



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

Tuesday, 7th July, 2020

at 2.00 pm

Until further notice, all council meetings will be held remotely. A live stream link will be made available closer to the date.

**Councillors sitting:**

**Cllr Caroline Selman, Cllr Peter Snell and  
Cllr Emma Plouviez (Substitute)**

**TIM SHIELDS  
Chief Executive**

Contact:  
Natalie Williams, Governance Services Officer  
020 8356 8407  
[natalie.williams@hackney.gov.uk](mailto:natalie.williams@hackney.gov.uk)

The press and public are welcome to attend this meeting

# AGENDA

## Tuesday, 7th July, 2020

### 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 Licensing Sub-Committee Hearing Procedure		(Pages 1 - 2)
5 Application for a Premises License: 11 Chatsworth Road E5 0LH	Lea Bridge	(Pages 3 - 44)
6 Application to Vary Premises License: Cilicis, 1 Broadway Market, E8 4PH	Haggerston	(Pages 45 - 86)
7 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](mailto: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](http://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](mailto: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](http://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](mailto: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  
2<sup>nd</sup> Floor Room 118  
Hackney Town Hall  
Mare Street  
London, E8 1AE

Telephone: 020 8356 1266  
E-mail: [governance@hackney.gov.uk](mailto: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](mailto: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 Dawn Carter-McDonald, Interim Director of Legal and Governance, on 020 8356 6234 or email [dawn.carter-mcdonald@hackney.gov.uk](mailto:dawn.carter-mcdonald@hackney.gov.uk)



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# 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 4

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><b>Step 1</b> <b>Appointment of Chair and introduction</b></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><b>Step 2</b> <b>Licensing Officer</b></p>	<p>The Licensing Officer will outline the report.</p>	<p>5 minutes</p>
<p><b>Step 3</b> <b>Applicant's Case</b></p>	<p>The Applicant will present their case in support of their application.</p>	<p>5 minutes</p>
<p><b>Step 4</b> <b>Responsible Authorities' Case</b></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><b>Step 5</b> <b>Other Persons' Case</b></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><b>Step 6</b> <b>Discussion</b></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><b>Step 7</b> <b>Closing remarks</b></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><b>Step 8 - Final clarification</b></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><b>Step 9</b> <b>Consideration</b></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><b>Step 10</b> <b>Chair announces the decision</b></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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<b>REPORT OF GROUP DIRECTOR, NEIGHBOURHOODS AND HOUSING</b>		
<b>LICENSING SUB-COMMITTEE:</b> 07/07/2020	<b>Classification</b> DECISION	<b>Enclosure</b>
<b>Application for a Premises Licence</b>  11 Chatsworth Road, E5 0LH	<b>Ward(s) affected</b>  Lea Bridge	

## 1. SUMMARY

<b>Applicant(s)</b> Kent Media Limited	<b>In SPA</b> No
<b>Date of Application</b> 10/05/2020	<b>Period of Application</b> Permanent
<b>Proposed licensable activity</b> Supply of Alcohol (on and off sales)	
<b>Proposed hours of licensable activities</b>	
<b>Supply of Alcohol</b>	<b>Standard Hours:</b> Mon 10:00-00:30 Tue 10:00-00:30 Wed 10:00-00:30 Thu 10:00-00:30 Fri 10:00-00:30 Sat 10:00-00:30 Sun 10:00-00:30
<b>The opening hours of the premises</b>	
	<b>Standard Hours:</b> Mon 07:00-01:00 Tue 07:00-01:00 Wed 07:00-01:00 Thu 07:00-01:00 Fri 07:00-01:00 Sat 07:00-01:00 Sun 07:00-01:00
<b>Capacity:</b> Not known	
<b>Policies Applicable</b>	LP1 (General Principles), LP2 (Licensing Objectives), LP3 (Core Hours), LP4 ('Off' Sales of Alcohol) and LP5 (Planning Status)
<b>List of Appendices</b>	A – Application for a premises licence and supporting

	documents B – Representations from responsible authorities C – Representations from other persons D – Location map
<b>Relevant Representations</b>	<ul style="list-style-type: none"> <li>• Environmental Health Authority (Environmental Protection and Environmental Enforcement)</li> <li>• Police</li> <li>• Licensing Authority</li> <li>• Other Persons</li> </ul>

## 2. APPLICATION

- 2.1 **Kent Media Limited** has made an application for a premises licence under the Licensing Act 2003:
- To authorise the supply alcohol for consumption **on and off** the premises
- 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. No recent Temporary Event Notices have been given for the premises.

## 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
Licensing Authority (Appendix B2)	Representation received on the grounds of Prevention of Public Nuisance and Licensing Hours
Health Authority	No representation received

## 5. REPRESENTATIONS: OTHER PERSONS

From	Details
3 representation received from and on behalf of local residents. (Appendices C1-C3)	Representation received on the grounds of The Prevention of Crime and Disorder, Prevention of Public Nuisance, Licensing Hours

## 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 LP5 (Planning Status) 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.

### **Conditions derived from operating schedule**

8. The premises shall maintain a comprehensive CCTV system as per the minimum requirements of a Metropolitan Police Crime Prevention Officer. All public areas, entry and exit points will be covered enabling frontal identification of every person entering in any light condition. The CCTV system shall continually record whilst the premises is open for licensable activities and during all times when customers remain on the premises. 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 authorised officer.

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

10. An incident log shall be kept at the premises, and made available immediately to an authorised officer of the Hackney Borough Council or the Police, which will record the following:

- a. all crimes reported to the venue
- b. any complaints received
- c. any incidents of disorder

- d. any faults in the CCTV system
- e. any refusal of the sale of alcohol
- f. any visit by a relevant authority or emergency service.

11. All instances of crime or disorder to be reported by the designated premises supervisor or responsible member of staff to an agreed police contact point, as agreed with the Police.

12. Where the sale or supply of alcohol is taking place employees of the premises must request sight of evidence of the age of any person appearing to be under 25 years of age (Challenge 25). Such evidence may include a driving licence or passport.

13. There shall be prominent signage requesting customers to leave the premises quietly and respect local residents.

14. All staff will be given refresher training every twelve months on the legislation relating to the sales of alcohol to underage persons and drunken persons. Written records of this training shall be kept on the premises and produced to police or other authorised officer upon request.

15. The license holder shall maintain a dedicated telephone number of the DPS for use by any responsible authority or any person who may wish to make a complaint. This contact number shall be provided to the licensing authority, police and to any local residents upon request.

16. Notices shall be prominently displayed at any area used for smoking, requesting patrons to respect the needs of local residents and use the area quietly.

17. Staff shall monitor customers smoking outside the premises on a regular basis and ensure patrons do not cause a public nuisance.

18. Patrons permitted to temporarily leave and then re-enter the premises to smoke, shall not be permitted to take drinks or glass containers with them.

19. The use of the smoking area to the side of the premises on Clifden road which is part of the premises is restricted to a maximum of 6 people at any one time. Rope barriers are to be employed at all times to cordon off the users of the smoking area.

20. All deliveries to the premises must be carried out on Chatsworth road and not on Clifden Road.

21. No deliveries must be made to the premises between 22:00 and 08:00 hours.

22. Delivery drivers shall conduct the delivery in a manner that will not cause a noise disturbance to the occupiers of any residential properties near the premises. This includes the avoidance of slamming doors, playing loud music, shouting, over revving engines and sounding of horns to signal their arrival. The driver shall turn the engine off immediately upon arrival at the



premises and will park considerately without causing any obstruction to the highway.

23. 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.

24. 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.

25. 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 his/her waste carrier arrives to collect the refuse.

26. 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.

27. 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.

28. The current trade waste agreement/duty of care waste transfer document shall be kept on the premises and be available to view, upon request, during the opening hours of the premises. The waste agreement/duty of care waste transfer document shall include:  
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 15 above are derived from the applicant's operating schedule. Conditions 16 to 22 have been proposed by Environmental Protection and 23 to 28 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 individual’s 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.

