



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

Thursday 3 March 2022  
at 2.00 pm

Until further notice, all Council meetings will  
be held remotely

The live stream can be viewed here:

<https://youtu.be/U9GEG3dpvZQ>

In case of any technical issues with the live stream above please use  
instead the following link: <https://youtu.be/71Us93Lymuw>

Members of the Sub Committee:

Cllr Brian Bell, Cllr Emma Plouviez and Cllr Peter Snell  
(substitute)

Mark Carroll, Chief Executive

Published: 23 February 2022

Peter Gray, Governance Services Officer

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Hackney Council website: [www.hackney.gov.uk](http://www.hackney.gov.uk)



**Licensing Sub Committee D**  
**Thursday 3 March 2022**  
**Agenda**

- 1 Election of Chair**
- 2 Apologies for Absence**
- 3 Declarations of Interest - Members to declare as appropriate**
- 4 Minutes of the Previous Meeting (Pages 9-26)**
  - **25 November 2021 meeting minutes**
  - **14 October 2021 meeting minutes**
- 5 Licensing Sub-Committee Hearing Procedure (Pages 27-30)**
- 6 Application to review premises licence: British Express, 329 Old Street, EC1V 9LE (Pages 31-84)**

**Ward: Hoxton East and Shoreditch**
- 7 Application for a premises licence: The Kings Land, 267 Kingsland Road, London, E2 8AS (Pages 85-142)**

**Ward: Hoxton East and Shoreditch**
- 8 Temporary Event Notices - Standing Item**

## Public Attendance

The Town Hall is not presently open to the general public, and there is limited capacity within the meeting rooms. However, the High Court has ruled that where meetings are required to be 'open to the public' or 'held in public' then members of the public are entitled to have access by way of physical attendance at the meeting. The Council will need to ensure that access by the public is in line with any Covid-19 restrictions that may be in force from time to time and also in line with public health advice.

Those members of the public who wish to observe a meeting are still encouraged to make use of the live-stream facility in the first instance. You can find the link on the agenda front sheet.

Members of the public who would ordinarily attend a meeting to ask a question, make a deputation or present a petition will be able to attend if they wish. They may also let the relevant committee support officer know that they would like the Chair of the meeting to ask the question, make the deputation or present the petition on their behalf (in line with current Constitutional arrangements).

In the case of the Planning Sub-Committee, those wishing to make representations at the meeting should attend in person where possible.

**Regardless of why a member of the public wishes to attend a meeting, they will need to advise the relevant committee support officer of their intention in advance of the meeting date. You can find contact details for the committee support officer on the agenda front page.** This is to support track and trace. The committee support officer will be able to confirm whether the proposed attendance can be accommodated with the room capacities that exist to ensure that the meeting is covid-secure.

**As there will be a maximum capacity in each meeting room, priority will be given to those who are attending to participate in a meeting rather than observe.**

Members of the public who are attending a meeting for a specific purpose, rather than general observation, are encouraged to leave the meeting at the end of the item for which they are present. This is particularly important in the case of the Planning Sub-Committee, as it may have a number of items on the agenda involving public representation.

## Before attending the meeting

The public, staff and councillors are asked to review the information below as this is important in minimising the risk for everyone.

If you are experiencing covid symptoms, you should follow government guidance. Under no circumstances should you attend a meeting if you are experiencing covid symptoms.

Anyone experiencing symptoms of Coronavirus is eligible to book a swab test to find out if they have the virus. You can register for a test after checking your symptoms through the NHS website. If you do not have access to the internet, or have difficulty with the digital portals, you are able to call the 119 service to book a test.

If you're an essential worker and you are experiencing Coronavirus symptoms, you can apply for priority testing through GOV.UK by following the guidance for essential workers. You can also get tested through this route if you have symptoms of coronavirus and live with an essential worker.

Availability of home testing in the case of people with symptoms is limited, so please use testing centres where you can.

Even if you are not experiencing covid symptoms, you are requested to take an asymptomatic test (lateral flow test) in the 24 hours before attending the meeting.

You can do so by visiting any lateral flow test centre; details of the rapid testing sites in Hackney can be found here. Alternatively, you can obtain home testing kits from pharmacies or order them here.

You must not attend a lateral flow test site if you have Coronavirus symptoms; rather you must book a test appointment at your nearest walk-through or drive-through centre.

Lateral flow tests take around 30 minutes to deliver a result, so please factor the time it will take to administer the test and then wait for the result when deciding when to take the test.

If your lateral flow test returns a positive result then you must follow Government guidance; self-isolate and make arrangements for a PCR test. Under no circumstances should you attend the meeting.

## **Attending the Town Hall for meetings**

To make our buildings Covid-safe, it is very important that you observe the rules and guidance on social distancing, one-way systems, hand washing, and the wearing of masks (unless you are exempt from doing so). You must follow all the signage and measures that have been put in place. They are there to keep you and others safe.

To minimise risk, we ask that Councillors arrive fifteen minutes before the meeting starts and leave the meeting room immediately after the meeting has concluded. The public will be invited into the room five minutes before the meeting starts.

Members of the public will be permitted to enter the building via the front entrance of the Town Hall no earlier than ten minutes before the meeting is scheduled to start. They will be required to sign in and have their temperature checked as they enter the building. Security will direct them to the Chamber or Committee Room as appropriate.

Seats will be allocated, and people must remain in the seat that has been allocated to them.

Refreshments will not be provided, so it is recommended that you bring a bottle of water with you.

## **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. 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.

## **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:

- Director of Legal and Governance 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.

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

- i. 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;
- ii. 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
- iii. 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.

If you have a disclosable 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 (subject to the rules regarding sensitive interests).
- ii. You must leave the meeting when the item in which you have an interest is being discussed. You cannot stay in the meeting 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.
- iii. If you have, however, obtained dispensation from the Monitoring Officer or Standards Committee you may remain in the meeting 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.

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.

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 meeting, 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 meeting unless you have obtained a dispensation from the Monitoring Officer or Standards Committee. You cannot stay in the meeting 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 meeting. Once you have finished making your representation, you must leave the meeting 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 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 non pecuniary interest.

#### Further Information

Advice can be obtained from Dawn Carter-McDonald, Director of Legal and Governance Services via [email dawn.carter-mcdonald@hackney.gov.uk](mailto:dawn.carter-mcdonald@hackney.gov.uk)



## MINUTES OF THE MEETING OF LICENSING SUB COMMITTEE D

THURSDAY 25 NOVEMBER 2021 AT 7PM

THIS MEETING WAS LIVE STREAMED AND CAN BE VIEWED AT:

<https://youtu.be/ecu2grUeVNA>

- Councillors Present:** Cllr Brian Bell (Chair)  
Cllr Sophie Conway  
Cllr Gilbert Smyth
- Officers in Attendance:** Peter Gray - Governance Services Officer  
Amanda Nauth - Licensing and Corporate Lawyer  
Suba Sriramana - Acting Principal Licensing Officer
- Also in Attendance:** Timbar, 8 Stoke Newington Road  
Kamil Karakus - Applicant  
Richard Marshall-Duffield - Agent  
Responsible Authority:  
Police - PC Dave Atkins  
Other Person:  
Julian Izzo

1. **Election of Chair**
  - 1.1 Councillor Brian Bell was duly elected to Chair the meeting.
2. **Apologies for Absence**
  - 2.1 There were no apologies for absence.
3. **Declarations of Interest**
  - 3.1 There were no declarations of interest.
4. **Licensing Sub Committee Hearing Procedure**
  - 4.1 The hearing procedure as set out in the agenda pack was explained to all participants.

**5. Application for a Premises Licence: Signature Brew Ltd, Ground Floor, Scrutton Street, EC2A 4RJ**

5.1 The application was approved under delegated authority.

**6. Application to Vary a Premises Licence: Timbar, 8 Stoke Newington Road, London, N16 7XN**

6.1 The Principal Licensing Officer introduced the application made under section 34 of the Licensing Act 2003 for Timbar, 8 Stoke Newington Road, N16 7XN, as follows:

- To extend the hours for the supply of alcohol on the premises;
- To provide recorded music;
- To provide live music;
- The provision of the performance of dance;
- An increase in capacity.

Representations remained from the Police and the Other Person. Additional information had been received from the applicant and from the other person which had been circulated to members of the sub-committee.

6.2 The Chair stressed that the premises was in the Special Policy Area and that the onus was on the applicant to demonstrate that there were exceptional circumstances for the approval of the application.

6.3 Richard Marshall-Duffield made submissions to the sub-committee in support of the application, highlighting the following:

- The premises was undergoing a change of direction, introducing music and dance and the extension of the licensing hours. The application also asked for the inclusion of non-standard hours;
- The premises had a 24 hour “operational licence” from the past when it was a sports bar;
- Objections to the application had been received from the Police and the Other Person;
- The Police had asked that a dispersal policy be produced and this had been submitted to the Sub-Committee;
- The dispersal policy had been updated to include clarification on wind down procedures;
- The premises was now “associated with” Pubwatch;

- Contact had been made with the Council's Late Night Officer and there was access to the Hackney nights portal;
- The aim was to increase capacity at the premises from 50 to 120;
- There had been extensive building work in the premises undertaken by the owners;
- A sound limiter and double doors were to be installed with sound proofing in the roof and the floor;
- There had been no objections to the application from Hackney's Environmental Health;
- Live Music had been removed from the application;
- Attempts had been made to speak to the objector on his concerns in regard to the application but these had been unsuccessful;
- The nearby train service would allow people to leave the area quickly and safely;
- A popular night scene existed in the Dalston area.

6.4 The Chair asked for clarification in relation to the "operational licence" mentioned. Richard Marshall-Duffield claimed that a business licence was for 24 hours and the alcohol licence was from 10pm to 12pm during the week and 10pm to 2pm at weekends. There was to be a 1 hour wind down time for the consumption of alcohol. It remained unclear what type of "operational licence" was being referred to.

6.5 Councillor Smyth asked for clarification in relation to activities in the Sports Bar. He asked if the owner had experience of running an establishment as proposed. Richard Marshall-Duffield confirmed that there had been pool tables in the Sports Bar which had now been removed. Additional toilets had been added and the premises had been soundproofed. He confirmed that the owner had previously managed restaurants and social clubs,

6.6 PC Atkins made submissions against the application, highlighting the following:

- If granted the application would transform the nature of the business;
- The premises was situated in the Special Policy Area where there were regular instances of crime and disorder;
- The premises already benefited from hours in excess of those laid out in the Licensing Policy;
- The proposals would have a negative impact with increased numbers of people coming into the area and drinking for longer;
- The application would undermine the licensing objectives;

- The dispersal policy would not address anti-social activities outside the premises where individuals were outside the control of the premises management;
- The reintroduction of the 24 hour train services was not guaranteed, nor that it would be utilised by many customers;
- That the non-standard hours should not be granted;

6.7 Julian Izzo (Other Person) made submissions against the application, highlighting the following:

- The premises was situated in a residential area;
- The proposal was for a late night bar with dancing;
- There was a failure to comply with Licensing Policy 1;
- The bar was of a low quality;
- There was no social distancing at the premises during the Pandemic;
- The non standard hours were outside the core hours;
- The proposals could cause cumulative impact in the area;
- The non-standard hours were unacceptable;
- A sound report had not been produced;
- The non discretionary conditions were inadequate;
- Excessive noise emanated from the premises at late hours;
- There was potential for the stockpiling of alcohol;
- The dispersal policy was poorly drafted;

6.8 The Chair highlighted concerns around the non standard hours. He reiterated that the applicant would need to demonstrate exceptional circumstances for the granting of the application for a premises located in the Special Policy Area. Councillor Smyth asked for clarification on what measures were to be put in place to prevent cumulative impact arising from the changes to the premises licence.

6.9 Councillor Conway asked how the impact of increasing hours and capacity would be mitigated given that there would be significantly more people on the premises.

6.10 Richard Marshall-Duffield argued that;

- There would be a dispersal policy in place for the premises;
- The wind down time allowed people to leave slowly and in their own time;
- Additional training would be provided for staff at the premises;
- The area in which the premises was located was served by a nearby overground, and ubers and taxis allowing for people to leave the area quickly;

- An increase in the number of toilets at the premises and an extra door to reduce noise;
- There was a demand for late night venues in the area;
- There had been no complaints against the premises;
- Despite attempts there had been no engagement with the objector;
- The premises was an established part of the community;

6.11 Councillor Smyth asked for clarification on living arrangements above the premises and whether the activity at the premises would be at ground floor level. He asked whether the premises had operated deliveries and at what times. Councillor Smyth stated that a decision would have to be based on the cumulative impact in the area and how any impact would be mitigated.

6.12 Richard Marshall-Duffield confirmed that there were 2 flats above the premises with a total of 3 occupants. Business activity would be on the ground floor. It was confirmed that the deliveries were carried out within the normal working day. Richard Marshall-Duffield stated that measures were in place to mitigate the impact such as the premises dispersal policy covering the internal and external areas. Glasses would not be allowed onto the pavement. The premises was willing to listen and operate within any structure applied.

6.13 Julian Izzo highlighted the following:

- That the premises had a no smoking area outside and this was not on the licensing plan;
- That the back alley area was dangerous with drug dealers present;
- There was much noise emanating from the premises;
- The premises would attract people from other venues in the area;
- The proposals would add to cumulative impact;
- Concerns that this would evolve into a 24 hour operation;

6.14 The Chair stressed that non-standard hours should not be attached to the licence and that TENs should be used.

6.15 Richard Marshall-Duffield argued that the non-standard hours would ensure consistency. He reiterated that Environmental Health had made no objections to the application. A dispersal policy was now in place. He stated that he was open to any suggestions in relation to the operation of the premise. He suggested that the hours on Friday and Saturday remain at 2pm with a 1 hour wind down time for music and drinking, allowing people to leave slowly.

- 6.16 The sub committee considered that the applicant had not demonstrated that there were any exceptional circumstances to approve the application in the SPA. The application for an extension of hours and the increase in capacity were matters of concern to the sub-committee.
- 6.17 The Chair suggested the imposition of a condition in relation to delivery times and that the number of smokers outside the venue be maintained at 5 persons, if the licence were approved. This was agreed by Richard Marshall-Duffield.
- 6.18 Councillor Smyth asked if the applicant would accept a smaller capacity number. Richard Marshall-Duffield stated that the applicant had removed the pool tables and put in extra toilets in order to increase capacity. The application had been reduced from 150 to 120 persons.
- 6.19 In summing up, Richard Marshall-Duffield highlighted:
- That the application centred on changing the business to one of music and dance within the hours outlined;
  - He believed the guidance of the Police had been followed in regard to extra training, the use of Pubwatch and Hackney incentives;
  - That the application should be considered on its own merits.
- 6.20 In summing up PC Atkins submitted that
- They continued to oppose non-standard hours;
  - They remained opposed to this application to extend hours and capacity at this premises;
- 6.21 In summing up, Julian Izzo highlighted the following:
- Concerns around noise emanating from the premises;
  - The non-standard conditions were inadequate;
  - Non-compliance with the existing conditions;
  - Concerns around any increase in capacity;
  - Concerns around issues in relation to egress and ingress;
  - The need for a change to the operational hours;
  - The changes to the licence would add to the cumulative impact;
  - The dispersal policy was inadequate;
  - That the application should be refused;

**Decision:**

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

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

The application to vary a premises licence has been refused in accordance with Licensing Policies LP1, LP2, LP3 and LP10 within the Council's Statement of Licensing Policy.

### **Reasons for the decision**

The sub-committee took into consideration the representations of the Metropolitan Police Service who objected to this application due the negative impact it would have, which could lead to further drinking late at night and the associated anti-social behaviour. The police's representations were principally against the extensions of hours and the extra capacity, which would mean that people would have more access to alcohol for longer hours late at night. The sub-committee also took into consideration objections received from local residents.

The sub-committee carefully considered the representations made by the applicant's representative together with those of the Metropolitan Police Service, and Other Persons (local residents). However the sub-committee was not convinced that the applicant's proposals would justify them making an exception to grant hours outside the Council's Statement of Licensing Policy within the Dalston SPA. The sub-committee also took into account that the Metropolitan Police Service and Other Persons maintained their objection after hearing from the applicant's representative.

The sub-committee took into consideration the potential negative impact of public nuisance on local residents late at night. The sub-committee also heard from local residents confirming their objections to the additional hours and the impact on residential properties situated close to the premises.

The sub-committee were particularly concerned that the variation would more than double the capacity of the premises, and would therefore have a substantive negative cumulative impact on the Dalston SPA. The sub-committee felt that no dispersal policy could help mitigate the negative impact of more than doubling the capacity.

The sub-committee took into account that adding music and dance to the licence may affect local residents who reside above and around the premises.

The sub-committee also took into consideration that the premises has a licence to carry out licensable activities from Sunday to Thursday up to 00:00 hours

and Friday to Saturday up to 02:00 which already exceed those stated in the Council's Statement of Licensing Policy LP3.

The sub-committee felt that by not granting this variation application it would help prevent anti-social behaviour, resulting from more people coming into the area, consuming alcohol, and staying in the area for longer. These contribute to increasing public nuisance, and to crime and disorder, in the Dalston SPA.

The sub-committee took into consideration, when refusing this application, that each case is considered on its merits. The sub-committee believed that the licensing objectives could not be promoted by granting this variation application, and as such believed it was appropriate to refuse the application in its entirety.

End of meeting: 8:45

Contact:

Peter Gray

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Tel: 020 8356 3326



**DRAFT MINUTES OF THE MEETING OF LICENSING SUB COMMITTEE D  
THURSDAY 14TH OCTOBER 2021 at 2PM**

**THIS MEETING WAS LIVE STREAMED AND CAN BE VIEWED AT:**

<https://youtu.be/xdlJhbX62IM>

**Councillors Present:** Cllr Emma Plouviez (Chair)  
Cllr Brian Bell

**Officers in Attendance:** Peter Gray - Governance Services Office  
Amanda Nauth - Licensing and Corporate Lawyer  
Suba Sriramana - Acting Principal Licensing

**In Attendance:** BYRD, 61/7 Great Eastern Street

Applicant:

Angelique Ferra - Agent

Gary Grant - Barrister

Responsible Authorities:

Licensing Authority - David Tuitt

Police - PC Kerrie Ryan

Unit 7, 2-4 Orsman Road

Responsible

Authority:

Licensing Authority - Channing Riviere

Other Person:

Cllr Kam Adams

**1. Election of Chair**

1.1 Councillor Emma Plouviez was duly elected to Chair the meeting.

**2. Apologies for Absence**

2.1 There were no apologies for absence.

**3. Declarations of Interest**

3.1 There were no declarations of interest.

#### 4. Licensing Sub Committee Hearing Procedure

- 4.1 The hearing procedure as set out in the agenda pack was explained to all participants.

#### 5. Minutes of previous meetings

- 5.1 The minutes of the following meetings were agreed as a correct record.

- 17 November 2020
- 13 July 2021
- 25 August 2021

#### 5 Application for a Premises License: Byrd, 61/67 Great Eastern Street EC2A

- 5.1 The Principal Licensing Officer introduced the application. Shamal Overseas Shoreditch Limited had made an application for a premises licence under the Licensing Act 2003 to provide the following activities:

- Plays
- Films
- Live Music
- Recorded Music
- Performance of Dance
- Late Night Refreshment
- Supply of alcohol for consumption on the premises

The applicant had reduced the core hours for licensable activity and for the sale of alcohol on Monday to Thursday from 8:00 to 23:00, Friday and Saturday, 8:00 to 12:00, Sunday from 10:00 to 23:00. Opposition to the application remained from the Licensing Authority and the Police Authority.

- 5.2. Gary Grant asked to be granted 10 minutes for his submissions to the Sub-Committee. He submitted that the application was radically different to the application initially submitted and it would be necessary to expand on this to assist the authorities and ensure that they were aware of all the changes made.

- 5.3 Gary Grant, Barrister made submissions in support of the application, highlighting the following:

- that the premises was at the edge of the Special Policy Area and that they were aware that there had been particular issues in the area since the opening of hospitality following the lockdowns;
- There had been engagement with the Responsible Authorities and the application and premise business model had been radically revised;
- Core hours were now being sought and the premises would be food led;

- The authorities had asked for the condition in relation to the fine dining to be amended as follows: 'From 8pm the sale of alcohol shall be ancillary to a substantial table meal. This had been agreed;
- During the hours prior to 8pm the premises would be used for events such as fashion launches, local digital artists and charity lunches, etc;
- Queuing, smoking and dispersal policies were to be in place;
- In relation to noise and nuisance the Environmental Health Team had agreed conditions and withdrawn their objections to the application;
- A report from PC Guy Hicks was within the bundle submitted. He had considered the revised application and had stated that the premise would not have an adverse impact on the Special Policy Area;
- The Premises was likely to attract a mature clientele;
- The premises was in the basement of a hotel;
- The nearest residents were the hotel residents and therefore the premises would have to be self policing;
- The hotel above the premises had a license that allowed residents to attend the bars and restaurants in the hotel until core hours;
- The maximum fire safety capacity was 126. It was anticipated that fewer people would be present.

5.4 PC Kerry Ryan referred to the saturation of licensed premises in the Shoreditch area. She referred to high levels of violent crime, serious assaults and intoxication in the area. She welcomed the reduction in hours and the amended condition in relation to alcohol being ancillary to food. These developments allayed many concerns. She considered that the capacity for fine dining should be conditioned.

5.5 The Principal Licensing Officer (Community Safety) submitted that the premises was in the Special Policy Area. He welcomed the reduction in hours and the amended condition in relation to alcohol being ancillary to food, allaying many of his concerns.

