unclear as to the premises orientation from the accompanying plan) at the rear of the premises which would cause significant noise and air pollution nuisance to adjoining residents and be a safety concern to road users, including children accessing the nearby park and playing areas. The applicant should be able to provide an estimate of the number of delivery drivers using the business so as to enable the Council to make an assessment of their environmental impact and safety to other road users. Whilst I applaud the applicants request for delivery drivers to respect neighbours, in practice we can see across the Borough that this is not the case. The applicant has not addressed how they would ensure that external suppliers (ie delivery drivers) do not cause a nuisance to residents.

I also note that the application only provides the name of one designated premises supervisor yet the business will be supplying alcohol for 92.5 hours a week. I understand that it is a Mandatory Condition of the supply of Alcohol to have a designated premises supervisor present at all times.

For the reasons stated above I strongly urge the Council to refuse the application for a premises licence made by Wagamama for Railway Arch 385.

Please acknowledge receipt of this objection by email! **Page 89**

Yours sincerely

 Mentmore Terrace)



APPENDIX C14

Licensing (Shared Mailbox) <licensing@hackney.gov.uk>

Objection to licensing application

1 message

10 July 2019 at 15:15

To: licensing@hackney.gov.uk

Dear Licensing Team licensing@hackney.gov.uk

I am writing to register my objection for a premises licence by Wagamama Limited for Railway Arch [385, Mentmore Terrace, Hackney, London E83PH](#).

The main basis for this objection is that this application could '**be seen as a re-run of any planning processes**' and therefore Hackney Council Licensing Policy **LP5 Planning Status** should be adopted. The premises is currently for B1, B2, B8 use and the proposed business would require a planning application for change of use, this would give nearby residents the opportunity to fully review the proposed business and make detailed objections through the planning process. I understand this process was attempted by a nearby business, Patty and Bun, [397 Mentmore Terrace](#) two years ago and their premises application was refused.

The Applicant has also not addressed the following **Public Nuisance** issues, which again would be addressed in a planning application:

- Public Nuisance – N17. The proposed premises will emit fumes and odours as it is an "industrial kitchen". No details on the number of 'meals' prepared per day was given in the application, nor was any odour and pollution controls detailed in the application. The cooking at this 'industrial' scale has already shown to be a significant nuisance to anyone living in the area – See: <https://www.hackneygazette.co.uk/news/london-fields-burger-chain-patty-and-bun-spends-40k-to-combat-onion-smell-1-5211163>
- Public Nuisance – W2. The applicant states that no waste will be placed in external receptacles between 23:00 and 0700 hrs the following day yet the business is open for delivery orders until 23:00 and midnight. The application does not state the actual operational hours of the business and it would be reasonable to expect that the majority of waste disposal occurs at the 'end of the day' ie after 23:00/00:00 when the kitchen is cleaned.
- Public Nuisance and Safety – The application does not state the number of delivery drivers waiting outside the premises at any one time. The proposed 'delivery point' is (I believe, as it is unclear as to the premises orientation from the accompanying plan) at the rear of the premises which would cause significant noise and air pollution nuisance to adjoining residents and be a safety concern to road users, including children accessing the nearby park and playing areas. The applicant should be able to provide an estimate of the number of delivery drivers using the business so as to enable the Council to make an assessment of their environmental impact and safety to other road users. Whilst I applaud the applicants request for delivery drivers to respect neighbours, in practice we can see across the Borough that this is not the case. The applicant has not addressed how they would ensure that external suppliers (ie delivery drivers) do not cause a nuisance to residents.

I also note that the application only provides the name of one designated premises supervisor yet the business will be supplying alcohol for 92.5 hours a week. I understand that it is a Mandatory Condition of the supply of Alcohol to have a designated premises supervisor present at all times.

For the reasons stated above I strongly urge the Council to refuse the application for a premises licence made by Wagamama for Railway Arch 385.

Please acknowledge receipt of this objection by email.

