



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

Thursday 10 November 2022
at 2.00 pm

**Until further notice, all Licensing Sub-Committees will be held
remotely**

The live stream can be viewed here:

Main - <https://youtu.be/vDqYy9pLuuU>

Backup - <https://youtu.be/iYi5hZH059w>

Members of the Sub-Committee:

Councillor Sophie Conway
Councillor Gilbert Smyth
Councillor Sheila Suso-Runge

Mark Carroll
Chief Executive
Tuesday 1 November 2022
www.hackney.gov.uk

Contact: Peter Gray
Governance Officer
governance@hackney.gov.uk

**Licensing Sub Committee D
Thursday 10 November 2022
Agenda**

- 1 Election of Chair**
- 2 Apologies for Absence**
- 3 Declarations of Interest - Members to declare as appropriate**
- 4 Licensing Sub-Committee Hearing Procedure (Pages 11 - 12)**
- 5 Premise Licence: La Pesa, 73 Rivington Street, London, EC2A 3AY
(Pages 13 - 40)**
- 6 Premises Licence: Aran's Cafe, 268 Stamford Hill, London, N16 6TU
(Pages 41 - 68)**
- 7 Temporary Event Notices - Standing Item**

Licensing Sub-Committee Hearings

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

Until further notice, all Licensing Sub-Committee Hearings will be held remotely using the Google Meets platform. Licensing Sub-Committee Hearings are public meetings that are live-streamed. Hearings are available to be viewed by the public online.

A Licensing Sub-Committee will be held if:

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

Prior to your item being heard:

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

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

Making decisions on the items being heard:

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

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

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

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

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

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

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

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

Before the meeting starts:

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

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

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

Attending the hearing that concerns you:

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

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

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

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

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

Timings

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

Committee will be advised. If your request is agreed, all parties will also be granted the same extension of time.

Rights of Press and Public to Report on Meetings

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

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

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

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

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

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

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

Providing oral commentary during a meeting is not permitted.

Lobbying of Councillors

If a person or an organisation wants to make a representation to the Licensing Sub-Committee, they must **NOT** contact Sub-Committee Members directly. Licensing Sub-Committee Members have to retain an open mind on any application and determine it on its merits. Members can not be in anyway biased towards a party. Therefore, if a Member of the Sub-Committee has had any prior involvement they must ensure that they come to the hearing with an open mind.

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

Reports

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

Appeals

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

Withdrawal of an Item or Cancellation of a Hearing

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

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

Contacts

If you have a query about Licensing Sub-Committee procedures and protocols then please contact Governance Services: governance@hackney.gov.uk

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

Telephone: 020 8356 4970

E-mail: licensing@hackney.gov.uk

Advice to Members on Declaring Interests

If you require advice on declarations of interests, this can be obtained from:

- The Monitoring Officer;
- The Deputy Monitoring Officer; or
- The legal adviser to the meeting.

It is recommended that any advice be sought in advance of, rather than at, the meeting.

Disclosable Pecuniary Interests (DPIs)

You will have a Disclosable Pecuniary Interest (*DPI) if it:

- Relates to your employment, sponsorship, contracts as well as wider financial interests and assets including land, property, licenses and corporate tenancies.
- Relates to an interest which you have registered in that part of the Register of Interests form relating to DPIs as being an interest of you, your spouse or civil partner, or anyone living with you as if they were your spouse or civil partner.
- Relates to an interest which should be registered in that part of the Register of Interests form relating to DPIs, but you have not yet done so.

If you are present at any meeting of the Council and you have a DPI relating to any business that will be considered at the meeting, you **must**:

- Not seek to improperly influence decision-making on that matter;
- Make a verbal declaration of the existence and nature of the DPI at or before the consideration of the item of business or as soon as the interest becomes apparent; and
- Leave the room whilst the matter is under consideration

You **must not**:

- Participate in any discussion of the business at the meeting, or if you become aware of your Disclosable Pecuniary Interest during the meeting, participate further in any discussion of the business; or
- Participate in any vote or further vote taken on the matter at the meeting.

If you have obtained a dispensation from the Monitoring Officer or Standards Committee prior to the matter being considered, then you should make a verbal declaration of the existence and nature of the DPI and that you have obtained a dispensation. The dispensation granted will explain the extent to which you are able to participate.

Other Registrable Interests

You will have an 'Other Registrable Interest' (ORI) in a matter if it

- Relates to appointments made by the authority to any outside bodies, membership of: charities, trade unions,, lobbying or campaign groups, voluntary organisations in the borough or governorships at any educational institution within the borough.
- Relates to an interest which you have registered in that part of the Register of Interests form relating to ORIs as being an interest of you, your spouse or civil partner, or anyone living with you as if they were your spouse or civil partner; or
- Relates to an interest which should be registered in that part of the Register of Interests form relating to ORIs, but you have not yet done so.

Where a matter arises at any meeting of the Council which affects a body or organisation you have named in that part of the Register of Interests Form relating to ORIs, **you must** make a verbal declaration of the existence and nature of the DPI at or before the consideration of the item of business or as soon as the interest becomes apparent. **You may** speak on the matter only if members of the public are also allowed to speak at the meeting but otherwise must not take part in any discussion or vote on the matter and must not remain in the room unless you have been granted a dispensation.

Disclosure of Other Interests

Where a matter arises at any meeting of the Council which **directly relates** to your financial interest or well-being or a financial interest or well-being of a relative or close associate, you **must** disclose the interest. **You may** speak on the matter only if members of the public are also allowed to speak at the meeting. Otherwise you must not take part in any discussion or vote on the matter and must not remain in the room unless you have been granted a dispensation.

Where a matter arises at any meeting of the Council which **affects** your financial interest or well-being, or a financial interest or well-being of a relative or close associate to a greater extent than it affects the financial interest or wellbeing of the majority of inhabitants of the ward affected by the decision and a reasonable member of the public knowing all the facts would believe that it would affect your view of the wider public interest, you **must** declare the interest. You **may** only speak on the matter if members of the public are able to speak. Otherwise you must not take part in any discussion or voting on the matter and must not remain in the room unless you have been granted a dispensation.

In all cases, where the Monitoring Officer has agreed that the interest in question is a **sensitive interest**, you do not have to disclose the nature of the interest itself.

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Agenda Item 4

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

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

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

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For Consideration By	Licensing Sub-Committee
Meeting Date	10 November 2022
Type of Application	Premises Licence
Address of Premises	La Pesa, 73 Rivington Street, London, EC2A 3AY
Classification	Decision
Ward(s) Affected	Hoxton East and Shoreditch
Group Director	Rickardo Hyatt

1. **Summary**

- 1.1. This is an application for a premises licence to allow authorisation for the sale of alcohol on Monday to Sunday.

2. **Application**

- 2.1. Established Coffee Limited has made an application for a premises licence under section 17 of the Licensing Act 2003.
- 2.2. The premises is located within a Shoreditch Special Policy Area.
- 2.3. The applicant is seeking authorisation for the following licensable activities and times:

Supply of Alcohol (On sales)	Standard Hours: Mon 11:00-23:00 Tue 11:00-23:00 Wed 11:00-23:00 Thu 11:00-23:00 Fri 11:00-23:00 Sat 10:00-23:00 Sun 10:00-23:00
The opening hours of the premises	Standard Hours: Mon 08:00-23:30 Tue 08:00-23:30

	Wed 08:00-23:30 Thu 08:00-23:30 Fri 08:00-23:30 Sat 08:00-23:30 Sun 08:00-23:30
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3. The application is attached as Appendix A. The applicant has proposed some additional measures to address the licensing objectives.

4. **Current Status/History**

4.1. The premises is not currently licensed for any activity.

4.2. No temporary event notices have been given for this premises in current year.

5. **Representations: Responsible Authorities**

From	Details
Environmental Health Authority (Environmental Protection)	No representation based on agreed conditions as set out in para 8.1
Environmental Health Authority (Environmental Enforcement)	Representation withdrawn based on agreed conditions as set out in para 8.1
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	Representation withdrawn based on agreed conditions as set out in para 8.1
Licensing Authority (Appendix B)	Representation received on the grounds of The Prevention of Public Nuisance and proposed conditions as set out in para 8.1
Health Authority	No representation received

6. **Representations: Other Persons**

From	Details
None	No representation received

7. **Guidance Considerations**

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

8. **Policy Considerations**

- 8.1. Licensing Sub-Committee is required to have regard to the London Borough of Hackney's Statement of Licensing Policy ("the Policy") adopted by the Licensing Authority.
- 8.2. The Policy applies to applications where relevant representations have been made. With regard to this application, policies LP1 (General Principles), LP2 (Licensing Objectives), LP3 (Core Hours) and LP10 (Special Policy Areas-Dalston and Shoreditch) are relevant.

9. **Officer Observations**

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

Supply of Alcohol(On/Both)

1. No supply of alcohol may be made under the premises licence:
 - (a) At a time when there is no designated premises supervisor in respect of the premises licence.
 - (b) At a time when the designated premises supervisor does not hold a personal licence or his personal licence is suspended.
2. Every supply of alcohol under the premises licence must be made or authorised by a person who holds a personal licence.
3. (1) The responsible person must ensure that staff on relevant premises do not carry out, arrange or participate in any irresponsible promotions in relation to the premises.

(2) In this paragraph, an irresponsible promotion means any one or more of the following activities, or substantially similar activities, carried on for the purpose of encouraging the sale or supply of alcohol for consumption on the premises -

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

- (b) provision of unlimited or unspecified quantities of alcohol free or for a fixed or discounted fee to the public or to a group defined by a particular characteristic in a manner which carries a significant risk of undermining a licensing objective;
- (c) provision of free or discounted alcohol or any other thing as a prize to encourage or reward the purchase and consumption of alcohol over a period of 24 hours or less in a manner which carries a significant risk of undermining a licensing objective;
- (d) selling or supplying alcohol in association with promotional posters or flyers on, or in the vicinity of, the premises which can reasonably be considered to condone, encourage or glamorise anti-social behaviour or to refer to the effects of drunkenness in any favourable manner.
- (e) dispensing alcohol directly by one person into the mouth of another (other than where that other person is unable to drink without assistance by reason of a disability).
4. The responsible person must ensure that free potable water is provided on request to customers where it is reasonably available.
5. 5.1. The premises licence holder or club premises certificate holder must ensure that an age verification policy is adopted in respect of the premises in relation to the sales or supply of alcohol.
5.2 The designated premises supervisor in relation to the premises licences must ensure that the supply of alcohol at the premises is carried on in accordance with the age verification policy.
5.3. The policy must require individuals who appear to the responsible person to be under 18 years of age (or such older age as may be specified in the policy) to produce on request, before being served alcohol, identification bearing their photograph, date of birth and either:-
A. a holographic mark or
B. an ultraviolet feature.
6. The responsible person shall ensure that:
a) where any of the following alcoholic drinks is sold or supplied for consumption on the premises (other than alcoholic drinks sold or supplied having been made up in advance ready for sale or supply in a securely closed container) it is available to customers in the following measures:
• beer or cider: 1/2 pint;
• gin, rum, vodka or whisky: 25ml or 35ml; and
• still wine in a glass: 125ml; and
a. these measures are displayed in a menu, price list or other printed material which is available to customers on the premises; and
b. where a customer does not in relation to a sale of alcohol specify

the quantity of alcohol to be sold, the customer is made aware that these measures are available.

