



REPORT OF GROUP DIRECTOR, NEIGHBOURHOODS AND HOUSING

LICENSING SUB-COMMITTEE: 14/11/2019	Classification DECISION	Enclosure
Application for a Premises Licence Mavya News, 37 Scrutton Street, EC2A 4HU	Ward(s) affected Hoxton East & Shoreditch	

1. SUMMARY

Applicant(s) Kunalkumar Patel	In SPA No
Date of Application 24/09/2019	Period of Application Permanent
Proposed licensable activity Supply of Alcohol (Off Premises)	
Proposed hours of licensable activities	
Supply of Alcohol	Standard Hours:
INDOOR:	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
The opening hours of the premises	
INDOOR	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
Capacity: Not known	
Policies Applicable	LP1 (General Principles), LP2 (Licensing Objectives), LP3 (Core Hours), LP4 ('Off' Sales of Alcohol)

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"> • Weights and Measures (Trading Standards) • Police • Licensing Authority • Other Persons

2. APPLICATION

- 2.1 Kunalkumar Patel has made an application for a premises licence under the Licensing Act 2003:
- To authorise the supply alcohol for consumption off the premises
- 2.2 The application is attached as Appendix A. The applicant has proposed measures that could be converted to conditions (see paragraph 8.1 below).

3. CURRENT STATUS / HISTORY

- 3.1 The premises are not currently licensed for any activity

4. REPRESENTATIONS: RESPONSIBLE AUTHORITIES

From	Details
Environmental Health Authority (Environmental Protection)	No representation received
Environmental Health Authority (Environmental Enforcement)	Have confirmed no representation on this application
Environmental Health Authority (Health & Safety)	No representation received
Weights and Measures (Trading Standards) (Appendix B1)	Representation received on the grounds of Prevention of Public Nuisance
Planning Authority	No representation received
Area Child Protection Officer	No representation received
Fire Authority	Have confirmed no representation on this application
Police (Appendix B2)	Representation received on the grounds of The Prevention of Crime and Disorder, Public Safety, Prevention of Public Nuisance, The Protection of Children from Harm, Licensing Hours,
Licensing Authority (Appendix B3)	Representation received on the grounds of The Prevention of Crime and Disorder, Prevention of Public Nuisance and Licensing Hours
Health Authority	No representation received

5. REPRESENTATIONS: OTHER PERSONS

From	Details
5 representations received from and on behalf of local residents. (Appendices C1 and C2)	Representation received on the grounds of The Prevention of Crime and Disorder, Public Safety, Prevention of Public Nuisance, The Protection of Children from Harm, Licensing Hours

6. GUIDANCE CONSIDERATIONS

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

7. POLICY CONSIDERATIONS

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

1. No supply of alcohol may be made under the premises licence:
 - (a) At a time when there is no designated premises supervisor in respect of the premises licence.
 - (b) At a time when the designated premises supervisor does not hold a personal licence or his personal licence is suspended.
2. Every supply of alcohol under the premises licence must be made or authorised by a person who holds a personal licence.
3.
 - 3.1. The premises licence holder or club premises certificate holder must ensure that an age verification policy is adopted in respect of the premises in relation to the sales or supply of alcohol.
 - 3.2 The designated premises supervisor in relation to the premises licences must ensure that the supply of alcohol at the premises is carried on in accordance with the age verification policy.
 - 3.3. The policy must require individuals who appear to the responsible person to be under 18 years of age (or such older age as may be specified in the policy) to produce on request, before being served alcohol, identification bearing their photograph, date of birth and either:-
 - (a) a holographic mark or
 - (b) an ultraviolet feature.

Minimum Drinks Pricing

4. 4.1 A relevant person shall ensure that no alcohol is sold or supplied for consumption on or off the premises for a price which is less than the permitted price.

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

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

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

(i) P is the permitted price,

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

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

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

(i) the holder of the premises licence,

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

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

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

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

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

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

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

Conditions derived from operating schedule

5. The premises license holder, DPS or a Personal license holder shall be present at the premises at all times during the permitted hours for the sale of alcohol.

6. The premises shall maintain a comprehensive CCTV system as per the minimum requirements of 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. Recordings shall be made available immediately upon the request of Police or authorised officer.

7. A staff member from the premises who is conversant with the operation of the CCTV system shall be on the premises at all times when the premises are open to the public. This staff member shall be able to show Police or an authorised officer of recent data or footage with the absolute minimum of delay when requested.
8. An incident log shall be kept at the premises, and made available immediately to an authorised officer 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
 - e. any refusal of the sale of alcohol
 - f. any visit by a relevant authority or emergency service
 - g. any lost property
 - h. all ejections of customers
9. There shall be CCTV in Operation signs prominently displayed.
10. 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.
11. All alcohol shall be sold in sealed containers. They shall not be opened or consumed in or within the vicinity of the premises.
12. 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).
13. The premises will display prominent signage by every entrance and exit requesting customers to leave the premises quietly and respect local residents.
14. The premises will display signs by the entrance clearly stating that there shall be no loitering or drinking outside the premises.
15. The premises will display and maintain appropriate signage advising customers of the contact details of the Designated Premises Supervisor.
16. All staff will be given refresher training every six months on the legislation relating to the sales of alcohol to underage persons and drunken persons. Written records of this training shall be kept on the premises and produced to police or other authorised officer upon request.
17. All spirits shall be kept behind the counter and all other alcohol must be displayed in line of sight of the counter.
18. All employees shall provide photographic identification, a copy of which shall be kept by the licensee as part of the staff records and produced to a police officer or other authorised officer within a reasonable time. Confirmation of each employee's immigration status shall be signed and

dated by both employer and employee and stored with each employee's record.

