



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

Tuesday 10 January 2023
at 7.00 pm

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

The live stream can be viewed here:

Main - https://youtu.be/ddVcntzWJ_U

Backup - <https://youtu.be/4jyNzQcZYz>

Members of the Sub-Committee:

Councillor Susan Fajana-Thomas Councillor Sem Moema

Mark Carroll
Chief Executive
Wednesday 21 December 2022
www.hackney.gov.uk

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

**Licensing Sub Committee B
Tuesday 10 January 2023
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 Premises Licence: Coffee and Cates, Ground Floor , North Stable, 138 Kingsland Road, London, E2 8DY (Pages 13 - 72)**
- 6 Equal Parts, 245 Hackney Road, London, E2 8NA (Pages 73 - 114)**
- 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	10th January 2023
Type of Application	Premises Licence
Address of Premises	Coffee and Cates, Ground Floor North Stables, 138 Kingsland Road, E2 8DY
Classification	Decision
Ward(s) Affected	Haggerston
Group Director	Rickardo Hyatt

1. **Summary**

- 1.1. Coffee and Cates Ltd have made an application for a premises licence under section 17 of the Licensing Act 2003.
- 1.2. The application seeks to authorise films, live music, recorded music and authorise the supply of alcohol for consumption on and off the premises.
- 1.3. The premises are not located within the special policy area.
- 1.4. The applicant is seeking authorisation for the following licensable activities and times:

Supply of Alcohol (On and Off sales)	Standard Hours: Mon 12:00-22:00 Tue 12:00-22:00 Wed 12:00-22:00 Thu 12:00-23:00 Fri 12:00-23:00 Sat 12:00-23:00 Sun 12:00-22:00
Films	Standard Hours: Wed 18:00-22:00 Sun 18:00-22:00
Recorded Music	Standard Hours: Mon 08:00-22:00 Tue 08:00-22:00 Wed 08:00-22:00 Thu 08:00-23:00 Fri 08:00-23:00

	Sat 08:00-23:00 Sun 10:00-22:00
Live Music	Standard Hours: Mon 18:00-22:00 Tue 18:00-22:00 Wed 18:00-22:00 Thu 18:00-22:00 Fri 18:00-22:00 Sat 18:00-22:00 Sun 18:00-22:00
The opening hours of the premises	Standard Hours: Mon 07:30-22:00 Tue 07:30-22:00 Wed 07:30-22:00 Thu 07:30-23:00 Fri 07:30-23:00 Sat 08:00-23:00 Sun 10:00-22:00

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

2. **Current Status/History**

2.1. The premises are not currently licensed for any activity.

2.2. Temporary Event Notices for the premises have been given in 2022 as follows:

Start date	end date	start time	end time
31/12/2022	01/01/2022	21:00	04:00
26/08/2022	26/08/2022	12:00	23:30
10/19/2022	11/09/2022	12:00	02:00
08/12/2022	08/12/2022	17:30	23:00
04/11/2022	04/11/2022	12:00	23:30
19/11/2022	19/11/2022	12:00	23:30

3. **Representations: Responsible Authorities**

From	Details
Environmental Health Authority (Environmental Protection) Appendix B	Representations received on the ground of the Prevention of Public Nuisance
Environmental Health Authority (Environmental Enforcement)	Presentation withdrawn following agreed conditions. See Para 8.1 below

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 following agreement of conditions
Licensing Authority	No representation received
Health Authority	No representation received

4. **Representations: Other Persons**

From	Details
Representations have been received including video evidence from and on behalf of the Other Persons against the proposal. Appendices C1 to C6	Representations have been received on the grounds of Public Safety and The Prevention of Public Nuisance and the Prevention of Crime and Disorder

5. **Guidance Considerations**

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

6. **Policy Considerations**

- 6.1. 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.
- 6.2. 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) are relevant.

7. **Officer Observations**

- 7.1. 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

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

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

Minimum Drinks Pricing

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

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

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

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

(i) P is the permitted price,

(ii) D is the 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.

Exhibition Of Films

8. 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).

Conditions derived from operating schedule

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 contactable when the premises are open to the public.

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.

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. 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.

15. There shall be no open containers or drinks taken outside the premises at any time except to the designated external seating area.

16. Any off sales of alcohol will be in sealed containers.

17. 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.

18. 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.

19. 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.

20. 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.

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

22. 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 TheCoffee and Cates. 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

8. Reasons for Officer Observations

8.1. Conditions 9 to 16 have been derived from the applicants operating schedule and amended as agreed with the Police Authority and conditions 10 to 22 have been agreed with the Environmental Enforcement Authority.

9. Legal Comments

9.1. 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 licensing objectives;

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

9.2. 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.

10. Human Rights Act 1998 Implications

10.1. 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.

11. **Members Decision Making**

11.1. **Option 1**

That the application be refused

11.2. **Option 2**

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

12. **Conclusion**

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

Appendices:

- Appendix A: Application for a premises licence and supporting documents
- Appendix B: Representation from the Responsible Authorities
- Appendix C: Representations from Other Persons
- Appendix D: Location map

Background documents

- Licensing Act 2003
- LBH Statement of Licensing Policy

Report Author	Name: Sanaria Hussain Title: Senior Licensing Officer Email: sanaria.hussain@hackney.gov.uk Tel: 020 8356 4972
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Appendix A

↳ Hackney
LA01

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

PLEASE READ THE FOLLOWING INSTRUCTIONS FIRST

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

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

I/We Coffee and Cates Ltd

(Insert name(s) of applicant)

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

Part 1 – Premises details

Postal address of premises or, if none, ordnance survey map reference or description Ground Floor North Stables 138 Kingsland Road			
Post town	London	Postcode	E2 8DY

Telephone number at premises (if any)	
Non-domestic rateable value of premises	£9000

Part 2 - Applicant details

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

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

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

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

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

(A) INDIVIDUAL APPLICANTS (fill in as applicable)

Mr <input type="checkbox"/>	Mrs <input type="checkbox"/>	Miss <input type="checkbox"/>	Ms <input type="checkbox"/>	Other Title (for example, Rev)	
Surname			First names		
Date of birth		I am 18 years old or over <input type="checkbox"/>		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 <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 Coffee and Cates Limited

Address 18 South Stables. 138 Kingsland Road, London, E2 8DY
Registered number (where applicable) 13153183
Description of applicant (for example, partnership, company, unincorporated association etc.) Limited Company
Telephone number (if any)
E-mail address (optional) <div style="background-color: black; width: 100px; height: 15px;"></div>

Part 3 Operating Schedule

When do you want the premises licence to start?

DD	MM	YYYY
01	12	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)
 The property is located on the ground floor of 6 storey building (basement, ground, 1st, 2nd, 3rd and 4th) - build is late victorian build (brick, concrete and timber) The property has, inside and outside space, around 380sq ft usable inside and 144sq ft external land that is pavement side and designated by Hackney and TFL as belonging to the unit - building is mixed use (basement, ground, 1st and 2nd floors are commercial then the 3rd floor and the set back 4th floor are residential) - attached boundary plan, unit plan, elevation plan and copy of email from council for usage of external front pavement side space

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

--

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

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

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

A

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

B

Films Standard days and timings (please read guidance note 7)			Will the exhibition of films take place indoors or outdoors or both – please tick (please read guidance note 3)	Indoors	<input checked="" type="checkbox"/>
				Outdoors	<input type="checkbox"/>
				Both	<input type="checkbox"/>
Day	Start	Finish	Please give further details here (please read guidance note 4) we have thought about doing a film night for customers to offer something different within our community area, this is not confirmed yet as we can't until we apply so in a bit of a loop here - we would use a projector and ensure all regulations of showing films is met - groups of 20 would be maximum - sound would be through our café sound system, which is a home cinema system, and not be of high volume		
Mon					
Tue			State any seasonal variations for the exhibition of films (please read guidance note 5)		
Wed	18:00	22:00			
Thur			Non-standard timings. Where you intend to use the premises for the exhibition of films at different times to those listed in the column on the left, please list (please read guidance note 6)		
Fri					
Sat					
Sun	18:00	22:00			

C

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

D

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

E

Live music Standard days and timings (please read guidance note 7)			Will the performance of live music take place indoors or outdoors or both – please tick (please read guidance note 3)	Indoors	<input checked="" type="checkbox"/>
				Outdoors	<input type="checkbox"/>
Day	Start	Finish		Both	<input type="checkbox"/>
Mon	18:00	22:00	Please give further details here (please read guidance note 4) we would like to have the option of a singer/single musician to play small sets - the music might be amplified but only so all can hear within our small unit - we are thinking person with guitar, not amplified, or just a singer as we have a few friends that are singers, and again want to represent local community as the singers we know are Hackney or Tower hamlets residents. We have included a lot of times as for us it's the unknown but wouldn't look to do this kind of event more than twice a week.		
Tue	18:00	22:00			
Wed	18:00	22:00	State any seasonal variations for the performance of live music (please read guidance note 5)		
Thur	18:00	22:00			
Fri	18:00	22:00	Non-standard timings. Where you intend to use the premises for the performance of live music at different times to those listed in the column on the left, please list (please read guidance note 6)		
Sat	18:00	22:00			
Sun	18:00	22:00			

F

Recorded music Standard days and timings (please read guidance note 7)			Will the playing of recorded music take place indoors or outdoors or both – please tick (please read guidance note 3)	Indoors	<input checked="" type="checkbox"/>
				Outdoors	<input type="checkbox"/>
				Both	<input type="checkbox"/>
Day	Start	Finish	<p>Please give further details here (please read guidance note 4)</p> <p>We currently have background music playing in our café so have included early times - for evenings 18:00 we would like the option of a DJ (not every day and maybe not every week) - this music would be amplified but again only to acceptable levels and not so our customers can't hear each other while talking, as we have a small space this would not be loud and we would look to set an acceptable level and maintain this level with the DB reader which is stored under our counter for easy accessibility to ensure levels are kept</p> <p>State any seasonal variations for the playing of recorded music (please read guidance note 5)</p> <p>Non-standard timings. Where you intend to use the premises for the playing of recorded music at different times to those listed in the column on the left, please list (please read guidance note 6)</p>		
Mon	08:00	22:00			
Tue	08:00	22:00			
Wed	08:00	22:00			
Thur	08:00	23:00			
Fri	08:00	23:00			
Sat	08:00	23:00			
Sun	10:00	22:00			

G

please read guidance note 3

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

H

Anything of a similar description to that falling within (e), (f) or (g) Standard days and timings (please read guidance note 7)			Please give a description of the type of entertainment you will be providing		
Day	Start	Finish	Will this entertainment take place indoors or outdoors or both – please tick (please read guidance note 3)	Indoors	<input type="checkbox"/>
Mon				Outdoors	<input type="checkbox"/>
				Both	<input type="checkbox"/>
Tue			Please give further details here (please read guidance note 4)		
Wed					
Thur			State any seasonal variations for entertainment of a similar description to that falling within (e), (f) or (g) (please read guidance note 5)		
Fri					
Sat			Non-standard timings. Where you intend to use the premises for the entertainment of a similar description to that falling within (e), (f) or (g) at different times to those listed in the column on the left, please list (please read guidance note 6)		
Sun					

I

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

J

Supply of alcohol Standard days and timings (please read guidance note 7)			Will the supply of alcohol be for consumption – please tick (please read guidance note 8)	On the premises	<input 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) We wish to sell wine, bottled or canned beers and cocktails to our customers while seating inside or outside on our tables - we also wish to sell wine and bottled/canned beers for take away. During the summer we imagine people would like to use our outside seating more than inside, this is the only variation - our premises are camera covered and our staff will be fully trained on the sale of alcohol - we don't foresee any issues with selling takeaway as will only be selling a higher end product and there arent many places to drink and cause trouble as we are located on a main road added to the fact there are a large number of off-licenses in the area.		
Mon	12:00	22:00			
Tue	12:00	22:00			
Wed	12:00	22:00			
Thur	12:00	23:00			
Fri	12:00	23:00			
Sat	12:00	23:00			
Sun	12:00	22:00			
			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 Benjamin Cates	
Date of birth [REDACTED]	
Address [REDACTED]	
Postcode	E2 8DY
Personal licence number (if known) [REDACTED]	

Issuing licensing authority (if known)
Hackney Council

K

any seasonal variations

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

any seasonal variations

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	07:30	22:00	<p>At this time we don't know this so have set opening hours to our maximum and will likely be less in winter or quiet days.</p>
Tue	07:30	22:00	
Wed	07:30	22:00	
Thur	07:30	23:00	
Fri	07:30	23:00	
Sat	08:00	23:00	
Sun	10:00	22:00	
			<p>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) XXXXXXXXXX</p>

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

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

All staff will be trained by the DPS personally before being allowed to serve alcohol - The shop has a manual ready available to all staff which hold all and every information possible regarding regulations, illegal requirement, good working practices and all the operational aspects of the shop (there is a hard copy in the shop and a digital copy sent to all employees with there starting contract - 24hr recorded surveyence is in operation - first aid procedures, and kit, are in place - security procedures for the staff and customers is in place - fire procedures are in place.

b) The prevention of crime and disorder

All staff will be trained fully by the DPS to meet the recommendations of opperating in a way to minimise crime and report issues, if they wish we offer them the chance to obtain their own personal license (once emplyed for 3 months and the course is at our cost as long as they complete it) - 24hr recorded surveyence is in place and the staff know who to contact for access (both owners and tech support have access), the system is fully online so very easy to send or download content very quickly - if we open past 21:00 in the summer or 19:00 in the winter we always employ a doorman from 19:00 to 23:00

c) Public safety


We would ensure correct working practices in line with the DPS recommendations and training - we have fire safety procedures in place - first aid procedures in place - a doorman would be on site if later evening opening - always minimum of 2 staff present that would both be aware of what to do in any curcumstance but one would be senior to avoid confusion.

d) The prevention of public nuisance

We have 24hr recording surveyence in operation - we would work to the guidelines of the DPS and ensure drinks would stop being served 15 minutes before closing, tables are quickly cleared and politely ask those leaving to respect our neighbours should we believe they could be loud.