Minimum Drinks Pricing

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

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

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

(b) “permitted price” is the price found by applying the formula - $P = D + (D \times V)$ Where -

(i) P is the permitted price,

(ii) D is the amount of duty chargeable in relation to the alcohol as if the duty were charged on the date of the sale or supply of the alcohol, and

(c) 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;

(d) “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;

(e) “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

(f) “value added tax” means value added tax charged in accordance with the Value Added Tax Act 1994.

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

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

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

Door Supervision

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

Conditions derived from Responsible Authority representations

9. The premises shall maintain a comprehensive CCTV system as per the minimum requirements of a Metropolitan Police Crime Prevention Officer. All public areas, entry and exit points will be covered enabling frontal identification of every person entering in any light condition. The CCTV system shall continually record whilst the premises is open for licensable activities and during all times when customers remain on the premises. All recordings shall be stored for a minimum period of 31 days with date and time stamping. Recordings shall be made available immediately upon the request of Police or authorised officer.
10. A staff member from the premises who is conversant with the operation of the CCTV system shall be on the premises at all times when the premises are open to the public. This staff member shall be able to show Police or an authorised officer of Hackney Borough Council recent data or footage with the absolute minimum of delay when requested.
11. An incident log shall be kept at the premises, and made available immediately to an authorised officer of the Hackney Borough Council or the Police, which will record the following:
 - all crimes reported to the venue
 - any complaints received
 - any incidents of disorder
 - any faults in the CCTV system
 - any refusal of the sale of alcohol
 - any visit by a relevant authority or emergency service.
12. There shall be clear and prominent signage asking all customers to leave quietly and respect local residents.
13. All instances of crime or disorder to be reported by the designated premises supervisor or responsible member of staff to an agreed police contact point, as agreed with the Police.
14. Where the sale or supply of alcohol is taking place employees of the premises must request sight of evidence of the age of any person appearing to be under 25 years of age (Challenge 25). Such evidence may include a driving licence or passport.
15. The premises will display and maintain appropriate signage advising customers of the contact details of the Designated Premises Supervisor.
16. All on sales of alcohol shall be to people seated inside the venue.

17. SIA door supervisors shall be employed on a risk assessment basis. When employed, all SIA staff shall wear a high visibility armband or vest to be easily identifiable. They shall enter their name, address, SIA number and times they begin and finish their shift in a daily register. If employed by an agency all agency contact details shall be recorded also.
18. All staff engaged in the sale of alcohol shall be fully trained and made aware of the legal requirements relating to underage sales and other legal requirements relating to the sale and supply of alcohol. Such training must take place on a 12 monthly basis and written records of the training must be maintained on the premises for inspection by the Police or Authorities. This training is to include the WAVE (Welfare And Vulnerability Engagement) training.
19. No noise shall emanate from the premises nor vibration be transmitted through the structure of the premises that gives rise to a nuisance.
20. Patrons permitted to temporarily leave and then re-enter the premises, eg. to smoke, shall not be permitted to take drinks or glass containers with them.
21. The number of persons in the smoking area (Front side of the venue) on Rivington Street is restricted to 5 people at any one time from 22:00 hours.
22. 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.
23. 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.
24. The Licensee shall ensure that any contract for general and recyclable waste disposal shall be appropriate in size to the amount of waste produced by the business. The Licensee shall maintain an adequate supply of waste receptacles provided by his registered waste carrier (refuse sacks or commercial waste bins) in order to ensure all refuse emanating from the business is always presented for collection by his waste carrier and shall not use any plain black or unidentifiable refuse sacks or any other unidentifiable or unmarked waste receptacles.
25. The Licensee's premises are situated in an area within which refuse may only be left on the public highway at certain times (time bands). If the Licensee's waste carrier cannot or does not comply by collecting the refuse within an hour after the close of any time band imposed by the waste authority, the Licensee must remove the refuse from the public highway and/or keep it within the premises until such time as his/her waste carrier arrives to collect the refuse.
26. The Licensee shall instruct members of staff to make regular checks of the area immediately outside the premises and remove any litter, bottles and glasses emanating from the premises. A final check should be made at close of business.

27. The Licensee shall provide a safe receptacle for cigarette ends to be placed outside for the use of customers, such receptacle being carefully placed so as not to cause an obstruction or trip.
28. The current trade waste agreement/duty of care waste transfer document shall be conspicuously displayed and maintained in the window of the premises where it can be conveniently seen and read by persons standing in La Pesa. 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
29. Alcohol shall not be sold, supplied, or consumed on the premises otherwise than to persons who are taking substantial table meals and that the consumption of alcohol by such persons is ancillary to taking such meals. The supply of alcohol shall be by waiter or waitress service only.
30. There shall be no “bottomless brunch” events and/or promotions, this includes events and/or promotions where unlimited alcohol is supplied.

10. **Reasons for Officer Observations**

- 10.1. Conditions 9 to 18 have been agreed with Police, conditions 19 to 22 have been agreed with Environmental Protection and conditions 23 to 28 have been agreed with Environmental Enforcement. Conditions 29 & 30 have been proposed by the Licensing Authority.

11. **Legal Comments**

- 11.1. 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
- 11.2. 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.

12. **Human Rights Act 1998 Implications**

- 12.1. 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.

13. **Members Decision Making**

13.1. **Option 1**

That the application be refused

13.2. **Option 2**

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

14. **Conclusion**

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

Appendices:

- Appendix A: Application for a premises licence and supporting documents
- Appendix B: Representations from responsible authorities
- Appendix C: Location map

Background documents

- Licensing Act 2003
- LBH Statement of Licensing Policy

Report Author	Name: Shan Uthayasangar Title: Licensing Officer Email: shan.uthayasangar@hackney.gov.uk Tel: 02083562431
Comments for the Group Director of Finance and Corporate Resources prepared by	Name Title Email Tel
Comments for the Director of Legal, Democratic and Electoral Services prepared by	Name Title Email Tel

Hackney LA01	Application for a premises licence to be granted under the Licensing Act 2003
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PLEASE READ THE FOLLOWING INSTRUCTIONS FIRST

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

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

I/We ESTABLISHED COFFEE LIMITED
 (Insert name(s) of applicant)

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

Part 1 – Premises details

Postal address of premises or, if none, ordnance survey map reference or description			
<u>73 RIUWTON STREET</u>			
Post town	<u>LONDON</u>	Postcode	<u>E2A 3AY</u>

Telephone number at premises (if any)	
Non-domestic rateable value of premises	£ <u>15,500</u>

Part 2 - Applicant details

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

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

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

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

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

I am making the application pursuant to a

statutory function or

a function discharged by virtue of Her Majesty's prerogative

(A) INDIVIDUAL APPLICANTS (fill in as applicable)

Mr	Mrs	Miss	Ms	Other Title (for example, Rev)	
Surname			First names		
Date of birth		I am 18 years old or over		Please tick yes	
Nationality					

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

SECOND INDIVIDUAL APPLICANT (if applicable)

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

(B) OTHER APPLICANTS

Please provide name and registered address of applicant in full. Where appropriate please give any registered number. In the case of a partnership or

other joint venture (other than a body corporate), please give the name and address of each party concerned.

Name	ESTABLISHED COFFEE LIMITED
Address	11 ST BRIDE STREET ECA4A, 4AS LONDON
Registered number (where applicable)	12 13 53 82
Description of applicant (for example, partnership, company, unincorporated association etc.)	LIMITED COMPANY
Telephone number (if any)	
E-mail address (optional)	

Part 3 Operating Schedule

When do you want the premises licence to start? DD MM YYYY
 13 10 2022

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)
I HAVE INCLUDED A SEPARATE PAPER SHEET WITH OUR OPERATING SCHEDULE

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

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

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

In all cases complete boxes K, L and M

J

Supply of alcohol Standard days and timings (please read guidance note 7)			Will the supply of alcohol be for consumption – please tick (please read guidance note 8)	On the premises	<input checked="" type="checkbox"/>
				Off the premises	<input type="checkbox"/>
Day	Start	Finish	Both		
Mon	11 AM	23 PM	State any seasonal variations for the supply of alcohol (please read guidance note 5)		
Tue	11 AM	23 PM			
Wed	11 AM	23 PM			
Thur	11 AM	23 PM	Non-standard timings. Where you intend to use the premises for the supply of alcohol at different times to those listed in the column on the left, please list (please read guidance note 6) SATURDAY AND SUNDAY WE WOULD LIKE TO SERVE ALCOHOL EARLIER AS WE ARE PLANNING ON DOING BRUNCH.		
Fri	11 AM	23 PM			
Sat	10 AM	23 PM			
Sun	10 AM	23 PM			

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

Name	EMANUELE COSSARO
Date of birth	[REDACTED]
Address	[REDACTED]
Postcode	[REDACTED]
Personal licence number (if known)	[REDACTED]
Issuing licensing authority (if known)	[REDACTED]

K

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

THERE WILL BE NONE OF THE ABOVE
ACTIVITY

L

Hours premises are open to the public Standard days and timings (please read guidance note 7)			State any seasonal variations (please read guidance note 5)
Day	Start	Finish	
Mon	8:00	23:30	Non-standard timings. Where you intend the premises to be open to the public at different times from those listed in the column on the left, please list (please read guidance note 6)
Tue	8:00	23:30	
Wed	8:00	23:30	
Thur	8:00	23:30	
Fri	8:00	23:30	
Sat	8:00	23:30	
Sun	8:00	23:30	

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)

ON A SEPARATE ATTACHMENT

b) The prevention of crime and disorder

ON A SEPARATE ATTACHMENT

c) Public safety

ON A SEPARATE ATTACHMENT

d) The prevention of public nuisance

ON A SEPARATE ATTACHMENT

e) The protection of children from harm

ON A SEPARATE ATTACHMENT

Checklist:

Please tick to indicate agreement

I have made or enclosed payment of the fee. ✓

I have enclosed the plan of the premises. ✓

I have sent copies of this application and the plan to responsible authorities and others where applicable. ✓

I have enclosed the consent form completed by the individual I wish to be designated premises supervisor, if applicable. ✓

I understand that I must now advertise my application. ✓

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


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

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

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

Part 4 – Signatures (please read guidance note 11)

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

Declaration	<ul style="list-style-type: none"> [Applicable to individual applicants only, including those in a partnership which is not a limited liability partnership] I understand I am not entitled to be issued with a licence if I do not have the entitlement to live and work in the UK (or if I am subject to a condition preventing me from doing work relating to the carrying on of a licensable activity) and that my licence will become invalid if I cease to be entitled to live and work in the UK (please read guidance note 15). The DPS named in this application form is entitled to work in the UK (and is not subject to conditions preventing him or her from doing work relating to a licensable activity) and I have seen a copy of his or her proof of entitlement to work, or have conducted an online right to work check using the Home Office right to work checking service which confirmed their right to work (please see note 15)
Signature	
Date	06/09/22
Capacity	HEAD OF OPERATIONS

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

Signature	
Date	
Capacity	

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

EMANUELE COSSARO

[REDACTED]

Post town

[REDACTED]

Postcode

[REDACTED]

Telephone number (if any)

[REDACTED]

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

[REDACTED]

Notes for Guidance

1. Describe the premises, for example the type of premises, its general situation and layout and any other information which could be relevant to the licensing objectives. Where your application includes off-supplies of alcohol and you intend to provide a place for consumption of these off-supplies, you must include a description of where the place will be and its proximity to the premises.
2. In terms of specific regulated entertainments please note that:
 - Plays: no licence is required for performances between 08:00 and 23.00 on any day, provided that the audience does not exceed 500.
 - Films: no licence is required for 'not-for-profit' film exhibition held in community premises between 08.00 and 23.00 on any day provided that the audience does not exceed 500 and the organiser (a) gets consent to the screening from a person who is responsible for the premises; and (b) ensures that each such screening abides by age classification ratings.
 - Indoor sporting events: no licence is required for performances between 08.00 and 23.00 on any day, provided that the audience does not exceed 1000.
 - Boxing or Wrestling Entertainment: no licence is required for a contest, exhibition or display of Greco-Roman wrestling, or freestyle wrestling between 08.00 and 23.00 on any day, provided that the audience does not exceed 1000. Combined fighting sports – defined as a contest, exhibition or display which combines boxing or wrestling with one or more martial arts – are licensable as a boxing or wrestling entertainment rather than an indoor sporting event.
 - Live music: no licence permission is required for:
 - a performance of unamplified live music between 08.00 and 23.00 on any day, on any premises.
 - a performance of amplified live music between 08.00 and 23.00 on any day on premises authorised to sell alcohol for consumption on those premises, provided that the audience does not exceed 500.
 - a performance of amplified live music between 08.00 and 23.00 on any day, in a workplace that is not licensed to sell alcohol on those premises, provided that the audience does not exceed 500.
 - a performance of amplified live music between 08.00 and 23.00 on any day, in a church hall, village hall, community hall, or other similar community premises, that is not licensed by a premises licence to sell alcohol, provided that (a) the audience

Operating schedule draft

Operating schedule for La Pesa London, 73 Rivington Street, EC2A 3AY:

We are opening a small restaurant and we are seeking a licence in order to sell alcohol by retail to our dining guests.