<b>Acting Group Director, Neighbourhoods and Housing</b>	Ajman Ali
<b>Lead Officer (holder of original copy):</b>	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
<b>Office File:</b> 11 Chatsworth Road,E5 0LH	Licensing Service 1 Hillman Street London E8 1DY

### Printed matter

Licensing Act 2003

LBH Statement of Licensing Policy

# APPENDIX A

**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 Mr KENT MEDIA 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			
11 CHATSWORTH ROAD HACKNEY LONDON			
Post town	LONDON	Postcode	E5 0LH

Telephone number at premises (if any)	N/A
Non-domestic rateable value of premises	£14250.00

### 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)

<b>Title</b> Mr			
<b>Surname</b>		<b>First names</b>	
I am 18 years old or over ..			
<b>Date of birth</b>			
<b>Nationality</b>			
Current residential address if different from premises address		UK-England	
Post town		Postcode	
<b>Daytime contact telephone number</b>			
<b>E-mail address (optional)</b>			
<b>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>			

**SECOND INDIVIDUAL APPLICANT** (if applicable)

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

<b>Date of birth</b>			
<b>Nationality</b>			
Current postal address if different from premises address		UK-England	
Post town		Postcode	
<b>Daytime contact telephone number</b>			
<b>E-mail address (optional)</b>			
<b>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>			

**(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 KENT MEDIA LIMITED
Address 239-241 KENNINGTON LANE  LONDON  SE11 5QU UK-England
Registered number (where applicable) 11876875
Description of applicant (for example, partnership, company, unincorporated association etc.) PRIVATE LIMITED COMPANY
Telephone number (if any)

E-mail address (optional)

### Part 3 Operating Schedule

When do you want the premises licence to start?

DD MM YYYY

08-06-2020

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)  
COCKTAIL BAR

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

N/A

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)

	<b>Provision of regulated entertainment (please read guidance note 2)</b>	<b>Please tick all that apply</b>
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)	..



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

**In all cases complete boxes K, L and M**

**A**

<b>Plays</b> Standard days and timings (please read guidance note 7)			<b>Will the performance of a play take place indoors or outdoors or both – please tick</b> (please read guidance note 3)	Indoors	
				Outdoors	
Day	Start	Finish		Both	
Mon			<b>Please give further details here</b> (please read guidance note 4)		
Tue					
Wed			<b>State any seasonal variations for performing plays</b> (please read guidance note 5)		
Thur					
Fri			<b>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</b> (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			<b>Please give further details here</b> (please read guidance note 4)		
	-----	-----			
Tue					
	-----	-----			
Wed			<b>State any seasonal variations for the exhibition of films</b> (please read guidance note 5)		
	-----	-----			
Thur					
	-----	-----			
Fri			<b>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</b> (please read guidance note 6)		
	-----	-----			
Sat					
	-----	-----			
Sun					
	-----	-----			

**C**

<b>Indoor sporting events</b> Standard days and timings (please read guidance note 7)			<b>Please give further details</b> (please read guidance note 4)
Day	Start	Finish	
Mon			
Tue			<b>State any seasonal variations for indoor sporting events</b> (please read guidance note 5)
Wed			
Thur			<b>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</b> (please read guidance note 6)
Fri			
Sat			
Sun			

**D**

<b>Boxing or wrestling entertainments</b> Standard days and timings (please read guidance note 7)			<b>Will the boxing or wrestling entertainment take place indoors or outdoors or both – please tick</b> (please read guidance note 3)	Indoors	
				Outdoors	
Day	Start	Finish		Both	
Mon			<b>Please give further details here</b> (please read guidance note 4)		
Tue					
Wed			<b>State any seasonal variations for boxing or wrestling entertainment</b> (please read guidance note 5)		
Thur					
Fri			<b>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</b> (please read guidance note 6)		
Sat					
Sun					

**E**

<b>Live music</b> Standard days and timings (please read guidance note 7)			<b>Will the performance of live music take place indoors or outdoors or both – please tick</b> (please read guidance note 3)		Indoors	
					Outdoors	
Day	Start	Finish			Both	
Mon			<b>Please give further details here</b> (please read guidance note 4)			
Tue						
Wed			<b>State any seasonal variations for the performance of live music</b> (please read guidance note 5)			
Thur						
Fri			<b>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</b> (please read guidance note 6)			
Sat						
Sun						

**F**

<b>Recorded music</b> Standard days and timings (please read guidance note 7)			<b>Will the playing of recorded music take place indoors or outdoors or both – please tick</b> (please read guidance note 3)	Indoors	
				Outdoors	
Day	Start	Finish		Both	
Mon			<b>Please give further details here</b> (please read guidance note 4)		
Tue					
Wed			<b>State any seasonal variations for the playing of recorded music</b> (please read guidance note 5)		
Thur					
Fri			<b>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</b> (please read guidance note 6)		
Sat					
Sun					

**G**

<b>Performances of dance</b> Standard days and timings (please read guidance note 7)			<b>Will the performance of dance take place indoors or outdoors or both – please tick</b> (please read guidance note 3)	Indoors	
Day	Start	Finish		Outdoors	
Mon				<b>Please give further details here</b> (please read guidance note 4)	Both
Tue					
Wed			<b>State any seasonal variations for the performance of dance</b> (please read guidance note 5)		
Thur					
Fri			<b>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</b> (please read guidance note 6)		
Sat					
Sun					



H

<b>Anything of a similar description to that falling within (e), (f) or (g)</b> Standard days and timings (please read guidance note 7)			<b>Please give a description of the type of entertainment you will be providing</b>		
Day	Start	Finish	<b>Will this entertainment take place indoors or outdoors or both – please tick</b> (please read guidance note 3)	Indoors	
Mon				Outdoors	
				Both	
Tue			<b>Please give further details here</b> (please read guidance note 4)		
Wed					
Thur					
Fri			<b>State any seasonal variations for entertainment of a similar description to that falling within (e), (f) or (g)</b> (please read guidance note 5)		
Sat					
Sun					
			<b>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</b> (please read guidance note 6)		

I

<b>Late night refreshment</b> Standard days and timings (please read guidance note 7)			<b>Will the provision of late night refreshment take place indoors or outdoors or both – please tick</b> (please read guidance note 3)	Indoors	
				Outdoors	
Day	Start	Finish		Both	
Mon			<b>Please give further details here</b> (please read guidance note 4)		
Tue					
Wed			<b>State any seasonal variations for the provision of late night refreshment</b> (please read guidance note 5)		
Thur					
Fri			<b>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</b> (please read guidance note 6)		
Sat					
Sun					

**J**

<b>Supply of alcohol</b> Standard days and timings (please read guidance note 7)			<b>Will the supply of alcohol be for consumption – please tick</b> (please read guidance note 8)	On the premises	
				Off the premises	
				Both	<input checked="" type="checkbox"/>
Day	Start	Finish	<b>State any seasonal variations for the supply of alcohol</b> (please read guidance note 5)		
Mon	10:00	00:30			
	-----	-----			
Tue	10:00	00:30			
	-----	-----			
Wed	10:00	00:30			
	-----	-----			
Thur	10:00	00:30			
	-----	-----			
Fri	10:00	00:30			
	-----	-----			
Sat	10:00	00:30			
	-----	-----			
Sun	10:00	00:30			
	-----	-----			

**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):**

<b>Name</b> Mr TONY MANCONI	
<b>Date of birth</b> TBC	
<b>Address</b> [REDACTED]	
UK-England	
Postcode	N19 4HZ
Personal licence number (if known) L [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).**

N/A

**L**

<b>Hours premises are open to the public</b> Standard days and timings (please read guidance note 7)			<b>State any seasonal variations</b> (please read guidance note 5)
Day	Start	Finish	
Mon	07:00	01:00	<b>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</b> (please read guidance note 6)
Tue	07:00	01:00	
Wed	07:00	01:00	
Thur	07:00	01:00	
Fri	07:00	01:00	
Sat	07:00	01:00	
Sun	07:00	01:00	

**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)

SEE ATTACHED CONDITIONS

**b) The prevention of crime and disorder**

**c) Public safety**

**d) The prevention of public nuisance**

**e) The protection of children from harm**

**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.**

<b>Declaration</b>	<ul style="list-style-type: none"> <li>[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).</li> <li>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 right to work (please see note 15)</li> </ul>
Signature	MATT LAUEZZARI
Date	10/5/2020
Capacity	LICENSING AGENT

**For joint applications, signature of 2<sup>nd</sup> applicant or 2<sup>nd</sup> 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	10/5/2020
Capacity	

Contact name (where not previously given) and postal address for correspondence associated with this application (please read guidance note 14)			
<div style="background-color: black; width: 100%; height: 100%;"></div>			
UK-England			
Post town	C [REDACTED] [REDACTED]	Postcode	EN8 0NL
Telephone number (if any)	[REDACTED]		

If you would prefer us to correspond [REDACTED]