Yours sincerely


Mentmore Terrace
E8 



APPENDIX C15

Licensing (Shared Mailbox) <licensing@hackney.gov.uk>

WAGAMAMA

1 message

10 July 2019 at 15:19

To: "licensing@hackney.gov.uk" <licensing@hackney.gov.uk>

I am writing to register my objection for a premises licence by Wagamama Limited for Railway Arch [385, Mentmore Terrace](#), Hackney, London E83PH.

The main basis for this objection is that this application could '**be seen as a re-run of any planning processes**' and therefore Hackney Council Licensing Policy **LP5 Planning Status** should be adopted. The premises is currently for B1, B2, B8 use and the proposed business would require a planning application for change of use, this would give nearby residents the opportunity to fully review the proposed business and make detailed objections through the planning process. I understand this process was attempted by a nearby business, Patty and Bun, [397 Mentmore Terrace](#) two years ago and their premises application was refused.

The Applicant has also not addressed the following **Public Nuisance** issues, which again would be addressed in a planning application:

- Public Nuisance – N17. The proposed premises will emit fumes and odours as it is an "industrial kitchen". No details on the number of 'meals' prepared per day was given in the application, nor was any odour and pollution controls detailed in the application. The cooking at this 'industrial' scale has already shown to be a significant nuisance to anyone living in the area – See: <https://www.hackneygazette.co.uk/news/london-fields-burger-chain-patty-and-bun-spends-40k-to-combat-onion-smell-1-5211163>
- Public Nuisance – W2. The applicant states that no waste will be placed in external receptacles between 23:00 and 0700 hrs the following day yet the business is open for delivery orders until 23:00 and midnight. The application does not state the actual operational hours of the business and it would be reasonable to expect that the majority of waste disposal occurs at the 'end of the day' ie after 23:00/00:00 when the kitchen is cleaned.
- Public Nuisance and Safety – The application does not state the number of delivery drivers waiting outside the premises at any one time. The proposed 'delivery point' is (I believe, as it is unclear as to the premises orientation from the accompanying plan) at the rear of the premises which would cause significant noise and air pollution nuisance to adjoining residents and be a safety concern to road users, including children accessing the nearby park and playing areas. The applicant should be able to provide an estimate of the number of delivery drivers using the business so as to enable the Council to make an assessment of their environmental impact and safety to other road users. Whilst I applaud the applicants request for delivery drivers to respect neighbours, in practice we can see across the Borough that this is not the case. The applicant has not addressed how they would ensure that external suppliers (ie delivery drivers) do not cause a nuisance to residents.

I also note that the application only provides the name of one designated premises supervisor yet the business will be supplying alcohol for 92.5 hours a week. I understand that it is a Mandatory Condition of the supply of Alcohol to have a designated premises supervisor present at all times.

For the reasons stated above I strongly urge the Council to refuse the application for a premises licence made by Wagamama for Railway Arch 385.

Please acknowledge receipt of this objection by email.