The restaurant has about 30 seats between 3 tables, a breakfast bar and the main bar counter.

We are planning in operating as a specialty coffee shop with homemade baked goods from 8:00 in the morning until 16:00 Monday to Sunday, and we are planning on selling alcohol by retail while serving lunch, brunch and dinner from 11:00 until 23:00 Monday to Sunday all prepared by Marco, a Michelin Star Chef with worldwide experience and Francesca, our Pastry Chef, with the business closing time at 24:00.

The drinking menu will be composed of a small, bespoke cocktail list, with alcoholic as well as non alcoholic options, a wine list with the option by bottle, small and large measurement glass.

In order to adhere to the Licensing Objectives we are planning on make sure to refuse entry to intoxicated people as well as installing a CCTV and having the staff trained in how to deal with intoxicated people from our Designated Supervisor, the training will also include the understanding of the serving measurement of alcohol, having menus stating the volume of alcohol present in each item as well as providing the possibility of a small glass and using the "challenge 18 or 21" so that staff will required an approved form of ID when needed. In order to tackle the prevention of public nuisance along as not serving intoxicated people and make sure they are leaving the premises quietly we will not aloud customer staying outside the premises with drinks

Four general licensing objectives attachment from the application

As a small restaurant with around 30 seats covering lunch and dinner we are planning on prevent:

1 & 2: Crime & disorder and Public Safety

- We will install CCTV inside of the premisses to be able to have recordings in case of something happening
- Free tap water will be available
- There will be no drinking encouragement or promotions of any kind
- Being a restaurant drinks will be served to seated guests, no drinks and standing at the bar without food consumption
- No open containers or drinks to be taken outside
- Staff will be trained in how to interact with intoxicated members of the public as well as how to refuse to serve them without escalating the situation
- A landline will be installed to make sure staff will be able to call any emergency service if needed to.

3: Public Nuisance

- Signs will be added to ask customer to leave the premises quietly
- By not doing take aways or delivery and encouraging a reservation system there will be no crowding on the outside of the premisses
- As we are a coffee shop in the morning and restaurant for the remaining of the day music will be ambient therefore will be always on a low setting
- We've installed air extractor system with filters for the whole shop, along with a kitchen hood with filters so no noxious smell will be made

4: the protection of children from harm

- Being a small restaurant there won't be any licensable activity other than the sell of alcohol by retail with food, staff will be trained in requesting a proof of age for anyone looking under the age of 18, enforcing the no prof, no sale rule.
- Children under the age of 18 will be able to consume an alcoholic drink only if aged 16 or 17, the drink (beer, wine or cider) has been bought by the accompanying adult and is been served with a substantial meal.

APPENDIX B

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	La Pesa 73 Rivington Street Hackney London EC2A 3AY
NAME OF APPLICANT	Established Coffee Ltd.

COMMENTS

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

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

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

The premises is located in the Shoreditch Special Policy Area (Shoreditch SPA), the Shoreditch SPA has been designated as such due to the impact of the number of premises within the area and their impact on the licensing objectives as well as the local amenity.

“LP10 Special Policy Areas – Dalston and Shoreditch

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

It should also be noted that the;

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

May not be in itself sufficient.

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

The Licensing Authority notes the attached conditions supplied with the application. However, the hours of the operation sought are beyond the LP3 Core hours policy.

“LP3 Core Hours

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

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

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

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

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

The premises is located along a busy thoroughfare in the heart of the Shoreditch SPA, the Licensing authority would like clarification on the management of delivery drivers to and from the premises considering the location. Has a plan for the management of the drivers/riders been drawn up? Has the applicant considered the use of non motorised vehicles only?

The applicant should clarify if the premises will have a smoking area, and if so what will its capacity be and how will it be managed.

The applicant should clarify what the intended operation is with regards to “Brunch”, is this intended to include bottomless brunch promotions? Given the locality, the Licensing Authority does not believe that the potential introduction of this type of activity would promote the licensing objectives. Additionally, the applicant has not proposed to limit alcohol sales as ancillary to food, is the applicant seeking to establish a vertical drinking establishment.

The Licensing Authority believes the applicant should consider the addition of the following condition(s)/amendments.

- *Alcohol shall not be sold, supplied, or consumed on the premises otherwise than to persons who are taking substantial table meals and that the consumption of alcohol by such persons is ancillary to taking such meals. The supply of alcohol shall be by waiter or waitress service only.*
- *There shall be no “bottomless brunch” events and/or promotions , this includes events and/or promotions where unlimited alcohol is supplied.*
- *Challenge 25 scheme.*

Whilst the applicant has attempted to provide some indication as to the nature of the premises, overall, the applicant has not demonstrated in the application that they would not add to the cumulative impact already experienced in the area.

The applicant should provide a detailed and robust set of proposed conditions that reflect the needs of the locality and the intended operation. The applicant has not demonstrated sufficient regard to the Licensing Policy or Special Policy area in the application.

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.

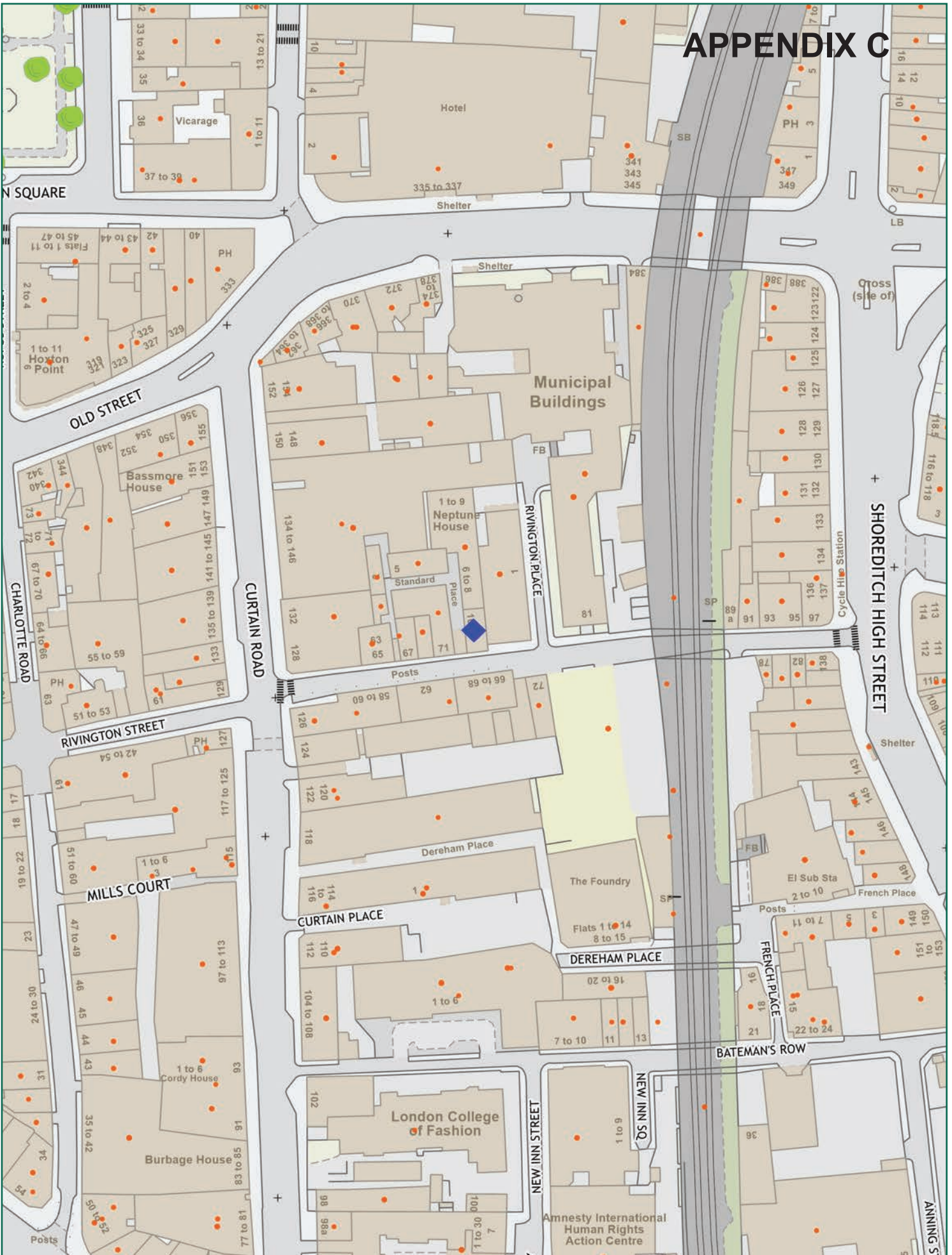
Are there any actions or measures that could be taken to allay concerns or objections? If so, please explain.

N/A

Name: Channing Riviere (Principal Licensing Officer)

Date: 04/10/2022

APPENDIX C



Scale: 1:1250 at A4

La Pesa, 73 Rivington Street, EC2A 3AY



Ref:
Monday, October 31, 2022

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please specify copyright statement

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For Consideration By	Licensing Sub-Committee
Meeting Date	10 November 2022
Type of Application	Premises Licence
Address of Premises	Aran's Cafe, 268 Stamford Hill, London, N16 6TU
Classification	Decision
Ward(s) Affected	Springfield
Group Director	Rickardo Hyatt

1. **Summary**

- 1.1. This is an application for a premises licence to allow authorisation for the sale of alcohol on Monday to Sunday.