5.6 Councillor Bell asked for details of capacity. Gary Grant confirmed that the capacity was 126 customers from 8pm.

5.7 In closing, Gary Grant submitted that the premises had been operating for a number of years without complaint.

5.8 There were no other submissions.

### **Decision:**

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

- The prevention of crime and disorder;
- Public safety;
- Prevention of public nuisance; and

- The protection of children from harm,

the application for a premises licence has been approved in accordance with the Council's Statement of Licensing Policy and the proposed conditions set out in paragraph 8.1 of the report, with the following amendments:

- The hours for licensable activity are:

**The opening hours of the premises:**

Monday - Thursday	08:00 - 23:30
Friday - Saturday	08:00 - 00:30
Sunday	08:00 - 23:00

**Plays**

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

**Film**

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

**Live Music**

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

**Recorded Music**

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

**Performance of Dance**

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

**Late Night Refreshment**

Friday - Saturday	23:00 - 00:00
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**Supply of Alcohol (on sales):**

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

- Remove conditions 14 and 23 from the licence.
- Condition 24 shall be amended and read as follows:

“The number of people that will be using the designated smoking area (opposite main entrance to BYRD on Ravey Street and Willow Street) is limited to 8 people at any one time before 22:00 and shall be monitored by staff”.

And the following additional condition:

- From 20:00 the sale of alcohol shall be ancillary to a substantial table meal.
- From 22:00 the maximum number of persons allowed on the premises at any one time shall not exceed 136 persons (excluding staff)

### **Reasons for the decision**

The application for a premises licence has been approved, because members of the Licensing sub-committee were satisfied that the licensing objectives would not be undermined within the Shoreditch Special Policy Area (Shoreditch SPA).

The sub-committee took into account that the Responsible Authorities (Environmental Enforcement and Environmental Protection) agreed conditions with the applicant and withdrew their objections in advance of the hearing. The Metropolitan Police Service also agreed conditions and reduced hours with the applicant and subsequently withdrew their objections in advance of the hearing. It was noted that there were no objections raised by local residents.

The sub-committee took into consideration the representations made by the Licensing Authority, and their concerns about the impact on the Shoreditch SPA which suffered from public nuisance and the cumulative impact in the area. However, the Licensing Authority was happy with the reduced hours. It was noted that the Police had concerns about another premises in the Shoreditch SPA.

The sub-committee also took into consideration that the premises is located in the Shoreditch SPA and therefore it is subject to policy LP10.

The sub-committee heard submissions from the applicant's representative that the applicant is aware of the nature and location of the premises because they had worked in the hotel as a manager for sometime, and they intended to operate the premises responsibly and within core hours.

The sub-committee took into consideration that the premises is on the edge of Shoreditch SPA, however, the impact will be minimal and it may improve the area. The sub-committee took into account that the premises are separate from the hotel.

It was noted that all licensable activities carried out after 20:00 will be ancillary to the use of the restaurant for fine dining.

The sub-committee after hearing from the applicant, the applicant's representative, and the Licensing Authority were satisfied that the premises would not add to the cumulative impact in the area, and would not threaten the licensing objectives in the Shoreditch SPA. The sub-committee took into consideration the nature of the business, and that it will operate under core hours in accordance with Policy LP3. The sub-committee noted it was a food led premises and that the alcohol will be served ancillary to a substantial meal. The sub-committee also took into consideration the conditions agreed with the Responsible Authorities that would help overcome any negative impact in the Shoreditch SPA.

Having taken all of the above factors into consideration, the sub-committee were satisfied that by granting this premises licence, the licensing objectives would continue to be promoted within the Shoreditch SPA.

**6. Application to amend a Premises License: U7 Lounge, Unit 7, 2-4 Orsman Road, N1 5FB**

6.1 The Principal Licensing Officer introduced the application. The proposed licensable activity was to amend condition 46 as follows:

From " Hande Sezgin shall be excluded from the premises and shall not undertake any activities related to the management of the business. This shall include but shall not be limited to any directorship, shareholding, direct employment, employment as a contractor, advisor or supplier"

To "Ms Sezgin is excluded from the management of the business but not the premises in its entirety"

6.2 The Licensing Lawyer clarified that the Sub-Committee would be reviewing condition 26 of a premises license and that reference to an application in the papers was incorrect and required amendment. The options before the Sub-Committee were to grant the proposed amended condition or to refuse it. She indicated that David Dadds, Solicitor, did not intend to attend the meeting and asked the Sub-Committee if it required him to be present to answer any questions. The Sub-Committee confirmed that it did not have any questions for David Dadds. In communication with the Licensing Lawyer he had asked the Sub-Committee to only consider the amendment to the condition.

6.3 The Principal Licensing Officer (Community Safety) submitted, in opposition to the amendment that, highlighting the following:

- The Licensing Authority was aware of resident's concerns about the operation of the premises,
- The Licensing Authority had noted that this application was from a new individual;
- Did the new applicant have any relationship with the current licensee?
- The premises had gone into insolvency;

- The amended condition would be unenforceable.
- 6.4 Councillor Kam Adams submitted that complaints had been received about the operation of the premises, including operating out of hours. There had been allegations of intimidation of residents to prevent them from complaining. He submitted that the condition should not be amended.
- 6.5 The Chair asked for clarification on the relationship between Smiley and the person named in the condition. She asked if there had been evidence of intimidation produced at the previous hearing. The Principal Licensing Officer confirmed that Smiley was a relative. He confirmed that there had been evidence of intimidation at the previous hearing.
- 6.6 Councillor Bell clarified that a bundle had been submitted that included details of a refused planning permission application at the premises and that the business had gone into liquidation. The Chair considered that the amended condition may be unenforceable.

### **Decision:**

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

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

the review of condition 46 of the premises licence and the proposed amendment to this condition has been refused taking into consideration the Licensing Policies within the Council's Statement of Licensing Policy.

### **Reasons for the decision**

The Licensing sub-committee heard that the premises licence was granted by the Licensing sub-committee on 22 April 2021, and licence holder subsequently appealed condition 46 that excluded the previous licence holder, Hande Sezgin from the premises. The sub-committee were aware that this matter was referred back to the Council from the Magistrates' Court for the Licensing Sub-Committee to review this condition, and to decide whether to remove or vary condition 46.

The sub-committee took into consideration the representations of the Licensing Authority who objected to the removal of condition 46 and they did not accept the amendment to the condition as an alternative because they found it difficult to see how Hande Sezgin would not be involved in the management of the premises. The Licensing Authority made submissions that they would like condition 46 to remain on the premises licence because it is enforceable.

The sub-committee considered representations from the Ward Councilor on behalf of

local residents, who previously made representations, when the licence was applied for on 22 April 2021. The Ward Councillor made representations that condition 46 should not be removed or varied.

The sub-committee carefully considered the representations made by the Licensing Authority, the Ward Councillor representing Other Persons (local residents), and the representation from the licence holders legal representative. The sub-committee believes that the original decision dated 22 April 2021 to grant the premises licence, to the new licence holder, was granted in good faith that it would change, and improve the operation of the premises.

The sub-committee expressed that this was their first experience of local residents being fearful of those involved with the management and operation of any licensed premises. The sub-committee felt that this situation was totally unacceptable. The sub-committee, having heard from the Licensing Authority, believed that the removal of condition 46 would be likely to result in the licensing objectives being undermined.

The sub-committee felt that the removal of the condition would provide no enforceability in the future if Hande Sezgin continued to be involved in the operation of the premises.

The sub-committee considered the proposed amendment to condition 46 and they were not convinced that Hande Sezgin could attend the premises without being involved in the management and control of the premises. The sub-committee felt it was necessary for Hande Sezgin to continue to be excluded from the premises in its entirety to promote the licensing objectives.

The sub-committee took into consideration that on 22 April 2021 the Licensing Sub-Committee believed they were changing the management and control of the premises to ensure that the premises were run responsibly, and in compliance with the conditions on the licence, and condition 46 was necessary for this to be achieved. The sub-committee noted that the condition 46 was discussed with the licence holder's legal representative on 22 April 202, and there was no objection to this condition.

The sub-committee took into account that the premises continued to operate under the same management previously used that resulted in complaints from local residents.

The sub-committee believed that the licensing objectives could not be promoted by allowing condition 46 to be varied or removed from the licence and as such believed it was necessary and appropriate to refuse the removal of condition 46 from the premises licence.

## **7. Temporary Event Notices**

7.1 There were no Temporary Event Notices.



**End of Meeting.**

**Duration of Meeting: 2-5pm**

Chairperson: Councillor Emma Plouviez

Contact:  
Peter Gray  
[Peter.Gray@Hackney.gov.uk](mailto:Peter.Gray@Hackney.gov.uk)  
Tel: 020 8356 3326

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# Agenda Item 5

## Licensing Sub-Committee hearings, under the Licensing Act 2003 – Type C [Re; Review of a Premises Licence or Club Premises Certificate]

<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 for calling a Review.</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 making a representation in relation to the Review called.</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 and highlight their reasons for making a representation in relation to the Review called.</p>	<p>5 minutes each</p>
<p><b>Step 6 -</b> <b>Premises Licence/Club Certificate Holder</b></p>	<p>The Premises Licence/Club Certificate Holder will respond to the issues raised.</p>	<p>5 minutes</p>
<p><b>Step 7</b> <b>Discussion</b></p>	<p>The Chair will structure and lead a discussion on the information presented and give Sub-Committee Members an opportunity to seek clarification on any points raised and ask questions, if necessary.</p>	<p>15 minutes</p>
<p><b>Step 8</b> <b>Closing remarks</b></p>	<p>The Chair will ask all parties 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>

<b>Step 9 - Final clarification</b>	Licensing Sub-Committee Members will have a final opportunity to seek clarification on any points raised, following which the Chair will conclude the discussion.	5 minutes
<b>Step 10 Consideration</b>	<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>	10 minutes
<b>Step 11 Chair announces the decision</b>	<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>	5 minutes

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/uksi/2005/44/contents/made>

**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 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 Licensing Officer</b></p>	<p>The Licensing Officer will outline the report.</p>	<p>5 minutes</p>
<p><b>Step 3 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 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 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 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 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 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 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/uksi/2005/44/contents/made>



<b>REPORT OF THE GROUP DIRECTOR, NEIGHBOURHOODS AND HOUSING</b>		
<b>LICENSING SUB-COMMITTEE:</b> 03/03/2022	<b>Classification DECISION</b>	Enclosure
<b>Application for Review of Premises Licence:</b> British Express, 329 Old Street , EC1V 9LE	<b>Ward(s) affected</b> Hoxton East and Shoreditch	

## 1. SUMMARY

<b>Applicant:</b> PC Sian Giles	<b>In SPA:</b> Not Applicable
<b>Date of Application</b> 23 December 2021	
<b>The Grounds for Review:</b> <ul style="list-style-type: none"> <li>• Prevention of Crime and Disorder</li> <li>• Public Safety</li> <li>• Prevention of Public Nuisance</li> <li>• The Protection of Children from Harm</li> </ul>	
<b>Current Premises Licence Details ( LBH-PRE-T-1342):</b> Premises Licence permitting 1) Sale by retail of alcohol See Appendix B	
<b>Current Capacity</b>	Unknown
<b>Policies Applicable</b>	LP1 (General Principles), LP2 (Licensing Objectives) and LP11(Cumulative Impact – General)
<b>List of Appendices</b>	Appendix A– Application requesting the review of the premises licence and supporting documents Appendix B – Current Licence Appendix C - Representations from responsible authorities Appendix D - Location map
<b>Relevant Representations</b>	<ul style="list-style-type: none"> <li>• Licensing Authority</li> <li>• Environmental Enforcement</li> </ul>

## 2. APPLICATION FOR REVIEW OF PREMISES LICENCE

- 2.1 PC Sian Giles on behalf of Metropolitan Police , as a responsible authority under the Licensing Act 2003, have applied for the review of the premises licenses LBH-PRE-T-1342 and LBH-PRE-T-1042 granted for the premises known as The British Express on the grounds of prevention of crime and disorder, public safety, the prevention of public nuisance and the protection of children from harm.For further application details, see Appendix A.

### 3. CURRENT POSITION/ HISTORY

- 3.1 On 10th January 2022 the Premises Licence Number LBH-PRE-T-1042 was surrendered.
- 3.2 In February 2022 applications to transfer and to vary the designated premises supervisor were approved in respect of Premises Licence Number LBH-PRE-T-1342. See Appendix B
- 3.3 The premises have been in possession of a premises licence( LBH-PRE-T-1342) since November 2012. The current licensee is Deniz Food and Wine Ltd and the Designated Premises Supervisor is Onur Siroren . A copy of the current premises licence is attached as Appendix B.
- 3.4 No Temporary Event Notices have been submitted for the current year.

### 4. REPRESENTATIONS: RESPONSIBLE AUTHORITIES

From	Relevant Representations details
Environmental Health Authority (Environmental Protection)	Have confirmed no representation on this application
Environmental Health Authority (Environmental Enforcement) Appendix C2	Representation received on the grounds of The Prevention of Crime and Disorder
Environmental Health Authority (Health & Safety)	No representation received
Weights and Measures (Trading Standards)	No representation received
Planning Authority	No representation received
Area Child Protection Officer	No representation received
Fire Authority	Have confirmed no representation on this application
Police	Not Applicable, review applicant
Licensing Authority Appendix C1	Representation received on the grounds of The Prevention of Public Nuisance.
Health Authority	No representation received

### 5. REPRESENTATIONS: INTERESTED PARTIES

From	Details
Representations from and on behalf of local residents.	None.

### 6. REPRESENTATIONS: LICENSEE

- 6.1 No representations have been received from the licensee.

### 7. POLICY CONSIDERATIONS



- 7.1 The Licensing Sub-Committee is required to have regard to the Hackney Statement of Licensing Policy (“the Policy”) adopted by the Licensing Authority.
- 7.2 Extracts from Licensing Policies are reproduced at the front of the agenda for this meeting.
- 7.3 The Policy applies to applications where relevant representations have been made. With regard to this application, policies, LP1 (General Principles), LP2 (Licensing Objectives) and LP11 (Cumulative Impact – General) are relevant.

## **8. GUIDANCE CONSIDERATIONS**

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

## **9. OFFICER OBSERVATIONS**

- 9.1 Not Applicable.

## **10. REASONS FOR OFFICER OBSERVATIONS**

N/A

## **11. LEGAL IMPLICATIONS**

- 11.1 A legal representative will be in attendance to advise Members.

## **12. LEGAL COMMENTS**

- 12.1 The Council has a duty as a Licensing Authority under the Licensing Act 2003 to carry out its functions with a view to promoting the following 4 licensing objectives;
- The Prevention of crime and disorder
  - Public Safety
  - Prevention of public nuisance
  - The protection of children from harm
- 12.2 It should be noted that each of the licensing objectives have equal importance and are the only grounds upon which a relevant representation can be made and for which an application can be refused or terms and conditions attached to a licence.

## **13. HUMAN RIGHTS ACT 1998 IMPLICATIONS**

- 13.1 There are implications on Article 6, Article 8, Article 14 and the First Protocol of Article 1.

## **14. MEMBERS DECISION MAKING**

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

**14.2 The steps are:**

- A. **Option 1**  
**Take no action**
- B. **Option 2**  
**Modify the conditions of the premises licence.**
- C. **Option 3**  
**Exclude a licensable activity from the scope of the premises licence.**
- D. **Option 4**  
**Remove the designated premises supervisor.**
- E. **Option 5**  
**Suspend the premises licence for a period not exceeding three months.**
- F. **Option 6**  
**Revoke the licence.**

**15. CONCLUSION**

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

<b>Group Director, Neighbourhoods and Housing</b>	Ajman Ali
<b>Lead Officer (holder of original copy):</b>	Sanaria Hussain Senior 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.

<b>Description of document</b>	<b>Location</b>
<b>Office File:</b> British Express, 329 Old Street, London EC1V 9LE	Licensing Service 1 Hillman Street London E8 1DY

**Printed matter**  
Licensing Act 2003  
LBH Statement of Licensing Policy



**METROPOLITAN  
POLICE**

**TOTAL POLICING**

## Application for the Review of a Premises Licence or Club Premises Certificate 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 **PC Sian Giles 229287**

apply for the review of a premises licence under Section 51 of the Licensing Act 2003 for the premises described in Part 1 below

### Part 1 – Premises or club premises details

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

British Express 329 Old Street

Post town:

Hackney

Post code:  
(if known)

EC1V 9LE

Name of premises licence holder or club holding club premises certificate (if known):

Mr Salman Kurt

Number of premises licence or club premises certificate (if known):

LBH-PRE-1342

### Part 2 – Applicant details

I am:

Please tick Yes

1	an individual, body or business which is not a responsible authority (please read guidance note 1 and complete (A) or (B) below)	<input type="checkbox"/>
2	a responsible authority (please complete (C) below)	<input checked="" type="checkbox"/>
3	a member of the club to which this application relates (please complete section (A) below)	<input type="checkbox"/>

**PROTECTIVE MARKING**

<b>(A) DETAILS OF INDIVIDUAL APPLICANT (fill in as applicable)</b>									
Mr	<input type="checkbox"/>	Mrs	<input type="checkbox"/>	Miss	<input type="checkbox"/>	Ms	<input type="checkbox"/>	Any other title (e.g. Rev.)	<input type="checkbox"/>
Surname:					First Names:				
I am 18 years old or over			<input type="checkbox"/>						
Current postal address if different from premises address:									
Post town:				Post code:					
Daytime Tel. No.:				Email: (optional)					

<b>(B) DETAILS OF OTHER APPLICANT (fill in as applicable)</b>	
Name and Address:	
Telephone Number (if any):	
Email address: (optional)	

<b>(C) DETAILS OF RESPONSIBLE AUTHORITY APPLICANT (fill in as applicable)</b>	
Name and Address:	
PC Sian Giles CE Licensing unit, Metropolitan Police. Shoreditch Police Station	
Telephone Number (if any):	██████████
Email address: (optional)	██████████

<b>This application to review relates to the following licensing objective(s)</b>		
Please tick one or more boxes		
1	The prevention of crime and disorder	<input checked="" type="checkbox"/>
2	Public safety	<input checked="" type="checkbox"/>
3	The prevention of public nuisance	<input checked="" type="checkbox"/>
4	The protection of children from harm	<input checked="" type="checkbox"/>
Please state the ground(s) for review: (please read guidance note 2)		
please see attached documnetation for our evidence for the review application.		

**PROTECTIVE MARKING**

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

Please see attached.

PROTECTIVE MARKING

<b>Have you made an application for review relating to this premises before?</b>	<input type="checkbox"/> (Please tick yes)						
	<b>Day</b>	<b>Month</b>	<b>Year</b>				
If yes, please state the date of that application:							
If you have made representations before relating to this premises please state what they were and when you made them:							

**PROTECTIVE MARKING**

Please tick Yes

I have sent copies of this form and enclosures to the responsible authorities and the premises licence holder or club holding the club premises certificate, as appropriate.

I understand that if I do not comply with the above requirements my application will be rejected.

**IT IS AN OFFENCE, LIABLE ON CONVICTION TO A FINE UP TO LEVEL 5 ON THE STANDARD SCALE, UNDER SECTION 158 OF THE LICENSING ACT 2003 TO MAKE A FALSE STATEMENT IN OR IN CONNECTION WITH THIS APPLICATION.**

**Part 3 – Signatures** (please read guidance note 4)

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

<b>Signature:</b>		<b>Date:</b>	22/12/2021
<b>Capacity:</b>			

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

<b>Post town:</b>		<b>Post code:</b>	
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**Telephone Number (if any):**

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

**Notes for Guidance**

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

Retention Period: 7 years  
MP 321/12



**WITNESS STATEMENT**

**Criminal Procedure Rules, r 16. 2; Criminal Justice Act 1967, s. 9; Magistrates’ Courts Act 1980, s.5B**

URN 

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Statement of: Sian Giles

Age if under 18: Over 18 (if over 18 insert 'over 18') Occupation: Police Constable

This statement (consisting of 9 page(s) each signed by me) is true to the best of my knowledge and belief and I make it knowing that, if it is tendered in evidence, I shall be liable to prosecution if I have wilfully stated in it anything which I know to be false, or do not believe to be true.

Witness Signature: Sian Giles Date: 22/12/2021

On Behalf of the Metropolitan Police Service (‘MPS’), I make this statement in support of an application to review the two premises Licences for BRITISH EXPRESS 329 OLD STREET. Licence numbers LBH-PRE-1042 and LBH-PRE-1342 refers. The MPS believes that the following licensing objectives are being undermined:

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

I am the above named officer currently based in the Police Licensing Unit at Stoke Newington Police Station where I have been on and off for the last nine years. My current role is a Licensing officer.

I have personally had extensive dealings with the premises licence holder Mr Salman Kurt and the manager of this venue Mr Utku Disbudak for at least the last 6 years where I have been working with them to ensure their venue is upholding the licensing objectives, this is a key role within my work to engage and educate the venues, to identify issues and work with the management to resolve and improve the running of the business. In order to do this I need cooperation, this is something I feel I do not have with the venue who despite my engagement continue to flout the licensing law by continuing to breach conditions and ignore their obligations as a responsible operator.

The premises is in the special policy area (SPA) of Shoreditch, an area saturated with late night licensed premises, an area which in recent times has seen an increase in crime, disorder and ASB often associated with late night alcohol led venues. By being positioned in such an area it is vital these venues are run to high standards to ensure the licensing objectives are being adhered to.