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	19 th Oct 2022
Capacity	DIRECTOR

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)			
Post town	LONDON	Postcode	E 

e) The protection of children from harm

We would ensure all staff had a criminal check carried out - that age verification was in place - that tables are cleared promptly - that times for children to be in the property are monitored dependent on reason (we are predominantly a café and not intending to be a bar if its food and a glass of wine with parents and children we would hope to allow as any restaurant would, however if a dj and possible cocktails no children after 19:00) - that persons with young children are not drunk and if we thought getting drunk we would stop selling to them.

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.

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

Notes for Guidance

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

Sent via Email

Date: 20th October 2022

Dear Licensing Team

Re: Coffee and Cates Premises License application

We wanted to take some time via this letter and supply our views and hopes for our business, confirm details about the building and location and let you know about us as directors.

Directors of Coffee and Cates

I am the primary director of the business and have had hopes of being involved in food supply since an early age, having grown up with a grandad that had the impressive title of Professor of Flour for McDougalls, even attending cartearing college from 17 to nearly 19, however now 50 life clearly took a different path.

I have a property company, Cates London Ltd, www.cates.london that manages most of the building for the freeholder / landlord so am very familiar with occupants and the building as a whole.

I live within the building, flat 18 and my daughter attends Haggerston School, making us true local hackney people.

Anita Loddo is the second director, and the business would not be running without her, she is the flair and passion that drives the business, a real people person that our regulars from from college students to The WI to the nurses from St Leonard love.

Anita is also a Hackney resident, living in Boundary Street and a mother to an amazing 2 year old, showing true strength to succeed.

The Building

The building is a late Victorian build and very beautiful architecturally. The part that the café is in, is known as North Stables and has 4 floors of commercial and 2 of residential (basement, ground, 1st and 2nd commercial; 3rd and set back 4th Residential)

Occupants are primarily students as 3 floor are a college, and residents, 10 flats but there are also creative and architectural occupants with the building.

The unit is on the ground floor and has land in front which is formed joining the pavement so has inside and outside seating.

We have tried to keep the shop in style to the building and retained original features as continuity through evolving business and customer needs is import to us.

We have an awning application currently waiting with planning office which we believe would be in keeping to how the building was originally when built, and to help with any noise pollution and sun effects on the heat of our shop as SW/W facing.

Business Hopes and Dreams

As a young business started over a covid lockdown period (opened 9th October 2021) this type of business is new to both directors and the first year has definitely been a learning curve.

I have taken and passed a multitude of courses to help me understand the regulations of running a coffee shop / café and through self created manuals, and training passed this knowledge forward.

We take all our responsibilities very seriously as we plan to grow this business over the foreseeable future with community spirit, great product and comfortable surroundings.

The main reason to open the café was due to the strain of lockdowns and the realisation that in the area I live there were no, close, true coffee shops, places to eat healthy, drink, relax and work comfortably without being stressed to move on or buy something more (at least to my liking).

We want to provide to our community healthy food, as well as not, great coffee and a relaxed atmosphere, a European style café where you can sit outside and watch the world go by with a coffee, a cake, a salad or a glass of wine.

To grow we have realised, through customer requests, that we would like to have a premises license, hence this application.

We are often told, 'it would be nice to have a beer with a toasted ham and cheese', or 'what a lovely day I could sit here with a glass of wine'. After researching it seems most close café, even gallery, serve alcohol so it made us understand a normal thing.

If we obtain a premises license we would move our business forward and like to sell whole, unopened, bottles of wine and beer for take home as well as to our customers to enjoy either on its own or with food we provide.

We would also love to grow into being a relaxed spot for our community, having card nights (no gambling), quiz nights, film nights, local artists, music, all of course within regulations.

As someone that lived in central shoreditch for 15 years, and lives next door, we really do just want a fun local place that is quiet and relaxed to socialise, something I have realised so important after the damaging affects of the solitude of lockdowns .

Further Points to note

I am aware that the residents within the building are against our application for a premises license and I have spoken to a number of residents (some tenants not owners) as well as the managing agents, Silkra Limited and the freeholder, 138 Kingsland Road limited.

While we believe the points raised are based on conjecture and worry, and of course you will make your own decisions here, I feel it would be helpful to point out the following at the beginning to be open and clear.

Firstly everyone lives differently and has different views, I am fully in support of that, and always want to be a good, helpful, conscientious neighbour.

Issues raised to me;

- a) Noise pollution
 - 1) As the unit is directly on Kingsland Road, there is already a very high noise level, mainly from motor bikes, speeding cars and emergency vehicles – add this to the odd shouting person or blaring stereo – I have purchased a DB noise reader and have carried out tests throughout the building with the café sound system on full (which it never would be as you can't hear yourself talk) – the only times to raised beyond recommended levels while inside the building was when a motor bike went passed and there was no difference in readings from inside the building when music was on or off.
 - 2) The nearest residential units; 3 in North stables are 3rd and 4th floor and 2 of those have bedrooms on the 4th as well as my unit in south stables which has bedroom on the 3rd floor – with 2 to 3 floors of commercial units and in some cases across stair wells added to the tests we don't believe there could be issues.
- b) We have obtained a number of TEN licenses since we started our business, some into the morning from night time and are unaware of any complaints to the police, the environmental department, hackney council, the managing agent or freeholder – this shows a pattern of responsible operation
- c) We did receive two comments on occasions;
 - 1) The directors and friends had a meal and private drinks in the premises while closed and had the sound system loud – we apologised to the complaining person and set a path of communication as well as reduced our event times to 23:30 (as seen in latter TEN license requests and hopefully this shows us as understanding and conscientious)
 - 2) We had a 23:30 event and the owners directly above on the 3rd floor lounge of their apartment said they could feel the base a little but didn't care as stopped at 23:30.
- d) We will happily work with all residents and ensure that noise is not a problem, we intend to be shut by 23:00 on any night and have agreed to only apply for a maximum of 12 TEN licenses a year, with DJ nights being only once a month, at most and if we even still do them, customers seem to like them and lots of locals including residents attend.

Loss of value / unable to Mortgage;

I am believing this is a personal issue and would not be something the council would consider however as a property professional of 24 years and someone that has worked in Shoreditch for 16 years I feel I can answer;

- 1) Having a café in a building or close normally increases property value as it is considered a commodity and lots and lots of people look out for these sort of things close to home and convenient to them as important to their lives; it also shows an area to be vibrant and set up for community – I know all the renters in North and South Buildings (or at least I think I do) and most are customers.
- 2) The property would not be able to apply for a mortgage with some lenders if a café was below however there would be a lot of lenders that would not care as we are not a late night food place or a bar and there would be lenders that would lend at the same rate (I've checked this with 3 separate mortgage brokers) – the fact the property is already in a multi use building, containing a college and being of higher commercial sq ft than residential would mean it already does not have access to the best mortgages.

Crime impact;

Crime is already high in this area, in the last year there has been thefts and graffiti that as building manager I have had to deal with, and mobile and bike thefts ive witnessed (would of tried to help if closer)

I have evicted post thieves and helped a tenant that was pushed to the ground while having her mobile stolen so personally understand the

The building is fully camera covered and currently adding to this with further cameras, will be done by mid November as booked.

We would operate correctly and within the rules and guidelines of the sale of alcohol plus do everything possible to ensure crime prevention, as stated in the application.

I think to conclude we take responsibilities and regulations very seriously and can assure the council we would operate correctly while being conscientious to our neighbours and community.

Kind Regards

Ben Cates

Ben Cates

C O F F E E & C A T E S

Coffee and Cates Limited
138 Kingsland Rd
London
E2 8DY
UK
Company Reg No: 13153183



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

Re: Item shared with you: "IMG_1833.MOV"

1 message

Ben Cates <ben@cates.london>

29 November 2022 at 14:12

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

Hi Sanaria,

Thanks for supplying this.

Its actually a photo from an old TEN license and agreed it did spill over on to the pavement as many places do in the summer in this area, while the doorman and myself asked people to move closer I can't stop people standing on the pavement and there was no aggressive problems, people always moved out the way of people walking, I'll point out that no known complaints were raised and the police did not attend, it was a very friendly crowd that stopped at 11:30pm and quickly and politely dispersed.

We have had several events since, and none have had this issue as we now have a barrier at the edge of our land to stop this.

I would happily agree within any accepted license to have a barrier at the edge of our land, in fact it's something I learnt while studying for my personal license as important that I was unaware of and not advised on beforehand. I would further like to point out that the event was a birthday party and not in any way normal trading.

Kind Regards

From: Sanaria Hussain (via Google Drive) <drive-shares-dm-noreply@google.com>**Date:** Tuesday, 29 November 2022 at 13:50**To:** Ben Cates <ben@cates.london>**Subject:** Item shared with you: "IMG_1833.MOV"

Sanaria Hussain shared an item

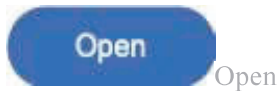


Sanaria Hussain (sanaria.hussain@hackney.gov.uk) has shared the following item:



Hi Ben,

Please see attached



If you don't want to receive files from this person, [block the sender](#) from Drive

Google LLC, 1600 Amphitheatre Parkway, Mountain View, CA 94043, USA

You have received this email because sanaria.hussain@hackney.gov.uk shared a file or folder located in Google Drive with you.

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Ben Cates

Page 47

Director
Cates London

+44 7920 279 465

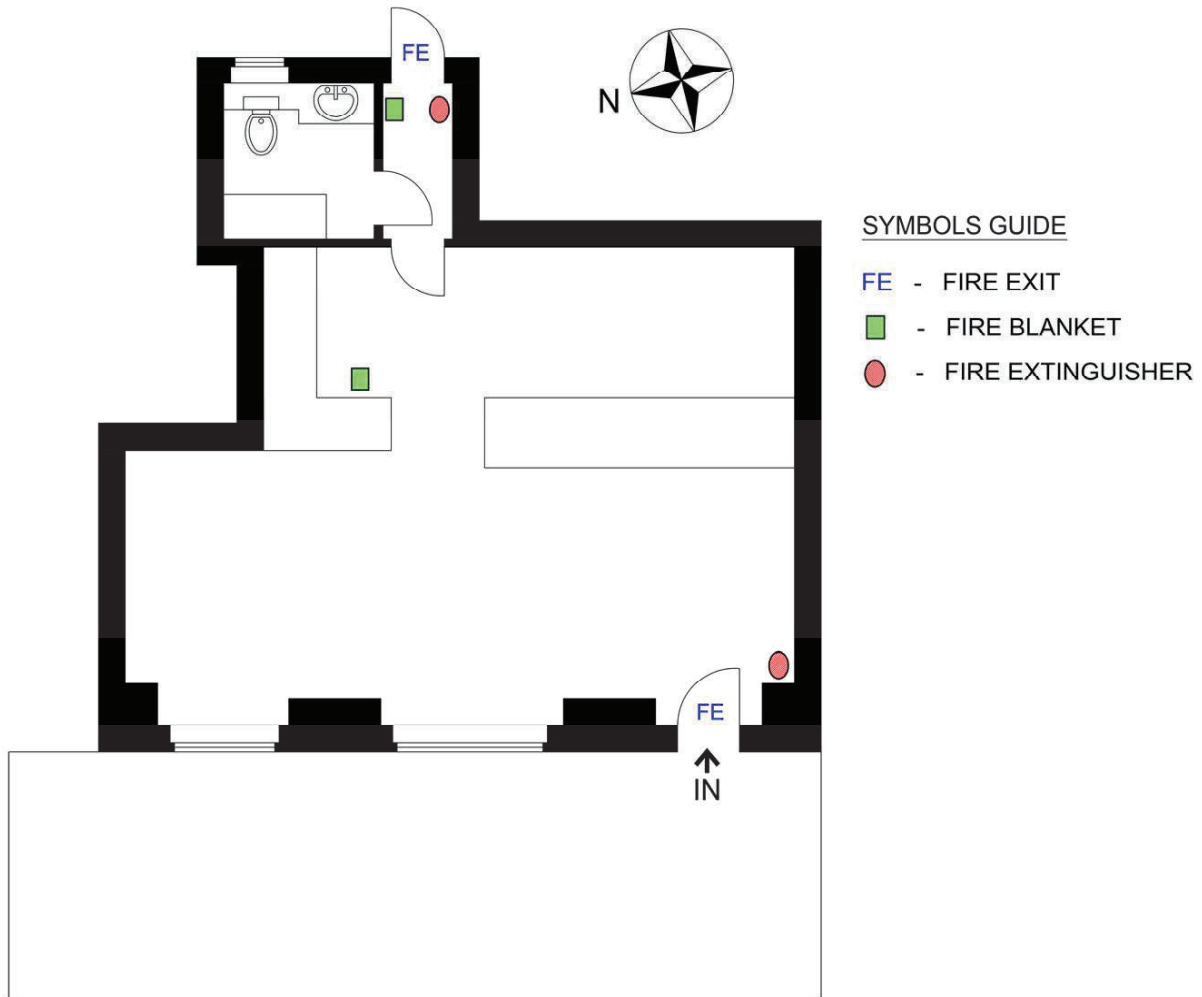
ben@cates.london

www.cates.london

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North Stables



Ground Floor

The floor plan is not to scale and measurements and are as shown are approximate and therefore should be used for illustrative purposes only. The plan has been prepared in accordance with the RICS code of measuring practice and whilst we have confidence in the information produced, it must not be relied on.