2. **Application**

- 2.1. Ibrahim Acer has made an application for a premises licence under section 17 of the Licensing Act 2003.
- 2.2. The premises is not located within a Special Policy Area.
- 2.3. The applicant is seeking authorisation for the following licensable activities and times:

Supply of Alcohol (On sales)	Standard Hours: Mon 11:00-23:00 Tue 11:00-23:00 Wed 11:00-23:00 Thu 11:00-23:00 Fri 11:00-23:00 Sat 11:00-23:00 Sun 11:00-23:00
Supply of Alcohol (Off sales)	Standard Hours: Mon 10:00-23:00 Tue 10:00-23:00

	Wed 10:00-23:00 Thu 10:00-23:00 Fri 10:00-23:00 Sat 10:00-23:00 Sun 10:00-23:00
The opening hours of the premises	Standard Hours: Mon 06:00-23:00 Tue 06:00-23:00 Wed 06:00-23:00 Thu 06:00-23:00 Fri 06:00-23:00 Sat 06:00-23:00 Sun 06:00-23:00

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

4. **Current Status/History**

4.1. The premises is not currently licensed for any activity.

4.2. No temporary event notices have been given for this premises in current year.

5. **Representations: Responsible Authorities**

From	Details
Environmental Health Authority (Environmental Protection)	No representation received
Environmental Health Authority (Environmental Enforcement)	Representation withdrawn based on agreed conditions as set out in para 8.1
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 (Appendix B)	Representation received on the grounds of the prevention of crime and disorder and prevention of public nuisance and proposed

	conditions as set out in para 8.1
Licensing Authority	Representation withdrawn based on agreed conditions as set out in para 8.1
Health Authority	No representation based on amended alcohol (on sales) start time as set out in para 2.3.

6. **Representations: Other Persons**

From	Details
None	No representation received

7. **Guidance Considerations**

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

8. **Policy Considerations**

- 8.1. Licensing Sub-Committee is required to have regard to the London Borough of Hackney's Statement of Licensing Policy ("the Policy) adopted by the Licensing Authority.
- 8.2. 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.

9. **Officer Observations**

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

Supply of Alcohol(On/Both)

1. No supply of alcohol may be made under the premises licence:
 - (a) At a time when there is no designated premises supervisor in respect of the premises licence.
 - (b) At a time when the designated premises supervisor does not hold a personal licence or his personal licence is suspended.
2. Every supply of alcohol under the premises licence must be made or authorised by a person who holds a personal licence.
3. (1) The responsible person must ensure that staff on relevant premises do not carry out, arrange or participate in any irresponsible promotions in relation to the premises.

(2) In this paragraph, an irresponsible promotion means any one or more of the following activities, or substantially similar activities, carried on for the purpose of encouraging the sale or supply of alcohol for consumption on the premises -

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

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

(ii) drink as much alcohol as possible (whether within a time limit or otherwise);

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

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

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

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

4. The responsible person must ensure that free potable water is provided on request to customers where it is reasonably available.
5. 5.1. The premises licence holder or club premises certificate holder must ensure that an age verification policy is adopted in respect of the premises in relation to the sales or supply of alcohol.
5.2 The designated premises supervisor in relation to the premises licences must ensure that the supply of alcohol at the premises is carried on in accordance with the age verification policy.
5.3. The policy must require individuals who appear to the responsible person to be under 18 years of age (or such older age as may be specified in the policy) to produce on request, before being served alcohol, identification bearing their photograph, date of birth and either:-
 - A. a holographic mark or
 - B. an ultraviolet feature.

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

Minimum Drinks Pricing

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

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

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

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

(i) P is the permitted price,

(ii) D is the amount of duty chargeable in relation to the alcohol as if the duty were charged on the date of the sale or supply of the alcohol, and

(c) 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;

(d) "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;

(e) "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

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

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

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

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

Conditions derived from Responsible Authority representations

8. The premises shall maintain a comprehensive CCTV system as per the minimum requirements of a Metropolitan Police Crime Prevention Officer. All public areas, entry and exit points will be covered enabling frontal identification of every person entering in any light condition. The CCTV system shall continually record whilst the premises is open for licensable activities and during all times when customers remain on the premises. All recordings shall be stored for a minimum period of 31 days with date and time stamping. Recordings shall be made available immediately upon the request of Police or authorised officer.
9. A staff member from the premises who is conversant with the operation of the CCTV system shall be on the premises at all times when the premises are open to the public. This staff member shall be able to show Police or an authorised officer of Hackney Borough Council recent data or footage with the absolute minimum of delay when requested.
10. An incident log shall be kept at the premises, and made available immediately to an authorised officer of the Hackney Borough Council or the Police, which will record the following:
 - all crimes reported to the venue
 - any complaints received
 - any incidents of disorder
 - any faults in the CCTV system
 - any refusal of the sale of alcohol
 - any visit by a relevant authority or emergency service.
11. There shall be clear and prominent signage asking all customers to leave quietly and respect local residents.
12. All instances of crime or disorder to be reported by the designated premises supervisor or responsible member of staff to an agreed police contact point, as agreed with the Police.

13. Where the sale or supply of alcohol is taking place employees of the premises must request sight of evidence of the age of any person appearing to be under 25 years of age (Challenge 25). Such evidence may include a driving licence or passport.
14. The premises will display and maintain appropriate signage advising customers of the contact details of the Designated Premises Supervisor.
15. All staff will be given refresher training every six months on the legislation relating to the sales of alcohol to underage persons and drunken persons. Written records of this training shall be kept on the premises and produced to police or other authorised officer upon request
16. All supply of alcohol for consumption off the premises shall be in sealed containers and packaged to take away from the premises.
17. All sales of alcohol for consumption on the premises shall be sold to seated guests and ancillary to a substantial table meal.
18. After 2100hrs there shall be a maximum of 3 smokers outside at any one time. This shall be managed and monitored by staff.
19. There shall be no glass or open containers taken outside the premises at any time, except for those seated in an outside designated seating area.
20. Any outside seating shall not be used after 2100hrs and shall be rendered unusable or stored away.
21. Alcohol shall not be sold, or supplied for consumption on the premises otherwise than to persons who are taking table meals and that the consumption of alcohol by such persons is ancillary to taking such meals. The supply of alcohol shall for consumption on the premises be by table service only.
22. Alcohol for consumption off the premises shall be in securely sealed containers only.
23. 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.
24. The Licensee shall ensure that any contract for general and recyclable waste disposal shall be appropriate in size to the amount of waste produced by the business. The Licensee shall maintain an adequate supply of waste receptacles provided by his registered waste carrier (refuse sacks or commercial waste bins) in order to ensure all refuse emanating from the business is always presented for collection by his waste carrier and shall not

use any plain black or unidentifiable refuse sacks or any other unidentifiable or unmarked waste receptacles.

25. The Licensee's premises are situated in an area within which refuse may only be left on the public highway at certain times (time bands). If the Licensee's waste carrier cannot or does not comply by collecting the refuse within an hour after the close of any time band imposed by the waste authority, the Licensee must remove the refuse from the public highway and/or keep it within the premises until such time as his/her waste carrier arrives to collect the refuse.
26. The Licensee shall instruct members of staff to make regular checks of the area immediately outside the premises and remove any litter, bottles and glasses emanating from the premises. A final check should be made at close of business.
27. The Licensee shall provide a safe receptacle for cigarette ends to be placed outside for the use of customers, such receptacle being carefully placed so as not to cause an obstruction or trip.
28. The current trade waste agreement/duty of care waste transfer document shall be conspicuously displayed and maintained in the window of the premises where it can be conveniently seen and read by persons standing in Aran's Cafe. 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

10. **Reasons for Officer Observations**

- 10.1. Conditions 8 to 20 have been proposed by the Police, conditions 21 & 22 have been proposed by the Licensing Authority and conditions 23 to 28 have been proposed by the Environmental Enforcement. All proposed conditions have been agreed with the applicant.

11. **Legal Comments**

- 11.1. 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

11.2. 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.

12. **Human Rights Act 1998 Implications**

- 12.1. 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.

13. **Members Decision Making**

13.1. **Option 1**

That the application be refused

13.2. **Option 2**

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

14. **Conclusion**

- 14.1. That Members decide on the application under the Licensing Act 2003.

Appendices:

Appendix A: Application for a premises licence and supporting documents
Appendix B: Representations from responsible authorities
Appendix C: Location map

Background documents

Licensing Act 2003
LBH Statement of Licensing Policy

Report Author	Name: Shan Uthayasangar Title: Licensing Officer Email: shan.uthayasangar@hackney.gov.uk Tel: 02083562431
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Comments for the Group Director of Finance and Corporate Resources prepared by	Name Title Email Tel
Comments for the Director of Legal, Democratic and Electoral Services prepared by	Name Title Email Tel

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 IBRAHIM ACER

(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 268 STAMFORDHILL LONDON			
Post town	LONDON	Postcode	N16 6TU

Telephone number at premises (if any)	
Non-domestic rateable value of premises	£7800

Part 2 - Applicant details

Please state whether you are applying for a premises licence as **appropriate** **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 checked="" type="checkbox"/>	Mrs <input type="checkbox"/>	Miss <input type="checkbox"/>	Ms <input type="checkbox"/>	Other Title (for example, Rev)	
Surname ACER			First names IBRAHIM		
Date of birth [REDACTED]		I am 18 years old or <input checked="" type="checkbox"/> Please tick yes over			
Nationality [REDACTED]					
Current residential address if different from premises address		[REDACTED]			
Post town	[REDACTED]	Postcode	[REDACTED]		

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

SECOND INDIVIDUAL APPLICANT (if applicable)

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

(B) OTHER APPLICANTS

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

Name

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

Part 3 Operating Schedule

When do you want the premises licence to start?

DD	MM	YYYY
<input type="text"/>	<input type="text"/>	<input type="text"/>

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

DD	MM	YYYY
<input type="text"/>	<input type="text"/>	<input type="text"/>

Please give a general description of the premises (please read guidance note 1)
 IT IS A CAFÉ WITH 30 PERSON SEATING CAPACITY
 THEY HAVE A FEW TABLES OUTSIDE

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

30

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

In all cases complete boxes K, L and M

J

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

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

Name IBRAHIM ACER	
Date of birth [REDACTED]	
Address [REDACTED]	
Postcode	[REDACTED]
Personal licence number (if known) [REDACTED]	
Issuing licensing authority (if known) [REDACTED]	

K

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

L

Hours premises are open to the public Standard days and timings (please read guidance note 7)			State any seasonal variations (please read guidance note 5)
Day	Start	Finish	
Mon	06:00	23:00	Non-standard timings. Where you intend the premises to be open to the public at different times from those listed in the column on the left, please list (please read guidance note 6)
Tue	06:00	23:00	
Wed	06:00	23:00	
Thur	06:00	23:00	
Fri	06:00	23:00	
Sat	06:00	23:00	
Sun	06:00	23:00	

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

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

An incident/refusals book shall be kept at the premises, in which details of crime and/or disorder relating to the premises shall be recorded. The Incident book shall contain the following details;

- Time, date and location of incident/refusals.
- Nature of the Incident/refusal.
- Names, addresses and contact details of persons involved.
- Result of the incident/refusals.
- Action taken to prevent further such incidents.

Each entry signed by the premises licence holder or other responsible person employed at the premises and so authorised by the premises licence holder'; and

Retained for a period of no less than 12 months and made available to Police for inspection upon request.

Fire and Health and Safety system in place

b) The prevention of crime and disorder

The licence holder shall maintain a comprehensive CCTV system that ensures all areas of the licensed premises are monitored, including all entry points, and the street environment where customers discharge, and which enable frontal identification of every person entering in any light condition. All cameras shall continually record whilst the premises are open to public and the recordings shall be kept available for a minimum of 31 days with time and date stamping.

c) Public safety

Fire and Health and safety system in place

d) The prevention of public nuisance

Notices shall be prominently displayed at the exists requesting the public to respect the needs of local residents and to leave the premises and the area quietly.

e) The protection of children from harm

A challenge 25 proof of age scheme shall be operated at the premise where the only acceptable forms of identification are recognised photographic identification cards, such as a driving licence, passport or proof of age card with the Pass hologram.