## Notes for Guidance

1. 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.
2. 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 that the audience does not exceed 500 and the organiser (a) gets consent to the screening from a person who is responsible for the premises; and (b) ensures that each such screening abides by age classification ratings.
  - Indoor sporting events: no licence is required for performances between 08.00 and 23.00 on any day, provided that the audience does not exceed 1000.
  - Boxing or Wrestling Entertainment: no licence is required for a contest, exhibition or display of Greco-Roman wrestling, or freestyle wrestling between 08.00 and 23.00 on any day, provided that the audience does not exceed 1000. Combined fighting sports – defined as a contest, exhibition or display which combines boxing or wrestling with one or more martial arts – are licensable as a boxing or wrestling entertainment rather than an indoor sporting event.
  - Live music: no licence permission is required for:
    - a performance of unamplified live music between 08.00 and 23.00 on any day, on any premises.
    - a performance of amplified live music between 08.00 and 23.00 on any day on premises authorised to sell alcohol for consumption on those premises, provided that the audience does not exceed 500.
    - a performance of amplified live music between 08.00 and 23.00 on any day, in a workplace that is not licensed to sell alcohol on those premises, provided that the audience does not exceed 500.
    - a performance of amplified live music between 08.00 and 23.00 on any day, in a church hall, village hall, community hall, or other similar community premises, that is not licensed by a premises licence to sell alcohol, provided that (a) the audience does not exceed 500, and (b) the organiser gets consent for the performance from a person who is responsible for the premises.
    - a performance of amplified live music between 08.00 and 23.00 on any day, at the non-residential premises of (i) a local authority, or (ii) a school, or (iii) a hospital, provided that (a) the audience does not exceed 500, and (b) the organiser gets consent for the performance on the relevant premises from: (i)



## **11 Chatsworth Road E5 0LH – Proposed Conditions**

Conditions:

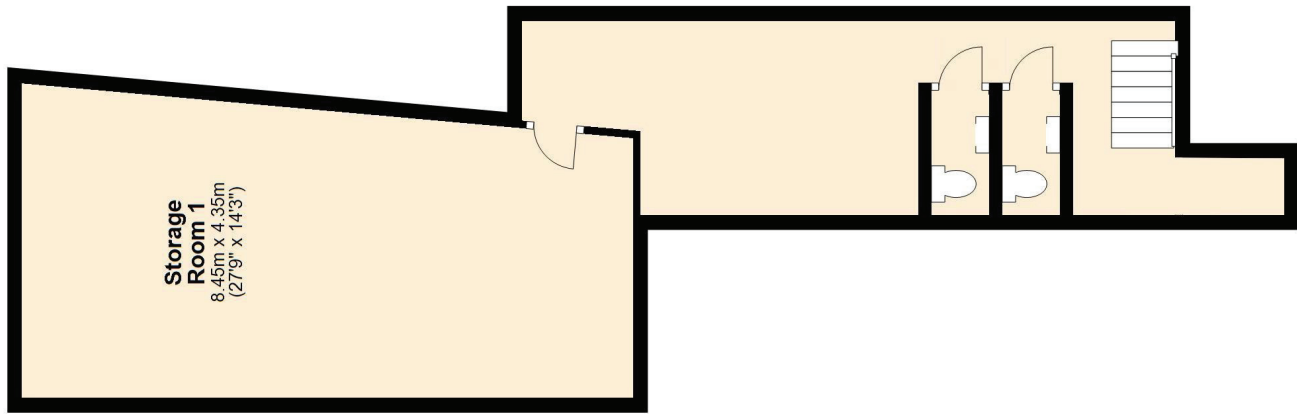
1. The premises shall maintain a comprehensive CCTV system as per the minimum requirements of a Metropolitan Police Crime Prevention Officer. All public areas, entry and exit points will be covered enabling frontal identification of every person entering in any light condition. The CCTV system shall continually record whilst the premises is open for licensable activities and during all times when customers remain on the premises. 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 authorised officer.
2. A staff member from the premises who is conversant with the operation of the CCTV system shall be on the premises at all times when the premises are open to the public. This staff member shall be able to show Police or an authorised officer of Licensing Authority recent data or footage with the absolute minimum of delay when requested.
3. An incident log shall be kept at the premises, and made available immediately to an authorised officer of the Hackney Borough Council or the Police, which will record the following:
  - a. all crimes reported to the venue
  - b. any complaints received
  - c. any incidents of disorder
  - d. any faults in the CCTV system
  - e. any refusal of the sale of alcohol
  - f. any visit by a relevant authority or emergency service.
4. All instances of crime or disorder to be reported by the designated premises supervisor or responsible member of staff to an agreed police contact point, as agreed with the Police.
5. Where the sale or supply of alcohol is taking place employees of the premises must request sight of evidence of the age of any person appearing to be under 25 years of age (Challenge 25). Such evidence may include a driving licence or passport.
6. There shall be prominent signage requesting customers to leave the premises quietly and respect local residents.
7. All staff will be given refresher training every twelve months on the legislation relating to the sales of alcohol to underage persons and drunken persons. Written records of this training shall be kept on the premises and produced to police or other authorised officer upon request.
8. The license holder shall maintain a dedicated telephone number of the DPS for use by any responsible authority or any person who may wish to make a complaint. This contact number shall be provided to the licensing authority, police and to any local residents upon request.
9. The Licensee shall ensure that all staff are fully trained and made aware of the legal requirement of business to comply with their duty of care 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.

10. 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 its 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.

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

### Basement Floor

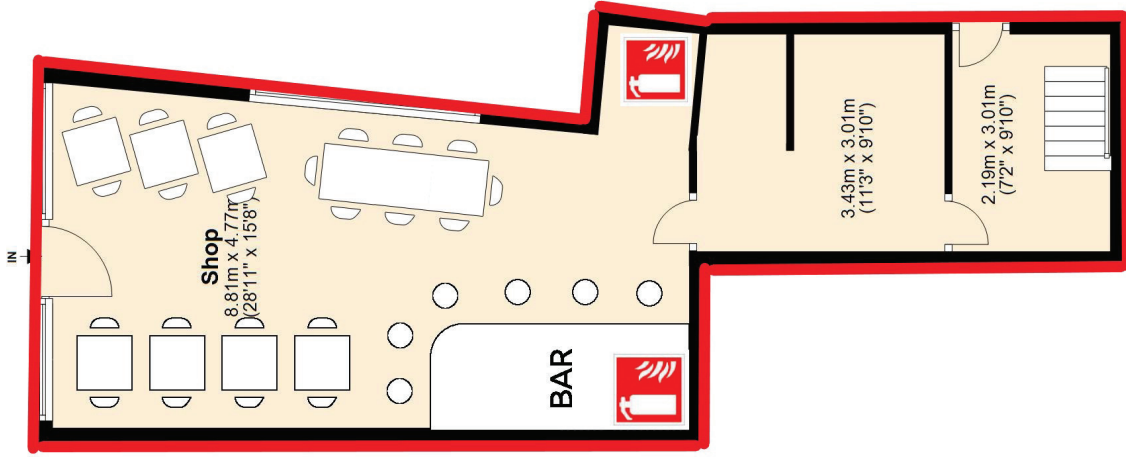
Approx. 38.7 sq. metres (631.3 sq. feet)



**Storage Room 1**  
8.45m x 4.35m  
(27'9" x 14'3")

### Shop Entrance

Approx. 57.7 sq. metres (620.9 sq. feet)



**Shop**  
8.81m x 4.77m  
(28'11" x 15'8")

**BAR**

3.43m x 3.01m  
(11'3" x 9'10")

2.19m x 3.01m  
(7'2" x 9'10")



EXTINGUISHERS

Disclaimer:  
Floor plans shown are for general guidance only. All the floor plans and the room sizes shown have been taken from plans prior to the development and their accuracy cannot be confirmed. The information contained does not constitute or form part of an offer or contract nor may they be regarded as representation. All interested parties must themselves verify their accuracy.  
Plan produced using PlanUp.

# 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	<b>11 Chatsworth Road London E5 0IH</b>
NAME OF PREMISES USER	<b>Kent Media Limited</b>

### 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      ◆
- 4) The protection of children from harm

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

Police make the following representations in relation the application for a new premises licence at 11 Chatsworth Road;

The premises sits on a high street and at the junction of a street that is in majority a residential area with the venue itself being below residential premises. It is the concern of police that the granting of this licence would be detriment to and undermine the licensing objectives namely public nuisance, public safety and Crime and Disorder.

The applicant has applied for a licence to cover the sale of alcohol from For Monday to Sunday 1000hours – 0030hours. It is also noted that the supply of alcohol is applied for both on and off sales. There are already a number of Off Licences within the area and the addition of another will add to cumulative impact in the area with an increase in street drinking and alcohol related ASB.