British Express has two licenses but the one they use allows them to sell alcohol until 0200 and remain open until 0500.

In Summary, since 2019 the venue has had,

- 1- A closure notice served on them due to persistent selling to children (2019)
- 2- 2 x after hours sales (Nov 2021 and Dec 2021)
- 3- Numerous breaches of conditions during licensing visits
- 4- Breaches of conditions that have hindering serious investigations
- 5- Issues of disorder including a stabbing and continuous ASB outside the venue (2021)
- 6- An underage sale (Dec 2021)

Witness Signature: Sian Giles

Signature Witnessed by Signature: .....

Continuation of Statement of:

In an attempt to try to resolve the problems and in terms of engagement I have personally held five (5) meetings with the Mr Kurt and/or Mr Disbudak, I have sent numerous emails regarding issues with their two licences, 2 warning letters and at least three full licensing visits all of which identified licensing breaches. Police have regularly visited and observed the venue during their patrols and have noticed the ASB outside the shop especially from midnight until the early hours on a weekend.

For the purpose of this review and in order to keep the evidence recent and specific I will detail my dealings with the venue from 2019. The longer period is due to the global pandemic and the period of lockdowns and closures. I believe this time frame will give a fair insight into my engagement with the venue.

**CLOSURE NOTICE**

Jan 2019 saw the venue stop selling alcohol for a two week period after being served with a closure notice for persistent under age selling. The venue stopped all alcohol sales from 21/01/19-04/02/19. This occurred under the same licensee and management team that is still in place today. APPENDIX 1.

**Meeting-**

On 6<sup>th</sup> February 2019 I held a meeting with Mr Disbudak in relation to the closure notice, he stated how they had seen a 70% reduction in profit during the two weeks but they had retrained their staff, employed new staff and had made improvements in their policies and procedures such as  
1- new training using a licensing course book which I have advised to get staff to sign and date.  
2- new signs on the till and an adoption of the policy of no ID no sale.

Going forward Mr Disbudak explained that his brother would be taking over as the day to day running of the shop, I have asked to meet with him. – Unfortunately this didn't happen.

**Visit-**

April 2019 saw another test purchase operation conducted on the venue, this time the venue passed and did not sell to the underage person. However it was noted that at 0340 during the operation the alcohol was not covered up. This venue cannot sell past 0200 which brings to question why was the alcohol still on show?

Due to a mixture of the pandemic and staff the venue wasn't visited by myself again until August 2020.

**Visit-**

15<sup>th</sup> August 2020 I conducted a full licensing check ( see APPENDIX 2) here I tried to conduct a full visit however it soon became apparent that the staff had a serious lack of knowledge around the premises licence. This hindered my visit and also caused me concern over the running and management of the business. Staff on duty could not find a full copy of the premises licence at location, which is required by law. They also could not find a refusals book or staff training records. Both of which are conditions of their licence. I wasn't confident they knew what I was talking about when I requested these documents. I conducted the visit to the best of my ability and found numerous breaches as detailed below-

Witness Signature: *Siansi* .....

Signature Witnessed by Signature: .....

Continuation of Statement of:

*15. Clear and legible notices will be prominently displayed showing a message such as "if you appear to be under the age of 25, you will be required to prove you are over 1 8".- no signs on display*

*17. A minimum of 3 members of staff be on the premises between 22:00 hours until the premises is closed.- there was only two members of staff on duty during my visit.*

*18. A staff training program will be put in place ensuring all staff members know what forms of ID to accept, ensure they know what ID should look like and ensure they record this correctly in the refusals/incident book. This training will be documented and available for inspection immediately upon request by Police or the Licensing Authority.- no training records available*

During this visit I left an advice letter for licensed premises reminding them of the legislation and their obligations around The Licensing Act but also the Coronavirus legislation. As seen in APPENDIX 3.

**Meeting**

On 18<sup>th</sup> August 2020 as a response to this visit I met with Mr Disbudak to inform him about the breaches, lack of knowledge from staff and my concerns.

I called Mr Kurt to inform him of the same and to ask him why he still had two premises licences at the venue. He informed me that he wasn't aware there were two licences and he would surrender the unused one. This was then implemented with an email to him sent on 24<sup>th</sup> August 2020 (APPENDIX 4) here I requested him to consider surrendering the licence he does not use whilst explaining my reasoning behind the request. I also informed him of some conditions that needed looking into which were being continuously breached, during a phone call he stated these conditions were unrealistic therefore I advised him to seek advice and consider a variation.

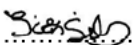
*19. In respect of alcohol sales which take place after 00:00 on Thursday-Saturday, all beers, ciders and ready mixed spirits (i.e. Barcardi Breezers, Smirnoff Ice etc.) to only be sold in plastic bottles.*

*21. All staff shall be required to wear badge s which should include their full name and title.*

Lastly I informed him about the breaches found at the last licensing visit and asked him to rectify.

I didn't receive a response or a variation.

The pandemic again meant visits and engagement with the venue saw a decrease until the summer of 2021, this venue was identified as a hotspot for ASB with a new wave of people loitering outside the venue, taking and selling NOX balloons, congregating outside on the narrow pavement and causing members of the public onto the busy highway in order to get past.

Witness Signature:  .....

Signature Witnessed by Signature: .....

Continuation of Statement of:

### Meeting

Therefore in July 2021 I requested a meeting with the venue. This was held at Stoke Newington Police Station, in attendance was Mr Kurt and Disbudak as well as myself, PC Ryan and PC Steele.

Issues of conditions being breached were discussed as well as issues about people hanging around outside, a lack of dispersal and increase of ASB in the area. We explained our concerns regarding the conditions 19 and 21 that were not being adhered to as well as the two licences. Mr Kurt said he wouldn't surrender a licence because he wanted to keep a licence in case 'we went after it'. I did explain that if we were to seek a review of his premises licence we would look at getting both reviewed at the same time.

I detailed me witnessing the inefficient SIA who stood inside the venue on his phone not paying attention or even attempting to disperse the customers outside. Mr Disbudak stated that he will replace him and someone new would be asked to start.

PC Steele advised that the SIA need venue specific training and perhaps more support, Mr Kurt asked for PC Steele to meet the new SIA guard on Friday 30<sup>th</sup> July. It was explained he would try to meet but would all depend on what was happening on the night.

PC Ryan who deals with premises licence applications discussed the option of putting in a minor variation to remove C21- name badges. C.19 discussed- shop to buy more cans and remove bottles of beer etc.

We ended the meeting with the assurances from the venue that no more breaches would be found, that a variation would be submitted and all staff including the SIA would be trained and more proactive in preventing and dealing the with ASB from their customers.

None of this happened.

### Visit

On 15<sup>th</sup> November 2021 at 1500 hours I visited the venue to conduct a full licensing check (APPENDIX 5) staff member Mr Ibrahim Disbudak was behind the till. When I identified myself and explained the purpose of my visit whilst asking for a copy of his premises licence he said he didn't know where it was and asked me to wait for his son Uktu (Mr Disbudak) We began the licensing check whilst waiting. We found the follow conditions not being adhered to

***Condition 7- Clear and legible notices to be displayed informing customers CCTV in operation.***

No signs were on display

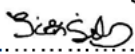
***Condition 10- All customers to be asked to leave quietly. Clear and legible notices to be clearly and prominently displayed reminding customers to respect neighbours and leave quietly.***

No signs were on display

***Condition 21- All staff shall be required to wear badges which should include their full name and title.***

Staff were not wearing badges

***Condition 26 X11- XII. Have signage displayed in the customer area to advise that CCTV is in***

Witness Signature:  .....

Signature Witnessed by Signature: .....

Continuation of Statement of:

*operation.*

No signs were on display.

I spoke to Mr Disbudak about the issues of ASB outside his shop, informing him that a stabbing had occurred outside last month, ( **CRIME- STABBING Stabbing 4623058/21 11/09/2021 at 0300. Stabbing on pavement outside venue. CCTV footage can be shown if needed.**)

Local police and our partners had identified the front of his store as a hotspot for crime, disorder and ASB. The fact that no improvements had been since seen our last meeting was disappointing.

I asked him to look to his SIA, perhaps he needed more support or further training. Mr Disbudak said he would look at employing an extra SIA as it was unsafe for his staff or SIA to deal with the people that loiter outside. He argued there was nothing else he could do.

I asked him to have a think, talk to Mr Kurt and get back to me.

### **After hours sale**

On 21<sup>st</sup> November 2021 the venue were witnessed operating after its licensed hours by means of selling alcohol past its licensed time of 0200.

Between the times of 0240-0310 around 6 alcohol sales took place mostly involving the sale of tonic wine called MAGNUM. The one male SIA was doing nothing to dispersal the crowd of 10-15 males loitering outside the shop doing NOX balloons. Customers from the shop were seen buying alcohol then loitering outside drinking and partaking in the NOX balloons.

APPENDIX 6.

### **Warning letter**

As a result of the licensing breaches and after hours sale I sent a warning letter via email to Mr Disbudak and Mr Kurt on 22<sup>nd</sup> November 2021. As seen in APPENDIX 7.


### **Meeting**

I then hand delivered the letter to Mr Disbudak on 23<sup>rd</sup> November 2021. It was during this meeting I expressed my frustrations with the lack of improvements despite my numerous meetings, visits and phone calls in an attempt to resolve the issues. Then to witness the venue operate past its hours left me with little confidence about the running of the establishment. Mr Disbudak described the people loitering outside his shop as trouble makers but didn't know what he could do to safely move them on. I suggested he close at 0200 hours after his licensable hours, he refused saying it was still a good profit between 0200-0500 hours. I asked him to consider it for a trial period and he said it was doubtful but would speak to Salman. I explained this may help the issue. He informed me that he had employed an extra SIA from a company which is used by other nearby venues to try and establish a community style enforcement amongst the nearby venues.

On 24<sup>th</sup> November 2021 I received information from a uniform colleague about the venue hindering their investigation by not adhering to their CCTV conditions which in stipulates

**6. CCTV monitoring system to be maintained. Recordings to be kept securely for a minimum 31 days and made available to Police and Council Licensing Officers upon request.**

**7. Clear and legible notices to be displayed informing customers CCTV in operation.**

Witness Signature:  .....

Signature Witnessed by Signature: .....

Continuation of Statement of:

**26 XIII. Digital images must be kept for 31 days.**

As seen in APPENDIX 8 PC Ferris attended the venue to obtain CCTV in relation to a criminal investigation however no one at the venue could operate the CCTV, the CCTV was showing the incorrect time and the CCTV was not saved for the required 31 days, as detailed in APPENDIX 9 which shows that the footage only actually saves for three weeks. This meant the evidence was lost and the crime closed.

On 25<sup>th</sup> November 2021 I requested a meeting with himself, Mr Kurt and the DPS of the 0500 licence whom I had never met Mr Kalender Kurt. APPENDIX 10.

**Meeting**

On 29<sup>th</sup> November this meeting took place, however Kalender did not attend. In attendance was myself, PC Ryan, Mr Kurt, Mr Disbudak and their licensing consultant Onur Siroren. During this meeting we again repeated the same topics of the conditions 19 and 21, the repeated licensing breaches in relation to the same conditions not be adhered to. The after hours sales, the poor dispersal and ASB outside. They stated the after-hours sale was a one off which wouldn't happen again.

I made it clear to the venue that we have exhausted all our options with trying to support the venue to abide by their licence. We were now considering enforcement action.

Mr Siroren seemed to grasp the seriousness of the issues and assured us he would look at varying the licence immediately to ensure such breaches did not occur. He also promised to train staff within two weeks and send us those details once done.

Again I asked the venue to consider closing at 0200 even on a trial basis in order to disperse the late night crowds and prevent the ASB their staff were struggling to deal with. The venue were not keen on this idea, and this did not happen.

We did not hear back from the venue until 16 days later but still no variation was received, which I will detail later in my statement.

**Visit/observation**

As part of my role I work night shifts in an around Shoreditch, on 5<sup>th</sup> December 2021 I observed the venue twice during my shift.

The first was at 0044 when I was walking past as part of an unrelated pre planned covert operation, I was by myself but could smell cannabis coming from inside the shop. I walked inside and the smell became more potent, I asked the staff about this, they refuted and said it must have been coming from outside. Unfortunately I didn't have the resources to deal with it on the night due to the operation I was partaking in therefore I noted it in my work return at the end of my shift.

Then again at 0358 whilst I was on duty in plain clothes with my colleague PC Leban whilst stationary in our vehicle on CURTAIN ROAD facing BRITISH EXPRESS we a crowd as seen in APPENDIX 11 this crowd contained around 15 males loitering. Some were participating in inhaling NOX balloons. Others were coming in and out of the venue. No other venues nearby were open. These were all here because of this one shop.

**CRIME- UNDER AGE SALE 10/12/2021 2300 hours .**

Witness Signature: *Siroren*.....

Signature Witnessed by Signature:.....

Continuation of Statement of:

On 10<sup>th</sup> December 2021 this venue sold to a 15 year old cadet as part of a test purchase operation. This is detailed in the statement from PC RIDOUT in APPENDIX 12 and can be seen on the venue's CCTV ( 23.26-23.28) APPENDIX 13. Please note the CCTV timings at out by 20minutes. The offence actually took place at around 2303. Appendix 14 shows the underage sale through stills of the CCTV footage.

Due to operational reasons the officers on the night were unable to issue a fixed penalty notice for the underage sale.

**CRIME 4633100/21-. - GBH 10/12/2021 00:30-01:00**

On the same night a few hours later a GBH occurred near to the venue.

Circumstances -

On Friday 10<sup>th</sup> December 2021, the victim was outside **BRITISH EXPRESS STORE** when his phone was taken from his hands by an unknown male, believed to be black male wearing a balaclava.

This suspect has then made off and the victim has followed him, demanding his phone back. The suspect has subsequently turned around and hit the victim on his left eyebrow with something, victim does not know if this was a fist or an object of some kind.

This assault left a large laceration to the left eyebrow, certainly needing multiple stitches

**CRIME 4633220/21 - ROBBERY and AFTER HOURS SALE. 11/12/2021 0245-0300**

The victim was taken by suspect (who disclosed he had a knife) to location and forced to buy 2 bottles of MAGNUM WINE between the times of 0245-0300 whilst also being forced to withdraw money. CCTV stills taken from outside the shop show victim and suspects drinking the MAGNUMS bought from the shop at 0253 (SEEN IN APPENDIX 15) illustrating an after hours sale.

Also seen in APPENDIX 15 are two further shots.

- 1- Taken at 0255 with the crowds loitering and participating in balloons.
- 2- Taken at 0316 with the SIA looking at his phone whilst crowds loitering and participate in balloon. Amongst these crowds are the robbery suspects who have told victim they are carrying a knife, have access to guns and owe money for a drug deal.

**Email from venue**

On 15<sup>th</sup> December 2021 I received an email from the venue's licensing consultant as seen in APPENDIX 16 , here he informed me about the improvements he had made including retraining all staff and has asked me to confirm our support in regards to the rewording of the conditions 19 and 21 mentioned earlier in this statement.

Now I accept this can be seen as a slight improvement and hints that the venue may be engaging, however they have still continued to breach another 16 days in spite of a licensing consultant being made aware of this. A variation should have gone in immediately once the consultant had been informed. In light of the recent incidents of after-hours sale and selling to a child I feel these serious events cannot be ignored.

I informed the consultant of the underage sale in a response email as seen on APPENDIX 17. It was also noted that the CCTV timing is still incorrect.

Witness Signature: ..... *Siensid* .....

Signature Witnessed by Signature:.....

Continuation of Statement of:

**Crimes**

Since May 2021 this venue has been linked to 8 crimes, 1 ABH , 2 Robberies and the 5 theft related offences.

**In conclusion**

My interactions with the venue have been extensive, spanning over a two year period. I have attempted to work with them on every occasion. These dealings with the venue have resulted in a large number of concerns which have not been resolved in spite of my numerous warnings.

The location of the venue and the hours it operates make it imperative that the venue has responsible and stringent management. This is in order to promote the licensing objectives whilst also minimising their influence on the negative cumulative impact of the area. I believe that this is not something that British Express has done, as demonstrated in this statement.

There has been a clear lack of improvement since the start of my visits giving me no confidence in the ability of the licensee, management or staff to uphold the licensing objectives. I feel they have no regard for the Licensing law and has demonstrated this on numerous occasions.

I question if the condition below is ever adhered to as detailed in my statement.

***23. There shall be 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***

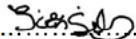
and the underage sales demonstrates the below condition is also not adhered to.

***14. The licensee shall promote 'Challenge 25' or 'Think 25' or any such similar scheme***

Despite of my most recent meeting with their licensing consultant the venue have sold to a child and sold after its licensed hours, 2 weeks after the meeting and merely days after the staff have been retrained (as seen in Appendix 16) I have considered all options that I myself has as a Police Officer within the licensing department and feel I have exhausted all my options.

I have considered the options the committee will have to deal with this matter in a review hearing and feel that the only option I would respectfully request is for them to consider a revocation of the two licences, as I detail below-

- 1- Removal of DPS- it is the lack confidence in the premise licence holder , DPS and staff as a collective therefore a change in DPS wouldn't meet the required change needed.
- 2- Add/amend conditions- the venue have failed to adhere to their current conditions already in existence. Secondly, some of the problems you cannot condition and are already in law, such as selling to a child.
- 3- Removal of an activity- the removal to serve alcohol in January 2019 didn't seem to have an impact on the venues attitude towards abiding by its licence or the law therefore I feel this is not appropriate.
- 4- Do nothing- We feel the issues here are far too serious for the committee to choose to do nothing. Our extensive engagement seems to have had little effect and the issues are still apparent.
- 5- Suspension of the licence- as discussed in the earlier options we feel the seriousness of the issues detailed in this statement deem a suspension of this licence in appropriate as we feel it

Witness Signature:  .....

Signature Witnessed by Signature: .....



Continuation of Statement of:

will have little effect in the long run. The issues are a multifaceted problem, one that a suspension of its licence will fail to improve.

6- Revocation- We feel this is the only option available.

In conclusion the MPS believe that it has exhausted all of the options available to it and therefore as a consequence) I am bringing this matter before the licensing authority for a review of its premises licence.

Witness Signature: *Siens* .....

Signature Witnessed by Signature: .....

1	Closure Notice- persistent selling to children (email confirming it being issued)	Jan-19
2	695 visit form	Aug-20
3	Licensed venue advice letter	Aug-20
4	Email sent to Mr Kurt (PLH)	Aug-20
5	695 visit form	Nov-21
6	CCTV from Local Authority of venue selling after its licensed hours (SKG/1-to be submitted at a later date)	Nov-21
7	Warning letter	22/11/2021
8	Statement from PC Ferris in relation to CCTV breach	24/11/2021
9	Intel from VIIDO	23/11/2021
10	email request for a meeting	25/11/2021
11	Picture of outside area taken at 0358	5/12/2021
12	Statement from PC Ridout	10/12/2021
13	CCTV from venue (to be submitted later)	10/12/2021
14	CCTV stills of underage sale	10/12/2021
15	CCTV stills from Robbery	11/12/2021
16	email from licensing consultant	15/12/2021
17	email chain regarding underage sale	15/12/2021

## Subject: Re: Closure notice

[REDACTED]  
to Sian.Giles

## Appendix A1

Tue, 15 Jan 2019

You are viewing an attached message. London Borough of Hackney Mail can't verify the authenticity of attached messages.

I confirm I have received it Sian, thanks.

Utku Disbudak

On 10 Jan 2019, at 13:47, "[Sian.Giles@met.police.uk](mailto:Sian.Giles@met.police.uk)" <[Sian.Giles@met.police.uk](mailto:Sian.Giles@met.police.uk)> wrote:

Hi Utku,

My colleague served the venue with a closure notice on 4<sup>th</sup> January. I did speak to Salman prior to this and informed him.

Just to confirm the closure notice is from the period of 21<sup>st</sup> Jan-4<sup>th</sup> Feb where you will not be licensed to serve alcohol at any times during this period. All sales will be deemed as an unauthorised sale which is a criminal offence and you will be liable to a review hearing, prosecution with possible imprisonment and/or fine of £20,000.

This is all explained on the closure notice.

Can you confirm you received the notice? It was served at both of Salman's premises in Hackney.

Many thanks

*PC Sian Giles 810GD*

*Hackney Police* [REDACTED]  
[REDACTED]

**Consider our environment - please do not print this email unless absolutely necessary.**

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METROPOLITAN POLICE

TOTAL POLICING

Come bk TUE

Form 695  
Revision Needed

Licensing Act 2003 - Record of Visit to Off - Licensed Premises

Details

Name of Premises: British express

Address of Premises: 329 Old St

Date of Visit: 15/8/20

Time Of Visit: 2222

**APPENDIX A2**

Premises Details

LBH licence number

Is the Designated Premises Supervisor (DPS) present? Yes  No

Record details of DPS personal Licence (include full name, issuing authority and lic No.)

DPS Contact No.:

If No DPS is present provide details of person in charge:

Record details of personal Licence (include full name, issuing authority and lic No.)