Checklist:

Please tick to indicate agreement



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

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

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

Part 4 – Signatures (please read guidance note 11)

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

Declaration	<ul style="list-style-type: none"> [Applicable to individual applicants only, including those in a partnership which is not a limited liability partnership] I understand I am not entitled to be issued with a licence if I do not have the entitlement to live and work in the UK (or if I am subject to a condition preventing me from doing work relating to the carrying on of a licensable activity) and that my licence will become invalid if I cease to be entitled to live and work in the UK (please read guidance note 15). The DPS named in this application form is entitled to work in the UK (and is not subject to conditions preventing him or her from doing work relating to a licensable activity) and I have seen a copy of his or her proof of entitlement to work, or have conducted an online right to work check using the Home Office right to work checking service which confirmed their right to work (please see note 15)
Signature	
Date	13.09.2022 
Capacity	AGENT

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

Signature	
Date	
Capacity	

Contact name (where not previously given) and postal address for correspondence associated with this application (please read guidance note 14)
PERA SOLUTIONS LTD

████████████████████

Post town

██████████

Postcode

██████████

Telephone number (if any)

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

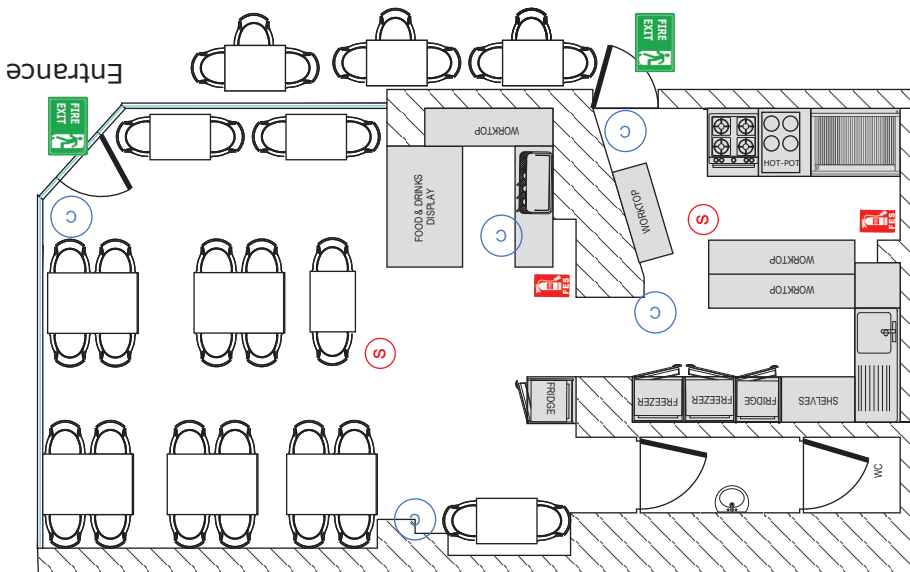
████████████████████

Notes for Guidance

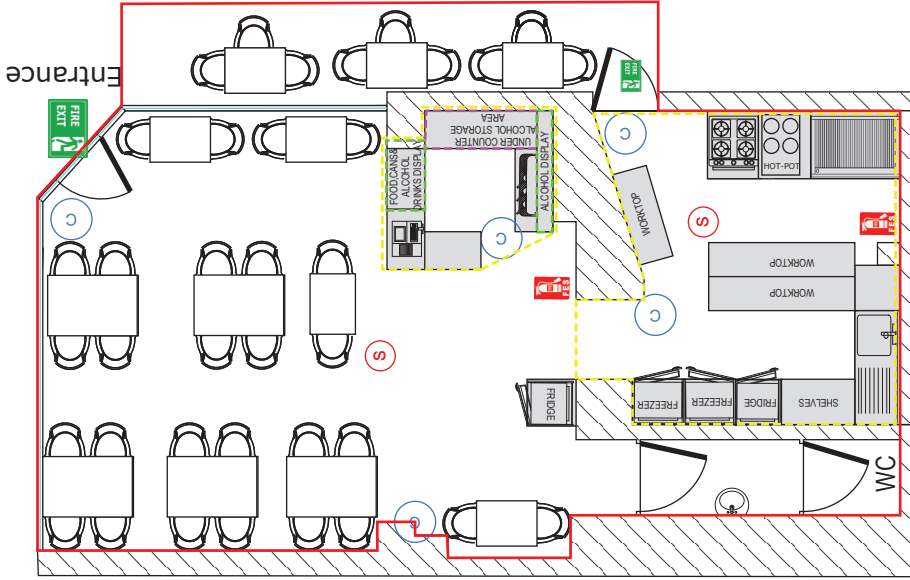
1. Describe the premises, for example the type of premises, its general situation and layout and any other information which could be relevant to the licensing objectives. Where your application includes off-supplies of alcohol and you intend to provide a place for consumption of these off-supplies, 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.



CURRENT PLAN



PROPOSED PLAN



- FIRE EXIT
- SMOKE DEDECTOR
- SECURITY CAM
- FIRE EXTINGUISHER STATION
- WINDOW
- Alcohol Boundary
- Alcohol Display Area
- Alcohol Storage Area
- Kitchen and Staff Only Area



NOT FOR CONSTRUCTION



5 Francis Road
Harrow HA1 2QZ
M: 0740 522 65 76
E-Mail : info@ucmechanicalengineering.com
http://www.ucmechanicalengineering.com/

CLIENT
IBRAHIM ACER

PROJECT
ARAN`S CAFE
PROJECT

DATE
08.09.2022

DRAWN BY
UMUT CAN

DESCRIPTION
ALCOHOL
BOUNDARY
PLAN

CLIENT ADDRESS
268 Stamford Hill,
London
N16 6TU

1/1 - A4

APPENDIX B

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	APS 3691CE Kerrie RYAN
TELEPHONE NUMBER	07796 183078
E-MAIL ADDRESS	hackneylicensing@met.police.uk

APPLICATION PREMISES

NAME & ADDRESS OF PREMISES	268 Stamford Hill London N16 6TU
NAME OF PREMISES USER	Ibrahim ACER

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 268 STAMFORD HILL, LONDON, N16 6TU for the following reason(s);

This premises is located on a busy High Street Stoke Newington and sits on the corner of a residential street.

This application seeks authorisation to sell alcohol for consumption on and off the premises between 1000hrs and 2300hrs each day. The premises is currently advertised at closing at 1700hrs, so the later hours and the introduction of the sale of alcohol will have an impact on the area.

Police would like further information as follows;

- Is the current operation of the premises changing?
- Who is the premises aimed at? (age of customer etc)
- Do you, or do you intend to hold events?
- If so, what kind of events will you be holding?
- Does the proposed DPS have any experience of running and/or managing a licensed premises? This is a challenging area, which has a lot of street drinking, so police would like to be reassured that the management can deal with these concerns.
- Why are off sales of alcohol required?
- Do you currently have tables and chairs licence for the outside space?

Police have included a list of conditions to be considered by the applicant. These conditions cover some of the points mentioned in the application and will be attached to the licence should this application be granted. These conditions will ensure the promotion of the licensing objectives.

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
APS 3691CE RYAN

By E-mail)
Name (printed)

Proposed Conditions for
268 Stamford Hill,
London, N16 6TU

- 1) The premises shall maintain a comprehensive CCTV system as per the minimum requirements of a Metropolitan Police Crime Prevention Officer. All public areas, entry and exit points will be covered enabling frontal identification of every person entering in any light condition. The CCTV system shall continually record whilst the premises is open for licensable activities and during all times when customers remain on the premises. All recordings shall be stored for a minimum period of 31 days with date and time stamping. Recordings shall be made available immediately upon the request of Police or authorised officer.
- 2) A staff member from the premises who is conversant with the operation of the CCTV system shall be on the premises at all times when the premises are open to the public. This staff member shall be able to show Police or an authorised officer of Hackney Borough Council recent data or footage with the absolute minimum of delay when requested.
- 3) An incident log shall be kept at the premises, and made available immediately to an authorised officer of the Hackney Borough Council or the Police, which will record the following:
 - all crimes reported to the venue
 - any complaints received
 - any incidents of disorder
 - any faults in the CCTV system
 - any refusal of the sale of alcohol
 - any visit by a relevant authority or emergency service.
- 4) There shall be clear and prominent signage asking all customers to leave quietly and respect local residents.
- 5) All instances of crime or disorder to be reported by the designated premises supervisor or responsible member of staff to an agreed police contact point, as agreed with the Police.
- 6) Where the sale or supply of alcohol is taking place employees of the premises must request sight of evidence of the age of any person appearing to be under 25 years of age (Challenge 25). Such evidence may include a driving licence or passport.
- 7) The premises will display and maintain appropriate signage advising customers of the contact details of the Designated Premises Supervisor.

- 8) All staff will be given refresher training every six months on the legislation relating to the sales of alcohol to underage persons and drunken persons. Written records of this training shall be kept on the premises and produced to police or other authorised officer upon request
- 9) All supply of alcohol for consumption off the premises shall be in sealed containers and packaged to take away from the premises.
- 10) All sales of alcohol for consumption on the premises shall be sold to seated guests and ancillary to a substantial table meal.
- 11) After 2100hrs there shall be a maximum of 3 smokers outside at any one time. This shall be managed and monitored by staff.
- 12) There shall be no glass or open containers taken outside the premises at any time, except for those seated in an outside designated seating area.
- 13) Any outside seating shall not be used after 2100hrs and shall be rendered unusable or stored away.

*** ADDITIONAL CONDITIONS MAY BE ADDED
FURTHER TO DISCUSSIONS WITH THE APPLICANT ***

APPENDIX C



Scale: 1:1250 at A4

Aran's Cafe, 268 Stamford Hill, N16 6TU



Ref:
Monday, October 31, 2022

Page 67
Product: Unspecified
email:

please specify copyright statement

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For Consideration By	Licensing Sub-Committee
Meeting Date	10 November 2022
Type of Notice	TEMPORARY EVENT NOTICE – COUNTER NOTICE
Address of Premises	U7 Lounge, 2-4 Orsman Road, London N1 5FB
Classification	Decision
Ward(s) Affected	Hoxton East and Shoreditch
Director	Rickardo Hyatt

1. **Summary**

- 1.1. The Environmental Protection has given the Licensing Authority and the premises user notice of objection to Temporary Event Notices for an event to be held on **13/11/2022** from **00:00** finishing on **13/11/2022** at **02:00am** at above premises. The Licensing Authority must hold a hearing to decide whether or not to allow the event to proceed.

2. **Current Status/History**

- 2.1. The premises is licensed under the Licensing Act 2003 and the licence document is attached as Appendix C.

3. **TEMPORARY EVENT NOTICE FOR EVENT TO BE HELD 13/11/2022 - 13/11/2022**

- 3.1. A TEN has been submitted to allow licensable activities to take place on the premises. A copy of the Temporary Event Notice is attached as Appendix A.

4. **Objections**

- 4.1. The Environmental Protection has objected to the TEN on the grounds of the prevention of public nuisance. A copy of the objection is attached as Appendix B.