It is noted that they hours applied for on the application surpass those in LP3 of the London Borough of Hackney statement of licensing policy which are outlined as Monday to Thursday 08:00 to 23:00, Friday and Saturday 08:00 to 00:00 and Sunday 10:00 to 22:30. LP4 of the statement also states in relation to ‘off sales’ the hours will generally be restricted to between 08:00 and 23:00

Police would request the following further information form the applicant:

- Any previous experience in the management of a licensed premises within a residential area.
- Will the venue he hired out for private events/functions
- What is the capacity of the venue or limit that the venue plan to set.

Police look forward to hearing from the applicant soon with view of conducting a site visit.

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**

**B2**

**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	11 Chatsworth Road London E5 0LH
NAME OF APPLICANT	Kent Media 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
- 4) the protection of children from harm

## Representation in relation to:

I write to make a representation in relation to the application. The proposed activities could have a negative impact on the promotion of the licensing objectives, in particular, the prevention of public nuisance due to the nature of the surrounding area.

The premises is located in a commercial parade. However, it is at the end of the terrace where the side of the premises leads into a residential street. This could lead to a public nuisance due to close proximity of residential premises especially if any of the outdoor space is in use. The applicant should have regard to LP3 (Core Hours) in respect of this.

The plan submitted with the application should be amended to provide further detail/annotation as it is currently limited. The application seeks to authorise the supply of alcohol for consumption off the premises. This would effectively mean that both the ground floor and basement could be used for alcohol consumption. The applicant should therefore provide further details on the nature of any 'off-sales', having regard to LP4 ('Off-sales of alcohol').

Images seen on Google Streetview show that the premises was recently used as a charity shop. The applicant should therefore be mindful of LP5 (Planning Status) contained within the Council's Licensing Policy. This is particularly important where the proposed activity is a significant departure from the most recent activity.

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.

Clarification on the following:

- Planning status of the site
- Further detail on use of internal space
- Any proposed use of outdoor areas
- If 'off-sales' are to be limited to sealed containers or deliveries etc.

Other matters may arise during the course of discussions with the applicant.

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

**Date:** 05/06/2020



# APPENDIX C1

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

## Objection to 11 Chatsworth Road, Hackney, E50LH - Supply of Alcohol - License Application

1 message

[Redacted]

13 May 2020 at 19:03

To: "Licensing (Shared Mailbox)" <Licensing@hackney.gov.uk>

To whom it may concern,

I am a resident who lives [Redacted] the premises in question.

I would like to object to the application for the supply of alcohol by Kent Media Limited for [11 Chatsworth Road, E50LH](#) (site notice /011209)

It is stated that the application would be for serving alcohol between 1000 - 0030. My objection is to the times of license, not the license itself.

0030 is later than any other licence granted to the other restaurants on the street and I request that if you grant them a licence that it is for the same or similar times of the other restaurants and not later.

I would like you to refer to the licence for Venerdi's restaurant that is opposite no11 and is owned by the same group as Kent Media Limited and the licence application that was rejected on the 2nd March 2016 (which was applying for a later drinks license of similar times)

I would also like you to refer to the application for a late licence for Brooksby's Walk Public Toilets - Brooksby's Walk, Hackney, London, E9 6DA in 2017, which was also rejected.

My objection would be that if a licence for later than 2300 was granted it would increase the noise pollution at a time that residents are trying to sleep having a detrimental effect on their well being and mental health as well as encouraging nightlife in what is predominately a residential area.

If you could please confirm receiving this objection and I hope you can consider it carefully.

Yours sincerely,

[Redacted]

-----

[Redacted]

[Redacted]

[Redacted]

[Redacted], [Chatsworth Road, E5](#) [Redacted]





**C2**

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

---

**objection to site notice 011209 - supply of Alcohol licence application**

1 message

---

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

26 May 2020 at 08:20

Dear Licensing people,

I would like to object to the application for the supply of alcohol by Kent Media Limited for [11 Chatsworth Road, E50LH](#) (site notice /011209)

I live [Redacted] [Clifden road](#), near Chatsworth road, and I am really concerned that premises serving alcohol late night will bring more noise pollution and disturbances in this corner of the road.

I appreciate the benefit for the area of the premises reopening but late night alcohol consumption will attract a crowd which doesn't really fit with the family spirit of the area.

Thank you for considering my objection to this application.

Best regards

[Redacted]  
[Clifden road](#)  
E5 [Redacted]

--  
[Redacted]



Re: 11 Chatsworth Road

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

8 June 2020 at 07:54

On Tue, 2 Jun 2020 at 16:54, [redacted] > wrote:

Thank you.

As a resident on Clifden Road I'd like to formally complain about the hours being applied for.

This area is very residential and 12.30am final call (presumably a 1am shut time) is too late for people trying to sleep before work. We don't want Chatsworth Road to become a nightlife hot spot like Broadway Market, this is an area for families and professionals.

I gladly welcome a new bar but I object to a license to serve until 12.30am. No other bar in the area - The Elderfield, the Adam and Eve, The Crooked Billet - can serve past 11pm and this new establishment should be no different.

Thank you

[redacted]

On Tue, 2 Jun 2020 at 14:27, [redacted] > wrote:

Hi there,

Have just seen there is a licensing application for a bar on the corner of Clifden Road to be able to serve until 12.30am every day of the week.

As a resident just a few doors down, this seems excessively late for a highly residential area. No other bars or pubs in the area can serve past 11pm and I'm concerned about people coming out of a bar at nearly 1am during the weekdays when we have to be up for work.

What is the process for discuss this before it's approved?

Thank you

[redacted]

[redacted]

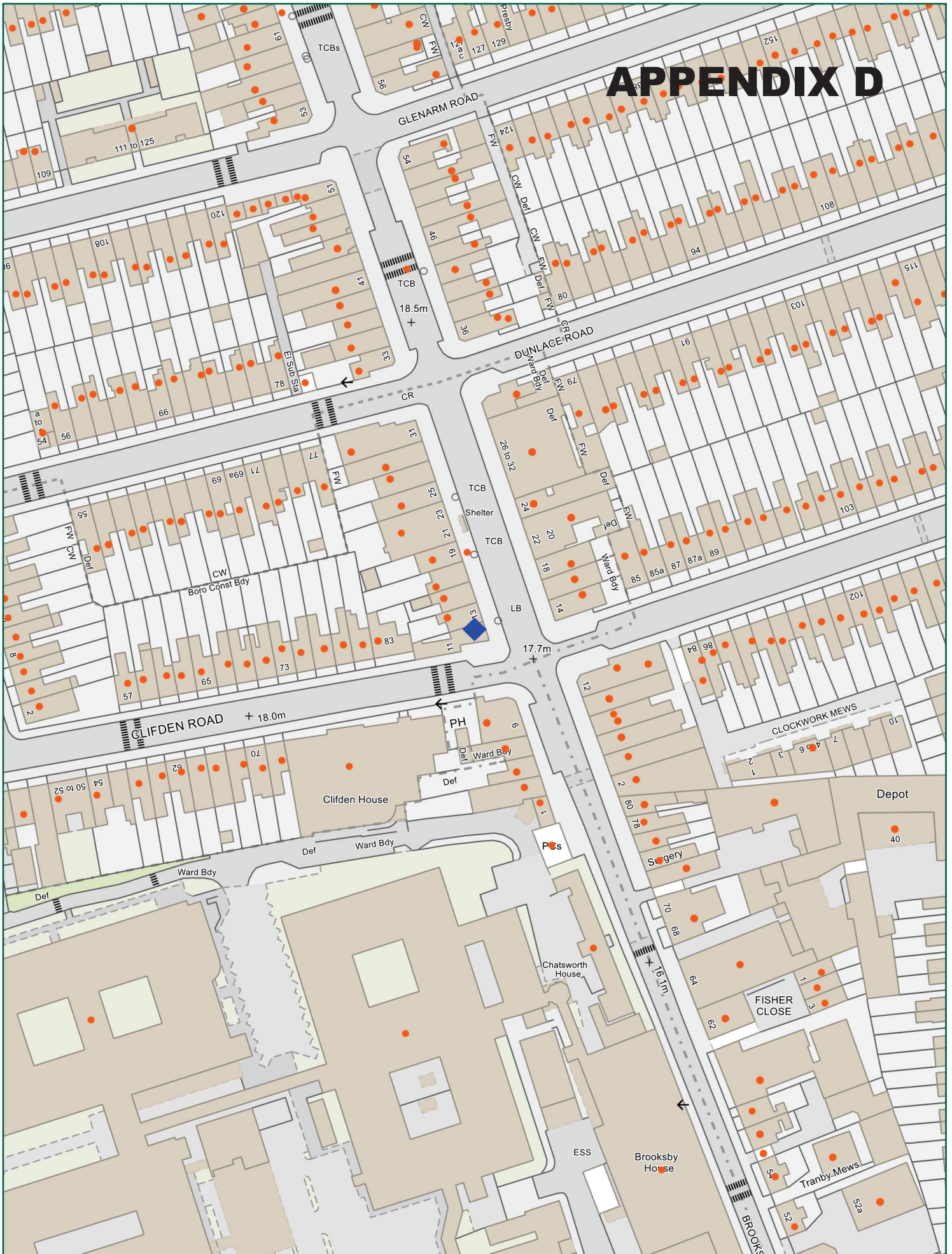


Disclaimers apply, for full details see: <https://hackney.gov.uk/email-disclaimer>