Is CCTV installed? Yes  No

Are miniature bottles on sale Yes  No

Does venue sell single can / bottle sales of beer / cider Yes  No

Does venue sell beer / cider over 6.5% Yes  No

Does venue sell / give away single paper / plastic cups Yes  No

Does venue have a refusal sales book Yes  No

Does the venue operate Challenge 21  25

Age / ID signs displayed? Yes  No

Is summary licence on display? Refer notes on back Yes  No

Is full licence available on premises? Refer notes on back Yes  No

Does the venue operate any drinks promotions or cheap sales as a one off? Yes  No

Premises Staff

How many staff are on duty? 2

How many Personal Licence Holders on site? 0

Are staff training records available? Yes  No

In officers opinion did venue staff have a good understanding of licensing laws? Yes  No

General attitude of staff : helpful  unhelpful  obstructive  other

### Explanation of licence

Summary licence - This normally consists of one / two page document containing the address of venue, DPS information and open hours of the venue and sale of alcohol hours

Full Licence - This contains the above information but also list the full set of actual conditions for the licence.

#### Licensing Objectives are

- Prevention of crime and disorder
- Protection of children
- Prevention of Public nuisance
- Public safety

To be completed by person in charge of venue

I confirm that I have received a letter from the Metropolitan Police titled " Christmas New years Eve Equinox 2014"

DATE \_\_\_\_\_ print name \_\_\_\_\_

Signature \_\_\_\_\_

Which conditions breached

15. 19A -  
 17. 21A - Variation/Removal  
 18.

Details of officer conducting visit

Name Giles

Shd No 1810 CC

Warrant No 229287



# APPENDIX A3

## CE Licensing Unit

advice letter for Licensed Venues.

**\*Important information, please ensure the premises licence holder reads this letter\***

Stoke Newington Police Station  
33 Stoke Newington High Street  
London  
N16 8DS

Telephone: 0207 275 3022

Facsimile:

Email:

hackneylicensing@met.police.uk

www.met.police.uk

14<sup>th</sup> August 2020

Dear Venue

On Saturday 4<sup>th</sup> July 2020 COVID-19 restrictions were lifted allowing the re-opening of the hospitality sector. This has led to unprecedented demand on the police/emergency services due to the significant increase in footfall within the Shoreditch triangle.

Large groups of people are drinking and gathering on the streets, which in turn has led to an increase in violent crime and anti social behaviour. As a licensee, you have a part to play in helping the Police reduce violence and prevent drunkenness in being a causal factor in violent crime within the nighttime economy.

There are many ways you can do this, the most important one is to understand and uphold the licensing objectives set under the 2003 Licensing act. These are -

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

This is an obligation and will not only help prevent crime but will also help to **protect your licence**.

Responsible alcohol sales go a long way in helping to reduce and prevent disorder for example -

- Never sell alcohol to a person who is intoxicated (section 141 Licensing act)
- Ensure care is considered for potentially vulnerable people (single female, very drunk/or drugged person, etc)
- Always challenge age where there is any doubt.

### **If you are an Off-Licence**

- Do not offer or sell plastic cups to allow consumption of alcohol in the street.
- Be careful how you target the night time economy customer ie sales of minitures.
- Consider who is purchasing lagers, beer or cider over 6.5%abv.
- Consider who is purchasing single cans.

Your help in reducing alcohol related violence is greatly appreciated but always remember that failure to uphold the licensing objectives could result in formal **enforcement action** and potentially the **loss of your alcohol licence**.

Yours sincerely,

CE Licensing team.

## Subject: Premise licence at 329 Old Street



Sian.Giles@met.police.uk

to [REDACTED]

Mon, 24 Aug 2021

You are viewing an attached message. London Borough of Hackney Mail can't verify the authenticity of attached messages.

## APPENDIX A4

Dear Mr Kurt,

Following on from our telephone conversation it has been noted that you have two licences registered to the off licence at 329 Old Street EC1V 9LE. References are LBH-PRE-T-1342 (alcohol 0200, open until 0500) and LBH-PRE-T-1042 (alcohol 0200, open until 0200) I believe you are currently using 1342. I have attached both for your convenience.

After discussions with yourself I am confident that you will agree the 1042 serves no purpose and therefore could be surrendered? This is something I would ask you to consider. Not only will this save any confusion amongst staff but also will ensure those from the Police or another responsible authority will be able to ensure the correct licence is being adhered to.

Secondly I mentioned some conditions on your licence which I questioned the suitability of. For your ease I have copied them below. I would ask you to consider seeking advice and taking steps to remove these by way of a variation.

***19. In respect of alcohol sales which take place after 00:00 on Thursday-Saturday, all beers, ciders and ready mixed spirits (i.e. Barcardi Breezers, Smirnoff Ice etc.) to only be sold in plastic bottles.***

***21. All staff shall be required to wear badges which should include their full name and title.***

During the visit conducted on the 15/08/20 at around 22:22 I was unable to complete the licensing checks due to the members of staff not having enough knowledge around the licence to facilitate the checks. I did note some breaches such as

***15. Clear and legible notices will be prominently displayed showing a message such as "if you appear to be under the age of 25, you will be required to prove you are over 18".- no signs on display***

***17. A minimum of 3 members of staff be on the premises between 22:00 hours***

Inspection

What age verification policy in place?

Yes  No

If so, is there signage visible?

Yes  No

Is the layout of the premises in accordance with the plan?

Yes  No

Does the Premises sell disposable cups or evidence they open bottles?

Yes  No

Does the Premises sell drug paraphernalia? Cannabis Grinders + pipes

Yes  No

Does the Premises sell Knives?

Yes  No

If yes, are they displayed and stored appropriately?

Yes  No

Does the Premises keep an incident/refusals Log?

Yes  No

If yes, is it used?

Yes  No

Does the Premises keep staff training records?

Yes  No

General Staff

How many staff are on duty?

2

Is there a trained first aider on duty?

Yes  No

General attitude of staff?

Helpful

Unhelpful

Obstructive

Other

Actions

Have any breaches in the licensing conditions been identified?

Yes  No

Details of breaches:

Condition 7 - No CCTV in operation signs.  
Condition 10 - No signs relating to customers leaving quietly  
Condition 21 - Staff not wearing name badges.  
Condition 26 XII - Sign for CCTV

Has a form 694 (notification of alleged offences) been served?

Yes  No

Has a section 19 Closure notice been served, including explanatory notes?

Yes  No

Has this visit been entered on LIPS?

Yes  No

Is a warning letter required as a result of this visit?

Yes  No

Are there other offences or issues relevant to partner agencies (ie fire, Gambling Commission, Environmental Health, HM Customs and Excise, Etc)?

Appropriate Agency:

Contact Name:





TERRITORIAL POLICING

British Food and Wine  
329 Old Street  
Hackney

**GD - Hackney Borough**

**GD Shoreditch and Hackney Police  
Station**

Stoke Newington Police Station  
33 Stoke Newington High Street  
London  
N16 8DS

Telephone: 0207 275 3022

Facsimile:

Email:

hackneylicensing@met.police.uk

www.met.police.uk

22/11/2021

Dear Mr Kurt

On 15<sup>th</sup> November 2021 at around 1500 hours Police Licensing visited your venue to conduct a full licensing visit.

This check led to a number of breaches being identified,

Condition 7 and 26 both require you to have signs on display informing customers that CCTV is in operation. No signs were present.

Condition 10 requires you to display signs asking customers to **leave quietly**, these were not displayed.

Condition 21 stipulates staff must wear name badges- no name badges were seen.

We have spoken about these conditions recently therefore it is disappointing these continue to be breached.

I also spoke to Utku regarding your outside area, this continues to be a problem and needs addressing. If we do not see any improvements we will have to consider our options in regards to enforcement and/or closure notices.

On 21 November 2021 we witnessed a number of alcohol sales take place between the hours of 0240 and 0248. This is after your licensed time to serve alcohol (0200 hours), these sales were also of glass bottles, something you are not permitted to sell past midnight. This needs to be rectified immediately. Your condition stipulates all beers, cider and ready mix alcohol must be sold in plastic containers. Cans of beer are unacceptable. This condition has been discussed on numerous occasions with yourself but you have failed to comply again.

I must remind you that any breaches of your premises licence can lead to a criminal prosecution or a review of your premises licence.

If you wish to discuss further please give me a call.

Yours sincerely,

PC Sian Giles

Hackney Police Licensing Unit.

WITNESS STATEMENT APPENIDX A 8

Criminal Procedure Rules, r 27. 2; Criminal Justice Act 1967, s. 9; Magistrates' Courts Act 1980, s.5B

URN [ ] [ ] [ ] [ ]

Statement of: PC FERRIS

Age if under 18: over (if over 18 insert 'over 18') Occupation: PC

This statement (consisting of 1 page(s) each signed by me) is true to the best of my knowledge and belief and I make it knowing that, if it is tendered in evidence, I shall be liable to prosecution if I have wilfully stated in it anything which I know to be false, or do not believe to be true.

Witness Signature: [Signature] Date: 24/11/2021

I am the above named officer and this statement relates to CRIS 4628594/21 of which I am the OIC.

On 17/11/2021 at 1106HRS with PC CLARKE 1280CE I attended the BRITISH EXPRESS off licence shop, EC1V 9LE for the purpose of gathering CCTV footage of the offences of Fraud by false representation and Theft. I spoke with the manager who stated they did not know how to work the CCTV, save it or download it. Therefore, myself and PC CLARKE found out how to play back the footage.

Between 29/10/2021 23:05:00 and 29/10/2021 23:40:00 (which was not the actual time but the time shown on the CCTV machine due to the machine being set to the wrong time) I observed the male I now know to be XXXXXXXXREDACTED TEXT XXXXX use a brightly coloured card to attempt to purchase a large glass bottle containing a dark liquid. I could tell that it was XX REDACTED XX due to this footage matching the footage from officers Body worn video of the incident, XX REDACTED XX was standing in the same place in the same clothes and when XX REDACTED XX was detained by police he dropped a card which matches the card XXREDACTEDXX was using to tap on the card reader in this CCTV footage.

I observed XXREDACTEDXX make several attempts to tap the card onto the contactless card reader, I then saw a receipt being produced and handed to XX REDACTED XX and XX REDACTED XX reach for the glass bottle. The shop keeper did not give XX REDACTED XX the alcohol and the other shop keeper then presented a new card reader which XX REDACTED XX tapped the card onto. This suggests that the card was declined, the receipt produced was a receipt to show the card was declined and then XX REDACTED XX attempted again to use the card on a different card reader. At this point Police officers enter the premises and detain XX REDACTED XX This concludes my statement of when I viewed the CCTV of this incident.

[Signature]

Witness Signature: [Redacted]

Signature Witnessed by Signature: .....

If you get a similar situation again, and time is of the essence (although they didn't tell you so you didn't know) you've found the DVR if you go via 'export' on the main menu and you can borrow a usb from us...we can the on a disc for you in the office

Thanks

# APPENDIX 9

Will  
CE Viido

---

**From:** [REDACTED]  
**Sent:** 19 November 2021 16:11  
**To:** CE Mailbox - VIIDO Team <[VIIDOMailbox-HUBGD-HT@met.police.uk](mailto:VIIDOMailbox-HUBGD-HT@met.police.uk)>  
**Subject:** 4628594/21

Good afternoon,  
Please find attached my request for a CCTV appointment.

Unfortunately I do not have a contact for anyone at the shop however it is 24 hours and they have been open times I attended. Apologies I did not realise I needed to get a contact when I went to the location.

The staff behind the counter and the manager did not know anything about how to work, download, or use the but I managed to use it and watch the footage but couldn't work out how to save or down load. The CCTV time wrong on the machine when I went so I have included the time that the offence was shown on the CCTV on th

I'm looking for the camera angle that shows the male paying with a pink monzo card when i went the camera I side on view of the counter so you could clearly see the card machine passed over and then the card tapped. Hope this helps if you need anything more let me know

Kind regards, Elise Ferris



**PC Elise Ferris**

Metropolitan Police Service  
Central East BCU (Hackney & Tower Hamlets)

[REDACTED]

In an emergency, always dial 999. For non-emergency, please call 101

Unless otherwise stated this email is  
GSC Code - Official



**PC Sian Giles**  
Licensing Officer  
Central East BCU (Hackney & Tower Hamlets)  
Metropolitan Police Service

[REDACTED] [uk](#)

# Subject: Re: licensing breach

Thu, 25 Nov 2021



[Redacted] to Sian.Giles

You are viewing an attached message. London Borough of Hackney Mail can't verify the authenticity of attached messages.

Sure, see you then.

Thanks

Utku

## APPENDIX A10

On 25 Nov 2021, at 13:33, S [Redacted] wrote:

Dear Salman and Utku,

Please can we meet to discuss this. I will also require the attendance of Kalender who if shown at the DPS for the 2<sup>nd</sup> licence.

Can you attend Stoke Newington Police Station on Tuesday 30<sup>th</sup> November at 11am.

Many thanks  
Sian

---

**From:** Giles Sian - CE-CU  
**Sent:** 22 November 2021 12:48  
**To:** [Redacted]  
**Subject:** licensing breach

Salman and Utku,

Please find a warning letter attached.

regards



**PC Sian Giles**  
**Licensing Officer**  
**Central East BCU (Hackney & Tower Hamlets)**  
**Metropolitan Police Service**

M: [Redacted]



WITNESS STATEMENT APPENDIX A12

Criminal Procedure Rules, r 27. 2; Criminal Justice Act 1967, s. 9; Magistrates' Courts Act 1980, s.5B

URN [ ] [ ] [ ] [ ]

Statement of: James RIDOUT

Age if under 18: Over 18 (if over 18 insert 'over 18') Occupation: Police Constable p243070

This statement (consisting of 1 page(s) each signed by me) is true to the best of my knowledge and belief and I make it knowing that, if it is tendered in evidence, I shall be liable to prosecution if I have wilfully stated in it anything which I know to be false, or do not believe to be true.

Witness Signature: [Signature] Date: 15/12/2021

On Friday 10<sup>th</sup> December 2021 I started my shift at 2000 hours for a test purchase operation. This Operation was to use police cadets not yet 18 to go in to the Off-licences and to try and buy alcohol with no ID. I was in Civilian clothes as a safety officer for the Cadets when they go in to the shops.

At about 22:55hours we pulled up into Hoxton Square and parked up to go to the British Express EC1V 9LE. The Cadet who was 15 years old was given a £5 note and was asked to go in and buy a can of Stella. I walked with the cadet and then went into the shop at about 23:03hours just before the Cadet. I have walked past two security guards at the door and walked down the shop. They had two staff members behind the counter on in his 30's and one in his 20's they also had a member of staff walking around the shop also. I walked past the counter and stood at the shelves to the far end of the shop. The Cadet has then walked in and has gone to the fridge area across from the counter he has picked up a Can of Stella and placed it on the counter at about 23:05hours. The male in his 20's has made no attempt to ask his age or for ID he has then taken the £5 note and given him the change. The Cadet has then walked out the shop and waited for me down the road. I have then exited the shop and walked back to the van.

The Cadet said that it was £2 for the can and then gave back £3 in change and the Can of Stella.

The Male in his 20's was an IC4 male with short wavy hair he was wearing a white Jacket.

[Signature]

Witness Signature: ..... [Signature] .....

Signature Witnessed by Signature:.....

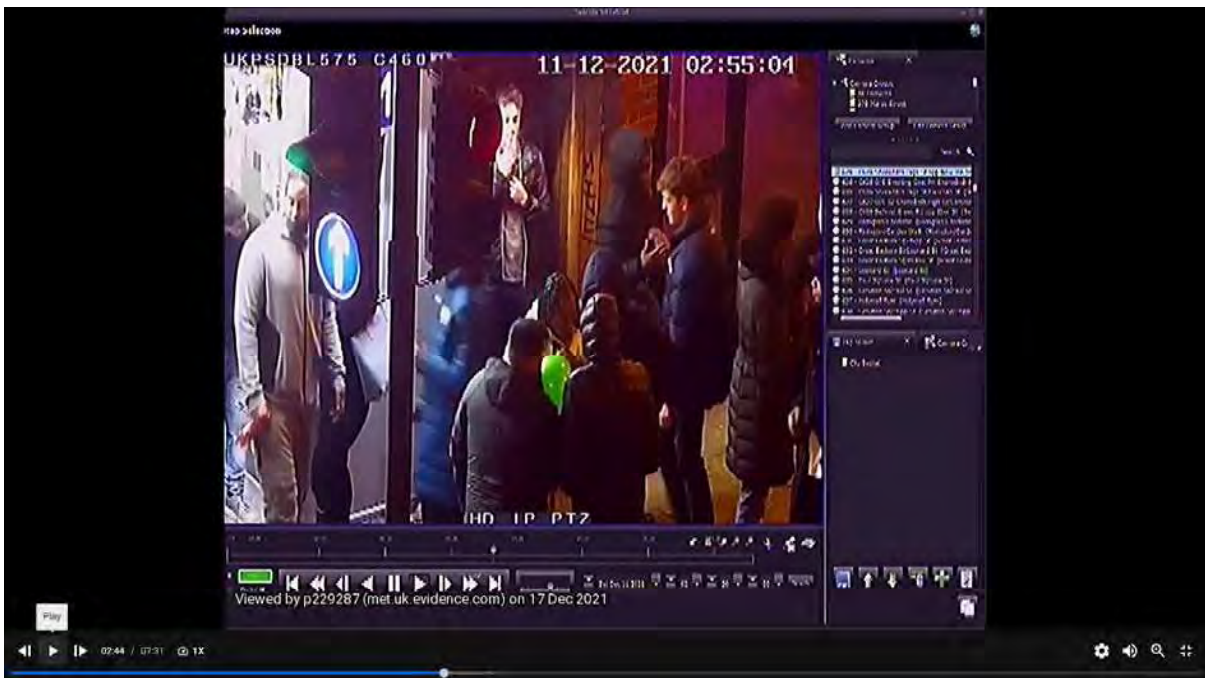




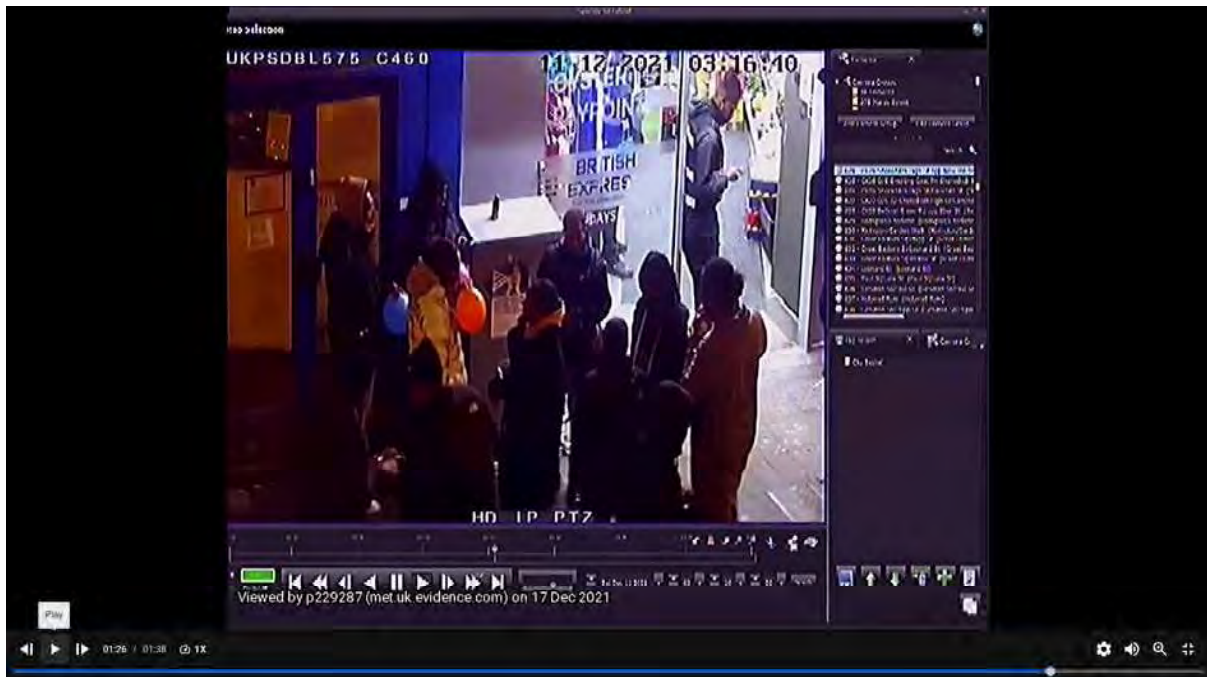
# APPENDIX A15

APPENDIX 15 ROBBERY 11/12/2021 stills

(Clip 1.1) 2021\_12\_11\_MON1005\_2052\_0343.mp4



[\(Clip 3.1\) 2021\\_12\\_11\\_MON1005\\_2052\\_0343.mp4](#)



# Subject: British Food and Wine ( LBH-PRE-T-1042 ) improvements 329 Old Street Hackney



to Sian.Giles, [REDACTED]

Wed, 15 Dec 2021

## APPENDIX A16

You are viewing an attached message. London Borough of Hackney Mail can't verify the authenticity of attached messages.

Dear Sian

It was great meeting you and Carrie on 30/11/2021 at your offices to discuss the findings / breaches on the licence for British food and Wine where Mr Salman Kurt is the DPS.

In that meeting We explained and showed photo evidence of the improvements made at the premises to fully comply with conditions:

7 – 26 Signs must be on display informing customers that CCTV is in operation. NOW FULLY COMPLIED WITH.

10 Displaying signs asking customers to leave quietly. NOW FULLY COMPLIED WITH.

21 Staff displaying their name badges. NOW FULLY COMPLIED WITH.

We also put a sign outside the premises to inform customers the alcohol sale cut off time to avoid them coming trying to buy. We try and minimise people entering the premises and asking for alcohol after permitted times. There are 5 other signs in the premises.

On the meeting we discussed the selling of an alcoholic drink after hours. The drink was a drink called Magnu which is a tonic however contains alcohol and is in a glass bottle.

