

REPORT OF GROUP DIRECTOR, NEIGHBOURHOODS AND HOUSING		
LICENSING SUB-COMMITTEE: 15/11/2018	Classification DECISION	Enclosure
Application for a Premises Licence Guafa, 87 Shacklewell Lane, E8 2EB	Ward(s) affected Shacklewell	

1. SUMMARY

Applicant(s) Kemal Mert	In SPA No
Date of Application 24/09/2018	Period of Application Permanent
Proposed licensable activity Late Night Refreshment Supply of Alcohol (On and Off Premises)	
Proposed hours of licensable activities	
Late Night Refreshment	Standard Hours: Mon 23:00-02:00 Tue 23:00-02:00 Wed 23:00-02:00 Thu 23:00-02:00 Fri 23:00-02:00 Sat 23:00-02:00 Sun 23:00-02:00 Non-Standard Hours: Bank Holidays, Christmas eve, New Years Eve and Boxing day from 23:00 to 04:00
BOTH:	
Supply of Alcohol	Standard Hours: Mon 11:00-01:30 Tue 11:00-01:30 Wed 11:00-01:30 Thu 11:00-01:30 Fri 11:00-01:30 Sat 11:00-01:30 Sun 11:00-01:30 Non-Standard Hours: Bank Holidays, Christmas eve, New Years Eve and Boxing day from 11:00 to 03:30
INDOOR:	

The opening hours of the premises	
INDOOR	<p>Standard Hours: Mon 06:00-02:00 Tue 06:00-02:00 Wed 06:00-02:00 Thu 06:00-02:00 Fri 06:00-02:00 Sat 06:00-02:00 Sun 06:00-02:00</p> <p>Non-Standard Hours: Bank Holidays, Christmas eve, New Years Eve and Boxing day from 23:00 to 04:00</p>
Capacity: Not known	
Policies Applicable	LP1 (General Principles), LP2 (Licensing Objectives), LP3 (Core Hours), LP4 ('Off' Sales of Alcohol), LP6 (External Areas and Outdoor Events)
List of Appendices	A – Application for a premises licence and supporting documents B – Representations from responsible authorities C – Representations from other persons D – Location map
Relevant Representations	<ul style="list-style-type: none"> • Police • Licensing Authority • Other Persons

2. APPLICATION

- 2.1 Kemal Mert has made an application for a premises licence under the Licensing Act 2003 to authorise:
- The supply alcohol for consumption on and off the premises
 - Regulated entertainment
 - Late night refreshment
- 2.2 The application is attached as Appendix A. The applicant has reduced the proposed hours of operation on a Friday and Saturday to 02.00 in response to local resident concerns.

3. CURRENT STATUS / HISTORY

- 3.1 The premises are not currently licensed for any activity.
- 3.2 No Temporary Event Notices have been given for the premises in 2018.

4. REPRESENTATIONS: RESPONSIBLE AUTHORITIES

From	Details
Environmental Health Authority	Have confirmed no representation on this application

(Environmental Protection)	
Environmental Health Authority (Environmental Enforcement)	No representation received
Environmental Health Authority (Health & Safety)	Have confirmed no representation on this application
Weights and Measures (Trading Standards)	Have confirmed no representation on this application
Planning Authority	Have confirmed no representation on this application
Area Child Protection Officer	Have confirmed no representation on this application
Fire Authority	Have confirmed no representation on this application
Police (Appendix B1)	Representation received on the grounds of LP1 (General Principles), LP2 (Licensing Objectives) and LP3 (Core Hours)
Licensing Authority (Appendix B2)	Representation received on the grounds of LP1 (General Principles), LP2 (Licensing Objectives) and LP3 (Core Hours),
Health Authority	No representation received

5. REPRESENTATIONS: OTHER PERSONS

From	Details
1 representation received from and on behalf of local residents. (Appendix C)	Representation received on the grounds of LP1 (General Principles), LP2 (Licensing Objectives), LP3 (Core Hours) and Cumulative Impact.