[redacted]

[redacted]

# APPENDIX D



Scale: 1:1250 at A4



Ref:

23 June 2020

Page 43

Product: unspecified

email:

please specify copyright statement

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<b>REPORT OF THE GROUP DIRECTOR, NEIGHBOURHOODS AND HOUSING</b>		
<b>LICENSING SUB-COMMITTEE:</b> 07/07/2020	<b>Classification</b>  DECISION	Enclosure
<b>APPLICATION TO VARY THE PREMISES LICENCE :</b> Cilicia, 1 Broadway Market, E8 4PH	<b>Ward(s) affected</b>  Haggerston	

## 1. SUMMARY

<b>Applicant(s)</b> Mr Salih Goztas	<b>In SPA:</b> Not Applicable
<b>Date of Application</b> 20 May 2020	<b>Period of Application</b> Permanent
<b>Proposed variation:</b> To add Supply of Alcohol (Off Premises) for takeaway and delivery	
<b>Proposed hours for licensable activity</b>	
<b>Supply of Alcohol</b>	<b>Standard Hours:</b>  Mon 11:00-00:00 Tue 11:00-00:00 Wed 11:00-00:00 Thu 11:00-01:00 Fri 11:00-02:00 Sat 11:00-02:00 Sun 11:00-00:00
<b>The opening hours of the premises:</b>	
<b>Standard Hours:</b>  Mon 11:00-00:15 Tue 11:00-00:15 Wed 11:00-00:15 Thu 11:00-01:15 Fri 11:00-02:15 Sat 11:00-02:15 Sun 11:00-00:15	



<b>Current activities/hours:</b> See current licence attached at Appendix C	
<b>Capacity:</b> not known	
<b>Policies Applicable</b>	LP1 (General Principles), LP2 (Licensing Objectives), LP3 (Core Hours), LP4 ('Off' Sales of Alcohol), LP5 (Planning Status) and LP11 (Cumulative Impact - General)
<b>List of Appendices</b>	A – Application for variation of premises licence and supporting documents B – Representations from responsible authorities C – Current Licence D – Location map
<b>Relevant Representations</b>	<ul style="list-style-type: none"> <li>• Environmental Enforcement</li> <li>• Police</li> <li>• Licensing Authority</li> </ul>

## 2. APPLICATION

2.1 Mr Salih Goztas has made an application vary their premises licence under the Licensing Act 2003:

- To add hours for supply of alcohol for consumption off the premises.

Takeaway from 11:00 to 00:00, each day.

Delivery from 11:00 to 00:00 Sunday to Wednesday, from 11:00 to 01:00 Thursday and from 11:00 to 02:00 Friday and Saturday.

2.2 The application is attached as Appendix A. The applicant has proposed some additional measures to address the licensing objectives.

## 3. CURRENT STATUS / HISTORY

3.1 The current premises licence was granted by Licensing Sub-Committee on 1 November 2011 (attached as Appendix C), although the premises have been licenced to sell alcohol before the introduction of the Licensing Act 2003.

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 with the proposed conditions as set out in para 8.1
Environmental Health Authority (Health & Safety)	Have confirmed no representation on this application

Weights and Measures (Trading Standards)	Have confirmed no representation on this application
Planning Authority (Appendix B2)	Informative
Area Child Protection Officer	No representation received
Fire Authority	Have confirmed no representation on this application
Police (Appendix B3)	Representation received on the grounds of The Prevention of Crime and Disorder, Public Safety, Prevention of Public Nuisance, Core Hours and Cumulative Impact.
Licensing Authority (Appendix B4)	Representation received on the grounds of The Prevention of Crime and Disorder, Prevention of Public Nuisance, Core Hours and Cumulative Impact.
Health Authority	No representation received

## 5. REPRESENTATIONS: OTHER PERSONS

None.

## 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), LP5 (Planning Status) and LP11 (Cumulative Impact - General) are relevant.

## 8. OFFICER OBSERVATIONS

- 8.1 If the Sub-Committee is minded to approve the application, the following additional conditions should be applied the licence:
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. 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 his/her waste carrier arrives to collect the refuse.
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 in Cilicia. 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 1 to 6 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.

<b>Group Director, Neighbourhoods and Housing</b>	Ajman Ali
<b>Lead Officer (holder of original copy):</b>	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
Cilicia 1 Broadway Market,E8 4PH	Hackney Service Centre Licensing Service 1 Hillman Street London E8 1DY

### Printed matter

Licensing Act 2003

LBH Statement of Licensing Policy

**Hackney**  
LA07

**Application to vary a premises licence 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 Salih Goztas

*(Insert name(s) of applicant)*

**being the premises licence holder, apply to vary a premises licence under section 34 of the Licensing Act 2003 for the premises described in Part 1 below**

**Premises licence number**

LBH-PRE-T-1250

**Part 1 – Premises Details**

Postal address of premises or, if none, ordnance survey map reference or description

Cilicia  
1 BROADWAY MARKET  
HACKNEY

Post town

LONDON

Postcode

E8 4PH

Telephone number at premises (if any)

Non-domestic rateable value of premises

£24750

**Part 2 – Applicant details**

Daytime contact telephone number

E-mail address (optional)

Current postal address if different from premises address

UK-England

Post

Postcode

town			
------	--	--	--

**Part 3 – Variation**

Please tick as appropriate	
Do you want the proposed variation to have effect as soon as possible?	Yes
If not, from what date do you want the variation to take effect?	
Do you want the proposed variation to have effect in relation to the introduction of the late night levy? (Please see guidance note 1)	Yes
	<input checked="" type="checkbox"/> No

<p><b>Please describe briefly the nature of the proposed variation</b> (Please see guidance note 2)</p> <p>The variation applied for is to add 'Sales of alcohol with takeaway food orders, off the premises. From 11:00 to midnight, each day.</p> <p>And, 'Sales of alcohol with food orders for delivery services, off the premises.</p> <p>Sunday to Wednesday: From 11:00 to midnight</p> <p>Thursday: From 11:00 to 01:00 (the day following)</p> <p>Friday and Saturday: From 11:00 to 02:00 (the day following)</p>
---

If your proposed variation would mean that 5,000 or more people are expected to attend the premises at any one time, please state the number expected to attend:

60
----

#### Part 4 Operating Schedule

Please complete those parts of the Operating Schedule below which would be subject to change if this application to vary is successful.

- | <b>Provision of regulated entertainment (Please see guidance note 3)</b>                                    | <b>Please tick all that apply</b>   |
|---|-------------------------------------|
| 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 (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) <input type="checkbox"/>                                      | ..                                  |
| 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) | ..                                  |
| <b><u>Provision of late night refreshment</u></b> (if ticking yes, fill in box L)                           | ..                                  |
| <b>Sale by retail of alcohol</b> (if ticking yes, fill in box J)  | <input checked="" type="checkbox"/> |
| <b>In all cases complete boxes K, L and M</b>   |                                     |

**A**

Plays Standard days and timings (please read guidance note 8)			Will the performance of a play take place indoors or outdoors or both – please tick (please read guidance note 4)	Indoors	
Day	Start	Finish		Outdoors	
				Both	
Mon			<b>Please give further details here</b> (please read guidance note 5)		
Tue					
Wed			<b>State any seasonal variations for performing plays</b> (please read guidance note 6)		
Thur					
Fri			<b>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</b> (please read guidance note 7)		
Sat					
Sun					

**B**

<b>Films</b> Standard days and timings (please read guidance note 8)			<b>Will the exhibition of films take place indoors or outdoors or both – please tick</b> (please read guidance note 4)	Indoors	
				Outdoors	
Day	Start	Finish		Both	
Mon			<b>Please give further details here</b> (please read guidance note 5)		
Tue					
Wed			<b>State any seasonal variations for the exhibition of films</b> (please read guidance note 6)		
Thur			<b>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</b> (please read guidance note 7)		
Fri					
Sat					
Sun					