Sian for this kind of breach not to happen again, as mentioned at our meeting with you I carried out a training session with Mr Utku and 6 of his Staff members on Monday 13/12/2021. The records of this training session will be placed at the premises. Also the CCTV footage is available of the training if you wish to see.

On the training we covered:

1. Explanation on each and every staff members responsibility on promoting the 4 licensing objectives.
2. Understanding the conditions attached to the licence and how to implement them.
3. How to implement Challenge 25 policy at all times. Accepted forms of Identification.
4. How to report alcohol refusals.
5. Identifying risk on selling alcohol to individuals who looks vulnerable.
6. How to operate CCTV immediately if an officer needs to view it.
7. How to deal with aggressive behaviour.
8. Identifying and Reporting crime.
9. The venue will be keeping an improved incident reporting log.

The training will be refreshed every 12 months or if necessary when employing new staff. Condition 18 about the training is now FULLY COMPLIED WITH.

**Subject: RE: British Express****Sian.Giles@met.police.uk**

to [REDACTED]

Wed, 15 Dec 2021

You are viewing an attached message. London Borough of Hackney Mail can't verify the authenticity of attached messages.

## APPENDIX A17

Hi Onur,

I believe one of the males in that footage is the staff member but we are just confirming that with the officers who conducted the operation.

The sale was made during a test purchase operation so we are certain the offence took place, the penalty was issued due to operational reasons. This is not the normal procedure but deemed necessary on this particular occasion.

In relation to the CCTV- I am somewhat disappointed that the camera time is still incorrect despite discussing this with the CCTV meeting during our meeting on November.

Many thanks

Sian

---

**From:** [REDACTED]  
**Sent:** 15 December 2021 13:05  
**To:** Giles Sian - CE-CU <[Sian.Giles@met.police.uk](mailto:Sian.Giles@met.police.uk)>; [REDACTED]  
**Cc:** Hackney Licensing Unit - GN <[HackneyLicensingUnit-GN@met.police.uk](mailto:HackneyLicensingUnit-GN@met.police.uk)>  
**Subject:** RE: British Express

Hi Sian

The footage is from 23:00 as you requested. (15 minutes difference on the CCTV) I am having a chat with Utku exactly the person you mean as he is having difficulty finding a white jacket staff.

Sian would you be kind enough to explain how do we know the offence took place for sure? And why the penalty issued on the spot? Utku is aware of the seriousness of the situation.

I am in no way trying to waste your time nor deny any wrongdoing at this stage. I just want to find out more information.

Best

Onur Siroren

Sent from [Mail](#) for Windows

---

**From:** [REDACTED]  
**Sent:** 15 December 2021 12:58

This premises licence has been issued by:  
**Licensing Service**  
1 Hillman Street  
London  
E8 1DY

**Premises licence number** LBH-PRE-T-1342

### Part 1 - Premises Details

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

British Food & Wine Store  
329 Old Street

<b>Post town</b>	London	<b>Postcode</b>	EC1V 9LE
------------------	--------	-----------------	----------

<b>Telephone number</b>	
-------------------------	--

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

Not applicable

**Licensable activities authorised by the licence**

Supply of Alcohol

**The times the licence authorises the carrying out of licensable activities**

**Supply of Alcohol**

**Standard Hours:**

Mon 08:00-00:00  
Tue 08:00-00:00  
Wed 08:00-00:00  
Thu 08:00-02:00  
Fri 08:00-02:00  
Sat 08:00-02:00  
Sun 08:00-00:00

**The opening hours of the premises**

**Standard Hours:**

Mon 07:00-05:00  
Tue 07:00-05:00  
Wed 07:00-05:00

Thu 07:00-05:00  
Fri 07:00-05:00  
Sat 07:00-05:00  
Sun 07:00-05:00

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

Off Premises

**Part 2**

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

Deniz Food and Wine Ltd  
329 Old Street  
London  
EC1V 9LE

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

10711971

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

Onur Siroren  
[REDACTED]

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

Personal licence number: [REDACTED]

Issuing Authority: [REDACTED]

**Date of grant: 8 November 2012**



**David Tuitt**  
**Team Leader - Licensing**

## **Annex 1 - Mandatory Conditions Supply of Alcohol (Off Premises)**

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. 3.1. 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.

3.2 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.

3.3. 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.

Minimum Drinks Pricing

4. 4.1 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.

4.2 For the purposes of the condition set out in paragraph 4.1 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.

4.3 Where the permitted price given by Paragraph 4.2(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.

4.4 (1) Sub-paragraph 4.4(2) below applies where the permitted price given by Paragraph 4.2(b) above on a day ("the first day") would be different from the permitted price on the next day ("the second day") as a result of a change to the rate of duty or value added tax.

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

### **Door Supervision**

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

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

6. CCTV monitoring system to be maintained. Recordings to be kept securely for a minimum 31 days and made available to Police and Council Licensing Officers upon request.
7. Clear and legible notices to be displayed informing customers CCTV in operation.
8. Appropriate fire safety procedures are to be in place along with appliance including fire extinguishers (H2O and CO2), internally illuminated fire exit signs, a smoke detector and emergency lighting. All appliances to be inspected annually.
9. Emergency escape routes will be kept free from obstructions at all times.
10. All customers to be asked to leave quietly. Clear and legible notices to be clearly and prominently displayed reminding customers to respect neighbours and leave quietly.
11. Ventilation and extract systems to be designed and maintained so as to prevent noxious smells causing nuisance to nearby properties.
12. Trade waste agreement to be maintained at all times.
13. Acceptance of accredited proof of age cards such as the Connexions Card and Citizens 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 the bearer.
14. The licensee shall promote 'Challenge 25' or 'Think 25' or any such similar scheme.
15. Clear and legible notices will be prominently displayed showing a message such as "if you appear to be under the age of 25, you will be required to prove you are over 18".
16. Refused sales register to be kept on the premises. This shall include time, date and details of the refusal.
17. A minimum of 3 members of staff be on the premises between 22:00 hours until the premises is closed.
18. A staff training program will be put in place ensuring all staff members know what forms of ID to accept, ensure they know what ID should look like and ensure they record this correctly in the refusals/incident book. This training will be documented and available for inspection immediately upon request by Police or the Licensing Authority.
19. In respect of alcohol sales which take place after 00:00 on Thursday/Saturday, all beers, ciders and ready mixed spirits (i.e. Barcardi Breezers, Smirnoff Ice etc.) to only be sold in plastic bottles.
20. From 22:30 on each day from Monday-Saturday until the premises is closed. Clearly identifiable SIA registered door supervisor shall be on duty at the entrance to the premises.

21. All staff shall be required to wear badge s which should include their full name and title.
22. No alcohol shall be placed on the shop floor other than on the allocated shelving or chillers units or other point of sale promotional display. All other surplus alcohol shall be kept in the storage area.
23. There shall be 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 24. All staff shall receive regular training on their responsibilities under the Licensing Act 2003 and records kept of training and refresher training received
25. Any incidents of a criminal nature that may occur on the premises will be reported to the Police.
26. The Licensee will install and maintain a comprehensive CCTV coverage at the premises. The CCTV system shall conform to the following points:
- I. Cameras must be sited to observe the entrance and exit doors both inside and outside.
  - II. Cameras on the entrances must capture full frame shots of the heads and shoulders of all people entering the premises ie capable of identification
  - III. Cameras viewing till areas must capture frames not less than 50% of screen.
  - IV. Cameras overlooking floor areas should be wide angled to give an overview of the premises.
  - V. Be capable of visually confirming the nature of the crime committed.
  - VI. Provide a linked record of the date, time and place of any image.
  - VII. Provide good quality images - colour during opening times.
  - VIII. Operate under existing light levels within and outside the premises.
  - IX. Have the recording device located in a secure area or locked cabinet.
  - X. Have a monitor to review images and record picture quality.
  - XI. Be regularly maintained to ensure continuous quality of image capture retention.
  - XII. Have signage displayed in the customer area to advise that CCTV is in operation.
  - XIII. Digital images must be kept for 31 days.
  - XIV. Police will have access to images at any reasonable time.
  - XV. The equipment must have a suitable export method, eg CD/DVD writer so that the police can make a 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 (ie manufacturer proprietary) 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 the police on request.

**Annex 3 - Conditions attached after a hearing by the licensing authority**  
Not Applicable

# APPENDIX C1

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

### RESPONSIBLE AUTHORITY DETAILS

NAME OF AUTHORITY	Licensing Authority
ADDRESS OF AUTHORITY	Licensing Service 1 Hillman Street London E8 1FB
CONTACT NAME	Channing Riviere
TELEPHONE NUMBER	020 8356 4622
E-MAIL ADDRESS	Channing.riviere@hackney.gov.uk

### APPLICATION PREMISES

NAME & ADDRESS OF PREMISES	British Food & Wine Store 329 Old Street Hackney London EC1V 9LE
NAME OF APPLICANT	Metropolitan Police

### COMMENTS

I make the following relevant representations in relation to the above application.

- the prevention of crime and disorder X
- public safety X
- the prevention of public nuisance X
- the protection of children from harm X

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

Having reviewed the application the Licensing Authority submit the following comments.

The Police evidence details a lengthy series of failings which have led to this action being taken. These include:

- Sales of alcohol outside of the hours authorised by the premises licence
- Sales of alcohol to persons under the age of 18
- Breaches of conditions attached to the premises licence
- Disorder, ASB and at least one violent incident related to the premises

The premises is located within the Shoreditch SPA is designated as such as the area is known to suffer from problems generated by the cumulative impact of licensed premises in the area. As such, operators of licensed premises in the area should be mindful that their operations do not further contribute to the issues experienced in the area. Whilst cumulative impact is not a ground to revoke a licence, the location of the premises within the Shoreditch SPA further illustrates the negative impact the premises is having on the wider area.

The Police have on numerous occasions brought these very serious matters to the attention of the operator. However, these interventions have not yielded any improvement. The Licensing Authority therefore supports the Police in their application seeking the revocation of the licence due to the persistent failings. It is our view that the availability of alcohol at this site would continue to undermine the licensing objectives and only revocation would allay concerns.

The actions taken by the Police as documented in the application also appear to be in accordance with the Revised guidance issued under section 182 of the Licensing Act 2003 in which Chapter 11.10 states the following.

*"11.10 Where authorised persons and responsible authorities have concerns about problems identified at premises, it is good practice for them to give licence holders early warning of their concerns and the need for improvement, and where possible they should advise the licence or certificate holder of the steps they need to take to address those concerns. A failure by the holder to respond to such warnings is expected to lead to a decision to apply for a review. Co-operation at a local level in promoting the licensing objectives should be encouraged and reviews should not be used to undermine this cooperation."*

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

The Licensing Act 2003, Statement of Licensing Policy 2016 and Guidance issued by the Home Office. The application from the Police.

--

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

N/A
-----

**Name:** Channing Riviere (Principal Licensing Officer)

**Date:** 19/01/2022



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

## British Express MG11 for Licencing Representation

1 message

**Chris OConnor** <chris.oconnor@hackney.gov.uk>  
To: Sanaria Hussain <sanaria.hussain@hackney.gov.uk>  
Cc: David Tuitt <david.tuitt@hackney.gov.uk>

19 January 2022 at 18:01

# APPENDIX C2

Hi Sanaria,

I've attached an MG11 detailing two incidents relating to British Express. I have gone through their licence but it's very hard to link either of these incidents to specific breaches. The only possible option here would be to look at clause 25 - "All incidents of a criminal nature which may occur on the premises will be reported to the police". I don't know if they reported either incident but I would have my doubts. Hopefully it is still useful to document the crime, disorder and ongoing ASB that is linked to this premises.

Let me know if there is anything further I can assist with regarding this, I am conscious the deadline is today for submitting these.

Kind Regards

Chris O'Connor  
Enforcement Team Leader  
Community Safety, Business Regulation, and Enforcement  
Public Realm  
Hackney Council  
Hackney Service Centre

[chris.oconnor@hackney.gov.uk](mailto:chris.oconnor@hackney.gov.uk)  
[www.hackney.gov.uk](http://www.hackney.gov.uk)



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

**MG11 O'CONNOR 19.01.22.pdf**  
107K



**WITNESS STATEMENT**

(CJ Act 1967, s.9; MC Act 1980, ss.5A(3) (a) and 5B; MC Rules 1981, r.70)

URN

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Statement of: Chris O'CONNOR

Age if under 18(if over 18 insert 'over 18'): over 18

Occupation: Hackney Enforcement Team Leader

This statement (consisting of page(s) each signed by me) is true to the best of my knowledge and belief and I make it knowing that, if tendered in evidence, I shall be liable to prosecution if I have wilfully stated anything in it, which I know to be false, or do not believe to be true.

Signature:



Date: 19/01/2022

Tick if witness evidence is visually recorded  (supply witness details on rear)

Signature:

Date:

Tick box if required

This statement refers to two incidences of crime and disorder that I was witness to involving the "BRITISH EXPRESS" convenience store on OLD STREET, EC1V.

At the time of the first incident on SATURDAY 9th OCTOBER 2021 I was working for Parkguard Ltd, on behalf of the London Borough of Hackney to enforce against Anti-Social Behaviour pursuant to the Anti-Social Behaviour, Crime and Policing Act 2014. At approximately 04:20 hours I was in full uniform on patrol in OLD STREET, EC1V with my colleague, Omar IBRAHIM. We noticed a disturbance where people were shouting outside the BRITISH EXPRESS convenience store. We walked in the direction of the store and noticed that a number of males were fighting in the entrance way to the store. Two IC3 black males were stood inside the store by the entrance while a number of other males were trying to strike them with their fists. The door supervisors working inside the premises were stood behind this group trying to stop the males who were fighting from coming any further into the shop. At this time my colleague IBRAHIM shouted loudly to make the groups aware of our presence. One group of approximately 3 males then ran off along OLD STREET in the direction of CITY ROAD.

Statement of: Chris O'CONNOR

Signed:




Date and Time; Statement Completed: Page 81 19/01/2022 15:25 HRS

The other group remained inside the BRITISH EXPRESS convenience store. We remained in the doorway to separate both groups. After a period of time the two IC3 males then left the store and there was no further disorder. We spoke to the door supervisor who told us that he was overwhelmed by this group fighting inside the shop. We then left the store and there were no further issues.

On SATURDAY 8th JANUARY 2022 I was working as an Enforcement Team Leader for London Borough of Hackney. At approximately 01:25 hours, I was on foot patrol on OLD STREET, EC1V with my two colleagues EO36 HOLLAND and EO51 OGUNSOLA. I was approached by two males who asked to speak to me. The two males told me that they had been offered drugs inside the BRITISH EXPRESS shop on OLD STREET, EC1V. I asked for more information and one of the males provided a description stating that the male who offered him drugs was an "IC3 MALE WITH DREADLOCKS WEARING BLUE DENIM JEANS". I understood that he used the description of "IC3 MALE" to refer to a black male. He told me that the male has asked him "DO YOU WANT ANY GEAR" which he refused. After telling me this, both males then left the area. I then walked outside the BRITISH EXPRESS shop where I saw a male matching this description standing inside the BRITISH EXPRESS shop, for the remainder of this statement I will refer to this male as "SUSPECT". I then walked to CURTAIN ROAD, EC2A where I brought this to the attention of a number of police officers. The police officers then walked with me to BRITISH EXPRESS but the SUSPECT had left the store. However we identified the SUSPECT on CURTAIN ROAD and confirmed to the police officers that it was the same male that we had seen inside BRITISH EXPRESS that matched the description initially given to us. The police stopped the SUSPECT on RIVINGTON STREET, EC2A. The SUSPECT then became obstructive towards the police and other members of public tried to interfere. At this point I switched on my Body Worn Camera (BWC). With my two colleagues EO36 HOLLAND and EO51 OGUNSOLA, we assisted to stop the other members of public from interfering. We did this by standing between them and the police who were attempting to stop the SUSPECT. The police searched the SUSPECT and found the SUSPECT to be in possession of a bladed article. At this point I switched off my BWC. The SUSPECT was arrested by police and conveyed to custody.

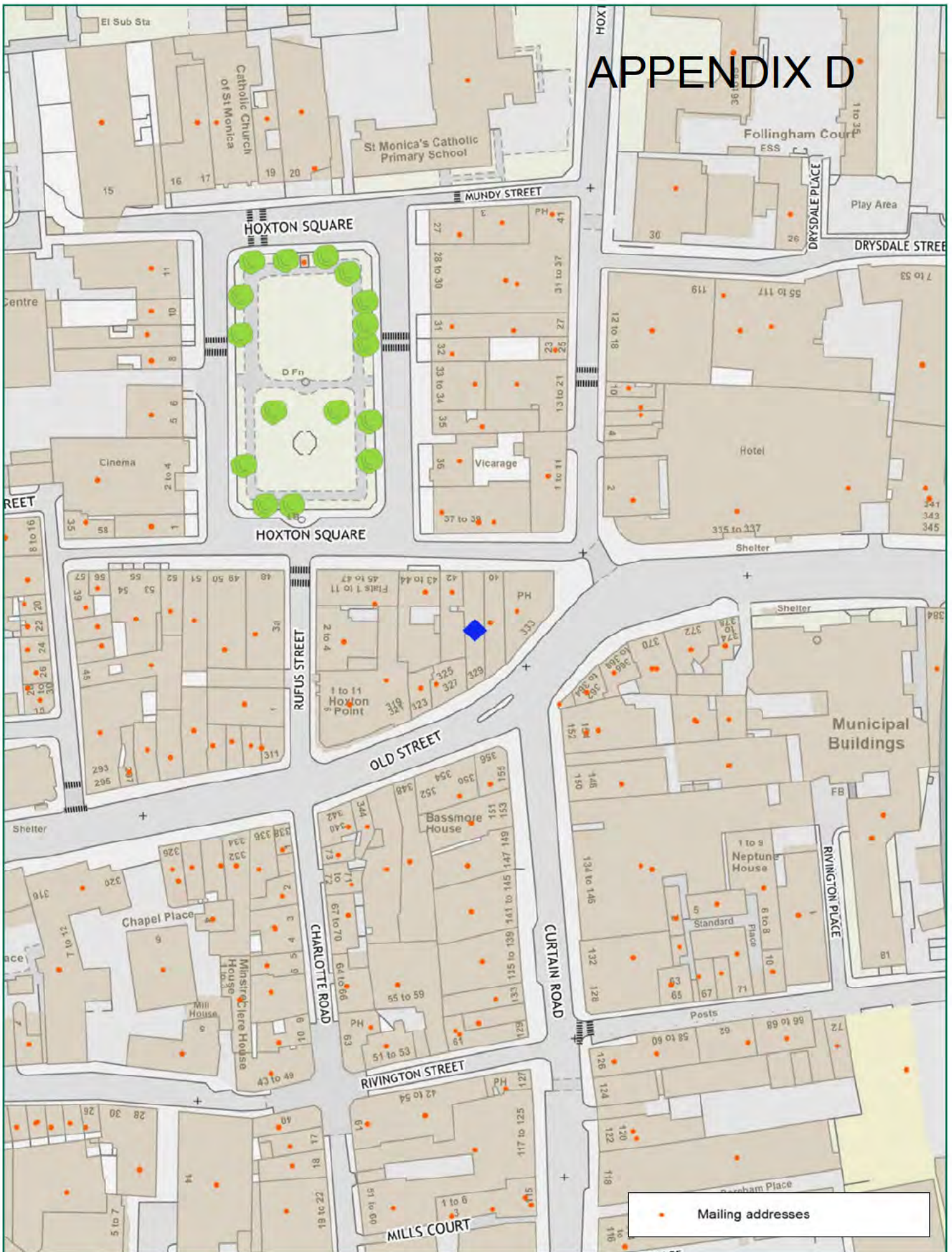
This concludes my statement.

Statement of: Chris O'CONNOR

Signed: 

Date and Time; Statement Completed: Page 82 2022 15:25 HRS

# APPENDIX D



• Mailing addresses



Scale: 1:1250 at A4

**329 Old Street**



Ref:  
Tuesday, February 22, 2022

Page 83  
Product: Unspecified  
email:

please specify copyright statement

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<b>REPORT OF GROUP DIRECTOR, NEIGHBOURHOODS AND HOUSING</b>		
<b>LICENSING SUB-COMMITTEE:</b> 03/03/2022	<b>Classification</b> DECISION	<b>Enclosure</b>
<b>Application for a Premises Licence</b>  The Kings Land, 267 Kingsland Road, London, E2 8AS	<b>Ward(s)</b> <b>affected</b>  Hoxton East and Shoreditch	

## 1. SUMMARY

<b>Applicant(s):</b> TKL INC Ltd	<b>In SPA:</b> N/A
<b>Date of Application</b> 22/12/2021	<b>Period of Application</b> Permanent
<b>Proposed licensable activity</b> Live Music Recorded Music Supply of Alcohol (On and Off Premises)	
<b>Proposed hours of licensable activities</b>	
<b>Live Music</b>	<b>Standard Hours:</b> Mon 12:00-00:00 Tue 12:00-00:00 Wed 12:00-00:00 Thu 12:00-00:00 Fri 12:00-00:00 Sat 12:00-00:00 Sun 12:00-00:00
<b>Recorded Music</b>	<b>Standard Hours:</b> Mon 12:00-02:30 Tue 12:00-02:30 Wed 12:00-02:30 Thu 12:00-04:30 Fri 12:00-04:30 Sat 12:00-04:30 Sun 12:00-02:30
	<b>Non-standard Hours:</b> Christmas Eve (occurring on any day from Sunday to Wednesday from 12:00 to 04:30 on the day following). New Year's Eve (occurring on any day from Sunday to Wednesday from 12:00 to 04:30 on the day following). On New Year's Eve occurring on any day

from Thursday to Saturday from the end of permitted hours on New Year's Eve to the start of permitted hours on the following day.