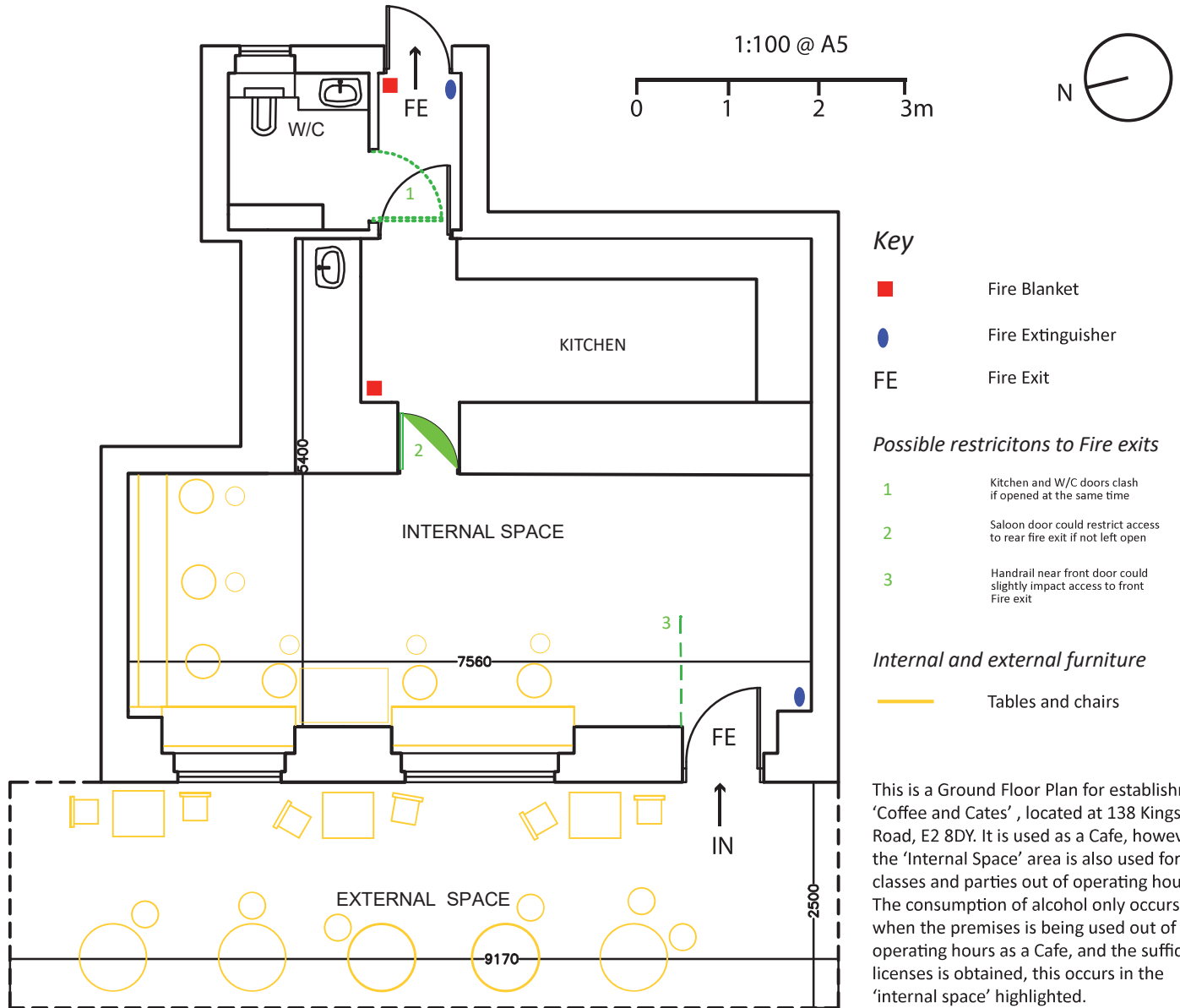
If there is any aspect of particular importance, you should carry out or commission your inspection of the property.

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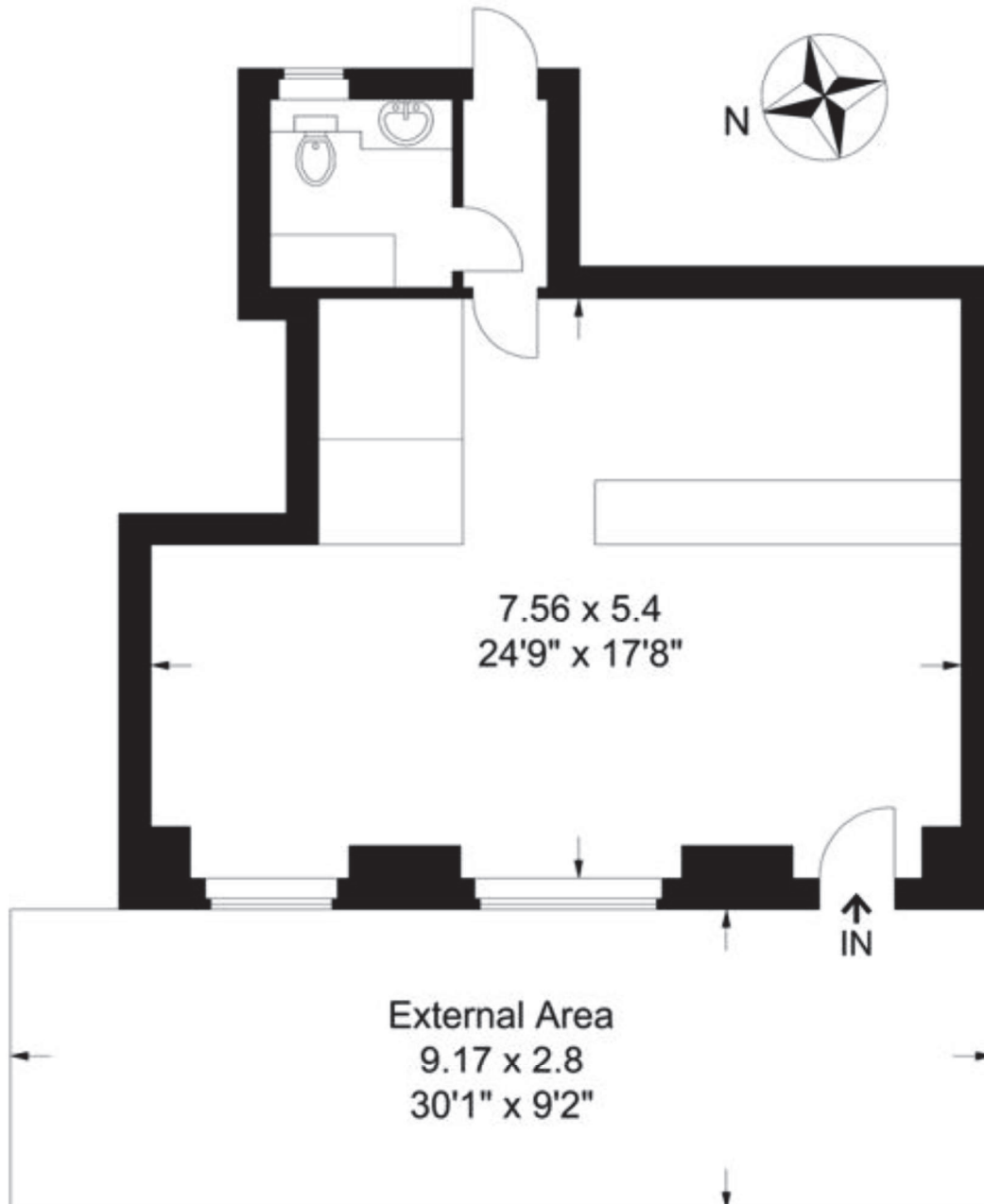
Ground Floor Plan

Coffee and Cates , 138 Kingsland Road, E2 8DY



North Stables

Approximate Gross Internal Area
41.97 sq m / 451.76 sq ft



Ground Floor

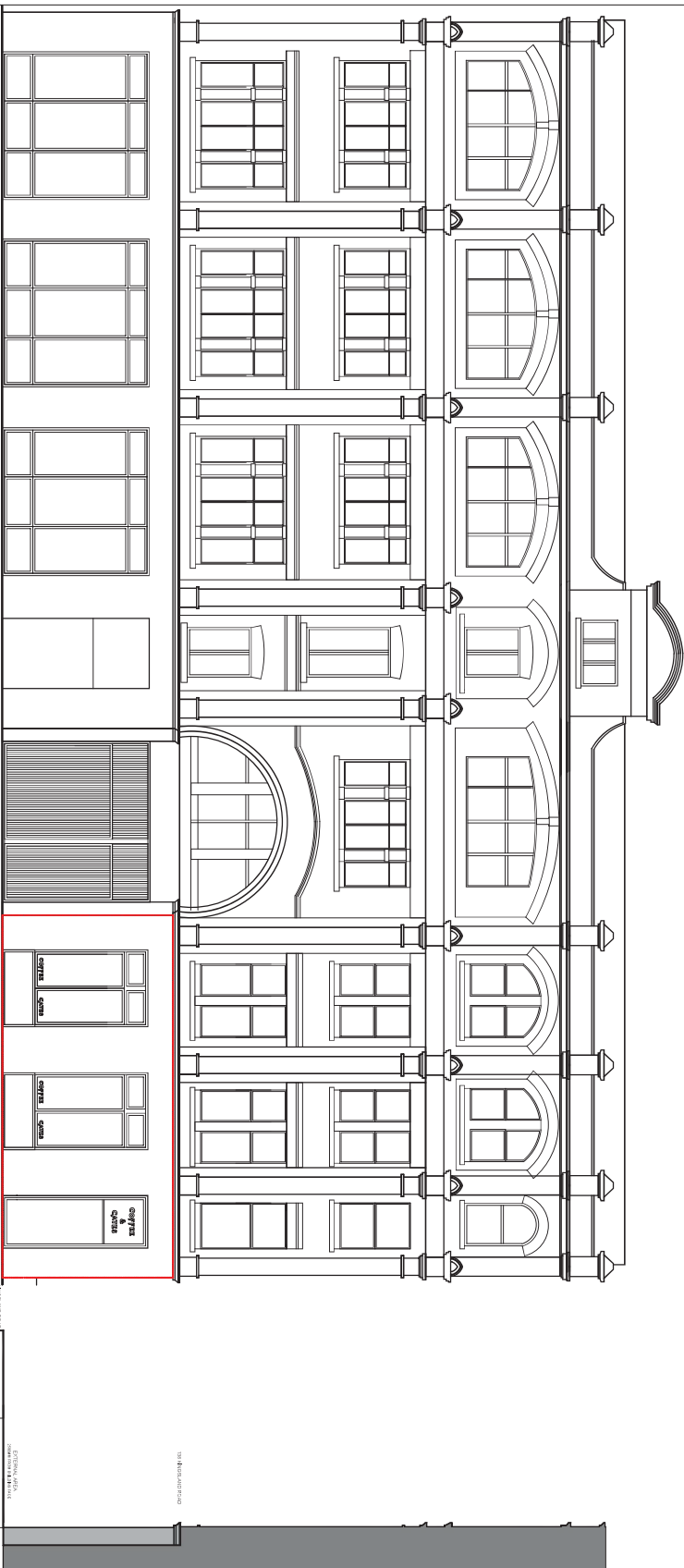
The floor plan is not to scale and measurements and are as shown are approximate and therefore should be used for illustrative purposes only. The plan has been prepared in accordance with the RICS code of measuring practice and whilst we have confidence in the information produced, it must not be relied on.

If there is any aspect of particular importance, you should carry out or commission your inspection of the property.

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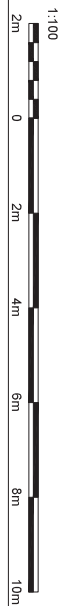
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KEY
 Elevation Outline —



1
 Existing Elevation
 1 : 100

2
 Existing Section
 1 : 100



DRAWN BY		CHECKED BY		DATE	
MB	EA	CB	SPR	22/01/22	22/01/22
PROJECT		PROJECT NUMBER		REV	
138 Imperial Road, London, E17 8JY		22031		01	
DRAWING		DATE		SCALE	
Existing Elevation and Section		1:100		1:100	

Duke Architects
 1 Balmans Row
 London
 EC2A 3HH
 T: 020 7613 5702

www.dukearchitects.co.uk



Appendix B

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

Licensing Act 2003 - Application for a Premises Licence Re: Coffee and Cates , 138 Kingsland Road, E2 8DY

1 message

George Wokorach <george.wokorach@hackney.gov.uk>
To: Sanaria Hussain <sanaria.hussain@hackney.gov.uk>

19 November 2022 at 20:10

I hope you are well

However, the EP team has concerns regarding noise from both live and recorded music, and also from noise in the external areas.

The applicant has not provided enough information regarding:

1. How they intend to manage noise from the external areas
2. The hours of use of the external areas
3. How they intend to carry out dispersal without causing disturbance to neighbours
4. The number of customers smoking outside and how they intend to minimise the noise
5. How the applicant intends to minimise the noise from live and recorded music

I will object to the application and ask the applicant to carry out a Noise Impact Assessment and furnish me with the information I have requested

Regards

George Wokorach
Environmental Protection Officer
Projects and Regulatory Services
Neighbourhoods & Housing Directorate
London Borough of Hackney
Hackney Service Centre
2 Hillman Street
London
E8 1FB

Tel: 0208 356 3403

Email: George.Wokorach@hackney.gov.uk

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Ground Floor Café at 138 Kingsland Road - Objection against the Application Premises

1 message

25 November 2022 at 17:44

To: licensing@hackney.gov.uk

To whom it may concern:

I am a leaseholder at [REDACTED], [REDACTED] 138 Kingsland Road, E2 [REDACTED].

I would like to register my objection regarding the Application for a Premises License at the same address mentioned above.

I strongly object to Coffee & Cates, and its applicant Mr Benjamin Cates, (referred from here on as the "Cafe") from selling alcohol on the premises, playing live or recorded music (including live DJ sets, band performances, etc.), provide late night food and drink, or any sort of entertainment (including but not limited to showcasing of films) within or outside the premises of 138 Kingsland Road, E2 8DY at any time but more specifically during late hours on weekdays or weekends.

It is my understanding that besides myself, many residents and leaseholders (business and residential) at 138 Kingsland Road, E2 8DY made several attempts to raise their concerns to (1) Hackney Council, (2) the police, and (3) the freeholder about the noise, smoking in non-designated areas (such as the building front), security, and other issues created by "Coffee & Cates" from their late night events (permitted from the temporary Premises License (Temporary Event Notice or "TEN") but those concerns were largely ignored.

Several of the residents attempted to discuss their concerns with Mr Benjamin Cates to see if some compromise or accommodation could be found but was arrogantly dismissed without any consideration given to the Cafe's neighbours.

To date, the events hosted by the Cafe have occurred without any consultation between Cafe's owner and the residents' community, neither the Cafe owner listened or addressed any of the noise, health or safety concerns expressed by the residents. The residents' concerns including (1) smoking in non-smoking designated area; (2) revellers gathering in front of the building and/or on public footpaths resulting in blocking entrances to the building (3) noise and loud music, (4) security and (5) unauthorised use of building communal spaces by the Cafe.

I am frustrated and alarmed that if the Cafe were granted a full premises license the problems raised within this objections would occur with greater regularity and become worse. The result in approving a full premises license to the Cafe would negatively impact not only the occupants of 138 Kingsland Road, but the surrounding neighbourhood as well.

Initially, following these disturbances, residents at 138 Kingsland Road submitted a formal complaint with the owner of the building (the freeholder at 138 Kingsland Road Limited). Please see attached for your reference a letter dated 26 July 2022, which was signed by all residential leaseholders and sent to the Freeholder. The letter provides further detail on the concerns raised by the residents.

Another reason I am registering my objection regarding the Cafe's Application for a Premises License is the building is listed, and it is my understanding within a designated conservation area. In my view the block consisting of Shoreditch Stables North and South, Graeae Theatre Company Bradbury Studios, and The Museum of the Home (formerly The Geffrye Museum) offers a transition (or buffer) north of Kingsland Road which is a residential neighbourhood of reasonable calm where families resided from the bars and clubs south along Kingsland Road. Approving the Application for a Premises License for the Cafe would likely set a precedence in the future for more development of bars and clubs in the area eroding the neighbourhood's liveability as a residential area.

I respectfully ask the Hackney Council do not approve this application on the basis that the proposed activities will have a significant detriment to the well-being of all residents in the building, and the neighbourhood.

Best Regards,

[Redacted]

[Redacted]

[Redacted] Kingsland Road, [Redacted]

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Gmail - 138 Kingsland Road - Leaseholders' Objection re_ Café Plans.pdf
133K



138 Kingsland Road - Leaseholders' Objection re: Café Plans

Tue, Jul 26, 2022 at 8:37 PM



FAO [redacted] on behalf of 138 Kingsland Road Limited

July 26, 2022

RE: Ground Floor Café

As the leaseholders of residential units, i.e. [redacted] at 138 Kingsland Road, E2 8DY we are writing to you as the representative of Freeholder (138 Kingsland Road Limited) to formally log our objection against any plans by the Ground Floor Café (i.e. Coffee & Cates) to sell alcohol, play live or recorded music (incl. live DJ sets, band performances etc.), provide late night refreshments or any sort of entertainment anywhere within the premises of 138 Kingsland Road, E2 8DY and operate during late hours on weekdays or weekends

We are categorically against such proposals by the Café owners on the grounds that this would result in undue financial detriment, unwarranted public nuisance, increased levels of alcohol related crime Moreover this would have a negative impact on residents' health, safety and well-being while in our own homes. We strongly believe that Café premises are not suitable for the above noted activities (incl. Café size, design and layout limitations, no suitable toilet facilities, close proximity to the residential entrances and units etc)

We are very concerned that should such permission be granted, it will seriously and adversely affect our quality of life, it will be a health hazard When you come home from a long day's work, the last thing you need is to be exposed to prolonged noise disturbance, which is known to contribute to a range of health problems, including stress, fatigue and lack of sleep. A licence permitting sale of alcohol and late night entertainment will also affect the value of our properties as well as the security in the building. We are already facing a number of issues related to the flow of students in and out of the building, often leaving the main door open, making noise etc. and the Café becoming a live music venue selling alcohol will add material new concerns, which will inevitably have an adverse effect on our wellbeing. In terms of financial detriment, some residents have already experienced difficulties in remortgaging their flats due to the building being 'mixed use' an addition of a venue selling alcohol and providing late night refreshments will only exacerbate the problem.

The Cafe had already been used for private events some lasted until the early hours of the morning With insufficient space for large gatherings inside the Café, customers/drinkers were congregating and smoking in the area at the front of the building as well as using the inner courtyard as their smoking area (despite both frontside and inner courtyard being designated as non-smoking areas). At least on one occasion, a private party was held in the Café with customers being entertained, including music and singing, in the inner courtyard of the building, which alongside the front of the building, are communal spaces that are serviced and maintained by the service charges paid by all the leaseholders – it is not a space to be used by the Café to hold private events. While Café owner may have obtained Temporary Event Notice (TEN) authorizations from Hackney Council to hold small scale, one off events, we would like to discourage this practice due to concerns described above.

We are very thankful for your contribution in the revocation of the Plaza licence back in 2006 You might recall there being late night-violence and fighting on the road, which police dealt with, as well as multiple instances of anti-social behaviour, excessive car noise and much more - something none of us are willing to go through yet again.

On this particular occasion, we would like to seek your support once again and would be very grateful if you could exercise your Freeholder's authority to object the Café owner's plans to sell alcohol, provide late night refreshments or any sort of entertainment on the Premises and operate during late hours on either weekdays or weekends. We would also welcome the reinforcement of the message to the Café's owners that inner courtyard and the area in front of the building cannot be used for private events, nor should it be used as a smoking area in order to prevent any fire hazards.

Yours sincerely,

[Redacted]
[Redacted] 138 Kingsland Road, E2 8DY
[Redacted]

[Redacted]
[Redacted] 138 Kingsland Road, E2 8DY
[Redacted]

[Redacted]
[Redacted] 138 Kingsland Road, E2 8DY
[Redacted]

[Redacted]
[Redacted] 138 Kingsland Road, E2 8DY
[Redacted]

[Redacted]
[Redacted] 138 Kingsland Road, E2 8DY
[Redacted]

[Redacted]
[Redacted] 138 Kingsland Road, E2 8DY

11/25/22, 11:55 AM

Gmail - 138 Kingsland Road - Leaseholders' Objection re: Café Plans

[Redacted]

[Redacted]

138 Kingsland Road, E2 8DY

[Redacted]

[Redacted]

138 Kingsland Road, E2 8DY

[Redacted]

[Redacted]

138 Kingsland Road, E2 8DY

[Redacted]

[Redacted]

138 Kingsland Road, E2 8DY

[Redacted]



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

RE: Ground Floor Café at 138 Kingsland Road - Objection against the Application Premises

1 message

25 November 2022 at 11:56

To: licensing@hackney.gov.uk

Dear Sir / Madam,

As the leaseholder of residential unit at the same address as the applicant [REDACTED] at **138 Kingsland Road, E2 8DY** I am writing to you as the Licensing Authority to log objection against any plans by the Ground Floor Café (i.e. Coffee & Cates) to sell alcohol on- and off- premises, play live or recorded music (incl. live DJ sets, band performances etc.), provide late night refreshments or any sort of entertainment (incl. showcasing of films) anywhere within the premises of **138 Kingsland Road, E2 8DY** and operate during late hours on weekdays or weekends.

This is because my tenants and other residents in the Building have already suffered from continuous noise, smoke fumes and disturbance due to parties and events held on the Cafe's premises during late hours either on weekdays or weekends. These have been held on the basis of obtaining and serving Temporary Event Notice (TEN). As these were ad-hoc events with limited frequency, I am deeply concerned if the Cafe were granted a full premises license, incl. sale of alcohol at all hours of day and night, such problems would only become worse and it would become a regular occurrence - all negatively impacting the wellbeing of all residents concerned. To date, these events have been hosted without any appropriate consultation between Cafe's owner and the residents' community, neither the Cafe owner listened or addressed any of the noise, health or safety concerns expressed by the residents (incl. i) smoking in non-smoking areas ; ii) revellers gathering in front of the Building and/or on public footpaths hence blocking entrances to the residential premises iii) noise and loud music iv) unauthorised use of communal spaces by the Cafe.

Following these disturbances, residents at 138 Kingsland Road have logged a formal complaint with the Freeholder (Building's landlord).

I kindly ask the Hackney Council to object to the application on the basis that proposed activities will have a significant detriment to the well-being of all residents in the Building. There are many alternative empty commercial premises in the council area more suitable for an establishment like this and the council should be encouraging business owners to use these empty premises rather than agreeing to applications such as this to the detriment to council tax payers.

Yours sincerely

[REDACTED]



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

138 Kingsland Road - Objection against the Application for a Premises License

1 message

25 November 2022 at 11:17

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

FAO: Hackney Council - Licensing Services

November 25, 2022

RE: Ground Floor Café at 138 Kingsland Road - Objection against the Application Premises

As the leaseholder of residential unit at the same address as the applicant (Flat [REDACTED] at 138 Kingsland Road, E2 8DY) I am writing to you as the Licensing Authority to log objection against any plans by the Ground Floor Café (i.e. Coffee & Cates) to sell alcohol on- and off- premises, play live or recorded music (incl. live DJ sets, band performances etc.), provide late night refreshments or any sort of entertainment (incl. showcasing of films) anywhere within the premises of 138 Kingsland Road, E2 8DY and operate during late hours on weekdays or weekends.

This is because I and other residents in the Building have already suffered from continuous noise, smoke fumes and disturbance due to parties and events held on the Cafe's premises during late hours either on weekdays or weekends. These have been held on the basis of obtaining and serving Temporary Event Notice (TEN). As these were ad-hoc events with limited frequency, I am deeply concerned if the Cafe were granted a full premises license, incl. sale of alcohol at all hours of day and night, such problems would only become worse and it would become a regular occurrence - all negatively impacting the wellbeing of all residents concerned. To date, these events have been hosted without any appropriate consultation between Cafe's owner and the residents' community, neither the Cafe owner listened or addressed any of the noise, health or safety concerns expressed by the residents (incl. i) smoking in non-smoking designated; ii) revellers gathering in front of the Building and/or on public footpaths hence blocking entrances to the residential premises iii) noise and loud music iv) unauthorised use of communal spaces by the Cafe.

Following these disturbances, residents at 138 Kingsland Road have logged a formal complaint with the Freeholder (Building's landlord). For your reference, I have **attached** a letter dated July 26, which was signed by all residential leaseholders and sent to the Freeholder for their attention. The letter provides further detail on the concerns raised by the Residents. On several occasions I have personally contacted Hackney Council to express concerns about the events hosted on the Cafe's premises but was advised to contact the Police; the Police then deemed this to be a civil matter and suggested this is to be addressed by the Hackney Council.

I kindly ask the Hackney Council to object to the application on the basis that proposed activities will have a significant detriment to the well-being of all residents in the Building.

Kind regards,
[REDACTED]**Gmail - 138 Kingsland Road - Leaseholders' Objection re_ Café Plans.pdf**

133K



138 Kingsland Road - Leaseholders' Objection re: Café Plans

FAO: [REDACTED] on behalf of 138 Kingsland Road Limited

July 26, 2022

RE: Ground Floor Café

As the leaseholders of residential units, i.e. Flats [REDACTED] and [REDACTED] at 138 Kingsland Road, E2 8DY we are writing to you as the representative of Freeholder (138 Kingsland Road Limited) to formally log our objection against any plans by the Ground Floor Café (i.e. Coffee & Cates) to sell alcohol, play live or recorded music (incl. live DJ sets, band performances etc.), provide late night refreshments or any sort of entertainment anywhere within the premises of 138 Kingsland Road, E2 8DY and operate during late hours on weekdays or weekends

We are categorically against such proposals by the Café owners on the grounds that this would result in undue financial detriment, unwarranted public nuisance, increased levels of alcohol related crime Moreover this would have a negative impact on residents' health, safety and well-being while in our own homes. We strongly believe that Café premises are not suitable for the above noted activities (incl. Café size, design and layout limitations, no suitable toilet facilities, close proximity to the residential entrances and units etc)

We are very concerned that should such permission be granted, it will seriously and adversely affect our quality of life, it will be a health hazard When you come home from a long day's work, the last thing you need is to be exposed to prolonged noise disturbance, which is known to contribute to a range of health problems, including stress, fatigue and lack of sleep. A licence permitting sale of alcohol and late night entertainment will also affect the value of our properties as well as the security in the building. We are already facing a number of issues related to the flow of students in and out of the building, often leaving the main door open, making noise etc. and the Café becoming a live music venue selling alcohol will add material new concerns, which will inevitably have an adverse effect on our wellbeing. In terms of financial detriment, some residents have already experienced difficulties in remortgaging their flats due to the building being 'mixed use' an addition of a venue selling alcohol and providing late night refreshments will only exacerbate the problem.

The Cafe had already been used for private events some lasted until the early hours of the morning. With insufficient space for large gatherings inside the Café, customers/drinkers were congregating and smoking in the area at the front of the building as well as using the inner courtyard as their smoking area (despite both frontside and inner courtyard being designated as non-smoking areas). At least on one occasion, a private party was held in the Café with customers being entertained, including music and singing, in the inner courtyard of the building, which alongside the front of the building, are communal spaces that are serviced and maintained by the service charges paid by all the leaseholders – it is not a space to be used by the Café to hold private events. While Café owner may have obtained Temporary Event Notice (TEN) authorizations from Hackney Council to hold small scale, one off events, we would like to discourage this practice due to concerns described above.

We are very thankful for your contribution in the revocation of the Plaza licence back in 2006. You might recall there being late night-violence and fighting on the road, which police dealt with, as well as multiple instances of anti-social behaviour, excessive car noise and much more - something none of us are willing to go through yet again.

On this particular occasion, we would like to seek your support once again and would be very grateful if you could exercise your Freeholder's authority to object the Café owner's plans to sell alcohol, provide late night refreshments or any sort of entertainment on the Premises and operate during late hours on either weekdays or weekends. We would also welcome the reinforcement of the message to the Café's owners that inner courtyard and the area in front of the building cannot be used for private events, nor should it be used as a smoking area in order to prevent any fire hazards.

Yours sincerely,

[Redacted signature]

[Redacted signature]

[Redacted signature]

[Redacted signature]

[Redacted signature]

[Redacted signature]

11/25/22, 11:55 AM

Gmail - 138 Kingsland Road - Leaseholders' Objection re: Café Plans

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]



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

Objection to license application - Cafe & Cates

1 message

24 November 2022 at 17:52

To: licensing@hackney.gov.uk

I am a leaseholder at Shoreditch Stables North, [REDACTED] [138 Kingsland Road](#), E2 8D.

I would like to register my objection against the application for a license by Cates London Ltd at [138 Kingsland Road, E2 8DY](#).

On multiple occasions residents and leaseholders (both business and residential) have expressed concerns and complained to the managing agent and freeholder of the building about the expansion of this existing business, "Coffee & Cates." The disruption to the building residents and the surrounding community in my view would generate more crime and nuisance to the area.

Additionally, the residents and leaseholders (both business and residential) have contacted Hackney Council and the police about the noise, smoking in non-designated areas (such as the building front) and other issues created by "Coffee & Cates" late night events permitted from a temporary Premises License to serve food & alcohol, and have live music. The installation of additional signage (and awnings) will only intensify the issues experienced and attract more people to drink, smoke and cause more noise outside the premises and in the community during at all hours of the day throughout the year.

A few years ago there was a licensed premises opposite which became a late night destination. The increase in noise was unbearable - from cars parking and doors slamming outside our building, relentless coming and going, people on the streets partying and often fighting late at night. Regardless of the intention of Mr. Cates it is inevitable that this will cause the same issues. I accept the property is on a main road however this section of Kingsland Road is almost exclusively residential and does not have a requirement for a bar. It's a much needed conservation area and I ask that the Kingsland Conservation Area Advisory Committee are consulted on this matter.

In my view, approval of this license would have a long term negative impact on the areas.

Regards

[REDACTED]



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

"Cates London Ltd" Premises Licence Application

1 message

17 November 2022 at 16:33

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

Licensing Service
Hackney Service Centre
1 Hillman Street
E8 1DY
Tel: 020 8356 4970

Dear Licensing Team

Re "Cates London Ltd" Premises Licence Application

We are leaseholders and residents of **138 Kingsland Road, E2 8DY**. The building is located at the heart of a residential area where Cates London Ltd. runs a café. We are writing to express our objection against granting a premises licence to the Ground Floor Café - Coffee & Cates. We strongly oppose any plans by the Café to sell alcohol and provide any sort of entertainment anywhere at the premises of **138 Kingsland Road, E2 8DY** and operate during late hours on weekdays or weekends.

Our strong opposition against such proposals by the Café owners is based on the negative impact of the activities allowed under the premises licence on our life, health and safety as well as on the environment.

The Café premises are not suitable for the above noted activities. The Café is too small in size, and you will see for yourselves the layout limitations including the lack of suitable customer toilet facilities and that it is too close to the residential entrances and Flats. When the café has held TEN events, due to the limited space inside, customers have gathered drinking and smoking outside the café in front of the building, despite it being designated as non-smoking area (see attached video clip from one such event). The gatherings inside and outside generate noise disturbance for us who live in the building. At least on one occasion, a private party was held by the Café with customers being entertained, including music and singing, in the inner courtyard of the building, which alongside the front of the building, are part of the communal spaces and footpath that are serviced and maintained by the service charges paid by all the leaseholders.

The two rows of tables and chairs outside the café narrow the footpath in front of the building and restrict the free movement of the residents and pedestrians (see attached video).

Granting the Café a premises licence would result in unwarranted public nuisance, excessive pollution and increased levels of alcohol related crime and anti-social behaviour. Moreover, it would have a negative impact on our well-being while in our own homes.

We are very concerned that should such permission be granted, it will seriously and adversely affect our quality of life, it will be a health hazard. With our flat right above the ground floor café, coming home from a long day's work, the last thing you need is to be exposed to prolonged noise disturbance, which is known to contribute to a range of health problems, including stress, fatigue and lack of sleep.

A licence permitting sale of alcohol and late-night entertainment, with drinkers loitering in front of the block's entrances, will also affect the security in the building, adding new concerns, which will inevitably have an adverse effect on our safety and wellbeing.

If the café becomes an alcohol selling, live music and late-night entertainment venue it will attract more customers, thus increasing traffic. The lack of a designated parking space for the café, will lead to customers being dropped off and picked up in front of the building, thus significantly increasing noise and environment pollution.

The Café owner has already obtained Temporary Event Notices from Hackney Council for one-off events, but we would like to discourage this practice due to concerns described above.

The residents of the building have already logged their concerns directly with the Cafe owner, the building's managing agent as well as the Freeholder.

We are objecting to the granting of a premises licence to Cates London Ltd. because we do not want to face the same problems and go through the same bruising experiences we had with what was the Plaza bar ([161-165 Kingsland Road](#)) across the road back in 2005-6. It was then very distressing and we worked with the Council and the police to confront multiple instances of anti-social behaviour, late night alcohol related violence and fighting on the road, excessive noise and much more. Availing ourselves of this opportunity, we are very thankful for the Council's contribution in the revocation of the Plaza licence back in 2006.

On this particular occasion, we would like to seek your support in rejecting the premises licence application and the Café owner's plans to sell alcohol, provide late night entertainment on the Premises and operate during late hours on either weekdays or weekends.

We look forward to hearing from you in the hope that you will take account of our concerns when deciding on the above application.

Yours sincerely,




138 Kingsland Road,

E2 8DY



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

Objection to Coffee and Cates, 138 Kingsland Alcohol license

1 message

9 November 2022 at 17:22

To: licensing@hackney.gov.uk

Objection to Coffee and Cates, 138 Kingsland Alcohol license

I am writing to firmly object Coffee and Cates, alcohol application at [138 Kingsland Rd](#)

I have lived in the building for 19 years and have logged my complaints directly with the cafe owner, who has only been in the area a couple of years.

We had many issues with Korsan Bar which was situated opposite [138 Kingsland Rd](#) which eventually got shut down due to the same issues I believe this would create.

It will create noise pollution, a fire safety issues with so many people surrounding the only entrance and exit we have to [138 Kingsland Rd](#).

However, one of the main issues will be general safety and not feeling safe from intruders to our building (the entrance door is literally next to the cafe) late at night

My girlfriend and female flatmate do not feel safe when entering the building late at night as sometimes people try to follow them and this will only be encouraged by drunken men and women.

The large mail packages are for all the residents are left at the bottom of the building by the main entrance and these are stolen when passer bys get access to our building - this will increase

We have several people with mental health issues and drunk issues in the area and this will encourage them to approach the drinkers and smokers on the street outside our building as well

It will increase litter, noise pollution, effect out safety and will not add to an area that already has far too many bars with late licensing - which we were assured were actively being discouraged over the past few years since it was oversaturated.

I suffer from depression and anxiety and have been on medication, as does my girlfriend and this will make things extremely worse if drunk people are allowed to situated outside our only door to our building and make noise below our flat when trying to sleep.

I cannot tell you how much this will impact my life and neighbours lives for the worse and if granted will make me consider moving and place me under great stress.

I would also feel deeply uncomfortable with my nieces and nephews who I baby sit for coming over to my property knowing all of the above

Granting alcohol licence to this venue would set a dangerous precedent and would leave me wanting to leave my home of 19 years

Please think of the people that live in the area

Regards

[REDACTED]
[REDACTED], [138 Kingsland Rd](#)
London
E2 8DY

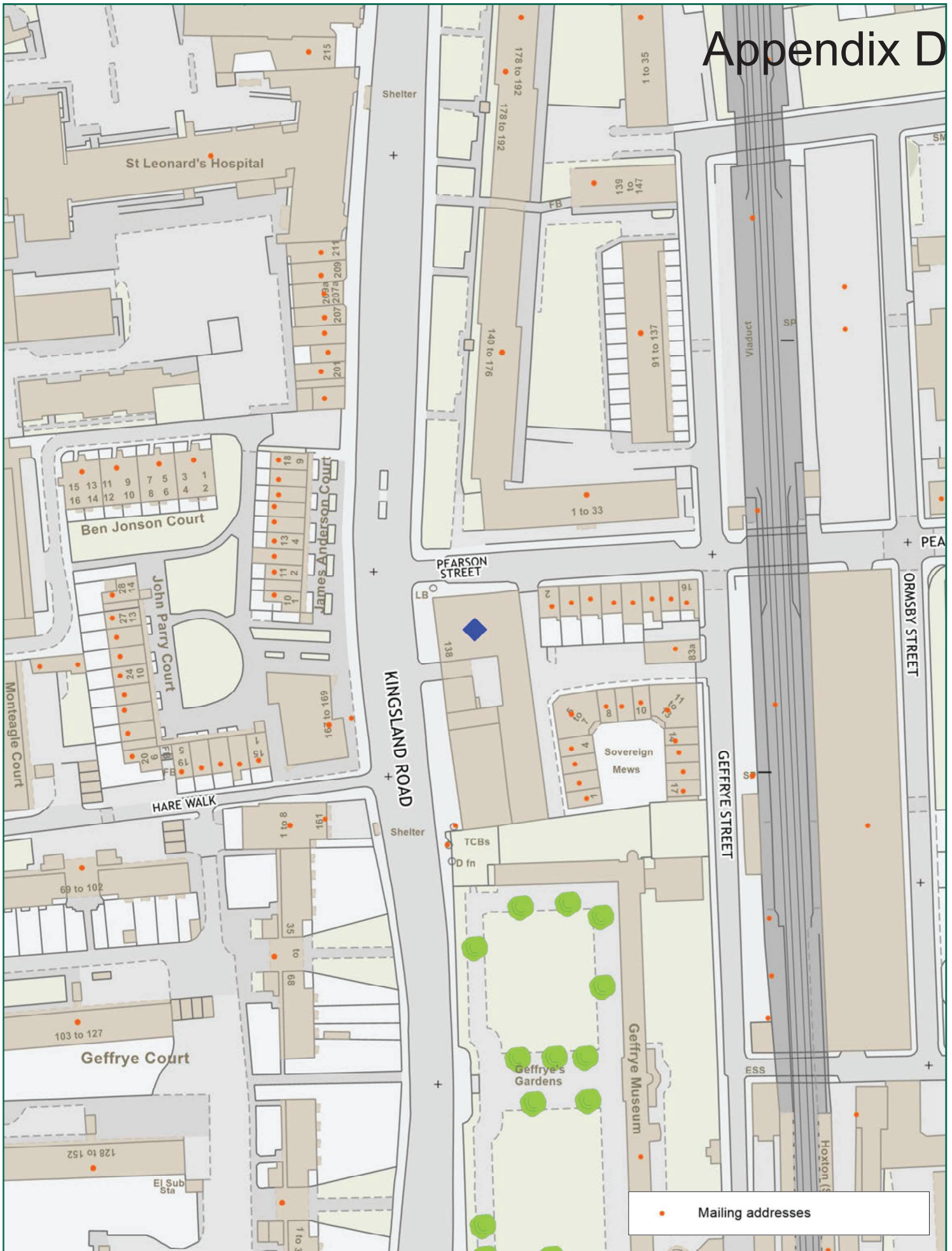
Coffee and Cates

[Haggerston](#)Coffee and
Cates Ltd

Page 70

Ground Floor North Stables 138 Kingsland Road London E2 8DY		
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Appendix D



• Mailing addresses



Scale: 1:1250 at A4

138 Kingsland Road



Ref:
Thursday, October 27, 2022

Page 72
From: [unspecified]
email:

please specify copyright statement



For Consideration By	Licensing Sub-Committee
Meeting Date	10th January 2023
Type of Application	Premises Licence
Address of Premises	Equal Parts, 245 Hackney Road, E2 8NA
Classification	Decision
Ward(s) Affected	Haggerston
Group Director	Rickardo Hyatt

1. **Summary**

- 1.1. Equal Parts LTD have made an application for a premises licence under section 17 of the Licensing Act 2003.
- 1.2. The application seeks to authorise the supply of alcohol for consumption on and off the premises.
- 1.3. The premises are not located within the special policy area.
- 1.4. The applicant is seeking authorisation for the following licensable activities and times:

Supply of Alcohol (On and Off sales)	Standard Hours: Mon 10:00-21:30 Tue 10:00-21:30 Wed 10:00-21:30 Thu 10:00-21:30 Fri 10:00-21:30 Sat 10:00-21:30 Sun 10:00-21:30
The opening hours of the premises	Standard Hours: Mon 08:00-22:00 Tue 08:00-22:00 Wed 08:00-22:00 Thu 08:00-22:00 Fri 08:00-22:00 Sat 08:00-22:00 Sun 08:00-22:00

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

2. **Current Status/History**

2.1. The premises are not currently licensed for any activity.

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

3. **Representations: Responsible Authorities**

From	Details
Environmental Health Authority (Environmental Protection)	No representation received
Environmental Health Authority (Environmental Enforcement) Appendix B	Presentation received on the grounds of the Prevention of Public Nuisance
Environmental Health Authority (Health & Safety)	No representation received
Weights and Measures (Trading Standards)	No representation received
Planning Authority	No representation received
Area Child Protection Officer	No representation received
Fire Authority	Have confirmed no representation on this application
Police	Have confirmed no representation on this application
Licensing Authority	No representation received
Health Authority	No representation received

4. **Representations: Other Persons**

From	Details
3 Representations have been received (2 against and 1 in support) from and on behalf of the Other Persons against the proposal. Appendices C1 to C3	Representations have been received on the grounds of Public Safety and The Prevention of Public Nuisance and the Prevention of Crime and Disorder

5. **Guidance Considerations**

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

6. **Policy Considerations**

- 6.1. 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.
- 6.2. 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) are relevant.

7. **Officer Observations**

- 7.1. 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

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

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

Minimum Drinks Pricing

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

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

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

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

(i) P is the permitted price,

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

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

Conditions derived from operating schedule

8. The supply of alcohol for consumption on the premises shall be to seated persons only.

9. The supply of alcohol for consumption off the premises shall be in sealed containers only, except for designated external seating areas.
10. No noise generated on the premises, or by its associated plant or equipment, shall emanate from the premises nor vibration be transmitted through the structure of the premises which gives rise to a nuisance.
11. The premises 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.
12. There will be a staff member at the premises who will be able to facilitate viewing and downloading of the CCTV system with the minimum of delay.
13. An incident log shall be kept at the premises, and made available immediately to an authorised officer of the Hackney Borough Council or the Police, which will record the following:
- a. all crimes reported to the venue
 - b. any complaints received
 - c. any incidents of disorder
 - d. any faults in the CCTV system that you have been made aware of
 - e. any refusal of the sale of alcohol
 - f. any visit by a relevant authority or emergency service.
14. 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. (at this time this will be hackneylicensing@met.police.uk)
15. 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.
16. 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.
17. A refusals log will be kept at the premises and completed on any occasion a sale is refused, this will be made available to all Responsible Authorities on request.
18. When the premises use a courier service, it will be with a written agreement that incorporates a challenge 25 Policy. Records of proof of age checks will be retained for a period of three months. Any courier used, will be made aware of the potential for proxy sales.

19. Deliveries will only be made to "postcode" addresses of businesses or residential properties.

20. The Premises Licence Holder shall ensure that all entrances, exits and passageways will be kept clear of debris or furniture.

21. No rubbish, including bottles, shall be moved, removed, or placed in outside areas between 2300 hours and 0800 hours.

22. When the premises use drivers for their deliveries, it will ensure that vehicles are respectfully parked, do not leave engines running or cause any public nuisance.

23. Staff will be diligent in observing those who attempt to make proxy purchases on behalf of underage persons and alert the DPS should this occur.

24. 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.

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

26. 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.

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

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

29. The current trade waste agreement/duty of care waste transfer document shall be displayed and maintained in the premises where it can be conveniently seen and read by persons. This should remain unobstructed at all times and should clearly identify:-

- a. the name of the registered waste carrier
- b. the date of commencement of trade waste contract
- c. the date of expiry of trade waste contract
- d. the days and times of collection
- e. the type of waste including the European Waste Code

8. Reasons for Officer Observations

8.1. Conditions 8 to 29 have been derived from the applicant's operating schedule.

9. Legal Comments

9.1. 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 licensing objectives;

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

9.2. 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.

10. Human Rights Act 1998 Implications

10.1. 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.

11. Members Decision Making

11.1. **Option 1**

That the application be refused

11.2. **Option 2**

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

12. Conclusion

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

Appendices:

Appendix A: Application for a premises licence and supporting documents
Appendix B: Representation from the Responsible Authorities
Appendix C: Representations from Other Persons
Appendix D: Location map

Background documents

Licensing Act 2003
LBH Statement of Licensing Policy

Report Author	Name: Sanaria Hussain Title: Senior Licensing Officer Email: sanaria.hussain@hackney.gov.uk Tel: 020 8356 4972
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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 **Equal Parts LTD**

(Insert name(s) of applicant)

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

Part 1 – Premises details

Postal address of premises or, if none, ordnance survey map reference or description Equal Parts 245 Hackney Road Hackney			
Post town	London	Postcode	E2 8NA

Telephone number at premises (if any)	
Non-domestic rateable value of premises	£16750

Part 2 - Applicant details

Please state whether you are applying for a premises licence as

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) |
| iv other (for example a statutory corporation) | <input type="checkbox"/> | please complete section (B) |
| c) a recognised club | <input type="checkbox"/> | please complete section (B) |
| d) a charity | <input type="checkbox"/> | please complete section (B) |
| e) the proprietor of an educational establishment | <input type="checkbox"/> | please complete section (B) |
| f) a health service body | <input type="checkbox"/> | please complete section (B) |

- g) a person who is registered under Part 2 of the Care Standards Act 2000 (c14) in respect of an independent hospital in Wales please complete section (B)
- ga) a person who is registered under Chapter 2 of Part 1 of the Health and Social Care Act 2008 (within the meaning of that Part) in an independent hospital in England please complete section (B)
- h) the chief officer of police of a police force in England and Wales please complete section (B)

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

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

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

(A) INDIVIDUAL APPLICANTS (fill in as applicable)

Mr <input type="checkbox"/>	Mrs <input type="checkbox"/>	Miss <input type="checkbox"/>	Ms <input type="checkbox"/>	Other Title (for example, Rev)	
Surname			First names		
Date of birth		I am 18 years old or over <input type="checkbox"/>		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 <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					
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)					

Current residential address if different from premises address			
Post town		Postcode	
Daytime contact telephone number			
E-mail address (optional)			

(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 Equal Parts LTD
Address 245 Hackney Road, London, England, E2 8NA
Registered number (where applicable) 14431193
Description of applicant (for example, partnership, company, unincorporated association etc.) Private limited Company
Telephone number (if any)
E-mail address (optional)

Part 3 Operating Schedule

When do you want the premises licence to start?

DD	MM	YYYY
<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)
Coffee shop with food offer and the supply of alcohol.

The application proposes a new 9:30pm premises licence authorising the supply of alcohol for consumption on and off the premises to replace existing premises licence reference: PREM/2022/0020.

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

A

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

B

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

C

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

D

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

E

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

F

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

G

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

H

Anything of a similar description to that falling within (e), (f) or (g) Standard days and timings (please read guidance note 7)			Please give a description of the type of entertainment you will be providing		
Day	Start	Finish	Will this entertainment take place indoors or outdoors or both – please tick (please read guidance note 3)	Indoors	<input type="checkbox"/>
Mon				Outdoors	<input type="checkbox"/>
				Both	<input type="checkbox"/>
Tue			Please give further details here (please read guidance note 4)		
Wed					
Thur			State any seasonal variations for entertainment of a similar description to that falling within (e), (f) or (g) (please read guidance note 5)		
Fri					
Sat			Non standard timings. Where you intend to use the premises for the entertainment of a similar description to that falling within (e), (f) or (g) at different times to those listed in the column on the left, please list (please read guidance note 6)		
Sun					

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

J

Supply of alcohol Standard days and timings (please read guidance note 7)			Will the supply of alcohol be for consumption – please tick (please read guidance note 8)	On the premises	<input 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	1000	2130			
Tue	1000	2130			
Wed	1000	2130			
Thur	1000	2130			
Fri	1000	2130			
Sat	1000	2130			
Sun	1000	2130			
			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 Orsolya Ajvazov	
Date of birth [REDACTED]	
Address [REDACTED]	
Postcode	[REDACTED]
Personal licence number (if known) [REDACTED]	
Issuing licensing authority (if known) London Borough of Hackney	

K

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

None

L

Hours premises are open to the public Standard days and timings (please read guidance note 7)			State any seasonal variations (please read guidance note 5)
Day	Start	Finish	
Mon	0800	2200	<p>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)</p>
Tue	0800	2200	
Wed	0800	2200	
Thur	0800	2200	
Fri	0800	2200	
Sat	0800	2200	
Sun	0800	2200	

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)

Please refer to the attached schedule of conditions for the promotion of all four licensing objectives.

b) The prevention of crime and disorder

Please refer to the attached schedule of conditions for the promotion of all four licensing objectives.

c) Public safety

Please refer to the attached schedule of conditions for the promotion of all four licensing objectives.

d) The prevention of public nuisance

Please refer to the attached schedule of conditions for the promotion of all four licensing objectives.

e) The protection of children from harm

Please refer to the attached schedule of conditions for the promotion of all four licensing objectives.

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 (postal applications only) **[Electronic Submission - LA to serve RA's]**
- 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 online right to work checking service which confirmed their right to work (please see note 15)
Signature	<i>Thomas and Thomas</i>
Date	03/11/2022
Capacity	Applicant's Solicitors

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)			
[REDACTED]			
[REDACTED]			
[REDACTED]			
Post town	London	Postcode	WC2H 9EP
Telephone number (if any)	[REDACTED]		
If you would prefer us [REDACTED]			
[REDACTED]			

Notes for Guidance

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

alcohol, provided that (a) the audience does not exceed 500, and (b) the organiser gets consent for the performance from a person who is responsible for the premises.

- any playing of recorded music between 08.00 and 23.00 on any day, at the non-residential premises of (i) a local authority, or (ii) a school, or (iii) a hospital, provided that (a) the audience does not exceed 500, and (b) the organiser gets consent for the performance on the relevant premises from: (i) the local authority concerned, or (ii) the school proprietor or (iii) the health care provider for the hospital.
 - Dance: no licence is required for performances between 08.00 and 23.00 on any day, provided that the audience does not exceed 500. However, a performance which amounts to adult entertainment remains licensable.
 - Cross activity exemptions: no licence is required between 08.00 and 23.00 on any day, with no limit on audience size for:
 - any entertainment taking place on the premises of the local authority where the entertainment is provided by or on behalf of the local authority;
 - any entertainment taking place on the hospital premises of the health care provider where the entertainment is provided by or on behalf of the health care provider;
 - any entertainment taking place on the premises of the school where the entertainment is provided by or on behalf of the school proprietor; and
 - any entertainment (excluding films and a boxing or wrestling entertainment) taking place at a travelling circus, provided that (a) it takes place within a moveable structure that accommodates the audience, and (b) that the travelling circus has not been located on the same site for more than 28 consecutive days.
3. Where taking place in a building or other structure please tick as appropriate (indoors may include a tent).
 4. For example the type of activity to be authorised, if not already stated, and give relevant further details, for example (but not exclusively) whether or not music will be amplified or unamplified.
 5. For example (but not exclusively), where the activity will occur on additional days during the summer months.
 6. For example (but not exclusively), where you wish the activity to go on longer on a particular day e.g. Christmas Eve.
 7. Please give timings in 24 hour clock (e.g. 16.00) and only give details for the days of the week when you intend the premises to be used for the activity.
 8. If you wish people to be able to consume alcohol on the premises, please tick 'on the premises'. If you wish people to be able to purchase alcohol to consume away from the premises, please tick 'off the premises'. If you wish people to be able to do both, please tick 'both'.
 9. Please give information about anything intended to occur at the premises or ancillary to the use of the premises which may give rise to concern in respect of children, regardless of whether you intend children to have access to the premises, for example (but not exclusively) nudity or semi-nudity, films for restricted age groups or the presence of gaming machines.
 10. Please list here steps you will take to promote all four licensing objectives together.
 11. The application form must be signed.
 12. An applicant's agent (for example solicitor) may sign the form on their behalf provided that they have actual authority to do so.
 13. Where there is more than one applicant, each of the applicants or their respective agent must sign the application form.
 14. This is the address which we shall use to correspond with you about this application.
 15. Entitlement to work/immigration status for individual applicants and applications from partnerships which are not limited liability partnerships:

A licence may not be issued to an individual or an individual in a partnership which is not a limited liability partnership who is resident in the UK who:

- does not have the right to live and work in the UK; or
- is subject to a condition preventing him or her from doing work relating to the carrying on of a licensable activity.

Any licence issued in respect of an application made on or after 6 April 2017 will become invalid if the holder ceases to be entitled to work in the UK.

Applicants must demonstrate that they have the right to work in the UK and are not subject to a condition preventing them from doing work relating to the carrying on of a licensable activity.

They do this in one of two ways:

- 1) by providing with this application, copies or scanned copies of the documents which an applicant has provided, to demonstrate their entitlement to work in the UK (which do not need to be certified) as per information published on gov.uk and in guidance.
- 2) by providing their 'share code' to enable the licensing authority to carry out a check using the Home Office online right to work checking service (see below).

Home Office online right to work checking service.

As an alternative to providing a copy of original documents, applicants may demonstrate their right to work by allowing the licensing authority to carry out a check with the Home Office online right to work checking service.

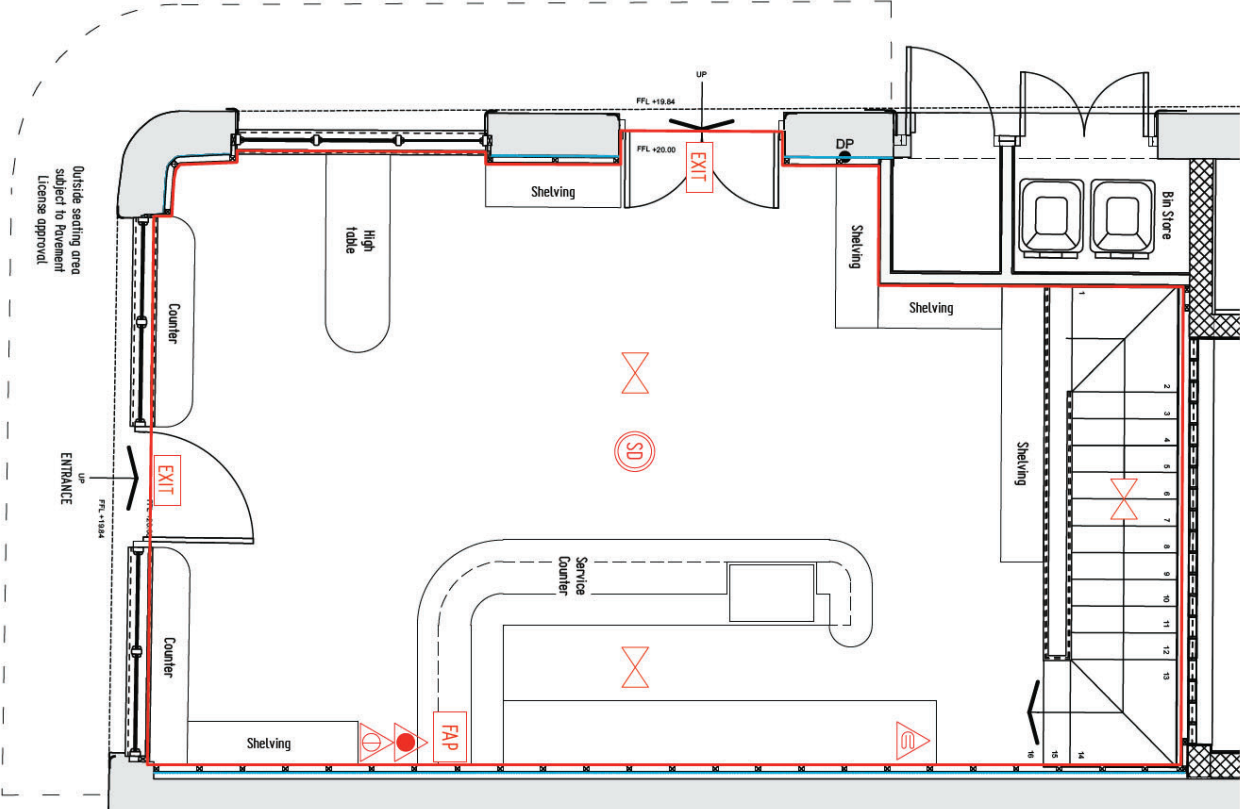
To demonstrate their right to work via the Home Office online right to work checking service, applicants should include in this application their share code (provided to them upon accessing the service at <https://www.gov.uk/prove-right-to-work>) which, along with the applicant's date of birth, will allow the licensing authority to carry out the check.

In order to establish the applicant's right to work, the check will need to indicate that the applicant is allowed to work in the United Kingdom and is not subject to a condition preventing them from doing work relating to the carrying on of a licensable activity.

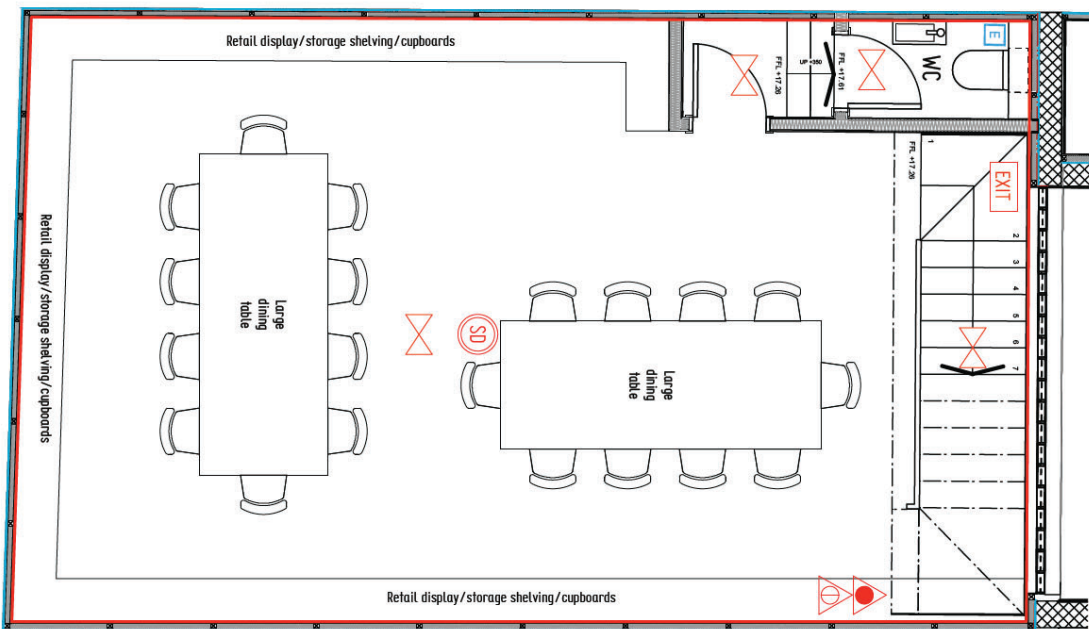
An online check will not be possible in all circumstances because not all applicants will have an immigration status that can be shared digitally. The Home Office online right to work checking service sets out what information and/or documentation applicants will need in order to access the service. Applicants who are unable to obtain a share code from the service should submit copies of documents as set out above.

Your right to work will be checked as part of your licensing application and this could involve us checking your immigration status with the Home Office. We may otherwise share information with the Home Office. Your licence application will not be determined until you have complied with this guidance.

	ILLUMINATED EXIT SIGN		SMOKE DETECTOR with integral sounder & beacon		WATER FIRE EXTINGUISHER		FIRE BLANKET
	NON MAINTAINED EMERGENCY LIGHT		FIRE ALARM PANEL		FOAM FIRE EXTINGUISHER		



GROUND FLOOR
Furniture layout indicative only



BASEMENT
Furniture layout indicative only



Version 3	180C RUPERS ROAD - LONDON - N213LA
T: +44 (780) 137 1114 E: info@vrsnw.com	

PROJECT:	245 Hackney Road London E2 9LLA
DRAWING TITLE:	Licensing Layout
JOB NO.:	V024
DWG NO.:	112
SCALE:	1:50 @ A3
DATE:	04/2023
STATUS:	LICENSING

- RED DOT SCALE UNLESS SCALE BAR REATS THIS**
- REVISIONS:**
Rev 01: 04/23
- LICENSING NOTES:**
1. ALL WALLS AND PARTITIONS TO BE MINIMUM HALF HOUR FIRE RESISTANT.
 2. EMERGENCY LIGHTING TO COMPLY WITH BS 5266 PART 1 ON MAINS FAILURE CIRCUIT
 3. FIRE SAFETY RELATED SIGNS AND NOTICES TO COMPLY WITH BS 5499.
 4. FIRE FIGHTING EQUIPMENT TO COMPLY WITH BS 5306.
 5. WALL AND CEILING LININGS ARE TO BE CLASS 1 SPREAD OF FLAME (AS DEFINED BY BS 476 PART 7) IN PUBLIC AREAS AND CLASS 0 IN ESCAPE ROUTES.
 6. UNHOLSTERED SEATING FURNITURE TO COMPLY WITH THE FOLLOWING:
 - * IGNITION SOURCE (CIGARETTE TEST) AS SPECIFIED IN BS 5852 PART 2 FIRE TEST FOR IGNITABILITY BY SMOKERS.
 - * BS 5852 PART 2 FIRE TEST FOR FURNITURE-METHODS OF TEST FOR THE IGNITABILITY OF UNHOLSTERED COMPOSITES FOR TESTING BY FLAMING SOURCE. MINIMUM TEST TO BE CRIB IGNITION SOURCE 5.
 7. FABRICS THAT HAVE HAD A FLAME-RETARDANT TREATMENT TO PASS THE WATER SOAK TEST AS DETAILED BY BS 5861 TEST CERTIFICATES TO BE SUBMITTED TO FIRE AUTHORITY.
 8. CURTAINS AND DRAPES TO SATISFY TYPE 8, PERFORMANCE REQUIREMENTS TO BE BS 5867 PART-2.
 9. ARTIFICIAL FOLIAGE AND DECORATIVE EFFECTS TO BE FIRE RETARDANT TO THE SATISFACTION OF THE FIRE AUTHORITY.
 10. FURNITURE LAYOUT INDICATIVE ONLY
- AREA OF LICENSED ACTIVITY

**Application for a Premises Licence
Equal Parts
245 Hackney Road, Hackney, London, E2 8NA**

Proposed Licensable Activities:

	Sale of Alcohol for Consumption on & off the Premises	Opening Hours
Monday to Sunday	10:00 – 21:30	08:00 – 22:00

NB:

- No non-standard timings
- No Regulated Entertainment
- No Late Night Refreshment

Proposed Conditions:

1. The supply of alcohol for consumption on the premises shall be to seated persons only.
2. The supply of alcohol for consumption off the premises shall be in sealed containers only, except for designated external seating areas.
3. No noise generated on the premises, or by its associated plant or equipment, shall emanate from the premises nor vibration be transmitted through the structure of the premises which gives rise to a nuisance.
4. The premises 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.
5. There will be a staff member at the premises who will be able to facilitate viewing and downloading of the CCTV system with the minimum of delay.
6. An incident log shall be kept at the premises, and made available immediately to an authorised officer of the Hackney Borough Council or the Police, which will record the following:
 - a. all crimes reported to the venue
 - b. any complaints received

- c. any incidents of disorder
 - d. any faults in the CCTV system that you have been made aware of
 - e. any refusal of the sale of alcohol
 - f. any visit by a relevant authority or emergency service.
7. 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. (at this time this will be hackneylicensing@met.police.uk)
 8. 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.
 9. 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.
 10. A refusals log will be kept at the premises and completed on any occasion a sale is refused, this will be made available to all Responsible Authorities on request.
 11. When the premises use a courier service, it will be with a written agreement that incorporates a challenge 25 Policy. Records of proof of age checks will be retained for a period of three months. Any courier used, will be made aware of the potential for proxy sales.
 12. Deliveries will only be made to "post code" addresses, of businesses or residential properties.
 13. The Premises Licence Holder shall ensure that all entrances, exits and passageways will be kept clear of debris or furniture.
 14. No rubbish, including bottles, shall be moved, removed, or placed in outside areas between 2300hours and 0800hours.
 15. When the premises use drivers for their deliveries, it will ensure that vehicles are respectfully parked, do not leave engines running or cause any public nuisance.
 16. Staff will be diligent in observing those who attempt to make proxy purchases on behalf of underage persons and alert the DPS should this occur.
 17. 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.

18. 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.
19. 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.
20. 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.
21. 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.
22. The current trade waste agreement/duty of care waste transfer document shall be displayed and maintained in the premises where it can be conveniently seen and read by persons. This should remain unobstructed at all times and should clearly identify:-
 - a. the name of the registered waste carrier
 - b. the date of commencement of trade waste contract
 - c. the date of expiry of trade waste contract
 - d. the days and times of collection
 - e. the type of waste including the European Waste Code

SAGER + WILDE

Letter to be distributed by the London Borough of Hackney Licensing Authority

8 December 2022

Dear Neighbour

Application for a Premises Licence – Equal Parts 245 Hackney Road

I hope that this letter finds you well.

I have been provided with a copy of your representation in respect of our premises licence application. Thank you for taking the time to comment on our proposals. I would be most grateful for your consideration of this letter, which I hope will help to address your concerns.

Firstly, I would like to reassure you from the outset that I have no intention whatsoever of opening a late-night noisy bar. Equal Parts will be an all-day, friendly neighbourhood venue selling coffee, food and refreshments (non-alcoholic and some alcoholic) during the day and early evening. Hackney's licensing policy hours go until midnight but we deliberately proposed a much earlier terminal hour for the sale of alcohol, being 9.30 pm.

Our application also included wide-ranging licence conditions to ensure that Equal Parts is operated professionally and responsibly in the local community. In addition, I would like to confirm that we have not applied for any regulated entertainment meaning any music will be played at background levels only.

I love the local area, having founded Sager + Wilde at 193 Hackney Road in 2012. My team and I have developed tailored operational management procedures which we intend to implement at Equal Parts to ensure that you are not disturbed by our new venue. I am excited about Equal Parts and remain committed to running the business sympathetically alongside you and your neighbours so that Equal Parts becomes a popular local venue.

Please do not hesitate to contact me if you have any queries arising or would like to meet me in person.

Thank you for your consideration of this letter.

Yours faithfully

Michael Sager

michael@sagerandwilde.com

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

RESPONSIBLE AUTHORITY DETAILS

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

APPLICATION PREMISES

NAME & ADDRESS OF PREMISES	Equal Parts 245 Hackney Road London E2 8NA
NAME OF APPLICANT	Equal Parts Limited

COMMENTS

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

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

Representation in relation to:

ENVIRONMENTAL LICENCE CONDITIONS IN RESPECT OF

Equal Parts 245 Hackney Road, London E2 8NA

1. The Licensee shall ensure that all relevant staff are fully trained and made aware of the legal requirement of businesses to comply with their responsibility as regards the disposal of waste produced from the business premises. The procedure for handling and preparing for disposal of the waste shall be in writing and displayed in a prominent place where it can be referred to at all times by staff.
2. The Licensee shall ensure that any contract for general and recyclable waste disposal shall be appropriate in size to the amount of waste produced by the business. The Licensee shall maintain an adequate supply of waste receptacles provided by his registered waste carrier (refuse sacks or commercial waste bins) in order to ensure all refuse emanating from the business is always presented for collection by his waste carrier and shall not use any plain black or unidentifiable refuse sacks or any other unidentifiable or unmarked waste receptacles.
3. The Licensee's premises are situated in an area within which refuse may only be left on the public highway at certain times (time bands). If the Licensee's waste carrier cannot or does not comply by collecting the refuse within an hour after the close of any time band imposed by the waste authority, the Licensee must remove the refuse from the public highway and/or keep it within the premises until such time as his/her waste carrier arrives to collect the refuse.
4. The Licensee shall instruct members of staff to make regular checks of the area immediately outside the premises and remove any litter, bottles and glasses emanating from the premises. A final check should be made at close of business.
5. The Licensee shall provide a safe receptacle for cigarette ends to be placed outside for the use of customers, such receptacle being carefully placed so as not to cause an obstruction or trip.
6. The current trade waste agreement/duty of care waste transfer document shall be conspicuously displayed and maintained in the window of the premises where it can be conveniently seen and read by persons standing in Equal Parts.

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

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

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

We have received complaints in the past regarding littering and build-up of waste in the area. There have been instances in the past where Enforcement Officers have found evidence of the illegal disposal of waste from businesses in this area. Experience has also shown that there is the probability that there will be cigarette litter outside these premises due to the smoking ban.

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

contact Jacey Frewin by email

Name: Jacey Frewin

Date: 04/11/2022



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

Fwd: 245 Hackney Road

1 message

Licensing (Shared Mailbox) <licensing@hackney.gov.uk>
To: Sanaria Hussain <sanaria.hussain@hackney.gov.uk>

1 December 2022 at 11:14

Kind Regards,

Licensing Service
London Borough of Hackney
Tel: 020 8356 2431
Email: licensing@hackney.gov.uk
www.hackney.gov.uk/licensing

----- Forwarded message -----

From: [REDACTED]
Date: Sun, 27 Nov 2022 at 15:56
Subject: [245 Hackney Road](#)
To: licensing@hackney.gov.uk <licensing@hackney.gov.uk>

Dear all,

I own a flat in [REDACTED] [Hackney Road](#) and have just learned that the shop in [245 Hackney Road](#) has applied for an alcohol license to turn into a bar. I am concerned about the noise level this would create and would like to appeal against the license grant.

Best regards,
[REDACTED]

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



Fwd: Representation against a license on Hackney Road

1 message

Licensing (Shared Mailbox) <licensing@hackney.gov.uk>
To: Sanaria Hussain <sanaria.hussain@hackney.gov.uk>

1 December 2022 at 11:15

Kind Regards,

Licensing Service
London Borough of Hackney
Tel: 020 8356 2431
Email: licensing@hackney.gov.uk
www.hackney.gov.uk/licensing

----- Forwarded message -----

From: [REDACTED]
Date: Sun, 27 Nov 2022 at 14:31
Subject: Representation against a license on Hackney Road
To: <licensing@hackney.gov.uk>

Hello

I am the owner of [REDACTED] [Hackney Road](#) and have seen that there is a license to allow the ground floor premises of [245 Hackney Road](#) (equal parts) to serve a alcohol 10-9.30pm Mon-Fri.

I would like to appeal against this application on the grounds of public nuisance. Until this point the premises has only been used to a shop. I am concerned that allowing the premises to serve alcohol there will create a lot of noise as the entrance is very close to my front garden. I already get drunk people coming into the front garden given the number of bars already on Hackney Road and this would increase that. I also worry about noise from the bar again given how close it is to my garden and front windows.

I would like the council to reject this application.

Thanks
[REDACTED]

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



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

Representation in Support of Equal Parts 245 Hackney Road London E2 8NA1 message

████████████████████
To: licensing@hackney.gov.uk

17 November 2022 at 15:52

Dear Hackney Licensing Authority

I am a local resident living at █████ Gloucester Square, E2 8RS and recently saw the notice advertising the new licence application for Equal Parts 245 Hackney Road London E2 8NA.

Please register my representation in support of the proposals.

The hours proposed are modest and appropriate to the area, which demonstrates the applicant's appreciation of the local community.

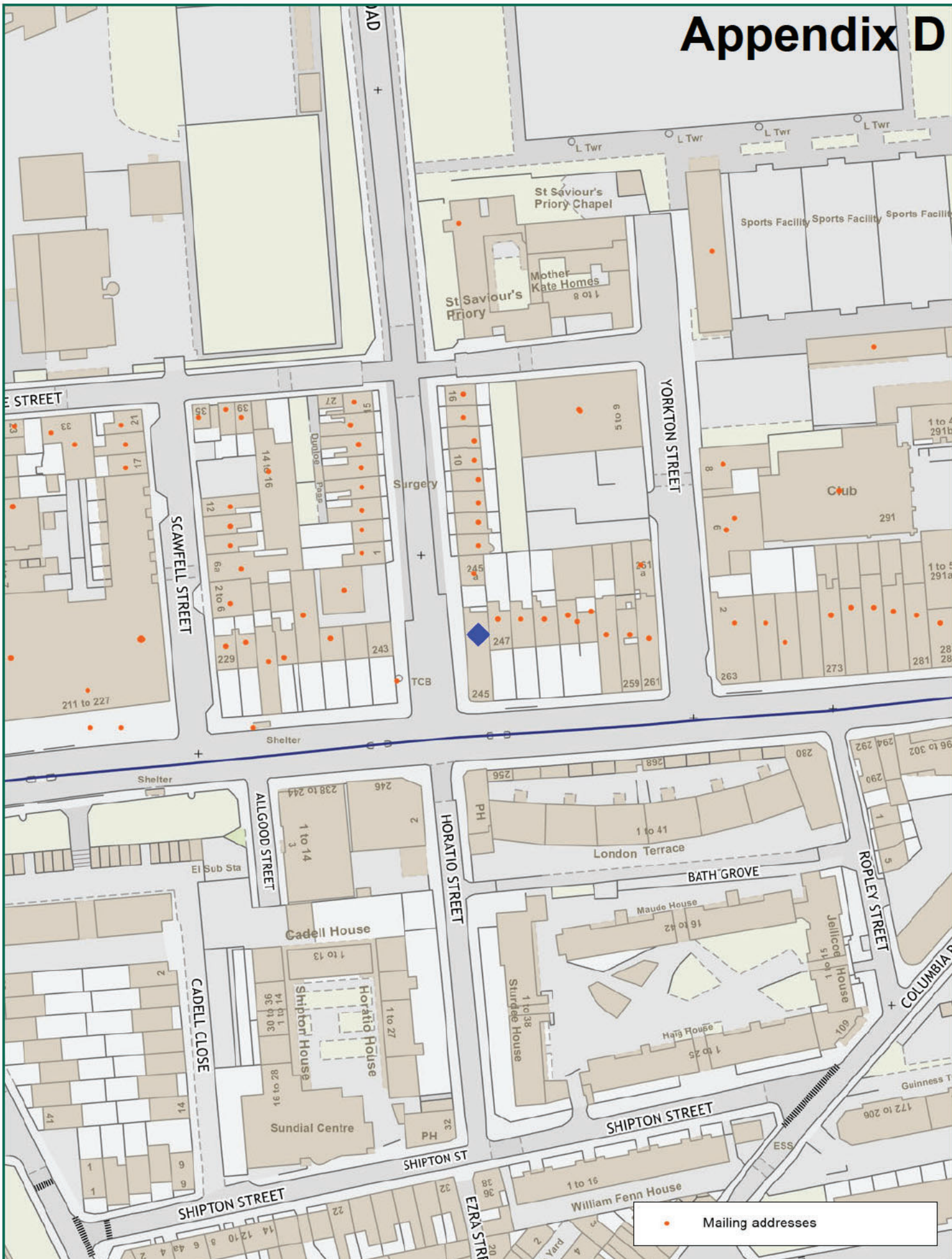
I welcome the introduction of a responsibly managed new business in an otherwise vacant unit.

I have every confidence that the applicant will contribute positively to the local area and promote the licensing objectives. I hope that Hackney grants the application accordingly. The area, and in particular that stretch, needs more and more operations such as the one proposed.

Best wishes

████████████████████

Appendix D



● Mailing addresses

NORTH

Scale: 1:1250 at A4

Hackney

245 Hackney Road

Page 113

Ref: _____

Tuesday, December 20, 2022

Product: _____

email: _____

please specify copyright statement

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