**C**

<b>Indoor sporting events</b> Standard days and timings (please read guidance note 8)			<b>Please give further details</b> (please read guidance note 5)
Day	Start	Finish	
Mon			<b>State any seasonal variations for indoor sporting events</b> (please read guidance note 6)
Tue			<b>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</b> (please read guidance note 7)
Wed			
Thur			
Fri			
Sat			
Sun			



**D**

<b>Boxing or wrestling entertainments</b> Standard days and timings (please read guidance note 8)			<b>Will the boxing or wrestling entertainment take place indoors or outdoors or both – please tick</b> (please read guidance note 4)	Indoors	
Day	Start	Finish		Outdoors	
				Both	
Mon			<b>Please give further details here</b> (please read guidance note 5)		
Tue					
Wed			<b>State any seasonal variations for boxing or wrestling entertainment</b> (please read guidance note 6)		
Thur					
Fri			<b>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</b> (please read guidance note 7)		
Sat					
Sun					

**E**

<b>Live music</b> Standard days and timings (please read guidance note 8)			<b>Will the performance of live music take place indoors or outdoors or both – please tick</b> (please read guidance note 4)	Indoors	
				Outdoors	
				Both	
Day	Start	Finish			
Mon			<b>Please give further details here</b> (please read guidance note 5)		
Tue					
Wed			<b>State any seasonal variations for the performance of live music</b> (please read guidance note 6)		
Thur					
Fri			<b>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</b> (please read guidance note 7)		
Sat					
Sun					

**F**

<b>Recorded music</b> Standard days and timings (please read guidance note 8)			<b>Will the playing of recorded music take place indoors or outdoors or both – please tick</b> (please read guidance note 4)	Indoors	
				Outdoors	
Day	Start	Finish		Both	
Mon			<b>Please give further details here</b> (please read guidance note 5)		
Tue			<b>Please give further details here</b> (please read guidance note 5)		
Wed			<b>State any seasonal variations for the playing of recorded music</b> (please read guidance note 6)		
Thur			<b>State any seasonal variations for the playing of recorded music</b> (please read guidance note 6)		
Fri			<b>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</b> (please read guidance note 7)		
Sat					
Sun					

**G**

<b>Performances of dance</b> Standard days and timings (please read guidance note 8)			<b>Will the performance of dance take place indoors or outdoors or both – please tick</b> (please read guidance note 4)	Indoors	
Day	Start	Finish		Outdoors	
				Both	
Mon			<b>Please give further details here</b> (please read guidance note 5)		
Tue			<b>State any seasonal variations for the performance of dance</b> (please read guidance note 6)		
Wed			<b>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</b> (please read guidance note 7)		
Thur					
Fri					
Sat					
Sun					

H

<b>Anything of a similar description to that falling within (e), (f) or (g)</b> Standard days and timings (please read guidance note 8)			<b>Please give a description of the type of entertainment you will be providing</b>		
Day	Start	Finish	<b>Will this entertainment take place indoors or outdoors or both – please tick</b> (please read guidance note 4)	Indoors	
Mon				Outdoors	
				Both	
Tue			<b>Please give further details here</b> (please read guidance note 5)		
Wed					
Thur					
Fri			<b>State any seasonal variations for entertainment of a similar description to that falling within (e), (f) or (g)</b> (please read guidance note 6)		
Sat					
Sun					
			<b>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</b> (please read guidance note 7)		

I

<b>Late night refreshment</b> Standard days and timings (please read guidance note 8)			<b>Will the provision of late night refreshment take place indoors or outdoors or both – please tick</b> (please read guidance note 4)		Indoors	
					Outdoors	
Day	Start	Finish			Both	
Mon			<b>Please give further details here</b> (please read guidance note 5)			
Tue						
Wed			<b>State any seasonal variations for the provision of late night refreshment</b> (please read guidance note 6)			
Thur						
Fri			<b>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</b> (please read guidance note 7)			
Sat						
Sun						

**J**

<b>Supply of alcohol</b> Standard days and timings (please read guidance note 8)			<b>Will the supply of alcohol be for consumption – please tick</b> (please read guidance note 9)	On the premises	
				Off the premises	
Day	Start	Finish		Both	<input checked="" type="checkbox"/>
Mon	11:00	00:00	<b>State any seasonal variations for the supply of alcohol</b> (please read guidance note 6)		
	-----	-----			
Tue	11:00	00:00			
	-----	-----			
Wed	11:00	00:00	<b>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</b> (please read guidance note 7) Default.LicesableActivitiesJ_plays_non_s»		
	-----	-----			
Thur	11:00	01:00			
	-----	-----			
Fri	11:00	02:00			
	-----	-----			
Sat	11:00	02:00			
	-----	-----			
Sun	11:00	00:00			
	-----	-----			

**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 10).**

n/a

**L**

<b>Hours premises are open to the public</b> Standard days and timings (please read guidance note 8)			<b>State any seasonal variations</b> (please read guidance note 6)
Day	Start	Finish	
Mon	11:00	00:15	<b>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</b> (please read guidance note 7) The variation applied for is to add 'Sales of alcohol with takeaway food orders, off the premises. From 11:00 to midnight, each day.  And, 'Sales of alcohol with food orders for delivery services, off the premises. Sunday to Wednesday: From 11:00 to midnight Thursday: From 11:00 to 01:00 (the day following) Friday and Saturday: From 11:00 to 02:00 (the day following)
Tue	11:00	00:15	
Wed	11:00	00:15	
Thur	11:00	01:15	
Fri	11:00	02:15	
Sat	11:00	02:15	
Sun	11:00	00:15	



Please identify those conditions currently imposed on the licence which you believe could be removed as a consequence of the proposed variation you are seeking.

Please tick as appropriate

- I have enclosed the premises licence
- I have enclosed the relevant part of the premises licence

If you have not ticked one of these boxes, please fill in reasons for not including the licence or part of it below

Reasons why I have not enclosed the premises licence or relevant part of premises licence.

**M** Describe any additional steps you intend to take to promote the four licensing objectives as a result of the proposed variation:

**a) General – all four licensing objectives (b, c, d and e) (please read guidance note 11)**

The Licensee, that is the person in whose name the premises licence is issued, shall ensure that all times when the premises are for any licensable activity, there are sufficient competent staff on duty at the premises for the purpose of fulfilling the terms and conditions of the licence and for preventing crime and disorder. The Licensee shall ensure that all staff will undertake training in their responsibilities in relation to the sale of alcohol, particularly with regard to drunkenness and underage persons. Records will be kept of training and refresher training.

**b) The prevention of crime and disorder**

Any incidents of a criminal nature that may occur on the premises will be reported to the Police. The Licensee will install comprehensive CCTV coverage at the premises and it is operated and maintained at the premises. The CCTV system shall conform to the following points:

1. Cameras must be sited to observe the entrance and exit doors both inside and outside.
2. Cameras on the entrances must capture full frame shots of the heads and shoulders of all people entering the premises i.e. capable of identification.
3. Cameras viewing till areas must capture frames not less than 50% of screen.
4. Cameras overlooking floor areas should be wide angled to give an overview of the premises.
5. Be capable of visually confirming the nature of the crime committed.
6. Provide a linked record of the date, time and place of any image.
7. Provide good quality images –colour during opening times.
8. Operate under existing light levels within and outside the premises.
9. Have the recording device located in a secure area or locked cabinet.
10. Have a monitor to review images and recorded picture quality.
11. Be regularly maintained to ensure continuous quality of image capture retention.
12. Have signage displayed in the customer area to advise that CCTV is in operation.
13. Digital images must be kept for 31 days.
14. Police will have access to images at any reasonable time.
15. The equipment must have a suitable export method, e.g. CD/DVD writer so that the police can make an evidential copy of the data they require. This data should be in the native file format, to ensure that no image quality is lost when making the copy, if this format is non-standard (i.e. manufacturer proprietary) then the manufacturer should supply the replay software to ensure that the video on the CD can be replayed by the police on a standard computer. Copies must be made available to Police on request.

**c) Public safety**

Appropriate fire safety procedures are in place including fire extinguishers, internally illuminated fire exit signs, numerous smoke detectors and emergency lighting (see enclosed plan for details of locations). All appliances are inspected annually.  
All emergency exits shall be kept free from obstruction at all times.

**d) The prevention of public nuisance**

Clear and legible notices will be prominently displayed to remind customers to leave quietly and have regard to our neighbours.

**e) The protection of children from harm**

The licensee and staff will ask persons who appear to be under the age of 25 for photographic ID such as proof of age cards, the Connexions Card and Citizen Card, photographic driving licence or passport, an official identity card issued by HM Forces or by an EU country, bearing the photograph and date of birth of bearer.