6. GUIDANCE CONSIDERATIONS

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

7. POLICY CONSIDERATIONS

- 7.1 Licensing Sub-Committee is required to have regard to the London Borough of Hackney's Statement of Licensing Policy ("the Policy") adopted by the Licensing Authority.
- 7.2 The Policy applies to applications where relevant representations have been made. With regard to this application, policies, LP1 (General Principles), LP2 (Licensing Objectives), LP3 (Core Hours) and LP4 ('Off' Sales of Alcohol) are relevant.

8. OFFICER OBSERVATIONS

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

Supply of Alcohol (On/Both)

1. No supply of alcohol may be made under the premises licence:
 - (a) At a time when there is no designated premises supervisor in respect of the premises licence.
 - (b) At a time when the designated premises supervisor does not hold a personal licence or his personal licence is suspended.
2. Every supply of alcohol under the premises licence must be made or authorised by a person who holds a personal licence.
3. (1) The responsible person must ensure that staff on relevant premises do not carry out, arrange or participate in any irresponsible promotions in relation to the premises.
(2) In this paragraph, an irresponsible promotion means any one or more of the following activities, or substantially similar activities, carried on for the purpose of encouraging the sale or supply of alcohol for consumption on the premises -
 - (a) games or other activities which require or encourage, or are designed to require or encourage, individuals to;
 - (i) drink a quantity of alcohol within a time limit (other than to drink alcohol sold or supplied on the premises before the cessation of the period in which the responsible person is authorised to sell or supply alcohol), or
 - (ii) drink as much alcohol as possible (whether within a time limit or otherwise);
 - (b) provision of unlimited or unspecified quantities of alcohol free or for a fixed or discounted fee to the public or to a group defined by a particular characteristic in a manner which carries a significant risk of undermining a licensing objective;
 - (c) provision of free or discounted alcohol or any other thing as a prize to encourage or reward the purchase and consumption of alcohol over a period of 24 hours or less in a manner which carries a significant risk of undermining a licensing objective;
 - (d) selling or supplying alcohol in association with promotional posters or flyers on, or in the vicinity of, the premises which can reasonably be considered to condone, encourage or glamorise anti-social behaviour or to refer to the effects of drunkenness in any favourable manner.
 - (e) dispensing alcohol directly by one person into the mouth of another (other than where that other person is unable to drink without assistance by reason of a disability).
4. The responsible person must ensure that free potable water is provided on request to customers where it is reasonably available.
- 5.5.1. The premises licence holder or club premises certificate holder must ensure that an age verification policy is adopted in respect of the premises in relation to the sales or supply of alcohol.
- 5.2 The designated premises supervisor in relation to the premises licences must ensure that the supply of alcohol at the premises is carried on in accordance with the age verification policy.
- 5.3. The policy must require individuals who appear to the responsible person to be under 18 years of age (or such older age as may be specified in the policy) to produce on request, before being served alcohol, identification bearing their photograph, date of birth and either:-
 - (a) a holographic mark or

(b) an ultraviolet feature

6. The responsible person must ensure that:

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

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

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

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

Minimum Drinks Pricing

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

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

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

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

(i) P is the permitted price,

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

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

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

(i) the holder of the premises licence,

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

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

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

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

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

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

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

Conditions derived from operating schedule

8. The DPS, a personal licence holder or trained member of staff nominated in writing by the DPS shall be on duty at all times the premises are open to the public.

9. a) A CCTV system covering the interior & exterior of the premises will be installed to current metropolitan police / Home office standards and shall be kept operational at all times the premises are open to the public.

b) It shall be capable of taking a head & shoulders shot of persons entering the premises, of recording images to an evidential standard in any light and be capable of storing images for a minimum of 31 days.

c) All staff who may work front of house shall be trained to operate the CCTV system and download images.

d) At least one member of staff trained to operate the CCTV system & download images shall be on duty at all times the premises are open to the public. Footage shall be shown to the police and screenshots provided to them on request. Copies of downloaded images shall be provided to the police on a usb stick, CD or other acceptable means as soon as possible and in any case within 24 hours of the request

10. Challenge 25 shall be operated as the proof of age policy and only a valid passport, photo driving license, hm forces photographic ID card or proof of age card with the pass logo or hologram on it may be accepted as proof of age.