5. **Guidance Considerations**

- 5.1. That the Licensing Sub-Committee consider the issuing of counter notices if it is satisfied that any of the licensing objectives would be undermined if the premises were to be used in accordance with the temporary event notice.

6. **Policy Considerations**

- 6.1 When considering an objection to a TEN the Council will:

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

- 6.2 Consider any other control measures proposed to mitigate the objection

7. **Human Rights Act 1998 Implications**

- 7.1. **There are implications for;**

- **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.

8. **Members; Decision Making**

- 8.1. **Option 1**

That the Licensing Authority decides not to give a counter notice.

- 8.2. **Option 2**

That the Licensing Authority decides to give a counter notice, giving the reasons for the decision.

9. **Conclusion**

- 9.1. That Members decide whether or not to issue a counter notice for the event scheduled to take place on **13/11/2022** from **00:00** finishing on **13/11/2022** at **02:00am** at location **above**.

Appendices:

Appendix A – Temporary Event Notice

Appendix B – Objection from the Environmental Protection

Appendix C – Current Premises Licence

Appendix D – Location Map

Report Author	Name: Suba Sriramana Title: Principal Licensing Officer Email: Subangini.Sriramana@hackney.gov.uk Tel: 020 8356 4915
Comments for the Group Director of Finance and Corporate Resources prepared by	Name Title Email Tel
Comments for the Director of Legal, Democratic and Electoral Services prepared by	Name Title Email Tel

Before completing this notice, please read the guidance notes at the end of the notice. If you are completing this notice by hand, please write legibly in block capitals. In all cases, ensure that your answers are inside the boxes and written in black ink or typed. Use additional sheets if necessary. You should keep a copy of the completed notice for your records. You must send at least one copy of this notice to the licensing authority and additional copies must be sent to the chief officer of police and the local authority exercising environmental health functions for the area in which the premises are situated. The licensing authority will give to you written acknowledgement of the receipt of the notice.

I, the proposed premises user, hereby give notice under section 100 of the Licensing Act 2003 of my proposal to carry on a temporary activity at the premises described below.

1. The personal details of premises user (Please read note 1)	
1. Your name	
Title	Mr <input checked="" type="checkbox"/> Mrs <input type="checkbox"/> Miss <input type="checkbox"/> Ms <input type="checkbox"/> Other (please state)
Surname	TEZGEL
Forenames	ISMAIL
2. Previous names (Please enter details of any previous names or maiden names, if applicable. Please continue on a separate sheet if necessary)	
Title	Mr <input type="checkbox"/> Mrs <input type="checkbox"/> Miss <input type="checkbox"/> Ms <input type="checkbox"/> Other (please state)
Surname	
Forenames	
3. Your date of birth	██/██/██
4. Your place of birth	██
5. National Insurance Number	██
6. Your current address (We will use this address to correspond with you unless you complete the separate correspondence box below)	
██	
Post town	██
Postcode	██
7. Other contact details	
Telephone numbers Daytime	██
Evening (optional)	
Mobile (optional)	
Fax number (optional)	
E-Mail address (if available)	
8. Alternative address for correspondence (If you complete the details below, we will	

use this address to correspond with you)	
Post town	Postcode
9. Alternative contact details (if applicable)	
Telephone numbers: Daytime	
Evening (optional)	
Mobile (optional)	
Fax number (optional)	
E-Mail address (if available)	

2. The premises	
Please give the address of the premises where you intend to carry on the licensable activities or, if it has no address, give a detailed description (including the Ordnance Survey references) (Please read note 2)	
U7 LOUNGE, 2-4 ORSMAN ROAD, LONDON N1 5FB	
Does a premises licence or club premises certificate have effect in relation to the premises (or any part of the premises)? If so, please enter the licence or certificate number below. NO	
Premises licence number	PREM/2021/0014
Club premises certificate number	
If you intend to use only part of the premises at this address or intend to restrict the area to which this notice applies, please give a description and details below. (Please read note 3)	
WE INTEND TO USE THE WHOLE PREMISES.	
Please describe the nature of the premises below. (Please read note 4)	
LICENSED CAFÉ BAR WORKSPACE	
Please describe the nature of the event below. (Please read note 5)	
30TH BIRTHDAY PARTY.	

3. The licensable activities

Please state the licensable activities that you intend to carry on at the premises (please tick all licensable activities you intend to carry on). (Please read note 6)

The sale by retail of alcohol	<input checked="" type="checkbox"/>
The supply of alcohol by or on behalf of a club to, or to the order of, a member of the club	<input type="checkbox"/>
The provision of regulated entertainment (Please read note 7)	<input checked="" type="checkbox"/>
The provision of late night refreshment	<input type="checkbox"/>
Are you giving a late temporary event notice? (Please read note 8)	<input type="checkbox"/>
Please state the dates on which you intend to use these premises for licensable activities. (Please read note 9)	

13/11/2022

Please state the times during the event period that you propose to carry on licensable activities (please give times in 24-hour clock). (Please read note 10)

13/11/2022 – 00:00 - 02:00

Please state the maximum number of people at any one time that you intend to allow to be present at the premises during the times when you intend to carry on licensable activities, including any staff, organisers or performers. (Please read note 11)

150

If the licensable activities will include the sale or supply of alcohol, please state whether these will be for consumption on or off the premises, or both (please tick as appropriate). (Please read note 12)	On the premises only	<input checked="" type="checkbox"/>
	Off the premises only	<input type="checkbox"/>
	Both	<input type="checkbox"/>

Please state if the licensable activities will include the provision of relevant entertainment. If so, please state the times during the event period that you propose to provide relevant entertainment (including, but not limited to lap dancing and pole dancing). (Please see note 13)

DJ playing

4. Personal licence holders (Please read note 14)

Do you currently hold a valid personal licence? (Please tick)

If "Yes" please provide the details of your personal licence below.

Issuing licensing authority	██████████
Licence number	██████████

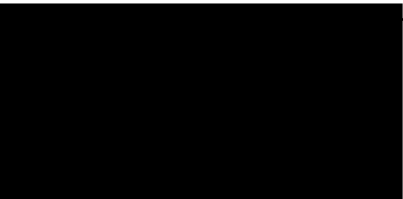
Date of issue	██████████
Any further relevant details	

5. Previous temporary event notices you have given (Please read note 15 and tick the boxes that apply to you)		
Have you previously given a temporary event notice in respect of any premises for events falling in the same calendar year as the event for which you are now giving this temporary event notice?	Yes <input type="checkbox"/>	No <input checked="" type="checkbox"/>
If answering yes, please state the number of temporary event notices (including the number of late temporary event notices, if any) you have given for events in that same calendar year		
Have you already given a temporary event notice for the same premises in which the event period: a) ends 24 hours or less before; or b) begins 24 hours or less after the event period proposed in this notice?	Yes <input type="checkbox"/>	No <input checked="" type="checkbox"/>

6. Associates and business colleagues (Please read note 16 and tick the boxes that apply to you)		
Has any associate of yours given a temporary event notice for an event in the same calendar year as the event for which you are now giving a temporary event notice?	Yes <input type="checkbox"/>	No <input checked="" type="checkbox"/>
If answering yes, please state the total number of temporary event notices (including the number of late temporary event notices, if any) your associate(s) have given for events in the same calendar year.		
Has any associate of yours already given a temporary event notice for the same premises in which the event period: a) ends 24 hours or less before; or b) begins 24 hours or less after the event period proposed in this notice?	Yes <input type="checkbox"/>	No <input checked="" type="checkbox"/>
Has any person with whom you are in business carrying on licensable activities given a temporary event notice for an event in the same calendar year as the event for which you are now giving a temporary event notice?	Yes <input type="checkbox"/>	No <input checked="" type="checkbox"/>
If answering yes, please state the total number of temporary event notices (including the number of late temporary event notices, if any) your business colleague(s) have given for events in the same calendar year.		
Has any person with whom you are in business carrying on licensable activities already given a temporary event notice for the same premises in which the event period: a) ends 24 hours or less before; or b) begins 24 hours or less after the event period proposed in this notice?	Yes <input type="checkbox"/>	No <input checked="" type="checkbox"/>

7. Checklist (Please read note 17)	
I have: (Please tick the appropriate boxes, where applicable)	
Sent at least one copy of this notice to the licensing authority for the area in which the premises are situated	<input type="checkbox"/>
Sent a copy of this notice to the chief officer of police for the area in which the premises are situated	<input type="checkbox"/>
Sent a copy of this notice to the local authority exercising environmental health functions for the area in which the premises are situated	<input type="checkbox"/>
If the premises are situated in one or more licensing authority areas, sent at least one copy of this notice to each additional licensing authority	<input type="checkbox"/>
If the premises are situated in one or more police areas, sent a copy of this notice to each additional chief officer of police	<input type="checkbox"/>
If the premises are situated in one or more local authority areas, sent a copy of this notice to each additional local authority exercising environmental health functions	<input type="checkbox"/>
Made or enclosed payment of the fee for the application	<input type="checkbox"/>
Signed the declaration in Section 9 below	<input checked="" type="checkbox"/>

8. Condition (Please read note 18)
It is a condition of this temporary event notice that where the relevant licensable activities described in Section 3 above include the sale or supply of alcohol that all such supplies are made by or under the authority of the premises user.

9. Declarations (Please read note 19)	
The information contained in this form is correct to the best of my knowledge and belief.	
I understand that it is an offence: (i) to knowingly or recklessly make a false statement in or in connection with this temporary event notice and that a person is liable on summary conviction for such an offence to a fine of any amount; and (ii) to permit an unauthorised licensable activity to be carried on at any place and that a person is liable on summary conviction for any such offence to a fine of any amount, or to imprisonment for a term not exceeding six months, or to both.	
Signature	
Date	27/10/2022
Name of Person signing	ISMAIL TEZGEL

For completion by the licensing authority

10. Acknowledgement (Please read note 20)
--

I acknowledge receipt of this temporary event notice.	
Signature	On behalf of the licensing authority
Date	
Name of Officer signing	



Noise Management Plan Prepared in accordance with U7 Premises License

INTRODUCTION

As professional operators we acknowledge that we have a primary responsibility to ensure that our premises do not generate excessive noise disturbance. The purpose of this Noise Management Plan is to detail the procedures we aim to adopt to ensure, as far as possible, the minimisation of disturbance to local residents by activities in and around U7.

A balance of needs must be achieved by ensuring social activity is not marred whilst controlling potential adverse noise effects. Our aim is to adopt the best practicable options to ensure that the conditions of the Premises License are met.

The plan has been developed with assistance and is designed to prevent public nuisance and meet the licensing objectives under the Licensing Act 2003.

With the Noise Management Plan, we have the following in place:

- Robust policies and procedures applied to events in the U7
- Mobile sound monitoring equipment.
- Training procedures for managers and other staff associated with events in U7
- An On-going review process
- A detailed complaints monitoring system

DEFINITIONS

Night Time - the hours of 20:00 to 00:00 (in accordance with current guidance and legislation)

Late Night Events – occasions when the licensed facilities are open after 00:00

The Premises - the building to be known as “U7”

Customers – any users of the licensed premises (to include staff and their bona fide guests and persons attending events and other pre-booked events.

EPD – Environmental Protection Department

SIA Security Contractor - All door supervisors are required to carry an SIA license when working. To register for this security staff need a BIIAB (British Institute of Innkeepers Awarding Body) national certificate for door supervisors. Without SIA approval door supervisors would not be able to work as security operatives

Events-Are not large scale late night events (i.e. 3am events) but are smaller bar led events such as karaoke, acoustic nights etc.