19. The premises license holder must be able to produce to a police officer or Home Office / UK Boarder Agency immigration officer, proof of compliance with the Home Office full guide for employees on preventing illegal working in the UK, October 2013 issue. This proof is to be provided within 48 hours.
20. Such a record shall as a minimum cover the previous four (4) working weeks and must be produced on demand, to a police officer or Home Office / UK Boarder agency immigration officers.

Conditions derived from Responsible Authority representations

21. There shall be are at least two members of staff present Thursday to Sunday at all times alcohol is being sold after 12 midnight, and if two members of staff are not present then no alcohol is to be sold.
22. No beer, lagers or ciders exceeding 6.5% alcohol by volume (ABV) shall be sold or supplied at the premises.
23. No 'miniature' bottles of spirits of 5cl/50ml or less shall be sold or supplied at the premises.
24. All containers of alcohol sold from the premises under the licence shall be clearly and permanently marked with the trading name address and post code of the premises.

9. REASONS FOR OFFICER OBSERVATIONS

- 9.1 Conditions 5 to 20 above are derived from the applicant's operating schedule. Condition 21 has been proposed by Trading Standards and 22 to 24 by Licensing.

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: Mavya News, 37 Scrutton Street, EC2A 4HU	Licensing Service 1 Hillman Street London E8 1DY

Printed matter

Licensing Act 2003
LBH Statement of Licensing Policy

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 Mr Kunalkumar Patel

(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 Mavya News			
37 SCRUTTON STREET HACKNEY LONDON			
Post town	LONDON	Postcode	EC2A 4HU

Telephone number at premises (if any)	
Non-domestic rateable value of premises	£15500

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 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 (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)

Title Mr			
Surname Patel		First names Kunalkumar	
I am 18 years old or over			<input checked="" type="checkbox"/>
Date of birth [REDACTED]			
Nationality [REDACTED]			
Current residential address if different from premises address		[REDACTED] SHERRARD ROAD FOREST GATE UK-England	
Post town	LONDON	Postcode	[REDACTED]
Daytime contact telephone number		[REDACTED]	
E-mail address (optional)	[REDACTED]		
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)

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

(B) OTHER APPLICANTS

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

Name
Address
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

14-10-2019

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 premises is a small store and sale of alcohol for consumption of the premises only

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)	..
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)	..

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

..

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



In all cases complete boxes K, L and M

J

Supply of alcohol Standard days and timings (please read guidance note 7)			Will the supply of alcohol be for consumption – please tick (please read guidance note 8) OFF Sale only	On the premises	<input checked="" type="checkbox"/>
				Off the premises	OFF
				Both	
Day	Start	Finish	State any seasonal variations for the supply of alcohol (please read guidance note 5)		
Mon	06:00	02:00			
Tue	06:00	02:00			
Wed	06:00	02:00			
Thur	06:00	02:00			
Fri	06:00	02:00			
Sat	06:00	02:00			
Sun	06:00	02:00			
			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 Mr Kunalkumar Patel	
Date of birth [REDACTED]	
Address [REDACTED] [REDACTED] [REDACTED]	
UK-England	
Postcode	[REDACTED]
Personal licence number (if known) APPLIED	
Issuing licensing authority (if known) [REDACTED]	

K

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

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	06:00	02:00	Non-standard timings. Where you intend the premises to be open to the public at different times from those listed in the column on the left, please list (please read guidance note 6)
Tue	06:00	02:00	
Wed	06:00	02:00	
Thur	06:00	02:00	
Fri	06:00	02:00	
Sat	06:00	02:00	
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)

1. The premises license holder, DPS or a Personal license holder shall be present at the premises at all times during the permitted hours for the sale of alcohol.
2. The premises shall maintain a comprehensive CCTV system as per the minimum requirements of 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. Recordings shall be made available immediately upon the request of Police or authorised officer.
3. A staff member from the premises who is conversant with the operation of the CCTV system shall be on the premises at all times when the premises are open to the public. This staff member shall be able to show Police or an authorised officer of recent data or footage with the absolute minimum of delay when requested.
4. An incident log shall be kept at the premises, and made available immediately to an authorised officer 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 e. any refusal of the sale of alcohol f. any visit by a relevant authority or emergency service. g. any lost property h. all ejections of customers
5. There shall be CCTV in Operation signs prominently displayed.
6. 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.
7. All alcohol shall be sold in sealed containers. They shall not be opened or consumed in or within the vicinity of the premises.
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).
9. The premises will display prominent signage by every entrance and exit requesting customers to leave the premises quietly and respect local residents.
10. The premises will display signs by the entrance clearly stating that there shall be no loitering or drinking outside the premises.
11. The premises will display and maintain appropriate signage advising customers of the contact details of the Designated Premises Supervisor.
12. All staff will be given refresher training every six months on the legislation relating to the sales of alcohol to underage persons and drunken persons. Written records of this training shall be kept on the premises and produced to police or other

authorised officer upon request.

13. All spirits shall be kept behind the counter and all other alcohol must be displayed in line of sight of the counter.

14. All employees shall provide photographic identification, a copy of which shall be kept by the licensee as part of the staff records and produced to a police officer or other authorised officer within a reasonable time. Confirmation of each employee's immigration status shall be signed and dated by both employer and employee and stored with each employee's record.

15. The premises license holder must be able to produce to a police officer or Home Office / UK Boarder Agency immigration officer, proof of compliance with the Home Office full guide for employees on preventing illegal working in the UK, October 2013 issue. This proof is to be provided within 48 hours.

16. Such a record shall as a minimum cover the previous four (4) working weeks and must be produced on demand, to a police officer or Home Office / UK Boarder agency immigration officers.

b) The prevention of crime and disorder

As above

c) Public safety

As above

d) The prevention of public nuisance

As above

e) The protection of children from harm

As above

Checklist:

Please tick to indicate agreement

- I have made or enclosed payment of the fee.
- I have enclosed the plan of the premises.
- I have sent copies of this application and the plan to responsible authorities and others where applicable.
- I have enclosed the consent form completed by the individual I wish to be designated premises supervisor, if applicable.
- I understand that I must now advertise my application.

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

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

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

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

Part 4 – Signatures (please read guidance note 11)

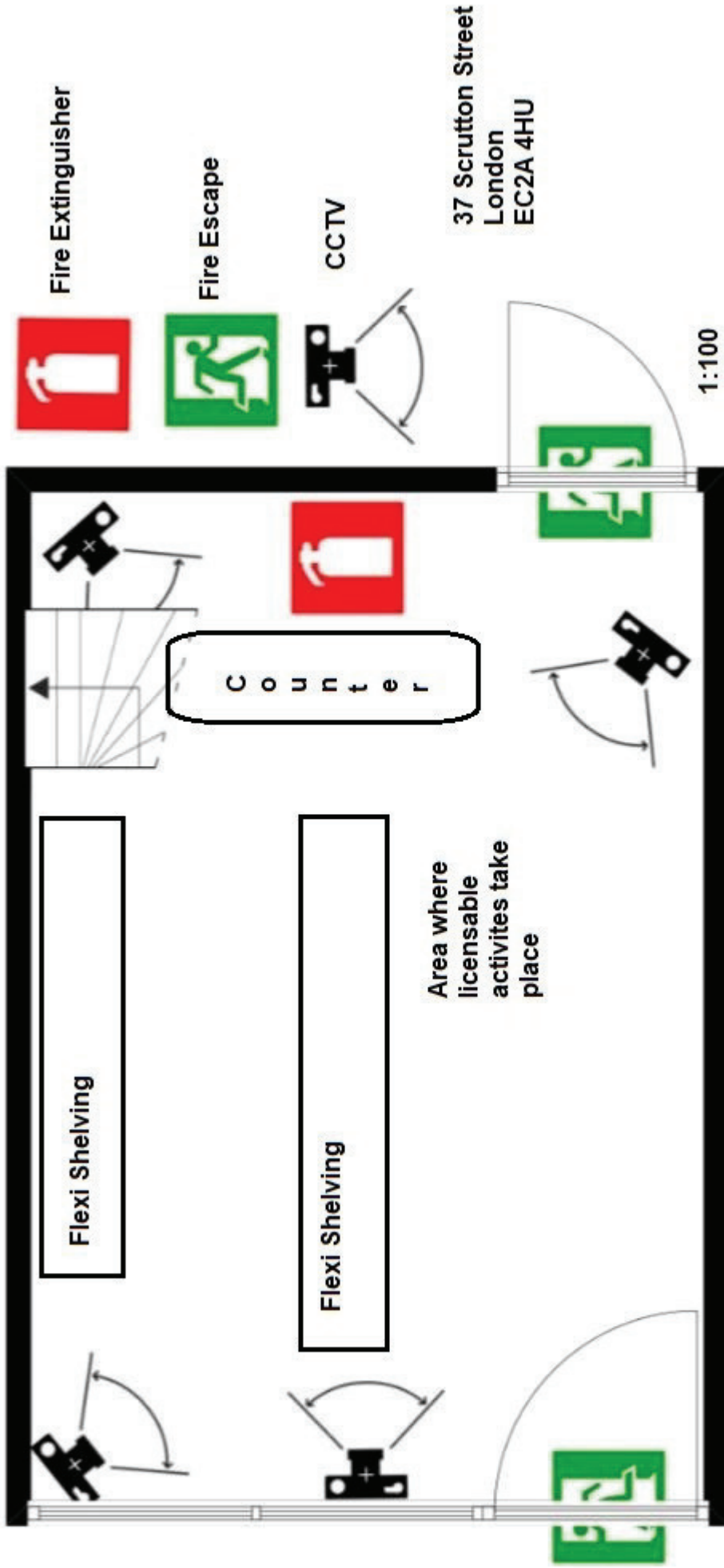
Signature of applicant or applicant’s solicitor or other duly authorised agent (see guidance note 12). **If signing on behalf of the applicant, please state in what capacity.**

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	B NAKUM
Date	16/9/2019
Capacity	duly authorised agent

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

Signature	
Date	16/9/2019
Capacity	

Contact name (where not previously given) and postal address for correspondence associated with this application (please read guidance note 14)			
B Nakum FLAT BEST ONE BEACHLEY ROAD			
UK-England			
Post town	TUTSHILL	Postcode	NP16 7DJ
Telephone number (if any)	[REDACTED]		



Flexi Shelving

C o u n t e r

Flexi Shelving

Area where
licensable
activities take
place

RESPONSIBLE AUTHORITY REPRESENTATION: APPLICATION UNDER THE LICENSING ACT 2003

RESPONSIBLE AUTHORITY DETAILS

NAME OF AUTHORITY	London Borough of Hackney
ADDRESS OF AUTHORITY	Trading Standards First Floor Hackney Service Centre 1 Hillman Street London E8 1DY
CONTACT NAME	David Hunt
TELEPHONE NUMBER	020 8356 7682
E-MAIL ADDRESS	David.hunt@hackney.gov.uk

APPLICATION PREMISES

NAME & ADDRESS OF PREMISES	Mavya News 37 Scrutton Street Hackney London EC2A 4HU
NAME OF APPLICANT	Kunalkumar Patel

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:

Public and Staff Safety and prevention of sales to persons already intoxicated

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

Late night off sales premises are vulnerable when in isolated locations and in areas where there are a significant number of licenced premises already situated. They can also add to an increase in the levels of ASB and nuisance in an area if there is poor management of sales

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

An additional condition on the licence to ensure that there are at least two members of staff present at all times alcohol is being sold after 12 midnight, and that if two members of staff are not present then no alcohol is sold. This could be limited to applying Thursday - Sunday

Name: David Hunt

Date: 25/09/2019

**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 1505CE Dave ATKINS
TELEPHONE NUMBER	020 7275 3022
E-MAIL ADDRESS	hackneylicensing@met.police.uk

APPLICATION PREMISES

NAME & ADDRESS OF PREMISES	Mavya News 37 Scrutton Street London EC2A 4HU
NAME OF PREMISES USER	Kunalkumar Patel

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 ◆
- the protection of children from harm ◆

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

Police make the following representations in relation the application for a new premises licence at 37 Scrutton Street, EC2A 4HU;

The premises is small venue that is situated on a one-way street that is below residential premises. There are a number of venues of situated on the street and opposite is a public house.

Police would request the following further information form the applicant:

- Any previous experience in the management of a licensed premises?
- How many staff will be employed at the premises?
- Will the venue have any security during night time economy hours?
- Does the venue have a current CCTV system?
- What steps doe the venue proposed to do in order to promote the four licensing objectives and ensure that they do not contribute to the negative cumulative impact?

Although the venue is not situated within the Shoreditch Special policy area the proposed premises is just outside of this and is likely to have foot traffic travelling to a from the area during the night time economy hours. There is already a growing number of licensed premises within the area and police believe that the addition of an off licensed premises until the hours that is applied for will have a marked impact of the negative cumulative impact in the area.

The proposed venue will give access to inexpensive alcohol for members of the public leaving other licensed premises in the immediate vicinity leading to individuals taking advantage and buy drinks to remain in the area and consume with others that are already in the vicinity drinking at other venues. This will also likely lead to an increase in ASB, Public urination and increased public intoxication

Added to the above the hours applied four exceed those as laid out in LP3 the London borough of Hackneys Statement of licensing police. LP4 of the same policy relating to 'Off' sales of alcohol *'hours for the supply of alcohol will generally be restricted to between 08:00 and 23:00'*

Police would request that the applicant revisit their applied hours so as they reflect those in the Statement of licensing policy

Police look forward to hearing from the applicant soon.

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

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

Signed PC 1505CE ATKINS (By E-mail)
Name (printed)

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

B3

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	Mavya News 37 Scrutton Street London EC2A 4HU
NAME OF APPLICANT	Kunalkumar Patel

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 **x**
- 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 as I am concerned that if approved in its current form the proposal could have a negative impact on the promotion of the licensing objectives. Evidence from the Police and Public Health suggests that the availability of alcohol from premises authorised to sell alcohol for consumption off the premises has had a negative impact on the promotion of the licensing objectives. There are particular concerns that alcohol sales of this nature are more likely to lead to incidents of anti-social behaviour, such as street drinking and pre-loading.

The applicants attention is drawn to LP4 within the Council's Statement of Licensing policy which states the following:

LP4 'Off' Sales of Alcohol

Hours for the supply of alcohol will generally be restricted to between 08:00 and 23:00.

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

Statement of Licensing Policy, Licensing Act 2003, Guidance issued by the Home Office under s182 of the Licensing Act 2003.

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

Discussion in relation to aligning the proposed hours for the supply of alcohol to those as set out within the Council's Policy.

A restriction on the sale of "super-strength" beer, lager or cider – for example:
No beer, lagers or ciders exceeding 6.5% alcohol by volume (ABV) shall be sold or supplied at the premises.

A restriction on the sale of 'miniatures' – e.g. sprits contained with 5cl bottles.
No 'miniature' bottles of sprits of 5cl/50ml or less shall be sold or supplied at the premises.

Measures to enable alcohol purchased from the premises to be identified – for example:
All containers of alcohol sold from the premises under the licence shall be clearly and permanently marked with the trading name address and post code of the premises.

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

Date: 18/10/2019



APPENDIX C1

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

Mayva News, 37 Scrutton Street, London EC2A 4HU - Application for a Premises Licence - Objections from [REDACTED]

1 message

Luke Elford <Luke@woodswhur.co.uk>
To: "licensing@hackney.gov.uk" <licensing@hackney.gov.uk>

22 October 2019 at 10:52

Dear Hackney Licensing Team/Sanaria,

I represent [REDACTED]

Please find attached four (4) objections to the application for a premises licence by Mr Kunalkumar Patel for the premises known as Mayva News, 37 Scrutton Street, London EC2A 4HU from:

1. [REDACTED]

2. [REDACTED]

3. [REDACTED]

4. [REDACTED]

Kindly acknowledge receipt of these objections and register them as relevant representations.

Please can I be sent a copy of all of the relevant representations from the Responsible Authorities and Interested Parties as soon as they have been collated. I have no problem with my details being provided to the Applicant should they wish to contact me.

Would you let me have an indication of when this matter might fall to be heard by the Council's Licensing Sub-Committee as we may well have dates to avoid in terms of witness attendance.

Could you also let me have the deadline for submission of any supporting evidence as it is likely that my client will want to submit additional evidence in support of its objections.

Many thanks.

Kind regards,

Luke

Luke Elford

Woods Whur 2014 Limited

Tel: +44 (0)113 234 3055 / Mob: +44 (0)7702 802594 / Twitter: @Luke_WoodsWhur

luke@woodswhur.co.uk

Woods Whur 2014 Limited, Devonshire House, 38 York Place, Leeds LS1 2ED

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4 attachments

 **37 Scrutton Street - [REDACTED]**
2121K

 **37 Scrutton Street - [REDACTED]**
835K

 **37 Scrutton Street - [REDACTED]**
848K

 **37 Scrutton Street - [REDACTED]**
1021K

37 Scrutton Street
Director Objection

Dear Sirs,

Re: 37 Scrutton Street - Application for a Premises Licence

We are the directors of [REDACTED]
[REDACTED] Holywell Row, London EC2A [REDACTED]

We have serious concerns about the application for a Premises Licence by Mr Kunalkumar Patel (the Applicant).

Our concerns relate to:

1. The likely effect of granting the application on the Prevention of Crime and Disorder Licensing Objective;
2. The likely effect of granting the application on the Prevent of Public Nuisance Licensing Objective; and
3. The cumulative impact of the volume of licensed premises in the immediate area.

We will deal with each of these below. We ask that the application for a Premises Licence be refused.

Prevention of Crime and Disorder

We are concerned that, if granted, this application is likely to undermine the Prevention of Crime and Disorder Licensing Objective.

Specifically, we are concerned about:

1. Pre-loading;
2. Off-sales being consumed immediately outside or near to the proposed Premises;
3. Street drinking;
4. Anti-social behavior;
5. The hours applied for;
6. Attempts to use the Pub's facilities; and
7. Interaction between customers of the Pub and those using the proposed Premises.

We have noticed that "pre-loading" has become a real problem in the vicinity of the Pub. What happens is that workers at many of the nearby offices purchase alcohol cheaply from shops similar in nature to the Applicant's Premises. That alcohol is either consumed within the nearby offices or, weather permitting, on the street outside the offices. This has become a real problem for the Pub in the context of:

1. Our having to turn away people who turn up to the Pub already intoxicated as a result of pre-loading;
2. Our having to keep track of people entering the Pub to make use of the Pub's facilities/challenging said behaviour;

3. People who are in possession of pre-bought alcohol buying a drink and then using the Pub's glassware to continue drinking the pre-bought alcohol/challenging said behaviour; and
4. Our clearing up after people who are in possession of pre-bought alcohol who consume it in the vicinity of the Pub.

This, in our view, has the propensity to contribute to a negative impact on the Prevention of Crime and Disorder. The interaction (both with customers and staff of the Pub) with those who are pre-loading can and had led to flashpoints in the past and this is something that we are keen to ensure does not happen in the future. We are sorry to say that we don't think there is anything the Applicant can do to stop the Premises from adding to these issues.

Particularly in summer, the Pub has a real problem with people who purchase alcohol from other Premises which they then consume in the immediate vicinity of the Pub as well as the associated issues raised above. We go to great lengths to control the behaviour of our customers and to marshal that behaviour in the right way. The Pub cannot, and cannot be held responsible for, the behaviour of those who are not customers but who have chosen to purchase alcohol and consume it nearby. The behaviour of those persons is of great concern to us, our customers and staff. We are concerned that if the Licensing Authority grants the Premises Licence to the Applicant the problems already experienced, which we manage well, will become uncontrollable. Again, we don't think there is anything the Applicant can do to assist with this.

We are concerned that the availability of alcohol at the Applicant's Premises will attract street drinkers who will purchase cheap alcohol there. The Premises, by its very nature, will be able to sell the types of alcohol at prices that have the likelihood of attracting that kind of customer. We are concerned that the introduction of that kind of custom into the area will have the effect of undermining the Prevention of Crime and Disorder Licensing Objective.

We have noticed an increase in anti-social behaviour in the immediate vicinity of the Pub. That behaviour rarely, if ever, stems from the Pub's customers but tends to involve those drinking cheap alcohol obtained elsewhere. It can be anything from overly raised voices to confrontation with members of staff who have denied these persons entry or the ability to use the facilities. We find ourselves caught in a difficult situation because we don't want these people to use the street as a toilet but neither do we want them to misuse our facilities. If for example, one of those persons was to use the Pub's toilet and come to some harm they would be the Pub's responsibility - that is a risk we cannot and should not be forced to take.

We understand that the application is to sell alcohol from 06:00 to 02:00 the day following every day, 365 days per year. Those hours seem particularly excessive in our view and we understand they are well above and beyond Hackney's policy in respect of hours for licensed premises. We cannot fathom that anyone in the immediate vicinity of the premises will have the need to purchase alcohol as early as 6am or as late as 2am. Having said that, we don't think the application should be restricted to Hackney's framework hours for these types of premises. We think it should be refused entirely. The key hours, for us, in terms of the problems identified above are anywhere from midday until the closing time of the Pub.

We hope that our concerns about the likely effect of granting this application on the Prevention of Crime and Disorder will be taken seriously.

Prevention of Public Nuisance

For many of the reasons we have identified above we also believe that the application, if granted, will impact negatively on the Prevention of Public Nuisance Licensing Objective.

We are particularly concerned about:

1. Litter
2. Public Urination/Street Cleaning
3. Noise from Anti-Social Behaviour

With the purchase of alcohol and its consumption on the street comes the litter associated with that. This can take the form of alcohol litter (e.g. bottles and cans) as well as other litter that comes with it (e.g. cigarette butts, packets, wrappers etc.) Staff from the Pub regularly report having to clean up cans, bottles and other litter that hasn't come from the Pub. We ask our staff to do this because we do not want to be associated with the litter. As the main licensed premises at the junction of Scrutton Street and Holywell Row the finger would inevitably be pointed at us. We have definitely experienced an upturn in litter associated with pre-loading/street drinking and our concern is that the problem would likely worsen if this licence is granted.

We mention above the bind we find ourselves in with respect to our facilities. We don't want people who engage in pre-loading/street drinking to use the street as a toilet but by allowing those people into the Pub we are, in effect, assuming responsibility for them. Other businesses, we know, feel the same and the result of people not being allowed to use the facilities is that they urinate on the street. We have observed this to be a problem in the vicinity of the Pub and it seems to be getting worse. We are concerned that to grant a licence the Applicant will add to the problems.

Again, we also mention the issue of people who are not customers of the pub making excessive amounts of noise and disturbing local residents. We work very hard to ensure that we do not have an impact on the lives of local residents but we are aware that there have been some complaints about the behaviour of people hanging out drinking outside the front of offices. These are the people that purchase alcohol nearby and also cause us problems. We are able to exert little or no influence over them because they are not customers of the Pub. If our staff approach them they are seen as busybodies or worse, conflict ensues. A further licence permitting this kind of behaviour will add to the problems.

Cumulative Impact

The Council have granted a number of premises licences in recent years in the immediate vicinity of the pub to the extent that it feels as though we now have enough licensed premises nearby.

We have noticed the problems (identified above) getting worse and worse and to be clear, we can't lay the blame for that at the door of one particular premises. Nobody is, as far as we're aware, operating badly. It seems to us that the sheer number of licences granted in the area, particularly those for off-sales, coupled with the trend towards pre-loading and street drinking has created something of a perfect storm. It feels to us as

though we have reached the point where to grant further licences in this area will, for want of a better phrase, upset the balance and negatively impact on the Licensing Objectives.

Planning

We know that planning and licensing are separate regimes but we are intrigued by the planning status of the Premises.

We do not recall that the unit actually has A1 planning permission (shop/retail) or that, even if it did, it has permission to trade for the hours sought. We don't intend to say any more about planning than that but perhaps it is something the Council's officers could look into?

Conclusion

We really hope that we have been able to do our concerns justice and explain why granting this application would cause real, tangible problems in the local area. We are of the firm view that granting this application, in any shape or form, would undermine the Licensing Objectives.

Thank you for taking the time to read this letter.

Yours faithfully,



Director/Secretary



37 Scrutton Street
[REDACTED]

Dear Licensing Team,

Licence Application - 37 Scrutton Street

My name is [REDACTED]

[REDACTED] on Holywell Row.

I would like to object to the licence application for the shop at 37 Scrutton Street.

I believe that if the licence is granted it will cause crime and disorder and public nuisance in the area and that it will make my job more difficult.

I confirm that I am not being paid or coerced by the Pub to make this objection and I do so of my own volition.

I have worked at the Pub for 2 years 2 months

During that time I have noticed a steady increase in people buying alcohol from local shops and supermarkets and drinking it on the street in the vicinity of the pub. What usually happens is as follows:

- A person or persons will come into the pub and buy a round of drinks as any normal customer would
- The rest of the staff and I won't see that person again until they come in to the pub to use the toilet
- There is an unusually long gap between the person or persons buying drinks and using the toilet and they do not come into the pub and buy any further drinks
- When we investigate this we find that the person or persons are consuming alcohol bought in local shops and supermarkets and using the pub's glassware to do so.
- Sometimes they don't come in and buy a drink at all and they just drink cheap alcohol from shops.

These non-customers tend to congregate further away from the pub (for example in the doorways/entranceways of local offices) where they are beyond our control.

This causes me and the other staff a number of problems:

1. The non-customers make use of the pubs facilities. They believe that because they have purchased one drink they can continue to use the toilets all evening. We have often found that these people leave the toilets in a real state whereas customers of the pub take more care

2. We have had to refuse service to these people. When they have run out of pre-bought alcohol they will often come into the pub to try and buy another drink. By this stage they are drunk and we refuse them service. They often become abusive at this point and we have to deal with that.
3. We have also seen conflict between these people and customers of the pub where they have come into the pub drunk and bumped into people causing an argument.
4. Another big problem is the litter these people create. When we go to retrieve the pub's glassware we often find that it is smashed and mixed in with the other rubbish they have left behind - plastic bags, cans, bottles etc. We end up clearing all of that up even though these people were not, in our view, customers because we don't want the pub to get in trouble. We have had to clean up vomit too, which is nobodies favourite job.

I truly believe that if you grant a licence to the shop opposite the pub you will make this problem far, worse and more difficult for us to deal with. I have definitely noticed the problem getting worse as more and more premises with off-licences have opened in the surrounding area.

Please think carefully before agreeing to the shop's plan. I appreciate what they want to do but this is not the place for it. It's also not as if this is a historic shop with a long history that has been there for years, the shop was previously offices. I don't know if that makes any difference.

Thank you.

Kind regards,

[REDACTED]
ADDRESS [REDACTED] Stockwell Road, SW9 [REDACTED]

37 Scrutton Street



Dear Licensing Team,

Licence Application - 37 Scrutton Street

My name is [REDACTED]

I work at [REDACTED] on Holywell Row.

I would like to object to the licence application for the shop at 37 Scrutton Street.

I believe that if the licence is granted it will cause crime and disorder and public nuisance in the area and that it will make my job more difficult.

I confirm that I am not being paid or coerced by the Pub to make this objection and I do so of my own volition.

■ I have worked at the Pub for 3 years 1 months

During that time I have noticed a steady increase in people buying alcohol from local shops and supermarkets and drinking it on the street in the vicinity of the pub. What usually happens is as follows:

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Thank you.

Kind regards,

[REDACTED]

ADDRESS [REDACTED] Oakdale Road, London, E11 [REDACTED]

37 Scrutton Street
S [REDACTED]

Dear Licensing Team,

Licence Application - 37 Scrutton Street

My name is [REDACTED]

I work [REDACTED] on Holywell Row.

I would like to object to the licence application for the shop at 37 Scrutton Street.

I believe that if the licence is granted it will cause crime and disorder and public nuisance in the area and that it will make my job more difficult.

I confirm that I am not being paid or coerced by the Pub to make this objection and I do so of my own volition.

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Please think carefully before agreeing to the shop's plan. I appreciate what they want to do but this is not the place for it. It's also not as if this is a historic shop with a long history that has been there for years, the shop was previously offices. I don't know if that makes any difference.

Thank you.

Kind regards,


ADDRESS  Harrow Green, Leytonstone, E11 



C2

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

Representation against Licensing Application for Mavya News 37 Scrutton Street

1 message

Andy Newman <andynewman1@icloud.com>

20 October 2019 at 11:49

To: Mike Smith <mike.smith@hackney.gov.uk>, Sanaria Hussain <sanaria.hussain@hackney.gov.uk>, David Tuitt <David.Tuitt@hackney.gov.uk>

Dear Mike, Sanaria David,

Please find the attached document below on behalf of Resident

Scrutton Street, EC2A

Kind Regards,

Andy

Andy Newman Consultancy Ltd,

07717834798

Licensing Agent for



Representation re License Application for 37 Scrutton Street.docx
158K

Representation re License Application 37 Scrutton Street.

I am the Licensing Agent for a deeply concerned resident who lives well within a 400metre radius of this Premises.

My Client wishes to object on the Grounds of all Four Licensing Objectives.

He expects that to grant this Premises a License would mean that there would be pre-loading before going to the Pub opposite or local restaurants. There is a restaurant either side of the Premises. There is the probability of someone smuggling drink into the Pub and of course when the restaurants and Pubs shut getting more alcohol. My client states that there are already beggars and street drinkers, having an Off -License would just make things far worse. He already has difficulty sleeping and feels that the noise of fights, and shouting will make his life unbearable as well as the inevitable litter and drunkenness.

The description of Premises show a small store. I am yet to find a small store that runs out of alcohol to sell to customers.

Considering that the Applicant has applied for a 20 hour Off Sales License for every day neither my Client, a resident, nor the Restaurant next door at 35 have been Consulted about the Proposed Application. This Application is for hours well before and well after any of the other Licensed Premises in Scrutton Street. Some of which have been operating since 2005 with proven track records. This points to a total lack of consideration for their neighbours whether Businesses or Residents. This also contravenes Best Practice under the Section 182 Guidance to the Licensing Act 2003.

There does not appear to be any consideration as to the effect that this Application will have on the Shoreditch Policy Area especially considering its close proximity. It is inevitable that people will get alcohol from this shop and drink alcohol within the SPA and add to the Cumulative Impact. The Local Community Police show in their September 2019 Newsletter, Anti -Social Behaviour(ASB) as their number 1 Ward Priority for Hoxton East and Shoreditch Ward. Granting this Premises a License would inevitably exacerbate existing problems.

operating in this fashion for over a month. On Monday 7th October 2019 between 13.35 and 13.44 (Hot food was being sold and taken away) and on Friday 11th October 2019 between 18.00 and 19.00 and on Wednesday 16th October 2019 at 17.23 I saw that this was the case as well as not having any Food Hygiene Rating on display on these occasions.

The Hackney Planning Portal shows that:

On checking the Planning Portal there was a Planning Application 2006/1673 for change of use of ground floor and basement from A1 Retail to A5 Hot Food Take Away with the installation of an external flue at rear. Opening hours 07.00 to 16.40 Mon-Fri.

The Decision shows: Withdrawn, the case officer was Caitriona Crowe. Showing Existing Land Use: Retail other than the use of Hot Food.

Proposed Land use: Restaurant. Sale of hot food/consumption on Premises.

I notice that there is a current Application in 2019/3504 under consideration Replacement of Shop door etc. (no mention of food). ref 2019/3504 Raymond OKOT dealing.

I checked with Hackney Council Officer Mr. Okot who confirmed that they do not have Planning Permission to sell any Alcohol or Hot food and yet even with a Planning Application in at the moment it does not apply for permission to sell hot food or alcohol but relates to a change of an access door.

They are and have been trading without Planning permission and despite having had an unsuccessful Application, they are Trading in direct contravention the Planning Decision and have made no attempt to re- apply. This demonstrates a total disregard for their legal requirements.

I also checked with Hackney Council and Mr. Paul Watts as to whether they had registered for Food Hygiene. They had not although this is a legal requirement. This is why no rating is shown. This clearly deprives

food is safe to eat. Again, this displays a total disregard for Law and procedure.

On visiting the Premises, I noticed that there appeared to be a CCTV Camera however no sign to confirm this. Again, a legal requirement. The only visible sign was Challenge 25 so no signs to respect the neighbours, not leave litter etc.

There are other considerations. An American lady lives in Holywell Row by Scrutton Street who has a young child. There is a school that Google Maps show as a mere 3-minute walk from the Premises.

Examining the proposed conditions, we say this:

5/ There shall be CCTV in Operation signs prominently displayed.

Response: This is law in any case and is replicated as a Condition.

7/ All alcohol shall be sold in sealed containers. They shall not be opened or consumed in or within the vicinity of the premises.

Response: This merely means(reads) that cans/wines etc. won't be opened in the shop. This Condition with this wording does not and will not, deter or even discourage people from buying their alcohol and drinking it in the street, local area. /Special Policy Area etc.

10/ The premises will display signs by the entrance clearly stating that there shall be no loitering or drinking outside the premises.

Response: How exactly will this be enforced? On two visits, out of three, there was one member of staff only at the shop. What powers do they have to stop people from loitering or drinking outside the shop? They would surely need to call for the Police or Wardens who are already overstretched.

The inclusion of Condition number 10 is as revealing as it is worrying. Clearly the Applicant believes that people, having bought alcohol from their shop, will be likely to loiter and drink the alcohol purchased in the street (this absolutely demonstrates the ineffectiveness of Condition 7). The Applicant would clearly prefer their customers to drink away from

that is associated with drinking alcohol in the street and may result in a future Review of their License. Again, this shows a callous disregard for their neighbours and the SPA. Clearly and especially on a warm or hot day some customers will most likely take their purchase and if not allowed to loiter or drink outside this shop will be more likely to drink their purchase outside my clients' home, or that of the lady with the young child or within the Special Policy Area, or by the school, or other Businesses and so on. This will inevitably lead to fights, noise, litter, vomit, urination, vulnerability, and all the other issues that come with the territory.

There is no consideration or mention anywhere of restricting the strength of any alcohol especially beer, lager or cider. There are no measures/ Conditions to attempt to reduce the likelihood of any impact on the SPA or the local area, residents, businesses, and school. These either have callously not been considered at all or will be virtually impossible to enforce.

Hackney's Statement of Licensing Policy

LP1 General Principles State:

The Council Expects applicants to demonstrate:

A That they have an understanding of the nature of the locality in which the premises are located and that this is has been taken into consideration whilst preparing the operating schedule. **This does not appear to have been done.**

Alcohol Sales for Consumption off the Premises

helpfully addresses the issues of Off – Licenses with:

LP2

2.21 Evidence form the Police and Public Health suggests that the availability of alcohol from premises authorised to sell alcohol for consumption off the premises **has had a negative impact on the**

2.22 There are particular concerns that alcohol sales of this nature are more likely to lead to incidents of anti-social behaviour, such as street drinking and pre – loading.

2.23 A study commission by the Council showed that the Borough appears to have a large number of convenience stores/Supermarkets that are Licensed to sell alcohol until the early hours of the morning. Many of these are located in and amongst the entertainment/food and drink premises.

2.24 The study also found that Patrons have access to relatively cheap off-sales alcohol from local stores to supplement the alcohol purchased and consumed in the “on trade”

LP4 Off Sales for Alcohol

showing Off-Sales between 08.00 and 23.00(maximum)

LP5 Lawful Planning Use and not exceeding Planning Permission Hours

Section 3 and LP11 Cover Cumulative Impact concerns

Appendix C Shows data for Hoxton East and Shoreditch Ward. This does not appear to have been taken into account at all with this Application.

Sec 182 Guidance

Steps to promote the licensing objectives

41. 8.41 In completing an operating schedule, applicants are expected to have regard to the statement of licensing policy for their area.

We would respectfully urge you to reject this Application. The Applicant has shown a total disregard for the Law, procedures, Hackney Licensing Policy. Planning decisions the Framework hours local residents and

From the facts, above it is clear that should a License be granted this will be likely undermine the Licensing Objectives of Crime and Disorder, Public Nuisance and the protection of Children and Public Safety.

Respectfully Submitted

Duly Authorised Licensing Agent for resident

Andy Newman

Andy Newman Consultancy Ltd

Ex Police Inspector 30 years exemplary Service

Ex Chair of Hackney Licensing Officers Enforcement Group(LOEG)

Ex Hackney Licensing Sergeant

Full active Member Institute of Licensing

Full active Member British Institute of Innkeepers

Member Institute of Directors 99

APPENDIX D



Scale: 1:1250 at A4



Ref:
31 October 2019

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