Yours sincerely





385, Mentmore Terrace

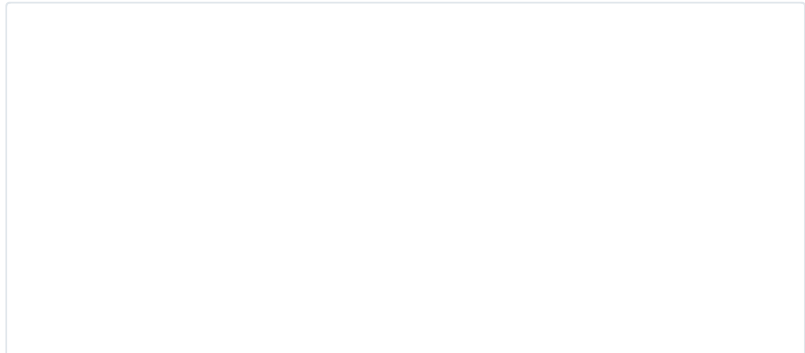
1 message


[Redacted]
To: "licensing@hackney.gov.uk" <licensing@hackney.gov.uk>

10 July 2019 at 15:55

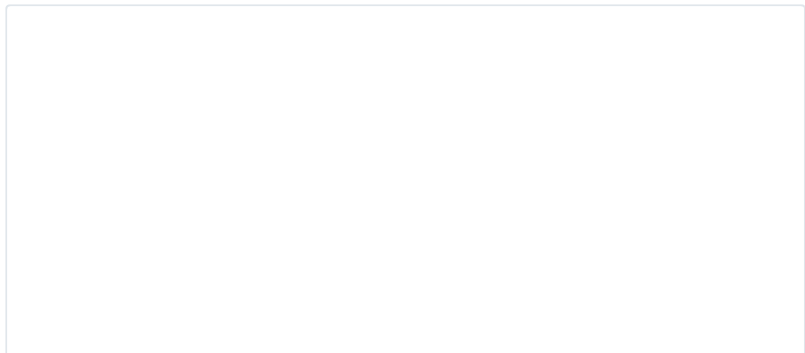
Dear Licensing Team licensing@hackney.gov.uk


I am writing to register my objection for a premises licence by Wagamama Limited for Railway Arch [385, Mentmore Terrace, Hackney, London E83PH](#).



 **Google Maps**
Find local businesses, view maps and get driving directions in Google Maps.

The main basis for this objection is that this application could '**be seen as a re-run of any planning processes**' and therefore Hackney Council Licensing Policy **LP5 Planning Status** should be adopted. The premises is currently for B1, B2, B8 use and the proposed business would require a planning application for change of use, this would give nearby residents the opportunity to fully review the proposed business and make detailed objections through the planning process. I understand this process was attempted by a nearby business, Patty and Bun, [397 Mentmore Terrace](#) two years ago and their premises application was refused.



 **Google Maps**
Find local businesses, view maps and get driving directions in Google Maps.

The Applicant has also not addressed the following **Public Nuisance** issues, which again would be addressed in a planning application:

- Public Nuisance – N17. The proposed premises will emit fumes and odours as it is an “industrial kitchen”. No details on the number of ‘meals’ prepared per day was given in the application, nor was any odour and pollution controls detailed in the application. The cooking at this ‘industrial’ scale has already shown to be a significant nuisance to anyone living in the area – See: [Burger chain spends £40k to combat 'gross onion smell' wafting over London Fields for months](#)

Burger chain spends £40k to combat 'gross onion smell' wafting over Lond...

Sam Gelder

Homeowners in London Fields have been waking to the sweet smell of onions being cooked on an industrial scale by...

- Public Nuisance – W2. The applicant states that no waste will be placed in external receptacles between 23:00 and 0700 hrs the following day yet the business is open for delivery orders until 23:00 and midnight. The application does not state the actual operational hours of the business and it would be reasonable to expect that the majority of waste disposal occurs at the ‘end of the day’ ie after 23:00/00:00 when the kitchen is cleaned.
- Public Nuisance and Safety – The application does not state the number of delivery drivers waiting outside the premises at any one time. The proposed ‘delivery point’ is (I believe, as it is unclear as to the premises orientation from the accompanying plan) at the rear of the premises which would cause significant noise and air pollution nuisance to adjoining residents and be a safety concern to road users, including children accessing the nearby park and playing areas. The applicant should be able to provide an estimate of the number of delivery drivers using the business so as to enable the Council to make an assessment of their environmental impact and safety to other road users. Whilst I applaud the applicants request for delivery drivers to respect neighbours, in practice we can see across the Borough that this is not the case. The applicant has not addressed how they would ensure that external suppliers (ie delivery drivers) do not cause a nuisance to residents.

I also note that the application only provides the name of one designated premises supervisor yet the business will be supplying alcohol for 92.5 hours a week. I understand that it is a Mandatory Condition of the supply of Alcohol to have a designated premises supervisor present at all times.

For the reasons stated above I strongly urge the Council to refuse the application for a premises licence made by Wagamama for Railway Arch 385.

Please acknowledge receipt of this objection by email.

Yours sincerely





APPENDIX C17

Licensing (Shared Mailbox) <licensing@hackney.gov.uk>

Objection: Wagamama at 385 Mentmore Terrace

1 message

10 July 2019 at 16:25

To: licensing@hackney.gov.uk

Dear Licensing Team licensing@hackney.gov.uk

I am writing to register my objection for a premises licence by Wagamama Limited for Railway Arch [385, Mentmore Terrace, Hackney, London E83PH](#).