11. An incident book shall be kept at the premises, and made available to the police or authorised council officers, which will record the following:

- a) All crimes reported,
- b) Lost property,
- c) All ejections of customers,
- d) Any complaints received,
- e) Any incidents of disorder,
- f) Any seizure of drugs or offensive weapons,
- g) Any faults in the CCTV,
- h) Any refusal in the sale of alcohol.
- i) Any visit by a relevant authority or emergency service

12. Notices will be prominently displayed by the entry/ exit door and point of sale (as appropriate) advising customers:

- a) That CCTV and Challenge 25 are in operation;
- b) Advising customers of the provisions of the licensing act regarding underage and proxy sales;
- c) Of the permitted hours for licensable activities and the opening times of the premises;
- d) To respect residents, leave quietly, not to loiter outside the premises or in the vicinity and to dispose of litter legally.

13. The front of the premises shall be kept tidy at all times and be swept at close.

14. No deliveries will be received or rubbish removed from the premises between 22.00 and 07.00.

15. Any music played will only be played at background level.

16. A phone number for the premises shall be made available if required upon request to the police, any other responsible authority or any local resident to express any concerns caused by the operation of the premises. Any complaints and the outcome will be recorded in the incident book.

17. All staff who work front of house will be trained for their role on induction and be given refresher training every six months. Written training records will be kept for each staff member and be produced to police and authorized council officers on request. Training will include identifying persons Under 25, making a challenge, acceptable proof of age and checking it, making and recording a refusal, avoiding conflict and responsible alcohol retailing.

18. All alcohol shall be ancillary to the operation of the premises as a takeaway restaurant. Alcohol may only be supplied with a substantial food order.

19. All alcohol will be displayed and kept and will be sold from behind the counter and to be dispensed by a member of staff only

20. The delivery of alcohol to be made only to a residential or business address, where it is clearly evident that the customer is a resident or occupies the business.

21. The delivery of alcohol will not be made to a person in a public place such as a street corner, park or bus stop etc.

22. Customers to be reminded it is a criminal offence for a person under 18 years to purchase or attempt to purchase alcohol and that it is also an offence to purchase alcohol on behalf of a person aged under 18 years

23. ID verification will be made when orders containing alcohol are delivered (no ID no delivery) – acceptable proof of age shall include identification bearing the customer's photograph, date of birth and integral holographic mark or security measure

24. All serving and delivery staff shall receive regular training, a minimum of twice a year on the prevention of underage sales and on Challenge 25 scheme.

9. REASONS FOR OFFICER OBSERVATIONS

9.1 Conditions 8 to 24 above are derived from the applicant's operating schedule.

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
Office File: Guafa, 87 Shacklewel Lane, E8 2EB	Licensing Service 1 Hillman Street London E8 1DY

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

(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 Guafa 87 SHACKLEWELL LANE HACKNEY LONDON			
Post town	LONDON	Postcode	E8 2EB

Telephone number at premises (if any)	
Non-domestic rateable value of premises	£6600

Part 2 - Applicant details

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

Please tick

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

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

* If you are applying as a person described in (a) or (b) please confirm:

Please tick yes

- 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)

Title Mr			
[REDACTED]		First names [REDACTED]	
I am 18 years old or over			<input checked="" type="checkbox"/>
Date of birth [REDACTED]			
Nationality British			
Current residential address if different from premises address		[REDACTED] HACKNEY UK-England	
Post town	LONDON	Postcode	E9 7 [REDACTED]
Daytime contact telephone number		[REDACTED]	
E-mail address (optional)	licensing@narts.org.uk		

SECOND INDIVIDUAL APPLICANT (if applicable)

Title Mr			
Surname		First names	
I am 18 years old or over			.. Please tick yes
Date of birth			
Nationality			

Current postal address if different from premises address		UK-England	
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
Address
UK-England
Registered number (where applicable)
Description of applicant (for example, partnership, company, unincorporated association etc.)
Telephone number (if any)
E-mail address (optional)

Part 3 Operating Schedule

When do you want the premises licence to start?