**Supply of Alcohol  
(On and Off Sales)**

**Standard Hours:**

Mon 12:00-03:00  
Tue 12:00-03:00  
Wed 12:00-03:00  
Thu 12:00-05:00  
Fri 12:00-05:00  
Sat 12:00-05:00  
Sun 12:00-03:00

**Non-standard Hours:**

Christmas Eve (occurring on any day from Sunday to Wednesday from 12:00 to 05:00 on the day following).  
New Year's Eve (occurring on any day from Sunday to Wednesday from 12:00 to 05:00 the day following).  
On New Year's Eve occurring on any day from Thursday to Saturday from the end of permitted hours on New Year's Eve to the start of permitted hours on the following day.

**The opening hours of the premises**

**Standard Hours:**

Mon 12:00-03:00  
Tue 12:00-03:00  
Wed 12:00-03:00  
Thu 12:00-05:00  
Fri 12:00-05:00  
Sat 12:00-05:00  
Sun 12:00-03:00

**Non-standard Hours:**

Christmas Eve (occurring on any day from Sunday to Wednesday from 12:00 to 05:00 on the day following).  
New Year's Eve (occurring on any day from Sunday to Wednesday from 12:00 to 05:00 the day following).  
On New Year's Eve occurring on any day from Thursday to Saturday from the end of permitted hours on New Year's Eve to the start of permitted hours on the following day.

**Capacity:** Not known

**Policies Applicable**

LP1 (General Principles), LP2 (Licensing Objectives), LP3 (Core Hours), LP4 ('Off' Sales of Alcohol) and LP11(Cumulative Impact – General)

<b>List of Appendices</b>	A – Application for a premises licence and supporting documents B – Representations from Responsible Authority C - Representations from Other Persons D – Location map
<b>Relevant Representations</b>	<ul style="list-style-type: none"> <li>• Police</li> <li>• Licensing Authority</li> <li>• Environmental Enforcement</li> <li>• Other Persons</li> </ul>

## 2. APPLICATION

2.1 TKL INC Ltd 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
- To provide regulated entertainment

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 has previously held a premises licence and the licence was surrendered in August 2020.

3.2 Temporary Event Notices have been given for events in the last twelve months at this premises as follows:

<b>Date of the event(s)</b>	<b>Hours</b>
16/12/21-19/12/21	16:00-00:30
23/12/21-27/12/21	12:00-01:00
29/12/21-03/01/22	12:00-01:00
28/01/22-30/01/22	16:00-00:30
25/02/22-27/02/22	16:00-01:00

## 4. REPRESENTATIONS: RESPONSIBLE AUTHORITIES

<b>From</b>	<b>Details</b>
Environmental Health Authority (Environmental Protection)	Representation withdrawn based on agreed conditions as set out in para 8.1
Environmental Health Authority (Environmental Enforcement) (Appendix B3)	Representation received on the grounds of The Prevention of Public Nuisance
Environmental Health Authority (Health & Safety)	No representation received
Weights and Measures (Trading Standards)	No representation received
Planning Authority	No representation received
Area Child Protection Officer	No representation received

Fire Authority	No representation received
Police (Appendix B1)	Representation received on the grounds of The Prevention of Crime and Disorder and Prevention of Public Nuisance
Licensing Authority (Appendix B2)	Representation received on the grounds of public safety and Prevention of Public Nuisance
Health Authority	No representation received

## 5. REPRESENTATIONS: OTHER PERSONS

From	Details
13 Representations opposing the application received from and on behalf of local residents. (Appendices C1-C13).	Representation received on the grounds of The Prevention of Crime and Disorder, Public Safety, Prevention of Public Nuisance and The Protection of Children from Harm.

## 6. GUIDANCE CONSIDERATIONS

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

## 7. POLICY CONSIDERATIONS

- 7.1 Licensing Sub-Committee is required to have regard to the London Borough of Hackney's Statement of Licensing Policy ("the Policy") adopted by the Licensing Authority.
- 7.2 The Policy applies to applications where relevant representations have been made. With regard to this application, policies, LP1 (General Principles), LP2 (Licensing Objectives), LP3 (Core Hours), LP4 ('Off' Sales of Alcohol) and LP11 (Cumulative Impact – General) 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:
- At a time when there is no designated premises supervisor in respect of the premises licence.
  - At a time when the designated premises supervisor does not hold a personal licence or his personal licence is suspended.
2. Every supply of alcohol under the premises licence must be made or authorised by a person who holds a personal licence.
3. (1) The responsible person must ensure that staff on relevant premises do not carry out, arrange or participate in any irresponsible promotions in relation to the premises.

- (2) In this paragraph, an irresponsible promotion means any one or more of



the following activities, or substantially similar activities, carried on for the purpose of encouraging the sale or supply of alcohol for consumption on the premises -

(a) games or other activities which require or encourage, or are designed to require or encourage, individuals to;

- (i) drink a quantity of alcohol within a time limit (other than to drink alcohol sold or supplied on the premises before the cessation of the period in which the responsible person is authorised to sell or supply alcohol), or
- (ii) drink as much alcohol as possible (whether within a time limit or otherwise);

(b) provision of unlimited or unspecified quantities of alcohol free or for a fixed or discounted fee to the public or to a group defined by a particular characteristic in a manner which carries a significant risk of undermining a licensing objective;

(c) provision of free or discounted alcohol or any other thing as a prize to encourage or reward the purchase and consumption of alcohol over a period of 24 hours or less in a manner which carries a significant risk of undermining a licensing objective;

(d) selling or supplying alcohol in association with promotional posters or flyers on, or in the vicinity of, the premises which can reasonably be considered to condone, encourage or glamorise anti-social behaviour or to refer to the effects of drunkenness in any favourable manner.

(e) dispensing alcohol directly by one person into the mouth of another (other than where that other person is unable to drink without assistance by reason of a disability).

4. The responsible person must ensure that free potable water is provided on request to customers where it is reasonably available.

5. 5.1. The premises licence holder or club premises certificate holder must ensure that an age verification policy is adopted in respect of the premises in relation to the sales or supply of alcohol.

5.2 The designated premises supervisor in relation to the premises licences must ensure that the supply of alcohol at the premises is carried on in accordance with the age verification policy.

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

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

6. The responsible person shall ensure that:

a) where any of the following alcoholic drinks is sold or supplied for consumption on the premises (other than alcoholic drinks sold or supplied having been made up in advance ready for sale or supply in a securely closed container) it is available to customers in the following measures:

- beer or cider: 1/2 pint;
- gin, rum, vodka or whisky: 25ml or 35ml; and
- still wine in a glass: 125ml; and

a. these measures are displayed in a menu, price list or other printed

material which is available to customers on the premises; and

b. where a customer does not in relation to a sale of alcohol specify the quantity of alcohol to be sold, the customer is made aware that these measures are available.

### **Minimum Drinks Pricing**

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

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

(a) "duty" is to be construed in accordance with the Alcoholic Liquor Duties Act 1979;

(i) "permitted price" is the price found by applying the formula -  $P = D + (D \times V)$   
Where -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;

(b) "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;

(c) "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

(d) "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.

### **Door Supervision**

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

## Conditions consistent with the operating schedule

9. The licensee shall install a comprehensive CCTV system that ensures all areas of the licensed premises are monitored including all entry points, and which enable frontal identification of every person entering in any light condition. All cameras shall continually record whilst the premises are in operation and the recording shall be kept available for a minimum of 31 days with time and date stamping. Recordings shall be made available to a duly authorised Hackney council officer or a police officer upon request. The CCTV system shall be operated in accordance with the data protection act 1998 and any other relevant legislation.
10. No less than one member of staff who is able to operate the CCTV system shall be on the premises whenever the premises is operational.
11. A minimum of one SIA registered door staff per 100 patrons to be employed at the venue after 2200hrs. Additional male and female SIA door staff to be employed at the premises when required on the basis of an operational risk assessment with identity badges displayed at all times and SIA numbers, full names, times worked and duty performed to be entered into an occurrence book and made available to police immediately upon request.
12. An incident log shall be kept at the premises and made available on request to an authorised officer of the council or the Police, which will record the following as a minimum;
  - a. All crimes reported to the venue
  - b. All ejections of patrons
  - c. Any complaints received
  - d. Any incidents of disorder
  - e. Seizures of drugs or weapons
  - f. Any CCTV faults, search equipment faults or scanning equipment faults
  - g. Any refusal of the sale of alcohol
  - h. Any visit by a relevant authority or emergency service.
13. The licensee shall operate a zero tolerance policy to drugs and comply with the Hackney Police/Community Safety Unit Drugs and Weapons policy. Prominent signage highlighting zero tolerance to drugs and weapons shall be displayed at the entrance and within the premises.
14. The premises will maintain a written search policy to be operated within the premises, the aim of which is to deter customers from bringing illegal items, drugs and/or weapons into the premises.
15. A written record shall be kept detailing all refused sales of alcohol. The record should be kept on the premises, and made available for inspection on request by any duly authorised officer. Records should be kept for a minimum 12 months.
16. The licensee shall display the telephone and email address of the Designated Premises Supervisor for use by any person who may wish to make a complaint during the opening hours of the premises. The number/email address should be displayed in a prominent external location which is easily accessible to the public.
17. Staff must carry out regular, random toilet checks, at least once per hour when the premises is open to the public for evidence of any crime. These checks are

to be documented and kept for a minimum 31 days and made available on request for inspection by the Police.

18. Customers will not be allowed to leave the premises with glass or any other open container.
19. There shall be no entry or re-entry to the premises after 0100hrs by members of the public save for those that have temporarily left the premises to smoke.
20. There shall be a written dispersal policy, a copy of which shall be kept on the premises and made available to police or authorised officer upon request.
21. Clear and prominent notices shall be displayed and maintained at all exits in a place where they can be seen and easily read by customers requesting them to leave the premises and the area quietly.
22. No more than 10 smokers will be permitted in the designated smoking area after 9pm.
23. The premises shall operate a challenge 25 scheme. Any person who appears to be under the age of 25 shall be asked to provide proof of age identification in the form of a passport, photo driving licence or PASS proof of age card. Failure to provide such identification will result in a refusal to sell alcohol and detailed in the refusals book.
24. Prominent, clear notices shall be displayed at the point of entry and in prominent areas around the premises outlining the Challenge 25 policy.
25. All staff will receive training in regards the relevant legislation relating to the sale of alcohol, particularly under age sales and sales to drunks. Records of such training will be maintained on the premises and refresher training will be carried out on a 6 to 12 month basis.
26. Reasonable steps to be taken to ensure an authorised person is a member of Pub watch and SNOW, the membership is kept up to date and at least 3 meetings a year are attended.
27. All children to be accompanied by a responsible adult. Children to leave the premises by 1900hrs.
28. Premises to operate a no baseball caps or hooded tops policy and no alcohol promotions eg; Happy hour or 2 for 1.
29. Noise limiter to be employed in a separate and remote (from the volume control) lockable cabinet must be fitted to the music amplification system. No supplementary sound system to be used by acts without a full risk assessment and prior notice given to Hackney noise pollution department and Hackney Police.
30. Adequate/improved security lighting outside the premises with consideration being given to light pollution of neighbouring properties. All entrances to the venue to be lit and painted white to enable better quality of CCTV images for identification purposes.
31. The premises will also, in cooperation with Hackney Police and no later than 3 months following the granting of the premises licence, regularly facilitate a

premises drug audit using the Ion Itemiser or similar device.

32. Queues to be supervised by door staff to prevent disorder and measures to be implemented aimed at discouraging anti-social behaviour.
33. Premises will provide the police with a dispersal policy and comply with its contents to ensure that all patrons leave the venue and the vicinity quickly and quietly. Notices to be displayed at all exits requesting that patrons respect the needs of local residents and leave the premises and the area quietly.
34. All staff employed at the premises should be over 18 years old and photo identification has been seen to confirm this.
35. A member of staff shall run the cloakroom whenever licensable activities are taking place.

### **Conditions derived from Responsible Authority representations**

36. All windows and external doors shall be kept closed at any time when regulated entertainment takes place, except for the immediate access and egress of persons
37. No noise shall emanate from the premises nor vibration be transmitted through the structure of the premises that gives rise to a nuisance.
38. A tamper-proof noise-limiting device shall be fitted to the sound system within the premises and all amplified music played at the premises must pass through this sound limiter at a level that will not cause nuisance. The noise limiter shall not be altered without prior agreement with the Council's Environmental Protection Team.
39. While live or recorded music takes place, the licensee or management shall undertake regular monitoring of noise levels at the nearest noise-sensitive locations. A record shall be kept of any monitoring, including the date, time and location of monitoring; the name of the monitor; and any action taken. Records shall be kept for no less than six months and shall be made available upon request by a police officer or an authorised officer of Hackney Council.
40. 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.
41. Staff shall monitor customers smoking outside the premises on a regular basis and ensure patrons do not cause a public nuisance.
42. The number of smokers allowed to use the smoking designated area from 22:00 is restricted to 6 people.
43. There shall be a documented dispersal policy, as agreed with the Environmental Protection Team, implemented at the premises and a copy lodged with the Council's Licensing Unit.
44. Notices shall be prominently displayed at all exits requesting patrons to respect the needs of local residents and leave the area quietly.
45. The Licensee shall ensure that all relevant 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.

46. 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.
47. 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.
48. 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.
49. 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.
50. The current trade waste agreement/duty of care waste transfer document shall be conspicuously displayed and maintained in the window of the premises where it can be conveniently seen and read by persons standing in The Kings Land. This should remain unobstructed at all times and should clearly identify:-
  - the name of the registered waste carrier
  - the date of commencement of trade waste contract
  - the date of expiry of trade waste contract
  - the days and times of collection
  - the type of waste including the European Waste Code

## **9. REASONS FOR OFFICER OBSERVATIONS**

- 9.1 Conditions 9 to 35 are derived from applicant's operating schedule, conditions 36 to 44 have been agreed with Environmental Protection and conditions 45 to 50 have been proposed by the 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 Uthaysanagar 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
The Kings Land, 267 Kingsland Road, London, E2 8AS	Licensing Service 1 Hillman Street London E8 1DY

### Printed matter

Licensing Act 2003

**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 TKL INC Ltd

*(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 The Kings Land 267 Kingsland Road			
<b>Post town</b>	London	<b>Postcode</b>	E2 8AS

Telephone number at premises (if any)	
Non-domestic rateable value of premises	<b>£56500</b>

**Part 2 - Applicant details**

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

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



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

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

- I am carrying on or proposing to carry on a business which involves the use of the premises for licensable activities; or
- I am making the application pursuant to a
  - statutory function or
  - a function discharged by virtue of Her Majesty's prerogative

**(A) INDIVIDUAL APPLICANTS** (fill in as applicable)

Mr <input type="checkbox"/>	Mrs <input type="checkbox"/>	Miss <input type="checkbox"/>	Ms <input type="checkbox"/>	Other Title (for example, Rev)	
<b>Surname</b>			<b>First names</b>		
<b>Date of birth</b>		I am 18 years old or over <input type="checkbox"/> Please tick yes			
<b>Nationality</b>					
Current residential address if different from premises address					
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)**

Mr <input type="checkbox"/>	Mrs <input type="checkbox"/>	Miss <input type="checkbox"/>	Ms <input type="checkbox"/>	Other Title (for example, Rev)	
<b>Surname</b>			<b>First names</b>		
<b>Date of birth</b>		I am 18 years old or over <input type="checkbox"/> Please tick yes			
<b>Nationality</b>					
Current postal address if different from premises address					
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 TKL INC Ltd
---------------------

<b>Address</b> 267 Kingsland Road London E2 8AS
<b>Registered number (where applicable)</b> 13813922
<b>Description of applicant (for example, partnership, company, unincorporated association etc.)</b> Private Limited Company
<b>Telephone number (if any)</b> [REDACTED]
<b>E-mail address (optional)</b> [REDACTED]

**Part 3 Operating Schedule**

When do you want the premises licence to start?

DD	MM	YYYY
2	0	0 1 2 0 2 2

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) Public House
---

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

--

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

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

- | Provision of regulated entertainment (please read guidance note 2)  | Please tick all that apply          |
|---|-------------------------------------|
| a) plays (if ticking yes, fill in box A)  | <input type="checkbox"/>            |
| b) films (if ticking yes, fill in box B)  | <input type="checkbox"/>            |
| c) indoor sporting events (if ticking yes, fill in box C)   | <input type="checkbox"/>            |
| d) boxing or wrestling entertainment (if ticking yes, fill in box D)  | <input type="checkbox"/>            |
| e) live music (if ticking yes, fill in box E)   | <input checked="" type="checkbox"/> |
| f) recorded music (if ticking yes, fill in box F)   | <input checked="" type="checkbox"/> |
| g) performances of dance (if ticking yes, fill in box G)  | <input type="checkbox"/>            |
| h) anything of a similar description to that falling within (e), (f) or (g) (if ticking yes, fill in box H) | <input type="checkbox"/>            |
| <b>Provision of late night refreshment</b> (if ticking yes, fill in box I)                                  | <input type="checkbox"/>            |
| <b>Supply of alcohol</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 (please read guidance note 3)</b>	Indoors	<input type="checkbox"/>
				Outdoors	<input type="checkbox"/>
				Both	<input type="checkbox"/>
Day	Start	Finish	<b>Please give further details here (please read guidance note 4)</b>		
Mon					
Tue			<b>State any seasonal variations for performing plays (please read guidance note 5)</b>		
Wed					
Thur			<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 (please read guidance note 6)</b>		
Fri					
Sat					
Sun					

**B**

<b>Films</b> Standard days and timings (please read guidance note 7)			<b>Will the exhibition of films take place indoors or outdoors or both – please tick</b> (please read guidance note 3)	Indoors	<input type="checkbox"/>
				Outdoors	<input type="checkbox"/>
				Both	<input type="checkbox"/>
Day	Start	Finish	<b>Please give further details here</b> (please read guidance note 4)		
Mon					
			<b>State any seasonal variations for the exhibition of films</b> (please read guidance note 5)		
Tue					
			<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)		
Wed					
Thur					
Fri					
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			<b>State any seasonal variations for indoor sporting events</b> (please read guidance note 5)
Tue			
Wed			<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)
Thur			
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	<input type="checkbox"/>
				Outdoors	<input type="checkbox"/>
Day	Start	Finish		Both	<input type="checkbox"/>
Mon			<b>Please give further details here</b> (please read guidance note 4)		
Tue			<b>State any seasonal variations for boxing or wrestling entertainment</b> (please read guidance note 5)		
Wed			<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)		
Thur					
Fri					
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	<input checked="" type="checkbox"/>			
				Outdoors	<input type="checkbox"/>			
				Both	<input type="checkbox"/>			
Day	Start	Finish	<b>Please give further details here</b> (please read guidance note 4)					
Mon	1200	0000						
Tue	1200	0000						
Wed	1200	0000				<b>State any seasonal variations for the performance of live music</b> (please read guidance note 5)		
Thur	1200	0000						
Fri	1200	0000				<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	1200	0000						
Sun	1200	0000						

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	<input checked="" type="checkbox"/>
				Outdoors	<input type="checkbox"/>
				Both	<input type="checkbox"/>
<b>Day</b>	<b>Start</b>	<b>Finish</b>	<b>Please give further details here</b> (please read guidance note 4)		
Mon	1200	0230			
Tue	1200	0230	<b>State any seasonal variations for the playing of recorded music</b> (please read guidance note 5)		
Wed	1200	0230			
Thur	1200	0430	<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)		
Fri	1200	0430			
Sat	1200	0430	Christmas Eve(occurring on any day from Sunday to Wednesday from 1200 to 0430 on the day following. New Years Eve (occurring any day from Sunday to Wednesday from 1200 to 0430 the day following). On New Years Eve occurring on any day from Thursday to Saturday from the end of permitted hours on New Years Eve to the start of permitted hours on the following day.		
Sun	1200	0230			

**G**

Performances of dance Standard days and timings (please read guidance note 7)			Will the performance of dance take place indoors or outdoors or both – please tick (please read guidance note 3)	Indoors	<input type="checkbox"/>
				Outdoors	<input type="checkbox"/>
Day	Start	Finish		Both	<input type="checkbox"/>
Mon			<b>Please give further details here</b> (please read guidance note 4)		
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

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

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	<input type="checkbox"/>
				Outdoors	<input type="checkbox"/>
Day	Start	Finish		Both	<input type="checkbox"/>
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	<input type="checkbox"/>
				Off the premises	<input type="checkbox"/>
				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	1200	0300			
Tue	1200	0300			
Wed	1200	0300			
Thur	1200	0500			
Fri	1200	0500			
Sat	1200	0500			
Sun	1200	0300	<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 6)  Christmas Eve(occurring on any day from Sunday to Wednesday from 1200 to 0500 on the day following. New Years Eve (occurring any day from Sunday to Wednesday from 1200 to 0500 the day following). On New Years Eve occurring on any day from Thursday to Saturday from the end of permitted hours on New Years Eve to the start of permitted hours on the following day.		

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

<b>Name</b> Ismail Tezgel	
<b>Date of birth</b>	██████████
<b>Address</b> ██████████	
<b>Postcode</b>	██████████
<b>Personal licence number (if known)</b> ██████████	
<b>Issuing licensing authority (if known)</b> ████████████████████	

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).