The main basis for this objection is that this application could '**be seen as a re-run of any planning processes**' and therefore Hackney Council Licensing Policy **LP5 Planning Status** should be adopted. The premises is currently for B1, B2, B8 use and the proposed business would require a planning application for change of use, this would give nearby residents the opportunity to fully review the proposed business and make detailed objections through the planning process. I understand this process was attempted by a nearby business, Patty and Bun, [397 Mentmore Terrace](#) two years ago and their premises application was refused.

The Applicant has also not addressed the following **Public Nuisance** issues, which again would be addressed in a planning application:

- Public Nuisance – N17. The proposed premises will emit fumes and odours as it is an "industrial kitchen". No details on the number of 'meals' prepared per day was given in the application, nor was any odour and pollution controls detailed in the application. The cooking at this 'industrial' scale has already shown to be a significant nuisance to anyone living in the area – See: <https://www.hackneygazette.co.uk/news/london-fields-burger-chain-patty-and-bun-spends-40k-to-combat-onion-smell-1-521163>
- Public Nuisance – W2. The applicant states that no waste will be placed in external receptacles between 23:00 and 0700 hrs the following day yet the business is open for delivery orders until 23:00 and midnight. The application does not state the actual operational hours of the business and it would be reasonable to expect that the majority of waste disposal occurs at the 'end of the day' ie after 23:00/00:00 when the kitchen is cleaned.
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I also note that the application only provides the name of one designated premises supervisor yet the business will be supplying alcohol for 92.5 hours a week. I understand that it is a Mandatory Condition of the supply of Alcohol to have a designated premises supervisor present at all times.

11/07/2019

London Borough of Hackney Mail - Objection: Wagamama at 385 Mentmore Terrace

For the reasons stated above I strongly urge the Council to refuse the application for a premises licence made by Wagamama for Railway Arch 385.

Please acknowledge receipt of this objection by email.

Yours sincerely,

A solid black rectangular box used to redact the sender's name and signature.



APPENDIX C18

Licensing (Shared Mailbox) <licensing@hackney.gov.uk>

Wagamama Limited for Railway Arch 385, Mentmore Terrace, Hackney, London E83PH

1 message

[REDACTED]
To: licensing@hackney.gov.uk

10 July 2019 at 16:36

Dear Licensing Team,

I am writing to register my objection for a premises licence by Wagamama Limited for Railway Arch [385, Mentmore Terrace](#), Hackney, London E83PH.

The main basis for this objection is that this application could '**be seen as a re-run of any planning processes**' and therefore Hackney Council Licensing Policy **LP5 Planning Status** should be adopted. The premises is currently for B1, B2, B8 use and the proposed business would require a planning application for change of use, this would give nearby residents the opportunity to fully review the proposed business and make detailed objections through the planning process. I understand this process was attempted by a nearby business, Patty and Bun, [397 Mentmore Terrace](#) two years ago and their premises application was refused.

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- Public Nuisance – N17. The proposed premises will emit fumes and odours as it is an "industrial kitchen". No details on the number of 'meals' prepared per day was given in the application, nor was any odour and pollution controls detailed in the application. The cooking at this 'industrial' scale has already shown to be a significant nuisance to anyone living in the area – See: <https://www.hackneygazette.co.uk/news/london-fields-burger-chain-patty-and-bun-spends-40k-to-combat-onion-smell-1-5211163>
- Public Nuisance – W2. The applicant states that no waste will be placed in external receptacles between 23:00 and 0700 hrs the following day yet the business is open for delivery orders until 23:00 and midnight. The application does not state the actual operational hours of the business and it would be reasonable to expect that the majority of waste disposal occurs at the 'end of the day' ie after 23:00/00:00 when the kitchen is cleaned.
- Public Nuisance and Safety – The application does not state the number of delivery drivers waiting outside the premises at any one time. The proposed 'delivery point' is (I believe, as it is unclear as to the premises orientation from the accompanying plan) at the rear of the premises which would cause significant noise and air pollution nuisance to adjoining residents and be a safety concern to road users, including children accessing the nearby park and playing areas. The applicant should be able to provide an estimate of the number of delivery drivers using the business so as to enable the Council to make an assessment of their environmental impact and safety to other road users. Whilst I applaud the applicants request for delivery drivers to respect neighbours, in practice we can see across the Borough that this is not the case. The applicant has not addressed how they would ensure that external suppliers (ie delivery drivers) do not cause a nuisance to residents.