Noise Management Plan Prepared in accordance with U7 Premises License

- Key Elements of this plan are:
- Minimise impact to local residents
- To satisfy the Licensing Authority
- The identification of the range of potential noise sources relating to the premises and the acceptable levels of noise arising from all specified events
- A Detailed list of steps taken to manage noise pollution
- A defined programme of noise measurement to check that compliance has been achieved through monitoring and testing
- A Complaints Procedure

Background

- Identification of suitable criteria for the control of music and dispersal noise impact from events held in U7
- Recommendations that all amplified music played in U7 is brought under the control of sound limiter equipment (set to 85decibels) and mobile monitoring equipment
- Noise monitoring will be carried on a an hourly basis during regulated entertainment.
- Measurement of noise levels at the perimeter of the site and within neighbouring residential premises
- Set threshold levels of music noise at which the entertainment noise limiters to limit any amplification system in use
- The sound levels for the entertainment areas will be set in conjunction with the EPD and readings obtained in a test environment

- All managers will be aware of the limiters and the levels set
- All external entertainment suppliers will be made aware of the sound limiters within the building
- Fixed points will be allocated to enable the Duty Manager to take readings at an event both internally and externally. This will be carried on an hourly basis during regulated entertainment. These points as follows:
 - Bar
 - Multi-Function Room
 - Outside Main Entrance
 - Perimeter of site on Orsman Road

Readings will be taken as spot checks and documented.

We will not have deliveries to site before 7.00am or after 7.00pm so to reduce impact of noise.

Noise Management Plan Prepared in accordance with U7 Premises License

Identification of the range of potential noise sources relating to the premises and its vicinity

Sources of noise include:

- Amplified music (recorded or live) with particular attention to low frequency bass levels, public address systems, television/video
- Externally mounted plant and equipment e.g. chiller units, air conditioning units, extract ventilation
- External licensed areas

Steps taken to manage noise pollution

Generally, the overriding requirement is for control of noise, at source by considering:

- the building's location, orientation and design
- the specification, selection, and operation of equipment (machinery such as air conditioning units and waste disposal systems) that emit low levels of noise
- the specification, selection and operation of amplified music equipment
- managing operations on site

- barriers to control or reduce noise (insulation, acoustic baffles, and double glazing for example)
- Make customers aware of the consequences of late night noise and to be proactive in dealing with the problem via internal and external signage, plasma screen display, e mail etc.

The building's location, orientation and design

Specification, selection and operation of amplified music equipment

- Actions to be taken to ensure noise and vibration from regulated entertainment shall be inaudible at the nearest noise sensitive property outside the U7.
- The installation of noise limiting equipment in all areas where events will take place
- This equipment is linked into supply which feeds the music systems and will not allow anything playing above the set limit.
- The system also has the facility to operate at two sound level thresholds selectable remotely or by a time switch this allows a venue to operate at different levels at different periods of the day or night. The system is locked away and only accessed remotely or by authorised personnel, i.e. managers, electricians and service contractors. Hand held monitoring equipment will also be used to ensure the accuracy of the Sound Limiter and also to monitor sound levels.
- The hand held equipment is a Digital Sound Level Meter, of a type used for monitoring traffic noise, industrial plant and machinery as well as noise within the entertainment industry. The meter provides automatic or manual ranging from 40 to 130db, will record maximum and minimum levels and is selectable for fast or slow response times.
- Sound levels will be taken at set times throughout an event both internally and externally at noise sensitive boundaries and other pre-determined places. All readings will be documented and used to provide a detailed database of noise levels both in the building and around the site.
- Although it is anticipated that typical day to day operating hours could be shorter than this.
- A nominated Duty Manager will be responsible for all licensable activity taking place in U7.
- All managers will be fully aware and conversant with the Noise Management Plan.
- Any events where amplified music is employed will be wound down in a professional manner. Music will reduce in sound and style to reflect a calmer end to an event.
- Windows in U7 are not capable of being opened. On event nights all doors shall be closed, save for access and egress.

A Colour CCTV system is fitted maintained and in use at all times. Police and the local authorities will be given access to and copies of images for purposes in connection with the prevention and detection of crime and disorder.

The designated Premises Supervisor is the person nominated by the premises license holder as being the person in day -to-day control of the licensed area within the premises when licensable activities are taking place.

- As required a SIA registered security contractor will be employed on a base min staff ratio of 1:100 customers + 1 supervisor to provide security internally and to monitor sound levels and ensure external noise control. It is not anticipated that this would generally be required.
- Noise Management Plan Prepared in accordance with U7 Premises License 6
- Security Staff where required will be employed up to one hour after the event ends to make sure dispersal takes place in an orderly and proper manner.
- These staff will be equipped with radios and be able to communicate with the Duty Manager to enable a quick response to any incident or complaint.
- Security staff will monitor dispersal within the site on foot or using CCTV to manage noise issues round around the accommodation blocks as part of a wider noise management plan outside the remit of the licence.
- Staff will take a proactive approach to noise management including checking noise levels as set out above.

External

- The removal of empty kegs to external areas after 2100 will not be permitted nor does the emptying of bottle skip until the following day.
- When a late night event is held a risk assessment will be carried out prior to the event and additional security measures implemented as required. The EPD will also be advised of the details of the event.
- If music of any type is involved sound monitoring equipment will be used and acoustic levels periodically checked.
- When customers are using the external area a member of staff will periodically check on noise levels and deal with any noise deemed unacceptable.
- Make customers aware of the consequences of late night noise and to be proactive in dealing with the problem
- Notices will be displayed on external doors asking customers to leave the premises in a quiet and orderly fashion to show respect to local neighbours.

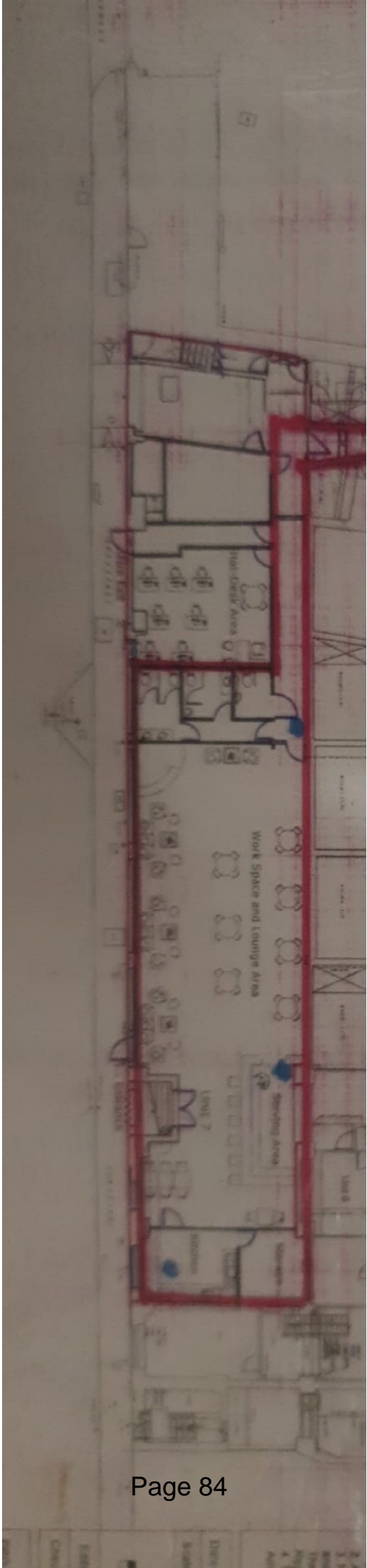
- Verbal announcements prior to dispersal will be made at the end of each night Noise Management Plan Prepared in accordance with U7 Premises License 7
- Barriers to control or reduce noise

Complaints Procedure

- All complaints relating to the U7 should go to the Premises Supervisor. All complaints will be logged via the Incident Report Form.
- Premises Supervisor will then direct the complaint to the relevant designated personnel.
- If the complaint relates to U7, the Duty Manager will be contacted directly on a dedicated mobile phone link. The Duty Manager will then investigate the issue and take appropriate action to locate and remove the source and will then monitor the outcome.
- The Duty Manager will then advise Premises Supervisor of actions taken.
- The following morning the Premises Supervisor will review the overnight report and communicate with the complainant where possible.
- Should a response be required immediately (on the night) back to the complainant this will be done by the Duty Manager. Noise Management Plan Prepared in accordance with U7 Premises License

Complaints Procedure Flowchart

- RESPONSE BACK TO COMPLAINANT
- OUTCOME LOGGED
- ACTION TAKEN TO REMEDY SITUATION
- U7 SECURITY INFORMED
- COMPLAINT RELATES TO EXTERNAL NOISE
- RESPONSE BACK TO COMPLAINANT
- OUTCOME LOGGED
- ACTION TAKEN TO REMEDY SITUATION
- EVENT MANAGER INFORMED BY DEDICATED MOBILE PHONE
- COMPLAINT RELATES TO INTERNAL NOISE FROM U7
- CALL LOGGED AND ACTIONED





Re: U7 13TH NOV TENS - TEN/131122/24ORS

1 message

Gurch Patti <gurch.patti@hackney.gov.uk> 2 November 2022 at 23:19
To: "Licensing (Shared Mailbox)" <licensing@hackney.gov.uk>, [REDACTED] Subangini
Sriramana <Subangini.Sriramana@hackney.gov.uk>, Olalekan Olaosebikan <Olalekan.Olaosebikan@hackney.gov.uk>,
Ashraful Haque <ashraful.haque@hackney.gov.uk>

TEN - OBJECTION

Dear Licensing Team,

Please see comments from the Environmental Protection Team below.

In respect to the temporary event notice scheduled for:

Start Date : 13-11-2022 End Date : 13-11-2022**Start time: 00:00 End Time: 02:00**The Environmental Protection Team **objects** to the above Temporary Event Notice.**Grounds of Objection**The Prevention of Public Nuisance:

This premises has a history of complaints from nearby residents alleging disturbances from music and patrons. Environmental Protection (EP) have concerns with the addition of regulated entertainment this event could amount to a statutory noise nuisance hence undermining the licensing objective (Public Nuisance).