No activity of this nature will occur

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	1200	0300	<p><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)</p> <p>Christmas Eve(occurring on any day from Sunday to Wednesday from 1200 to 0500 on the day following.</p> <p>New Years Eve (occurring any day from Sunday to Wednesday from 1200 to 0500 the day following).</p> <p>On New Years Eve occurring on any day from Thursday to Saturday from the end of permitted hours on New Years Eve to the start of permitted hours on the following day.</p>
Tue	1200	0300	
Wed	1200	0300	
Thur	1200	0500	
Fri	1200	0500	
Sat	1200	0500	
Sun	1200	0300	

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

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

The premises licence holder is a responsible operator who is aware of the 4 Licensing objectives, the Council's licensing policy and their responsibilities under the Licensing Act 2003. The business is run lawfully and in accordance with good business practice and offers the following conditions to be attached to the premises licence.

All health & safety, fire and other legal commitments will be complied with under the relevant legislation.

1. The licensee shall install a comprehensive CCTV system that ensures all areas of the licensed premises are monitored including all entry points, and which enable frontal identification of every person entering in any light condition. All cameras shall continually record whilst the premises are in operation and the recording shall be kept available for a minimum of 31 days with time and date stamping. Recordings shall be made available to a duly authorised Hackney council officer or a police officer upon request. The CCTV system shall be operated in accordance with the data protection act 1998 and any other relevant legislation.

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

3. A minimum of one SIA registered door staff per 100 patrons to be employed at the venue after 2200hrs. Additional male and female SIA door staff to be employed at the premises when required on the basis of an operational risk assessment with identity badges displayed at all times and SIA numbers, full names, times worked and duty performed to be entered into an occurrence book and made available to police immediately upon request.

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

- a) All crimes reported to the venue
- b) All ejections of patrons
- c) Any complaints received
- d) Any incidents of disorder
- e) Seizures of drugs or weapons
- f) Any CCTV faults, search equipment faults or scanning equipment faults
- g) Any refusal of the sale of alcohol
- h) Any visit by a relevant authority or emergency service

5. The licensee shall operate a zero tolerance policy to drugs and comply with the Hackney Police/Community Safety Unit Drugs and Weapons policy. Prominent signage highlighting zero tolerance to drugs and weapons shall be displayed at the entrance and within the premises.

6. The premises will maintain a written search policy to be operated within the premises, the aim of which is to deter customers from bringing illegal items, drugs and/or weapons into the premises.

7. A written record shall be kept detailing all refused sales of alcohol. The record should be kept on the premises, and made available for inspection on request by any duly authorised officer. Records should be kept for a minimum 12 months.

8. The licensee shall display the telephone and email address of the Designated Premises Supervisor for use by any person who may wish to make a complaint during the opening hours of the premises. The number/email address should be displayed in a prominent external location which is easily accessible to the public.



9. Staff must carry out regular, random toilet checks, at least once per hour when the premises is open to the public for evidence of any crime. These checks are to be documented and kept for a minimum 31 days and made available on request for inspection by the Police.
10. Customers will not be allowed to leave the premises with glass or any other open container,
11. There shall be no entry or re-entry to the premises after 0100hrs by members of the public save for those that have temporarily left the premises to smoke.
12. There shall be a written dispersal policy, a copy of which shall be kept on the premises and made available to police or authorised officer upon request.
13. Clear and prominent notices shall be displayed and maintained at all exits in a place where they can be seen and easily read by customers requesting them to leave the premises and the area quietly.
14. No more than 10 smokers will be permitted in the designated smoking area after 9pm.
15. The premises shall operate a challenge 25 scheme. Any person who appears to be under the age of 25 shall be asked to provide proof of age identification in the form of a passport, photo driving licence or PASS proof of age card. Failure to provide such identification will result in a refusal to sell alcohol and detailed in the refusals book.
16. Prominent, clear notices shall be displayed at the point of entry and in prominent areas around the premises outlining the Challenge 25 policy.
17. All staff will receive training in regards the relevant legislation relating to the sale of alcohol, particularly under age sales and sales to drunks. Records of such training will be maintained on the premises and refresher training will be carried out on a 6 to 12 month basis.
18. Reasonable steps to be taken to ensure an authorised person is a member of Pubwatch and SNOW, the membership is kept up to date and at least 3 meetings a year are attended.
19. All children to be accompanied by a responsible adult. Children to leave the premises by 1900hrs.
20. Premises to operate a no baseball caps or hooded tops policy and no alcohol promotions eg; Happy hour or 2 for 1.
21. Noise limiter to be employed in a separate and remote (from the volume control) lockable cabinet must be fitted to the music amplification system. No supplementary sound system to be used by acts without a full risk assessment and prior notice given to Hackney noise pollution department and Hackney Police.
22. Adequate/improved security lighting outside the premises with consideration being given to light pollution of neighbouring properties. All entrances to the venue to be lit and painted white to enable better quality of CCTV images for identification purposes.
23. The premises will also, in cooperation with Hackney Police and no later than 3 months following the granting of the premises licence, regularly facilitate a premises drug audit using the Ion Itemiser or similar device.
24. Queues to be supervised by doorstaff to prevent disorder and measures to be implemented aimed at discouraging anti-social behaviour.
25. Premises will provide the police with a dispersal policy and comply with its contents to ensure that all patrons leave the venue and the vicinity quickly and quietly. Notices to be

displayed at all exits requesting that patrons respect the needs of local residents and leave the premises and the area quietly.

26. All staff employed at the premises should be over 18 years old and photo identification has been seen to confirm this.

27. A member of staff shall run the cloakroom whenever licensable activities are taking place.

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

See A above

**c) Public safety**

See A above

**d) The prevention of public nuisance**

See A above

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

See A above

**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	
Date	22/12/2021
Capacity	Solicitor/Partner

**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	
Capacity	

Contact name (where not previously given) and postal address for correspondence associated with this application (please read guidance note 14) Dadds LLP 			
Post town		Postcode	

Telephone number (if any)	██████████
If you would prefer us to correspond with you by e-mail, your e-mail address (optional)	
██████████	

### 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



# 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 Police Station 33 Stoke Newington High Street London N16 8DS
CONTACT NAME	PC 3691CE Kerrie RYAN
TELEPHONE NUMBER	07796 183078
E-MAIL ADDRESS	hackneylicensing@met.police.uk

### APPLICATION PREMISES

NAME & ADDRESS OF PREMISES	<b>The Kings Land 267 Kingsland Road London E2 8AS</b>
NAME OF PREMISES USER	<b>TKL INC Ltd</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 at THE KINGS LAND, 267 KINGSLAND ROAD, LONDON, E2 8AS for the following reason(s);**

This premises is located on a busy main road between Dalston and Shoreditch. This premises has previously held a premises licence, but was a huge crime generator and was the subject of many resident complaints in relation to noise and ASB.

Since the surrender of this licence there has been a noticeable change in the area. Police found that the late hours of this venue were attracting customers from Shoreditch who were looking for another place to go to continue drinking and socialising, and then if entry was denied, they would loiter on the street creating noise and ASB.

Prior to this application being submitted police attended a meeting with the applicants at the venue. It came to light during this conversation that the applicant and his partner had committed to the lease of this premises without checking the status of the Premises Licence. Police were very clear that we would not support a late night venue that sought hours later than core hours, so we were surprised to see that this application seeks 0300hrs Sunday to Wednesday and 0500hrs at weekends despite our conversation.

During the consultation period of this application, the premises have operated on TENS. On New Years Eve, the venue opened on a TEN which authorised the sale of alcohol and regulated entertainment until 0100hrs. When police arrived at the venue at 0115hrs, the venue was still open with people inside and the band playing – amounting to unlawful licensable activity. Police spoke with the SIA Door Supervisor, who when asked what time the premises was closing, said that he had been told 2am. Police then spoke with Ismail TEZGEL, who was the person in charge, and he stated that ‘they were closing slowly now’. He also stated that he didn’t know that the live band was licensable activity, which police found particularly concerning. He also told us that his partner, Hande SEZGIN, had told him that he did not have to close at the time stated on the TEN and that he just had to turn the music down.

This is not the only licensed premises that the applicants have in the area, so it is a concern that basic knowledge of licensable activity and the definition of regulated entertainment is missing. The applicant has had a history of breaching conditions at another of their venues, which was reviewed by LBH, and their actions on this occasion does not satisfy police that they will be a responsible operator here.

Police look forward to hearing from the applicant soon to discuss a way forward for this application.



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

Personal knowledge of the local area and issues in the area.

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

Signed  
PC 3691CE RYAN

(By E-mail)  
Name (printed)

## APPENDIX B2

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

#### RESPONSIBLE AUTHORITY DETAILS

NAME OF AUTHORITY	Licensing Authority
ADDRESS OF AUTHORITY	Licensing Service 1 Hillman Street London E8 1FB
CONTACT NAME	Channing Riviere
TELEPHONE NUMBER	020 8356 4622
E-MAIL ADDRESS	Channing.riviere@hackney.gov.uk

#### APPLICATION PREMISES

NAME & ADDRESS OF PREMISES	The Kings Land 267 Kingsland Road Hackney London E2 8AS
NAME OF APPLICANT	TKL Inc. Ltd.

#### COMMENTS

I make the following relevant representations in relation to the above application.

- the prevention of crime and disorder
- public safety X
- the prevention of public nuisance X
- the protection of children from harm

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

Having reviewed the application the Licensing Authority submit the following comments.

Application describes the site as a public house. However the activities being sought and the lack of late night refreshment and a kitchen suggest the site will be solely as a nightclub. The premises was previously used as a nightclub before the surrender of the licence. Additionally the premises seeks to continue the sale of alcohol up until the closure of the premises.

The proposed hours are well in excess of those set in LP3 (Core Hours)

The site previously operated under the name "Shelter". The operation of the site led to significant negative impact on the immediate vicinity and local residents. A number of visits were made to the site prior to the onset of the pandemic to tackle problems as a result of the operation. Local residents raised a number of complaints about the operation of the premises and subsequent ASB that would arise from the patrons of the premises loitering in the area and failing to disperse from the premises, the local vicinity became a hot spot for NOS sellers and other forms of ASB. A further example of the ASB generated by the premises can be found in a report received by licensing officers below.

*"ATTEMPTED GBH- CAD 1103/23 – Group of males have an altercation outside Shelter Club, 267 Kingsland Road. 1 Male pulls out a metal object, believed to be a crowbar out of the boot and attempts to attack another before security intervened. Group of males then enter a dark-coloured BMW and drive away before doing a U-TURN and intentionally mounting the pavement and skittling members of the public. The vehicle drives on and does another U-TURN before mounting the pavement again and hitting members of the public and driving away.*

*3 injured members of the public, all with ABH levels on injuries. It appears the 3 injured are not the intended targets.*

*The venue states that the suspects were all in the club and used the driving licence to get in which has been recorded on their systems. Suspect details have been obtained and the investigation is ongoing. CRIS in the process of being put on."*

The licensee at the time attended intervention meetings. That licence was surrendered in 2020.

The plan attached to the application is poor quality and has been poorly drafted. The plan at present shows toilets that appear to be inaccessible.

We have concerns around those who will be operating the site as they are known to operate a nearby premises on Orsman Road which regularly receives complaints which led to the revocation of the licence and subsequent dismissal of the appeal. We note from the representation submitted by the Police that the proposed DPS mentions his partner as a Hande SEZGIN. This is the former licensee of the premises located at nearby Orsman Road.

Given our experience with this individual, we have little confidence in their ability to manage licensed premises, the licence of the premises located at Orsman Road includes a condition on the premises licence to exclude this individual from the premises. As far as we are aware Hande SEZGIN is liable for the payment of legal costs of approximately £15,000 to the London Borough of Hackney.

Overall, there is nothing in the application that gives any comfort that the problems that occurred when the site operated as Shelter would not reemerge.

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

The Licensing Act 2003, Statement of Licensing Policy 2016 and Guidance issued by the Home Office. Experience of the previous operation of this venue.

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

The applicants will need to consider stringent measures to manage any dispersal and ASB arising from patrons of the premises.  
The applicants should also consider reducing the hours sought to core hours outlined in the Council's licensing policy (LP3).

**Name:** Channing Riviere (Principal Licensing Officer)

**Date:** 19/01/2022

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

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

**APPLICATION PREMISES**

NAME & ADDRESS OF PREMISES	The Kings Land, 267 kingsland Road London E2 8AS
NAME OF APPLICANT	TKL INC Limited

**COMMENTS**

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

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

## ENVIRONMENTAL LICENCE CONDITIONS IN RESPECT OF

**The Kings Land  
267 kingsland Road, London E2 8AS**

1. The Licensee shall ensure that all relevant 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 receptacles 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 The Kings Land. 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. There have been instances in the past where Enforcement Officers have found evidence of the illegal disposal of waste from businesses in this area. Experience has also shown that there is the probability that there will be cigarette litter outside these premises due to the smoking ban.

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

contact Jacey Frewin by email

**Name:** Jacey Frewin

**Date:** 11/01/2022

**APPENDIX C1****TKL Inc licence application - 267 Kingsland Road - Representations**

1 message

30 December 2021 at 11:29

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

Dear all,

I am writing in respect of an application made under the Licensing Act 2003 by TKL INC Ltd in respect of the premises at 267 Kingsland Road. I am a resident living in Archer House on Phillipp Street which is very close to the premises and would therefore like to make the following representations in respect of this application:

1. Operating hours - I am extremely concerned about the proposed operating hours for this new club/bar. The proposal is for the club to be open and serving alcohol until 3am four nights per week and to be open and serving alcohol until 5am three nights a week. This is excessive and will result in drunk and disorderly behaviour right on our doorstep and on a busy road. To have a club on my doorstep that is serving so late into the night seven days a week will damage the peaceful atmosphere of the area and I would ask that curbs on these operating hours are considered. Equally concerning is that the licence includes a request for extended hours on notable days when the hours are already extremely broad.
2. No operating history - TKL INC Ltd appears to be a newly formed private limited company that has no operating experience. The appropriateness of permitting a license with such excessive operating hours to a company that has no history or experience whatsoever must be considered.
3. Anti-social behaviour - The club was previously called 'Shelter' and during the course of its operation we would routinely find a huge number of nitrous oxide canisters on our road all around the corner on which the premises are situated. We would also have damage to our bin areas and people urinating or being sick in these areas late into the night. During the pandemic, the premises have been empty/closed and we have had peace, quiet and tranquility with nowhere near as many issues with anti-social behaviour, drunken behaviour, nitrous usage etc - it is such a shame to see the venue reopening as a club with such late hours when we have had the benefit of it being shut for the last year and a half. I am deeply concerned about the risk of all this behaviour returning to my street as soon as this new club opens, especially with its seven day a week 3am/5am alcohol licence.
4. Noise - similar to the above concerns, it is excessive to permit live music to be played seven days a week until midnight and recorded music until 2.30am or 4.30am depending on the day of the week - are any soundproofing or decibel limiters going to be put into effect? When the club was previously known as Shelter we would frequently be able to hear the loud music playing until late into the night and we are extremely conscious of the risk that this will now return.

Many thanks,  
[REDACTED]



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**objection to license application**

1 message

14 January 2022 at 22:44

To: "licensing@hackney.gov.uk" &lt;licensing@hackney.gov.uk&gt;

Cc: "mayor@hackney.gov.uk" &lt;mayor@hackney.gov.uk&gt;, "meg.hillier.mp@parliament.uk" &lt;meg.hillier.mp@parliament.uk&gt;

Dear Sir/Madam, I am writing to object to the reopening of the venue formerly called Shelter, I object to the licence application being made for **The King's Land, 267 Kingsland Road, E2 8AS 9t on behalf of TKL INC Ltd.**

Because of chronic anti-social behaviour, crime and noise pollution generated by several venues in the area our nights (we are a family with children) got unbearable and I witnessed Shelter's crowd being the main culprit. At the time the Kingshead pub (we live just behind it and the pub is just 100mt from Shelter) also operated a license till 5am and the music affected our nights weekly but eventually they took action to reduce the volume.

It all had a serious impact on our mental health and general well-being. I work as a teacher locally, which is not the easiest of jobs, requiring an alert mind daily. I personally got involved with a group of residents to raise awareness to the council and the police who I know were looking closely at this area before the first lockdown.

The council is/was aware it had granted too many late night licences in this area and still there is a new bar opposite us open to 5am, and there seems to be no effort to control the crowd outside. It's not terrible as it is, but if another place were to open directly opposite, it would probably result in something very messy.

Here a reminder of how bad it got before the first lockdown: <https://www.hackneygazette.co.uk/news/crime/kingsland-road-has-become-clubbing-district-for-people-leaving-shoreditch-3633618>

Thanks,

[REDACTED]

[REDACTED] Fletcher house, [REDACTED] Nuttal St, London N1 [REDACTED]

**King's land noise**

1 message

16 January 2022 at 08:39

To: licensing@hackney.gov.uk

Dear Licensing Committee

I write with concern in regard to the application for the due for consideration this Wednesday 19/1/22 in regard to the [King's Land, 267 Kingsland Road E2](#).

I am a resident of Arrow House on the Whitmore Estate which sits directly behind the bar. As the Head of Licensing and previous Cllr for Community Safety, Caroline Selman will remember, the Canalside Residents Association organised a meeting with the Council in 2019 to discuss our concerns around noise, crime and serious incidents of antisocial behaviour and the difficulties of policing the night time economy on this small strip, and Phillip Street, were acknowledged. We are aware as residents of Hackney the Council is generally concerned about these impacts, yet this particular area appears to be an exception when compared to Dalston and Shoreditch, both in policing and Council concern about the impact on residents' mental health and wellbeing. There are a number of families with young children in the immediate area, particularly in Arrow and Fletcher Houses and above the Whitmore Community Centre, and the hostel at [255 Kingsland Road](#), alongside key workers. People's sleep is not only disturbed by noise but we are often greeted by the aftermath on Saturday Sunday mornings - vomit, nitrous canisters etc, particularly where Phillip Street meets Kingsland Road. These regular unpleasant consequences were also matched with regular incidents the Council was aware of.

While COVID has had what we can assume is a temporary impact, there has been an increase in the number of bars open until 5am, with a licence granted to the bar in the former Cafe Floria. The Head of Licencing explained to us it was very difficult to alter licensing once issued and yet there still seems no plan to manage the cumulative impact of late night licences on the immediate area, as there are in larger town centres in Hackney.

I would urge this licence to be considered with a wider understanding of the levels of disruption the cluster of late night licences on this densely populated stretch of Kingsland Road has meant for residents. For that reason may I request the 5am licence is either reduced to an earlier time, to stagger the potential for anti-social behaviour, or not granted before comprehensive published plans from the Council to mitigate the impacts on residents.

The Hackney Gazette previously covered the frustrations residents have had: <https://www.hackneygazette.co.uk/news/crime/kingsland-road-has-become-clubbing-district-for-people-leaving-shoreditch-3633618>

Thank You

Arrow House  
N1

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**OFFICIAL - SENSITIVE Objection to licence for E2 8AS**

1 message

16 January 2022 at 10:18

To: "licensing@hackney.gov.uk" &lt;licensing@hackney.gov.uk&gt;



Cc: "mayor@hackney.gov.uk" &lt;mayor@hackney.gov.uk&gt;, "meg.hillier.mp@parliament.uk" &lt;meg.hillier.mp@parliament.uk&gt;

Dear Sir/Madam,

I am writing to object to the reopening of the venue formerly called Shelter. I object to the licence application being made for **The King's Land, 267 Kingsland Road, E2 8AS** **9t on behalf of TKL INC Ltd.**

My balcony overlooks this venue's backyard. I have witnessed intimate scenes being undertaken openly, in addition to multiple examples of rowdy behaviour. It is unpleasant and impedes sleep.

Kind regards,

  
Fletcher Houe, N1 

**Application consideration scheduled 19/1/2022**

1 message

15 January 2022 at 12:34

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

Dear Licensing Committee,

I write with regard to the application for due consideration, scheduled for 19/1/22 to the [King's Land, 267 Kingsland Road E2](#).

I am a resident at Whitmore House on the Whitmore Estate. I can confirm that I and many other residents met with Caroline Sellman in recent past via the Canalside Residents Association around 2019 to discuss our concerns around noise, crime and serious incidents of antisocial behaviour and the difficulties of policing the night time economy. This was acknowledged as a problem and the impact it had on residents in the area was well documented. The ASB issues affected so many people in the local area along with drug related issues and aggression to residents that followed.

To now learn that LBH licensing committee will be considering an application for another club to open late into the early morning hours raises concerns to me and I believe many other residents on the Whitmore Estate. Resident will have to deal with the "real consequences" of ASB that is highly likely to follow if this application is successful.

On this basis I want to raise objection to this application and I place responsibility on the Licensing Committee to weigh up the issues as to what is in the best interest **for all residents living** in the area.

Agreeing any licence request for 5am should not be considered due to ASB. I want to know how the Licensing Committee will mitigate the impact to residents so our health and well being is protected

I will draw to your attention the link below

The Hackney Gazette previously covered the frustrations residents have had: <https://www.hackneygazette.co.uk/news/crime/kingsland-road-has-become-clubbing-district-for-people-leaving-shoreditch-3633618>

This should not happen again and residents should be able to live a decent quality of life. Failure to take the right action will contribute to further future misery for residents - this must not happen!