I also note that the application only provides the name of one designated premises supervisor yet the business will be supplying alcohol for 92.5 hours a week. I understand that it is a Mandatory Condition of the supply of Alcohol to have a designated premises supervisor present at all times.

For the reasons stated above I strongly urge the Council to refuse the application for a premises licence made by Wagamama for Railway Arch 385.

Please acknowledge receipt of this objection by email.

Yours

[Redacted]

[Redacted] Mentmore Terrace

E8 [Redacted]

[Redacted]



APPENDIX C19

Licensing (Shared Mailbox) <licensing@hackney.gov.uk>

OBJECTION LICENCE ARCH 383

1 message

10 July 2019 at 20:40

To: licensing@hackney.gov.uk

Dear Licensing Team licensing@hackney.gov.uk

I am writing to register my objection for a premises licence by Wagamama Limited for Railway Arch [385, Mentmore Terrace, Hackney, London E83PH](#).

The main basis for this objection is that this application could '**be seen as a re-run of any planning processes**' and therefore Hackney Council Licensing Policy **LP5 Planning Status** should be adopted. The premises is currently for B1, B2, B8 use and the proposed business would require a planning application for change of use, this would give nearby residents the opportunity to fully review the proposed business and make detailed objections through the planning process. I understand this process was attempted by a nearby business, Patty and Bun, [397 Mentmore Terrace](#) two years ago and their premises application was refused.

The Applicant has also not addressed the following **Public Nuisance** issues, which again would be addressed in a planning application:

- Public Nuisance – N17. The proposed premises will emit fumes and odours as it is an "industrial kitchen". No details on the number of 'meals' prepared per day was given in the application, nor was any odour and pollution controls detailed in the application. The cooking at this 'industrial' scale has already shown to be a significant nuisance to anyone living in the area – See: <https://www.hackneygazette.co.uk/news/london-fields-burger-chain-patty-and-bun-spends-40k-to-combat-onion-smell-1-5211163>
- Public Nuisance – W2. The applicant states that no waste will be placed in external receptacles between 23:00 and 0700 hrs the following day yet the business is open for delivery orders until 23:00 and midnight. The application does not state the actual operational hours of the business and it would be reasonable to expect that the majority of waste disposal occurs at the 'end of the day' ie after 23:00/00:00 when the kitchen is cleaned.
- Public Nuisance and Safety – The application does not state the number of delivery drivers waiting outside the premises at any one time. The proposed 'delivery point' is (I believe, as it is unclear as to the premises orientation from the accompanying plan) at the rear of the premises which would cause significant noise and air pollution nuisance to adjoining residents and be a safety concern to road users, including children accessing the nearby park and playing areas. The applicant should be able to provide an estimate of the number of delivery drivers using the business so as to enable the Council to make an assessment of their environmental impact and safety to other road users. Whilst I applaud the applicants request for delivery drivers to respect neighbours, in practice we can see across the Borough that this is not the case. The applicant has not addressed how they would ensure that external suppliers (ie delivery drivers) do not cause a nuisance to residents.

I also note that the application only provides the name of one designated premises supervisor yet the business will be supplying alcohol for 92.5 hours a week. I understand that it is a Mandatory Condition of the supply of Alcohol to have a designated premises supervisor present at all times.

For the reasons stated above I strongly urge the Council to refuse the application for a premises licence made by Wagamama for Railway Arch 385.

Please acknowledge receipt of this objection by email.

Yours sincerely

A solid black rectangular box used to redact the sender's name and signature.



APPENDIX C20

Licensing (Shared Mailbox) <licensing@hackney.gov.uk>

!