All staff will be trained for UNDERAGE SALES PREVENTION regularly.  
A register of refused sales shall be kept and maintained on the premises.

Checklist:

**Please tick to indicate agreement**

- I have made or enclosed payment of the fee; or
- I have not made or enclosed payment of the fee because this application has been made in relation to the introduction of the late night levy.
- I have sent copies of this application and the plan to responsible authorities and others where applicable.
- I understand that I must now advertise my application.
- I have enclosed the premises licence or relevant part of it or explanation.
- I understand that if I do not comply with the above requirements my application will be rejected.

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

**Part 5 – Signatures** (please read guidance note 12)

**Signature of applicant (the current premises licence holder) or applicant's solicitor or other duly authorised agent (please read guidance note 13). If signing on behalf of the applicant, please state in what capacity.**

Signature	Besim Hajdini
Date	12/5/2020
Capacity	Agent For The Client

**Where the premises licence is jointly held, signature of 2nd applicant (the current premises licence holder) or 2nd applicant's solicitor or other authorised agent (please read guidance note 14). If signing on behalf of the applicant, please state in what capacity.**

Signature	
Date	12/5/2020
Capacity	

**Contact name (where not previously given) and address for correspondence associated with this application (please read guidance note 15)**

Premises Address

UK-England

<b>Post town</b>		<b>Post code</b>	
<b>Telephone number (if any)</b>			
<b>If you would prefer us to correspond with you by e-mail, your e-mail address (optional)</b>			

#### Notes for Guidance

**This application cannot be used to vary the licence so as to extend the period for which the licence has effect or to vary substantially the premises to which it relates. If you wish to make that type of change to the premises licence, you should make a new premises licence application under section 17 of the Licensing Act 2003.**

1. You do not have to pay a fee if the only purpose of the variation for which you are applying is to avoid becoming liable for the late night levy



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

**RESPONSIBLE AUTHORITY DETAILS**

NAME OF AUTHORITY	London Borough of Hackney
ADDRESS OF AUTHORITY	Environmental Enforcement First Floor Hackney Service Centre 1 Hillman Street London E8 1DY
CONTACT NAME	Jacey Frewin
TELEPHONE NUMBER	020 8356 4567
E-MAIL ADDRESS	jacey.frewin@hackney.gov.uk

**APPLICATION PREMISES**

NAME & ADDRESS OF PREMISES	Cilicia 1 Broadway Market Hackney London E8 4PH
NAME OF APPLICANT	Mr Salih Goztas

**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
- 4) the protection of children from harm

**Representation in relation to:**

**ENVIRONMENTAL LICENCE CONDITIONS IN RESPECT OF**

Cilicia,  
1 Broadway Market, London E8 4PH

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. 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 his/her waste carrier arrives to collect the refuse.
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 in Cilicia. 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.

Contact Jacey Frewin by email if necessary

**Name:** Jacey Frewin

**Date:** 19/05/2020

# APPENDIX B2

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

Details of Authority	2 Hillman Street, Hackney, London, E8 1FB
Officer contact name	Ashley Rogers
Officer telephone number	020 8356 7914
Officer's email address	ashley.rogers@hackney.gov.uk

### APPLICATION PREMISES

Name and address of premises	Cilicia, 1 Broadway Market, Hackney, London, E8 4PH
Applicant name	Salih Goztas

### 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 application proposes a minor variation to an existing premises license under the Licensing Act 2003.

The application proposes changes to the below activities:

Supply of Alcohol,  
**Hours premises are open to the public:**  
**Mon-Wed & Sun 11:00 to 00:15**  
**Thur 11:00 to 01:15**  
**Fri-Sat 11:00 to 02:15**

The proposed use is lawful under planning permission reference:

SOUTH/319/00/FP

change of use of ground floor & basement to wine bar; ground floor rear extension & new access to upper floors

The proposed hours exceed the hours of operation permitted under the planning consent. Condition 4 of South/319/00/FP/A states that the permitted use may only be carried out between the hours of 08:00 and 23:30 hours on any day,

Please provide the following information (if applicable)



Area (that permission applies to)	Ground Floor
Permitted use	N/A
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**

The usage of the premises is permitted. However, the hours of operation proposed exceeds the hours of operation permitted under the planning consent.

They are advised to seek planning permission. Licensing permission does not grant planning permission. The applicant is reminded that usage of the premises outside the planning permission for the premises 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	Gareth (South Team Leader)
Date	

# APPENDIX B3

## 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	<b>Cilicia 1 Broadway Market London E8 4PH</b>
NAME OF PREMISES USER	<b>Salih Goztas</b>

### 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      ◆
- 4) The protection of children from harm

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

Police make the following representations in relation to the application for a Premises Licence Cilicia, 1 Broadway Market, E8 4PH

This premises is on a busy road which is lined both sides with licensed premises. The applicant is seeking to add off sales for delivery with food Sunday to Wednesday 11:00 to midnight on Thursday, from 11:00 to 01:00 and Friday and Saturday 11:00 to 02:00. Alongside deliveries, the applicant is also seeking to provide off sales with food for takeaway from 1100-0000 Monday – Sunday.

The hours held by the applicant already surpass those set out in LP4 of the London Borough of Hackneys statement of Licensing Policy and the addition of off Sales if granted for the hours that have been applied for they will also exceed those set out in LP4 of the same policy which states that off sales will generally be restricted to 2300hours.

The venue is situated next to the Regents canal and a short walk from London Fields. Recently the Broadway market recently been in the media due to the lack of social distancing taking place during the current COVID-19 pandemic. Police believe that the addition of further venues in the area with the ability to provide off sales will only exacerbate the current situation.

Both the Police and council receive numerous complaints regarding ASB and Street drinking within Broadway market, London Fields and surrounding areas. It has recently been reported that the situation regarding street drinking, littering and public urination has increased dramatically within the area.

In summary Police are concerned that should the granting of off sales at the premises be granted this would undermine the licensing objectives namely public safety, public nuisance and crime and disorder and what ask what steps the applicant intends to take in order to mitigate the licensing objectives being undermined.

Police look forward to hearing from the applicant soon.

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	Cilicia 1 Broadway Market London E8 4PH
NAME OF APPLICANT	Salih Goztas

### 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 | <input checked="" type="checkbox"/> |
| 2) | public safety                        | <input type="checkbox"/>            |
| 3) | the prevention of public nuisance    | <input checked="" type="checkbox"/> |
| 4) | the protection of children from harm | <input type="checkbox"/>            |

**Representation in relation to:**

I write to make a representation in relation to this application. The proposed additional activity could have a negative impact on the promotion of the licensing objectives, in particular, the prevention of crime and disorder and the prevention of public nuisance due to the positioning of the premises within Broadway Market. However, I feel that these impacts could be mitigated if the proposed hours were aligned to those as set out within LP4 of the Council's Licensing Policy. See below:

**LP4 'Off' Sales of Alcohol**

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

Also noted is the existing Condition 18; this should be amended to remove any reference to "intoxicating liquor" to be replaced with "alcohol".

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.

Liaison and discussion with the applicant in relation to the matters raised above.

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

**Date:** 17/06/2020



**This premises licence has been issued by:**

Licensing Service  
2 Hillman Street  
London E8 1FB

## **PART A – PREMISES LICENCE**

### **Premises Licence Number**

LBH-PRE-T-1250

### **Part 1 – Premises details**

Cilicia Restaurant  
1 Broadway Market  
Hackney  
London  
E8 4PH  
020 7249 8799

### **Where the licence is time limited the dates**

Not Applicable

### **Licensable activities authorised by the licence**

Late Night Refreshment  
Supply of Alcohol

### **The times the licence authorises the carrying out of Licensable activities**

#### **Late Night Refreshment**

#### **Standard Hours:**

#### **Premises:**

Mon 23:00-00:00  
Tue 23:00-00:00  
Wed 23:00-00:00  
Thu 23:00-01:00  
Fri 23:00-02:00  
Sat 23:00-02:00  
Sun 23:00-00:00

#### **Supply of Alcohol**

#### **Standard Hours:**

#### **Premises:**

Mon 11:00-00:00  
Tue 11:00-00:00  
Wed 11:00-00:00

Thu 11:00-01:00  
Fri 11:00-02:00  
Sat 11:00-02:00  
Sun 11:00-00:00

**The opening hours of the premises**

**Premises**

**Standard Hours:**

Mon 11:00-00:15  
Tue 11:00-00:15  
Wed 11:00-00:15  
Thu 11:00-01:15  
Fri 11:00-02:15  
Sat 11:00-02:15  
Sun 11:00-00:15

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

On Premises

**Part 2 –**

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

Mr Salih Goztas



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

Not Applicable

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

Mr Salih Goztas

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

**Date of Grant:** 1 November 2011

**Signed:**

**David Tuitt  
Team Leader - Licensing**



## Annex 1 - Mandatory Conditions

### Supply of Alcohol

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 shall ensure that free tap water is provided on request to customers where it is reasonably available.
5. 5.1. The premises licence holder or club premises certificate holder shall ensure that an age verification policy applies to the premises in relation to the sales or supply of alcohol.