I look forward to know more as to how the Licensing Committee will make their determination about this application and how they will consult openly with my concerns and those of residents in the local area

I expect a response back from the Licensing Committee to my email

[REDACTED]

[REDACTED] Whitmore House

[REDACTED] [Nuttall Street N1](#) [REDACTED]

**Representation: King's Land, 267 Kingsland Road E2**

1 message

17 January 2022 at 16:45

To: "Licensing (Shared Mailbox)" &lt;licensing@hackney.gov.uk&gt;

Dear Licensing Committee

I write with concern in regard to the application for the due for consideration this Wednesday 19/1/22 in regard to the [King's Land, 267 Kingsland Road E2](#).

I am a resident of Arrow House on the Whitmore Estate which sits directly behind the bar. As the Head of Licensing and previous Cllr for Community Safety, Caroline Selman will remember, the Canalside Residents Association organised a meeting with the Council in 2019 to discuss our concerns around noise, crime and serious incidents of antisocial behaviour and the difficulties of policing the night time economy on this small strip, and Phillipp Street, were acknowledged. We are aware as residents of Hackney the Council is generally concerned about these impacts, yet this particular area appears to be an exception when compared to Dalston and Shoreditch, both in policing and Council concern about the impact on residents' mental health and wellbeing. There are a number of families with young children in the immediate area, particularly in Arrow and Fletcher Houses and above the Whitmore Community Centre, and the hostel at [255 Kingsland Road](#), alongside key workers. People's sleep is not only disturbed by noise but we are often greeted by the aftermath on Saturday Sunday mornings - vomit, nitrous canisters etc, particularly where Phillipp Street meets Kingsland Road. These regular unpleasant consequences were also matched with regular incidents the Council was aware of.

While COVID has had what we can assume is a temporary impact, there has been an increase in the number of bars open until 5am, with a licence granted to the bar in the former Cafe Floria. The Head of Licencing explained to us it was very difficult to alter licensing once issued and yet there still seems no plan to manage the cumulative impact of late night licences on the immediate area, as there are in larger town centres in Hackney.

I would urge this licence to be considered with a wider understanding of the levels of disruption the cluster of late night licences on this densely populated stretch of Kingsland Road has meant for residents. For that reason may I request the 5am licence is not granted without comprehensive plans from the Council to mitigate the impacts on residents.

The Hackney Gazette previously covered the frustrations residents have had: <https://www.hackneygazette.co.uk/news/crime/kingsland-road-has-become-clubbing-district-for-people-leaving-shoreditch-3633618>

Thank You

Arrow House, N1

**Objection To License Application (The King's Land (formerly Shelter), 267 Kingsland Road, E2 8AS on behalf of TKL INC Ltd)**

1 message

17 January 2022 at 17:19

To: "licensing@hackney.gov.uk" &lt;licensing@hackney.gov.uk&gt;

Cc: "mayor@hackney.gov.uk" &lt;mayor@hackney.gov.uk&gt;, "meg.hillier.mp@parliament.uk" &lt;meg.hillier.mp@parliament.uk&gt;

Dear Sir/Madam,

I am writing to object to the licence application being made for The King's Land (formerly Shelter), [267 Kingsland Road, E2 8AS](#) on behalf of TKL INC Ltd.

Prior to the first Covid lockdown there were unacceptable levels of night-time anti-social behaviour, crime and noise pollution in the street outside the block where I live. This was a direct result of several venues on a short stretch of road operating licenses until 5am. The busiest and noisiest of these was the club formerly called Shelter. At the time it was impossible to get uninterrupted sleep at the weekend because of the noise from car stereos, people fighting, shouting and screaming. Walking out one morning to find that the road had been cordoned off by police because of a stabbing was a particularly low point.

I'm afraid that granting 5am licenses to any of these clubs will mean an immediate rise in criminal and antisocial behaviour on my doorstep. Historically none of the clubs on this stretch of Kingsland Road have made any serious attempt to mitigate the effects of having hundreds of people drinking and using drugs in such a small area.

The situation here prior to the first Covid lockdown was so bad it was featured in the local news:

<https://www.hackneygazette.co.uk/news/crime/kingsland-road-has-become-clubbing-district-for-people-leaving-shoreditch-3633618>



### Kingsland Road has become 'clubbing district' for people leaving Shoreditch say fed up neighbours | Hackney Gazette

Tony, whose family have owned their business for 42 years, says he and his neighbours are getting no help from the authorities. In one video, filmed at 5.15am on June 29, a police van can be seen driving slowly up Kingsland Road, straight past a group of 50 or 60 people on the pavement.

Thank you for your time.

Yours,

██████████

██████████ Fletcher House

██████████ Nuttal St

London

N1 ██████████

**Objection to license application for The Kings Land**

1 message

17 January 2022 at 20:42

To: licensing@hackney.gov.uk

Cc: mayor@hackney.gov.uk, meg.hillier.mp@parliament.uk

Dear Sir/Madam,

I am writing as a resident of [REDACTED] Fletcher House, [REDACTED] Nuttall St, London N1 [REDACTED], to object to the reopening of the venue formerly called Shelter Club London, I object to the license application being made for **The King's Land, 267 Kingsland Road, E2 8AS** on behalf of **TKL INC Ltd**. My objection is based on the nature of the license (late hours and alcohol off premise), the geographical location of the premises being conducive to concentration of crime, ASB and noise pollution and thirdly a question on the suitability of the applying business of managing a premise with such a license.

I recently moved to the area and plan to raise a family here, and am worried about the potential for public nuisance and risk of crime, anti-social behaviour given the extension of operating hours beyond those of comparable venues in Shoreditch and extremely concerning sale of alcohol off-premises. I have been made aware of frequent instances of anti-social behaviour, crime and noise pollution generated by several venues in the area before the lockdown: <https://www.hackneygazette.co.uk/news/crime/kingsland-road-has-become-clubbing-district-for-people-leaving-shoreditch-3633618>, and the relevant Crime Chief in this article is acknowledging issues especially concentrated in this location. The stretch around **267 Kingsland Road** is extremely narrow, with a mosque and close building front to one side, and other side leading straight into residential areas - meaning overspilling crowds are extremely likely to congregate on the streets or into the space leading to Whitmore Estate (and this can already be witnessed nowadays with noisy crowds and public urination on Wilmore Gardens, which is directly facing towards Fletcher House).

With a license expanding to after-hours compared to many venues in Dalston and Shoreditch our local neighborhood risks drawing especially drunken and late-night revellers crowds, which exponentially increases the likelihood of crimes, anti-social behaviour and noise pollution. With noise levels expected to peak at the end of opening hours this will be incredibly disruptive to the sleep of us neighbors, many of whom work local jobs in the community and are families with young children. There are already other venues open in the area and granting another license would negatively affect the well-being and safety of nearby residents.

The previous club at the same location, the Shelter Club, I understand was not able to implement any sort of proper crowd or noise management and had to close. I am surprised that TKL Inc., the company currently applying for the license has their nature of business on Companies House listed as "55209 - Other holiday and other collective accommodation" (<https://find-and-update.company-information.service.gov.uk/company/12483544>) which makes me concerned about the business model in place here. It also makes me concerned about whether this company is suitable in running a club in this location given the above issues that it will need to mitigate as it doesn't seem to be better set up or more experienced in managing a club than previous owners.

I am looking forward to your careful consideration of these objections and those of my other neighbours and remain at your disposal.

Thank you very much,

[REDACTED]  
Fletcher House  
Nuttall Street  
N1 [REDACTED].



**Representation re licensing application 267 Kingsland Road**

1 message

18 January 2022 at 15:50

To: "licensing@hackney.gov.uk" <licensing@hackney.gov.uk>  
Cc: "steve.race@hackney.gov.uk" <steve.race@hackney.gov.uk>, "kam.adams@hackney.gov.uk" <kam.adams@hackney.gov.uk>, "susan.fajanathomas@hackney.gov.uk" <susan.fajanathomas@hackney.gov.uk>

Dear Licensing Committee,

I am writing to you on behalf of the Canalside Residents' Association (CRA) to make a representation to object to the licence application being granted for The [King's Land, 267 Kingsland Road, E2 8AS](#) 9t on behalf of TKL INC Ltd.

The problems caused by nightclubs in the small area along Kingsland Road is well known to the Council, the Police, and especially o the residents of this area. In 2019, the CRA hosted a meeting attended by local Councillors, Caroline Selman (then Head of Licensing), officials from Hackney Council, and many local residents. At the meeting, local residents expressed the unacceptable level of disturbance that nightclubs were causing in the small hours. They clearly demonstrated that the licensing objectives (the prevention of crime and disorder, the prevention of public nuisance, public safety, and the protection of children from harm) were not being met. There was

crime and disorder (drug dealing, a stabbing amongst them),

public nuisance caused by people exiting the clubs a to congregate on the pavement taking the noise to a level that it awakened, and upset, sleeping residents, including children.

public safety issues with frequent fights breaking out, near miss traffic accidents, and even an 'attack dog' brought to the area where it was let loose to attack someone

protection of children from harm was violated by many broken nights' sleep causing them not to be alert the following day and nitrous oxide capsules littering the road and pavements which children found on their way to school the next morning, and the effect all this has on their mental health and well-being.

Obviously, residents living closest to the area (Whitmore House, Nightingale House, Fletcher House, Arrow House and Bolt House ,all of which are on the Whitmore Estate), and others living in the hostel at [255 Kingsland Road](#), in addition to residents who live above the commercial premises. However, the effects are also felt further away, as children and adults have to walk through the aftermath (litter, vomit and the smell of urine) on their way to school, work or to visit the shops on that area of Kingsland Road. In addition, people leaving the clubs walk through local streets, often stopping to congregate en route, shouting, sometimes arguing and relieving themselves along the way. Residents have videos of the mayhem caused.

Hackney Council is well aware of these problems and the distress they cause to families, key workers and elderly people.

On behalf of the Canalside Residents' Association, which represents residents on the Whitmore estate, I implore the Licensing Committee to reject this application. There are already new late-night venues open in this small area, another one would be disastrous for residents' quality of life.

Please let me know that you have received this representation.

Acting Chair of Canalside Residents' Association.

[Watson's House](#), [Nuttall Street](#), N1

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**Raising an objection to a licensing act application**

1 message

18 January 2022 at 17:35

  
To: licensing@hackney.gov.uk

To whom it may concern,

I would like to raise a strong objection to an application made under the Licensing Act 2003 on behalf of The King's Land (address: [267 Kingsland Road, E2 8AS](#).) The application is for a premises licence for live music from 12:00 to 00:00 Mon-Sun, recorded music from 12:00 to 2:30am Sun to Wed, and from 12:00 to 4:30am Thurs to Sat. They have also requested to supply alcohol from 12:00 to 3:00am Sun to Wed and from 12:00 to 5:00am Thurs to Sat.

As you may already know, this venue was, until very recently, called Shelter, and has had numerous complaints made about it over the past few years for nuisance behaviour from its clientele, incredibly loud music late into the night, blatant drug-taking in and outside of the premises, and a trail of vomit, broken beer bottles, and aggressive people the length of the street. This road is not exclusively a commercial road by any means. People live here, many of whom have young families and many of whom are essential workers. When the pandemic was at its height, the streets were safer and cleaner (I have lost count of the amount of times I have had to clean vomit off my doorstep or tidy away mounds of gas canisters and broken bottles outside my door.) The screaming and fighting that always accompanies this late licensing is unbearable, and certainly not possible to sleep through. Providing this licence would be tantamount to making the area unsafe and frankly uninhabitable for actual Hackney residents. I implore you to deny this application on the grounds of public safety, prevention of crime and disorder, and prevention of public nuisance.

Many thanks,

  
Kingsland Road Resident.

## Objection to Licence Application

1 message

18 January 2022 at 18:21

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

Dear Licensing Committee,

I would like to make an objection to the current licence application made on behalf of The [King's Land, 267 Kingsland Road, E2 8AS](#), by TKL INC Ltd.

I live at [Kingsland Road](#) and have been a resident of the area for nearly ten years. I am extremely concerned about the harmful consequences to myself and the community that will result if this application is granted.

There are already a number of premises in this immediate area that open late and serve alcohol, including two directly opposite the premises in question, both of which open until 5am. A few years ago residents engaged in a meeting with members of the council and a representative of the police to discuss the shocking levels of anti-social behaviour, noise pollution and crime that were arising as a direct result of there being so many late-night establishments in such a small area. At that time, [267 Kingsland Road](#) was occupied by Shelter, which opened until 5am. Councillor Caroline Selman conceded that too many licenses had been granted in the area and expressed genuine concern for residents' well-being. The police made it clear that they were also concerned, having been called to the area on numerous occasions to deal with serious criminal activity. I can myself remember walking out of my building one morning and finding myself literally within a police cordon, because there had been a stabbing on the road outside late at night. It made me terrified to return to my building at any time after dark, especially on a Friday or Saturday. Noise pollution, too, was at a level that made my life unbearable. More often that I care to remember, cars were parked outside my building with the stereo turned up to a level that made it impossible to sleep - and all this from around 2am to well after 5am. The street itself became a place for people to drink, take drugs, dance and urinate (and worse). Please look at the video and images embedded in this article in the Hackney Gazette, which reported on the problem, and imagine that this was the scene in the early hours outside your building from Wednesday to Sunday:

<https://www.hackneygazette.co.uk/news/crime/kingsland-road-has-become-clubbing-district-for-people-leaving-shoreditch-3633618>

The fact that these levels of crime and anti-social behaviour virtually disappeared during the pandemic makes it obvious that they were linked to the heavy concentration of late-night establishments in the area. I feel sick at the prospect of having to live with these problems again. Like all the people who live here, I did not expect, when I moved, to end up living in the middle of a permanent all-night street party with endemic crime problems, but that is what the area became. I have spoken to many of my neighbours and can assure you that every single one of them is deeply, deeply concerned at the prospect of a late license being granted to the premises on [267 Kingsland Road](#). I ask that the council consider fully the rights of the residents, many of whom are elderly and/or have families. There is already a thriving night-time economy in this neighborhood. To allow yet another establishment to operate late at night would be to invite the kind of disruption and chaos that enveloped this street in the years leading up to the pandemic and made local lives miserable. I urge the council to deny the application.

Thank you,

[Kingsland Road](#)  
E2

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**shelter reopening objection**

1 message

19 January 2022 at 18:28

[REDACTED]  
To: licensing@hackney.gov.uk  
Cc: mayor@hackney.gov.uk, Meg Hillier MP <meghilliermp@parliament.uk>

Dear Sir/Madam,

My name is [REDACTED] and I am a constituent of South Hackney, address:

[REDACTED] Fletcher House  
Nuttall Street  
Hackney  
London  
N1 [REDACTED]

I am writing to object to the reopening of the venue formerly called Shelter, I object to the licence application being made for **The King's Land, 267 Kingsland Road, E2 8AS 9t on behalf of TKL INC Ltd.**

Our building is positioned directly behind the Kingshead pub which, before lockdown, operated a license until 5am and caused considerable disruption to residents sleep at night. In addition, because of chronic anti-social behaviour, crime and noise pollution generated by several venues in the area meant that residents from our block struggled immensely to with sleep deprivation due to noise.

It has had a serious impact on our mental health and general well-being and residents have rallied to raise awareness to the council and the police who I know were looking closely at this area before the first lockdown.

The council is/was aware it had granted too many late night licences in this area and still there is a new bar opposite us open until 5am, and there seems to be no effort to control the crowd outside.

Please see one local resident's account of their experience in this article: <https://www.hackneygazette.co.uk/news/crime/kingsland-road-has-become-clubbing-district-for-people-leaving-shoreditch-3633618>

We would like you to take seriously the objection by local residents to re-opening this venue.

Many thanks for your time in reading this.

Regards

[REDACTED]

**Ward Cllr Objection to licensing application - 267 Kingsland Road**

1 message

**Steve Race (Cllr)** <steve.race@hackney.gov.uk>  
To: "Licensing (Shared Mailbox)" <licensing@hackney.gov.uk>  
Cc: "Kam Adams (Cllr)" <kam.adams@hackney.gov.uk>

19 January 2022 at 16:41

Dear Licensing team,

As ward councillors for Hoxton East & Shoreditch we write to object to the granting of the licence application for The Kings Land, [267 Kingsland Road](#), brought by TKL Inc.

This site was previously occupied by a nightclub, Shelter. This venue, along with others that have developed along Kingsland Road, back onto the Whitmore Estate in our ward, a social housing estate run by Metropolitan housing association.

Over several years, as local councillors, Cllr Kam Adams and I have been supporting residents in their struggle against noise pollution and antisocial behaviour that have been the result of the creeping development of the NTE up Kingsland Road. This venue was one of the main venues that aggravated noise and ASB in the area.

Many of the residents whose lives have been made a misery by late-night noise and ASB are key workers, shift workers, and families. They have experienced very loud and continuous shouting, large fights between groups of men (some of which included weapons including guns), car horns blaring and music playing, and public urination and defecation. This activity often continued throughout the night and was most acute at closing time in the early hours of the morning. Residents felt unsafe in their own homes.

This application, for new licences to be granted allowing music until 04.30am and sale of alcohol up to 5am in the morning is clearly unacceptable for a venue that is so close to a large residential area. We object on the basis that these licences will add to the cumulative negative impact on local residents and further that granting the licences will add to crime and disorder; add to public nuisance; add to a decline in public safety; and add to a decline in the public health of residents in the area.

Cllr Adams and I therefore ask that the licensing committee reject this application.

With best wishes - Steve

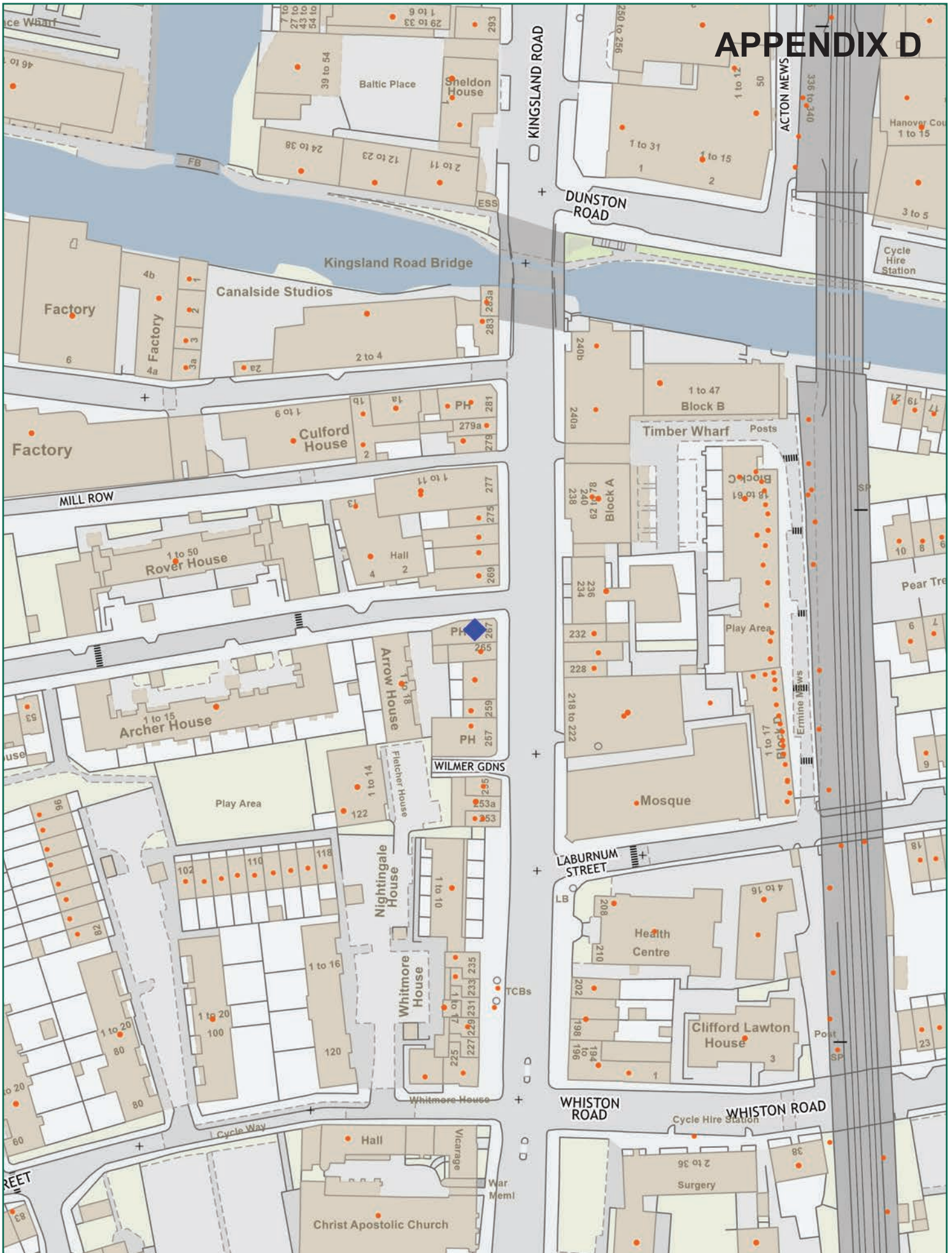
Steve Race,  
Labour Councillor for Hoxton East & Shoreditch  
London Borough of Hackney


e: [steve.race@hackney.gov.uk](mailto:steve.race@hackney.gov.uk) t: [@steve\\_race](https://twitter.com/steve_race)




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

# APPENDIX D



 NORTH

Scale: 1:1250 at A4

 Hackney

**The Kings Land, 267 Kingsland Road, E2 8AS**

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Ref:	Please specify	please specify copyright statement
Tuesday, February 22, 2022	email:	