DD	MM	YYYY
17	10	2018

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)
 Restaurant

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 any that apply
a)	plays (if ticking yes, fill in box A)	<input type="checkbox"/>
b)	films (if ticking yes, fill in box B)	..
c)	indoor sporting events (optional, fill in box C)	..
d)	boxing or wrestling entertainment (if ticking yes, fill in box D)	..
e)	live music (optional, fill in box E)	..
f)	recorded music (if ticking yes, fill in box F)	..
g)	performances of dance (optional, fill in box G)	..
h)	anything of a similar description to that falling within (e), (f) or (g) (if ticking yes, fill in box H)	..
	<u>Provision of late night refreshment</u> (if ticking yes, fill in box L)	<input checked="" type="checkbox"/>
	<u>Supply of alcohol</u> (if ticking yes, fill in box J)	<input checked="" type="checkbox"/>

In all cases complete boxes K, L and M

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	
Day	Start	Finish		Outdoors	
				Both	<input checked="" type="checkbox"/>
Mon	23:00	02:00	Please give further details here (please read guidance note 4)		
Tue	23:00	02:00			
Wed	23:00	02:00	State any seasonal variations for the provision of late night refreshment (please read guidance note 5) N/A		
Thur	23:00	02:00			
Fri	23:00	04:00	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 6) Bank Holidays, Christmas eve, new years eve and Boxing day from 23:00 to 04:00		
Sat	23:00	04:00			
Sun	23:00	02:00			

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	
				Off the premises	
Day	Start	Finish		Both	<input checked="" type="checkbox"/>
Mon	11:00	01:30	State any seasonal variations for the supply of alcohol (please read guidance note 5)		
Tue	11:00	01:30			
Wed	11:00	01:30			
Thur	11:00	01:30	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) Bank Holidays, Christmas eve, new years eve and Boxing day from 11:00 to 03:30		
Fri	11:00	03:30			
Sat	11:00	03:30			
Sun	11:00	01:30			

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

Name ████████████████████	
Date of birth ██████████	
Address ████████████████████ HACKNEY LONDON	
UK-England	
Postcode	E9 ██████
Personal licence number (if known) in progress	
Issuing licensing authority (if known) 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).

N/A

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) N/A
Day	Start	Finish	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) Bank Holidays, Christmas eve, new years eve and Boxing day from 23:00 to 04:00
Mon	06:00	02:00	
Tue	06:00	02:00	
Wed	06:00	02:00	
Thur	06:00	02:00	
Fri	06:00	04:00	
Sat	06:00	04:00	
Sun	06:00	02:00	

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

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

Please see below

b) The prevention of crime and disorder

- 1) The dps, a personal licence holder or trained member of staff nominated in writing by the dps shall be on duty at all times the premises are open to the public.
- 2) a) A cctv system covering the interior & exterior of the premises will be installed to current metropolitan police / Home office standards and shall be kept operational at all times the premises are open to the public.
b) It shall be capable of taking a head & shoulders shot of persons entering the premises, of recording images to an evidential standard in any light and be capable of storing images for a minimum of 31 days.
c) All staff who may work front of house shall be trained to operate the cctv system and download images.
d) At least one member of staff trained to operate the cctv system & download images shall be on duty at all times the premises are open to the public. Footage shall be shown to the police and screenshots provided to them on request. Copies of downloaded images shall be provided to the police on a usb stick, cd or other acceptable means as soon as possible and in any case within 24 hours of the request
- 3) challenge 25 shall be operated as the proof of age policy.
- 4) all staff who work at the till will be trained for their role on induction and be given refresher training every six months. Written training records will be kept for each staff member and be produced to police & authorised council officers on request. Training will include identifying persons under 25, making a challenge, acceptable proof of age & checking it, making & recording a refusal, avoiding conflict & responsible alcohol retailing.
- 5) An incident book shall be kept at the premises, and made available to the police or authorised council officers, which will record the following:
 - A) All crimes reported,
 - B) Lost property,
 - C) All ejections of customers,
 - D) Any complaints received,
 - E) Any incidents of disorder,
 - F) Any seizure of drugs or offensive weapons,
 - G) Any faults in the cctv,
 - H) Any refusal in the sale of alcohol.
 - I) Any visit by a relevant authority or emergency service
- 6) Notices will be prominently displayed by the entry/ exit door and point of sale (as appropriate) advising customers:
 - A) That cctv & challenge 25 are in operation;
 - B) Advising customers of the provisions of the licensing act regarding underage & proxy sales;

- C) Of the permitted hours for licensable activities & the opening times of the premises;
- D) To respect residents, leave quietly, not to loiter outside the premises or in the vicinity and to dispose of litter legally.

c) Public safety

A fire risk assessment and emergency plan will be prepared and regularly reviewed. All staff will receive appropriate fire safety training and refresher training.

d) The prevention of public nuisance

- 1) The front of the premises shall be kept tidy at all times and be swept at close.
- 2) Relevant notices will be prominently displayed by the entry/ exit door and point of sale (as appropriate)
- 3) No deliveries will be received or rubbish removed from the premises between 22.00 & 07.00.
- 4) Any music played will only be played at background level.
- 5) An incident book shall be kept at the premises and made available to the police or authorized council officers –see box b condition 5 for full details of the information to be recorded.
- 6) A phone number for the premises shall be made available if required upon request to the police, any other responsible authority or any local resident to express any concerns caused by the operation of the premises. Any complaints and the outcome will be recorded in the incident book.

e) The protection of children from harm

- 1) Challenge 25 shall be operated as the proof of age policy and only a valid passport, photo driving license, hm forces photographic id card or proof of age card with the pass logo or hologram on it may be accepted as proof of age.
- 2) All refusals of the sale of alcohol shall be recorded in the refusals section of the incident book. The incident book shall be kept and produced to police & authorized council officers on request –see section b condition 5 for full details.
- 3) Relevant notices will be prominently displayed by the entry/ exit door and point of sale as appropriate– see section B condition 6 for full details.
- 4) All staff who work front of house will be trained for their role on induction and be given refresher training every six months. Written training records will be kept for each staff member and be produced to police & authorized council officers on request. Training will include identifying persons Under 25, making a challenge, acceptable proof of age & checking it, making & recording a refusal, avoiding conflict & responsible alcohol retailing.
- 5) All alcohol shall be ancillary to the operation of the premises as a takeaway restaurant. Alcohol may only be supplied with a substantial food order.
- 6) All alcohol will be displayed and kept and will be sold from behind the

counter and to be dispensed by a member of staff only

7) The delivery of alcohol to be made only to a residential or business address, where it is clearly evident that the customer is a resident or occupies the business.

8) The delivery of alcohol will not be made to a person in a public place such as a street corner, park or bus stop etc.

9) Customers to be reminded it is a criminal offence for a person under 18 years to purchase or attempt to purchase alcohol and that it is also an offence to purchase alcohol on behalf of a person aged under 18 years

10) ID verification will be made when orders containing alcohol are delivered (no ID no delivery) – acceptable proof of age shall include identification bearing the customer’s photograph, date of birth and integral holographic mark or security measure

11) All serving and delivery staff shall receive regular training, a minimum of twice a year on the prevention of underage sales and on Challenge 25 scheme.

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 (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, if appropriate (please see note 15)
Signature	
Date	19/9/2018
Capacity	Licensing Consultant

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	19/9/2018
Capacity	

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

NARTS

53 STOKE NEWINGTON HIGH STREET
HACKNEY

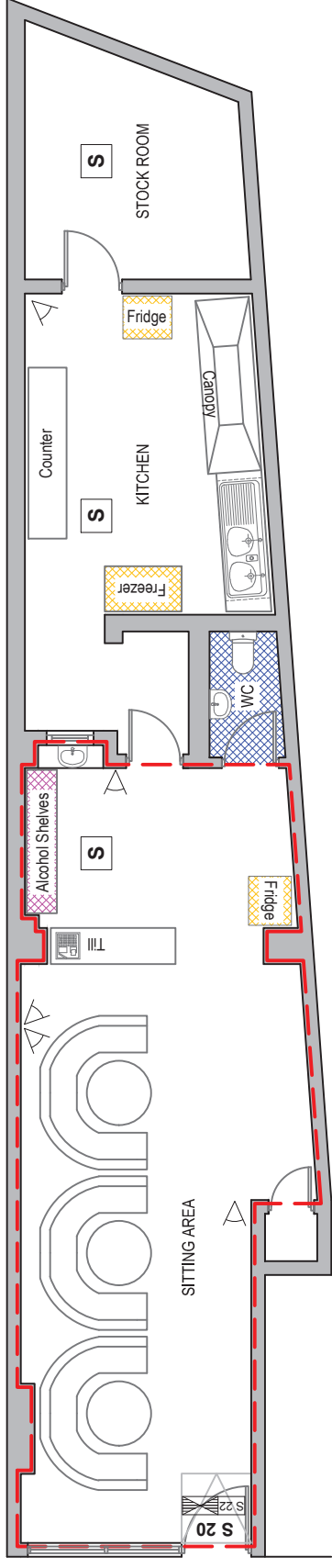
UK-England

Post town	LONDON	Postcode	N16 8EL
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Telephone number (if any)	02072413636		
If you would prefer us to correspond with you by e-mail, your e-mail address (optional)			
licensing@narts.org.uk			

Notes for Guidance













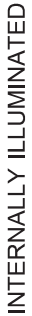


1. Describe the premises, for example the type of premises, its general situation and layout and any other information which could be relevant to the licensing objectives. Where your application includes off-supplies of alcohol and you intend to provide a place for consumption of these off-supplies,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



GROUND FLOOR
(75 sqm)



LEGEND

-  **AMBIT OF LICENSED PREMISES**
-  **WC AREA**
-  **FRIDGES**
-  **ALCOHOL**
-  **SAFETY LIGHTS**
-  **SMOKE DETECTOR**
-  **S 20**
-  **S 22**
-  **CARBON DIOXIDE FIRE EXTINGUISHER**
-  **9 LT. WATER FIRE EXTINGUISHER**
-  **CCTV**
-  **FIRE ESCAPE KEEP CLEAR**
-  **INTERNALLY ILLUMINATED FIRE ESCAPE SIGN (BS 5266)**
-  **CARBON DIOXIDE FIRE EXTINGUISHER**
-  **9 LT. WATER FIRE EXTINGUISHER**

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Tel: 020 7241 3636 | Mob: 07340 44 890 | www.narts.org.uk | info@narts.org.uk

87 Shacklewell Lane London E8 2FB	Ground Floor Plan	GENERAL NOTES: Copyright© Narts Architecture is the subject of Intellectual Property Rights including copyright and design right and shall not be reproduced, copied, scanned or saved in any form, without the prior written permission of Narts Architecture. Only figured dimensions to be taken. Any discrepancies to be reported to Narts Architecture prior to setting out or ordering of any materials.	TOTAL AREA 75 sqm
DRAWING DATE 20.08.2018	SCALE: 1:100 @A4		SHEET: 1
DRAWN BY: OZ			CONTROL BY: MHR

APPENDIX B1

RESPONSIBLE AUTHORITY REPRESENTATION: APPLICATION UNDER THE LICENSING ACT 2003

RESPONSIBLE AUTHORITY DETAILS

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

APPLICATION PREMISES

NAME & ADDRESS OF PREMISES	Guafa 87 Shacklewell Lane London E8 2EB
NAME OF PREMISES USER	Mr Kemal MERT

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 objections in relation to the application for a Premises Licence at GUAFA, 87 SHACKLEWELL LANE, LONDON, E8 2EB for the following reason(s):

This application seeks to authorise the sale of alcohol for consumption on and off the premises for their restaurant. The premises is located on a smaller road which is mostly made up of residential properties with further residential streets off it. The hours requested are very late for a residential area - 0200hrs during the week and 0400hrs at weekends is very late for those residents living a few metres away that have young families and are being disturbed by customers who are coming and going late into the night. The application also mentions a delivery service, so motorcycles used by various food delivery companies will also be noisy for local residents during the early hours of the morning. Police propose that the hours be reduced to the core hours as set out in Hackney Council's Statement of Licensing Policy

The application states that the premises is a restaurant and the request for the sale of alcohol is for on and off the premises, yet condition 5 of Section M(e) of the applications states;

All alcohol shall be ancillary to the operation of the premises as a takeaway restaurant. Alcohol may only be supplied with a substantial food order'

Does this mean that alcohol will, in fact, not be sold on the premises? Further clarification is required on this point.

Police request the following information;

- How many covers can be served at any one time?
- When is the restaurant expected to be ready to open and operate?
- What experience does the proposed DPS have of running a licensed premises in a busy night time economy area?
- How many of the staff have a personal licence?

Police would like to know how the applicant will demonstrate that they will not undermine the licensing objectives and what policies and procedures are in place to prevent that happening.

We 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**

APPENDIX B2

RESPONSIBLE AUTHORITY DETAILS

NAME OF AUTHORITY	Licensing Authority
ADDRESS OF AUTHORITY	Hackney Service Centre 1 Hillman Street London E8 1DY
CONTACT NAME	David Tuitt
TELEPHONE NUMBER	020 8356 4942
E-MAIL ADDRESS	david.tuitt@hackney.gov.uk

APPLICATION PREMISES

NAME & ADDRESS OF PREMISES	Guafa 87 Shacklewell Lane London E8 2EB
NAME OF APPLICANT	Mr Kemal Mert

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:

I write to make a representation in relation to this application. The proposed hours of activity will have a negative impact on the promotion of the licensing objectives, in particular, the prevention of public nuisance. Residential premises are located close by which may suffer negative harm as a result of the proposed trading hours.

The applicant is advised to refer to the Councils Statement of Licensing Policy and note the following extract from Policy LP3 (Core Hours)

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

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

The Licensing Act 2003, Statement of Licensing Policy 2018-2023 and S182 Guidance issued by the Home Office.

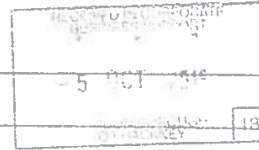
Are there any actions or measures that could be taken to allay concerns or objections? If so, please explain.

Discussion with the applicant to obtain further information in relation to the proposed operation and the matters raised above.

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

Date: 22/10/2018

APPENDIX C



[REDACTED]
[REDACTED] SCAL STREET
LONDON E8 [REDACTED]

30th September 2018

TO WHOM IT MAY CONCERN

I AM WRITING TO OPPOSE GRANTING A LICENCE TO OPEN TIL 4AM AND SERVE ALCOHOL TIL 3.30AM TO CUAPA.

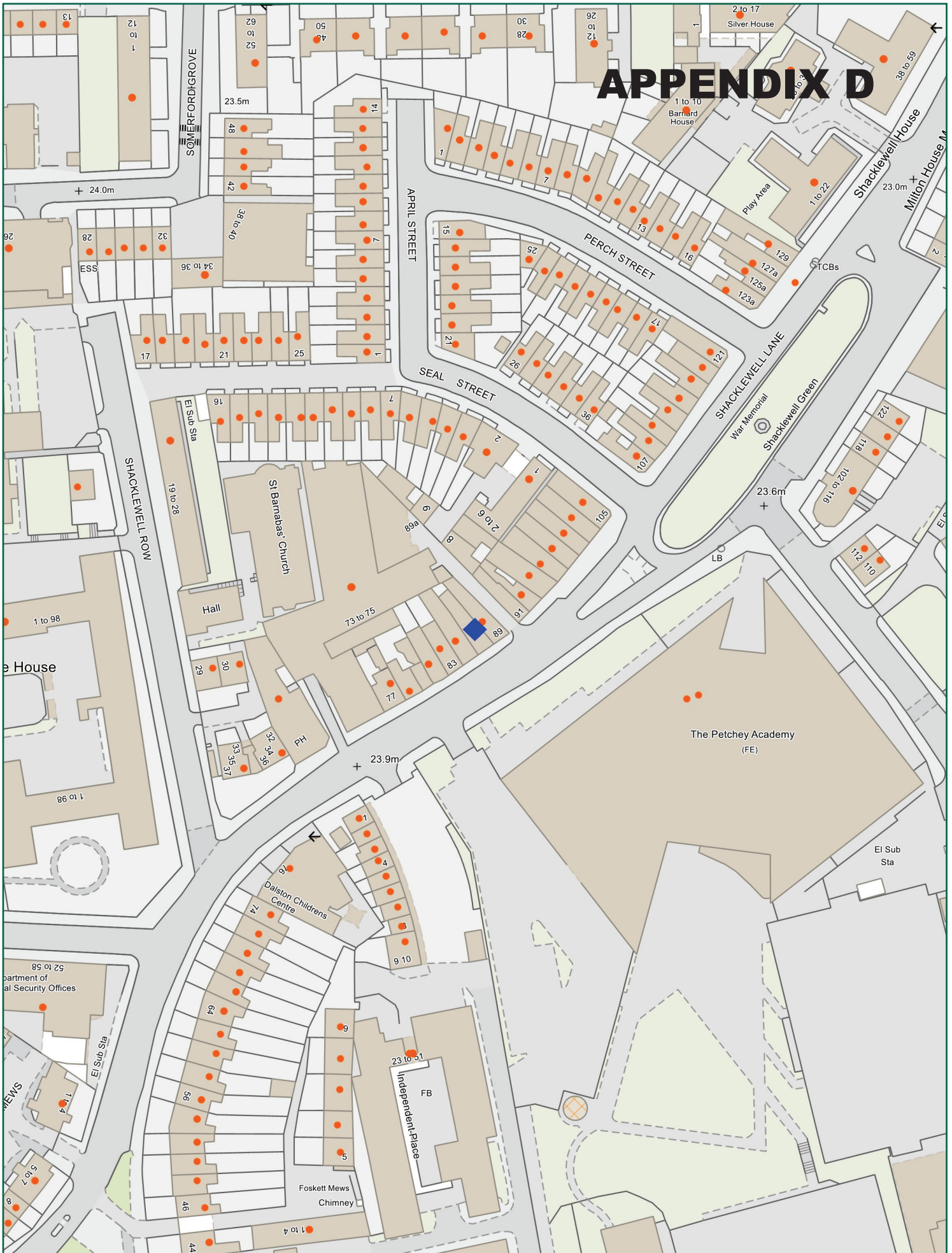
THE COUNCIL HAS RESTRICTED LICENCE HOURS ON KINGSLAND ROAD AND THIS WOULD MEAN AN OVERFLOW OF LATE NIGHT BOOZING IN OUR RESIDENTIAL AREA, WHICH IS ALREADY PLAGUED BY PROSTITUTION

THE RESTAURANT IN QUESTION IS CUAPA IN NO. 87 SHACKLEWELL LANE, LONDON E8 2GB.

PLEASE CONSIDER THE DETRIMENTAL EFFECT OF A POSSIBLE DECISION TO GRANT SUCH LICENCE. SHACKLEWELL LANE AND STREETS OFF IT ARE DENSELY POPULATED AND GIVEN THE NUMBERS OF ALREADY EXISTING PUBS AND RESTAURANTS ON THAT LITTLE STRETCH OF ROAD, THE REAL RISK OF GRANTING THE LICENCE IS TO OPEN THE FLOODGATES TO OTHERS DOING THE SAME AND TURNING IT INTO THE NEW KINGSLAND

[REDACTED]

APPENDIX D



Scale: 1:1250 at A4



Ref:

05 November 2018

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please specify copyright statement