1 message

10 July 2019 at 16:13

To: licensing@hackney.gov.uk

Cc: Vincent Stops <vincent.stops@hackney.gov.uk>, feryal.demirci@hackney.gov.uk

To Whom it may concern,

I volunteer my time extensively in the community and received an award last year from Mayor Glanville for my work in playing out and street party events in Wilton Way. I have also been instrumental in tree planting, facilitating paklets, and a school street for Gayhurst Community school.

I am otherwise an artist based at Martello st where I have been for 15 years.

This is my objection email to you in regards to the proposed take away licensed premises at arch [385 Mentmore Terrace](#).

I not only speak for myself as an artist at Space studios at Martello st, founded at this location in 1970, but on behalf of all my colleagues at Space studios at Martello St and the Triangle, local residents and their families and the community of small businesses. By bringing in Wagamamas into the community brings not only noise, traffic and disturbance 24 hours but extra pollution, by the neighbouring Mare St, where pollution levels breach EU standards! In addition there is a lot of foot traffic in this area, including pedestrians from the station. The arches are a blind spot to oncoming traffic. My 10 year old son already struggles to cross roads safely on his bicycle. I predict increased accidents. I should also add that this is a school run from Mare St to several schools and nurseries in London Fields. Ann Taylor nursery, London Fields, and Gayhurst are particularly close to the proposed business, and these roads will become very busy with traffic from the proposed business and make it increasingly unsafe for people walking with young children and the elderly who cannot cross roads quickly enough.

In addition it is felt by the wider community that Wagamamas creates unwanted business competition, which will stamp out the individuality of what makes this part of London unique.

Let's not drive the creatives and the small shop holders out for global corporations. It's such a predictable story.

Why not be the world's first example to put a protection in place for small businesses, keep rates and rents affordable and work on cycle and pedestrian safety on our streets instead of putting more vehicles on the road while driving businesses and creativity out of town.

Please listen to this campaign!

Kind regards

APPENDIX C21



Licensing (Shared Mailbox) <licensing@hackney.gov.uk>

Re: PETITION: Objection to takeaway licensed premises at arch 385 Mentmore Terrace

1 message

10 July 2019 at 17:15

Reply-to: [redacted]
To: "Licensing (Shared Mailbox)" <licensing@hackney.gov.uk>
Cc: [redacted] "Emma Plouviez (Cllr)" <emma.plouviez@hackney.gov.uk>

Dear Licensing

Attached is an updated petition, now signed by 140 people.

Regards

On Tue, Jul 9, 2019 at 4:00 PM louise cunnington [redacted] wrote:

Dear Licensing

Attached is a petition against the opening of a licensed take away premises by Wagamamas at arch 385. At time of sending it has been signed by 123 people, most of them very local to the premises. I have also copied a link to the online petition below.

<https://you.38degrees.org.uk/petitions/objection-to-takeaway-licenced-premises-at-arch-385-mentmore-terrace>

Regards

[redacted]

objection-to-takeaway-licenced-premises-at-arch-385-mentmore-terrace_letter(1) copy.pdf
96K

Objection to takeaway licenced premises at arch 385 Mentmore Terrace

To: Hackney Borough Council

Refuse the licence application by Wagamamas for Arch 385 on Mentmore Terrace

Why is this important?

The opening of a food preparation kitchen for takeaway food and alcoholic drinks will produce a huge amount of traffic (delivery bikes, customers), noise and offensive smells. There will be a proliferation of delivery bikes darting in and out of the rear entrance on Martello Street, very near the park and the station entrance, which could be a hazard.

The street is currently residential and light industrial (predominately day time business) and we are unhappy about a potential new night time economy developing on the street, as the proposed opening times will be until midnight at weekends. Previously Patty and Bun ran a similar outlet in another arch and residents had to put up with a lot of disturbance and strong smells.