5.2. 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 a holographic mark.

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
  - b) customers are made aware of the availability of these measures.

A responsible person in relation to a licensed premises means the holder of the premises licence in respect of the premises, the designated premises supervisor (if any) or any individual aged 18 or over who is authorised by either the licence holder or designated premises supervisor. For premises with a club premises certificate, any member or officer of the club present on the premises in a capacity that which enables him to prevent the supply of alcohol.

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.

## **Annex 2 – Conditions consistent with the Operating Schedule**

8. CCTV shall be installed and maintained at the premises at all times. The CCTV system shall conform to the following points:
  - Cameras must be sited to observe the entrance and exit doors both inside and outside.
  - Cameras on the entrances must capture full frame shots of the heads and shoulders of all people entering the premises i.e. capable of identification.
  - Cameras viewing till areas must capture frames not less than 50% of screen.
  - Cameras overlooking floor areas should be wide angled to give an overview of the premises.
  - Be capable of visually confirming the nature of the crime committed. -Provide a linked record of the date, time and place of any image. -Provide good quality images - colour during opening times.
  - Operate under existing light levels within and outside the premises. -Have a monitor to review images and recorded picture quality.
  - Be regularly maintained to ensure continuous quality of image capture retention.
  - Have signage displayed in the customer area to advise that CCTV is in operation.
  - Digital images must be kept for 31 days.
  - Police will have access to images at any reasonable time.
  - The equipment must have a suitable export method e.g. CD/DVD writer so that the police can make an evidential copy of the data they require. This data should be in the native standard (i.e. manufacturer proprietary) then the manufacturer should supply the replay software to ensure that the video on the CD can be replayed by the police on a standard computer. Copies must be made available to Police on request. -A monitored alarm system (to EU 50131, which is capable of confirmation) shall be installed at the premises.
9. Appropriate fire safety procedures to be in place including fire extinguishers (foam, H<sub>2</sub>O and CO<sub>2</sub>), fire blanket, internally illuminated fire exit signs, numerous smoke detectors and emergency lighting (see enclosed plan for details of locations). All appliances shall be inspected annually.
10. All emergency exits shall be kept free from obstruction at all times.
11. All customers will be asked to leave quietly.

12. Notices must be prominently displayed to remind customers to leave quietly and have regard to nearby residents.
13. The licensee and staff will ask persons who appear to be under the age of 21 for photographic ID such as proof of age cards, The Connexions Card and Citizen Card, photographic driving licence or passport, an official identity card issued by HM Forces or by an EU country, bearing the photograph and date of birth of bearer.
14. A register of refused sales shall be kept and maintained on the premises.

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

15. An incident log shall be kept at the premises, and made available on request to an authorised officer of Hackney Council or the Police, which will record the following:
  - all crimes reported to the venue
  - all ejections of patrons
  - any complaints received
  - any incidents of disorder
  - all seizures of drugs or offensive weapons
  - any faults in the CCTV system
  - any refusal of the sale of alcohol
  - any visit by a relevant authority or emergency service.
16. All staff to be trained on the Licensing Act 2003 in relation to the responsibilities placed upon operators of licensed premises.
17. The premises shall only operate as a restaurant in which customers are shown to their table, they are served food in the form of substantial table meals that is prepared on the premises and consumed at the table using non disposable crockery.
18. Intoxicating liquor shall not be sold, supplied, or consumed on the premises otherwise than to persons who are taking substantial table meals and that the consumption of intoxicating liquor by such persons is ancillary to taking such meals. The supply of alcohol shall be by waiter or waitress service only.
19. A proof of age scheme, such as Challenge 25, shall be operated at the premises where the only acceptable forms of identification are recognised photographic identification cards, such as a driving licence or passport.
20. Police and/or LBH contracted drugs dogs or drug detection equipment will be given immediate access to the premises without notice for the purpose of detecting and reducing incidences of drug misuse.
21. Notices shall be prominently displayed at all exits requesting patrons to respect the needs of local residents and businesses and leave the area quietly.

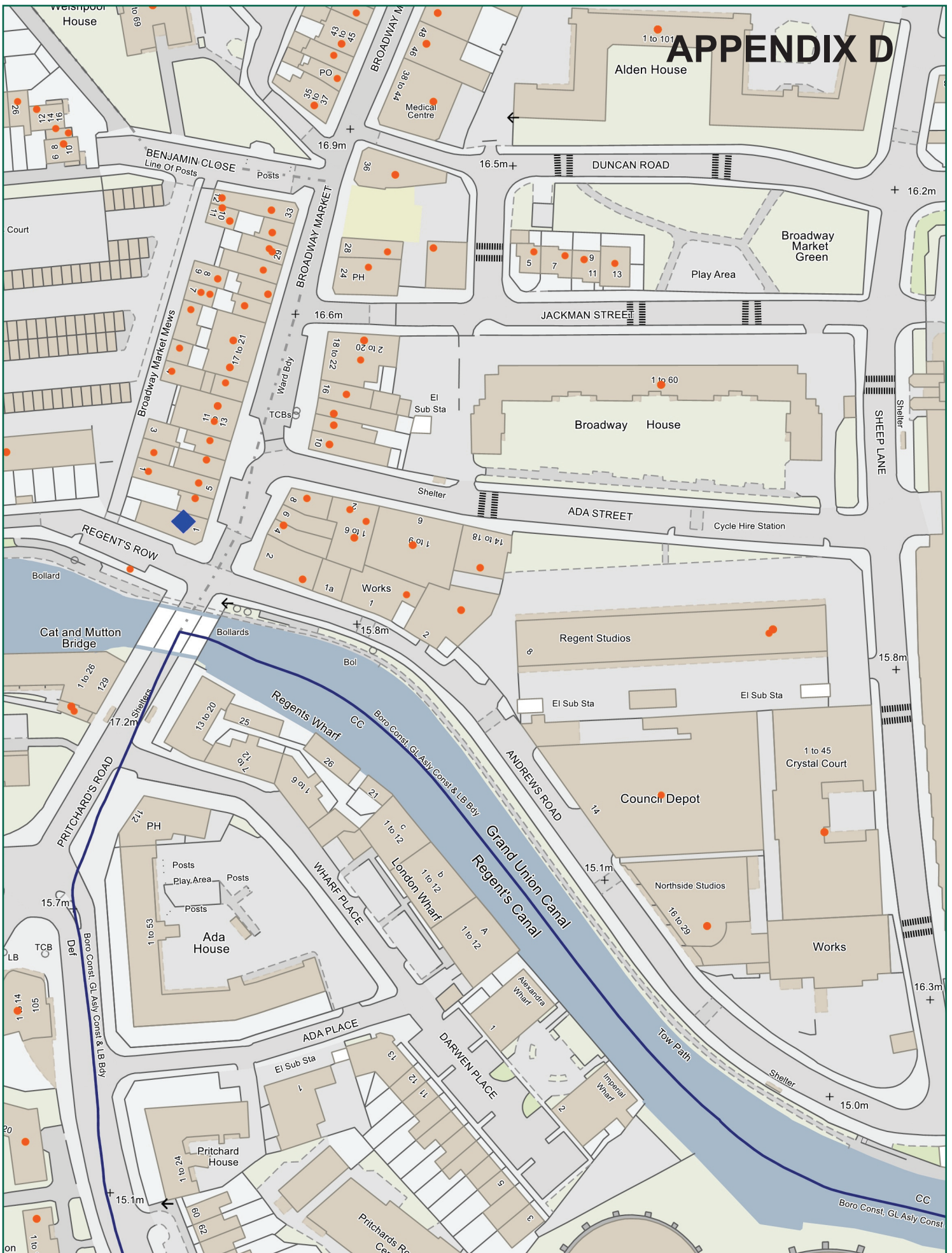
22. The outside area is not to be used after midnight, except for no more than 5 smokers.
23. The outside area shall be used by no more than 25 patrons at any one time before midnight.

**Annex 4 – Plans**

PLAN-LBH-PRE-T-1250/20111101



# APPENDIX D



Scale: 1:1250 at A4

## Cilicia, 1 Broadway Market, E8 4PH



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please specify copyright statement

23 June 2020

email: