

REPORT OF THE GROUP DIRECTOR, NEIGHBOURHOODS AND HOUSING		
LICENSING SUB-COMMITTEE: 11/01/2018	Classification DECISION	Enclosure
APPLICATION TO VARY THE PREMISES LICENCE : BEST AMERICAN PIZZA, 16A Pitfield Street, N1 6EY	Ward(s) affected Hoxton East & Shoreditch	

1. SUMMARY

Applicant(s) Farid Milaad		In SPA Shoreditch
Date of Application 9 November 2017		Period of Application Permanent
Proposed variation: Extension of hours for Late Night Refreshment		
Proposed hours for licensable activity		
Late Night Refreshment	Standard Hours:	
INDOOR	Mon 23:00-02:00	
	Tue 23:00-02:00	
	Wed 23:00-02:00	
Indoors and Outdoors	Thu 23:00-02:00	
	Fri 23:00-04:00	
	Sat 23:00-04:00	
	Sun 23:00-02:00	
The opening hours of the premises:	Standard Hours:	
INDOOR	Mon 11:00-03:00	
	Tue 11:00-03:00	
	Wed 11:00-03:00	
	Thu 11:00-03:00	
	Fri 11:00-04:00	
	Sat 11:00-04:00	
	Sun 11:00-02:00	
Current activities/hours: See current licence attached as Appendix D		
Capacity: not known		
Policies Applicable	LP3 (Operating Schedule), LP4 (Crime and Disorder), LP5 (Public Nuisance), LP6 (Protection of Children from Harm), LP8 (Public Safety), LP13 (Special Policy Area)	

List of Appendices	A – Application for variation of premises licence and supporting documents B – Representations from responsible authorities C – Representations from ‘other persons’ D – Current Licence E - Location map
Relevant Representations	<ul style="list-style-type: none"> • Environmental Health Authority - Environmental Enforcement • Planning Authority (Informative) • Police • Licensing Authority • Other Persons

2. APPLICATION

- 2.1 Farid Milaad has made an application vary the premises licence under the Licensing Act 2003:
- To extend hours for supply late night refreshment

2.2 The application is attached as Appendix A.

3. CURRENT STATUS / HISTORY

- 3.1 The premises have been in possession of a Premises Licence since 2005. The licence was transferred to Mr Millad in 2011.
- 3.2 No Temporary Event Notices have been given for this premises.

4. REPRESENTATIONS: RESPONSIBLE AUTHORITIES

From	Details
Environmental Health Authority (Environmental Protection)	No representation received
Environmental Health Authority (Environmental Enforcement) (Appendix B1)	Representation received on the grounds of The Public Safety and Prevention of Public Nuisance
Environmental Health Authority (Health & Safety)	No representation received
Weights and Measures (Trading Standards)	No representation received
Planning Authority (Appendix B2)	Informative
Area Child Protection Officer	No representation received
Fire Authority	No representation received
Police (Appendix B3)	Representation received on the grounds of The Prevention of Crime and Disorder, Prevention of Public Nuisance, Special Policy Area

Licensing Authority (Appendix B4)	Representation received on the grounds of The Prevention of Crime and Disorder, Prevention of Public Nuisance, Special Policy Area
Health Authority	No representation received

5. REPRESENTATIONS: OTHER PERSONS

Representation received from and on behalf of local residents. (Appendix C)	Representation received on the grounds of The Prevention of Crime and Disorder, Public Safety, Prevention of Public Nuisance, The Protection of Children from Harm, Special Policy Area
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6. GUIDANCE CONSIDERATIONS

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

7. POLICY CONSIDERATIONS

- 7.1 Licensing Sub-Committee is required to have regard to the London Borough of Hackney's Statement of Licensing Policy ("the Policy") adopted by the Licensing Authority.
- 7.2 The Policy applies to applications where relevant representations have been made. With regard to this application, policies LP3 (Operating Schedule), LP4 (Crime and Disorder), LP5 (Public Nuisance), LP6 (Protection of Children from Harm), LP8 (Public Safety) and LP13 (Special Policy Area) are relevant.

8. OFFICER OBSERVATIONS

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

Not applicable

9. REASONS FOR OFFICER OBSERVATIONS

- 9.1 No additional conditions have been proposed by the applicant or responsible authorities.

10. LEGAL COMMENTS

- 10.1 The Council has a duty as a Licensing Authority under the Licensing Act 2003 to carry out its functions with a view to promoting the following 4 licensing objectives;
- The Prevention of Crime and Disorder
 - Public Safety
 - Prevention of Public Nuisance
 - The Protection of Children from Harm

10.2 It should be noted that each of the licensing objectives have equal importance and are the only grounds upon which a relevant representation can be made and for which an application can be refused or terms and conditions attached to a licence.

11. HUMAN RIGHTS ACT 1998 IMPLICATIONS

11.1 There are implications to;

- **Article 6** – Right to a fair hearing
- **Article 14** – Not to discriminate
- Balancing: **Article 1**- Peaceful enjoyment of their possession (i.e. a licence is defined as being a possession) with **Article 8** – Right of Privacy (i.e. respect private & family life) to achieve a proportionate decision having regard to the protection of an individuals rights against the interests of the community at large.

12. MEMBERS DECISION MAKING

A. Option 1

That the application be refused

B. Option 2

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

13. CONCLUSION

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

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

LIST OF BACKGROUND PAPERS RELATING TO THIS REPORT

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

Description of document	Location
BEST AMERICAN PIZZA 16A Pitfield Street, N1 6EY	Hackney Service Centre Licensing Service 1 Hillman Street London E8 1DY

Printed matter

Licensing Act 2003

LBH Statement of Licensing Policy

APPENDIX A

↳ Hackney
LA07

Application to vary a premises licence under the Licensing Act 2003

PLEASE READ THE FOLLOWING INSTRUCTIONS FIRST

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

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

I/We FARID MILAAD

(Insert name(s) of applicant)

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

Premises licence number

LBH-PRR-0532

Part 1 – Premises Details

Postal address of premises or, if none, ordnance survey map reference or description
BEST AMERICAN PIZZA
16 PITFIELD STREET
HACKNEY

Post town

LONDON

Postcode

N1 6EY

Telephone number at premises (if any)

[REDACTED]

Non-domestic rateable value of premises

£4950

Part 2 – Applicant details

Daytime contact telephone number

[REDACTED]

E-mail address (optional)

[REDACTED]

Current postal address if different from premises address

[REDACTED]

UK-England

Post

[REDACTED]

Postcode

[REDACTED]

town			
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Part 3 – Variation

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

Please describe briefly the nature of the proposed variation (Please see guidance note 2)

FAST FOOD TAKE AWAY ON GROUND FLOOR. CUSTOMER AREA TO EAT

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

4

Part 4 Operating Schedule

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

Provision of regulated entertainment (Please see guidance note 3)

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 L)

Sale by retail 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 8)			Will the performance of a play take place indoors or outdoors or both – please tick (please read guidance note 4)	Indoors	
Day	Start	Finish		Outdoors	
Mon				Please give further details here (please read guidance note 5)	
Tue					
Wed			State any seasonal variations for performing plays (please read guidance note 6)		
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 7)		
Sat					
Sun					

B

Films Standard days and timings (please read guidance note 8)			Will the exhibition of films take place indoors or outdoors or both – please tick (please read guidance note 4)		Indoors	
					Outdoors	
Day	Start	Finish			Both	
Mon			Please give further details here (please read guidance note 5)			
Tue						
Wed			State any seasonal variations for the exhibition of films (please read guidance note 6)			
Thur						
Fri			Non-standard timings. Where you intend to use the premises for the exhibition of films at different times to those listed in the column on the left, please list (please read guidance note 7)			
Sat						
Sun						

D

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

E

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

F

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

G

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

H

Anything of a similar description to that falling within (e), (f) or (g) Standard days and timings (please read guidance note 8)			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 4)	Indoors	
Mon				Outdoors	
				Both	
Tue			Please give further details here (please read guidance note 5)		
Wed					
Thur			State any seasonal variations for entertainment of a similar description to that falling within (e), (f) or (g) (please read guidance note 6)		
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 7)		
Sun					

Late night refreshment Standard days and timings (please read guidance note 8)			Will the provision of late night refreshment take place indoors or outdoors or both – please tick (please read guidance note 4)	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 5) no music		
Mon	11:00	2:00			
Tue	11:00	02:00	State any seasonal variations for the provision of late night refreshment (please read guidance note 6)		
Wed	11:00	02:00			
Thur	11:00	02:00	Non-standard timings. Where you intend to use the premises for the provision of late night refreshment at different times, to those listed in the column on the left, please list (please read guidance note 7)		
Fri	11:00	04:00			
Sat	11:00	04:00			
Sun	11:00	02:00			

J

Supply of alcohol Standard days and timings (please read guidance note 8)			Will the supply of alcohol be for consumption – please tick (please read guidance note 9)	On the premises	
Day				Off the premises	
Start	Finish			Both	
Mon			State any seasonal variations for the supply of alcohol (please read guidance note 6)		
Tue					
Wed					
Thur			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 7) Default.LicesableActivitiesJ_plays_non_s»		
Fri					
Sat					
Sun					

Please highlight any adult entertainment or services, activities, other entertainment or matters ancillary to the use of the premises that may give rise to concern in respect of children (please read guidance note 10).

L

Hours premises are open to the public Standard days and timings (please read guidance note 8)			State any seasonal variations (please read guidance note 6)
Day	Start	Finish	
Mon	11.00	3.00	
Tue	11.00	3.00	
Wed	11.00	3.00	
			Non standard timings. Where you intend the premises to be open to the public at different times from those listed in the column on the left, please list (please read guidance note 7)
Thur	11.00	3.00	
Fri	11.00	4.00	
Sat	11.00	4.00	
Sun	11.00	2.00	

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

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

N/A

Please tick as appropriate

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

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

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

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

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

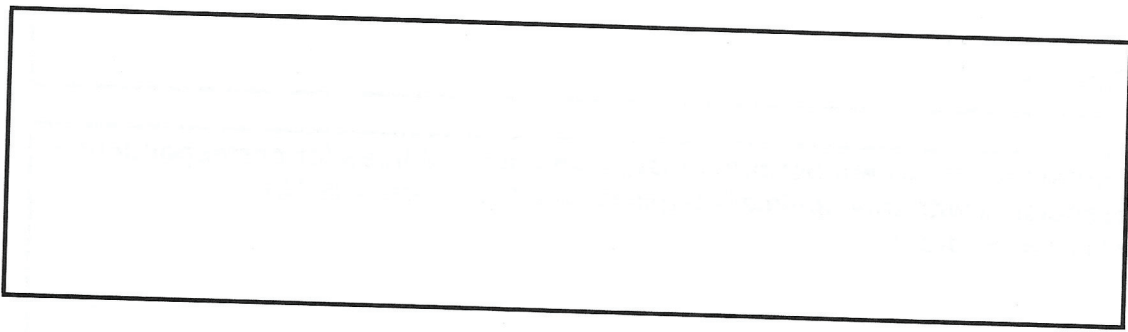
make sure all entrance are under surveillance and put camra sign, maintain the property as rundown building attract crimainal. clearly mark private and public area make private area hard to access. make sure fire exite is always clear and sign posted.
make sure the light at the car park are always working. i will make sure loading areas is always clean and free from large objective that could hide people. i will post sign clearly state that children should always be supervised. i will make sure some alram is always working and regular test the aram. i will make sure the licence is displyed in the shop. i will post sign to says "keep the Noise down".
i will make sure local taxi and emergency number are listed in the customer area incase of any emergency. i will make sure the premisses not over crowded. i will make sure the first aids are available in the premiss. i will make sure if i get customer who had too much drink and get angry to escort them out side of the restaurant and call the police.

b) The prevention of crime and disorder

c) Public safety

d) The prevention of public nuisance

e) The protection of children from harm



Checklist:

Please tick to indicate agreement

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

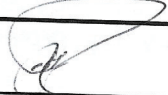
IT IS AN OFFENCE, UNDER SECTION 158 OF THE LICENSING ACT 2003, TO MAKE A FALSE STATEMENT IN OR IN CONNECTION WITH THIS APPLICATION. THOSE WHO MAKE A FALSE STATEMENT MAY BE LIABLE ON SUMMARY CONVICTION TO A FINE OF ANY AMOUNT.

Part 5 – Signatures (please read guidance note 12)

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

Signature	farid milaad
Date	23/10/2017
Capacity	owner

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

Signature	
Date	23/10/2017

Capacity	
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Contact name (where not previously given) and address for correspondence associated with this application (please read guidance note 15) Premises Address UK-England			
Post town		Post code	
Telephone number (if any)			
If you would prefer us to correspond with you by e-mail, your e-mail address (optional)			

Notes for Guidance

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

1. You do not have to pay a fee if the only purpose of the variation for which you are applying is to avoid becoming liable for the late night levy
2. 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 of consumption of these off-supplies of alcohol, you must include a description of where the place will be and its proximity to the premises.
3. 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

APPENDIX B1

RESPONSIBLE AUTHORITY REPRESENTATION: APPLICATION UNDER THE LICENSING ACT 2003

RESPONSIBLE AUTHORITY DETAILS

NAME OF AUTHORITY	Community Safety and Enforcement
ADDRESS OF AUTHORITY	First Floor Hackney Service Centre 1 Hillman Street, London E8 1DY
CONTACT NAME	WENDY CARRIER
TELEPHONE NUMBER	0208 356 4599
E-MAIL ADDRESS	wendy.carrier@hackney.gov.uk

APPLICATION PREMISES

NAME & ADDRESS OF PREMISES	Best American Pizza 16 Pitfield Street London N1 6EY
NAME OF PREMISES USER	Farid Milaad

COMMENTS

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

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

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

OBJECTION TO APPLICATION TO VARY PREMISES LICENCE

**MR FARID MILAAD
BEST AMERICAN PIZZA, 16 PITFIELD STREET, LONDON N1 6EY**

This objection is on the grounds of public nuisance and public safety.

Two incidents of fly tipping are currently being investigated following waste from the above premises being found illegally deposited in a skip provided by Hackney Council to University of Westminster. A letter addressed to the business rate payer, Mr Abdul

Wahid, and the applicant inviting either or both to attend an interview under caution was delivered by hand to the premises on 23 November asking either one or both to contact me by 1 December. To date (30 November 2017) I have received no response. A reminder letter dated today has been delivered by hand asking for a reply by tomorrow, 1 December.

This business has been investigated before following receipt of reports of unregulated/fly tipped waste believed to emanate from the above premises. An investigation ensued to establish what waste collection arrangements were in place and a Notice pursuant to Section 34(5) of the Environmental Protection Act 1990 was served upon the business rate payer, Mr Abdul Wahid. The documents produced by Mr Wahid were unsatisfactory in that they did not comply with Section 35 of the Waste England and Wales Regulations 2011.

An update and further details will be submitted following the PACE interview. This is dependent upon whether the applicant or Mr Wahid contact me to arrange a mutually convenient date and time for the interview.

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

To be provided upon further developments in the case.

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

Signed Wendy Carrier (By E-mail)

Name Wendy Carrier (Printed)

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

Details of Authority	2 Hillman Street, Hackney, London, E8 1FB
Officer contact name	Merryn McGregor
Officer telephone number	020 8356 8076
Officer's email address	merryn.mcgregor@hackney.gov.uk

APPLICATION PREMISES

Name and address of premises	Best American Pizza 16 Pitfield Street London N1 6EY
Applicant name	Farid Milaad

COMMENTS

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

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

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

The application proposes to amend the existing license to provide fast food take away on ground floor and customer area to eat. The following licensable activities are proposed:

Late night refreshment: 11:00 – 02:00 Sunday – Thursday, 11:00 – 04:00 Friday – Saturday and
Hours of operation: 11:00 – 03:00 Monday – Thursday, 11:00 – 04:00 Friday – Saturday, 11:00 – 02:00 Sunday.

A search of the planning history of the site has found an approval referenced TP/100046 and dated 1 November 1983 for the erection of an office and general industrial development with rear servicing facilities and underground car park at 8, 10 Pitfield Street, site formally known as 2-6 and 12-30 Pitfield Street (even) 1, 8, 9, 10, 11 Boot Street and sites formerly known as 2-6, 7, 12-14 and 15-20 Boot Street (consec.) Site of 1-11 Hoxton Market. Site of former Rodney Building and Advance House, Hoxton Market 2-6a Coronet Street (even), 287-291a Old Street site formerly known as 249-285 Old Street.

No record could be found for the approval for the use of the premises as a pizza shop. Therefore the applicant is advised that planning permission may be required for the usage of the premises. Operation of the premises without appropriate planning permission is unlawful and may result in enforcement action.

Please provide the following information (if applicable)

Area (that permission applies to)	Ground floor
-----------------------------------	--------------


Permitted use	Office and General Industrial uses
Permitted hours	N/A
Specific/restrictive conditions	N/A
Recent applications	N/A
Decisions	N/A
Pending decisions	N/A
Reasons for refusal	N/A
Relevant Conditions/discharges	N/A

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

No representation with informative.

No record could be found for the approval for the use of the premises as a pizza shop. Therefore the applicant is advised that planning permission may be required for the usage of the premises. Operation of the premises without appropriate planning permission is unlawful and may result in enforcement action.

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

Signed	
Name	Graham Callam
Date	01/12/2017

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

NAME OF AUTHORITY	Metropolitan Police service
ADDRESS OF AUTHORITY	Licensing Unit, Stoke Newington Police Station 33 Stoke Newington High Street London N16 8DS
CONTACT NAME	PC 691GD Kerrie RYAN
TELEPHONE NUMBER	020 7275 3022
E-MAIL ADDRESS	hackneylicensing@met.police.uk

APPLICATION PREMISES

NAME & ADDRESS OF PREMISES	Best American Pizza 16 Pitfield Street London N1 6EY
NAME OF PREMISES USER	Mr Farid MILAAD

COMMENTS

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

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

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

Police make the following representations in relation to the application for a variation to the Premises Licence at BEST AMERICAN PIZZA, 16 PITFIELD STREET, LONDON, N1 6EY for the following reason(s):

This application raises huge concerns for police. The hours proposed in this application are very late. The applicant is requesting to stay open and serve food until 0400hrs at weekends.

The premises is on the edge of the Shoreditch Special policy Area and sits just outside it by a matter of a few metres. Since the end of Pitfield Street has been pedestrianised, it is now even busier and crowded than it was before.

As police licensing officers, we are very often out on the streets during the times that this application seeks to extend its sale of alcohol. It is my personal experience that between the hours of midnight and 5:00hrs, the streets of Shoreditch are incredibly busy. There are thousands of people on the streets, many of whom are drunk, all wondering the streets looking for either more alcohol, food or a way to get home. This premises already has a licence until 0200hrs, although having researched the internet, Google, Hungry House and Just Eat all advertise this premises as being open and available for deliveries until 0400hrs at weekends and for Just Eat, open at 0300hrs throughout the week too.

The local residents regularly contact police in relation to the noise, litter and Anti-Social Behaviour right outside their front door. Police feel that the hours currently operating are more than sufficient. We ask the applicant, why the additional hours are required and how they will ensure that the licensing objectives are promoted at all times.

Police cannot support this application, as the extension of hours will have a hugely negative effect on the cumulative impact in Shoreditch. The location of this venue encourages customers to continue to hang around, when they should be leaving the area quietly. This in turn creates more litter, noise and general ASB and hugely increases the potential for violence and disorder.

Police officers and residents have complained to police that this premises regularly stays open past its authorised times. This will be further investigated by police. Police look forward to hearing from the applicant soon.

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

Application submitted

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

Signed PC 691GD RYAN (By E-mail)

Name (printed)

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

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

APPLICATION PREMISES

NAME & ADDRESS OF PREMISES	Best American Pizza 16a Pitfield Street London N1 6EY
NAME OF APPLICANT	Farid Milaad

COMMENTS

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

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

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

The premises is located in the Shoreditch Special Policy Area (SPA) therefore Policy LP13 applies. This area has been identified as suffering from negative cumulative impact as a result of the high concentration of licensed premises in the area. And as part of a review of the Council's Statement of Licensing Policy a study was carried out by the Council's Corporate Policy Team to look at the impact of the night time economy in the locality. This study was used to formulate the report which was presented to the Licensing Committee on 25th March 2015. The study made a number of findings, however the following are particularly notable:

- 342 premises were granted across Hackney between 1st January 2011 and 31st December 2014.
- 33% of all current licences granted between 1st January 2011 and 31st December 2014 were in the Special Policy Area and the wider Shoreditch area.
- Shoreditch contained 28% of the alcohol licences in Hackney.
- Where areas containing the top 50% of crimes [robbery, violence and thefts] have been singled out, the pattern of crime also appears to follow the trajectory of commercial premises locations.
- Figures from the London Ambulance Service show that between 2011 and 2014, 15% of alcohol related ambulance call outs were in the Hoxton East and Shoreditch ward, a trend which is increasing.

LP13 of the Council's Statement of Licensing Policy states the following:

LP13 Special Policy Area – Shoreditch

It is the Council's policy that where a relevant representation is made to any application within the area of the Shoreditch SPA, the application will be refused unless there are exceptional circumstances. This policy is to be strictly applied. The Council expects that any exceptional circumstances offered by the applicant should be genuinely exceptional and so would not include reference to:

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

With reference to the aforementioned Shoreditch Special Policy Area, the Licensing Authority does not consider any part of the application to be exceptional as required by the policy.

Furthermore, the Licensing Service are in receipt of allegations that licensable activities have been carried on beyond the hours authorised by the premises licence. Despite intervention by the Licensing service via verbal on-site advice and written warning(s) the Licensing service still have outstanding concerns

about the operation of the premises Licence. The applicant has been invited to attend a formal interview under the conditions set out in the Police and Criminal Evidence (PACE) Act 1984 (procedure for recorded interviews).

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

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

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

None. The application should be refused, or at least deferred until such time as Licensing Officers have concluded their investigations. This is due to the nature of the proposed variation and the allegations received by Licensing Officers.

Name: Channing Riviere – Principal Licensing Officer

Date: 04/12/2017

From: Licensing
Subject: FW: Objection to late night opening, Best American Pizza, 16 Pitfield st., London N1 6EY

From: [REDACTED]
Sent: 24 November 2017 12:49
To: Licensing <Licensing@Hackney.gov.uk>
Subject: Objection to late night opening, Best American Pizza, 16 Pitfield st., London N1 6EY

Objection to late night opening, Best American Pizza, 16 Pitfield st., London N1 6EY

I would like to object to this application. As you will know this business has been opening later than its allowed hours (2 a.m., and 3 a.m. on Fridays and Saturdays), for many years and this has been the subject of numerous complaints. Even while they are applying for 4 a.m. opening they continue to open later than these hours, on last Saturday night/Sunday morning (18/19 November) they were still open at 5 a.m., and I have no idea when they actually closed.

I am objecting on the grounds of:

--Prevention of crime and disorder

--Prevention of public nuisance

(as per the council's statement of Licensing Policy 1.1)

Due to the frenetic night-time economy in this area the clients for this takeaway late at night are usually drunk, noisy and aggressive. Most are not local residents so they eat their pizzas either on the street outside the premises, or in the new pedestrian area created by TFL at the nearby southern end of Pitfield st. I am sure the police can confirm the rowdiness of both these places in the early mornings between Thursday and Sunday. As a resident of the street I have been repeatedly woken in the early hours due to shouting and, quite often, fighting in the street by the clients of these premises.

Far from allowing an extension of this license I believe the current situation would merit a review of their existing hours as per SLP 26.9 which states: "*where experience has shown that customers or people congregating outside the premises are adversely affecting the licensing objectives, the Council retains its power on applications for review to curtail the premises' operation or hours to prevent this negative impact.*"

This is further supported by the fact that these premises are in the South Shoreditch Special Policy Area where the SSSPD has a licensing policy which states (p.125): *an application for night-time economy use will not be granted in a property where there are residential uses on the upper floors or in an adjoining building, unless planning conditions restrict the terminal hours to 11pm.* These premises are actually situated within a Students' residential hall, and I know that many students have complained about late night noise over the years.

Mike Smith

Subject: FW: Notice of Hearing Re: 16a Pitfield Street N1

From: [REDACTED]

Sent: 21 December 2017 10:07

To: Sanaria Hussain <Sanaria.Hussain@Hackney.gov.uk>; Channing Riviere <Channing.Riviere@Hackney.gov.uk>

Subject: Re: Notice of Hearing Re: 16a Pitfield Street N1

Dear Sanaria Hussain and Channing Riviere,

I will be unable to attend the hearing unfortunately, I am away that week. However I would like to point out that these premises continue to open well past their allowed hours even while their application to do so is pending. I presume they are generally open until 5 am because that is when they closed last night/this morning. They were certainly open until at least 4 am on the previous Friday and Saturday nights (15 and 16 December).

[REDACTED] (please delete my name from any publicly visible documents)

On 14 December 2017 at 14:35 Sanaria Hussain <Sanaria.Hussain@Hackney.gov.uk> wrote:

Dear [REDACTED]

Please find attached letter in respect of the above for your information and attention.

Kind regards
Sanaria Hussain
Senior Licensing Officer
Neighbourhoods & Housing Directorate
Hackney Service Centre, 1 Hillman Street
London, E8 1DY
Tel 020 8356 2431
Council website: www.hackney.gov.uk
E-mail: sanaria.hussain@hackney.gov.uk

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APPENDIX D



This premises licence has been issued by:

Licensing Service
2 Hillman Street
London E8 1FB

PART A – PREMISES LICENCE

Premises Licence Number

LBH-PRE-T-0532

Part 1 – Premises details

Best American Pizza
16a Pitfield Street
Hackney
London
N1 6EY
020 7729 4428

Where the licence is time limited the dates

Not Applicable

Licensable activities authorised by the licence

Late Night Refreshment
Supply of Alcohol

The times the licence authorises the carrying out of Licensable activities

Late Night Refreshment

Standard Hours:

Premises:

Mon 23:00-02:00
Tue 23:00-02:00
Wed 23:00-02:00
Thu 23:00-02:00
Fri 23:00-03:00
Sat 23:00-03:00
Sun 23:00-02:00

Supply of Alcohol

Standard Hours:

Premises:

Mon 11:00-23:00
Tue 11:00-23:00
Wed 11:00-23:00

Thu 11:00-23:00
Fri 11:00-23:00
Sat 11:00-23:00
Sun 11:00-22:30

The opening hours of the premises

Premises

Standard Hours:

Mon 11:00-02:00
Tue 11:00-02:00
Wed 11:00-02:00
Thu 11:00-02:00
Fri 11:00-03:00
Sat 11:00-03:00
Sun 11:00-02:00

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

Off Premises

Part 2 –

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

Mr Farid Millad
42 Tithe Walk
Mill Hill
London
NW7 2QA

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

Not Applicable

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

Mr Jamal Syal

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

Date of Grant: 16 December 2005

Signed:

**David Tuitt
Team Leader - Licensing**

Annex 1 - Mandatory Conditions

Supply of Alcohol

1. No supply of alcohol may be made under the premises licence:
 - (a) At a time when there is no designated premises supervisor in respect of the premises licence.
 - (b) At a time when the designated premises supervisor does not hold a personal licence or his personal licence is suspended.
2. Every supply of alcohol under the premises licence must be made or authorised by a person who holds a personal licence.
3.
 - 3.1. The premises licence holder or club premises certificate holder shall ensure that an age verification policy applies to the premises in relation to the sales or supply of alcohol.
 - 3.2. The policy must require individuals who appear to the responsible person to be under 18 years of age (or such older age as may be specified in the policy) to produce on request, before being served alcohol, identification bearing their photograph, date of birth and a holographic mark.
4.
 - 4.1 A relevant person shall ensure that no alcohol is sold or supplied for consumption on or off the premises for a price which is less than the permitted price.
 - 4.2 For the purposes of the condition set out in paragraph 4.1 above -
 - (a) "duty" is to be construed in accordance with the Alcoholic Liquor Duties Act 1979;
 - (b) "permitted price" is the price found by applying the formula - $P = D + (D \times V)$
Where -
 - (i) P is the permitted price,
 - (ii) D is the 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.

4.3 Where the permitted price given by Paragraph 4.2(b) above would (apart from this paragraph) not be a whole number of pennies, the price given by that sub-paragraph shall be taken to be the price actually given by that sub-paragraph rounded up to the nearest penny.

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

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

Annex 2 – Conditions consistent with the Operating Schedule

5. Maximum number of persons shall not exceed five.
6. Fire fighting equipment shall be maintained
7. No paraffin or other mineral oil shall be used in any lamp, stove or other appliance.
8. Lighting, heating and ventilation and all sanitary accommodation shall be properly maintained.

Conditions derived from Responsible Authority representations

9. Litter bins shall be provided outside or within curtilage of premises

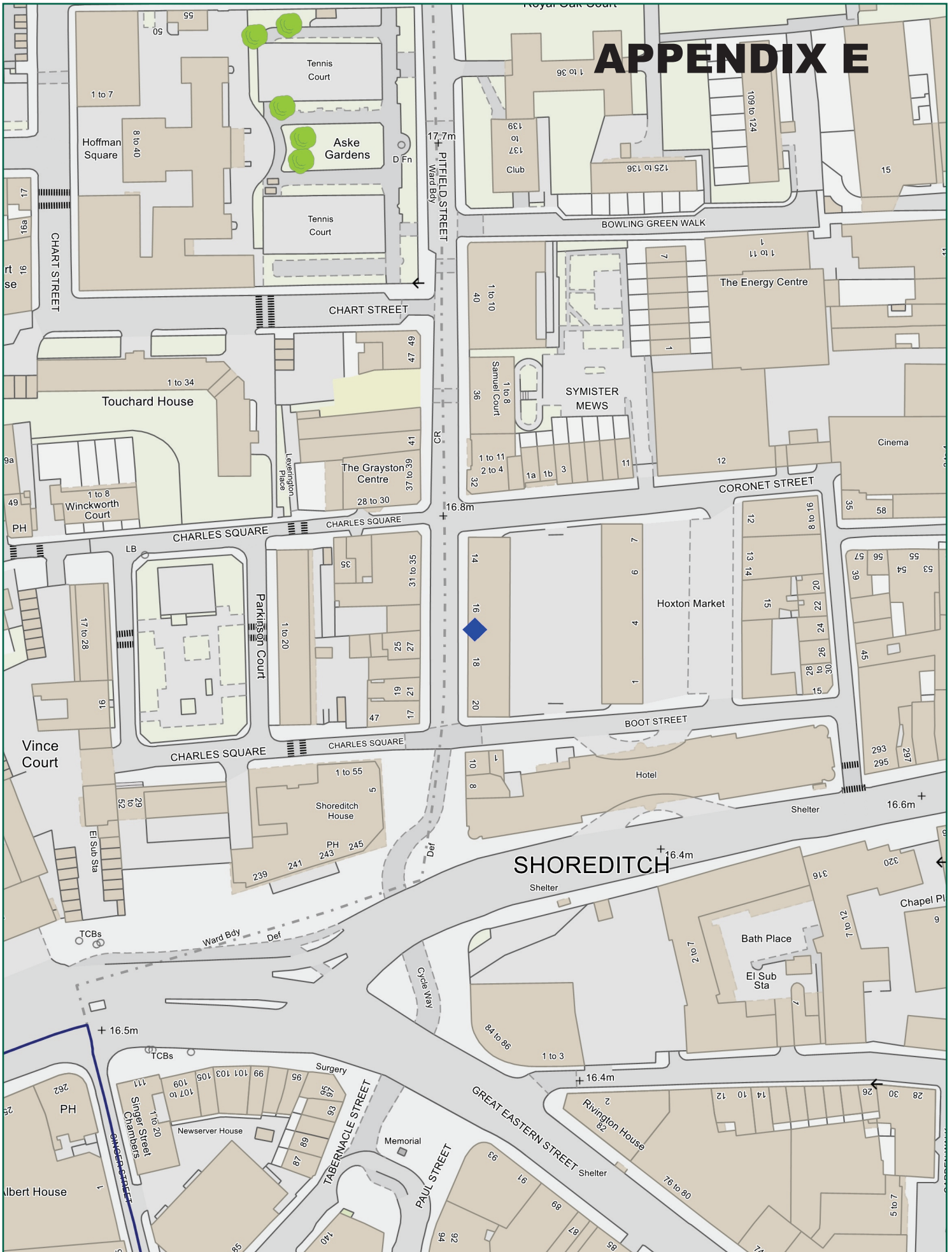
Annex 3 – Conditions attached after a hearing by the licensing authority

Not Applicable

Annex 4 – Plans

PLAN/LBH-PRE-T-0532/101005

APPENDIX E



Scale: 1:1250 at A4



Ref:

22 December 2017

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