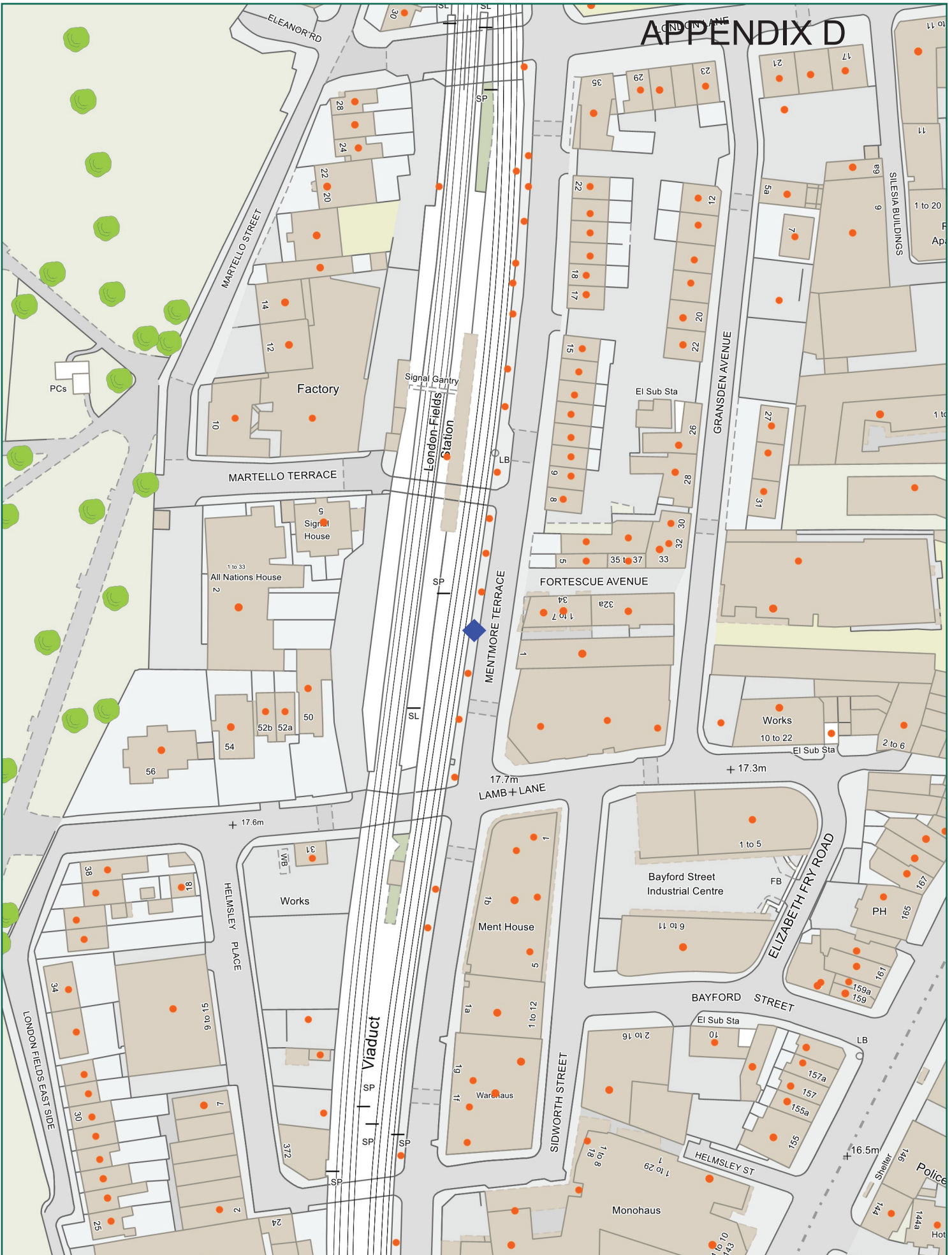
The arches, or the street, are not suitable for this type of business, and permission should not be granted.

Signed by 140 people:

Name	Postcode
[REDACTED]	[REDACTED]
[REDACTED]	[REDACTED]
[REDACTED]	[REDACTED]
[REDACTED]	[REDACTED]
[REDACTED]	[REDACTED]
[REDACTED]	[REDACTED]
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[REDACTED]	[REDACTED]
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[REDACTED]	[REDACTED]

Name	Postcode
[REDACTED]	[REDACTED]
[REDACTED]	[REDACTED]
[REDACTED]	[REDACTED]

APPENDIX D



Scale: 1:1250 at A4

Wagonway, Arch 385 Mentmore Terrace, E8 3PH



Ref:
05 August 2019

Page 111
Product: unspecified
email:

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