Kind regards,

Gurch



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

Premises licence number PREM/2021/0014

Part 1 - Premises Details

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

Unit 7
 2 – 4 Orsman Road

Post town

London

Postcode

N1 5FB

Telephone number

Where the licence is time limited the dates

Not applicable

Licensable activities authorised by the licence

Plays
 Films
 Live Music
 Recorded Music
 Anything of a similar description
 Late Night Refreshment
 Supply of Alcohol

The times the licence authorises the carrying out of licensable activities

Plays

Standard Hours:

Mon 10:00-23:00
 Tue 10:00-23:00
 Wed 10:00-23:00
 Thu 10:00-23:00
 Fri 10:00-00:00
 Sat 10:00-00:00
 Sun 10:00-22:30

Films

Standard Hours:

Mon 10:00-23:00
Tue 10:00-23:00
Wed 10:00-23:00
Thu 10:00-23:00
Fri 10:00-00:00
Sat 10:00-00:00
Sun 10:00-22:30

Live Music

Standard Hours:

Mon 10:00-23:00
Tue 10:00-23:00
Wed 10:00-23:00
Thu 10:00-23:00
Fri 10:00-00:00
Sat 10:00-00:00
Sun 10:00-22:30

Recorded music

Standard Hours:

Mon 10:00-23:00
Tue 10:00-23:00
Wed 10:00-23:00
Thu 10:00-23:00
Fri 10:00-00:00
Sat 10:00-00:00
Sun 10:00-22:30

Performance of dance

Standard Hours:

Mon 10:00-23:00
Tue 10:00-23:00
Wed 10:00-23:00
Thu 10:00-23:00
Fri 10:00-00:00
Sat 10:00-00:00
Sun 10:00-22:30

Anything of a similar description

Standard Hours:

Mon 10:00-23:00
Tue 10:00-23:00
Wed 10:00-23:00
Thu 10:00-23:00
Fri 10:00-00:00
Sat 10:00-00:00
Sun 10:00-22:30

Late Night Refreshment

Standard Hours:

Fri 23:00-00:00
Sat 23:00-00:00
Sun 23:00-23:30

**Supply of Alcohol
On premises**

Standard Hours:

Mon 10:00-23:00
Tue 10:00-23:00
Wed 10:00-23:00
Thu 10:00-23:00
Fri 10:00-00:00
Sat 10:00-00:00
Sun 10:00-22:30

**Supply of Alcohol
Off premises**

Standard Hours:

Mon 10:00-23:00
Tue 10:00-23:00
Wed 10:00-23:00
Thu 10:00-23:00
Fri 10:00-23:00
Sat 10:00-23:00
Sun 10:00-22:30

The opening hours of the premises

Standard Hours:

Mon 10:00 - 23:30
Tue 10:00 - 23:30
Wed 10:00 - 23:30
Thur 10:00 - 23:30
Fri 10:00 - 00:30
Sat 10:00 - 00:30
Sun 10:00 - 23:00

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

On and Off Premises

Part 2

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

Haci Ozturk
10 Westmorland Road
Walthamstow
E17 8JA

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

N/A

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

Alican Tilkidagi

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

Date of grant: 22/04/2021

**David Tuitt
Team Leader - Licensing**

Annex 1 - Mandatory Conditions

Supply Of Alcohol (On/Both)

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

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

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

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

6. The responsible person shall ensure that:

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

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

a. these measures are displayed in a menu, price list or other printed material which is available to customers on the premises; and

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

Minimum Drinks Pricing

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

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

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

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

(i) P is the permitted price,

(ii) D is the amount of duty chargeable in relation to the alcohol as if the duty were charged on the date of the sale or supply of the alcohol, and

(iii) V is the rate of value added tax chargeable in relation to the alcohol as if the value added tax were charged on the date of the sale or supply of the alcohol;

(c) "relevant person" means, in relation to premises in respect of which there is in force a premises licence -

(i) the holder of the premises licence,

(ii) the designated premises supervisor (if any) in respect of such a licence, or

(iii) the personal licence holder who makes or authorises a supply of alcohol under such a licence;

(d) "relevant person" means, in relation to premises in respect of which there is in force a club premises certificate, any member or officer of the club present on the premises in a capacity which enables the member or officer to prevent the supply in question; and

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

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

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

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

Mandatory Condition - Door Supervision

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

Mandatory Condition - Exhibition Of Films

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

(a) Recommendations made by the film classification body where the film classification body is specified in the licence, or

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

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

Annex 2 - Conditions consistent with the Operating Schedule

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

11. A clear and legible notice outside the premises indicating the normal hours under the terms of the premises licence during which licensable activities are permitted.

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

- a) Any crimes reported to the venue
- b) Any complaints received
- c) Any incidents of disorder
- d) Any faults in the CCTV system
- e) Any refusal of the sale of alcohol
- f) Any visit by a relevant authority or emergency service

13. Prominent, clear and legible notices will be displayed at the exit requesting the public to respect the needs of nearby residents and to leave the premises and the area quietly.

14. The movement of bins and rubbish outside the premises will be kept to a minimum after 11.00pm.

15. Adequate waste receptacles for use by customers will be provided in the local vicinity.

16. "Challenge 25" to operate at premises with signage displayed advertising that anyone who is over 18 but looks under 25 to carry acceptable ID (a card bearing the PASS hologram, a photographic driving licence or a passport) if they wish to buy alcohol.

17. The applicant shall adequately ventilate the premises to allow doors and windows to remain closed during licensed entertainment.

18. The applicant shall close all entrance doors and windows when regulated entertainment takes place except for immediate access and egress of persons.

19. The applicant shall install a sound limiter device set by a registered member of the Institute of Acoustics and maintain to ensure that the music does not give rise to a nuisance to nearby residents and in the vicinity.

20. The applicant shall prominently display clearly legible signage at all patron exits requesting that patrons leave the premises in a quiet and orderly manner that is respectful to the neighbours.
21. The applicant shall keep all the highway and public spaces in the immediate vicinity of the premises free from litter emanating from the premises while the premises are open.
22. There shall be no deliveries or collection between 22:00-07:00 hours Monday-Sunday.
23. The applicant shall properly present and place out all waste for collection no earlier than 30 minutes before collection times.
24. Light installation at the premises shall not give rise to light nuisance to nearby residents.
25. The extract system at the premises shall not give rise to noise and odour nuisance to nearby residents.
26. The rear outside area shall not be used after 2100hours save for a maximum of 5 Smokers.
27. The smoking area is to be situated at the rear of the premises. The front of the venue is not to be used for smokers.
28. There shall be no glass, drinks or open containers taken outside the front of the premises at any time.
29. A staff member from the premises who is conversant with the operation of CCTV system shall be on the premises at all times when the premises are open to the public. This staff member shall be able to show Police or an authorised officer of Hackney Borough Council recent data or footage with the absolute minimum of delay when requested.
30. There shall be "CCTV in Operation" signs prominently displayed.
31. All instances of crime or disorder to be reported by the Designated Premises Supervisor or responsible member of staff to an agreed Police contact point as agreed with the Police.
32. The premises will display and maintain appropriate signage advising customers of the contact details of the Designated Premises Supervisor/Duty Manager.
33. All staff will be given refresher training every twelve months on the legislation relating to the sale of alcohol to underage persons and drunken persons. Written records of this training shall be kept on the premises and produced to the Police

or other authorised officers upon request.

34. The premises shall adhere to Hackney Police Weapons and Drugs Policies and any updates thereof.

35. When the licensable area is being used for licensable activities, the capacity, including the rear outside area, be restricted to a maximum of 95 patrons at any one time.

36. The premises will implement a written dispersal policy and will provide a copy of the police to the Police, Licensing Authority and Environmental Health. All staff will be trained in the implementation of the dispersal policy.

37. The Premises Licence Holder shall undertake a risk assessment prior to any pre-booked function, to determine whether they require a registered door supervisor(s). If required the premises licence holder, in consultation with the door security provider, shall determine the commensurate levels, timings and location of door supervision to be deployed.

38. The risk assessment shall be recorded in writing and retained for a minimum of 31 days and be made available to the Police or officers of the Council immediately upon request.

39. When engaged all security staff shall be clearly identifiable at all times and all door supervisors shall enter their full details in the premises daily register at the commencement of their work, including their SIA registration number.

40. If the door supervisor is provided by an agency the name, registered business address and contact telephone number of the agency shall be recorded and will be made available to police or authorised officers immediately upon request.

41. 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.

42. 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.

43. In order to minimise the amount of time any waste remains on the public highway in readiness for collection, the Licensee will ensure the timeframe within which it may expect its waste carrier to collect is adhered to.

44. 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.

45. 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.

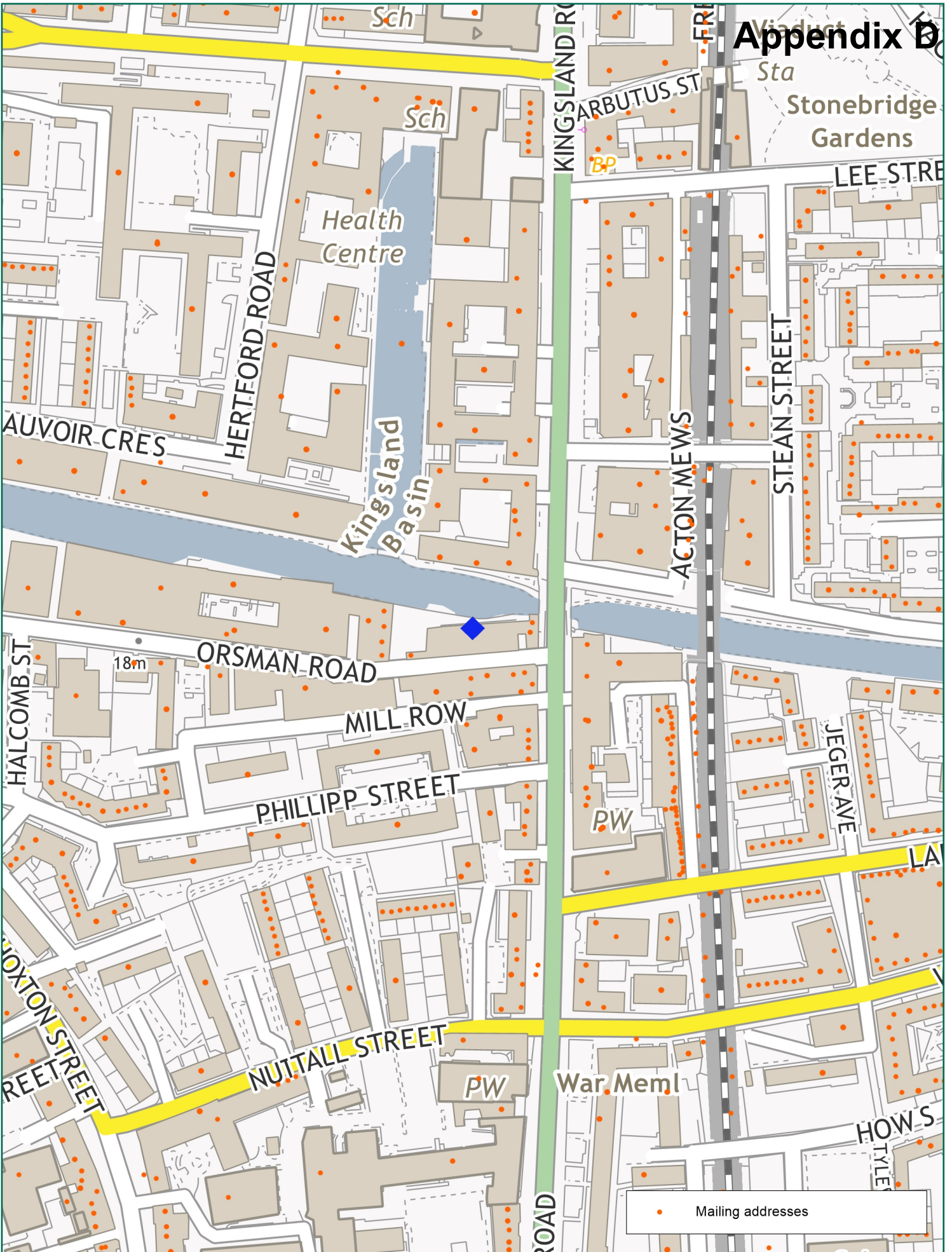
Annex 3 - Conditions attached after a hearing by the licensing authority

46. 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.

47. The applicant to hold and publicise quarterly liaison meetings with local councillors to address any concerns or complaints about the premises from local residents.

Annex 4 - Plans

PLAN/PREM/2021/0014/22042021



● Mailing addresses

NORTH

Scale: 1:2500 at A4

Hackney

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